

Change of Use/ Change of Occupancy



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OVERVIEW

There are several things to know if you plan to start or move a business into a new location. So, **before** you consider buying, renting or leasing a site for your business, please contact the Planning & Community Development Department and the Fire Marshal to get answers to these questions:

- Will the proposed use trigger any building or fire code-related changes by the Fire Marshal?
- Does the City zoning code allow the proposed use at this location?
- Are there additional building or zoning requirements that could result in time delays?

What Is a Change of Use or Change of Occupancy?

Every building is given an occupancy classification when it is built and each classification has its own building code requirements. The requirements relate to the type of hazard or uses in the building. A change of occupancy is a change in the building's use that places the building in a different division of the same group of occupancies or in a different group of occupancies. For example, using an office building as a day care center or a changing a gift shop to a nail salon requires a change of occupancy.

Similarly, a change of use is required when the occupancy remains the same but the number of people allowed in the building at the same time is increased, or other factors change that may have different building code requirements. For example, if you propose to use an office space as a café, although these two uses are within the same occupancy class, it is a change of use due to the increased occupant load. Staff will help you to determine if either of these changes will be required prior to you opening a business.

Does this Require a Permit?

Yes, a change of use or change of occupancy requires a building permit. A permit is required in order to document a change of use or occupancy classification of a building, **even where no alterations are planned or required by the code.**

How Much Time Will It Take?

A simple change of use or occupancy may go through the permitting system within the standard timeframe, with goals of approximately four weeks. However, if you need special zoning approvals or if there is a complicated or unknown building history, it may take several months to get a permit. You can help to expedite the process by providing any requested information as quickly and comprehensively as possible.

How Much Will a Permit Cost?

Costs will depend on the scope of your project. We base most permit fees on the valuation of the work being done. In some cases, the project may be subject to a Systems Development Charge (SDC). Contact staff in the Public Works Department for more information regarding SDCs.

LEARN HOW TO APPLY →

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HOW TO APPLY

Depending on the scope of work, different permits may be required. ALL PERMITS at the City of Lincoln City must be completed online using **ePermitting**. Instructions for registering an account and applying for a permit can be found on our main permitting webpage at:

[Structural \(Building\) Permit, Mechanical Permit, and Inspection Information | City of Lincoln City, OR](#)

- If you need help, call our office and staff will guide you through the application process.

What will I need to include in the permit?

- **Description:** Describe the nature of the business and what type of updating or remodeling you intend to do, including painting, adding shelves, walls or half-walls, providing seating, or adding restroom facilities. If you do not plan any changes, state that clearly.
- **Plan(s):** Provide a scaled drawing of the space(s) you own or are leasing. If no changes are proposed this is the only plan you will need to include. We refer to this as the “as-built” drawing. If you are going to change the existing layout, a second plan will be needed that includes things like new shelving, walls, entryways, stairs, plumbing fixtures, or other revisions or additions to the space.

What should be included on the plans?

- **Floor Plan(s):** This will be a scaled drawing showing the proposed use of each room or space and the overall room dimensions. Also indicate window sizes and how the windows open; size of doors and direction of door swings; and stairways inside and outside the building.
- **Building Code Summary:** Describe how the existing structure meets all criteria of new construction. If it is determined that there are deficiencies, state how these are being remedied.
- **Site Plan(s):** This will be a scaled drawing showing the size of the building and its location in relation to the property lines and streets; relative elevation dimensions to show grade changes on the lot; any other structures on the property, paved driveways and parking, and any landscaping.

Do I need a licensed architect or engineer?

In some cases, a Change of Use/Change of Occupancy Permit will require you to submit plans prepared and signed by a licensed design professional. State Building Code states that this is necessary if one or more of the following describes your project:

- The building or space is over 4,000 square feet in area;
- The height of the building is over 20 feet;
- Required alterations or repairs involve structural parts of the building;
- The building official has determined that the work is of a highly technical nature or that there may be potential risk to life and/or safety of the structure.

You may find it valuable to hire an architect, engineer or commercial design professional to help you with your plans whether or not one is required by law. It is important that your design professional is familiar with change of occupancy code requirements as well as your type of building and business.