SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
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Change of Use / Change of Occupancy

Before purchasing, renting, or leasing a site it is important to contact the City of Saint Paul's Department of Safety and Inspections. DSI employees can inform you of any potential requirements for the site and assist in finding out if a proposed use of the site is allowed.

What is a Change of Use or Change of Occupancy?

When a building is built it is assigned an occupancy classification. These classifications have different building code requirements that correspond to the different levels of hazards associated with a particular occupancy or use in the building.

A change of occupancy is an alteration in a building's use that puts a building in a different division of occupancies (within the same or different building code occupancy group).

Examples:

- An office building becoming a day care center.
- A restaurant with seating for fifty (50), increasing seating to sixty (60).

A change of use is an alteration in a building's use within the same building code occupancy group but increase in the building's occupant load and/or alterations related to the use that trigger either different building code or other city-related requirements (e.g. - licensing requirements, ventilation requirements).

Example:

- An office building to a café

It is important to know that the legal use or occupancy classification of a building may not be consistent with its most recent, actual use. A change of use or occupancy applies to the use of a building as defined by the Building Code and may trigger different requirements (e.g.- sewer availability charges, allowable uses in zoning districts).

A Permit is Required

A building permit is required to record a change of use or change of occupancy – even if no alterations to the building are planned and/or required by code. The timeframe from application to issuance of a permit for change of use or occupancy varies and is dependent on many factors.

Considerations

Scope of Work	Code Considerations
Change of Use or Occupancy of a building (general)	Current code requirements must be met, including, but not limited to addressing accessibility for new work, removing existing barriers, potential addition of sprinkler systems
Change of Use or Occupancy of a building in certain locations	May require pedestrian amenities, landscaping depending on use/location within certain Zoning Districts
Exterior Alterations	May require Design Review or Historic Resource Review (land use review) in certain districts and/or for designated historic buildings

Accessibility Requirements

When a change of use or occupancy involves remodeling, all new work must meet current accessibility requirements. State law requires that up to twenty percent (20%) of the value of the total construction costs is spent removing any existing architectural barriers to improve accessibility for persons with disabilities. Accessibility improvements must be prioritized in the following order: accessible route to entry, accessible entry, restroom improvements.

Zoning

The Zoning District a property is located within has a role in determining a property's allowed uses, alongside many other factors. A change of use or occupancy and any exterior alteration to the property (e.g.- additions, buildings, fences, paving) is subject to general provisions of the Zoning Code and corresponding standards and conditions of the use.

Sewer Availability Charges (SAC)

Sewer availability charges, or SAC, is a one-time fee. SAC occur when a property initially connects to the regional wastewater system or when a use of a property changes in a way that increases demand on the wastewater system.

These fees are dependent on how much a business or project impacts wastewater infrastructure and may be significant. It is important to contact the Metropolitan Council for a SAC determination. Please note that a building permit cannot be issued without a letter from Metropolitan Council's Environmental Services.

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Inspections

Inspections are required for a building permit to change the use or occupancy, even if no work is required. Inspections are necessary to confirm the building meets all requirements for the new use or occupancy classification. A building permit is subject to expiration after one-hundred-eighty (180) days without an approved inspection. Extensions may be granted when requested in writing ***and*** if there is a reasonable cause for delay. Once inspected and approved, a new Certificate of Occupancy (CO) will be provided by an area Building Inspector.

Common Questions

Q ***How do I apply for a change of use or occupancy permit?***

A Apply through the City of Saint Paul's Permitting and Licensing website, PAULIE. You will be able to track permit status using your PAULIE dashboard.

Q ***Do I need a licensed architect/designer?***

A It is strongly encouraged applicants seek professional guidance from a Minnesota licensed design professional to navigate this process. A licensed design professional is required if:

- Alterations/repairs involve structural integrity of the building
- The changes of occupancy are to different classifications (i.e. – assembly, daycare, institutional uses)
- It is determined in Plan Review that the work is highly technical in nature and/or if there is a potential risk to life and/or safety of the structure
- The overall lowest floor finish to the overall highest overhead finish is greater than 20 ft.

Q ***What should be included when applying for a permit?***

A Plans should consist of both a site ***and*** floor plan, stair details (if applicable), cross sections, and building code summary.

(detailed list on next page)

Permit Applications should include:

Site plan – scaled drawings (i.e. – 1″ = 10′, ¼″ = 1′-0″, or 1/8″ = 1′-0″) are required to show:

- Building size and its location in relation to property lines and streets
- Relative elevation dimensions to show grade-changes on the lot
- Any structures on the property, paved driveways, parking pads, any landscaping
- Include a North arrow to display orientation

Floor plan – scaled drawings (i.e. – 1″ = 10′, ¼″ = 1′-0″, or 1/8″ = 1′-0″) ***for each level***, including basements and storage attics, and are required to show:

- Proposed use of each room and room dimensions
- Window sizes and how the windows open
- Size of exit doors, door swing direction, steps at doors, any glass panels in doors
- Stairways, both inside and outside the building and corresponding landings
- Accessible Route and Access

Stair details –

- Rise and run of all steps
- Location and height of handrails*
- Headroom* at the stairs

* Handrail height and headroom are measured straight up from the nosing of the stair treads.
This information may be provided with clear notes on floor plans or separate detail page

Cross Section – must be provided, except where information concerning ceiling heights, insulation, etc. can be shown elsewhere. The cross section must show the relationship between the grade outside and the interior floor levels. This must show any grade slope that affects accessibility.

Building Code Summary – must be provided of the existing structure, highlighting that it meets all criteria of new construction. It must show any deficiencies and how they are being remedied (i.e. – corrective construction or an approved building code design)