

Change of Use Under the Uniform Construction Code

(N.J.A.C. 5:23)

The Uniform Construction Code (UCC) defines "Change of Use" as "a change from one use to another use in a building or tenancy or portion thereof." Although there are exceptions, a *use* of a space is regulated based on what activity is expected to occur in that space. Changing from one *use* to another *use* is considered a "Change of Use" and is regulated by the UCC. This is not to be considered a *Zoning Change of Use*, as regulated by the Zoning Regulations. [Zoning Change of Use Regulations can be accessed by clicking here.](#)

GENERAL UCC GROUP CLASSIFICATIONS

Group A-1 occupancy includes assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to: Motion picture theaters; Symphony and concert halls; Television and radio studios admitting an audience Theaters.

Group A-2 occupancy includes assembly uses intended for food and/or drink consumption including, but not limited to: Banquet halls; Casinos (gaming areas); Nightclubs; Restaurants, cafeterias and similar dining facilities (including associated commercial kitchens); Taverns and bars.

Group A-3 occupancy includes assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to: Amusement arcades; Art galleries; Bowling alleys; Community halls; Courtrooms; Dance halls (not including food or drink consumption); Exhibition halls; Funeral parlors; Gymnasiums (without spectator seating); Indoor swimming pools (without spectator seating); Indoor tennis courts (without spectator seating); Lecture halls; Libraries; Museums; Places of religious worship; Pool and billiard parlors; Waiting areas in transportation terminals.

Group A-4 occupancy includes assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to: Arenas; Skating rinks; Swimming pools; Tennis courts.

Group A-5 occupancy includes assembly uses intended for participation in or viewing outdoor activities including, but not limited to: Amusement park structures; Bleachers; Grandstands; Stadiums.

*Exception: Space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a **Group B** occupancy.*

BUSINESS Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following: Airport traffic control towers; Ambulatory care facilities; Animal hospitals, kennels and pounds; Banks; Barber and beauty shops; Car wash; Civic administration; Clinic, outpatient; Dry cleaning and laundries: pick-up and delivery stations and self-service; Educational occupancies for students above the 12th grade; Electronic data processing; Food processing establishments and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities not more than 2,500 square feet in area; Laboratories: testing and research; Motor vehicle showrooms; Post offices; Print shops; Professional services (architects, attorneys, dentists, physicians, engineers, etc.); Radio and television stations; Telephone exchanges; Training and skill development not in a school or academic program (this shall include, but not be limited to, tutoring centers, martial arts studios, gymnastics and similar uses regardless of the ages served, and where not classified as a Group A occupancy).

EDUCATIONAL Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade.

Group F-1 (moderate-hazard factory industrial). Factory industrial uses that are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following: Aircraft (manufacturing, not to include repair); Appliances; Athletic equipment; Automobiles and other motor vehicles; Bakeries; Beverages: over 16-percent alcohol content; Bicycles; Boats; Brooms or brushes; Business machines; Cameras and photo equipment; Canvas or similar fabric; Carpets and rugs (includes cleaning); Clothing; Construction and agricultural machinery; Disinfectants; Dry cleaning and dyeing; Electric generation plants; Electronics; Engines (including rebuilding); Food processing establishments and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities more than 2,500 square feet in area; Furniture; Hemp products; Jute products; Laundries; Leather products; Machinery; Metals; Millwork (sash and door); Motion pictures and television filming (without spectators); Musical instruments; Optical goods; Paper mills or products; Photographic film; Plastic products; Printing or publishing; Recreational vehicles; Refuse incineration; Shoes; Soaps and detergents; Textiles; Tobacco; Trailers; Upholstering; Wood, distillation; Woodworking (cabinet).

Group F-2 (low-hazard factory industrial). Factory industrial uses that involve the fabrication or manufacturing of noncombustible materials that during finishing, packing or processing do not involve a significant fire hazard shall be classified as F-2 occupancies and shall include, but not be limited to, the following: Beverages: up to and including 16-percent alcohol content; Brick and masonry; Ceramic products; Foundries; Glass products; Gypsum; Ice; Metal products (fabrication and assembly).

Group H-1. Buildings and structures containing materials that pose a detonation hazard.

Group H-2. Buildings and structures containing materials that pose a deflagration hazard or a hazard from accelerated burning.

Group H-3. Buildings and structures containing materials that readily support combustion or that pose a physical hazard.

Group H-4. Buildings and structures containing materials that are health hazards.

Group H-5. Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials (HPM).

Group I-1 occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment, receive custodial care and are capable of slow evacuation. Buildings of Group I-1 shall be classified as one of the occupancy conditions specified in Section 308.3.1 or 308.3.2. This group shall include, but not be limited to, the following: Alcohol and drug treatment centers; Boarding houses; Residential health care facilities; Group homes; Halfway houses; Residential board and care facilities; Social rehabilitation facilities.

Group I-2 occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons where evacuation is impractical. This group shall include, but not be limited to, the following: Assisted living facilities; Detoxification facilities; Hospitals; Nursing homes; Psychiatric hospitals.

Group I-3 occupancy shall include buildings and structures that are inhabited by more than five persons who are under restraint or security. A Group I-3 facility is occupied by persons where evacuation is impractical due to security measures not under the occupants' control. This group shall include, but not be limited to, the following: Correctional centers; Detention centers; Jails; Prerelease centers; Prisons; Reformatories.

Group I-4 occupancy shall include buildings and structures occupied by more than five persons of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following: Adult day care; Child day care.

MERCANTILE Group M occupancy includes, among others, the use of a building or structure or a portion thereof for the display and sale of merchandise, and involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public. Mercantile occupancies shall include, but not be limited to, the following: Department stores; Drug stores; Markets; Motor fuel-dispensing facilities; Retail or wholesale stores; Sales rooms.

Group R-1 occupancies containing sleeping units where the occupants are primarily transient, including: Boarding houses (transient) with more than 10 occupants; Congregate living facilities (transient) with more than 10 occupants; Hotels; Motels; Vacation timeshare properties.

Group R-2 occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent, including: Apartment houses; Convents; Dormitories; Fraternities and sororities; Live/work units; Monasteries; Rooming houses with more than 5 occupants.

Group R-3 occupancies where the occupants are primarily permanent and not classified as Group R-1, R-2, R-4 or I, including: Alcohol and drug treatment houses with 5 or fewer residents; Buildings that do not contain more than two dwelling units; Boarding houses with 5 or fewer occupants; Care facilities that provide accommodations for five or fewer persons receiving care; Detached one- and two-family dwellings greater than three stories in height, multiple single-family townhouses greater than three stories in height, attached two- family dwellings separated from adjacent units by firewalls, and other one- and two-family dwellings that are outside the scope of the one- and two-family dwelling subcode; Group homes with five or fewer occupants in accordance with Section 308.3.4; Rooming houses with five or fewer occupants; Single residential occupancies, accessory to a dwelling unit, having no more than five roomers or lodgers

Group R-4 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment, receive custodial care and are capable of slow evacuation. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.6.1 or 310.6.2. This group shall include, but not be limited to, the following: Alcohol and drug treatment centers; Boarding houses; Group homes; Halfway houses; Residential board and care facilities; Social rehabilitation facilities.

Group R-5 occupancies shall include all detached one- and two-family dwellings not more than three stories in height with a separate means of egress and multiple single-family townhouses not more than three stories in height with a separate means of egress designed and constructed in accordance with the International Residential Code. This Group shall also include: Care facilities that provide accommodations for five or fewer persons receiving care; Single residential occupancies, accessory to a dwelling unit, having no more than five roomers or lodgers (Single occupancies, accessory to a dwelling unit, having more than five roomers or lodgers shall be classified as Group R-2 or I-1, as appropriate); Group Homes with 5 or fewer occupants in accordance with Section 308.3.4; Rooming houses with five or fewer residents.

Group S-1 (Moderate-hazard storage) occupancies are buildings occupied for storage uses that are not classified as Group S-2, including, but not limited to, storage of the following: Aerosols, Levels 2 and 3; Aircraft hangar (storage and repair); Bags: cloth, burlap and paper; Bamboos and rattan; Baskets; Belting: canvas and leather; Books and paper in rolls or packs; Boots and shoes; Buttons, including cloth covered, pearl or bone; Cardboard and cardboard boxes; Clothing, woolen wearing apparel; Cordage; Dry boat storage (indoor); Furniture; Furs; Glues, mucilage, pastes and size; Grains; Horns and combs, other than celluloid; Leather; Linoleum; Lumber; Motor vehicle repair garages complying with the maximum allowable quantities of hazardous materials listed in Table 307.1(1) (see Section 406.8); Photo engravings; Resilient flooring; Silks; Soaps; Sugar; Tires, bulk storage of; Tobacco, cigars, cigarettes and snuff; Upholstery and mattresses; Wax candles.

Group S-2 (Low-hazard storage) occupancies include, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings. Such products are permitted to have a negligible amount of plastic trim, such as knobs, handles or film wrapping. Group S-2 storage uses shall include, but not be limited to, storage of the following: Asbestos; Beverages up to and including 16-percent alcohol in metal, glass or ceramic containers; Cement in bags; Chalk and crayons; Dairy products in nonwaxed coated paper containers; Dry cell batteries; Electrical coils; Electrical motors; Empty cans; Food products; Foods in noncombustible containers; Fresh fruits and vegetables in nonplastic trays or containers; Frozen foods; Glass; Glass bottles, empty or filled with noncombustible liquids; Gypsum board; Inert pigments; Ivory; Meats; Metal cabinets; Metal desks with plastic tops and trim; Metal parts; Metals; Mirrors; Oil-filled and other types of distribution transformers; Parking garages, open or enclosed; Porcelain and pottery; Stoves; Talc and soapstones; Washers and dryers.

UTILITY AND MISCELLANEOUS Group U. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following: Agricultural buildings; Aircraft hangars, accessory to a one- or two-family residence (see Section 412.5); Barns; Carports; Fences more than 6 feet in height; Grain silos, accessory to a residential occupancy; Greenhouses; Livestock shelters; Private garages; Retaining walls; Sheds; Stables; Tanks; Towers.