



***INSPECTIONS & PERMITS
DEPARTMENT***

**“CHANGE OF TENANT”
Permitting Guide**

OVERVIEW

Before a new business moves into an existing commercial space in Cary, the Town requires a Change of Tenant permit. This process helps ensure that your new business is located in the right zoning district and that the building meets current safety and code requirements for your specific type of use.

Even if you don't plan to make any physical changes to the space, differences between one type of business and another can trigger distinct building code requirements.

Sometimes we also find that earlier tenants didn't get the proper permits, which can create gaps in the record. In those cases, we may ask for extra information about how the space was used before so we can help determine what's needed now.

Our goal is to make sure your business can open safely and successfully, with a clear understanding of what is required. This guide outlines the steps, documentation, and requirements involved in obtaining a Change of Tenant permit so you can move forward with confidence.

Getting Started with Helpful Resources:

- [Commercial "Change of Tenant" webpage](#).
- [Commercial Projects Webpage](#) (includes link to **apply for permits**)
- [Commercial Projects Plan Submittal Guide](#)
 - This guide helps applicants prepare their project documents for permit submission.
- [Applications and Forms](#)
 - This webpage also has the required applications, Building Code Summaries (standard or abbreviated) and the Statement of Special Inspections, etc.
- **Building Codes:**
 - The [NC State Building Codes](#) are available online through the Town of Cary website.
- **Cary Ordinances** (Zoning Compliance):
 - The Town of Cary [Land Development Ordinance](#) may also be accessed from the Town of Cary website.
- [Explanation and Overview of Change in Occupancy:](#)
 - This is an informational document to help explain some key terminology examples related to change of occupancy.
- **Restaurants** (important note):
 - Any change of tenant or occupant in a restaurant space (with a change in menu), will often require additional requirements due to the change in cooking equipment that is specific to the new menu.
 - See our [Commercial Projects Plan Submittal Guide](#) for further details.
 - Also submit a permit application directly to [Wake County Environmental Services](#). Application and fees for Wake County Environmental Services permits must be made directly with Wake County.
- A [sign permit](#) is required before you install a permanent or temporary sign. Many non-residential developments have approved [Master/Uniform Site Plans](#) which set parameters for the size, location and design of signs on property constructed or managed as a single development.

TABLE OF CONTENTS

Helpful Resources

Overview and Helpful Resources	3
Change of Tenant - Initial Requirements	4
"Key Plan" Submittal Requirements	5

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State of North Carolina Agencies

[NC Department of Insurance](#) (Engine ring and Codes) 919-661-5880
[NC Department of Labor](#) (Elevators) 919 707-7927
[NC Department of Labor](#) (Boilers) 919-707-7918

CHANGE OF TENANT – WITH PERMIT HISTORY

If the previous tenant properly permitted the space, in most cases, we will still have those records. That gives us a clearer starting point as we evaluate any potential changes involved with your proposed business.

The following checklist is to be used as applicable to your project.

GENERAL REQUIREMENTS

- **Identify the new tenant** and the intended **occupancy classification**.
- **Floor layout of your suite**
 - This does not need to be professionally drawn but does need to be clearly and neatly drawn.
 - Drawing should be drawn to scale. Include approximate dimensions of rooms (and areas) as well as labels for the intended use of each room or area.
 - Show exits, doorways, electrical panel locations, bathrooms, reception areas, etc.
- If the submitted building and tenant information indicates that physical improvements are needed in the space, the application will be updated to an alteration or renovation permit with the necessary trade permits. In such cases, additional information may be requested as a prerequisite to permit issuance.
- Apply for a [“Change of Tenant” permit](#).

CHANGE OF TENANT – WITHOUT PERMIT HISTORY

If, in reviewing the application, it is determined that the address does not have recent building permit history, provide the following information to determine code compliance and to process the application:

GENERAL REQUIREMENTS

- **Identify the previous tenant** and a **description of that previous business**.
- **Identify the new tenant** and the intended **occupancy classification**.
- **Key plan** of the building.
 - A key plan for a commercial building is a small-scale, simplified diagram or "mini-map" located on architectural drawings that shows the specific area being detailed in relation to the entire building or floor layout. It serves as an orientation tool for plan review staff.
 - More information on the requirements for submitting a “key plan” shown on page 5.
- **Floor layout of your suite**
 - This does not need to be professionally drawn but does need to be clearly and neatly drawn.
 - Drawing should be drawn to scale. Include approximate dimensions of rooms (and areas) as well as labels for the intended use of each room or area.
 - Show exits, doorways, electrical panel locations, bathrooms, reception areas, etc.
- Provide a completed [Abbreviated Building Code Summary](#)
- If the submitted building and tenant information indicates that physical improvements are needed in the space, the application will be updated to an alteration or renovation permit with the necessary trade permits. In such cases, additional information may be requested as a prerequisite to permit issuance.
- Apply for a [“Change of Tenant” permit](#).

A Planning and Zoning Guide for Submitting a “Key Plan”

KEY PLANS ARE NEEDED WHEN SUBMITTING AN APPLICATION FOR:

- A shell building that will be occupied by more than one tenant. This includes apartments, office buildings, strip malls, shopping centers, etc.
- A first-time tenant improvement
- *Change of commercial tenant (without a clear permit history)*
- An alteration of an existing space.

SUITE LAYOUT SUBMISSION PROCEDURE:

- Include the suite layout with your electronic submittal. The suite layout page(s) should be labeled and numbered.
- When submitting plans for an interior completion, the owner must provide a copy of the stamped, approved suite layout in the application package. Distinguish the suites by hatching or highlighting.
- Incidental areas such as lobbies, janitor’s rooms, electrical/mechanical rooms, etc. are not given suite numbers; only spaces that can be occupied.
- **Non-Residential:** When assigning suite numbers for commercial space, allow room for change. If any suite can be divided into smaller suites, be sure to skip numbers to allow for this type of change in the future, i.e. suite number 100, 104 skipping 102 and allowing for expansion. The best rule is to decide the size of the smallest suite that can be constructed and how many of these suites can be placed in the building and then number them in sequential order starting at the main entrance (facing the street of the building address) of the building. This will allow for numbering options when suites are combined. An address assignment should be allotted for every 20 feet of building width/frontage. As an example, a building 100’ in width should allow for a minimum of five address assignments. Odd suite numbers will be on one side with even suite numbers on the opposite side.
- **Residential:** Start with 100 or 101 at the main entrance with each floor mirroring the next. Odd suite numbers will be on one side with even suite numbers on the opposite side.
- Suite numbers can be numbered either clockwise or counterclockwise from the main entrance of the building. A suite number must be assigned to every possible suite.
- Basement suite numbers begin with 010 and continue through 019. This would be considered for a building that has suites on a lower level in the back.
- Single story building or the first story of a building will be in the 100 series; they may begin with either 100 or 101.
- Second floor suite numbers will be the 200 series; third floor will be the 300 series continuing in sequential order according to the number of floors. All suites on floors above the 1st floor should have the same number location as the first floor. For example, 1st floor suite 102 would have 2nd floor suite 202, 3rd floor suite would have 302, all stacking in sequential order.

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