

## Change-of-Use Guide for Licensed Professionals (Incl. Cannabis)

### Building Department Guide (Rev. 04.07.22)

*This guide is intended for use by licensed professionals and is not exhaustive nor meant to cover every scenario or serve as a replacement for the code books. The licensed professional of record shall perform the site inspection and change of use as they see fit in conformance with the code(s). The planning department may require additional information not included in this guide, please contact them for more information.*

### **GENERAL CHANGE-OF-USE GUIDE** (All items listed in this section are required for all change-of-use reports)

#### GENERAL

- General description of the business operations and how the space will be used and the extent of any changes.
- Include statement of proposed construction/changes or statement of *no* construction/changes.
- Occupancy classification and occupant load per IBC Chapter 3 and section 1004.
- Accessibility review in accordance with IEBC 305.4.
- Provide a registered design professionals' signed seal on the letter or plans including pages for structural, fire and life safety, plumbing, mechanical, and electrical.
- Provide address numbers and/or unit number, square footage of space, unit location (e.g., basement, 3rd floor). Where there are multiple occupancy classifications in one tenant space, provide an exhibit showing the square footage and location of each occupancy.
- If converting an unconditioned space to a conditioned (heated) space, demonstrate energy code compliance.
- Plans and permits are required per Building Code Sections 105 and 107. A letter sufficiently addressing the *change of use* may be accepted in lieu of a plan set where the change is minor and where it is directly stated there are no planned construction activities requiring a building permit with the proposed new use.
- Indicate proposed electrical, plumbing, or mechanical work.
- Indicate if fire sprinklers are provided or not and provide information on applicable fire barriers or partitions.
- Note if existing plumbing fixtures are adequate for any increased demand per IEBC Section 1009.
- Review the entire building for separated vs. non-separated occupancies, not just the individual tenant space.
- Change of occupancy from residential to commercial use, requires analysis of minimum floor loading etc. per IBC Table 1607.1 and door widths in compliance with IBC Section 1010.
- Indicate if any special detailed requirements apply based on the proposed use or occupancy per Ch.4 of the IBC.
- Where hazardous materials are present per Table 307.1(1) and the max allowable quantity is not exceeded, please fill out this form and upload with permit: *Hazardous Materials Inventory Statement (HMIS) – Short Form*.

#### EGRESS/DOORS

- Means of Egress shall comply with IBC Chapter 10 or IEBC.
- Guards and handrails shall be per current IBC/IEBC.
- Door operations per IBC 1010. Doors shall be readily operable from the egress side without use of a key or special knowledge or effort.
- Existing locks and latches shall comply with IEBC relative to the hazard category. New door locks and latches shall conform to IBC 1010.1.9.4. All new door hardware shall be accessible.
- Spaces with one means of egress shall be per IBC 1006.2 - Two exits required at occupant load of 50 and 75' common path travel distance. Note: The occupant load factor (O.L.F.) for dispensaries is 60 sq. ft. per person. The O.L.F. for grow areas is 300 and business areas is 150 per person.

#### STRUCTURAL

- Storage lofts shall be designed for 125 PSF minimum per IBC Table 1607.1. Please post this design load in the storage area on a permanent sign per IBC 106.1. Provide guards at storage lofts.
- Any unsafe structures or equipment shall be deconstructed and removed or made safe per IBC 116.



(For cannabis related uses, please continue...)

## **FOR CANNABIS RELATED USES...**

### **GROW FACILITIES**

- Permits shall be pulled for all work associated with the new grow area. Permits commonly required are mechanical, electrical and plumbing.
- Provide exhibit showing layout of tenant space and area/ location/ tier size of canopy area.
- Grow facilities are to meet IBC Chapter 3 requirements based on Use and Occupancy classification for factory industrial, F-1, moderate hazard occupancy (IBC 306.2), applicable Heights and Areas of IBC Chapter 5, Types of Construction of IBC Chapter 6, and Fire Protection Systems required by IBC Chapter 9. Note: A detached greenhouse may be classified as a U occupancy.
- Provide a hazardous materials code analysis per IBC Section 307.1.1 and IBC Table 307.1(1) for MAQ of combustible fiber used in drying/processing operations as well as any other hazardous materials used in the growing operations. *Note: Max combustible fiber for an F-1 occ is 100 cu ft when stored loose*
- Required outdoor ventilation air per IMC 403.2 and Table 403.3.1.1 or as determined by an approved engineering analysis per ASHRAE 62.1. *Note: a mechanical permit is required when installing a new exhaust fan.*
- Carbon dioxide (CO<sub>2</sub>) generation/enrichment shall be listed, labeled, properly installed, and functioning with a concentration level of no more than 1500 ppm. Provide a chain restraint for the tanks and a CO<sub>2</sub> interlock to alarm system. Please review the following for additional requirements: 2018 IFC Chapter 5307.4 Carbon Dioxide Enrichment Systems, 2018 IFC Section 916 Gas Detection Systems, NFPA 55 Compressed Gasses and Cryogenic Fluids.
- Verify applicable flame spread ratings for interior finishes based on IBC Chapter 8. Foam plastics barriers shall conform to current IBC. Exposed plastic sheeting or foam insulation is generally not permitted.

### **DISPENSARIES**

- Dispensaries are to meet IBC Chapter 3 requirements based on use and occupancy classification for mercantile, M, occupancy (IBC 309.1), applicable Heights, Areas, and allowable stories above grade of IBC Chapter 5, Types of Construction of IBC Chapter 6, and Fire Protection Systems required by IBC Chapter 9.
- Required Outdoor Ventilation Air [IMC Table 403.3 - Sales (15 occupants per 1000SF and 7.5 CFM per occupant)]

### **EXTRACTION/ MARIJUANA INFUSED PRODUCTS (MIP)**

- Extraction shall comply with 2018 IFC Chapter 39 and Section 414 of the IBC.
- Provide exhibit showing layout of tenant space and location of dedicated extraction room.
- Use of compressed gasses shall comply with 2018 IFC Chapter 53. In addition to the requirements of this section, indoor and outdoor storage of compressed gasses shall comply with the *material-specific* provisions of Chapter 54, 58 and 60 through 67.
- Extraction processes utilizing flammable gases or flammable cryogenic fluid shall not be located in any building containing a Group A, E, I or R occupancy.
- Demonstrate compliance with IFC 3904 – a technical report shall be provided to the fire code official for review. The design professional shall specifically detail ALL the equipment used in the extraction process, post-process purification and winterization. Alternative: Use *listed* premanufactured solvent-free extraction equipment.
- MIP/extraction facilities are to meet IBC Chapter 3 requirements based on use and occupancy of Factory Industrial, F-1, moderate hazard occupancy (IBC 306.2), applicable Heights and Areas of IBC Chapter 5, Types of Construction of IBC Chapter 6, and Fire Protection Systems required by IBC Chapter 9.
- Review the whole building for compliance with the Code, not just the individual tenant space (occ separation).
- To avoid an H occupancy classification, provide a hazardous materials code analysis per IBC Section 307.1.1 and Table 307.1(1) where hazardous materials are present and demonstrate compliance with control areas where applicable. Examples of common hazardous chemicals used are hydrocarbon-based solvents, Butane, Hexane, Cryogenic materials, Ethanol.

- Extraction facilities shall employ classified wiring methods of class 1 division 1 as described in NEC 500.5 B1 unless the engineer of record can justify an *approved* alternative.
- Applicable glass and glazing requirements based on IBC Chapter 24. Hazardous location, IBC 2406.4 #6 (within 24" of a door, tempered glazing or approved film will meet this requirement).
- [MIP] Cooking equipment shall be listed and labeled for the use involved per IMC 301.7
- [MIP] If infusing with extract obtained from a pre-manufactured source, please include a statement in the *change of use* letter verifying no extraction will be taking place on site.
- [MIP] please provide a letter stating the nature of the business, including ingredients, processes, and material quantities.

**MECHANICAL/PLUMBING** (*Applicable to extraction and grow facilities only*)

- Location of exhaust outlets shall comply with IMC 501.2.1. - #3 For all environmental air exhaust: 3 feet from property lines; 3 feet from operable openings into buildings for all occupancies other than Group U, and 10 feet from mechanical air intakes. *Such exhaust shall not be considered hazardous or noxious.*
- Fuel fired appliances shall be located in compliance with IMC 303.3 prohibited locations.
- Access shall be provided for equipment and appliances on roofs or elevated structures per IMC 306.5.
- Condensate disposal shall be per IMC Section 307 and local ordinance.
- New exhaust fans shall be installed and exhausted to an approved location per the 2018 IMC. To mitigate noxious odors, we *recommend* using a carbon filter on your exhaust air.  
*Note: a mechanical permit is required when installing any new exhaust fan/vent etc.*
- [Cultivation] The building shall be equipped with an *approved* backflow prevention device on the service line. If you are using a hose or faucet to water the plants, it shall also be equipped with an *approved* backflow prevention device per UPC 602.3. *Note: a plumbing permit is required to install a backflow preventor.*

**ELECTRICAL** (*Applicable to extraction and grow facilities only*)

All Electrical systems and permitting are required to be done by licensed electricians and contractors.

- [Cultivation] Dedicated outlets are needed for all *mounted* light fixtures, fans etc. (extension cords are not allowed for permanent fixtures.) A dedicated outlet must be within 6' of the fixture. Additionally, increased lighting loads many require increasing the size of the electrical panel/breaker.  
*Note: an electrical permit is required to add additional outlets.*
- [Cultivation] Outlets shall be GFI protected for wet locations. All areas where plants may be watered shall be considered wet locations.
- [Cultivation] Approved wiring methods utilized in grow facilities in accordance with "wiring methods and materials". NEC Chapter 3.
- [Cultivation] NM cable (Romex) is not allowed for use in damp locations like grow facilities, NEC 334.10.
- All electrical equipment is to be listed and labeled by an approved testing agency. NEC 110.3.
- Flexible cords (extension cords) are not to be used as a substitute for fixed wiring nor run through or concealed by hole in walls, structural ceilings, suspended ceiling, dropped ceilings of floors: run through doorways, windows or similar openings: attached to building surfaces. NEC 400.8
- Please verify individual tenant occupants can access their electrical equipment and panels without entering another tenant space. Access to equipment shall be maintained at all times.

**ADDITIONAL REQUIREMENTS**

The following parties have additional requirements related to Cannabis cultivation and extraction.

- For additional state requirements and plant limits, please reach out to the Montana Department of Revenue – [Cannabis Control Division](#) at (406) 444-0596.
- The City of Missoula [Zoning Department](#) has additional requirements in Title 20. They can be reached at (406) 552-6625.