



Change In Occupant Application

No Site Impact Development – A no site impact development shall consist of the re-occupation of a non-residential space previously occupied by another use if it does not result in significant impacts to drainage, public safety or health and welfare.

In the event that there is an existing commercial building that is changing tenants or a recently developed building awaiting its first occupancy, a change in occupant application is required to confirm that the zoning of the property is acceptable for the proposed use. This is considered to be a no site impact review. **Approval of this application has to occur before any building permit may be submitted or issued.**

The no site impact development review category is divided into two scenarios as follows:

- A. Re-Occupation of Space without Renovation or Change in Use or;**
- B. Re-Occupation or Occupation of Space with Renovation and No Change in Use**

A re-occupation of space without renovation or change in use consists of any re-occupation of an existing building where there is no change in use whereby the business name may be changing, ownership changes, or the same identical use that was there previously is re-occupying but has no interior or exterior renovations.

A re-occupation or occupation of space consists of re-occupying or occupying space for the first time whereby there are no impacts to the existing site, however, building permits are required in order to interiorly build out the space.

No Site Impact Review Process

Re-Occupation of Space without Renovation or Change in Use : The applicant must apply for a Change in Occupant application to verify consistency with the zoning regulations. The application shall be reviewed by the Planning and Zoning staff and forwarded to the Building Division and Public Safety Department for any required permitting.

Re-Occupation or Occupation of Space with Renovation and No Change in Use:

Change in Occupant Application – The applicant must apply for a Change in Occupant application to verify consistency with the zoning regulations. The application shall be reviewed by the Planning and Zoning staff and forwarded to the Building Division and Public Safety Department for any required permitting.

Building Plan Review – Prior to the issuance of a building permit for a renovation, the applicant shall submit two sets of drawings of the proposed renovation and the Change in Occupant Application to the Building Division. The drawings shall be of sufficient detail to illustrate the proposed renovation and shall be in accordance with building codes.

Other Agency Review – Depending on the proposed development and the existing site features, the Health Department, the Public Safety Department or the Clay County Utility Authority may be required to review the proposed development plans. The Building Division shall inform the applicant of any additional review requirements.

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If the Use of the Building or Space Changes See the Following:

Change in Use or Site Modifications - A change in use for a developed parcel shall occur when an existing use or business is changed. A site modification for a developed parcel shall consist of any of the following: alteration to existing impervious surface, increase in parking, change in landscaping or drainage improvements.

For example: A building or leased space was originally developed as an auto parts store and was designed to accommodate that particular use. If after the auto parts store leaves, and a church wants to buy or lease the space, that is considered to be a different occupancy, therefore a review must be performed in order to make sure that the site is acceptable to accommodate the new use.

Review Process – When proposing a change in use the applicant must present a Change of Occupant application to the Planning and Zoning Division. If it is determined that the proposed use is similar to the existing use the application will be processed. If it is determined that the proposed use is more intense, the development will be considered either a minor or major development as defined in this article and the applicant shall proceed with the development review requirements of said section.

If the previous use has ceased to operate for a period of six months or more, as evidenced by a disruption in electrical service, the applicant must proceed with development review as either a minor or major development.

When proposing a site modification the applicant shall submit a site plan to the Planning and Zoning Division for a determination of whether the modification is considered major or minor. Once a determination has been made, the applicant shall comply with the review process for either a major or minor development.

These specific review processes are linked below along with the Change in Occupant application:

[Minor Development Review](#)
[Major Development Review](#)
[Download Change In Occupant Application](#)

Be advised that the No Site Impact or Change in Use development categories apply to commercially zoned properties and uses.

If you have any questions you may contact the Planning and Zoning Division at (904) 278-4705 or email at clay.zoning@co.clay.fl.us
If you have any specific building permit or building code questions please contact the Building Division at (904) 269-6307.