
	<p><b>CITY OF DANA POINT</b></p> <p>COMMUNITY DEVELOPMENT BUILDING AND SAFETY</p> <p>33282 Golden Lantern, Suite 209 Dana Point, CA 92629 949 248-3594</p>	<p><b>B106 – C OF O</b></p>
	 <p><a href="http://www.danapoint.org">www.danapoint.org</a></p>	<p><b>2016 CALIFORNIA CODES</b> CODE CYCLE</p>
	<p><b>OBTAINING A CERTIFICATE OF OCCUPANCY</b></p>	

**INTRODUCTION**

Currently, the City of Dana Point does not require a City Business License; however the City does require a **Certificate of Occupancy** to be issued for:

- Any new business,
- Existing business name change,
- Change of ownership even when no tenant improvements are constructed,
- Any new use, change of business use or business type in existing space(s).

A separate building permit is required for Tenant Improvements, Businesses where or when a discretionary approval is required and certain Food Service and Automotive Occupancies.

A **Tenant Improvement** is defined as and includes:

*Moving or constructing new walls (bearing or non-bearing) interior partitions over 5' 9" tall, any changes to the electrical, lighting, mechanical, plumbing systems and/or any accessible (ADA) compliance modifications.*

The Certificate of Occupancy for Tenant Improvements will be issued after the building final and is included as a part of the improvement. See the Tenant Improvement submittal Requirements handout # B105-TI SUB for additional information.

This handout covers the requirements of obtaining a Certificate of Occupancy when there are no tenant improvements involved. The process consists of completing an application form # A004-C OF O, obtaining the approvals, paying the required fee, and passing an onsite inspection. After the completion of and passing the inspection, the Certificate of Occupancy will be available for pick up within 5 business days. Upon request, the Certificate of Occupancy can be mailed to you.

All applications for a Certificate of Occupancy shall include a minimum **11" X 17"** plan, using a minimum **¼"** font. In most cases this may be a **Site Plan, Parking Plan** and simple **Floor Plan**. For occupancies containing a moderate or high hazard or occupancies requiring any additional approvals from an outside agency or agencies, a higher degree of plan detailing and complexity will apply. A sample plan, # B063-C OF O SAMPLE is available to use as a guide. The City also has standard plan grid sheets available for use. See grid forms # B054-GRID1 & B055-GRID2. All City of Dana Point forms and standards are available for download from our web site.

Signs or Banners require a separate permit process and must have a valid Certificate of Occupancy in place prior to a Sign/Banner permit issuance.

**Planning approval(s) for both Zoning and/or Land Use requirements are in addition to the Building and Safety Division review and approval requirements.**

The following procedural checklist applies to occupancies without a tenant improvement:

- Application completed. (Application for Certificate of Occupancy A004-C OF O)
- 2 copies of a scaled and dimensioned **Plan** drawing, a minimum size of 11" x 17" with a minimum ¼" font, depicting the existing layout is required for Building Division approvals. Typically, the Floor Plan shall include the following items:
  - Exterior and interior wall outline.
  - Dimensioned restroom layout.
  - Path of travel, including the exits.
  - Locations of sinks (Beauty Salons)
  - Location of the electrical panel and/or electrical sub panel. 30" clear space required.
  - Any other permanently installed appliance(s), fixture(s) or device(s).
 All depictions and information must be legible and suitable for microfilming.
- Planning Division approval is required for the zoning, available parking (**Parking Plan**) and/or any applicable Land Use (**Site Plan**) requirements. There are two types of planning approvals:
  - a. A plan review of the general acceptability and verification that the use is permitted in the zoning and an approval to be submitted to the Building and Safety Division for a full review, **or**
  - b. A plan review including the over the counter review of the project. In some cases, this approval may be granted without a complete plan.

*General approval by the planning division of the use does not negate the building division plan submittal requirements.*
- The Building Division review and approval consists of the Occupancy, Accessibility, Building Code and Fire/Life Safety compliance(s) as it applies to your project. The ADA accessibility of the site is not part of the review and compliance with any federal ADA requirements is the responsibility of the owner/tenant.
- A records search of the existing suite or space may be required for verification of existing conditions.
- A letter (**Letter of Intent**) must be accompany the application, providing the following:
  - a. Name and brief description of business.
  - b. Square footage of tenant space – indicate office footage and warehouse square footage. (If applicable).
  - c. Usage of the adjoining tenant space(s). This is required to determine compatible occupancy and separation.
  - d. Number of employees.
- Hazmat disclosure and questionnaire, if applicable.
- Applicable fees for the on-site inspection and issuance of the Certificate of Occupancy by the City of Dana Point Building and Safety Division.
- Additional approvals and/or procedures are required for the following:
  - Automotive shops. Additional Electrical, Mechanical and Water Quality requirements apply.
  - Food Service occupancy will require both a water district "Will Serve" letter of approval and Public Works review and approval. The Current Water Quality and Grease Interceptor code compliance is required.
  - Orange County Health Department approval is required for food service, hair salons, and gas stations.
  - Massage Establishments. Additional licensing requirements apply for both the establishment and practitioners.
  - Any "**Restricted Use**" as determined by the Orange County Sheriff's Office.

When cosmetic improvements are performed prior to the inspection, it may not be possible to differentiate new work from existing work. In this case, additional accessibility requirements and/or other requirements pertaining to a Tenant Improvement may apply.