

	<b>CITY OF DANA POINT</b> <b>COMMUNITY DEVELOPMENT, BUILDING AND SAFETY</b> 33282 Golden Lantern, Suite 209 Dana Point, CA 92629 (949) 248-3594 <a href="http://www.danapoint.org">www.danapoint.org</a>	<b>B106 - C OF O</b>  <b>2022 CALIFORNIA CODES</b> <small>CODE CYCLE</small>  <b>01/02/2023</b> <small>EFFECTIVE DATE</small>
	<b>OBTAINING A CERTIFICATE OF OCCUPANCY</b>	

## 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 of the following:

- Any new business in a new building or structure.
- Change of occupancy group or use in existing space(s).
- Existing business without a C of O.
- Transfer of Liquor License.

Change of Ownership and/or Change of Name will not need a Certificate of Occupancy. However, 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 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. The City 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 application approved or in review 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:

- ☐ Completed Application. (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 plumbing fixtures, water heaters. Furnaces and AC equipment,
  - 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 accompany the application, providing the following:
  - Description of the nature of your business.
  - Number of employees.
  - Hours of operation.
  - Total square footage of lease space including calculation of square footage by use, or a breakdown of office/warehouse, retail/storage, etc. if applicable.
  - Indicate if fire sprinklers are present.
  - 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 requires, a water district “Will Serve” letter of approval and Public Works review and approval. 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 to both the establishment and practitioners.
- Any “***Restricted Use***” as determined by the Orange County Sheriff’s Office.
- Industrial Facilities subject the State Industrial General Permit (based on Standard Industrial Classification Code) will need to provide proof of coverage or No Exposure Certification (CEC), as applicable.

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.