

# How to Do Business in Dana Point

*A Permit Guide for Business Creation & Expansion*



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## Welcome to Dana Point's Permit Guide

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The Business Permit Guide is intended to provide accurate information about business permits issued by various government agencies. Its target audience is new business owners, as well as other business owners already located in Dana Point that may plan on a change of service or expansion. Developers and builders may also find this guide useful, to assist in becoming familiar with standards in the City of Dana Point.

This Guide will assist business owners in obtaining a fictitious business name, income tax registration, and more – tasks that virtually all businesses must complete. The Guide also addresses steps relevant to some, but not all businesses, such as use permits, sales tax permits, etc. We outline development regulations in the City of Dana Point, and provide resources for technical, hiring, and financial assistance.

If you have any further questions regarding business creation and expansion in the City of Dana Point, please contact the City's Economic Development team at (949) 248-3501 or visit [www.danapoint.org/econdev](http://www.danapoint.org/econdev).



## Getting Started with City Permits

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**ZONING:** Every property in Dana Point has a zoning designation, allowing certain types of uses in each zone. Do you know what zone your business will be located in? Before applying for permits, you should make certain your proposed property use is consistent with our current zoning. If you are unsure, a planner will assist you in determining whether the proposed use is consistent with the zoning for your preferred location, and if not, what additional permits you may need, or direct you to other areas with appropriate zoning.

**CONDITIONAL USE PERMIT:** A Conditional Use Permit is a request to allow a use which, while permitted under the use standards of a particular zoning district, may have potential to create adverse impacts on surrounding properties. The permit is "conditional" in that specific restrictions, or conditions, are typically placed on the use to ensure that it will not adversely affect the vicinity and the City as a whole.

**BUILDING PERMITS AND INSPECTIONS:** Building permits are required for all new buildings, additions, and alterations to existing buildings. Permits for minor additions and miscellaneous structures, such as signs and tenant improvements, can often be reviewed and a permit issued on the same day. Depending on the type of construction being performed, plumbing, mechanical, or electrical permits may also be required.

Inspection requests can be made by calling our inspection request hotline. When leaving a message, please include the following information:

- Permit Number
- Site Address
- Type of Inspection
- Date of Inspection Desired
- Gate Code (if applicable)

**For more information on Zoning, Permits, and Inspections call Planning at (949) 248-3564.**

Inspection times will vary depending on the Inspection Staff's work load. Inspections are normally performed between 9:30 am and 4:30 pm.

**CERTIFICATE OF OCCUPANCY:** Prior to moving your business into a new or existing building or changing an existing occupancy classification of a building, a Certificate of Occupancy is required. The purpose of the Certificate of Occupancy is to ensure that the proposed use conforms to applicable zoning and that the building meets California Building Code requirements.

**For information on a Certificate of Occupancy, contact Building at (949) 248-3564.**

The City's Building and Safety Division is responsible for issuing Certificates of Occupancy on behalf of the City. Once an application is received, Building and Safety may need to conduct an inspection, and if no violations or substandard conditions are identified, the City will issue the Certificate of Occupancy.

**For information on Business Registration, contact Economic Development at (949) 248-3501. Applications can be found at [www.danapoint.org/businessregistration](http://www.danapoint.org/businessregistration)**

**BUSINESS REGISTRATION:** The City of Dana Point has a voluntary Business Registration Program that includes all businesses in commercial areas throughout the City. While the program is

voluntary, participation allows us to better communicate with the businesses and help gain insight on the local business climate. The information will also assist the City's Police and Fire Services to contact the local owner or manager of a business in case of an emergency. Each participating business has the option of receiving newsletters, information regarding upcoming city events, and construction updates. There is **NO FEE** associated with this program.

**HOME OCCUPATIONS:** Dana Point allows the operation of a business out of your home if it is an "office" type business. The following performance and development standards apply to the establishment and operation of a permitted home occupation:

- The residence in which a home occupation is conducted does not demonstrate any indication of a business (such as a sign).
- Only persons residing in the residence shall be involved in the business; no outside employees are permitted.
- No more than one room may be used for business purposes. Required garages can not be used for the business in any manner, including storage of materials, and no portion of the business shall be conducted out of doors.
- The business generates no more than 10 vehicle trips per day.
- The business can not produce any noise, heat, vibration, glare, dust, or odor effects other than those ordinarily associated with a residential use.
- No retail sales are allowed on the premises other than sales by phone or mail.

**For information on Home Occupations, please contact Planning at (949) 248-3564. You can find the application online at [www.danapoint.org](http://www.danapoint.org)**

**PERMANENT SIGN PERMITS:** A sign permit is required for any new sign or changes to existing signage. Design guidelines can be found in Section 9.37 of the Municipal Code at [www.danapoint.org/municipalcode](http://www.danapoint.org/municipalcode).

**For information on Permanent and Temporary Sign Permits, please contact Planning at (949) 248-3563 or visit <http://www.danapoint.org/planning>**

**TEMPORARY SIGN PERMITS AND BANNERS:** Sign and banner permits allow the temporary use of banners or the permanent placement of signs throughout the City. The use of banners, pennants, flags, and other temporary signs to promote or advertise special events, civic activities, grand openings, and special sales are permitted subject to compliance with the regulations in the Dana Point Municipal Code.

# Orange County Permits

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After verifying compliance with City standards regarding your business, the next step in the process is to work with the County of Orange on setting up your business.

**FICTITIOUS BUSINESS NAME STATEMENT:** Doing business in Dana Point does not require a fictitious business name. However, if you will conduct business under a name other than your legal name, you need to file a Fictitious Business Name Statement with the County Clerk's Office. This statement can be filed within 40 days of the first day of business; however, it is recommended that you file before opening your business to avoid confusion. Another name for a Fictitious Business Name is "Doing Business As" or DBA.

**For information on Fictitious Business Names, contact the County Clerk's Office at (714) 834-3005 and the Orange County Register at (714) 835-1234. To check the business name index, visit <https://efbn.ocgov.com/eFBNweb>**

To file, check the business name index at the County Clerk's Office to make sure no one else is doing business under the name you have chosen. There are fees for filing and publishing a Fictitious Business Name Statement with one name/one owner and an additional fee for further owners and names. After a Fictitious Business Name Statement has been filed, you will receive a certified copy of the application. The bank you choose for your business' financial transactions will request a copy of this certified form to open your account.

Within 30 days after filing a Fictitious Business Name Statement, you need to publish the statement in a newspaper of general circulation in the County. The statement must be published once a week for four weeks. Depending on the newspaper's policy, either you or the newspaper will need to send proof of publication to the County Clerk. Many local newspapers provide the filing and publishing service. For more information, please contact the County Clerk's Office and the Orange County Register.

**For information on Food Related Business Plan Checks, please contact the County of Orange Health Care Agency at (714) 667-3737 or visit their website at [www.ochealthinfo.com](http://www.ochealthinfo.com).**

**FOOD RELATED BUSINESS PLAN CHECK:** If you are constructing a new food-related facility or are planning to make any type of tenant improvements to an existing food-related facility, you need to go through a plan check with the County's Environmental Health Division. Before your plans are submitted to the County, they



must be reviewed and approved by the City's Planning and Building offices. In the case of tenant improvements, a plan check by the County is required only if the improvements you plan to make are related to the food preparation area of your establishment (such as changes to any permanently installed equipment, structural changes to the food preparation area, or if food storage areas are changed).

**HEALTH PERMIT:** A food, facility and public pool plan check is needed for businesses which dispense food to the public, and for pool cleaning, septic tank business, public swimming pool installation and hazardous waste usage. A Health Permit, issued by the County's Environmental Health Division, is required before you open for business. Fees for a Health Permit are based on square footage and business category.

**For information on Health Permits, please contact the County of Orange Health Care Agency at (714) 667-3737 or visit their website at [www.ochealthinfo.com](http://www.ochealthinfo.com).**

A Health Permit is required for the following businesses:

- Restaurants
- Automotive, Gas Stations
- Packaging Warehouses
- Bars
- Pool Cleaning Businesses
- Bread Stores
- Private Wells
- Dry Cleaners
- Retail Markets
- Food Establishments/Mobile Food
- Food Distributors
- Soft Serve Machines
- Manufacturer of Food
- Swimming Pools
- Underground Hazardous Materials



**HAZARDOUS MATERIALS DISCLOSURE:** The Orange County Fire Authority (OCFA) is the Administering Agency for the Hazardous Materials Disclosure Program. The Hazardous Materials Section manages and informs emergency responders and the community. Please note that the California Health and Safety Code Section 25514(b) states any business that knowingly fails to disclose hazardous materials after reasonable Notice of Violation shall be liable for penalty fees.

**For information on Hazardous Materials Disclosure, contact the Orange County Fire Authority at (714) 573-6000 or visit their website at [www.ocfa.org](http://www.ocfa.org).**

It is likely that your business uses some materials that require disclosure. It is estimated that there are over 500,000 materials that are listed as hazardous. These include such common substances as gasoline, solvents and waste materials. The OCFA Hazardous Materials Division will evaluate and assess fees only for materials that are required to be reported. The Fire Department conducts inspections to confirm code compliance for hazardous materials use, handling and storage.

**For information on the Weights & Measures Registration, please contact the Agricultural Commissioner and Sealer at (714) 955-0100 or visit their website at [www.ocagcomm.com](http://www.ocagcomm.com).**

**WEIGHTS & MEASURES DEVICE REGISTRATION:** If you will be using commercial weighing or measuring equipment in your business, you are required to notify the County within 24 hours of equipment installation. Businesses such as delicatessens, grocery stores, or gas stations are included in this category. Within two weeks of notification, the scales or weights in your business will be inspected. The County of Orange bills businesses annually on July 1 for registration fees.

## State and Federal Permits

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**ALCOHOLIC BEVERAGE LICENSE:** If you want to sell alcoholic beverages from your business, you must obtain a license from the State Department of Alcoholic Beverage Control. The type of license you obtain depends on whether you sell alcoholic beverages for consumption off the premises (such as a grocery store or liquor store), or for consumption on the premises (such as a restaurant or bar). The initial licensing fee can vary greatly depending upon the nature of the project. The license must be renewed annually and the cost will vary according to the type of license. The processing time for Alcoholic Beverage Control Department (ABC) averages 45-60 days. For details regarding proper documentation, contact the Santa Ana District Office of the Department of Alcoholic Beverage Control. Due to the high volume of permit requests, you must call for an appointment to begin the application process.

**For information on Alcoholic Beverage Licenses, contact the State Department of Alcoholic Beverage Control at (714) 558-4101, or visit their website at [www.abc.ca.gov](http://www.abc.ca.gov)**

You should also check with the City of Dana Point's Planning Department for zoning clearance and Conditional Use Permit requirements. For special temporary events, you must also obtain a temporary permit from the State Department of Alcoholic Beverage Control.

**For information on employer registration, please contact the State Employment Development Department at (714) 288-2600 or the IRS at (800) 829-1040 or visit [www.irs.gov](http://www.irs.gov)**

**EMPLOYER REGISTRATION:** If you hire employees, you must register with the State Employment Development Department and the IRS within 15 days after your employees are hired. You must obtain a State Employer Tax Identification Number and a Federal Employer Identification Number. You must withhold State Income Tax, Disability and Unemployment Insurance, and Employment Training Tax.

**INCOME TAX:** For information regarding employee withholdings, self-employment tax, sole proprietorship, partnership, and corporation taxes, contact the IRS. The IRS will also provide you with a Federal Employer Identification Number. Once a year, every business in the State of California is required to submit a Business Income Tax Statement to the State Franchise Tax Board.

**For information on income tax, please contact the State Franchise Tax Board at (800) 852-5711 or Secretary of State at (213) 897-3062 or visit [www.ftb.ca.gov](http://www.ftb.ca.gov).**

**SELLER'S PERMIT (SALES TAX):** If you will be selling tangible personal property in the State of California, you must apply for a Seller's Permit with the State Board of Equalization. If your business is a partnership, one of the partners should be present to apply for the permit. If your business is a corporation, one of the corporate officers must bring the Articles of Incorporation at the time of the filing. There is no fee for a Seller's Permit, however, depending on your type of business, you may be required to post a deposit, which would be refundable after three years of non-delinquent payments.

**For more information on Seller's Permits, please contact the State Board of Equalization at (949) 440-3473 or visit [www.boe.ca.gov](http://www.boe.ca.gov).**

## More Resources and Assistance

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**For information on the Dana Point Chamber of Commerce, visit their website at [www.danapointchamber.com](http://www.danapointchamber.com) or call (949) 496-1555.**

**DANA POINT CHAMBER OF COMMERCE:** Dana Point has a strong Chamber of Commerce that is an excellent resource and an advocate for local businesses. The mission of the Dana Point Chamber of Commerce is to promote business

interests and protects the free enterprise system, to pursue a healthy economy, and strive for a better quality of life in our community. The Chamber is the voice of the business community on local, county, and state issues. Monthly meetings and mixers, weekly e-newsletters (the Chamber Compass), referrals, and a plethora of community events hosted by the Chamber provide members with opportunities for education, networking, and abundant exposure for your business.



**SCORE ORANGE COUNTY:** SCORE is a nationwide nonprofit organization dedicated to the formation, growth, and success of small business. SCORE is a resource partner with the U.S Small Business Administration (SBA). Over 10,500 successful executives, located in 389 local chapters throughout the United States, volunteer to provide free, confidential business counseling and low cost workshops as a public service to businesses. SCORE is a great source of free and confidential small business advice to help you build your business—from idea to start-up to success.

**For information on SCORE, please call (714) 550-7369 or visit their website at [www.score114.org](http://www.score114.org).**

SCORE volunteers are available to help you to leverage their expertise and energies to implement proven business practices in accomplishing your business objectives.

Some of the services SCORE offers include:

- No-cost personal counseling and mentoring at the variety of local SCORE offices
- The confidential advice of professional business men and women
- Experts on business issues who will help you analyze problems and find solutions
- Non-confrontational discussions

SCORE Orange County also offers low-cost workshops for both start-up and existing business entrepreneurs. Local business experts conduct training across a variety of relevant subjects including starting a business, business plans, marketing, finance, import/export, human resources and more.

**For information on the Orange County Small Business Administration, call (714) 550-7420 or visit [www.sba.gov](http://www.sba.gov).**

**SMALL BUSINESS ADMINISTRATION:** The U.S. Small Business Administration (SBA) was created in 1953 as an independent agency of the federal government to aid, counsel, assist and protect the interests of small business concerns, to preserve free competitive enterprise and to maintain and strengthen the overall economy of our nation. Small businesses are critical to our economic recovery and strength, to building America's future, and to helping the United States compete in today's global marketplace. The SBA website has extensive information

including: loan programs, free e-newsletters, and free online training courses on a variety of business topics.

**For information on the Orange County Small Business Development Center, visit their website at [www.ocsbdc.com](http://www.ocsbdc.com).**

**ORANGE COUNTY SMALL BUSINESS DEVELOPMENT CENTER:** The Orange County Small Business Development Center (SBDC) uses a variety of resources to counsel small business owners in financial, marketing, production, organizational, engineering, technical, and other management topics. Assistance is available to help develop feasibility studies, business plans, cash flow analysis and financial statements. Both one-on-one and group counseling sessions are offered at no cost to the small business. Seminars and special training are available for a nominal fee.

**ORANGE COUNTY ONE-STOP CENTERS:** The Orange County One-Stop Centers provides comprehensive employment and training services, including a Resource Center with access to computers, fax machines, copiers, and telephones. Other services include a resume distribution program; a career resource library, labor market information, networking opportunities, job search workshops, on-site interviews with local employers, transferable skills information, job leads, and training programs.

**For information on the Orange County One-Stop Centers, visit their website at [www.oconestop.com](http://www.oconestop.com).**

**ORANGE COUNTY BUSINESS COUNCIL:** The Orange County Business Council (OCBC) provides advocacy for regional economic development throughout the county. The OCBC accomplishes its mission by leading a high profile programs for business interests throughout California and the nation, focusing on three core initiatives: infrastructure, workforce development and workforce housing.

**For information on the Orange County Business Council, please visit their website at [www.ocbc.com](http://www.ocbc.com).**

## Business Resource Directory

### *City of Dana Point*

City Manager	(949) 248-3513	<a href="http://www.danapoint.org/citymanager">www.danapoint.org/citymanager</a>
Administrative Services	(949) 248-3524	<a href="http://www.danapoint.org/adminservices">www.danapoint.org/adminservices</a>
City Clerk	(949) 248-3505	<a href="http://www.danapoint.org/cityclerk">www.danapoint.org/cityclerk</a>
Community Development	(949) 248-3563	<a href="http://www.danapoint.org">www.danapoint.org</a>
Planning	(949) 248-3563	<a href="http://www.danapoint.org/planning">www.danapoint.org/planning</a>
Economic Development	(949) 248-3501	<a href="http://www.danapoint.org/econdev">www.danapoint.org/econdev</a>
Building	(949) 248-3564	<a href="http://www.danapoint.org/building">www.danapoint.org/building</a>
Code Enforcement	(949) 248-3564	<a href="http://www.danapoint.org/codeenforcement">www.danapoint.org/codeenforcement</a>
Public Works & Engineering	(949) 248-3554	<a href="http://www.danapoint.org/publicworks">www.danapoint.org/publicworks</a>
Police Services	(949) 248-3531	<a href="http://www.danapoint.org/policeservices">www.danapoint.org/policeservices</a>
Community Services & Parks	(949) 248-3530	<a href="http://www.danapoint.org/recreation">www.danapoint.org/recreation</a>

### *Orange County Resources*

Orange County Health Care Agency	(714) 667-3737	<a href="http://www.ochealthinfo.com">www.ochealthinfo.com</a>
Orange County Fire Authority	(714) 573-6000	<a href="http://www.ocfa.org">www.ocfa.org</a>
Agricultural Comm., Sealer of Weights & Measures	(714) 955-0100	<a href="http://www.ocagcomm.com">www.ocagcomm.com</a>

### *State of California Resources*

Department of Alcoholic Beverage Control	(714) 558-4101	<a href="http://www.abc.ca.gov">www.abc.ca.gov</a>
State Employment Development Department	(714) 288-2600	<a href="http://www.edd.ca.gov">www.edd.ca.gov</a>
State Franchise Tax Board	(800) 852-5711	<a href="http://www.ftb.ca.gov">www.ftb.ca.gov</a>
State Board of Equalization	(949) 588-4059	<a href="http://www.boe.ca.gov">www.boe.ca.gov</a>

### *Other Resources*

Dana Point Chamber of Commerce	(949) 496-1555	<a href="http://www.danapointchamber.com">www.danapointchamber.com</a>
SCORE Orange County	(714) 550-7369	<a href="http://www.score114.org">www.score114.org</a>
Orange County Register	(714) 835-1234	<a href="http://www.ocregister.com">www.ocregister.com</a>
Small Business Administration	(714) 550-7420	<a href="http://www.sba.gov">www.sba.gov</a>
Orange County Small Business Development Center	(714) 564-5200	<a href="http://www.ocsbdc.org">www.ocsbdc.org</a>
Orange County Business Council	(949) 476-2242	<a href="http://www.ocbc.org">www.ocbc.org</a>
Orange County One-Stop Centers	(949) 341-8000	<a href="http://www.oceonestop.com">www.oceonestop.com</a>
Dana Point Times	(949) 388-7700	<a href="http://www.danapointtimes.com">www.danapointtimes.com</a>

