

LAGUNA NIGUEL

BUSINESS GUIDE



We roll out the red carpet for you.



CONCIERGE
SERVICES

City of Laguna Niguel
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LAGUNA NIGUEL

BUSINESS GUIDE

Thank you for choosing the City of Laguna Niguel to conduct your business. Our goal is to make your experience as efficient and effective as possible. As you may know, there are different regulations related to developing a property or operating a business within the City. Our objective is to ensure you know the requirements for conducting your business in the City.

Committed to providing an unparalleled level of service, the City of Laguna Niguel proactively provides a special Concierge Service Program for residents, businesses, and developers in the review of development applications.

Laguna Niguel is a business-friendly city and works closely with many shopping center property owners and the Laguna Niguel Chamber of Commerce to ensure that any regulatory challenges facing our local businesses are addressed in a timely manner. The City's goal is to foster a thriving business community and work collaboratively with Laguna Niguel restaurants, shops, offices, and retailers to ensure a smooth process, so you can focus on growing your business.

The Laguna Niguel Business Guide provides a general overview of the permits and processes various agencies require when starting a new business. Even though starting a new business can be confusing and complicated, our guide and staff are here to assist you with beginning your new venture.

For more information about starting or growing your business, contact the City's Community Development Department at 949-362-4300 or planning@cityoflagunaniguel.org.



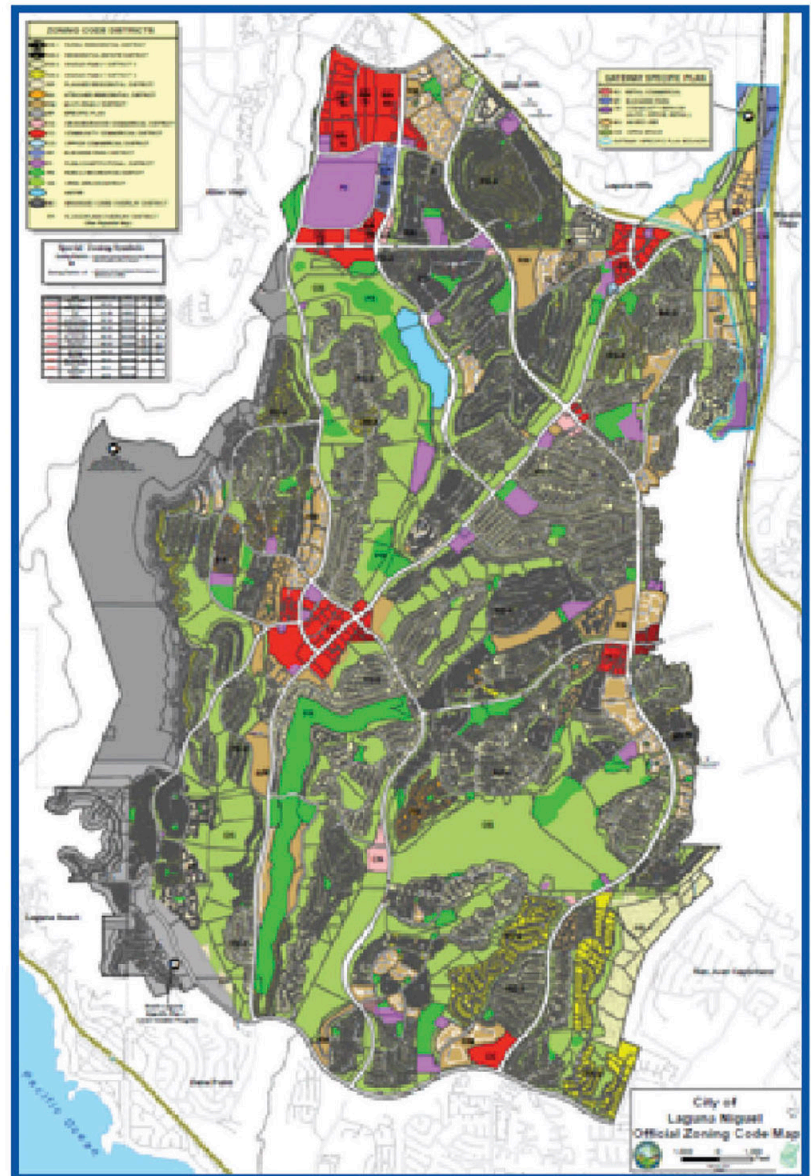
CITY REQUIREMENTS

■ STEP 1: ZONING

The Laguna Niguel Zoning Code (LNZC) was established in 1999 to promote public health, safety, and general welfare. The LNZC classifies different land uses and structures in appropriate places as designated in the General Plan and regulates those land uses and structures to serve the needs of residential neighborhoods, commerce, industry, recreation, open space and other purposes. In addition, the Code ensures that adequate off-street parking and loading facilities are provided and maintained for all land uses.

Each property has an identifiable zoning designation where specific land uses are designated – permitted by right; through a full-use permit; permitted through a minor-use permit or prohibited. To determine the type of approval required for your proposed business, contact the Planning Division before finalizing the location of your business.

Are you operating the business out of your home? A Home Occupation Permit is required for home offices. For more information contact the Planning Division staff at 949-362-4300.



■ STEP 2: USE PERMIT (NO BUSINESS LICENSE!)

There is no business license or business registration required in the City of Laguna Niguel, so if a Use Permit is not required for your use based on its zoning designation, move directly to Step 3!

A Use Permit is a request to allow a land use that has potential for adverse impacts on surrounding properties, residents, or businesses. Therefore, when such uses are approved, conditions are placed on their establishment and operation to mitigate or eliminate such impacts. If your proposed business type requires a full- or minor-use permit, an application and process will be required before receiving a Certificate of Occupancy. The process typically takes about 45 to 60 days after the application has been deemed complete. Please refer to Discretionary Application Checklist for complete list of required items, available at: <https://cityoflagunaniguel.org/DocumentCenter/View/20840/201---Discretionary-Permit-Application-Packetpdf>. Please be aware that depending on your proposed use, approval from other agencies such as the Orange County Sheriff's Department or County of Orange Health Care Agency may be required.

■ STEP 3: CERTIFICATE OF OCCUPANCY

A Certificate of Occupancy (C of O) is required for ALL new businesses in the City. The C of O is a document issued by the Building Division to certify that a nonresidential space or newly constructed residential building has been inspected for compliance with the California Building Code Standards. All existing businesses that change the business name and/or ownership are required to obtain a new C of O.

There are two ways to obtain a C of O:

1. Through a Tenant Improvement/Building Permit. This means any change in design, remodel and any construction, building, electrical, mechanical, or plumbing. Plans must be submitted to the City for review and approval. Once the plans are approved, a permit may be issued, allowing construction to begin. After the construction is completed and the City Inspector performs the final inspection, a C of O is then processed and mailed to the business. For more information, refer to Form 105 Tenant Improvement Submittal check list.

2. Submit a Certificate of Occupancy application. A C of O application is required when no tenant improvements are being constructed and a previous C of O was issued for the same use. If this is your situation, a C of O application is required along with two copies of a site plan and floor plan of the existing space. Other items may be required depending on the type of business. The application is then reviewed by the Planning Division for zoning clearance. Upon Planning Division approval, your application is processed, and an inspection is scheduled for a City Inspector to visit the site and verify that no modifications were made to the space without proper permits and no code violations exist. After the final inspection is performed and passed, the C of O is processed and mailed to the business location. For more information, refer to Form 106 Certificate of Occupancy Checklist.



What is considered an improvement?

- Shelving (portable/fixed)
- Cash register counter
 - Dressing Rooms
 - Partitions over 5'9"
- Replacing/relocating electrical, mechanical, plumbing fixtures

Unsure if what you are proposing is a tenant improvement?

Contact the Building Division at 949-362-4360.

GET NOTICED! SIGNS AND TEMPORARY BANNERS

PERMANENT TENANT SIGN

■ 1. DESIGNING YOUR SIGN

When working with a sign contractor or design firm, please ensure that your business signage is designed with the City's requirements in mind. Signs are regulated by each commercial center's sign program and the City's Zoning Code.

■ 2. PLANNING COURTESY REVIEW

Once you have designed your sign, contact the Planning Division or your assigned planner. A planner will request that you email your sign plan to your business' assigned planner. Your planner will then conduct a courtesy review of the sign design and details and will let you know if there are any corrections or inconsistencies with the sign program and Zoning Code. After the planner has approved your sign plans and received your landlord's approval, he or she will submit the approved plans to the Building Division.

■ 3. BUILDING PERMIT REVIEW

The Building Division will assist you in the approval of your sign permit. After the application is received, there is typically a 5-business-day building plan check and review of the signage. A building permit technician will notify you if there are any comments or if the sign permit is approved. When the sign permit is approved, you or your sign contractor will be asked to visit City Hall or go online to pay the permit fee and pick up the approved plans.



If your business is not located within one of the commercial centers identified, the City's Zoning Code sign requirements apply. For additional information on the signage requirements, contact the Planning Division at 949-362-4300.

After you have designed your sign, the process for receiving City approval for permanent tenant signs is twofold and is described below: 1) Planning Courtesy Review and 2) Building Permit Approval.

Did You Know?

The Planning Courtesy Review and the Building Permit Review can be done through email!
You or your sign contractor only need to visit City Hall when picking up your permit after it has been approved by Planning and Building Divisions.

TEMPORARY BANNER

The City of Laguna Niguel offers Temporary Banner Permits for new businesses, businesses going out of business, change of ownership, and promotional activities. The Temporary Banner Permit can be approved at the Planning Counter for a banner that does not exceed 20 square feet in area and for 30 maximum days. For the permit application, contact the Planning Division at 949- 362-4300.

Is your center operating a center-wide promotional event?
You may need a Temporary Use Permit! Contact Planning Division staff at 949-362-4300 for additional information.

■ SIDEWALK VENDING

On July 21, 2020, the Laguna Niguel City Council approved regulations establishing a sidewalk vending permit process and location criteria that provides a safe environment for both seller and customer. The permit application and instructions can be downloaded from the city website at

www.cityoflagunaniguel.org

You may email
planning@cityoflagunaniguel.org
for any further questions.



COUNTY OF ORANGE REQUIREMENTS

Compliance with City requirements is the first step in starting your business operations. The next step is to work with the County of Orange to obtain your Fictitious Business Name Statement and relevant health approvals.

■ FICTITIOUS BUSINESS NAME STATEMENT

A fictitious business name allows a business owner the legal right to operate in a name other than his or her own. The City of Laguna Niguel does not require approval of a fictitious business name. If you choose to file for a Fictitious Business Name, you will need to file a Fictitious Business Name Statement with the County Clerk's Office.

For information on how to file a Fictitious Business Name Statement, visit the County Clerk's website at <http://www.ocrecorder.com/services/fictitious>.



■ COUNTY HEALTH PERMIT

Depending on the type of business you are opening, there may be a requirement of a County Health Permit, which is issued by the County's Environmental Health Division.

For example, a Health Permit is required for the following business types:

- Restaurants
- Gas Stations and Automobile Uses
- Bars
- Dry Cleaners
- Underground Hazardous Materials
- Retail Markets

Be aware that an exhaustive list of all businesses requiring a Health Permit is available from the County of Orange Health Care Agency. Contact the agency for additional information.



**For information on Health Permits,
contact the County of Orange
Health Care Agency at
714-667-3737 or visit
www.chealthinfo.com.**

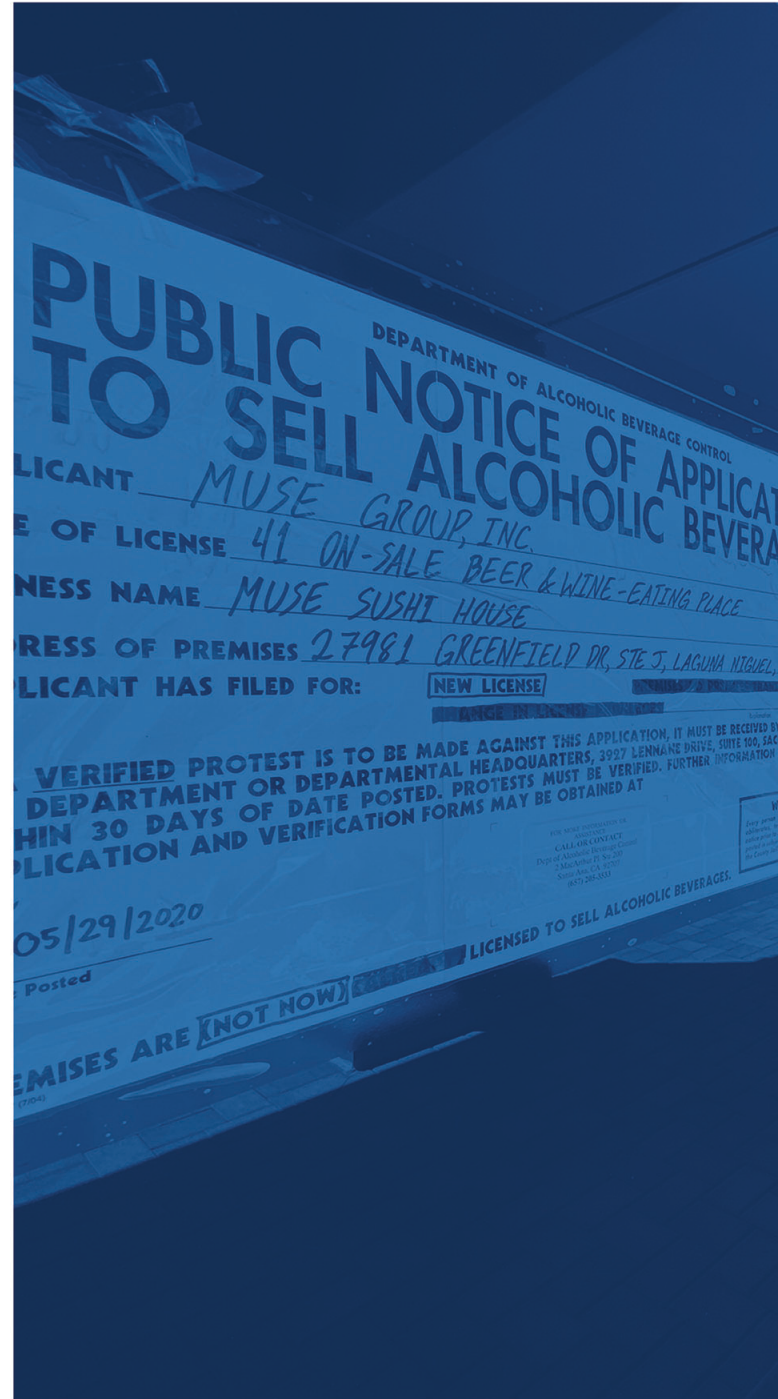
STATE OF CALIFORNIA AND FEDERAL REQUIREMENTS

■ ALCOHOLIC BEVERAGE LICENSE

Before applying for the ABC license, contact the City's Planning Division to discuss if a Use Permit is required or other City requirements.

If you are proposing to sell alcohol at your business, contact the state's Alcoholic Beverage Control (ABC) for information on its licensing process. The license type required depends on the type of alcohol sales (onsite or off-site consumption), the type of alcohol being sold (beer/wine or liquor), and the type of establishment where the alcohol is sold (restaurant, bar, grocery store, or liquor store). The license must be renewed annually, and the cost will vary according to the type of license. For details regarding proper documentation, contact the Santa Ana District Office of the Department of Alcoholic Beverage Control.

For special temporary events, you must also obtain a temporary permit from the State Department of Alcoholic Beverage Control.



For information on Alcoholic Beverage Licenses, contact the State Department of Alcoholic Beverage Control (Santa Ana office) at 714- 558-4101 or visit www.abc.ca.gov

■ EMPLOYER REGISTRATION

If you operate a business and employ one or more employees, you must register as an employer with the Employment Development Department (EDD) when you pay wages more than \$100 in a calendar quarter. If you are a household employer of one or more household workers, you must register with the EDD when you pay cash wages of \$750 or more in a calendar quarter.

For information on employer registration, contact the State Employment Development Department at 714-288- 2600 or visit <https://www.edd.ca.gov/>. Contact the IRS at (800) 829-1040 or visit www.irs.gov.

■ INCOME TAX

Contact the IRS for information regarding employee withholdings, self-employment tax, sole proprietorship, partnership, and corporation taxes. In addition, the IRS will provide 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.

■ SELLER'S PERMIT (SALES TAX)

If you are doing business in California and intend to sell or lease tangible personal property subject to sales tax sold at retail, you are required to have a seller's permit and prominently display it at your place of business. Contact the State Board of Equalization for more information.

For more information on Seller's Permits, contact the State Board of Equalization at 949-440-3473 or visit www.boe.ca.gov.



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