

A Guide to
**Starting Your Business
in Calistoga**

PREPARED BY

City of Calistoga
Planning & Building Department
www.ci.calistoga.ca.us

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PREFACE

The City of Calistoga recognizes the effort and investment that goes into starting a new business and wants to do its part to ensure a timely and efficient opening. *Starting Your Business in Calistoga* is a simple guide to help business and property owners understand the requirements for establishing a business in a commercial space within the City.

The information in this guide has been organized into a series of step-by-step questions that describe the types of businesses allowed within the City, what types of permits may be required for the business, how to apply for needed permits, and the time and costs associated with processing permits.

Because all businesses and business spaces are unique, it is simply not possible to cover all possible permitting scenarios in this guide. The intent here is to provide a basic overview of possible requirements to help you understand and integrate these requirements into your business plan.

It is important to understand that this guide is not intended to serve as a substitute for consultation with City staff. Early discussions with staff from the City's Planning and Building Department about the particulars of your business and the business space you are interested in is strongly recommended.

The City appreciates your consideration of Calistoga as a place to locate your business. Our staff is ready and available to work with you towards an expedient and successful opening.



IS MY BUSINESS ALLOWED IN THE CITY?

The City of Calistoga has three “zoning districts” that allow for a wide range of business activities. Zoning districts regulate the types of businesses allowed within the City and where they can be located. Areas within the City that are “zoned” for business are illustrated on the following page. The table below summarizes some of the businesses that are allowed within these zoning districts. Specific regulations for each zoning district, including a complete list of allowable and prohibited uses is available at the Planning and Building Department.

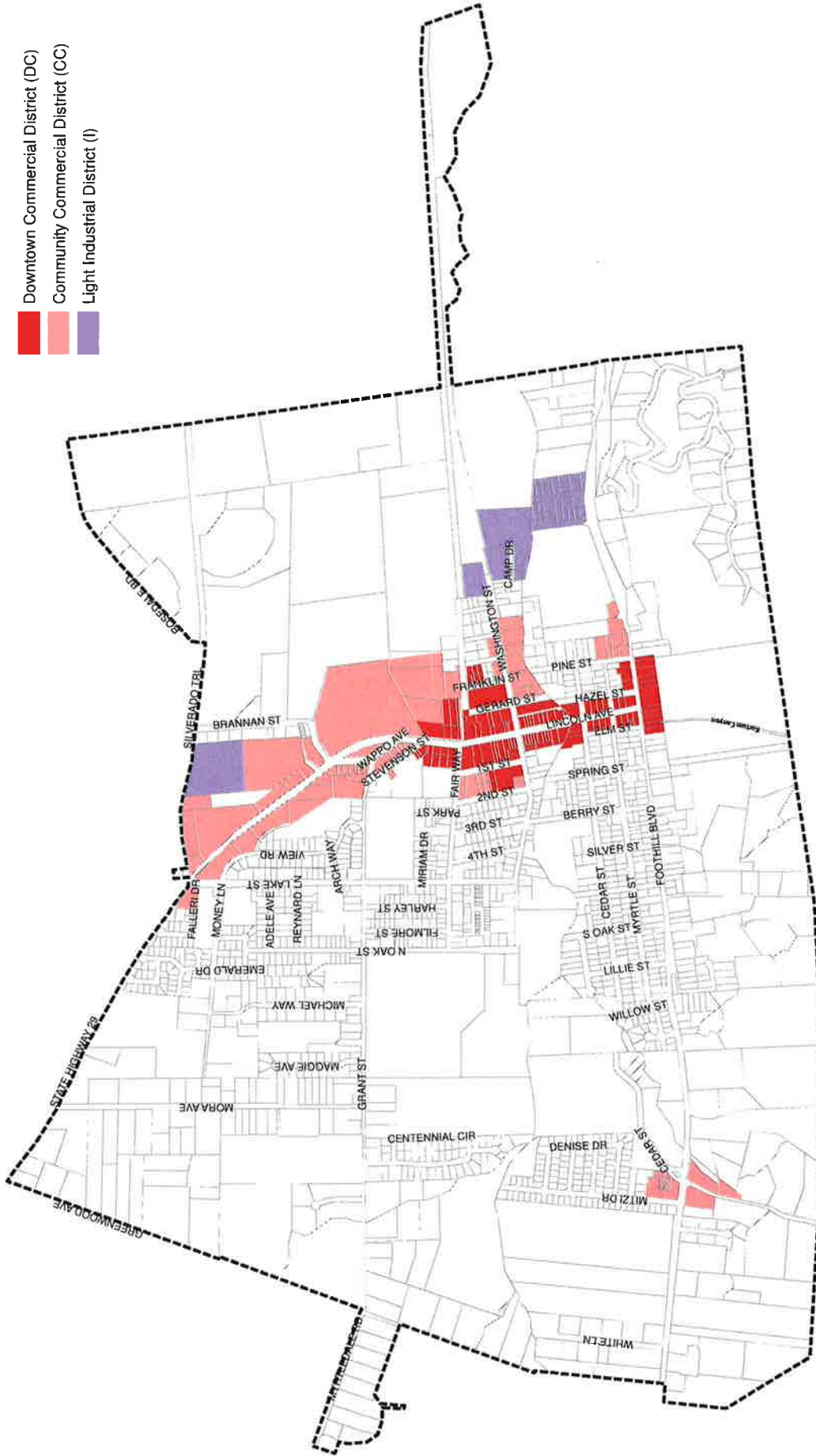
TIP: Many businesses or improvements to the business space require permits from the City or other government agencies.

Chapter 2 of this guide provides information on permitting requirements for new businesses.

CITY ZONING DISTRICTS

COMMERCIAL ZONES	INDUSTRIAL ZONES
<p>Downtown Commercial District (DC)</p> <p><i>Resident-serving retail uses</i></p> <p><i>Personal service establishments</i></p> <p><i>Business and professional offices</i></p> <p><i>Banks and financial institutions</i></p> <p><i>Medical and dental clinics</i></p> <p><i>Art galleries</i></p> <p><i>Retail stores</i></p> <p><i>Restaurants/bars/wine tasting</i></p> <p><i>Hotels, motels resorts and spas</i></p> <p><i>Sidewalk dining within the public right-of-way (except Lincoln Avenue)</i></p> <p>Community Commercial District (CC)</p> <p><i>All of the businesses listed above</i></p> <p><i>Automobile sales and repair</i></p> <p><i>Veterinary clinics</i></p> <p><i>Nurseries and greenhouses</i></p> <p><i>Wineries</i></p>	<p>Light Industrial District (I)</p> <p><i>Bookbinding</i></p> <p><i>Production of finished paper products</i></p> <p><i>Production of food products</i></p> <p><i>Mini storage/warehouses</i></p> <p><i>Production of leather/textile products</i></p> <p><i>Pharmaceutical products/research</i></p> <p><i>Wineries/bottling operations</i></p> <p><i>Commercial laundries</i></p> <p><i>Geothermal activities</i></p>

- Downtown Commercial District (DC)
- Community Commercial District (CC)
- Light Industrial District (I)



COMMERCIAL & INDUSTRIAL ZONING DISTRICTS

WHAT APPROVALS COULD I NEED FOR MY BUSINESS?

Depending on the type of business and/or the improvements that will be made to the business space, permits from the City may be required before opening your business. The types of permits most commonly needed by a new business include Building Permits, Planning Permits and Public Works Permits (for encroachments into the public right-of-way). Certain businesses may also require permits from other government agencies. For example, a restaurant business involving the sale of beer and wine will need permits from the City, the County of Napa (for food and beverage service) and the State of California (for sale of alcoholic beverages).

BUSINESS LICENSE

All new businesses are required to have a City-issued Business License before moving into the business space. Existing businesses changing ownership or relocating to a new business space in Calistoga are required to update their existing Business License. Application forms for a new Business License or to change an existing Business License can be obtained at the Administrative Services Department at City Hall or from the City's web site under the category of "Businesses."

TIP: ALL new businesses must obtain a Business License from the City and must arrange for an Occupancy Inspection of the business space prior to moving in. Businesses should also verify that adequate water and sewer service has been allocated to the business space.

OCCUPANCY INSPECTION

New businesses or existing businesses that are relocating to a new business space must have an Occupancy Inspection completed before moving into the business space. Occupancy inspections are typically conducted in conjunction with the submittal of a Building Permit for improvements to the business space. If the improvements being made to a business space do not require a Building Permit, an Occupancy Inspection can be arranged by submitting an application to the Planning and Building Department along with a floor plan showing how the space will be arranged.

Issuance of a Business License and an Occupancy Inspection can usually be completed within 10 days from the date an application is received.

BUILDING PERMIT

A Building Permit is required for certain improvements made to a business space. To apply for a Building Permit, an application form along with detailed plans and

information on the work being performed must be submitted to the Planning and Building Department.

Submittal requirements vary depending on the nature and extent of work being performed. Typical requirements include five copies of the following:

- *A completed building permit application form*
- *“As-built” (existing) floor plan of the business space*
- *Plans detailing framing and/or foundation work*
- *Plans detailing electrical, mechanical and/or plumbing work*
- *Title 24 Energy Compliance documents*

The following tables provide a general listing of when a certain business or activity will require a permit. ***Business owners are strongly encouraged to verify permitting requirements with City staff*** prior to signing a lease agreement.

When is a Building Permit Required?	
<p>Work that does not typically require a Building Permit</p> <p><i>Painting</i></p> <p><i>Carpeting</i></p> <p><i>Display cabinets</i></p> <p><i>Unattached clothing racks</i></p> <p><i>Tables and chairs</i></p>	<p>Work that requires a Building Permit</p> <p><i>New walls, floors & ceilings</i></p> <p><i>Modifications to existing walls, floors or ceilings</i></p> <p><i>New work or modifications to existing plumbing, electrical or mechanical equipment</i></p> <p><i>Door & window replacement</i></p> <p><i>Work on the exterior of the building</i></p>

Submittal of additional information may be required depending on the nature and extent of work being performed. ***Business owners are strongly encouraged to discuss submittal requirements with City staff*** before submitting a Building Permit application.

A Building Permit application form can be obtained at the Planning and Building Department at City Hall. A complete application, including all required plan detail and the required number of copies, is typically reviewed and approved within two weeks from the date of submittal (see process chart on Page 2-5). More complex applications and/or applications requiring the approval of other agencies may take longer to complete.

It should be noted that even if a business does not require a Building Permit, a Planning Permit may still be required for a business proposing an aesthetic change to the exterior of a building. Signs for new businesses also require a Planning Permit.

PLANNING PERMIT

Certain businesses require approval of a Planning Permit before a Business License can be issued and/or before improvements to the business space can be made. The type of Planning Permit needed will vary depending on the type of business or on the improvements being proposed. Planning permit requirements are summarized on Page 2-2 of this guide. A complete list of businesses allowed without permit (i.e., permitted uses) and those allowed with an Administrative Use Permit or Use Permit for each zoning district is available at the Planning and Building Department. Application procedures and timelines for each type of Planning Permit are described below.

TIP: Aesthetic alterations to the exterior of a building (e.g., painting, new awnings, etc.) located in a commercial zoning district are subject to Design Review approval even if the business itself does not require any other permit (see "Design Review" section under Planning Permits below).

New signs must also be reviewed and approved by the Planning and Building Department (see "Sign Permit" under Planning Permits below).

If your business requires a Building Permit and a Planning Permit, you are advised to consult with Planning and Building Department staff on coordinating the approval of needed permits. In some instances, a Building Permit cannot be issued until all needed Planning Permits have been approved.

When is a Planning Permit Required?	
<p>Businesses that do not typically require a Planning Permit</p> <p><i>Retail uses</i></p> <p><i>Bookstores and newsstands</i></p> <p><i>Business and professional offices</i></p> <p><i>Banks and financial institutions</i></p> <p><i>Medical and dental clinics</i></p> <p><i>Art galleries</i></p> <p><i>Antique stores</i></p> <p><i>Restaurants, bakeries and cafés</i></p>	<p>Businesses that typically require a Planning Permit</p> <p><i>Hotels, resorts and inns</i></p> <p><i>Sales of second hand goods</i></p> <p><i>Wine tasting, sales</i></p> <p><i>Souvenir shops</i></p> <p><i>Automobile sales, service</i></p> <p><i>Mixed residential/commercial projects</i></p> <p><i>Bars, live entertainment</i></p> <p><i>Liquor stores</i></p> <p><i>Light industrial uses</i></p> <p><i>Outdoor dining in the public right-of-way (sidewalk)</i></p>

Administrative Use Permit

Administrative Use Permits are required for uses that are limited in scope or of a temporary nature. They are reviewed and approved by Planning and Building Department staff. Applying for an Administrative Use Permit requires the submittal of a Planning Application Form (available at the Planning and Building Department), a written description of the business or activity and a floor plan and/or site plan. Administrative Use Permits generally take two to four weeks to review and approve (see process chart on Page 2-5).

Use Permit

Use Permits are required for certain businesses to ensure that their operations are conducted in a manner that is compatible with its surroundings and the public health, safety and welfare. A complete list of businesses requiring Use Permit approval is available at the Planning and Building Department.

Use Permits are reviewed and approved at a public hearing held before the City's Planning Commission. In approving a Use Permit, the Commission must determine that the business meets the criteria for Use Permit approval. The Commission may also impose operational requirements or other conditions of approval as part of their decision.

Applications for a Use Permit are available at the Planning and Building Department. Information required to be submitted as part of a Use Permit application includes:

- *A description of the proposed business and improvements.*
- *A site plan and floor plans (existing and proposed)*

Additional information may be required depending on the nature of the proposed business or improvements. ***Consultation with Planning and Building Department staff is strongly encouraged*** before submitting a Use Permit application.

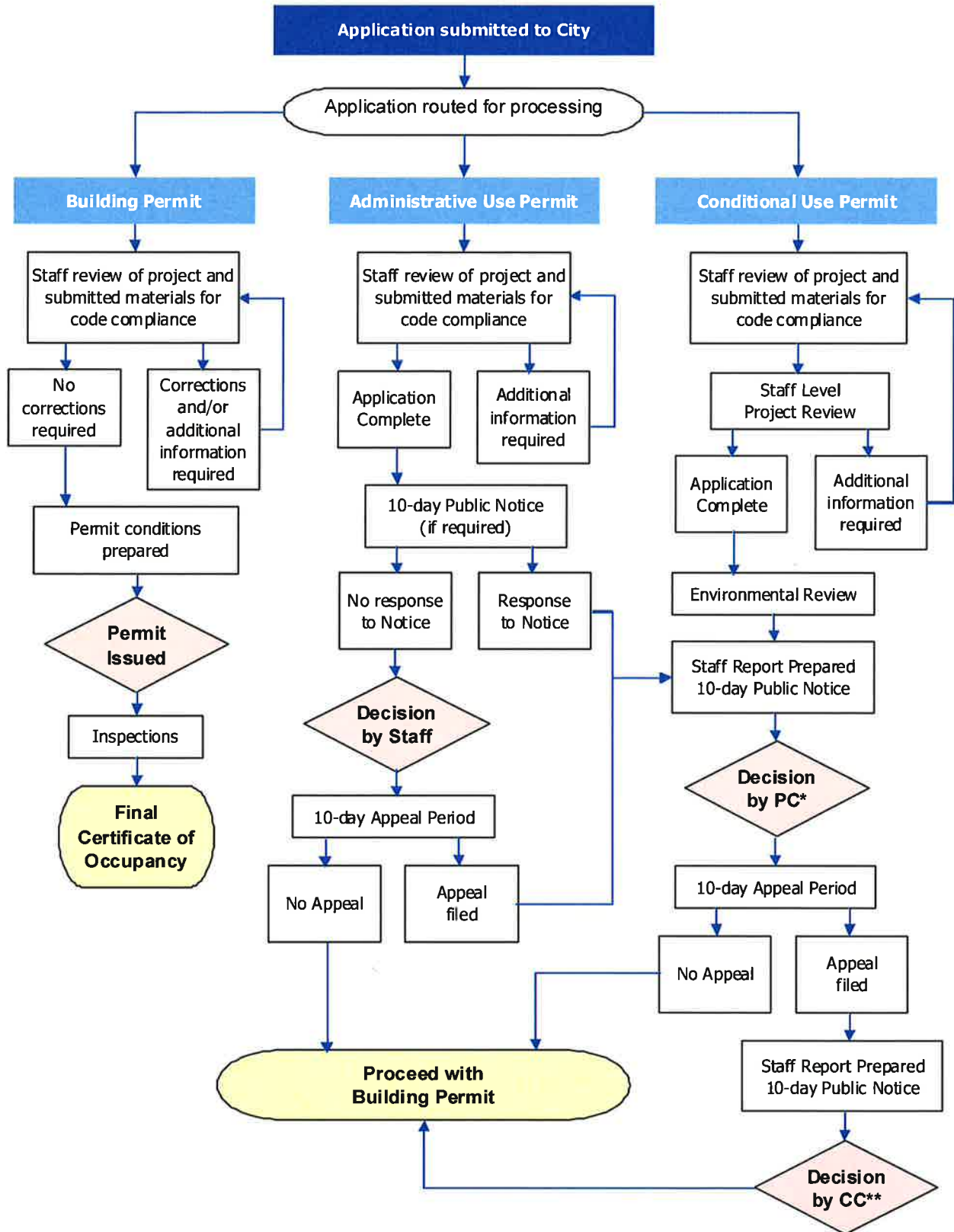
It takes approximately six weeks once an application is determined to be complete to review and approve a Use Permit application (see process chart).

TIP: Use Permits "run with the land" and are not transferrable from one property to another.

If your business requires a Use Permit and is similar to the previous business in the space it may be possible to utilize their Use Permit.

TIP: Businesses that sell or serve alcoholic beverages must obtain a license from the State Department of Alcoholic Beverage Control (see information below on how to apply for an alcoholic beverage license).

Planning & Building Permit Process



Temporary Use Permit

It is recognized that on occasion a business may wish to hold or participate in a special event which includes activities that are not normally a part of the business. Such events may be permitted with a Temporary Use Permit.

Design Review

Design Review is required when alterations are being made to the exterior of a building (e.g., change in color, materials, new or relocated windows and doors, etc.). The purpose of Design Review is to promote good design and ensure a harmonious relationship of buildings. In most instances Design Review is conducted administratively by Planning and Building Department staff. For businesses requiring Use Permit approval, Design Review approval is granted by the City's Planning Commission in conjunction with the Use Permit.

TIP: Extensive or unusual exterior alterations and/or exterior alterations to a historic or potentially historic building may be referred to the City's Planning Commission for review and approval. Additional information may be required for projects requiring Planning Commission review and approval. Advance consultation with Planning and Building Department staff is encouraged.

Applications for Design Review approval can be obtained from the Planning and Building Department. At a minimum, the following information is required when submitting an application for Design Review approval:

- *Building elevation(s) and/or photo renderings showing the "before" and "after" appearance of the building.*
- *A description or sample of the materials and colors to be used.*

Administrative review and approval of an application for Design Review approval takes approximately two weeks once the application is determined to be complete. Design Review applications requiring Planning Commission review and approval may take four to six weeks to complete.

Sign Permit

The City's Sign Ordinance regulates the type and size of business signs allowed. Most business signs require approval of a Sign Permit prior to installation. Typically, Sign Permit applications are reviewed and approved administratively by Planning Section staff. Signs that are unusual in size or design may be referred to the Planning Commission for approval. Sign Permit application forms are available at the Planning and Building Department.

Application submittal requirements include:

- *An illustration or photo rendering of the sign with dimensions*
- *Information describing or identifying the location on the building where sign(s) will be installed*
- *A description or sample of the materials and colors to be used.*

The City's Sign Ordinance prohibits the following types of signs:

- *Flashing, moving, animated, blinking and rotating signs whose illumination changes with time, or which is designed in a manner to simulate motion*
- *Signs located off the premises they serve, unless otherwise allowed for non-profit or Government agencies*
- *Signs that include a phone number*
- *Portable signs located in the public right-of-way*
- *Billboards*
- *Roof signs*
- *Pennants, balloons and inflatable devices*

Consultation with Planning Section staff on sign size, design and placement on the building is encouraged prior to submittal of a Sign Permit application.

Sign Permit applications that are reviewed administratively typically take one to five days to complete. Sign Permit applications referred to the Planning Commission for review take approximately four weeks to complete.

GROWTH MANAGEMENT ALLOCATION

A Growth Management Allocation is required when the amount of water or sewer capacity allocated to a property is insufficient to meet the demand created by the new business. For most re-occupancies of existing commercial space it is unlikely that an additional allocation is needed. However, when there is a change in use (e.g., retail to restaurant), a small increase in allocation may be required.

Any additional allocation that is needed to cover increased demand created by the business can be approved administratively by the City's Planning and Building Department. Application forms to request an increase in water and sewer allocation are available at the Planning and Building Department.

TIP: Business owners should be aware that the costs associated with increased water and sewer allocations can be significant. Further, any approved increase in water and sewer allocation stays with the property and is not transferrable. The responsibility for payment of these costs is a matter between the business owner and property owner. To facilitate in the management of these costs, the City offers payment plans.

Information required to be submitted with an allocation application includes:

- *A completed Growth Management Allocation application form*
- *A written description of the proposed business*
- *Current amount of water and wastewater allocated to the property*
- *A clear description of the amount of water and wastewater requested (with supporting technical information substantiating the request)*

Growth Management Allocation requests are usually processed in conjunction with a Planning Permit. If no Planning Permit is required, an allocation request typically takes two to four weeks to process.

ENCROACHMENT PERMIT

An Encroachment Permit is required if the business involves use of the public right-of-way for seating, dining, merchandise display or other activity. Installation of a sign or awning that overhangs into the public right-of-way also requires an Encroachment Permit.

An application form for an Encroachment Permit can be obtained from the City’s Public Works Department. It typically takes one to five days, depending upon the complexity and adequacy of the application, to review and approve an Encroachment Permit. Applications that are made in conjunction with other permit applications (such as a Building Permit or health permit from the County’s Environmental Health Division) may take longer to complete.

Long-term use of the public right-of-way as part of a business requires that the business owner name the City of Calistoga as an “additionally insured” on the owner’s general liability insurance policy.

Some encroachment permits require that the business furnish proof of liability insurance. A small fee for use of the public right-of-way may be charged to the business.

When is an Encroachment Permit Required?
Improvements that require an Encroachment Permit <i>Outdoor seating or dining areas in a public right-of-way (sidewalk)</i> <i>Awnings that overhang the public right- of-way (sidewalk)</i> <i>Signage that overhangs the public right-of-way (sidewalk)</i> <i>Business activities in the public right-of-way (sidewalk or street)</i>

COUNTY HEALTH PERMIT

The California Retail Food Code requires that a new retail food facility, or an existing retail food facility that wishes to remodel be reviewed and approved by the Napa County Division of Environmental Health (the local enforcement agency). Even the simplest food facility is required by law to meet certain minimum requirements regarding construction and equipment standards.

The County requires that three sets of plans and one set of manufacturer specification sheets be submitted for review. ***Prior to submittal, the plans must be brought to the***

City’s Planning and Building Department to be stamped. The County will not accept plans that have not been stamped by the City.

Plans and specifications submitted to the County for retail food facilities should include:

- Floor plan of all areas where food will be prepared and stored
- Equipment floor plan
- Equipment schedule
- Finish schedule
- Mechanical exhaust ventilation system data
- Plumbing layout
- Proposed menu

***TIP:** The three plan sets required by the County are in addition to the five sets of plans required for a City Building Permit.*

A comprehensive Retail Food Plan Check Guide is available from the County’s Environmental Management Division (see contact information on Page 4-2). Food facility plans are typically reviewed and approved by the County within 20 business days.

Questions regarding food facility regulations or plan submittal requirements should be directed to the County’s Division of Environmental Health at 707-253-4471.

When is a County Permit Required?	
<p>Businesses that do not typically require a permit from the Napa County Division of Environmental Health</p> <p><i>Wine tasting when the wine is produced by the proprietor of the business.</i></p> <p><i>Sale of pre-packaged food (that does not spoil) in areas less than 25 square feet.</i></p>	<p>Businesses that do require a permit from the Napa County Division of Environmental Health</p> <p><i>Any business that sells or provides food and/or beverages other than those listed under businesses that do not require a permit.</i></p>

“Food” is defined for these purposes as anything intended for human consumption. It includes such things as candy bars, soft drinks, packaged snacks, bottled water, ice, and coffee. If your operation consists of selling any of these items at the retail level, you will be operating a “food facility”. Even the simplest food facility is required by law to meet certain minimum requirements regarding construction and equipment standards. These requirements depend on the scope of your operation.

More detailed information on County permitting requirements and procedures can be obtained by contacting the County’s Division of Environmental Health at 707-253-4471.

STATE ALCOHOLIC BEVERAGE LICENSE

Businesses that sell or serve alcoholic beverages must obtain a license from the State Department of Alcoholic Beverage Control (ABC). Any person wishing to obtain an alcoholic beverage license should apply at the office of the Department of Alcoholic Beverage Control located at 50 D Street in Santa Rosa. All parties concerned, applicants for new licenses or transferors (present licensees), and transferees (applicants) should be present.

Section 23987 of the Alcoholic Beverage Control Act requires ABC to mail a copy of each application to certain local officials. Section 23985 of the Act requires a 30-day posting period. Most investigations take approximately 45 to 50 days. The license can average about 75 days for a Person-to-Person transfer, and 90 days for an Original. Circumstances can result in longer processing periods. ***ABC cautions that these processing periods should be considered when making extensive financial commitments, plans for grand openings, etc.***



WHAT ARE THE FEES FOR PERMITS?

BUSINESS LICENSE

Business License fees vary depending on the type of business. For general retail businesses, which includes retail sales, services, lodging and restaurants, annual Business License fees range as follows:

1 to 2 Employees	\$ 101.46
3 to 5 Employees	\$ 184.48
6 to 10 Employees	\$ 350.51
10 plus Employees	\$ 553.44

OCCUPANCY INSPECTION

Minimum Inspection Fee: \$138

BUILDING PERMIT

Building Permit fees are calculated based on the value of work being performed (labor and materials). In general, the Building Permit fee is approximately 2.8% of the value of work. For example, the Building Permit fee for improvements valued at \$50,000 would be approximately \$1,400.

In addition to Building Permit fees, there are other development-related impact fees that may be applied at the time a Building Permit is issued. **Business owners are encouraged** to consult with Planning and Building Department staff on Building Permit fees and other applicable impact fees prior to submitting a Building Permit application.

COUNTY HEALTH PERMIT

The Napa County Division of Environmental Health charges two separate permit fees for retail food facilities: a Plan Check fee and an Annual Permit fee. Fees are determined based on the menu of the business.

<u>Menu Level</u>	<u>Plan Check Fee</u>	<u>Annual Permit Fee</u>
Low	\$ 336	\$ 386
Medium	\$ 612	\$ 771
High	\$1,163	\$1,157

The fee for review of minor remodels of existing food facilities is \$209.

ENCROACHMENT PERMIT *for work within the public right-of-way*

Application Fee \$25 + 5% of estimated cost of work (labor and materials)

GROWTH MANAGEMENT ALLOCATION

Application Fee \$300
 Water Connection Fee \$37,071 per acre foot (one time fee)
 Wastewater Connection Fee \$108,235 per acre foot (one time fee)

<u>Standardized Use Assumptions (annual)</u>	<u>Water</u>	<u>Wastewater</u>
Commercial (per 1,000 sq. ft of floor area)	.11 afy	.099 afy
Restaurant (per 1,000 sq. ft. of floor area)	.58 afy	.524 afy

afy = acre feet per year

PLANNING PERMITS

Temporary Use Permit	\$ 50
Administrative Use Permit	\$ 850
Conditional Use Permit*	\$2,500
Design Review:	
Administrative	\$ 725
Planning Commission	\$2,500
Sign Permit:	
Administrative	\$ 100
Planning Commission	\$ 500

* A Developer Deposit Account (DDA) may be required in lieu of a standard application fee for more complex applications. Staff time is billed on an hourly basis against the DDA and developers must deposit additional funds should the account balance be depleted during the course of review.



WHO DO I TALK TO?

CITY OF CALISTOGA

Web site: www.ci.calistoga.ca.us

City Hall: 1232 Washington Street
8:00 a.m. to 4:30 p.m., Monday – Friday (closed for lunch 12:00 – 12:30)

BUSINESS LICENSES

Administrative Services / Finance Department

Phone: 707-942-2801

Fax: 707-942-2831

BUILDING PERMITS AND OCCUPANCY INSPECTIONS

Planning and Building Department

Phone: 707-942-2827

Fax: 707-942-2831

PLANNING PERMITS AND GROWTH MANAGEMENT ALLOCATIONS

Planning and Building Department

Phone: 707-942-2830

Fax: 707-942-2831

ENCROACHMENT PERMITS

Public Works Department

Phone: 707-942-2827

Fax: 707-942-2831

NAPA COUNTY

COUNTY HEALTH PERMITS

Napa County Environmental Health Division

1195 Third Street, Napa

8:00 a.m. to 12:00 p.m., 1:00 p.m. to 4:00 p.m., Monday – Friday

Phone: 707-253-4471

Fax: 707-253-4545

www.countyofnapa.org/PBES/Environmental

STATE OF CALIFORNIA

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Santa Rosa District Office
50 D Street, Suite 130, Santa Rosa
8:00 a.m. to 5:00 p.m.
Phone: 707-576-2165
www.abc.ca.gov