

TOWN OF LOS GATOS

CERTIFICATE OF USE & OCCUPANCY

Section 29.20.060. Certificate of Use and Occupancy

A Certificate of Use and Occupancy is required:

- 1) Before occupancy of any new building or commencement of any activity when Architecture and Site Approval or a Conditional Use Permit is required (excluding single-family, two-family or accessory dwelling units).
- 2) Before any change of occupancy of land or buildings other than a change in residents of a dwelling or proprietors of a continuing business enterprise.

NOTE TO APPLICANTS:

A Planning application must include certain minimum information before the application will be accepted as complete and processed for review. The applicant is responsible for submitting the information listed below as determined by the Community Development Department. All information, including plans, must be clear and legible.

The information contained in this application is considered part of the public record. Therefore, it will appear in both the public record file for the site address, which is available upon request, and on the permitting system on the official Town of Los Gatos website at www.losgatosca.gov.

Checklist

- 1) _____ COMPLETED APPLICATION FORM – Form must include the signature of the property owner. (A signed rental/lease agreement may be substituted for the signature)
- 2) _____ PHOTOS and SITE PLAN – Necessary for seasonal sales uses. Site photos and site plan indicating location, dimensions, access, and business location and fencing on site (8 ½" by 11" or 11" by 17" format preferred). Temporary sign permits with fees and information are required for installation of temporary signs on site. Building/electrical/mechanical permits may also be required.
- 3) _____ HOLD HARMLESS AGREEMENT – Necessary only for Town owned property.
- 4) _____ APPLICATION FEE – Fee for proposed application based on Planning Fee schedule. This will be assessed and collected after review is completed.

CERTIFICATE OF USE & OCCUPANCY APPLICATION

TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPARTMENT

ADDRESS: 110 E. MAIN STREET LOS GATOS, CA 95030

TELEPHONE NUMBER: (408) 354-6874

1. ADDRESS OF SUBJECT PROPERTY: _____

2. APPLICANT REQUEST:
Present or last known use: _____ Date of last known use: _____

Has the space been vacant and/or unoccupied for: Over a year? _____ Over five years? _____

Proposed use (if retail, list nature / type of sales): _____

TYPE OF REQUEST (check one):

_____ Change of Use (e.g. retail to office) _____ Change of Proprietor or Name of Existing Business

_____ Change of Occupancy (e.g. retailer) _____ Sublease or Sharing Space with an Existing Business

_____ Use/Occupancy Clearance (if Conditional Use Permit is required)

3. PROPERTY OWNER:

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ ZIP: _____

I hereby certify that as the property owner I authorize the filing of this application. I understand that pursuant to the Town of Los Gatos Municipal Code, conditions of approval are binding upon both the applicant and property owner(s).

SIGNATURE OF PROPERTY OWNER: _____ DATE: _____

(or copy of signed lease agreement)

4. APPLICANT: (If same as above, check here _____)

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ ZIP: _____

I hereby certify under penalty of perjury that all application materials and plans are true and correct.

SIGNATURE OF APPLICANT: _____ DATE: _____

FOR DEPARTMENT USE ONLY:

APPLICATION #: _____

- () Planning
() Building
() Engineering
() Fire Marshall
() Environmental Health Services
() Other

Please recommend approval or denial for the proposed use. If you should deny the application, indicate the reason(s) in the comment section below. Circle the appropriate fee amount, or write "no fee" in the comment section. Additionally, a Transportation Impact Fee must be assessed if the space has been vacant for over 5 years.

() APPROVED () DENIED

COMMENTS: _____

CHANGE OF USE

CUO1 / PLPERMIT	\$288.00
CUO1 / PLTRACK	11.52
CUO1 / PLANAP	28.80
TOTAL FEE	\$328.32

CHANGE OF OCCUPANCY

CUO2 / PLPERMIT	\$ 193.00
CUO2 / PLTRACK	7.72
CUO2 / PLANAP	19.30
TOTAL FEE	\$220.02



TOWN OF LOS GATOS

Community Development

(408) 354-6874 • FAX: (408) 354-7593

Planning@LosGatosCA.gov

110 E. Main Street
Los Gatos, CA 95030

SIC Code: _____

Business License Routing Form

Date: _____

Business License # _____

☐ New Business

☐ Business Name Change

☐ Address Change

☐ Ownership Change

Business Name: _____

Applicant's Name: _____

Business Address: _____ Suite # _____ ZIP Code _____

Phone Number: _____ Applicant's Email: _____

Previous Location of Business (address change only)

Business Floor: ☐ Basement ☐ First Floor ☐ Above First Floor

Business Floor Area: _____

Description of Business Activity

For Official Use Only

Planning Division (408) 354-6874

☐ Approved

☐ Pending

☐ Denied

☐ Not Applicable

Signature _____

Date _____

Use: ☐ Office

☐ Personal Service

Zone: _____

☐ Restaurant

☐ Retail

☐ Medical

☐ Firearms Sales

☐ Classes

☐ Sharing Space/Station Rental

Previous Use of Building Space: _____

☐ Other: _____ ☐ Formula Retail

Planning Division Requirements:

☐ New Use and Occupancy Certificate _____

Comments/Conditions: _____

☐ Existing Use and Occupancy Certificate _____

☐ Conditional Use Permit _____

☐ Home Occupation Permit _____

Police Department (408) 354-5257

Police Department approval is required for all businesses involving massage therapy, vehicles for hire, fortune telling, solicitors, and peddlers.

☐ Approved

☐ Denied

Signature _____

Date _____



DISABILITY ACCESS REQUIREMENTS AND RESOURCES

**NOTICE TO APPLICANTS FOR BUSINESS LICENSES AND
COMMERCIAL BUILDING PERMITS:**

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

DEPARTMENT OF GENERAL
SERVICES,
Division of the State
Architect, CASp
Program www.dgs.ca.gov/
[dsa www.dgs.ca.gov/casp](http://dsa.www.dgs.ca.gov/casp)

DEPARTMENT OF
REHABILITATION
Disability Access Services
www.dor.ca.gov
[www.rehab.cahwnet.gov/](http://www.rehab.cahwnet.gov/disabilityaccessinfo)
disabilityaccessinfo

DEPARTMENT OF GENERAL
SERVICES,
California Commission on
Disability Access
www.ccda.ca.gov
[www.ccda.ca.gov/resources-](http://www.ccda.ca.gov/resources-menu/)
[menu/](http://www.ccda.ca.gov/resources-menu/)

CERTIFIED ACCESS SPECIALIST INSPECTION SERVICES

Compliance with state and federal construction-related accessibility standards ensures that public places are accessible and available to individuals with disabilities. Whether your business is moving into a newly constructed facility or you are planning an alteration to your current facility, by engaging the services of a Certified Access Specialist (CASp) early in this process you will benefit from the advantages of compliance and under the Construction-Related Accessibility Standards Compliance Act (CRASCA, Civil Code 55.51-55.545), also benefit from legal protections.

Although your new facility may have already been permitted and approved by the building department, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, for example, placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can provide plan review of your improvement plans and an access compliance evaluation of the public accommodation areas of your facility that may not be part of the alteration.

A CASp is a professional who has been certified by the State of California to have specialized knowledge regarding the applicability of accessibility standards. CASp inspection reports prepared according to CRASCA entitle business and facility owners to specific legal benefits, in the event that a construction-related accessibility claim is filed against them. To find a CASp, visit www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

GOVERNMENT TAX CREDITS, TAX DEDUCTIONS AND FINANCING

State and federal programs to assist businesses with access compliance and access expenditures are available:

Disabled Access Credit for Eligible Small Businesses

FEDERAL TAX CREDIT—Internal Revenue Code Section 44 provides a federal tax credit for small businesses that incur expenditures for the purpose of providing access to persons with disabilities. For more information, refer to Internal Revenue Service (IRS) Form 8826: Disabled Access Credit at www.irs.gov.

STATE TAX CREDIT—Revenue and Taxation Code Sections 17053.42 and 23642 provide a state tax credit similar to the federal Disabled Access Credit, with exceptions. For more information, refer to Franchise Tax Board (FTB) Form 3548: Disabled Access Credit for Eligible Small Businesses at www.ftb.ca.gov.

Architectural and Transportation Barrier Removal Deduction

FEDERAL TAX DEDUCTION—Internal Revenue Code Section 190 allows businesses of all sizes to claim an annual deduction for qualified expenses incurred to remove physical, structural and transportation barriers for persons with disabilities. For more information, refer to IRS Publication 535: Business Expenses at www.irs.gov.

California Capital Access Financing Program

STATE FINANCE OPTION—The California Capital Access Program (CalCAP) Americans with Disabilities Act (CalCAP/ADA) financing program assists small businesses with financing the costs to alter or retrofit existing small business facilities to comply with the requirements of the federal ADA. Learn more at www.treasurer.ca.gov/cpcf/calcap/.

FEDERAL AND STATE LEGAL REQUIREMENTS ON ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) —The ADA is a federal civil rights law that prohibits discrimination against individuals with disabilities, and requires all public accommodations and commercial facilities to be accessible to individuals with disabilities. Learn more at www.ada.gov.

CALIFORNIA BUILDING CODE (CBC)—The CBC contains the construction-related accessibility provisions that are the standards for compliant construction. A facility's compliance is based on the version of the CBC in place at the time of construction or alteration. Learn more at www.bsc.ca.gov.