Business License Application

Community Development Department ~ 21810 Copley Drive ~ Diamond Bar, CA 91765 ~ (909) 839-7030 ~ www.DiamondBarCA.gov

Check the Box that Applies:	Staff Use Only **Business License #:**

- ☐ New Business (Zoning Clearance Required): $122.01
- ☐ Business Located Out of City: $42
- ☐ New Home Based Business License (Zoning Clearance Required): $122.01
- ☐ Non-Profit Business: Fee Waived with Proof of Non-Profit Status
- ☐ Business Requiring Background Check(s) (*Complete back of application form*)*: $342 Per Person
- ☐ Change of Location (Zoning Clearance Required): $122.01
- ☐ Business License Renewal: $14
- ☐ Change of Business Name or Ownership Only: $42

Pursuant to SB 1186, all fees include a State-mandated $4 fee to fund accessibility programs for disabled persons.

See reverse for a list of businesses requiring background checks

BUSINESS INFORMATION

Business Name: Business Phone:

Description of Business Activities:

# of Employees:

Business Address:

City: State: Zip Code:

Mailing Address (If Different From Above):

City: State: Zip Code:

E-mail: Website:

After Hours Contact: **Phone:**

PLEASE READ, SIGN AND DATE

I declare, under penalty of perjury under the laws of the State of California, that the information provided in this application is true and correct. I understand that the issuance of a business license does not constitute approval of land use, and that I am responsible for compliance with the City's zoning, building, health and safety requirements and all other applicable laws prior to the commencement of business.

Business Owner	Owner 2 (If Applicable)
Print Name:	Print Name:
Title:	Title:
Signature: Date:	Signature: Date:

STAFF USE ONLY

Classification Code: _____ **Amount Paid:** _____

Zoning Approval: _____ **Processed By:** _____

Comments: _____ **Date Processed:** _____

Dental office forms provided to applicant? ❑ **Yes** ❑ **No**

Business License Application
Part 2

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BACKGROUND CHECK REQUIREMENTS:

The following business types are required to complete a background check investigation prior to the issuance of a Business License.

This investigation may include reports from the Sheriff's Department, Planning and Building & Safety Divisions, Fire Department, Los Angeles County Health Department, and any such other information as deemed necessary by the City in order to determine if the applicant meets the business license criteria for issuance. If you have one of the following business types, please check the appropriate box and complete the background check information below:

- ☐ Acupressure Establishments
- ☐ Adult Oriented Businesses
- ☐ Alarm Systems
- ☐ Alcoholic Beverage Sale (Off-Site Consumption)
- ☐ Bars and Nightclubs
- ☐ Computer Services (Network Gaming Center)
- ☐ Entertainment Establishments
- ☐ Firearms Dealers
- ☐ Indoor Amusement/Entertainment Facilities
- ☐ Massage Establishments
- ☐ Pawnbrokers and Second Hand Dealers
- ☐ Peddling-Solicitation
- ☐ Psychic Reading
- ☐ Tow Trucks and Towing Companies

BACKGROUND CHECK APPLICANT(S): $342 Per Applicant (Submit additional forms if necessary)

Applicant 1 Name (Print): Title:

Address: Drivers License #:

City/State/Zip: Phone No: ( ) -

I hereby authorize the City of Diamond Bar to conduct a Background Check:

Applicant's Signature: _____ Date:

Applicant 2 Name (Print): Title:

Address: Drivers License #:

City/State/Zip: Phone No: ( ) -

I hereby authorize the City of Diamond Bar to conduct a Background Check:

Applicant's Signature: _____ Date:

Applicant 3 Name (Print): Title:

Address: Drivers License #:

City/State/Zip: Phone No: ( ) -

I hereby authorize the City of Diamond Bar to conduct a Background Check:

Applicant's Signature: _____ Date:

Zoning Clearance Application

(New and Relocated Businesses Only)

The Zoning Clearance Application is required for all new Diamond Bar businesses, home-based businesses, and businesses that have moved to a new location in the City.

ZONING CLEARANCE INFORMATION

Name of Business:_____

Business Address:_____

City:_____ **State:**_____ **Zip:**_____

Number of Employees:_____ **Number of Vehicles:**_____

Number of Available On-site Parking Spaces:_____

Detailed Business Description:_____

_____

_____

_____

_____

PLEASE READ, SIGN AND DATE

I declare, under penalty of perjury under the laws of the State of California, that the information provided in this application is true and correct. I understand that I am responsible for compliance with the City's zoning, building, health and safety requirements and all other applicable laws prior to the commencement of business.

STAFF USE ONLY

Business Owner Name	**Title**
Business Owner Signature	**Date**
Property Owner Name	**Title**
Property Owner Signature	**Date**

DBMC 22.42.070 – HOME-BASED BUSINESSES

Home-based businesses are allowed in residential zoning districts when operated in compliance with the provisions of this subsection:

1. **Operational standards.** Home based businesses shall comply with the following operating standards:

a. **Location.** The location of the business shall be the principal residence of the person (s) conducting the business and shall be clearly incidental and secondary to the use of the property for residential purposes;

b. **No alterations.** Alterations shall not be made which would alter the character of the residence or change its occupancy classification in compliance with the Building Code;

c. **Signs.** Advertising sign(s), displays of merchandise or stock in trade, or other identification of the business activity shall not be provided on the premises;

d. **Nuisance factors.** The business shall not create levels of glare, light, noise, electrical interference, dust, heat, order, solid waste, vibration, or other characteristics in excess of that customarily associated with similar residential uses;

e. **Residents only.** Persons engaged in the business shall be limited to persons residing on the premises and one employee;

f. **Size.** The total floor area used for the business, including any area within accessory structures, shall not exceed 20 percent of the total living space of the dwelling unit or 400 square feet, which ever is larger. The space devoted to non-commercial business vehicles under one ton carrying capacity, parked in the garage, is excluded from the total floor area devoted to the business;

g. **Use to be enclosed.** The business shall be conducted completely within the enclosed living space of the residence or accessory structure. If the business is conducted within a garage, the use shall not encroach within the required parking spaces for the residence. The vehicle door to the garage shall remain closed while the business activity is being conducted;

h. **No outside storage.** Equipment, materials or products associated with the business shall not be stored outdoors. Contractors are not permitted to store landscaping, plumbing, electrical, construction or similar supplies or materials on the premises, except those contained within a single vehicle of less than three-fourths ton carrying capacity;

i. **Hazardous materials.** The business shall not involve the storage or use of explosive, flammable, or toxic materials specifically defined as hazardous materials;

j. **Vehicle trips.** The business shall not generate additional pedestrian or vehicular trips in excess of the customarily associated with the zoning district in which it is to be located. Clients, customers, patrons or students shall not visit or conduct business at the residence. Truck deliveries of mail or packages are not permitted to average more than two times per week; and

k. **Sale and storage of merchandise.** Merchandise, products or stock-in-trade shall not be sold upon the premises, and stock used by the business that is not customary to a residence shall be stored at an off-site location (e.g., storage facility or other nonresidential location). Required parking spaces shall be kept clear and used only for the parking of vehicles owned by persons residing on the premises.

DBMC 22.42.070 – HOME-BASED BUSINESSES
2. **Prohibited home-based businesses**. Home-based businesses are prohibited that would:
a. Not comply with the standard and criteria contained in Subsection (1). (Operational Standards);
b. Generate levels of dust, glare/light, noise, odor, or traffic which would have a significant adverse effect upon the neighborhood and environmental setting of the residential site;
c. Be inconsistent with the General Plan and any applicable specific plan;
d. Threaten the health and safety of the citizens of the City;
e. Clearly represent a use that would conflict with the normal residential atmosphere of the neighborhood surrounding the subject site; and
f. Create parking demands exceeding the availability of spaces on the premises.

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 GENERALSERVICES, Division of the State Architect, CASp Program	DEPARTMENT OF REHABILITATION Disability Access Services	DEPARTMENT OF GENERALSERVICES, California Commission on Disability Access
www.dgs.ca.gov/dsa *www.dgs.ca.gov/casp*	*www.dor.ca.gov* *www.rehab.cahwnet.gov/disabilityaccessinfo*	*www.ccda.ca.gov* *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/cpcfa/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*.