

# TOWN OF LOS GATOS

## CERTIFICATE OF USE & OCCUPANCY

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### 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](http://www.losgatosca.gov).

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### 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	\$282.00
CUO1 / PLTRACK	11.28
CUO1 / PLANAP	28.20
<b>TOTAL FEE</b>	<b>\$321.48</b>

### CHANGE OF OCCUPANCY

CUO2 / PLPERMIT	\$ 189.00
CUO2 / PLTRACK	7.56
CUO2 / PLANAP	18.90
<b>TOTAL FEE</b>	<b>\$215.46</b>



# 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

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### 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 \_\_\_\_\_



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**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/](http://www.dgs.ca.gov/)  
[dsa www.dgs.ca.gov/casp](http://dsa.dgs.ca.gov/casp)

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

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