



City of Carmel-by-the-Sea  
Building Safety Division  
Standard Operating Guidance (SOG)

## 19- 07 Business License Pre-Approval Inspection

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### Background

Commercial building construction in the City of Carmel-by-the-Sea is a mix of construction types and methods; and ranges in age from historic buildings built in the early days of building code regulation to modern, contemporary construction compliant with today's more restrictive code requirements. Because of this, the use of existing buildings for new occupancy types can be challenging. Changes in occupancies may require expensive building modifications such as installation of fire protection systems, addition of fire-resistive construction between uses, and accessibility upgrades to allow the change to take place. In some rare cases, buildings may not be suitable for the proposed use without costly, building wide modifications. Consequently, the City of Carmel-by-the-Sea requires that, with some exceptions, a building inspection be performed by the Building Safety Division before approval of a business license. This SOG is intended to outline the requirements for business license pre-approval inspections.

### Citations

California Building Code (CBC) Section 105 Permits  
CBC Section 111 Certificate of Occupancy  
California Fire Code (CFC) Section 102.3 Change of Use or Occupancy  
CFC Section 105.2.2 Inspection Authorized  
CFC Section 106 Inspections  
Carmel Municipal Code (CMC) Sec. 15.55.100 Change of Use or Occupancy  
Carmel Municipal Code (CMC) Sec. 05.04.050 Certificate of Occupancy

### Guidance

In accordance with this SOG, a pre-approval business license inspection will be required prior to approval of any business license where the business proposes to move into an existing tenant space or building which results in a change in the use or occupancy of the space (as defined in the CA Building and Fire Codes). The inspection will identify building construction and fire protection and safety requirements that must be met prior to approval of a Certificate of Occupancy for the new use and business license approval for the business to operate in the desired location.

### Process

- Business license applications are required to be submitted to the City for review by the Finance and Community Planning and Building Departments
- Upon receipt of the application, the Planning Division will determine whether the use is allowable and in compliance with the requirements of CMC Title 17, Zoning.

- The license application will be provided to the Building Safety Division. Where the application is found to result in a change of use or occupancy as defined in the CBC and CFC for the tenant space or building under consideration, the Division will contact the applicant to schedule an inspection of the building to verify compliance with the requirements for the new use or occupancy.
- It is the responsibility of the applicant to work with adjacent tenants and the building owner(s) to provide access to the building as required for the inspection

#### *No corrections Identified on Inspection*

- Following the inspection, if no corrections are identified the Building Safety Division will notify the Planning Division and the planning staff will issue the final business license approval, subject to the department's conditions of approval for the business.
- Prior to opening, and after all fixtures, furniture, cabinetry, and stock have been installed in the building or space the applicant must schedule and pass a Business License Certificate of Occupancy Inspection with the Building Safety Division.
- Upon approval of the Certificate of Occupancy Inspection, the Building Safety Division shall issue a new Certificate of Occupancy for the space or building as appropriate.
- Upon receipt of the Certificate of Occupancy and approved business license, the business may open.

#### *Corrections Identified on Inspection*

- Where corrections are identified, the Division will provide a written report to the applicant and Planning Division listing the corrections required prior to business license approval and issuance of a Certificate of Occupancy.
- Where corrections are identified, the applicant shall obtain appropriate permits for making the corrections prior to beginning work.
- Upon approval of the permitted work, the Division will issue a Certificate of Occupancy for the space/building and will approve the business license application.
- Upon approval of the Certificate of Occupancy and business license, the business may open.