



City of Jacksonville
**New Business in
Previously Built Buildings
Service Guide**



A Guide for Businesses
Who Want to Locate in an Existing Building

the

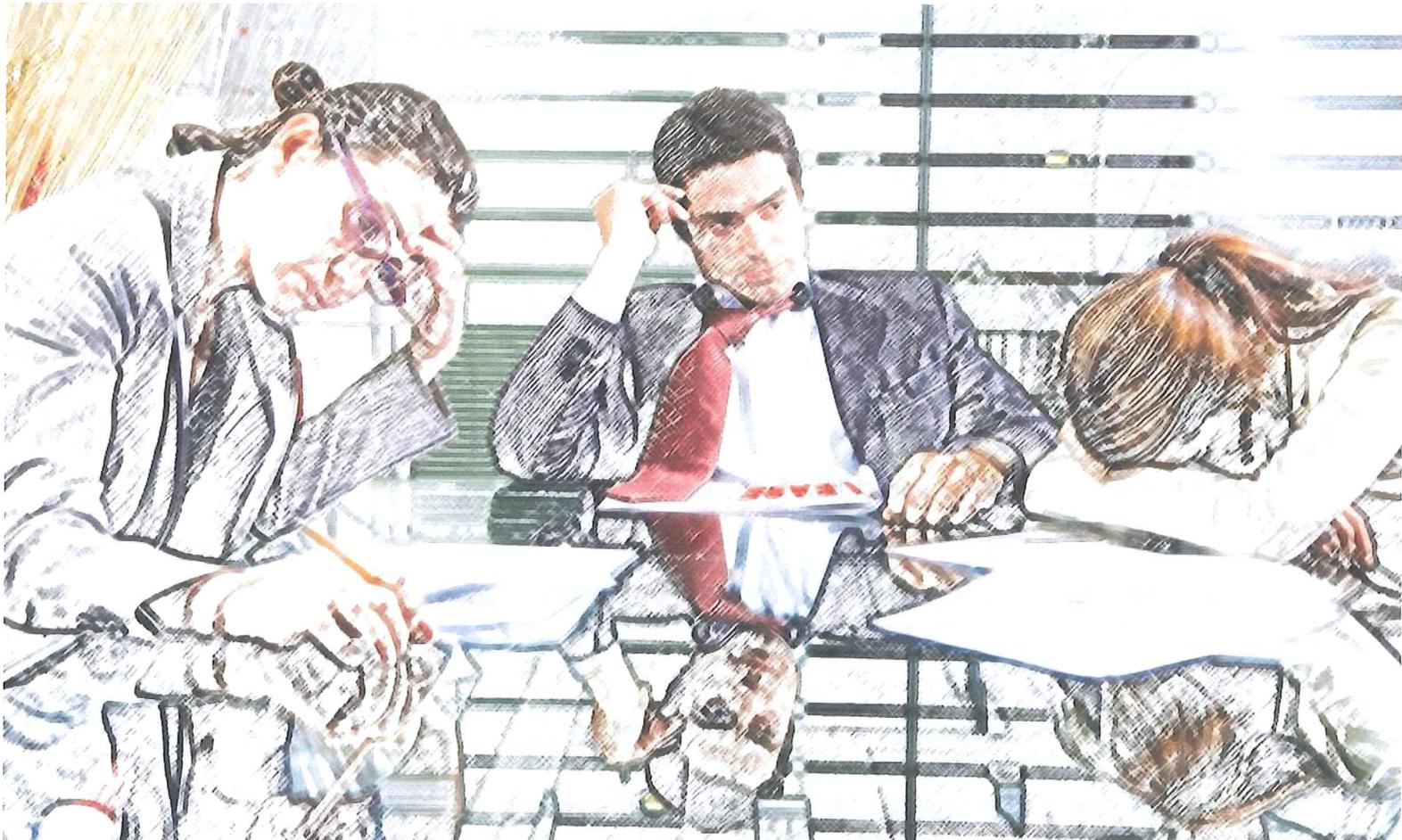


Frustration

For Businesses that want to locate in an existing Building?

Answer:

Before they leased or bought, they did not check to learn if the building meets current building codes for the type of business desired, or whether the building was on property zoned for that type of business.



Don't Assume...

Come to City Hall to find out!



City of Jacksonville Permitting Process

1

FREE Consultation

Call **Development Services** for information about your project.

Schedule a time to talk with staff for help. Development Services Main Line: 910 938-5236

2

Approvals

Planning or **Zoning** approvals may be needed. City Planning: 910 938-5236

3

Building Inspections

Submit plans to **Building Inspections**. City Building Inspections: 910 938-5232

4

Utilities

Public Services Water and Sewer Taps. City Utilities Division: 910 938-5233

If Needed: **Flood Plain/Soil Erosion Review**

Public Services Engineering Division

City Engineering Division: 910 938-5331

Fire Department Review

Fire Inspector

Fire Protection: 910 938-5242

Privilege (Business) License

A business operation may require a business license to operate.

Business Licenses: 910 938-5244

After Permits are issued:

5

Fire Department

Fire Protection Permits. Contact Fire Protection: 910 938-5242

Police Department

If needed: **Police Community Services Unit** to register your business

Community Services Unit: 910 455-4000

Sanitation Division

Consultation about **Sanitation** and **Recycling** services.

Contact Sanitation Division: 910 938-5338

The Most Typical Stumbling Blocks for New Businesses:

- Purchasing or leasing property without checking to see if it can be used for the intended use.
- Failure to check on building codes. Assumptions are made that renovations will not have to meet current codes. The Building Codes are adopted by the State, not the City of Jacksonville.

How to Prevent these problems:

- Talk with the City BEFORE you Purchase or Lease property for a business use.



The City of Jacksonville Welcomes New Business!

An entrepreneurial spirit has always existed in Jacksonville and has helped to foster a vibrant economy.

Sometimes new businesses want to locate in buildings that were previously occupied by others. While sometimes the new use of the building will match the old use and little is needed to make the change effective, sometimes the use is different or the building is not in compliance with current safety requirements.

This guide is intended to provide an overview of the permitting process for the City of Jacksonville for businesses that want to locate in an existing building. It is not exhaustive and is not intended to substitute for the various ordinances, codes and regulations that may be in place. Much of what the City is required to enforce is developed by the NC State Building Code.

This guide came about as a desire to provide additional information about business operations and a desire by the Jacksonville - Onslow Chamber of Commerce to provide information to businesses within the area and those who might want to open a business in the City of Jacksonville.

The Chamber reacted to some frustration experienced by some entrepreneurs trying to open a new business in an existing building. Much of the issue was traced to a lack of information about the process by the business owner. Many times the City is enforcing State adopted rules and in each case, the effort has been made to be fair and consistent. The Chamber has encouraged this guide to help give entrepreneurs who might be unfamiliar with the process some information about what needs to be done. We thank the Chamber for their role in helping to advance this communication.

Much of the guidance provided will be true for Onslow County and many other jurisdictions in the State, but the main credo of this publication is: Check First.

City staffers are ready to talk with entrepreneurs about their plans and to give them free advice about regulations and such. Please consider using this free service before you purchase or lease a space for a business in Jacksonville.

The City of Jacksonville welcomes new businesses to the City, and stands ready to provide consultation and guidance.

Jurisdiction of the City of Jacksonville

The City obviously has jurisdiction inside the City limits, but also exercises certain jurisdiction outside of the City limits in the Extraterritorial Jurisdiction (ETJ). Signs are located in many areas of the ETJ, but a complete map is available online and at City Hall.



BEFORE You Lease or Purchase

Get The Facts

Location, Location, Location

The location may be great, the building may be golden in your eyes and the rent or price may be fantastic, but renovations and upgrades, building and fire codes and other improvements could prove to be more costly than you budgeted for. Before a building is purchased, or a lease signed, for a new business, get all the facts. This includes whether you can even operate a business there.

Get Advice

The City has two methods of providing advice about specific locations. Both offer an opinion about a location and a proposed business to be located there.

Free: A Consultation

Some might call this a “windshield” review. It’s a consultation that occurs when you have a specific location in mind for a specific type of business. It covers two main areas of regulation within the City: Building Inspections and Zoning. You identify a location and the City’s Planning Division will tell you whether the specific type of business you propose is permitted in that zone. If it is not, you can get guidance on the steps that would be needed to rezone the site. But before you do that, go to Building Inspections to learn about the specific building you are interested in. Many times the Building Inspection Division will be familiar with the building from its former occupant. They can give you an idea of what you might be facing to ensure that your targeted building meets the codes. A scaled building plan is needed for this review.

You might also be encouraged to meet with City Engineering Division staff about issues they may know about for your building or location. There are Sanitation issues also for each site, and a visit with that Division could be helpful.

For the Free Consultations:

*Call 910 938-5232 or visit the City Building Inspection Division for their role in the free consultation. For instance, a **scaled floor plan** is required for the free review and depending on the site, there could be other requirements.*

Call 910 938-5236 or visit the City Planning Division for their role in evaluating your site for zoning compliance.

Never trust zoning information from anyone other than the City Planning Division.

More Formal: A Written Consultation

The City of Jacksonville offers a “Special Request Inspection.” This is a preliminary review for significant changes that might be caused by an occupancy change, alterations, renovations or additions. Information received from this inspection is not all inclusive of zoning, building and fire code requirements, but it is a valuable planning tool for you to use to estimate the potential costs of upgrades. There is a fee for this on-site inspection.

Before the written report is generated, a review by the City Fire Marshal, Zoning officer and the Building Division is made. Sanitation issues are also reviewed.

A scaled building plan is needed for this review. Normally a design professional can provide this, and a drawing stamped by an engineer or architect is usually not required. Sometimes the City may have a drawing on file from the previous occupant of a building that can be used to get the process started. Check with Building Inspections.

If you do need modifications and a building permit is required, then a more formal drawing may be required based on the size and value of the building.

For the details on a “Special Request Inspection” contact:

*Building Inspections Division
910 938-5232. There are conditions and requirements for a “Special Request Inspection.”*



The City of Jacksonville Zoning Ordinance establishes specific regulations for the use of land or occupancy of a building. It states in part: "No land shall be used or occupied and no building structurally altered or erected shall be used or changed in use until a certificate of occupancy shall have been issued by the zoning administrator stating that the building or the proposed use thereof complies with the provisions of this ordinance."

Authorization

An application for a Certificate of Occupancy can be obtained from the Building Inspections Division. No Certificate of Occupancy can be issued without complete zoning compliance.

Zoning Compliance

Every use, location, structure and condition is unique and will be reviewed on its own merits. In most instances, there will be a requirement for upgrades to the site in order to achieve zoning compliance. Below is a list of some of the zoning compliance upgrades which may be required. This list does not include all instances.

- Resurfacing or striping of vehicle accommodation areas (parking lot)
- Upgrading handicapped accessibility and parking requirements
- Establishing or upgrading a refuse collection (dumpster) site
- Removal, relocation and or adjustments to signage.
- Buffering

*For more information about a Zoning Compliance contact:
City Planning Division
910 938-5236*

Building and zoning codes are established to protect the health, safety and welfare of you and all the





Building Permit

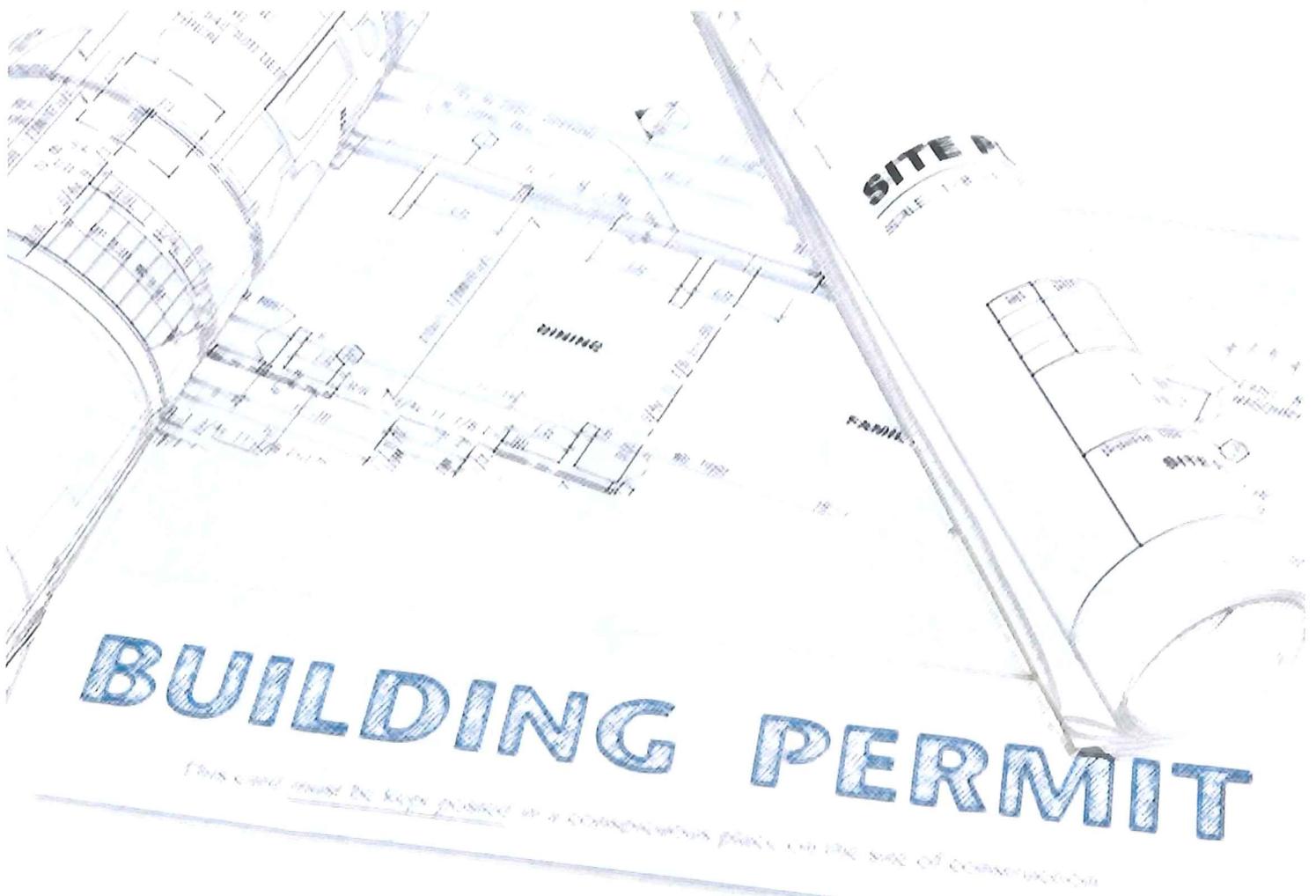
Occupancy Application

Citizens of Jacksonville. Working without a permit or occupying and conducting business without proper authorization can be costly. When in doubt, call the Building Inspections Division for information.

Conditions for which a building permit or Occupancy Application is Required:

- Prior to starting any "new" construction (commercial or residential)
- Prior to starting any "renovations" (commercial or residential)
- Prior to "starting or occupying" any existing building (commercial)
- When any "change in use, ownership or name" of any existing business occurs
- Prior to "erecting, mounting or replacing" any signage (commercial)

This list does not contain every instance where a building permit or a Certificate of Occupancy is required. Each project is reviewed on its own merits as it pertains to current codes. Contact the Building Inspections Division at 910 938-5232 for more information.



Why have Building Codes?



While codes cannot prevent every disaster, they are meant to provide reasonable controls for the construction, use and occupancy of buildings. These controls are minimum standards for the health, safety and welfare of the occupants and secondly for protection of the structure. A good building design can provide safety and sanitation without sacrificing aesthetic value, functionality and cost efficiency.

While the earliest building code can be traced to the Babylonian Empire about 2000 BC, the Great Chicago Fire was a classic example of codes being created to respond to a specific disaster. North Carolina has not been immune from unfortunate events driving updates in the building codes.

Who Makes the Codes?

Building codes are developed similarly to the law making process. Many groups of people are involved; developers, material suppliers, engineers, architects, builders, and governmental leaders.

Recently all code organizations such as BOCA (Building Officials and Code Administrators), ICBO (International Council of Building Officials) and SBCCI (Southern Building Code Congress) have merged to form ICC (International Code Council). Hearings are held every 18 months for code changes. Anyone who would like to make a change to the code can be heard.

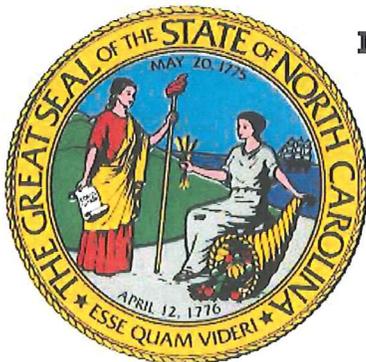
Codes are then adopted by the State, and each jurisdiction of the State of NC is then obligated to enforce the State Building Code.

Inconsistent Interpretation

Building Code officials receive frequent training and updates, but must apply human intuition to interpreting codes written by others. You can appeal an interpretation made by a Code official to the State Department of Insurance which oversees code issues.

A good resource for interpretation of building code issues is the website www.ncdoi.com/OSFM/Engineering/engineering_home.asp

This procedure pertains to existing commercial buildings or tenant space for the City of Jacksonville including the City's Extraterritorial Jurisdiction.



It's not a City of Jacksonville Building Code, but the NC State adopted building code. By law, the City is bound to enforce, or have enforced, the State Building Code.

It is the same Building Code across the state, adopted by the local governments in compliance with State Law.

Don't like it? You can change it: Go to www.ncdoi.com for more information about the NC State Building Codes.



Building Permit Procedures

This procedure pertains to existing commercial buildings or tenant space for the City of Jacksonville including the City's Extraterritorial Jurisdiction. Some items, such as Sanitation review, are not required for businesses in the City's Extraterritorial Jurisdiction.

Note that it is strongly urged to investigate what will be needed for compliance with the State Building Code before you invest in this process.

Suggested Preliminary Action:

(One or more of these options)

Option 1: Do it Yourself

Ensure Zoning Compliance

Before a permit can be issued by the City, the property has to be determined to be properly zoned for the intended use.

Investigate Adequacy of the Building

Before a permit can be issued, the building meet codes. This can be complicated if there is a different use of the building other than the one of the former occupant.

Ensure Water & Sewer Regulations are Met

This usually requires a count of the water and sewer fixtures (toilets, sinks, etc.) that are proposed for the interior of the building.

Option 2:

A "Windshield" Review

This is a free, informal review with the City Inspections Division, Planning Division and sometimes others to give you an opinion about the adequacy of the building and information about the zoning for a specific site and your desired business. **A full site plan and scaled drawing would be helpful in this review.**

Option 3:

Special Request Inspection

This is a formal review which produces a written report. City divisions are polled about the site and on-site inspection is made. This requires a scaled drawing, but sometimes a previously used building has a plan already on file with the City. A full site plan can be required in some instances. **There is a fee for this service.**

Before You File for Permits:

- Review what is needed carefully. Get the answers about what might be needed before you file for a Building Permit or Certificate of Need.
- You will need a scaled drawing. Sometimes a scaled drawing can be obtained from the City if one was on file from a previous occupant of the building.
- You will need a set of plans for any renovations you desire to make.

These steps are required for all permits to use existing buildings:

Your Step #1

APPLY FOR BUILDING PERMIT

Go to the Inspections Division to file an Application.

- Application must include an 'as-is' floor plan and a proposed scaled floor plan along with three sets of complete drawings showing proposed renovations.
- Drawings may be required to have an Engineer's or Architect's Stamp depending on the total project cost of the renovations as well as the total value or size of the building
- A Fee is required for this action. The Fee is dependent on the value of the building and is set by City Ordinance.

Your Step #2

APPLY FOR A CERTIFICATE OF OCCUPANCY PERMIT

- Can be done at the Inspections Division at the same time as Building Permit.
- A Fee is required for this action. The Fee is dependent on the value of the building and is set by Ordinance

Now that You have applied: Here's what the City has to do:

City Action #1

Receive Permit Applications

- Accept filing of the Building Permit and Certificate of Occupancy application. A case is opened.

City Action #2

Zoning Assurance

- Building Inspections Office verifies that the use is permitted by the zoning.
- If it is not, then compliance must be achieved before the process continues.

City Action #3

Public Services Approval

- The Public Services Department must review the water and sewer issues, determine if soil and erosion control measures might be needed.
- The Engineering Division checks for various requirements.
- The Sanitation Division must sign off on the business location for compliance with City ordinances and procedures.

City Action #4

Fire Department Approval

- The City's Fire Marshal must approve the building plans.

City Action #5

Building Inspector

- Review of all verifications
- Review of drawings for compliance with Building Codes

City Action #6

Permit Issuance

- When all reviews are made with satisfactory results and all verifications are received, then a Building Permit is issued.

City Action #7

Inspection

- Inspections by the City as required

City Action #8

Issuance of Certificate of Occupancy

- When inspections are complete and verification that codes, regulations and requirements as noted have been met, then the Certificate of Occupancy is issued.

Now that you have your permit:

Privilege (Business) License

A business operation may require a business license or permit to operate in the City.

Business Licenses: 910 938-5244

Signage

The City has regulations for outside signage. This applies to the Extraterritorial Jurisdiction also.

City Planning: 910 938-5236

Sanitation

If you are inside the City limits, call Sanitation for information about Recycling and Sanitation service.

Sanitation Division: 910 938-5338

Fire Department

If you are inside the City limits, the City's Fire Department will do an inspection

Fire Protection: 910 938-5242

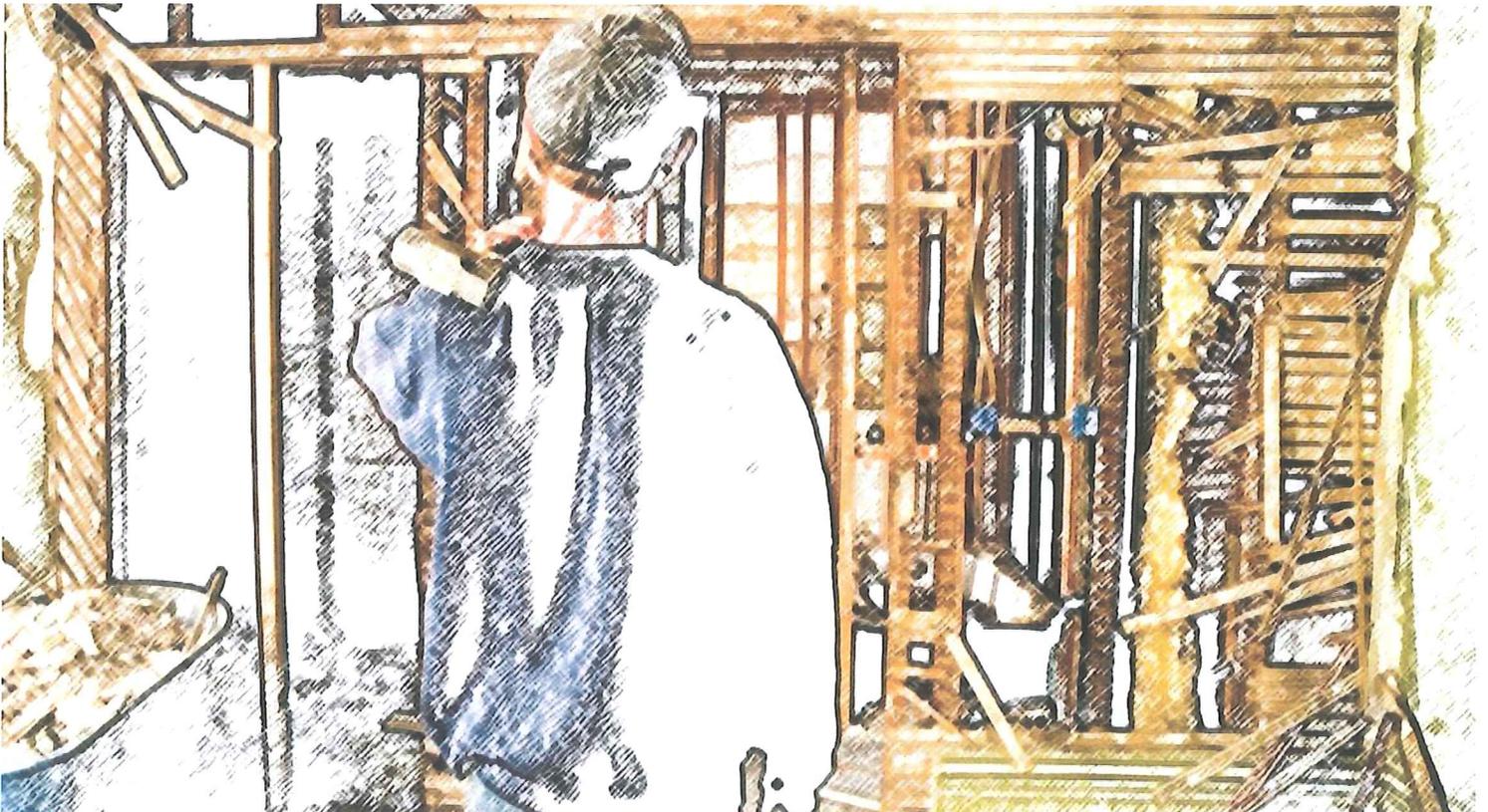
Police Department

If you are inside the City limits, Police Community Services will register your business and will offer to provide consultation.

Community Services Unit: 910 455-4000

Don't Generalize:

Each and every application is reviewed on its own merits. Every use and or location has unique circumstances. Don't assume because one business is located in a similar building that another building would be allowed that use.



Privilege License Information



A privilege license is sometimes referred to as a business license and is a tax levied to raise funds for general municipal purposes. Payment of this tax authorizes the privilege of carrying on the business in the City of Jacksonville.

Requirements for Licenses:

Any person or persons carrying on the businesses, trades, professions, callings, occupations, selling or offering for sale articles of goods within the corporate limits of the City of Jacksonville is required to purchase a Privilege Licenses. This includes home-based businesses. Each person has the duty to determine whether the business being conducted is subject to the City Ordinance.

Application and Resources:

The City's Privilege License Ordinance, an application and the fee schedule are all available online at the City's website: www.ci.jacksonville.nc.us or in the Revenue Collections Division (where most people pay their utilities bills) in City Hall. Questions can be answered with the Business License Specialist at **910 938-5244**.

Fees:

Some fees are regulated by the State of North Carolina with a set amount for the service or goods sold. Other fees are based on the gross sales or receipts for the preceding year.

Failure to Purchase a Privilege License:

It is unlawful for any person or his agent or servant to engage in or carry on a business in the City for which there is required a license, without first having paid the license tax and obtained the license.

Exempt Businesses:

- Any business engaged in religious, educational or charitable purposes is exempt from a City Privilege License.
- Any blind person engaging in business within the City is exempt.
- Any person serving in any branch of the Armed Forces of the United States or in the Merchant Marine and engaging in business is exempt for the duration of their service, provided they were in business before being called into service. Anyone claiming an exemption may be required to provide documentation confirming their exempt status.
- Certain types of business occupations are exempt by State Statutes. A listing of the exempt occupations is available in the Collections Division.

Reporting Changes:

The holder of a license must immediately notify the City Collections Division of any changes in location, services or goods sold. Failure to do so within 30 days of the change will cause all licenses issued to the holder to be revoked.

Separate Locations by Same Business: State Licenses:

A separate license is required for each place of business operating as one business but with separate locations. You may have a State license but that does not exempt requirements of the City for a license. State and City governments are separate entities and may have different licensing requirements. County regulations may also apply to in-City businesses. Call the County Tax office at 910 989-2202 for more information.

Privilege License Records:

All affidavits or other records of gross receipts are private and confidential and cannot be disclosed by the City. Verification that a business has a license may be made by consulting the City's website or by calling the Business License Specialist at **910 938-5244**.

Time Periods, Renewals, Late Fees:

- Beer and wine licenses are issued for the time period May 1 through April 30 of each year. Other licenses are issued for the time period July 1 through June 30 of each year.
- A 5% late penalty is assessed after 30 days and increases an additional 5% for each additional month.
- A renewal notice is mailed to current license holders about 30 days prior to expiration.



Questions:

The Business License Specialist at 910 938-5244 is ready to answer questions about the City's licenses. The state has a License Information Office available at www.secretary.state.nc.us or by calling **800 228-8443**.

Signage is how people find your business. In Jacksonville, it is regulated by the City's Zoning Ordinance. It's not part of getting a building permit, but it is equally important for some businesses.

The Rules:

Sign Regulations can be found in Section 109 of the Zoning Ordinance, which like other portions of the Ordinance, can be found online at the City's website, or by visiting the Planning Division at City Hall. The following is a synopsis of the basic allowance criteria.

- An individual parcel of land in a commercial zoning district is allowed 2 square foot of total signage for every 1 foot of linear street lot frontage.
- Most parcels are allowed only one freestanding sign. That sign may be no greater in size than .75% of the linear street lot frontage.
- Wall signage is calculated by the total allowed for the parcel minus any freestanding signage.
- Shopping Centers or Strip Centers: Wall signage for shopping centers and strip centers is based on the width of the tenant space. A tenant space is allowed two square foot of front wall signage for every one foot of tenant space width.

Existing Signage:

- In most instances, if the type of use (retail, office, service shop, etc.) is not changing, existing signage may continue with only replacing the face of the sign or signs.
- If a change of use is occurring and the existing signage is not in compliance with the current regulations, no new signage can be installed unless it complies with current regulations as listed above.

Signage Permit:

A permit is required for all outdoor signage.





Sanitation

The City stands ready to serve businesses inside the City limits. There are two main type of commercial business services: Small business service and commercial dumpster service.

Small Business Service:

Please call the Sanitation Division at **910 938-5338** for determination, but many small businesses that do not generate a great deal of waste are eligible for rollout containers that are collected on the residential schedule. Your location, and your type of business will determine your commercial service option.

Commercial Dumpster Service

The City Sanitation Division will assist a commercial business needing dumpster service within the City limits. The options are too varied to list here, but include frequency of collection and type of dumpster. There are requirements for the placement of certain sanitation and recycling devices even within the Extraterritorial Jurisdiction.

Requirements for Refuse Collection Screening

The City of Jacksonville screening and bufferyard requirements can be found in Section 115 of the Zoning Ordinance. This information should be of importance for new businesses, including those in the Extraterritorial Jurisdiction:

- Sanitation division determines size and number of collection containers required.
- Any new dumpster put into service shall be screened and put on a pad in accordance with the Zoning Ordinance.
- Minimum screening requirement is an opaque fence 6 feet high or the height of the container, whichever is greater. Chain link is prohibited.
- Any fence greater than 6 feet in height must be engineered and permitted through building inspections. (State Building Code)
- Roll out carts are not exempt from screening requirements.
- Refuse collection areas must be behind the front wall of the primary building front and 5 feet off the side and rear property boundaries.
- The refuse collection area must be located so that the refuse collection trucks can reasonably access and leave the site safely. Trucks may not back onto a city street.
- Refuse collection areas should not be located directly under power lines or within easements.
- Administrative flexibility is available for certain hardships.
- Restaurants and certain other uses must drain the dumpster pad via a grease trap into the sanitary sewer.
- Effective January 1, 2008 all establishments that have a permit for on-site consumption of alcoholic beverages shall recycle.

Assistance With Recycling

Some businesses are required by NC State law to recycle. Others desire to participate in a recycling program. Call the City Sanitation Division at **910 938-5338** for more information.

Frequently Asked Questions



Q: What do I need to start or open a business in Jacksonville?

A: You will need Zoning approval from the Planning Division, a Certificate of Occupancy from the Inspection Division and a business license. See the contact information for connection information.

Q: What is my property zoned?

Can I open or start a _____ business there?

A: Please contact the City Planning Division at 910 938-5236 for zoning designation and a list of permitted uses in particular zoning districts.

Q: Where can I construct and or place a detached building on my property?

A: Setbacks for any structure may vary in each zoning district. Contact the Planning Division for minimum setback requirements.

Q: When is a building permit required?

A: A permit may be required for any new construction, renovations or repairs. Please contact the Building Inspections Division.

Q: I would like to start a business from my home. What do I need?

A: You will need Zoning Approval from the Planning Division and a Business License. The City of Jacksonville Zoning Ordinance has strict regulations governing "home businesses" and some business activities are not permitted. Contact the Planning Division for more detailed information and application forms.

Q: I would like to do Family Child Care in my home? What do I need?

A: Contact the Onslow County Partnership for Children at 910 938-0336. The City of Jacksonville requires that you be a licensed daycare provider before zoning approval is granted. Once licensed, you must have Zoning Approval from the Planning Division and a business license. Contact the Planning Division for more detailed information and application forms.

For more "Frequently Asked Questions" and detailed information about the Planning, Zoning and Building Permits, visit the City of Jacksonville Website at www.ci.jacksonville.nc.us or call the appropriate division listed in the contacts.



Contacts

Some selected contacts that may be helpful.

City of Jacksonville

Planning & Zoning	910 938-5236
Building Inspections	910 938-5232
Business Licenses	910 938-5244
Public Services	910 938-5233

Onslow County Government

Health Department	910 938-5851
County Planning & Development	910 455-3661
Register of Deeds	910 347-3451
Tax Office (Business License Information)	910 989-2202

State of NC Resources

NC Employment Security Commission	910 347-2121
NC Department of Revenue (Local office)	910 455-9448
NC Department of Labor	919 733-2486
OSHA Office	919 733-2486

Business Resources

Jacksonville • Onslow Chamber of Commerce	910 347-3141
Small Business Center at Coastal Carolina Community College	910 938-6322
NC Small Business & Technology Development Center	800 258-0862
Onslow County Partnership for Children	910 938-0336



City of Jacksonville

PO Box 128 • Jacksonville, NC 28541

910-938-5200

www.ci.jacksonville.nc.us