

Starting a Business in Bend

How-to Guide



COMMUNITY
DEVELOPMENT

Before businesses can legally operate in Bend, there are some key steps which business owners must take. This guide is meant to serve as a tool to help potential business owners navigate those steps and get you on your way to doing business in Bend. If using this guide online, take advantage of the [linked](#) information in this document.

For additional information on starting a business in Bend and the resources available to Bend businesses, please visit www.bendoregon.gov/business or contact Bend's Business Advocate, Ben Hemson, at (541)388-5529 or bhemson@bendoregon.gov.

Prior to signing a lease or purchasing property

1. Find an appropriate location to operate your business

- a. Ensure that the lot you are leasing/purchasing on which to operate your business is properly zoned for your business' intended use. If you are unsure about the zoning requirements of a certain lot, ask your real estate broker or reference the Permitted and Conditional Use Table for the applicable zoning district in [Chapter 2](#) of the Bend Development Code and the [Bend Zoning Map](#) to ensure that the property will be appropriately zoned for your business activity. Also confirm that the Comprehensive Plan designation for the property is consistent with the zoning.
- b. If you are still unsure if you can operate your business in a certain zone, contact the City of Bend Planning Division and our planners can assist you. In order to avoid any unforeseen barriers to operating your business, it is crucial that you find out how a property is zoned and what activities are permitted in that zone before leasing or purchasing.
- c. Ensure that the building you are leasing/purchasing in which to operate your business has the correct construction occupancy and occupancy load allowance to satisfy the business' intended occupancy. You can verify the occupancy by utilizing the building's or suite's existing Certificate of Occupancy. If you are unsure if you can operate your business within the proposed building or if a Certificate of Occupancy is not readily available, contact the City of Bend Building Safety Division and our Building Permit Technicians can assist you.

2. Ensure your place of business meets the City's code standards

- a. The City's Permit Center, located at City Hall at 710 NW Wall Street, is your best resource for clarifying code standards. Visitors to the Permit Center drop in to speak with planners, engineers, plans examiners, and building permit technicians to get answers to their questions. The more informed and detailed information you can provide to the staff at the Permit Center, the more precise the responses will be. You can also communicate with City staff on the phone by calling (541) 388-5580 or by emailing bendcdd@bendoregon.gov.
- b. Refer to Bend Development Code Section 3.3.300 to review parking requirements for your proposed business.
- c. If the location has previously been approved for a different use (e.g. residential to retail), the proposed place of business must meet [Minimum Development Standards](#) for its intended use. For any required planning permits or site improvements, please check with a Planner.

- d. Changing the use of a location or occupancy type of a building will also require the approval of the Building Safety Division. Determine if you wish or need to make any interior improvements to the building. To ensure the building meets code for your intended use and occupancy, please check with a Building Permit Technician.
- e. Find out if public improvements, including but not limited to sidewalks, driveway approaches, and/or ADA ramps, may be required at your place of business. To determine if existing sewer and/or water infrastructure is appropriate for the use, or if upgrades or new infrastructure is required, a [Sewer and Water Analysis Application](#) may be required. To determine if traffic mitigation is required, a [Transportation Review Application](#) may be required. To ensure that standards are met or if these applications are required, please check with an Engineer at the Permit Center.
- f. Ensure that the proper System Development Charges (SDCs) are accounted for. SDCs can be charged when building a new structure on a lot, expanding an existing structure, or when changing the use of an existing structure. SDCs are significant business investments and must be paid before a business can be deemed operable. The City's Engineering Division offers [SDC estimates](#), a helpful tool to avoid any future financial surprises.
- g. Other non-City approvals may be required for food and beverage establishments. Contact the [Deschutes County Health Department](#) at 541-388-6292 for any required approvals. For liquor licenses, contact the [Oregon Liquor Control Commission](#) at 541-388-6292.

Apply for Required Approvals

3. Register your business

- a. Apply for a federal [Employer Identification Number](#) (EIN).
- b. Enter your business into the [State of Oregon Business Registry](#).
- c. Submit a [Business Registration Application form](#) and the \$50 registration fee to Bend's Community Development Permit Center. Please allow 2 weeks for approval.

4. Obtain any necessary City approvals

- a. Apply for any necessary [planning permits](#). You can apply for planning permits and building permits at the same time at your own risk; if any changes are required per the planning approval, then the building application will need to be modified.
- b. Apply for any required [building permits](#). Building permit fees are based on the value of construction; a building permit technician can provide you an estimate. SDCs are due at building permit issuance.
- c. If you need to make any improvements in the public right-of-way (e.g., sidewalks, ADA ramps, utilities), then a [right-of-way permit](#) will be required. Any work within the right of way needs to be performed by a City approved (licensed and insured with the City) contractor.
- d. Signs typically used to identify a business must comply with the Sign Code and most require a [sign permit](#).
- e. If a permit was issued, schedule and pass any required inspections. Typically, several types of inspections are required.
- f. Submit a [Certificate of Occupancy Application](#) to the Building Safety Division.
- g. Once the Certificate of Occupancy is obtained and all above requirements are met, you can begin business operations.

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Supplemental Information Guide



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Individuals interested in starting a business in Bend have a number of resources available to help them do so, but it can be difficult to get the full benefit of those resources without an understanding of the elements they reference. Below is a list of the terms and topics that are helpful to know when navigating the process of starting a business.

Business Registration Program

Businesses operating in the City of Bend are required to register their business through the City's [Business Registration Program](#). In lieu of a business license, the Business Registration is meant to inform the City's efforts to promote the health and expansion of Bend businesses. Additionally, revenue generated from the business registration fee directly fund the City's [Business Advocacy Program](#), which is dedicated to ensuring the City is actively responding to the needs of its business community.

System Development Charges

System development charges (SDCs) are fees that are collected when new development occurs in the city and are used to fund a portion of new streets, sanitary sewers, parks and water. These fees are necessary to provide adequate funding for growth-related capital improvements vital to maintaining the city's level of service in transportation, water, and sewer. Although the Bend Metropolitan Parks & Recreation is a separate entity from the City of Bend, the City does collect Parks related SDCs as a convenience. Parks SDCs are determined by the BPRD Board, whereas City of Bend SDC's are determined by the Bend City Council.

SDCs are specific to each development and their rates vary based on a number of factors including the type classification and location of a development. For more info on SDCs and to apply for an SDC estimate, visit <http://www.bendoregon.gov/government/departments/community-development/system-development-charges>.

ADA Requirements

The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits the exclusion of people with disabilities from everyday activities, such as buying an item at the store, enjoying a meal at a local restaurant, or having the car serviced at a local garage. To meet the goals of the ADA, the law established requirements for private businesses of all sizes. These requirements first went into effect on January 26, 1992, and continue for both for-profit and non-profit organizations.

If you own or operate a business that serves the public you must actively work to remove physical "barriers" which bar individuals from having full access to your business. The state of Oregon requires an additional 25% of construction costs to be spent on barrier removal (<https://www.oregonlaws.org/ors/447.241>). There is no exception for financial burden.

If a design professional certifies that the entire site is fully compliant, or can become compliant without reaching the 25% cost threshold, they can sign a statement to that effect. This is verified by building inspectors during construction.

It is expected that business owners constructing a new building for their business will include ADA accessibility standards within the building's design. A comprehensive list of ADA requirements can be found at (https://www.ada.gov/2010_regs.htm), and a helpful guide can be found at on the ADA's website at (<https://www.ada.gov/regs2010/smallbusiness/smallbusprimer2010.htm>). Accessibility requirements in the right of way needs to conform to the regulations in PROWAG (<https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>).

Home Occupation

The purpose of Home Occupations is to support those who are engaged in small business ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which, by the nature of the venture, are appropriate in scale and impact to be operated within a residence. More information about [Home Occupations](#) can be found in [Section 3.6.200 N](#) of the Bend Development Code.

Activities engaged within a residence that do not employ a nonresident nor allow customers or clients into the home, do not require a Home Occupation Permit as regulated under BDC 3.6.200.N. This determination allows for telecommuting and online sales activity to be conducted in your home without a Home Occupation Permit. However, home-based commercial activities shall still comply with all other standards of the home occupation section.

Personal Property Tax

Businesses operating within Deschutes County are responsible for paying a [Personal Property Tax](#). Business Personal Property is any property other than real property which is composed of tangible assets held for use in a business, including any property not currently being used, placed in storage or held for sale. The property can be owned or leased and includes but is not limited to: furniture, fixtures, machinery, equipment, leasehold improvements, rental furnishings, certain fixed load vehicles and non-inventory supplies.

All personal property is valued at 100 percent of its real market value unless exempt by statutes. Personal property is taxable in the county where it is located as of the assessment date, January, 1 at 1 a.m.

Certain traded sector businesses that meet criteria for expansion, capital spending, or new hiring can pursue 3 or 5 year exemptions on property taxes, including personal property tax, via the Enterprise Zone Program. [EDCOinfo.com](#) is the best point of contact for more information.

Vending in the Right of Way

Vending in the public right of way is allowed in certain locations (primarily downtown), provided that business owners obtain the proper permits. Any person or business who wishes to sell food, beverages or goods from any container in public rights-of-way or publicly owned property administered by the City of Bend or on property owned by the City of Bend must have a [Street Vendor Permit](#) or an [Outdoor Café Permit](#). More information about these permits and how to obtain them can be found on the City's website at www.bendoregon.gov/downtown.