



# Restaurant Startup Roadmap



**ECONOMIC & WORKFORCE  
DEVELOPMENT**

CITY OF DURHAM



Development  
Services Center



# Restaurant Startup Roadmap

## ✓ Plan Your Business

### Create a business plan for your restaurant.

The business plan is a written, viable plan of action to guide your success. [Economic Development Partnership of North Carolina](#) has great resources to help with your business plan.

### Register your business.

Your business must be registered. It's a good idea to [perform a name search online](#) or in office to determine if the proposed business name has already been filed. If you've [organized as an LLC register with the N.C. Secretary of State](#). Corporations also register with [North Carolina](#) as well.

If you're organized as a sole proprietorship or general partnership, [file with the Durham County Register of Deeds](#) and pay the \$26 file fee.

### Apply for an Employer Identification Number (EIN) from the IRS.

Also known as a Federal Tax ID Number, you'll need an EIN if you will be hiring employees, forming a partnership, or corporation. [Read more about EINs and apply online for yours with the IRS.](#)

### Determine your business legal structure.

Before selecting a business structure, consult your attorney and/or accountant [as each structure carries with it unique legal and tax consequences.](#)

### Sign up for a State Tax ID.

To collect sales and use taxes, [you'll need to register the N.C. Department of Revenue](#). You will receive information from the Department of Revenue on sales and use tax reporting and remittance requirements.

### Learn about financial resources available.

Small business owners in North Carolina have [financial resources available at the federal level](#) and [right here in North Carolina.](#)

## Business Resources

### Business Planning

<https://edpnc.com/start-or-grow-a-business/start-a-business/small-business-resources/>

### Legal Structure

<https://www.sba.gov/business-guide/launch/choose-business-structure-types-chart>

### EIN Info & Application

<https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>

### Business Name Search

<http://www.sosnc.gov/search/index/corp>

### LLC State Registration

<https://edpnc.com/wp-content/uploads/2015/09/Limited-Liability-Company-Articles-of-Organization.pdf>

### Corporation State Registration

<https://edpnc.com/wp-content/uploads/2015/10/Instructions-for-Filing-Corporation-Articles-of-Incorporation.pdf>

### County Register of Deeds

<http://www.dconc.gov/government/departments-f-z/register-of-deeds>

### NC Department of Revenue

<https://eservices.dor.nc.gov/ncbusreg/>

### Financial Resources (Federal)

<https://www.sba.gov/funding-programs>

### Financial Resources (State)

<https://edpnc.com/start-or-grow-a-business/start-a-business/small-business-resources/#sec2>

## Plan Your Location

### Find a location zoned for your restaurant.

The [Unified Development Ordinance \(UDO\)](#) designates [zoning of properties in Durham](#). Look up “Restaurant” in the UDO’s Table of Uses to find the zoning districts in which restaurants are allowed. Use the [Zoning Atlas](#) to find properties with the zoning you need.

### Confirm zoning for the location you want.

Send a “[Business Zoning Verification Form](#)” to the City of Durham/Durham County Planning Department. You can also visit the Development Services Center at Durham City Hall.

### Choose your design professionals.

Depending on the type of construction, you may need to hire a licensed professional, such as an architect, contractor or General Contractor. Contact City of Durham/Durham County Planning Department to determine if you will need to do so.

### Check if your location will require historic review.

Some locations and buildings need to have [renovations reviewed by the Historic Preservation Commission](#) (HPC).

### Complete and sign your lease.

To avoid common pitfalls, it is best to review the lease with your attorney.

## Location Resources

### UDO Uses & Zones

<http://www.codepublishing.com/NC/Durham/#1/5.1.html>

### Zoning Atlas

<http://durhamnc.gov/423/Zoning-Atlas>

### Zoning Form

<http://durhamnc.gov/DocumentCenter/View/2674/Business-Verification-Letters-PDF>

### Historic Locations

<http://durhamnc.gov/DocumentCenter/View/1347/Work-Requiring-a-Certificate-of-Appropriateness-with-Classification-Chart-PDF>

## Develop Your Space

### Learn about the City’s Development Review Process.

Development Review Section of the Durham [City-County Planning Department](#) reviews plans and serves as case managers for projects. It’s also good to have an idea of [what the City-County timelines look like for review](#).

### Obtain a building permit.

Have your general contractor [start the building permit process with City/County inspections](#). Your general contractor can [expedite the plan review process by submitting plan documents digitally](#).

### Monitor your progress.

Stay current with the [progress of your building plan review status, permits, and Certificates of Compliance online](#).

### Apply for a sign permit.

Prior to installation, [a sign permit must be issued per Unified Development Ordinance \(UDO\)](#). Both permanent and temporary signs require permits.

### Contact the fire department.

To ensure your building meets the N.C. Fire Code, you should [contact the Durham Fire Department](#). Note: A Change of Use will require a full inspection.

### Complete an Outdoor Seating Permit Application.

Eating establishments and restaurants located in the Downtown Design and Compact Design zoning districts that [wish to operate an outdoor seating area on City-maintained, public rights-of-way, City sidewalks, public alleys, and/or pedestrian ways must apply](#).

## Space Resources

### City-County Planning

<http://durhamnc.gov/388/Development-Review-Process-Overview>

### City Timelines

<http://durhamnc.gov/387/Development-Review-Timelines-Procedures>

### Building Permit

<http://durhamnc.gov/DocumentCenter/View/983/Building-Application-Form-PDF>

### Submit & Monitor Digital Plans

<http://durhamnc.gov/467/Dplans>

### Monitor Permit Progress

[http://ldo.durhamnc.gov/durham/ldo\\_web/ldo\\_main.aspx](http://ldo.durhamnc.gov/durham/ldo_web/ldo_main.aspx)

### Sign Permits

<http://durhamnc.gov/DocumentCenter/View/10717/Sign-Permit-Application-and-Checklist>

### Fire Department

<http://durhamnc.gov/620/Fire-Department>

### Outdoor Seating Permit

<https://durhamnc.gov/369/Outdoor-Seating-PermitsOutdoor-Dining>

# Food Service Regulations

## Complete the New Food Service Establishment Plan Review Application.

Then [submit it to County that includes the menu, scaled drawing, specification sheets for new equipment, and the required fee](#). Plan on a response within two weeks.

## Ensure one employee is a certified food protection manager.

Review the [North Carolina Food Code Manual](#).

## Verify N.C. Food Rules Compliance

Understand the [rules around food protection and sanitation](#).

## Complete a Transitional Food Service Plan Review.

If the establishment is already in existence, you need to complete a [Transitional Plan Review Application](#)—it's good for 180 days.

## Complete a Renovation Plan Review application.

If the restaurant is making only minor changes, your [Renovation Plan Review ensures you'll meet N.C. Food Code requirements](#).

## Contact Durham County Plan Review Specialist.

Call (919) 560-7800 at least 5 but not more than 30 business days prior to projected opening date to schedule the permitting evaluation.

### Food Resources

#### County Privilege License

<http://www.dconc.gov/home/showdocument?id=10212>

#### New Establishment Review

<http://www.dconc.gov/home/showdocument?id=21417>

#### N.C. Food Service Establishment Rules

<http://ehs.ncpublichealth.com/docs/rules/294306-26-2600.pdf>

#### Food Code Manual

<http://ehs.ncpublichealth.com/faf/docs/foodprot/NC-FoodCodeManual-2009-FINAL.pdf>

#### Transitional Plan Review

<http://www.dconc.gov/home/showdocument?id=4383>

#### Renovation Plan Review

<http://www.dconc.gov/home/showdocument?id=20567>

# Alcohol Regulations

If your business will engage in the selling of alcohol, you should:

- Learn more about [applying for ABC Permits](#)
- Apply for an [ABC Retail Permit](#) by submitting application
- Complete [Local Government Opinion 001](#)
- Complete [Local Government Opinion 002](#)
- Complete [Proof of Alcohol Training Form](#)
- Complete [Recycling Compliance Form](#)
- Obtain a [County beverage license](#)

### Alcohol Resources

#### ABC Permits - Learn

<http://abc.nc.gov/Permit/Apply>

#### ABC Permits - Apply

[https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Application%20for%20ABC%20Retail%20Permit\(s\).pdf](https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Application%20for%20ABC%20Retail%20Permit(s).pdf)

#### Local Gov't 001

[https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Local%20Government%20Opinion%20\(A%20link%20to%20Designated%20Opinion%20Contacts%20is%20provided%20on%20the%20Permits%20page\).pdf](https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Local%20Government%20Opinion%20(A%20link%20to%20Designated%20Opinion%20Contacts%20is%20provided%20on%20the%20Permits%20page).pdf)

#### Local Gov't 002

<https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/InspectionZoning%20Compliance%20Form.pdf>

#### Proof of Training

<https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Proof%20of%20Alcohol%20Seller%20Server%20Training.pdf>

#### Recycling Compliance

[https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Recycling%20Compliance%20Form%20\(Application\).pdf](https://portal.abc.nc.gov/Public%20Web%20Documents/Divisions/Permits/Retail/1.%20Retail%20Permit%20Application%20and%20Forms/Recycling%20Compliance%20Form%20(Application).pdf)



## Employer Requirements

### Hire employees.

The [Durham NCWorks Career Center](#) can help you find the talented workers you need for your restaurant.

### Check if you need unemployment insurance.

Use the [Division of Employment Security's site](#) to see if you need to comply.

### Obtain Workers' Compensation Insurance.

For 3 or more employees, you'll likely need workers' compensation insurance. [Learn more at N.C. Industrial Commission.](#)

### Complete Federal Form I-9.

[Form I-9](#) is used for verifying the identity and employment authorization of individuals hired for employment in the United States.

#### Employer Resources

##### Find Workers

<https://durhamnc.gov/572/NCWorks-Career-Center>

##### Unemployment Insurance

<https://des.nc.gov/DES>

##### Worker's Comp

<http://www.ic.nc.gov/>

##### Form I-9

<https://www.uscis.gov/i-9>

## Plan Your Opening

### Open a Business Bank Account.

[Business banking offers limited personal liability protection](#) by keeping your business funds separate from your personal funds.

### Create a Marketing Plan

The Small Business Administration can help you with a [sample marketing plan](#).

### Place Your Business on Google

[Listing your business with Google](#) is an important step today.

#### Opening Resources

##### Banking

<https://www.sba.gov/business-guide/launch/open-business-bank-account-fees-benefits>

##### Sample Marketing Plan

<https://www.sba.gov/business-guide/manage-your-business/marketing-sales>

##### Google Business

<https://www.gybo.com>

## Staying Successful + Resources

### Post Required State and Federal posters and permits.

You can [print required posters for free from the N.C. Dept. of Labor](#).

### Prepare for Inspections.

Once permitted the establishment is inspected on a regular basis. Regular inspections and visits are not announced or scheduled. Ensure food service workers are following required laws and have good hygiene.

### Learn more about business recordkeeping.

As a new business owner, you need to know your [federal tax responsibilities](#).

### Prepare for taxes.

The [N.C. Dept of Revenue](#) holds [regular Tax Seminars](#) throughout the year.

### Other Durham Resource Partners

- [Small Business Center at Durham Tech](#)
- [Small Business Technology & Development Center](#)
- [The Institute](#)
- [Durham Small Business Advisory Committee](#)
- [Business Link: North Carolina](#)

### General Resources

#### Required Posters

<https://www.labor.nc.gov/safety-and-health/publications/state-and-federal-workplace-poster-requirements/ncdol-labor-law>

#### Federal Tax

<https://www.irs.gov/pub/irs-pdf/p583.pdf>

#### N.C. Tax Seminars

<http://www.dorncc.com/business/smallbusseminars.html>

#### Durham Tech

<https://www.durhamtech.edu/sbc/>

#### Tech & Development Center

<http://www.sbtcd.org/offices/nccu/>

#### The Institute

<http://www.theinstitutenc.org/>

#### Small Business Advisory

<http://durhamnc.gov/462/Small-Business-Advisory-Committee>

#### Business Link: North Carolina

<http://blnc.gov>

## Connect for Additional Assistance



**ECONOMIC & WORKFORCE  
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CITY OF DURHAM

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[Visit us online](#) or call (919) 560-4965