

Chapter 21.16 – Development and Land Use Approval Requirements

Revisions		
Section	Change	Description
21.16.060.C	ADDED	Report of Residential Building Records implements Policy 2.7-4

CLUP Polices Implemented	
Coastal Land Use Plan Policy	Section
2.2.2-2. Incorporate coastal development permit procedures into the implementation plan to ensure that all public and private development in the coastal zone is consistent with the LCP.	21.16.020
2.2.2-4. Implement building design and siting regulations to protect coastal resources and public access through height, setback, floor area, lot coverage, building bulk, and other property development standards of the Zoning Code intended to control building placement, height, and bulk.	21.16.020
3.1.7-1. Continue to require special event permits for temporary events and continue to require applications to provide details on event characteristics, including duration (including set up/assembly and break down/dismantle start and completion times), event hours, per day estimated attendance, parking arrangements, traffic control, noise control, waste removal, insurance, equipment to be used, food service, entertainment, sponsorships, and advertising and marketing plans.	21.16.040
2.7-4. Continue to require Report of Residential Building Records inspections prior to the sale of residential properties to reduce and prevent violations of building and zoning codes by providing prospective owners of residential property with information as to permitted and illegal uses and construction.	21.16.060.C

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Chapter 21.16 – Development and Land Use Approval Requirements

Sections:

21.16.010	Purpose
21.16.020	General Requirements for Development and New Land Uses
21.16.030	Allowable Land Uses
21.16.040	Short-Term Uses and Structures
21.16.050	Special Events
21.16.060	Additional Permits and Approvals May Be Required

21.16.010 – Purpose

The purpose of this part is to provide the general requirements of this Implementation Plan for the approval of proposed development and land use activities. Land use requirements for specific land uses are established by this Part 2 and Part 3 (Site Planning and Development Standards) and Part 4 of this title (Standards for Specific Land Uses). Land use and development approval and administrative provisions are established by Part 5 (Planning Permit Procedures) and Part 6 of this title (Implementation Plan Administration).

21.16.020 – General Requirements for Development and New Land Uses

No use of land or structures shall be allowed, altered, constructed, established, expanded, reconstructed, or replaced unless the use of land or structures comply with this Implementation Plan and the requirements of this chapter.

- A. **Allowable Use.** The land use shall be identified by Chapter 21.18 (Residential Coastal Zoning Districts), 21.20 (Commercial Coastal Zoning Districts), 21.22 (Mixed-Use Coastal Zoning Districts), 21.24 (Industrial Coastal Zoning Districts), 21.26 (Special Purpose Coastal Zoning Districts), or 21.28 (Overlay Coastal Zoning Districts) as being allowable in the coastal zoning district applied to a site.
- B. **Coastal Development Permit Requirements.** Coastal Development Permits required by this Implementation Plan shall be obtained before the proposed use is commenced or the project is constructed and any activities associated with the use are commenced, or otherwise established or put into operation.
- C. **Development Standards.** Uses and/or structures shall comply with all applicable development standards of this part, the provisions of Part 3 (Site Planning and General Development Standards) and Part 4 of this title (Standards for Specific Land Uses), and other adopted criteria, guidelines, and policies adopted by the City related to the use and development of land.
- D. **Conditions of Approval.** Uses and/or structures shall comply with all conditions imposed by a previous permit and other regulatory approvals. Failure to comply with imposed

conditions shall be grounds for revocation of the permit in compliance with Chapter 21.68 (Enforcement).

- E. **Reasonable Accommodations.** The review authority may grant reasonable accommodations (adjustments) to the City's coastal zoning and land use regulations, policies, and practices when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling in compliance with Section 21.52.070 (Reasonable Accommodations).
- G. **Nonconforming Uses and Structures.** Uses and structures that are determined to be nonconforming as to the requirements of this Implementation Plan shall be subject to the requirements and limitations of Chapter 21.38 (Nonconforming Uses and Structures).

21.16.030 – Allowable Land Uses

Allowed land uses are permitted or conditionally permitted subject to compliance with all applicable provisions of this implementation plan. These are shown as "A" uses in the tables.

21.16.040 – Short-term Uses and Structures and Special Events

A coastal development permit shall be required for short-term uses and structures special events, unless exempt pursuant to Section 21.50.050 (Projects exempt from Coastal Permit requirements).

21.16.060 – Additional Permits and Approvals May Be Required

- A. **Other Permits Required.** An allowed land use or structure that is exempt from a permit, or has been granted a permit, may still be required to obtain other permits before the use is commenced or the structure is constructed and any activities associated with the use are commenced, or otherwise established or put into operation. Nothing in this section shall eliminate the need to obtain any permits or approvals required by:
 - 1. Other provisions of the Municipal Code (e.g., conditional use permits, minor use permits, limited term permits, site development review, zoning clearances, building permits, grading permits, other construction permits, live entertainment permit, or a business license); or
 - 2. Orange County, a special district, or any regional, State, or Federal agency.
- B. **Timing of Other Permits.** No land shall be used, no new use shall be established, and no structure shall be commenced until all necessary permits have been obtained.
- C. **Report of Residential Building Records.** The owner of any residential building shall obtain from the City a report of the residential building records upon entering into an agreement of sale. The owner shall file an application for such a report not later than three days after entering into an agreement of sale.