
Chapter 20.16 – Development and Land Use Approval Requirements

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20.16.010 – Purpose

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

20.16.020 – 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 Zoning Code and the requirements of this Chapter.

- A. Allowable use.** The land use shall be identified by Chapter 20.18 (Residential Zoning Districts), Chapter 20.20 (Commercial Zoning Districts), Chapter 20.22 Mixed-Use Zoning Districts, Chapter 20.24 (Industrial Zoning Districts), Chapter 20.26 (Special Purpose Zoning Districts), or Chapter 20.28 (Overlay Zoning Districts) as being allowable in the zoning district applied to a site.
- B. Permit requirements.** Permits required by this Zoning Code 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), Part 4 (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 20.68 (Enforcement).

- E. Other development criteria, guidelines, and policies.** The City may adopt criteria, guidelines, and policies separate from this Zoning Code that may affect the use and development of land. All applicable standards, criteria, guidelines, policies, and procedures related to development on file with the Department shall apply when appropriate as determined by the applicable review authority.
- F. Reasonable Accommodations.** The review authority may grant reasonable accommodations (adjustments) to the City's 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 20.52.070 (Reasonable Accommodations).
- G. Nonconforming uses and structures.** Uses and structures that are determined to be nonconforming as to the requirements of this Zoning Code shall be subject to the requirements and limitations of Chapter 20.38 (Nonconforming Uses and Structures).

20.16.030 – Allowable Land Uses and Planning Permit Requirements

A. Allowed land uses.

1. **Permitted uses.** Permitted subject to compliance with all applicable provisions of this Zoning Code, issuance of a Zoning Clearance (Section 20.52.100), and any Building Permit or other permit required by the Municipal Code. These are shown as "P" uses in the tables.
2. **Conditional Use Permit required.** Allowed subject to the approval of a Conditional Use Permit (Section 20.52.020) and shown as "CUP" uses in the tables.
3. **Conditional Use Permit - Hearing Officer required.** Allowed subject to the approval of a Conditional Use Permit in Residential Zoning Districts (Section 20.52.030) and shown as "CUP -HO" uses in the tables.
4. **Minor Use Permit required.** Allowed subject to the approval of a Minor Use Permit (Section 20.52.020), and shown as "MUP" uses in the tables.
5. **Limited Term Permit.** Allowed subject to the approval of a Limited Term Permit (Section 20.52.040), and shown as "LTP" uses in the tables.
6. **Site Development Review.** Allowed subject to the approval of a Site Development Review (Section 20.52.080) for the types of projects listed in Table 5-2 (Review Authority for Site Development Reviews).
7. **Zoning Clearance.** A Zoning Clearance is required before the commencement of a use, a change of use, or before the City issues a Building Permit, Grading Permit, or other construction-related permit in compliance with Section 20.52.100.

- B. Multiple uses on a single site.** Where a proposed multi-tenant project includes multiple land uses that require different permits, the project shall be authorized through the approval of the permit requiring the highest level of review. This provision shall not apply to a new single use when locating in an existing multi-tenant project.

20.16.040 – Short Term Uses and Structures

Requirements for establishing a short term use or structure (e.g., construction yards, seasonal sales lots, temporary office trailers, etc.) are identified in Section 20.52.040 (Limited Term Permits).

20.16.050 – Special Events

Requirements for holding a special event are identified in Municipal Code Chapter 11.03 (Special Events). In addition, all other applicable permits shall also be obtained.

20.16.060 – 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., 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,

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