



There are properties in the City of Laguna Beach that are not currently classified as legal building sites. Generally speaking, a legal building site is a parcel (or contiguous parcels) of land that was created in accordance with legal requirements. Properties not currently classified as legal building sites are most often vacant and undeveloped lots, functioning as passive open space with no paved road access. Until a lot has been demonstrated to meet the requirements for a legal building site, applications for the use or development of such lots cannot be processed or cannot be processed without applications for additional discretionary entitlements or permits. Some non-building sites exist and remain unbuildable because prior property owners have reached their own conclusion that receiving building site designation may not be practical or feasible for one or more reasons.

You can verify whether a property is or is not designated as a legal building site by accessing [City Maps \(GIS\)](#). Click "I want to..." to search by street address or the assessor's parcel number (APN). Use the APN search function for undeveloped lots, which most often do not have a street address assigned. Click on the lot to access a pop-up window with more information. Under "Additional Information," locate the "Building Site Designation" field. If it says "no," the property is not classified as a legal building site.

Building Site Designation Process – Street Extensions

It is possible for the City to establish new legal building sites with the approval of a street extension. This is the most common approach taken to create new building sites that lack existing and adequate vehicular access. The following information is provided for due diligence purposes to identify some of the key development considerations and constraints that typically frame the City's review of a street extension application. Note that the applicant is responsible for demonstrating that all Municipal Code requirements can be met in a manner consistent with the General Plan.

1. **BUILDING SITE REQUIREMENTS** | A legal building site must meet the requirements of Laguna Beach Municipal Code (LBMC) [Section 25.08.004](#). Generally, existing lots created before July 19, 1958, with ten feet of frontage along a paved street measured longitudinally are governed by the standards in Subsection A. All other lots and new subdivisions must comply with the standards in Subsection B in order to create a building site.

To create a legal building site, the owner of a non-legal building site may be required to conduct a lot line adjustment or lot consolidation to meet the minimum lot area, width, and depth requirements of the zone in which the lot is located.

2. **STREET EXTENSION** | The applicant is responsible for constructing street access if none exists. Street extension projects have development standards, review criteria and review/approval processes that are established by LBMC Chapters [11.40](#), [21.12](#), and [25.53](#), and [Title 22](#).

- LBMC Section [11.40.050](#) (Discretionary Review): Proposed street extension projects require a recommendation from the Planning Commission and discretionary approval by the City Council. Street extensions are usually processed as projects subject to the requirements of the California Environmental Quality Act due to the potential growth-inducing effects of the application and site-specific factors that are commonly associated with the intrusion of development into open space lands.
- LBMC Section [11.40.070](#) (Review Criteria): The review process for street extensions will consider all of the following criteria:
 - a. Conformity with applicable elements of the General Plan, especially with respect to land use, circulation and public safety policies;
 - b. Consistency with adopted standards of street and grading design as set forth in Titles 21 and 22 of the Municipal Code;
 - c. That development of the building site(s) will not create a foreseeable need for additional variances from the development regulations imposed by virtue of street design or location;
 - d. Conformance with applicable provisions of the California Streets and Highways Code, especially with regard to street openings and waivers of grade;



- e. Assurance that the long-term public or private maintenance obligations imposed by the improvement have been adequately addressed and are found to be acceptable, especially with regard to street surfacing, drainage and erosion control and sanitary sewer services;
 - f. Any growth-inducing effects of the proposal shall be investigated and adequately considered;
 - g. Building sites created through a street extension review and approval process shall be provided by roads with direct access [see LBMC Section [25.53.004](#)]; and
 - h. Secondary emergency access when required or proposed shall be provided by roads with direct access.
- Constructing a street on land with steep topography may be prohibitive for multiple reasons, including but not limited to:
 - a. A variance would be required to construct new streets or street extensions with a grade between 12% and 14% [LBMC Section [21.12.250](#)]. Street grades exceeding 14% are prohibited for new streets and street extensions.
 - b. Retaining walls for cut slopes may not exceed 5 feet in height [LBMC Section [22.06.010\(b\)\(1\)](#)].
 - Dead-end streets may not serve more than 24 building sites nor exceed 750 feet in length, and must be terminated by a turnaround [LBMC Section [21.12.220](#)]. Unbuildable lots are frequently located within impaired access areas, and other life safety improvements may be required in addition to an adequate fire apparatus turnaround area.
 - a. Note that any public turnaround improvements occurring over private property are subtracted from the lot size to establish a net lot area and for purposes of determining setbacks, density, and other development standards.
 - Minimum requirements for pavement width and width of the right-of-way vary based on street type [LBMC Section [21.12](#)].

3. **SENSITIVE ENVIRONMENTAL CONDITIONS** | If the proposed street extension and/or non-building site has sensitive environmental conditions, technical studies (e.g., geotechnical, hydrological, biological, etc.) must be provided and peer-reviewed to assess the environmentally sensitive condition(s) and the proposed development’s potential environmental impact(s).

- The Municipal Code prohibits development in a watercourse setback area [LBMC Section [25.50.030](#)] unless the circumstances are extraordinary and justify the granting of a variance.
- For lots located at the urban-wildland interface, a fuel modification plan will ultimately be required during the design review phase for the future residential development. These open space lands may contain high value habitat or may be considered open space preserve. Fuel modification programs that intrude into environmentally sensitive areas must preserve these habitats and, when appropriate, impacts mitigated.

4. **GENERAL PLAN** | Land Use Element Policy 9.6 states: “Continue to prohibit new roads or extensions of existing roads that are inconsistent with the Municipal Code and General Plan.” The General Plan broadly discourages street extensions into environmentally sensitive areas and when the extension would induce further development.

- As indicated further above, the street extension review criteria require conformity with the applicable elements of the [General Plan](#). Applicants should carefully review all General Plan elements during the due diligence process. The following is a short list of some of the policies that frequently apply to street extension applications:
 - o Land Use Element: Policies 2.7, 2.8, 7.10, 9.6, 10.2, 10.8, and 10.9
 - o Open Space and Conservation Element: Policies 7A, 7K, 8A, 8J, 8N, 13A, 13B, 13C, 14A, 14B, 14C, 14F, 14G, 14I, 14K, and 14L