

## Consistency Rezoning from Ordinance 661 to Modern Zoning

In the 1960's, the County adopted Ordinance 661, which created nine agricultural zone districts, each with specific permitted uses. In 1983, along with the adoption of the Comprehensive General Plan, the County implemented modern zoning under Article III for the inland areas. While most urban areas were rezoned from Ordinance 661 to Article III, an agreement could not be reached for rezoning rural lands due in part to landowners' misperceived loss of property rights under Article III. However, a rezone would provide a permit path to allow for a greater range of uses on agriculturally zoned land, whereas under Ordinance 661, uses are limited to only what is allowed in that particular zone district, with a land use permit. There is no process for issuing Special Use or Conditional Use Permits.

In 2006, the County adopted the Land Use and Development Code (LUDC) in place of Article III. Article II zoning applies in the Coastal Zone.

Property zoned under Ordinance 661 will eventually be rezoned to be consistent with the County LUDC, per the County's consistency rezone program directive. Currently, an owner applying for a permit on property zoned under Ordinance 661 may request a rezone to LUDC zoning when the proposed project cannot be permitted under Ordinance 661. Applicants are given the choice of processing the consistency rezone separately or in combination with a discretionary permit application. To determine what a parcel should be rezoned to, the County primarily considers adjoining property zoning, as well as the subject parcel's size and location.

One benefit of rezoning is the opportunity for a landowner to realize the benefits of the Agricultural Permit Streamlining Ordinance Amendments adopted in 2010. These amendments allow for a development plan threshold of 30,000 square feet on a parcel zoned Agriculture II than is between 100 and less than 200 acres. A similar sized parcel zoned Unlimited Agriculture, under Ordinance 661, has a development plan threshold of 20,000 square feet. Rezoning a parcel to an LUDC or Article II zone district also provides a permit path for discretionary projects, such as those allowable uses requiring a Conditional Use Permit (aquaculture, processing off-premise products, etc).



## Consistency Rezoning in the Gaviota Coast Planning Area

Ordinance 661 Zone Districts in the Plan Area	Allowable Uses and Districts in the Planning Area	Locations	Potential Rezone Designation (LUDC or Article II)
Unlimited Agriculture ( <b>U</b> )	Single-family dwellings allowed by right. The production of oil, gas and other hydrocarbon substances but not including oil refineries or power plants is allowed in addition to all agriculture and farming. Minimum parcel size of 10 acres, but subdivision to 10 acres not likely, as there is no pathway to process discretionary projects in Ordinance 661 zone districts.	Located throughout the planning area, including on National Forest land.	AG-II with a minimum parcel size of 40 to 320 acres, depending upon the existing parcel size and location. Likely rezone to AG-II-100 in inland areas or AG-II-320 in the Coastal Zone
General Agricultural District ( <b>AG</b> )	All agriculture and farming. Residential uses incidental and subordinate to agricultural operations. Public stables or riding arena. Excavation of building materials, oil and gas drilling and production facilities. Agricultural product sales. 20, 40, and 100-AG and 100-AG-O Districts in the planning area. Number denotes minimum parcel size. 100-AG-O includes Oil Drilling Combining Regulations.	Located mostly in northeast part of planning area on National Forest land.	AG-II-100
Limited Agricultural District ( <b>AL</b> )	20-AL-O District in the planning area. Allows for agriculture and farming. Dwelling must have nexus to agriculture. Includes Oil Drilling Combining Regulations.	Located on National Forest land east of Las Cruces.	AG-II-100