

Zoning Ordinances

Zoning ordinances are a detailed expression of allowable uses consistent with the various lands within the unincorporated County. These Zones should be consistent with the associated Land Use Designations of properties identified in the Land Use element and Local Coastal Plan. Zoning Ordinances also specify permit procedures and tailored ordinance language for specific uses. There are currently three zoning ordinances that apply to various portions of the Gaviota Coast Planning area, as described below.

Land Use & Development Code (LUDC)

The LUDC is the modern Zoning Ordinance for the Inland areas of the unincorporated County. Adopted by the Board of Supervisors in 2006 (effective January 2007), the LUDC defines Zones within which specified uses are allowed by right or with permit, conditionally allowed, or disallowed. In addition, some identified uses are regulated by ordinance language specific to the uses. Zones and uses are also regulated by tailored development standards. Permit procedures and other administrative functions are also described within the LUDC. The following table summarizes LUDC Zones within the planning area and key uses.

ZONING DESIGNATION DESCRIPTIONS		
Agriculture II (AG-II-40:AG-II-100)	<p>Areas appropriate for agricultural land uses on prime and non-prime agricultural lands located within the Rural area. The intent is to preserve these lands for long-term agricultural use.</p> <p>Key Land Uses: Cultivated agriculture and grazing, agricultural processing, and mining. Wineries and oil and gas uses subject to specific use regulations.</p>	LUDC
Recreation (REC)	<p>To provide public or private open space areas appropriate for various forms of outdoor recreation. The intent is to encourage outdoor recreational uses that will protect and enhance areas with the potential to accommodate both active and passive recreation because of their beauty and natural features.</p> <p>Key Land Uses: Public parks, campgrounds, conference centers, country clubs, golf courses, RV parks, and schools.</p>	LUDC

Highway Commercial (CH)	Applied to areas adjacent and accessible to highways or freeways appropriate for uses that serve the highway traveler. Key Land Uses: Convenience stores, grocery stores, restaurant, service station, truck stop.	LUDC
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Article II Coastal Zoning Ordinance (Article II)

Article II is the effective Zoning Ordinance for the Coastal areas of the unincorporated County. The LUDC applicable to the coastal zone has yet to be certified by the Coastal Commission (scheduled for Coastal Commission tentative hearing in February 2010). Therefore, Article II (certified in 1982) is the ordinance that continues to define Zoning Districts within which specified uses are allowed by right or with permit, or conditionally allowed. In addition, some identified uses are regulated by ordinance language specific to the uses, such as beach and bluff development and coastal trails. Zoning Districts and uses are also regulated by tailored development standards. Permit procedures and other administrative functions are also described within Article II. The following table summarizes Article II Zoning Districts within the planning area and key uses.

ZONING DESIGNATION DESCRIPTIONS		
Agriculture II (AG-II-40, AG-II-100, AG-II-320)	Provides for agricultural land uses on large properties with prime or non-prime agricultural soils in the rural areas of the County, and to preserve prime and non-prime soils for long-term agricultural use. Key Land Uses: Cultivated agriculture and grazing, agricultural processing, mining, and wineries. Oil and gas uses subject to specific use regulations.	Article II
Coastal Dependent Industry (M-CD)	Provide areas within the Coastal Zone for certain energy and industrial uses that require a site on or adjacent to the sea in order to function at all. The intent is to provide standards and conditions that will ensure that environmental damage will be avoided or minimized to the maximum extent feasible while accommodating those industrial uses determined to be Coastal-Dependent Industry. Key Land Uses: Onshore oil and gas development, onshore facilities related to offshore oil and gas	Article II

	production, piers and staging areas, aquaculture, all types of agriculture and farming.	
Coastal Related Industry (M-CR)	<p>Provide areas within the Coastal Zone for certain energy and industrial uses that are dependent on coastal-dependent of uses as prescribed in Section 35-87, but do not require a site on or adjacent to the sea to be able to function at all. The intent is to provide standards and conditions that will ensure that environmental damage will be avoided or minimized to the maximum extent feasible while accommodating those industrial uses determined to be coastal-related industry.</p> <p>Key Land Uses: Onshore oil and gas development, onshore facilities related to offshore oil and gas production, piers and staging areas, aquaculture, all types of agriculture and farming.</p>	Article II
Highway Commercial (CH)	<p>Provide areas adjacent to highways or freeways exclusively for uses which serve the highway traveler.</p> <p>Key Land Uses: Convenience stores, grocery stores, restaurant, service station, truck stop.</p>	Article II
Recreation (REC)	<p>To provide public or private open space areas appropriate for various forms of outdoor recreation. The intent is to encourage outdoor recreational uses that will protect and enhance areas with the potential to accommodate both active and passive recreation because of their beauty and natural features.</p> <p>Key Land Uses: Public parks, campgrounds, conference centers, country clubs, golf courses, RV parks, and schools.</p>	Article II
Rural Residential (RR-40)	<p>Applied to rural areas, generally of marginal agricultural value where low density residential and agricultural uses are appropriate. The purpose of this district is to preserve the rural character of an area and provide for low density residential development.</p> <p>Key Land Uses: Agriculture and farming, single-family dwellings, guest houses, artist studios, residential second units.</p>	Article II

Transportation Corridor (TC)	To preserve and protect established and proposed transportation corridors, to regulate land uses within and adjacent to such corridors, and to provide uniform TC development standards.	Article II
	Key Land Uses: Railroads, freeways, highways, streets, roads, rail and bus stops, permanent inspection stations, roadside rest areas, parking including park and ride facilities, bikeways and recreational trails.	

Ordinance 661

Ordinance 661 is the zoning ordinance which covered most of the County prior to adoption of the County of Santa Barbara Comprehensive Plan in the early 1980's. In 1983, the Article III Zoning Ordinance was adopted to implement the newly adopted Comprehensive Plan and is still currently regulating the inland areas of the County within the context of the newly reformatted Land Use and Development Code (LUDC), which became effective in January of 2007. In order to avoid any possible confusion which may have resulted from the existence of parallel text provisions between the new Article III Zoning Ordinance and Ordinance 661, the Board of Supervisors repealed the majority of Ordinance 661 in 1984 by Ordinance No. 3430. This action repealed those portions of Ordinance 661 which were duplicated by similar provisions of Article III. The repealed ordinance also deleted the permit processing procedures and conditionally permitted uses from Ordinance 661. Concurrent with the repeal of portions of Ordinance 661, all of the urban areas in the inland area were rezoned to appropriate Article III designations. The Ordinance 661 agricultural zone districts not duplicated by the AG zone districts in Article III were retained. As a result, a significant amount of land in the rural area (not under Williamson Act Contract) still has Ordinance 661 zoning.

Ordinance 661 Today

What remains today is a handful of Ordinance 661 zone districts for which there was not an exact matching zone district in Article III (now referred to as the LUDC). This was due to the fact that Ordinance 661 has nine different agriculturally related zoning districts (four of these different agricultural zone districts are found within the project area) and each has slightly different allowable uses. The LUDC has two broad and diverse agricultural zone districts (AG-I and AG-II) which contain and cover all the potential uses described in and provided for in the nine Ordinance 661 agricultural zone districts.

ZONING DESIGNATION DESCRIPTIONS

General Agriculture (20-AG:100-AG)	Key Uses: Agriculture and farming, residential uses incidental to agriculture, oil and gas drilling.	Ordinance 661
Limited Agriculture (20-AL)	Key Uses: limited agriculture and farming, limited dwellings.	Ordinance 661
Unlimited Agriculture (U)	Key Uses: All types of agriculture, single-family dwellings, onshore oil development.	Ordinance 661

Of greater significance is the current inequity that exists, with respect to available land uses, between Ordinance 661 and LUDC agricultural zoned parcels. In general, permitted uses can still be approved on Ordinance 661 zoned land; however, land uses such as agricultural preparation facilities, greenhouses, and wineries are no longer available since the permit processing procedures and conditional use permit section no longer exist. Since 1984, the County has processed, free of charge, a consistency rezone to the corresponding LUDC agricultural zoning designation (e.g. Agriculture II) when a landowner with Ordinance 661 zoning requests a land use requiring a discretionary permit.

The following table compares land uses currently available to property owners with Ordinance 661 zoning (U, AG, and AL zones), versus allowed uses under the LUDC AG-II zone district. The table clearly indicates that most land uses requiring a discretionary permit are no longer available to property owners with Ordinance 661 zoning. The remaining available land uses are generally allowed with the same permit level under the LUDC and Ordinance 661. Aquaculture is the only use allowed with a lower permit in all three Ordinance 661 zones as compared to the AG-II zone district. Farm employee housing (up to 4 units), on the other hand, is allowed with a lower permit (land use permit) in the AG and AL zones, but is not allowed at all in the U zone.