



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Submitted on:**  
**(COB Stamp)**

**Department Name:** Fire  
**Department No.:** 031  
**Agenda Date:** May 5, 2026  
**Placement:** Administrative Agenda

**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

---

**TO:** Board of Supervisors  
**FROM:** Department Director(s): Garrett Huff, Fire Chief/Fire Warden  
Contact: Fred Tan, Fire Marshal  
**SUBJECT:** **Revisions to the Rules and Regulations of the Santa Barbara County Fire Department's Board of Appeals and Appointment of Candidates onto the Board of Appeals**

---

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

The Fire Department recommends the Board of Supervisors (Board) take the following actions:

- a) Adopt a Resolution (Attachment A) approving revisions to the Rules and Regulations of the Santa Barbara County Fire Department's Board of Appeals (Rules and Regulations) (Attachment B) and appointing members onto the Santa Barbara County Fire Department's Board of Appeals; and
- b) Approve the revised Rules and Regulations of the Santa Barbara County Fire Department's Board of Appeals (Rules and Regulations) (Attachment B); and
- c) Approve the candidates nominated by the Fire Department in this document and Attachment D for appointments onto the Board of Appeals; and/or
  - i) Nominate and approve Board appointment of individuals for the five-member board pursuant to Chapter 15 of Santa Barbara County Code of Ordinances; and
  - ii) Approve a term of appointment ending on December 31<sup>st</sup>, 2026 for the appointed members of the Board of Appeals; and

- d) Determine that this action is not subject to the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15273(a)(1) and 15378(b)(5).

**Summary Text:**

The Santa Barbara County Fire Department (Department) adopted and amended Appendix A, Board of Appeals, of the 2025 California Fire Code into Chapter 15 of the Santa Barbara County Code of Ordinances. While the Board of Appeals has existed for a number of years, the majority of the five (5) seats approved for appointment are currently vacant. The Board of Appeals will conduct its noticing and proceedings in accordance with the requirements of the Brown Act.

This item recommends that the Board of Supervisors consider the candidates nominated by the Department for appointments onto the Board of Appeals or each Supervisor appoints a member of their choosing pursuant to Appendix A, Section A101.2 The Department also recommends appointing one (1) alternate member. Additionally, this item recommends adoption of a new Rules and Regulations document (Attachment A).

**Discussion:**

The Department occasionally receives variance requests through correspondence or via the Department's Request for Modification or Alternative Design and Methods Review form. When applicants are not satisfied with the determination of the Fire Marshal or designated staff, Appendix A, Board of Appeals, and the Rules and Regulations provide a process for an applicant to appeal the Fire Marshal's or designated staff's decisions.

As the Rules and Regulations for the Board of Appeals have not been revised since 2007, and the majority of the seats on the Board of Appeals are currently vacant, this item is proposed to the Board of Supervisors to appoint a full slate of members and approve the Rules and Regulations for the Board of Appeals. The proposed updates to the Rules and Regulations shall be incorporated in amendments to Santa Barbara County Chapter 15 later this year. This action serves to enact the proposed Rules and Regulations on an interim basis until Chapter 15 is amended and approved.

The Board of Appeals members selected with this Board action shall serve temporary terms which will end on December 31, 2026 and should be "qualified by experience and training to pass judgment upon pertinent matters." Each member nominated by the Fire Department has been appointed by a supervisor or has expressed interest in serving on the Board of Appeals. Once appointed by the Board of Supervisors, the Board of Appeals appointees and the alternate will serve until the end of this term cycle, December 31, 2027. At that time, the Board of Supervisors reappoint members or appoint new members as they see fit based on qualifications "by experience and training to pass judgement on pertinent matters."

The Department nominates six candidates, including an alternate, based on those criteria. The "List of Appointees and Candidates" with associated professional biographies is available as Attachment D.

## **Rules and Regulations Summary of Changes and Process**

The Department proposes amending the Rules and Regulations of the Board of Appeals to effectuate the following changes:

- Once appointed, the Board of Appeals shall consist of:
  - One elected Chair
  - One elected Secretary
- The Appellant shall submit an application for the appeal process to the Clerk of the Board of Appeals (Clerk of the Board)
- The Appellant shall submit the applicable fee to the Clerk of the Board of Appeals (Clerk of the Board)
- The Appellant may submit original request for variance or alternate means and methods request documentation or the Santa Barbara County Fire Department's Request for Modification or Alternative Design and Methods Review form
- The Appellant and the Fire Department may submit up to 2 additional pages (no smaller than 11-point font minimum) of reasoning for the members of the Board of Appeals to consider
- The Appellant and the Fire Department may submit a plan set up to 5 pages for members of the Board of Appeals to consider
- A meeting will be scheduled for the Appellant, the Department Fire Marshal (or their designee) and the Board of Appeals on Zoom by the Clerk of the Board of Appeals (Clerk of the Board) with the following time criteria for the meeting:
  - 10 minutes for Appellant comments
  - 10 minutes for Fire Department comments
  - 3 minutes for Appellant rebuttal
  - 3 minutes for Fire Department rebuttal
- A final determination made by the Board of Appeals will be mailed via Certified US Mail and emailed to the Appellant and the Fire Department by the Clerk of the Board of Appeals

### **Background:**

The Santa Barbara County Fire Department provides fire prevention, plan review, inspection, and operational oversight services necessary to protect life and property and ensure compliance with the 2025 California Fire Code, the 2025 California Wildland Urban Interface Code, Chapters 10 and 15 of Santa Barbara County Code of Ordinances, the Department's Development Standards and other applicable State and County fire and life-safety regulations. The Department provides these services to the unincorporated areas of Santa Barbara County, the City of Goleta, the City of Solvang and the City of Buellton. These services include land development review, inspection of fire protection systems such as sprinklers and alarms, issuance of occupancy permits, inspections of

open space and residential landscape and vegetation, and review of operational and miscellaneous permits.

On occasion, applicants are not satisfied with the Department's determinations across the various sections overseen by the Fire Marshal for the Santa Barbara County Fire Department. Applicants may submit requests for variance via correspondence or the Department's Request for Modification or Alternative Design and Methods (AMM) Review form.

If the request for variance, modification or AMM is denied, applicants can appeal the Department's decision through the Board of Appeals. The decision by the Board of Appeals is final with this proposed interim process.

**Staffing Impacts:**

In almost all cases, the Fire Marshal will compile and present the Fire Department's materials to the Board of Appeals. As the Fire Department's Fire Prevention Division does not have a cost neutral policy currently, nor a fee to address appeals, the Fire Department absorbs the costs of the appeals process through regular staff time. While this is the case, there is minimal impact to other Fire Department staff as materials for the appeals procedure mostly exist in current files. The Fire Department anticipates each appeal will consume 5-10 hours of staff time to compile, prepare and present materials.

The Clerk of the Board's current fee for this is \$200. The fee has not been updated by the Clerk of the Board, and it likely does not cover the Clerk of the Board's staff time required to administer the appeals process. The Clerk of the Board will include this in procedure in a future fee study.

**Fiscal Impacts:**

There are no fiscal impacts associated with this item.

**Attachments:**

**Attachment A** - Resolution

**Attachment B** - Rules and Regulations of the Santa Barbara County Fire Department's Board of Appeals

**Attachment C** - Board of Appeal Rules and Regs Summary

**Attachment D** - List of Appointees and Candidates

**Attachment E** - Continuance Memo Board of Appeals Item

**Contact Information:**

Fred Tan, Fire Marshal - ftan@countyofsb.org