



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: Planning and Development  
Department No.: 053  
Agenda Date: May 12, 2026  
Placement: Departmental Agenda  
Estimated Time: 45 MINUTES  
Continued Item: No  
If Yes, date from: N/A  
Vote Required: Majority

**TO:** Board of Supervisors  
**FROM:** Department Director: Lisa Plowman, Planning Director  
Contact: Alex Tuttle, Deputy Director  
**SUBJECT:** Zoning Ordinance Ministerial Streamlining Briefing

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and file a report from the Planning and Development Department regarding proposed updates and amendments to the County Land Use and Development Code, Montecito Land Use and Development Code, and Article II – Coastal Zoning Ordinance pertaining to ministerial streamlining and permit type requirements;
- b) Provide direction to staff regarding the proposed amendments; and
- c) Determine that the recommended actions are not a project that is subject to environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(5), finding that the above actions consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

The Planning and Development Department is seeking the Board of Supervisors' input and direction regarding the specific scope of work for amendments to the County Land Use and Development Code, Montecito Land Use and Development Code, and Article II – Coastal Zoning Ordinance (the zoning codes). These amendments are a continuation (Phase 3) of the Planning and Development Department's series of ordinance amendments to update and streamline the County zoning ordinances, cumulatively called the Zoning Ordinance Amendment Project.

The first two phases of the Zoning Ordinance Amendment Project focused on technical updates to the County zoning ordinances, housing accommodation, and process improvement, and consisted of the following:

- Shopping Center zone district amendments (approved November 7, 2023), which rezoned all Shopping Center zone district parcels to Retail Commercial (C-2);
- Outdoor Lighting and Signs Amendments (approved February 11, 2025, pending Coastal Commission approval), which updated standards for outdoor lighting fixtures and sign structures; and
- Ordinance Streamlining and Housing Accommodation Amendments (approved January 27, 2026, pending Coastal Commission approval), which updated and modernized the ordinances to streamline, clarify, and simplify processes and procedures, and implement housing accommodation measures.

The primary goal of this third phase of amendments is to expand the range of development projects that would be subject to streamlined, ministerial approvals. Projects in this category would be subject to compliance with objective standards and would avoid some processing requirements that can add considerable time and cost to a project, along with uncertainty, including noticing, design review, and the potential for appeals. The primary focus of these amendments is on minor improvements, single family residential development and limited commercial development.

### **Discussion:**

#### ***Permit Types***

Planning and Development has various permit requirements to provide for different levels of review based on the project type. The primary permit or approval types that the County currently uses are:

- **Exemptions**
  - Do not require a permit
  - Limited to uses specifically identified as exempt
  - Must meet the development standards in the code, e.g., setbacks, height, and parking
- **Zoning Clearances**
  - Approved at a staff level
  - Noticing is not required
  - Not appealable
  - Used for development that meets objective standards and complies with applicable Comprehensive Plan policies, including:
    - Agricultural employee dwellings,
    - Some agricultural enterprise uses,
    - Small scale telecommunication facilities, and
    - Ministerial housing developments allowed by State laws (e.g., SB 9, SB 35, and housing element rezone sites).
  - Required as follow-up permits to higher level discretionary permits to ensure that all conditions are met before construction and/or the use begins
- **Land Use Permits**
  - Approved at a staff level
  - Noticing is required

- Appealable
- Required for uses and development that have limited discretion applied to them. The projects must meet zoning code requirements and be found consistent with the County Comprehensive Plan
- Land Use Permits are the most widely applicable permits for the inland areas of the County
- **Coastal Development Permits**
  - Akin to Land Use Permits in the County's coastal zone and are required for any non-exempt development or use in the coastal zone
  - Approved at the staff level except when located within the Coastal Commission geographic appeals jurisdiction
  - Noticing is required
  - Appealable
- **Discretionary Permits**
  - Development Plans (DVPs) and Conditional Use Permits (CUPs) are required for larger scale projects or uses and are approved by a County decision-maker (e.g., Director, Zoning Administrator, Planning Commission)
  - Noticing is required
  - Appealable

### ***Design Review***

In addition to these various types of entitlements, many development projects are subject to Design Review (i.e., Board of Architectural Review) approval. The triggers for Design Review vary by Community Plan area, with several areas of the County (e.g., Gaviota, Mission Canyon, Summerland, and Montecito) requiring design review for essentially all new development (with some basic exemptions), and other areas of the County (e.g., Orcutt, Goleta, Los Alamos, and Santa Ynez) only requiring design review for a more limited subset of development. The Design Review process is a companion discretionary approval process to the permit entitlement, and is another potential source of additional processing cost, time, uncertainty, and potential for appeal.

### ***Proposed Amendments***

Planning and Development is proposing amendments to the zoning codes to streamline permits and reduce unnecessary processing for applicants. The following table summarizes the concepts being considered, with discussion to follow below.

PROJECT TYPE	CURRENT PERMIT & DESIGN REVIEW REQUIREMENTS	PROPOSED PERMIT & DESIGN REVIEW REQUIREMENTS
<b>RESIDENTIAL</b>		
Single Family Dwellings	<ul style="list-style-type: none"> <li>All require appealable LUP/CDP</li> <li>BAR for many, depending on location</li> </ul>	<ul style="list-style-type: none"> <li>Ministerial if meet certain criteria</li> <li>BAR if exceeds thresholds or Ridgeline/Hillside location</li> </ul>
Accessory Structures: Garages, Workshops, Guest houses, Cabanas, etc.	<ul style="list-style-type: none"> <li>All require appealable LUP/CDP</li> <li>BAR for some, depending on location</li> </ul>	<ul style="list-style-type: none"> <li>Ministerial if meet certain criteria</li> <li>BAR if exceeds thresholds</li> </ul>
Pools	<ul style="list-style-type: none"> <li>All require appealable LUP/CDP</li> </ul>	<ul style="list-style-type: none"> <li>Exempt</li> </ul>
Small Structures (e.g., sheds, pergolas, outdoor kitchens, etc.)	<ul style="list-style-type: none"> <li>Exempt up to 120 s.f.</li> <li>No utilities allowed</li> <li>LUP/CDP if exceed exempt allowance</li> </ul>	<ul style="list-style-type: none"> <li>Exempt up to 250 s.f.</li> <li>Allow utilities</li> <li>Ministerial approval if exceed exempt allowance and meet certain criteria</li> </ul>
<b>COMMERCIAL</b>		
Change of Use	<ul style="list-style-type: none"> <li>Exempt if like-for-like (e.g., café to restaurant)</li> <li>LUP/CDP if change in type of commercial (e.g., café to retail)</li> </ul>	<ul style="list-style-type: none"> <li>Exempt in all cases</li> <li>Parking requirements an optional standard</li> </ul>
New structural development	<ul style="list-style-type: none"> <li>All require appealable LUP/CDP</li> <li>DVP required above certain thresholds</li> <li>BAR required for all development</li> </ul>	<ul style="list-style-type: none"> <li>Ministerial below certain threshold</li> <li>BAR exempt below certain threshold or in some areas of County</li> </ul>

1. Single Family Dwellings and Accessory Development

Single family dwellings and associated accessory structures (e.g., pools, garages, guest houses) currently generally require a Land Use Permit (LUP) in the inland area and a Coastal Development Permit (CDP) in the coastal zone. As noted above, many single-family dwellings and accessory structures also require Design Review approval by one of the County Boards of Architectural Review (BAR), usually due either to the requirements of a Community Plan or development location (e.g., a ridgeline or hillside). The goal of these amendments is to

downshift some or all single family and accessory residential development to be approved ministerially, without requiring an appealable LUP/CDP and/or Design Review approval.

### ***Ministerial Permitting***

Comparable Counties: The requirement for a LUP or appealable CDP for residential and residential accessory development on a countywide basis is somewhat unique to Santa Barbara County. Staff reviewed other county jurisdictions, including Ventura County, San Luis Obispo County, San Mateo County, San Benito County, Monterey County, and Santa Cruz County. Of these counties, only Santa Cruz County requires a comparable permit for single family residential development outside of a sensitive resource area or coastal appealable area, and that only applied to single family dwellings 5,000 square feet or larger. Some jurisdictions have other triggers for discretionary review, such as grading, development on slopes, or site disturbance, and several counties have additional permitting and/or design review requirements specific to certain community plan areas.

Options: There are a number of potential approaches. Staff is seeking the Board's feedback on the following:

1. Hybrid Approach: Objective thresholds could be established based on grading/site disturbance, slopes, resource constraints, and other factors that would distinguish between projects that would be ministerial versus those that would require a higher level of review consistent with the current process (i.e., appealable LUP/CDP). It should be noted that ministerial projects need to comply with County policies, including resource protection policies. The primary goal of establishing thresholds would be to accommodate reasonable development on properties with limited constraints where it can be reasonably assured that the development would comply with County policies without requiring additional review.

For example, the code could be structured so that some project proposals or site features would trigger a higher level of review (e.g., LUP/CDP) such as:

- Proposed development within Environmentally Sensitive Habitat areas or buffers,
  - Proposed removal of a significant number of native trees (e.g., five or more),
  - On-site steep slopes in the area of proposed development (e.g., slopes in excess of 10%), and/or
  - Proposed development requiring significant site disturbance and grading (e.g., in excess of 250 cubic yards or 10,000 sq. ft. or more of disturbance).
2. Ministerial Review Only Approach: Consistency with county policies and applicable development standards could be verified through ministerial review without requiring an appealable permit. As such, the County could require a ministerial permit for all single family residential and residential accessory development and seek to ensure that the development is consistent with County policies and applicable development standards through that process; thus creating a streamlined process and maintaining County standards for development. A tiered approach using similar thresholds as described above

could be implemented where simple projects without constraints (i.e., below the thresholds) could be processed more quickly and more complex projects that contain constraints (e.g., ESH, slopes, grading, etc.) would receive a greater level of review. This approach could include a trigger to require an appealable LUP/CDP if the proposed development has the potential to create significant environmental impacts.

*Policy direction:*

- *Should staff explore amendments that would establish criteria or thresholds to distinguish between projects that are eligible for ministerial review versus those that would continue to require a LUP (inland area) or appealable CDP (coastal zone)?*

*Or*

- *Should staff explore amendments to make all single family residential and residential accessory development ministerial and non-appealable, and establish thresholds for simple projects versus more complex projects?*

***Design Review Options***

In order to establish a truly ministerial process for certain types of residential single family and accessory development, some residential and residential accessory development could be identified that would be exempt from the requirement for Design Review.

In many areas of the County, single family residential and residential accessory development is already exempt from Design Review. However, several areas of the County require design review for essentially all new development (with some basic exemptions) by virtue of Community Plan or overlay district provisions.

A Design Review exemption could be tailored to apply to development that meet certain criteria such as size and height limitations or other objective standards in order to streamline the process and focus the review on projects with the greatest potential to raise issues (e.g., neighborhood compatibility, privacy, and visual impacts). Potential criteria that would trigger Design Review could include:

- Exceedance of an identified floor area ratio (i.e., ratio of the amount of development relative to the size of the parcel, or FAR). FARs recognize the diversity of parcel sizes across the County and provide for larger homes on larger parcels,
- Exceedance of a particular height or number of stories, and
- Hillside/ridgeline development.

A second option would be to establish more of a tiered approach to Design Review that incorporates an administrative Design Review category, where projects that may not qualify as exempt could be reviewed for consistency with design standards or guidelines at the staff level. This could be a way to balance the interests of the community in ensuring good design without the public hearing process that comes with the full Board of Architectural Review.

Also, staff is seeking direction regarding the different standards that apply across the County. A uniform approach could be applied throughout the County or differences could be retained within certain communities similar to how they are currently.

*Policy direction:*

- *Should staff explore amendments that would exempt single family residential and residential accessory development from Design Review provided the development meets certain criteria such as floor area and height limitation or other objective standards?*

*And*

- *Should these amendments establish a tiered approach (i.e., exempt, ministerial, discretionary) with an administrative Design Review category for certain projects, such as those in areas of the County with adopted design guidelines?*

*And*

- *Should there be a uniform standard applied countywide or continue to have different standards in different planning areas?*

In considering the thresholds or parameters, the goal would be to exempt a significant portion of projects from Design Review, particularly those that are unlikely to be incompatible with the character of surrounding development.

## 2. Commercial Development

### ***Change of Use***

Currently, changing between commercial uses requires a LUP or CDP unless the uses are the exact same type (e.g., changing from a café to a restaurant or changing from general retail to another general retail), in which case the change is exempt. The goal of these amendments is to exempt changes of use between any commercial uses that generally require a LUP or CDP (e.g. changing from general retail to a restaurant or from a grocery store to a fitness facility).

One significant barrier to commercial changes of use is parking requirements. Different uses have different required numbers of spaces, and a change from one use to another can cause a significant increase in parking demand and the number of required parking spaces.

It is often infeasible to provide additional on-site parking on an already developed site, thus limiting changes of use and the types of new uses that may locate in an existing building. It also limits the ability of existing uses to adapt or expand. For example, a restaurant adding patron space may be required to provide additional parking which may be impractical due to existing development or site constraints. To address this, and support the continued occupancy of existing buildings, the County could consider allowing for the change in commercial uses and minor expansions of up to a certain amount of square footage without providing additional on-site parking.

*Policy direction:*

- *Should staff explore amendments that would exempt changes of commercial uses and minor expansions of up to a certain amount of square footage without requiring additional on-site parking?*

***Limited Commercial Development***

Permit Requirements: Currently, any commercial development requires either a LUP/CDP or a Development Plan, depending on the zone district and level of development proposed. Similar to residential development, staff is proposing to establish a limited amount of commercial development that could be approved ministerially, particularly for new construction or additions below the Development Plan threshold or on commercial properties where no Development Plan currently exists. For example, this could include:

- Allowing up to 500-1,000 sq. ft. of commercial development for uses that are listed as a permitted use within the zone, or
- Allowing any commercial development currently permitted with a LUP/CDP to be approved ministerially (e.g., commercial development less than 5,000 square feet in the CN, C-1, C-2, C-3, and OT zones, or less than 15,000 square feet in the CM-LA zone).

Design Review: All new commercial development currently requires Design Review approval. To establish a truly ministerial process for some level of commercial development, a threshold could be established that would exempt some projects from Design Review. Because commercial development is often located in visually prominent areas, it may make sense to exempt only small projects or minor additions from Design Review.

*Policy question:*

- *Should staff explore amendments that would establish a threshold for ministerial approval of commercial development?*

*And*

- *Is the Board comfortable with exempting limited commercial development from Design Review as well, either as a uniform standard or only in certain areas of the County?*

3. Adjust Review Thresholds

***Downshifting Permit Requirements***

Each zone district has its own permit requirements for the more than 250 uses described in the zoning codes. Staff is reviewing these uses and requirements with the goal of identifying permit requirements that can be downshifted for select uses beyond the residential and commercial development discussed above (e.g., changing a certified farmers market from a MCUP to a LUP or ZCI in the commercial zones, changing from a MCUP to a LUP/CDP for fences and walls that exceed allowable exempt heights), and which uses could be allowed in zones that they are not currently allowed in, but are substantially similar uses.

*Policy direction:*

- *Should staff explore amendments that would downshift certain permit requirements and if so, any particular areas to consider?*

**Exemptions**

As discussed above, some uses and development are identified in the County zoning ordinances as exempt from permit requirements. Examples include fences and walls below certain heights, small accessory structures less than 120 square feet, grading less than 50 cubic yards, interior alterations and window and door changes. Staff is reviewing the exemptions with the goal of identifying opportunities to expand or update the list to enable more minor development to be exempt from planning permit requirements (e.g., increasing the size of an exempt accessory structure from 120 square feet to 250 square feet and allowing utilities; exempting pools that do not require substantial grading; exempting HVAC equipment and back-up generators; etc.).

*Policy direction:*

- *Should staff explore amendments that would expand the range of projects that would be exempt from planning permit requirements?*

**Background:**

The Planning and Development Department, at the Board's direction, has undertaken a series of zoning amendments, cumulatively called the Zoning Ordinance Amendment Project. Phase I included amendments to the outdoor lighting standards, sign standards, and Shopping Center zone district, and was completed, barring Coastal Commission approval, in early 2025. Phase II consisted of the ordinance streamlining and housing accommodation amendments that were adopted by the Board on January 27, 2026.

In an effort to increase the supply of housing within the state, many state housing laws have been adopted in the last several years, including amendments to the Housing Accountability Act, that limit discretion and the reliance on subjective standards for evaluating housing development. For example, multi-family housing is now exempt from Design Review (which is inherently subjective), and is instead subject to compliance with the Board approved objective design standards. Additionally, certain types of housing projects are already subject to ministerial approval, including ADUs, SB 9 units, and various qualifying affordable housing projects (e.g., Housing Element Rezone sites). As such, the Phase 3 amendments are well aligned with trends happening throughout the state.

**Fiscal and Facilities Impacts:**

**Budgeted: Yes**

The FY 2025-26 Adopted Budget for the County of Santa Barbara appropriates funds for continued work on the Zoning Ordinance Amendment Project, including technical updates, housing accommodation measures, and process improvements, as well as other long range planning

initiatives within the Planning and Development Department's Long Range Planning Division. There are no facilities impacts.

Streamlining the process and making more permits ministerial is anticipated to reduce costs for applicants of those permit-types. In the near-term, overall permit revenue is not anticipated to be impacted by this change; staff would process more cases over the same period of time. The department closely monitors permit volume and staff capacity and adjusts staffing as needed; staff will monitor the impacts of the streamlining changes the Board approves.

**Special Instructions:**

Planning and Development staff will fulfill noticing requirements.

The Clerk of the Board shall forward a copy of the minute order via email to Ben Singer, Planning and Development.

**Contact Information:**

Ben Singer

Planner, Long Range Planning

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