



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

**Department Name:** Planning &  
Development  
**Department No.:** 053  
**For Agenda Of:** October 15, 2024  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Planning and Development  
Director(s) Lisa Plowman, Director, (805) 568-2086  
Contact Info: Travis Seawards, Deputy Director, (805) 568-2518  
Development Review Division  
**SUBJECT:** Klentner County Initiated Notice of Nonrenewal of Agricultural Preserve  
Contract No. 03-AP-012, Carpinteria Area, First Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form: No

**Auditor-Controller Concurrence**

As to form: No

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and consider the Agricultural Preserve Advisory Committee (APAC) recommendation of nonrenewal for Agricultural Preserve Contract 03-AP-012 due to noncompliance with the Uniform Rules for Agricultural Preserves and Farmland Security Zones, Rule 1-2.3 [Commercial Production and Reporting Requirements], 1-4.1 [Principal Dwelling], and 2-3.1 [Incidental Boarding and Breeding].
- b) Approve and authorize the Chair to execute the Notice of Nonrenewal for Agricultural Preserve Contract 03-AP-012 (Attachment 1);
- c) Direct Planning and Development (P&D) to serve the Notice of Nonrenewal, and direct the Clerk of the Board to record and distribute copies of the Notice of Nonrenewal as specified in this Board Agenda Letter; and
- d) Determine that the actions above are government administrative activities that will not result in direct or indirect physical changes in the environment and are therefore not projects under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

**Background:**

Staff recommends that the Board of Supervisors approve the nonrenewal of Agricultural Preserve Contract (Contract) 03-AP-012 due to noncompliance with Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules). The Contract is applicable to Assessor Parcel Number (APN) 155-160-020, an AG-I-zoned property of 40.05 acres. Areas of inconsistency on the property include insufficient agricultural commercial production area (UR 1-2.3), non-agricultural development that exceeds the allowable acreage (UR 1-4.1), and incidental animal boarding and breeding development that exceeds the allowable envelope size (UR 2-3.1).

On May 6, 2022, July 8, 2022, August 12, 2022, and October 2, 2022, the Agricultural Preserve Advisory Committee (APAC) reviewed the ongoing eligibility of Contract 03-AP-012 as an agricultural preserve and its consistency with the Uniform Rules. Following the October 2, 2022, APAC meeting, a 60-day notice dated November 21, 2022, was mailed to the property owners requesting action to remedy the contract violations initially discussed on May 6, 2022, and during subsequent APAC meetings in July, August and October of 2022. On February 9, 2023, the APAC voted 5-0 to recommend the contract to the Board of Supervisors for nonrenewal due to noncompliance with Uniform Rule Nos. 1-2.3, 1-4.1, and 2-3.1 summarized above.

In accordance with Section 6-1.1 of the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones, the property must continue to comply with the Williamson Act and Uniform Rules for the duration of the contract, which will expire on December 31, 2033.

**Summary Text:**

Government Code §51200 (known as the California Land Conservation Act of 1965 or the Williamson Act) provides that local jurisdictions may establish an agricultural preserve program having the goal of retaining land in an agricultural use. The County of Santa Barbara adopted a program, which is codified under the Uniform Rules for Agricultural Preserves and Farmland Security Zones. Both the County's Uniform Rules and the Government Code provide that agricultural preserve contracts between the County and landowners are voluntary.

Agricultural preserve contracts secure an enforceable restriction on real property to further the public interest of preserving agricultural use in exchange for reduced property tax assessments to the landowner. Failure to meet conditions of the contract is a breach of contract. In such circumstances, Government Code §51245 provides that a county may serve written notice of nonrenewal of the contract upon the landowner in advance of the annual renewal date of the contract. Unless such written notice is served by the county at least 60 days prior to the renewal date, the contract shall be considered renewed as provided in Section 51244 or Section 51244.5.

Should the Board of Supervisors approve and authorize the Chair to execute the Notice of Nonrenewal (Attachment 1) for Agricultural Preserve Contract 03-AP-012 due to noncompliance with Uniform Rule 1-2.3, 1-4.1, and 2-3.1, P&D Staff shall serve the landowner with the Notice of Nonrenewal. The Clerk

of the Board shall record the Notice of Nonrenewal and distribute copies as specified under “Special Instructions” in this Board Agenda Letter.

Pursuant to Government Code § 51245, upon receipt by the landowner of a notice from the county of nonrenewal, the landowner may make a written protest of the notice of nonrenewal to Planning & Development. The protest must be submitted within 10 days of the Board action, by 5:00 PM on October 25, 2024, in order to allow for processing of the protest prior to the renewal date. The County may, at any time prior to the renewal date, withdraw the notice of nonrenewal.

**Fiscal and Facilities Impacts:**

The total estimated cost to process this agricultural preserve nonrenewal contract is approximately \$2,800.00. This is a county-initiated case, thus no processing fees were collected. Processing for this project is budgeted in the Permitting Budget Program on Page 317 of the County of Santa Barbara Fiscal Year 2024-25 Adopted Budget. A "notice of nonrenewal" starts the 9-year nonrenewal period. During the nonrenewal process, the annual tax assessment continually increases each year until it is equivalent to current tax rates at the end of the nonrenewal period.

The current assessed value for the 40-acre property in the unincorporated Carpinteria Valley with improvements thereon under the now breached Contract is \$7,910,242, with a 1.05113% property tax rate resulting in approximately \$83,147 of annual County revenue. The recommended actions would increase the property’s assessed value, and in-turn County revenue, phased each year for the next 9-years of the nonrenewal period to arrive at the Proposition 13 property value.

**Special Instructions:**

Clerk of the Board shall obtain required signatures on the Notice of Nonrenewal (Attachment 1 and Exhibit A to Attachment 1), and provide a copy of the executed Notice of Nonrenewal to P&D by October 22, 2024.

P&D Staff shall serve the landowner with a copy of the executed Notice of Nonrenewal by certified mail, return receipt requested, at least 60 days prior to the contract renewal date of January 1, 2025 (by November 1, 2024):

- Justin Trevor Klentner, and Amanda Charlotte Masters, Trustees of the Klentner Family Trust  
5/1/01; 3344 Foothill Road, Carpinteria, CA 93013

Clerk of the Board shall record the executed Notice of Nonrenewal with the Clerk-Recorder’s Office no later than 20 days after service of the Notice of Nonrenewal upon the landowner.

Clerk of the Board shall distribute copies of the recorded Notice of Nonrenewal and the Board of Supervisor’s Minute Order reflecting the County’s nonrenewal of the contract within 30 days of the service of the Notice of Nonrenewal upon the landowner as follows:

- David Villalobos, Planning and Development Department, Hearing Support
- Francisco Vargas, Planning and Development Department

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- Assessor's Office
- Surveyor's Office
- Stephanie Stark, Agricultural Commissioner's Office
- Jose Chang, Agricultural Commissioner
- David Shabazian, California Director of Conservation; 801 K Street, MS 24-01, Sacramento, CA 95814
- Owner: Justin Trevor Klentner, and Amanda Charlotte Masters, Trustees of the Klentner Family Trust 5/1/01; 3344 Foothill Road, Carpinteria, CA 93013

**Attachments:**

1. Notice of Nonrenewal with Legal Description
2. Vicinity Map
3. Excerpt from APAC Minutes

**Authored by:**

Francisco Vargas, Planner, (805) 934-6266  
Development Review Division, Planning and Development Department