



California
**Department of
Conservation**
Division of Land
Resource Protection

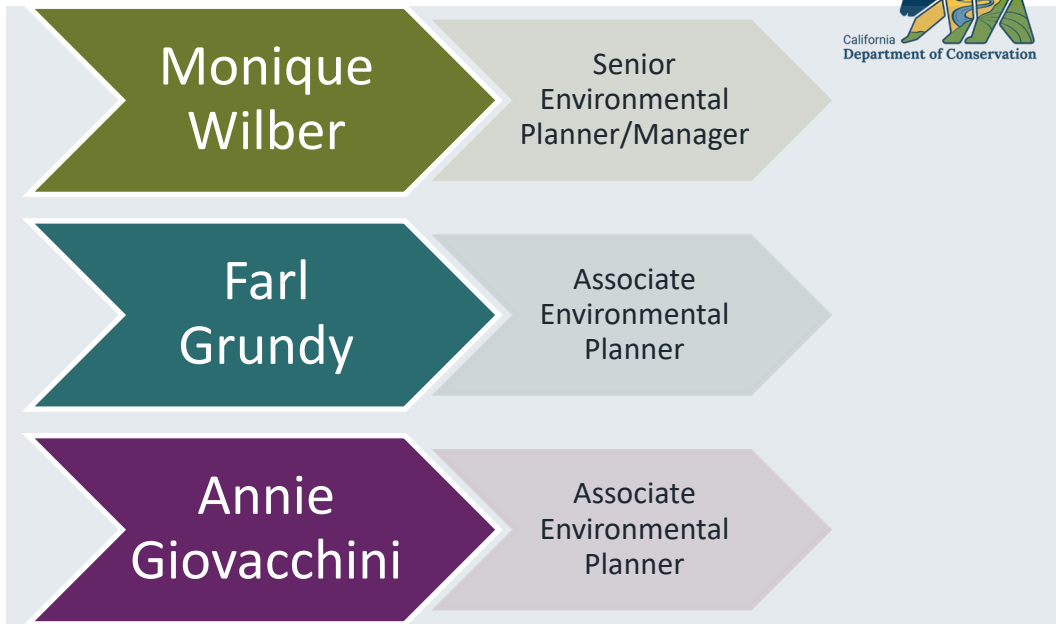
Williamson Act

**Land Conservation Act of 1965 (LCA)
Cancellation Process Overview
March 2023**

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Williamson Act & CEQA Program



Team WA/CEQA!





Williamson Act Contract Cancellations

- When to cancel?
- What are the steps?
- Who does what?
- How did SB574 change the process?
- Where do I find more Information?





Williamson Act Contracts

- Are between the landowner and the County/City
- Are for 10 years (20 years for Farmland Security Zone contracts)
- Automatically renew for the full term every year until a notice of nonrenewal is submitted
- For more information about Williamson Act contracts see:
[Government Code \(GC\) § 51240 - 51257.5](#)





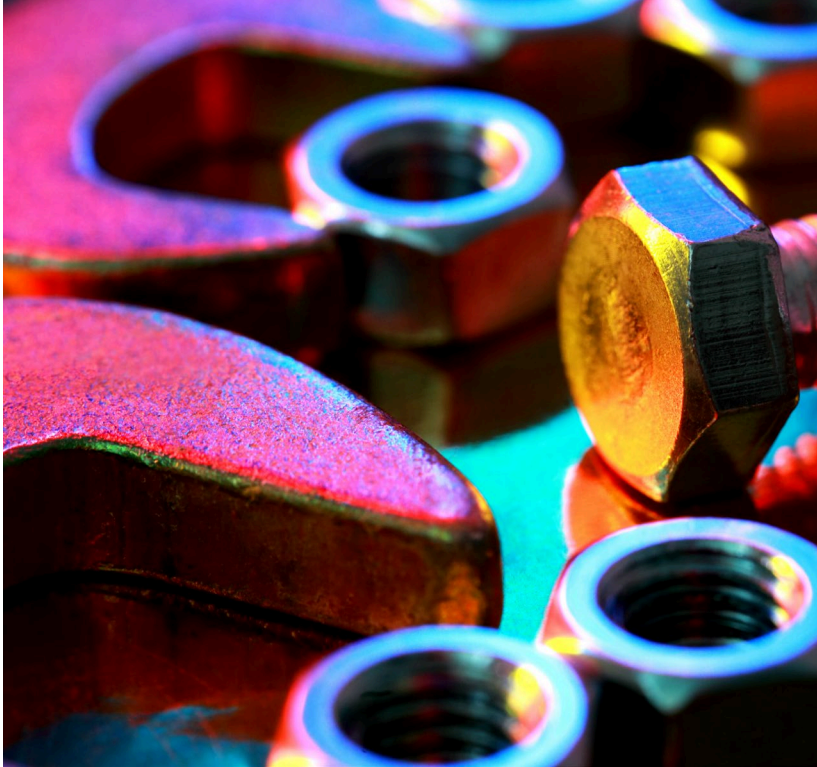
Williamson Act Contracts and Nonrenewal

- Nonrenewal is the recommended method for ending a Williamson Act Contract
- 9-year path for regular Williamson Act contracts. 19-year path for Farmland Security Zone contracts.
- Property tax rates increase annually until it reaches the normal rate at the end of the nonrenewal period.
- Either the landowner or the County may initiate the process.
- Nonrenewal Statute: [GC §51245](#)





Cancellation Process Basics - When



- A Williamson Act contract cancellation is an option under very limited circumstances. [GC § 51280 et seq.](#)
- Only the Landowner may petition a board/council for Williamson Act contract cancellation [GC § 51281.](#)
- The board/council may grant tentative cancellation only if it makes required findings [GC § 51282.](#)
- Cancellation of Farmland Security Zone contracts requires additional findings [GC § 51297](#), compared with a standard Williamson Act contract.

Williamson Act Cancellations - Government Code



Codes Display Text

https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=1.&title=5.&part=1.&chapter=7.&article=5.

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GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 1. CITIES AND COUNTIES [50001 - 52203] (Division 1 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5] (Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 7. Agricultural Land [51200 - 51297.4] (Chapter 7 added by Stats. 1965, Ch. 1443.)

ARTICLE 5. Cancellation [51280 - 51287] (Article 5 added by Stats. 1965, Ch. 1443.)

51280. It is hereby declared that the purpose of this article is to provide relief from the provisions of contracts entered into pursuant to this chapter under the circumstances and conditions provided herein.
(Amended by Stats. 1981, Ch. 1095, Sec. 1.)

51280.1. As used in this chapter, the finding of a board or council that "cancellation and alternative use will not result in discontinuous patterns of urban development" authorizes, but does not require, the board or council to cancel a contract if it finds that the alternative use will be rural in character and that the alternative use will result within the foreseeable future in a contiguous pattern of development within the relevant subregion. The board or council is not required to find that the alternative use will be immediately contiguous to like development. In rendering its finding, the board or council acts in its own discretion to evaluate the proposed alternative use according to existing and projected conditions within its local jurisdiction.
(Amended by Stats. 2021, Ch. 644, Sec. 7. (SB 574) Effective January 1, 2022.)

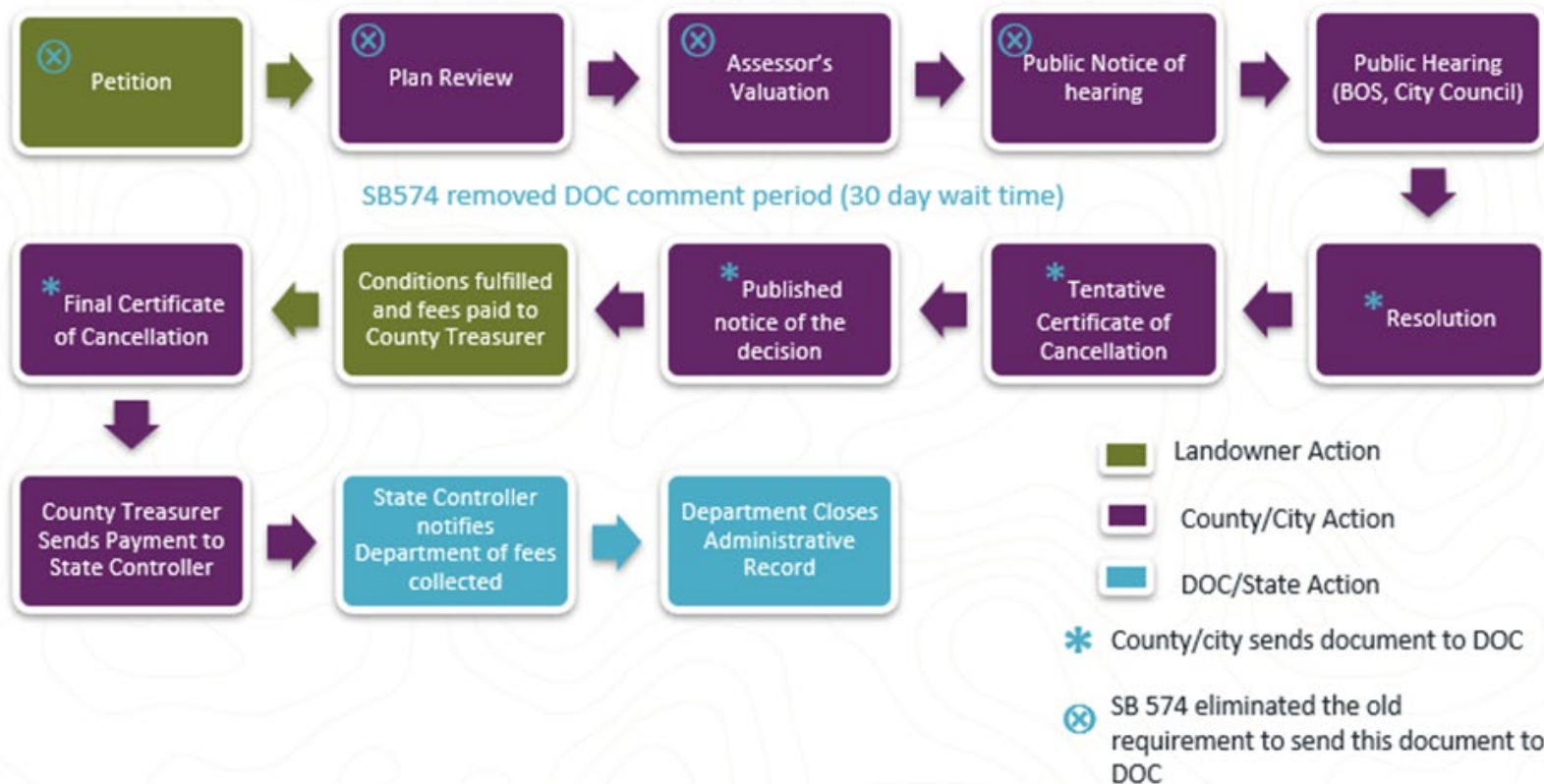
51281. A contract may not be canceled except pursuant to a request by the landowner, and as provided in this article.
(Amended by Stats. 1969, Ch. 1372.)

51281.1. The board or council may require the payment of a reasonable application fee to be made at the time a petition for cancellation is filed.
(Added by Stats. 1978, Ch. 1120.)

51282. (a) The landowner may petition the board or council for cancellation of any contract as to all or any part of the subject land. The board or council may grant tentative approval for cancellation of a contract only if it makes one of the following findings:

- [Government Code Sections 51280 – 51287](#)
- [Farmland Security Zone Government Code Section 51297](#)

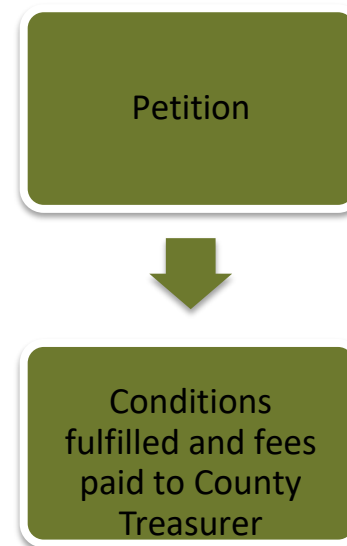
Williamson Act Cancellation Process Steps





Cancellation Process - Landowner

- Only the landowner can initiate the cancellation process.
- Landowner submits Petition to the County/City with whom they hold the contract.
- Petition should include a description of the alternative use of the land and submit evidence to support the required findings for consideration by the board/council
- The landowner is responsible for paying any required fees to conduct the process including local fees and the required penalty fee (12.5% of the current assessed value).





Cancellation Process – Findings Required



[Gov. Code §51283](#) requires the Board or Council find that cancellation is either consistent with the purposes of the Williamson Act **and/or** cancellation is in the public interest.

Consistency Findings:

- 1) Notice of nonrenewal filed
- 2) Removal of adjacent land from agricultural use is not likely
- 3) Proposed alternative use is consistent with the General Plan
- 4) Will not result in discontinuous urban development
- 5) No proximate noncontracted land available for the alternative use proposed

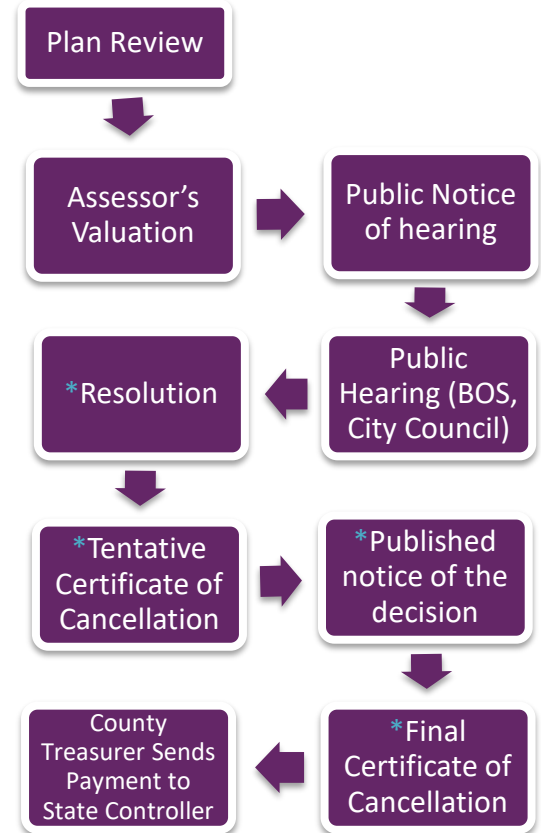
Public Interest Findings:

- 1) Other Public Interests substantially outweighs the objective of the Act
- 2) No proximate noncontracted land available for the alternative use proposed



Cancellation Process - City /County

- **Local Planning** – Reviews the petition and findings from the landowner, prepares a staff report to present to the Board of Supervisors/City Council, issues a public notice of the hearing, publishes the notice of the decision, and sends appropriate documents to the department
- **County Assessor** – Determines the fair market value of the land as though there were no contract restrictions and calculates the cancellation fee = 12.5% of the fair market value. Sends a copy to the landowner
- **Board of Supervisors/City Council**- Conducts a public hearing to review the staff report, certifies the assessor's fee, and determines if the landowner may cancel the contract. Adopts resolution, records a certificate of tentative cancellation, then waits for the landowner to meet the conditions of the tentative cancellation before recording a Final Certificate of Cancellation.
- **County Treasurer** – Collects fees from the landowner and pays the state fee to the State Controllers office within 30 days of issuing the final certificate of the contract. ([GC §51283\(e\)](#))





CO#	MONTH
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REMITTANCE ADVISE NUMBER
CO _ _ _ _ _

REPORT TO STATE CONTROLLER OF REMITTANCE TO STATE TREASURER - TC-31

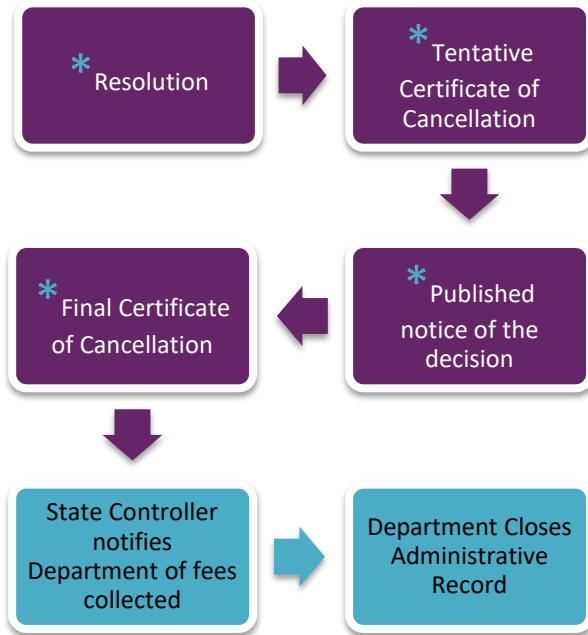
COUNTY NAME - NUMBER:	
COLLECTIONS FOR THE MONTH OF (Mo / Yr):	

FUND	AGENCY	FY	SCD USE	REV / OBJ	AMOUNT	DIC	CODE SECTION & DESCRIPTION
3 1 2 0	3 5 4 0			1 6 4 6 0 0			State Fire Marshall Fireworks Enforcement and Disposal Fund - Health & Safety 12728, 12706 & 12726
3 1 6 8	4 2 6 0			1 6 4 3 0 0			Emergency Medical Air Transportation and Children's Coverage Fund - GC 76000.10 (c)(1) - \$4 Penalty for Vehicle Code violations
3 2 1 2	0 5 4 0			1 3 1 1 0 0			Fish & Game 12025 (b) - 40%-Penalty Assessments on Fish & Game Fines-Civil Penalties relating to production or cultivation of a controlled substance on Land with Consent of Landowner
3 2 1 2	3 6 0 0			1 3 1 1 0 0			Fish & Game 12025 (b) - 30% - If DF&W is reimbursed for activities funded by loan, monies to be deposited in fund to repay
0 1 4 1	3 4 8 0	2 0 2 2		1 3 1 8 0 0	4,500.00		Williamson Act GC 51283 - John Doe, Partial Cancellation
0 1 4 1	3 4 8 0	2 0 2 2		1 3 1 8 0 0	250,000.00		Williamson Act GC 51283 - Electra Solar Project
0 1 4 1	3 4 8 0	2 0 2 2		1 3 1 8 0 0	12,000.00		Williamson Act GC 51283 - ALCC 2890
0 1 4 1	3 4 8 0	2 0 2 2		1 3 1 8 0 0	8,000.00		Williamson Act GC 51283 - APN: 210-11-1580
TOTAL					274,500.00		STATE TREASURER'S ENDORSEMENT

TO STATE CONTROLLER: I hereby certify that the foregoing report, as it relates to the agency I represent, is a correct statement of the State's share of collections deposited for the month stated above in accordance with Sections 68101 and 68085.1 of the Government Code. Remittance has been made to the State Treasurer.



Cancellation Process - Department of Conservation



- Collects and files required documents (marked with the asterisk *) and tracks all WA cancellations in the state.
- Biennial reports on website of acres removed through cancellation, eminent domain, or annexation.

[Williamson Act Reports and Statistics page](#)

- Technical assistance of the process.



Document Submission

Local Governments can send the documents required for the Department of Conservation to:

David Shabazian
Department of Conservation
Division of Land Resource Protection

LCA@conservation.ca.gov

Malia M. Cohen, California State Controller
For specific questions regarding submittal of TC-31's, the SCO has provided the following e-mail address:

LocalGovPolicy@sco.ca.gov



Cancellation Process – Links



- [Department Web page:](#)
- [“General Cancellation Process Guide”](#)
- [“Cancellation Process Guide for Local Governments”](#)
- [Cancellation GC§\(51280 – 51287\)](#)
- [Farmland Security Zone \(FSZ\) Cancellation GC §51297](#)

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THANK YOU

Questions?

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<https://www.conservation.ca.gov/dlrp/wa>