



Farmland Security Zones: Questions and Answers

What is the California Land Conservation (Williamson) Act?

The California Land Conservation Act, better known as the Williamson Act, has been the state's premier agricultural land protection program since its enactment in 1965.

The Act creates an arrangement whereby private landowners agree with counties and cities to voluntarily restrict land to agricultural and open-space uses. The vehicle for these agreements is a rolling term contract (i.e. unless either party files a "notice of nonrenewal," the contract is automatically renewed annually for an additional year). The minimum initial contract term is 10 years. Since 1998, another option within the Williamson Act Program is the creation of Farmland Security Zones and contracts.

What is a Farmland Security Zone?

A Farmland Security Zone is an area created within an agricultural preserve by a board of supervisors (board) upon request by a landowner or group of landowners. An agricultural preserve defines the boundary of an area within which a city or county will enter into contracts with landowners. The boundary is designated by resolution of the board or city council having jurisdiction. Agricultural preserves must generally be at least 100 acres in size.

What benefits do Farmland Security Zone contracts offer to landowners?

Farmland Security Zone contracts offer landowners greater property tax reduction. Land restricted by a Farmland Security Zone contract is valued for property assessment purposes at 65% of its Williamson Act valuation or 65% of its Proposition 13 valuation, whichever is lower. Cities and special districts that provide non-agricultural services are generally prohibited from annexing land enrolled under a Farmland Security Zone contract. In addition, school districts are prohibited from acquiring Farmland Security Zone lands for school facilities.

What is a Farmland Security Zone contract?

It is a contract between a private landowner and a county that enforceably restricts land to agricultural or open space uses. The minimum initial term is 20 years. Like a Williamson Act contract, Farmland Security Zone contracts renew annually unless either party files a "notice of nonrenewal".

What is the process for establishing a Farmland Security Zone contract?

The process is entirely voluntary for both the landowner and the county. The landowner

with a Williamson Act contract must submit a petition for a Farmland Security Zone contract to the local governing body. If the board approves the proposal, it will rezone the subject property as a Farmland Security Zone. Once the subject property is rezoned, the board will rescind the Williamson Act contract and simultaneously place the same property under a Farmland Security Zone contract.

Landowners who are not participating in the Williamson Act may petition a board to create a Farmland Security Zone for the purpose of entering into contracts. If two or more landowners with contiguous parcels request the creation of a Farmland Security Zone, the county will place the parcels in the same Farmland Security Zone.

Can a landowner who does not have land currently enrolled in a Williamson Act contract apply for a Farmland Security Zone contract?

Yes. A landowner or a group of landowners may petition the board to create a Farmland Security Zone for the purpose of entering into Farmland Security Zone contracts.

What type of land is eligible for a Farmland Security Zone contract?

To be eligible for a Farmland Security Zone contract, the subject land must be designated on the Important Farmland Series maps as predominantly one of the following:

- a) Prime Farmland
- b) Farmland of Statewide Importance
- c) Unique Farmland
- d) Farmland of Local Importance

How is a Farmland Security Zone contract terminated through nonrenewal?

A landowner may initiate nonrenewal of a Farmland Security Zone contract by serving a written notice to the local governing body at least 90 days prior to the renewal date. The Farmland Security Zone contract then "winds down" over the remaining 19-year term, with the taxes gradually rising back to the full unrestricted rate. Upon termination of the Farmland Security Zone contract, the Farmland Security Zone designation for that parcel is also terminated.

Can a Farmland Security Zone contract be terminated through cancellation?

Yes. However, in order to approve cancellation a city or county must make both of the required findings that:

- 1) The cancellation is consistent with the purposes of the Williamson Act and

2) Cancellation is in the public interest. In the resolution approving cancellation the local government must find that:

- 1) no beneficial public purpose is served by continuing the contract,
- 2) The uneconomic nature of the agricultural use is due to circumstances beyond control of the landowner and local government,
- 3) the landowner has paid a cancellation fee equal to 25% of the cancellation valuation of the land as through unrestricted by the contract. The Director of the Department of Conservation is also required to approve the cancellation upon making specified findings.

How can an agricultural landowner permanently protect his land from development pressures?

An agricultural conservation easement is a voluntary, legally recorded deed restriction that is placed on a specific property used for agricultural production. California Farmland Conservancy Program (CFCP) grant funds may be used by a local government or a qualified nonprofit organization (i.e. park district, resource conservation district or land trust) to purchase a landowner's conservation easement. The Department of Conservation can assist landowners in identifying appropriate entities that would be qualified to apply for a CFCP grant on their behalf.

What is the State's role?

The Department of Conservation is responsible for interpretation of the Williamson Act, research of related issues and policies, and enforcement of Williamson Act provisions and restrictions.

For more information contact:

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