



WILLIAMSON ACT GENERAL CANCELLATION PROCESS OVERVIEW

Before a Williamson Act contract cancellation is considered, the nonrenewal process should be the primary consideration for removing a contract. The cancellation process should be regarded as an option available only under limited circumstances and conditions, as set forth in Government Code [§51280 - §51287](#) and in the case of Farmland Security Zone contracts, Government Code [§51297](#).

Landowners may petition a board/council to cancel a Williamson Act contract and the board/council may grant tentative cancellation only if it makes specific required findings. For more detailed instructions of the Williamson Act Cancellation Process, please visit the "Removing Contracts" section of the Department of Conservation's Williamson Act website: <https://www.conservation.ca.gov/dlrp/wa>

If the findings can be met, the landowner is required to pay a cancellation fee equal to 12.5 percent, or 25 percent in the case of a Farmland Security Zone contract, of the cancellation valuation provided by the county assessor. In some cases, a city or county may have adopted rules which require additional fees for removing the contract.

Landowner Submits Cancellation Petition:

The landowner initiates the process by filing a petition for cancellation with the county/city. The county/city planning or building office is responsible for creating and monitoring the local application process.

County/City Reviews the Petition and Holds Public Hearing:

The county/city reviews the petition to ensure the required findings from either Government Code §51282(a) or Government Code §51282(b) can be met based on substantial evidence. The county/city will incorporate these findings into a resolution to be heard at a public hearing before the Board/Council.

For Farmland Security Zone (FSZ) contracts, the county/city is required to make both sets of findings found in Government Code §51282(a) and GC §51282(b). They must also make three additional findings outlined in Government Code §51297(c).

- 10 days prior to the public hearing, the city/county:
 1. Publishes a notice of the public hearing pursuant to Government Code §6061
 2. Mails the notice to every landowner under contract within one mile of the boundary of the contract being cancelled.

- If the board/council grants tentative approval of the petition at the public hearing, the clerk of the board/council will record a certificate of tentative cancellation with the county recorder (Government Code §51283.4) and send a copy to the Department of Conservation. The certificate of tentative cancellation should include the following:
 1. Name of landowner requesting cancellation
 2. The fact that a certificate of cancellation of contract will be issued and recorded upon satisfaction of the conditions and contingencies specified.
 3. The fee must be recomputed if the cancellation fee is not paid within one year of the last assessor's valuation.
 4. A requirement that the landowner must obtain all necessary permits to commence the project.
- Within 30 days after the hearing, the county/city is required to publish a notice of its decision that includes:
 1. Date, time, and place of public hearing
 2. Explanation of the decision
 3. Findings made
 4. General description of the land under contract

Landowner Completes Requirements:

Once the tentative certificate of cancellation is approved and recorded, it is the landowner's responsibility to notify the board/council when all conditions and contingencies required by the certificate of tentative cancellation, including paying the cancellation fee, have been fulfilled. The city/county should provide instruction to the landowner for how this process is to be followed and whom they should contact.

If the landowner is unable to satisfy the conditions and contingencies of the Tentative Cancellation, a certificate of withdrawal of tentative cancellation may be filed with the county. The county is then required to send a copy of the certificate of withdrawal to the Department.

County/City issues Final Cancellation:

After the landowner satisfies the conditions and contingencies required in the certificate of tentative cancellation, the city/county is required to record a Final Certificate of Cancellation within 30 days and send a copy to the Department.

County Forwards Cancellation Fee:

The county treasurer is required to send the cancellation fee to the State Controller's office within 30 days of execution of the certificate of cancellation.

Government Code §51200 prevails over this document. This document is intended to be used for informative purposes. If you have any questions, please feel free to contact the Department of Conservation at LCA@conservation.ca.gov and/or the local county/city planning or assessor's office.