

## MAJOR LEGISLATIVE AND JUDICIAL CHANGES TO THE CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT

- 1965 California Land Conservation (Williamson) Act enacted.
- 1966 Constitutional basis for use value assessment of restricted land established by passage of Proposition 3. (Originally Article 28 of the California Constitution, now Article XIII § 8).
- 1967 Capitalization of income enacted as assessment method for restricted Williamson Act land.
- 1969 Open Space land added to program: 100-acre minimum agricultural preserve required for contracted land; cancellation findings requirements and cancellation fee set at 50% of the assessed valuation, (later to be set at 12.5% of market value); cities can protest new contracts located within one mile of their boundaries, permitting cancellation without penalty at time of annexation.
- 1971 Open Space Subvention program enacted to reimburse part of foregone tax revenue. LAFCOs given approval power over city protests.
- 1976 Subvention formula changed, giving more weight to urban prime acreage; Timber Preserve Zone program established, eventually transferring timber acreage from Williamson Act coverage.
- 1979 Taxes on contracted land to be paid at Proposition 13 value if lower than restricted (Williamson Act) value.
- 1981 Nonrenewal identified as preferred method of termination of contract. Cancellation only in "extraordinary" circumstances (Sierra Club v. City of Hayward; (1981) 28 Cal. 3d 840, 850.); Legislation passed to allow five month "window" for cancellation of contracts under less restrictive rules.
- 1983 Contract status retained for parcels transferred to family members, joint management of farm operations; cancellation fees support Farmlands Mapping program.
- 1984 Clarification that alternate land uses under a cancellation must be contiguous to urban development; "extraordinary" nature of cancellations restated (Honey Springs Homeowners Assoc v. Bd of Supervisors, (1984) 157 Cal. App.3d 1122).

Public interest declared in retaining parcels large enough to sustain agricultural use; division cannot result in parcels smaller than 10 acres for prime land, 40 acres for nonprime.

- 1987 Codified that current fair market value, not restricted by contract, is basis of cancellation fee.
- 1990 Notice to the Department of Conservation within 30 days of certain actions affecting Williamson Act land (annexation, nonrenewal, contract cancellation).
- 1991 City protest provisions eliminated. Clarification of the standards for determining the validity of protests filed before 1991.
- 1992 Notice requirements for tentative cancellation hearings.
- 1993 Subvention payments increased by \$21 million dollars: Notice of Nonrenewal to be recorded within 20 days.
- 1994 Compatibility principles delineated and requirements for conditional use permits on nonprime land defined; notice requirements for public acquisition of Williamson act contracted land added.
- 1998 City required to record contract termination with county recorder if it chooses not to succeed to contract. LAFCOs to notify Department of city annexation proposals and whether they succeed to contract or not. Williamson Act's Easement Exchange and Farmland Security Zone provisions enacted. Approval of lot line adjustments permitted with specified findings.
- 1999 Increase subvention payments on lands enrolled in Farmland Security Zone contracts; cancellation provisions for Farmland Security Zones and Agricultural Conservation Easement Exchanges. Agricultural preserves to reflect minimum parcel sizes in Williamson Act.

Additional finding required that a lot line adjustment does not result in a greater number of developable parcels or an adjusted lot that is inconsistent with the general plan. All acquisitions of contracted land subject to specified findings.

- 2000 Notice requirements for tentative cancellations. Clarified compatible use expressly specified within the contract.

2002 LAFCO's required to address concerns raised by Department of Conservation in any hearing that considers a proposed annexation and a city's decision to not succeed to a contract.

LAFCO's prohibited from changing a city's organization or sphere of influence if it results in annexation of Farmland Security Zone or Williamson Act contracted land, unless specified circumstances exist.

2003 Enhanced penalties for material breach of contract on any commercial, industrial or residential building exceeding 2,500 square feet constructed on contracted land that is not permitted by contract or local uniform rules or ordinance and is not related to an agricultural or compatible use.

2004 Procedures for formal review of cancellation valuation.

2005 Inclusion of greenhouses as an agricultural land use.