

UNIFORM RULE 4

Williamson Act Contracts for Recreation

This Rule applies to Williamson Act contracts solely for recreation, where no agriculture (except potentially livestock grazing) is taking place. Land that is dedicated to a combination of agriculture and recreation shall be considered an agricultural operation with compatible recreation and must comply with the requirements and provisions for an Agricultural Preserve and Williamson Act Contracts for Agriculture under Uniform Rules 1 and 2.

The amount of land in the County that is potentially eligible for a Williamson Act contract for recreational uses is small relative to land eligible for inclusion in the Williamson Act Program on the basis of agriculture. The small number of anticipated applications, combined with the need for matching potential recreational uses with the natural characteristics of the land, necessitates careful review of applications on a case-by-case basis. The sections that follow describe the minimum standards and requirements for lands enrolled in contracts for recreational uses.

I. ELIGIBILITY REQUIREMENTS

A. Recreational Use of the Land

As provided in *Government Code Section 51205*, land devoted to recreational use may be eligible for a Williamson Act contract. For purposes of this Rule, and as defined in *Government Code Section 51201 (n)*, recreational use is the use of land in its natural state by the public, with or without charge, for walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or low intensity outdoor games or sports for which facilities are provided for public participation. Recreational clubs owning or using the contracted land may not restrict its membership. Any fee charged for club membership or recreational use of the land shall be a reasonable amount and shall not have the effect of unduly limiting its use by the public.

B. General Plan Requirements

Eligible land shall have a general plan designation of Large Parcel Agriculture, Resource Management, or Water Management.

C. Preserve and Contract Requirements for Recreation

1. Each contract for recreation shall have its own preserve status.
2. Parcel size requirements are as follows:
 - a. Except as provided below, the minimum preserve and contract size shall be 100 acres in a single legal parcel or as two or more smaller parcels under a joint management agreement.

- b. A minimum of 40 acres in a single legal parcel may qualify for a Williamson Act Contract for Recreation when the parcel is deemed to be particularly suited for park and recreation purposes due to its outstanding scenic, historic or cultural value. Such parcels may include, but not necessarily be limited to, access to lake shores, rivers and streams, and areas which serve as links between outdoor recreation and natural open space preserves, including utility easements, banks of rivers, trails and scenic highway corridors.
3. Boundary line adjustments and divisions of contracted land shall not be allowed unless the Board of Supervisors finds that such an action will substantially improve the quality of recreational use. In such a case, the standards established under Uniform Rule 1 Section II. E. and F. shall apply.
4. Each contract shall be for an initial term of no less than 10 years. Each contract shall provide that on the anniversary date of the contract, established as March 1st, a year shall be added automatically to the initial term unless notice of non-renewal is given as provided in Uniform Rule 5 of this document.

II. COMPATIBLE LAND USES

1. Recreational uses of the land shall be low-intensity uses such as hiking, picnicking, horseback riding, scenic viewing, temporary tent camping (as in Federal Wilderness Areas), hunting, fishing, boating, swimming, scientific research and study, and similar activities. Examples of non-compatible recreation use include sport playing fields, golf courses, and motorized recreation, or other activities that degrade the land or alter its natural state. The limits and conditions on the types of recreation to be allowed shall be stated in the contract and may preclude certain specified recreational uses completely.
2. No equipment use or mechanized or motorized vehicle use shall be permitted on the land except along a drive that connects the 2-acre building envelope (see Definitions) to a public road, or except necessary for reasonable access or maintenance activities, or except in the case of emergencies and necessities, such as fire fighting and prevention, flood control, and other hazard prevention and control.
3. Except as provided for in *Section 51238 (a)* of the Williamson Act, all buildings, including recreational facilities, shall be confined to the 2-acre building envelope (see Definitions). Structures that do not qualify as buildings, i.e. do not create a permanent impervious surface, may be considered for location outside the building envelope. These may include temporary tent platforms, picnic tables, removable shade structures and the like. Existing buildings and other kinds of structures located outside of the 2-acre building envelope (see Definitions) that do not complement the recreational use of the property may be considered incompatible and disqualify the land from a recreation contract unless they are removed.
4. A primary single family dwelling unit for occupation by the owner or manager of the property and their immediate family shall be allowed on the whole of the contracted land.

Other uses allowed inside the 2-acre building envelope shall be determined at the time of the contract application.

5. Livestock grazing may be considered a compatible use if it is a necessary part of the management plan.
6. The contract shall identify the recreational uses of the land, the compatible uses to be allowed under the contract, and the measures necessary to maintain and protect the use of the land for recreation as defined. The contract shall also specify any necessary limitations on uses other than recreation that are needed to ensure protection of the recreational uses.

III. SUBMITTAL REQUIREMENTS, MAINTENANCE AND ADMINISTRATION

1. In order to be eligible for a Williamson Act Contract for Recreation, the landowner shall submit a management plan that details the ongoing and routine maintenance activities expected on the property (e.g. trail maintenance), as well as deferred maintenance anticipated in the future including vegetative management, activities minimizing fire, flood and other hazards, and any changes to the flora or fauna. Approval of the plan may require review by a resource management specialist to be paid for by the applicant. The owner shall maintain the property in an attractive, scenic way to preserve its natural or rural character in accordance with its management plan.
2. All contract holders shall return a yearly questionnaire sent out by the Planning Department that describes the past year's maintenance of the land, any changes to the use of the land, and future maintenance plans. Failure to return the questionnaire in the time period allotted shall result in the non-renewal of the contract.
3. Changes of ownership and terminations shall be subject to the administrative provisions of Uniform Rule 5.
4. The County reserves the right to monitor and enforce the terms of the contract pursuant to Uniform Rule 5.