

Appendix A

Measure D Excerpts Pertaining to the Castro Valley Canyonlands

Section 13. Castro Valley and Palomares Canyonlands

The Castro Valley and Palomares Canyonlands, for purposes of this ordinance, are an area demarcated on February 1, 2000, by the eastern city limits of the City of Hayward, north to the Urban Area Boundary in the Fairview Area Specific Plan of Sept. 4, 1997, to U.S. I-580, east to the eastern, northern, and western boundaries of the Palomares Hills development (Assessor's Designated Parcels 85-A-1645-7, 85A-1650-1-1, 85A-1600-5, 85A-1600-4-4, 85A-1600-3, 85A-1600-2, 85A-1550-2-8, 85A-1600-6, 85A-100-5, 85A-100-4-2, 85-5100-5, 85-5100-4-2, 85A-1-18, 85A-1-7, 85A-1-8), to Crow Canyon Road, south to the intersection of Coldwater Drive, to the eastern and northern boundaries of the Greenridge development and the northwestern and western boundaries of the Briar Ridge development (Assessor's Designated Parcels 85-1600-2-74, 85-1600-2-58, 85-1600-3-2, 85-1400-4-8, 85-1400-6, 85-1510-10-3), to Cull Canyon Road, south to Heyer Avenue, to the boundaries of the Columbia development (Cull Canyon Regional Recreation Area and Assessor's Designated Parcel 85-1200-1-7), to the boundary of East Bay Municipal Utility District watershed lands (Assessor's Designated Parcels 84D-1400-2-28, 85-1000-2), to Redwood Road, to the eastern boundaries of Anthony Chabot Regional Park and Redwood Regional Park, to the Alameda-Contra Costa County line, east to the boundary of the East County Planning Area, south to the city limits of Dublin, west to the boundary of the East County Planning Area, south to the city limits of Fremont, west to the city limits of Union City, north to the city limits of Hayward; and an area commonly known as Chabot Terrace (Assessor's Designated Parcels 79-100-1, 79-100-2, 79-110-1, and 79-110-2) (See Map, Appendix 1). Listed Assessor's Designated Parcels are fully included in the demarcated area.

These Canyonlands are subject to the same restrictions with respect to minimum parcel size, amount and nature of development, development envelopes, floor area ratios and maximum floor areas, and permissible uses as are imposed in the Resource Management Description of Land Use Designations in the East County Area Plan. In addition Policies 81A, 106A, 107A, 113A, 113B and 236, and the provisions governing clustering in Program 36, of the East County Area Plan shall apply to the canyonlands. Policy 144 of that Plan shall apply without regard to Urban Growth Boundaries.

Resource Management requires a minimum parcel size of 100 acres and a maximum building intensity for non-residential uses of .01 FAR, but not less than 20,000 square feet. One single family home per parcel is allowed provided that all other County standards are met for adequate road access, sewer and water facilities, building envelope location, visual protection, and public services. Residential and residential accessory

buildings shall have a maximum floor space of 12,000 square feet. Apart from infrastructure under Policy 14A, all buildings shall be located on a contiguous development envelope not to exceed 2 acres, except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use. Subject to the provisions of the Initiative, this designation permits agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses, areas typically unsuitable for human occupation due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally sensitive features, secondary residential units, active sand and gravel and other quarries, reclaimed quarry lakes, and similar and compatible uses. Sand and gravel quarries allow a range of uses including sand and gravel processing, associated manufacturing and recycling uses requiring proximity to quarries, reclamation pits, and public use areas. This designation is intended mainly for land designated for long-term preservation as open space but may include low intensity agriculture, grazing, and very low density residential use.

Agricultural Support Services

Policy 81A: In areas designated Large Parcel Agriculture, the County shall permit agricultural processing facilities (for example wineries, olive presses) and limited agricultural support service uses that primarily support Alameda County agriculture, are not detrimental to existing or potential agricultural uses, demonstrate an adequate and reliable water supply, and comply with the other policies and programs of the Initiative.

Ridgelines

Policy 106A: Structures may not be located on ridgelines or hilltops or where they will project above a ridgeline or hilltop, as viewed from public roads, trails, parks and other public viewpoints, unless there is no other site on the parcel for the structure or on a contiguous parcel in common ownership on or subsequent to the date this ordinance becomes effective. New parcels may not be created that have no building site other than a ridgeline or hilltop, or that would cause a structure to protrude above a ridgeline or hilltop, unless there is no other possible configuration.

Visual Protection

Policy 107A: To the extent possible, including by clustering if necessary, structures shall be located on that part of a parcel, or on contiguous parcels in common ownership on or subsequent to the date this ordinance becomes effective, where the development is least visible to persons on public roads, trails, parks and other public viewpoints. This policy does not apply to agricultural structures to the extent it is necessary for agricultural purposes that they be located in more visible areas.

Policy 113A: In all cases appropriate building materials, landscaping and screening shall be required to minimize the visual impact of development. Development shall blend with and be subordinate to the environment and character of the area where located, so as to be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area. To the maximum extent practicable, all exterior lighting must be located, designed and shielded so as to confine direct rays to the parcel where the lighting is located.

Alteration of Landforms

Policy 113B: To the maximum extent possible, development shall be located and designed to conform with rather than change natural landforms. The alteration of natural topography, vegetation, and other characteristics by grading, excavating, filling or other development activity shall be minimized. To the extent feasible, access roads shall be consolidated and located where they are least visible from public viewpoints.

Policy 236: The County shall approve new development only upon verification that an adequate, long-term, sustainable, clearly identified water supply will be provided to serve the development, including in times of drought.

Clustering

Program 36: Notwithstanding any other provision of the Initiative, the County may permit residential and other structures allowed on a parcel or adjoining parcels on land designated Large Scale Agriculture, Resource Management or Water Management Lands on February 1, 2000, or by the Initiative, to be clustered on one or more of the parcels on adjacent development parcels not to exceed 2 acres each. No additional residential units may be built as a result of clustering, except a bonus of one residential unit for each 5 residential units clustered may be permitted.

For each residential unit clustered, an area equal to the minimum parcel size otherwise applicable to the parcel from which the unit was derived minus the area of the clustered parcel shall be protected permanently from further development, except for agricultural structures necessary for agricultural use, by dedication of a conservation easement on a single, continuous area to Alameda County or by other comparably effective means.

Except as provided in this program, all clustering shall comply with the provisions of the Initiative. Care shall be taken in permitting clustering not to impair existing or potential agricultural uses, water quality, or environmental or visual values. Consistent with those requirements, clustering shall be configured to maximize the amount of contiguous agricultural acreage.

Quarries and Regionally Significant Aggregate Resource Areas

Policy 144: Except to the extent required by State law, no new quarry or other open-pit mine may be approved by the County outside the Urban Growth Boundary, unless approved by the voters of Alameda County. Excavation not adjacent to an existing quarry site and on the same or an adjoining parcel shall be regarded as a new quarry.