

# *Hameda* LAFCo

## Special Meeting Agriculture & Open Space Preservation

July 29, 2013

Dublin City Council Chamber  
100 Civic Plaza  
Dublin, CA 94568



# Purpose

- Understand LAFCo's role in agriculture & open space preservation
- Review Alameda LAFCo's existing ag & open space policies
- Understand how Alameda County's Measure D urban growth boundary applies to Alameda LAFCo's decisions



# Central question

When Alameda LAFCo considers proposed sphere of influence amendments and/or annexations or other boundary changes, what local conditions and policies, if any, does the Commission want to consider regarding the loss of agriculture and open space lands?

# Presentation Outline

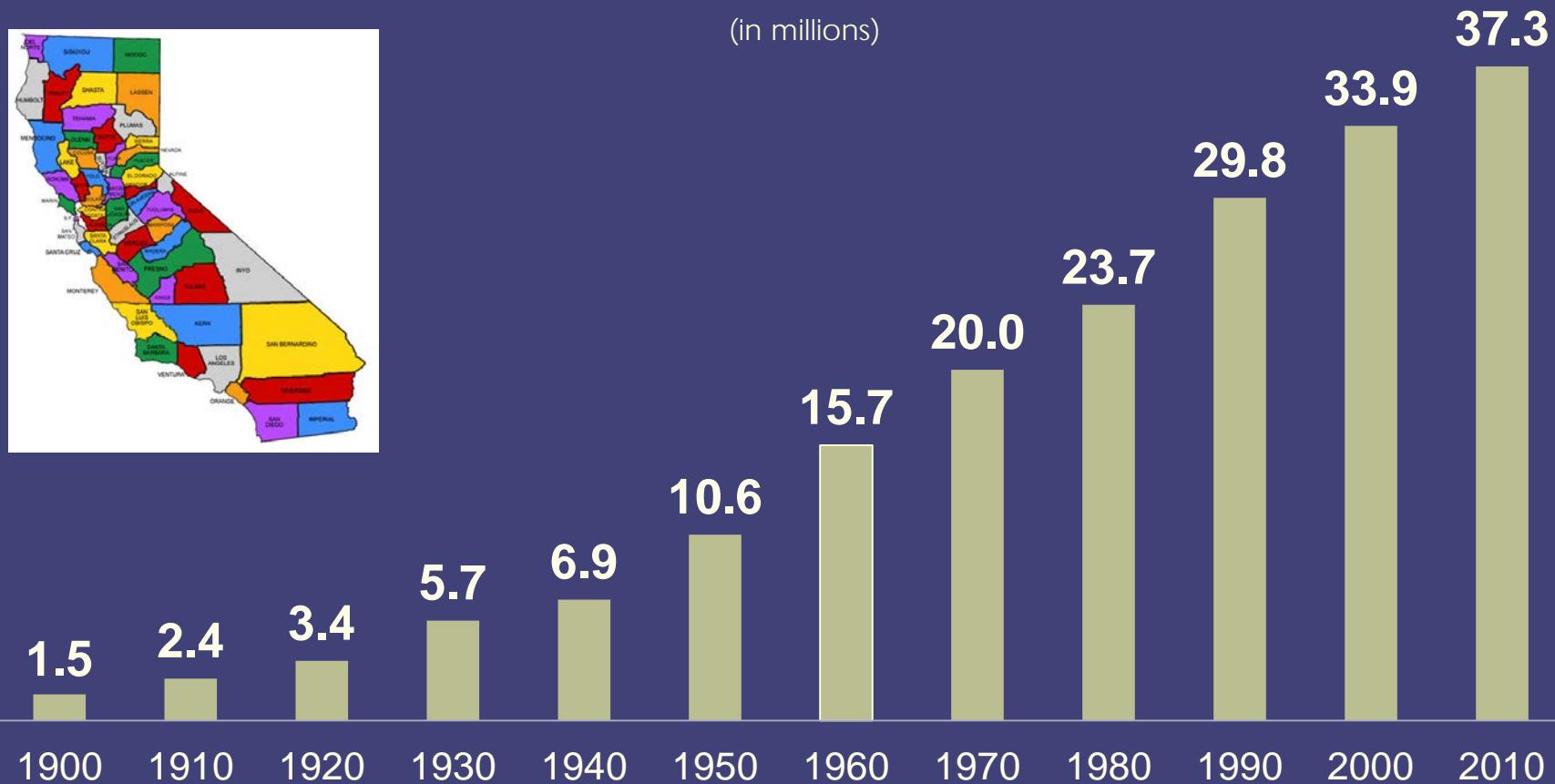
- Context: Why LAFCos Exist
- LAFCos' Purpose & Authority
- Ag & Open Space Preservation Policies
  - Other LAFCo examples
  - Alameda LAFCo policies
- Agriculture in Alameda County
- Measure D Urban Growth Boundary
- Public comment

# Context

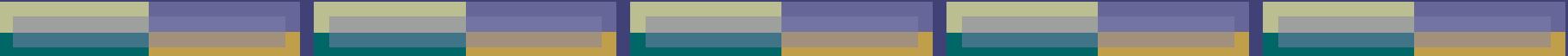
## California Population Growth



(in millions)



Source: US Census and California Department of Finance



# Brief History

- Urban sprawl & inefficient services
- Disorganized growth caused conversion of ag & open space to urban uses prematurely
- LAFCos are born – 1963
- Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov't Code Sections 56000 et seq)



# LAFCo's Purpose

- Encourage orderly boundaries
- Promote efficient public services
- Discourage urban sprawl
- Preserve agricultural & open space lands



# What does LAFCo do?

- State-mandated agency that acts on boundary matters (annexations, detachments, reorganizations, consolidations, dissolutions, mergers, incorporations, etc.)
- Establishes & updates spheres of influence (SOIs)
- Municipal Service Reviews (MSRs)
- Adopt local policies to reflect local conditions
- Balance competing interests
- No ***direct*** land use regulatory authority
- Independent agency, not part of the County



# *Alameda* LAFCo: Mission

Alameda LAFCo works for the citizens & government agencies of Alameda County by ensuring efficient municipal services, balancing infrastructure needs for sustainable growth, & conserving the environment and public resources such as prime agricultural & open space land.



# LAFCo's Legal Authority

***What is LAFCo required & authorized to do with respect to open space & ag?***

56377. In reviewing & approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies & priorities:

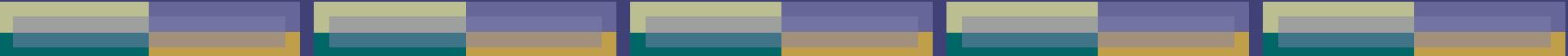
- (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
- (b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency



# LAFCo's Legal Authority

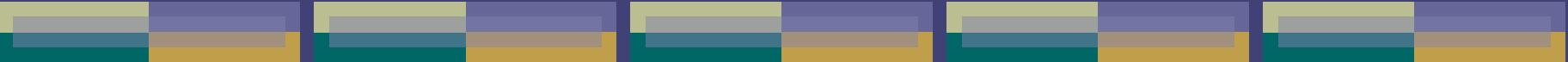
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# LAFCo's Legal Authority

- How is LAFCo to achieve these goals?
  - 1. LAFCo may adopt a local policy that “encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.” (GC § 56300)
  - 2. LAFCo may impose “terms and conditions” on any annexation (GC §§ 56885.5, 56886).



# LAFCo's Legal Authority

*What are examples of “terms and conditions?”*

- The acquisition, improvement, disposition, sale, transfer, or division of any property, real or personal.
- The initiation, conduct, or completion of proceedings for another change of organization or a reorganization.



# LAFCo's Legal Authority

*Do LAFCo's policies & power to impose terms & conditions give it authority over all open space & ag land in the County?*

- Context: Annexation

- No Land Use Authority: LAFCo “shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements.”



# *Alameda* LAFCo: Guidelines, Policies & Procedures

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- Volume I, Part III. General Proposal Policies - *Section 4. Agriculture & Open Space, pp. 22-24*
- Volume I, Part V. Specific Proposal Policies - *Section 13 Spheres of Influence, pp. 71-76*





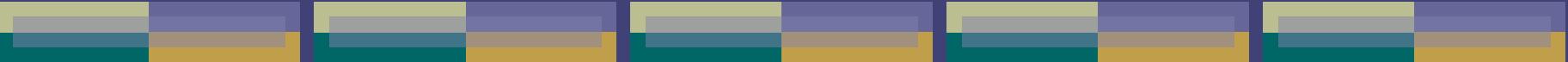
# *Hameda* LAFCo: Ag & Open Space

*Preserving open space & prime agricultural lands while facilitating orderly growth & development is an important LAFCo goal*



## ***Hameda*** LAFCo: Ag & Open Space Policies

- Policies approved over a decade ago
- Some policies restate CKH; some policies ambiguous
- Opportunity to review policy intent, update & clarify policies based on local conditions
- No ***direct*** land use regulatory authority



## ***Hameda*** LAFCo: Ag & Open Space Policies

- Support urbanization in cities, not on prime ag land or important open space (policies 4.3 & 4.4)
- Identify ag & open space in annexation & SOI proposals & protect adjacent ag lands (4.9)
- Incentives to support ag and open space viability (4.10)
- Condition approval on retention of Measure D restrictions, if applicable (4.11)
- Only include territory in SOI if urbanization needed within 10-15 yrs (13.13)



# **LAFCos Agriculture & Open Space Preservation Case Studies**



# What are other LAFCos doing?



- Agricultural & Open Space Guidelines
- Preservation & Conservation Policies
- Mitigation Policies

# Agricultural & Open Space Guidelines

## Napa County



- Amended General Policy Determinations in 2011 with updates to agricultural policies. Policy highlights include
  - Steer clear of existing prime agricultural lands.
  - Consider adopted urban growth boundaries.
  - Exclude agricultural or open-space lands from cities spheres of influence.
  - Restrict the inclusion of agricultural or open-space lands within a special district's sphere of influence.

# Agricultural & Open Space Guidelines

## San Luis Obispo



- Approved Agricultural Goals, Policies and Guidelines in 2007. The following policies are highlighted
  - Discourage urban development in agricultural areas.
  - Encourage local agencies to adopt relevant policies within their General Plan and Sphere of Influence.
  - Approve annexations of prime agricultural land only if mitigation of 1:1 is provided.

# Agricultural & Open Space Guidelines

## Santa Clara County



- Adopted agricultural mitigation policies in 2007, modeled after Yolo LAFCO. Highlights:
  - Agricultural mitigation for all LAFCO applications that impact or result in a loss of prime agricultural lands.
  - Encourage cities to adopt citywide agricultural mitigation policies and programs.
  - Encourage property owners, cities and agricultural conservation agencies to work together to initiate and execute agricultural mitigation plans.
  - Improve the communities understanding of the importance of agriculture.

# Agricultural & Open Space Guidelines

## Santa Clara County



- In addition, Santa Clara LAFCO has adopted several “Mitigation Recommendations” including
  - The conversion of prime agricultural lands should provide one of the following mitigations at not less than 1:1 ratio, along with the payment of funds to cover the costs of implementing such a mitigation program.
    - Mitigation lands should be located within Santa Clara County and be acceptable to the city and agricultural entity.
    - Cities should adopt measures to protect adjoining agricultural lands, to prevent premature conversion and to minimize conflicts between uses.
    - “Plan for mitigation” with application.

# Agricultural & Open Space Guidelines

## Stanislaus County



- The Stanislaus Local Agency Formation Commission voted 4-1 for a farmland preservation policy.
  - Cities must demonstrate how they'll minimize agricultural loss before being allowed to grow.
    - Mitigation
    - Preservation ratios
    - Growth boundary
  - Annexations must produce
    - A preservation plan
    - An analysis of affects on farms
    - Amount of buildable land

# Questions

# LAND USE AND OPEN SPACE IN UNINCORPORATED ALAMEDA COUNTY



ALAMEDA COUNTY | Community Development Agency



# EAST COUNTY AREA PLAN

- Adopted by Board of Supervisors in 1994
- Replaced 1977 General Plan for the Livermore-Amador Valley Planning Unit
- Established first Urban Growth Boundary in Alameda County

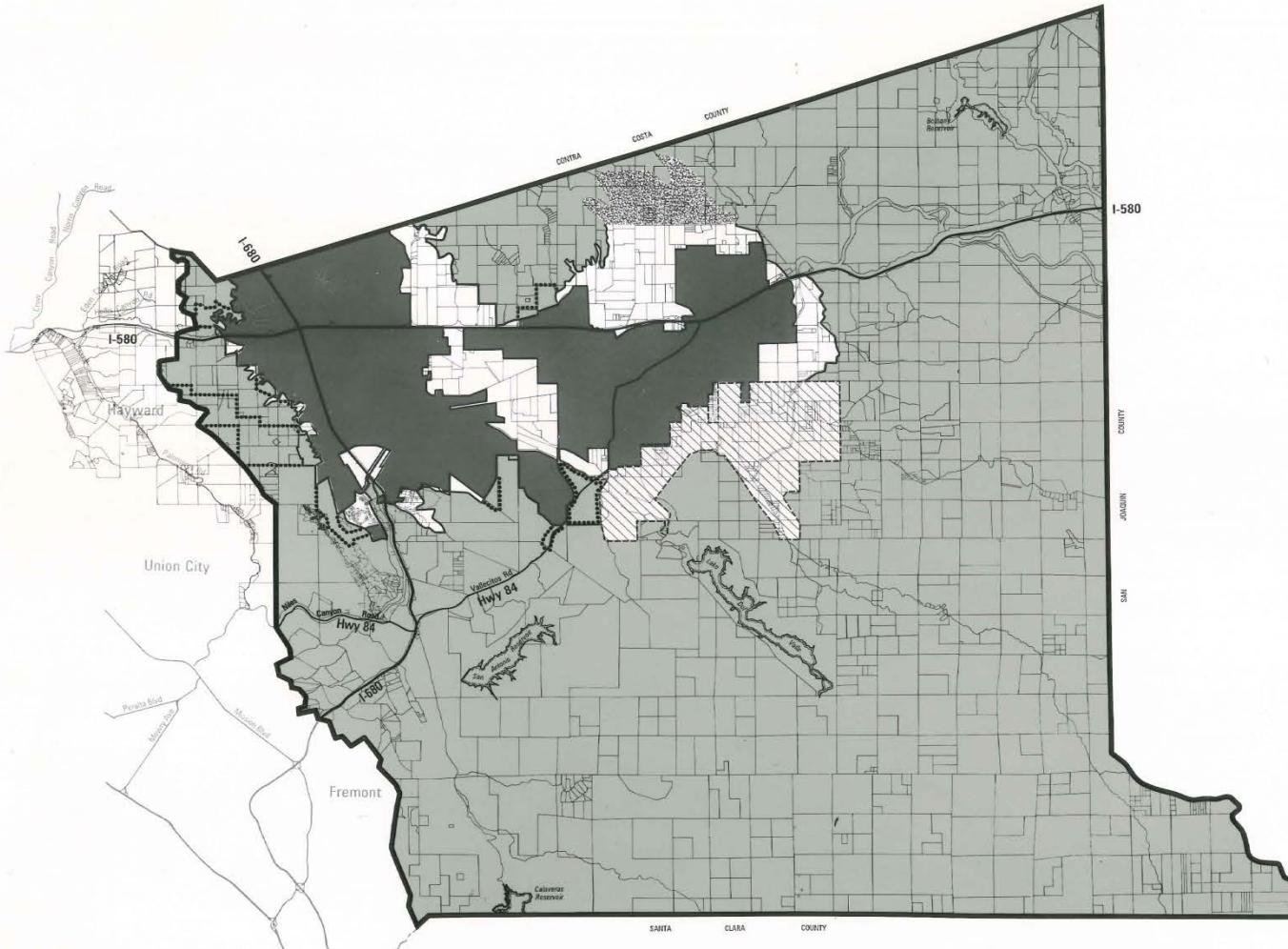
# 1994 ECAP Urban Growth Boundary

- Intended to be permanent, but ...
- Two ways to change boundary:
  - ▣ By Board of Supervisors as part of five-year review
  - ▣ By general plan amendment with findings
- Area proposed for development in North Livermore inside boundary
- Location of boundary north of May School Road in North Livermore determined through settlement agreement with City of Livermore that set up joint planning process

# Criteria for Locating 1994 UGB

- City General Plans
- Topography
- Visual Resources
- Soil Stability
- Agriculture
- Access to infrastructure
- Large public holdings
- Community Separation
- Habitat
- Ownership

# 1994 ECAP Urban Growth Boundary



C O U N T Y   O F   A L A M E D A  
E A S T   C O U N T Y   A R E A   P L A N

## Urban Growth Boundary

### LEGEND

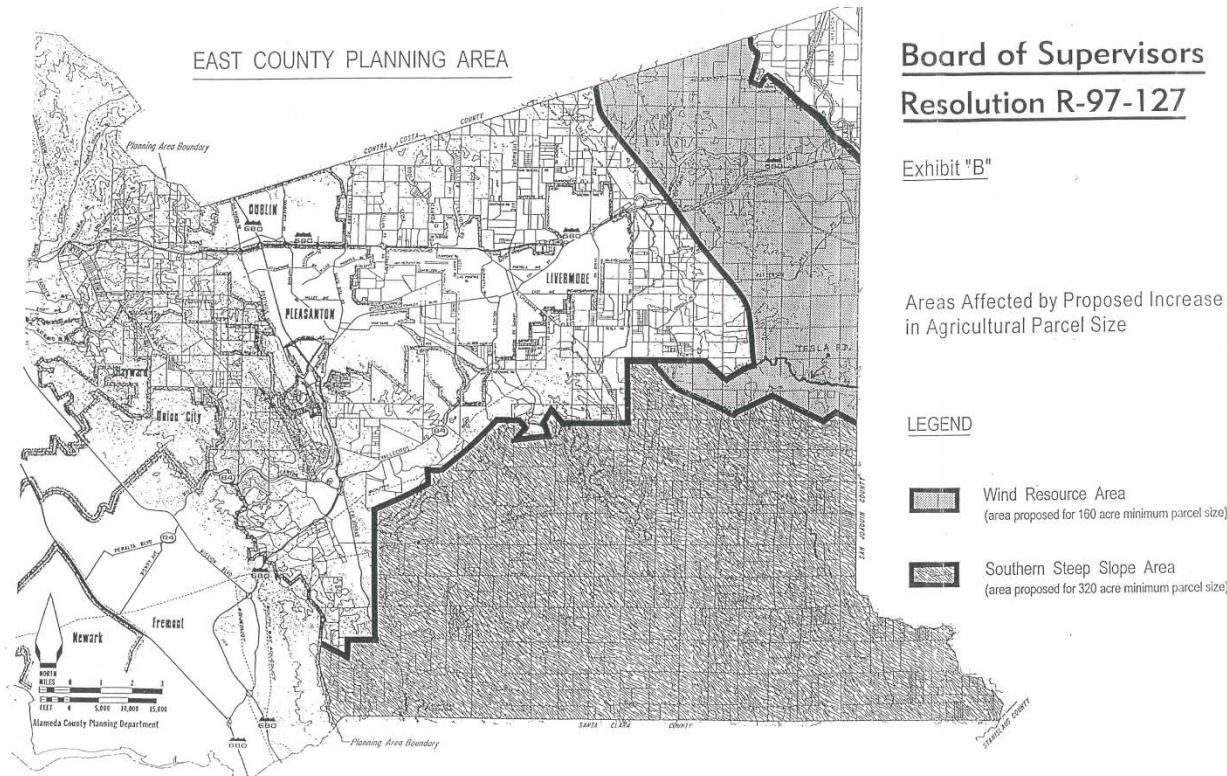
- Unincorporated Lands Within the Urban Growth Boundary
- Incorporated Lands Within the Urban Growth Boundary
- Lands Outside the Urban Growth Boundary
- City Limits Outside the Urban Growth Boundary
- Area in which South Livermore Valley Area Plan policies govern; location of Urban Growth Boundary will be established as detailed development or open space plans are approved
- Mechanisms to permanently preserve agriculture and/or open space in this area will be evaluated and identified through the open space program outlined in program 1A; the Urban Growth Boundary will be drawn in the North Livermore area at the conclusion of the two-year program

# Other Relevant ECAP Policies

- Support urban development only if within UGB
- Approve only open space, park, recreational, agricultural, limited infrastructure, public facilities, and similar uses outside UGB
- Preserve a continuous open space system outside the UGB
- Preserve community separators largely in open space
- Preserve major visually-sensitive ridgelines largely in open space

# Key Steps in ECAP Implementation

- Increased some rural minimum parcel sizes:
  - 160 acres in Wind Resource Area
  - 320 acres in Southern Ridgeland Area
  - Maintained existing 100-acre minimum elsewhere



# Key Steps in ECAP Implementation

- Initiated Joint County/City of Livermore planning process for North Livermore
  
- Growing community concern about development in North Livermore and other issues related to agriculture/open space coalesced into movement for ballot measure.



## MEASURE D

- Adopted by county voters in 2000.
- Significantly amended ECAP and other general plan documents to restrict building intensity and minimum parcel size in rural areas.
- Amended ECAP UGB and added UGB around Castro Valley Urban Area.
- Existing and future County plans and zoning regulations must be consistent with provisions of the measure.

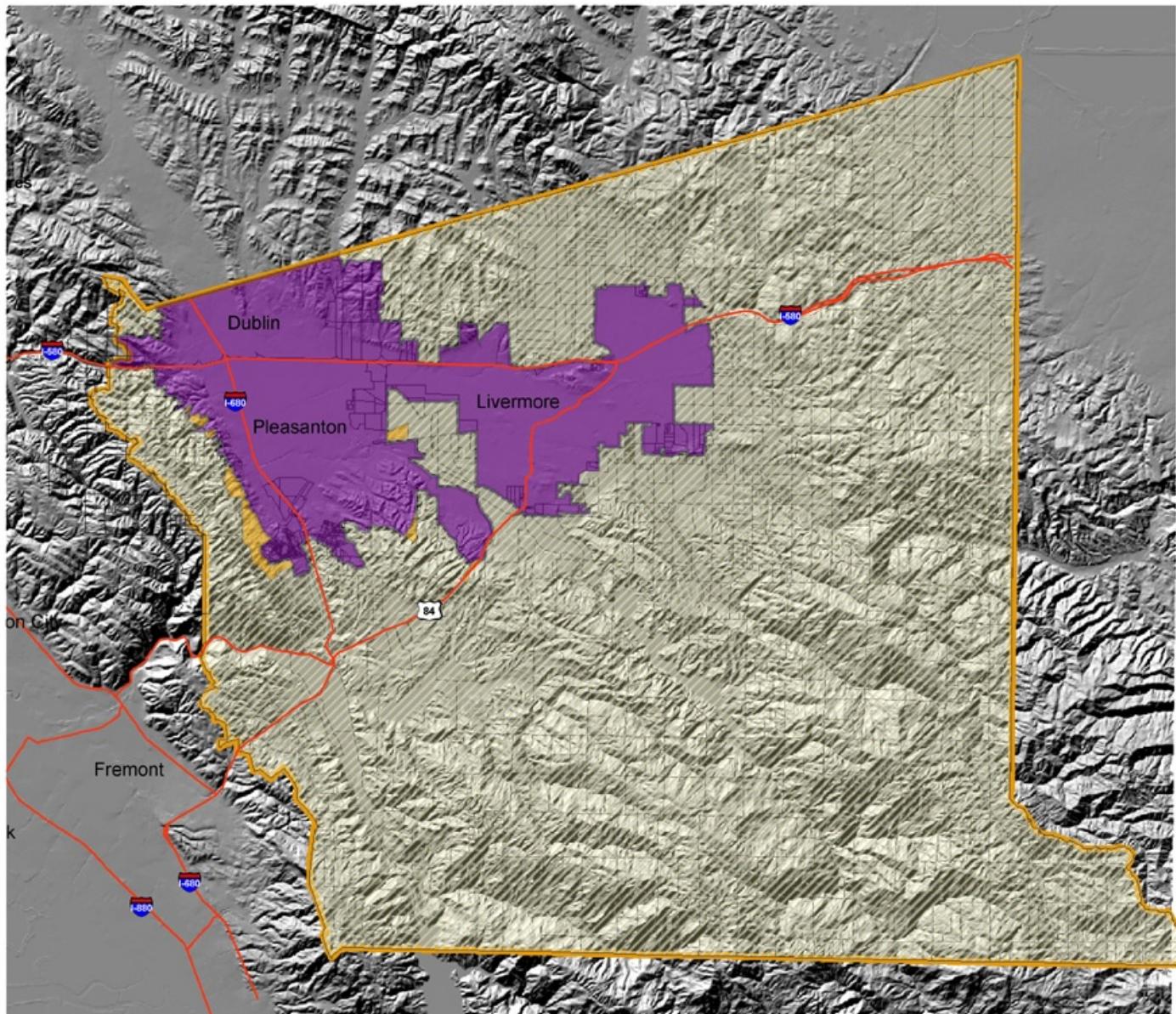
# Measure D Urban Growth Boundary

- UGB intended to be permanent; provisions of measure can only be changed by majority vote of the people
- Two ways urban development can occur outside boundary:
  - ▣ By vote of the county electorate
  - ▣ By annexation to a city

# Measure D Urban Growth Boundary

- Area proposed for development in North Livermore placed outside of boundary
- South Livermore Valley Area Plan not directly affected by Measure D, but amended to place absolute limits on density and geographical extent of the plan area

# Measure D East County UGB



East County Area Plan

## Urban Growth Boundary

### Legend

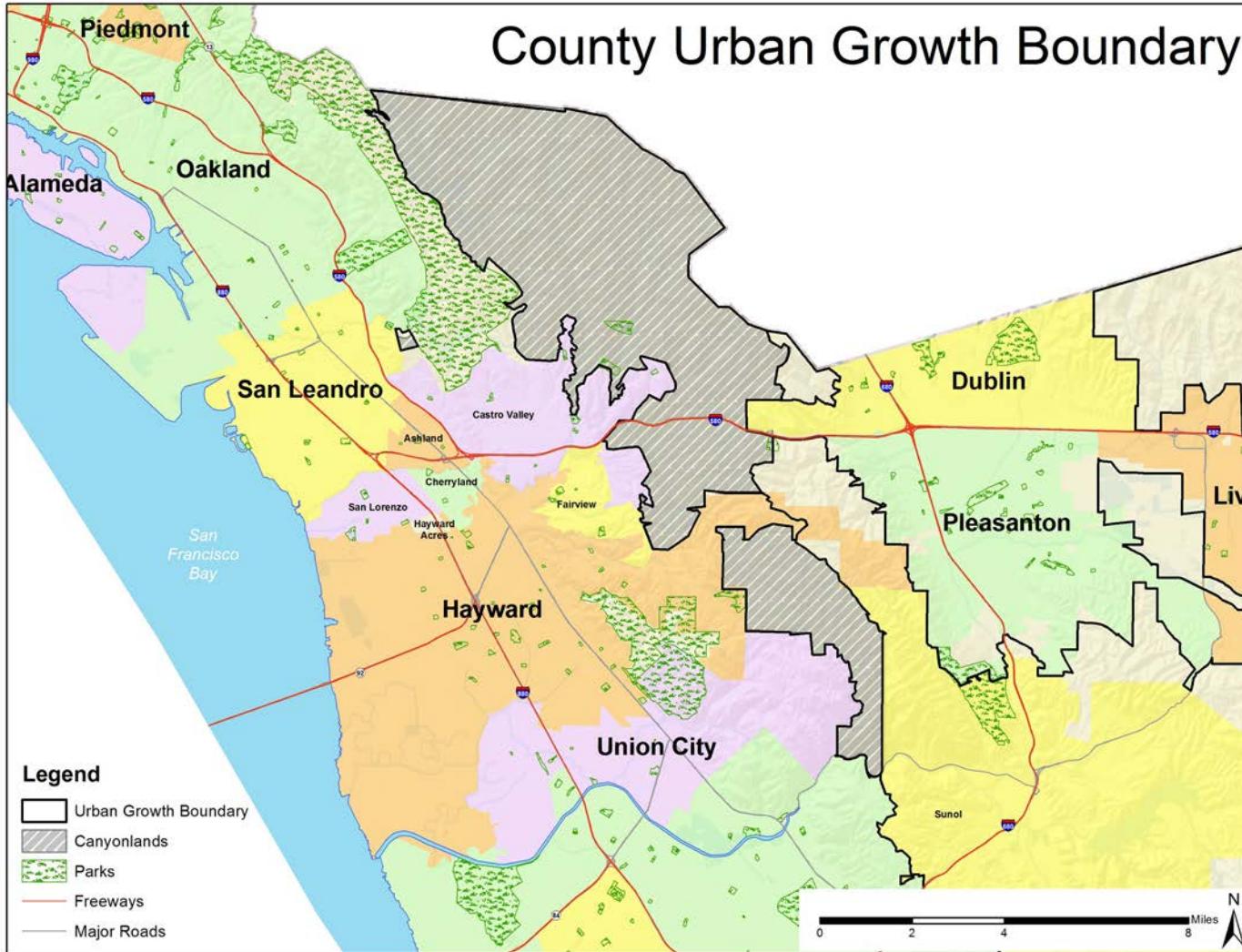
- Lands Outside Urban Growth Boundary
- Incorporated Lands Outside Urban Growth Boundary
- Lands Within Urban Growth Boundary
- Urban Growth Boundary
- ECAP Boundary

Fig. 3

0 0.5 1 Miles  
2 3



# Measure D Castro Valley UGB



# Impacts of Measure D

- Changes to general plan land use designations, building intensity, and minimum parcel size are now subject to vote of the county electorate
- Largely took the County out of the urban development equation in East County
- Brought into question certain uses (e.g. dog kennels, equine facilities, cemeteries) that had previously been considered appropriate in rural areas
- Raised concerns about impacts on economic viability of agricultural operations



## Other Voter-Approved Initiatives in the Bay Area

- Contra Costa County
- Napa County
- Santa Cruz County
- Sonoma County

# Contra Costa County's Measure C

- Approved by county voters in 1990
- Preserves 65% of the area of the county for agriculture, open space, parks, and other non-urban uses
- Established Urban Limit Line to enforce 65/35 standard
- 4/5 vote of the Board of Supervisors can amend ULL if 65/35 standard would not be violated and one or more specific findings can be made

# Napa County's Measure J

- Approved by county voters in 1990
- Does not include county Urban Growth Boundary
- Until December 31, 2020, the county general plan cannot be amended to change maximum building intensity or minimum parcel size in agricultural areas except by a vote of the people.
- Agricultural land use designations may not be changed except by:
  - By vote of the people
  - By annexation to a city
  - By Board of Supervisors using procedures in the initiative

# Santa Cruz County's Measure J

- Approved by county voters in 1978
- Only voter-initiated county ballot measure in Bay Area aside from Measure D
- Required County to implement a “Growth Management System” which included:
  - ▣ Setting an Annual Population Growth Goal
  - ▣ Adopting an Urban/Rural Boundary
    - Can be amended by general plan amendment, with findings
  - ▣ Protecting agricultural land and natural resources
  - ▣ Preserving prime agricultural land
  - ▣ Requiring 15% of all newly constructed housing to be affordable

# Sonoma County

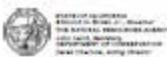
- No county Urban Growth Boundary
- Each of the nine cities has a voter-approved boundary to be in effect for 20 years unless renewed by voters
- County general plan policies commit to coordination with the cities' boundaries

# Coming Soon ...

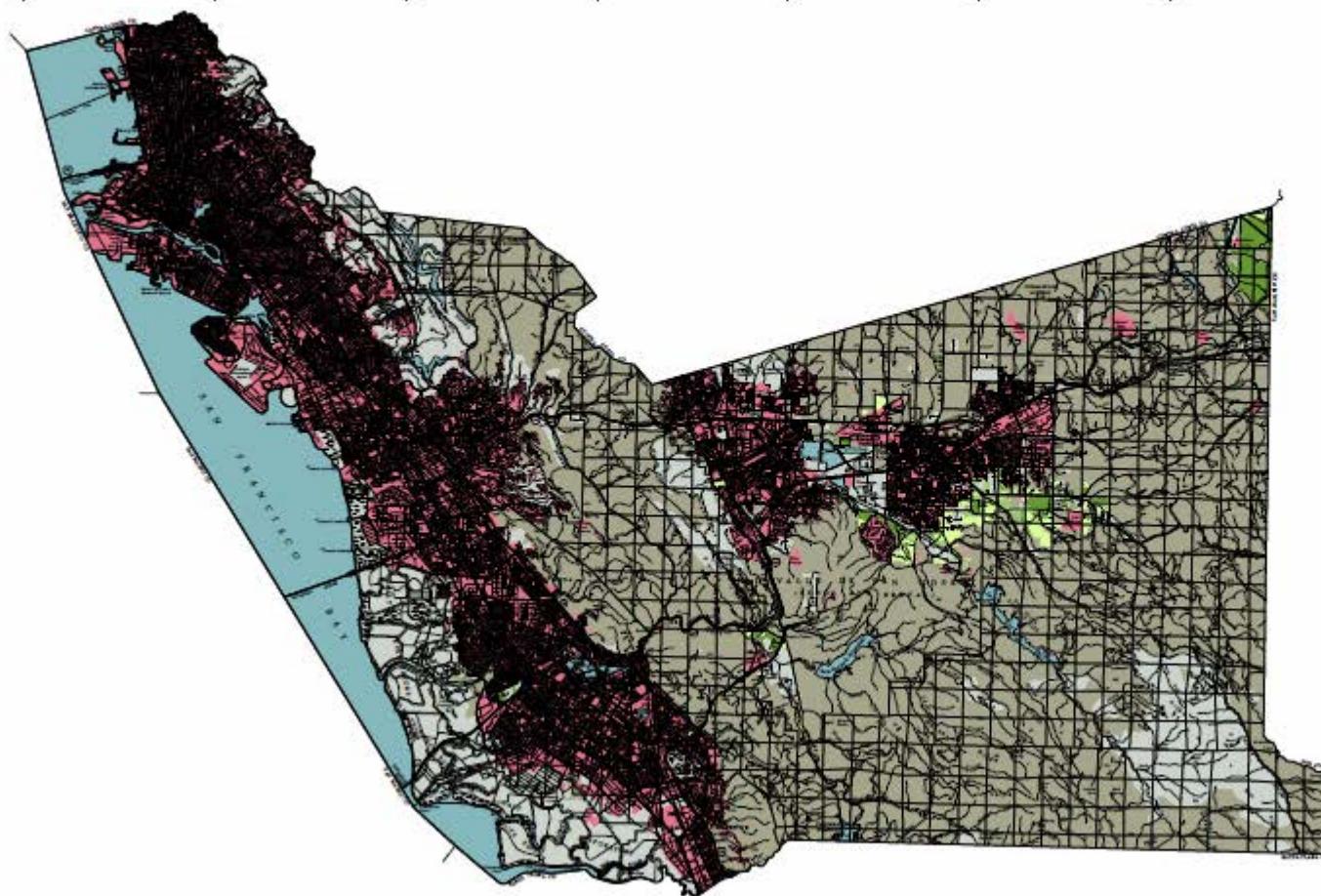
- ROSA Elements
  - **Resource Conservation** – policies and programs for the conservation and managed production of the County's natural resources
  - **Open Space** – policies and programs to protect and promote outdoor recreational opportunities and visual and open space qualities of the landscape
  - **Agriculture** – policies and programs to protect and enhance the productive potential of the land for agriculture
- Will apply to entire Unincorporated Area
- Public meetings are expected to begin this Fall



# Questions?



## ALAMEDA COUNTY IMPORTANT FARMLAND 2010



- PRIME FARMLAND - 3,650 acres
- FARMLAND OF STATEWIDE IMPORTANCE - 1,230 acres
- UNIQUE FARMLAND - 2,283 acres
- GRASSING LAND - 244,023 acres
- URBAN AND MULIT-USE LAND - 145,383 acres
- OTHER LAND - 72,585 acres
- WATER - 51,800 acres

Scale: 1:250,000  
Legend: 1 mile



Important Farmland Map - An inventory of the Farmland Mapping and Monitoring Program (FMM) process is available at [www.conserveca.org/fmm](http://www.conserveca.org/fmm). This map shows the location and extent of prime farmland and farmland of statewide importance in Alameda County. The map was developed using data from the California Department of Conservation's Farmland Monitoring Program. The map displays the locations of prime and unique farmland, agricultural land, grassing land, urban and multi-use land, and other land. The map also shows the locations of rivers and streams, roads, and other geographical features.

We map about the land within the limits of the program - areas where agriculture is the primary use of the land. We do not map land used for residential, commercial, industrial, or other purposes. The map does not show all land in the county. It shows only the land that is mapped by the FMM process.

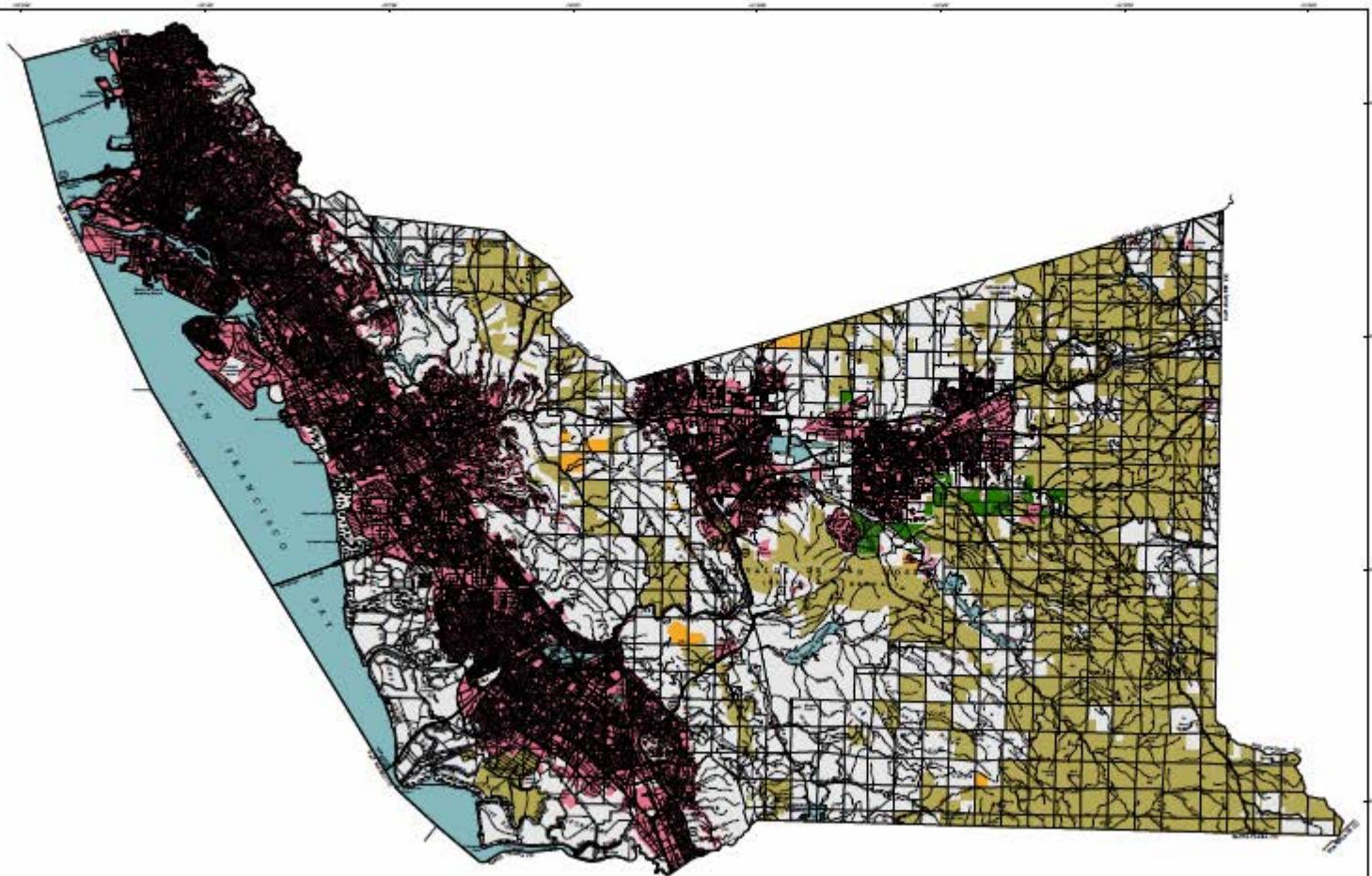
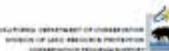
The Department of Conservation makes no warranty as to the accuracy of the product for any particular purpose.

Additional data is available at [www.conserveca.org/fmm](http://www.conserveca.org/fmm), including data for the entire state and county level data for Alameda County.

Map last updated April 2010.  
Farmland Monitoring and Mapping Program  
California Department of Conservation  
Division of Land Resource Protection  
Alameda County Conservation Board, Office of Land Resource Protection, 2010



ALAMEDA COUNTY WILLIAMSON ACT FY 2012/2013



# Public Comment

# Next Steps



# THANK YOU!