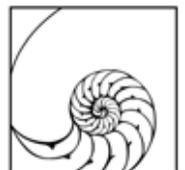


## **20-Year Review of Measure D “Save Agriculture and Open Space Lands” Initiative**

Prepared for:  
**Alameda County Local Agency Formation Commission (Alameda LAFCo)**

Prepared by:  
Lamphier-Gregory and  
Economic and Planning  
Systems, Inc.



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## Chapter 1: Introduction

Measure D (known as the Save Agriculture and Open Space Lands Initiative) was placed on the Alameda countywide ballot in November of 2000. The primary components of the Measure D initiative included amending the County's Urban Growth Boundary; increasing restrictions on building intensity, minimum parcel sizes and permitted uses in rural areas of the County; establishing that all County planning policies and zoning regulations must be consistent with provisions of Measure D; and mandating that any changes to the land use designations, building intensity or minimum parcel sizes as established by Measure D be subject to a new vote of the County electorate.

Measure D passed with a 57% majority of Alameda County voters, and became effective as of December 22, 2000. By May of 2002, Alameda County completed and adopted its corresponding amendments to the applicable Alameda County General Plan (the East County Area Plan, or ECAP), effectively eliminating new urban development within unincorporated East County.

### Purpose of this Study

Now, approximately 20 years since the passage of Measure D and the incorporation of Measure D provisions into ECAP, the Alameda County Local Agency Formation Commission (Alameda County LAFCo) has requested preparation of a special independent study to review how Measure D has affected agricultural and open space lands and the surrounding communities, and to consider how the implementation of Measure D has met its own LAFCo policies pertaining to agriculture and open space. These Alameda LAFCo policies principally include:

- Supporting urbanization in cities, not on prime agricultural land or important open space (Alameda LAFCo Policies 4.3 and 4.4)
- Identifying important agricultural lands and open space included in annexation and Sphere of Influence proposals, and protecting adjacent agricultural lands (Alameda LAFCo Policy 4.9)
- Conditioning approvals of annexations and Sphere of Influence changes on the retention of Measure D restrictions, as applicable (Alameda LAFCo Policy 4.11),
- Including only those territories within existing Spheres of Influence for urbanization needed within 10-15 years (Alameda LAFCo Policy 13.13), and
- Establishing incentives to support agricultural and open space viability (Alameda LAFCo Policy 4.10)

Alameda LAFCo understands and appreciates that it does not have land use regulatory authority, and has no means by which to directly affect any potential changes in Alameda County land use policy. However, as a State-mandated agency that acts on boundary matters as an independent agency, it is empowered to adopt and consider changes to its own policies to better reflect local conditions, and to assist in seeking a balance between competing interests. Accordingly, this special study report makes no recommendations about whether any of the Measure D policies as fully incorporated into ECAP should or should not be made. Nor does this study weigh-in on the question of whether any policy or regulatory changes to ECAP that might be considered would need to be processed pursuant to a new countywide ballot measure, or could be implemented by technical amendments to Measure D made by the Board of Supervisors.

Rather, this special study is intended to provide Alameda LAFCo with objective information and data to in an effort to better understand the economic and open space needs of the area, and to assess whether the current ECAP policies, as directed by Measure D, support or constrain these needs. Specifically, this report reviews the effectiveness of current ECAP policies related to the following key indicators:

- Have the current ECAP policies supported urbanization in cities and not on prime agricultural land or important open space, and have they focused new growth and development only in those territories within existing Spheres of Influence as needed for population growth and urbanization?
- Have the current ECAP policies identified and protected important agricultural lands and open spaces, especially as related to LAFCo considerations of annexations and Sphere of Influence change proposals?
- Have the current ECAP policies supported and established incentives for viable open space preservation and agricultural operations?

Additionally, this report provides objective comparative information as to:

- Are Alameda County's ECAP and its corresponding County zoning regulations that specifically pertain to agricultural uses more or less restrictive as compared to comparable regulations of other Bay Area and relevant counties?
- Do the policies of ECAP and its corresponding zoning regulations disadvantage Alameda County's agricultural businesses to a greater degree than the agricultural rules and regulation of other locations?

## Background

The Alameda County Board of Supervisors has considered at least two amendments to ECAP since Measure D was adopted. In 2013, the Supervisors considered an amendment to increase the floor-to-area ratio (FAR) allowed for horse breeding and training facilities,<sup>1</sup> and in 2020 the Supervisors considered an amendment to increase the permitted FAR for defined "agricultural buildings", in addition to the FAR allowed for "non-residential" buildings.<sup>2</sup> Alameda County has convened a stakeholder group consisting of members of the public that represent differing, and potentially competing interests on these matters, to discuss issues related to Measure D and to identify potential approaches for addressing these issues. Among the interests that were represented in the stakeholder group include:

- those interests of the drafters and supporters of the original Measure D language, who view Measure D, as written, as being critical to the preservation of agricultural and open space lands, and who do believe that any changes to Measure D cannot be initiated without a countywide vote of the people, and

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<sup>1</sup> Alameda County Community Development Agency, Staff Report to the Board of Supervisors, "*Proposed Amendments to East County Area Plan and Castro Valley General Plan to Increase the Floor Area Ratio Allowed for Equine Facilities*", December 2012

<sup>2</sup> Alameda County Community Development Agency, Staff Report to the Board of Supervisors, "*Update on Proposed Amendments to Measure D to Increase the Floor Area Ratio Allowed for Agricultural Buildings*", December 7, 2020

- those interests of certain Alameda County agricultural property owners, local wineries and equestrian facility operators that seek remedies to what they see as restrictions that are too prohibitive and that do not support the county's agricultural businesses

However, these stakeholder groups have not reached agreement on these issues, nor have they found agreement on means by which these issues might be resolved (i.e., via a new ballot measure, or by technical amendments to Measure D). To date, the Alameda County Supervisors have similarly not reached agreement, and have not taken action on either of these two amendments.

Alameda LAFCo has also held meetings to discuss agriculture and open space preservation. At a Special Meeting held in 2013, Alameda LAFCo specifically reviewed its role in agriculture and open space preservation, and to better understanding how ECAP policies and the Urban Growth Boundary applies to Alameda LAFCo's decisions. That Special Meeting concluded that Alameda LAFCo has no direct land use regulatory authority, but as a State-mandated agency that acts on boundary matters as an independent agency, it is empowered to adopt local policies to reflect local conditions, and to seek a balance between competing interests.

In an effort to seek such a balance, Alameda LAFCo has commissioned this report to provide objective information and data that may help to better inform deliberations and potential future decisions on important policy matters pertaining to Measure D/ECAP and its effects on city-centered growth, open space and agricultural land preservation, and the viability of agricultural-based industry and land use.

## Conclusions

As discussed in substantially greater detail in Chapter 2 of this report, the key conclusions or answers to the questions posed by Alameda LAFCo related to the effectiveness of Measure D can be summarized as follows:

- Measure D and its subsequent amendments to the County's ECAP have been highly effective in directing that urbanization occur in the East County cities of Dublin, Pleasanton and Livermore, and not on prime agricultural land or important open spaces outside of the Urban Growth Boundary (UGB). No amendments to the UGB have been made and no expansion of existing Spheres of Influence to support urbanization have occurred since the year 2000. Alameda LAFCo has worked with each of the East County cities to ensure that annexations of land into those cities retain the land use restrictions as established by Measure D.
- The East County has grown by nearly 70,000 people and 22,300 new housing units since 2000, nearly all of which has occurred within City boundaries, and nearly all (with the exception of certain incorporated City lands in Dublin) within the UGB as established by Measure D.
- Establishment of ECAP's UGB has reciprocally been highly effective in protecting and preserving those agricultural and open space lands that are located on the outside of the UGB. Since 2000, no changes to the UGB have occurred, and no urban development has displaced agricultural or open space lands on the outside of the UGB.
- Of the total increase of approximately 14,570 acres of urbanized lands in East County that has occurred over the past 34 years, approximately two-thirds of this increase in urbanization occurred in the nearly 20 years prior to Measure D. Only one-third of this increase in urbanization has occurred in the nearly 20 years post-Measure D, and this smaller increase in urbanized land has accommodated a relatively similar increase in population as occurred pre-Measure D.

- According to the Department of Conservation's GIS database, more than 3,570 net acres of East County's farmlands were lost or converted to other land use categories between the years 1984 to 2018. Nearly all of this net loss in farmland occurred after year 2000 (or post-Measure D). However, about 84% of this total loss in farmlands occurred in areas immediately adjacent to and within East County cities, in areas within the established UGB.
- Although the Department of Conservation's GIS database shows that the East County lost nearly 4,430 acres of Prime farmland over the 34-year period from 1984 to 2018, there was a concurrent increase of 1,854 acres in Farmland of Statewide Importance and Unique farmland. Much of this can be attributed to the Department of Conservation's re-designation of certain properties in the South Livermore Valley from Prime, to Statewide Important or Unique farmland, which are not a lesser designations, but rather a recognition that vineyards represent sustained production of a specific high-quality and high-yield crop of economic importance to California" (i.e., Statewide Important or Unique farmland).
- Despite significant losses in farm-based employment, overall East County agricultural operations appear to remain economically stable, but not growing. The economic stability of overall agricultural business is driven by continued strong growth in the total value of wine grape sales. The wine industry's economic growth (in sales, but not acreage) eclipses the relatively sizeable decline in value and productive agricultural use of other agricultural activities (e.g., crop harvesting and horse boarding) within East County.

The relative viability of agriculture in East County is a function of multiple variables including macro-economic trends, micro-economic decisions and capabilities of local agricultural operators, climate, water availability, labor availability, costs and regulations. This report's review of whether Measure D's land use policies and regulations may be a contributing factor in the lack of growth in East County's agricultural industry, especially as compared to the regulations of other relative counties (see Chapter 4) can be summarized as follows:

- Of those counties studied, Alameda County zoning regulations appear to have the broadest definition of permitted winery-related uses, including more types of uses and activities than other counties (e.g., wine processing, wine production and tasting rooms). These more permissive definitions result in a less restrictive permitting process for winery-related uses, whereby nearly all defined winery activities and uses are permitted by right and/or through administrative review, as opposed to a discretionary use permit processes.
- Similarly, of those counties studied, Alameda County zoning regulations appears to have the broadest definition of permitted equine uses, including more types of uses and activities than other counties (e.g., commercial stables, horse training and riding academies). These more permissive definitions result in a less restrictive permitting process for equestrian-related uses, whereby nearly all equestrian activities and uses are permitted by right and/or through administrative review (Site Development Review by the Board of Zoning Adjustments), as opposed to a discretionary use permit processes.
- However, of the nine different counties studied, only four counties (Alameda, Sonoma, Marin and Monterey) have regulations that restrict the maximum building intensity (or FAR) for non-residential uses in agriculturally designated or zoned lands. Of those other four counties that do have applicable FAR regulations, Alameda County 1% FAR regulations are substantially more restrictive on the size of non-residential buildings. In comparison, Sonoma, Marin and Monterey County's regulations allow the potential for up to a maximum 5% FAR, and the other four counties included in this study have no FAR restriction at all.

- Similarly, Alameda County appears to be the only one of the counties studied in this report to define a maximum building envelope (generally, all agricultural land uses must be located on a contiguous development envelope not to exceed 2 acres). Instead, the other counties reviewed for this report approach building sites in a more individual and discretionary process, whereby development proposals are required, through a discretionary process, to limit development on agricultural soils and other natural resource values, and to ensure that these uses are secondary and incidental to agricultural production activities.

These differences in regulatory provisions between Alameda County and other relevant counties can be generally regarded as providing Alameda County applicants with more certainty over land use approvals, provided that proposed agricultural development fully complies with the more restrictive Alameda County standards intended to permit generally smaller-scaled agricultural development. Conversely, the other counties included in this study can be regarded as potentially providing more flexibility and greater development potential for larger-scaled agricultural-related uses, but subject to a more rigorous discretionary approval processes (including CEQA), and with uncertain outcomes.



## Chapter 2: Overview of Measure D

### 2.1: Measure D – the “Save Agriculture and Open Space Lands” Initiative

Measure D (known as the Save Agriculture and Open Space Lands Initiative) was placed on the November 2000 countywide ballot by citizens' groups. The question that was posed to the voters of Alameda County was straightforward:

“Shall an ordinance amending the Alameda County General Plan to, among other things, revise the urban growth boundary in the East County to reserve less land for urban growth and more land for agriculture and open space, apply similar policies to rural Castro Valley, require new housing to be located primarily within existing cities, modify land use restrictions applicable to rural areas, and require a County-wide vote on changes to these policies, be adopted?”<sup>1</sup>

Measure D passed with a 57% majority of Alameda County voters, and became effective as of December 22, 2000.

By May of 2002, Alameda County completed and adopted its corresponding amendments to the applicable Alameda County General Plan (the East County Area Plan, or ECAP).<sup>2</sup> As noted in the Preface to the Goals, Policies and Programs of the 2002 amended ECAP, the purposes of these amendments (per the Initiative) were to, “preserve and enhance agriculture and agricultural lands, and to protect the natural qualities, the wildlife habitats, the watersheds and the beautiful open space of Alameda County from excessive, badly located and harmful development. The measure establishes a County Urban Growth Boundary which will focus urban-type development in and near existing cities where it will be efficiently served by public facilities, thereby avoiding high costs to taxpayers and users as well as to the environment. The ordinance is designed to remove the County government from urban development outside the Urban Growth Boundary.”

The Initiative also resulted in the addition, deletion and revision of more than 60 policies and programs of the previously applicable ECAP, as well as establishment of and changes to the Urban Growth Boundary and the Land Use Diagram. Major changes to ECAP policy that were made in the 2002 ECAP and in response to Measure D included the following:

- The Urban Growth Boundary (UGB) was redrawn to remove North Livermore from urban development, and the County withdrew from a joint planning Settlement Agreement with the City of Livermore and North Livermore landowners. North Livermore west of Dagnino Road was delineated as an Intensive Agriculture area with the potential for 20-acre enhanced agricultural parcels upon demonstration of available water (among other requirements).
- The South Livermore Valley Area Plan was amended to place absolute limits on density and its geographical extent.
- Lands previously designated for Urban Reserve were re-designated as Large Parcel Agriculture. Land use policies for the Large Parcel Agriculture, Resource Management and Rural Residential designations became more restrictive, including changes related to standards for subdivisions and Site Development Review for Agricultural parcels.

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<sup>1</sup> League of Women Voters, accessed at: <http://www.smartvoter.org/2000/11/07/ca/alm/meas/D/>

<sup>2</sup> Alameda County, *East County Area Plan*, as adopted by the Board May 2002

- The County was directed to meet State housing obligations for the East County area within the new County Urban Growth Boundary “to the maximum extent feasible.” If State-imposed housing obligations made it necessary to go beyond the UGB, the voters of the county may approve an extension of the boundary, and the Board of Supervisors may approve housing outside the UGB for the purpose of meeting housing obligations if, subject to the requirements of the State housing law, criteria specified by the Initiative can be met.
- The County was prohibited from providing or authorizing expansion of public facilities or other infrastructure that would create more capacity than needed to meet the development allowed by the Initiative. The Initiative does not prohibit public facilities or other infrastructure that have no excessive growth-inducing effect on the East County area and have permit conditions to ensure that no service can be provided beyond that consistent with development allowed by the Initiative.
- No new quarry or open-pit mine may be approved outside the East County Urban Growth Boundary unless approved by the voters. Excavation not adjacent to an existing quarry site and on the same or adjoining parcel is regarded as a new quarry.
- While new regulations pursuant to Measure D do not affect existing parcels, development, structures or uses that were legal at the time they became effective, structures may not be enlarged or altered and uses expanded or changed inconsistent with the new ECAP policies, programs and regulations, except as authorized by State law.
- The portions of ECAP that were revised or enacted under the Initiative may not be amended except by voter approval, with the exception that the Board of Supervisors can impose more stringent restrictions on development and land use.

## 2.2: Generalized ECAP Land Use Strategy

As amended by Measure D, the ECAP clearly delineates areas suitable for urban development and open space areas for long-term protection of natural resources, agriculture, and public safety. It establishes a County Urban Growth Boundary (UGB) that divides areas inside the UGB and next to existing cities as generally suitable for urban development, and areas outside of the UGB as suitable for long-term protection of natural resources, agriculture, public health and safety, and buffers between communities.

ECAP’s Land Use Diagram identifies urban designations (inclusive of incorporated and unincorporated areas of East County) that are expected to be sufficient to accommodate projected growth. The urban land use designations in unincorporated areas are contained within the UGB, and are not to be expanded to accommodate lower than planned densities. To achieve a balanced sub-region featuring compact communities, a diverse economic base, affordable housing and a full complement of public facilities and amenities, the ECAP requires that urban development be phased according to the availability of infrastructure and public services and in conformance with policies that encourage compact development. Accordingly, ECAP supports phased development in East Dublin to provide for efficient planning of infrastructure and prevent urban sprawl in the Dublin Hills. It requires the County to work with cities and service districts to plan adequate infrastructure capacity to accommodate new urban development within the UGB, but also to limit the level of new development based on the adequacy of transportation and infrastructure improvements and the extent to which these

improvements can be funded, and prohibits the County from providing or authorizing public facilities or other infrastructure in excess of that needed for permissible development.<sup>3</sup>

ECAP's residential goal is to provide an adequate supply of housing in a range of densities to meet State requirements, to accommodate projected housing growth, and to respond to the needs of all income groups

ECAP's Land Use Diagram also identifies non-urban land use designations intended to protect regionally significant open space and agricultural land from further development. It calls on the County to work with East County cities to preserve a continuous open space system outside the Urban Growth Boundary, with priority given to the permanent protection of the Resource Management area between Dublin and North Livermore and the area north of the Urban Growth Boundary in North Livermore. The preserved open space areas are intended for the protection of public health and safety, the provision of recreational opportunities, production of natural resources (e.g., agriculture, wind power and mineral extraction), protection of sensitive viewsheds, preservation of biological resources, and the physical separation between neighboring communities. This open space system is to include a continuous band of various plant communities and wildlife habitats that provide for comprehensive, rather than piecemeal, habitat conservation. The open space for habitat conservation is to be located outside of the UGB and contiguous to large open space areas in neighboring Contra Costa, Santa Clara and San Joaquin Counties. To maintain this open space system, ECAP policies call for the following implementation strategies:

- Approve only open space, park, recreational, agricultural, limited infrastructure, public facilities (e.g., limited infrastructure, hospitals, research facilities, landfill sites, jails, etc.) and other similar and compatible uses outside the UGB
- Use zoning and other mechanisms such as purchase or dedication of easements through density transfer or density bonuses and fee purchase to preserve open space outside the UGB
- Require that all new developments dedicate or acquire land for open space and/or pay equivalent in-lieu fees to be committed to open space land acquisition and management, and to encourage the East County cities to impose similar open space requirements on development in incorporated areas
- Encourage the Alameda County Open Space Land Trust to acquire fee title or easements on strategic parcels that would permanently secure the UGB and complete the continuous open space system surrounding Eastern Dublin, North Livermore, South Livermore and the existing cities of Pleasanton, Dublin and Livermore.

To maximize the long-term productivity of East County's agricultural resources, ECAP calls for the conservation of prime agricultural soils (Class I and Class II, as defined by the USDA Soil Conservation Service Land Capability Classification) and Farmland of Statewide Importance and Unique Farmland (as defined by the California Department of Conservation Farmland Mapping and Monitoring Program) outside the Urban Growth Boundary. It also calls for the preservation of the Mountain House area near the San Joaquin County boundary for intensive agricultural use

ECAP also seeks to protect unique visual resources and sensitive viewsheds by preserving the following major visually sensitive ridgelines largely in open space use:

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<sup>3</sup> "Infrastructure" is defined as including public facilities, community facilities and all structures and development that is necessary for the provision of public services and utilities.

- The ridgelines of Pleasanton, Main, and Sunol Ridges west of Pleasanton
- The ridgelines of Schafer, Shell, Skyline, Oak and Divide Ridges west of Dublin, and the ridgelines above Doolan Canyon east of Dublin
- The ridgelines above Collier Canyon and Vasco Road, and the ridgelines surrounding Brushy Peak north of Livermore
- The ridgelines above the vineyards south of Livermore, and
- The ridgelines above Happy Valley south of Pleasanton

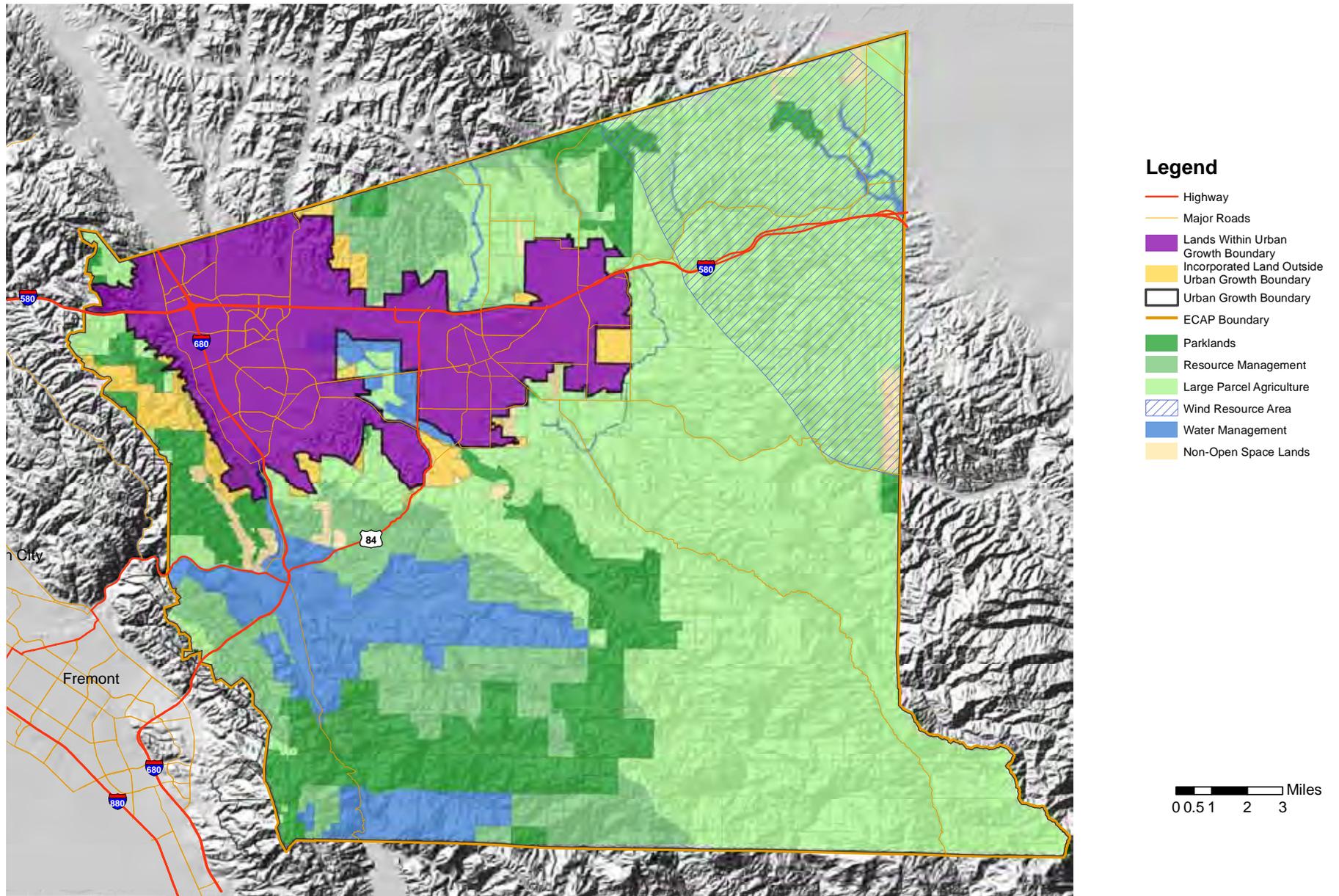
In the southerly portion of East County, ECAP seeks to protect important watershed land from the direct and indirect effects of development. To achieve this goal, ECAP encourages public water management agencies (e.g., the SFPUC) to explore recreational opportunities on watershed lands, particularly at reclaimed quarries where recreational use would not conflict with watershed protection objectives, and by encouraging the San Francisco Water Department to provide limited public access on trails that pass through the watershed lands surrounding San Antonio and Calaveras Reservoirs, Sunol Watershed, and the Arroyo de la Laguna.

### Agricultural Land Use Designations

In general, the ECAP identifies three primary agricultural and/or open space-related land use designations on its Land Use Diagram (see **Figure 2-1**):

- Large Parcel Agricultural Lands: This land use designation generally applies to the majority of the easterly portions of unincorporated East County, and is primarily intended for low-intensity agricultural and grazing uses. This designation also permits agricultural processing facilities (e.g., wineries and olive presses), limited agricultural support service uses (e.g., animal feed facilities, silos, stables and feed stores), secondary residential units, visitor-serving commercial facilities (e.g., tasting rooms, fruit stands, bed and breakfast inns), recreational uses, public and quasi-public uses, solid waste landfills and related waste management facilities, quarries, windfarms, utility corridors, and similar uses compatible with agriculture. Specific policy limitations that apply within the Large parcel Agriculture land use include:
  - A minimum parcel size of 100 acres (with exceptions for smaller existing parcels)
  - A maximum building intensity for non-residential buildings of a .01 FAR (floor area ratio) but not less than 20,000 square feet. Where permitted, greenhouses shall have a maximum intensity of .025
  - 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. Additional residential units may be allowed if they are occupied by farm employees required to reside on-site.
  - Apart from infrastructure, 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

- Resource Management: This land use designation applies to lands that surround Watershed Management lands, the area between Dublin and North Livermore, and the area north of the Urban Growth Boundary in North Livermore. 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. The purpose of this land use designation is to permit agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses in areas typically unsuitable for human occupation. This includes areas subject to due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally sensitive features. This land use classification generally requires a minimum parcel size of 100 acres , and 1 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
- Water Management: This land use designation generally applies to the lands owned by the San Francisco Water Department and watershed lands surrounding San Antonio and Calaveras Reservoirs, the Sunol Watershed and the Arroyo de la Laguna. This land use designation is intended to provide for the protection of watershed land from the direct and indirect effects of development. The minimum parcel size is generally 100 acres, 1 single family home per parcel is allowed (provided that all other County standards are met for adequate road access, sewer and water facilities, building location, visual protection, and public services). This designation also provides for sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos and similar and compatible uses.



**Figure 2-1**  
**East County Area Plan (ECAP), Open Space Diagram and Urban Growth Boundary**

Source: Alameda County, *East County Area Plan*, Figure 4, as amended October 2016

## 2.3: South Livermore Valley Area Plan/Specific Plan

### South Livermore Valley Area Plan – Unincorporated Alameda County

In 1987, in an effort to halt the gradual erosion of vineyards, the County of Alameda and the cities of Livermore and Pleasanton undertook a multi-year planning process aimed at protecting and rejuvenating the South Livermore Valley as a premium wine-producing region. Working with a wide range of interest groups and citizens, the County and the cities of Pleasanton and Livermore reached a consensus on a set of goals and objectives that could guide future land use activities in the South Livermore Valley. This process resulted in the preparation of the *South Livermore Valley Area Plan*, which was approved by the County Board of Supervisors in 1993.<sup>4</sup> The South Livermore Valley Area Plan (SLVAP) area includes approximately 14,000 acres of unincorporated land that extends in a broad crescent around the southern edge of the cities of Livermore and Pleasanton, and encompasses the majority of the most suitable agricultural and viticulture land between Livermore's city limits and the ridgelands to the south, east and west (see **Figure 2-2**).

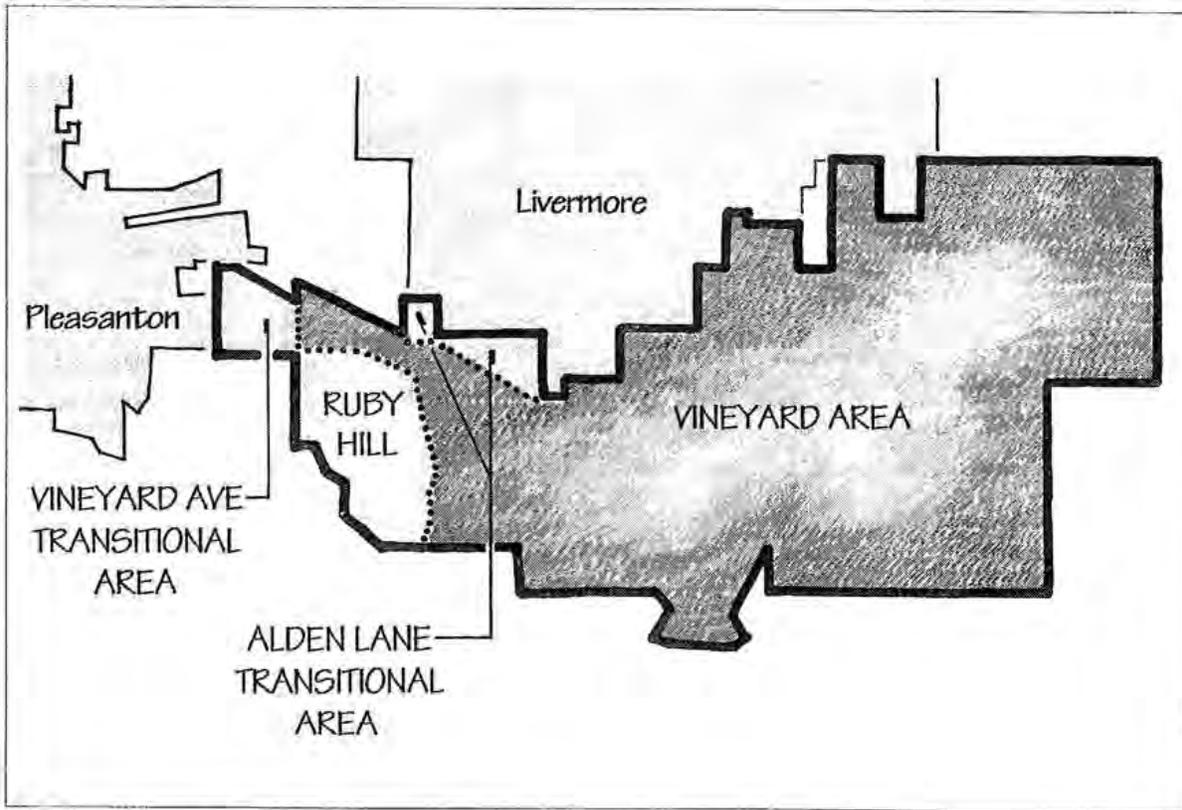
The SLVAP created no new entitlement for urban or other development, but rather created a framework for the consideration of future development, based on whether such development would further the agricultural preservation strategies of the Area Plan. The SLVAP recognized that agriculture cannot compete on an economic basis, on its own, with urban development. Therefore, the policies and implementation programs of the SLVAP direct new residential development to appropriate locations adjacent to cities, and requires that new urbanization provide much of the economic resources necessary to preserve and expand viticulture and other cultivated agriculture on the most important agricultural lands in the area.

The County's SLVAP includes land use policies intended to preserve existing vineyards and wineries; to enhance the recognition and image of the area as an important premium wine-producing region; create incentives for investment and expansion of vineyards and other cultivated agriculture; preserve the area's unique rural, scenic and historic qualities; and coordinate planning between the three jurisdictions to ensure that Plan goals are achieved. Among its goals, the South Livermore Valley Area Plan specifically calls for the expansion of cultivated agricultural acreage, particularly viticulture, from approximately 2,100 acres to a minimum of 5,000 acres. To achieve these goals, the SLVAP includes the following land use strategies:

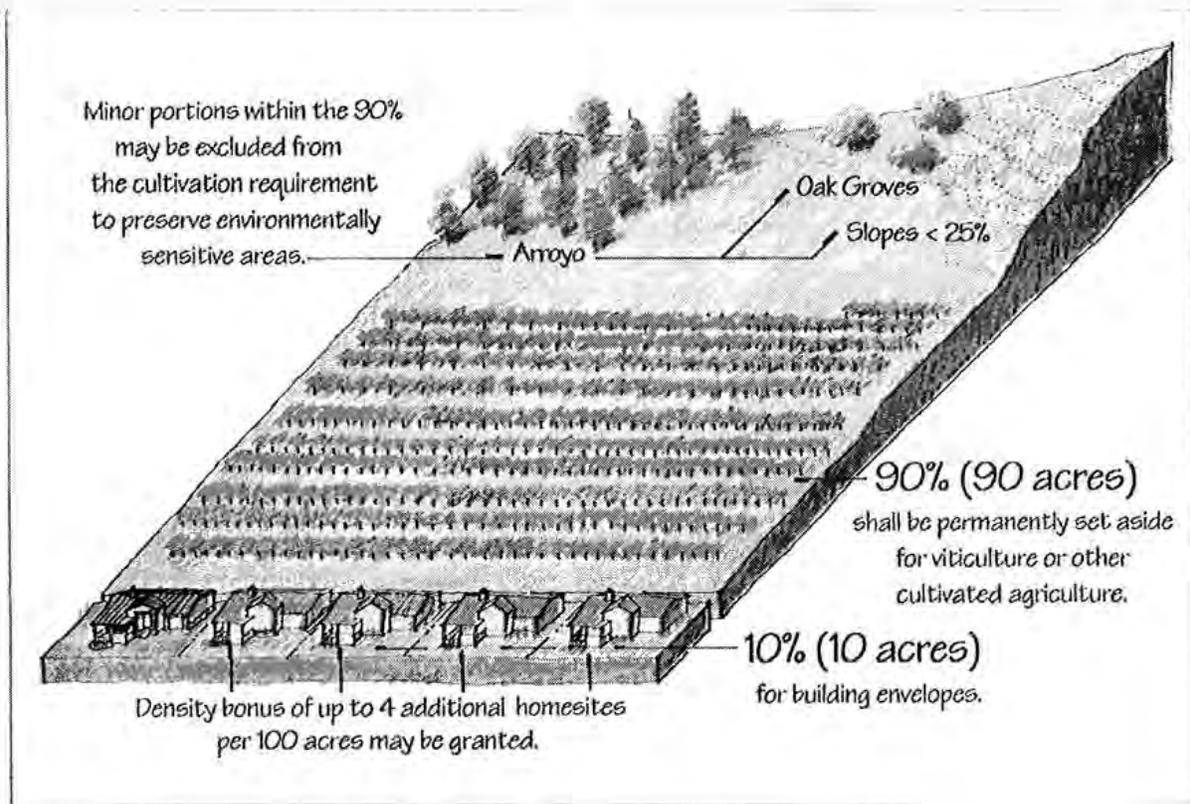
- It creates a density bonus system that provides economic incentives to encourage landowners to expand viticulture acreage. It permits the County to award property owners with a reduction in the minimum parcel size, provided that the landowner plants wine grapes and places the land under a permanent agricultural easement.
- It establishes an agricultural land trust capable of accepting donations or purchasing conservation easements to permanently protect productive agricultural lands.
- It also requires all new urban development in the area to directly and substantially contribute to the preservation, promotion and expansion of viticulture in the Valley. Contributions can include development of new vineyards, dedication of agricultural easements, financial contributions to the land trust, refurbishment of existing wineries, and the inclusion of wine country amenities such as golf courses, conference centers, and a wine museum.

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<sup>4</sup> Alameda County, *South Livermore Valley Area Plan*, 1993



South Livermore subareas



Vineyard Area: Cultivated Agriculture Overlay District

Figure 2-2  
 South Livermore Valley Area Plan Planning Area and Development  
 Concepts

The SLVAP encourages development of new wineries and other tourist-related projects that will attract tourists and increase recognition of the South Livermore Valley as a premium wine-producing region. The SLVAP suggests that such uses could include a wine museum, a culinary institute, conference center, or a resort hotel. These destination-type uses would be complemented by tourist-serving retail uses, such as restaurants, bicycle rentals, art galleries, or other small-scale uses that would contribute to the creation of an attractive, full-service destination for visitors to the wine country. Retail use and "for-profit" major attractions are subject to an agricultural mitigation fee, rather than the acre-for-acre mitigation required of residential development.

The SLVAP also recognizes that the City of Livermore will have primary responsibility for overseeing and implementing the urban component of the Area Plan, since the majority of the urban development that can occur must be annexed into and served by the City.

### **South Livermore Valley Specific Plan – City of Livermore**

Following the County's adoption of the SLVAP, the City of Livermore amended its General Plan in 1993 to incorporate relevant policies from the County's SLVAP. In addition to providing a policy framework for the South Valley area that is consistent with that adopted by the County, the City's amended General Plan established City policy intended to result in development of up to 1,600 new residential units in the South Livermore Valley as a means of achieving expanded viticulture acreage south of the City via implementation of an agricultural mitigation program.

The City's amended General Plan policies for the South Valley acknowledged the pressure for additional urban development, but specified that no new urban development would be permitted unless it met a number of specific criteria, including that the development:

- does not displace or destroy a significant amount of any actively farmed vineyards
- is contiguous to the existing boundaries of the City of Livermore, and is limited to areas under City jurisdiction
- can be serviced by all necessary public services and utilities
- contributes to the creation of a permanent boundary and open space buffer between the cities of Livermore and Pleasanton, and
- contributes substantially to the expansion of viticulture and mitigates for the loss of land suitable for vineyards

To ensure that new development will make a direct contribution to the expansion of viticulture in the South Valley, the General Plan amendment included a mitigation program that requires new urban development to plant one acre of new vineyard (or other appropriate cultivated agriculture, such as orchards) for every acre of urbanized land, and to plant one acre of new vineyard (or other appropriate crop) for every new home constructed. All new agricultural acreage planted under this mitigation program must be located within the SLVAP planning area, and must also be placed under permanent agricultural easement. Developers are also required to provide evidence of a long-term (8 years or more) maintenance contract for care of the vineyards. Thus, the mitigation program uses the increased economic value associated with new residential development to directly contribute to the expansion of viticulture in the South Valley.

The City's amended General Plan also indicated Livermore's intention to establish a more detailed Specific Plan, needed to establish the exact location of new urban development in the South Livermore Valley

### South Livermore Valley Specific Plan

In 1997, the City of Livermore adopted the *South Livermore Valley Specific Plan (SLVSP)*.<sup>5</sup> The land use concept for the SLVSP is intended to protect and enhance open space and agricultural uses, as well as to create a logical and coherent pattern of new urban uses. Accordingly, lands that are critical to the Valley's future as a major wine-producing region are to be placed under permanent agricultural easements and planted with vineyards or other intensive agricultural crops. The easement-protected lands establish a permanent boundary to prevent future urban expansion, and an agricultural mitigation program secures under permanent agricultural easement, approximately 1,920 acres of newly planted vineyards and other intensive agriculture. New development within the SLVSP is intended to establish a permanent edge to the urban area, providing a gradual transition from urban to rural that allows agriculture to blend with developed areas, and integrate new development within an agricultural setting.

The SLVSP focuses on providing a relatively compact development pattern divided into a number of distinct "clusters", or sub-areas (see **Figure 2-3**) that allow for creation of well defined, pedestrian-scaled neighborhoods. Development in these clustered sub-areas is intended to have a rural character consistent with the area's scenic natural setting and the Valley's historic wine country character. Seven distinct and non-contiguous sub-areas are distributed along Livermore's southern boundary, within which 487 acres (or 26% of the total 1,891-acre SLVSP area) are designated for the development of up to 1,221 dwelling units. All of the units are to be single-family detached residences, with densities ranging from 1.5 to 3.5 units per acre. The SLVSP also designates 16 sites (nearly 60 acres) for possible commercial development that is intended to provide amenities that enhance the experience of visitors to the South Livermore Valley wine country, and only those commercial uses that support wine-related tourism are permitted.

In order to offset the impacts of development permitted under the Specific Plan, land that is critical to the Valley's future as a major wine producing region will be placed under permanent agricultural easements, and planted with vineyards or other intensive agricultural crops. By siting new development and directing the location of agricultural easements, the SLVSP establishes a permanent boundary that will prevent future urban expansion from threatening the viability of the South Livermore Valley wine region. In total, the agricultural mitigation program set forth in the SLVSP is intended to secure, under permanent agricultural easement, approximately 1,920 acres of newly planted vineyards and other intensive agriculture.

The SLVSP also seeks to preserve and manage the planning area's open space lands and natural resources for long-term benefits to residents, the Livermore community, the South Valley wine industry, visitors and the environment itself. The resources to be protected include agricultural lands, public parklands, sensitive habitat areas, scenic areas and areas with significant cultural/historic resources. The Specific Plan not only seeks to protect sensitive natural resources and valuable agricultural land, but also to incorporate open space resources so that they enhance community character and contribute to the wine-country character of the area. This includes protection of important visual and recreational assets that improve the quality of life for area residents and enhance enjoyment of the area by visitors.

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<sup>5</sup> City of Livermore, *South Livermore Valley Specific Plan (SLVSP)*, 1997

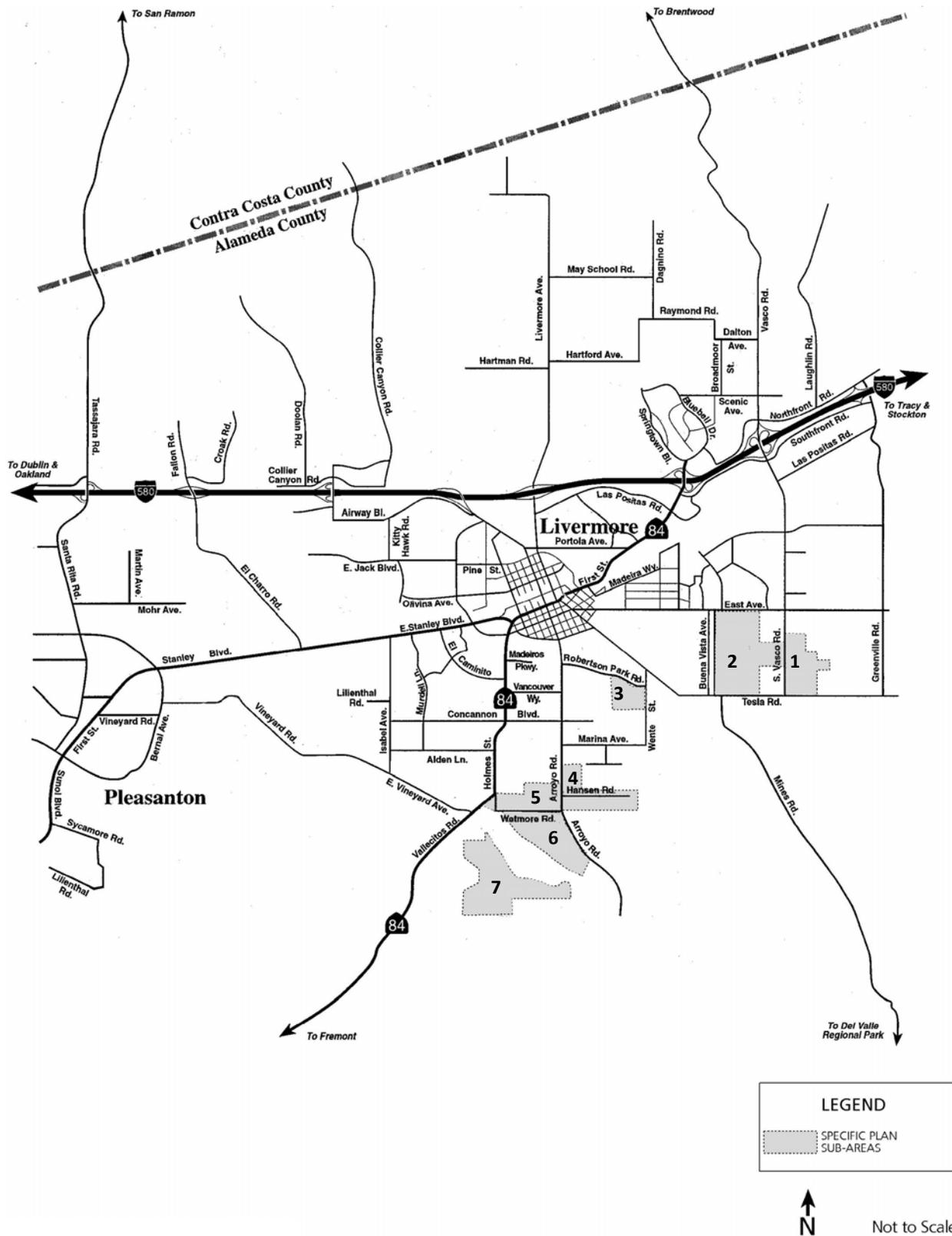


Figure 2-3  
South Livermore Valley Specific Plan, Planning Sub-Areas

Source: City of Livermore, SLVSP, Figure 2-1, as amended February 2004

The permanent open space buffer along the southern edge of the City of Livermore also eliminates the potential for future urban expansion and preserves the area's scenic rural character.

### **SLVAP Policies Incorporated into ECAP**

When the County's ECAP was amended in 2002 to ensure consistency with the provisions of Measure D, the County's SLVAP was incorporated into the amended ECAP, in its entirety. The SLVAP's goals, policies and programs that apply primarily to the unincorporated Vineyard Area of the South Livermore Valley provide for certain exceptions or differences in land use policies that apply elsewhere in County-designated Agricultural and/or Resource Management areas. Within the South Livermore Valley Area Plan's Vineyard area, The County establish a "Cultivated Agriculture Overlay District. The Overlay District provides for a base density of 100 acres per home site, but also allows a density bonus of up to 4 additional home sites per 100 acres (or fraction thereof) if it can be demonstrated that the density bonus will contribute substantially to the goal of promoting viticulture or other cultivated agriculture, and if the land meets certain criteria, including the following:

- adequate water supplies must be available to the proposed parcels for both domestic and irrigation needs, and all proposed home sites must be able to be served by individual septic systems
- the applicant must guarantee that a minimum of 90% of the parcel will be permanently set aside for viticulture or other cultivated agriculture, that the set-aside acreage will be planted in wine grapes or other cultivated agriculture, and that provisions (such as agricultural conservation easements) are in place to ensure its continued cultivated agricultural use
- the applicant must provide evidence that cultivated agriculture will be maintained for a minimum of eight years
- building site envelopes for homes and ancillary uses shall be designated on the 10%-portion of the parcel outside the required 90% set aside for agricultural areas, and no building site envelope may exceed a 25% slope

New commercial uses within the Cultivated Agricultural Overlay District must be appropriate, small-scale uses that promote the area's image as a wine region, and are subject to issuance of a conditional use permit. New commercial uses proposed as part of a bonus density application are limited to the 10% maximum area of each parcel not dedicated to cultivated agriculture, and should be sited to maximize efficient use of cultivated lands. Wineries and small bed-and-breakfast establishments are examples of appropriate commercial uses. Bed-and-breakfast establishments shall be limited to existing homes or homes permitted under the South Livermore Valley Area Plan, but construction of separate additional structures is not permitted. Proponents of new commercial development must show that development can be adequately served by a septic system, and that adequate water supplies are available for commercial needs.

The amended ECAP did not address the City of Livermore's SLVSP, as the ECAP only applies to lands within unincorporated East Alameda County.

## Chapter 3: Measure D Effectiveness

As identified by Alameda LAFCO, one of the purposes of this study is to provide an overview of the relative effectiveness of Measure D and the amended East County Area Plan (ECAP) in achieving Measure D's primary goals as well as the complimentary policies of Alameda LAFCO related to the following:

- Supporting urbanization in cities and not on prime agricultural land or important open space (per LAFCO Policies 4.3 and 4.4), including only those territories within existing Spheres of Influence for needed urbanization (per LAFCO Policy 13.13), and conditioning approvals of annexations and Sphere of Influence changes on the retention of Measure D restrictions (per LAFCO Policy 4.11)
- Identifying and protecting important agricultural lands and open spaces when considering annexations and sphere of influence proposals (per LAFCO Policies 4.5 through 4.8), and
- Supporting and establishing incentives for viable open space preservation and agricultural operations (per LAFCO Policy 4.10)

The following section of this study provides a brief review of measurable performance indicators related to each of these Measure D goals and Alameda LAFCO policies.

### 3.1: Supporting City-Centered Growth

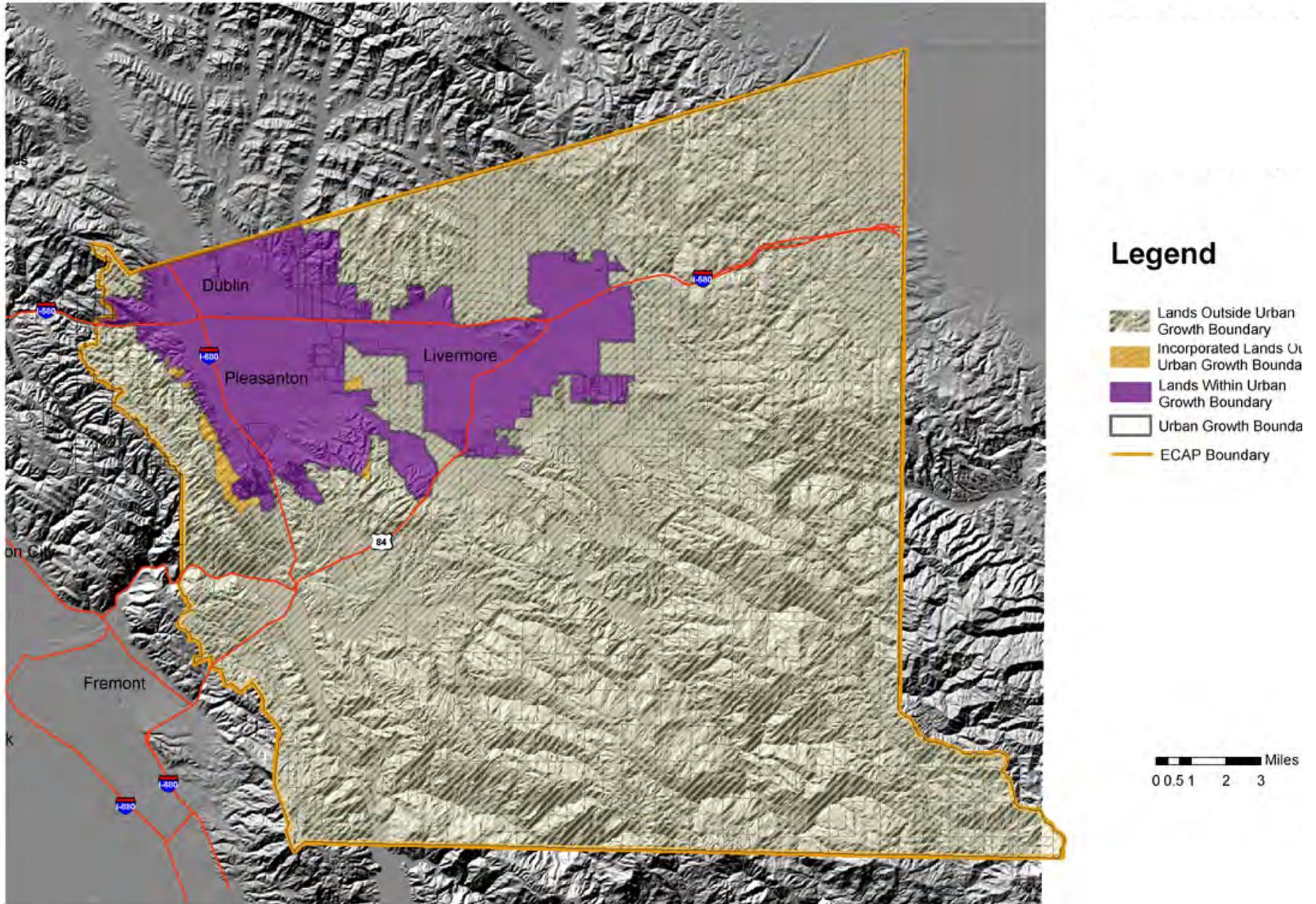
Measure D established an Urban Growth Boundary (UGB) for the East County, which is now fully incorporated into Alameda County's East County Area Plan (ECAP) and incorporated into each of the General Plans of the four cities within the East County, including Livermore, Pleasanton, Dublin and portions of Hayward (see **Figure 3.1**). The UGB is intended to focus urban-type development within these existing cities, where it will be efficiently served by public facilities.

Alameda County has land use jurisdiction over those unincorporated portions of East County outside the boundaries of an incorporated city. The UGB and supporting ECAP policies specifically preclude urban development within these unincorporated lands. Conversely, each of the four cities within the East County has land use jurisdiction within its own boundaries, and each has prepared its own General Plan, with maps and policies pertaining to urban growth and development, as well as open space and agricultural preservation. The planning efforts for each of these East County cities involve three different boundaries:

- The current City limits, which encompass the incorporated area, and where land use is controlled by each City
- Each City's Sphere of Influence (SOI), which includes both incorporated and unincorporated areas, and where Alameda LAFCO has determined is each City's probable ultimate physical boundaries and service area, and
- Each City's planning area boundary, which encompasses the area covered by each City's General Plan, and which may extend beyond the City's SOI<sup>11</sup>

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<sup>11</sup> Although the unincorporated areas within a city's SOI and Planning Area may be of special interest to a City, the County retains control of land use in these areas unless or until they are annexed to a City.



**Figure 3-1**  
**East County Area Plan Urban Growth Boundary**

Source: Alameda County, *East County Area Plan*, Figure 3, as amended October 2016

Measure D and ECAP policies support City annexation and incorporation of existing and proposed urban development within the UGB, and encourages the East County cities to achieve consistency with ECAP policies regarding the UGB, as well as open space protection and acquisition.

Whereas Alameda LAFCO is charged with determining the SOI for each City within the County and reviews these adopted SOI boundaries on a regular basis, LAFCO's periodic SOI reviews provide a good indication of whether each City's probable ultimate physical boundaries and service areas achieve consistency with the UGB and city-centered growth patterns. The following is a short summary of Alameda County LAFCO's SOI reviews for the years 2007 and 2017 (those review periods following implementation of Measure D), as well as an overview of the growth patterns and development that has occurred within each of the cities within East County.<sup>2</sup>

### City of Livermore

The City of Livermore's SOI was established by LAFCo in 1979 and was amended in 1981, 1984, 1988, 1992 and 1999, and once in 2005. Through the year 2007, Livermore had accepted as many as 83 annexations into the City boundary, and all but one of those annexations involved territory in their SOI.

In 2000, Livermore voters approved a City of Livermore Urban Growth Boundary (UGB) that limits urban development in the southern portion of the City, and in 2002 the City of Livermore adopted a North Livermore UGB (see **Figure 3.2**). The City's UGBs are co-terminus with the UGB established pursuant to Measure D, and only permit non-urban uses beyond the UGB line (both inside and outside of the incorporated City boundary), thereby promoting city-centered infill development and preservation of open space.

- As part of LAFCo's 2007 SOI review and update, the existing SOI for the City of Livermore was retained, with no expansions proposed or considered.
- As part of LAFCo's 2017 review and update, the existing SOI for the City of Livermore was reaffirmed, with no changes. Alameda LAFCO determined that present and planned land uses in Livermore are adequate for existing residents as well as future growth, as demonstrated in the 2005 Livermore General Plan.

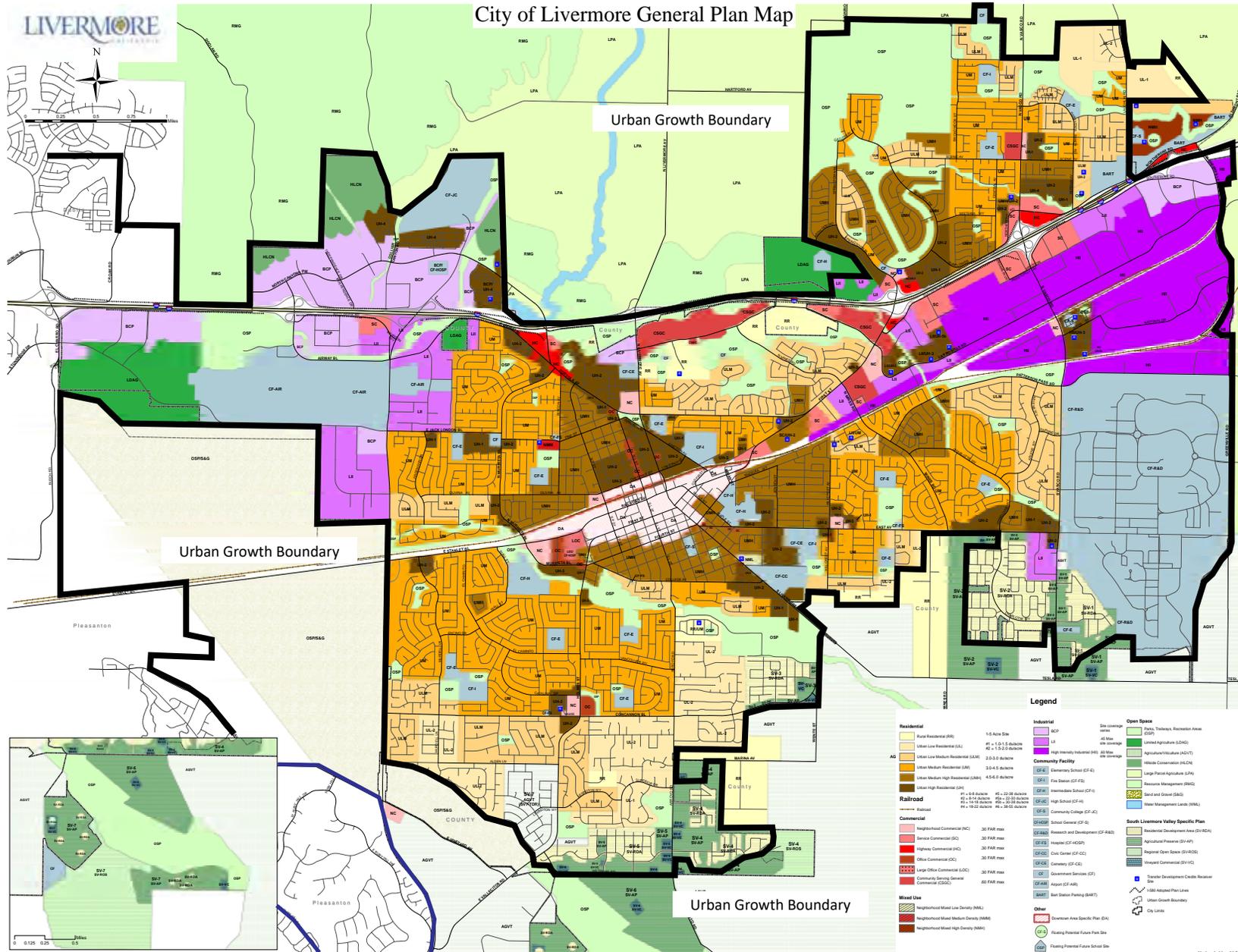
Whereas Livermore's SOI does extend beyond (outside of) the Measure D UGB, all lands outside of the UGB (but within the City's SOI) have General Plan land use designations of Large Parcel Agriculture, Agriculture/Viticulture, Sand and Gravel, or special South Livermore Valley Specific Plan designations, which preclude urban development.

Since the year 2000, the City of Livermore's population and housing supply has increased by approximately 23 percent, from approximately 73,200 people and 26,100 housing units in 2000, to approximately 90,200 people and 31,800 housing units in 2020.<sup>3</sup>

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<sup>2</sup> Alameda LAFCO - *Cities MSR/SOI Updates*, accessed at: <https://pwainsp.acgov.org/lafco/municipal.htm>

<sup>3</sup> United States Census Bureau, Quickfacts, accessed at: <https://www.census.gov/quickfacts/fact/table/livermorecitycalifornia,pleasantoncitycalifornia,dublincitycalifornia/PST045219>



**Figure 3-2**  
**City of Livermore General Plan and Measure D UGB**

Source: City of Livermore General Plan, accessed at:  
<https://www.cityoflivermore.net/government/community-development/planning/2003-2025-general-plan>

All of this growth has been accommodated within Livermore’s established UGB. According to Livermore’s last Housing Element, the City of Livermore’s land inventory showed a capacity for approximately 2,733 additional housing units within the General Plan Area and approximately 1,692 units within the Downtown Specific Plan Area. In total, the identified potential housing sites would provide approximately 4,425 units, exceeding that period’s Regional Housing Need Allocation (RHNA) by 1,696 units, including the required number of housing units in each household income category. <sup>4</sup>

The City of Livermore is currently in process toward preparation of a General Plan update, including a new State-mandated Housing Element. According to the 2021 ABAG Final RHNA Methodology and Draft Allocations, the City of Livermore has been assigned a draft allocation of an additional 4,570 housing units across all household income levels. <sup>5</sup>

### City of Pleasanton

The City of Pleasanton’s SOI was established by LAFCo in 1976 and was amended in 1981, 1984, 1988, 1991, and in 1992 with the annexation of the Ruby Hill/Vineyard Avenue Corridor. Through 2007, Pleasanton accepted as many as 66 annexations into the City boundary, and all but one of those annexations involved territory in their SOI.

The orderly growth and development of Pleasanton, together with the preservation of an open-space greenbelt, has been a high priority for the Pleasanton community. The City has used several tools to attain this goal including the adoption of an Urban Growth Boundary and a Growth Management Program. As early as 1996, Pleasanton voters ratified a City Urban Growth Boundary to distinguish areas generally suitable for urban development and where urban public facilities and services are provided, from those areas not suitable for urban development. Areas outside the Urban Growth Boundary are generally suitable for the long-term protection of natural resources, large lot agriculture and grazing, parks and recreation, public health and safety, wildlands, buffers between communities and scenic ridgeline views. The Pleasanton UGB permanently defines the line beyond which urban development will not occur. The UGB established in year 2000 (pursuant to Measure D) is co-terminus with the City of Pleasanton’s already existing UGB (see **Figure 3-3**).

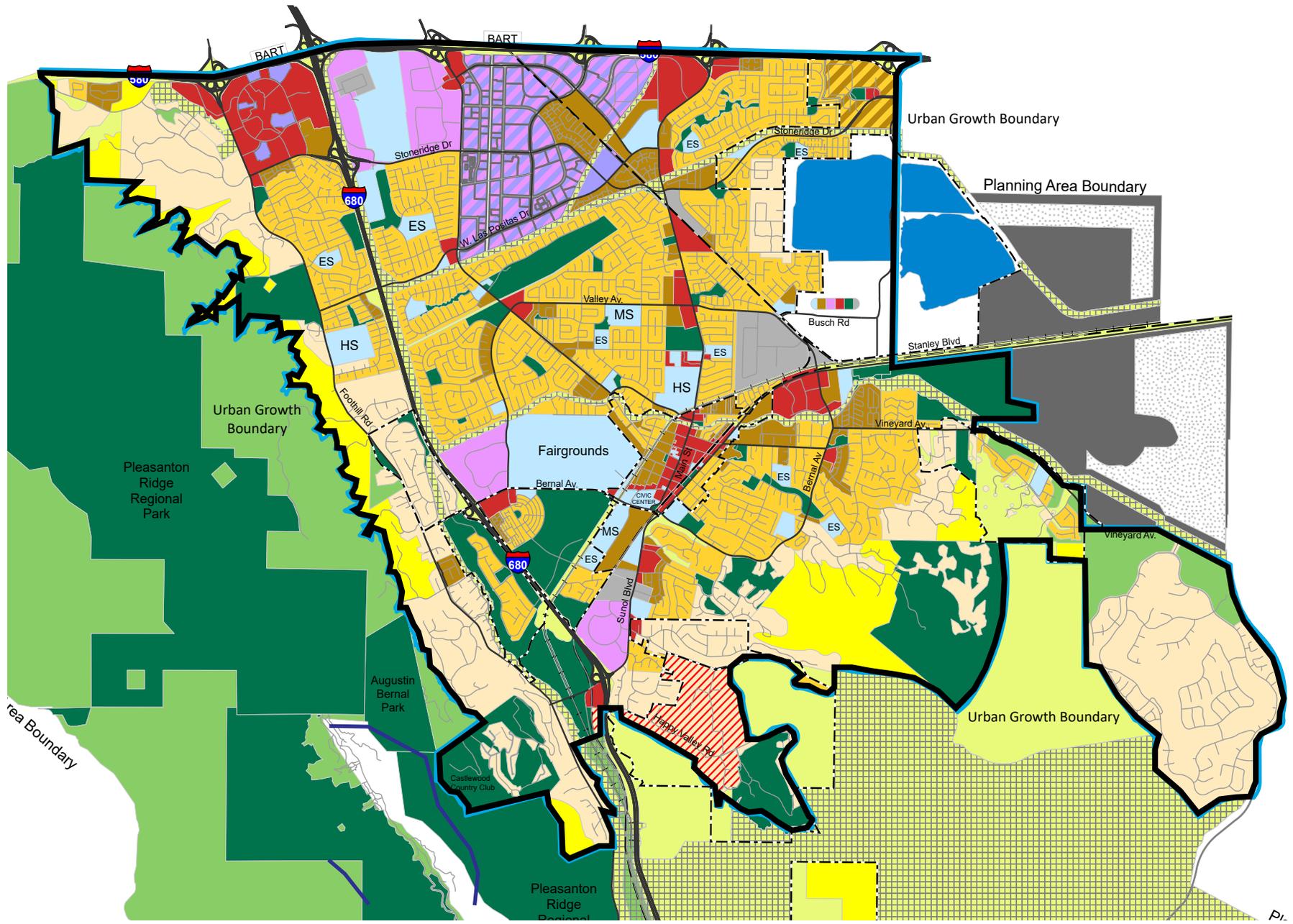
- As part of LAFCo’s 2007 SOI review and update, the existing SOI for the City of Pleasanton was retained, with no expansions proposed or considered.
- As part of LAFCo’s 2017/18 SOI review and update, the existing SOI for the City of Pleasanton was reaffirmed, with no changes. Alameda LAFCO determined that present and planned land uses in Livermore are adequate for existing residents as well as future growth, as demonstrated in the 2009 Pleasanton General Plan.

The City of Pleasanton’s SOI encompasses a substantially larger area than either the City boundaries or the City’s UGB. The Pleasanton General Plan indicates that, “annexation of remaining contiguous parcels of unincorporated County land to the City is crucial to completing an efficient system of municipal services at General Plan buildout.”

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<sup>4</sup> City of Livermore General Plan, *2015 to 2022 Housing Element Update Initial Study for the City of Livermore*, January 2015

<sup>5</sup> Association of Bay Area Governments (ABAG), *Draft Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031*, May 2021



**Figure 3-3**  
**City of Pleasanton General Plan and Measure D UGB**

Source: City of Pleasanton General Plan, Land Use Map  
 2005-2025, as amended January 2012

Many of those areas within Pleasanton's SOI but outside of the UGB include the sand and gravel quarries and associated lakes on both sides of Stanly Boulevard, the Pleasanton Ridge Regional Park and its adjacent agricultural lands to the west (protected since 1993, when Pleasanton voters approved Measure F), and large areas of agriculture and open space south of Pleasanton and north of SR 84. All of those lands that are outside of the UGB but within Pleasanton's SOI have General Plan land use designations that provide for sand and gravel operation, agriculture and open space, and public health and safety, but that preclude any urban land uses.

Since the year 2000, the City of Pleasanton's population and housing supply has increased by approximately 28 percent and 25 percent respectively, from approximately 63,700 people and 23,300 housing units in 2000, to approximately 81,800 people and 29,000 housing units in 2020.<sup>6</sup> All of this growth has been accommodated within Pleasanton's established UGB. According to Pleasanton's latest adopted 2015-2023 Housing Element, the City of Pleasanton's actions to facilitate the provision of newly constructed, rehabilitated or conserved housing was adequate to meet a total need of 2,112 new housing units across all income levels.<sup>7</sup>

Like all jurisdictions in the Bay Area, Pleasanton is required to update its Housing Element by January 31, 2023. According to the 2021 ABAG Final RHNA Methodology and Draft Allocations, the City of Pleasanton has been assigned a draft allocation of an additional 5,965 housing units across all household income levels.<sup>8</sup>

### City of Dublin

The City of Dublin's SOI was established by LAFCo in 1984 and amended only once (to detach the upper portion of Doolan Road from Dublin's boundary and SOI). Measure D established an Urban Growth Boundary at the eastern end of Dublin's planning area, which limits development outside that boundary, and Dublin's growth is expected to occur primarily in eastern Dublin.

- As part of LAFCo's 2007 SOI review and update, the existing SOI for the City of Dublin was retained, with no expansions proposed or considered.
- As part of LAFCo's 2017/18 SOI review and update, the existing SOI for the City of Dublin was reaffirmed, with no changes. Alameda LAFCO determined that present and planned land uses in Dublin are adequate for existing residents as well as future growth, as demonstrated in the Dublin General Plan (2015).

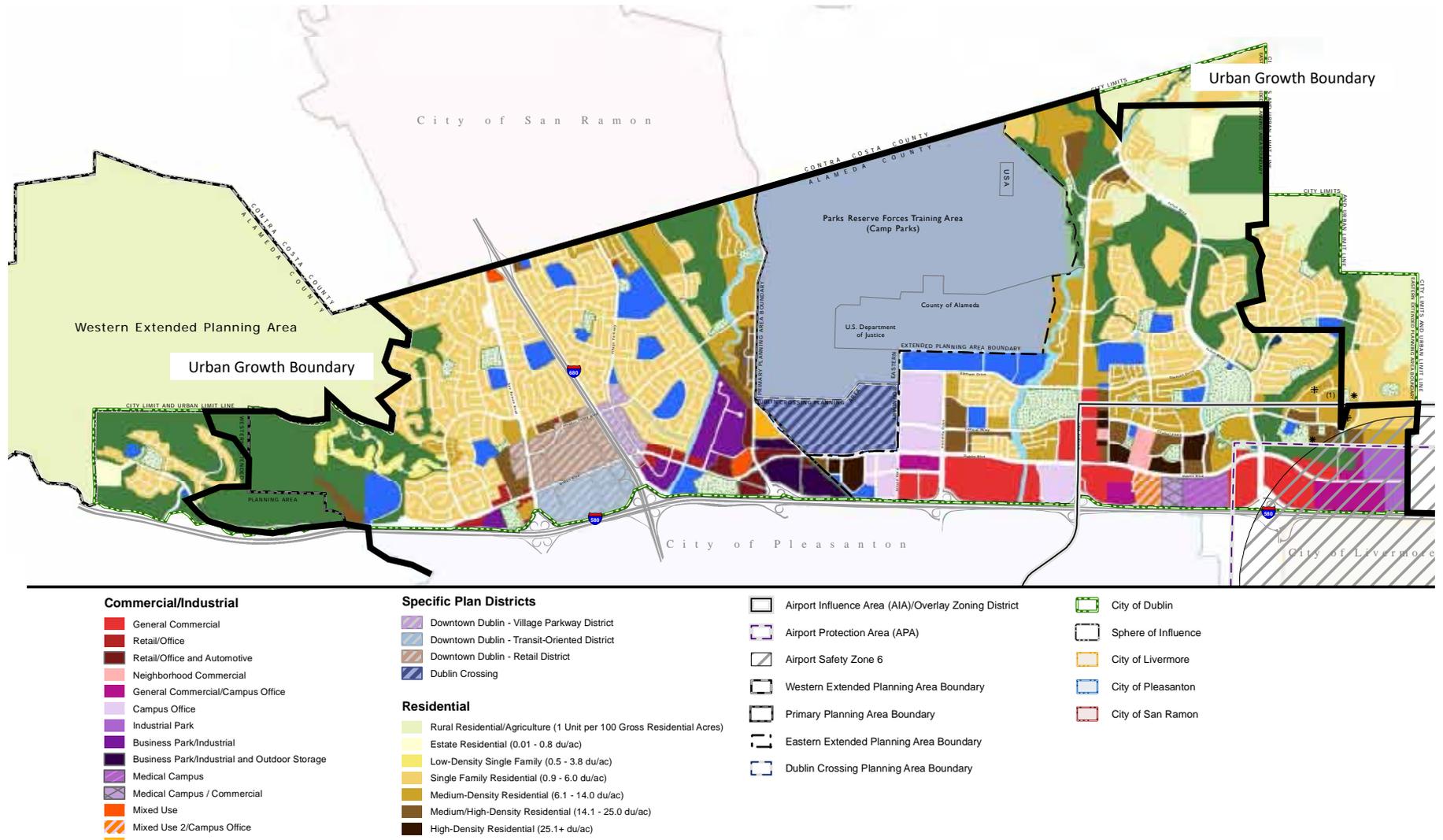
In 2000, the City of Dublin established an Urban Limit Line (ULL) along a portion of its Western Extended Planning Area that is coterminous with the City limit line and the Measure D UGB. In 2014, the City further adopted the Dublin Open Space Initiative, which established non-urban land use designations to protect open spaces and agricultural lands of its Western Extended Planning Area that are outside of the western ULL (see **Figure 3.4**).

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<sup>6</sup> U.S. Census Bureau, *QuickFacts*, accessed at: United States Census Bureau, Quickfacts, accessed at: <https://www.census.gov/quickfacts/fact/table/livermorecitycalifornia,pleasantoncitycalifornia,dublincitycalifornia/PST045219>

<sup>7</sup> City of Pleasanton General Plan, *2015-2023 Housing Element*, accessed at: <http://www.cityofpleasantonca.gov/gov/depts/cd/planning/new/housing.asp>

<sup>8</sup> ABAG, May 2021



**Figure 3-4**  
**City of Dublin General Plan and Measure D UGB**

Source: City of Dublin General Plan Land Use Element, Figure 1-1, as amended December 2016

The 2014 Dublin Open Space Initiative also established an additional ULL along the eastern edge of the City's Eastern Extended Planning Area. The eastern ULL was established to primarily to protect approximately 3,800 acres of lands known as the Doolan-Collier Canyons (located outside the City Limits and Dublin SOI) from development. The eastern ULL is co-terminus with the City boundary, but portions of this ULL occur outside of Measure D's UGB. In these areas, a Development Elevation Cap is established at the 770-foot elevation contour, where orderly and logical growth can occur without major impacts to visually sensitive ridgelines, biologically sensitive habitat areas, public services or infrastructure. Areas beyond the Development Elevation Cap are designated as open space and rural residential.

Since the year 2000, the City of Dublin's population and housing supply has more than doubled (116% growth), from approximately 30,000 people and 9,300 housing units in 2000, to approximately 64,800 people and 20,200 housing units in 2020.<sup>9</sup> Much of this growth and development has occurred as transit-oriented development clustered around the Dublin/Pleasanton BART station (established in 1997), and as redevelopment of the former Camp Parks Reserve Forces Training Area pursuant to the Dublin Crossing Specific Plan.

The City is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period. According to the 2021 ABAG Final RHNA Methodology and Draft Allocations, the City of Dublin has been assigned a draft allocation of an additional 3,719 housing units across all household income levels.<sup>10</sup>

### City of Hayward

The City of Hayward's SOI was established by LAFCo in 1978 and amended only once (to remove the Five Canyons development area north of the City from Hayward's SOI). Through 2007, the City of Hayward accepted as many as 53 annexations into the City boundary, all involving territory in the Hayward SOI. In 2004, the City filed an application to annex three of five islands in the Mt. Eden area to provide City services and infrastructure improvements.

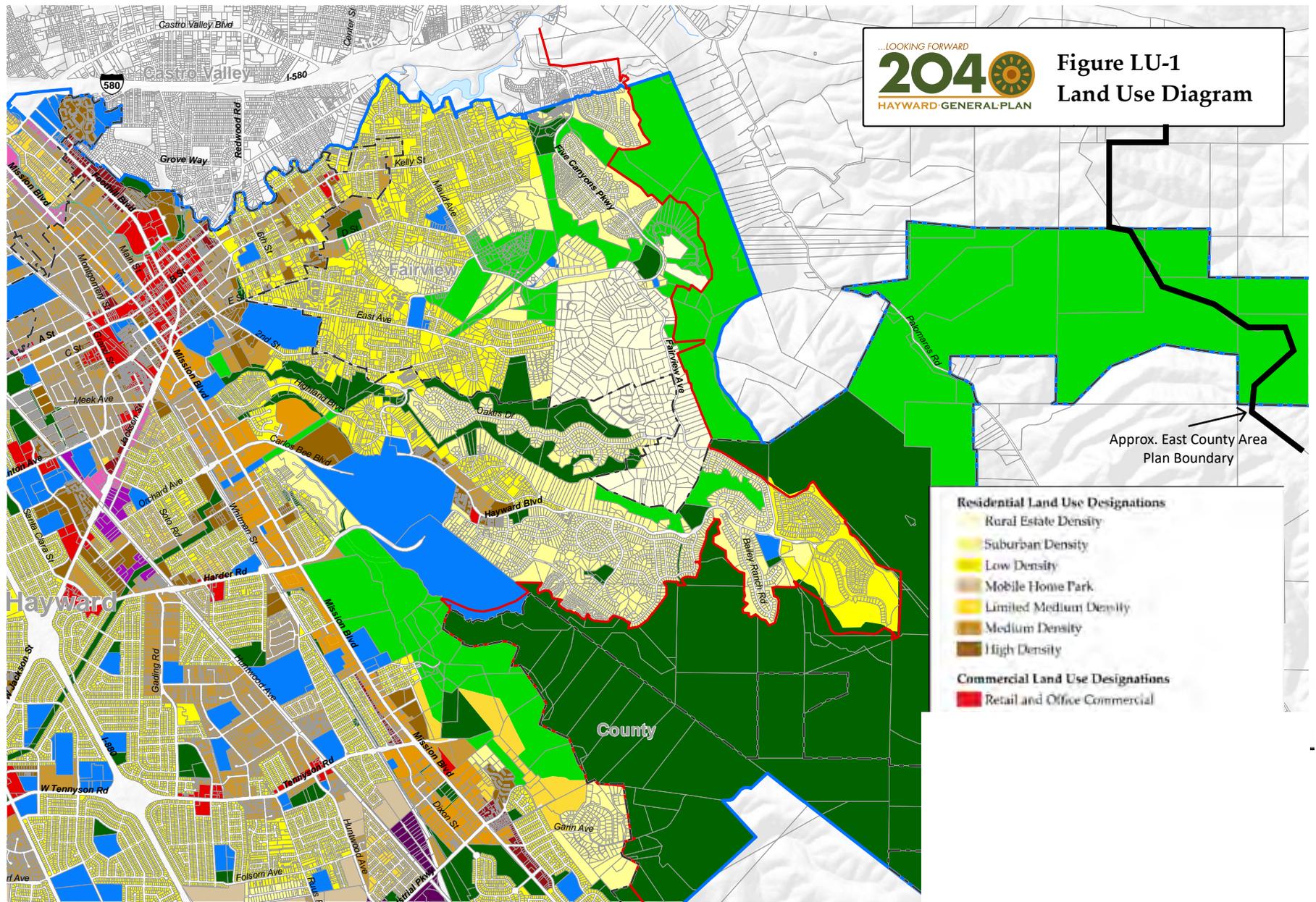
- As part of LAFCo's 2007 SOI review and update, the existing SOI for the City of Hayward was retained, with no expansions proposed or considered.
- As part of LAFCo's 2017/18 SOI review and update, the existing SOI for the City of Hayward was reaffirmed, with no changes. Alameda LAFCO determined that present and planned land uses in Hayward are adequate for existing residents as well as future growth, as demonstrated in the Hayward General Plan.

Whereas the City of Hayward is primarily a West County city, it was included in the Measure D amendments to the East County Area Plan because its easterly boundary along the Pleasanton Ridge and Main Ridge (which generally separate East and West County areas) serves as a community separator/open space separating Hayward and Pleasanton(see **Figure 3.5**).

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<sup>9</sup> U.S. Census Bureau, *QuickFacts*, accessed at: <https://www.census.gov/quickfacts/dublincitycalifornia>

<sup>10</sup> ABAG, May 2021



**Figure 3-5  
 City of Hayward General Plan and Urban Limit Line**

Source: City of Hayward General Plan, Land Use Diagram, Figure LU-1, July 2014

ECAP (Policy 65) calls for the County to work cooperatively with the cities of Pleasanton and Hayward, the Castro Valley community, the East Bay Regional Park District (EBRPD), and landowners to retain Pleasanton Ridge as permanent open space, and to oppose any City SOI expansions or annexations outside the UGB in this area for purposes of urban development.

The City of Hayward General Plan does include policies to maintain its established Urban Limit Line to protect the Hayward hillsides as natural open space and recreational resources, and to consider de-annexing properties outside of the City's SOI (e.g., Pleasanton Ridgeline) if cooperative agreements with Alameda County, Pleasanton, and the East Bay Regional Park District are in place to permanently preserve the properties as open space or regional parkland.<sup>11</sup>

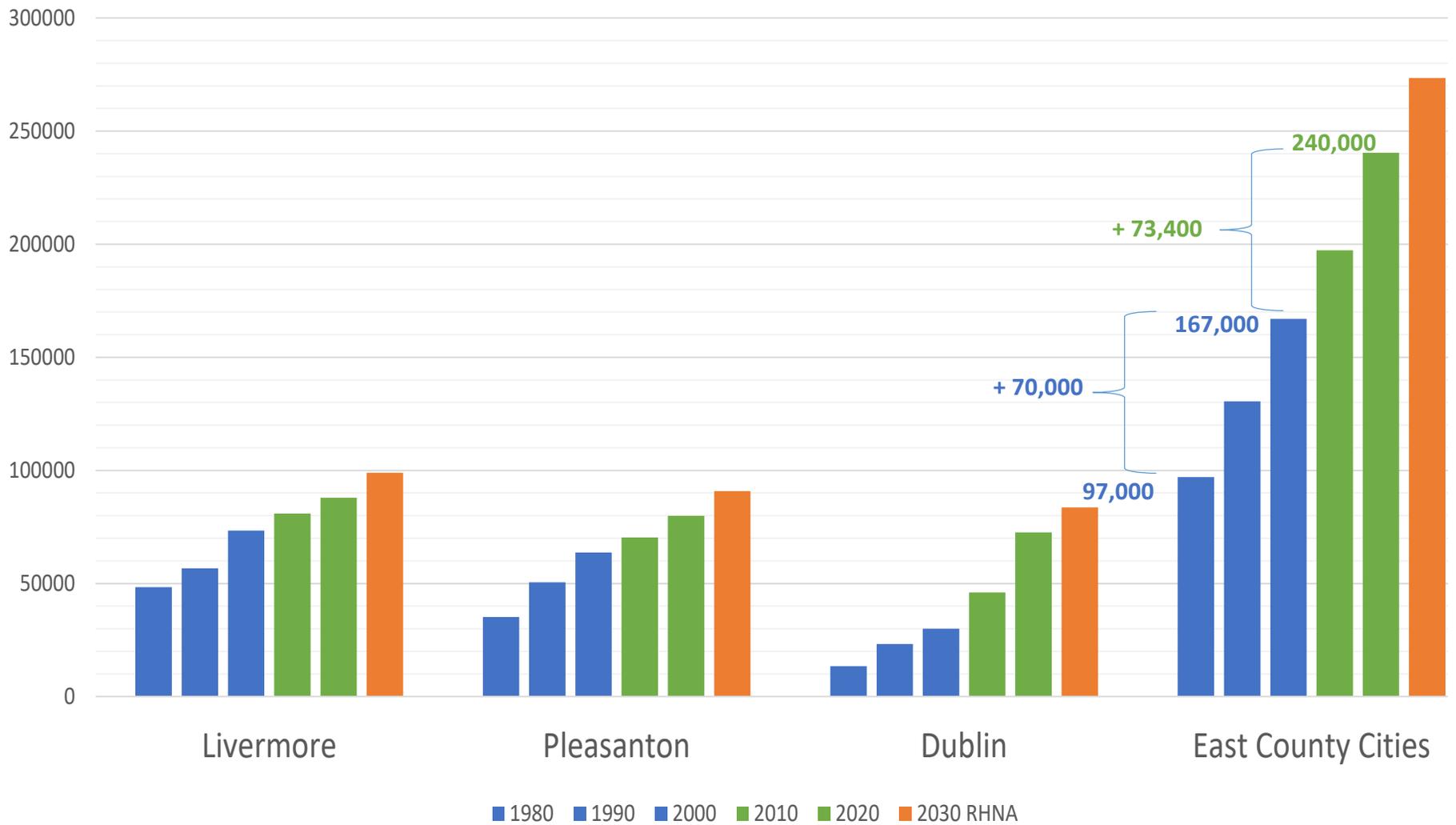
## Conclusions

Measure D and its subsequent amendments to the County's East County Area Plan have been highly effective in directing that urbanization occur in the East County cities of Dublin, Pleasanton and Livermore, and not on the prime agricultural land or important open spaces outside of the UGB. No amendments to the UGB have been made and no expansion of existing SOIs for the expansion of City boundaries to support urbanization have occurred since the year 2000. Alameda LAFCO has worked with each of the East County cities to ensure that annexations of land into those cities retain the land use restrictions established by Measure D.

As shown on **Table 3-1**, the East County has grown by nearly 70,000 people and 22,300 new housing units since 2000, nearly all of which has occurred within the City boundaries, and nearly all (with the exception of certain incorporated City lands in Dublin) within the UGB as established by Measure D.

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<sup>11</sup> City of Hayward General Plan, Land Use Element, accessed at: <https://www.hayward2040generalplan.com/goal/LU1>



**Table 3-1**  
**Changes in East County Population by City, between 1990 and 2020 (plus Projected**  
**Year 2030 Share of Regional Housing Needs)**

Sources: US Census Bureau and General Plan Housing Elements of  
 Livermore, Pleasanton and Dublin

## 3.2: Protecting Important Open Space and Agricultural Lands

### Maintaining the Open Space Greenbelt

Establishment of ECAP's UGB has reciprocally been highly effective in protecting and preserving those agricultural and open space lands that are located on the outside of the UGB. Since 2000, no changes to the UGB have occurred, and no urban development has displaced agricultural or open space lands on the outside of the UGB. Important open space areas that have remained as part of the continuous greenbelt outside the UGB include:

- the Pleasanton Ridglands (with the cooperative efforts of Pleasanton, Hayward, the Castro Valley community, the East Bay Regional Park District, and private landowners)
- the upper portions of the Doolan and Collier Canyon Hills
- Brushy Peak Regional Preserve
- The North Livermore area
- Bethany Reservoir and State Recreation Area
- Sycamore Grove Regional Park,
- SFPUC properties and other properties in the watersheds surrounding of the San Antonio Reservoir and Lake del Valle, including the Del Valle Regional Park and Sunol Regional Wilderness, and
- the South Livermore Valley area (including the Ruby Hill Area, the Vineyard Avenue Area, the Alden Lane Area, and the Vineyard Area) crossing between the cities of Pleasanton and Livermore, and unincorporated County

### Protecting Agricultural Lands/Agricultural Soils

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) provides data pertaining to California's agricultural land resources.<sup>12</sup> This data is an inventory of agricultural soil resources, updated every two years. The vast majority of agricultural lands within Alameda County that are tracked by the FMMP fall within the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland and Grazing Land. Other land use categories (primarily the Urban and Other Lands categories) are used for reporting changes in agricultural land use as required for FMMP's biennial farmland conversion report. These land use categories are more specifically described below:<sup>13</sup>

- **Prime Farmland:** Farmland that is best suited for producing food, feed, forage, fiber and oilseed crops, with the best combination of physical and chemical features able to sustain long-term agricultural production, and also available for these uses. This land has the soil quality, growing season and moisture supply needed to produce sustained high yields. Land must have been

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<sup>12</sup> California Department of Conservation's Farmland Mapping and Monitoring Program, accessed at: <https://maps.conservation.ca.gov/dlrp/>

<sup>13</sup> California Department of Conservation, at: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>

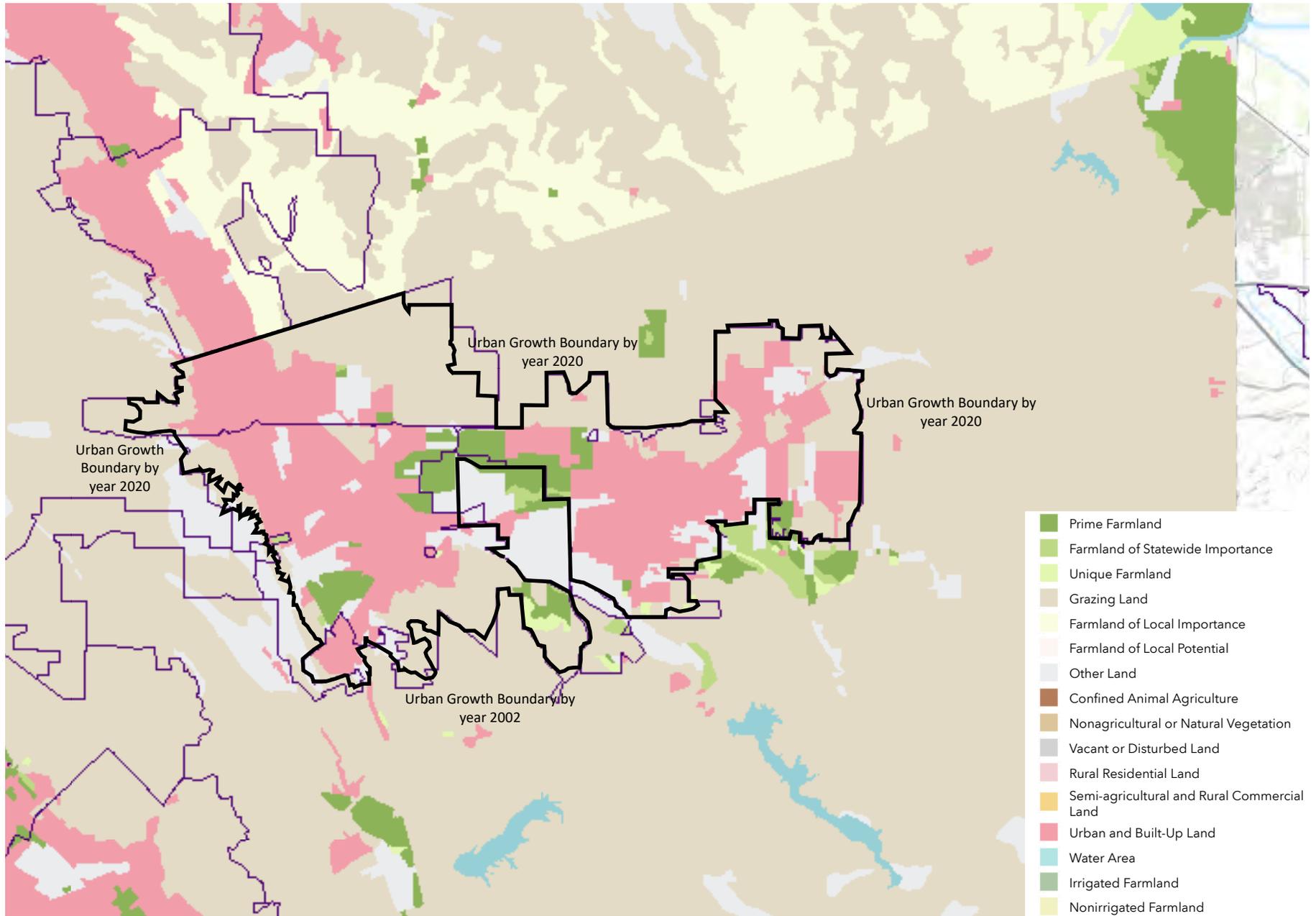
used for irrigated agricultural production at some time during the four years prior to the mapping date, to be considered “Prime”.

- **Farmland of Statewide Importance:** Farmland that has a good combination of physical and chemical characteristics for producing food, feed, forage, and fiber and oilseed crops, and is available for these uses. Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date, to be considered of Statewide Importance.
- **Unique Farmland:** Unique Farmland is land other than Prime and Farmland of Statewide Importance that is currently used for the production of specific high value food and fiber crops. It has the special combination of soil quality, location, growing season and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to modern farming methods. These lands are currently producing crops of high economic importance to California (e.g., vineyards), is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date, to qualify as being Unique Farmland.
- **Grazing Land:** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.
- **Urban and Built-up Land:** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures and other developed purposes.
- **Other Land:** Land not included in any other mapping category. Common examples include low density rural developments (at densities of less than 1 unit to 1.5 acres); brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits and quarries; and water bodies smaller than forty acres. Vacant and non-agricultural land greater than 40 acres and surrounded on all sides by urban development is mapped as Other Land.

The FMMP provides detailed Geographic Information System (GIS) data that pertains to Alameda County, starting in year 1984 (17 years prior to adoption of Measure D) through year 2018 (17 years after adoption of Measure D). This data enables a comparison of changes in farmland and agricultural soils that have occurred in East County, both pre- and post-Measure D. As in important note, the changes in farmland and other agricultural soils designations throughout the East County that occurred during the period from 2000 to 2018 are a function of many variables, and not necessarily attributable to Measure D.

#### **Changes in East County Agricultural Lands Prior to 2000**

Based on the detailed GIS data from the Department of Conservation for the year 1984 (see **Figure 3-6**), Alameda County’s East County Area had:



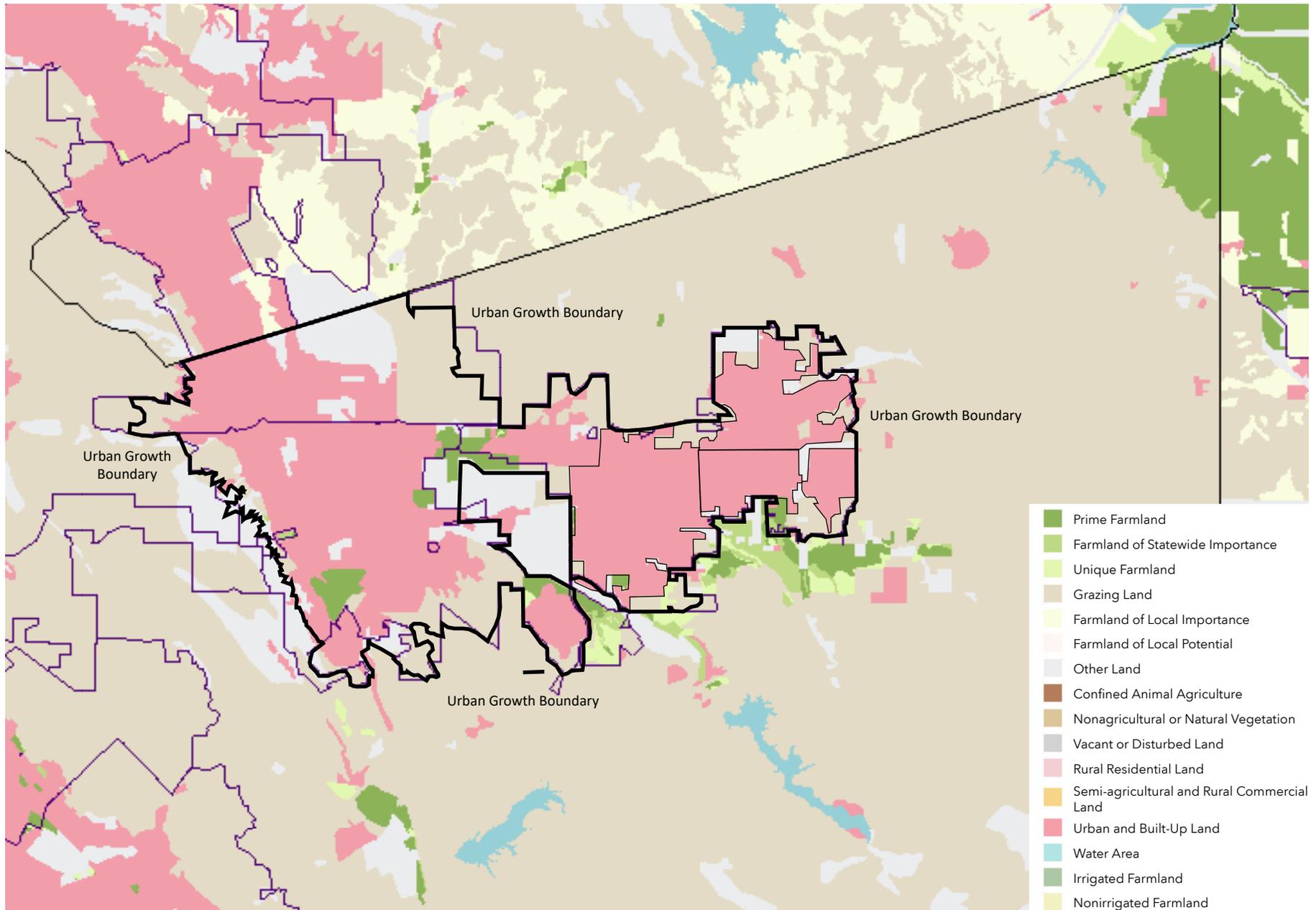
**Figure 3-6**  
**Important Farmland within East County - Year 1984**

Source: California Dept. of Conservation, Farmland Mapping and Monitoring Program, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

- Approximately 9,780 acres of land falling within the farmland soils categories of Prime Farmland, Farmland of Statewide Importance and Unique Farmland, comprising only approximately 3.7% of the entire 267,500-acre (or 418 square mile) East County area
- Approximately 226,210 acres (or nearly 85% of the East County) was identified as Grazing Land
- Approximately 18,770 acres (or about 7% of the East County) was Urban/Built-Up Lands, and
- Approximately 12,760 acres (or nearly 5% of East County) was represented as Other Lands

As shown in **Table 3-2**, the characteristics of East County's farmlands and other soils categories had changed substantially by year 2000 (see **Figure 3-7**). In year 2000, Alameda County's East County Area had:

- Approximately 9,470 acres of land within the agricultural soils categories of Prime Farmland, Farmland of Statewide Importance and Unique Farmland, comprising approximately 3.5% of the East County area. In total, the East County lost only about 310 net acres (or about 3%) of its total farmland soils during this period. However, these numbers reflected two significant and off-setting conditions:
  - The East County lost approximately 1,975 acres (or 23%) of its farmland as a result of new urban land uses developed primarily on former Prime Farmlands that were adjacent to and within the cities of Pleasant, Livermore and Dublin (within those areas that would become Measure D's Urban Growth Boundary), and additional losses of Farmland of Statewide Importance and Unique Farmland along the edges of these existing cities.
  - Conversely, the East County saw an increase of approximately 1,670 acres of lands, mostly within the category of Unique Farmland. Most of the increase in this farmland category occurred as a result of the FMMP's recognition of the growth in actively irrigated and managed viticulture production areas in the South Livermore Valley, and their re-designation of these lands as Unique Farmlands because of their conversion to sustained production of a specific high quality and high yield crop of economic importance to California (i.e., vineyards) (compare Figures 2-6 and 2-7).
- Approximately 208,370 acres (or nearly 80% of the East County) was identified as Grazing Land, representing a loss of 17,810 acres (or a 3% decrease) since 1984
- Approximately 28,340 acres (or nearly 11% of East County) was Urban/Built-Up lands, representing an increase of as much as 9,570 acres (or a 51% increase) in Urban Lands since 1984.
- Approximately 21,310 acres (or 8% of East County) was identified as Other Lands, representing an increase of 8,550 acres (or a 67% increase) in the Other Lands category since 1984.



**Figure 3-7**  
**Important Farmland within East County - Year 2000**

Source: California Dept. of Conservation, Farmland Mapping and Monitoring Program, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

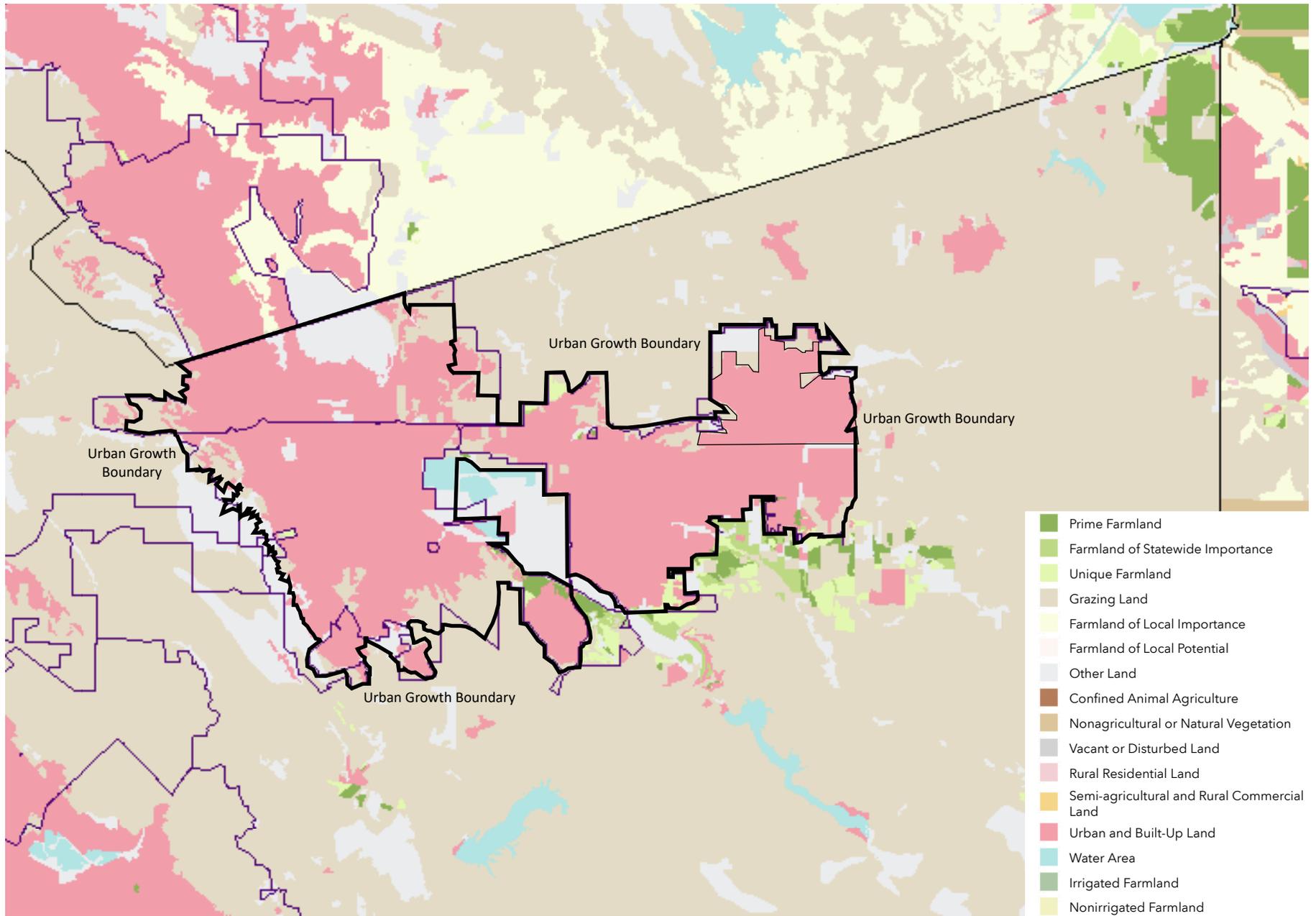
**Table 3-2: Changes in Farmland and Grazing Land Soils, 1984 to 2000 (pre-Measure D)**

	<u>Year 1984</u>		<u>Year 2000</u>		<u>Change, 1984 to 2000</u>	
	<u>Acres</u>	<u>% Total</u>	<u>Acres</u>	<u>% Total</u>	<u>Acres</u>	<u>Relative Change (%)</u>
<b>Agricultural Lands</b>						
Prime Farmland	7,563	2.8%	5,788	2.2%	(1,775)	(23%)
Outside of Future UGB	4,375		4,268		(107)	
Within Future UGB	3,188		1,520		(1,668)	
Farmland of Statewide Importance	1,589	0.6%	2,054	0.8%	+465	+29%
Outside of Future UGB	1,359		2,005		+646	
Within Future UGB	230		50		(180)	
Unique Farmland	630	0.2%	1,633	0.6%	+1,003	+ 159%
Outside of Future UGB	389		1,521		+1,132	
Within Future UGB	241		113		(128)	
<b>Subtotal, Farmlands:</b>	<b>9,782</b>	<b>3.7%</b>	<b>9,475</b>	<b>3.5%</b>	<b>(307)</b>	<b>(3%)</b>
<b>Outside of Future UGB</b>	<b>6,123</b>		<b>7,779</b>		<b>+1,671</b>	<b>+27%</b>
<b>Within Future UGB</b>	<b>3,659</b>		<b>1,683</b>		<b>(1,976)</b>	<b>(54%)</b>
<b>Grazing Land</b>	<b>226,206</b>	<b>84.6%</b>	<b>208,396</b>	<b>77.9%</b>	<b>(17,810)</b>	<b>(8%)</b>
Outside of Future UGB	212,042		198,934		(13,108)	(6%)
Within Future UGB	14,164		9,457		(4,707)	(33%)
<b>Other Lands</b>	<b>12,762</b>	<b>4.8%</b>	<b>21,312</b>	<b>8.0%</b>	<b>+8,550</b>	<b>+67%</b>
Outside of Future UGB	7,709		18,254		+10,545	+137%
Within Future UGB	5,053		3,061		(1,993)	-39%
<b>Urban/Built-Up Lands</b>	<b>18,770</b>	<b>7.0%</b>	<b>28,337</b>	<b>10.6%</b>	<b>+9,567</b>	<b>+51%</b>
Outside of Future UGB	997		1,890		+893	+90%
Within Future UGB	17,773		26,449		+8,676	+49%
<b>Total:</b>	<b>267,520</b>		<b>267,520</b>		<b>267,520</b>	
<b>Outside of Future UGB</b>	<b>226,871</b>		<b>226,871</b>		<b>226,871</b>	
<b>Within Future UGB</b>	<b>40,649</b>		<b>40,649</b>		<b>40,649</b>	

Source: As aggregated for Alameda County East County, from California Department of Conservation’s California Important Farmland: 1984-2018, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

**Changes in East County Agricultural Lands Since 2000**

As of 2018 (the most current year in which data is available), the same FMMP GIS database shows that the East County area (see **Table 3-3** and **Figure 3-8**) had:



**Figure 3-8**  
**Important Farmland within East County - Year 2018**

Source: California Dept. of Conservation, Farmland Mapping and Monitoring Program, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

- Approximately 6,210 acres of land within the agricultural lands categories of Prime Farmland, Farmland of Statewide Importance and Unique Farmland, comprising approximately 2.3% of the entire East County area. In total, the East County lost nearly 3,270 net acres (or about 34%) of its remaining farmland soils during this period. These numbers reflect a continuation of urban development within the UGB, and a general decline in active agricultural use on lands outside of the UGB.
  - About one-third of this loss in farmland (or 1,020 acres) was a result of continued planned development of urban land uses on former farmlands that were within the cities of Pleasant, Livermore and Dublin, and within Measure D’s Urban Growth Boundary.
  - About two-thirds of this loss in farmland (or approximately 2,240 acres) occurred on the outside of the Urban Growth Boundary, partially as conversions to the “Other Lands” category of the FMMP (which includes rural development at densities of less than 1 unit to 1.5 acres), but mostly consisting of open space (or vacant) lands of greater than 40 acres in size that are no longer in active agricultural use.
  - The East County also saw a continued trend in increased land in the Unique Farmland category, mostly as a result of the FMMP’s re-designation of additional actively irrigated and managed viticulture production areas in the South Livermore Valley, reflecting the continued conversion of these lands to sustained production as vineyards.
- Approximately 197,980 acres (or 74% of the East County) was identified as Grazing Land, representing a loss of 10,420 acres since year 2000.
- Approximately 33,340 acres (or 12.5% of the East County) was Urban Lands, representing an increase of just over 5,000 acres since year 2000. In comparison, the East County had seen an increase of nearly 9,570 acres in Urban Lands in the years between 1984 and 2000.
- Nearly 30,000 acres (or 11% of East County) was indicted as Other Lands, representing an increase of 8,680 acres of this soils type since year 2000, or approximately the same increase in Other Lands as was seen between 1984 and 2000.

**Table 3-3: Changes in Farmland and Grazing Land Soils, 2000 to 2018 (post-Measure D)**

	<u>Year 2000</u>		<u>Year 2018</u>		<u>Change, 2000 to 2018</u>	
	<u>Acres</u>	<u>% Total</u>	<u>Acres</u>	<u>% Total</u>	<u>Acres</u>	<u>Relative Change (%)</u>
<b>Agricultural Lands</b>						
Prime Farmland	5,788	2.2%	3,137	1.2%	(2,651)	(46%)
Outside of UGB	4,268		2,917		(1,351)	
Within UGB	1,520		220		(1,300)	
Farmland of Statewide Importance	2,054	0.8%	1,088	0.4%	(966)	(47%)
Outside of UGB	2,005		1,065		(940)	
Within UGB	50		24		(26)	
Unique Farmland	1,633	0.6%	1,983	0.7%	+351	+21%
Outside of UGB	1,521		1,568		+47	
Within UGB	<u>113</u>		<u>416</u>		<u>+303</u>	
<b>Subtotal, Farmlands:</b>	<b>9,475</b>	<b>3.5%</b>	<b>6,209</b>	<b>2.3%</b>	<b>(3,266)</b>	<b>(34%)</b>
<b>Outside of UGB</b>	<b>7,779</b>		<b>5,550</b>		<b>(2,244)</b>	<b>(29%)</b>
<b>Within UGB</b>	<b>1,683</b>		<b>660</b>		<b>(1,023)</b>	<b>(61%)</b>
<b>Grazing Land</b>	<b>208,396</b>	<b>77.9%</b>	<b>197,979</b>	<b>74%</b>	<b>(10,417)</b>	<b>(5%)</b>
Outside of UGB	198,934		193,579		(13,108)	(3%)
Within UGB	9,457		4,400		(4,707)	(53%)
<b>Other Lands</b>	<b>21,312</b>	<b>8.0%</b>	<b>29,988</b>	<b>11.2%</b>	<b>+8,676</b>	<b>+41%</b>
Outside of UGB	18,254		25,357		+7,130	+39%
Within UGB	3,061		4,631		+1,571	+51%
<b>Urban/Built-Up Lands</b>	<b>28,337</b>	<b>10.6%</b>	<b>33,345</b>	<b>12.5%</b>	<b>+5,008</b>	<b>+18%</b>
Outside of UGB	1,890		2,386		+496	+26%
Within UGB	26,449		30,958		+4,509	+17%
<b>Total:</b>	<b>267,520</b>		<b>267,520</b>		<b>267,520</b>	
<b>Outside of Future UGB</b>	<b>226,871</b>		<b>226,871</b>		<b>226,871</b>	
<b>Within Future UGB</b>	<b>40,649</b>		<b>40,649</b>		<b>40,649</b>	

Source: As aggregated for Alameda County East County, from California Department of Conservation's California Important Farmland: 1984-2018, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

**Comparative Changes, Pre- and Post-Measure D**

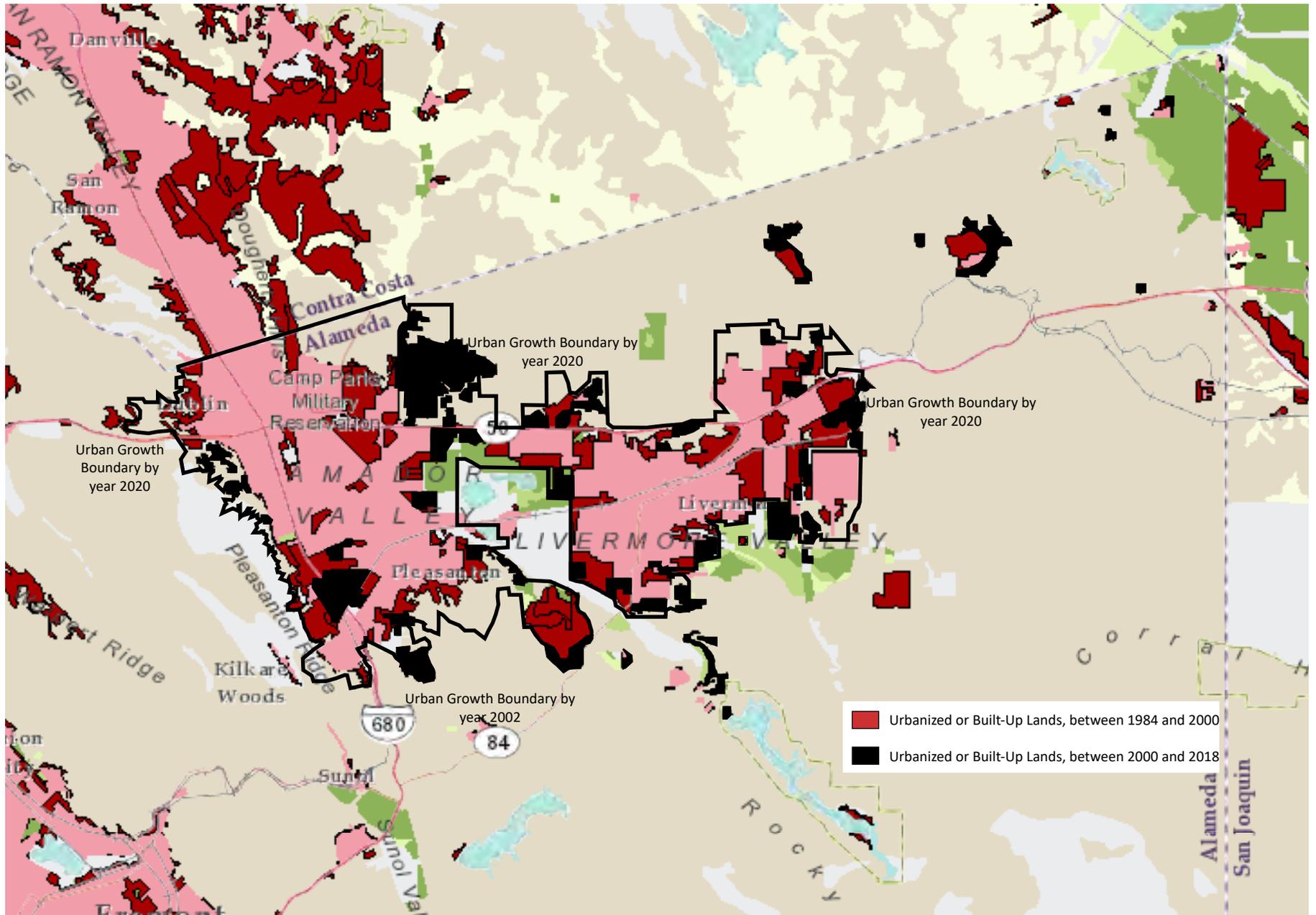
The Department of Conservations' GIS database shows that between 1984 and 2018, more than 3,570 net acres of East County's farmland soils (Prime Farmland, Farmland of Statewide Importance and Unique Farmland) were lost or converted to other land use categories, and nearly all of these net losses

in farmland soils occurred after year 2000, or post-Measure D (see **Table 3-4**). About 84% (or approximately 3,000 acres) of this total loss in farmland soils occurred in areas adjacent to and within the cities of Pleasanton, Livermore and Dublin, in areas now identified as being within the UGB. As can be seen by comparing Figure 2-6 and Figure 2-7, the largest individual losses of farmland soils prior to year 2000 occurred as a result of conversion of certain farmlands that were within the area eventually defined as the Urban Growth Boundary to planned Urban/Built-Up Lands and Other Lands, fragmentation of farmland within South Livermore and the Vineyard area with interspersed Other Lands (i.e., interspersed low density rural developments), and similar fragmentation of farmlands in the Mountain House Road area of northeast East County.

Although the FMMP shows that the East County lost nearly 4,430 acres of Prime Farmland over the 34-year period from 1984 to 2018, there is a concurrent increase of 1,854 acres in Farmland of Statewide Importance and Unique Farmland. Much of this can be attributed to the FMMP's re-designation of properties in the South Livermore Valley from Prime to Statewide or Unique farmland, which recognizes vineyards as being sustained production of a specific high quality and high yield crop of economic importance to California.

Of the total increase of 14,570 acres of urbanized lands that has occurred over the past 34 years, approximately two-thirds of this increase in urbanization occurred prior to Measure D (see **Figure 3-9**), and only one-third of the increase in urbanization occurred post-Measure D, while still accommodating a relatively similar increase in population.

These statistics do not, and cannot show how much more farmland and grazing lands might otherwise have been lost since year 2000 if urbanization patterns had not been constrained by Measure D's Urban Growth Boundary.



**Figure 3-9**  
**Changes in Urban and Built-Up Lands, 1984 through 2018**

Source: California Dept. of Conservation, Farmland Mapping and Monitoring Program, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

**Table 3-4: Changes in Farmland and Grazing Land Soils, 1984 to 2018**

				<u>Change, 1984 to 2018</u>	
	<u>1984 Acres</u>	<u>2000 Acres</u>	<u>2018 Acres</u>	<u>Acres</u>	<u>Relative Change (%)</u>
<b>Agricultural Lands</b>					
<i>Prime Farmland</i>	7,563	5,788	3,137	(4,426)	(59%)
Outside of UGB	4,375	4,268	2,917	(1,458)	
Within UGB	3,188	1,520	220	(2,968)	
<i>Farmland of Statewide Importance</i>	1,589	2,054	1,088	(501)	(32%)
Outside of UGB	1,359	2,005	1,065	(294)	
Within UGB	230	50	24	(206)	
<i>Unique Farmland</i>	630	1,633	1,983	1,353	+ 215%
Outside of UGB	389	1,521	1,568	1,179	
Within UGB	<u>241</u>	<u>113</u>	<u>416</u>	<u>175</u>	
<b>Subtotal, Farmlands:</b>	<b>9,782</b>	<b>9,475</b>	<b>6,209</b>	<b>(3,573)</b>	<b>(37%)</b>
Outside of UGB	6,123	7,779	5,550	(574)	(9)%
Within UGB	3,659	1,683	660	(2,999)	(82%)
<b>Grazing Land</b>	<b>226,206</b>	<b>208,396</b>	<b>197,979</b>	<b>(28,227)</b>	<b>(12%)</b>
Outside of UGB	212,042	198,934	193,579	(18,463)	
Within UGB	14,164	9,457	4,400	(9,764)	
<b>Other Lands</b>	<b>12,762</b>	<b>21,312</b>	<b>29,988</b>	<b>17,226</b>	<b>+135%</b>
Outside of UGB	7,709	18,254	25,357	17,648	
Within UGB	5,053	3,061	4,631	(422)	
<b>Urban/Built-Up Lands</b>	<b>18,770</b>	<b>28,337</b>	<b>33,345</b>	<b>14,575</b>	<b>+78%</b>
Outside of UGB	997	1,890	2,386	1,389	
Within UGB	17,773	26,449	30,958	13,185	
<b>Total:</b>	<b>267,520</b>	267,520	267,520		
<b>Outside of Future UGB</b>	<b>226,871</b>	226,871	226,871		
<b>Within Future UGB</b>	<b>40,649</b>	40,649	40,649		

Source: As aggregated for Alameda County East County, from California Department of Conservation’s California Important Farmland: 1984-2018, accessed at: <https://maps.conservation.ca.gov/dlrp/ciftimeseries/>

### 3.3: On-Going Efforts to Protect Agricultural Lands

#### South Livermore Valley Area Plan and the South Livermore Valley Specific Plan

The South Livermore Valley Area Plan and the South Livermore Valley Specific Plan represent a coordinated strategy between the County of Alameda and the City of Livermore to preserve existing vineyards and wineries in the South Livermore region, to enhance the recognition and image of the area as an important premium wine-producing region, to create incentives for investment and expansion of vineyards and other cultivated agriculture, and to preserve the area's unique rural, scenic and historic qualities.

Alameda County's South Livermore Valley Area Plan (Area Plan) includes three key elements of this strategy:<sup>14</sup>

- It establishes a density bonus system that provides economic incentives to encourage landowners to expand viticulture by awarding property owners with a reduction in minimum parcel sizes, provided that the landowner plants wine grapes and places the land under a permanent agricultural easement.
- It establishes an agricultural land trust (see Tri-Valley Conservancy, below) capable of accepting donations or purchasing easements to permanently protect productive agricultural lands. By purchasing easements, the land trust is able to provide agricultural landowners with funds that can be used for capital improvements needed for vineyards and wineries.
- It also requires that all new urban development in the area contribute to the preservation, promotion and expansion of viticulture in the South Livermore Valley through development of new vineyards, dedication of agricultural easements, financial contributions to the land trust, refurbishment of existing wineries, and the inclusion of wine country amenities

The South Livermore Valley Specific Plan (Specific Plan) is part of an on-going effort by the City of Livermore, in conjunction with Alameda County and the City of Pleasanton, to halt the gradual erosion of agricultural lands, and represents the urban component of a comprehensive strategy to preserve existing vineyards and wineries. The Specific Plan permits limited development in the South Livermore Valley as a means of achieving expanded viticulture acreage south of the city, through implementation of an Agricultural Mitigation program. This Mitigation program requires preservation of one acre of agricultural land for every house built, and for every acre built on, an additional acre must be preserved (i.e. five houses built on one acre = six acres to be preserved) as the primary vehicle for providing permanent protection for agricultural lands. All new development pursuant to the Specific Plan (included within or annexed to the City of Livermore) is required to mitigate the loss of agricultural and open space lands through the dedication of agricultural or open space easements, and the planting of agricultural crops. Based on the development anticipated pursuant to the Specific Plan, the Agricultural Mitigation Program is envisioned as securing approximately 1,944 acres of agricultural vineyard land in the greater South Livermore Valley area, including approximately 860 acres of new agricultural lands to be secured and planted.

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<sup>14</sup> Alameda County, South Livermore Valley Area Plan, February 1993, page 2

Today, nearly 8,000 acres of vineyards, orchards, farms, ranches and parks have been protected through the strategies identified in the South Livermore Valley Area Plan and the South Livermore Valley Specific Plan.<sup>15</sup>

### Tri-Valley Conservancy

Originally established in 2003 as the South Livermore Valley Agricultural Land Trust and now known as the Tri-Valley Conservancy, the Tri-Valley Conservancy helps to preserve open space lands for agriculture and parks. The Tri-Valley Conservancy acquires lands with the help of Conservancy funds and grants, and also acquires property development rights through the legal arrangement of a conservation easement that protects properties from future development. Today, the Tri-Valley Conservancy has acquired more than 500 acres and holds conservation easements on more than 4,500 acres across over one hundred properties in East County.<sup>16</sup>

### Williamson Act

The Williamson Act has been the state’s primary agricultural land protection program since its enactment in 1965, when the California Legislature passed the California Land Conservation (Williamson) Act to preserve agricultural and open-space lands by discouraging “premature and unnecessary conversion to urban uses.” More than 16 million of the State’s 31.4 million acres of farm and ranch land have participated in the program. Of California’s 58 counties, 52 (including Alameda County) have executed contracts with landowners. The Act authorizes cities and counties to enter into contracts with private landowners to restrict specific parcels of land to agricultural and open-space uses. In return, landowners receive reduced property tax assessments based upon the land’s farming and open-space uses, as opposed to its full market value. Landowners can place prime agricultural land and non-prime agricultural land under contract, typically for 10-year terms that are automatically renewed on an annual basis. In 2014, approximately 135,647 acres of land in Alameda County, the majority of which were in East County) were enrolled in Williamson Act contracts.<sup>17</sup>

### Alameda County Resource Conservation District

The Alameda County Resource Conservation District is an independent, non-regulatory special district that works directly with local landowners and managers to implement conservation practices and to help enhance local watersheds. This District enables the US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) to provide Farm Bill cost-share programs and other technical assistance for local landowners and users.

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<sup>15</sup> Tri-Valley Conservancy, accessed at: <https://trivalleyconservancy.org/what-we-do/protect-land/preserving-land/>

<sup>16</sup> Ibid

<sup>17</sup> California Department of Conservation, 2014. The California Land Conservation Act 2014 Status Report, p.34.

### 3.4: Supporting Viable Agricultural Operations

In accordance with the California Food and Agricultural Code, the Alameda County Community Development Agency's Department of Agriculture, Weights and Measures prepares an annual Alameda County Crop Report. These crop reports provide statistical information on acreage, yield, and gross value of all agricultural products produced in Alameda County. This statistical information also provides a comparative assessment of the relative viability of Alameda County's agricultural operations, based on whether harvested acreage and/or agricultural product number are increasing or decreasing over time, and whether the value of the County's agricultural products is rising or declining.

In addition to pasture, field crops and wine grapes (as reported below), Alameda County's agricultural products include fruits and nuts, nursery products (including ornamental trees and shrubs), vegetable crops, and poultry and other farm livestock (sheep, goats, pigs, bee pollination, etc.). The following is a summary of information obtained from the Alameda County Crop Reports for the years 2000 through 2019, focused primarily on field crops, pasture and livestock, and wine grapes.<sup>18</sup>

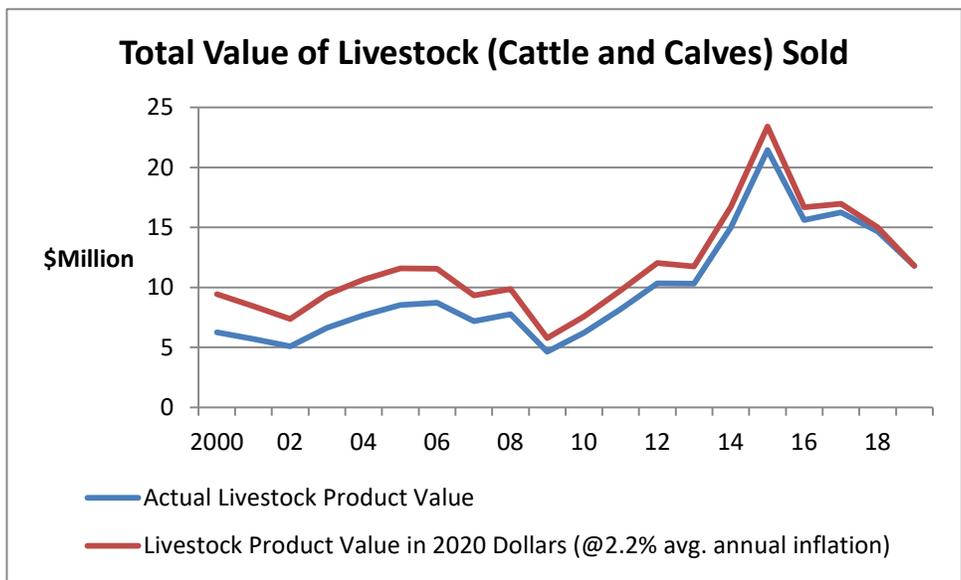
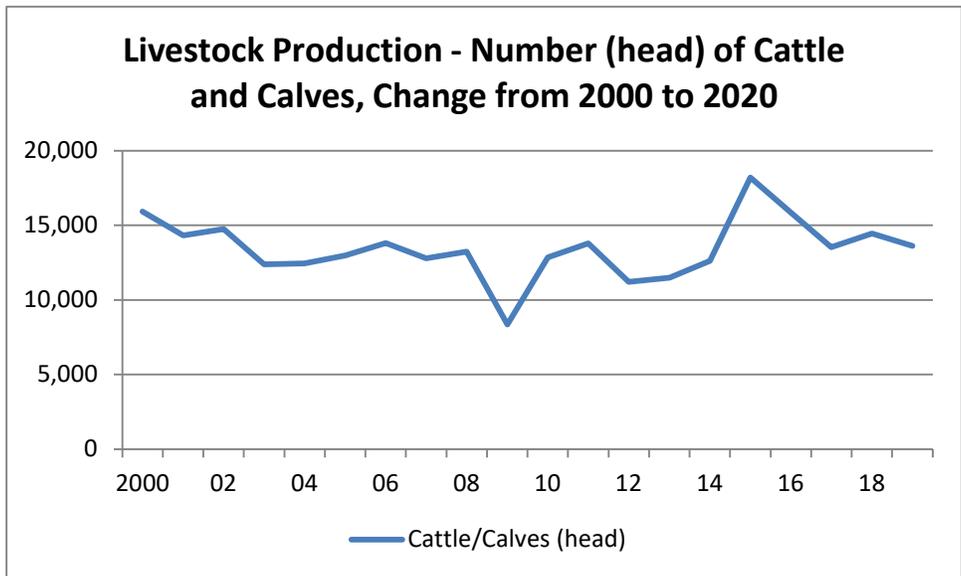
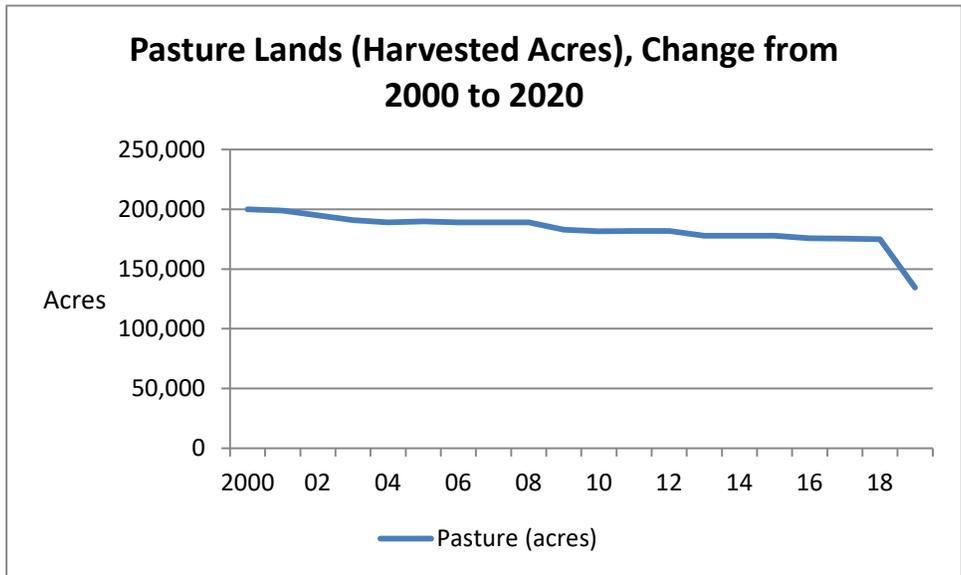
#### Field Crops, Pasture and Livestock

On an acreage basis, the County's largest agricultural operations (by a substantial margin) are in rangeland pasture and the production of field crops (e.g., hay, alfalfa, wheat, barley, etc.). As shown on **Table 3-5**:

- Between the years 2000 to 2012, the County maintained between 182,000 to 200,000 acres of harvested rangeland pasture supporting an average of about 13,000 head of cattle, and another 6,000 acres of field crops.
- Starting around year 2013, the total acres of harvested rangeland pastures and field crops began to decline, with only about 135,000 acres of harvested pasture and approximately 2,000 acres of field crops by year 2019. A significant contributor to this trend has been drought, resulting in generally poorer forage conditions throughout East County.
- The decline in pasture does not seem to have substantially affected cattle numbers, which have fluctuated over time but remain above the 20-year average of about 13,400 head during the past 5 years.

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<sup>18</sup> Alameda County Community Development Agency's Department of Agriculture, Weights and Measures, Annual Alameda County Crop Reports, years 2000 through 2019, accessed at: <https://www.acgov.org/cda/awm/resources/stats.htm>



**Table 3-5**  
**Changes in Harvested Pasture and Livestock Production,**  
**2000 to 2019**

Source: Alameda County Crop Reports,  
 2000 to 2019

## Economic Values

The total value of field crops sold has declined from approximately \$6.3 million (as adjusted for inflation to 2020 dollars)<sup>19</sup> in year 2000, to approximately \$3.35 million in 2019, with declining rainfall as a major contributing factor.

Although the total numbers of livestock production in the County has generally remained steady since 2000, the total value of cattle and other livestock sold has increased from about \$9.87 million in 2000 (as adjusted for inflation to 2020 dollars), to as high as \$23.4 million (as adjusted for inflation to 2020 dollars) in 2015, and then back down to about \$11.8 million in 2019. A substantial factor in the relative ups and downs of cattle production values is the variable market price per pound of beef. As also noted in each annual Crop Report, the sales numbers presented in the Crop Reports are gross values only, and do not reflect costs related to production, harvesting, marketing, transportation or herd replacement costs. Increased gross revenues do not necessarily reflect increased profit margins for ranchers.

## **Wine Grapes**

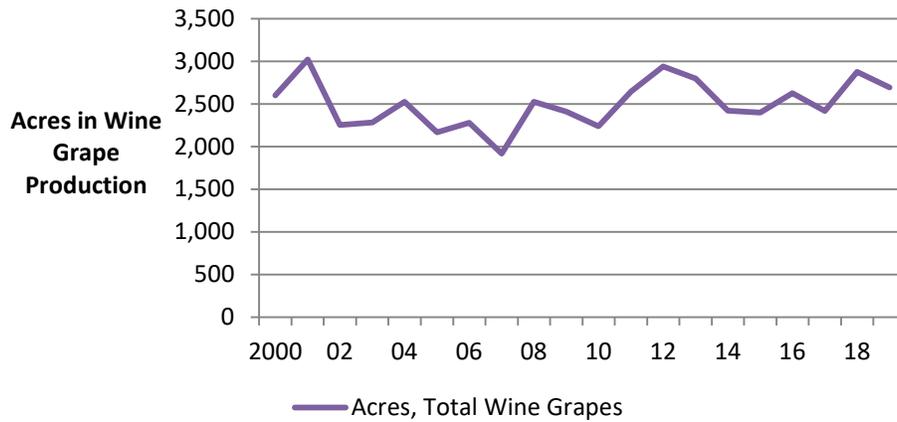
Alameda County's viticulture businesses/wine grape growers generate, by far, the greatest total economic value among all agricultural products in the County. As shown in **Table 3-6**:

- Between the years 2000 and 2020, the County maintained a relatively steady average of approximately 2,500 acres of agricultural lands bearing red and white wine grapes, with the highest acreage of wine grape-bearing acreage of approximately 3,000 acres occurring in 2001, 2012 and 2018. The split between white wine grapes and red wine grapes was about even in the early 2000s, but has now shifted to about one-third of all grape-bearing acreage in white, and two-thirds in red wine grapes.
- Wine grape production throughout the County has been on a steadily increasing rate. In year 2000, the County's harvest was approximately 5,500 tons of grapes (at between 1.8 and 2.4 tons per acre), whereas the year 2019 harvest was as high as 12,810 tons of wine-producing grapes (at an increased rate of approximately 4.8 tons of grapes per acre). As the Crop Reports clearly describes, each year's harvest is a function of numerous variables in addition to acreage (e.g., weather, relative crop value, per-acre production capability, etc.), but the simple comparison of total tons of grapes produced during these two time periods demonstrates more than a doubling (234%) in the tons of grapes produced in year 2019, as compared to tons of grapes produced in year 2000.

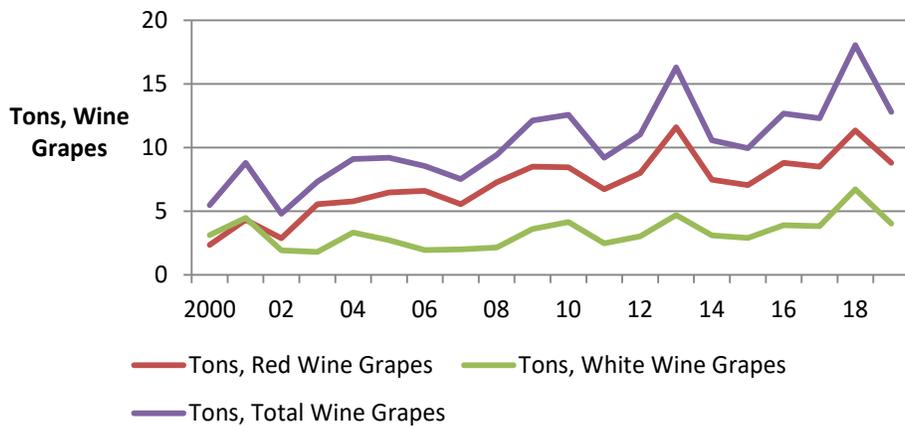
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<sup>19</sup> Assuming a 20-year inflation factor of 1.58 (\$1 in year 2000 = \$1.58 in year 2020), or an average annual rate of inflation of 2.2 percent, per <https://www.in2013dollars.com/us/inflation/2000?amount=1#:~:text=Value%20of%20%241%20from%202000,cumulative%20price%20increase%20of%2057.78%25>.

### Bearing Acreage of Wine Grapes, Change from 2000 to 2020



### Wine Grape Production, Change from 2000 to 2020



### Total Value of Wine Grape Products Sold

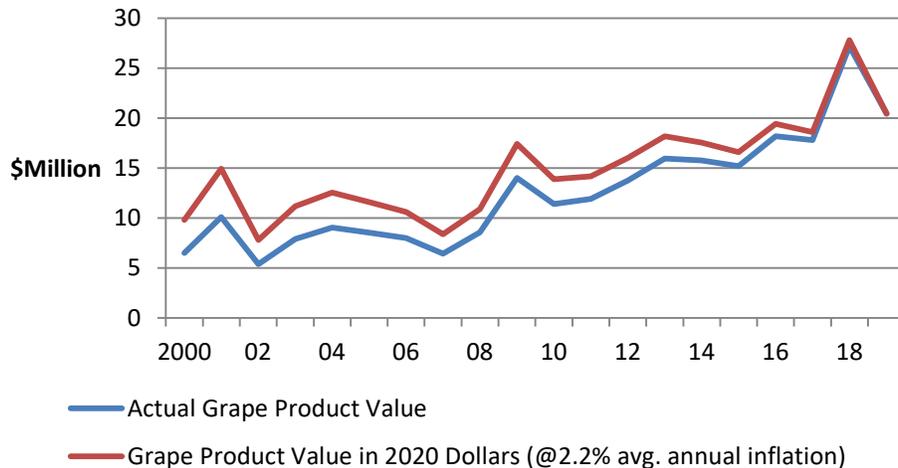


Table 3-6  
Changes in Wine Grape Production and Sales, 2000 to 2019

Source: Alameda County Crop Reports, 2000 to 2019

### Economic Value

On a similar, but even increased trajectory as compared to grape production, the total value of wine grape sales has increased from approximately \$10.3 million in year 2000 (as adjusted for inflation to 2020 dollars), to a peak approximately \$27.2 million in 2018, showing more than a doubling in the relative cash value of wine grape crops grown in Alameda County. Wine grape production levels peaked in 2018 with high yields, high prices and more acres planted.

The \$27.2 million dollar gross production value of wine grapes during that peak in 2018 represented about 50 percent of the year 2018's estimated total gross value of all of Alameda County's agricultural production. As noted in each annual Crop Report, these economics numbers represent gross values only and do not reflect the wine grower's costs related to production, harvesting, marketing or transportation.

### **Equine Industry**

For the first time, the 2003 Alameda County Crop Report presented data related to the equine industry. According to that report, there was a total of 13,634 horses in Alameda County, spread across approximately 25,300 acres of land (lands not included in the livestock category). According to the subsequent 2008 and 2010 Crop Reports, the County's horse population had declined down to approximately 9,500 horses (including about 5,000 horses kept for recreation and pleasure, 1,500 ranch horses, 2,000 racehorses, and about 1,000 other competition horses).

According to a study conducted by the County in 2013,<sup>20</sup> "County records show that the number of horse-boarding facilities with use permits increased substantially from 1985 to 2005, at an apparent rate of 5 percent increase in the number of use permits for horse-boarding facilities per year. Based on past permits and some aerial photo observations also conducted in 2013, the County identified a total of 64 horse-boarding facilities, with an estimated total capacity of 2,620 horse stalls, boarding about one-quarter of the estimated County horse population." Based on these estimates, the County's horse population in 2013 was therefore about 10,500 horses.

There are no other identified sources of data to provide a more current estimate of the County's horse population, but the drop from 13,630 horses in 2003, to 9,500 horses in 2010 represents about a 30 percent decrease in Countywide horse population. Even if as many as 1,000 horses had been added back to this population by 2013, the equine industry had still had a substantial decline in total numbers from 2003 to 2013. According to anecdotal information from local horse industry experts, the horse industry in Alameda County remains in decline.

### Economic Value

The equine (or horse service) industry consists of facilities that specialize in breeding, training and boarding of horses, and riding and competition, often in combination with recreational and draft horse services. Agricultural and recreational users in Alameda County have access to the products and services of these facilities as well as a large multi-use trail system. The industry supports local feed, clothing, equipment and tack retailers, veterinarians, farriers, hay growers and others. It also supports the community at large by helping to preserve rural western character, by providing recreational

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<sup>20</sup> Alameda County, Draft MND for ECAP / CVP General Plan Amendments for Equine Breeding and Training Facilities, June 13, 2012 pages 7-8

opportunities in the open space. Ensuring that stables remain economically viable reduces pressure for more intense development.<sup>21</sup>

## Conclusions

As to whether the policies and recommendations of Measure D have resulted in supporting viable agricultural operations throughout East County, the following statistical measures (see **Table 3-7**) are likely the most pertinent:

- On the basis of total acreage, Alameda County has lowered its total harvested crop acreage by approximately 26,700 acres since 2000, from 209,170 harvested acres in year 2000 to 182,488 harvested acres in 2020 (or nearly a 13% reduction in acreage). This downward trend in harvested acreage has been relatively consistent throughout this 20-year period.
- On the basis of agricultural product value, Alameda County's total gross value of agricultural production has remained relatively stable, averaging at approximately \$51 million dollars per year (as adjusted each year for inflation to 2020 dollars). Peak total agricultural product values occurred in the mid 2000's (2004-2007) spurred by high sales of ornamental trees and shrubs and bedding plants, high per-acre yields of wine grapes and olives, and strong market prices for cattle and vegetable crops. The more recent (2018/2019) drop in total agricultural product values are likely attributable to a continued lack of adequate rainfall that resulted in lower per-acre yields of wine grapes and poor forage conditions, along with lower prices for cattle.
- As report in the "*Equine CUP Streamlining Project Report*" of October 2003, "the equine industry has been increasingly challenged over the years to accommodate the business and regulatory changes in the County. Although there is no definitive horse or facility census for a trend analysis, it is apparent that many facilities have closed. Facilities close for many reasons, including retirement, lack of profitability, displacement by development, competition with other outdoor activities, and the costs of meeting new regulatory demands."<sup>22</sup> Although the number of horse-related facilities appear to have decreased, the demand for equine-industry products and services continues to grow, evidenced by the growing miles of equine and multi-use trails and trail plans in the Bay Area, and horse owners relate the need to travel outside the County to find boarding vacancies.
- The California Employment Development Department (EDDs) Labor Market Information Division provides statistics for industry employment and labor force. According to this data, Alameda County had 1,400 total "Farm" jobs in 1990, was down to 800 total Farm jobs in year 2000, and has dropped to an average of between 500 and 700 total Farm jobs between 2010 and 2020.<sup>23</sup>

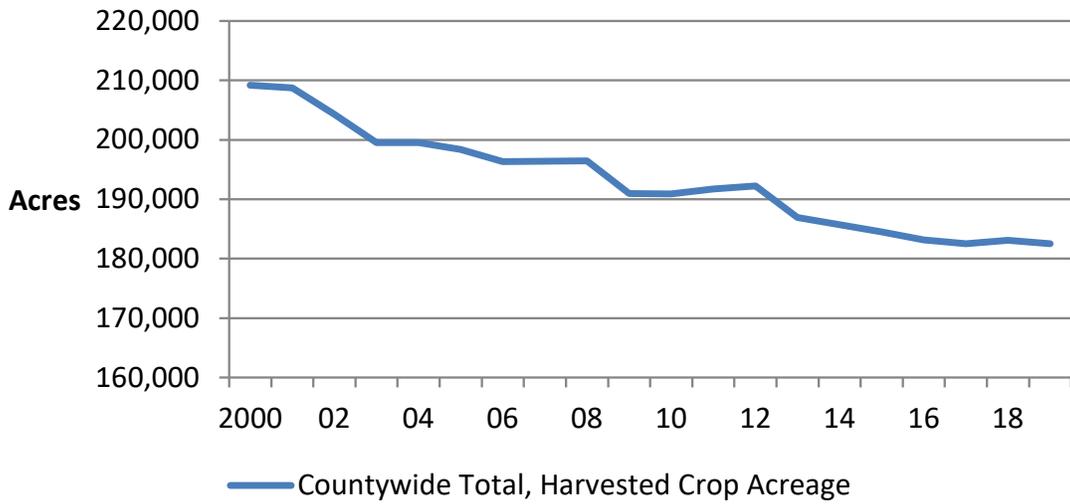
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<sup>21</sup> Alameda County Resource Conservation District, *The Equine CUP Streamlining Project*, October 2003, p. 1

<sup>22</sup> Ibid, page

<sup>23</sup> EDD Labor Market Information Division, Industry Employment & Labor Force statistics for Alameda County, accessed at: <https://www.labormarketinfo.edd.ca.gov/data/employment-by-industry.html>

### Countywide Total, Harvested Crop Acreage - 2000 to 2020



### Countywide Agricultural Product Value - 2000 to 2020

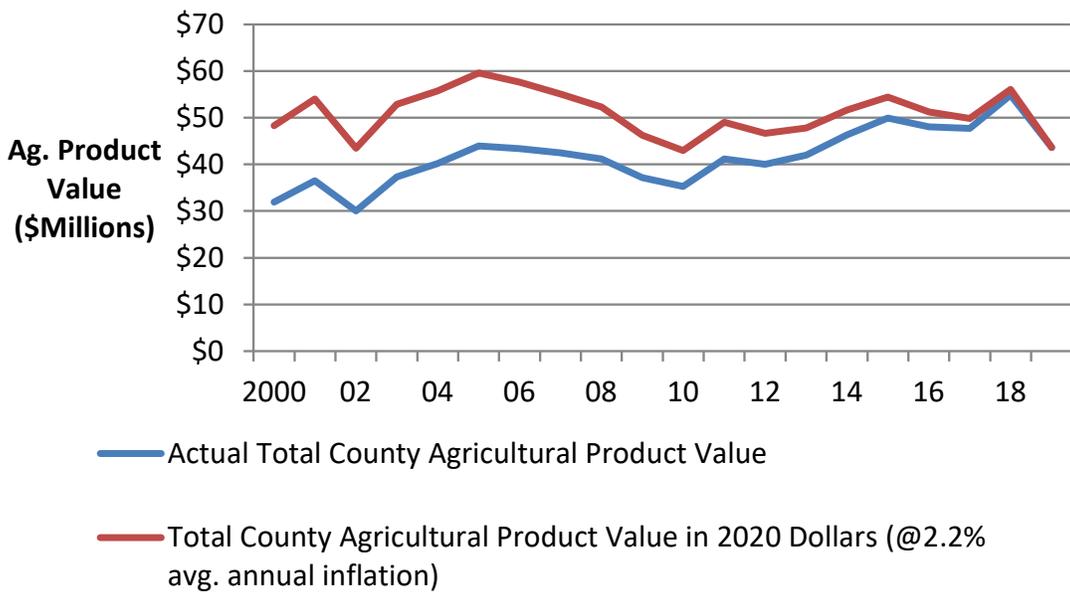


Table 3-7  
Changes in Countywide Agricultural Product Values, 2000 to 2019

Source: Alameda County Crop Reports, 2000 to 2019

Generally, despite losses in employment, East County agricultural operations appear to remain economically stable, but this economic stability is primarily driven by continued strong growth in the total value of wine grape sales. The wine industry's economic growth eclipses the relative decline in value of most other productive agricultural use (i.e., crop harvesting and horse boarding) within the East County. The relative viability of agriculture in East County is a function of multiple variable including macro-economic trends, micro-economic decisions and capabilities of local agricultural operators, climate, water availability, labor availability, costs and regulations. The extent to which Measure D's land use policies and regulations may be a contributing factor in the lack of growth in East County's agricultural industry as a whole is further reviewed in the following chapter of this Report.

## Chapter 4: Comparison to Agricultural Land Use Regulations of Other Selected Bay Area Counties

An additional purposes of this report as identified by Alameda LAFCO is to establish a benchmark of how those land use policies and zoning regulations applicable to the development and use of land in unincorporated East Alameda County compare to similar policies and zoning regulations of other Bay Area counties. This study provides a comparative assessment against four other Bay Area counties including Napa, Sonoma, Solano and Contra Costa. The following provides a brief overview of the broad land use strategies and agricultural land preservation goals of each of these other four counties. The subsequent section provides an assessment of Alameda County’s rules and regulations for agricultural and open space lands, as compared to similar regulations of each of these other four counties, considering key indicators of comparable regulations related to:

- Minimum parcel sizes and residential densities
- Limitation on the intensity of development on agricultural lands (i.e., floor-to-area ratios, lot coverage and building envelopes)
- Types of permitted and conditionally permitted land uses within agricultural and open space land use categories (e.g., residential uses, wineries and winery-related uses, equestrian uses, overnight accommodations, and cannabis-related uses).

### 4.1: Sonoma County

Sonoma County is the largest of the nine Bay Area counties in land area, with a size of approximately 1,768 square miles (nearly 2.4 times larger than Alameda County), but has a population of only approximately 494,300 people (or about 30 percent as many people as Alameda County). Sonoma County has nine incorporated cities, and approximately 73 percent of its population lives within those city boundaries.

Sonoma County is known for the Sonoma Valley wine region as well as other notable winemaking areas including Dry Creek and Alexander Valley. According to the Sonoma County Crop Report for year 2019, Sonoma County had 59,326 acres of land planted in wine grape production (reds and whites), yielding 229,811 tons of grapes and generating a total production value of over \$654 million<sup>1</sup> (or nearly 18 times the grape production and almost 21 times the total production value of Alameda County’s wine crop in 2019).

#### Generalized Countywide Land Use Strategy

The Sonoma County General Plan recognizes there are unique circumstances associated with nine planning areas of that County, and each of these planning areas have their own unique land use policies and guidance for development and preservation. Both the Land Use and the Housing Elements of the Sonoma County General Plan reinforce growth patterns within the County as being “city and community-centered” by reserving residential lands within designated Urban Service Areas for affordable and higher-density housing, whereas lower density housing is primarily accommodated on residential lands within the remainder of the County and where urban services are not available. The County’s defined Urban Service Area boundaries serve as an important growth management tool

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<sup>1</sup> Sonoma County - Department of Agriculture / Weights & Measures, *2019 Sonoma County Crop Report*

intended to avoid urban sprawl. The extension of sewer or water services outside of designated Urban Service Areas is precluded, and each Urban Service Area is surrounded by lands designated as Community Separators. Community Separators function to separate cities and other communities, to contain the limits of urban development, and to provide city and community identity by providing visual relief from continuous urbanization. The boundaries of Urban Service Areas for unincorporated communities cannot be amended to include lands within designated Community Separators until year 2036, unless such an amendment is approved by the voters of Sonoma County. Land use decisions for properties within designated Community Separators must conform to a voter-approved Community Separators Protection Ordinance.<sup>2</sup>

Lands within Community Separators have a mix of General Plan land use designations, but generally maintain maximum residential densities at one unit per ten acres. Lands outside of the Community Separators are generally reserved for Timber Production, Resources and Rural Development, Land Intensive Agriculture and Land Extensive Agriculture. Much of the lands outside of the Community Separators are also identified as Scenic Landscape Units. These Scenic Landscape Units include coastal bluffs, vineyards, the San Pablo Bay, the Laguna de Santa Rosa and other landscapes of special importance to the quality of life of County residents, as well as the tourist and agricultural economy. These Scenic landscapes have little capacity to absorb new development without significant visual impacts, and thus are zoned with very low densities.

Agriculture is a major part of Sonoma County's economy, including vineyards, orchards, dairies, forage crops, specialty crops, livestock and horses. Farms are both full time and part time operations. Agricultural production in some areas is threatened both by pressures of urban development and by creation of small residential lots in the midst of agricultural lands. Land use policy for the County's agricultural areas seeks to consider the extent to which small residential lots should be allowed, the need for agricultural support uses in rural areas, and the extent of visitor serving uses that may be supportive of, and compatible with farming.

Policies for agricultural support activities seek to balance the need for such uses with the continued preservation of the rural character and agricultural diversity of the County. General Plan policies also support products grown in Sonoma County over those produced elsewhere. Substantial growth in Sonoma County's wine industry has resulted in a trend towards larger processing facilities, and facilities that may appear more industrial than rural in character. The apparent increase in the reliance of County processing facilities on raw agricultural products imported from outside Sonoma County highlights the importance of, "demonstrating connection to local production in order to avoid County agricultural lands becoming de facto "industrial lands."<sup>3</sup>

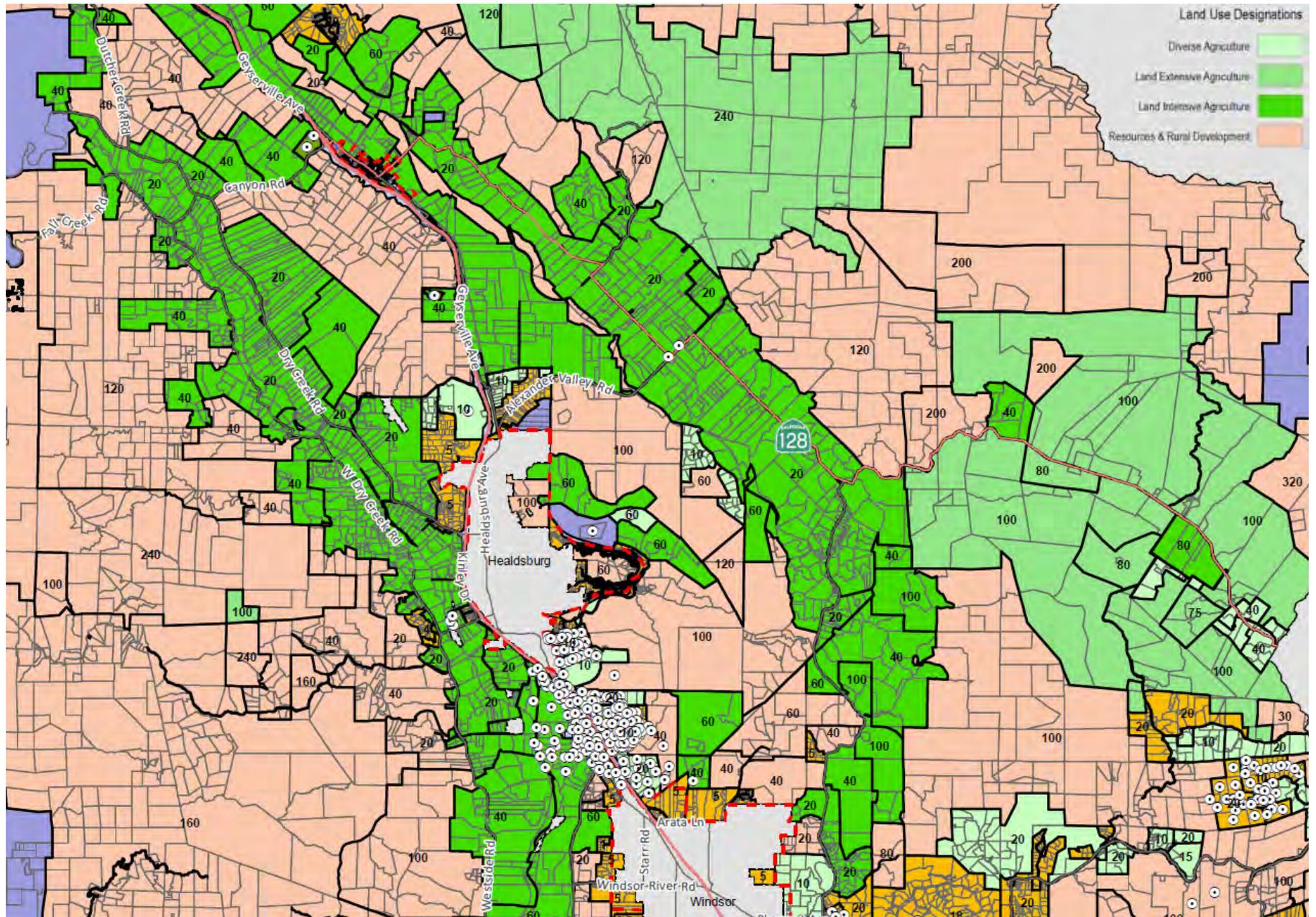
### Agricultural Land Use Categories and Zoning Districts

The Sonoma County General Plan Land Use Element and Land Use Diagram includes three primary agricultural and/or resource-based land use categories; "Land Intensive Agriculture", "Land Extensive Agriculture", and "Resources and Rural Development" (see **Figure 4-1**). Each of these land categories permit a wide range of agricultural uses.

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<sup>2</sup> Sonoma County, *Sonoma County General Plan 2020 Land Use Element*, as amended December 2016, Policy LU-3e, page LU-34

<sup>3</sup> Sonoma County, *Sonoma County General Plan 2020 – Agricultural Resources Element*, August 2016, page AR-4



**Figure 4-1**  
**Sonoma County General Plan Land Use Map (portion)**

Source: Sonoma County General Plan 2020 Land Use Element,  
 Accessed at: <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Land-Use-The-Nine-Sub-County-Planning-Areas/>

Allowable residential densities on parcels in these land use categories is generally based on consideration of the amount of land that it would take to create an economically viable agricultural parcel, and other factors such as availability of infrastructure, distances from public services, access, conflicts with resource conservation and production, and topographic and environmental constraints. These three agricultural and resource-based land use categories differ primarily by the types and intensities of agricultural support uses, visitor serving uses and residential densities permitted. In general, the Sonoma County General Plan's agricultural land use designations include the following:

- Land Extensive Agriculture: This land use category is intended to enhance and protect lands capable of, and generally used for animal husbandry and the production of food, fiber and plant materials, but where soil and climate conditions typically result in relatively low production yield per acre of land. Primary land uses in this land use category include agricultural production, agricultural support uses and visitor serving uses, as well as farm worker, farm family and other agricultural employee housing. Permitted residential densities vary between 60 to 320 acres per unit (generally, higher densities are applied in areas with existing lots in that range, the middle range is used in the southeastern portion of the county where soil and water conditions make larger acre parcels productive, and the lowest densities are applied in the northwestern parts of the county).
- Land Intensive Agriculture: This land use category is also intended to enhance and protect lands capable of and generally used for animal husbandry and the production of food, fiber and plant materials. The soil type and climate support relatively high production yields per acre of land. Primary land uses in this land use category include agricultural production, agricultural support uses and visitor serving uses, as well as farm worker, farm family and other agricultural employee housing. Permitted residential densities vary between 20 and 100 acres per residential unit (generally, densities between 20 and 60 acres are applied in areas with existing lots in that range and where soil and water conditions make farming highly productive, and those between 60 and 100 acres are used where soil and water necessitate larger parcels.) New parcels are limited to a minimum size of 20 acres.
- Resources and Rural Development: This land use category is primarily intended to protect timberlands, geothermal resources and aggregate resource production, protect natural resource lands including watershed, habitats and biotic areas, and to accommodate limited agricultural production activities. This land use category allows for very-low density residential development that ranges from 20 to 320 acres per dwelling unit, due to a lack of infrastructure, greater distance from public services, poor access, conflicts with resource conservation and production goals, and significant physical constraints and hazards. The intent of this land use category is for natural resources to be managed and conserved so that resource production activities avoid depletion and promote replenishment of renewable resources.

### Corresponding Zoning

Development standards for agricultural and resource-based land use are included in the County Development Code and Subdivision Ordinance, as well as in Specific Plan and Area Plans and Local Area Development Guidelines.

- Those areas of Sonoma County with a General Plan land use designation of Land Extensive Agriculture generally have a corresponding zoning district of Land Extensive Agriculture (LEA) per Chapter 26.06 of the Sonoma Code,

- Those areas of Sonoma County with a General Plan land use designation of Land Intensive Agriculture also have a corresponding zoning district of Land Intensive Agriculture (LIA) per Chapter 26.04 of the Sonoma Code.

Those areas of Sonoma County with a General Plan land use designation of Resources and Rural Development have a corresponding zoning district of Resources and Rural Development (RRD) or Timberland Production District (TP) per Chapter 26.14 of the Sonoma Code.

## 4.2: Napa County

Napa County is approximately 789 square miles in size, just slightly larger than Alameda County (about 1.1 times larger), but has a population of only approximately 55,600 people (or less than 10 percent as many people as Alameda County). Napa County has five incorporated cities, and approximately 82 percent of its population lives within those city boundaries.

Napa County identifies itself as a cornerstone of the California wine industry, and the Napa Valley was the first officially designated American Viticulture Area in California, designated in 1981. According to the Napa County Crop Report for year 2019, Napa County had 44,210 acres of land in wine grape production (reds and whites), yielding 159,722 tons of grapes, and generating a total production value of nearly \$938 million, just lower than the previous year's record-breaking numbers of over \$1 billion dollars in 2018<sup>4</sup> (or more than 12 times the grape production and almost 38 times the total production value of Alameda County's wine crop in 2019). The wine and vineyard sector remains Napa County's largest employer, directly and indirectly providing nearly half of the County's total employment.

### Generalized Countywide Land Use Strategy

In 1968, Napa County first established an "Agricultural Preserve" zoning designation and land use policy that was guided by two complementary principles: 1) that agricultural lands should be protected, and 2) that development should occur in urban areas. Those principles remain the overall land use strategy of the current County General Plan and corresponding zoning regulations. In 1990 (ten years prior to Alameda County's Measure D initiative), the voters of Napa County adopted Measure J, intended to protect the County's agricultural, watershed and open space lands; strengthen the local agricultural economy; and preserve the County's rural quality of life. Measure J established and maintained minimum agricultural parcel sizes, and required voter approval before agricultural property could be converted to other uses. Measure J amended the Napa County General Plan to ensure that designated agricultural, watershed and open space lands could not be re-designated and made available for more intensive development without a vote of the people. In 2008, the voters of Napa County reaffirmed their commitment to Measure J, passing a continuation of the provisions of Measure J (now known as Measure P), intended to last for the next 50 years, or until year 2058.

The most recent update of the Napa County General Plan (adopted in 2013) reflects the prominence of agriculture in Napa County through the Agricultural Preservation and Land Use Element. As indicated in this General Plan Element, the County's vision for the future is described as, "*Napa County will be a place where agriculture is the primary land use, where a vast majority of the county is open space, and where residential and employment growth is concentrated in the incorporated cities and town and existing urbanized areas of the county. Urban centers will be livable communities with compact forms that maximize the preservation of rural landscapes, and those rural landscapes will be both productive and ecologically diverse, with abundant and healthy natural resources.*" Other issues that are addressed in land use policies include affordable housing, the desire for additional high-wage employment, the need for industrial land to support the agricultural industry, and the potential for continuing annexations by the incorporated cities and towns. However, all of these issues are framed by a policy

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<sup>4</sup> Napa County - Department of Agriculture and Weights & Measures, *Napa County Agricultural Crop Report for 2019*

framework that, “sets agricultural preservation as the immovable foundation for sound decision-making within Napa County.”<sup>5</sup>

### Agricultural Land Use Categories and Zoning Districts

The Napa County General Plan Land Use Map designates nine separate areas of the unincorporated County for non-agricultural uses pursuant to detailed land use policies, and three pre-existing commercial areas are designated on the Land Use Map for agricultural uses with unique policies pertaining to these locations. The Land Use Map designates the remainder of unincorporated land in Napa County as one of two primarily agricultural land use categories (see **Figure 4-2**):

- **Agriculture, Watershed and Open Space:** These areas are indicated where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such uses; and where the protection of agriculture, watersheds and floodplain tributaries from fire, pollution and erosion is essential. Primary land uses in this land use category include agriculture, processing of agricultural products and single-family dwellings. The minimum parcel size in this land use classification is 160 acres, and the maximum building intensity is one dwelling per parcel.
- **Agricultural Resource:** These areas are indicated in the fertile valley and foothill areas of the county where agriculture is, and should continue to be the predominant land use; where uses incompatible with agriculture should be precluded; and where the development of urban type uses would be detrimental to the continuance of agriculture and the maintenance of open space, which are economic and aesthetic attributes and assets of Napa County. Primary land uses in this land use category include agriculture, processing of agricultural products and single-family dwellings. The minimum parcel size in this land use classification is 40 acres, and the maximum building intensity is one dwelling per parcel.

### Corresponding Zoning

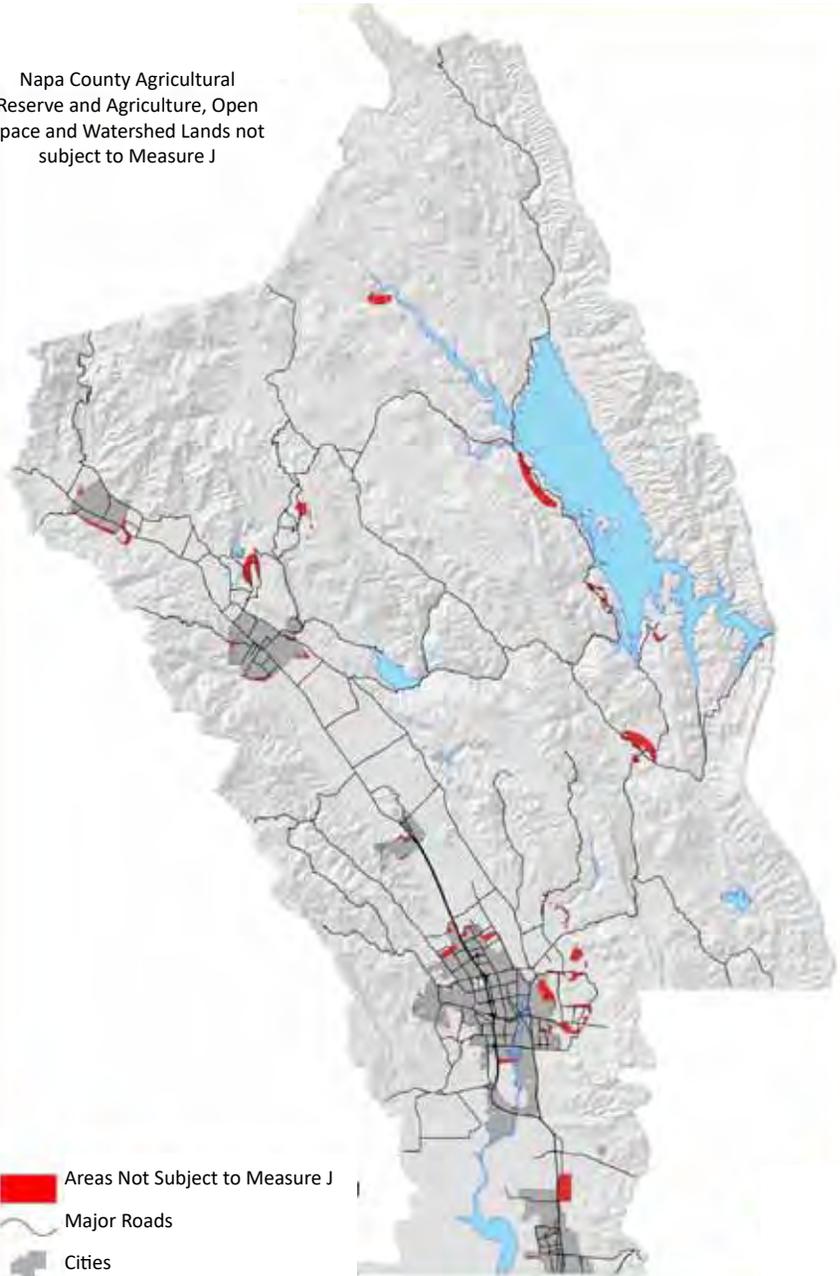
Development standards for agricultural and resource-based land use are included in the County Zoning Code and specific General Plan policies for different geographic locations throughout the County.

- Those areas of Napa County with a General Plan land use designation of Agriculture, Watershed and Open Space generally have a corresponding zoning district (per Title 18: Zoning, of the Napa Code of Ordinances) of either Agricultural Watershed (AW) per Chapter 18.20 of the Napa Code, or Timber Preserve (TP) per Chapter 18.68 of the Napa Code.
- Those areas of Napa County with a General Plan land use designation of Agricultural Resource generally have a corresponding zoning district of Agricultural Preserve (AP) per Chapter 18.16 of the Napa Code.

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<sup>5</sup> Napa County, Napa County General Plan - Agricultural Preservation and Land Use Element, June 2013, page AG/LU-8 through -11

Napa County Agricultural Reserve and Agriculture, Open Space and Watershed Lands not subject to Measure J



Napa County General Plan Land Use Map



**Figure 4-2**  
Napa County General Plan Land Use

Source: Napa County General Plan, Agricultural Preservation and Land Use Element, June 2008 and as amended through June 2013

### 4.3: Solano County

Solano County is approximately 830 square miles in size, just slightly larger than Alameda County, and has a population of only approximately 447,650 people (or about 27 percent as many people as Alameda County). Solano County has seven incorporated cities, and because of Solano County's commitment to focus development within urban areas, about 95 percent of the county's population lives in these cities.

Solano County has a diverse agricultural base. According to the 2018 Solano County Crop and Livestock Report, high crop diversity allows the County's agricultural industry to remain competitive as market demands change. Ranked by gross value, the County's agricultural products included nursery products, cattle and calves, tomatoes, alfalfa, wine grapes, sunflower seeds, almonds and walnuts, and wheat. Of the County's total land area, nearly 60 percent was identified as being within farms, of which 43 percent was identified as cropland and 33 percent was identified as irrigated cropland.<sup>6</sup>

#### Generalized Countywide Land Use Strategy

According to the Solano County General Plan, *"a diverse and desirable balance of land uses can help to support the County's fiscal viability and promote a desirable community in which people work, shop, live, visit, and recreate. A diversity of land uses also has positive effects on community livability and quality of life."* Based on this desire for diversity, Solano County's cities contain most of the county's urban development, and the unincorporated areas include primarily agricultural and open space land, along with some rural residential, commercial, and industrial areas. The unincorporated county is particularly well suited for uses such as agricultural-related industries that are not appropriate within more densely populated areas due to noise, odor and other effects. Maximizing benefits to county residents, taking advantage of new economic opportunities, and protecting valuable environmental resources are the driving forces behind the County's land use plans.<sup>7</sup>

Solano County's General Plan also includes a clear description of the roles and purposes of municipal service areas (MSAs) pursuant to land use decisions. The MSAs define the area of a city's current and/or future jurisdictional responsibility, within which a city must provide the necessary services to support urban land uses. The MSAs reflect each city's planned urban growth areas, and are based on County review of city general plans and spheres of influence established by the Solano LAFCo. Current land uses within MSAs may continue under County jurisdiction until the land is annexed to the city for conversion to urban uses. A change in land use of unincorporated lands within MSAs should be permitted only for agricultural uses which do not conflict with planned land uses until annexed for urban development. Unincorporated lands within the MSAs that are designated Agriculture will continue in agricultural use until annexed to a city for urban development.<sup>8</sup>

In support of this overall strategy, Solano County's voters adopted Measure A in 1984, the provisions of Measure A were extended with the adoption of the Orderly Growth Initiative in 1994, and now represent a cornerstone principle of the current General Plan. These principles direct new urban development and growth toward municipal areas to assure the continued preservation of those lands designated Agriculture, Watershed, Marsh, Park & Recreation, or Water Bodies & Courses. These

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<sup>6</sup> Solano County Department of Agriculture, Weights & Measures, *Solano County Crop and Livestock Report 2018* (as amended 2020)

<sup>7</sup> Solano County, *Solano County General Plan Land Use Element*, Page LU-9

<sup>8</sup> *Ibid*, page LU-12

provisions of the General Plan shall continue to be included in the General Plan until December 31, 2028, unless earlier repealed or amended by the voters of the County.

### **Agricultural Land Use Categories and Zoning Districts**

The Solano County General Plan (see **Figure 4-3**) identifies two primary agricultural-related land use designations on its Land Use Diagram:

- **Watershed (WS):** This land use designation provides for the protection of water quality by limiting development where such development could significantly degrade surface water quality. It comprises hills and mountains in areas used primarily for grazing. Watershed areas typically feature hazardous site characteristics such as steep slopes with high soil erosion potential, fire hazards and unstable soils, and may be undevelopable. Watershed areas also provide wildlife habitat. Uses in this area are restricted to agricultural or passive open space uses, with residential densities of 1 dwelling unit per 160 acres.
- **Agriculture (AG):** This land use designation provides areas for the practice of agriculture as the primary use, including areas that contribute significantly to the local agricultural economy, and allows for secondary uses that support the economic viability of agriculture. Agricultural land use designations protect these areas from intrusion by non-agricultural uses and other uses that do not directly support the economic viability of agriculture. Agricultural areas within Solano County are identified within one of 10 geographic regions. Within these regions, uses include both irrigated and dryland farming and grazing activities. Agriculture-related housing is also permitted within areas designated for agriculture to provide farm residences and necessary residences for farm labor housing. Minimum lot sizes are determined by agricultural region, and range from 20 to 160-acre parcel sizes.

The Solano County General Plan also includes three agriculture and open space overlay districts:

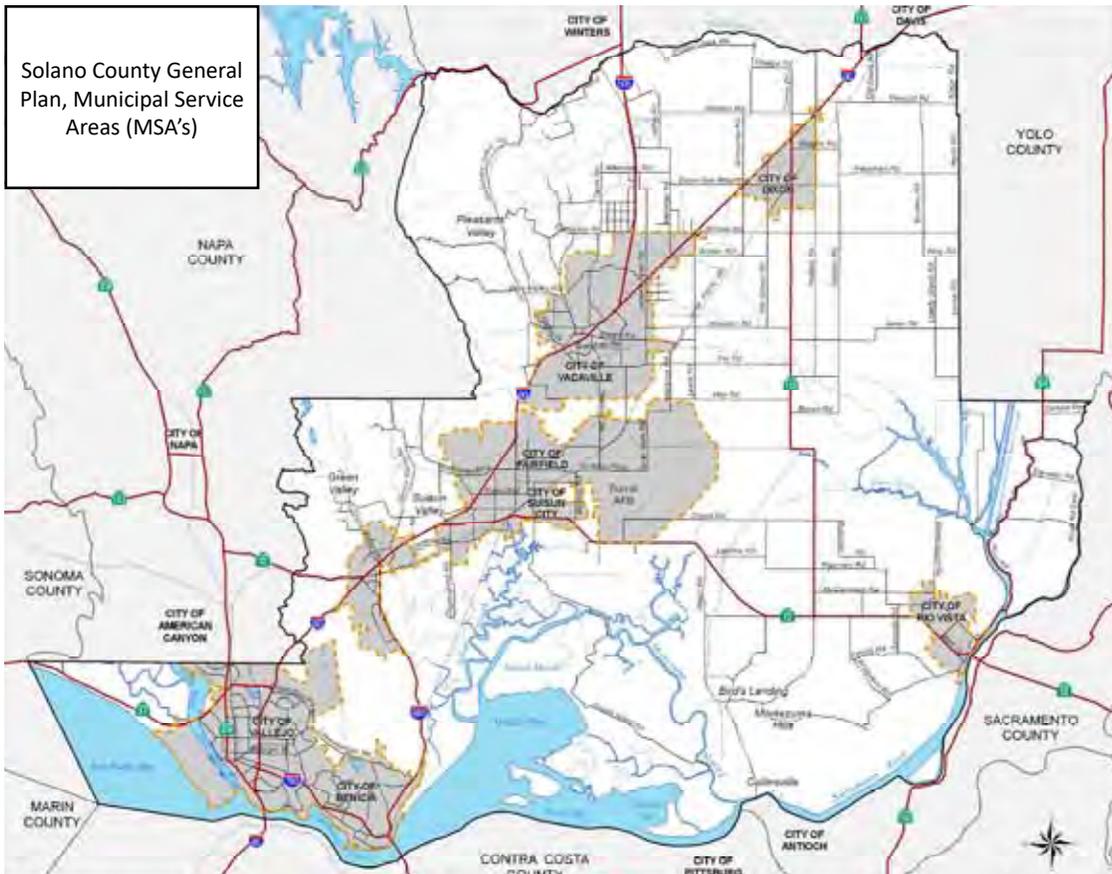
- **Vacaville-Fairfield-Solano Greenbelt Overlay:** Identifies the area of Solano County subject to the Vacaville-Fairfield-Solano Greenbelt Authority agreement to provide a permanent separation between the urban areas of Fairfield and Vacaville and to maintain the area in agriculture and open space uses consistent with the provisions of that agreement.
- **Agricultural Reserve Overlay:** Encourages private landowners to voluntarily participate in agricultural conservation easements and establishes new methods of acquiring land conservation easements that encourage cooperation by landowners. The overlay district is established as an agricultural mitigation bank for development projects, subject to County and city agricultural mitigation programs. Projects having a significant impact on valued agricultural resources in other areas of the county or participating cities would be able to mitigate this impact by paying in-lieu fees used to purchase agricultural conservation easements from landowners in the overlay area. Conservation easements would be held by the County or relevant land trusts, and the landowner would maintain ownership and management control.
- **Resource Conservation Overlay:** Identifies and protects areas of the county with special resource management needs. This designation recognizes the presence of certain important natural resources in the county while maintaining the validity of underlying land use designations. The overlay protects resources by requiring study of potential effects if development is proposed in these locations, and by providing mitigation to support urban development in cities. Resources to be protected through this overlay are those identified through technical studies as the highest priority areas within the habitat conservation planning process.

## Corresponding Zoning

Development standards for agricultural and resource-based land use are included in the County Zoning Code and specific General Plan policies for different geographic locations throughout the County.

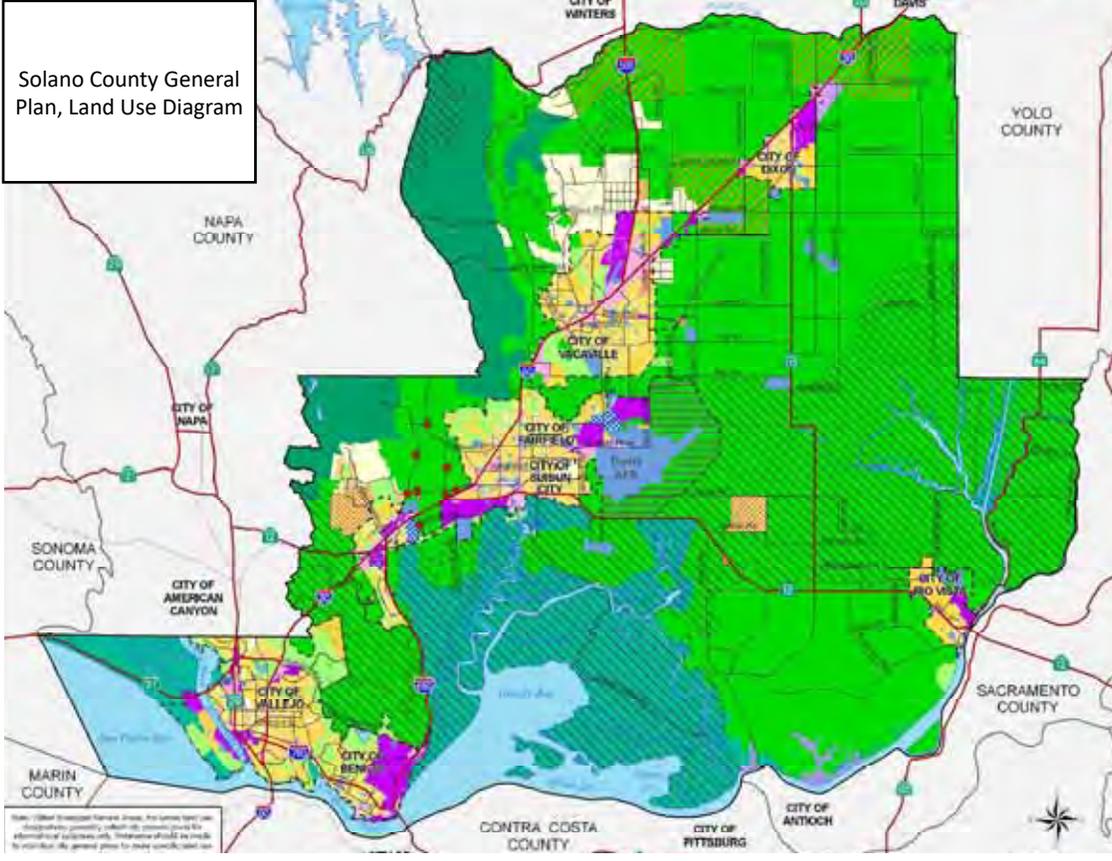
- Those areas of Solano County with a General Plan land use designation of Watershed generally have corresponding zoning districts (per Chapter 28: Zoning, of the Solano County Code) of either Watershed and Conservation (W) per Chapter 28.51 of the Solano County Code, Resource Conservation per Chapter 28.50 of the Solano County Code), or Marsh Protection (MP) per Chapter 28.52 of the Solano County Code.
- Those areas of Solano County with a General Plan land use designation of Agriculture generally have a corresponding zoning district of Exclusive Agricultural (A) per Chapter 28.21, which includes individual regulations for separate A-20, A-40, A-80 and A-160 zoning districts, generally corresponding to minimum parcel sizes.
- The Solano County Code also includes specialized zoning districts pertaining to Suisun Marsh (the A-SM district per Chapter 28.22), and the Suisun Valley (the A-SV-20, ATC and ATC-NC zoning districts per Chapter 28.23 of the County Code).

Solano County General Plan, Municipal Service Areas (MSA's)



- Legend**
- Municipal Service Areas
  - Baseemap Layers**
  - Roadways
  - Highways
  - Railroads
  - Streams and Creeks
  - Major Water Features
  - Adjacent Counties

Solano County General Plan, Land Use Diagram



- Legend**
- Municipal Service Areas
  - General Plan Land Use Designations**
  - Water Bodies and Cores
  - Park and Recreation
  - Marsh
  - Watershed
  - Agriculture

**Figure 4-3**  
Solano County General Plan- MSA's and Land Use Diagram

Source: Solano County General Plan Land Use Diagram, Figure LU-1, accessed at: <https://www.solanocounty.com/depts/rm/planning/>

## 4.4: Contra Costa County

Contra Costa County is approximately 716 square miles in size, just slightly smaller than Alameda County, and has a population of approximately 1,153,500 people (or about 70 percent as many people as Alameda County). Similar to Alameda County, Contra Costa has distinctly different regions, including West and Central County, and East County. The West and Central County regions include 10 incorporated cities plus numerous unincorporated communities along the I-880, I-680 and SR24 corridors, and accommodate approximately 75% of the County's population. Development in the East County is primarily concentrated in four cities along the SR 4 corridor, accommodates approximately 25% of the County's population, and surrounding land uses are predominantly residential, agricultural, recreational and open space uses.

According to the Contra Costa County Agricultural Crop Report for year 2019, the County's gross agricultural production value exceeded \$100 million dollars, and agricultural products were well diversified based on their production value, with about 35% in vegetable and seed crops, 22% in fruit and nut crops (including grapes), 21% as livestock, 12% as field crops and 10 % as nursery products. Over 185,500 acres within the County were considered cultivated agricultural lands, about 94% of which were in the field crop category (primarily rangeland).

### Generalized Countywide Land Use Strategy

Fundamental features of the Contra Costa General Plan are the interrelationship between the County's adopted Urban Limit Line (ULL), the County's 65/35 Land Preservation Standard, and its Growth Management Program.

- The ULL was originally established by county voters through their adoption of Measure C in 1990, and ensures the preservation of non-urban agricultural, open space and other areas by establishing a line beyond which no urban land uses can be designated during the term of the General Plan. Factors which contribute to properties being located outside the ULL included properties with high agricultural soils ratings (Class I and Class II) under the National Resource Conservation System Land Capability Classification, open space, parks and other recreation areas, lands with steep slopes, wetlands and other areas not appropriate for urban growth because of physical unsuitability. Properties that are located outside the ULL may not obtain General Plan amendments that would re-designate them for an urban land use, and any General Plan amendment that seeks to expand the ULL by more than 30 acres requires voter approval following a four-fifths vote of the Board of Supervisors. Lands outside of the ULL may be subject to various agricultural and open space preservation measures intended to preserve open space and agricultural lands, and contribute to the continued economic viability of agricultural property. Development of property within the ULL is restricted by the limitations imposed by the County's Growth Management Program.
- The 65/35 Land Preservation Standard limits urban development to no more than 35 percent of the land in the county, and requires at least 65 percent of all land in the county to be preserved for agriculture, open space, wetlands, parks and other non-urban uses. The 65/35 Standard operates on a countywide basis and therefore includes urban and non-urban uses within cities as well as unincorporated areas. The ULL works in conjunction with the 65/35 Standard to ensure that both inside and outside the ULL, a maximum of not more than 35 percent urban development could occur in the county.

- The Growth Management Element of the General Plan seeks to responsibly manage new development to ensure that development projects bear their appropriate share of the adverse burdens and impacts they impose on public facilities and services (primarily transportation impacts, but also impacts on public services and facilities). The timing of the potential physical development contemplated pursuant to the General Plan is partly determined by the achievement of policies and standards defined in the Growth Management Element.

The ULL and the 65/35 Land Preservation Standard work together with the Growth Management Element to ensure that growth occurs in a responsible manner, and strikes appropriate balances between many competing values and interests. Moreover, by establishing an inter-jurisdictional land supply and a program for development monitoring, the Growth Management Element coordinates implementation of the County General Plan with those of the county's 19 cities.

### Agriculture Land Use Designations

In general, the Contra Costa General Plan identifies two primary agricultural-related land use designations and two open space land use designation on its Land Use Diagram (see also **Figure 4-4**):

- Agricultural Lands (AL): This land use designation includes most of the privately owned rural lands in the county, excluding private lands that are composed of prime soils or lands located in or near the Delta. Most of these lands are in hilly portions of the county and are used for grazing livestock or dry grain farming, and also includes non-prime agricultural lands in flat East County areas that are planted in orchards. The purpose of the Agricultural Lands designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. The maximum allowable density in this land use classification is 1 dwelling unit per 5 acres, and land uses that are allowed in the Agricultural Lands designation include all land-dependent and non-land dependent agricultural production and related activities.
- Agricultural Core (AC): This designation applies to agricultural lands that are composed primarily of prime agricultural soils, mostly located in East County outside the ULL to the east and south of the City of Brentwood. Much of the land in this designation is under active cultivation of intensive row crops, orchards, and vineyards. The purpose of the Agricultural Core designation is to preserve and protect the farmlands of the county that are the most capable of, and generally used for production of food, fiber, and plant materials. Agricultural operations in the Agricultural Core require a larger (40-acre) minimum parcel size than the Agricultural Lands designation, to maintain economically viable, commercial agricultural units.
- Watershed (WS): Areas designated Watershed includes much of the land owned by EBMUD and the Contra Costa Water District. In order to safeguard public water supplies, only a very limited number of uses are allowed in Watershed areas. These uses include extensive agriculture (primarily grazing of livestock), intensive agriculture that does not rely upon pesticides or other chemical fertilizers, low-intensity recreational uses such as hiking and biking, and small-scale commercial uses that support picnicking, boating and fishing activities on adjacent reservoirs.
- Parks and Recreation: The Parks and Recreation designation includes publicly owned park facilities (including the Mount Diablo State Park in the center of the County), as well as golf courses, whether publicly- or privately-owned.

## Corresponding Zoning Districts

Development standards for agricultural and resource-based land use are included in the County Zoning Code. Generally, lands within the unincorporated County have been zoned with a zoning district that corresponds to the General Plan land use designation.

- Those areas of Contra Costa County with a General Plan land use designation of Agricultural Lands (AL) generally have a corresponding zoning district of Agricultural Preserve (A-80) per Chapter 84-84 of the County Zoning Ordinance.
- Those areas of Contra Costa County with a General Plan land use designation of Agricultural Core (AC) generally have a corresponding zoning district of Agricultural Preserve (A-40 or A-20) per Chapter 84-82 and 84-80 of the County Zoning Ordinance.
- Those areas of Contra Costa County with a General Plan land use designation of Watershed or Parks and Recreation generally have corresponding zoning districts of either General Agriculture (A-2), Heavy Agriculture (A-3) or Agriculture Preserve (A-4) per Chapters 84-38, 84-40 and 84-42 of the County Zoning Ordinance.



## 4.5: Comparative Land Use Regulations

Each of the counties reviewed for purposes of this study provide land use policies and/or zoning regulations that prescribe allowable land uses and provide development standards intended to accommodate development in a manner that is protective of agricultural resources. Some counties, like Alameda County and its Measure D provisions, embed these standards into their General Plan. Other counties include these standards in their respective zoning regulations, and some counties include a mix of zoning regulations with specific citations to General Plan policies. The following provides a comparative summary of many of the more important standards and regulations of these counties as related to agricultural land use, as compared to Alameda County.

### Minimum Lot Size / Maximum Residential Density / Building Site

Every land use in an Agriculture (A) district within Alameda County shall be on a building site having an area not less than 100 acres. The County honors building sites on existing parcels of less than 100 acres if the parcel is consistent with zoning standards for legal building sites.

The Alameda County Cultivated Agriculture (CA) combining district is combined with the A district to implement the land use policies and standards for the vineyard area of the South Livermore Valley Area Plan. The maximum dwelling unit density in the CA combining district is one unit per 20 acres, and the minimum building site area is 17 acres, provided a number of additional criteria are met at the time of tentative map approval.

- Sonoma County's General Plan Land Use Map defines the maximum residential densities permitted within each of its land use designations, and these vary by location. Within the Resources and Rural Development designation and RRD zone, residential densities vary between 20 and 320 acres per unit. Within the Land Extensive Agriculture designation and LEA zone, residential densities vary between 60 and 320 acres per unit. Within the Land Intensive designation and LIA zone, residential densities vary between 20 and 100 acres per unit. Within the Diverse Agriculture designation and DA zone, residential density varies between 10 and 60 acres per dwelling unit.<sup>9</sup>
- Napa County's Agricultural Preserve zoning district has a minimum lot size of 40 acres, and the Agricultural Watershed zoning district has a minimum size of 160 acres.
- Solano County has several Exclusive Agriculture zoning districts including A-20, A-40, A-80 and A-160 zoning districts, and minimum lot sizes are established at 20 acres, 40 acres, 80 acres and 160 acres respectively.
- Contra Costa County has three Exclusive Agriculture zoning districts including A-20, A-40 and A-80 zoning districts, and minimum lot sizes are established at 20 acres, 40 acres and 80 acres respectively.

### Comparison

In general, Alameda County's lot size and residential density regulations provide less variety in parcel size or residential density than many other counties, and does not include provisions for very large minimum lot sizes (of 160 or 320-acre minimums). By honoring building sites on existing parcels of less

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<sup>9</sup> Sonoma County Code of Ordinances, Chapter 26 (Zoning), Sec. 26-06-040. - Development standards, Table 6-2: Development Standards in Agriculture and Resource Zones

than 100 acres, the practical results of this regulation likely yields a similar variety of parcel sizes in the less than 100-acre minimum categories.

### Maximum Building Intensity – Residential and Non-Residential Uses

Alameda County ECAP policies provide a maximum building intensity for non-residential buildings. The permitted building intensity within the Agricultural (A) district is based on a floor: area ratio (or FAR). The A district's FAR is 0.01 (or 1% of the lot area), but not less than 20,000 square feet. For example, a 100-acre lot with a 1% FAR would have a maximum non-residential building limit of 43,560 square feet (1% of 100 acres). Where permitted, greenhouses have a maximum FAR of .025 (or 2.5% of the lot area). Residential and residential accessory buildings have a maximum allowable floor space of 12,000 square feet.

- Sonoma County General Plan policies (Policy AR-5a and-5b) seek to ensure that agriculture-related support and processing uses are only allowed on agricultural lands when “demonstrated to be necessary for, and proportional to agricultural production on-site or in the local area.” Sonoma County’s Land Intensive and Land Extensive zoning districts further prescribe maximum lot coverage limitations that vary with the size of the parcel. On parcels greater than 20 acres in size, the maximum lot coverage (residential and non-residential, combined) is either 5% of the lot area or 85,000 square feet, whichever is greater.<sup>10</sup>
- Napa County Zoning Ordinance, Table 18.104.010 indicates that the Agricultural Preserve and Agricultural Watershed zoning districts do not have an applicable non-residential maximum building coverage limit.
- Solano County’s Exclusive Agriculture zoning districts do not prescribe building intensity limits for non-residential buildings, or a total maximum building coverage limit. Solano County does establish a maximum size for secondary dwelling units at 1,800 square feet.
- Contra Costa County’s Agriculture districts do not prescribe building intensity limits for non-residential buildings, or a total maximum building coverage limit.

Given the relative interest in this regulation, four additional counties were also reviewed for FAR limitations:

- The Marin Countywide Plan’s Agricultural Production Zones (AG1 through AG3) have non-residential FAR limitations of between 0.01 (1%) and 0.09 (9%), and the corresponding zoning districts A3 through A60 (e.g., A60 applies to 60-acre properties) provides for an FAR of 0.05 (or 5%). These regulations also not that, “the maximum non-residential and non-agricultural floor area for that portion or portions of properties with sensitive habitat or within the Ridge and Upland Greenbelt or the Baylands Corridor, and properties that lack public water or sewer systems, shall be calculated at the lowest end of the floor area ratio range as established by the governing Countywide Plan Land Use Designation, except for projects that provide significant public benefits, as determined by the Review Authority.”<sup>11</sup> Homes, roads, residential support facilities, and other non-agricultural development, shall be clustered on no more than five percent (5%) of the gross acreage, to the extent feasible, with the remaining acreage retained in

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<sup>10</sup> Sonoma County Code of Ordinances, Chapter 26 (Zoning), Sec. 26-06-040: Development Standards, Table 6-2: Development Standards in Agriculture and Resource Zones

<sup>11</sup> Marin County Development Code, Section 22.08.040: Agricultural District Development Standards, Table 2-2

agricultural production and/or open space.<sup>12</sup> Agricultural and open space land use categories with minimum lot sizes of greater than 60 acres do not have a corresponding FAR limit.

- Monterey County's Zoning Ordinance includes three comparable agricultural-related zoning districts: Farmlands (F), Rural Grazing (RG) and Permanent Grazing (PG), each of which includes a maximum of 5% lot coverage (which is different than FAR as it does not account for building height).<sup>13</sup>
- Mendocino County's agricultural zoning districts include Agriculture (AG), Rangeland (RL) and Forest Land (FL) – all of which include standards pertaining to setback, building height and lot sizes, but no development regulations pertaining to maximum non-resident building size.
- San Luis Obispo County's zoning regulations are disaggregated among numerous individual planning areas, communities and villages within that county, each of which contain unique regulations pertaining to allowable land uses, site planning and design. None of these regulations indicate a maximum non-residential building size within agricultural-based zoning areas.<sup>14</sup>

#### Comparisons

Of those nine counties studied, four counties (Alameda, Sonoma, Marin and Monterey) have regulations for maximum building intensities that apply to agriculturally designated or zoned lands. In comparison, Alameda County's regulations are more protective of agricultural lands and/or more restrictive on development potential. The following **Table 4-1** compares the results for comparably sized properties per Alameda County, Sonoma County and Marin County regulations:

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<sup>12</sup> Marin County Development Code, Section 22.08.040: Agricultural District Development

<sup>13</sup> Monterey County Code of Ordinances, Secs 21.30.060, 21.32.060 and 21.34.060

<sup>14</sup> San Luis Obispo County Land Use Ordinance, Chapters 22-04 through 22-08

**Table 4-1: Comparative Building Intensity (e.g., FAR) Regulations**

	<b>Alameda</b>	<b>Sonoma</b>	<b>Marin</b>	<b>Monterrey</b>
<b>Parcel Size:</b>	12,000 sf Residential + 20,000 sf minimum, or 1% non-Residential FAR <sup>1</sup>	5% of the lot area, or 85,000 square feet min.	maximum 5% FAR <sup>2</sup>	maximum 5% building site coverage <sup>3</sup>
40 acres	32,000 12,000 sf residential, plus 20,000 (minimum) non-residential	87,120	87,120	87,120
80 acres	46,848 12,000 sf residential, plus 1% (34,848 sf) non-residential	174,240	NA	174,240
100 acres	55,560 12,000 sf residential, plus 1% (43,560 sf) non-residential	217,800	NA	217,800
160 acres	81,696 12,000 sf residential, plus 1% (69,696 sf) non-residential	348,480	NA	348,480

Notes:

1. Non-residential use permitted at the greater of either 20,000, or 1% FAR
2. Marin A3 through A60 zoning districts provide FAR requirements that apply to lots of between 3 and 60 acres, only
3. Assumes all 1-story buildings at 5% of lot coverage. Taller buildings at the same lot coverage would increase effective FAR

### Building Envelope

Alameda ECAP policies require that all buildings located in an Agriculture or Resource Management land use category must 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 are necessary for agricultural use.

- Sonoma County zoning regulations for Land Intensive and Land Extensive zoning districts do not provide for a maximum building envelope, but the Sonoma County General Plan (Policy AR-6d) provides guidelines for approval of visitor-serving uses in agricultural areas, which include the requirement that such uses must be compatible with, and secondary and incidental to agricultural production activities in the area. The Sonoma County zoning ordinance limits permitted agricultural support services (including incidental sales of products related to the agricultural use, but not including walk-in, over-the-counter retail sales) to not more than one employee and occupying no more than one-half acre of land.<sup>15</sup>
- Napa County, Solano County and Contra Costa County do not have regulations that establish a maximum building envelope, other than applicable building setback requirements and General Plan policies which seek to limit development on agricultural soils and other natural resource values.

<sup>15</sup> Sonoma County Code, Sec. 26-18-050: Agricultural support services

## Comparisons

Alameda County appears to be the only one of the counties studied in this report to have a defined maximum building envelope.

## **Permitted Residential Uses**

Alameda County's Agriculture zoning district permits one single-family dwelling or one single-family mobilehome per building site, plus one secondary dwelling unit per building site on parcels 25 acres in size or larger. Occupancy of agricultural caretaker dwellings and agricultural employee housing is subject to site development review.

- Each of the other counties included in this study have relatively similar regulations pertaining to residential uses.

The following **Table 4-2** provides a comparative summary of the permitting requirements for residential use in Alameda County's "A" district, as compared to each of the other four counties included in this study. Because each county has its own unique set of definitions for different residential use types, and different regulatory processes, the residential use types and permit types have been grouped into similar categories as best determined for this comparison.

**Table 4-2: Comparison of Permitted Residential Land Uses and Types**

	<b>Alameda Ag District (A Zone)</b>	<b>Sonoma Ag Districts (LIA, LEA and RRD Zones)</b>	<b>Napa Ag Preserve (AP and AW Zones)</b>	<b>Solano Ag Districts (A-20 thru A-160 Zones)</b>	<b>Contra Costa Ag. Districts (A2, A3, A4 and A20 thru A-80 Zones)</b>
Single Family Dwelling	P	P	P	P	P
Secondary (Accessory) Dwelling Unit	P (25-acre min lot, with SDR)	P	P	P	UP
Agricultural Caretaker's (Farmworker) Dwelling	SDR	P	-	-	P
Agricultural/Farmworker Employee Housing	SDR for up to 36 beds or 12 units designed as single-family units  C for greater number of beds or units	P (different standards for seasonal and year-round)	P (6 emp., or 36 beds, or 12 units designed as single-family units  UP – greater number of beds or units	AP	P
Farm Family Dwelling Unit	-	P (with Williamson Act or Ag. Easement)	-	C	-
Accessory and Jr. Accessory Dwelling Unit	-	P (not on Williamson Act)	-	-	P

P = permitted or allowed by right

SDR (Site Development Review) and AP (Administrative Permit) = permitted pursuant to an administrative use permit;

C or UP = conditionally permitted pursuant to conditional use permit (CUP) or use permit (UP) as a discretionary action;

- = not permitted or not an identified permitted use

## Wineries

Alameda County's zoning ordinance (17.04.010 – Definitions) defines a Winery as, "a commercial, bonded facility for the fermentation and processing of grapes or other produce into wine, or the re-fermentation of still wine into sparkling wine." Section 17.06.030 of the zoning ordinance lists wineries

as a principal use permitted in the County’s Agriculture (A) zoning district,<sup>16</sup> further described as including “accessory uses such as administrative offices, visitor centers, on-site tasting rooms, production and maintenance facilities, cooperage, and marketing activities.” Visitor center uses are further defined as, “winery tours and on-site tasting, retail sales of wine, olive oil and related items, the display of historical or educational items related to the wine region or art, - not to exceed 30 percent of the floor area of the production facility of the winery. Permanent kitchen facilities are not allowed, but permitted activities include, “the sale of food, complementary food service or provision of picnic facilities limited to cold foods prepared off-site (such as bread, cheese, crackers, sandwiches or salads) in conjunction with wine tasting and sales, provided such food service remains incidental and subordinate to the wine tasting and sales.” An administrative conditional use permit (ACUP) may be requested for a temporary mobile outdoor business as an accessory or incidental use to a winery.

Section 17.06.040 of the Alameda County zoning ordinance lists “winery related uses” as conditionally permitted in an A district, only if approved by the Board of Zoning Adjustments. Winery-related uses means “various uses accessory to a winery, which must be clearly incidental and subordinate to the primary winery use.” The term also includes “various temporary, cultural and social events (catered banquets, receptions, concerts, food and wine festivals, races, etc.), that would not compromise the primary agricultural or appearance of the property. The term includes wine marketing activities that are otherwise disallowed by the definition of winery or olive oil mill. The term includes up to two overnight room accommodations for use by winery business associates.”

The following **Table 4-3** provides a comparative summary of the regulations and permitting requirements for wineries in Alameda County, as compared to each of the other four counties included in this study. Because each county has its own unique set of definitions for wineries and winery-related uses, and different regulatory processes, the use types and permit types for wineries have been grouped into similar categories as best determined for this comparison.

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<sup>16</sup> Section 17.30.160 establishes a CA (Cultivated Agriculture) combining district, which is combined with the A (Agricultural) district to implement the land use policies and standards for the Vineyard Area of the South Livermore Valley Area Plan. The CA combining zone does list certain exceptions and differences between the A and CA districts, but CA regulations pertaining to wineries remain the same as the regulations in the A district.

**Table 4-3: Comparison of Permitted Winery and Winery-Related Uses**

	<b>Alameda Ag District</b> (A Zone)	<b>Sonoma Ag Districts</b> (LIA, LEA and DA Zones)	<b>Napa Ag Preserve</b> (AP and AW Zones)	<b>Solano Ag Districts</b> (A-20 thru A-160 Zones)	<b>Contra Costa Ag. Districts</b> (A2, A3, A4 and A20 thru A-80 Zones)
Outdoor Crops (vines)	P	P	P	P	P
Wineries	P	C <sup>1</sup>	C <sup>2</sup>		C
Small wineries				P	
Medium wineries				AP	
Large wineries		C			
Wine Processing, Production and Storage		C	Based on size (see Wineries, above)		
Tasting Rooms, Sales, Marketing		C	Based on size (see Wineries, above)		
Office/Lab		C	Based on size (see Wineries, above)		
Winery-Related Uses	C	C	C	Based on size (see Wineries, above)	
Business Accommodations		C	C	-	
Catered and Social Events		C	-	-	
Accessory Buildings	P	P	P	-	P

P = permitted or allowed by right;

AP = permitted pursuant to an administrative use permit;

C = conditionally permitted pursuant to conditional use permit (CUP) or use permit (UP) as a discretionary action;

\* = uses included within the definition of small, medium or large winery

1. Sonoma County definition of Agricultural Processing – “Preparation of agricultural products which are not grown on site, processing of agricultural product of a type grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of agricultural products grown or processed on site”

2. Napa County definition of Agricultural Processing - “A facility used for the fermenting and processing of grape juice into wine, or the re-fermenting of still wine into sparkling wine.”

## Comparisons

Of those counties studied, Alameda County appears to have the broadest definition of a “winery”, including more types of uses and activities than other counties (e.g., wine processing, wine production and tasting rooms), and has the least restrictive permitting process for wineries (nearly all defined winery activities and uses are permitted by right, as opposed to separate administrative or discretionary use permit processes). In comparison, Alameda County’s regulations pertaining to permitted (as opposed to conditionally permitted) appear to be more supportive of the winery business (or with less regulator process) than the regulations of those other counties included in this study.

## **Overnight Accommodations**

Alameda County’s zoning ordinance Sections 17.06.030 and 17.06.040 do not list bed and breakfasts establishments as either permitted or conditionally permitted facilities in the County’s Agriculture (A) zoning district. However, in May of 2019, the Board of Supervisors approved amendments to the East County Area Plan and the County Zoning Ordinance related to visitor accommodation and services. Within the CA combining district (which applies only to the SLVAP), bed and breakfast establishments (if conducted within an existing or permitted dwelling and with a maximum of 14 rooms available for guests) and restaurants (with seated service only, and a maximum of 49 permanent indoor seats, and that feature agricultural products of the South Livermore Valley Area) are permitted if approved by the County Board of Zoning Adjustments.

The following **Table 4-4** provides a comparative summary of the regulations and permitting requirements for overnight guest accommodations in Alameda County, as compared to each of the other four counties included in this study.

**Table 4-4: Comparison of Overnight Accommodation Uses**

	<b>Alameda Ag District (A Zone)</b>	<b>Sonoma Ag Districts (LIA, LEA and DA Zones)</b>	<b>Napa Ag Preserve (AP and AW Zones)</b>	<b>Solano Ag Districts (A-20 thru A-160 Zones)</b>	<b>Contra Costa Ag. Districts (A2, A3, A4 and A20 thru A-80 Zones)</b>
Vacation Rentals	-	P (not permitted in LIA zone)	C (in A-20 only)	C (A-20 district only)	-
Bed & Breakfast	- P (CA combining district, only) – 14 rooms	C (not permitted in LIA zone)	-	AP (A-20 district only) – 10 guest rooms	-
Lodging: Hosted Rental	-	P	-	AP (in A-20 only)	-
Lodging: Agricultural Farmstay/Homestay/Guest Cottage	-	P	P	A	-
Lodging: Agricultural Marketing Accommodations	P	C (not permitted in RRD zone)	C	-	-

P = permitted or allowed by right;  
 AP or SDR = permitted pursuant to an administrative use permit or administrative Site Development Review;  
 C = conditionally permitted pursuant to conditional use permit (CUP) or use permit (UP) as a discretionary action;  
 - = not permitted or not a listed use

**Comparisons**

Of those counties studied, Alameda County appears to have the among the fewest opportunities for agricultural tourism overnight accommodations, allowing such uses in the CA combining district of the South Livermore Valley, only. Other counties studied in this report (except for Contra Costa County) appear to have a broader list of permitted or conditionally permitted overnight accommodation opportunities.

**Horses, Boarding Stables and Riding Academies**

Pursuant to Alameda County Zoning Section 17.06.030, the grazing, breeding or training of horses are permitted uses in the Agriculture (A) zoning district. However, boarding stables and riding academies are subject to additional permit procedure and review, including the County’s Site Development Review (SDR) process specific to equine facilities, which includes the following:

- The appropriate Board of Zoning Adjustments shall decide applications for SDR under this section, and a public hearing is required.

- Where the holder of an existing conditional use permit is found to be in compliance with all conditions of the existing conditional use permit, the Planning Director shall recommend to the appropriate Board of Zoning Adjustments that SDR for the facility be approved, except as allowed by the County Policy for Equine Facilities in the A (Agricultural) district.
- The Planning Director may modify the standard SDR requirements, and specifically may waive the requirement that the site plan be prepared by licensed civil engineer, land surveyor, architect, landscape architect, or a registered building designer.<sup>17</sup>

Boarding stables are subject to, and must be consistent with the provisions of the County Policy for Equine Facilities in the A (Agricultural) District (see below). Site development reviews for equine facilities do not have an expiration date, but are subject to periodic reviews for compliance with conditions of approval and with other relevant county ordinances. Any changes in the scope of the boarding stable operation shall require a modification to the SDR permit. SDR approval does not confer any exemption from any health, nuisance, or public safety ordinances or their subsequent enforcement, or confer any other unique privileges for a stable.

- In Sonoma County, the keeping of farm animals (including horses) is a permitted use, but commercial horse facilities and stables are allowed only with a Conditional Use Permit. Commercial horse facilities and stables are defined as, “facilities for the boarding and/or training of horses not owned by the property owner or occupant of an on-site residence, related shows, group lessons and clinics, and similar activities including commercial equestrian facilities, education or instruction facilities for horsemanship, riding academies, and equestrian riding and driving clubs.”
- In Solano County’s Agricultural zoning districts, permitted uses include grazing or pastured livestock (including horses), and private stables. Public stables (with or without horse shows) are permitted upon issuance of a Use Permit. Public stables with horse shows are considered a “Public Assembly Use” (per Section 28.73.30) subject to development standards pertaining to minimum distance from any dwelling unit, minimum distance from side and rear property lines, and minimum distance from front property lines, as well as operational standards related to parking, traffic hazards, emergency response, and nuisance or hazards due to trespass, odor, dust, noise and drainage.
- Napa County’s definition of “agriculture” as a permitted use in their Ag Preserve (AP) and Ag/Watershed (AW) zoning districts includes the breeding and raising of horses. Horse boarding and/or training stables are not permitted in the AP districts, but are permitted in all AW districts upon granting of a Use Permit.<sup>18</sup>
- In Contra Costa County, livestock production and animal breeding (including horses) are permitted uses in all of the County’s Agricultural districts. “Dude” ranches, riding academies and stables are allowed in the Ag-2, Ag-3 and A-20 Exclusive Ag District’s upon the issuance of a land use permit. “Dude” ranches, riding academies and stables are not allowed in the A-40 or A-80 Exclusive Ag Districts.

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<sup>17</sup> The County’s Site Development Review process specific to equine facilities was enacted pursuant to the County’s *Policy for Equine Facilities in the A District*, adopted by the Board of Supervisors March 4, 2004, revising prior zoning requirements for Conditional Use Permits (CUPs) for boarding stables and riding academies

<sup>18</sup> Per Napa County Code definitions (18.08.490), “stable” or “public stable” means a facility for the commercial boarding of horses or for the housing of horses for rental, or both.

The following **Table 4-5** provides a comparative summary of the permitting requirements for equestrian facilities in Alameda County, as compared to each of the other four counties included in this study.

<b>Table 4-5: Comparison of Equestrian Facility Permitting Requirements</b>					
	<b>Alameda Ag District (A Zone)</b>	<b>Sonoma Ag Districts (LIA, LEA and DA Zones)</b>	<b>Napa Ag Preserve (AP and AW Zones)</b>	<b>Solano Ag Districts (A-20 thru A-160 Zones)</b>	<b>Contra Costa Ag. Districts (A2, A3, A4 and A20 thru A-80 Zones)</b>
Grazing and Breeding Horses (including private stables)	P	P	P	P	P
Commercial Stables, Horse Training and Riding Academies	SDR	C	AP Zone ( - ) AW Zone - C	C	A2, A3, A4 and A20 Zones – C A40-A80 Zones ( - )

P = permitted or allowed by right;  
 SDR = permitted pursuant to Site Development Review;  
 C = conditionally permitted pursuant to conditional use permit (CUP) or use permit (UP) as a discretionary action;  
 - = not permitted or not listed as a permitted or conditionally permitted use

Comparisons

Of those counties studied, Alameda County appears to have the most permissive permitting process for commercial stables, horse training and riding academies than other counties, providing for an administrative Site Development Review process before the Zoning Adjustment Board, rather than requiring discretionary conditional use permits (CUPs) for these types of uses, as do all other counties studied in this report. Alameda County’s regulations pertaining to permitted (as opposed to conditionally permitted) uses appear to be more supportive of the equine business (or with less regulatory process) than the regulations of those other counties included in this study.

**Commercial Cannabis**

Alameda County’s Agriculture (A) zoning district requires a CUP approved by the County Board of Zoning Adjustments for all cannabis cultivation and associated cannabis distribution, cannabis retailers, combined cannabis operations, and testing labs (all subject to additional regulations). The following **Table 4-6** provides a comparative summary of the regulations and permitting requirements for cannabis-related land uses in Alameda County, as compared to each of the other four counties included in this study.

**Table 4-6: Comparison of Cannabis-Related Permitted Uses**

	<b>Alameda Ag District (A Zone)</b>	<b>Sonoma Ag Districts (LIA, LEA and DA Zones)</b>	<b>Napa Ag Preserve (AP and AW Zones)</b>	<b>Solano Ag Districts (A-20 thru A-160 Zones)</b>	<b>Contra Costa Ag-Districts (A2, A3, A4 and A20 thru A-80 Zones)</b>
Cultivation	C	C (10 acres minimum lot)		C <sup>2</sup>	C (not permitted in Cannabis Exclusion areas)
Distribution	C	C		-	- (not permitted)
Retail	C	-	- (not permitted) <sup>1</sup>	-	- (not permitted outside of ULL)
Testing labs, manufacturing and combined operations	C	C (10 acres minimum lot)		C <sup>2</sup>	C-(not permitted in Cannabis Exclusion areas)

C= Conditional Use Permit, plus all other applicable regulatory requirements and associated permits;  
 - not permitted

Notes:

1. Per Napa Code of Ordinances, Section 8.10.025, “all forms of commercial cannabis activity shall be prohibited and shall not be an allowable use in any zone of the unincorporated area of Napa County and shall not be permitted for any purpose”
2. Per Solano County Code, Section 2.2-130, “Hemp cultivation, including seed production, may only be eligible for a hemp cultivation permit within the geographical area of unincorporated Solano County bounded by: (1) The western boundary shall be a north to south line running one (1) mile east of Highway 113 between Midway Road on the north to a point three (3) miles north of Highway 12; (2) The eastern boundary shall be the eastern county boundary line; (3) The southern boundary shall be a line running west to east three (3) miles north of Highway 12 from one (1) mile east of Highway 113 and extending to the eastern county boundary line; and (4) The northern boundary line shall be Midway Road as it extends from one (1) mile east of highway 113 on the west to the eastern County boundary.

Comparisons

Of those counties studied, Alameda County appears to have the broadest list of conditionally permitted cannabis-related uses. No other county studied in this report has any provisions for cannabis sales within its agricultural zoning districts. Napa County appears to be the most restrictive, not permitting any forms of commercial cannabis activity in any zone of the unincorporated area of Napa County. Other counties included in this study appear to be similar to Alameda County as pertains to cannabis cultivation, but more restrictive as to other cannabis-related activities and uses.

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