

### 3. Land Use Element

Properties that are located inside the ULL would be governed by the land use designations contained in the General Plan. These properties would continue to be subject to the goals, policies and implementation measures of the General Plan as a whole. The fact that a property is located inside the ULL provides no guarantee or implication that it may be developed during the lifetime of the General Plan. Development of property within the ULL would be restricted by the limitations imposed by the County's Growth Management Program, as well as by other General Plan limitations. In addition, those properties within the ULL that do not currently have land use designations that would permit urban development would have to apply for and obtain a General Plan Amendment re-designating the property with a land use designation permitting development. Moreover, even if land is developed within the Urban Limit Line, a substantial portion of this land shall be retained for non-urban uses such as open space, parks and recreational uses. These non-urban uses within the ULL shall be considered "non-urban" in monitoring the 65/35 Land Preservation Standard. This goal shall be applied within the ULL on a Countywide basis as it may be more or less applicable to various development projects within the ULL. Therefore, the only actual effect of locating a property within the ULL is that a General Plan Amendment may be considered for that property within the term of the General Plan, while no such application would be considered for property located outside the ULL.

#### **CHANGES TO THE URBAN LIMIT LINE**

There shall be no change to the ULL that would violate the 65/35 Land Preservation Standard. The ULL will only be able to be changed by a 4/5 vote of the Board of Supervisors after holding a public hearing and making one or more of the following findings based on substantial evidence in the record:

- (a) a natural or man-made disaster or public emergency has occurred which warrants the provision of housing and/or other community needs within land located outside the ULL;
- (b) an objective study has determined that the ULL is preventing the County from providing its fair share of affordable housing or regional housing as required by State law, and the Board of Supervisors finds that a change to the ULL is necessary and the only feasible means to enable the County to meet these requirements of State law;
- (c) a majority of the cities that are party to a preservation agreement and the County have approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement;
- (d) A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries;
- (e) an objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the east Contra Costa County Airport, and either (I) mitigate adverse aviation related to environmental or community impacts attributable to Buchanan Field, or (ii) further the County's aviation related needs;
- (f) a change is required to conform to applicable California or federal law; or
- (g) a five (5) year periodic review of the ULL has determined, based on the criteria and factors for establishing the ULL set forth above, that new information is available (from city or County growth management studies or otherwise) or circumstances have changed, warranting a change to the ULL.

The ULL is shown on Figure 3-1. A larger scale map showing the ULL and any changes to the ULL can be obtained from the County Community Development Department. Table 3-3 shows the estimates of how the initial ULL relates to the 65/35 Land Preservation Standard in terms of acreage.

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This percentage breakdown of land use translated to the acreage figures within and outside the ULL is provided in Table 3-3. The figures were developed by planimeter readings of the ULL as drawn on the Land Use Maps by the Contra Costa County Community Development Department. They demonstrate that of the 481,430 acres in the County, 168,500 acres (35 percent) could be devoted to a maximum urban use under the interplay of the 65/35 standard with the ULL program. This would require future General Plan amendments. The calculations indicate that there are about 144,018 acres designated in the General Plan for urban use within the ULL, after deducting the existing 23,982 acres of agricultural and open space land inside the ULL.

**TABLE 3-3  
CONTRA COSTA COUNTY  
ESTIMATES OF URBAN LIMIT LINE  
IN RELATION TO 65/35 LAND PRESERVATION STANDARD**

A.	Total County Land Area (100 percent)		481,430	acres
B.	Minimum Non-Urban Land (65 percent)		312,930	acres
C.	Maximum Potential Urban Land (35 percent)		168,500	acres
D.	Total Land Area in Urban Limit Line (ULL)	219,000		
E.	- Dedicated to Open Space in ULL	( 43,150)		
	- Dedicated to Agricultural Use in ULL	( 26,720)		
F.	General Plan Urban Use in ULL		144,018	acres
G.	Maximum Potential Urban Conversion Acreage <sup>1</sup>		23,982	acres

1. If GPAs were approved, this is the maximum amount of land within the initial Urban Limit Line that could be converted to urban use.

#### **65/35 Land Preservation Standard**

The 65/35 Land Preservation Standard was a fundamental component of Measure C - 1990. The standard limits urban development in the County through at least the horizon of this General Plan to no more than 35 percent of the land in the County and requires that at least 65 percent of all land in the County shall be preserved for agriculture, open space, wetlands, parks and other non-urban uses. (For definitions, see Chapter 3.5) The Urban Limit Line works to enforce the 65/35 Land Preservation Standard and establish a line beyond which no urban land uses can be designated. The standard ensures that both within and outside the ULL, a maximum of not more than 35 percent urban development could occur in the County, irrespective of potential General Plan Amendments in the future. As described above, substantial portions of land to be developed within the ULL will be required for the open space, parks, recreation 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.

#### **ULL 65/35 Land Preservation Standard, Growth Management and LAFCO**

In accordance with Measure C - 1990, LAFCO shall be advised by the County to (a) respect and support the County's 65/35 Preservation Standard, Urban Limit Line and growth management standards when considering requests for incorporation or annexation to cities or service districts, (b) apply the stricter growth management standards of either the County, the incorporating city or the annexing city or service district, when considering requests for incorporation or annexations of land to cities or service districts, and (c) require that unincorporated land located within the Urban Limit Line that is to be incorporated into a new city or annexed to a city be used to provide a fair share of affordable housing when and if such land is developed.