

**To:**                **Board of Supervisors**

**From:**           John Kopchik, Director, Conservation and Development

**Report Title:** 2026 Voter-Approved Contra Costa County Urban Limit Line Ballot Measure

☒ Recommendation of the County Administrator   ☐ Recommendation of Board Committee

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**RECOMMENDATIONS:**

1. ACCEPT a report from the Conservation and Development Director on the proposed 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure for the June 2, 2026, Primary Election.
2. RECEIVE public comment on the proposed 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure for the June 2, 2026, Primary Election.
3. CERTIFY that the environmental impact report prepared for the 2026 Urban Limit Line Renewal Project was completed in compliance with the California Environmental Quality Act (CEQA), was reviewed and considered by the Board of Supervisors before Project approval, and reflects the County's independent judgment and analysis.
4. CERTIFY the environmental impact report prepared for the 2026 Urban Limit Line Renewal Project.
5. ADOPT the CEQA findings for the Project.
6. ADOPT the mitigation monitoring and reporting program for the Project.
7. ADOPT the statement of overriding considerations for the Project.
8. ADOPT Resolution No. 2025-407, authorizing an election on the 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure for the June 2, 2026, Primary Election, and approving the ballot measure text as shown on Attachment A to the resolution.
9. DIRECT the County Clerk-Recorder-Registrar of Voters to conduct the election on the 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure pursuant to the California Elections Code. This election shall be held at the time of the Primary Election on June 2, 2026.
10. DIRECT the Department of Conservation and Development to file a CEQA Notice of Determination with the County Clerk and the State Clearinghouse, and AUTHORIZE payment of the CEQA filing fee of approximately \$4,173.50.

11. SPECIFY that the Department of Conservation and Development, located at 30 Muir Road, Martinez, California, is the custodian of the documents and other materials that constitute the record of proceedings upon which the decision of the Board of Supervisors is based.

### **FISCAL IMPACT:**

The estimated cost to place the proposed measure on the June 2, 2026 Primary Election ballot is \$2.5 to \$3 million and will be covered from the County General Fund. Actual election costs will vary based on the number of jurisdictions participating in the Primary Election.

### **BACKGROUND:**

On February 25, 2025, the Board of Supervisors received a report from DCD staff on a potential 2026 ballot measure to renew the Voter-Approved Contra Costa County Urban Limit Line (ULL) (Exhibit 8). After accepting public testimony and deliberating, the Board directed staff to seek feedback from the public, cities, Municipal Advisory Councils, and County Planning Commission, and return no later than summer 2025 with an update.

On June 24, 2025, the Board received an update from DCD, which included the results of public outreach (Exhibit 9). After accepting public testimony and deliberating, the Board directed DCD staff to complete the steps necessary for returning to the Board in late 2025 with a draft ballot measure that could be placed on the June 2, 2026, Primary Election ballot. This direction specifically included completion of environmental (CEQA) review based on the draft ULL maps presented on June 24.

### CEQA Review

The 2026 ULL ballot measure is a project subject to the requirements of CEQA. Pursuant to CEQA Guidelines Section 15153, an environmental impact report (EIR) from a prior project may be used for a later project if the circumstances and impacts of the projects are “essentially the same.” Section 15153 states that the CEQA Lead Agency (here, the County) shall review the later project with an Initial Study to determine whether the EIR from the earlier project would adequately describe the general environmental setting of the later project, significant environmental impacts of the later project, and alternatives and mitigation measures related to each significant effect. If so, the EIR from the earlier project may be used as the draft EIR for the later project.

Staff reviewed the draft 2026 ULL ballot measure, which incorporates the draft ULL map (Attachment A to Resolution 2025/XXX) with an Initial Study (Exhibit 1) and determined that the Contra Costa County 2045 General Plan and Climate Action Plan EIR (Exhibit 3) evaluated the impacts associated with the ballot measure in sufficient detail to serve as the environmental document for the ballot measure. The 2026 ULL ballot measure would facilitate implementation of the 2045 General Plan as intended, through continuation of the 65/35 Land Preservation Plan and ULL, and would not change any land use designations or the projected development that may occur under the 2045 General Plan. “Draft EIR” in this Board Order therefore refers to the

2045 General Plan and Climate Action Plan EIR, which also serves as the draft EIR for the 2026 ULL ballot measure project.

The Draft EIR identifies potentially significant impacts in the following environmental topic areas: Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural and Tribal Resources, Geology and Soils, Mineral Resources, Noise, Transportation, and Wildfire. While most impacts identified in the Draft EIR are either less-than-significant or can be mitigated to less-than-significant levels, 12 impacts were identified as significant and unavoidable. Though some mitigation exists for some of these impacts, they cannot be mitigated to less-than-significant levels. Each impact identified in the Draft EIR is discussed in detail in the CEQA Findings of Fact and Statement of Overriding Considerations (Exhibit 5), as is the justification for approving the 2026 ULL ballot measure project despite its significant and unavoidable impacts. Staff emphasizes that the impacts associated with the 2026 ULL ballot measure are not new impacts; they are the same as the impacts associated with implementation of the 2045 General Plan.

DCD posted a Notice of Availability (Exhibit 2) stating that the Initial Study and Draft EIR were available for public review and comment between August 25 and October 9, 2025. On September 15, 2025, the County Zoning Administrator held a hearing to provide members of the public with an opportunity to submit verbal comments; four people, all residents of the Alhambra Valley area, spoke. The County received four comment letters on the Initial Study/Draft EIR – three from public agencies and one from a law firm representing a private property owner in the Clayton area. Section 3 of the 2026 Urban Limit Line Renewal Final EIR (Exhibit 4) includes responses to all written and verbal comments received during the comment period. None of the public comments, written or verbal, necessitated significant changes to the project or Initial Study/Draft EIR. All Initial Study/Draft EIR edits made in response to public comments are shown in Section 4 of the Final EIR. The Final EIR (which incorporates the Draft EIR), CEQA Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program (Exhibit 6), were prepared in compliance with CEQA and the State and County CEQA Guidelines.

#### Native American Tribal Consultation

From August to November 2025, the County engaged in Native American tribal consultation pursuant to the requirements of Assembly Bill 52. Five tribes responded to the County's initial notification of the opportunity to consult on the 2026 ULL ballot measure project. The County responded by acknowledging the requests and providing materials related to tribal consultation that occurred during the 2045 General Plan update along with new materials. Three tribes did not contact the County again, though the County did follow-up twice. Consultation with the remaining tribes resulted in the County agreeing to address specific issues as part of a General Plan amendment anticipated for 2026. The County formally concluded consultation with all tribes on November 24, 2025. The correspondence between the County and Native American tribes is included in Appendix A to the Final EIR.

### Minor Proposed Change to Draft ULL Map Since June 2025

On October 21, 2025, the Board of Supervisors adopted a General Plan amendment (GPA), rezoning, and subdivision for a 13-lot project on Camino Pablo outside the Town of Moraga. During the project review, staff identified nearby properties and a portion of the project site that are appropriate for ULL contraction due to the presence of steep slopes and sensitive habitat, and their location within a Very High Fire Hazard Severity Zone. The GPA more precisely defined the area of new ULL contraction, which is 35.3 acres. This proposed change is reflected in the draft 2026 ULL ballot measure and the updated ULL map set that depicts proposed ULL adjustments in detail (Exhibit 7).

### Draft 2026 ULL Ballot Measure and Draft ULL Map

The attached draft ULL ballot measure reflects the direction given by the Board at its February 25 and June 24, 2025, meetings. In summary, the draft Ballot measure would amend the Land Use Element of the 2045 General Plan and the 65/35 Contra Costa County Land Preservation Plan Ordinance (County Ordinance Code Chapter 82-1) as follows:

- (1) Extend the term of the current 65/35 Land Preservation Plan Ordinance, which establishes a countywide ULL, from December 31, 2026, to December 31, 2051.
- (2) Provide that, through December 31, 2051, the General Plan cannot be amended to expand the ULL by more than 30 acres without a four-fifths vote of the Board of Supervisors and approval of the voters, except under limited circumstances.
- (3) Provide for review of the ULL concurrently with General Plan Housing Element update cycles.
- (4) Update and expand the criteria and considerations for moving land outside the ULL.
- (5) Incorporate a revised ULL map that reflects non-substantive expansions and contractions of the ULL at various locations across the county and delineates the area of potential future expansion in the vicinity of Byron Airport.
- (6) Retain the 65/35 Land Preservation Standard and protections for the county's prime agricultural land.

The draft ULL ballot measure maintains the County's eligibility to receive its share of the sales tax proceeds under the Contra Costa Transportation Authority's Measure J-2004 by maintaining conformance with the "Principles of Agreement for Establishing the Urban Limit Line," attached and incorporated into Measure J-2004.

### **CONSEQUENCE OF NEGATIVE ACTION:**

The 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure would not be placed on the June 2, 2026, Primary Election ballot. If a ULL ballot measure is not on the 2026

Primary Election ballot, then one opportunity will remain, the 2026 General Election in November, for Contra Costa County voters to renew the ULL before the prior ULL measure expires at the end of 2026.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board**

**RESOLUTION NO. 2025-407**

**RESOLUTION CALLING FOR AN ELECTION ON JUNE 2, 2026, TO EXTEND THE  
VOTER-APPROVED CONTRA COSTA COUNTY URBAN LIMIT LINE**

Recitals

- A. In November 1990, the voters approved Measure C-1990, the 65/35 Contra Costa County Land Preservation Plan Ordinance (Chapter 82-1 of the County Ordinance Code), which limited urban development in Contra Costa County to no more than 35 percent of the land in the county and required that at least 65 percent of all land in the County would be preserved for agriculture, open space, wetlands, parks, and other non-urban uses. Measure C-1990 also established a countywide Urban Limit Line, a regulatory boundary beyond which no urban land use could be designated during the term of the County's 1990-2010 General Plan.
- B. In November 2004, the voters in Contra Costa County approved Measure J-2004, a 25-year extension of the Measure C-1988 local transportation sales tax measure previously approved by the voters in 1988. To be eligible for its share of the sales tax proceeds under Measure J-2004, the County must have a voter-approved Urban Limit Line, developed and maintained in conformance with the "Principles of Agreement for Establishing the Urban Limit Line," attached and incorporated into Measure J-2004.
- C. In November 2006, the voters approved Measure L-2006, which extended the term of the 65/35 Contra Costa County Land Preservation Plan Ordinance and Urban Limit Line, established different procedures for expanding the Urban Limit Line, provided for periodic reviews of the Urban Limit Line boundary, and revised the Urban Limit Line map. By its terms, Measure L-2006, including the 65/35 Contra Costa County Land Preservation Plan Ordinance and Urban Limit Line, is scheduled to expire December 31, 2026.

NOW, THEREFORE, the Contra Costa County Board of Supervisors FINDS and RESOLVES as follows:

1. The foregoing recitals are true and correct and are incorporated by reference.
2. The Board of Supervisors recognizes the value and need to continue the Urban Limit Line as an effective tool for planning the orderly growth and development within the unincorporated area of Contra Costa County. The Board also recognizes the need for Contra Costa County to remain eligible for its share of Measure J-2004 sales tax proceeds by securing voter approval of an extension to the Urban Limit Line before December 31, 2026.

3. On February 25, 2025, and June 24, 2025, the Board of Supervisors directed and authorized Department of Conservation and Development staff to take steps to initiate the preparation of a ballot measure to extend the 65/35 Land Preservation Plan Ordinance and the Urban Limit Line. These steps included conducting an environmental review and preparing an Urban Limit Line ballot measure to be placed before voters in 2026. If approved, the measure would amend the Land Use Element of the Contra Costa County 2045 General Plan and the 65/35 Contra Costa Land Preservation Ordinance in the following ways: (1) extend the term of the current 65/35 Land Preservation Plan Ordinance, which establishes a countywide Urban Limit Line, from December 31, 2026, to December 31, 2051; (2) provide that, through December 31, 2051, the General Plan cannot be amended to expand the Urban Limit Line by more than 30 acres without a four-fifths vote of the Board of Supervisors and approval of the voters, except under limited circumstances; (3) provide for review of the Urban Limit Line concurrently with General Plan Housing Element update cycles; (4) update and expand the criteria and considerations for moving land outside the Urban Limit Line; (5) incorporate a revised Urban Limit Line map that reflects non-substantive expansions and contractions of the Urban Limit Line at various locations across the County and delineates the area of potential future expansion in the vicinity of Byron Airport; and (6) retain the 65/35 Land Preservation Standard and protections for the County's prime agricultural land.
4. The Board of Supervisors has reviewed and considered an Environmental Impact Report (EIR) on the proposed 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure, which was prepared by the Contra Costa County Department of Conservation and Development (DCD) pursuant to the California Environmental Quality Act (CEQA). DCD prepared an Initial Study pursuant to CEQA Guidelines Section 15153, evaluating whether the environmental impact report prepared for the 2045 General Plan and Climate Action and Adaptation Plan 2024 Update (GPEIR) adequately evaluated the impacts associated with the ballot measure in sufficient detail to serve as the environmental document for the ballot measure. Based on the Initial Study, the Board determined that the GPEIR meets the criteria of Section 15153 and can be used as the Draft EIR for the ballot measure. The Board has concurrently herewith certified the ballot measure EIR, including the Initial Study, the GPEIR as the Draft EIR, and a Final EIR. The Board also adopted a mitigation monitoring and reporting program and CEQA findings, including a statement of overriding considerations.
5. The Board of Supervisors, having received comments from the public and having considered these comments, directs that the 2026 Voter-Approved Contra Costa County Urban Limit Line ballot measure, as set forth in the ballot measure text attached hereto as Attachment A and incorporated herein by reference, be submitted to qualified voters of the County for their approval at the June 2, 2026, Primary Election, in accordance with the requirements of the California Elections Code. The following ballot language for submittal of the measure to the voters is hereby approved:

“Shall the measure amending the Contra Costa County General Plan and the County's 65/35 Land Preservation Plan Ordinance to continue protections to the County's non-urban, agricultural, and open space areas by extending

the term of the County's Urban Limit Line through December 31, 2051; adopting an updated Urban Limit Line map; requiring voter approval, except under limited circumstances, to expand the Urban Limit Line by more than 30 acres; and retaining the 65/35 Land Preservation Standard, be adopted?"

6. The Contra Costa County Clerk-Recorder-Registrar of Voters is designated as the Elections Official for the election, and is hereby authorized and directed to provide all notices and take all other actions necessary to holding the election, including but not limited to providing notice of times within which arguments for and against are submitted.

PASSED AND ADOPTED on \_\_December 9 2025\_\_\_\_, by the following vote:

AYES: John Gioia, Candace Andersen, Ken Carlson, Shanelle Scales-Preston

NOES: None

ABSENT: Diane Burgis

ABSTAIN: None

ATTEST: MONICA NINO,  
Clerk of the Board of Supervisors  
and County Administrator

\_\_Candace Andersen\_\_\_\_\_  
Board Chair

By: June McHuen, Deputy Clerk\_\_\_\_\_

[SEAL]