

## **COMPATIBLE USE DETERMINATION PROCESS**

The Compatible Use Determination is an evaluation of proposed development on property under a Williamson Act contract in order to ensure compliance with Williamson Act requirements pertaining to compatible uses.

Williamson Act contracts in Alameda County are intended to promote agricultural productivity and to preserve agricultural land from premature and unnecessary conversion to uses other than agriculture and open space. The presence of commercial agriculture is a precondition to compatible development on land restricted by a Williamson Act contract. Please consult the Guidelines for Commercial Agriculture for further reference.

Proposed development on contracted land must be both “compatible with” and “incidental to” the documented agricultural use of the property. Please consult Uniform Rule 2 of the Alameda County Uniform Rules and Procedures Governing Agricultural Preserves and Williamson Act Contracts (adopted October 11, 2011) for further reference.

The Compatible Use Determination involves a two-part determination:

1. Whether there is an existing commercial agricultural use that meets one of the thresholds established in Uniform Rule 1 and the Guidelines for Commercial Agriculture; and,
2. Whether the proposed development meets the required findings of compatibility as outlined in Uniform Rule 2.

The following page is a checklist of documentation required by the Planning Department in order to process your application for a Compatible Use Determination. Your application will **not** be accepted unless: 1) it is signed by the property owner or authorized representative, 2) accompanied by the current filing fee, and 3) includes **all** the pertinent application materials.

***Landowners should confer with the Planning Department prior to applying for a Use Permit in order to ensure that the permit application will be approved as submitted.***

Following initial review of submitted materials, additional information may be required.

**Questions?** Contact the Planning Department at (510) 670-5400

**CHECKLIST OF REQUIRED APPLICATION MATERIALS**  
**For a Compatible Use Determination**

The information listed below is required to process your Compatible Use Determination Application. Submit 3 copies of all of the following:

- Commercial Agriculture Determination Form** (filled out and signed)
- Site Plans (3 copies)**

All plan sets must be legibly drawn to an appropriate scale, sheet size is 18” x 24” minimum to 24” x 36” maximum, and be consistent with submitted plans for related land development or building permit applications. The plan must label all uses on the subject property and identify the locations, acreage, and approximate footprint of the following:

- Existing commercial agricultural use(s)
  - Existing structures
  - Use areas (e.g. a garden, vineyard, pasture), including the 2-acre building envelope
  - Proposed use and development of the subject property
  - If applicable, the 10% of the contracted property, or 10 acres, (whichever is less) dedicated to non-agricultural non-building uses (i.e., an area for uses free of impervious surfaces)
  - If applicable, the development envelopment dedicated to a preparation or processing facility (see Uniform Rule 2, II.B.)
- Square Footage Calculations**

Square footage calculations shall be included on the site plan.

- Square footage of the footprints of all existing structures and any hardscape and associated improvements
  - Square footage of the footprint of all proposed structures and any hardscape and associated improvements
- Draft Copy of the Application for a Use Permit (when the proposed use requires Planning or Building Inspection approvals) for the initial review by the Planning Department.**
  - Copy of the Use Permit Application for sign-off by the Planning Department.**
  - Application Fee**