

## MEASURE K County of San Benito

### Ballot Question

Shall Ordinance No. 991, An Ordinance of the Board of Supervisors of the County of San Benito Amending the San Benito County Code to add text relating to the "Regional Commercial (C-3) District" be adopted?

### What your vote means?

YES	NO
A "Yes" vote is for the adoption of Ordinance No. 991.	A "No" vote is against the adoption of Ordinance No. 991.

### What will you find in this pamphlet?

County Counsel's Impartial Analysis  
Argument in Favor  
Rebuttal to Argument in Favor  
Argument Against  
Rebuttal to Argument Against

The following statement is an impartial analysis of Measure K. If you desire a copy of the **full text of the Ordinance**, please contact the Department of Elections at 831-636-4016 / 877-777-4017 and copy will be mailed at no cost to you, or you may access the full text of the measure on the County Website at the following Website address:



<http://sbcvote.us/registrar-of-voters/elections-information/>



[sbcvote@cosb.us](mailto:sbcvote@cosb.us)

### COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE K

VOTER APPROVAL OF SAN BENITO COUNTY ORDINANCE NO. 991  
ESTABLISHING ZONING REGULATIONS FOR DEVELOPMENT WITHIN THE  
REGIONAL COMMERCIAL (C-3) DISTRICT ALONG THE HIGHWAY 101 CORRIDOR

The San Benito County Board of Supervisors approved Ordinance No. 991 on September 24, 2019, which amends the zoning regulations to include new provisions for the approximate total of 300 acres of Regional Commercial (C-3) zoned lands located at four separate interchanges along Highway 101. The regulations are intended to implement the Regional Commercial Land Use policies and standards included in the 2035 San Benito County General Plan that was adopted in 2015 with the objective

of capturing tax revenue from Highway 101 travelers, promoting San Benito County local history and economy (e.g. agriculture, wineries, recreation), and marketing locally-produced agricultural products.

A timely submitted referendum petition protesting Ordinance No. 991 was certified with sufficient signatures of voters registered in San Benito County and presented to the Board of Supervisors on November 19, 2019. The Board of Supervisors then adopted a resolution ordering that Ordinance No. 991 be submitted to the voters on the March 3, 2020 Primary Election ballot. If a majority of San Benito County voters casting a ballot in that election vote to approve Ordinance No. 991, the ordinance will take effect. If less than a majority vote to approve the measure, the ordinance will be defeated. If the ordinance is defeated, the Board of Supervisors could then be required by state law (Gov. Code § 65860) to adopt other zoning regulations to be consistent with and implement the General Plan, or the Board could choose to amend the General Plan.

If Ordinance No. 991 is adopted by the voters, the Regional Commercial (C-3) zoning regulations will be included in the San Benito County Code. Generally, those regulations limit permitted uses to agriculture, grazing, and uses allowed by right in the Agriculture and Rangeland (AR) District, unless a site plan, conditional use permit or a Master Development Plan is approved by the Planning Commission for any type of commercial development. The maximum development permitted at any one of the four C-3 zoned areas is just under 12 acres of commercial structures if fully developed for all use types, including:

- up to 2.3 acres (i.e., a square 316.23 ft on each side) of retail commercial,
- up to 125 hotel rooms of no more than 750 square feet each – 8.6 acres if all single story; and,
- less than one acre with no more than 30 residential units of up to 1,400 square feet each

The areas zoned C-3 total just under 300 acres:

- Betabel 29 acres
- Hwy 129 33 acres
- Livestock 101 159.3 acres
- Rocks Ranch 77.3 acres

The site specific environmental or fiscal impact of any proposed commercial development at any of the nodes cannot be determined until the location, type, and extent of a proposed project is submitted as part of a site plan, conditional use permit or Master Development Plan application to the County Planning Department.

A “Yes” vote is for the adoption of Ordinance No. 991. A “No” vote is against the adoption of Ordinance No. 991.

BARBARA THOMPSON, County Counsel

By: s/ JOEL ELLINWOOD, Assistant County Counsel

## ARGUMENT IN FAVOR OF MEASURE K

Does San Benito County want better roads, parks and recreational activities, bike trails, fire/ambulance services, senior services, a new library, and more sheriffs' deputies? If so, the County needs to have commercial and economic development. Tens of thousands of automobiles travel daily on Highway 101, but there are no stops in San Benito County along Highway 101 for travelers to spend money and generate transient and sales tax revenue to fund these vital services.

The Regional Commercial (C-3) Zoning establishes standards for limited commercial development along Highway 101. Currently, four very specific areas have been rezoned to C-3 zoning. The C-3 Zone sets forth strict development review standards, which will review the project's design, theme, and landscaping to be compatible and appropriate for our County's natural picturesque beauty. This review process will ensure high-quality commercial development. Themed, scenic commercial development is an alternative to unattractive gas stations or hotels. Protect the look of San Benito County through design review and design standards! The C-3 zone establishes some of the first development standards for San Benito County. These standards will be among the most innovative and strictest standards in the State for commercial development. This is the way that future development *should* be structured. The currently planned node locations are small and well-constrained. The C-3 Zone protects agricultural soils and enhances the natural environmental habitat along the Pajaro River. Each node shall not have more than 125 hotel rooms, which is considered a small hotel.

Lastly, this ordinance only approves the zoning text for the C-3 zone. All future commercial development would need its own environmental analysis (CEQA review) and separate County approvals.

Vote Yes on Measure K! Ordinance 991 is economically and environmentally responsible. It supports tourism, recreation and businesses in San Benito County.

SAN BENITO COUNTY BOARD OF SUPERVISORS

s/ Mark Medina, Chair

s/ Jaime De La Cruz, Vice-Chair

s/ Anthony Botelho, District 2

s/ Peter Hernandez, District 3

s/ Jim Gillio, District 4

## REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE K

### VOTE **NO** on MEASURE K... DON'T BE FOOLED BY FAIRY TALES ABOUT GROWTH.

Supervisors claim that changing 4 locations ("nodes") along Highway 101 to a C-3 zone (to allow 4 hotels, 4 strip malls and 120 residential units) will generate lots of tax revenue and magically give us better roads and services.

#### **Runaway growth won't solve all our problems. Here are the facts:**

##### Urban Sprawl is Expensive

- Studies show that communities with runaway growth spend more on infrastructure and services than communities that keep growth near urban centers.
- Sheriff and fire services will need to be expanded to cover 4 rural, high fire risk locations.

##### Local Businesses Will Suffer

- New hotels, restaurants, stores and gas stations along Highway 101 will hurt existing businesses in City of San Juan Bautista and Aromas.
- In Gilroy, the malls built along Highway 101 killed many of their downtown businesses.

##### Future of Retail & Hotels is Uncertain

- Putting 4 hotels and 4 strip malls in a remote, rural area is financially risky.
- Many retail businesses along Highway 101 (in Gilroy and Prunedale) have closed. Online shopping is hurting brick-and-mortar stores.
- Hotels in City of San Juan Bautista are struggling. Adding 4 more hotels nearby doesn't make sense.

##### More Traffic & Crime

- Building 4 hotels, 4 strip malls and 120 residential units will increase traffic and accidents on Highways 101 and 156.
- These new developments will also bring more crime to our rural area.
- Developing two nodes near Anzar High School exposes our students to more risks.

#### **VOTE **NO** on MEASURE K... Protect Our Community, Not Developers' Profits.**

s/ DAVID A. HUBOI, Architect and  
Hollister Planning Commissioner

s/ JEFF C HARDY, Owner  
Aromas Feed & Ranch Supplies

s/ LOIS LONG, Owner  
Lois's Unique Home Furnishings

s/ PHIL ESPARZA, Executive Producer  
El Teatro Campesino

s/ KOLLIN KOSMICKI  
Journalist and District 2 Supervisor Candidate

## ARGUMENT AGAINST MEASURE K

### **VOTE NO on MEASURE K... SAY NO to TRAFFIC and RUNAWAY GROWTH.**

#### They'll Pave Paradise and Put Up a Parking Lot

Our Supervisors have given in to the pressure of developers yet again. They're letting them build on the last scenic corridor of Highway 101 south of Silicon Valley. The new zoning (C-3) allows 4 hotels, 4 strip malls and 120 residential units on 300 acres of agricultural and rural lands. Residents are fighting this urban sprawl. They don't want to be an extension of San Jose.

#### Economic Benefits are Overblown

The Supervisors didn't do an economic analysis of the proposed Highway 101 projects. Yet they claim, without evidence, that revenue from this development will solve all the County's problems. It's doubtful that 4 hotels in a rural area can be economically viable. And retail businesses are declining rapidly in this age of Amazon.

#### Say "NO" to Traffic and Unsustainable Growth

The Supervisors should not allow this Highway 101 development when our infrastructure (especially roads and water) is so inadequate. This development will add to the already **terrible traffic** on Highways 101 and 156. Where will the water for these new hotels, strip malls and residences come from? Many local wells have gone dry and our aquifers are in "**critical overdraft**".

#### Protect Our Agriculture, Environment & Cultural Heritage

Let's protect this 7 miles of scenic Highway 101 from urban sprawl. This beautiful area of ranches, farms and oak covered hills is an important wildlife corridor. It includes the San Benito and Pajaro Rivers and the headwaters of the Elkhorn Slough. It also includes Native American sacred sites (Juristac and Irek).

#### Let the Voters Decide

California's Constitution gives **voters** the power to stop this irresponsible development on Highway 101.

### **VOTE NO on MEASURE K... Protect Our Community, Not Developers' Profits.**

s/ SAM FARR

Congressman (Retired)

s/ Dr. LAURA SOLORIO

Physician (retired)

AMAH MUTSUN TRIBAL BAND

s/ Valentin Lopez, Chairman

s/ ROLAN RESENDIZ

Hollister City Council Member

s/ NATASHA WIST

Owner, Las Hermanas Organic Farm

## REBUTTAL TO ARGUMENT AGAINST MEASURE K

The arguments of those opposed to bringing jobs to San Benito County are false and deceiving. C-3 zoning is arguably the smartest, most thoughtful zoning ordinance in California history; it will not "Pave Paradise". Unlike current forms of available Commercial Zoning in San Benito County, C-3 zoning severely limits development, provides a valuable community design review process, and preserves open space by limiting the number of acres used in these areas.

C-3 zoning will create economic benefits by funding the critical needs of San Benito County, including hiring more deputies, giving back to local non-profits, paving roads, increasing public services, and maintaining fiscal stability. C-3 zoning creates valuable jobs and economic opportunities for our residents. Additional tax revenues will come from these development zones (sales, gas, and hotel taxes) and NOT from our tax-paying citizens. These facts cannot be denied, even by opponents.

The claim that jobs-creating zoning will increase traffic is false. Highway 101 projects will NOT increase traffic congestion. Drivers will already be traveling along this busy highway corridor. Further, these jobs-creating projects/sites are NOT located near county Highway 25 and will not affect it.

- ALL future projects subject to CEQA.
- It is widely known that commercial developments off of major highways are booming economic engines to those communities.
- We have a unique opportunity to showcase the value of our whole community right off the 101 corridor. The nodes will have the ability to highlight and sell who we are to the rest of the State!

### **VOTE YES ON MEASURE K!**

SAN BENITO COUNTY BOARD OF SUPERVISORS  
s/ Mark Medina, Chair

HOLLISTER FIREFIGHTERS ASSOCIATION, LOCAL 3395  
s/ Vince Grewoni, Local President

SAN BENITO COUNTY CHAMBER OF COMMERCE  
s/ Michelle Leonard, President/CEO

SAN BENITO COUNTY BUSINESS COUNCIL  
s/ Bob Tiffany, President

s/ DARREN THOMPSON, Sheriff