

To the Honorable Clerk of the City of Hollister: We, the undersigned, registered and qualified voters of the City of Hollister, hereby propose an initiative measure to amend the Hollister General Plan. We petition you to submit this measure to the City Council of the City of Hollister for adoption without change, or for submission of the measure to the voters of the City of Hollister at the earliest election for which it qualifies. The measure provides as follows:

Hollister Urban Growth Boundary and Democracy Initiative

The people of the City of Hollister do hereby ordain as follows:

SECTION 1: PURPOSE AND FINDINGS

A. Purpose and effect: The purpose of this *Hollister Urban Growth Boundary and Democracy Initiative* (“Initiative”) is to amend the City of Hollister General Plan to establish a long-term Urban Growth Boundary (“UGB”). The UGB is a boundary line beyond which urban development will not be allowed, except for certain public facilities and in other limited circumstances. Only specified agricultural and open space land uses are permitted outside the UGB. With certain limited exceptions where the City makes a specific set of findings, this UGB may not be amended until December 31, 2049, except by a vote of the people of the City of Hollister at an election held in accordance with State law. This Initiative aims to achieve the following objectives:

1. Preserve nearby agricultural and open-space lands to strengthen the local agricultural economy and maintain the City’s quality of life.
2. Encourage efficient growth and improve the City’s ability to provide municipal services by concentrating future residential, commercial, and industrial development within and near currently developed areas where infrastructure already exists.
3. Manage growth to foster and protect the City’s rural and small-town character while encouraging appropriate economic development in accordance with the City’s unique local conditions.
4. Provide certainty to the City’s long-term planning by establishing a cornerstone policy that designates the geographic limits of urban development while retaining sufficient flexibility within those limits to respond to the City’s changing needs over time.

B. Findings. The people of the City of Hollister find that this Initiative promotes the health, safety, welfare, and quality of life of City residents based upon the following:

1. **The City’s Historic, Small-Town Character.** Incorporated in 1872, the City of Hollister has long maintained its unique, small-town character by ensuring that development maintains the City’s strong relationship to its historic features. This Initiative promotes the City’s commitment to its small-town character by concentrating future development largely within and near existing developed areas. This Initiative protects the City’s rural identity by ensuring that Hollister remains bounded by natural open space and working agricultural lands. At the same time, the Initiative promotes Hollister’s economy by allowing appropriate economic development in accordance with the City’s unique local conditions.
2. **The City’s Agricultural Heritage and Resources.** The City of Hollister has a rich agricultural heritage, which remains a vital part of the local economy. Surrounding Hollister are large tracts of agricultural land, some of which is classified by the California Department of Conservation as “Prime Farmland” or “Farmland of Statewide Importance.” Long-time residents are concerned that the apricot and walnut orchards that once encircled Hollister are rapidly disappearing. Hollister is home to most of California’s remaining growers of Blenheim apricots, a highly prized apricot variety that has become increasingly rare. This Initiative promotes the continued viability of agriculture and agri-tourism in the Hollister area by protecting agricultural lands from urban encroachment and ensuring that agricultural lands remain a natural buffer between Hollister and nearby towns, including San Juan Bautista, Tres Pinos, and Gilroy.
3. **The City’s Open Spaces and Natural Environment.** The City is surrounded by rolling hills, open spaces, and scenic areas, as well as working agricultural lands. Protecting and maintaining Hollister’s natural open space resources—which include hills, meadows, creeks, woodlands, and vistas—is necessary to preserve their watershed protection, habitat preservation, recreational, and aesthetic value.
4. **The City’s Future Development.** The General Plan’s vision for the City of Hollister calls for focusing growth inward through infill development closest to the City’s historic core and then moving outward. This Initiative will promote sustainable job creation by encouraging infill development that will enhance and revitalize the downtown, guide growth in a compact manner, and foster neighborhood development. By doing so, this Initiative will also help minimize traffic and reduce air pollution and greenhouse gas emissions from more sprawling development.
5. **The City’s Housing Supply.** The City of Hollister General Plan promotes efficient and affordable housing in Hollister through measures that encourage infill development, affordable housing, and mixed uses in the downtown area. This Initiative will not limit Hollister’s ability to continue to meet the housing needs of all economic segments of the population, including very low-, low-, and moderate-income households. It will promote this goal by, among other things, directing housing development into areas where services and infrastructure can be provided more cost-effectively. This Initiative also includes an amendment procedure that allows the City Council, after making specific findings based on substantial evidence, to amend the UGB or redesignate lands outside of the UGB where necessary to comply with State or federal housing law.

6. **Now Is the Time to Act.** The City of Hollister has been experiencing tremendous growth pressures, especially from Silicon Valley to the north. Residents are realizing that the City's land use decisions are impacting their daily lives: the quiet, small town that they enjoyed in the past is fast disappearing. For several decades, residents have watched orchards being cut down. They must now plan their lives around periods of peak traffic. Newcomers who seek a better life in Hollister are finding that sprawl development and terrible traffic have followed them. It is time to act to protect Hollister residents' quality of life while ensuring orderly growth.
7. **Hollister Voters Want More Say in Local Land Use Decisions.** Many residents are unhappy with the City's willingness to approve more sprawl development at a time when the City's infrastructure (i.e., roads, schools) and services (i.e., police and fire) are inadequate. In 2019, over 100 residents formed a grassroots group called *Preserve Our Rural Communities* and launched a voter referendum to challenge San Benito County's approval of more poorly planned development along Highway 101. Most voters who signed the referendum petition reside in Hollister. Many expressed distrust of the local officials who they believe are making poor decisions about development for both Hollister and the County. Residents want greater voice in land use decisions that affect their lives.
8. **Initiative Follows Example of Other Cities.** Over twenty years ago, many cities in Sonoma and Ventura Counties successfully limited sprawl development by adopting urban growth boundary initiatives and by putting major land use decisions in the hands of voters. Their voter-sponsored initiatives were a response to growth pressures from neighboring metropolitan areas. Hollister is at a critical point when residents can take similar action to protect their City's small-town character and quality of life before it is too late.
9. **Initiative Promotes Democracy in Land Use Planning.** This Initiative empowers Hollister residents to participate in decisions that affect their daily lives. This Initiative is not intended to halt growth, but simply to put important decisions about land use and development in the hands of the City's voters. Many Hollister residents feel frustrated and powerless in the face of urban sprawl and traffic congestion. This Initiative would help residents regain some control over their lives by encouraging democratic participation in the City's land use decisions.
10. **General Plan Update.** At the time this Initiative was submitted, the City of Hollister had started the process of updating its General Plan. This Initiative ensures that the will of the people to include a UGB in the General Plan, as described in this Initiative, is fulfilled. This Initiative is not intended to direct or constrain the City with respect to its ability to amend, revise, or update the General Plan, as long as any such amendments, revisions, or updates are consistent with the Initiative's policies.
11. **No Effect on Lands Within the UGB.** This Initiative will not affect land use regulations or land use designations within the UGB, or the City Council's ability to change them.

12. **No Effect on County Land Use Designations.** The County of San Benito has regulatory control over the use of lands outside of City limits (including those outside the UGB), and has designated the lands adjacent to the UGB for various uses. This Initiative will not affect those County designations. The City of Hollister has also designated certain areas outside of the UGB for various uses, as shown on the General Plan’s Land Use Plan Map, attached to this Initiative as Exhibit A. To reflect the critical role of the UGB and the policies established by this Initiative, the Initiative redesignates for open space uses, which include agricultural uses, all lands outside the UGB.
13. **Exception to Voter Approval Requirement for Compliance with State and Federal Housing Law.** This Initiative allows the City Council to amend the location of the UGB and/or redesignate lands outside of the UGB before December 31, 2049 only under certain limited circumstances, including where the City Council determines that doing so is necessary to comply with State or federal housing law. The City may invoke this exception only if it first makes certain factual findings, supported by substantial evidence. This exception protects the City by providing an “escape hatch” in the unlikely event that application of the UGB would result in violation of a specific provision of State or federal law. It also protects the intent of the voters, by (i) ensuring that the UGB is consistent with State and federal housing law, and (ii) delineating the narrow circumstances under which the City Council may avoid the Initiative’s voter approval requirement.
14. **Exhibits.** Attached to this Initiative are two exhibits. **Exhibit A** is the version of the City of Hollister General Plan Map 2, “Land Use Plan” available on the City’s website as of February 28, 2020, via the link labelled “Chapter Two - Land Use and Community Design Element” on the City website page for the City of Hollister General Plan. Notations on this map indicate that it was adopted in 2005 and last amended in 2009. Several other versions of this map also appeared on the City’s website as of February 28, 2020. None of these maps indicate any amendments later than 2009. Pursuant to Government Code section 65357, which requires the City to provide copies of the General Plan and any amendments within two days of any request for this information, the Proponents of this Initiative spent more than a month trying to confirm with City staff which version of Land Use Plan Map 2 is the current, official version of the map. As of February 28, 2020, City staff had not indicated which version is the most current or official version of this map; in the absence of this information the Proponents have relied on the City’s website’s designation of this version of the map being a part of the General Plan. **Exhibit B** is a map that the Proponents of this Initiative received from the San Benito County Local Agency Formation Commission in January 2020. This map shows the location of the City of Hollister’s official City limits and its official “Sphere of Influence.” On February 28, 2020, the Hollister City Attorney informed the Proponents that the map shown in Exhibit B is the most recent and accurate map that the City has regarding the City limits and Sphere of Influence. This map shows parts of the City’s Sphere of Influence line in different locations than shown on Exhibit A.

SECTION 2: GENERAL PLAN AMENDMENTS

This Initiative hereby amends the City of Hollister General Plan (“General Plan”), as amended through March 2, 2020, the date that the notice of intention to circulate this Initiative was submitted to the elections official of the City of Hollister (“Submittal Date”). All page references in the amendments below refer to the pages of the General Plan as that document appears on the City’s website as of the Submittal Date. The amendments made by subsections A and B of this Section 2 may be amended or repealed only by a vote of the people of the City of Hollister.

A. General Plan Map Amendments:

1. Upon the Effective Date of this Initiative, the Land Use and Community Design Element of the City’s General Plan, including the Land Use Plan Map (Map 2) and any related maps, shall be amended to do both of the following:
 - a. Establish an Urban Growth Boundary (“UGB”) in the same location as the City’s existing Sphere of Influence (“SOI”). The location of the existing SOI is shown on the map attached as Exhibit B to this Initiative. Although the UGB is coterminous with the City’s SOI in existence on the Submittal Date, the two lines are independent of one another in legal significance and purpose. Exhibit B is provided for informational purposes only and is not adopted or readopted by this Initiative; and
 - b. Designate as “UGB Open Space” all lands outside of the UGB, with the exception of the incorporated island of City land to the west of the City that is shown on Exhibit B. The map attached to this Initiative as Exhibit A shows the land use designations for lands throughout the City’s planning area, including the lands outside of the UGB, as of the date this map was last updated. The map shown on Exhibit A was downloaded from the City’s website on February 28, 2020. The Proponents of this Initiative believe it is the City’s current and official land use map, for the reasons explained above in Section 1(B)(14) of this Initiative. Exhibit A is provided for informational purposes only; it is not adopted or readopted by this Initiative.

B. General Plan Text Amendments:

Text to be inserted in the General Plan is indicated in **bold** type. The General Plan is hereby amended to add the following new text:

1. On page 2.2 of the General Plan (Land Use and Community Design Element), add the following paragraph between the first and second existing paragraphs:

The Hollister Urban Growth Boundary (“UGB”), which the people of Hollister adopted via the *Hollister Urban Growth Boundary and Democracy Initiative* (the “Initiative”), is a line beyond which urban development will not be allowed in Hollister, except where approved by the voters or with certain other exceptions. The UGB preserves nearby agricultural and open-space lands, encourages efficient growth, preserves the City’s rural and small-town character, and provides certainty to the City’s long-term planning. The UGB was

coextensive with the City’s Sphere of Influence at the time the Initiative was adopted. However, the two boundaries are legally distinct and serve separate purposes. Accordingly, even if the Sphere of Influence line is later moved, the UGB shall remain in the location adopted by the Initiative until at least December 31, 2049, unless amended by the voters or as otherwise provided by the Initiative. After December 31, 2049, the City Council may, without voter approval, amend any provisions of the Initiative in accordance with State law procedures governing general plan amendments.

2. On page 2.14 of the General Plan (Land Use and Community Design Element), add the following new “HOLLISTER URBAN GROWTH BOUNDARY” section immediately before the section entitled “RETAIL DEVELOPMENT STRATEGY”:

HOLLISTER URBAN GROWTH BOUNDARY

The people of the City of Hollister approved the *Hollister Urban Growth Boundary and Democracy Initiative* (“Initiative”) to preserve nearby agricultural and open-space lands, encourage efficient growth, preserve the City’s rural and small-town character, and provide certainty for the City’s long-term planning. The UGB is a line beyond which urban development is not allowed unless expressly authorized by the Initiative.

Except as otherwise expressly authorized by the Initiative, only the following uses are allowed outside the UGB: (1) public parks, public educational facilities (such as public schools and public colleges), and public wastewater, sewer, storm drain, and water recycling facilities; and (2) uses for purposes that are consistent with the uses of “Open-space land” set forth in subdivisions (1) through (4) of Government Code section 65560(h), as that section existed on January 1, 2020.

The City of Hollister’s UGB reflects a commitment to directing future growth within the City’s existing urban areas in order to prevent urban sprawl into the agriculturally and environmentally sensitive areas surrounding the City. The UGB protects the health, safety, welfare, and quality of life of the residents of Hollister by concentrating future residential, commercial, and industrial development within and near currently developed areas where infrastructure already exists. The policies implementing the UGB retain sufficient flexibility to respond to the City’s changing needs over time. The UGB complements the General Plan’s goals of promoting orderly, balanced growth and enhancing the City’s small-town charm and identity.

Until December 31, 2049, and except as otherwise expressly provided by the Initiative, the provisions of the Initiative may be amended or repealed only by a vote of the people of the City of Hollister at an election held in accordance with State law. The City shall not take any action that is inconsistent with the Initiative.

Until December 31, 2049, the location of the UGB may be amended and lands outside the UGB may be redesignated by the City Council without a vote of the people only pursuant to the procedures set forth in subdivision (a) and (b) below.

a) **UGB Location.** The City Council may amend the location of the UGB if it deems it to be in the public interest, provided that the amended boundary is within or coextensive with the limits of the UGB as established by the Initiative.

b) **State-Law Housing Requirements.** The City Council may amend the location of the UGB, and/or redesignate lands outside of the UGB, if the City Council determines that doing so is necessary to comply with State or federal law regarding the provision of housing. The City Council may do so only if it first makes each of the following findings based on substantial evidence:

(1) A specific provision of State or federal law requires the City to accommodate the housing that will be permitted by the amendment;

(2) The amendment permits no greater density than that necessary to accommodate the required housing;

(3) An alternative site that is within the UGB is not available to satisfy the specific State or federal housing law; and

(4) The land proposed to be brought within the UGB is as close as feasible to (i) the existing UGB, and (ii) available water and sewer connections.

After December 31, 2049, the City Council may, without voter approval, amend any provisions of the Initiative in accordance with State law procedures governing general plan amendments. However, unless and until the City Council makes any such amendment(s), the provisions of the Initiative shall remain in place.

3. On page 2.11 of the General Plan (Land Use and Community Design Element), add the following new land use designation immediately after the paragraph describing the “Open Space” designation:

UGB Open Space

This designation is applied to lands outside the UGB adopted by the *Hollister Urban Growth Boundary and Democracy Initiative*. Land designated as UGB Open Space may be used only for the following purposes: (1) public parks, public educational facilities (such as public schools and public colleges), and public wastewater, sewer, storm drain, and water recycling facilities; and (2) uses for purposes that are consistent with the uses of “Open-space land” set forth in subdivisions (1) through (4) of Government Code section 65560(h), as that section existed on January 1, 2020.¹

¹ The following is the text of subdivisions (1) through (4) of Government Code section 65560(h) in effect on January 1, 2020:

“(1) Open space for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and
(footnote continued on next page)

4. On page 2.29 of the General Plan (Land Use and Community Design Element), add the following new GOAL LU0.5 immediately after the first paragraph:

GOAL LU0.5 **Protect Hollister’s rural and small-town character, preserve nearby agricultural and open space lands, and encourage efficient growth by implementing the *Hollister Urban Growth Boundary and Democracy Initiative*.**

5. On page 2.30 of the General Plan (Land Use and Community Design Element), add the following new section at the start of the matrix that begins on that page:

GOAL LU0.5 Protect Hollister’s rural and small-town character, preserve nearby agricultural and open space lands, and encourage efficient growth by implementing the *Hollister Urban Growth Boundary and Democracy Initiative*.

Policies	Lead Responsibility	Time Frame	Implementation Measures
LU0.5-1 Urban Growth Boundary (“UGB”)	City Council	Until at least	As set forth in the <i>Hollister Urban Growth Boundary</i>

wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands, and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including, but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.”

Limit uses outside the UGB to uses consistent with the UGB Open Space designation, except as otherwise expressly authorized by the <i>Hollister Urban Growth Boundary and Democracy Initiative</i> .		December 31, 2049	<i>and Democracy Initiative</i>
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C. General Plan Conforming Amendments: The General Plan is further amended as set forth below in this Section 2.C in order to promote internal consistency among the various sections of the General Plan. Text to be inserted in the General Plan is indicated in **bold** type. Text to be deleted from the General Plan is indicated in ~~strikeout~~ type. Text in standard type currently appears in the General Plan and is not changed or readopted by this Initiative. The language adopted in the following amendments may be further amended as appropriate without a vote of the people, during the course of further updates and revisions to the General Plan, in a manner consistent with the amendments set forth above in subsections A and B of this Section 2.

1. On page 2.1 of the General Plan (Land Use and Community Design Element), the second paragraph is amended as follows:

The Land Use and Community Design Element defines land use categories within ~~three~~**four** planning boundaries: the planning area boundary, the sphere of influence, **the Urban Growth Boundary**, and the city limits. These ~~three~~**four** areas allow the General Plan to address development within the City and in surrounding areas that directly influence development planning and decision-making in Hollister.

2. On page 2.6 of the General Plan (Land Use and Community Design Element), the first paragraph is amended as follows:

Table LU2 ~~identifies the amount of land designated for each use on the Land Use Plan. In addition to calling out land use quantities, the table~~ highlights the range of acceptable land use densities ~~with a given~~ **for each of the General Plan's land use** designations where applicable. The next several pages elaborate the allowed uses within each designation and the permitted development types.

- On page 2.6 of the General Plan (Land Use and Community Design Element), Table LU2 is amended as follows:

Table LU2: Land Use Calculations

Land Use Designations		Designated Acres	% of Total Acres	Maximum Permitted Intensity
RR	Residential Estate	1,419	14.7%	1 du / 5 ac
LDR	Low Density Residential	3,235	33.6%	1 to 8 du/ac
MDR	Medium Density Residential	326.3	3.4%	8 to 12 du/ac
HDR	High Density Residential	375.5	3.9%	12 to 35 du/ac
MU	Mixed-Use Commercial and Residential	137	1.42%	25 to 40 du/ac
D-MU	Downtown Commercial and Mixed-Use	53	0.6%	25 to 45 du/ac
HO	Home Office	39	0.4%	8 to 12 du/ac
WG	West Gateway Commercial and Mixed-Use	57	0.6%	20 to 35 du/ac
NG	North Gateway Commercial	250	2.6%	2.0 FAR
GC	General Commercial	145	1.5%	2.0 FAR
I/AS	Industrial/Airport Support	1,664	17.3%	1.0 FAR
A	Airport	319	3.3%	N/A
P	Public	457	4.7%	1.0 FAR
OS	Open Space	586	6.12%	.01 FAR
AG	Agriculture	562	5.8%	N/A
Total Acres		9,625	100%	

- On page 2.6 of the General Plan (Land Use and Community Design Element), Table LU2 is further amended to insert a final new row after the row for “AG Agriculture” as follows:

UGB UGB Open Space N/A

- On page 2.12 of the General Plan (Land Use and Community Design Element), the third paragraph is amended as follows:

To promote timely development on sites in Specific Plan and Area Plan areas, development must commence within five years of Specific Plan approval or in the case of existing Area Plans by 2010. If development does not begin in this time period, designations within the Specific Plan or Area Plan area will revert to standard General Plan designations unless an extension of this time period is authorized by City Council. **All development on sites in Specific Plan and Area Plan areas must be consistent with the *Hollister Urban Growth Boundary and Democracy Initiative*, approved by voters in 2020.**

- On page 2.14 of the General Plan (Land Use and Community Design Element), the first and second paragraphs are amended as follows:

The General Plan's Land Use Plan is designed to provide a high level of flexibility for future commercial development projects **that are located within the Urban Growth Boundary**. New land use categories, such as Mixed-Use and Home Office, allow a range of commercial projects to develop throughout Hollister without mandating specific uses so that individual projects are free to meet the market demand of the City and its unique neighborhoods at the time of development.

In addition to this flexibility, the General Plan identifies prime locations for new development to occur. **Any such locations that are outside of the Urban Growth Boundary shall be subject to the requirements of the *Hollister Urban Growth Boundary and Democracy Initiative***. By distributing different types of retail development opportunities throughout Hollister, the General Plan seeks to promote accessible and diverse retail districts that complement, rather than compete with, each other.

7. On page 2.17 of the General Plan (Land Use and Community Design Element), the first paragraph is amended as follows:

As Hollister continues to grow, development pressure on the edges of the City will increase. Without a strategy to counterbalance this pressure, development will creep further from the core of Hollister. If this happens, new buildings will begin to cover the scenic hillsides that surround Hollister and the City will have a more difficult time extending municipal services to all its residents. **To help avoid these situations, City voters approved the *Hollister Urban Growth Boundary and Democracy Initiative*, which created an Urban Growth Boundary ("UGB"). The UGB is a boundary line beyond which urban development will not be allowed, except for certain public facilities and in other limited circumstances. Consistent with the UGB, and the requirements of the Initiative** ~~To promote concurrent development,~~ Hollister should actively encourage infill development ~~for the next five years.~~

8. On page 2.18 of the General Plan (Land Use and Community Design Element), the first paragraph is amended as follows:

Map 6: Phasing Strategy highlights areas outside of the City's SOI that should not be developed until the SOI is sufficiently built out. Once this occurs, each development phase will be prioritized in sequence; applications for projects in the Phase 1 district will be promoted in favor of projects in Phases 2 or 3. The preparation of a Specific Plan that offers Hollister a high-quality product or a unique opportunity is an alternative way for a development project to gain priority. **In any case, all development shall be consistent with the *Hollister Urban Growth Boundary and Democracy Initiative*, approved by voters in 2020.**

9. On page 2.38 of the General Plan (Land Use and Community Design Element), policy LU6.2 is amended as follows:

Limit future development in accordance with the phasing concept **and the *Hollister Urban Growth Boundary and Democracy Initiative***, to allow the logical extension of water services and other infrastructure improvements.

10. On page 2.38 of the General Plan (Land Use and Community Design Element), the text of policy “LU6.3” is amended as follows:

Promote concentric and contiguous growth in the planning area in accordance with the phasing strategy **and the *Hollister Urban Growth Boundary and Democracy Initiative***.

11. On page 2.38 of the General Plan (Land Use and Community Design Element), the text of policy “LU6.4” is amended as follows:

Where approved by the voters or where the proposed development is otherwise allowed under the *Hollister Urban Growth Boundary and Democracy Initiative*, encourage the use of specific plans to set development priorities and to facilitate appropriate and coordinated development of currently undeveloped land outside the City’s sphere of influence.

12. On page 2.51 of the General Plan (Land Use and Community Design Element), the text of implementation goal “LU.U” is amended as follows:

The Planning Commission should work with City Council and San Benito County planners to determine priority areas for development within Hollister’s Sphere of Influence and a means for promoting these sites for development. City Council members and the Commissioners should also determine the timing sequence for promoting the long-range development phases outside the Sphere of Influence, **subject to the *Hollister Urban Growth Boundary and Democracy Initiative***.

SECTION 3: IMPLEMENTATION

- A. **Effective Date:** “Effective Date” means the date that the Initiative became effective pursuant to State law.
- B. **City of Hollister General Plan:** Upon the Effective Date of this Initiative, the provisions of Section 2 of the Initiative are hereby inserted into the City of Hollister General Plan, as an amendment thereof; except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted into the City of Hollister General Plan on January 1 of the following year. Upon the Effective Date of this Initiative, any provisions of the Municipal Code or of any other City of Hollister ordinance or resolution that are inconsistent with the provisions adopted by this Initiative shall not be applied or enforced in a manner inconsistent with this Initiative.
- C. **Interim Amendments:** The City of Hollister General Plan in effect on the Submittal Date as amended by this Initiative comprises an integrated, internally consistent, and

compatible statement of policies for the City of Hollister. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Submittal date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.

- D. Other City Plans, Ordinances, and Policies:** The City of Hollister is hereby authorized and directed to amend all other policies, maps, plans, and ordinances affected by this Initiative as soon as possible and in the manner and time required by State law as necessary to ensure consistency with the provisions adopted in this Initiative.
- E. Reorganization:** The General Plan may be reorganized or updated, or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan in accordance with the requirements of State law, provided that the provisions of Section 2.A and 2.B of this Initiative shall remain in the General Plan through at least December 31, 2049, unless earlier repealed or amended by vote of the people of the City of Hollister.
- F. Implementing Ordinances:** The City Council is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and/or regulations, as necessary, to further the purposes of this Initiative.
- G. Enforcement and Defense of Initiative:** The City Council shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.
- H. Exemptions:** The provisions of this Initiative shall not apply to the extent, but only to the extent, that they would violate the constitution or laws of the United States or the State of California. To the extent that any application of the Initiative would effect an unconstitutional taking of private property, an exemption is permitted only to the minimum extent necessary to avoid such a taking. Likewise, this Initiative shall not apply to any development project or ongoing activity that has obtained, as of the Effective Date of the Initiative, a vested right pursuant to State law.

SECTION 4: EFFECT OF COMPETING OR ALTERNATIVE MEASURE ON THE SAME BALLOT

This Initiative adopts a comprehensive scheme to establish an Urban Growth Boundary for the City of Hollister. By voting for this Initiative, the voters expressly declare their intent that any other measure which appears on the same ballot as this Initiative and addresses the existence or location of an Urban Growth Boundary for the City of Hollister, or conflicts with any provision of this Initiative, shall be deemed to conflict with the entire cohesive scheme adopted by this Initiative. Because of this conflict, if this Initiative and any such other City of Hollister measure

receive a majority of votes by the voters voting thereon at the same election, then the measure receiving the most votes in favor shall prevail and no provision of the other measure shall take effect. For the purposes of this Section 4, any other measure that appears on the same ballot as this Initiative and purports to amend any provision of this Initiative shall be deemed to directly conflict with this entire Initiative.

SECTION 5: SEVERABILITY AND INTERPRETATION

This Initiative shall be broadly construed in order to achieve its purpose.

This Initiative shall be interpreted so as to be consistent with all applicable Federal, State, and County laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions were declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application.

Any singular term shall include the plural and any plural term shall include the singular. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative.

SECTION 6: AMENDMENT OR REPEAL

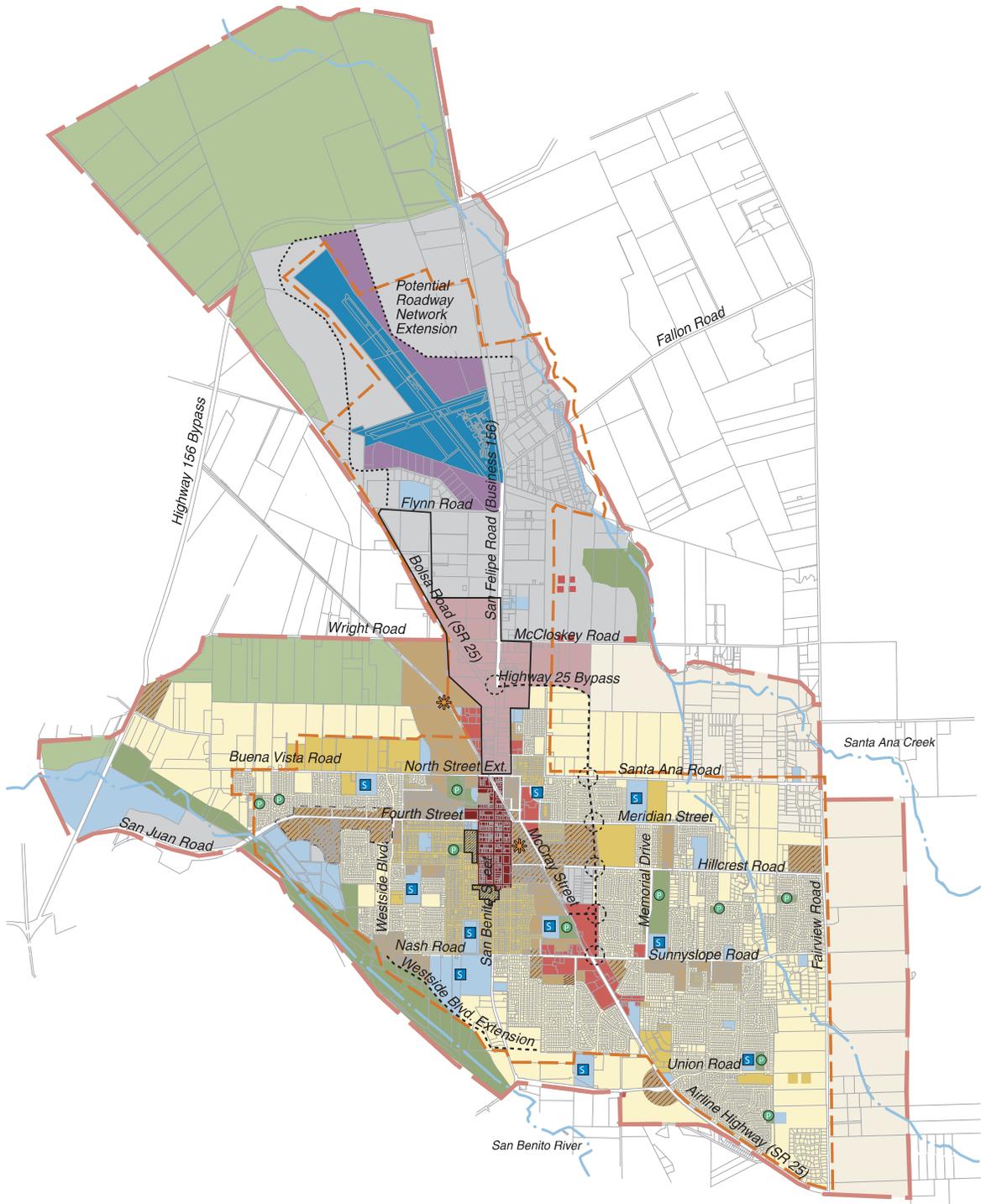
Except as otherwise provided herein, this Initiative may be amended or repealed only by a vote of the people of the City of Hollister.

Exhibits:

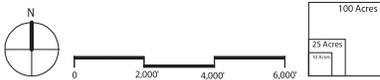
Exhibit A: City of Hollister General Plan Map 2, Land Use Plan

Exhibit B: Map showing City of Hollister City Limits and Sphere of Influence

2. LAND USE AND COMMUNITY DESIGN ELEMENT



- | | | | | | |
|---------------------|----------------------------|-----------------------------------|--------------------------|-----------------|-----------------------|
| Sphere of Influence | Residential Estate | Mixed-Use | North Gateway Commercial | Airport Support | Transit Hub |
| Planning Area | Low Density Residential | Downtown Commercial and Mixed-Use | General Commercial | Public | School |
| Creeks and Rivers | Medium Density Residential | Home Office | Industrial | Open Space | Park |
| | High Density Residential I | West Gateway | Airport | Agriculture | North Gateway Overlay |



Map prepared by MIG, Inc. - December 2005
 Amended by Resolution 2008-153 on October 20, 2008
 Amended by Resolution 2009-10 on January 20, 2009

Map 2
Land Use Plan

City of Hollister 2005 General Plan

Exhibit B to Hollister Urban Growth Boundary and Democracy Initiative



Proponents' Note:
This map shows the location of the City of Hollister's City Limit and Sphere of Influence as of February 2020.

Legend

-  City Limit
-  Sphere of Influence

Proponents' Note:
This is the "incorporated island" referred to in Section 2.A of the Initiative.

Exhibit B to Hollister Urban Growth Boundary and Democracy Initiative

