

PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE

To the Honorable Registrar of Voters of San Benito County: We, the undersigned, registered and qualified voters of the San Benito County, hereby propose an initiative measure to amend the San Benito County General Plan. We petition you to submit this measure to the Board of Supervisors of San Benito County for adoption of the measure outright, or for submission of the measure to the voters of the San Benito County at the earliest general election for which it qualifies. The measure provides as follows:

PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE

The people of San Benito County do hereby ordain as follows:

SECTION 1: PURPOSE, EFFECT, AND FINDINGS

- A. **Purpose:** The purpose of this Initiative is to promote stability in long-term planning for San Benito County, preserve the County’s agricultural and rural character and heritage, and promote smart growth by directing development toward the existing urban areas within the County and by allowing for voters to exercise greater control over land use decisions within the County.
- B. **Effect:** This Initiative amends the San Benito County General Plan, including its Land Use Diagram, to (1) readopt the Agriculture (A), Rural (R), and Rangeland (RG) land use designations, such that through December 31, 2049, they may only be amended or re-designated only by a vote of the people, with limited exceptions, and (2) remove certain commercial land use designations and re-designate lands previously subject to those designations. The changes apply to lands within the unincorporated area of San Benito County.
- C. **Findings:** The people of San Benito County find that this Initiative promotes and protects the safety, welfare, and quality of life of San Benito County residents, based upon the following findings, any one of which would be sufficient to support adoption of this Initiative:
 1. **San Benito County’s 2035 General Plan Encourages Sprawl Development.** This Initiative amends the County’s General Plan. When the General Plan was adopted in 2015, our Supervisors largely ignored the public’s concerns and approved a General Plan that encourages sprawl development in north San Benito County. Many residents who participated in the General Plan Advisory Committee and who took part in community workshops, surveys, and spoke at public hearings, favored a more modest growth option. Developers and their representatives pushed for the opposite. Unfortunately, the Supervisors listened to the latter and adopted a General Plan that scattered commercial “nodes” throughout the northern part of the county and did not adequately protect agricultural, rural, and rangelands.
 2. **Commercial “Node” Development Is Not Appropriate for San Benito County.** The General Plan’s commercial “nodes” do not conform to good land use practices; they appear as dots on land use maps and the General Plan is vague about their size and

boundaries. County staff have stated at public hearings that the nodes may incorporate additional parcels over time, and there appear to be few if any limits on their growth. It is impossible for County residents to assess the full impacts of developing these nodes. Many of the nodes are found in agricultural or rural areas and away from urban centers. These commercial “nodes” are the seeds of today’s and tomorrow’s sprawl development. This Initiative would remove them.

3. **Now Is the Time to Act.** Our County has been experiencing tremendous growth pressures, especially from Silicon Valley to the North. Citizens are realizing that the county’s land use decisions are impacting their daily lives: the quiet, small town or rural lifestyle that they enjoyed in the past is fast disappearing. For several decades, residents have watched orchards being cut down and replaced with subdivisions. They must now plan their lives around periods of peak traffic. Newcomers who seek a better life in our county are finding that sprawl development and terrible traffic have followed them to San Benito County. It is time to act to protect our County’s rural, agricultural, and rangelands, while ensuring orderly growth.
4. **San Benito County Voters Want More Say in Local Land Use Decisions.** Many residents are unhappy with our County’s eagerness to approve sprawl developments at a time when our infrastructure (roads, water, schools, etc.) and services (sheriff and fire) are inadequate. In 2019, over 100 residents formed a grassroots group called *Preserve Our Rural Communities (PORC)* and launched a voter referendum to challenge the County Supervisors’ rezoning of 300 acres along scenic Highway 101 for more development. Volunteers collected over four thousand signatures to put the referendum on the March 3, 2020 ballot. Many voters who signed the referendum petition expressed distrust of the County’s decision makers and the planning process. They want a greater voice in land use decisions that affect their lives. This Initiative gives voters that voice.
5. **This Initiative Promotes Democracy in Land Use Planning.** This Initiative empowers the citizens of San Benito County to participate in the land use decisions that affect their daily lives. This Initiative is not designed to halt all growth, but simply puts important decisions about land use and development in the hands of the County’s voters. Many San Benito County residents feel frustrated and powerless in the face of increasing sprawl development pressures. This Initiative can help them regain some control over the quality of their lives and their future by encouraging democratic participation in the County’s land use decisions.
6. **Agriculture is a Pillar of Our County’s Economy and Must be Protected.** This Initiative will help to protect and preserve San Benito County’s agricultural lands. Agriculture remains the major contributor to the economy of San Benito County. It generates \$300 million annually which multiplies through the community and contributes substantial tax revenues to the County. The agricultural sector employs 11% of all workers within San Benito County, much higher than the 2% average for the state. San Benito County is a leader in organic and conventional farming and in pasture raised meats. We also have a vibrant wine industry. One of the San Benito County 2035 General Plan’s guiding principles is to ensure that agriculture and agriculture-related industries remain a major economic sector by protecting productive agriculture lands and industries.

Residents are concerned that our Supervisors have been allowing too much development on agricultural lands for many years and will continue to do so in the future, absent this Initiative.

- 7. Tourism is Another Pillar of Our County’s Economy that Must Be Protected.** Historic San Juan Bautista, the Pinnacles National Park, El Teatro Campesino, Fremont Peak State Park, Hollister Hills State Vehicular Recreational Area, and Cienega Valley Wine Trail make San Benito County a popular destination for tourists, especially for residents of urban areas to the north, like Silicon Valley and the San Francisco Bay Area. Views of mountains, undeveloped rangelands, large agricultural fields and croplands, natural ridgelines along the Diablo and Gabilan Ranges, and annual grasslands provide some of the prominent elements of the County’s pastoral landscape. According to the 2017-2022 San Benito County Comprehensive Economic Development Strategy report, the tourism sector has the potential for significant growth. The report discusses how to expand ecotourism, agritourism, and cultural tourism in San Benito County. If we wish to grow our tourism sector, it’s essential that we protect the County’s agricultural, biological, cultural, and scenic resources from sprawl development.
- 8. This Initiative Follows Other Counties’ Lead in Protecting Agricultural and Rural Lands from Sprawl Development.** Many counties in California (for example, Santa Clara County and Orange County) have lost significant amounts of their agricultural and open space lands as the result of sprawl development. Some counties (like Ventura, Napa and Sonoma) have successfully protected themselves from the growth pressures of neighboring metropolitan areas by adopting growth initiatives that put major land use decisions affecting agricultural and rural lands in the hands of voters. San Benito County is at a critical period when residents can still take similar action to protect their county’s agricultural and rural lands before it is too late.
- 9. Sprawl Development is More Expensive Than Smart Growth.** Studies show that communities with extensive residential subdivisions (“conventional suburban development”) spend more on infrastructure and services than communities that keep growth near urban centers (“smart growth”). A 2013 study by the nonprofit *Smart Growth America* (Building Better Budgets) found that smart growth development saves municipalities an average of 38 percent on upfront costs for new construction of roads, sewers, water lines and other infrastructure. It also found that smart growth development saves municipalities an average of 10 percent on police, ambulance and fire service costs, and that on an average per-acre basis, smart growth development produces 10 times more tax revenue than conventional suburban development.
- 10. Sprawl Development Will Harm the County’s Biological Resources.** There are a number of federally listed endangered and threatened species and state designated special-status species in the County. San Benito County contains a variety of habitats including aquatic habitats, grasslands, wetlands, and oak woodlands. These habitat types provide high conservation value for the preservation of protected, rare, threatened, and endangered wildlife species, such as the California condor, San Joaquin kit fox, and mountain lion. Commercial “node” development along Highway 101 would degrade a critical wildlife corridor in the northwestern part of our County. For example, wildlife

biologists are concerned that developing this area will cause mountain lion populations in the Santa Cruz Mountains and Gabilan Mountains to become isolated from one another, reducing genetic diversity and causing a dramatic decline in numbers.

11. **Sprawl Development Will Harm the County’s Cultural Resources.** For example, developing commercial nodes along the Highway 101 corridor will have significant impact on Native American sacred sites (Juristac and Irek). This corridor was used as an intertribal, transportation, trading, hunting and gathering corridor by indigenous residents. Some sites in this area are associated with early California historical figures Tiburcio Vásquez and Joaquin Murrieta and/or have been recommended for the National Register of Historic Places by Caltrans archaeologists who worked on the expansion of Highway 101 over twenty years ago.
12. **Sprawl Development is Not the Way to Grow a Healthy Economy in San Benito County.** The people of San Benito County wish to create twenty-first century job opportunities in agriculture, tourism, renewable energy, green technology, and information technology which are compatible with our existing economic strengths and the quality of our communities. Residents want a robust tourism sector that leverages our existing agricultural, historical, cultural, and environmental assets. Sprawl development is incompatible with these goals and with preserving what makes San Benito County a desirable place live, work, and visit. Sprawl development also contributes to climate change. The County’s land use decisions directly impact global climate change which poses serious risks to California’s natural resources. These risks include changes in temperature, precipitation patterns, and frequency of wildfires—all of which impact our economy and local residents. San Benito County residents wish to ensure that the County works to reduce greenhouse gas emissions and is a leader in the State’s efforts to meet greenhouse gas reduction targets.
13. **Ventura County’s Initiative Provides a Model for Smarter Growth and Less Sprawl Development.** In 1998, voters in Ventura County passed a citizens’ initiative that allows voters to manage their county’s growth. The Ventura County “SOAR” initiative has withstood the test of time and survived legal challenge. It has successfully protected much of that county’s agricultural lands and open space while promoting a strong economy. As a result, Ventura County dramatically slowed the traditional sprawl development pattern that has plagued other parts of Southern California. The Ventura County initiative has been extremely popular with residents, who in 2016 voted to extend their SOAR initiative to 2050. Many San Benito County residents would like to emulate Ventura’s County’s success. This Initiative is modeled after the Ventura County SOAR initiative.

SECTION 2: SAN BENITO COUNTY GENERAL PLAN AMENDMENTS

This PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE (“Initiative”) hereby amends the San Benito County General Plan, as amended through February 5, 2020 (“General Plan”).

Text to be inserted in the General Plan is indicated in *italic* type. Text to be deleted from the General Plan is indicated in ~~strikeout~~ type. Text to be readopted by this Initiative is indicated in underline type. Text in standard type currently appears in the General Plan and is not changed or

readopted by this Initiative. The amendments to the General Plan made in this SECTION 2 may be changed only by a vote of the people, except where expressly stated otherwise.

A. Voter Approval For Certain Land Use Re-designations

The following language is inserted on page 3-8 in the General Plan’s Land Use Element (Section 3) as a mandatory land use policy:

LU-1.0 PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE

In 2020, the voters of San Benito County adopted the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE. Pursuant to the provisions of the Initiative, the following shall obtain through December 31, 2049:

- a.) The provisions setting forth the land use designations for Agriculture (A), Rural (R), and Rangeland (RG) in the General Plan, as amended through February 5, 2020, and as referenced herein and amended hereby, shall not be further amended, except as set forth herein, unless such amendment is approved by a vote of the people or by the Board of Supervisors pursuant to the procedures set forth herein.*
- b.) All those lands within the unincorporated area of the County designated Agriculture (A), Rural (R), or Rangeland (RG) on the General Plan’s Land Use Diagram, as amended by the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE, shall remain so designated unless a re-designation is approved by a vote of the people, or by the Board of Supervisors pursuant to the procedures set forth in this Policy LU-1.0.*
- c.) The Board of Supervisors, following at least one public hearing, and after compliance with the California Environmental Quality Act, may place any amendment to the provisions setting forth the land use designations Agriculture (A), Rural (R), or Rangeland (RG) on the ballot for approval by a vote of the people at a special or general election pursuant to the mechanisms provided by state law.*
- d.) The Board of Supervisors may, without approval by a vote of the people, reorder or renumber individual provisions of the General Plan, including the provisions set forth in this policy, in the course of making updates to the General Plan in accordance with the requirements of state law. The Board of Supervisors may, without a vote of the people, make technical, non-substantive modifications to the General Plan for clarification and internal consistency provided such modifications are consistent with the Purpose and Findings of the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE.*
- e.) The Board of Supervisors may, without approval by a vote of the people:*
 - i. re-designate lands not designated Agriculture (A), Rural (R), or Rangeland (RG) to Agriculture (A), Rural (R), or Rangeland (RG);*
 - ii. re-designate lands designated Rural (R) to Agriculture (A) or Rangeland (RG);*

- iii. *re-designate lands designated Agriculture (A) to Rangeland (RG);*
- iv. *re-designate lands designated Agriculture (A), Rural (R), or Rangeland (RG) to Parks (P) as that land use designation existed in the General Plan on February 5, 2020, provided that lands so re-designated may not subsequently be re-designated to any land use designation other than Agriculture (A), Rural (R), or Rangeland (RG) without a vote of the people;*
- v. *re-designate lands designated Agriculture (A), Rural (R), or Rangeland (RG) to Public/Quasi-Public (PQP) as that land use designation existed in the General Plan adopted on July 21, 2015, provided that lands so re-designated may not subsequently be re-designated to any land use designation other than Agriculture (A), Rural (R), or Rangeland (RG) without a vote of the people.*

Once designated to Agriculture (A), Rural (R), or Rangeland (RG), lands shall become subject to the rules contained in this policy for any further re-designation. Any re-designations made pursuant to this subdivision (e.) must comply with the provisions for making such amendments as set forth in state law and all Board-adopted policies.

- f.) *The Board of Supervisors may, without approval by a vote of the people, amend the provisions setting forth the land use designations Agriculture (A), Rural (R), or Rangeland (RG) to impose or increase a minimum lot size for these land use designations.*
- g.) *The Board of Supervisors may, without approval by a vote of the people, and if the Board of Supervisors deems it to be in the public interest, create a new “Open Space” land use designation, and re-designate lands designated Agriculture (A), Rural (R), or Rangeland (RG) to such “Open Space” land use designation, provided that such “Open Space” land use designation allows only those uses consistent with the uses of “open space land” as set forth in Government Code section 65560, subsections (b)(1), (b)(3), and (b)(4), as of February 5, 2020. Lands re-designated pursuant to this subdivision may not subsequently be re-designated to any land use designation other than Agriculture (A), Rural (R), or Rangeland (RG) without approval by a vote of the people.*
- h.) *The Board of Supervisors, following at least one public hearing, and after compliance with the California Environmental Quality Act, may, without approval by a vote of the people, amend the General Plan to re-designate lands designated Agriculture (A), Rural (R), or Rangeland (RG) as necessary to comply with state law regarding the provision of housing for all economic segments of the community. Such amendment may be adopted only if the Board of Supervisors makes each of the following findings based on substantial evidence:*
 - i. *The proposed development is necessary to comply with State law requirements for the provision of low-and very low-income housing and the area of land*

proposed to be re-designated will not exceed the minimum area necessary to comply with State law; and

- ii. The proposed development is immediately adjacent to existing compatibly developed areas and the applicant for the amendment has provided to the County evidence that the Fire Department, Police Department, Department of Public Works, Resource Management Agency, water and sewer districts, and school districts with jurisdiction over such land have or will provide adequate capacity to accommodate the proposed development and provide it with adequate public services; and*
 - iii. The proposed development will address the highest priority need identified in the analysis by which the County has determined it is not in compliance with state law, (i.e., low- and very low-income housing); and*
 - iv. There is no other existing residentially designated land available to accommodate the proposed development and it is not feasible to accommodate the proposed development by re-designating lands other than those designated Agriculture (A), Rural (R), or Rangeland (RG); and*
 - v. Notice of such proposed amendment has been given according to the County's standard notice requirements to the owners of properties adjacent to the proposed development, and additionally, notice has been given no fewer than 30 days prior to the proposed amendment's appearance on the Board of Supervisors' agenda, to: (1) LAFCo, (2) any city in whose Sphere of Interest the property to be re-designated is located, and (3) all parties that have requested such notice by placing their name and contact information with the Clerk of the Board of Supervisors.*
- i.) Nothing in this policy is intended to prevent the Board of Supervisors from re-designating lands not designated Agriculture (A), Rural (R), or Rangeland (RG) without approval by a vote of the people, except as provided in subdivisions (e)(iv), (e)(v), and (g).*
 - j.) This policy does not apply to, and is not intended to alter current or future land use designations for, lands within the boundaries of the three existing designated Specific Plan Areas in San Benito County (the San Juan Oaks Specific Plan Area, the Santana Ranch Specific Plan Area, and the Fairview Corners Specific Plan Area) as those boundaries existed on February 5, 2020.*
 - k.) For the purposes of this policy, approval by a vote of the people is accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the State Elections Code, and a majority of the voters votes in favor of the amendment. Whenever the Board of Supervisors adopts an amendment requiring approval by a vote of the people pursuant to this policy, the amendment shall not take effect until after such a vote is held and a majority of the voters votes in favor of it. The*

Board of Supervisors shall follow the provisions of the state Elections Code in all matters pertaining to placing such a measure on the ballot.

The text of General Plan’s “Table 3-1: Land Use Designations and Standards” on page 3-4 is revised to amend and readopt the “Rangeland (RG)” land use designation in the General Plan, as follows:

<p><u>Rangeland (RG)</u> <u>The purpose of this designation is to maintain open space and grazing land on hills, mountains, and remote areas of the county. This designation is applied to areas that have minimal transportation access, high to very high fire hazard, and no public infrastructure (e.g., sewer, water, drainage). Most of these areas are located within remote parts of the county. This designation allows support uses that directly support agricultural operations and one principal residential dwelling unit per lot. Secondary dwellings are allowed for relative, caretaker/employee, and farm worker housing.</u></p> <p><i>This definition, including the Maximum Density and Maximum FAR, was readopted by voter initiative and through December 31, 2049 may not be amended except by a vote of the people.</i></p>	<p><u>Maximum Density:</u> <u>1 dwelling unit per 40 acres</u></p> <p><u>Maximum FAR:</u> <u>0.1</u></p>
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The text of General Plan’s “Table 3-1: Land Use Designations and Standards” on page 3-4 is revised to amend and readopt the “Agriculture (A)” land use designation in the General Plan, as follows:

<p><u>Agriculture (A)</u> <u>The purpose of this designation is to maintain the productivity of agricultural land, especially prime farmland, in the county. This designation is applied to agriculturally productive lands of various types, including crop land, vineyards, and grazing lands. This designation allows agricultural support uses, such as processing, wineries, and other necessary public utility and safety facilities and one principal residential dwelling unit per lot. Secondary dwellings are allowed for relative, caretaker/employee, and farm worker housing. These areas typically have transportation access, but little to no public infrastructure.</u></p>	<p><u>Maximum Density:</u> <u>1 dwelling unit per 5 acres</u></p> <p><u>Maximum FAR:</u> <u>0.5</u></p>
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<p><i>This definition, including the Maximum Density and Maximum FAR, was readopted by voter initiative and through December 31, 2049 may not be amended except by a vote of the people.</i></p>	
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The text of General Plan’s “Table 3-1: Land Use Designations and Standards” on page 3-4 is revised to amend and readopt the “Rural (R)” land use designation in the General Plan, as follows:

<p><u>Rural (R)</u> <u>The purpose of this designation is to allow very low-density residential development in areas that are not primarily suited for agricultural uses, but due to the lack of public infrastructure (e.g., water, sewer, drainage) or for geographical reasons are unsuited for higher density residential designations.</u></p> <p><i>This definition, including the Maximum Density, was readopted by voter initiative and through December 31, 2049 may not be amended except by a vote of the people.</i></p>	<p><u>Maximum Density:</u> <u>1 dwelling unit per 5 acres</u></p>
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B. Removal of Certain Land Use Designations

The text of General Plan’s “Table 3-1: Land Use Designations and Standards” on page 3-6 is revised to remove “Commercial Thoroughfare (CT)” and “Commercial Regional (CR)” from the available land use designations within the General Plan, as follows:

<p>Commercial Thoroughfare (CT) The purpose of this designation is to provide commercial services for motorists near highway interchanges, along thoroughfares, and near Federal, State, and regional parks, and other tourist attractions to capture pass-through traffic, and to allow for commercial uses that serve the agricultural and rural unincorporated community. These uses could include small shopping centers, truck and automobile stations, and tourist serving commercial uses.</p>	<p>Maximum FAR: 0.8</p>
<p>Commercial Regional (CR) The purpose of this designation is to provide areas that function as destinations for commercial activity serving the regional population. This designation intends to accommodate the location of such</p>	<p>Maximum FAR: 0.8</p>

commercial uses at key intersections along Interstate 101 and other major State Routes. These uses could include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels.	

C. Amendments to General Plan Land Use Diagram

The General Plan’s Land Use Diagram, Figure 3-1, Figure 3-2, and Figure 3-3, is amended to adopt or readopt all land use designations for lands designated Agriculture (A), Rural (R), or Rangeland (RG), as depicted on Exhibit A, Exhibit B, and Exhibit C.

The General Plan’s Land Use Diagram, Figure 3-1, Figure 3-2, and Figure 3-3, is further amended to remove all Commercial Thoroughfare (CT) and Commercial Regional (CR) land use designations and to re-designate lands previously designated Commercial Thoroughfare (CT) or Commercial Regional (CR) to other land use designations, as depicted on Exhibit A, Exhibit B, and Exhibit C.

The General Plan’s Land Use Diagram, Figure 3-1, Figure 3-2, and Figure 3-3, is further amended to remove all Commercial Neighborhood (CN) node designations and to re-designate certain of those lands to other land use designations, while retaining certain other of those lands as Commercial Neighborhood (CN) designation, as depicted on Exhibit A, Exhibit B, and Exhibit C.

Except for: (1) the adoption or readoption of land use designations for lands designated Agriculture (A), Rural (R), or Rangeland (RG), and (2) the removal of certain commercial land use designations and the re-designation of lands previously subject to those land use designations, the information depicted on Exhibit A, Exhibit B, and Exhibit C is provided for contextual and informational purposes only and does not otherwise amend or readopt elements of the General Plan Land Use Diagram.

Lands re-designated under this SECTION 2.C to land use designations other than Agriculture (A), Rural (R), or Rangeland (R) may subsequently be re-designated by the Board of Supervisors without requiring approval by a vote of the people.

SECTION 3: CONFORMING AMENDMENTS


The General Plan is further amended as set forth below in this SECTION 3 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 *italic* 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 by the Board of Supervisors without approval by a vote of the people, as appropriate, during the course of further updates and revisions to the General Plan, in a manner consistent with the Purpose and Findings of this Initiative.

A. Text Amendments

The text beneath the heading “List of Figures” on page iii of the General Plan is revised as follows:

Figure 3-5: ~~Commercial and Industrial Nodes~~ 3-25

The text of Policy LU-1.2 on page 3-15 of the General Plan is revised as follows:

LU-1.2 Sustainable Development Patterns 
The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that ~~can have the~~ *potential to* promote such sustainable development. (RDR)


The text on page 3-23 of the General Plan under the heading “Commercial and Mixed-Use Development” is revised as follows:

Historically residential growth in San Benito County has outpaced commercial and mixed-use growth. The County desires to promote commercial uses on strategic unincorporated parcels in order to accommodate commercial demand, promote economic development, and increase revenue. The focus of this goal section is to identify types and areas for future commercial and mixed-use development. ~~Figure 3-5 shows the locations, Table 3-1 describes the land use designations, and Appendix A defines the new commercial nodes.~~

The text of Goal LU-5 on page 3-23 of the General Plan is revised as follows:

GOAL LU-5 To promote the development of ~~regional, thoroughfare, and locally serving~~ commercial uses at key opportunity sites in the unincorporated county.

The text of Policy LU-5.1 on page 3-23 of the General Plan is revised as follows:

LU-5.1 ~~New Commercial Neighborhood Nodes~~ 
The County shall encourage new Commercial Neighborhood (CN) *development nodes*, ~~as shown on the Land Use Diagram, so long as they are located within a reasonable walking distance of a community, are~~ *is centrally located to serve an unincorporated community that is lacking neighborhood commercial services, or it is located* where the need for expanded neighborhood commercial services can be demonstrated. The County shall encourage neighborhood commercial uses to connect to residential uses along transit corridors and bicycle and pedestrian paths, as appropriate to the context, and include appropriate transit, bicycle, and pedestrian facilities. (RDR)

The text of Policy LU-5.2 on page 3-23 of the General Plan is deleted in its entirety as follows:

~~LU 5.2 New Commercial Thoroughfare Nodes~~

~~The County shall encourage new Commercial Thoroughfare (CT) nodes, as shown on the Land Use Diagram, serving travelers and tourists along state routes. The County shall require these uses to have adequate public services, be compatible with surrounding land uses, and respect the scenic character of the county. (RDR)~~

The text of Policy LU-5.3 on pages 3-23 and 3-24 of the General Plan is deleted in its entirety as follows:

~~LU 5.3 New Commercial Regional Nodes~~

~~The County shall encourage new Commercial Regional (CR) nodes to be located at or near existing or future highway interchanges, major intersections, and along existing or future transit facilities. Facilities should be located consistent with Figure 3-5 (and exclude the intersection of U.S. Highway 101 and State Route 156). In order to respect the scenic character of the county, new development at these commercial nodes shall be subject to design review before the County Planning Commission. Further, development within these commercial nodes is encouraged to contribute to the preservation of scenic areas along the designated scenic corridors within the County. The County shall also encourage additional access to new regional commercial centers through bicycle and pedestrian connections from residential uses as appropriate to the context. (RDR)~~

The text of Policy LU-5.4 on page 3-24 of the General Plan is revised as follows:

~~LU-5.4 New Commercial Nodes~~ *Development Vision*

The County shall encourage developers to reflect a cohesive vision for ~~node~~ *commercial* development in site plans submitted as a part of applications for discretionary approval that recognizes the importance of the County's scenic resources and local character and quality of life attributes. (RDR)

The text of Policy LU-5.5 on page 3-24 of the General Plan is revised as follows:

LU-5.5 Strip Commercial

The County shall discourage the creation of new strip commercial developments (e.g., non-cohesive commercial fronting a major arterial or state highway) in favor of centralized *or clustered* commercial ~~node~~ development that is located in the commercial nodes identified on the Land Use Diagram, and in Policies LU 5.1 to LU 5.3. (RDR)

The text on page 3-29 of the General Plan of the first full paragraph under the heading "New Communities" is revised, and a new paragraph is inserted, as follows:

New Communities provide an opportunity for San Benito County to accommodate future growth in new, balanced communities that provide urban infrastructure and services, employment generating land uses, and institutional facilities (e.g., schools, libraries,

community centers, fire stations). The creation of New Communities can provide the County with the opportunity to meet its goals of locating future growth in areas that minimize both agricultural and environmental impacts. ~~Since~~ *If* infill development alone is not likely to be able to accommodate projected future population growth, New Communities may be necessary ~~as well as desirable~~ to accommodate ~~the~~ anticipated population growth in San Benito County. In addition, ~~by minimizing to the extent that they minimize~~ the number of per capita vehicle miles traveled, New Communities ~~can~~ *may* help the County lower its carbon footprint ~~as effectively, and sometimes more effectively, than infill development.~~

In 2020 the voters of San Benito County passed the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE. The Initiative requires approval by a vote of the people for any proposed General Plan amendment that would re-designate Agriculture (A), Rural (R), or Rangeland (RG) lands through December 31, 2049, with certain exceptions. Proposals for New Communities must comply with the requirements of the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE.

The text on page 3-30 of the General Plan of the fourth full paragraph under the heading “New Communities” is revised as follows:

The purpose of identifying the New Community Study Areas is to provide the opportunity for San Benito County to ~~accommodate~~ *consider accommodating* some future growth in new unincorporated communities, while protecting productive agricultural lands, preserving open space, and creating a sustainable land use pattern in the county.

The text on page 3-33 of the General Plan of the second and third bulleted paragraphs under the heading “San Juan Study Area” is revised as follows:

- Providing a regional commercial presence along the transportation corridors in the study area would *potentially: allow for the capture of sales tax dollars that neighboring counties currently enjoy*; provide additional commercial opportunities that would not compete with existing businesses in the county; utilize existing and planned infrastructure (including the recently improved San Juan Road interchange); and provide amenities to attract and inform tourists about San Benito County and draw them into the county.
- ~~Most of the lands within the area are undeveloped grazing lands that could provide middle to higher end housing with access to major roads, in addition to the existing Rancho Larios residential development.~~

The text of subdivision b. of Policy LU-8.4 on page 3-35 of the General Plan is revised as follows:

b. Completed General Plan Amendment and Zone Change applications. *(Proposed General Plan Amendments must comply with the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE, adopted by the voters in 2020, which requires approval by a vote of the people for*

any proposed General Plan amendment that would re-designate Agriculture (A), Rural (R), or Rangeland (RG) lands through December 31, 2049, with certain exceptions.)

The text of Policy LU-9.1 on page 3-38 of the General Plan is revised as follows:

LU-9.1 Orderly City Expansion

The County shall support the orderly expansion of urban uses within the spheres of influence of Hollister and San Juan Bautista, recognizing that the Cities have primary responsibility for determining the type, intensity, and timing of future development in these areas, *and provided that in doing so, the County will comply with the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE, adopted by the voters in 2020, which requires approval by a vote of the people for any proposed General Plan amendment that would re-designate Agriculture (A), Rural (R), or Rangeland (RG) lands through December 31, 2049, with certain exceptions.* (RDR/IGC)

The text of Policy LU-9.3 on page 3-38 of the General Plan is revised as follows:

LU-9.3 Sphere of Influence Area Coordination

The County shall coordinate with the Cities of Hollister and San Juan Bautista on all County planning and permit approvals for properties located within the City's adopted spheres of influence, and where appropriate, require a concurrent application for any general plan amendment on property located within the City's adopted spheres of influence. (RDR/IGC) *(Proposed General Plan Amendments to re-designate lands within the unincorporated area of San Benito County must comply with the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE, adopted by the voters in 2020, which requires approval by a vote of the people for any proposed General Plan amendment that would re-designate Agriculture (A), Rural (R), or Rangeland (RG) lands through December 31, 2049, with certain exceptions.)*

The text of Policy LU-9.9 on page 3-39 of the General Plan is revised as follows:

LU-9.9 Special Needs Housing within Spheres of Influence Areas

The County shall cooperate with the Cities to protect land within adopted spheres-of-influence for future urban density. However, the County may allow development of unmet special needs housing for the following special need groups: lower-income households, seniors, farm workers, persons with disabilities, the local work force, persons in need of emergency shelter or transitional housing, and group homes for mentally disabled/substance abuse. (RDR/IGC) *(In so doing, the San Benito County will comply with the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE, adopted by the voters in 2020, which requires approval by a vote of the people for any proposed General Plan amendment that would re-designate Agriculture (A), Rural (R), or Rangeland (RG) lands through December 31, 2049, with certain exceptions.)*

The text on the fourth full paragraph on page 5-66 of the General Plan (the Housing Element) is revised as follows:

Land Use. The Land Use Element identifies area where residential (housing) development may occur and the intensity of development for specified areas (Figures 3-1, 3-2, and 3-3, the *Land Use Diagram 7a and 7b, Land Use Maps*). Consistent with the countywide goal to maintain a rural character, and to direct development from environmentally hazardous areas, the vast majority of the County is identified for the districts of Rangeland (1 unit per 40 acres) and Agriculture (1 unit per five acres). However, the Land Use Element provides for areas of urban density in the Residential Mixed land use category and more specially designed categories corresponding to urban-density specific plans. A range of development densities is allowed with 30 percent required to be on average 8 units per acre with mixed development types and up to 20 units per acre in other locations.

The text on page A-3 of the General Plan is revised to delete the paragraph defining “Centralized Commercial Node Development” as follows:

~~**Centralized Commercial Node Development.** A strategically located concentration of development (e.g., commercial, office, industrial, residential and/or a combination thereof) at, or within a reasonable distance from, the existing and future intersections of highways, state routes and major collectors or arterials, intended to prevent the typical linear or “strip” development in order to maintain or improve community character and to create easy access and high visibility for commercial businesses.~~

B. Amendments to General Plan Figures

The amendments to the following Figures, which are not a part of the General Plan’s Land Use Diagram, described in this subsection may be further amended by the Board of Supervisors without a vote of the people, as appropriate, during the course of further updates and revisions to the General Plan, in a manner consistent with the Purpose and Findings of this Initiative.

General Plan Figure 3-4 is amended as depicted in Exhibit D.

General Plan Figure 3-5 is amended as depicted in Exhibit E.

General Plan Figure 3-6 is amended as depicted in Exhibit F.

General Plan Figure 7a on page 5-68 (in the Housing Element) is deleted in its entirety.

General Plan Figure 7b on page 5-69 (in the Housing Element) is deleted in its entirety.

Except for depicting this Initiative’s: (1) adoption or readoption of land use designations for lands designated Agriculture (A), Rural (R), or Rangeland (RG), and (2) removal of certain commercial land use designations and re-designation of lands previously subject to those land use designations, the information on Exhibit D, Exhibit E, and Exhibit F is provided for contextual and informational purposes only and does not otherwise amend or readopt elements of Figure 3-4, Figure 3-5, or Figure 3-6.

SECTION 4: INAPPLICABILITY TO LANDS WITHIN EXISTING SPECIFIC PLAN AREAS

This Initiative applies to certain unincorporated lands within San Benito County. This Initiative does not apply to, and is not intended to alter current or future land use designations for, lands within the boundaries of the three existing designated Specific Plan Areas in San Benito County (the San Juan Oaks Specific Plan Area, the Santana Ranch Specific Plan Area, and the Fairview Corners Specific Plan Area) as those boundaries existed on February 5, 2020.

SECTION 5: IMPLEMENTATION

- A. Effective Date:** “Effective Date” means the date that the PRESERVE OUR AGRICULTURAL AND RURAL LANDS INITIATIVE (“Initiative”) became effective pursuant to State law.

- B. San Benito County General Plan:** Upon the Effective Date of this Initiative, the provisions of SECTION 2 and SECTION 3 of the Initiative are hereby inserted into the San Benito County 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 used in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted into the San Benito County General Plan on January 1 of the following year. Upon the Effective Date of this Initiative, any provisions of the County Code or of any other San Benito County 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 date that the notice of intention to circulate this Initiative was submitted to the San Benito County elections official is referenced herein as the “Submittal Date.” The San Benito County General Plan in effect on the Submittal Date as amended by this Initiative is required by state law to comprise an integrated, internally consistent, and compatible statement of policies for San Benito County. 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 county, 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 County Plans, Ordinances, and Policies:** The County of San Benito is hereby authorized and directed to amend the General Plan and other San Benito County plans, ordinances, and policies affected by this Initiative as soon as possible and periodically thereafter as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the General Plan and other San Benito County plans, ordinances, and policies.

- E. Reorganization:** The General Plan may be reorganized 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 state law, provided that the provisions of SECTION 2 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 San Benito County.
- F. Implementing Ordinances:** The Board of Supervisors 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 Board of Supervisors 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 constitutions or laws of the United States or the State of California. Should any application of the Initiative effect a taking of private property under the constitutions or laws of the United States or the State of California, an exemption to the Initiative's application is permitted to the minimum extent necessary to avoid such a taking. Likewise, an exemption to the Initiative's application is permitted to the minimum extent necessary to avoid infringing a vested right obtained pursuant to State law as of the Effective Date.

SECTION 6: EFFECT OF COMPETING OR ALTERNATIVE MEASURE ON THE SAME BALLOT

This Initiative adopts a comprehensive scheme to preserve San Benito County's rural, agricultural, and rangelands by requiring approval by a vote of the people in order to re-designate those lands and by re-designating lands subject to certain commercial designations. By voting for this Initiative, the voters expressly declare their intent that any other San Benito County measure that appears on the same ballot as this Initiative and addresses voter approval for re-designation of rural, agricultural, or rangelands and/or re-designating commercial designations, 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 San Benito County 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 6, 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 7: 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, it is the will of the voters that 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 8: AMENDMENT AND REPEAL

Except as otherwise provided herein, through December 31, 2049, this Initiative may be amended or repealed only by a vote of the people of San Benito County.

SECTION 9: EXHIBITS

Exhibit	Description
A	Initiative Amendments to General Plan Figure 3-1 Land Use Diagram (Countywide)
B	Initiative Amendments to General Plan Figure 3-2 Land Use Diagram (North County Detail)
C	Initiative Amendments to General Plan Figure 3-3 Land Use Diagram (Census Designated Places Detail)
D	Initiative Amendments to General Plan Figure 3-4 Wine/Hospitality Area
E	Initiative Amendments to General Plan Figure 3-5 Commercial and Industrial Nodes
F	Initiative Amendments to General Plan Figure 3-6 New Community Study Areas
G	California Government Code § 65560, as of February 5, 2020
H	General Plan land use designation for Parks (P), as of February 5, 2020
I	General Plan land use designation for Public/Quasi-Public (PQP), as of July 21, 2015
J	General Plan Figure 3-1 Land Use Diagram (Countywide) [as adopted July 21, 2015]

K	General Plan Figure 3-1 Land Use Diagram (Countywide) [as amended Nov. 3, 2015, Resolution No. 2015-84]
L	General Plan Figure 3-2 Land Use Diagram (North County Detail) [as adopted July 21, 2015]
M	General Plan Figure 3-2 Land Use Diagram (North County Detail) [as amended Nov. 3, 2015, Resolution No. 2015-84]
N	General Plan Figure 3-2 Land Use Diagram (North County Detail) [as amended Sept. 24, 2019, Resolution No. 2019-95]
O	General Plan Figure 3-3 Land Use Diagram (Census Designated Places Detail) [as adopted July 21, 2015]
P	General Plan Figure 3-3 Land Use Diagram (Census Designated Places Detail) [as amended Sept. 24, 2019, Resolution No. 2019-95]
Q	General Plan Figure 3-4 Wine/Hospitality Area [as adopted July 21, 2015]
R	General Plan Figure 3-4 Wine/Hospitality Area [as amended Sept. 24, 2019, Resolution No. 2019-95]
S	General Plan Figure 3-5 Commercial and Industrial Nodes [as adopted July 21, 2015]
T	General Plan Figure 3-5 Commercial and Industrial Nodes [as amended Sept. 24, 2019, Resolution No. 2019-95]
U	General Plan Figure 3-6 New Community Study Areas [as adopted July 21, 2015]
V	General Plan Figure 3-6 New Community Study Areas [as amended Sept. 24, 2019, Resolution No. 2019-95]
W	General Plan Figure 7a (Housing Element) San Benito County Land Use Districts
X	General Plan Figure 7b (Housing Element) Northern San Benito County Land Uses