



**SAN BENITO COUNTY**

**OPEN SPACE AND CONSERVATION ELEMENT UPDATE**

**OF THE SAN BENITO COUNTY GENERAL PLAN**



## **SAN BENITO COUNTY OPEN SPACE AND CONSERVATION ELEMENTS**

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Adopted by San Benito County Board of Supervisors on February 7, 1995 by Resolution 95-12

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# **OPEN SPACE AND CONSERVATION ELEMENT UPDATE**

## **PREFACE**

Counties and cities in the State of California have been required by law to prepare Open Space and Conservation Elements as two of the seven mandated Elements of the General Plan. The Legislature, recognizing the growing environmental awareness of the people of California, has directed local government to take specific action to protect the State's natural resources. It has long been recognized that the combining of Open Space and Conservation Elements into a single document provides, due to the common nature of the subjects, the decision makers of a community with a more comprehensive and usable document. Implementation of the Open Space/Conservation Element Plan is insured through the State mandated Action Plan.

Major open space areas and natural resources throughout the County of San Benito are the focus of this plan. This text will serve as the County's guide the land use decisions as they relate to lands designated as having open space or conservation potential.

The Open Space/Conservation Element is designed with a 10-year horizon. Thus, we are looking ahead to the year 2000. It is intended that this plan be reviewed annually and updated approximately every three years to insure that the most recent technical data, community goals, and State law requirements are recognized. Together with the Open Space/Conservation Elements of the Cities of Hollister and San Juan Bautista, this Plan should provide a strong basis for open space preservation and the wise utilization of resources within the County of San Benito.

Technical information used in the preparation of these Elements is presented in the Resources Inventory, published as a separate document.

## **INTRODUCTION**

### **THE PLANNING PROCESS**

The Open Space and Conservation Elements of the General Plan for the County of San Benito are two of the seven Elements required by State law. The close relationship between the Open Space Element and the Conservation Element allows these two Elements to be combined into a single plan for the County of San Benito. The process by which these two Elements were prepared involved participation of the staff of San Benito County as well as members of the staffs of the Cities of San Juan Bautista and Hollister.

County staff and the Planning Commission utilized a planning process which included the following steps:

1. The review of established goals and objectives
2. The identification of environmental constraints

3. The analysis of resource inventory
4. The development of Open Space/Conservation Plans and corresponding Action Plans
5. The preparation of a Final Open Space/Conservation Element

Participation of the County Board of Supervisors and County Planning Commission as well as staff was necessary for the preparation of goals and objectives. Environmental constraints and resources were researched by staff with assistance from a wide variety of local and State agencies.

### STATE-WIDE GOALS AND OBJECTIVES

#### OPEN SPACE DEFINED

Open space can be defined by the purpose that it serves or by the legal definition. In addition to its use for traditional recreational purposes, open space provides relief in the urban structure of our environment, preserves natural resources that otherwise might be destroyed, and sets aside land that has a potential danger to man should he build upon it. The term "open space" does not necessarily imply public access.

Abstracted below is Section 65560 of the State Government Code, which defines "Open space". ,Upper case type has been added by the staff. Open space land is defined in the Government Code Section 65560:

"Any parcel or area of land or water, which is essentially unimproved and devoted to an open space use as defined in this section, and which is designated on a local, regional, or State Open Space Plan as any of the following:

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 wildlife species; areas required for ecological and other scientific study purposes; rivers, streams, bays and estuaries; coastal beaches, lake shores, banks of rivers, streams, bays and estuaries; and coastal beaches, lake shores, 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, range land, 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, banks of rivers, and streams, which 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, historical and cultural value; areas particularly suited for parks and recreation purposes, including access to lake shores, beaches, 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."

#### LEGISLATIVE INTENT: OPEN SPACE LANDS ACT

The California Constitution responds to the concern over the preservation and conservation of open space lands in a 1966 amendment which states the following:

"The people hereby declare that it is in the best interest of the State to maintain, preserve, conserve and otherwise continue in existence open space lands for the production of food and fiber and to assure the use and encouragement of natural resources and scenic beauty for the economic and social well-being of the State and its citizens..." (Section 1, Article XVII)

By January 1974, the State required that each county prepare and adopt a local Open Space Plan for the comprehensive and long-range preservation of open space lands within its jurisdiction. Legislative intent for the Open Space Lands Act is specified in Government Code Section 65561. This section of the Government Code is summarized briefly in the following paragraphs.

To provide further guidance to local jurisdictions, the Legislature found and declared that the preservation of open space was not only necessary for maintaining the economy in the State of California, but was needed for the production of food and fiber and the enjoyment of scenic beauty. It was not the Legislature's intent, however, for open space lands to remain unused, as the Legislature recognizes the need for recreation and the use of natural resources.

The Legislature recognized that it would be necessary to discourage premature and unnecessary conversion of open space lands to urban uses. The Legislature also recognized that non-contiguous development patterns unnecessarily increase the cost to community residents for services.

The State recognizes that population is going to continue to increase and has acknowledged the need for definite plans for the preservation of open space land; moreover, positive action must be taken to carry out such plans to eliminate the potential of premature conversion of open space lands to urban uses.

The State also mandates in Section 65302(e) of the Government Code and Section 5076 of the Public Resource Code that every city and county shall consider demands for trail-oriented recreational use and consider these demands for the development of open space programs. Cities and counties shall also consider the feasibility of integrating trail segments into the State trail system.

#### LEGISLATIVE INTENT: CONSERVATION ELEMENT

Legislative intent for preparation of the Conservation Element is provided in Section 65302(d) of the California State Government Code. The Government Code requires that each jurisdiction prepare a:

"Conservation Element for the conservation, development and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources.."

With this understanding of the State Legislature, each county must identify its own goals and objectives as they relate to their own individual needs.

#### CATEGORY 1: OPEN SPACE:

The first category is existing private and public open space, including State parks, national monuments, county parks, private and public golf courses, recreational facilities, Williamson Act lands, and land under the jurisdiction of the Bureau of Land Management (BLM). These existing commitments to various types of open space are included to show continuity in the position of the County for the protection and conservation of open space land (Government Code 65302 and 65560 (b) (2) (3)). Tables 1 through 3, and Figures 2 and 3 of the Resource and Constraints Inventory list and illustrate the location of governmental open space lands. Tables 4 and 5, Charts 2 and 3, and Figure 4 illustrate the acreage of land in Williamson Act Contracts and the location in the North County area.

#### CATEGORY 2: IMPORTANT AGRICULTURAL LANDS:

The second category is of that of lowland soils. The soil associations shown as groups A, B, and C in Table 7 of the Resource Inventory make up the most productive lands within San Benito County and are illustrated on Figure 5. The County has recognized soils with a storic index rating of 80 or better (Grade 1) in the Soils Survey of San Benito County, California as the highest priority for protection. These soil types are listed in Table 8 and the general location of occurrence is illustrated on Figure 6 of the Resource and Constraints Inventory. Therefore, in keeping with Government Code, Section 65561, these farmlands have been included to fulfill the State requirement that the preservation of open space is necessary for the production of food and fiber (Government Code 65560 (b)(2)).

#### CATEGORY 3 NOISE:

The third category included in this plan is areas where noise levels are equal to, or greater than, 60 decibels (based on "Information of Level of Environmental Noise Requisite to Protect Public

Health and Welfare with an Adequate Margin of Safety," EPA, Page 40) or which have been projected to be greater than 60 decibels based on studies prepared by the California Department of Transportation (CalTrans). Locations of these high-noise areas are lands bordering State Highways 25, 101, 156, and 129. Also included are areas on either side of the Southern Pacific Railroad right-of-way areas near the Hollister Municipal Airport, mining areas, areas near off-road vehicle parks, and airports. The choice of including these areas in open space is suggested to obtain consistency with the Noise Element of the County of San Benito (Government Code 65302(f)).

#### CATEGORY 4: UNSTABLE SOILS/FAULT HAZARDS

The fourth category includes unstable soils (slopes 30% or greater and erosion hazards) fault zones, and landslides. Soil types with the potential for slopes of 30% or greater are listed in Appendix A of the Environmental Resources and Constraints Inventory. Soil types with moderate to severe potential for erosion are listed in Appendix B of the Environmental Resources and Constraints Inventory. The earthquake fault zones are mapped pursuant to the Alquist-Priolo Earthquake Fault Zoning Act and are available for public review at the County Planning Department. The areas within the fault zone indicate a high potential for surface faulting. There are numerous other faults that have not been mapped as part of the Alquist-Priolo Earthquake Fault Zoning Act that occur in the County. Seismic hazard areas do not necessarily preclude development, but the location of buildings within such zones may be restricted (Government Code 65560 (b)(4)).

Included in this category are areas of potential landslide hazard. The area northwest of San Juan Bautista known as the Sargent Anticline and areas around Aromas are included in this category. An area west of the San Benito River near Thomas Road in the Southside area has been identified as an area of massive landsliding. The Swanson Bluff between Tres Pinos and Paicines has been identified as a landslide area as well as an area southwest of the Elkhorn Ranch on Panoche Road. Landslide hazard maps have been prepared by the California Division of Mines and Geology for selected portions of north San Benito County and are available for public review at the County Planning Department.

#### CATEGORY 5: FIRE HAZARDS:

The fifth category includes those areas identified by the State of California Department of Forestry as very high and high fire hazard areas (Government Code 65560 (b)(4)). Some areas are presently classified unbuildable, but in the future, with fire service improvements, water service improvements, and proximity to easy access, future building may be possible. Other areas would remain unsuitable for development due to topography and the amount of brush. Fire hazard areas in the northern portion of the County are illustrated on Figure 7 of the Environmental Resources and Constraints Inventory. Detailed fire hazard maps of the entire County are available for public review at the County Planning Department.

**CATEGORY 6: WATER RESOURCES:**

The conservation, protection, and maintenance of water resources grouped in this category are those areas identified on the adopted Federal Emergency Management Agency Flood Hazard Boundary Maps for San Benito County as the 100-year flood plain, wetlands, and watershed areas, and groundwater basins (Government Code 65302 (d) (2,3 and 5) and 65560 (b) (1)(2)). Existing watercourses are illustrated on Figure 18 of the Environmental Resource and Constraints Inventory. The primary source of water within the County is groundwater. The groundwater basins and important groundwater recharge areas are listed in Table 11 and illustrated on Figures 15 and 16 of the Environmental Resources and Constraints Inventory. Soil types with watershed value are listed in Table 12 of the Inventory. The United States Bureau of Reclamation San Felipe Project is a supplemental source of water for portions of northern San Benito County (Figure 14 of the Environmental Resource and Constraints Inventory). Water bodies recognized by the Regional Water Quality Control Board or the County to be in need of improvement are listed in Appendix E (Government Code Section 65302(d)(1)).

**CATEGORY 7: FLOOD HAZARDS**

Flood hazard areas grouped in this category are those areas identified on the adopted Federal Emergency Management Agency Flood Hazard Boundary Maps for San Benito County as the 100-year flood plain and are available for public review at the County Planning Department (Government Code 65302 (d) (7) and 65566).

**CATEGORY 8: WILDLIFE HABITAT:**

The eighth category includes wildlife habitat areas. These areas are required for the preservation of plant and animal life and includes habitat for fish and wildlife species. Habitats in San Benito County are discussed in the Resources and Constraints Inventory and are illustrated in Figure 20. The game refuge adjacent to Pinnacles National Monument, riparian habitat, wetlands, and the grassland environment for the San Joaquin kit fox, the Giant Kangaroo Rat, the San Benito Evening Primrose, the Blunt Nosed Leopard Lizard, and the Least Bells Vireo are included in this category (Government Code 65302 (d) and Government Code 65560 (b) (1)). A listing of Federal and State threatened or endangered plant species is included in Table 13 of the Environmental and Resources Constraints Inventory as well as a list of sensitive plant and animal species included on Federal or State lists (see Table 14). The general location and type of oak woodland resources are shown in Figure 21.

**CATEGORY 9: SOILS WITH SEVERE SEPTIC TANK LIMITATIONS**

The ninth category includes all soils except those noted in Table 17 of the Environmental Resource and Constraints Inventory. The soils given in Table 17 are those which have slight to moderate limitations for septic disposal. It also includes approximately 5,000 acres of the Hanford Soil Type, rated moderate to severe, which should be evaluated on a case-by-case review. All other soils in the County have severe soil limitations and are not normally suitable for the disposal of septic effluent.

#### CATEGORY 10: MINERAL RESOURCES

The tenth category is areas recognized by the California Division of Mines and Geology and/or the County as important mineral resources (Government Codes Section 65302(d)(6)). Figures 22 through 24 of the Environmental Resource and Constraints Inventory illustrate the location of State designated significant mineral aggregate. Figure 25 illustrates the general location of other mineral resources in the County. Figure 26 illustrates areas with high or moderate potential for oil or gas resources in the County.

#### CATEGORY 11: HISTORIC, AND CULTURAL RESOURCES:

The eleventh category is historic, archaeological, and cultural resources. (Government Code Section 65560 (a)(3)). Some of these resources are shown on Figure 27 and presented within the text of the Environmental Resources and Constraints Inventory of the Open Space Element. The County has maps of archaeological sensitive areas on file at the Planning Department. These maps are not available for public review.

#### CATEGORY 12: RECLAMATION

The eleventh category consists of areas identified for reclamation. Private and public lands in need of reclamation include land that have been mined or contaminated.

#### CATEGORY 13: OPEN SPACE FOR AREAS OF SPECIAL MANAGEMENT

The thirteenth category are those areas adjacent to National and State Parks, County Parks, game refuges, and Bureau of Land Management Lands. Land within 500 feet of these areas is classified as open space (Government Code 65302(d), 65560 (b) (1) and 65550 (b) (4)).

#### CATEGORY 14: SCENIC RESOURCES

The fourteenth category is areas identified as having unique scenic values in the County. These are specified in the Scenic Element of the General Plan (Government Code Section 65560 (b)(3)).

#### GOAL 1 PRESERVATION OF NATURAL RESOURCES

1. To preserve natural wildlife habitats, including environmentally significant areas.
2. The protection and preservation of natural resources in the County, including prime agricultural areas, significant mineral lands, plant and animal life with emphasis on threatened or endangered species, habitat for fish and wildlife, watersheds, wetlands, and rivers.

#### COUNTYWIDE POLICIES AND OBJECTIVES FOR THE PRESERVATION OF NATURAL RESOURCES

1. To preserve existing plant and wildlife ecological habitats.
2. To preserve riparian habitats and valuable watersheds.
3. Develop and implement habitat conservation plan (HCP) for listed and candidate species in San Benito County.

- a. Develop a system of corridors using fault zones, river corridors, and foothills for habitat connectivity.
- b. Use HCP generated funds to acquire habitat and to conduct research within areas previously not surveyed.
- c. Avoid or mitigate loss of habitat for kit fox and other listed and candidate species
4. Monitor the stability of plant and animal species recognized as sensitive on either Federal or State lists through environmental review.
5. Implement State and Federal policy for wetlands.
6. Cooperate with the Regional Water Quality Control Board to develop policies and programs for the protection and enhancement of habitat for fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek).
7. Establish policies and programs for groundwater recharge, the restoration and preservation of watercourses in the County for a mixture of uses including wildlife habitat and recreation.
8. Identify water bodies in the County with water quality problems and apply for funding to improve the water bodies.
9. Avoid permitting development around naturally occurring ponds in the North County in riparian corridors and in other specialized habitats.
10. Develop programs to encourage the protection and re-establishment of oak hardwood resources in the County.
11. Develop a program to eradicate invasive plant and animal species.

Issue - Threatened and/or endangered plant and animal species

There are animal or plant species recognized by the Federal or State governments as threatened and or endangered in the County.

POLICY 1 - Major subdivisions or intense development shall not be allowed within potential habitat of Federal or State listed rare, threatened, or endangered plant or animal species until said development(s) prepares habitat plans for the species unless an interim measure has been taken to mitigate the effect of development.

**ACTION**

1. Continue to collect fees for the preparation of a habitat conservation plans through the provisions of Ordinances 532 or 541 or any amendments.
2. Support the development of habitat conservation programs on Bureau of Land Management (BLM) lands and in the BLM Clear Creek Recreation Area for the rare, threatened, or endangered plant and animal species.

Issue - Allow movement of animal and plant species

Animals and plants, as well as humans, need corridors for movement and sufficient space to thrive. Fragmentation of rural areas introduces barriers to the movement of plants and animals and isolates populations which can impede migration, dispersal, or disruption of life cycles and



population numbers and diversity. Consumption of the landscape can also cause a sense of loss and a perceived loss of quality of life.

#### POLICY 2 - Maintain corridors for habitat

In rural areas, road and development sites shall be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas. Measures to maintain the long-term health of the plant and animal communities in the area shall be incorporated into project design such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.

#### ACTION

1. Where mitigation is not feasible off-site mitigation measures shall be developed

#### POLICY 3 - Mitigation for wetland development

Development shall be sited to avoid encroachment on wetlands. Mitigation shall be required for any development proposals that have the potential to reduce wetland habitat from primary or secondary effects of the development.

#### ACTION

1. Require development near or within wetlands to be consistent with the California Department of Fish and Game Policy.

#### POLICY 4 - Avoid loss of habitat from other mitigation measures

Mitigation measures to reduce other environmental hazards (e.g. fire hazard, flood hazard, soil erosion) shall not be acceptable if they will significantly degrade existing habitat, riparian areas, or isolate habitat.

Issue: Oak woodlands are an integral part of California's living environment and provide cover, breeding area, and food for over 330 vertebrate species. Mature Blue Oak Foothill Pine, Blue Oak, and Valley Oak hardwoods cover portions of western, central, and northeastern areas of the County (roughly 265,000 acres) but there is little evidence of successful regeneration.

#### POLICY 5 - Stimulate regeneration of oak woodland communities

Through a combination of the habitat conservation plan, inter-agency coordination, and development review procedures, the County will promote the restoration, restocking, and protection of oak woodland habitat on public and private lands in the County.

#### ACTIONS

1. Coordinate with neighboring counties where oak hardwood communities intermingle to inventory resources, educate private and public landowners, and develop programs for regeneration and maintenance of these significant plant communities.
2. Development near oak woodlands shall be clustered to avoid, where technically or economically practical, the loss of trees, and transitional buffers shall be developed to help

maintain viable ecosystems. Where removal of trees cannot be avoided, a mitigation plan shall be developed for tree replacement on- or off-site.

3. Include oak woodlands in a sensitive resource overlay.

Issue: There are some exotic plant and animal species (such as wild pigs and star thistle) that hinder the regeneration and health of native plants and animals and are detrimental to ranching and farming operations.

#### POLICY 6 - Exotic plants and animals

It is the policy of the County to work with State, Federal, and local agencies and land owners to develop programs to reduce the destruction of plant and animal life and habitat caused by invasive plants and animals.

#### POLICY 7 - Grading, erosion, and native tree removal

It is the policy of the County to minimize erosion resulting from grading and cutting and native tree removal for all development proposals.

#### ACTIONS

1. Require all native trees to be illustrated on all site plans, tentative subdivision maps, and final subdivision maps, along with proposed grading plans and location of utilities.
2. Topsoil shall be stockpiled and reapplied after grading to enhance revegetation, and sedimentation shall be retained on-site and outside of water features (including seasonal).
3. Measures shall be taken to reduce erosion of stockpiled topsoil.
4. A revegetation plan shall be submitted with the grading plans detailing the type of plants to be re-established, details of the preparatory measures, and methods of planting and maintenance. The plan shall include provisions for remedial action in the event the revegetation plan fails.

#### POLICY 8 - Development in drainage basins

It is the County's policy to minimize development/uses within drainage basins that could alter the path of watercourses and impede groundwater recharge.

#### ACTION

1. Continually monitor mining operations to determine whether mitigation measures are needed.
2. Limit cut-and-fill of watercourses for flood control improvements.
3. Prohibit dumping into creek beds and watercourses and require property owners to clean up existing unauthorized dumps.

#### POLICY 9 - Water quality improvement

It is the policy of the County to cooperate with the Regional Water Quality Control Board to improve water quality problems identified for the County, to maintain water quality on all drainage, and to develop policies and programs for the protection and enhancement of habitat for

fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and water quality in the Silver Creek watershed.

#### ACTION

1. The County recognizes the value of watershed and natural recharge areas and will update its Grading Ordinance.
2. Because the County recognizes the value of watershed areas, and the direct relationship between hillside development and the loss of such watershed areas, the County will prohibit development on hillsides where slopes are 30% or greater in all areas of the County unless no alternative exists.
3. Pursue funding sources for resolution of water quality problems including Federal and State grants, assessment districts, etc.
4. Continue to compile information on water bodies that have limited information including but not limited to Tequisquita Slough, Clear Creek, Laguna Creek, and Tres Pinos Creek.
5. Proposals that include parking for 50 or more cars shall be required to install and maintain oil/grease separators in storm drain systems and include annual maintenance of separators and a sweeping program for the lot.

#### POLICY 10 - Air quality

The County recognizes air as a natural resource and will strive to maintain air quality through proper land use planning. It shall be the County's policy to utilize land use and transportation controls for the protection and enhancement of air quality. Finally, it will be the County's policy to review public and private development proposals in light of possible recreational and open space potential.

#### ACTIONS:

1. The County, by resolution, will establish a policy of urban concentration for the protection of air quality. The resolution should specifically discourage the development of commercial and residential areas outside of urban centers, other than those defined in the Land Use Element, in order to reduce the impacts of air pollution caused by commuting and shopping.
2. Require convenient pedestrian and bicycle access to parks and community facilities and the development of on-site private recreation to serve the needs of unincorporated clusters of population.
3. Develop land use programs to reduce vehicle miles and trips, thereby reducing traffic congestion and protecting and enhancing air quality.
4. Allow clustering and encourage conservation easements to direct population growth from natural resources to areas where services are provided.

#### POLICY 11 - Open space zoning

It will be the County's continuing policy to enact a series of zoning ordinances designed to protect the natural resources of San Benito County.

## ACTIONS

1. Periodically review existing ordinances for flood plain management, agricultural preserves No. 526, Habitat Conservation Plan No. 541, Well standards Nos. 561, 563, 564, Quarry Ordinance 573, and Right-to-Farm No. 576.
2. Prepare an Environmental Constraints ordinance to protect sensitive natural resource areas and avoid public health and safety hazards.

## OPEN SPACE GOALS, OBJECTIVES AND POLICIES TO MAINTAIN A RURAL ATMOSPHERE

### GOAL 2

To encourage the orderly development of identified concentrations within the County, utilizing the infilling of existing developed areas and communities, along with an orderly and efficient development plan for public and private services (water and sewer districts).

### OBJECTIVE:

1. To use various types of open space within the Spheres-of-Influence of San Juan Bautista and Hollister for the purpose of controlling the timing and location of urban development and as a means of preserving certain land (these lands should remain undeveloped until a determination is made by the appropriate legislating body that it is economically and financially feasible to provide public services and facilities for urban use). The urban reserve areas shall be used to buffer agricultural uses from urban uses and to discourage non-contiguous development patterns, which unnecessarily increase the cost of community services to the residents of San Benito County and cause premature land conversion to urban uses.

As it becomes evident that services will soon be available, the County may choose to increase the allowable density through zoning provided that development of these lands considers ultimate development or urban density through a master plan for street design and home site location as well as the provision for urban-type services, such as sewer and storm drains.

2. The maintenance of the County's existing rural atmosphere.

3. Establish policies and programs to limit development on lands that are environmentally sensitive, environmentally hazardous, or of substantial future agricultural or mineral importance.

### POLICY 12 - Direct development to urban areas

It will be the County's policy to apply land use controls to ensure that only non-urban uses are located beyond Sphere's of Influence and Urban Reserve Areas, except for specific areas designated Rural/Urban, Area of Special Study, Residential Commercial, or Industrial on the General Plan Land Use Map.

### ACTIONS:

1. The County shall review its Zoning Maps and Ordinances for land within the Spheres-of-Influence of Hollister and San Juan Bautista. An appropriate zoning district should be developed so that limited development may occur within this area. Development proposals within these areas will be jointly reviewed by the County and the appropriate City.

2. It shall be the County's policy to require that developers of land outside unincorporated areas and within Spheres-of-Influence prepare an overlay plan showing the ultimate development of the property, including streets, the location of urban services, lot lines, and urban densities. This will ensure that present-day development is compatible with the needs and requirements of **future** urban density development and services.

3. Development proposals will need to be consistent with policy 17, action a of the Land Use Element.

#### POLICY 13 - Specific plan requirements

It will be the County's policy to require specific plans for small, large, new, or expanding communities that are not incorporated which would clearly identify centers of urban growth and land uses within these areas.

#### ACTION

1. The specific plan shall be prepared pursuant to Government Code Section 65451(b).

2. Evidence shall be provided that financing of improvements and programs detailed for action 1. are feasible prior to consideration of the specific plan.

3. Specific plans shall include provisions for a mix of housing types consistent with Programs 1-2, and 3-2 and Policies 2-B, 2-C, 2-D, and 3-D of the Housing Element.

#### POLICY 15 - Open Space overlay district

The County will enforce the intended purpose of the Open Space (OS) District of the County by using the Zoning Ordinance to protect and preserve the rural landscape and implement open space policies for public health, safety, and welfare, continued agricultural uses, scenic viewscape preservation including scenic highway corridors, park and recreation uses, conservation of natural resources, the containment and definition of limits to urbanization, and the preservation of natural habitat for threatened and/or endangered plant and animal species.

#### POLICY 16 - Open space around cities

It is the County's policy to preserve a rural atmosphere by directing population growth and public service extensions to infill development and avoiding leapfrog growth.

#### ACTIONS

1. Maintain open space around San Juan Bautista, Hollister, and existing communities.

2. Maintain prime agricultural lands in agricultural uses.

3. The County may, at the appropriate time, develop plans for the unincorporated communities within the County.

#### POLICY 17 - Ridgeline development

To preserve the rural character of the area, new development shall be directed away from the horizon through the use of building envelopes and integration of building architecture into the contour of the horizon.

## ACTION

1. Adopt a Ridgeline Ordinance.

Issue: Several proposals for new towns and new planned communities have been submitted for development in the unincorporated area. The countywide goal to maintain a rural atmosphere can be undermined if large scale development is allowed without accompanying measures for maintaining a rural atmosphere.

## POLICY 18 - Protect rural atmosphere and natural resources

General Plan Amendments, Specific Plans, Area Plans, and Area of Special Study that result in a net increase in general plan buildout (Table 1 of the Land Use Element), shall include methods to conserve open space for natural resources including agriculture, wildlife habitat, and water (e.g. conservation easements and/or other similar resource protection measures). Proposed development areas shall also include measures to protect resources on-site and contiguous to the project with the use of clustering, conservation easements, and other similar programs.

## GOALS, OBJECTIVES, AND POLICIES FOR THE MANAGED PRODUCTION OF RESOURCES

### GOAL 3 NATURAL RESOURCES

To provide for the conservation, development, and utilization of natural resources, including water and its hydraulic force, water quality, forests, soils, rivers and other waters, fisheries, wildlife, minerals, energy and other natural resources.

### OBJECTIVES

1. Plan for the preservation of prime agricultural and open space lands while using them to help define the areas of rural residential growth.
2. Preserve the natural wildlife habitats, including Environmentally sensitive areas.
3. Prevent land use conflicts within the vicinity of open space, mineral, off-road vehicle, fire hazard areas, and agricultural uses.
4. The protection of prime agricultural areas to preserve them for present and future agricultural production vital to the County.
5. Identify and inventory mineral resources requiring protection.
6. Plan for the protection and managed production of the mineral resources identified by the County and/or the State.
7. To conserve the energy resources of the County and nation wherever possible.
8. To minimize soil erosion in developed and undeveloped areas.
9. To conserve and preserve watershed and natural recharge areas through establishment of groundwater conservation programs.
10. Periodically review general plan buildout in relation to long-term water supply as more information on groundwater basins of the County becomes available.

11. To encourage the efficient use of rivers and other waters in cooperation with conservation agencies.
12. To promote water conservation efforts to reduce the rate of groundwater overdraft in the Gilroy-Hollister basin.
13. To obtain a more thorough knowledge of the safe-yield of the groundwater basins in the County.
14. Establish policies and programs for more efficient water use in the County to ensure adequate long-term water supply in the future and decrease the rate of, or eliminate overdraft.
15. To direct land uses that could contribute to the degradation of water quality to alternative locations.
16. To prevent significant suburban or urban development around areas of important natural resources.
17. To provide for the safe utilization of groundwater resources, mineral deposits, and other natural resources in order to conserve and protect them for future utilization.
18. To develop programs for recycling of renewable resources and the conservation of natural resources (water, gas, electricity, fuel, refuse).

#### POLICY 19 - Natural resources protection

The County recognizes the need for both conservation and development of natural resources, and recognizes that the utilization of these natural resources, if not properly managed, can lead to their loss. It will be the County's policy to protect, wherever possible, watersheds, creeks, and rivers, soil, and mineral resources through the enactment of appropriate legislative vehicles.

The County further recognizes the inherent conflict between the development and utilization of some natural resources (e.g. minerals, agriculture) and the urban or suburban development of surrounding properties. Therefore, the development of land near potential or natural resources will be reviewed by the County for its possible compatibility with the extraction, removal, processing, or other utilization of that natural resource. Conversely, applications for the development of mineral extraction or other natural resources will be reviewed for their compatibility with existing and planned uses on surrounding properties.

Issue: The State of California has mapped significant aggregate mineral resources in northern San Benito County and the Surface Mining and Reclamation Act requires their protection for future mineral extraction.

#### POLICY 20 - Significant mineral resources

It is the policy of the County to recognize areas classified Mineral Resource Zone 2 (MRZ-2) or Scientific Zone (SZ) pursuant to the Guidelines for Classification and Designation of Mineral Lands as mineral resources of statewide and regional significance. Strategies shall be developed to protect these mineral resources from premature development incompatible with mining.

## ACTIONS

1. Implement existing "MR" zoning on selected mineral resource areas determined by the Board of Supervisors to require a special level of protection as an additional method of avoiding land use conflicts between mineral extraction and other incompatible uses with the following criteria:
  - i. Lands classified as MRZ-2 or SZ by the State of California Division of Mines and Geology qualify for the "MR" zoning designation and/or;
  - ii. Evidence of the location, extent, and depth, and quality of mineral resources shall be submitted as part of the MR overlay zoning application. The material shall be reviewed by a geologist selected by the County for accuracy.
  - iii. Deny MR overlay zoning requests that do not provide evidence of significant mineral resources on site.
2. Review the General Plan Land Use map in significant mineral resource areas to identify potential land use conflicts.
3. Allow the use of voluntary conservation easements on mineral lands and contiguous properties to protect significant resources.
4. A notice explaining the location of important mineral resources shall be recorded on any parcel within a MRZ2 or SZ designation or within one-half mile.

## POLICY 21 - Limit adverse effects of mining on infrastructure

The structural integrity and hydraulic capacity of bridges, pipelines or other structures in the river shall not be affected by new or expanding sand and gravel mining operations in the floodplain of the San Benito River or Tres Pinos Creek.

## ACTION

1. A hydrologic report shall be prepared to evaluate the up-and down-stream effects of the proposed mining expansion or new operation on structures in the river.
2. A sedimentation budget shall be prepared for mining operations.

## POLICY 22 - Reclamation for mining

Require mining operators to implement reclamation programs to restore land for alternative uses consistent with the General Plan Land Use Map, policies for wildlife, flood, and erosion, and the Surface Mining and Reclamation Act of 1975 with amendments.

## ACTIONS

1. Reclamation plans shall be prepared for all surface mining operations in conformance with the Surface Mining Reclamation Act and subsequent amendments, and the San Benito River Landscaping Guidelines.
2. Residual hazards from mining operations to the public health and safety shall be eliminated by the operator.
3. Require performance bonds for existing and future quarry operations.



#### POLICY 23 - Avoid land use conflicts

The County policy should be to assign compatible land uses adjacent to agricultural lands and selected mineral resource lands to ensure their protection. The County should encourage the use of the Williamson Act, as well as agricultural zoning and other legislative means to preserve large agricultural open space areas.

#### ACTIONS

1. The County should strive to stabilize values in areas that are not expected to be used for urban development in the near future and are presently in agricultural or mineral use through proper land planning.
2. The County Board of Supervisors may, by resolution, reaffirm and encourage the use of the Williamson Act for the preservation of agricultural resources where financially feasible for the owner.
3. The County may enact Agricultural Zoning Districts as described for Goal 1 (Action 2).
4. Buffers should be established within proposed development areas to reduce land use conflicts with agricultural or mineral operations.
5. Approval of residential subdivisions where residential densities are already allowed will be permitted if the following evidence is provided:
  - a. Future or existing mining operations will not create a significant noise impact to future homeowners;
  - b. Future or existing mining operations will not significantly reduce the available quantity or quality of water for homes;
  - c. Future or existing mining operations will not create land use conflicts with potential homeowners from dust, truck traffic, scarred landscape, night glare, etc. and;
  - d. subdivision is clustered to minimize land use conflicts

#### GOAL 4

To preserve large forms of open space areas, such as agricultural land and outdoor recreation areas, in order to serve as a means of delineating the urban/rural boundary.

#### OBJECTIVE:

1. To establish agricultural areas through a combination of the Williamson Act through the use of County agricultural and zoning districts.

#### POLICY 24 - Floodplain and agricultural areas

Where there is a coincidence of high agricultural productivity and 100-year flood plain/groundwater recharge area the land should be retained in agriculture to serve dual open space functions.

#### GOAL 5

To protect and preserve the agricultural identity of the County.

#### POLICY 25 - Legislative methods to protect agriculture and rural identity

It is the County's policy to use the Williamson Act, agricultural zoning, and legislative means, where appropriate, to preserve agricultural resources, maintain a rural identity, and to define and shape the urban form. Residential growth should be directed to where services are already provided and to the least productive agricultural lands.

#### ACTIONS:

1. The County should reaffirm and encourage the use of Williamson Act for the preservation of its agricultural resources. This should include those areas identified on Figure 4 and parcels adjacent to those already contracted into the Williamson Act.
2. The County should adopt the Agricultural zones which allow only agricultural and compatible uses as indicated in the Land Use Element.

#### GOAL 6 AGRICULTURAL RESOURCES

To continue agriculture as an industry in the County and to preserve present agricultural resources for future generations.

#### OBJECTIVE:

1. To encourage and protect agriculture as a viable industry in the County.
2. To provide financial incentives to protect the most productive soils resources.
3. Stabilize land values for persons interested in purchasing agricultural land while providing economic incentives to land owners to avoid conversion of row crop and orchard land.

Issue: Agriculture has been one of the leading industries in San Benito County. The industry also supports the local economy with secondary jobs in processing, marketing, supplies, pest control, shipping, etc.

#### POLICY 26 - Support agricultural industry

It is the policy of San Benito County to promote and support the location of new agriculture-related business and industry and support programs that promote local agricultural products and increase marketing opportunities.

#### POLICY 27 - Options for estate planning

It is the policy of the County to recognize that there are financial options to farmers/ranchers for estate planning purposes such as land trusts.

Issue: Lands used for the production of row, fruit, and nut crops comprise only 2.5% of the County but represented about 63% of the dollar value of agricultural products produced in 1992. For every dollar generated for agricultural production of row, fruit, and nut crops, another three are generated in local support services. Urbanization of these limited areas results in an irrecoverable loss of resources and jeopardizes one of the major industries in the County.

Issue: Agriculture has been the leading industry in San Benito County, yet over 90% of the Williamson Act contract cancellations for land categorized as prime are within the North County area. This bears evidence of the tremendous pressure to convert soil resources to other uses and a potential loss of significant resources. Piecemeal subdivisions may compromise the soil resources.

#### POLICY 28 - Maintain viable sizes for agriculture

It shall be the policy of the County to assure that units of land which are suitable for agricultural purposes are maintained.

#### ACTION

1. In areas of Agricultural zoning, the County will establish minimum lot sizes appropriate to the land use and the soil resources.
2. Discourage the subdivision of agricultural lands suitable for the production of fruit, nut, and row crops to parcel sizes that are ineligible for inclusion in the Williamson Act contracts.
3. Discourage the formation or revisions to spheres-of-influence on agricultural lands suitable for the production of row, fruit, or nut crops.

#### POLICY 29 - Energy conservation

It will be the County's policy to encourage the use of energy-efficient design in new construction.

#### POLICY 30 - Water quality from development

It is the policy of the County to require development projects that could contribute to the contamination and/or degradation of groundwater quality to be redesigned to avoid significant impacts.

#### ACTION

1. Applications for development proposals (e.g. mining, golf course, or industry near watercourse) that could contribute to ground or surface water degradation shall be designed to minimize water quality impacts.
2. Mining operations within and near watersheds shall be monitored and provide mitigating measures to reduce effects of erosion on water quality and riparian habitat.
3. Develop acceptable levels of significance using State standards. The significance of potential impacts shall be evaluated according to State standards.

Issue: Groundwater is the primary source of water for San Benito County. It is costly and difficult to treat and limit the spread of contaminated groundwater. Therefore, every possible measure should be taken to protect and allow the reuse of this limited resource.

#### POLICY 31 - Wastewater treatment

Wastewater treatment systems shall be designed to ensure the long-term protection of groundwater resources in San Benito County. Septic systems shall be limited to areas where sewer services are not available and where it can be demonstrated that septic systems will not

contaminate groundwater. Every effort should be made in developing and existing developed areas to reduce the use of septic systems in favor of domestic wastewater treatment. Domestic wastewater treatment systems shall be required to use tertiary wastewater treatment as defined by Title 22.

#### POLICY 32 - Groundwater studies for new development

To prevent overdrafting in San Benito County, a groundwater development plan shall be required for appropriate new development proposals.

#### ACTION

1. For large-scale development projects, the cumulative effects of development on water quality and quantity shall be evaluated in a geohydrology study that determines the effect of the development on the safe-yield of the applicable groundwater basin.
2. Discourage land uses that will contribute to overdraft.

#### POLICY 33 - Water conservation

To ensure more efficient use of groundwater resources it will be the policy of the County to require conservation of water resources in San Benito County and encourage inter-agency conservation to develop policies and programs for the protection and enhancement of habitat for fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek).

#### ACTIONS

1. Implement the San Benito County Water Conservation Plan
2. Encourage existing water districts to provide public education programs to encourage existing homeowners to adopt water conservation practices for landscaping and interior plumbing.
3. Require the use of reclaimed water irrigation systems wherever possible.

#### POLICY 34 - Evidence water quality and quantity for development

Approval of new developments shall not be allowed without evidence of adequate water quality and quantity.

#### ACTIONS

1. Water quality tests shall be prepared prior to approval for new development demonstrating whether proposed domestic water supply will meet State primary and secondary drinking water standards.
2. Development applications shall be strongly discouraged if proposed water sources do not meet primary State drinking water standards (with the exception of specific conductance and total dissolved solids (TDS)).
3. Well tests for non-agricultural development shall provide evidence that 100% of the water needs may be met without use of San Felipe Water.

## WASTE SOURCE REDUCTION AND RECYCLING OBJECTIVES

1. Establish a variable disposal rate by 1995
2. Reduce generated solid waste by 25% by 1995
3. Achieve a 50% reduction in solid waste by 2000
4. To develop a recycling program consistent with the Integrated Waste Management Plan developed by the State.

### POLICY 35 - Hazardous waste and waste source reduction

It is the policy of the County to implement the short-, mid-, and long-range goals and objectives outlined in the County of San Benito Final Source Reduction and Recycling Element and Household Hazardous Waste Element of 1992 or any future amendments.

### ACTIONS

1. Require that new developments be reviewed for consistency with the Final Source Reduction and Recycling Element and Household Hazardous Waste Element.
2. Encourage the integration of areas for composting yard waste as a part of subdivision design.

### POLICY 36 - Hazardous waste management plan

It is the policy of the County to implement the goals and objectives and policies of the San Benito County Hazardous Waste Management Plan, Volume I, July 1989.

## GOAL 7 ENVIRONMENTAL HAZARDS

To discourage development in areas that are environmentally hazardous.

### OBJECTIVE: ENVIRONMENTAL HAZARDS

1. To develop methods to avoid development in environmentally hazardous areas
2. Include landfills and areas contaminated by landfills within the environmental hazards overlay district.
3. A response time of five minutes for first-response fire engine in local responsibility areas and a response time of fifteen minutes for first-response fire engine in State responsibility areas.
4. To utilize flood prone areas for open space purposes in order to protect the health and safety of residents and property of the County, to maximize groundwater recharge, and to protect wetland resources.
5. Limit development on slopes 30% or greater or in severe to very severe erosion hazard areas that would increase erosion or jeopardize the safety of structures.
6. Develop standards to reduce erosion resulting from grading or cutting.
7. Recognize landfills, areas contaminated by landfills, existing and abandoned mines as special treatment areas.
8. Pursue funding sources and intergovernmental coordination to reclaim polluted areas.

### POLICY 37 - Development policy for hazardous areas

It will be the policy of the County to limit densities in areas that are environmentally hazardous (fault, landslides/erosion, hillsides over 30% slope, flood plains) to levels that are acceptable for public health and safety for citizens and property. It is the County's policy to apply zoning categories, and scenic easements for the protection of environmentally hazardous or aesthetically valuable resources.

#### ACTIONS:

1. The County shall adopt an overlay zoning which establish development standards in areas of special concern, such as the Earthquake Fault Zone maps, flood plains, landslide, severe erosion hazards, slopes 30% or greater, and hazardous fire areas. These development standards would be over and above the standards applicable to basic land uses.
2. The County shall establish an overlay zoning district for environmentally hazardous areas (an "EC" environmental constraints land use designation District) which discourages by development standards development in areas hazardous to the health, safety, and welfare of citizens and community.
3. Prohibit creation of parcels by subdivision that will be wholly located within environmentally hazardous areas and/or where developable areas cannot be safely accessed.
4. Require subdivisions or lot line adjustments with property in an environmentally hazardous area to include a note to advise prospective buyers of the hazard(s).
5. The base density of a proposed development site should be reduced if a combination of environmental hazards (fire, access, fault, flood, 30% slopes) and/or natural resources (habitat, wetlands) are on a particular development site.

### POLICY 38 - Development of existing hazardous lots

It is the policy of the County to prohibit new development on existing lots of record which are entirely located within hazardous areas (slopes greater than or equal to 30%, flood plain, landslide hazard, fault, unstable or erosive soils) unless no alternative exists.

### POLICY 39 - Restrict creation of new lots in hazardous areas

It is the policy of the County to prohibit new subdivision or lot-line adjustments that will create new lots located entirely within hazardous areas (slopes greater than or equal to 30%, 100-year flood plain, landslide/erosion hazard, fault zone).

#### ACTION

1. Road design shall comply with policy 11 of the Transportation Element and County standards.
2. Require property with 30% or greater slope, 100-year floodplain (adopted FEMA maps), fault and the landslide/erosion hazard areas to be clearly labeled on all site plans, tentative subdivision maps, parcel maps, and final subdivision maps.
3. Newly created parcels shall include high landslide, unstable or erosive soils, 100-year flood plain, (adopted FEMA maps) fault and 30% or greater slopes into open space conservation easements and new development shall be sited outside hazardous areas.

4. Subdivisions and lot-line adjustments (that create new building sites) within or near hazardous areas shall be allowed provided that building sites for each new parcel have adequate access and lot location is consistent with polices 2 and 4 of the element.

#### POLICY 40 - Development in State Responsibility Areas

All new development shall be required to conform to the standards and recommendations for applicable fire protection agency to an acceptable fire protection risk level (CDF, County, incorporated city).

#### ACTIONS

1. New development within the Sphere-of-Influence of an incorporated city shall be designed to conform with fire safety and water supply standards of the city.
2. Subdividers/developers shall be financially responsible for measures to reduce fire hazards for the protection of persons, property, and natural resources.
3. New residential development and additions to existing homes within the SRA shall be required to conform at a minimum to Public Resources Code 4290, San Benito County Code Chapter 17, Uniform Fire Code, Uniform Building Code, and National Fire Codes as applicable.
4. Development within very high or high fire hazard areas shall be required to construct fuel modification zones that will be financed by a homeowner's association, service district, or other method.
5. Measures to reduce fire hazards for the protection of persons, property, and natural resources for existing and new development (e.g. fuel modification zones) shall provide evidence that they will implement policies for preservation of wildlife, reduction of soil erosion, watershed, and protect natural resources from fire hazards.
6. Major subdivisions approved outside refuse collection boundaries shall be required to provide a plan for disposal of flammable refuse.

#### POLICY 41 - Fire safety

New development will not be allowed where access is a fire safety risk.

#### POLICY 42 - Flood hazard

One of the County's prime responsibilities is for the health, safety, and welfare of its citizens and property. Because the County recognizes the inherent dangers of construction or development within a flood prone area, it shall be the County's policy to discourage development within areas identified as potential flood hazard areas. Furthermore, it is the County's policy to protect and preserve the 100-year flood plain on the most recent adopted FEMA maps or other maps as wetland resources, watersheds, and tributaries as natural resources for water supply, groundwater recharge, riparian habitat, and fishes.

#### ACTIONS:

1. The County recognizes that the flood prone areas make up only a small portion of the entire County lands, and therefore significant amounts of developable areas still remain. With this

in mind, the County has enacted a Flood Plain zoning designation, which will preclude development within areas subject to flooding as identified on the FEMA maps.

2. If a parcel created before January 1994 is located entirely within the flood hazard area, one single-family residence will be allowed. Construction of a single-family residence shall be required to reduce the flow rate of storm water runoff to substantially that of pre-development levels and to provide necessary measures to avoid impacts to off-site properties pursuant to Ordinance 598 (flood plain).

3. Creation of residential lots within the 100-year flood plain is considered a significant environmental impact and will require an environmental impact report (EW).

#### **POLICY 43 - Reduce effects of flooding from development**

It is the County's policy to take measures to reduce potential effects of flooding from new development and encourage flood control improvements.

#### **ACTION**

1. Continue to cooperate with the City of Hollister for the collection of fees and development of flood control improvements for tributaries to the San Felipe Lake drainage basin.

2. It is the County's policy to require new development affecting the Enterprise Road drainage area to provide funding and/or physical improvements to reduce flooding.

3. Drainage systems shall be designed to reduce the velocity and volume of storm water runoff off site to predevelopment levels for a 10-year storm interval.

#### **POLICY 44 - Reclamation John Smith Landfill**

Continue to cooperate with the City of Hollister for the reclamation of the John Smith Hazardous Disposal site.

### **GOALS, OBJECTIVES AND POLICIES FOR OUTDOOR RECREATION**

#### **GOAL 8 RECREATION**

Encourage private development of recreational facilities including, but not limited to, riding stables, golf courses, camping facilities, dude ranches and hunting clubs, and residential parks.

#### **OBJECTIVES:**

1. To provide incentives to individuals who wish to include private recreational facilities in conjunction with residential development and open space areas.

2. To allow for economic return for recreation uses on open space lands.

3. Promote development of recreational facilities, such as riding stables, golf courses, and camping facilities in appropriate private and public Open Space areas.

4. Recognize private recreation as an opportunity to provide jobs and revenues to the County while maintaining the inherent beauty of the area and rural atmosphere.



#### POLICY 45 - Private recreation facilities

It will be the County's policy to utilize land use ordinances to encourage land owners to provide private recreational facilities and open space areas. It will also be the County's policy to allow for an economic return on land while it is being utilized as open space.

#### ACTIONS

1. The County will enact procedures designed to allow the development of private recreational facilities.
2. Recognize private recreation as an opportunity to provide jobs and revenues to the County while maintaining the inherent beauty of the area.
3. Encourage the development of private recreation (e.g. campgrounds) near existing Federal and State parks.
4. Require the development of private recreation facilities to serve clusters of unincorporated population (e.g. linear parks, open space, playgrounds) and communities with a ratio of five acres of recreation area per 1000 persons.
  - a.) Private recreation facilities shall be installed and maintained as a part of project improvements and the community service area.

#### GOAL 9

A well-balanced system of recreation recognizing the natural, recreational, cultural, and historical attributes inherent to San Benito County within existing Federal, State, and County parks and on private and Bureau of Land Management lands.

#### OBJECTIVES

1. Promote the development of mixed recreational uses within existing State and Federal parks and Bureau of Land Management land that would serve the resident population of the County.
2. Provide outdoor recreation to meet the needs of the growing population in the County.
3. Explore options for a regional trail connections with Santa Clara and Monterey Counties.
4. Integrate County unincorporated projects within Hollister's Sphere-of-Influence with the City of Hollister Parks and Recreation Master Plan.
5. Establish historic districts for the communities of Tres Pinos, Dunneville, and New Idria.
6. Preserve existing historic resources in the County.
7. Recognize the inherent beauty of ridgelines within the County and develop policies and programs to protect the aesthetic quality.

#### POLICY 46 - County and City bike plans

It will be the County's policy to require new development to provide easements for trails/bikeways identified in the City of Hollister Parks and Recreation Master Plan and to be consistent with the San Benito County Bike Plan.

## ACTIONS

1. New development located within planned trails/bikeways shown on the City of Hollister Parks and Recreation Master Plan shall dedicate easements to the City of Hollister.
2. Subdivisions near planned bikeways/trails shall be required to provide convenient access to the facilities.
3. Large-scale developments shall provide a system of bikeways.

## POLICY 47 - Parks master plan

Develop a County-wide parks master plan to identify long-range recreational needs of the County, potential trail corridors, and areas for potential recreational-tourist services/programs.

## ACTIONS:

1. Where feasible, the County will coordinate the development of regional parks in cooperation with Federal, State, and other counties as well as local agencies.
2. Cooperate with Santa Clara and Monterey Counties to consider the pros and cons of connecting San Benito County to a regional trail system.
3. Consider the relationship of San Benito County to the State-wide trail system.

## POLICY 48 - Park funding

Provide the optimum level of cost-effectiveness and public use level at each park, recognizing that each facility has a different mission and a unique set of operating conditions associated with the natural or other available resources.

## ACTIONS

1. Require establishment of community service districts to finance the maintenance and operation of private or public parks created in conjunction with new development.
2. Consider the establishment of a County-wide open space park district.

## POLICY 49 - Private equestrian trails

While recognizing that rural residential development is often used to board horses, the ability of the County to finance the acquisition, maintenance, and liability associated with lengthy equestrian trails is expected to be limited. Therefore it is policy to promote the establishment and maintenance of private on-site walking/equestrian trails in rural residential areas to meet the needs of this type of land use.

## ACTION

1. Develop standards for equestrian facilities in residential areas.
2. Allow the creation of private equestrian trails in existing rural residential areas provided the following conditions are met:
  - a. Evidence of easements have been obtained from all affected property owners.
  - b. Acquisition, maintenance, and development of trails will be privately funded through a home owner's association, service area, or Mello-Roos Assessment District.
  - c. Trails will be privately-owned and maintained.

- d. Trail plan shall be subject to use permit approval by the County Planning Commission.
  - e. Over two-thirds of the property owners within the area to benefit from the trails agree to pay for the long-term costs of the facility.
3. Provide credit on County recreation impact fees for new residential subdivisions that provide trails in areas dedicated for open space or within conservation easements.

#### POLICY 50 - Historic structures

It shall be the policy of the County to preserve the historic character of the communities of Tres Pinos and New Idria.

#### ACTIONS

1. Establish historic districts for the communities of Tres Pinos and New Idria.
2. Promote commercial-recreational uses in under-utilized historic structures.
3. Cooperate with the Historical Society and other organizations to assimilate information on historic areas of the County worth preservation.

#### POLICY 51 - Compatibility with historic structures

It is the policy of the County to integrate architectural styles of new development with existing architecture (.e.g. Saint Francis Retreat etc.) and to protect existing historic structures.

#### ACTION

1. Development proposals that would remove structures 100 years or older shall demonstrate why preservation of the structures and integration of the structures into concept plan is inappropriate.
2. A historic consultant shall be retained at developers expense by the County to evaluate the historic merits of existing buildings, make recommendations for the new development, and, if necessary, to review building elevations for new development.
3. Require evaluation of development proposal with preservation of historic structures.

#### POLICY 52 - Native American and archaeological resources

It is the policy of the County to recognize the value of Native American, archaeological, and paleontological resources.

#### ACTIONS

1. Implement the archaeological site review ordinance.

#### POLICY 53 - Mitigation for development

Mitigation for development proposals where Native American, archaeological, or paleontological resources exist shall be guided by the need to provide equitable resolution for rights of the free exercise of religion, the rights of individual property owners, and the rights of the State, and counties to regulate land use.

#### ACTIONS:

1. Options to be considered for mitigation of development on significant sites include dedication of conservation easement to the County, tax relief, purchase of development credits, and redesign of the project to avoid or minimize impacts.
2. When construction of significant resources cannot be avoided, a mitigation program shall be funded by the project proponent in accordance with the guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.

#### POLICY 54 - Prohibit unauthorized grading of resources

It is the policy of the County to prohibit unauthorized grading, collection, or degradation of Native American, archaeological, or paleontological resources.

#### GOAL 10

To change the quality of life for all citizens of San Benito County by the provision of adequate park and recreation facilities for the leisure needs of all age groups.

#### OBJECTIVE

- a. To develop and maintain a comprehensive system of open space uses for both active and passive recreation.
- b. Develop a County-wide parks master plan to identify potential areas to provide private and public recreational-tourist services/programs, needed recreation for County residents, and long-range recreational needs of the County.
- c. Provide the optimum level of cost-effectiveness and public use level at each park; recognizing that each facility has a different mission and a unique set of operating conditions associated with natural or other resources available

#### POLICY 55 - Recreation and open space provide for recreation

It shall be the County's policy to acquire, develop, operate, and maintain a comprehensive space system of open space land uses and recreational facilities to provide for the low-intensity trails, picnicking, informal sports, park benches, and active recreational needs (sports fields for youth and adult league play) of the County population.

#### ACTIONS:

1. The County will use a variety of financing mechanisms to acquire and develop park, recreation, and other open space land uses consistent with growth in County population and the adopted land use policy of the County's General Plan.
2. Continue to implement Ordinance 540, a park and recreation impact fee, to establish and maintain a source of revenue for the acquisition and development of park and recreation facilities.

#### POLICY 56 - Ratio of parks to population

Recreational facilities for existing and new development in the unincorporated areas of the County shall be provided to meet the needs of the population based on a ratio of five acres of park land per 1000 persons.

**ACTION:**

1. Existing communities shall be inventoried to determine the need for recreational facilities.
2. Pursue funding for acquisition and development of needed facilities through alternatives including Mello-Roos Assessment Districts, private contribution of land, improvements from service clubs, and County impact fees pursuant to Ordinance 541.
3. Evaluation of new development within existing communities shall include an analysis of the individual and cumulative effect of the development on the recreational needs of the community and County.
4. Amend Ordinance 541 to provide credit for new development that dedicates lands and constructs on-site recreation facilities.
5. Require new suburban and urban development to include on-site recreation facilities and financing for long-term maintenance.

