

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

The measure provides as follows:

SAFEGUARD OUR SAN DIEGO COUNTRYSIDE INITIATIVE

The people of the County of San Diego do hereby ordain as follows:

SECTION 1: PURPOSE, EFFECT, AND FINDINGS

- A. **Purpose:** The purpose of the *Safeguard Our San Diego Countryside Initiative* (“Initiative”) is to provide San Diego County residents a voice in preserving the integrity of San Diego’s long-term land use plans. The Initiative does so by requiring voter approval for amendments to the County of San Diego General Plan that increase residential density in semi-rural and rural areas.
- B. **Effect:** This Initiative amends the County of San Diego General Plan to require voter approval of amendments to the General Plan that increase residential density in semi-rural or rural areas, with certain exceptions. The voter approval requirement does not apply to minor increases in density, properties within existing village or rural village boundaries, or changes required to implement state or federal housing law, including laws related to the provision of affordable housing.
- C. **Findings:** The people of San Diego County find that this Initiative promotes and protects the health, safety, welfare, and quality of life of County residents, based upon the following findings:
 - 1. **The County of San Diego General Plan Guides Growth in the County.** San Diego County’s General Plan, adopted in 2011, serves as the County’s land use “constitution” and functions to safeguard the County’s unique and diverse resources. It balances the need for adequate infrastructure, housing, and economic vitality with protection of rural and semi-rural communities, agricultural areas, and scenic open space. The Plan’s policies encourage compact development and reflect the County’s commitment to sustainable growth.
 - 2. **Proposed General Plan Amendments Threaten to Undermine the General Plan’s Vision.** Developers have recently proposed amendments to the General Plan to significantly increase the density of development outside of existing towns and villages. These proposed projects would alter the character of the County’s semi-rural and rural communities and result in loss of agricultural lands, increased traffic, heightened fire hazards, and environmental degradation, including impacts to wildlife corridors, scenic vistas, water resources, and air quality.

3. **San Diego County Residents Should Have the Power to Approve Revisions to the General Plan that Allow More Residential Development in Rural Areas.** The people of San Diego County, whose quality of life and property rights are at stake, should have the power to decide whether a proposed increase in residential density in semi-rural and rural areas is worth the added congestion, noise, and other impacts that such an increase may cause. The Initiative therefore imposes a voter approval requirement in addition to existing County review and approval requirements for such density increases.
4. **This Initiative Accommodates Housing Needs.** It is undisputed that San Diego County's population will continue to grow, causing an increase in demand for housing. As the Housing Element shows, the General Plan's residential land use designations already provide sufficient capacity to accommodate the County's reasonable share of projected growth and to meet State housing law goals. This Initiative allows the County to continue to meet housing needs for all economic segments of the population, while encouraging sound planning, by directing residential development to areas already designated for residential use. It also includes exceptions to the voter approval requirement for any minor increases in density and for amendments that are necessary to implement state or federal housing law.
5. **Community Plans Establish Proper Vision for Village Growth.** The County's Community Plans address unique issues, characteristics, and visions for communities within the County. These Community Plans accommodate and direct future growth within village boundaries. To effectuate the intent of these Community Plans, this Initiative does not require voter approval for residential density increases within village or rural village boundaries already established by the Community Plans.
6. **Specific Plan Areas Cannot Be Used to Increase Residential Density Without Voter Approval.** The General Plan Land Use Element currently states that "The designation of new Specific Plan Areas to substitute for General Plan Land Use Designations is not permitted." To ensure that redesignation of semi-rural and rural lands to new Specific Plan Areas cannot be used to evade the voter approval requirement, this Initiative adopts the prohibition on new Specific Plan Areas as a Land Use Policy. Nothing in this Initiative is intended to prohibit the use of Specific Plans, which may still be used in conjunction with existing General Plan land use designations.
7. **Density Transfers Cannot Be Used to Spread Out Residential Density.** The General Plan allows density transfers within a project site to provide flexibility. This Initiative modifies this policy to ensure, as a matter of sound land use planning, that the policy does not result in transferring residential density from parcels designated for higher density use to parcels designated for lower density use.

SECTION 2: COUNTY OF SAN DIEGO GENERAL PLAN AMENDMENTS

This Initiative hereby amends the County of San Diego General Plan (“General Plan”), as amended through January 24, 2018, the date that the notice of intention to circulate this Initiative was submitted to the elections official of the County of San Diego (“Submittal Date”). Text to be inserted in the General Plan is indicated in **bold** type, and text to be deleted is indicated in ~~strike through~~ type. Non-bolded text currently appears in the relevant document and is not changed or readopted by this Initiative. The language adopted in the following amendments may be repealed or amended only by a vote of the people.

A. Policy LU-10.5 is hereby added to the General Plan Land Use Element as follows:

Policy LU-10.5 Voter Approval.

- (a) **Until January 1, 2039, the County of San Diego shall not, absent approval of a majority of the voters voting thereon, adopt a General Plan amendment that increases the residential density for any property that is designated Semi-Rural 0.5 (SR-0.5), Semi-Rural 1 (SR-1), Semi-Rural 2 (SR-2), Semi-Rural 4 (SR-4), Semi-Rural 10 (SR-10), Rural Lands 20 (RL-20), Rural Lands 40 (RL-40), or Rural Lands 80 (RL-80) as of the Effective Date of the *Safeguard Our San Diego Countryside Initiative*. The vote required by this Policy LU-10.5 shall be in addition to all other applicable County review and approval requirements for a General Plan amendment, including any environmental review required by the California Environmental Quality Act (“CEQA”).**
- (b) **The voter approval requirement of subsection (a) shall not apply:**
 - (i) **Where the General Plan amendment increases the maximum number of allowed dwelling units by five or fewer dwelling units, provided that the land use designation after application of the amendment is Semi-Rural 0.5 (SR-0.5), Semi-Rural 1 (SR-1), Semi-Rural 2 (SR-2), Semi-Rural 4 (SR-4), Semi-Rural 10 (SR-10), Rural Lands 20 (RL-20), Rural Lands 40 (RL-40), or Rural Lands 80 (RL-80). Second dwelling units (existing or allowed) shall not count in this determination. Fractional dwelling units shall be calculated in accordance with Policy LU-1.7. To effectuate the intent of this Policy and to preclude the piecemealing of projects, this exception shall not apply to any property for which this exception has been applied within the previous eight years.**
 - (ii) **Where the property to which the General Plan amendment applies is located entirely within a village boundary or rural village boundary, as established in any Community Plan or Subregional Plan as of the Effective Date of the *Safeguard Our San Diego Countryside Initiative*.**
 - (iii) **Where the General Plan amendment is necessary to comply with state or federal law governing the provision of housing, including but not limited to affordable housing requirements. This exception applies only if the Board of**

Supervisors first makes each of the following findings based on substantial evidence in the record:

- (A) a specific provision of state or federal law requires the County to accommodate the housing that will be permitted by the amendment;**
- (B) the amendment permits no greater density than that necessary to accommodate the required housing; and**
- (C) an alternative site that is not subject to the voter approval requirement in this Policy is not available to satisfy the specific state or federal housing law.**

B. The text under “Land Use Framework,” commencing at page 3-6 of General Plan Chapter 3, Land Use Element, is amended as follows:

The General Plan guides the intensity, location, and distribution of land uses in the unincorporated County through a two-tier land use framework. The first tier, Regional Categories, establishes a hierarchy for the overall structure and organization of development that differentiates areas by overall character and density, while the second tier, Land Use Designations, disaggregates these categories and provide more precise direction regarding the planned density and intensity of residential, commercial, industrial, open space, and public land uses. This framework establishes the range and intensity of allowable land uses, for all areas under the County of San Diego’s land use jurisdiction. **Pursuant to the *Safeguard Our San Diego Countryside Initiative* until January 1, 2039, voter approval is required for amendments to the General Plan that increase residential density in semi-rural or rural areas, with certain exceptions (see Policy LU-10.5).** Unincorporated San Diego County contains numerous lands that are outside the land use jurisdiction of the County, such as tribal lands, military installations, public utility lands, State parks, and national forests. Examples of these lands include the Cleveland National Forest, Anza-Borrego State Park, Cuyamaca Rancho State Park, Palomar Mountain State Park, Marine Corps Base Camp Pendleton, and 18 different tribal reservations. While the land use framework does not apply to these lands, the present and planned uses on these lands were considered in its development and assignment of the Regional Categories and Land Use Designations. Additionally, this element contains goals and policies that relate to the planning and development of these lands.

C. Policy LU-1.8, commencing at page 3-24 of General Plan Chapter 3, Land Use Element, is amended as follows:

Policy LU-1.8 Density Allocation on Project Sites. Permit changes in density within a project site with parcels that have more than one land use designation to provide flexibility in project design only when approved by Major Use Permit or Specific Plan. **Such changes in density are permitted only for the transfer of density from lower density parcels to higher density parcels.** The policy does not allow a project to receive more units than is established by the Land Use Maps nor to supersede Housing Element requirements related to achieving the County’s Regional Housing Needs Allocation. [*See applicable community plan for possible relevant policies.*]

D. Policy LU-1.10 is hereby added to the General Plan Land Use Element as follows:

Policy LU-1.10 Specific Plan Areas. Until January 1, 2039, the designation of new Specific Plan Areas is not permitted.

SECTION 3: CONFORMING AMENDMENTS

In order to promote internal consistency among the various sections of the General Plan amended by this Initiative, this Initiative makes the following conforming amendments. Text to be inserted in the relevant document is indicated in **bold** type, and text to be deleted is indicated in ~~strikethrough~~ type. Non-bolded text currently appears in the General Plan and is not changed or readopted by this Initiative. The language adopted in the following amendments may be further amended as appropriate without a vote of the people, during the course of further updates and revisions to the General Plan.

A. The description of “Implementing and Amending the Plan,” commencing on page 1-15 of General Plan Chapter 1, Introduction, is amended as follows:

Any proposed amendment will be reviewed to ensure that the change is in the public interest and would not be detrimental to public health, safety, and welfare, **and may require voter approval pursuant to Policy LU-10.5.**

B. Policy LU-1.2, commencing on page 3-23 of General Plan Chapter 3, Land Use Element, is amended as follows:

Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, ~~and~~ that are designed to meet the LEED-Neighborhood Development Certification or an equivalent, **and that comply with Policy LU-10.5, if applicable.** For purposes of this policy, leapfrog development is defined as Village densities located away from established Villages or outside established water and sewer service boundaries. [*See applicable community plan for possible relevant policies.*]

C. Policy LU-1.4, commencing at page 3-24 of General Plan Chapter 3, Land Use Element, is amended as follows:

Village Expansion. Permit new Village Regional Category designated land uses only where contiguous with an existing or planned Village and where all of the following criteria are met:

- Potential Village development would be compatible with environmental conditions and constraints, such as topography and flooding
- Potential Village development would be accommodated by the General Plan road network
- Public facilities and services can support the expansion without a reduction of services to other County residents

■ The expansion is consistent with community character, the scale, and the orderly and contiguous growth of a Village area

■ **The expansion complies with Policy LU-10.5, if applicable**

D. Policy LU-2.2, commencing at page 3-25 of General Plan Chapter 3, Land Use Element, is amended as follows:

Relationship of Community Plans to the General Plan. Community Plans are part of the General Plan. These plans focus on a particular region or community within the overall General Plan area. They are meant to refine the policies of the General Plan as they apply to a smaller geographic region and provide a forum for resolving local conflicts. As legally required by State law, Community Plans must be internally consistent with General Plan goals and policies of which they are a part. They cannot undermine the policies of the General Plan. Community Plans are subject to adoption, review and amendment by the Board of Supervisors in the same manner as the General Plan **and by the voters, if applicable under Policy LU-10.5.**

E. Policy LU-6.3, commencing at page 3-28 of General Plan Chapter 3, Land Use Element, is amended as follows:

Conservation-Oriented Project Design. Support conservation-oriented project design. This can be achieved with mechanisms such as, but not limited to, Specific Plans, lot area averaging, and reductions in lot size with corresponding requirements for preserved open space (Planned Residential Developments). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character. [*See applicable community plan for possible relevant policies.*]

*Approval of Conservation-Oriented projects is not guaranteed by-right but shall be allowed to process if consistent with applicable minimum lot sizes, design guidelines, ~~and~~ regulations, **and voter approval requirements.***

SECTION 4: EXEMPTIONS FOR CERTAIN PROJECTS

- A. Nothing in this Initiative shall apply to prohibit any person or entity from exercising a vested right, obtained pursuant to local or State law as of the Effective Date of this Initiative.
- B. The provisions of this Initiative shall not apply to the extent, but only to the extent, that they would violate the constitution or laws of the United States or the State of California.

SECTION 5: IMPLEMENTATION

- A. **Effective Date:** “Effective Date” means the date that the *Safeguard Our San Diego Countryside Initiative* became effective pursuant to State law.
- B. **County of San Diego General Plan:** Upon the Effective Date of this Initiative, the provisions of Section 2 and 3 of the Initiative are hereby inserted into the County of San Diego 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 General Plan on January 1 of the following year. Upon the Effective Date of this Initiative, any provisions of the County Code or any other County of San Diego ordinance or resolution that are inconsistent with the provisions adopted by this Initiative shall not be enforced in a manner inconsistent with this Initiative.

- C. **Interim Amendments:** The County of San Diego General Plan in effect on the Submittal Date as amended by this Initiative comprises an integrated, internally consistent, and compatible statement of policies for the County of San Diego. In order to ensure that nothing in this Initiative 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 restricts or prohibits voter approval of amendments and is adopted between the Submittal Date and the date that the General Plan is amended by this Initiative 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 Diego is hereby authorized and directed to amend the County of San Diego General Plan, Community Plans, General Plan Implementation Plan, Local Coastal Program, County Code, and other 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, Community Plans, General Plan Implementation Plan, Local Coastal Program, County Code, and other 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, provided that the provisions of Section 2 of this Initiative shall remain in the General Plan, unless earlier repealed or amended by vote of the people of the 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.

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

This Initiative imposes a voter approval requirement on certain General Plan amendments that increase residential density limitations. By voting for this Initiative, the voters expressly declare their intent that any other measure that appears on the same ballot as this Initiative and addresses voter approval for such General Plan amendments, or conflicts with any provision of this Initiative, shall be deemed to conflict with this Initiative. Because of this conflict, if this Initiative and any such other County of San Diego 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, 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 OR REPEAL

Except as otherwise provided herein, this Initiative may be amended or repealed only by the voters of the County of San Diego.

SECTION 9: EXHIBITS

Certain documents are attached to this Initiative for informational purposes only. These include the land use designations table and map and the policy cross-referenced in the Initiative. These also include the village and rural village boundary maps, where any semi-rural or rural land use designation is included within the boundary. The exhibits are as follows:

- (1) General Plan Land Use Designations Map (Countywide)

- (2) General Plan Land Use Element, Table LU-1 Land Use Designations and Compatible Regional Categories (Page 3-11)
- (3) General Plan Land Use Element, Policy LU-1.7 Maximum Residential Densities (Page 3-24)
- (4) Alpine Community Plan, Figure 3 Alpine Village Boundaries (Page 9)
- (5) Bonsall Community Plan, Figure 3 Bonsall Village Boundaries (Page 23)
- (6) Central Mountain Subregional Plan, Figure 6 Descanso Rural Village Boundary (Page 31)
- (7) Crest / Dehesa / Harbison Canyon / Granite Hills Community Plan, Figure 3 Crest / Dehesa Rural Village Boundaries (Page 21)
- (8) Jamul / Dulzura Subregional Plan, Figure 3 Jamul/Dulzura Rural Village Boundary (Page 7)
- (9) Julian Community Plan, Figure 3 Julian Rural Village Boundary (Page 9)
- (10) Lakeside Community Plan, Figure 3 Lakeside Village Boundary (Page 9)
- (11) Mountain Empire Subregional Plan, Figure 2 Jacumba Rural Village Boundary (Page 9)
- (12) Boulevard Subregional Planning Area, Figure 3 Boulevard Rural Village Boundary (Page 19)
- (13) Campo / Lake Morena Community Plan, Figure 2 Campo Rural Village Boundary (Pages 27)
- (14) Campo / Lake Morena Community Plan, Figure 3 Cameron Corners Rural Village Boundary (Page 28)
- (15) Campo / Lake Morena Community Plan, Figure 4 Lake Morena Village Rural Village Boundary (Page 29)
- (16) North County Metropolitan Subregional Plan, Figure 3 North County Metro Village Boundaries (Page A-2)
- (17) North Mountain Subregional Plan, Figure 2 North Mountain Rural Village Boundary (Page 9)
- (18) Pala / Pauma Subregional Plan, Figure 3 Pala / Pauma Village Boundary (Page 4)
- (19) Rainbow Community Plan, Figure 4 Rainbow Rural Village Boundary (Page 15)

- (20) San Dieguito Village Boundaries, Figure 4 San Dieguito Village Boundaries (Page 17)
- (21) Spring Valley Community Plan, Figure 4 Spring Valley Village Boundary (Page 27)
- (22) Sweetwater Community Plan, Figure 2 Sweetwater Village Boundary (Page 35)
- (23) Valley Center Community Plan, Figure 3 Valley Center Village Boundaries (Page 9)

These documents are attached hereto as Exhibits 1 through 23, respectively. Except as expressly provided in Sections 2 and 3 above, this Initiative does not adopt or amend any of the policies, designations, maps, or text contained in Exhibits 1 through 23.