

EXHIBIT 8

SOAR Policy Consistency Analysis

**EXHIBIT 8 – SOAR POLICY CONSISTENCY ANALYSIS
CASE NO. PL23-0014**

The Save Open Space and Agricultural Resources (SOAR) Ordinance was adopted by the countywide electorate on November 8, 2016 and is incorporated as a part of the General Plan. SOAR generally requires a vote of the people when the goals, policies or other provisions of the General Plan relating to Agricultural, Open Space and Rural land use designations are amended. The general prohibition on changing Agricultural, Open Space and Rural land use designations in the SOAR ordinance states:

“(a) Until December 31, 2050, the Agricultural, Open Space and Rural land use designations, and the goals and policies as they specifically apply to those land use designations in Sections 1.6 and 3.2 Ventura County General Plan - GOALS, POLICIES & PROGRAMS (10-20-15 edition) of this General Plan shall not be further amended unless such amendment is approved by vote of the people or by the Board of Supervisors pursuant to the procedures set forth herein.”

However, amendments to the land use designations may be authorized by your Board, without a vote of the people, if findings are made pursuant to SOAR Ordinance subsection (f). Amendments from an Agricultural to an Open Space designation may be granted, if it can make the particular findings set forth in subsection (f) of the SOAR Ordinance which provides:

“(f) The Board of Supervisors, without a vote of the people, may redesignate Agricultural designated properties to Open Space if the Board of Supervisors makes all of the following findings supported by substantial evidence:

- (i) The land proposed for redesignation has not been used for agricultural purposes in the past 2 years and is unusable for agriculture due to its topography, drainage, flooding, adverse soil conditions or other physical reasons;*
- (ii) The land proposed for redesignation is immediately adjacent to areas developed in a manner compatible with the uses allowed under Open Space;*
- (iii) Adequate public services and facilities are available and have the capacity and capability to accommodate the Open Space uses allowed;*
- (iv) The proposed redesignation is compatible with agricultural uses, does not interfere with accepted agricultural practices, and does not adversely affect the stability of land use patterns in the area; and*
- (v) The land proposed for redesignation does not exceed 40 acres for any one landowner in any calendar year, and one landowner may not obtain redesignation pursuant to this subdivision (f) more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation.”*

Staff concurs that the identified ten-acre portion of the Hagle property has not been farmed for several years partly because the applicant chose to pave over the land which made the land unsuitable for farming. If the applicant restores the land to farmable condition as required by the Compliance Agreement (Exhibit 3), the ten acres would be suitable for farming (or expansion of the adjacent Christmas tree farm, or any number of

other agriculturally related uses). Although approximately 8 acres of the parcel is subject to flooding and/or contains riparian vegetation, the balance of the property (26.4 acres) is potentially farmable. Approximately 19 acres of the subject property is utilized for a Christmas tree farm and will continue to be used for agricultural purposes.

The applicant states that the 10.57 acre violation area was never farmed and is too small of a parcel to be commercially viable for agricultural production. Staff concurs that the subject parcel is isolated from contiguous AE zoned lands and areas containing classified agricultural soils, the site is located between the M2 designated area and Arroyo Los Posas as well as a pond used for recreational fishing. The applicant also finds that adequate public services and facilities are available and have the capacity and capability to accommodate the proposed Open Space use. Staff concurs that the subject property is generally served for the typical range of public services and facilities (water, wastewater, physical and legal access to roads, and other public safety considerations). The requested land use change will not require additional public services or facilities to support the change and the subsequent action requires appropriate review and issuance of conditions of approval upon filing of an amended permit request. The applicant also states that the proposed request is compatible with agricultural uses and does not interfere with accepted agricultural practices and will not affect the stability of land use patterns in the area. Staff concurs with the applicant, the violation area has been reviewed with appropriate stakeholders and the area of future development was deemed insufficient for uses as a standalone agricultural parcel. Additionally, the request does not exceed the limitation on the redesignation of more than 40 acres for any one landowner in any calendar year. The redesignation request is limited to 10.57 acres.

Formal findings for SOAR consistency will be required if your Board authorizes the requested screening for further processing.