

STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION

Resolution  
No 2012-009

**A Resolution Recommending Adoption of “Criteria for Transfers of Lands within the Agriculture/Working Landscape Land Use Designation” Pursuant to Mariposa County General Plan Goal 10-2, Policy 10-2a, Implementation Measure 10-2a(4)**

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**WHEREAS**, the Mariposa County General Plan includes Goal 10-2: Avoid loss of agriculture lands in the Agriculture/Working Landscape land use classification to maintain rural character; Policy 10-2a: Agriculture lands should be retained; and Implementation Measure 10-2a(4): Develop criteria for transfers of lands within the Agriculture/Working Landscape land use designation for lands within other land use designations which result in no net loss of like kind of agriculture lands (type and quality) and that demonstrate a benefit to agriculture lands; and

**WHEREAS**, the “criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation” has not yet been developed and approved by the Board of Supervisors as anticipated by Implementation Measure 10-2a(4); and

**WHEREAS**, the Planning Commission directed staff to prepare and process the “criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation” at their meeting on May 4, 2012; and

**WHEREAS**, the Agricultural Advisory Committee discussed and reviewed draft “criteria for transfers of land within the Agriculture/Working Landscape Land Use Designation” at their noticed public meetings on May 24, 2012 and June 7, 2012; and

**WHEREAS**, the Agricultural Advisory Committee recommended draft “criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation” at the conclusion of their meeting on June 7, 2012; and

**WHEREAS**, staff also considered General Plan policies to prevent conversion of timberlands; and

**WHEREAS**, the Planning Commission reviewed the Agricultural Advisory Committee’s recommended draft “criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation” at a public hearing conducted on June 15, 2012; and

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**WHEREAS**, the Planning Commission considered a Notice of Exemption prepared by the Planning Department staff in accordance with the California Environmental Quality Act and local administrative procedures; and

**WHEREAS**, the Planning Commission also considered other information in the public record, including the staff memorandum, the draft "criteria for transfers of lands" as recommended by the Agricultural Advisory Committee, and testimony presented by the public concerning the criteria.

**NOW BE IT THEREFORE RESOLVED THAT** the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors adopt a resolution directing staff to file a Notice of Exemption for the project pursuant to the California Environmental Quality Act, Title 14, California Code of Regulations and approve "criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation" pursuant to Mariposa County General Plan Goal 10-2; Policy 10-2a; Implementation Measure 10-2a(4).

**BE IT THEREFORE FURTHER RESOLVED THAT** the recommended "criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation" shall be as shown in Exhibit A of this resolution.

**BE IT THEREFORE FURTHER RESOLVED THAT** all this adopted criteria shall be included in Appendix D of the General Plan, Guidance for the Interpretation of the General Plan.

**BE IT THEREFORE FINALLY RESOLVED THAT** the Planning Commission recommends that these criteria be reviewed and amended as necessary, through a public hearing process, after they have been applied to projects to transfer lands.

**ON MOTION BY** Commissioner Rudzik, seconded by Commissioner Tucker, this resolution duly passed and adopted this 15<sup>th</sup> day of June 2012 by the following vote:

**AYES:** Francisco, Rudzik, Tucker and Marsden

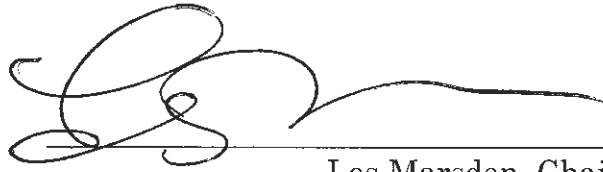
**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

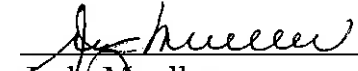
**EXCUSED:** Ross

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Les Marsden, Chairman  
Mariposa County Planning Commission

Attest:



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Judy Mueller  
Planning Commission Secretary

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**Exhibit A**  
**Transfers of Agricultural Lands Criteria**

**Criteria are established pursuant to Mariposa County General Plan Goal 10-2; Policy 10-2a; Implementation Measure 10-2a(4)**

Goal 10-2: Avoid loss of agriculture lands in the Agriculture/Working Landscape land use classification to maintain rural character.

Policy 10-2a: Agriculture lands should be retained.

Implementation Measure 10-2a(4): Develop criteria for transfers of lands within the Agriculture/Working Landscape land use designation for lands within other land use designations which result in no net loss of like kind of agriculture lands (type and quality) and that demonstrate a benefit to agriculture lands.

Consequences: Provides for the consolidation of Agricultural Lands.

**TIER ONE**

**Purpose:**

**Criterion is used to establish No Net Loss of Agricultural Lands.**

**Requirements (Rules):**

- A. Criterion No. 1 must be met in order to process project with finding that there is no net loss.**

**Criteria:**

1. There shall be no net decrease in the amount of acreage in the Agriculture Exclusive (AE) zone or the Agriculture/Working Landscape (A/WL) land use. Property proposed to be in the A/WL land use is in the AE zone or proposed to be in the AE zone. Project shall not convert timberland to non-timber related uses.

**Scoring Guideline for Matrix**

**Project must meet Criterion No. 1 in order to be processed.**

If project does not meet criterion, project shall not be processed or shall be recommended for denial – no net loss is a requirement of General Plan. Protection of significant timberlands from conversion is a requirement of General Plan.

## **TIER TWO**

### **Purpose:**

**Criteria are used to establish No Net Loss of Like Kind of Agricultural Lands (type and quality).**

**Criteria may also be used to establish Benefit to Agricultural Lands.**

### **Requirements (Rules):**

- B. Composite score of all Tier Two criteria must be 0 or positive in order to continue processing project with finding that there is no net loss of like kind of agricultural lands.**
- C. If composite score of all Tier Two criteria is positive, finding can be made that there is a benefit to agricultural lands and there is no requirement to review project against Tier Two Criteria.**
- D. If composite score of all Tier Two criteria is negative, recommendation is for denial of project as staff cannot find there is like kind of agricultural lands (type and quality) in transfer.**

### **Criteria:**

2. The Land Capability Classification of the proposed agricultural land is at least similar to the Land Capability Classification of the existing agricultural land. This finding may also consider information from the USDA Natural Resource Conservation Service (NRCS) (formally the Soil Conservation Service) Soil Survey of Mariposa County. This finding may also consider information from maps from the Important Farmland Mapping and Monitoring Program from the CA Department of Conservation.

### **Scoring Guideline for Matrix**

Must determine the difference between the Land Capability Classification (LCC) of the existing agricultural lands and the proposed agricultural lands. See: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm> for LCC. *Matrix score is the difference between LCCs of existing and proposed agricultural lands.*

The LCC may be a straight number assignment or a percentage number assignment based on the percentage of land within a given LCC in a parcel. The difference in the LCC will be either a positive or negative number, depending on whether the proposal will result in an improvement of the LCC for the proposed agricultural lands or a decrease in the LCC for the proposed agricultural lands.

LCC	Score
1	8
2	7
3	6
4	5
5	4
6	3
7	2
8	1

3. The quality of the proposed agricultural land is at least similar to the quality of the existing agricultural land with respect to availability of water for use for livestock / agricultural production, including but not limited to drainages, ponds, developed or undeveloped springs, and wells.

Scoring Guideline for Matrix

Quality is better than = +1

No difference with proposal = 0

Quality is not as good as = -1

4. The project results in agricultural lands being contiguous to other agricultural lands (consolidation of agricultural lands) with no greater linear exposure of agricultural lands to non-agricultural lands.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

Project does not meet criterion = -1

**TIER THREE**

**Purpose:**

**Criteria are used to establish Benefit to Agricultural Lands (if not determined by Tier Two Criteria)**

**Requirements:**

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- E. If composite score of all Tier Three criteria is positive, finding can be made that there is a benefit to agricultural lands.**
  - F. If composite score of all Tier Three criteria is negative, staff cannot make finding that there is a benefit to agricultural lands.**

**Criteria:**

- 5. The project results in residential lands being moved further away from agricultural lands.

OR

The project results in agricultural lands being moved further away from residential lands.

Scoring Guideline for Matrix

Residential lands moved further away from agricultural lands or agricultural lands moved further away from residential lands = +1

No difference with proposal = 0

Residential lands moved closer to agricultural lands or agricultural lands moved closer to residential lands = -1

- 6. The project results in agricultural lands being moved adjacent to Land Conservation Act contracted parcels.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

Project does not meet criterion = -1

- 7. The project does not result in non-agricultural land uses moved adjacent to Land Conservation Act contracted parcels.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

Project does not meet criterion = -1

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8. There is an increase in the amount of acreage in the Agriculture Exclusive zone or the Agriculture/Working Landscape land use.

Scoring Guideline for Matrix

Project results in increase = +1

No change in acreage with proposal = 0

9. The project results in conservation of agricultural lands, such as an increase in land under a Land Conservation Act contract or an increase in land under a conservation easement.

Scoring Guideline for Matrix

Project results in conservation = +1

No conservation change with proposal = 0

10. The project involves multiple property owners and results in a block of agricultural land resulting in greater potential for long-term protection of a large tract of agricultural land equal to 640 acres in size or greater.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

Project results in decrease in large tract agriculture land = -1

11. The quality of the proposed agricultural land is at least similar and equivalent to the quality of the existing agricultural land with respect to integration of the land into an overall existing agricultural operation (considering barns, corrals, ranch roads, fencing, holding facilities, scales, etc.).

Scoring Guideline for Matrix

Quality is better than = +1

No difference with proposal = 0

Quality is not as good as = -1

12. The project results in a decrease in structural and site improvements not related to agricultural production on the proposed agricultural lands.

Scoring Guideline for Matrix



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Project results in decrease = +1

No difference with proposal = 0

Project results in increase = -1

13. The proposed agricultural land has unique environmental, physical or historical characteristics which would result in agricultural lands of higher production capacity.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

Project results in potential for decreased production capacity = -1

14. The project would result in an historic agricultural operation being able to continue its current production or increased production.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

Project results in potential for decreased production capacity = -1

15. The project results in fewer legal parcels by recorded merger document within agricultural lands.

Scoring Guideline for Matrix

Project meets criterion = +1

No difference with proposal = 0

## **Transfers of Agricultural Lands Matrix**

**Use of this matrix:**

1. This matrix is to be used together with the Transfers of Agricultural Lands Criteria, Tier One, Tier Two and Tier Three.
2. The Criteria and Matrix are an implementation measure of the General Plan, and intended to be used as a tool to assist staff, advisory bodies, the public, applicants

and decision makers in the evaluation of an application for "Transfers of Lands within the Agriculture/Working Landscape land use".

3. A discretionary application must be considered on its own merits, and a General Plan/Zoning Amendment application is a discretionary application. The criteria and matrix are developed to provide guidance in the interpretation of a specific goal, policy and implementation measure of the General Plan.
4. When the term residential lands or agricultural lands is used, the term may refer to land use, zoning and/or current use on the ground.

<b>PROPOSALS TO TRANSFER AGRICULTURAL LANDS pursuant to GP goal 10-2; Policy 10-2a; Implementation Measure 10-2a(4)</b>			
<b>TIER ONE</b>	<b>Yes to all</b>	<b>No to any</b>	
<p>1. No net decrease in ag land acreage. AWL land is in AE Zone (or proposed to be). No conversion of timberlands.</p> <p>Project must meet Criterion No. 1 in order to be processed. If project does not meet Criterion No. 1, it cannot be processed or recommend denial.</p>	Can process project	Can not process project or recommend approval	
	<b>SCORE</b> +	<b>SCORE</b> 0	<b>SCORE</b> -
<b>TIER TWO</b>			
2. Land Capability Classification is at least similar.			
3. Water availability for livestock / agricultural production is at least similar.			
4. Ag lands consolidated with no greater linear exposure of ag lands to non-ag lands.			
<p><b>Requirements (Rules):</b></p> <p>Composite score of all Tier Two criteria must be 0 or positive in order to continue processing project with finding that there is no net loss of like kind of agricultural lands.</p> <p>If composite score of all Tier Two criteria is positive, finding can be made that there is a benefit to agricultural lands and there is no requirement to review project against Tier Two Criteria.</p> <p>If composite score of all Tier Two criteria is negative, recommendation is for denial of project as staff cannot find there is like kind of agricultural lands (type and quality).</p>			
<b>TIER TWO COMPOSITE SCORE:</b>			
<b>TIER THREE</b>			
5. Residential lands further away from ag lands OR Ag lands further away from residential lands.			
6. Ag lands adjacent to LCA contracted parcels.			
7. Project does not result in non-ag land uses moved adjacent to LCA contracted parcels.			
8. Increase in ag land acreage.			

9. Increase in conservation of ag land (LCA contracted land or land under conservation easement).			
10. Multiple property owners / results in block of ag land (640 acres or more).			
11. Integration of land into an existing ag operation (consider barns, corrals, ranch roads, fencing holding facilities, scales, etc.).			
12. Decrease in structural and site improvements on proposed ag lands.			
13. Proposed ag land has unique characteristics to result in ag lands of higher production capacity.			
14. Historic ag operation is able to continue current production or increased production.			
15. Fewer legal parcels by recorded merger document within ag lands.			
<p><b>Requirements (Rules):</b></p> <p>If composite score of all Tier Three criteria is positive, finding can be made that there is a benefit to agricultural lands.</p> <p>If composite score of all Tier Three criteria is negative, staff cannot make finding that there is a benefit to agricultural lands.</p>			
<b>TIER THREE COMPOSITE SCORE:</b>			