RESOLUTION - ACTION REQUESTED 2012-367

MEETING: July 10, 2012

TO: The Board of Supervisors

FROM: Kris Schenk, Planning Director

RE: General Plan Amendment No. 2012-100

RECOMMENDATION AND JUSTIFICATION: Public hearing to Consider Adoption of a Resolution with Findings, Adopting “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, and Implementation Measure 10-2a(4) and Amending General Plan Appendix D; General Plan Amendment No. 2012-100.

The County of Mariposa is the project proponent.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Board of Supervisors adopted the General Plan in December 2006. Chapter 10 of the General Plan includes Goal 10-2, Policy 10-2a, Implementation Measure 10-2a(4).

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
  • Do not adopt resolution adopting “Criteria for Transfers of Lands within the Agriculture/Working Landscape Land Use Designation”. There would be no adopted criteria to apply to projects proposing transfers of lands.
  • Amend “Criteria for Transfers of Lands within the Agriculture/Working Landscape Land Use Designation”. Amended criteria should consider the goal, policy and implementation measure as established by the General Plan.
  • Continue public hearing and direct staff to provide additional information.

FISCAL IMPACT:
None

ATTACHMENTS:
Memo to Board (PDF)
Draft Board Resolution Adopting Criteria (PDF)
Planning Commission Resolution No. 2012-009 (PDF)
Planning Commission Draft Minutes (PDF)
Draft Notice of Exemption (PDF)

CAO RECOMMENDATION
Requested Action Recommended
RESULT: ADOPTED [4 TO 1]
MOVER: Lyle Turpin, District II Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen
NAYS: Janet Bibby
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SARAH WILLIAMS, Planning Department

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Public Hearing to Consider Adoption of a Resolution with Findings, Adopting “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, and Implementation Measure 10-2A(4) and Amending General Plan Appendix D; General Plan Amendment No. 2012-100. The County of Mariposa is the Project Proponent

RES. 12-367

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADMITTED THIS ORDER on July 10, 2012

ACTION AND VOTE:

10. Planning RES-2012-367
Public Hearing to Consider Adoption of a Resolution with Findings, Adopting “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, and Implementation Measure 10-2A(4) and Amending General Plan Appendix D; General Plan Amendment No. 2012-100. The County of Mariposa is the Project Proponent

Staff report was given by Sarah Williams, Planning Director; and she provided the history of this project and advised that if approved by the Board today the criteria becomes effective immediately. She explained how this can be used by an applicant, the goal, implementation measure, and policy, and the three tiers within the matrix included in the packet and advised that there is a website that can be accessed where the Land Capability Classification for each parcel can be evaluated. She responded to questions from the Board relative to the tier process, the application process, distance to supplies for the agricultural business, conditions of roads, and land swapping. She provided an example of a project that would necessitate review from the Agriculture Advisory Committee. She explained the process that the Agricultural Advisory Committee used to develop the criteria to implement the General Plan. She recommended that the Board not apply this process to a project or anything that they may have in their mind at this time, and reminded the Board that in 2006 the decision was made that this is an appropriate goal, policy, and implementation measure.
Public portion of the hearing was opened and input was provided from the following:

John Brady/MERG, expressed concern relative to the locations of land to be swapped and feels the location should be well defined and therefore in that the language of “similar” or “equivalent,” “similar” should be taken out, it’s not defined enough. He advised that the Agricultural Advisory Committee made the recommendation to use the language “equivalent” and asked that the Board consider this language. He responded to questions from the Board relative to the definition of equivalent properties.

Cathie Pierce advised that the Agricultural Advisory Committee and people in the agricultural industry wanted the language "equivalent" and Starchman Bryant Law Offices requested the language "similar." She explained why it is important to have the language of “equivalent” relative to the necessity of water supply to an agricultural operation. She requested that the Board put the language "equivalent" back and feels that if good agricultural land is swapped for similar land and it’s not equivalent, then eventually the County will see a lot of substandard agricultural land and that land will be sold because it is not prime enough land for any carrying capacity for a commercial ranch. She advised that this is supposed to be for the benefit of agriculture and not for the benefit of people that want to swap their land. Cathie Pierce responded to questions from the Board advising that she does not recall discussing going beyond tier two, and that relative to location of the agricultural land, the more this type of land is pushed away from main roads the threat of cattle theft increases which is becoming a problem. Additional problems could occur due to stress on the animals having to be travel on rough roads, and the threat of fire.

Don Starchman/Starchman Bryant Law Offices, responded to comments from Cathie Pierce advising that one of the reasons for changing the language of "at least equal" is that it is not possible to have equal properties. Each property is unique. He advised that Starchman and Bryant Law Offices are willing to see this go forward and be adopted as presented by the Planning Commission, they are not in agreement but do not plan on opposing what is being proposed. He feels that tier one, two, & three should all be looked at when considering the swap of real estate, and that this already exists in the General Plan and just needs to be implemented. Don Starchman responded to questions from the Board relative to the importance of knowing the benefits when selecting a piece of property, and he supports using all three tiers for the benefit of agriculture and not stopping at tier two.

Linda Meyers, Agricultural Advisory Committee member and rancher, advised that she would like to see the language "equivalent" used in this General Plan amendment and expressed concern relative to the need for water; she feels this may be coming from development pressure and could be an issue in the future if not used properly. She informed the Board that she would prefer not answering questions relative to the tier process at this time because she has not had a chance to review the changes that were made. She expressed concern relative to the diverse opinions on the description and physical appearance of agricultural land.

Anita Starchman Bryant/Starchman & Bryant Law Offices, expressed concern relative to the matrix in that you are unable to look at the entire picture of what is occurring on the ground, and feels there was a lot of weight given to tier two. She advised that at the Planning Commission hearing Starchman & Bryant Law Offices requested that the point system be removed and
consideration be made to review all of the factors to allow a discretionary decision to be made. She advised that they had a problem with the language "equivalent," stating that the language is too tight the way it was written and that this is why they requested language that was similar to "equivalent," and that "similar" is what the Planning Commission came up with. She read from minutes of an October 2006 General Plan meeting relative to the requested implementation measure for a land exchange policy that includes no net loss and the quality of agriculture lands, advising that at that time the Board concurred with this recommendation. Supervisor Bibby recalled the discussion in 2006 and thanked Anita Starchman Bryant for reminding her that the language "equivalent" was important to her.

Public portion of the hearing was closed:

Deliberation:
Clarification was made relative to the action requested.
(M)Turpin, (S)Allen, Res. 12-367 was adopted approving the recommend action as requested and read into the record by Steven W. Dahlem, County Counsel. Under discussion Supervisor Bibby expressed concern relative to problems that could occur in the future. Ayes: Stetson, Turpin, Cann, Allen. Oppose: Bibby.

RESULT: ADOPTED [4 TO 1]
MOVER: Lyle Turpin, District II Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen
NAYS: Janet Bibby

Cc: Steven W. Dahlem, County Counsel
File
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS

Resolution  
No 2012-367  
A Resolution Adopting “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), and Amending General Plan Appendix D; General Plan Amendment No. 2012-100

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 project is known as General Plan Amendment No. 2012-100 because the “criteria for transfers of lands within the Agriculture/Working Landscape Land Use Designation” is to be included in Appendix D of the General Plan (Guidance for the Interpretation of the General Plan); and

WHEREAS, the Agricultural Advisory Committee discussed and reviewed draft “Criteria for Transfers of Lands 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 text is included in the draft criteria reflecting these policies; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 15th day of June, 2012; and

WHEREAS, the Planning Commission did hold a public hearing on General Plan Amendment No. 2012-100 on the 15th day of June, 2012 and considered all of the
information in the public record, including the Staff Memorandum to the Planning Commission, the Agricultural Advisory Committee's recommended draft "Criteria for Transfers of Lands Within the Agriculture/Working Landscape Land Use Designation", a Draft Notice of Exemption prepared by the Planning Department staff in accordance with the California Environmental Quality Act and local administrative procedures, and correspondence and testimony presented by the public; and

WHEREAS, the Planning Commission adopted Resolution No. 2012-009, recommending the Board of Supervisors approve General Plan Amendment No. 2012-100, approving "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), finding the action is exempt from environmental review and directing staff to file a Notice of Exemption pursuant to the California Environmental Quality Act, and approving an amendment to Appendix D of the General Plan, Guidance for the Interpretation of the General Plan, to place the adopted criteria in Appendix D; and

WHEREAS, a duly noticed Board of Supervisors public hearing was scheduled for the 10th day of July, 2012; and

WHEREAS, the Board of Supervisors did hold a public hearing on General Plan Amendment No. 2012-100 on the 10th day of July, 2012 and considered all of the information in the public record, including the Staff Memorandum to the Board of Supervisors, Planning Commission Resolution No. 2012-009 (the Planning Commission's recommended draft "Criteria for Transfers of Lands Within the Agriculture/Working Landscape Land Use Designation"), the Draft Minutes from the Planning Commission meeting conducted on June 15, 2012, a Draft Notice of Exemption prepared in accordance with the California Environmental Quality Act and local administrative procedures, and correspondence and testimony presented by the public.

NOW BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve General Plan Amendment No. 2012-100, approving "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 adopted "Criteria for Transfers of Lands Within the Agriculture/Working Landscape Land Use Designation" (including matrix) shall be as shown in Exhibit A of this resolution.

BE IT THEREFORE FURTHER RESOLVED THAT the Board's action includes an amendment to the General Plan, to include the adopted criteria and matrix in Appendix D of the General Plan, Guidance for the Interpretation of the General Plan, as shown in Exhibit B.

BE IT THEREFORE FURTHER RESOLVED THAT the Board's action includes direction to staff to file a Notice of Exemption for General Plan Amendment No. 2012-
100 pursuant to the California Environmental Quality Act, and Title 14, California Code of Regulations.

BE IT THEREFORE FURTHER RESOLVED THAT approval of General Plan Amendment No. 2012-100 is based on the following findings supported by substantial evidence in the public record:

1. **FINDING:** This amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

   **EVIDENCE:** The proposed amendments will implement Mariposa County General Plan Goal 10-2, Policy 10-2a, Implementation Measure 10-2a(4), for transfers of lands within the Agriculture/Working Landscape Land use. It is in the public interest to implement the adopted General Plan. Pursuant to Section 11.03 of the General Plan, “An implementation measure carries out a policy. These measures ensure Board policy is carried out through the County’s administrative process. Implementation measures are either time-specific or quantifiable. Implementation measures are mandatory components that make the General Plan work.” The adopted criteria and matrix will not have any adverse affect on the general public health, safety, peace, and welfare and adoption is for the purpose of evaluating specific future general plan amendment applications for transfers of agriculture lands.

2. **FINDING:** This amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for County development and a short term basis for day-to-day decision making.

   **EVIDENCE:** The adoption of criteria will improve the General Plan by providing specific and objective criteria by which to review a proposed project (a General Plan Amendment) to transfer lands within the Agriculture/Working Landscape Land use. The criteria will be included in Appendix D of the General Plan, Guidance for the Interpretation of the General Plan, to ensure the criteria are readily available in the future to applicants, property owners, affected agencies, staff and decision makers. The standards will be used for day-to-day decision making with respect to applications submitted for a transfer of lands project. The criteria will provide clarity to the processing of specific General Plan Amendment applications.

3. **FINDING:** This amendment conforms to the requirements of State law and County policy.

   **EVIDENCE:** The proposed amendment will implement a goal, policy and implementation measure of the adopted Mariposa County General Plan. The amendment has been processed in accordance with applicable local policies and ordinances.

4. **FINDING:** This amendment is consistent with other guiding policies, goals, policies and standards of the Mariposa County General Plan.
EVIDENCE: The proposed amendment will implement a General Plan goal, policy and implementation measure, to provide objective review criteria and procedures by which to evaluate specific General Plan Amendment applications submitted to transfer lands within the Agriculture/Working Landscape Land Use Classification. Pursuant to Section 11.03 of the General Plan, “Implementation measures are mandatory components that make the General Plan work.”

BE IT THEREFORE FINALLY RESOLVED THAT the Board of Supervisors recommends that these criteria be reviewed and amended if necessary in the future, through a public hearing process, after the criteria have been applied to projects to transfer lands.

ON MOTION BY Supervisor Turpin, seconded by Supervisor Allen, this resolution duly passed and adopted this 10th day of July 2012 by the following vote:

AYES: Stetson, Turpin, Cann, and Allen

NOES: Bibby

ABSENT: None

ABSTAIN: None

EXCUSED: None

Janet Bibby, Chair
Mariposa County Board of Supervisors

Attest:

Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel
Exhibit A

Criteria for Transfers of Lands within the Agriculture/Working Landscape Land Use Designation

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.

Criterion:

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](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.

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<tr>
<th>LCC</th>
<th>Score</th>
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<td>1</td>
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<td>7</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
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</table>

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:**
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
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**
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 Lands within the Agriculture/Working Landscape Land Use Designation 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.
### PROPOSALS TO TRANSFER
**AGRICULTURAL LANDS pursuant to**
GP goal 10-2; Policy 10-2a; Implementation Measure 10-2a(4)

<table>
<thead>
<tr>
<th>TIER ONE</th>
<th>Yes to all</th>
<th>No to any</th>
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<tbody>
<tr>
<td>1. No net decrease in ag land acreage. AWL land is in AE Zone (or proposed to be). No conversion of timberlands.</td>
<td>Can process project</td>
<td>Can not process project or recommend approval</td>
</tr>
<tr>
<td>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.</td>
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<th>SCORE</th>
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<th>TIER TWO</th>
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<tr>
<td>2. Land Capability Classification is at least similar.</td>
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<td>3. Water availability for livestock / agricultural production is at least similar.</td>
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<tr>
<td>4. Ag lands consolidated with no greater linear exposure of ag lands to non-ag lands.</td>
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<tr>
<td>Requirements (Rules):</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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).</td>
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### TIER TWO COMPOSITE SCORE:

<table>
<thead>
<tr>
<th>TIER THREE</th>
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<tr>
<td>5. Residential lands further away from ag lands OR Ag lands further away from residential lands.</td>
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<tr>
<td>6. Ag lands adjacent to LCA contracted parcels.</td>
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<td>7. Project does not result in non-ag land uses moved adjacent to LCA contracted parcels.</td>
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<td>8. Increase in ag land acreage.</td>
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<td>9. Increase in conservation of ag land (LCA contracted land or land under conservation easement).</td>
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<tr>
<td>10. Multiple property owners / results in block of ag land (6+40 acres or more).</td>
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<td>11. Integration of land into an existing ag operation (consider barns, corrals, ranch roads, fencing holding facilities, scales, etc.).</td>
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<tr>
<td>12. Decrease in structural and site improvements on proposed ag lands.</td>
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<tr>
<td>13. Proposed ag land has unique characteristics to result in ag lands of higher production capacity.</td>
</tr>
<tr>
<td>14. Historic ag operation is able to continue current production or increased production.</td>
</tr>
<tr>
<td>15. Fewer legal parcels by recorded merger document within ag lands.</td>
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</table>

**Requirements (Rules):**

If composite score of all Tier Three criteria is positive, finding can be made that there is a benefit to agricultural lands.

If composite score of all Tier Three criteria is negative, staff cannot make finding that there is a benefit to agricultural lands.

**TIER THREE COMPOSITE SCORE:**
Exhibit B

(new text in italicized underlined font)

APPENDIX D
GUIDANCE FOR THE INTERPRETATION OF THE GENERAL PLAN

The Guidance for the Interpretation of the General Plan will be developed by the Board of Supervisors and Planning Commission after final General Plan adoption. This guidance will act as a “how-to manual” with recommendations on the interpretation of the General Plan and will be utilized throughout the life of the Plan to guide how the General Plan’s goals, policies, and implementation measures will be implemented.

1. “Criteria for Transfers of Lands within the Agriculture/Working Landscape Land Use Designation”

   Adopted pursuant to Mariposa County General Plan Goal 10-2, Policy 10-2a, Implementation Measure 10-2a(4)

   Authorization: Board of Supervisors Resolution No. 2012-367