MARIPOSA COUNTY ORDINANCE NO. 729

AN ORDINANCE AMENDING TITLE 17 OF THE MARIPOSA COUNTY CODE
ENTITLED MARIPOSA COUNTY ZONING ORDINANCE, BY ADDING
SECTION 17.60.010(C), ACTION BY THE BOARD OF SUPERVISORS

WHEREAS, the Mariposa County Planning Commission has
initiated an amendment to the Mariposa County General Plan and
County Zoning Ordinance; and

WHEREAS, the Board of Supervisors has adopted a Negative
Declaration for the amendment in accordance with the California
Environmental Quality Act and the Mariposa County Environmental
Review Policies and Procedures adopted pursuant thereto; and

WHEREAS, the Mariposa County Planning Commission has
recommended approval of General Plan Amendment No. 88-1; and

WHEREAS, the Board of Supervisors has held a duly noticed
public hearing on the General Plan Amendment as required by
State Law.

NOW THEREFORE, the Board of Supervisors of Mariposa County
does hereby ordain as follows:

SECTION I

Section 17.60.010(C) is added to read as follows:

C. Amendment Standards. Wherever it can be proven that
a parcel, or part of a parcel, lies outside the watershed, the
OWC shall be modified to exclude that parcel or part of a
parcel.

The burden of proof is upon the applicant and shall consist
of an engineered survey of the watershed line and any
information deemed necessary by the Planning Director. Also,
whenever a lot line adjustment or land division is completed
where the watershed becomes a surveyed line, the OWC shall be
modified to follow the actual watershed boundary. Once the
watershed becomes a surveyed line, the County shall initiate an
amendment to reflect the modification of the OWC. The
development policy and improvement standards of the OWC shall
not apply to those lands outside the watershed during the land
division or lot line adjustment application process.

SECTION II

This action of the Board is based upon findings contained
in Planning Commission Resolution No. 88-26 which are
incorporated herein by reference.

SECTION III

This Ordinance shall become effective thirty (30) days
after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED by the Mariposa County Board of
Supervisors on the 18th day of October, 1988 by the following
vote:

AYES:  Dalton, Erickson, Radanovich, Taber

NOES:  None

ABSTAINED: Baggett

EXCUSED: None

ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors
ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Jeffrey G. Green, County Counsel