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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,

1 whenever a lot line adjustment or land division is completed  
2 where the watershed becomes a surveyed line, the OWC shall be  
3 modified to follow the actual watershed boundary. Once the  
4 watershed becomes a surveyed line, the County shall initiate an  
5 amendment to reflect the modification of the OWC. The  
6 development policy and improvement standards of the OWC shall  
7 not apply to those lands outside the watershed during the land  
8 division or lot line adjustment application process.

9 SECTION II

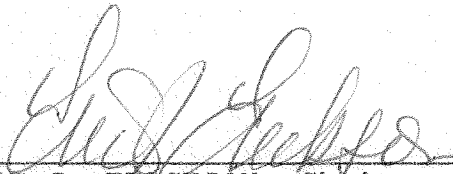
10 This action of the Board is based upon findings contained  
11 in Planning Commission Resolution No. 88-26 which are  
12 incorporated herein by reference.

13 SECTION III

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

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

19 AYES: Dalton, Erickson, Radanovich, Taber  
20 NOES: None  
21 ABSTAINED: Baggett  
22 EXCUSED: None

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

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*Marge Williams*

MARGIE WILLIAMS, Clerk of the Board

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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*Jeffrey G. Green*

Jeffrey G. Green, County Counsel

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