

1 MARIPOSA COUNTY ORDINANCE NO. 561

2 AN URGENCY ORDINANCE TO AMEND CHAPTER 15.28 OF THE
3 MARIPOSA COUNTY CODE; GRADING REGULATIONS FOR
4 STOCKTON CREEK WATERSHED AREA

5 The Board of Supervisors of Mariposa County, a political
6 subdivision of the State of California, does hereby ordain as
7 follows:

8 SECTION I: Section 15.28.030 is hereby amended to delete
9 subsections A.2. and B.2. as presently stated and add the
10 following language in the place thereof in each subsection re-
11 spectively:

12 A.

13 "2. Disturbs any earth within a flood hazard or erosion
14 hazard area when such excavation is done by mechani-
15 cal means other than minor landscaping or gardening;
16 or,"

17 B.

18 "2. Is located in a flood hazard or erosion hazard area;
19 or,"

20 SECTION II: Section 15.28.050 is hereby amended to add
21 definitions number 31, 32, and 33 respectively as follows:

22 "31. "Erosion hazard area" An area or areas located with-
23 in the boundaries of the County of Mariposa which
24 has been identified by County ordinance or policy
25 as an erosion hazard area due to the existance of
26 steep terrain or highly erosive soils."

27 "32. "Flood hazard area" Areas or surface water drain-
28 age courses that have been identified within the
County of Mariposa as having flood hazard potential,
and are so designated by County policy or ordinance
as flood hazard areas."

"33. "Excavation by mechanical means" Applys to all
earth moving equipment to include dozers, graders,
backhoes, trenchers or other motor powered imple-
ments used for the moving of earth; this definition
is not intended to apply to such earthmoving as can
be accomplished by hand or such earth tilling acti-
vities or motorized equipment associated with minor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

residential landscaping and/or gardening."

SECTION III: Section 15.28.060 is hereby amended to add subsection C.3. thereto as follows:

C.

"3. Flood hazard and erosion hazard.

All applications for a grading permit in a flood hazard or erosion hazard area shall contain:

- a. A drainage plan and,
- b. An erosion control plan and/or recommendations for mitigating measures.

Such drainage and erosion control plans should be reviewed by the Resource Conservation District staff and recommendations forwarded to the Chief Building Inspector prior to the issuance of any permit or conditional permit."

SECTION IV: Chapter 15.28 is hereby amended to add Section 15.28.150 thereto as follows:

"Sections:

15.28.050 Designated areas.

15.28.050 Designated areas. The following geographical areas of Mariposa County are designated EROSION HAZARD AREA or FLOOD HAZARD AREA:

- 1. The Stockton Creek Watershed Area is hereby designated an EROSION HAZARD AREA."

SECTION V: This ordinance shall take effect and become enforceable immediately upon passage by at least a four-fifths (4/5) vote of the Board of Supervisors as an urgency measure for the immediate preservation of the public peace, health and safety. The facts constituting the urgency are as follows:

The water supply of the community of Mariposa is dependent upon the Stockton Creek Watershed Area. Erosion in said area poses a serious threat to that water supply, endangering the health and safety of the residents of Mariposa. An interim moratorium regulating development with erosion potential in that area expires on February 5, 1981."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 3rd day of February, 1981, by the following vote:

AYES: Taber, Moffitt, Clark, Erickson, Dalton

NOES:


ABSENT:

ABSTAINED:




WILLIAM H. MOFFITT, Chairman
Mariposa County Board of Supervisors

ATTEST:



ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



RICHARD K. DENHALTER
County Counsel