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MARIPOSA COUNTY RESOLUTION NO. 88-515

A RESOLUTION APPROVING A MODIFICATION TO THE LAND USE ELEMENT OF
THE MARIPOSA COUNTY GENERAL PLAN AND CHAPTER 17.60 OF THE COUNTY
ZONING ORDINANCE

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

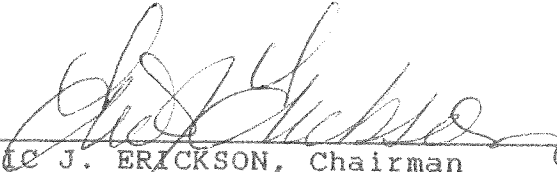
WHEREAS, the Board of Supervisors has held a duly noticed
public hearing on the General Plan Amendment as required by
State Law.

NOW THEREFORE BE IT RESOLVED that General Plan Amendment
No. 88-1 resulting in a modification to the Mariposa County
General Plan Land Use Element and the County Zoning Ordinance,
as shown in Exhibit A, is hereby approved.

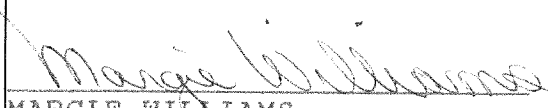
BE IT FURTHER RESOLVED that this action of the Board is
based upon the findings contained in Planning Commission
Resolution No. 88-26 which are incorporated herein by reference.

PASSED AND ADOPTED by the Mariposa County Board of
Supervisors on this 11th day of October, 1988 by the following
vote:


1 AYES: Dalton, Erickson, Radanovich, Taber
2 NOES: None
3 ABSTAINED: Baggett
4 EXCUSED: None

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6 
7 ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

8 ATTEST:

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10 
11 MARGIE WILLIAMS
Clerk of the Board

12 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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15 JEFFREY G. GREEN
County Counsel

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EXHIBIT A

Section 3.511(D) of the Mariposa County General Plan to be added as follows:

D. AMENDMENT POLICY

The OWC must follow legally definable lines, and as a result, may include land that lies outside the physical watershed. However, it is desirable to have the OWC encompass only the actual physical watershed, therefore, it may be necessary to periodically modify the OWC.

Therefore, 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.

For purposes of this section, the Stockton Creek OWC is defined as the physical watershed of that portion of Stockton Creek north of Highway 49, except that tributary which runs along Stockton Creek Road.

Section 17.60.010(C) of the County Code to be added 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.