RECOMMENDED ACTION AND JUSTIFICATION: Waiving the second reading and adopting the ordinance is the final action that needs to be taken by the Board following the Board’s action on January 20, 2009 to waive the first reading and introduce the ordinance and adopt a resolution adopting a mitigated negative declaration and approving the proposed amendment along with Amended Site Plan No. 2008-164. The effective date of that resolution is the date of adoption of the ordinance.

BACKGROUND AND CONTEXT OF BOARD ACTIONS: The Board waived the first reading and introduced the ordinance on January 20, 2009 and adopted a resolution adopting a mitigated negative declaration and approving the amendment and amended site plan on that same date.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: The Board of Supervisors has adopted a resolution approving Specific Plan Amendment No. 2008-163.

Financial Impact? ( ) Yes (X) No Current FY Cost: $  
Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded 
Amount in Budget: $  
Additional Funding Needed: $ 
Source: 
Internal Transfer  
Transfer Between Funds  
Contingency  
List Attachments, number pages consecutively  
Attachment 1 - Draft Board Ordinance  
4/5's vote  
4/5's vote  

CLERK'S USE ONLY: 
Res. No.: 1050  
Vote – Ayes 5  Noes:  
Absent:  
Approved  
Minute Order Attached ( ) No Action Necessary  
The foregoing instrument is a correct copy of the original on file in this office.  
Date:  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By:  
Deputy  

COUNTY ADMINISTRATIVE OFFICER:  
Requested Action Recommended  
No Opinion  
Comments:  

CAO: }
TO:                  KRIS SCHENK, Planning Director
FROM:               MARGIE WILLIAMS, Clerk of the Board
SUBJECT:            SPECIFIC PLAN AMENDMENT No. 2008-163/FISH CAMP – DELAWARE NORTH
COMPANIES/TENAYA LODGE
                   Ord. No. 1050

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA
ADOPTED THIS Order on February 3, 2009

ACTION AND VOTE:

Waive the Second Reading and Adopt an Ordinance Amending the Land Use Map in the Fish Camp
Specific Plan Pursuant to Specific Plan Amendment 2008-163; a Rezone of 6.07 Acres of Property on
APN 010-410-012 from Single Family Residential 2.5-Acre Minimum to Resort Commercial.
Delaware North Companies, Project Proponent (Planning Director)

**BOARD ACTION:** Kris Schenk advised that the Ordinance is scheduled for second reading and
adoption. Rick Benson noted the inconsistency in the staff report relative to the Specific Plan
Amendment Number; and staff clarified that it is 2008-163. Skip Strathearn, Senior Planner, noted the
site map refers to 6.07 acres, and exhibit “A” and the final map refer to 6 +/- acres. County Counsel
advised that he does not see a problem and he feels they mean the same. (M)Cann, (S)Allen, the
second reading was waived and Ordinance No. 1050 was adopted amending the Land Use Map in the
Fish Camp Specific Plan pursuant to Specific Plan Amendment No. 2008-163 as recommended, with
the correction to reflect Specific Plan Amendment No. 2008-163 in the documents. The Clerk of the
Board read the title of the Ordinance into the record. Ayes: Unanimous.

Cc: Jeffrey G. Green, County Counsel

File
MARIPOSA COUNTY ORDINANCE NO. 1050
(Not to be Codified)

AN ORDINANCE AMENDING THE LAND USE MAP IN THE FISH CAMP
SPECIFIC PLAN

WHEREAS, a proposal to amend the land use map in the Fish Camp Specific Plan was initiated by Delaware North Companies on September 16, 2008, and

WHEREAS the application is known as Specific Plan Amendment No. 2008-163. The application proposes to rezone 6.07 acres of land on the Tenaya Lodge site (Assessor’s Parcel Number 010-410-012). The property will be rezoned from the Single Family Residential 2.5-Acre Minimum zone to the Resort Commercial zone; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Specific Plan Amendment No. 2008-163 on the 19th day of December 2008, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on Specific Plan Amendment No. 2008-163 on the 20th day of January 2009, in accordance with State Law and County Code; and

WHEREAS, environmental review has been conducted on Specific Plan Amendment No. 2008-163 and its accompanying application, Amended Site Plan No. 2008-164, in accordance with the California Environmental Quality Act, a Mitigated Negative Declaration has been adopted and a Notice of Determination will be filed for the project.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors does hereby amend the land use map in the Fish Camp Specific Plan pursuant to Specific Plan Amendment No. 2008-163. The property to be rezoned on Assessor’s Parcel Number 010-410-012 is legally described in Exhibit A and is shown on the site plan in Exhibit B.

SECTION II: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED on this 3rd day of February, 2009 by the following vote.

AYES: Aborn, Turpin, Bibby, Cann, Allen
NOES: None
ABSTAINED: None
EXCUSED: None
NOT VOTING: None
Brad Aborn, Chair
Mariposa County Board of Supervisors

Attest:

MARGIE WILLIAMS, Clerk of the Board
Mariposa County Board of Supervisors

APPROVED AS TO FORM:

JEFFREY G. GREEN, Interim County Counsel
Exhibit A

Legal Description
Area being Rezoned to Resort
Commercial
January 16, 2009

All that portion of Parcel 1 as shown on the Parcel Map for Tenaya Lodge Joint Venture, filed October 4, 1988 in Book 23 of Parcel Maps at Page 50, Mariposa County Records being more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1; thence along the East line thereof S.01°21'27"E, 393.77 feet to the POINT OF BEGINNING; thence continuing along said East line S.01°21'27"E 264.39 feet to the Southeast Corner of Parcel 4 as shown on the Parcel Map for Dave Brizzolara, filed April 12, 1976 in Book 10 of Parcel Maps at Page 27 Mariposa County Records, thence along the South line thereof S.89°15'08"W, 989.13 feet to the Northwest corner of Parcel 3 of said Parcel Map; thence N.1°25'29"W, 264.39 feet; thence N.89°15'08"E, 989.43 feet to the POINT OF BEGINNING.

Containing 6.00± Acres
Exhibit A

EXISTING SINGLE FAMILY RESIDENTIAL

PROPOSED RESORT COMMERCIAL
6.00± ACRES

EXISTING RESORT COMMERCIAL

JONES AND SNYDER SURVEYING
P.O. BOX 2282, OAKMUST, CA
(559) 883-7661, LS 4296, LS 4727
DATE: 1-16-99
JOB NO. 07-228
SCALE 1"=10'