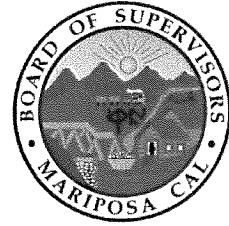




MARIPOSA COUNTY

Planning · 209-966-5151



ORDINANCE 2017-1125

MEETING: July 11, 2017

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Waive 2Nd Reading -Tenaya Cabins Project- GP/SPZA 2014-163, LDA 2014-165, CUP 2014-164 and EIR

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending the Fish Camp Town Planning Area Specific Plan Land Use Map pursuant to General Plan/Specific Plan Zoning Amendment (GP/SPZA No. 2014-163) on assessor's parcel number (APN) 010-350-010 (formerly APN 010-350-008).

The ordinance will result in the following:

1. For Parcel 1 of LDA No. 2014-165 (a 24.82 acre parcel), the land use is amended from Single Family Residential 1-acre to Resort Commercial
2. For Parcel 2 of LDA No. 2014-165 (a 21,782 square foot parcel), the land use is amended from Single Family Residential 1-acre to Single Family Residential ½ -acre

The ordinance is necessary for the Tenaya Cabins project proposed by Delaware North (DN), the owner and operator of the Tenaya Lodge. The project proposes a two parcel Land Division (LDA No. 2014-165), a General Plan/Specific Plan Zoning Amendment (GP/SPZA No. 2014-163), and a Conditional Use Permit (CUP No. 2014-164).

The recommended action is based on the project staff report, EIR, and the Fish Camp Town Planning Advisory Council's and Planning Commission's recommendations.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Resolution 2015-300, June 23, 2015: Contract for services with Ascent for the preparation of the EIR and an agreement to pay for services with Delaware North.

Resolution 2015-425, September 1, 2015: 1st amendment to the contract with Ascent and the 1st amendment to the agreement with Delaware North.

Resolution 2016-371, July 12, 2016: 2nd amendment to the contract with Ascent.

Resolution 2016-648, December 13, 2016: 3rd amendment to the contract with Ascent.

Resolution 2017-215, April 18, 2017: 4th amendment to the contract with Ascent and second amendment to the agreement with Delaware North.

Resolution 2017-434, June 27, 2017: approval of the project, certification of the Final Environmental Impact Report (FEIR), and introduction of the ordinance.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Alternative: Recommend amendments to ordinance text.

Negative action: Recommend denial (basis for denial recommended would have to be established, considering required findings) Project would not proceed.

ATTACHMENTS:

Final Ordinance (DOC)

CAO RECOMMENDATION

Requested Action Recommended


Dallin Kimble, County Administrative Officer 6/21/2017

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Miles Menetrey, District V Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

ORDINANCE
(Not to be codified)

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

MARIPOSA COUNTY ORDINANCE NO. 1125

**AN ORDINANCE AMENDING THE FISH CAMP TOWN PLANNING AREA
SPECIFIC PLAN LAND USE MAP**

WHEREAS, applications for a General Plan/Specific Plan Zoning Amendment, Land Division and Conditional Use Permit were received on December 23, 2014, from Delaware North for a property located immediately north of the Tenaya Lodge, in Fish Camp, CA Mariposa County, also known as Assessor Parcel Number (APN) 010-350-010 (formerly APN 010-350-008); and

WHEREAS, this amendment is known as General Plan/Specific Plan Zoning Amendment No. 2014-163 to amend the land uses of Land Division Application (LDA) No. 2014-165 Parcel 1 (a 24.82 acre parcel) from Single Family Residential 1-acre to Resort Commercial for the construction of 54 pre-fabricated cabins and a clubhouse (approximately 2,700 square feet) per Conditional Use Permit No. 2017-164; and Parcel 2 (a 21,782 square foot parcel) from Single Family Residential 1-acre to Single Family Residential ½ -acre for a future single family residence; and

WHEREAS, the Fish Camp Planning Advisory Council held a duly noticed public meeting on the 13th day of May, 2017 on General Plan/Specific Plan Zoning Amendment Application No. 2014-163; and

WHEREAS, the Planning Commission held a duly noticed public hearing on General Plan/Specific Plan Zoning Amendment Application No. 2014-163 on the 2st day of June, 2017 in accordance with State law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General Plan/Specific Plan Zoning Amendment Application 2014-163 on the 27th day of June, 2017 in accordance with State law and County Code; and

WHEREAS, environmental review has been conducted on General Plan/Specific Plan Zoning Amendment Application 2014-163 in accordance with the California Environmental Quality Act and an EIR has been prepared and certified for the project (SCH) 2015021032; and

WHEREAS, the Board of Supervisors of the County of Mariposa wishes to amend the land use map of the Fish Camp Town Planning Area Specific Plan pursuant to General Plan/Specific Plan Zoning Amendment Application 2014-163.

NOW, THEREFORE, the Board of Supervisors of the County of Mariposa ordains as follows:

Section I: Amend the designation of property as shown on the tentative map for Land Division No. 2014-164 being Parcel 1 (a 24.86 acre parcel) from Single Family

Residential 1-acre to Resort Commercial and Parcel 2 (a 21,782 square foot parcel) from Single Family Residential 1-acre to Single Family Residential ½ acre as shown on the map in Exhibit 1.

Section II: If any provision of this ordinance is held to be unconstitutional, preempted by federal law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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


PASSED AND ADOPTED on this 11th day of July, 2017, by the following vote:

AYES:	SMALLCOMBE, JONES, LONG, CANN, MENETREY
NOES:	NONE
ABSTAINED:	NONE
EXCUSED:	NONE
NOT VOTING:	NONE



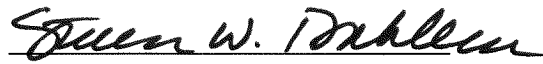
 Marshall Long, Chairman
 Mariposa County Board of Supervisors

Attest:



 René LaRoche,
 Clerk of the Board

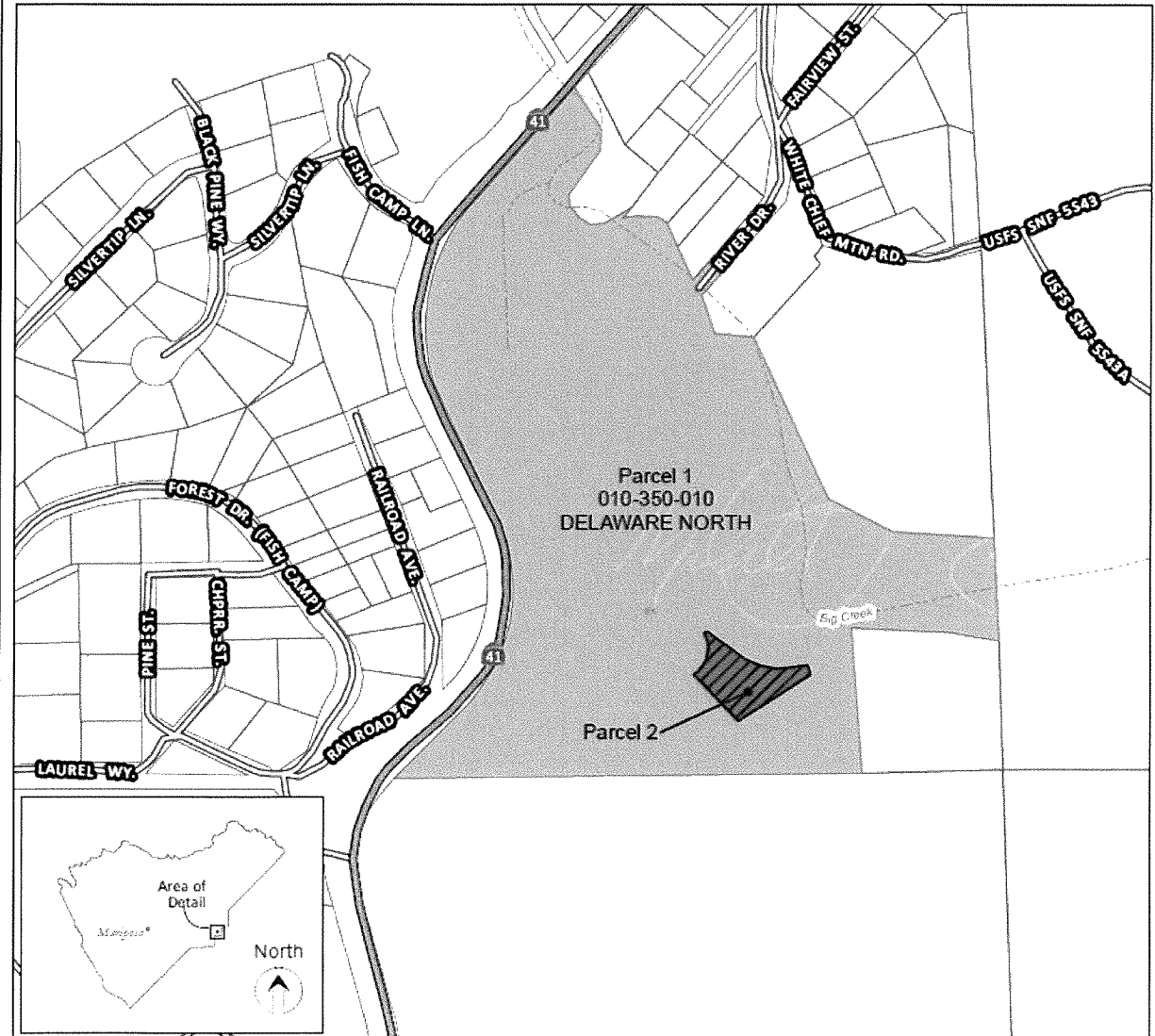
Approved as to Form:



 Steven W. Dahlem
 County Counsel

Exhibit 1

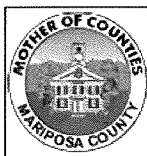
General Plan/Specific Plan Zoning Amendment No. 2014-163



0 400 800 Feet







1:4,000
 Coordinate System: NAD 1983 StatePlane California III FIPS 0403 Feet
 Date: Wednesday, June 14, 2017
 Data Source: Mariposa County Planning Department GIS; Assessor's
 Parcel Map Update: March 2017

Map Credit: J.W.



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 http://www.mariposacounty.org/planning

Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data.
 C:\Documents\Therapists\GIS\Map\2014\Zoning\Plan_Specific\Zoning_2014-163.mxd

-  Parcel 1 of LDA No. 2014-165 (24.82 acres) from Single Family Residential 1-acre to Resort Commercial
-  Parcel 2 of LDA No. 2014-165 (1/2 acre parcel) from Single Family Residential 1-acre to Single Family Residential 1/2-acre
-  Assessor's Parcels
-  State Highway
-  Paved/Unpaved Local Road
-  Creek/River

