

DEPARTMENT: Planning

BY: Kris Schenk
PHONE: 742-1216

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

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 1050
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved _____
 Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

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

CAO: 29B



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

BRAD ABORN, CHAIR
JANET BIBBY, VICE CHAIR
LYLE TURPIN
KEVIN CANN
JIM ALLEN

DISTRICT I
DISTRICT III
DISTRICT II
DISTRICT IV
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: KRIS SCHENK, Planning Director

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

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.

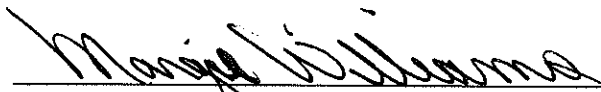
PASSED AND ADOPTED on this 3rd day of February, 2009 by the following vote.

AYES:	Aborn, Turpin, Bibby, Cann, Allen
NOES:	None
ABSTAINED:	None
EXCUSED:	None
NOT VOTING:	None



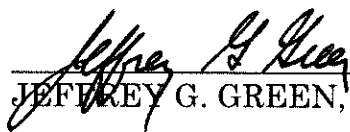
Brad Aborn, Chair
Mariposa County Board of Supervisors

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

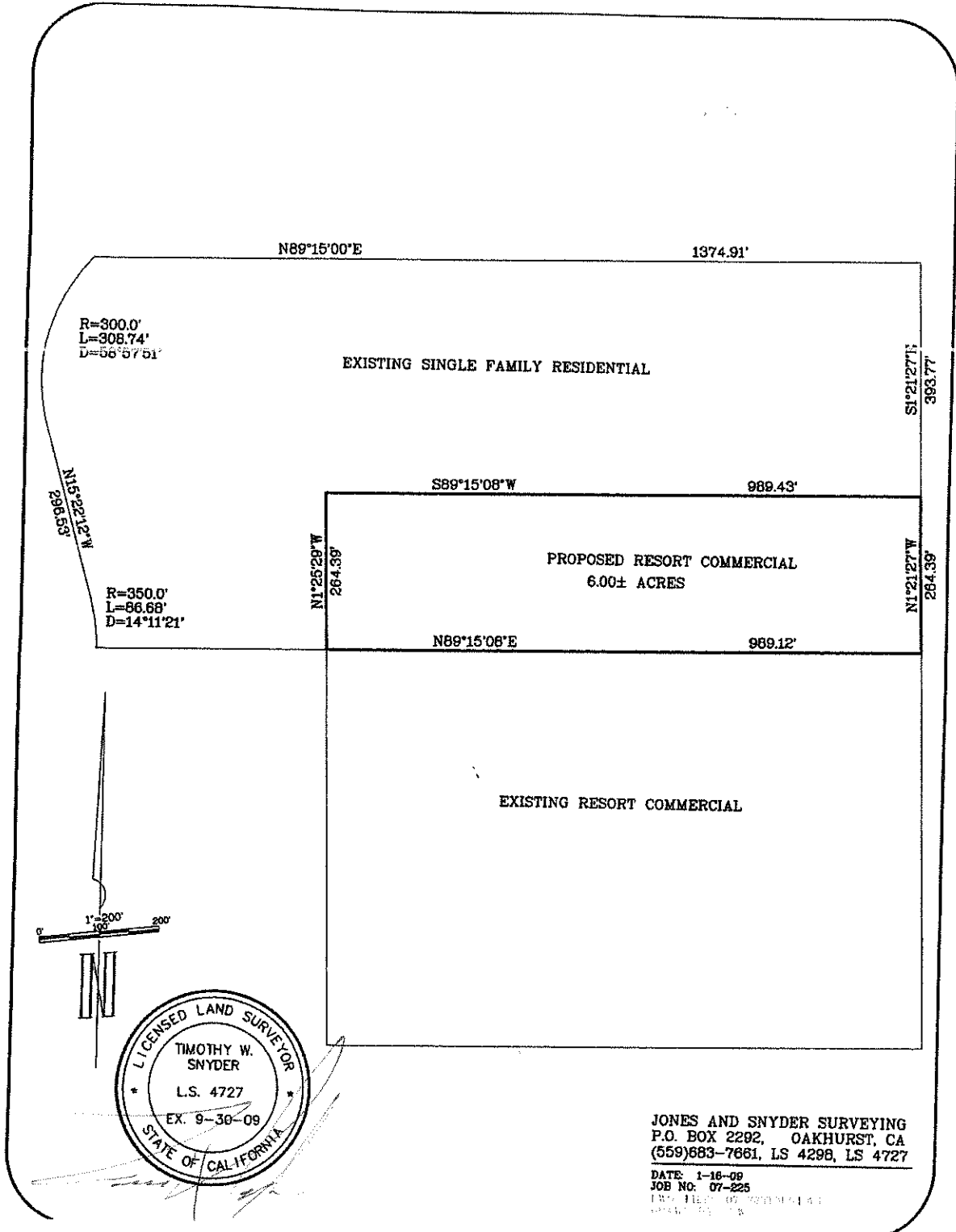
All that portion of Parcel 1 as shown on the Parcel Map for Tenaya Lodge Joint Venture, filed October 4, 1988 in Book 23 of Parcel Maps at Page 50, Mariposa County Records being more particularly described as follows:

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

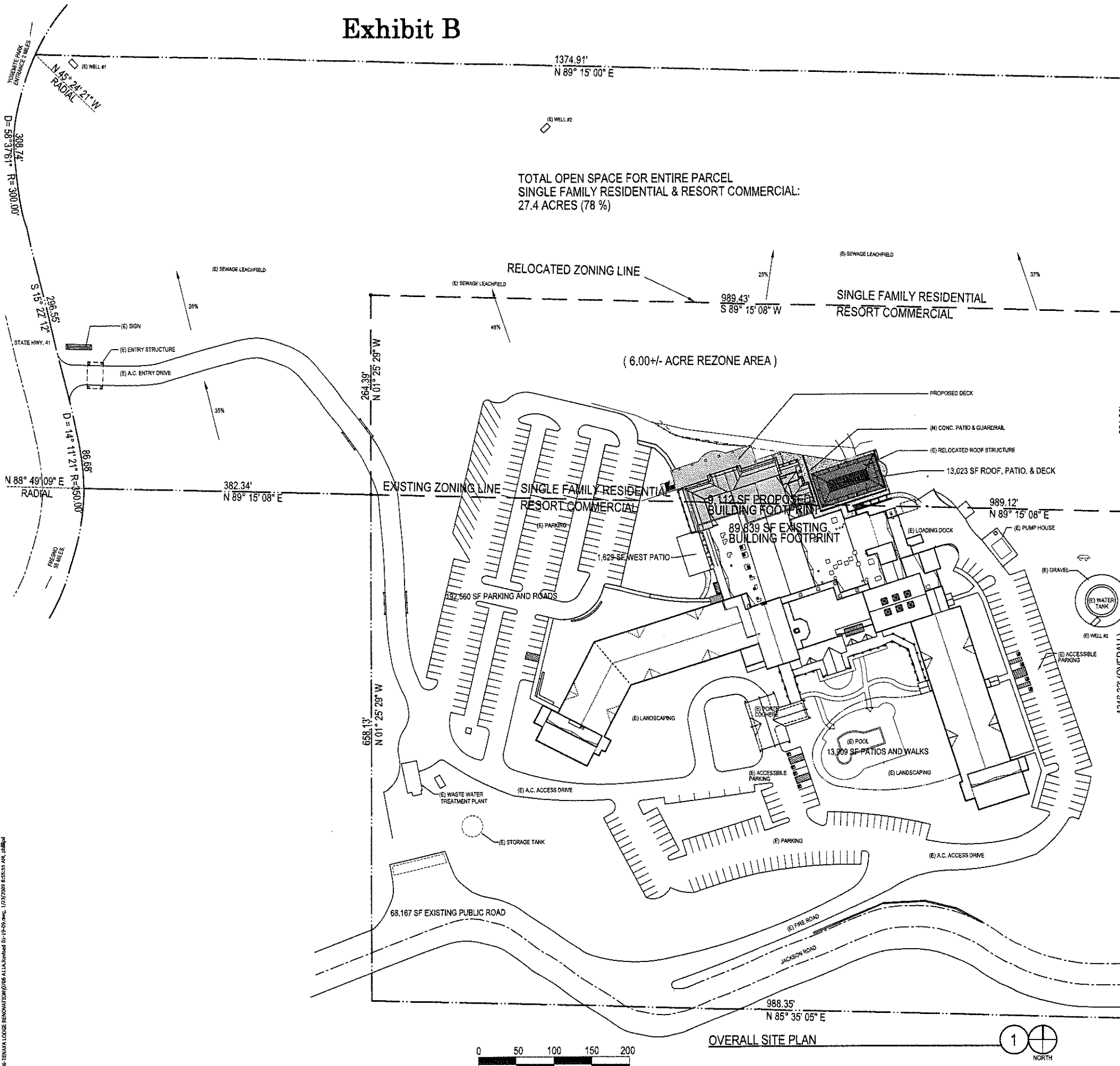


LICENSED LAND SURVEYOR
TIMOTHY W. SNYDER
L.S. 4727
EX. 9-30-09
STATE OF CALIFORNIA

JONES AND SNYDER SURVEYING
P.O. BOX 2292, OAKHURST, CA
(559)683-7661, LS 4298, LS 4727

DATE: 1-16-09
JOB NO. 07-225
JOB FILE: 07-225-1-1
DRAWN BY: JWS

Exhibit B



PROJECT INFORMATION

OWNER: DELAWARE NORTH COMPANIES
40 FOUNTAIN PLAZA
BUFFALO, NY
CONTACT: MIKE GILBERT
TEL: (81) 553-9623

PROPERTY INFORMATION

APN: 010-410-012-D
PARCEL SIZE: 36.43 ACRES
ADDRESS: 1122 HIGHWAY 41
FISH CAMP, CA.
GENERAL PLAN USE: FISH CAMP TOWN PLANNING STUDY AREA
ZONING DISTRICTS: SINGLE FAMILY RESIDENTIAL (RURAL RESIDENTIAL - 2.5 ACRES) - 21.50 ACRES
RESORT COMMERCIAL - 14.93 ACRES
NET LOT AREA: 34.87 ACRES
(PARCEL SIZE EXCLUDING PUBLIC ROAD AND EASEMENTS)

**REZONING FROM SINGLE FAMILY
RESIDENTIAL TO RESORT COMMERCIAL
PROPERTY: 6.00+/- ACRES**

34.87 ACRES X 43,560 SF =	1,516,937 SF
ALLOWABLE LAND USE FOR RESORT COMMERCIAL	
(SOURCE: FISH CAMP TOWN PLANNING AREA SPECIFIC PLAN):	
15% FOR LODGING DEVELOPMENT =	227,841 SF
25% FOR SUPPORT DEVELOPMENT =	379,734 SF
40% TOTAL ALLOWABLE DEVELOPMENT =	607,575 SF
LODGING DEVELOPMENT	
- EXISTING BUILDING FOOTPRINT:	89,839 SF
- NEW ADDITION FOOTPRINT:	9,112 SF
TOTAL BUILDING FOOTPRINT:	98,951 SF
SUPPORT DEVELOPMENT	
- EXISTING PARKING & ROADWAYS:	192,560 SF
- EXISTING WEST PATIOS, PEDESTRIAN WALKS:	13,909 SF
- EXISTING WEST PATIO:	1,629 SF
- NEW ROOF STRUCTURE, PATIO AND DECK:	13,023 SF
- ANCILLARY UTILITY STRUCTURES:	5,246 SF
TOTAL SUPPORT DEVELOPMENT:	226,367 SF
TOTAL SUPPORT DEVELOPMENT: (LODGING & SUPPORT):	325,216 SF
40% ALLOWED: UNDER ALLOWABLE BY:	607,575 SF
	282,257 SF
TOTAL REMAINING OPEN SPACE: 27.4 ACRES (78%)	

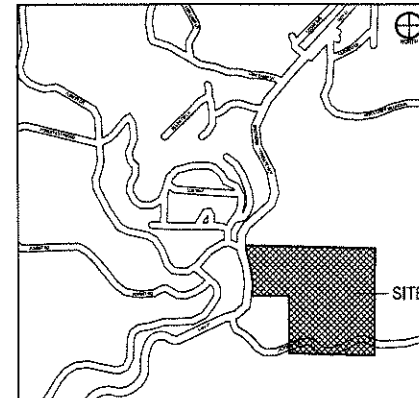


TENAYA LODGE
at Yosemite
PROPOSED
SPA & CONFERENCE CENTER
EXPANSION & REMODEL

A.P.N. 010-410-012-D
1122 Highway 41
Fish Camp, CA 93623

JOB NO: 205706
DATE: 12 SEPTEMBER 2009
REVISIONS:

VICINITY MAP



OVERALL SITE PLAN

A1.1A