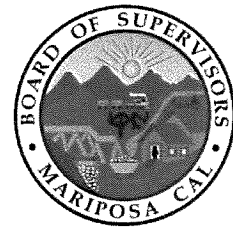


MARIPOSA COUNTY

Planning • 209-966-5151



RESOLUTION - ACTION REQUESTED 2019-145

MEETING: March 19, 2019
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: Amended Site Plan/Conditions No. 2018-211 (Tenaya Cabins Project)

RECOMMENDATION AND JUSTIFICATION:

PUBLIC HEARING: Resolution to Approve Amended Site Plan/Conditions No. 2018-211 (Amending Tenaya Cabins Project - GPZA No. 2014-163, LDA No. 2014-165, CUP No. 2014-164 and EIR) with the Recommended Findings and Conditions; Deny the Proposed Sign Changes Due to Size; and Direct Staff to File a Notice of Determination. Delaware North, Applicant. Project Site is Located at 1152 Highway 41 Fish Camp CA. APN 010-350-010

The project proposes to amend the previously approved Tenaya Cabins Project site plan (CUP No. 2014-164 and LDA No. 2014-165) to widen the primary Highway 41 access encroachment to meet the minimum required fire access standards and remove the secondary emergency access including its encroachment on Highway 41. Additionally sign changes are proposed.

The proposed changes could not be found in substantial conformance with the approved site plan. Therefore, the proposed changes requires recommendation by the Planning Commission and action by the Board of Supervisors on an application for amendments. An Addendum to the Tenaya Cabins Project EIR (SCH 2015021032) will be filed to document the requested site plan change.

Please see the attached staff report for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

June 27, 2017 - Board of Supervisors Resolution No. 2017-434 Approved the Tenaya Cabins Project - (GPZA No. 2014-163, LDA No. 2014-165, CUP No. 2014-164 and EIR Certification.)

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Recommend approval with modifications. A negative action would result in a recommendation of denial for Board consideration and potential project completion issues.

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See Staff Report for additional information and justification.

ATTACHMENTS:

Staff Report (DOC)

Attachment A - Vicinity Map (PDF)

Attachment B - Part 1 TC BOS RES 2017 434 (PDF)

Attachment B - Part 2 TC BOS RES 2017 434 (PDF)

Attachment B - Part 3 TC BOS RES 2017 434 (PDF)

Attachment C - Access and Road Exhibit (PDF)

Attachment D - Proposed Site Plan (PDF)

Attachment E - Approved and Proposed Signage (PDF)

Attachment F - EIR Addendum (PDF)

Attachment G - Notice of Determination (PDF)

Attachment H - PC Resolution (PDF)

Attachment I - Draft Board Resolution (DOC)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS**

Resolution
No. 2019-145

A Resolution to Approve Amended Site Plan/Conditions No. 2018-211 (Amending Tenaya Cabins Project- GPZA No. 2014-163, LDA No. 2014-165, CUP No. 2014-164 and EIR) with the Recommended Findings and Conditions; Deny the Proposed Sign Changes Due to Size; and Direct Staff to File a Notice of Determination. Delaware North, Applicant. Project Site is Located at 1152 Highway 41 Fish Camp CA. APN 010-350-010.

WHEREAS, Amended Site Plan/Conditions Application No. 2018-211 (Tenaya Cabins Project- GPZA No. 2014-163, LDA No. 2014-165, CUP No. 2014-164 and EIR) was received from Delaware North, for a property located at, 1152 Highway 41, Fish Camp CA. also known as Assessor Parcel Number (APN) APN 010-350-010; and

WHEREAS, Amended Site Plan/Conditions Application No. 2018-211 proposes the following changes:

1. Amendments to the previously approved Tenaya Cabins Project site plan (CUP No. 2014-164 and LDA No. 2014-165) to widen the primary Highway 41 access encroachment to meet the minimum required fire access standards and removal of the secondary emergency access including its encroachment on Highway 41.
2. Modifications to the approved front entrance signage.

The purpose of the Amended Site Plan/Conditions project is for an alternative secondary emergency access option while minimizing site impacts in conformance with the project EIR; and

WHEREAS, the Planning Department circulated the applications among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS, a duly noticed Fish Camp Planning Advisory Council public meeting was scheduled for the 12th day of January 2019; and

WHEREAS, the Fish Camp Planning Advisory Council conducted a public meeting on the noticed date and considered all of the information in the public record, including the Staff Report, testimony presented by the public concerning the application, and the comments of the applicant; and

WHEREAS, the Fish Camp Planning Advisory Council recommended the Planning Commission recommend that the Board of Supervisors approve the project with an EIR Addendum at their meeting of 12th day of January 2019; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 22nd day of February, 2019; and

WHEREAS, a Staff Report and an EIR addendum were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the EIR addendum, notice of determination and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant; and

WHEREAS, the Planning Commission adopted Resolution No. 2019-02 recommending that the Board of Supervisors adopt a resolution approving Amended Site Plan/Conditions Application No. 2018-211 (Tenaya Cabins Project- GPZA No. 2014-163, LDA No. 2014-165, CUP No. 2014-164 and EIR), denying the proposed amended sign based on sign size, and 1) finding the EIR Addendum to Tenaya Cabins EIR SCH 2015021032 is adequate for filing pursuant to CEQA Guidelines §15162 and §15164 and 2) directing staff to file a Notice of Determination; and

WHEREAS, a duly noticed Board of Supervisors public hearing for the project was scheduled for March 19, 2019; and

WHEREAS, the Board of Supervisors did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report, testimony presented by the public concerning the application, and the Planning Commission's recommendations.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors does hereby: 1) find the EIR Addendum to Tenaya Cabins EIR SCH 2015021032 is adequate for filing pursuant to CEQA Guidelines §15162 and §15164 and 2) direct staff to file a Notice of Determination.

BE IT THEREFORE FURTHER RESOLVED THAT the Board of Supervisors does hereby approve Amended Site Plan/Conditions Application No. 2018-211 (Tenaya Cabins Project- GPZA No. 2014-163, LDA No. 2014-165, CUP No. 2014-164 and EIR) and deny the proposed amended sign based on size.

BE IT THEREFORE FINALLY RESOLVED THAT this action is recommended based upon the findings set forth in Exhibit 1 with the existing conditions set forth in Exhibit 2 and the amended conditions set forth in Exhibit 3.

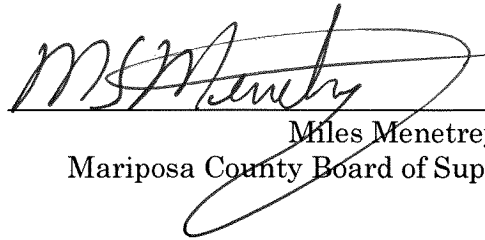
ON MOTION BY Supervisor Long, seconded by Supervisor Cann, this resolution is duly passed and adopted this 19th day of March 2019 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY

NOES: NONE

ABSENT: NONE

RECUSED: NONE



Miles Menetrey, Chair
Mariposa County Board of Supervisors

Attest:



René LaRoche
Clerk of the Board of Supervisors

Approved as to Form:



Steven W. Dahlem
County Counsel

EXHIBIT 1
PROJECT FINDINGS

As recommended by the Planning Commission for approval by the Board of Supervisors

EXHIBIT 2

EXISTING PROJECT CONDITIONS AND MITIGATION MEASURES

*All Conditions and Mitigation Measures approved by Board of Supervisors Resolution No. 2017-434 (Tenaya Cabins Project- GPZA No. 2014-163, CUP No. 2014-164, LDA No. 2014-165 and EIR) are incorporated herein by reference, except Conditions No. 60 and 95, which are modified by this resolution (Exhibit 3).

EXHIBIT 3
AMENDED PROJECT CONDITIONS

As recommended by the Planning Commission for approval by the Board of Supervisors.