

8-5-03 Adopt #CA-2

DEPARTMENT: Planning

BY: Eric Jay Toll, Planning Director
PHONE: 966-0302

RECOMMENDED ACTION & JUSTIFICATION:

8/5 Waive 2nd Reading and Adopt. Ord.

7/15 Waive the first reading and introduce an Ordinance approving Development Agreement No. 2002-472.

This is based upon the Board of Supervisor's adoption of a resolution approving Amended Development Agreement and Design Review Application No. 2002-472 with findings and conditions on July 8, 2003. The Board of Supervisor's action on July 8, 2003 also approved Land Division Application No. 2002-470 and Variance Application No. 2002-471 with findings and conditions.

The second reading and adoption of the ordinance will occur on August 5, 2003. The ordinance will become effective 30 days following the second reading and adoption of the ordinance.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

- July 8, 2003 - The Board of Supervisors adopted a resolution approving a series of applications for the project, including an amended development agreement and design review application, a land division and a variance.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

None.

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

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 990
 Vote - Ayes: _____ 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: *R.H.*

MARIPOSA COUNTY ORDINANCE NO. 990
(Not to be Codified)

AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT NO. 2002-472
FOR NORM GALLAGHER & RICK ROESCH, APPLICANTS

WHEREAS, an application was received from Norm Gallagher and Rick Roesch seeking approval of amendments to Development Agreement No. 98-1 for a Skilled Nursing Facility and Assisted Living Facility on a 7.45 acre parcel located at the end of Saint Andrews Road in the Mariposa Town Planning Area; and

WHEREAS, the amendments to this development agreement were a result of financing requirements and further refinement of construction level documents for the project; and

WHEREAS, staff made further amendments to the development agreement, to remove design review conditions of approval which are applied to the project by resolution; and

WHEREAS, Mariposa County Resolution No. 00-240 was adopted on June 27, 2000, adopting a negative declaration for Development Agreement No. 98-1 and the proposed amendments for Development Agreement No. 2002-472 do not change or add project impacts or mitigation; and

WHEREAS, the Planning Commission and Board of Supervisors have held duly noticed public hearings on the matter in accordance with State Law and County Codes and have considered all public input.

NOW THEREFORE, the Board of Supervisors does hereby ordain as follows:


SECTION 1: The Board of Supervisors approves Development Agreement No. 2002-472 as shown in Exhibit A of this ordinance.

SECTION 2: This action of the Board is based on the findings mandated by Section 17.124.130.C of Mariposa County Code, Zoning as stated and discussed in Exhibit B.

SECTION 3: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

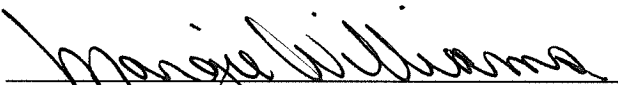
PASSED AND ADOPTED on this 5th day of August, 2003, by the following vote:

AYES:	STETSON, BIBBY, PICKARD
NOES:	NONE
ABSTAINED:	NONE
EXCUSED:	BALMAIN, PARKER
NOT VOTING:	NONE



BOB PICKARD, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN,
County Counsel