



MARIPOSA COUNTY

Planning • 209-966-5151



ORDINANCE 2019-1138

MEETING: February 5, 2019
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: General Plan Zoning Amendment 2018-092

RECOMMENDATION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Map from Mountain Home Zone to the Resort Commercial Zone for a 38.56 Acre Portion of a 43.65 Acre Parcel (APN 004-020-014) Resulting in All of the 43.65 Acre Parcel Being in the Resort Commercial Zone. General Plan/Zoning Amendment Application No. 2018-092; Joe McGrath Applicant. Project Site is Located at 7597 Highway 120, Groveland (Buck Meadows).

The Board introduced this ordinance on January 22, 2019.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board of Supervisors Resolution No. 2005-327 approved Commercial, Industrial and Manufacturing (CIM) Plan No. 2005-073 and General Plan/Zoning Amendment Application No. 2018-023 on July 12, 2005.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve and the ordinance will not take effect.

ATTACHMENTS:

Draft Ordinance (DOC)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Rosemarie Smallcombe, Marshall Long, Kevin Cann, Miles Menetrey

EXCUSED: Merlin Jones

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

MARIPOSA COUNTY ORDINANCE NO. 1138

(Not to be codified)

AN ORDINANCE AMENDING THE
ZONING MAP OF MARIPOSA COUNTY
PURSUANT TO GENERAL PLAN/ZONING AMENDMENT
APPLICATION NO. 2018-092

WHEREAS, General Plan/Zoning Amendment Application No. 2018-092 was received from Joe McGrath, applicant, proposing to rezone 38.56 acres of a 43.65 acre parcel (APN 004-020-014) from the Mountain Home Zone to the Resort Commercial Zone resulting in all of the 43.65 acre parcel being in the Resort Commercial Zone; and

WHEREAS, the Planning Commission held a duly noticed public hearing on General Plan/Zoning Amendment Application No. 2018-092 on the 7th day of December, 2018 in accordance with State law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General Plan/Zoning Amendment Application No. 2018-092 on the 22 day of January, 2019 in accordance with State law and County Code; and

WHEREAS, it has been found that the project is exempt from the California Environmental Quality Act (CEQA) and a Notice of Exemption has been filed for the project.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors of the County of Mariposa does hereby amend the Official County Zoning Map as follows:

Section I: Amend the zoning designation of 38.56 acres of a 43.65 acre parcel (APN 004-020-014) from the Mountain Home Zone to the Resort Commercial Zone, 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.

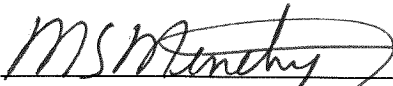
Section III: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED on this 5th day of February, 2019, by the following vote:


AYES: SMALLCOMBE, LONG, CANN, MENETREY

NOES: NONE

EXCUSED: JONES


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

General Plan/Zoning Amendment Application No. 2018-092
(Amends zoning for portion of APN 004-020-014 as shown below)

