RECOMMENDED ACTION AND JUSTIFICATION:  (Policy Item:  Yes  No X )
Adopt resolution denying the appeal and upholding the Planning Commission's adoption of a Negative Declaration and conditional approval for Major Subdivision Application No. 10/26/90; R&H Enterprises, applicant; James Johnson, et. al., appellants.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
None.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Alternatives--(1) Approve appeal, require Environmental Impact Report; (2) Approve appeal, require additional mitigation measures; (3) Continue matter for further discussion or information.

Negative action would require EIR or additional mitigation for project.

COSTS:  ( X ) Not Applicable
A. Budgeted current FY  $________
B. Total anticipated costs $________
C. Required Add'l funding $________
D. Source: ____________________________

SOURCE:  ( ) 4/5ths Vote Required
A. Internal transfers $________
B. Unanticipated revenues $________
C. Reserve for contingency $________
D. Description: ____________________________
Balance in Reserve for Contingencies, if approved: $________

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
1) Memo to Board
2) Appeal letters
3) Planning Commission Minutes
4) Planning Commission Staff Report

CLERK'S USE ONLY:
Res. No.: 91-160
Ord. No.: ____________________________
Vote -- Ayes: _______ Noes: _______
Absent: _______ Abstained: _______
( ) Approved ( ) Denied
( X ) Minute Order Attached

The foregoing instrument is a correct copy of the original on file in this office.
Date: ____________________________
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By: ____________________________
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

X  Recommended
Not Recommended
For Policy Determination
Submitted with Comment
Returned for Further Action

Comment: ____________________________

A.O. Initials: ____________________________

Action Form Revised 12/89
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
    LARRY POLLARD, PUBLIC WORKS DIRECTOR

FROM: MARGIE WILLIAMS, CLERK OF THE BOARD

RE: APPEAL HEARING - MAJOR SUBDIVISION 10/26/90/
    DIRECTION FOR ROAD DEVELOPMENT FEE PROGRAM

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 16, 1991

ACTION AND VOTE:

10:10 a.m. Tony Lashbrook, Planning Director;
    A) Continued PUBLIC HEARING, Appeal of Planning
       Commission's Action to Adopt a Negative Declaration and
       Conditionally Approve Major Subdivision Application No.
       10/26/90; R&H Enterprises, Applicant; James Johnson, et al.,
       Appellants (Continued from 4/9/91)

BOARD ACTION: Updated staff report given by Tony Lashbrook,
    Planning Director; and Larry Pollard, Public Works Director.
    Public portion of the hearing was reopened with regards to
    transportation/development fees issue. Input was received
    from: Jim Johnson, Jack Wurmnest, Tim Snyder, and William
    Kolander. (M)Baggett, (S)Punte (who passed the gavel), Res.
    91-160 adopted denying the appeal/Ayes: Baggett, Punte,
    Erickson; Noes: Taber; Excused: Radanovich. Direction was
    given to staff to come back within three weeks with a
    proposal, including budgeting, for road development fee
    program.

cc: File
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
    LARRY POLLARD, PUBLIC WORKS DIRECTOR

FROM: MARGIE WILLIAMS, CLERK OF THE BOARD

RE: APPEAL HEARING - MAJOR SUBDIVISION 10/26/90

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 9, 1991

ACTION AND VOTE:

B) PUBLIC HEARING, Appeal of Planning Commission's Action to Adopt a Negative Declaration and Conditionally Approve Major Subdivision Application No. 10/26/90; R&H Enterprises, Applicant; James Johnson, et al., Appellants

BOARD ACTION: Staff report given by Duane Hall, Associate Planner. Tony Lashbrook, Planning Director, and Larry Pollard, Public Works Director, provided input. Persons speaking in support of the appellants: Paul Van Cantfort, Jim Johnson, Sharon Proietti, Jack Wurmnest, and Leah Rosenfeld. Persons speaking on behalf of the applicants: Tim Snyder. Supervisor Baggett requested a status report be scheduled concerning establishment of a fee structure proposal. Hearing was continued to April 16, 1991, at 10:00 a.m. for further deliberation to consider road issues and options, including the access issue on Usana Road, with the public portion to be reopened if necessary; and direction given to staff to bring back alternatives concerning these issues/Ayes: (M)Erickson, (S)Baggett, Punte, Taber;
Excused: Radanovich.

cc: File