

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

AGENDA DATE: 97-211 May 27, 1997
AGENDA ITEM NO.: 9-B

DEPARTMENT: Planning

By: Jean Clark, Assistant Planner

Phone: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Staff recommends that the Board deny the appeal, requiring the applicant to complete the engineered plans, based upon the findings contained within the attached memorandum.

Land Division Application No. 1479 proposes to take access from Elizabeth Lane off of Trower Road (County Road). The existing Trower Road/Highway 140 encroachment is inadequate for existing traffic volumes. The addition of 4 new parcels will serve to further degrade this intersection and increase the potential hazard. The completion of the engineered plans for the Trower Road encroachment, as required for this land division, is the first step towards insuring that access for this and future subdivisions in this area will be adequate and safe. The condition is integrally related to the approval of the land division.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Alternatives: 1) Modify the conditions of approval to require the applicant to pay into an intersection improvement fund;
- 2) Grant the appeal and require no intersection improvements.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated Costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve Contingencies, If Approved: \$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

Memo to Board with Attachments:

1. Appellant Information
2. Planning Commission Staff Report
3. Planning Commission Minutes March 21, 1997

CLERK'S USE ONLY

Res. No.: 97-211 Ord. No.: _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board

By: _____

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted for Comment


Returned for Further Action

Comment: _____

A.O. Initials: [Signature]

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ED JOHNSON, Planning & Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board 
SUBJECT: APPEAL NO. 97-2; RES. 97-211

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on May 27, 1997

ACTION AND VOTE:

B) PUBLIC HEARING to Consider Appeal No. 97-2; Appeal of Planning Commission's Condition of Approval for Land Division Application No. 1479; Michael Buker, et al; Karl Baumann, Agent; Applicants/Appellants

BOARD ACTION: Jean Clark, Assistant Planner, presented staff report. Staff responded to questions from the Board relative to the number of parcels that would need to be developed to trigger improvements of the intersection.

Public portion of the hearing was opened and input was provided by the following:

Karl Baumann, agent for the applicant/appellant, advised that they did not have a problem with request to contribute what was estimated to be about \$2,000 during the Planning Commission meeting to be held for improvement of the Trower Road encroachment; however, now the cost estimate is about \$3,100 and they are being asked to complete engineered plans for a project that may change in the future, thereby making the plans useless.

Roger Stephens, Civil Engineer, commented on the timeframes for the project and creating engineered plans, and stated he felt there should be a better way to manage this project.

Staff wind-up: Ed Johnson stated this is a case where an impact fee procedure needs to be in place so that everyone pays a fair share toward a project. Staff responded to questions from the Board relative to accounting procedures for tracking deposits of this nature.

Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to additional questions from the Board relative to off-site improvements not applying in this case; requiring plans to be drawn up that may not be used; requirement for a road maintenance agreement or zone of benefit for this project; and relative to improvements needed on Trower Road. (M)Parker, (S)Reilly, Res. 97-211 adopted upholding the appeal and requiring the applicant to place in an interest bearing trust account with the County \$2,000 that will be dedicated to the future improvement of the northernmost intersection of Trower Road and Highway 140. Staff responded to questions from the Board relative to future developments and reimbursement to the developer, Caltrans' determination relative to the intersection, and status of the formation of the zone of benefit. Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard. Hearing was closed.