

AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

COUNTY ADMINISTRATION CENTER

810 COURT STREET

JACKSON, CA 95642-2132

WEBSITE: www.amadorgov.org E-MAIL: planning@amadorgov.org

PHONE: (209) 223-6380 FAX: (209) 223-6254

Early Consultation Application Referral

TO:

ACTC Transportation and Public Works Department

AFPD Waste Management Department

Amador Air District Buena Vista Band of Me-Wuk Indians**
Amador LAFCO Calaveras Band of Mi-Wuk Indians**

Amador Transit Chicken Ranch Rancheria of Me-Wuk Indians**

Amador Water Agency Ione Band of Miwok Indians**

Building Department Jackson Rancheria Band of Miwuk Indians**

Cal Fire Nashville Enterprise Miwok- Maidu-

Caltrans, District 10 Nishinam Tribe**

CDFW, Region 2 Shingle Springs Band of Miwok Indians**

County Counsel United Auburn Indian Community of the Auburn

Environmental Health Department Rancheria**

Sheriff's Office Washoe Tribe of Nevada and California**

Surveying Department

DATE: October 9, 2024

FROM: Krista Ruesel, Planning Department

PROJECT: Request for a Use Permit Reapplication (UP-24;10-2 KMR-Timber Creek Base Area Tent

Facility) for the existing temporary sprung tent structures ($\pm 10,000$ SF) at the Timber Creek Village Area which currently house ticket sales and rental, retail, and food services.

APN: 026-270-034

Applicant: Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort

Supervisorial District: 3

Location: 33611 Kirkwood Meadows Dr. Kirkwood, CA 95646

REVIEW: As part of the preliminary review process, this project is being sent to State, Tribal, and

local agencies for their review and comment. The Technical Advisory Committee (TAC) will review the project application for completeness and determination of the appropriate environmental document for the project during its regular meeting on Thursday, **October**

17, 2024 at 1:00 p.m. in the Board of Supervisors Chambers at the County Administration Building, 810 Court Street, Jackson, California as well as via

teleconference.

**In accordance with Public Resources Code Section 21080.3.1, this notice constitutes formal notification to those tribes requesting project notification. This notification begins the 30-day time period in which California Native American tribes have to request consultation.

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PLANNING DEPARTMENT Community Development Agency

County Administration Center 810 Court Street • Jackson, CA 95642-2132 Telephone: (209) 223-6380

> Website: www.amadorgov.org E-mail: planning@amadorgov.org

APPLICATION PROCEDURE FOR USE PERMIT

A Public Hearing before the Planning Commission will be scheduled after the following information has been completed and submitted to the Planning Department Office:

/	1. Co	mplete the following:	
	Name of Applicant Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort		
	Mailing Address C/O Frederick Newberry, PO Box 1, Kirkwood, CA 95646		
	Kirkwood Mountain Resort Timber Creek Base Area Tent Facility		
	Phone Number 530.559.2136		
	Assessor Parcel Number 026-270-034		
	Us	e Permit Applied For:	
<u>/</u>	2.	Attach a letter explaining the purpose and need for the Use Permit.	
	3.	Attach a copy of the deed of the property (can be obtained from the County Recorder's Office).	
	4.	If Applicant is not the property owner, a consent letter must be attached.	
	5.	Assessor Plat Map (can be obtained from the County Surveyor's Office).	
V	6.	Plot Plan (no larger than 11" X 17") of parcel showing location of requestin relation to property lines, road easements, other structures, etc. (see Plot Plan Guidelines). Larger map(s) or plans may be submitted if a photo reduction is provided for notices, Staff Reports, etc. The need is for easy, mass reproduction.	
	7. - -	Planning Department Filing Fee: \$1.184 Environmental Health Review Fee: \$ Public Works Agency Review Fee: \$ Amador Fire Protection District Fee: \$ Discretionary permits may be subject to a CA Fish & Wildlife fee: \$	
/	8.	Complete an Environmental Information Form.	
/	9.	Sign Indemnification Form.	



October 4, 2024

Chuck Beatty
Amador County Planning Department
500 Argonaut Lane
Jackson, California 95642

Subject: Kirkwood Mountain Resort | Timber Creek Base Area Tent Facility

Minor Conditional Use Permit (CUP) Application

Dear Mr. Beatty:

Heavenly Valley Limited Partnership, dba Kirkwood Mountain Resort is requesting a Minor Conditional Use Permit (CUP), to supersede the existing CUP (UP-18;15). This new CUP would allow for the reskinning of the existing Timber Creek Base Area tent structures and provide additional time to re-envision the Timber Creek base area given anticipated improvements in the immediate vicinity.

The approval of this CUP and reskinning the existing tent structures would facilitate the continued operation of the base facility structures that house critical operations, including ski/board rental operations, retail, food service, ticket sales and restroom facilities. These facilities support approximately 60% of skier visits on busy weekends. The range of services provide the fundamental purpose and need of a ski resort base area operation and the guest experience would be significantly diminished without them.

Kirkwood has not yet finalized capital plans for replacing the tent structures and intends to develop a more comprehensive plan. This plan may involve collaboration with surrounding developers to ensure the Timber Creek Base Area evolves in a cohesive and thoughtful manner, in harmony with current and future developments.

Kirkwood plays a significant role in our recreation economy for residents and visitors alike and believe the tent structures serve their purpose in a cost-effective way that allows us to deliver the goods and services our guests seek. While we continue to reimagine the Timber Creek base area and develop a comprehensive plan that complements and considers adjacent development and uses in the valley, we respectfully request approval for the continued use and reskinning of these temporary structures.

Thank you for your consideration.

—Signed by: Frederick Newberry

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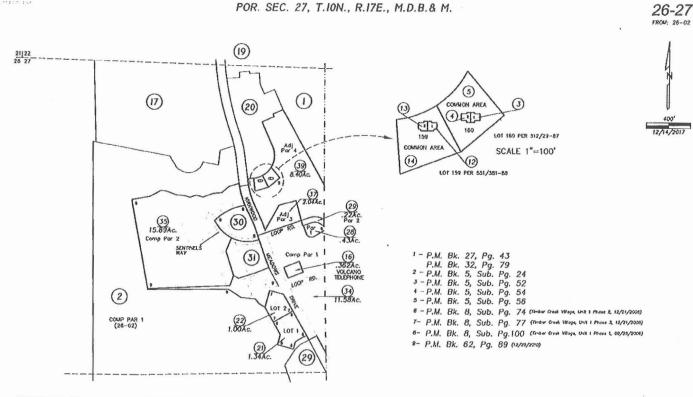
Frederick "Ricky" Newberry (He/Him)

Vice President & General Manager

Kirkwood Mountain Resort | Vail Resorts, Inc.

fnewberry@vailresorts.com, Office: 209.258.7202

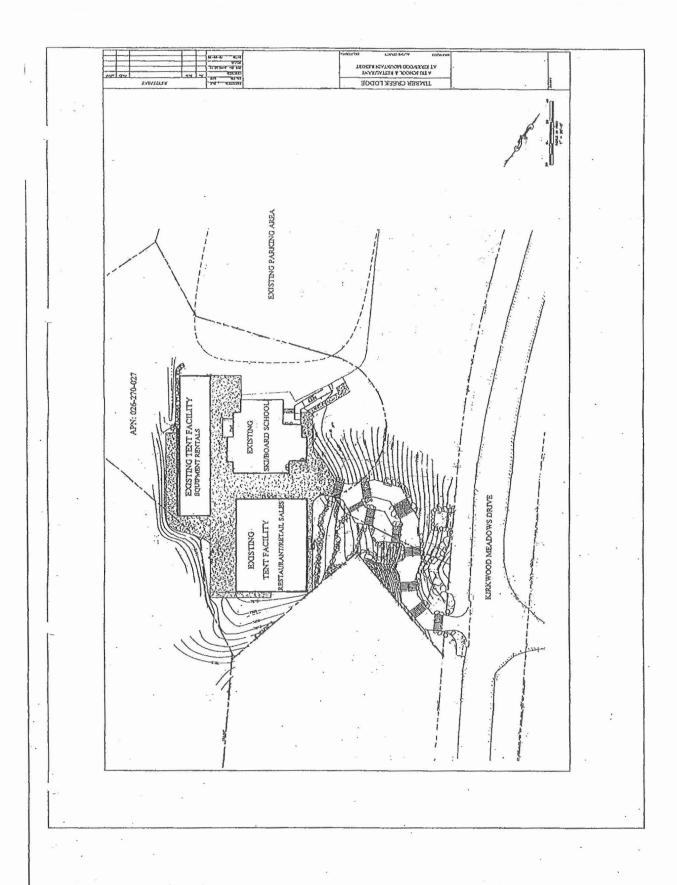
POR. SEC. 27, T.ION., R.ITE., M.D.B.& M.



NOTE-Assessor's Block Numbers Shown in Ellipses. Assessor's Parcel Numbers Shown in Circles.

39 Assessor's Map Bk. 26, Pg. 27 County of Amador, Calif.





ENVIRONMENTAL INFORMATION FORM

To be completed by applicant; use additional sheets as necessary.

Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Date Filed: 10/4/24	File No.
Applicant/	
Developer Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort	Landowner Same
Address PO Box 1, Kirkwood, CA 95646	Address
Phone No. 530.559.2136	Phone No
Assessor Parcel Number(s) 026-270-034	
Existing Zoning District PD - MF/C - Multi-Family Resi	dential/Commercial
Existing General Plan Kirkwood Specific Plan	
	ner public approvals required for this project, including agencies None

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

- 1. Site Size
- 2. Square Footage of Existing/Proposed Structures
- 3. Number of Floors of Construction
- 4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
- 5. Source of Water
- 6. Method of Sewage Disposal
- 7. Attach Plans
- 8. Proposed Scheduling of Project Construction
- 9. If project to be developed in phases, describe anticipated incremental development.
- 10. Associated Projects
- 11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
- 12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
- 13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
- 14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
- 15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
- 16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES	NO		
	'	17.	Change in existing features or any lakes or hills, or substantial alteration of ground contours.
	/	18.	Change in scenic views or vistas from existing residential areas, public lands, or roads.
	/	19.	Change in pattern, scale, or character of general area of project.
	/	20.	Significant amounts of solid waste or litter.
		21.	Change in dust, ash, smoke, fumes, or odors in the vicinity.
	'	22.	Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
	/	23.	Substantial change in existing noise or vibration levels in the vicinity.
	/	24.	Site on filled land or has slopes of 10 percent or more.
	'	25.	Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
		26.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
	'	27.	Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
	/	28.	Does this project have a relationship to a larger project or series of projects?
ENVIRONMENTAL SETTING 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned). 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned). 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned). Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my ability, and belief.			
Date		Oct-	-03-2024 Frederick Newberry
_ 4.0			(Signature)

Mountain Resort

Kirkwood Mountain Resort | Timber Creek Base Area Tent Facility Environmental Information Form Addendum October 4, 2024

Project Description

- 1. Site Size: APN is 11.58 acres
- 2. Size of existing structures: 10,000 sf
- 3. Number of Floors of Construction: 1
- 4. Off-street parking: Visitor parking in Chair 7 lots and along Kirkwood Meadows Drive.
- 5. Source of water: Kirkwood Meadows Public Utilities District
- 6. Method of Sewage Disposal: Kirkwood Meadows Public Utilities District
- 7. Attach plans: see attached
- 8. Proposed Construction Schedule: Reskin Tents Summer 2025
- 9. Construction Phasing/Incremental Development: None
- 10. Associated Projects: None
- 11. Subdivision/Land Division Projects: NA
- 12. Residential Projects: NA
- 13. Commercial Project: ski/board rental operations, retail, food service, ticket sales and restroom facilities from existing tent structures
- 14. Industrial Projects: NA15. Institutional Projects: NA
- 16. Variance/Rezoning/UP Requirements: New Minor Conditional Use Permit

Environmental Setting

- 17. Project Site: Existing facility, zoned for multi-family/commercial development in the 2003 Specific Plan. Existing tent structures are immediately west and south of the existing "Mighty Mountain" youth ski school building.
- 18. Surrounding Property: Sentinels West Townhomes (18 units) under construction to the north; Thunder Mountain Lodge (67 units) on hold to the south; ski resort to the west; parking, service/shop, and employee housing to the east.
- 19. Open Hazardous Excavations: None

INDEMNIFICATION

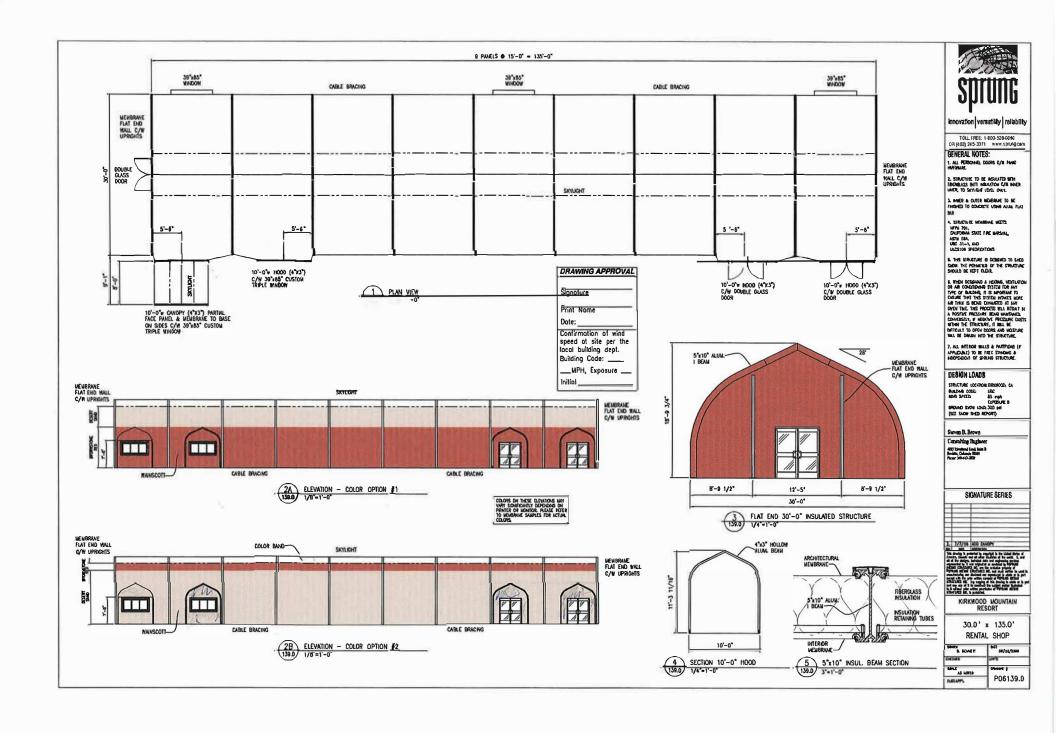
Project: Kirkwood Mountain Resort | Timber Creek Base Area Tent Facility

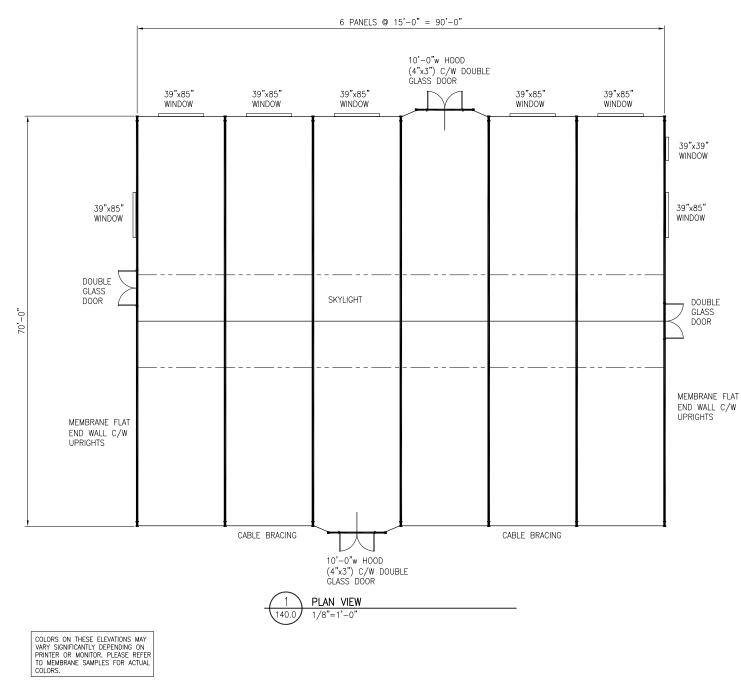
In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

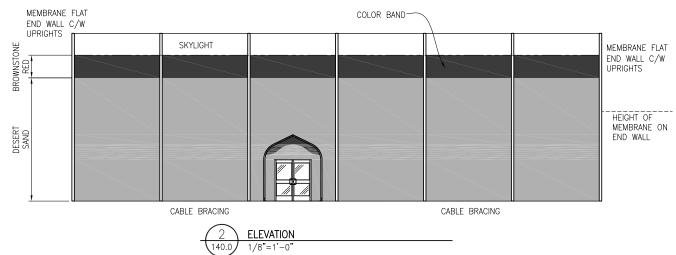
- 1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The County in its sole discretion may hire outside counsel to handle its defense or may handle the matter internally. Indemnification also includes paying for the County's defense if it elects to hire outside counsel. Indemnification also includes compensating the County for staff time associated with the litigation. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
- 2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.
- 3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

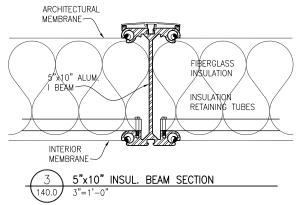
IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

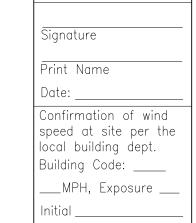
Applicant:	Owner (if different than Applicant):	
Signed by: Frederick Newberry		
Signature Vice President & General Manager K		



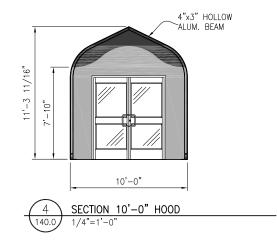


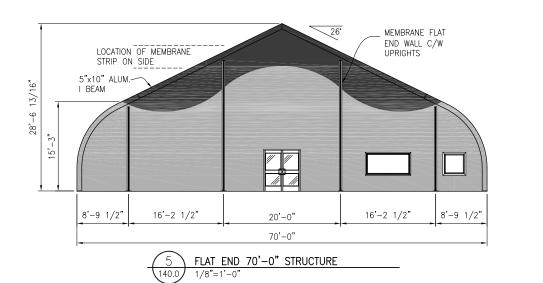






DRAWING APPROVAL







TOLL FREE: 1-800-528-9899 OR (403) 245-3371 www.sprung.com

GENERAL NOTES:

1. ALL PERSONNEL DOORS C/W PANIC HARDWARE.

- 2. STRUCTURE TO BE INSULATED WITH FIBERGLASS BATT INSULATION C/W INNER LINER, TO SKYLIGHT LEVEL ONLY.
- 3. INNER & OUTER MEMBRANE TO BE FINISHED TO CONCRETE USING ALUM. FLAT BAR
- 4. STRUCTURE MEMBRANE MEETS: NFPA 701, CALIFORNIA STATE FIRE MARSHAL, ASTM E84, UBC 31-1, AND ULCS109 SPECIFICATIONS
- 5. THIS STRUCTURE IS DESIGNED TO SHED SNOW. THE PERIMETER OF THE STRUCTURE SHOULD BE KEPT CLEAR.
- 6. WHEN DESIGNING A HEATING, VENTILATION OR AIR CONDITIONING SYSTEM FOR ANY TYPE OF BUILDING, IT IS IMPORTANT TO ENSURE THAT THIS SYSTEM INTAKES MORE AIR THAN IS BEING EXHAUSTED AT ANY GIVEN TIME. THIS PROCESS WILL RESULT IN A POSITIVE PRESSURE BEING MAINTAINED. CONVERSELY, IF NEGATIVE PRESSURE EXISTS WITHIN THE STRUCTURE, IT WILL BE DIFFICULT TO OPEN DOORS AND MOISTURE WILL BE DRAWN INTO THE STRUCTURE.
- 7. ALL INTERIOR WALLS & PARTITIONS (IF APPLICABLE) TO BE FREE STANDING & INDEPENDENT OF SPRUNG STRUCTURE.

DESIGN LOADS

STRUCTURE LOCATION: KIRKWOOD, CA
BUILDING CODE: UBC
WIND SPEED: 85 mph
EXPOSURE B
GROUND SNOW LOAD: 300 psf
(SEE SNOW SHED REPORT)

Steven B. Brown

Consulting Engineer 4885 Riverbend Road, Suite B Boulder, Colorado 80301 Phone: 303-442-2009

SIGNATURE SERIES

1		SWAP WINDOW & DOOR
5.		REVISE COLOR PATTERN
2.	7/7/06	REPLACE DGD W/ WINDOW
īV.	DATE	DESCRIPTION

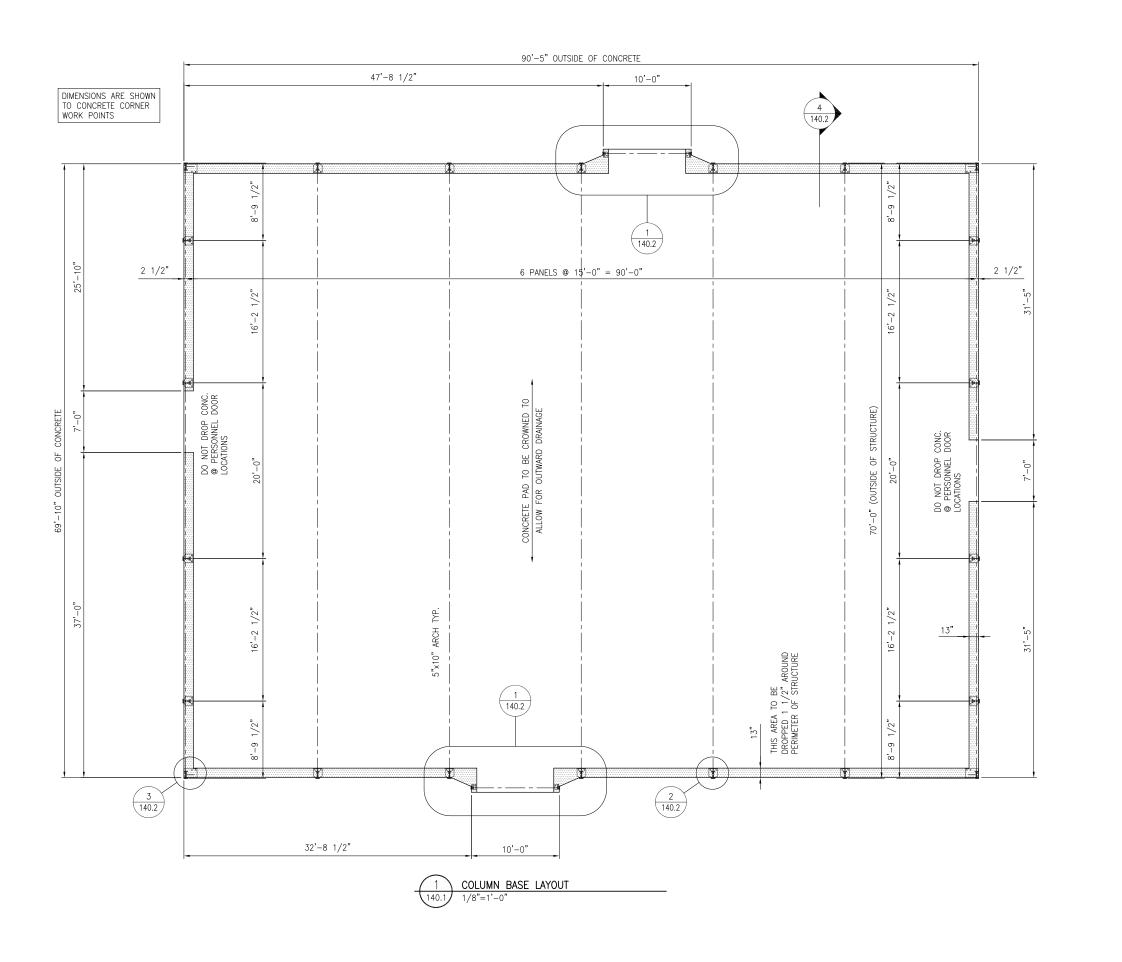
INS. IDAGE DESCRIPTION

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KIRKWOOD MOUNTAIN RESORT

70.0' x 90.0' DAYLODGE

DRAWN	DATE OR (SOCIAL
D. BENNETT	06/28/2006
CHECKED	APP'D
SCALE	DRAWING #
AS NOTED	
CUST.APP'L	P06140.0





TOLL FREE: 1-800-528-9899 OR (403) 245-3371 www.sprung.com

GENERAL NOTES:

1. MIN. 3000psi CONCRETE.

- 2. OUTER MEMBRANE TO BE FINISHED TO CONCRETE USING ALUM. FLAT BAR
- 3. EXPOSED CONCRETE TO BE FINISHED ACCORDINGLY.
- 4. CLIENT TO ENSURE CONCRETE REINFORCING DOES NOT INTERFERE WITH ANCHOR BOLTS.

Steven B. Brown

Consulting Engineer 4885 Riverbend Road, Suite B Boulder, Colorado 80301 Phone: 303-442-2009

SIGNATURE SERIES

2.	7/7/06	REPLACE DGD W/ WINDOW
REV.	DATE	DESCRIPTION

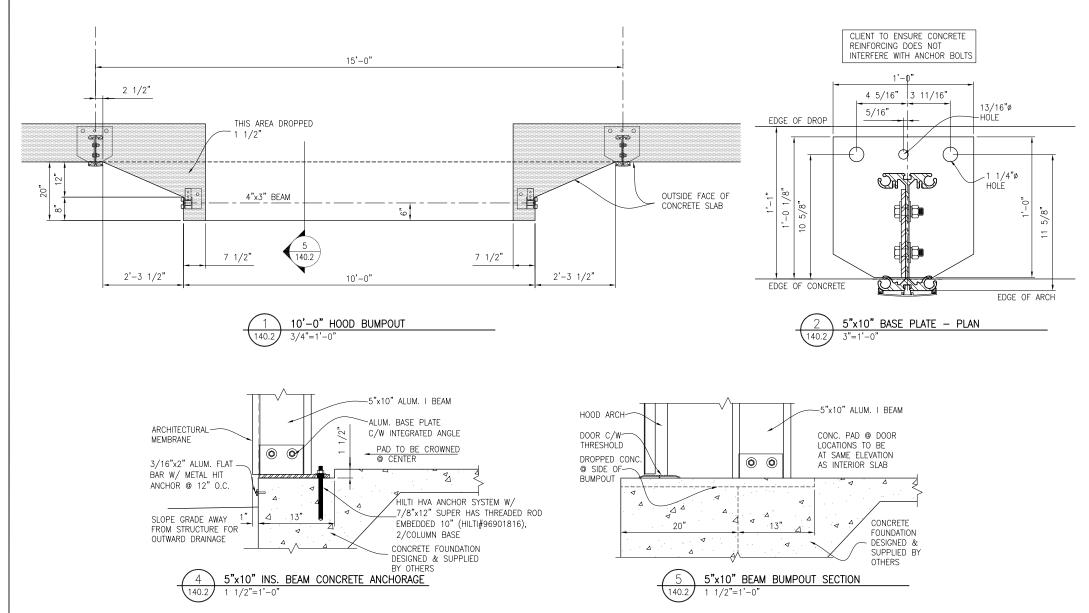
REV. DATE DESCRIPTION
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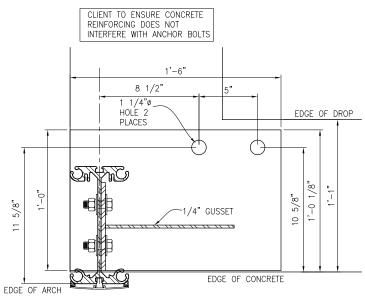
KIRKWOOD MOUNTAIN RESORT

70.0' x 90.0' COLUMN BASE LAYOUT

DRAWN	DATE	
D. BENNETT	06/28/2006	
CHECKED	APP'D	
SCALE	DRAWING #	
AS NOTED		
CUST.APP'L	P06140.1	

Docusign Envelope ID: A7EBEB32-C8C9-4007-BCC9-F4BF429CD8E8





5"x10" INS. CORNER BASE PLATE - PLAN
3"=1'-0"



TOLL FREE: 1-800-528-9899 OR (403) 245-3371 www.sprung.com

Steven B. Brown

Consulting Engineer
4885 Riverbend Road, Suite B
Boulder, Colorado 80301
Phone: 303-442-2009

SIGNATURE SERIES

2.	7/7/06	REPLACE DGD W/ WINDOW
SEV.	DATE	DESCRIPTION

REV. DATE INCESSEPTION
This drawing is protected by coparight in the United States of
America, Canada and all other countries of the world. It, and
all of the designs, technical data and engineering services
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KIRKWOOD MOUNTAIN RESORT

70.0' x 90.0' CONCRETE DETAILS

DRAWN	DATE	
D. BENNETT	06/28/2006	
CHECKED	APP'D	
SCALE	DRAWING #	
AS NOTED		
CUST.APP'L	P06140.2	









USE PERMIT CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM FOR

<u>Heavenly Valley Limited Partnership/</u> <u>Kirkwood Mountain Resort</u> Timber Creek Temporary Sprung Structures Use Permit Extension

ADDRESS: PO Box 1, Kirkwood, CA 95646

PHONE: (209)258-6000

APN: 026-270-034 **USE PERMIT NO.:** UP-18;5-1

PLANNING COMMISSION DATE OF APPROVAL:

PROJECT DESCRIPTION AND LOCATION: Use Permit to allow a conditional ten-year extension (see COA #6 below) for the continued use of two existing engineered Sprung tent facilities totaling approximately 10,000 square feet in size to continue to house rentals, retail food service, and ticket operations at the Timber Creek Village (APN 026-270-034). Located on the west side of Kirkwood Meadows Drive about 3/4 mile south of Highway 88, in the Timber Creek Village area of Kirkwood Mountain Resort.

CONDITIONS OF APPROVAL

- 1. This Use Permit shall not become valid, nor shall any uses commence until such time as the Permittee is either found to be in compliance with or has agreed, in writing, to a program of compliance acceptable to the County. At that time the permit shall be signed by the Planning Department and the use may commence. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- 2. The issuance of this Use Permit is expressly conditioned upon the permittee's compliance with all the provisions contained herein and if any of the provisions contained herein are violated, this Use Permit may be subject to revocation proceedings as set forth in Amador County Code. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- 3. The project shall be substantially the same as approved. Any substantial changes must be submitted as a Use Permit amendment for approval by the Amador County Planning Commission. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- 4. Prior to issuance of the Use Permit, obtain all applicable permits from the Environmental Health Department; Building Department; and Public Works Agency. THE ENVIRONMENTAL HEALTH DEPARTMENT, BUILDING DEPARTMENT, DEPARTMENT OF TRANSPORTATION & PUBLIC WORKS, AND THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- 5. This request is granted for an initial period not to exceed five-years from the date of issuance, thereby expiring on 06/13/23, during which time the resort operator shall continue to plan for the development of the Timber Creek Village area, consistent with the 2003 Kirkwood Specific Plan and 2003 Kirkwood Specific Plan Environmental Impact Report. The permittee shall report annually to the Planning Commission, on or by June 13, as to the current progress and forecasting of development plans for permanent facilities serving the Timber Creek Village area of Kirkwood Mountain Resort. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

CONDITIONS OF APPROVAL AND

MITIGATION MONITORING PROGRAM FOR

- <u>Kirkwood Mountain Resort Timber Creek Temporary Sprung Structures Use Permit Extension</u>
 - 6. Should the permittee wish to exercise the one-time additional five year extension (6/13/2023 through 6/13/2028) the following requirements shall be met:
 - a) Prior to June 13, 2023 the permittee must provide Amador County Planning Staff and the Tri-County Technical Advisory Committee (TC-TAC) a phasing/development plan for the Timber Creek Village area;
 - b) Prior to June 13, 2025 a building permit application to the Amador County Building Department must be submitted for the future replacement of the Timber Creek sprung tent structures with permanent facilities to serve the Timber Creek Village area.
 - c) Prior to June 13, 2026 said building permit(s) must be issued.
 - d) Failure to meet any of the above described deadlines, or to maintain an active building permit after June 13, 2026, will result in the initiation of revocation proceedings pursuant to Amador County Code §19.56.060. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
 - 7. If in the event of revocation pursuant to d) above; or, if at any time it is realized by the resort they will not be able to meet any of the above described requirements (as listed in Condition of Approval #6), the permittee may elect to submit a new Use Permit application to be considered for approval by Amador County to extend the temporary use of the tent facilities. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

STAFF REPORT TO: TRI-COUNTY TECHNICAL ADVISORY COMMITTEE FOR MEETING OF: OCTOBER 11, 2024

ITEM ___ Request for a Use Permit Reapplication (UP-24;10-2 KMR-Timber Creek Base Area Tent Facility) for the existing temporary sprung tent structures (±10,000 SF) at the Timber Creek Village Area which currently house ticket sales and rental, retail, and food services. APN: 026-270-034

Applicant: Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort

Supervisorial District: 3

Location: 33611 Kirkwood Meadows Dr. Kirkwood, CA 95646

A. General Plan Designation: SPA, Special Planning Area

B. Present Zoning: PD-MF/C, Planned Development, Multi-Family Residential/Commercial (Kirkwood Specific Plan)

C. Acreage Involved: 11.58 acres

- **D. Description:** The Timber Creek Lodge was formerly located on what is now the abandoned construction site for the Thunder Mountain Lodge condominium project, immediately south of the current Timber Creek facilities. In order to temporarily house the services that were offered in the former Timber Creek facility, the applicant requested a temporary use permit for the placement of two engineered sprung tent facilities totaling approximately 10,000 square feet in size. The Amador County Planning Commission granted this request with a five-year sunset date on June 13, 2006. A five-year renewal was granted in 2011, with a provision to automatically allow an additional five years (to 2021) which was then further extended another 5 years (to 2025-26), subject to seven Conditions of Approval, including the following deadlines for securing a building permit for permanent facilities:
- "... 5. This request is granted for an initial period not to exceed five-years from the date of issuance, thereby expiring on 06/13/23, during which time the resort operator shall continue to plan for the development of the Timber Creek Village area, consistent with the 2003 Kirkwood Specific Plan and 2003 Kirkwood Specific Plan Environmental Impact Report. The permittee shall report annually to the Planning Commission, on or by June 13, as to the current progress and forecasting of development plans for permanent facilities serving the Timber Creek Village area of Kirkwood Mountain Resort.
 - 6. Should the permittee wish to exercise the one-time additional five year extension (6/13/2023 through 6/13/2028) the following requirements shall be met:
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 - b) Prior to June 13, 2025 a building permit application to the Amador County Building Department must be submitted for the future replacement of the Timber Creek sprung tent structures with permanent facilities to serve the Timber Creek Village area.
 - c) Prior to June 13, 2026 said building permit(s) must be issued.
 - d) Failure to meet any of the above described deadlines, or to maintain an active building permit after June 13, 2026, will result in the initiation of revocation proceedings pursuant to Amador County Code §19.56.060. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

7. If in the event of revocation pursuant to d) above; or, if at any time it is realized by the resort they will not be able to meet any of the above described requirements (as listed in Condition of Approval #6), the permittee may elect to submit a new Use Permit application to be considered for approval by Amador County to extend the temporary use of the tent facilities."

The applicant is exercising their option to submit a new request per COA #7, above.

Previous Planning Commission Findings:

- 1. The granting of this Use Permit is consistent with County Code Section 19.56.040 (Use Permit Findings) in that the project proposed with conditions will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County; and
- 2. A review of the Use Permit was conducted by staff and found the project is not subject to CEQA per Section 15183 (Projects Consistent With a Community Plan). CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies. A Notice of Exemption will be filed with the County Recorder.
- **E. Staff Review and Recommendation:** As part of the preliminary review process, this project is being sent to County staff and local agencies for their review and comment. Project recommendations and findings will be forwarded to the Amador County Planning Commission for their consideration. At this time staff anticipates the project will be Categorically Exempt from CEQA.