

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: NOVEMBER 12, 2024**

ITEM 2 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 sq. ft.) at the Timber Creek Village Area which currently house ticket sales, rental, retail, and food services. This application is for the structures to remain for an additional 5 years plus 5 years conditionally (10 years extension, total). The project is proposed to be categorically exempt from CEQA. APN: 026-270-034

Applicant: Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort

Supervisory District: 3

Location: 33611 Kirkwood Meadows Dr. Kirkwood, CA 95646

- A. General Plan Designation:** SPA, Special Planning Area
- B. 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 (UP-06;3-8) 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 followed by a series of extensions resulting in the current Use Permit expiration date of June 13, 2026, per Condition #7 of the Conditions of Approval (COAs) for Use Permit UP-18;5-1 (attached).
- E. Use Permit Extension History:** The original use permit (UP-06;3-8) was issued in 2006 with a five-year sunset date. A five-year renewal was granted in 2011 (UP-11;1-4), with a provision to automatically allow an additional five years (to 2021) which was then further extended another 5 years (UP-18;5-1) with a conditional extension through June 13, 2028, else the permittee may elect to submit a new Use Permit application for extended temporary use of the tent facilities prior to that date. The applicant is exercising the option to submit a new request per COA #7 within the time frame recognizing the June 13, 2026 expiration.
- F. Prior Review and Recommendation(s):** The Tri-County Technical Advisory Committee (TC-TAC) reviewed this application on October 11, 2024 and had no objection to the Planning Commission issuing the resubmitted use permit with the same conditions of approval as the previous use permit, with the exception that the dates be moved forward to reflect a 5-year extension and 5-year conditional extension, as reflected by the draft Conditional of Approval included in the Staff Report. Amador County Technical Advisory Committee (TAC) reviewed the application on October 21, 2024 and had no technical objections to the issuance of the permit and amended conditions as proposed, and recommended the project be found categorically exempt from CEQA under Section 15302 Class 2(b) for “Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity,” Section 16183 “Projects Consistent with a Community Plan, and Section 15061 (b)(3) “common sense exemption/General Rule.”
- G. Planning Commission Action:** The Planning Commission’s actions include opening the Public Hearing, making determination on the adequacy of the proposed categorical exemption(s) from CEQA, and making a decision to approve or deny the Use Permit and Conditions of Approval. If the Planning Commission elects to approve the use permit with the 5-year extension and additional 5-year conditional extension as proposed by the attached draft Conditions of Approval, the permit would

expire November 12, 2028 or alternatively November 12, 2033 with the satisfaction of the attached COAs.

H. Recommended Planning Commission Findings: If the Planning Commission approves the Use Permit, the following findings are recommended to accompany the project.

1. A review of the proposal was conducted by staff and the Technical Advisory Committee who, through their own research, found that the project will not have a significant effect on the environment.
2. There are no project-specific significant, unmitigated effects which are peculiar to the project or its site.
3. 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;
4. The proposal is consistent with the General Plan. The proposed Use Permit is consistent with the goals, objectives, and policies of the Land Use Element of General Plan and the Special Planning Area land use designation;
5. A review of the proposal was conducted by the Tri-County Technical Advisory Committee who found that the approval of the project would not be found inconsistent with the 2003 Kirkwood Specific Plan.
6. Findings included in the Staff Report reflect the Commission's independent judgment and analysis; and
7. A review of the Use Permit was conducted by staff and found the project is not subject to CEQA per the following exemptions:
 - a. 15302 Class 2(b) for "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced," including... (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
 - b. Section 16183 "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.
 - c. Section 15061 (b)(3) "common sense exemption/General Rule," (3) in that the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The application of this exemption requires that the Commission determine that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and that therefore, the activity is not subject to CEQA.

**Exhibit: Conditions of Approval (COAs) for Use Permit, UP-18;5-1;
Approved June 12, 2018**

USE PERMIT CONDITIONS OF APPROVAL

FOR

Heavenly Valley Limited Partnership/

Kirkwood Mountain Resort

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.

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.

DRAFT CONDITIONS OF APPROVAL

For Use Permit UP-24;10-2 KMR Timber Creek Base Area Tent Facility Reapplication

APPLICANT: Heavenly Valley Limited Partnership dba Kirkwood Mountain Resort

PROJECT LOCATION: 33611 Kirkwood Meadows Dr. Kirkwood, CA 95646

PROJECT DESCRIPTION: Request for a Use Permit Reapplication (UP-24;10-2 KMR-Timber Creek Base Area Tent Facility) for the existing temporary sprung tent structures ($\pm 10,000$ sq. ft.) at the Timber Creek Village Area which currently house ticket sales, rental, retail, and food services. This application is for the structures to remain for an additional 5 years plus 5 years conditionally (10 years extension, total). The project is proposed to be categorically exempt from CEQA. APN: 026-270-034

ENVIRONMENTAL DETERMINATION: Exempt

PLANNING COMMISSION APPROVAL DATE:

NOTE A: It is suggested the project applicant contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing these requirements. Improvement work shall not begin prior to the review and submission of the plans and the issuance of any applicable permits by the responsible County Department(s). The Inspector must have a minimum of 48 hours' notice prior to the start of any construction.

NOTE B: Information concerning this project can be obtained through the Amador County Planning Department,
810 Court Street, Jackson, CA 95642 (209) 223-6380.

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.

FINAL DRAFT

5. This request is granted for an initial period not to exceed five-years from the date of issuance, thereby expiring on November 12, 2028 (11/12/2028), 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 to the Planning Commission, on or by November 12, 2028, 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.

6. Should the permittee wish to exercise the one-time additional five year extension (11/12/2028 through 11/12/2033) the following requirements shall be met:
 - a) Prior to November 12, 2028 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 November 12, 2030 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 November 12, 2031 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 November 12, 2030, 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.

 Planning Commission Chairperson

 Date

 Applicant

 Date

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



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. Complete 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

Use Permit Applied For:

Private Academic School
 Private Nonprofit Recreational Facility
 Public Building and Use(s)
 Airport, Heliport
 Cemetery
 Radio, Television Transmission Tower
 Club, Lodge, Fraternal Organization
 Dump, Garbage Disposal Site
 Church
 OTHER Temporary Structure

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).

6. Plot Plan (no larger than 11" X 17") of parcel showing location of request in 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:

B298614CB8E34D4...

Frederick "Ricky" Newberry (He/Him)

Vice President & General Manager

Kirkwood Mountain Resort | Vail Resorts, Inc.

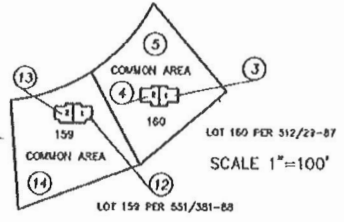
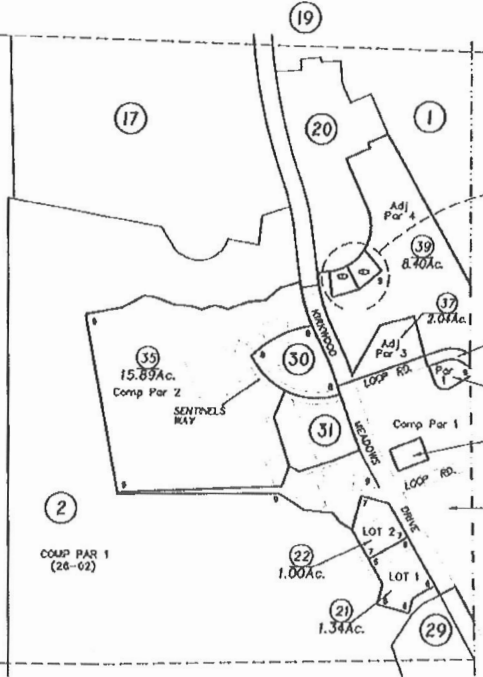
fnewberry@vailresorts.com, Office: 209.258.7202

P.O. Box 1
Kirkwood, CA 95646
www.kirkwood.com

POR. SEC. 27, T.10N., R.17E., M.D.B. & M.

26-27
FROM: 26-02

21|22
26 27



- 1 - P.M. Bk. 27, Pg. 43
P.M. Bk. 32, Pg. 79
- 2 - P.M. Bk. 5, Sub. Pg. 24
- 3 - P.M. Bk. 5, Sub. Pg. 52
- 4 - P.M. Bk. 5, Sub. Pg. 54
- 5 - P.M. Bk. 5, Sub. Pg. 56
- 6 - P.M. Bk. 8, Sub. Pg. 74 (Timber Creek Village, Unit 1 Phase 2, 12/21/2005)
- 7 - P.M. Bk. 8, Sub. Pg. 77 (Timber Creek Village, Unit 1 Phase 3, 11/21/2005)
- 8 - P.M. Bk. 8, Sub. Pg. 100 (Timber Creek Village, Unit 1 Phase 1, 09/21/2004)
- 9 - P.M. Bk. 62, Pg. 89 (02/01/2020)



IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

Map changes become effective with the 2018-2019 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

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.

James B. Rooney, County Assessor

General Information

APN: [Open Map](#)
 026-270-034-000
 Value Change Notice [Open](#)
 Situs Address:
 33611 KIRKWOOD MEADOWS DR
 KIRKWOOD CA 95646
 Mailing Address:
 390 INTERLOCKEN CRESCENT #1000
 BROOMFIELD CO 80021
 Legal Description:
 ADJ COMP PAR 3
 Use Type:
 COMMERCIAL
 Tax Rate Area: 052-029

Assessment

Year Assd: 2017
 Land: \$432,904
 Structure(s): \$1,022,736
 Other:
 Total Land and Improv: \$1,455,640
 HO Exempt?: N
 Exemption Amt:

Property Characteristics

Bedrooms:
 Baths (Full):
 Baths (Half):
 Bldg/Liv Area:
 Year Built:
 Lot Acres: 11.580
 Lot SqFt: 504,424

Recent Sale History

Recording Date:
 Document #: [View More History](#)
 Transfer Amount:



Natural Hazard Package



[Add to Cart](#) \$ 19.95
[View Sample](#)

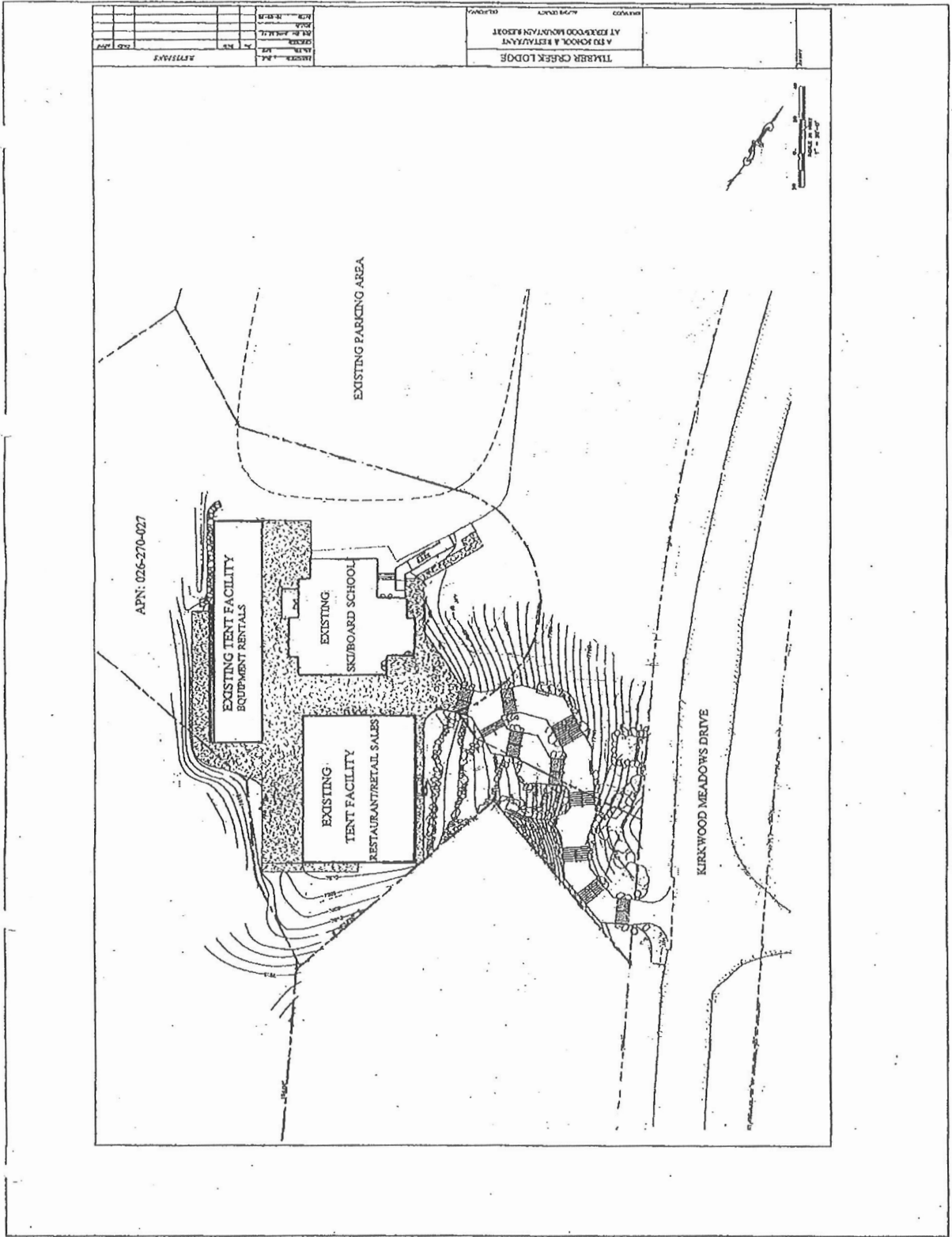
Full Property Detail



[Add to Cart](#) \$ 4.95
[View Sample](#)

[Property Reports](#)

**The information provided here is deemed reliable, but is not guaranteed.



ENVIRONMENTAL INFORMATION FORM

To be completed by applicant; use additional sheets as necessary.
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

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

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 Residential/Commercial

Existing General Plan Kirkwood Specific Plan

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal 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

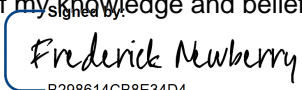
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of 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 knowledge and belief.

Date oct-03-2024


B298614CB8E34D4...
 (Signature)
 For Kirkwood 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: NA
15. 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:

B298614CB8E34D4...
Signature
Vice President & General Manager

Signature
Kirkwood Mountain Resort



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OR (402) 245-3371 www.sprung.com

GENERAL NOTES:

1. ALL PERSONNEL DOORS C/W FRAME W/INSULATION.
2. STRUCTURE TO BE INSULATED WITH FIBERGLASS BATT INSULATION C/W BARRIER UNDER TO DETACH-F LEVEL ONLY.
3. INNER & OUTER MEMBRANE TO BE TYPED TO CONCRETE USING ALUM. FLAT BAR.
4. STRUCTURE MEMBRANE MEETS: IAPCA 701, CALIFORNIA STATE FIRE MARSHAL, ASTM E84, UBC 31-1, AND LISTING SPECIFICATIONS.
5. THIS STRUCTURE IS DESIGNED TO SHOW. THE PERFORMANCE OF THE STRUCTURE SHOULD BE KEPT UNDER.
6. WHEN DESIGNED A HEATING, VENTILATION OR AIR CONDITIONING SYSTEM FOR ANY TYPE OF BUILDING, IT IS IMPORTANT TO CHECK THAT THIS SYSTEM PROVIDES MORE AIR THAN IS BEING EXHAUSTED AT ALL TIMES. THIS PROCESS WILL BE A POSITIVE PRESSURE BEING MAINTAINED. CONSEQUENTLY, 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 FIRE STOPPED & NON-COMBUSTIBLE OF SPRING STRUCTURE.

DESIGN LOADS

STRUCTURE (LOADING EXCEEDED) CA
BRAND CONC. 85 mph
8000 SPS125 85 mph
EXPLOSION D
SHOVED DOWN UNDER 200 psf
(SEE SNOW SHED REPORT)

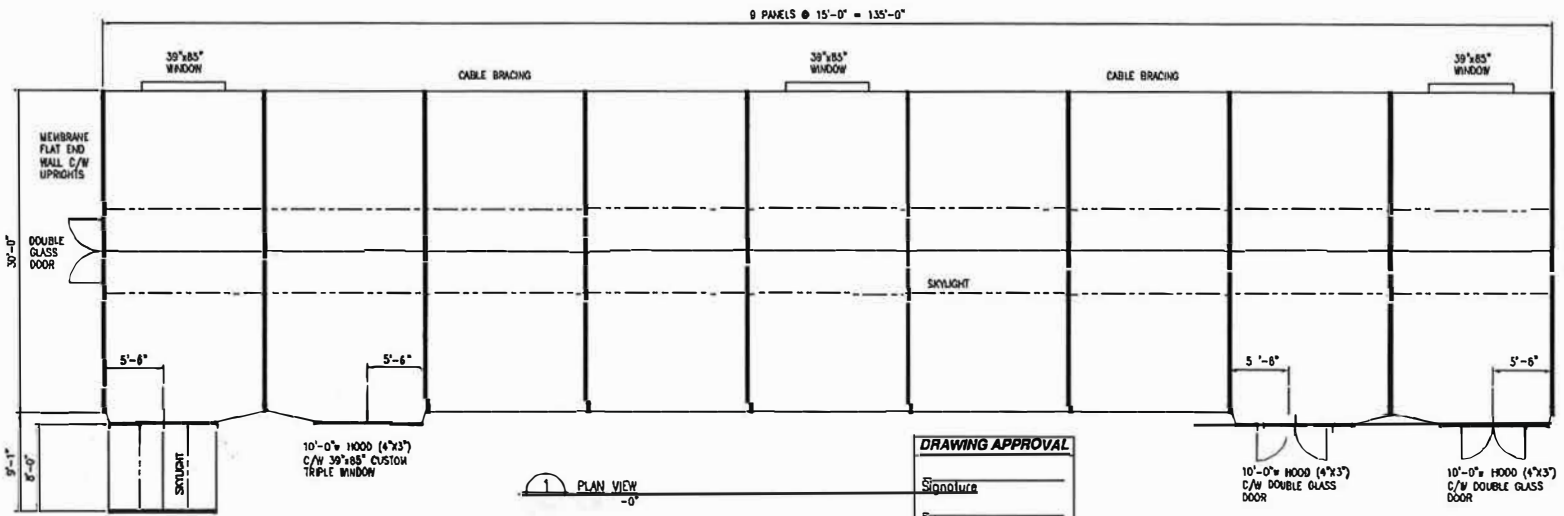
Shawn B. Brown
Consulting Engineer
4021 International Road, Suite 300
Boulder, Colorado 80504
Phone: 303-442-3829

SIGNATURE SERIES

1. 1/27/08 182 SHOPS
This drawing is provided by copyright to the listed owner of the project. It is not to be used for any other project without the written consent of the engineer. The engineer's responsibility is limited to the design of the structure as shown on this drawing. The engineer is not responsible for the construction of the structure or for the performance of the structure. The engineer is not responsible for the safety of the structure or for the safety of the people using the structure. The engineer is not responsible for the safety of the people using the structure.

KIRKWOOD MOUNTAIN
RESORT
30.0' x 135.0'
RENTAL SHOP

OWNER	KIRKWOOD MOUNTAIN RESORT	DATE	09/14/2006
DESIGNER	SHAWN B. BROWN	SCALE	AS SHOWN
DATE	09/14/2006	DRAWN BY	060139.0
SCALE	AS SHOWN	PROJECT	P06139.0



DRAWING APPROVAL

Signature _____

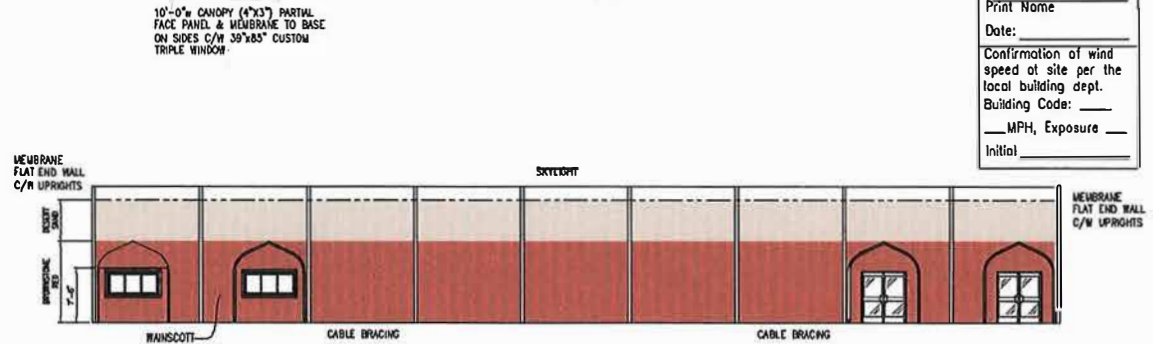
Print Name _____

Date: _____

Confirmation of wind speed at site per the local building dept.
Building Code: _____

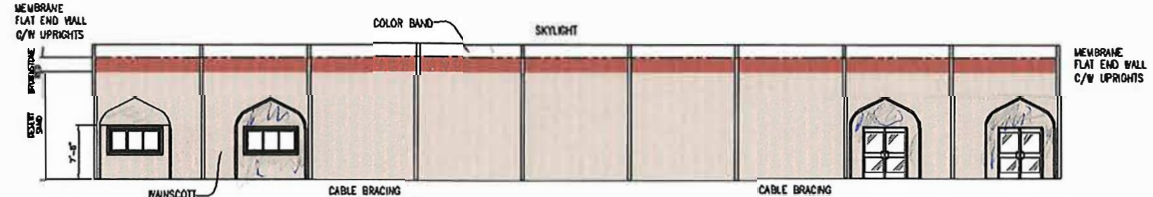
____ MPH, Exposure _____

Initial _____

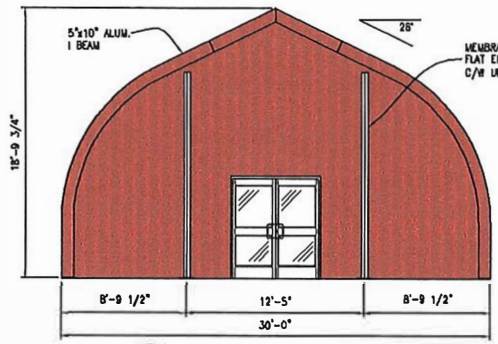


2A ELEVATION - COLOR OPTION #1
1/8" x 1'-0"

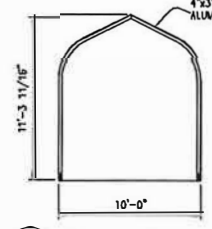
COLORS ON THESE ELEVATIONS MAY VARY SIGNIFICANTLY DEPENDENT ON FINISHES OF MATERIALS. PLEASE REFER TO MEMBRANE SAMPLES FOR ACTUAL COLORS.



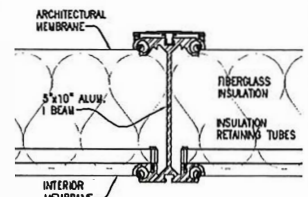
2B ELEVATION - COLOR OPTION #2
1/8" x 1'-0"



3 FLAT END 30'-0" INSULATED STRUCTURE
1/4" x 1'-0"



4 SECTION 10'-0" HOOD
1/4" x 1'-0"



5 5'x10" INSUL. BEAM SECTION
3'-1'-0"



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GENERAL NOTES:

- ALL PERSONNEL DOORS C/W PANIC HARDWARE.
- STRUCTURE TO BE INSULATED WITH FIBERGLASS BATT INSULATION C/W INNER LINER, TO SKYLIGHT LEVEL ONLY.
- INNER & OUTER MEMBRANE TO BE FINISHED TO CONCRETE USING ALUM. FLAT BAR
- STRUCTURE MEMBRANE MEETS:
NFPA 701,
CALIFORNIA STATE FIRE MARSHAL,
ASTM E84,
UBC 31-1, AND
ULCS109 SPECIFICATIONS
- THIS STRUCTURE IS DESIGNED TO SHED SNOW. THE PERIMETER OF THE STRUCTURE SHOULD BE KEPT CLEAR.
- 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.
- 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

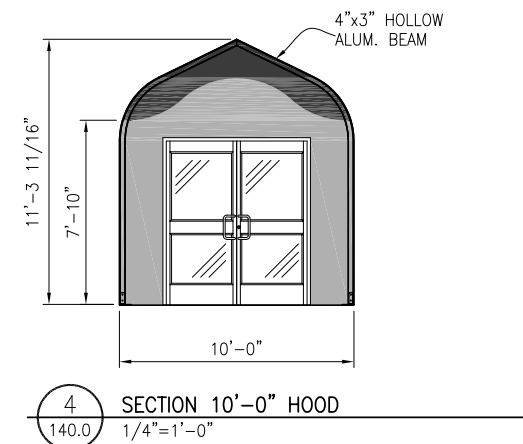
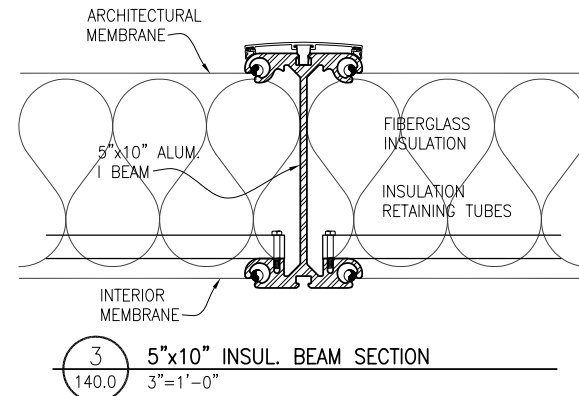
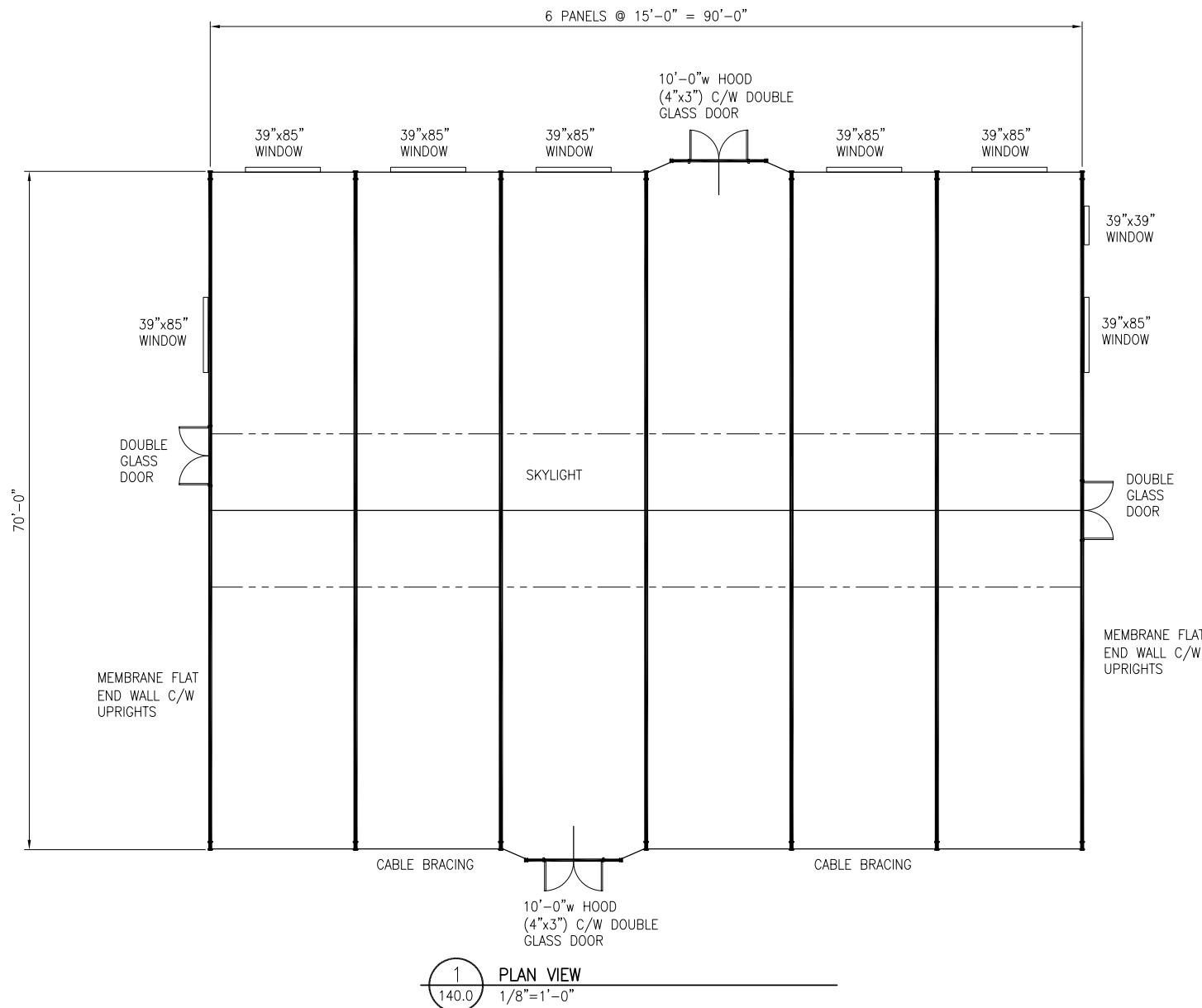
REV.	DATE	DESCRIPTION
4	7/28/06	SWAP WINDOW & DOOR
3	7/13/06	REVISE COLOR PATTERN
2	7/7/06	REPLACE DGD W/ WINDOW

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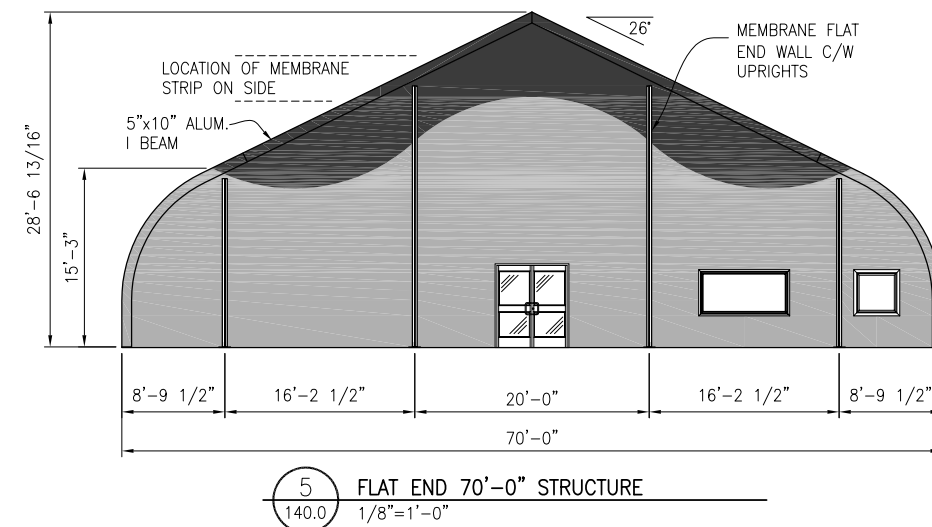
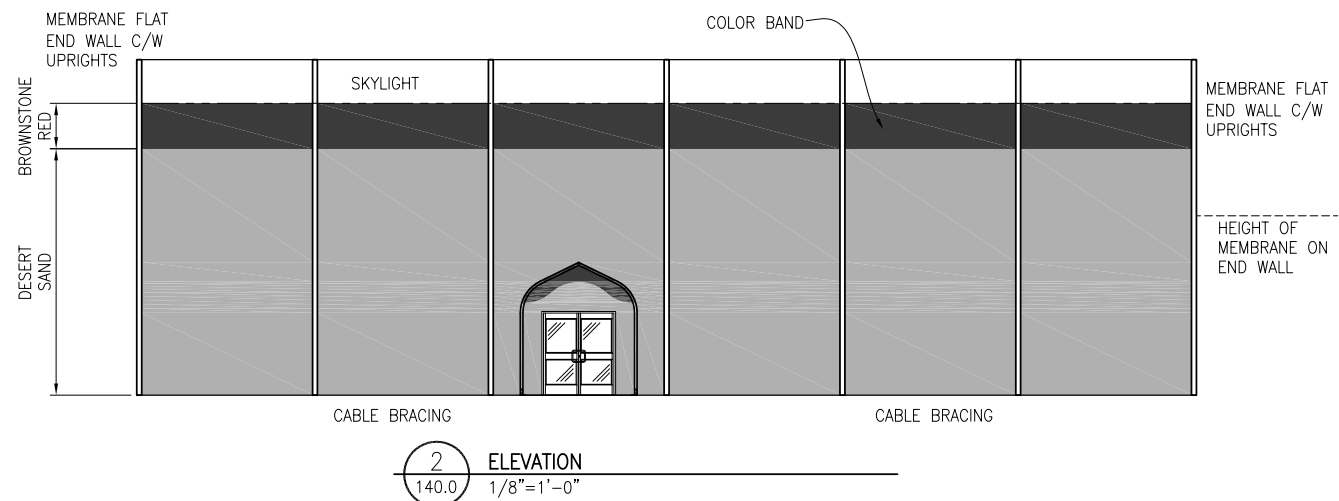
KIRKWOOD MOUNTAIN RESORT

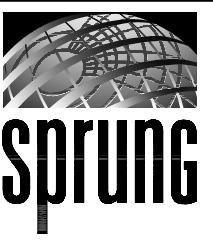
**70.0' x 90.0'
DAYLODGE**

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



COLORS ON THESE ELEVATIONS MAY VARY SIGNIFICANTLY DEPENDING ON PRINTER OR MONITOR. PLEASE REFER TO MEMBRANE SAMPLES FOR ACTUAL COLORS.

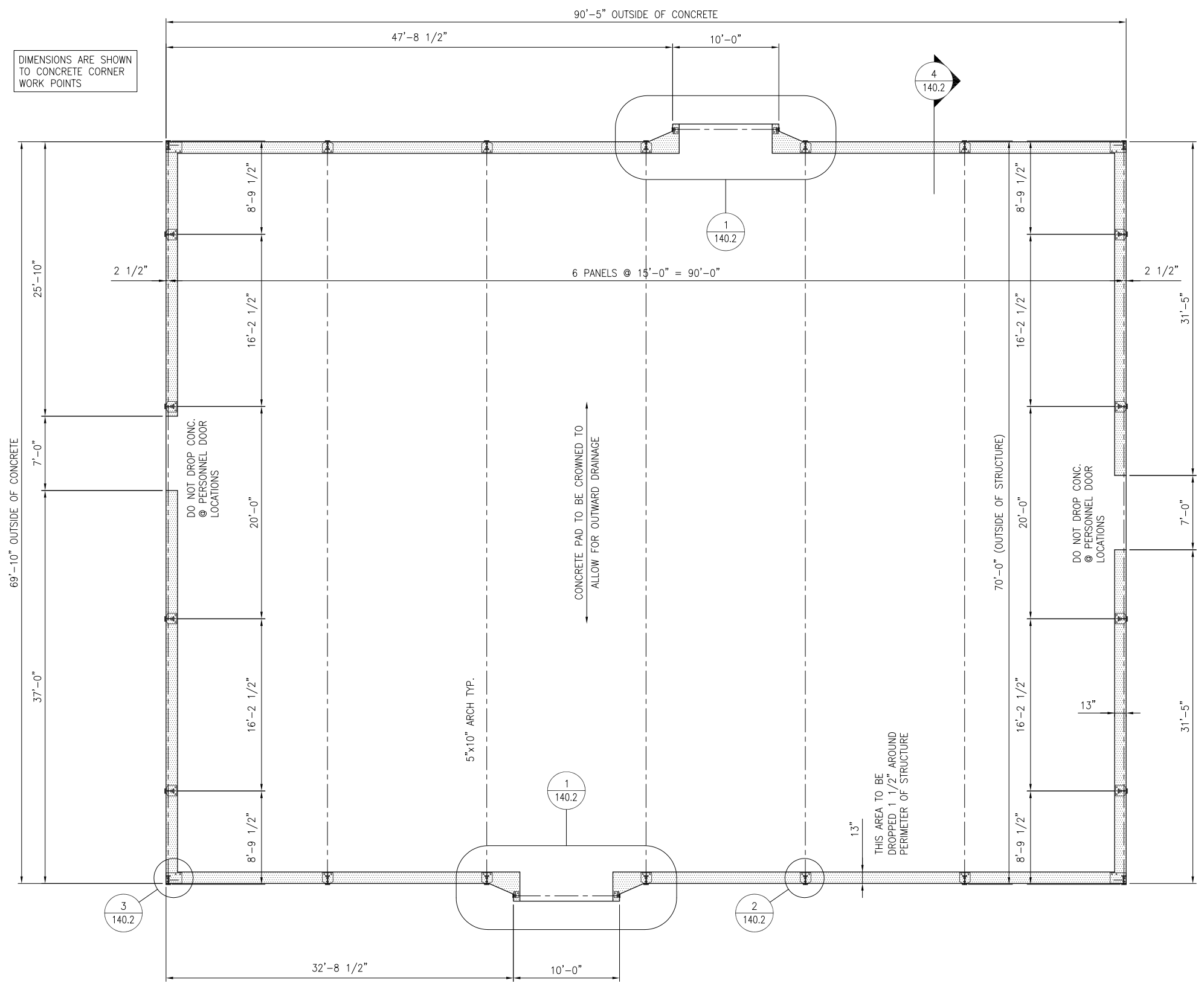




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- GENERAL NOTES:**
1. MIN. 3000psi CONCRETE.
 2. OUTER MEMBRANE TO BE FINISHED TO CONCRETE USING ALUM. FLAT BAR
 3. EXPOSED CONCRETE TO BE FINISHED ACCORDINGLY.
 4. CLIENT TO ENSURE CONCRETE REINFORCING DOES NOT INTERFERE WITH ANCHOR BOLTS.



1 COLUMN BASE LAYOUT
1/8"=1'-0"

Steven B. Brown
Consulting Engineer
4885 Riverhead Road, Suite B
Boulder, Colorado 80501
Phone: 303-442-2009

SIGNATURE SERIES

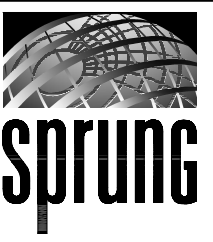
REV.	DATE	DESCRIPTION
2.	7/7/06	REPLACE DGD W/ WINDOW

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KIRKWOOD MOUNTAIN RESORT

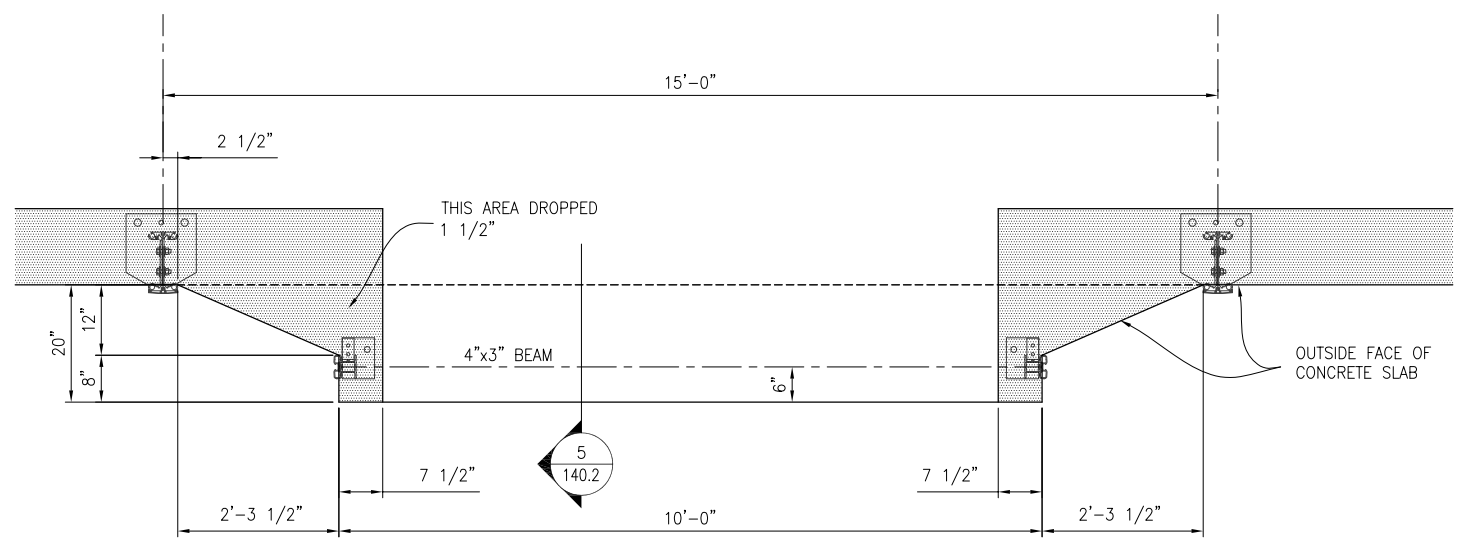
70.0' x 90.0'
COLUMN BASE LAYOUT

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

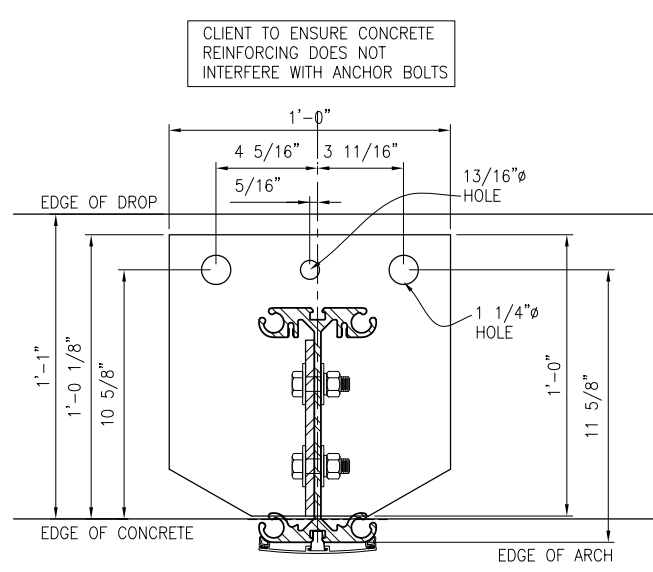


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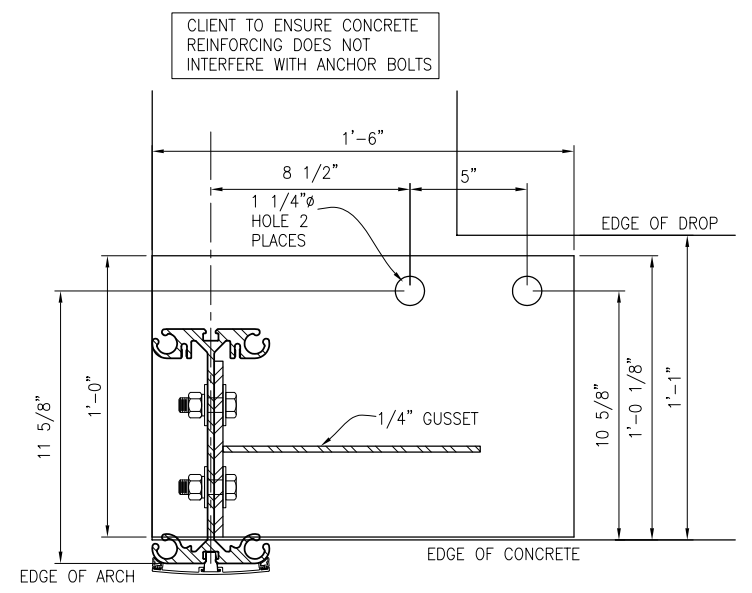
TOLL FREE: 1-800-528-9899
OR (403) 245-3371 www.sprung.com



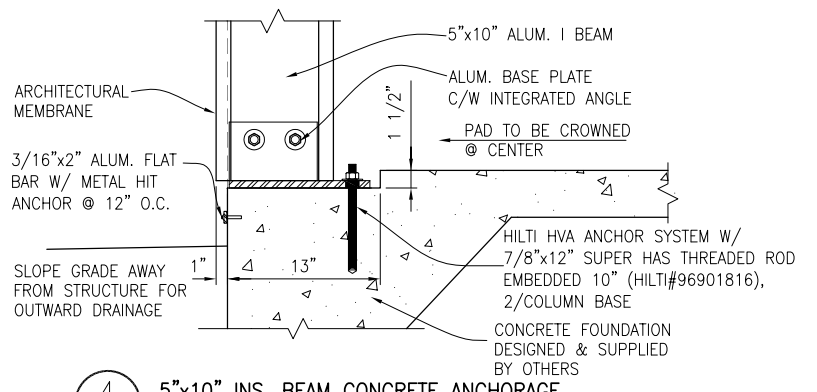
1 10'-0" HOOD BUMPOUT
3/4"=1'-0"



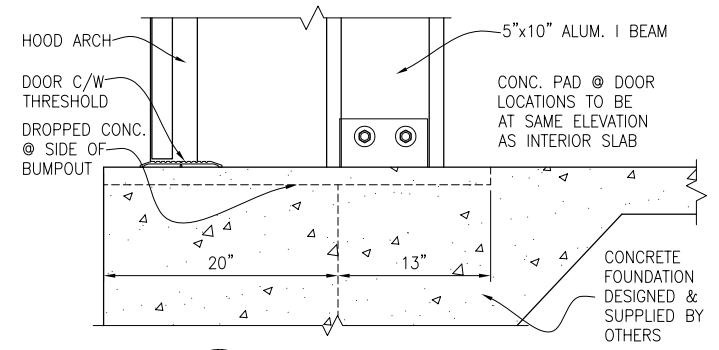
2 5"x10" BASE PLATE - PLAN
3"=1'-0"



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



4 5"x10" INS. BEAM CONCRETE ANCHORAGE
1 1/2"=1'-0"



5 5"x10" BEAM BUMPOUT SECTION
1 1/2"=1'-0"

Steven B. Brown
Consulting Engineer
4885 Riverhead Road, Suite B
Boulder, Colorado 80501
Phone: 303-442-2009

SIGNATURE SERIES

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

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KIRKWOOD MOUNTAIN RESORT

70.0' x 90.0'
CONCRETE DETAILS

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





AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
FAX: (209) 223-6254
WEBSITE: www.amadorgov.org
E-MAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Amador, State of California, has received an application for the project described in this notice.

PROJECT DESCRIPTION: 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

Supervisory District: 3

Location: 33611 Kirkwood Meadows Dr. Kirkwood, CA 95646

PUBLIC HEARING: Discussion and possible action on this project by the Amador County Planning Commission will take place following a public hearing scheduled for **November 12, 2023 at 7:00 p.m.** in the Board Chambers of the County Administration Center located at 810 Court St., Jackson, CA 95642. The meeting may be attended in person or via teleconference by dialing **669-900-6833** and using **meeting ID 537-512-9883**, or by using the following link: <https://zoom.us/j/5375128983>.

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted at the above address or at planning@amadorgov.org. Comments received prior to publication of the agenda will be included in the agenda packet. The agenda will be published online at www.amadorgov.org in the Agendas and Minutes section. Comments received after publication of the agenda will be distributed to the Commissioners prior to the meeting, and shall be subject to the same rules as would otherwise govern speaker comments at the meeting. However, be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the agenda is published, as detailed a review as those received earlier. Therefore, it may be to your benefit to attend the hearing and summarize your concerns orally. Letters will not be read aloud at the public hearing.

In compliance with the Americans with Disabilities Act, if you need an accessibility-related modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to planning@amadorgov.org. Requests must be made as early as possible, and at least two business days before the start of the meeting.

NOTE: If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing.

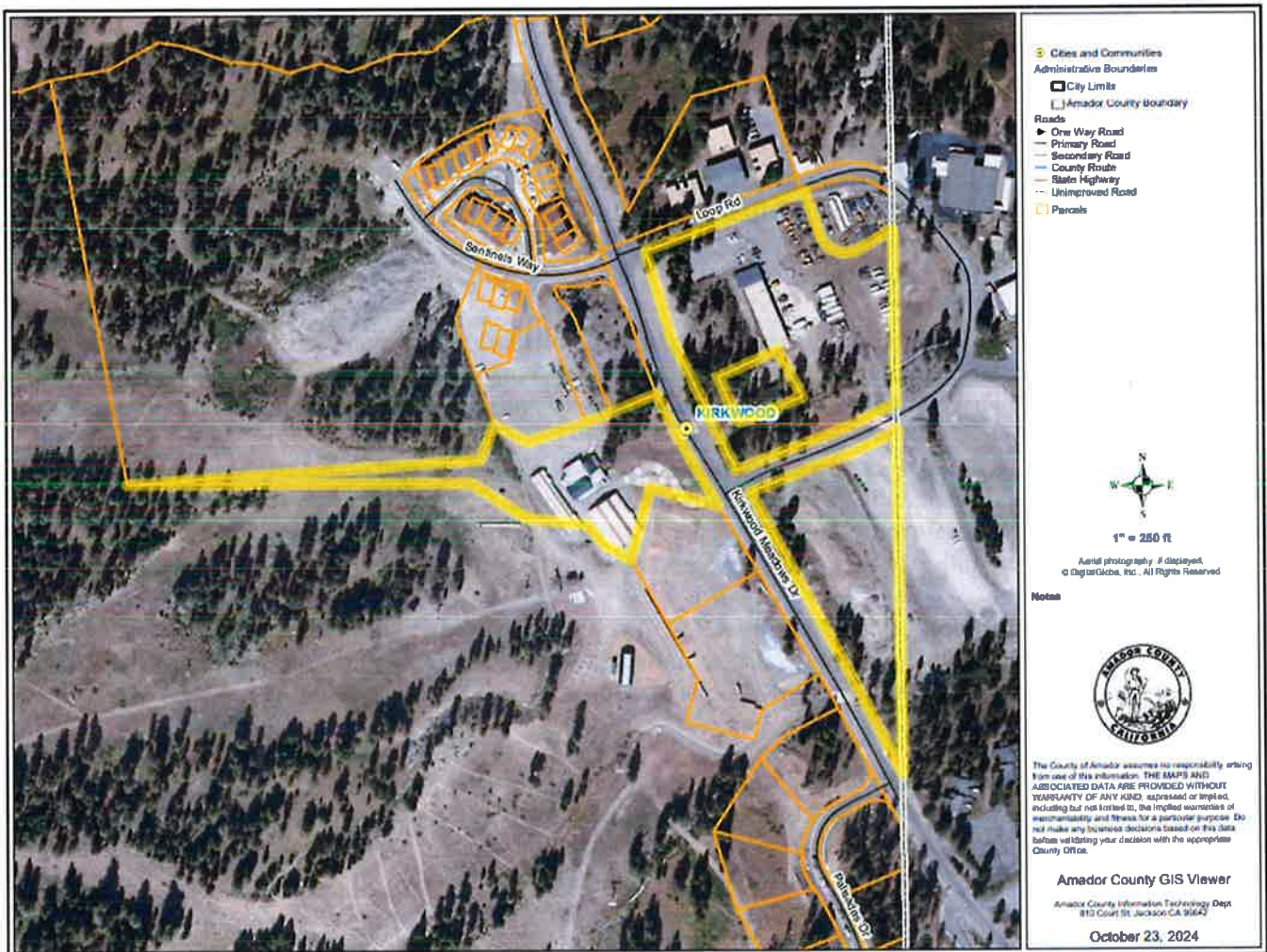
ENVIRONMENTAL REVIEW PROCESS: In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider this project Categorical Exempt under Section 15183 (Projects Consistent With a Community Plan). CEQA mandates that projects which 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

The application materials appear to be complete and indicate there are no extraordinary or unique environmental issues. The Technical Advisory Committee (TAC) has reviewed this project and has found no technical objection to the approval of this project along with filing the project as exempt under CEQA.

If you have any questions or desire more information, please contact this office.

AMADOR COUNTY PLANNING COMMISSION
Date of this notice: October 23, 2024

SUBJECT PARCEL HIGHLIGHTED BELOW



- | | |
|---|-----------|
| 1. Notice of Intent (NOI). | Initial |
| | <u>NA</u> |
| 2. GIS List. <u>300</u> ft. Plus <u>Alpine Labels</u> | <u>KR</u> |
| (Distance) (Special Instructions: e.g. to end of access road) | |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or
a. "SPECIAL INSTRUCTIONS." | _____ |
| 4. Project Applicant and Representative(s), if applicable. | <u>KR</u> |
| 5. Checked Project file cover for agency distribution. <u>email</u> | <u>KR</u> |
| 6. Checked inside file for special requests for notification. | <u>KR</u> |
| 7. Checked old notification list for additional notification. | <u>KR</u> |
| 8. Other – Specify: | |
| _____ | |
| _____ | |
| _____ | |

AFFIDAVIT OF SERVICE BY MAIL

I am a citizen of the United States, over eighteen years of age, employed in Amador County, and not a party to the within action; my business address is 810 Court Street, City of Jackson, State of California. I hereby declare I served a copy of the attached public hearing notice regarding UP-24; 10-2 TimberCreek Base Area by placing copies in 8096 envelopes addressed to: (see attached list).

Said envelopes were then sealed and postage fully paid thereon and were deposited in the United States Mail on 10/23/2024 at Jackson, California.

I declare under penalty of perjury the foregoing is true and correct.

Executed at Jackson, California on 10/23/24

Signed [Signature]

Witness [Signature]



Planning Department <planning@amadorgov.org>

UP-24;10-2 KMR-Timber Creek Base Area Tent Facility

Jesus "Jesse" Galvan <jesus@bvtribe.com>

Wed, Oct 16, 2024 at 8:39 AM

To: "planning@amadorgov.org" <planning@amadorgov.org>

Cc: Mike DeSpain <mike@bvtribe.com>, Jasleen Sandhu <jasleen@bvtribe.com>



October 16, 2024

Krista Ruesel

Amador County Community Development Agency

Planning Department

RE: UP-24;10-2 KMR-Timber Creek Base Area Tent Facility

Dear Krista Ruesel,

I am writing on behalf of the Buena Vista Rancheria (BVR) of Me-Wuk Indians in Ione, CA regarding the notification received by this office on October 9, 2024. The notification references UP-24;10-2 KMR-Timber Creek Base Area Tent Facility. We appreciate your effort in contacting us and requesting a response for the project.

After an internal review of the notification and location using the Google Earth mapping application and Tribal documents, it has been determined that BVR has no objection to the commencement of the project.

If Tribal Cultural Resources (TCR) should be inadvertently encountered during the project, Buena Vista Rancheria requests additional notification so that steps may be taken to protect and preserve them.

Respectfully,

Jesse Galvan

THPO Coordinator / Cultural Heritage Specialist

Buena Vista Rancheria of Me-Wuk Indians (Tribe)

[4650 Coal Mine Rd,](#)

[Ione, CA 95640](#)

[Office: \(916\) 491-0011 ex: 255](#)

[Fax: \(916\) 491- 0012](#)

[Cell \(209\) 790-3862](#)

jesus@bvtribe.com