

# **CONDITIONS OF APPROVAL**

For Use Permit UP-24;10-2 KMR Timber Creek Base Area Tent Facility Reapplication (2024)

**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.

5. This request is granted for an initial period not to exceed five-years from the date of issuance, thereby expiring on November 12, 2029 (11/12/2029), 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, 2029, 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 (11/12/2029 through 11/12/2034) the following requirements shall be met:
  - a) Prior to November 12, 2029 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, 2031 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, 2032 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, 2032, 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