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Sonoma County Board of Zoning Adjustments Draft Minutes

Permit Sonoma Hearing Room
2550 Ventura Ave.
Santa Rosa, CA 95403

PlanningAgency@sonoma-county.org

August 14, 2025
Meeting No.: 25-13

Roll Call

Commissioner Kapolchok, District 1
Commissioner Reed, District 2
Commissioner Bahning, District 3
Commissioner Koenigshofer, District 5
Commissioner McCaffery, Chair, District 4

Staff Members

Cecily Condon, Permit Sonoma Division Manager
Jen Chard, Project Planner
Tasha Levitt, Administrative Assistant
Jennifer Klein, Chief Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Correspondence

Planning Commission/Board of Supervisors Actions

Staff Cecily Condon stated that the Board of Supervisors met on Tuesday of this week and adopted the Public Safety and Environment Justice Element Updates to the General Plan. Additionally, they provided more feedback for staff on the outreach scoping plan and report out for the General Plan Update. **0h09m**

Commissioner Koenigshofer stated the subcommittee that formed regarding communication towers, he and Commissioner Reed met for the first time with yesterday with staff and the first meeting was constructive. They gave input to staff on matters of concern relative to application content and procedural issues. **0h10m**

Commissioner Reed stated it was a good meeting and Doug Bush provided a nice summary that they will share at the next meeting. **0h10m**

Commissioner Announcements

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Board of Zoning Adjustments Regular Calendar

Item No.: 1

Time: 1:10 PM

File: UPE21-0042

Applicant: Medlock Ames Vintners, MA Properties, LLC

Owner: MA Properties LLC

Cont. from: N/A

Staff: Jen Chard

Env. Doc: An Initial Study was prepared pursuant to the California Environmental Quality Act, and the project's potential environmental impacts have been analyzed. A Mitigated Negative Declaration is proposed which finds that potential environmental impacts have been fully mitigated to less-than-significant levels. All mitigation measures have been incorporated into the project conditions of approval.

Proposal: Request for a modification to a Use Permit for Medlock Ames Winery (UPE01-0182) to increase production to 30,000 cases annually, and to incorporate tasting and vineyard tours by appointment, retail sales, and 12 annual agricultural promotional events with a maximum of 50 guests per event on a 48.37-acre parcel and 139.90-acre parcel. Existing facilities will be utilized for the proposed winery activities, which will involve conversion of 1,600 sq.ft. of space within the 20,000 sq.ft. existing winery building, and conversion of a 1,350 sq.ft. barn into a tasting room with a commercial kitchen, office space, and support space. Tasting would occur within the winery building, converted tasting room barn, and outdoor courtyard by appointment only with a maximum of 60 persons per day between 11:00am and 5:00pm, daily. Agricultural promotional events would be scheduled any day of the week, between 11:00am and 9:30pm on the combined 188.27-acre project site located at 13414 Chalk Hill Road, Healdsburg.

Recommended

Action: Staff recommends that the Board of Zoning Adjustments adopt the Mitigated Negative Declaration and approve the request for a Use Permit Modification for a winery and tasting room with agricultural promotion events.

Location: 13414 Chalk Hill Road, Healdsburg

APN: 132-120-018
District: Fourth
Zoning: Land Intensive Agriculture, 40-acre density, Accessory Dwelling Unit Exclusion with combining districts for Oak Woodland, Riparian Corridor 100ft setback and Valley Oak Habitat

Commissioner Disclosures: 0h11m

Commissioner Kapolchok stated she went to the site and met with the applicant; she has no new information to report. 0h11m

Commissioner Reed stated he met with the applicant and toured the site. 0h11m

Commissioner Bahning stated he also visited the site and met with the applicant and have no additional info to reveal. 0h11m

Commissioner Koenigshofer stated since it was late breaking news that Commissioner Webster Marquez recused himself, he didn't have the opportunity to meet with the applicant or any neighbors, but he visited the site yesterday and drove around out there. 0h12m

Commissioner McCaffery stated he met with the applicant and visited the site. 0h12m

Staff Jen Chard summarized the staff report, which is incorporated herein by reference. 0h14m

Commissioner Questions:

Commissioner Reed asked to clarify the guest numbers modification. **Staff Chard** responded. 0h19m

Commissioner Kapolchok asked about the exception and that it was approved for various reasons which made sense. In condition 66, she's not quite sure if those are compatible. Condition 66 seems to be a standard condition. **Staff Chard** responded. 0h20m

Commissioner Kapolchok stated so the condition reads as the standard condition and then gets modified by the exception? That's confusing to her, she'll probably have some question having to do with it after the public hearing. 0h21m

Commissioner Koenigshofer stated back to the modification of the project description related to visitors, looking at this dated Nov 1st, 2022, this is not current? What are the current numbers? **Staff Chard** responded. 0h21m

Commissioner Koenigshofer stated looking at the November 1, 2022, one for formatting purposes, the numbers have changed? Can you go through it and translate that text into the chart? **Staff Chard** responded. 0h22m

Commissioner Koenigshofer stated the request shows winemaker luncheon and dinner, 4 of them. **Staff Chard** responded. **0h24m**

Commissioner Koenigshofer asked so on the order for 30 on an average day and 60 for a peak day? And beyond that? **Staff Chard** responded. **0h24m**

Commissioner Koenigshofer asked so that whole sentence changes. So how many appointment cycles are there per day? **Staff Chard** responded. **0h25m**

Commissioner Koenigshofer asked so an average of two on a peak-day? What's a peak-day? **Staff Chard** responded. **0h25m**

Commissioner Koenigshofer asked vineyard tours are the same people? It's just an additional component of what they do while they're there. **0h26m**

Commissioner Koenigshofer asked in number 8 does vineyard tours remain the same? And operating hours remain the same. **Staff Chard** responded. **0h26m**

Commissioner Koenigshofer asked is there any duplication of the populations that will be onsite for those activities? And the event days, how many days it that per year? **Staff Chard** responded. **0h27m**

Commissioner Koenigshofer asked during the events the 50 is guests, and how many staff? **Staff Chard** responded. **0h27m**

Public Hearing Opened: 1:29 PM

Ames Morrison, Julie Rothberg, and Steve Martin, Applicant, gave an overview of the project. **0h30m**

Alan Murk
Pamela Bendict
Robert Baker
Debbie Deedamonte
Rodger McDermont
Christopher McGuire
Nicco Riccias

Commissioner Kapolchok asked about the use of the road and her understanding that a large percentage of the grapes come from vineyard or adjoining vineyards. What are the traffic patterns of those inter-vineyard trucks, or are we looking at them potentially for all trucks for up to 30,000 cases coming up Toby Road to crush? She's trying to get a sense of the traffic patterns. Her understanding is production at this point is 8,000 cases. You have the right to do 20,000 cases. You're asking for the right to do 30,000 cases. She knows you have significant

vineyard on-site and in the area. She's just trying to get a sense of the traffic pattern for the grapes at harvest time. **Ames Morrison and Julie Rothberg, Applicants,** responded. **0h55m**

Commissioner Kapolchok asked so in terms of cases, onsite is 8,000 cases? On-site is 20,000. **Julie Rothberg, Applicant,** responded. **0h57m**

Commissioner Bahning asked the applicants to build on that, for your visitors under this new regime, could you go over the traffic pattern with that. He's presuming that it's the same route he took for his visit up to the barn, up to the winery, does it go beyond that at all, or will all of the people subject to these limits, is that the travel pattern? **Julie Rothberg, Applicant,** responded. **0h57m**

Commissioner Reed asked to clarify, you guys have done tastings currently? And the issues of getting lost along the way, are there things that you've tried to do through your appointments to clarify how to get to the front door? **Julie Rothberg, Applicant,** responded. **0h58m**

Commissioner Reed asked have you considered any kind of subtle signage? He doesn't know if there's technology now to trigger a phone to say you're getting close. **Ames Morrison and Julie Rothberg, Applicants,** responded. **0h59m**

Commissioner Bahning asked looking at your website, he understands you host events at the Belmont Site already, either private or wine club functions, and he believes there must be some permitting that goes on with that. Can you speak to the frequency and volume of people on these existing events? **Julie Rothberg, Applicant,** responded. **1h00m**

Commissioner Bahning asked so one principal event a year? **Julie Rothberg, Applicant,** responded. **1h01m**

Commissioner Koenigshofer asked following up on Commissioner Kapolchok's question, the total of your estate venue is 47 acres? But that isn't enough fruit for 20,000 cases, is it? **Julie Rothberg, Applicant,** responded. **1h02m**

Commissioner Koenigshofer asked so the 47-acre on-site estate, there's 8-9,000 cases a year, so the 10-12,000 cases are from fruit brought in. If you go to 30,000 cases, that means basically is doubling the amount being brought in. So, how many truck trips are there necessary and over what number of days to bring in what under 30,000 cases would be two-thirds of your production fruit. **Ames Morrison and Julie Rothberg, Applicants,** responded. **1h03m**

Commissioner Koenigshofer asked seven truckloads for up to 12,000 cases. How big are those trucks? **Ames Morrison, Applicant,** responded. **1h04m**

Commissioner Koenigshofer stated he appreciates you talking about your specific intentions, one of the things we need to consider is a use permit is approved not to you but to the property. Subsequent owners can operate within the bound of the use permit, so as he

approaches those things, its considering and treating the maximum potential impact, not necessarily the interim impact or the optional reduce impacts of a particular owner, since the permit runs with the land. When he drove up there, there's a lot of vineyard up there, obviously. Do you have any idea how many other of the vineyards that one seems from Toby Lane are served by Toby Lane in terms of ingress and egress. **Ames Morrison and Julie Rothberg, Applicants**, responded. **1h05m**

Commissioner Koenigshofer stated that may the most inadequate road he's ever seen in all the time he's been going this. It's not a public road, its very narrow, parts are very steep, they're marginal site distances around a lot of the curves. Some of it looked to him like it might be subject under extreme weather conditions to at least minor flash flood type stuff, interfering with certainly the lowest parts. He's just trying to get a sense of the totality of the potential traffic. Years ago, pre-2017, the subject never came up. We have learned the hard way along with a bunch of the rest of California and many other places, including Greece and France, etc., that the fire issues and particularly the evacuation issue, advancing the worst-case scenario for him to the standard we want to protect against. He's trying to get a sense of what's the total traffic, count, type, familiarity, that can occur, and some of the stuff in here that he'll discuss with staff in a minute, the mitigation is not likely that's it's going to be the worst-case scenario, which to him isn't mitigation it's kind of a fiction, fantasy, hopeful thinking. We all know that clearly in 2017 people were caught off guard. His questions are all about traffic, understanding the totality of the maximum load on the road when under bad weather conditions, considering this property is in the most egregious risk area in terms of CAL FIRE mapping, what is the potential worst situation? Harvest happens to coincide with fire season, so people visiting the community tends more to coincide with the nicer weather time, so that's why he's asking about the traffic. **Julie Rothberg, Applicant**, responded. **1h07m**

Commissioner Koenigshofer asked about the Flora Ranch Road. Looking online at the map, it appeared on the map that you can get from Toby Lane to Flora Ranch Road, he tried and if he drove into anyone's driveways, his apologies. He couldn't find a way over there, which leads him to the conclusion that as a practical matter, it's a one-way in, one-way out proposition. Which exacerbates the risk factor, obviously. **1h13m**

Commissioner Kapolchok asked a question having to do with road maintenance. She's struggling with what is said in the staff report and condition 66. So, you have a road maintenance agreement, that's more than just maintenance in terms of fixing the road? You said earlier that it doesn't allow signs, so her question is when she drove up the road, there were some turnouts, there were some areas where two cars can pass, there's some areas where two cars can't pass. Looking at your proposal, she would imagine there would be a need for additional turnouts, would that need to be approved by the holders of the road agreement? **Ames Morrison, Applicant**, responded. **1h14m**

Commissioner Kapolchok asked so the possibility of doing that is in question? Do you know is a majority or all the people? **Ames Morrison, Applicant**, responded. **1h15m**

Cameron Nye, Applicant Team, gave an overview of the project and traffic study. **1h16m**

Commissioner McCaffery asked to get that 62 daily trips, what was your method? Kind of like Commissioner Koenigshofer was saying, what's the total traffic load, is that it? That's the 62 daily trips and what's the current number for the winery? **Cameron Nye, Applicant Team,** responded. **1h18m**

Commissioner McCaffery asked in the conditions of approval, it's talking about 12 events of 50 people for the whole year, and then it's also talking about 24 people on off days and 60 people on peak days. Are you considering the maximum of maxing out every one of those days every day of the year? **Cameron Nye, Applicant Team,** responded. **1h19m**

Commissioner McCaffery asked is a trip one in and one out? So, 62 one-way trips. **Cameron Nye, Applicant Team,** responded. **1h20m**

Commissioner Koenigshofer asked if this were a public road, what would the width be, according to the AASHTO standards? **Cameron Nye, Applicant Team,** responded. **1h21m**

Commissioner Koenigshofer stated paved 18-foot road and asked that gives sufficient width on all portions of the road for 2 trucks to pass. **Cameron Nye, Applicant Team,** responded. **1h21m**

Commissioner Koenigshofer asked do you know what it is on Toby? **Cameron Nye, Applicant Team,** responded. **1h22m**

Commissioner Koenigshofer stated he noted it was probably 12-feet or less. As a footnote, while he appreciates the special work your firm does as the go-to folks here, averages and those standards are great, generally speaking. We exist to look at project-specific and site-specific stuff, so it's a good starting point but it isn't where we end. **1h22m**

Commissioner Bahning asked so in your studies, you're looking at the one-mile length of Toby Lane into Medlock-Ames, and the people who live upstream from that, is that correct? **Cameron Nye, Applicant Team,** responded. **1h23m**

Commissioner Bahning asked so the entrance only? **Cameron Nye, Applicant Team,** responded. **1h23m**

Commissioner McCaffery asked so those 62 daily trips generated were at the front where it meets the public road? **Cameron Nye, Applicant Team,** responded. **1h23m**

Commissioner Koenigshofer asked the 62 that you're talking about is for this particular property, that's not the total trips? We don't know the total trips. **Cameron Nye, Applicant Team,** responded. **1h23m**

Commissioner McCaffery asked total trips meaning the load of the whole road? **Commissioner Koenigshofer** responded yes, all properties, all activities, Amazon, UPS, traffic in and out, workers at other properties, vineyard works during harvest, people that are going for a little drive and get lost or people that go up to the horse ranch, just everything. Which is why he wanted to ask the question of how many parcels are served and how many acres in terms of vineyards and so-forth, do get a sense of total load on that road given its limitations. **1h23m**

Commissioner Koenigshofer asked a Pamela Benedict of the public how many parcels are served by Toby Lane, and how many of them have vineyards. **Pamela Benedict** responded. **1h24m**

Commissioner Koenigshofer asked staff if we have a copy of the road agreement. **Staff Chard** responded. **1h26m**

Commissioner Koenigshofer stated he's not interested in seeing it for purposed of enforcing the terms, he's interested in seeing it for the ability to count how many parcels are served by, which would be the number of members or something like that. So, it's not intruding into the civil realm, it's only using that as a potential source of information. **Staff Chard** responded. **County Counsel Klein** responded. **1h26m**

Commissioner Koenigshofer asked Pamela Benedict, you're towards the end of Toby Lane, right? Is there a way from Toby Lane to Flora Ranch Road. **Pamela Benedict** responded. **1h27m**

Commissioner Koenigshofer stated it's gated, that's all he needs to know. **Ames Morrison, Applicant** responded. **1h28m**

Commissioner Koenigshofer asked is it gated and is the gate locked? **Ames Morrison, Applicant** responded. **1h29m**

Commissioner McCaffery stated we would take a 10-minute recess. **1h29m**

Commissioner McCaffery stated we are looking to see how many signatories are on the agreement. **County Counsel Klein** responded. **1h51m**

Commissioner McCaffery asked it appears to be 16 parcels as part of the agreement? **Staff Chard** responded. **1h51m**

Commissioner McCaffery asked are any of those parcels undeveloped land? **Staff Chard** responded. **1h51m**

Commissioner Koenigshofer stated to his purposes, the number of parcels indicates the number of properties irrespective of ownership that have a right to use the road, so you know if it's 16, it's 16. He hasn't read the whole thing. It may be that adjoining parcels, but the bottom line is at least 16 cited parcels have some interest in the road as defined by their duty to be in the agreement. So far, it's the best information we have about the number of users. **1h52m**

John Rosecrans

Commissioner McCaffery stated so we see there are somewhere around 17 parcels, at least there were 16 in 2010 and asked maybe there's one more now served by Toby Lane. **Staff Condon** responded. [1h54m](#)

Commissioner Koenigshofer stated for the purposes of his question line this is fine, we know there are 16 properties that are serviced by Toby Lane, that's pretty good help in terms of understanding the scope of traffic. [1h55m](#)

Public Hearing Closed: 2:56 PM

Commissioner Koenigshofer asked staff, do you have a map that shows Toby Lane and Flora Ranch Road? Is there anything like that in the file? **Staff Chard** responded. [1h56m](#)

Commissioner Koenigshofer stated it's not as important as he thought it might be, since we've determined the standard condition is there's at least one gate in there. **Staff Condon** responded. [1h57m](#)

Commissioner Koenigshofer stated that doesn't answer the question he raised that's about general evacuation. This issue of the gate that's an internal gate to the applicant property, he guesses the Fire Marshal is referring to a gate that has to be unlocked while there's activities on the property, so people that are on the property participating in the activity could get to Flora Ranch Road. It doesn't provide service to anyone who's not at the event, that's one of the other 16 properties and any other traffic associated with normal activities of those parcels. The point being, evacuation in his mind, he gets evacuation of the site, but that's not the only issue we're talking about. We're talking about evacuation of the area. If the other users of Toby Lane cannot get to Flora Ranch Road, excepting a locked gate that's outside of the applicant property, then the usefulness of Flora Ranch Road, hypothetically they would go into the project property and through Flora Ranch Road which doesn't make any sense. [1h58m](#)

Commissioner Reed asked to clarify, you're talking about evacuation of visitors to the property? **Commissioner Koenigshofer** responded no he's talking about the existing circumstance of Toby Lane that has at least 15 properties that have a right to use Toby Lane. Each of those parcels, if not all developed with residents and ag activity, most of them are. The baseline is you've got existing array of users, residents, visitors, commercial activity vis-a-vis delivery trucks, harvest employees, all of that is the existing traffic load on this narrow road that goes more than a mile in from the public road. We're talking then about two things that arise with this application. One is what happens to the people that are on site during an activity or normal workday, it's a heavy load when there's harvest, guests, an event, owners, etc. How do they get out and how do they get out from Toby? [2h00m](#)

Commissioner Reed asked to clarify how do they get out during a fire event? **Commissioner Koenigshofer** responded fire or just an ordered evacuation, yes, he's talking all about fire. 2h01m

Commissioner Reed stated the project is conditions to not have guests and visitors during red flag. The idea is to evacuation clear of visitors. 2h02m

Commissioner Koenigshofer stated assuming no red flag warning is activated after an event commences, in which case you have people on site and a red flag warning and you're evacuating them under the red flag warning, which means you're evacuating everyone on-site and everybody in the neighborhood, if it's an ordered evacuation. So, worst case scenario, one of the things he took away from 2017 is if at 2015 we were at some big convocation of fire emergency services, earthquake and all that, and you asked and hypothetical about fire jumping suddenly, that's the worst-case scenario that would have been poo-pooed if somebody asked about it pre-2017, but that's what happened. When he looks at it he thinks it's a perfectly appropriate thing to say if there's a red flag warning, you can't now start your event, but it's entirely feasible that you're having your event and a red flag warning is issued. Or worse yet, you're having an event and a fire in that immediate area under the worst circumstances, wind, dry, heat, starts and the red flag warning and evacuation order goes up and you got a fire right there, you've got firefighting equipment going up the road and people trying to get out going down the road and a 10-12-foot paved road with that configuration is going to be a huge mess. 2h02m

Commissioner Bahning asked hasn't it been established that if an event's going on, the gate is unlocked? We've already covered that. **Commissioner Koenigshofer** responded no we haven't, the gate inside the property that serves Flora Ranch Road would be unlocked. The ability of evacuating the rest of the people of that road to Flora Ranch Road, which has a separate gate which is locked, is not something that the applicant controls. What we're dealing with here is a practical matter for the bulk of the uses of that road is it's one-way in and one-way out. That's just a fact. 2h04m

Commissioner McCaffery asked how does that sit with the fact that the Fire Marshal evaluated this project and made the determination? **Commissioner Koenigshofer** responded he would really like to know that because while we're told there was a grant of exception, as is unfortunately often the case, show your work. He doesn't see anything in here that even tells him what the criteria for an exemption by the Fire Marshal, what is it. He has no idea, it doesn't tell us what the exemption is, it just tells us that it was issued. He doesn't know if it was issued on the strength that there's an internal gate, or if it was issues on some other premise, he doesn't know. 2h05m

Commissioner McCaffery asked is it on the premise that under a red flag warning, events won't take place? **Commissioner Koenigshofer** responded it may be, in which case, if he were here, he would ask him, so what happens if fire starts while the event is going on? 2h06m

Commissioner McCaffery stated there's different levels of the fire warning system, right? The idea that if you're in a red flag warning, that's usually days ahead that you're warned of those things, hence the warning. **2h06m**

Commissioner Koenigshofer stated he would ask the Fire Marshal, is there any possibility that an area like this could have a fire start on a day that wasn't a red flag warning? And the answer would be yes. **2h06m**

Commissioner McCaffery stated he's not a fire person, he's a layperson, and also on road as well, egress and all that. On some level he has to defer to the experts that looked over this project and saw there was a certain amount of activity requested and then that was modified to another level of activity that was lower than that. **2h07m**

Commissioner Koenigshofer stated he doesn't mind referring to experts when he can see what the experts have actually done and it's not in here. He doesn't know what the criteria was, what the exceptions are, whether the Fire Marshal considered only this project or the context of the project. **2h07m**

Commissioner McCaffery asked is there anything that can be shown? **Staff Condon** responded. **Staff Chard** responded. **2h07m**

Commissioner Koenigshofer asked the heading on this; this is from someone to the Fire Marshal? **Staff Chard** responded. **2h08m**

Commissioner Koenigshofer asked is what you're showing us the applicant's application, or is this the analysis of the Fire Marshall? **Staff Condon** responded. **2h09m**

Commissioner Kapolchok stated here's her difficulty. She thinks the applicant sized the events appropriately for the setting. However, she doesn't have some more information she thinks she needs. She referenced the staff report, page 4, code section 26-88-254, regarding a fire prevention plan for construction and ongoing operations, including provisions for emergency vehicles access and turnouts. When she looks for the condition that matches this declaration, if you will, its condition 66, however, condition 66 includes the big fire code which they have an exemption to. What she doesn't know or have in front of her is the road looks like X, with different sections and turnouts, she's somewhat assuming when we get to the constricted areas additional turnouts will be required to be constructed, however we hear today, no, that may not be required because the road is under a maintenance agreement. Is it true that if this can't be met, this project can't go forward? She feels there's a big gap in information between what's being said, what is conditioned, and well this condition doesn't really match what's being said because there's an exemption to the section. If she was assured that we have a road and it's going to have sufficient turn outs in constructed areas with this level of traffic and existing baseline of traffic, it just feels like she has a big gap in information. **Staff Condon** responded. **2h09m**

Commissioner Kapolchok asked, is she correct when she said there will be no additional turnouts? **Staff Chard** responded. [2h13m](#)

Commissioner Kapolchok so the existing condition that she drove on the road the other day with the turnouts, that's it. **County Counsel Klein** responded. [2h13m](#)

Commissioner Kapolchok stated when she reads this analysis in staff's report, it gives a sense that this road is going to be improved appropriately for the intensity of the use and the level of improvement may have been reduced because of the exemptions, which in one sense made sense, then she sees a condition that doesn't match this and had no way of knowing that the exception basically says no additional improvements on the road. **County Counsel Klein** responded. [2h14m](#)

Commissioner Kapolchok asked so you're saying condition 66 applies to onsite driveway? **County Counsel Klein** responded. [2h15m](#)

Commissioner Bahning asked the fire experts came out and looked at this road? And you get a report from them saying they've looked at it and bless it? **Staff Chard** responded. [2h15m](#)

Commissioner Bahning stated he pointed out his visit there he counted 6 potential turnouts, including people's driveway, anywhere wide enough for two people to drive by. They may not be engineered turnouts, but there are opportunities. That's just his observation. [2h16m](#)

Commissioner Reed asked are we ready for discussion? [2h16m](#)

Commissioner McCaffery stated he went out and visited the site and although it is remote, he found his way there easily and thinks the applicants have applied for a reasonable amount of events compared to other projects that he's reviewed. The site is obviously very beautiful. He thinks they've got the approval of the authorities that are experts in this field. Immediately when he started reading this, the main things that were going to be concerns would be the access and roads and the intensity of the events. After visiting, he feels the project is very reasonable and he's inclined to approve it. [2h16m](#)

Commissioner Reed stated he thinks he agrees with Commissioner McCaffery's consensus. Commissioner Kapolchok mentioned she thinks the events were adequately scaled, which he agrees with, given the remoteness of the site and the conditions of approval, it seems to him that this amount of visitors, particularly constrained during red flag, is appropriate. Although its one lane, he observed many pull outs. He wouldn't be worried about that. He agrees it could be difficult to find the property and that some signs could be helpful. He tends to agree with the chair that it's been vetted, the staff report is thorough, and the conditions of approval apply correctly. [2h18m](#)

Commissioner Kapolchok stated her frustration is expecting something other than what she now understands. In driving out there she thought the road access was fairly long and narrow;

she did notice the turnouts. She thinks the number of events is sized appropriately. She believes the applicant would do improvements that were additional turnouts if they received agreement from the holders of the road agreement, but we can't assume that would be the case. She also thinks some way-finding signage would be helpful for everyone. She knows the Fire Marshal takes his job seriously and if his level of expertise and analysis see this as appropriate, she too supports the project. **2h19m**

Commissioner Bahning stated he also feels the size of the visitor events is appropriate. He doesn't see a problem with the music given that any amplified music is indoors, and it's subject to county regulations. Lost visitors can be solved with some aggressive signage. He can make all the findings here. Especially as a newer commissioner, if there is a Fire Marshal involved in the application, it would be good to have something in the packet from him saying he went, looked at this, examined this and blessed this, that would be good to have. **2h21m**

Commissioner Koenigshofer asked staff the number of events set forth in the application, he's learned the way we treat these things is in addition to the baseline event activity that the zoning allows? **Staff Condon** responded. **Staff Chard** responded. **2h22m**

Commissioner Koenigshofer stated to him much if not all turns to the issue of fire evacuation safety, which he thinks all of you have expressed some concurrence that that's a concern here. He appreciates the confidence doesn't question the confidence or earnestness with which the Fire Marshal does his job. He does find it difficult to rely on it without the details of the exception brought forward in the staff report, discussed, explain, in detail. As an attachment to the mitigated negative declaration of 130 pages, and the fact that it's just checking boxes on material that's in application, without explanation of why these exceptions are allowed, and it takes him to this question: If under this circumstance, the standard requirements are being accepted, she wants to know specifically why that is here because it suggests to him, the Fire Marshal's conclusion is that the deficiencies of this project, when held up against the standard requirements, says that the standard requirements are overdone. In which case, the question is unavoidably asked, why is this eligible for exception? Having that explained as opposed to just the conclusion with the box checked, because if there's some specific element of this the Fire Marshal cites that makes these not a concern: Width or turnouts, which are arguably the two most important parts of the checklist. Then, he wants to know what it is because if it doesn't fit for this because this isn't a problem, then that suggests that maybe we need to review the fire standards. If there's not some explanation there, how do we know what the basis is? He can't support it without answers to that because it's a precarious road up there, and there's nothing in the material he's seen that analyzes the impacts with the baseline in mind, in a scenario where you're trying to evacuate all properties and trying to move fire equipment up the road at the same time. So basically, he'll be voting no, with the assurance that that condition is added? **Staff Chard** responded. **2h23m**

Commissioner Koenigshofer stated that would be important because your guest folks are reliant on this range of activity which will be inadequate description if you included the other events. **2h26m**

Commissioner Reed motioned to adopt the MND and approve the request for modification of the use permit subject to the attached conditions of approval. Seconded by **Commissioner Bahning**. 2h26m

Action: **Commissioner Reed** motioned to adopt the mitigated negative declaration and approve the request for modification of the use permit subject to the conditions of approval. Seconded by **Commissioner Bahning** and approved with a 4-1-0-0 vote.

Appeal Deadline: 10 days

Resolution No.: 25-11

Vote:

| | |
|---------------------------|-----|
| Commissioner Kapolchok | Aye |
| Commissioner Reed | Aye |
| Commissioner Bahning | Aye |
| Commissioner Koenigshofer | Nay |
| Commissioner McCaffery | Aye |

Ayes: 4

Noes: 1

Absent: 0

Hearing Closed: 3:35 PM