



Community Development Agency

Planning Department

Planning@nevadacountyca.gov
www.nevadacountyca.gov/Planning

950 Maidu Avenue, Suite #170
PO BOX #599002
Nevada City, CA 95959

PH: (530) 265-1222 ext. 2
FAX: (530) 265-9854

NOTICE OF CONDITIONAL APPROVAL

April 29, 2026

Dan Irish
9450 SW Gemini Drive, #24131
Beaverton, OR 97008

File No. PLN25-0137; OEA25-0001; PFX26-0001
APN: 049-060-012

RE: Austin Ridge Outdoor Events Center Project – Outdoor Events Application & Petition for Exceptions to Road Standards

Dear Mr. Irish,

The Outdoor Event Application and Petition for Exceptions to Road Standards for 17031 Austin Way (APN: 049-060-012) in Truckee, CA 96161, that was applied for on October 27, 2025, resubmitted on February 25, 2025, and resubmitted again on April 9, 2026, for an outdoor event venue to allow for up to eight (8) events a year is hereby approved subject to the conditions of approval provided below.

Road design construction standards are outlined in Section 16.10.040 Design Geometrics of the Nevada County Code. These standards specify requirements including but not limited to right-of-way width, lane width, shoulder width, fuel modification area, maximum grade, and surfacing requirements. Section 16.10.120 Petition for Exception outlines the process for considering any exceptions to these standards and requires specific justification of the facts and reasons supporting the proposed exception.

The project parcel is located at 17031 Austin Way in Truckee, CA, and is currently accessed via Austin Way, which connects to Long Valley Road. The portion of interest is from Martis Peak Road to Austin Way, a distance of approximately 0.75 miles. The access roadway was established by map and is predominantly paved with asphalt concrete, except for portions of Valley View Road. The paved surface is typically about 18 feet wide, with shoulders of varying width. It is assumed that these paved segments were built to meet the two-way access standards in effect at the time of construction. Valley View Road is a Fire Standard Access Road with a posted speed limit of 25 miles per hour within a 60-foot right-of-way. The typical section consists of one lane in each direction (two-lane roadway) and variable shoulders, with portions of the road being paved with asphalt concrete. Section 16.10.040 of the Nevada County Code requires 10-foot minimum lane widths with two-foot minimum shoulders for a total of 24 feet for a two-lane roadway. Under the existing condition, the total width varies from 18.6' to 27.6' based upon recent field survey. For Fire Standard Access Roads, Section 16.10.040 of the Nevada County Code also require a minimum of 6" of compacted aggregate base. Core samples taken in 2026 reveal existing Valley View does not meet the 6" minimum requirement with sample depths ranging from 3" to 4.5". Moreover, the County standards require 3" of asphalt concrete for locations where the roadway grade exceeds 10%. Roadway profile grades along this portion of Valley View Road range from less than 1% to over 14%. All locations that exceed 10% are unpaved. It should be noted that 94% of the travel way from Glenshire Drive to the site is within standard. Upon a field inspection

with the Nevada County Fire Marshal, it was determined that the improvements proposed, as described in the project description below, would be sufficient for emergency vehicles and typical residential traffic and enhance the ability to navigate the existing roads in the event of an emergency. Granting this exception with the proposed road improvements would increase the safety and efficiency for emergency responders and residents of the Austin Way/Valley View Road community. The exception will not constitute a grant of special privilege inconsistent with limitations placed on similar properties. Similar properties in the area are also challenged with the existing road factors. This exception would improve road conditions and does not result in any privilege that is inconsistent with the existing land use designations.

The project was distributed to responsible agencies and departments for their review. Based on the review of the application materials and agency comments, the approval of the Outdoor Event Permit is limited to the event and areas dedicated to the event as described in the project application and site plan, and is required to adhere to the following conditions:

RECOMMENDED ACTIONS AND CONDITIONS OF APPROVAL:

A. PLANNING DEPARTMENT:

1. **Project Description.** An Outdoor Events Application and Petition for Exceptions to Road Standards permit to operate an outdoor event venue for up to eight (8) events between May 8, 2026 and May 8, 2027. The events will host up to 150 people and will be primarily conducted outdoors within the interior area of the parcel. Amplified music will be played through the existing speakers at the facility and will not include live music. The speakers are oriented inward towards the main structure and away from all property lines, and the dance floor is at the lowest developed point at the property; any amplified music after 10:00 p.m. is prohibited. A Noise Assessment was conducted by Behrens and Associates, Inc., which concluded that based on the monitoring results and results of the survey, the amplified music associated with the proposed project will be in compliance with the Nevada County Noise standards. There will be enough room for approximately fifty-one (51) cars to park, including two (2) ADA accessible parking spaces. In addition to the fifty-one (51) parking spots, the outdoor events venue will also utilize shuttle services for attendees. The shuttles will remain on-site throughout the duration of the event in case of emergency evacuation needs.

The proposed outdoor events venue will utilize the existing exterior lighting fixtures located on the existing facility, which are shielded and downward facing to prevent light pollution. There is only one instance of a non-shielded white spotlight which is motion activated on the front of the garage. This is for safety reasons, illuminating the area around the walkway to the toilet trailers. This is activated and shuts off after 10 minutes of no motion detection. The proposed project proposes five (5) signs, with one (1) sign serving as an entrance sign, parking area sign, one-way entrance and exit signs, and the address sign. A sanitary facilities 2-station trailer will be provided by United Rentals and will be used for the restroom needs of

attendees. Bear proof trash receptacles are provided and will be serviced within 24 hours after each event conclusion by the Truckee Tahoe Disposal. Fire extinguishers will be located at the caterer area, generator area, indoor main house, garage and exterior area of pool house and staging, and yard hydrants throughout the property. The nearest water supply is a 22,000-gallon pool located on the property that is proposed to be used for fire safety as well. No banners or fireworks will be associated with the events. The events will include food prepared off-site by permitted caterers with no food prepared on-site with proper vendor catering permits. Alcoholic beverages will be served by ABC certified RBS servers only with no sales.

In lieu of road design construction standard improvements for the road width, pavement surfacing, and gates on access roads, which are excessive for the extent of development proposed and cost prohibitive, it was determined that the applicant shall pave the portions of the unpaved segment of Valley View Road used for project access where the longitudinal grade exceeds 10% shall be paved (between Station 30+00 and Station 47+00 on the attached plan). Paving shall consist of a minimum of 3 inches of asphalt concrete over a properly prepared aggregate base, in accordance with County standards. These improvements would be sufficient to provide effective emergency ingress and egress for the outdoor events venue and the surrounding properties that use Austin Way/Valley View Road. All the other road design construction standards required by Section 16.10.040 Design Geometrics of the Nevada County Code shall be met. Conditions of Approval from the Nevada County Fire Protection Planner, Truckee Fire Protection District, and the Department of Public Works will achieve the same practical effect as strict compliance with the Road Standards.

2. **Insurance.** Prior to all additional events, the insurance policy demonstrating the \$1,000,000 dollars of coverage for the specific event shall be provided to the Planning Department.
3. **Notification.** Prior to all additional events, the applicant shall send or personally deliver written notices of the outdoor Event to all property owners within five hundred (500) feet of the premises on which the event will be held. Notices shall include a brief description of the event, the dates, times, locations and types of activities that will take place during the event. The County shall also be notified of events.
4. **Hours.** Outdoor Events shall not open prior to 9 a.m. and shall close by 10 p.m. Permitted hours of operation may potentially be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended hours will not adversely impact owners or users of, or allowed uses on, surrounding properties.
5. **Toilet Facilities.** Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the

number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

6. **Solid Waste Disposal.** The applicant and property owner shall provide for the collection of solid waste and litter. Separate containers shall be provided for the collection of recyclable materials. All solid waste, litter and recyclable materials shall be removed from the site within twenty-four (24) hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on-site accumulations which would create a nuisance or pose a health hazard. All solid waste must be deposited at the County transfer station by a County approved garbage hauler and all recyclable materials conveyed to an approved recycling center. Event-related litter, posters and other signage and debris shall be removed from surrounding lands and roads within twenty-four (24) hours following the event.
7. **Compliance with County Building Codes.** All structures, including tents and other temporary structures, and electrical work shall be permitted and installed in compliance with the County Building Code and shall comply with the setback requirements in the County Land Use and Development Code.
8. **Overnight Camping Facilities.** No overnight camping or campfires are allowed in association with Outdoor Events.
9. **Parking and Traffic Circulation.** Outdoor Events shall comply with the approved Parking and Traffic Circulation Plan. Vehicles shall not be parked in any manner that would create a traffic hazard or interfere with the ingress or egress of emergency vehicles as determined by the Community Development Agency, Sheriff or the Local Fire Official.
10. **Noise.** Outdoor Events shall comply with the approved Noise Assessment. Noise levels generated by Outdoor Events shall not exceed the standards set forth in Title 12, Chapter 4, Section 12.04.070 Noise of the Nevada County Code applicable to the Land Use Category and Zoning District for the premises on which the outdoor event will be held.
11. **Days.** Outdoor Events shall have a maximum length of two (2) days, or 48 hours, per event. The maximum length of the event may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended days will not adversely impact owners or users of, or allowed uses on, surrounding properties.

12. **Frequency.** No more than three (3) outdoor events shall occur per month and shall not occur on more than three (3) consecutive weekends regardless of the month in which they occur.
13. **Fees.** Pursuant to the Agreement to Pay form signed and submitted by the applicant/authorized representative, all fees incurred in the processing of this project shall be paid in full within 30 days of the mailing of such billing for the project. If payments on outstanding invoices are not made within thirty (30) days after the date of the invoice, County staff may cease work on the project until the required payment is made, subject to any other provisions of the law. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. Project approval does not become effective unless and until the applicant has complied with this condition.
14. **Defense and Indemnification Agreement.** Within 15 business days after project approval the applicant shall sign and file with the Nevada County Planning Department the attached Defense and Indemnity Agreement. No further permits or approvals shall be issued for the project, unless and until the applicant has fully complied with this condition.
15. **Appeal Period.** Pursuant to the requirements of the Nevada County Code, you are hereby notified that this project is not valid until the expiration of the ten (10) day appeal period from the date of the final action on the project, which is May 11, 2026.
16. **Expiration Date.** Construction pursuant to this permit approval must be completed within three (3) years from the effective date of this approval, which is May 11, 2026, unless an extension of time for reasonable cause is requested prior to the expiration date, and granted by the Planning Department, pursuant to Section 12.05.100 of the Nevada County Code. If an extension of time is not applied for and granted, the permit shall become null and void, as to any portion of the approved use not completed.

B. PUBLIC WORKS DEPARTMENT:

1. Prior to holding the first event, the portions of the unpaved segment of Valley View Road used for project access where the longitudinal grade exceeds 10% shall be paved (between Station 30+00 and Station 47+00 on the attached plan). Paving shall consist of a minimum of 3 inches of asphalt concrete over a properly prepared aggregate base, in accordance with County standards. The applicant shall provide a signed and stamped certification from a licensed civil engineer to the Department confirming that the improvements have been completed in conformance with applicable standards.
2. The applicant shall submit a certification, stamped and signed by a California licensed civil engineer, that the improvements have been constructed in substantial conformance with applicable County standards.

3. The applicant shall pay traffic impact fees based on the latest fee schedule adopted by the Nevada County Board of Supervisors. Estimate of fee: ADT = 8 events x 80 trips / 365 days = 1.75 average daily trips. 1.75 trips @ \$47.46 = \$83.05.

C. NEVADA COUNTY FIRE MARSHAL:

1. Ensure all Fire Related notes and design features on the site plan are met, as they will be inspected prior to final.
2. Create and maintain a 10-Foot-wide vegetative fuel modification zone along both sides of the driveway, measured from the shoulder, by removing any vegetation that contributes to a significant risk of fire.
3. All structures shall be compliant with PRC 4291 Defensible Space requirements.
4. Any building construction or remodel will meet requirements as set forth from the California Fire Code.
5. A fire extinguisher (2A:10BC) will be required at the outdoor Kitchen mounted on a post near the stove. Every Building exit will also require a fire extinguisher (2A:10BC) to mount on the side of the door. Please show on the site plan and resubmit it to the County for approval.
6. Parking will not obstruct FD access (20FT) to any structure.

D. ENVIRONMENTAL HEALTH DEPARTMENT:

1. All professional food service offered to guests shall be conducted by Nevada County Department of Environmental Health (NCDEH) permitted caterers. NCDEH Consumer Protection Division can provide a list of currently permitted caterers upon request. Please reach out to env.health@nevadacountyca.gov for this request.
2. Although outside the immediate scope of this planning project, NCDEH is taking an opportunity to remind applicant that their septic system is a special design system with an annual maintenance and monitoring permit associated with it. Most recent report received by NCDEH for this was from 2022. This system is required to undergo annual maintenance and monitoring from a certified system service provider (CSSP) and those reports shall be submitted to NCDEH Land Use Division landusedivision@nevadacountyca.gov.

E. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT (NSAQMD):

Advisory Note: If any diesel-powered generators greater than 49 hp are to be used on the site, the NSAQMD must be contacted to determine if a permit is required.

F. TRUCKEE FIRE PROTECTION DISTRICT:

1. The applicant shall comply with the fire code and apply for individual special event permits from us when they have tents greater than 20 x 20 as outlined in chapter 31 of the CFC. Please see below:
 - a. [Chapter 31 Tents Temporary Special Event Structures And Other Membrane Structures - California Fire Code, Title 24, Part 9.](#)
 - b. [Special Event Permits – Truckee Fire Protection District.](#)

In In approving the Exception to the Roadway Standards, the following findings are made pursuant to Section 13.02.060 Petition for Exceptions of the Nevada County Land Code, permitting the proposed roadway to include turnouts in lieu of widening the road in the sections that do not meet County Road design construction standards, gates access width, and surfacing:

- I. That there are special circumstances and conditions which affect the subject parcel including the length of the road, the remote location of the road, and the existing turnouts; and,
- II. That the exception is necessary for the preservation of a substantial property right of the petitioner;
- III. That the granting of this exception will not be detrimental or injurious to other property in the local area because it was approved by the County and with specific input and conditions from the Nevada County Department of Public Works and has been conditioned to provide the same overall practical effect as strict compliance with the Road Standards; and,
- IV. That the granting of the exceptions will not constitute a grant of special privileges inconsistent with the limitations upon similar properties; and,
- V. That an exception to any Fire Safe standard, including those standards adopted by Title 4, Fire Safety and Title 16, Road Design Standards, of the Nevada County Code, will provide the same practical effect of fire protection and is supported by the entity responsible for assuring compliance with Cal. Pub. Res. Code § 4290.

Pursuant to the requirements of the Nevada County Code, you are hereby notified that the decision of the Planning Agency is not final until the expiration of ten (10) days from the date of this approval. If the granting of this Outdoor Event Application and Petition for Exceptions to Road Standards is appealed or submitted to the Board of Supervisors for final action, the effective date is stayed until final action by said Board. Any appeal must be submitted on the proper form which is available from the

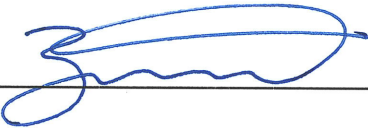
Clerk to the Board of Supervisors, Eric Rood Administrative Center, Nevada City, California 95959
(Deadline for appeal: Monday, May 11, 2026, by 5:00 p.m.).

Construction pursuant to this permit's approval must be completed within three (3) years from the effective date of approval of the permit, which is May 11, 2029, unless an extension of time for reasonable cause is requested prior to the expiration date, and granted by the Planning Department, pursuant to Title 12, Chapter 5, Administration and Enforcement, of the Nevada County Code. If an extension of time is not applied for and granted, the permit shall become null and void, as to any portion of the approved use not completed.

You are advised not to commence any work on this permit until the Conditions of Approval have been satisfied and the ten-day appeal period expires and to check with the Planning Department if any appeal has been submitted. If you have any questions on the above letter, feel free to contact Zachary Ruybal, Associate Planner at (530) 470-2488 or zachary.ruybal@nevadacountyca.gov.

Sincerely,

Brian Foss, Planning Director

By:  _____

Zachary Ruybal, Associate Planner

Enclosed: DPW/Fire Marshal PFX Approval
Defense and Indemnification Agreement
Site Plan



Community Development Agency
Public Works Department

public.works@nevadacountyca.gov
www.nevadacountyca.gov/PW

950 Maidu Avenue, Suite #170
PO BOX #599002
Nevada City, CA 95959
PH: (530) 265-1411
FAX: (530) 265-9849
Emergency Sewer: (530) 265-1555

Trisha Tillotson
Community Development Agency Director

David Garcia
Director of Public Works

April 27, 2026

To: Zachary Ruybal, Associate Planner
From: Kidd Immel, PE, PLS * Senior Civil Engineer * (530) 470-2580
Project: Outdoor Event Application
Project No: PLN25-0137
Proj. Location: APN 049-060-012: 17031 Austin Way, Truckee
Subject: Petition for Roadway Exception – Corrections Required

BACKGROUND

Applicant requests an Administrative Permit to allow up to eight (8) paid wedding events within a 12-month period.

The nearest County-maintained road is Glenshire Drive, located approximately 4.5 miles to the north. A gate is located approximately 400 feet from Glenshire Drive on Martis Peak Road; the existing gate width is 18 feet, whereas current standards require a minimum width of 24 feet. The access route from Glenshire Drive to the project site generally does not meet current standards, which require two 10-foot travel lanes with 2-foot shoulders.

The access roadway was established by map and is predominantly paved with asphalt concrete, except for portions of Valley View Road. The paved surface is typically about 18 feet wide, with shoulders of varying width. It is assumed that these paved segments were built to meet the two-way access standards in effect at the time of construction.

The proposed events-use is commercial and is subject to applicable County and State Fire Safe Access Road Standards. As a condition of approval, the applicant shall pave the unpaved portions of Valley View Road with slopes exceeding 10 percent. This incremental improvement is intended to achieve the “same practical effect” pursuant to Nevada County Code Section 16.10.120.

CONDITIONS

- 1) Prior to holding the first event: The portions of the unpaved segment of Valley View Road used for project access where the longitudinal grade exceeds 10% shall be paved (between Station 30+00 and Station 47+00 on the attached plan). Paving shall consist of a minimum of 3 inches of asphalt concrete over a properly prepared aggregate base, in accordance with County standards. The applicant shall provide a signed and stamped certification from a licensed civil engineer to the Department confirming that the improvements have been completed in conformance with applicable standards.

- 2) Applicant shall pay traffic impact fees based on the latest fee schedule adopted by the Nevada County Board of Supervisors. Estimate of fee: ADT = 8 events x 80 trips / 365 days = 1.75 average daily trips. 1.75 trips @ \$47.46 = \$83.05.

C O U N T Y O F N E V A D A
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PETITION FOR EXCEPTIONS
to waive Subdivision and/or Road Standards

Title 13 (County Subdivision Ordinance) and Title 16, Chapter 10, Section 16.10.110 (County Road Standards) allow the filing of a Petition for Exceptions to waive certain County standards, as follows:

Subdivisions: A Petition may be filed to waive the requirements of the Subdivision Ordinance when the land involved in a subdivision is of such size or shape, or is subject to such title limitations of record, or is to be devoted to such use, or is subject to such regulation by the zoning ordinance, that it is impractical to conform to the strict application of the Ordinance.

Road Standards: A Petition may be filed to request an exception to any required Road Design Standard.

To grant an exception the Advisory Agency (Zoning Administrator or Planning Commission) must be able to make the specific findings listed below. **Petitions can only be considered relative to the amount and type of information provided;** make sure your information is accurate and complete. Petitions must be filed with the land use application.

A. Standard(s) to be Waived: List the specific standard(s) requested to be waived. Include the County Ordinance and Section number of the requirement.

Title 16, Section 16.10.040, Standard Fire Access Road

Standard Lane and Shoulder Widths, and Pavement Surface.

Title 16, Section 16.10.040, Gates on Access Roads

B. ROAD STANDARDS: All requests for road design exceptions must be reviewed and approved by the County Engineer. Provide the following information on a separate sheet:

1. **Existing conditions:** Describe the existing facility (if any), including number of lanes and the median, shoulder, right-of-way and surfacing widths. **Attach an exhibit** showing existing conditions and any constraints precluding the required improvements.
2. **Accidents, 3-Year Period:** Describe the number and types of accidents that are occurring and what effect the design exception is expected to have on them.
3. **Design Year Traffic Volumes:** Use a 20-year design period.
4. **Describe Additional Work to Enhance Safety:** Describe any additional work being constructed in the location of the design exception which would qualify as a safety enhancement, i.e. guardrail upgrade, slope flattening, superelevation correction, etc.
5. **For County-funded projects only: Cost of Providing Standard:** Detail the cost of meeting the standard for which the exception is being requested.

C. Justification for an Exception: Attach a separate sheet, justifying your Petition per the five required findings listed below:

1. There are special circumstances or conditions affecting the subject property;
2. The exception is necessary for the preservation of a substantial property right of the petitioner;
3. The exception will not be detrimental or injurious to other property in the area;
4. The exceptions will not constitute a grant of special privilege inconsistent with the limitations placed upon similar properties; and
5. In the case of waiving a State Fire Safe Road Standard, cite the health, safety, environmental, historical or physical site limitation reason that prevents the standard from being provided. **You must also propose a substituted means of fire protection that provides the "same overall practical effect" of fire protection.** Your same practical effect measures must be approved by the California Department of Forestry in order for the Advisory Agency to approve your Exception.

D. FILING INSTRUCTIONS & CHECKLIST

This form must be filed with your application. Please check off (✓) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

- (✓) 1. The signed and completed Application form, including a letter of authorization from the property owner(s) if the applicant is not the property owner.
- (✓) 2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors.
- (✓) 3. The signed and completed Agreement to Pay Form.
- (✓) 5. Proof of legal primary access to the project site. If your property is beyond dead-end road limits (see Section 12.04.218 and 16.10.040), proof of legal secondary access is required
- (✓) 6. Photos of the site and a site plan reduction indicating where photos were taken.
- (✓) 7. The completed, attached Information Form, providing documentation as to the need for this Exception to an adopted ordinance requirement.
- (✓) 8. 4 folded copies of a site plan drawn per following instructions. All **plans must be folded** to a maximum 8-1/2" X 14" size. Unfolded plans will not be accepted.
- (✓) 9. One copy 8½" X 11" reduction of the site plan.
- (✓) 10. Thumb drive with digital copies of all project materials. Thumb drive will be retained by the Planning Department.

FORM/CONTENT OF SITE PLAN

The following information shall be provided on submitted site plans.

1. **General**

- (✓) 1. The site plan shall be fully dimensioned and drawn to a commonly recognized architect's or engineer's scale, IN INK.
- (✓) 2. Provide a vicinity map showing the general project location (1" = 2000' scale) in relationship to the surrounding area with the mileage from the nearest County road shown.
- (✓) 3. Provide a North arrow and the scale to which the plan is drawn..
- (✓) 4. Provide a legend which includes:
 - a. the project proposal (Exception to Fire Safe Standard for a)
 - b. property owner/applicant name(s)
 - c. applicant's representative, if any
 - d. date of site plan preparation
 - e. Assessor's Parcel Number
- (✓) 5. Topography shown with sufficient detail for proper study of building site, drainage, sewage disposal and driveway or road locations.

2. **Roads, Drainages & Easements**

- (✓) 1. Show the location and names of all abutting roads, including rights-of-way boundaries, road centerlines, width of traveled way, type of surfacing and grades.
 - (✓) 2. Show radius of all curves on existing and proposed roads.
 - (✓) 3. Show location of and size of existing culverts on and abutting the property.
 - (✓) 4. Show the location and purpose of all existing public and private utility easements.
 - (✓) 5. Show all required setbacks for buildings, waterways, sewage disposal and well sites.
 - (✓) 6. Show the location and purpose of all existing public and private utility easements.
 - (✓) 7. Show location of all existing and proposed structures in proximity to road improvements; show their setbacks from property lines, label their use and show their size (gross square footage by floor).
 - (✓) 8. Delineate environmentally sensitive areas, i.e. wetlands, riparian areas.
-

for County use only:

CO. FILE NO: PLN25-0137 PFX26-0001
17031 Austin Way, Truckee, CA 9616; APN 049-060-012

ACTION OF COUNTY ENGINEER:

Recommendation to Advisory Agency: Approval Denial

Comments:

CONDITIONS (PRIOR TO HOLDING FIRST EVENT):

- The applicant shall pave the portions of the unpaved segment of Valley View Road used for project access where the longitudinal grade exceeds 10%, as shown on the attached road plan-and-profile plan sheets, between Station 30+00 and Station 47+00. Paving shall consist of a minimum of 3 inches of asphalt concrete over a properly prepared aggregate base, in accordance with County standards.
- The applicant shall submit a certification, stamped and signed by a California licensed civil engineer, that the improvements have been constructed in substantial conformance with applicable County standards.

PUBLIC WORK'S REVIEW COMPLETED BY:
Kidd Immel, Senior Civil Engineer, 4/22/2026



County Engineer, Pat Perkins

4/27/26

Dated



County Fire Marshal, Dan Collins

4/22/2026

Dated

Must be signed and returned to Planning Department; to be copied to PC/ZA



PETITION FOR EXCEPTION To Fire Access Road Standard

Austin Ridge Events, Truckee, California – Petition for Exception
Valley View Road Shoulders and Travel Lanes, and Pavement Surface
APN 049-060-012 | 17031 Austin Way, Truckee, CA 96161

The following is provided in support of the County of Nevada, Community Development Agency, Planning Department Petition for Exceptions to waive Road Standards. Title 16, Chapter 10, Section 16.10.110 of the County Road Standards allow the filing of a Petition for Exceptions to waive certain County Road Standards.

A. STANDARDS TO BE WAIVED

Title 16, Section 16.10.040, Design Geometrics (Martis Peak Road) – Gates on Access Roads

Title 16, Section 16.10.040, Standard Fire Access Road (Valley View Road) – Standard Lane and Shoulder Widths

Title 16, Section 16.10.040, Standard Fire Access Road (Valley View Road) – Pavement Surface

B. Road Standards

1. Existing Conditions:

Right of Way:

Our office reviewed the Recorded Easement #15153 from September 22, 1971 which provides a non-exclusive right of way for ingress and egress of the Petitioner and have confirmed that the Petitioner has legal access to the roadways described herein.

Design Geometrics – Gates on Access Roads

Martis Peak Road – Martis Peak Road is a private road that connects Glenshire Drive, a public roadway, with Valley View Road. Approximately 400 feet from Glenshire Drive is an existing access gate to the community. The existing opening spans 18 feet. This exceeds the minimum gate opening standard of 14 feet. However, the standard also states “*gate entrances shall be at least two (2') feet wider than the width of the traffic lanes serving the gate.*” The total traffic lane width through the gate is 18-feet and does not incorporate the two feet of additional width cited in the standard. Photos of the gate is included in the attached photo log. Martis Peak Road meets all other Fire Access Road standards. We are requesting an exception to this road standard as the Gate is located on private property not owned by the petitioner, as property rights are the exceptional circumstance for this waiver request. The Petitioner has no legal or property right to move the gates. Martis Peak Road otherwise meets all of the conditions of the Fire Standard Access Road with 20 ft of pavement (2 ten ft lanes, one in each direction) with at least 2 ft of shoulders. In many cases Martis Peak Road has 3 ft shoulders and no less than 7 turnouts between the Glenshire drive and the intersection with Valley View Road.

3741 Douglas Boulevard, Suite 150 • Roseville, CA 95661 • Tel: 916.341.7760

Offices located in California and Nevada

www.woodrogers.com

Valley View Road - The portion of interest is from Martis Peak Road to Austin Way, a distance of approximately 0.75 miles. Valley View Road is a Fire Standard Access Road with a posted speed limit of 25 miles per hour within a 60-foot right-of-way. The typical section consists of one lane in each direction (two-lane roadway) and variable shoulders, with portions of the road being paved with asphalt which was completed by the Petitioner in 2022 and 2023.

Lane and Shoulder Widths - Section 16.10.040 of the County Standards require 10-foot minimum lane widths with two-foot minimum shoulders for a total of 24 feet for a two-lane roadway. Under the existing condition, the total width varies from 18.6' to 27.6' based upon recent field survey. See the attached **Exhibit A** for locations that do not meet width standards.

Pavement Surface - For Fire Standard Access Roads, Section 16.10.040 of the County Standards also require a minimum of 6" of compacted aggregate base. Core samples taken in 2026 reveal existing Valley View does not meet the 6" minimum requirement with sample depths ranging from 3" to 4.5". Moreover, the County standards require 3" of asphalt concrete for locations where the roadway grade exceeds 10%. Roadway profile grades along this portion of Valley View Road range from less than 1-percent to over 14-percent. **Exhibit A** provides a profile grade view of existing Valley View Road and notes where grades exceed 10%, specifically areas between milepost 0.3 and 0.6. All locations that exceed 10% are unpaved. It should be noted, however, that 94% of the travel way from Glenshire Drive to the subject Property is within standard.

The table below summarizes key standards relevant Valley View Road.

	Functional Classification	Min. Right-of-Way Width Note 4	Standard Lane Width	Standard Shoulder Width	Fuel Mod. Area Width	Standard Design Speed	Standard Max. Grade Above 3500'	Required Surface
Valley View Road (the "Roadway")	Fire Standard Access Road Up to 100 ADT Two-Way	50'	10'	2'	10' min.	20 mph	16%	Note 2, 5, 6
Roadway Meets Standard	YES	YES	NO	NO	YES	YES	YES	NO
NO	Note 2: Surface capable of supporting a seventy-five thousand (75,000) pounds vehicle with a minimum six (6")-inch A.B. compacted to ninety-five percent (95%) with subgrade compacted to ninety-five percent (95%).							
NO	Note 5: If approved by the engineer, all grades over ten percent (10%) will require minimum three (3")-inch A.C. surface (Section 16.10.040[C]).							
NO	Note 6: All roads shall be constructed to provide a minimum of two (2) ten (10')-foot traffic lanes, not including shoulder and striping.							

2. Accident, 3-Year Period

The UC Berkeley, Transportation Injury Mapping System (TIMS) was queried for the latest three years of collision data for fatal and injury crashes. The latest three years spanned September 30, 2023, to September 30, 2025. No collisions were identified.

3. Design Year Traffic Volumes

Traffic count and forecast data are not available. However, given the nature of the community and lack of through traffic, a conservative estimate can be developed based on existing units and applying trip generation rates from the Institute of Traffic Engineers (ITE), *Trip Generation Manual, 12th Edition*.

Approximately six (6) residential units are accessed from this portion of Valley View Road. Using ITE Land Use Code 210 (Residential, Single-Family Detached) and Sunday time period to reflect the predominant leisure use of the area, results in an average rate of 51 daily trips. In fact, 17031 Austin Way and 16626, 16140, and 16346 Lower Valley View are all seasonally occupied and two other lots included are currently undeveloped. During events, the Truckee Austin Ridge Special Events – Traffic Analysis (Wood Rodgers, Inc., February 3, 2026) estimates a maximum event traffic of 80 trips during eight (8) events per year. These estimates equate to less than 100 Average Daily Traffic (ADT).

4. Describe Additional Work to Enhance Safety

Valley View Road is planned to be fully paved sometime over the next 3-4 years based on private funding availability. In the interim, the roadway will be maintained with additional crushed asphalt to perpetuate safety, structure and mobility. Each spring, the Valley View Road is re-surfaced with additional aggregate and crushed asphalt is applied and compacted, bringing up the roadway surface to the required 6" depth. The previous measurements taken by this office were conducted mid-winter, prior to the scheduled maintenance of this roadway.

5. Cost of Providing Standard

N/A. Not County funded.

C. Justification for an Exception

The Petitions for Exceptions is based on the following five findings:

1. ***There are special circumstances or conditions affecting the subject property:*** The property was established in 2004 and met all requirements at that time. The subject roadway (Valley View Road) is already constructed and in use. Therefore, the Petition for Exceptions does not refer to the construction of a new roadway and adherence to standards but rather adherence to the latest standards applied against an existing facility. Similarly, the Martis Peak Road gate is an existing condition and is currently in operation on a roadway that otherwise meets standards. The roadway had a significant portion of it paved in the summer of 2022 and 2023 to enhance public safety, which was organized by and partially paid for by the Petitioner. The subject property is set to the west of a crest of hill formed by volcanic rock, with a
-

clear view of the Truckee Airport and surrounded by volcanic rock fields. It is the last developed property at the end of the section of the paved roadway. Due to the topography beyond the existing road shoulders, numerous mature trees, volcanic rock outcroppings and the private improvements such as the AT&T cell tower and associated utility poles, along the road frontage, widening the road in small section (less than 200 ft) which is less than 20 ft of roadway is not feasible. However, there is a turnout at the narrowest point providing additional egress for vehicles encountering on-coming traffic. The remaining width of the roadway meets standards. Additionally, re-grading the roadway to be less than 10% slope would require significant earth moving efforts, disturbing volcanic rock outcropping and increasing the potential for silt run-off as well as repositioning of existing utility infrastructure.

2. ***The exception is necessary for the preservation of a substantial property right of the petitioner:*** 17031 Austin Way, Truckee, California 96161 is home to Austin Ridge Events. The property is entitled to the ministerial permit for approximately eight (8) engagements during the summer as it meets all other conditions for the issuance of such a ministerial permit. The exception is necessary to preserve the existing use until such time as the roadway can be brought into full compliance with the latest standards. As outdoor event permits and temporary occupancy rentals (TOR) are allowed for properties zoned AG-20. The exception is necessary to preserve the existing use until such time as the roadway can be paved.
- 3.
4. ***The exception will not be detrimental or injurious to other property in the area:*** Valley View Road currently serves approximately six neighboring homes. Approval of the petition will not have a detrimental or hazardous impact on other current road users who currently rely on Valley View Road for access. In fact, the cuts and earthwork in an area with shallow bedrock required to reduce the profile to less than 10% would require significant reconstruction of existing accesses to other properties in the area and risk significant silt runoff. Additionally, there are significant volcanic rock outcroppings along a portion of Lower Valley View as shown in **Figure 1.0** below, which must remain undisturbed to ensure the stability of the hillside.

Regarding the Martis Peak Road access gate, the gate has been in place for years and is used by all properties in the Martis Peak Road area and associated Homeowners Association. No issues with regular or emergency access have been reported. 18 feet of clear width provides ample space for emergency vehicles to ingress/egress the community as noted by the Truckee Fire Protection District personnel Brandon Stahl (**see Figure 3: Email from Brandon Stahl, TFPD**) The exceptional circumstances related to this request are the fact that the private property rights apply to where the gate is located; the Petitioner does not have a legal right to change the gate because he does not own the property that the gate is located on.

5. ***The exceptions will not constitute a grant of special privilege inconsistent with the limitations placed upon similar properties:*** Exceptions are not uncommon in the County as evidenced by the established Petitions for Exceptions process. The exceptions being requested are within the spirit of the petitions process and do not request significant deviations that would be inconsistent with similar properties and settings. Approved Nevada County Petitions for Exceptions from previous years, specifically 2025 and 2022, were reviewed and found to be similar in nature to this request. Additionally, the undeveloped lots beyond the Subject Property will also require the road to be brought up to county road standards when they develop those lots and start new construction, since Driveway standards will not apply. Therefore it

is in the interest of the existing homeowners and any property owner who wishes to further develop their lot to bring the road into compliance with Fire Standard Access Road standards.

6. ***In the case of waiving a State Fire Safe Road Standard, cite the health, safety, environmental, historical or physical site limitation reason that prevents the standard from being provided. You must also propose a substituted means of fire protection that provides the “same overall practical effect” of fire protection. Your same practical effect measures must be approved by the California Department of Forestry in order for the Advisory Agency to approve your Exception:*** As noted in the Nevada County Access Standards for New Residential Development, the County Fire Standard Access Road requirements “provide the same practical effect of fire protection” as the Fire Safe Road Standard. Therefore, the justifications noted above apply. Moreover, it further states that “the same practical effect can be met in some cases by incremental improvements of offsite access roads proportional to the intensity of development proposed.” For the purposes of this justification, development is not proposed but existing. The existing Valley View Road conditions do not prohibit safe access and mobility by emergency responders to the six (6) existing homes accessed by Valley View Road and are in keeping with the low development intensity. 3 of these homes are located below the 10% grade area, the homes above the 10% grade have access to a turnout at the narrowest part of the road, which is used to access the AT&T cell tower (within the 60 ft right of way as shown in **Figure 2**, below) This road has undergone a 50 foot shrub and small tree clearing on either side of the roadway last fall, ensuring ample sight distance for users. This is clearly shown in the attached photos 5A-11. A reference map from the Nevada County GIS Aerial Map view is shown in Figure 4.0 below.

Ultimately paving the roadway sections that have a slope greater than 10% will be the remediation for this exception. This justification is temporary as the petitioner intends to organize and facilitate the paving of Valley View Road bringing the roadway into to full compliance over the next 3-4 years, as funding becomes available. Granting this exception allows the petitioner time to secure funding to pave the standard fire access road.

CONCLUSION:

More than 94% of the roadway access from the closest county maintained roadway, Glenshire Drive, is compliant with current road standards. The remaining 6% is what we are requesting the exceptions as follows:

1. A waiver of **Title 16, Section 16.10.040, Design Geometrics (Martis Peak Road) – Gates on Access Roads** on the basis of Private Property Right exception.
2. A waiver of **Title 16, Section 16.10.040, Standard Fire Access Road (Valley View Road) – Standard Lane and Shoulder Widths** because the roadway materially meets the standard lane and shoulder width requirements, but in certain small sections, widening the roadway would negative impact the surrounding environment, rock outcroppings, utility pole placement and interfere with access of the neighbors.
3. A waiver of **Title 16, Section 16.10.040, Standard Fire Access Road (Valley View Road) – Pavement Surface** because the re-grading of the roadway to be less than 10% risks destabilizing the hillside, negative impacts to neighbors and because the “**same overall practical effect**” for fire safety has been met through other means, such as vegetation clearing and turnouts. The Petitioner will organize and facilitate the paving of this roadway within the next 3 years.

Vicinity Map with legend

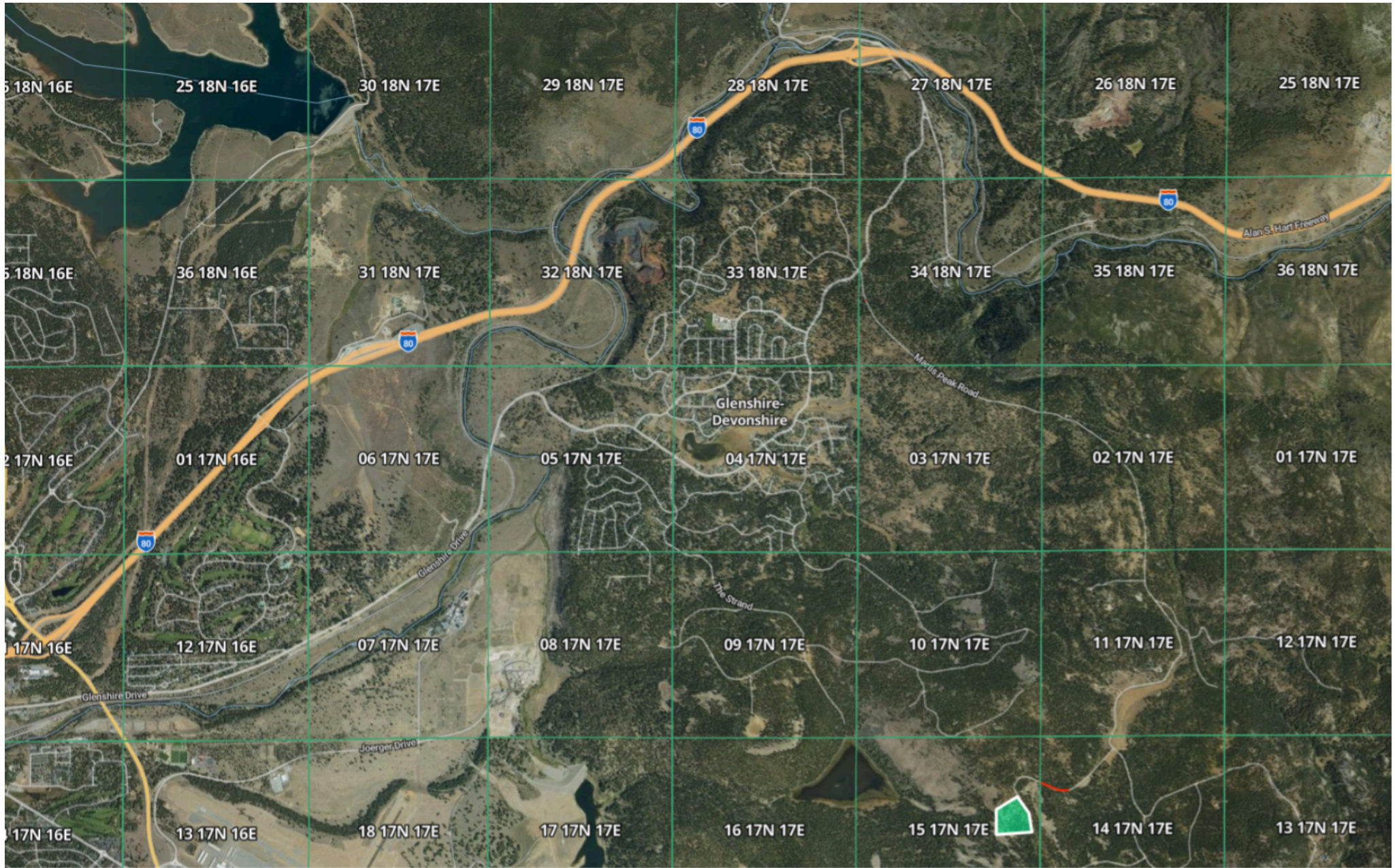


Fig 1.0 blue dot indicates rock outcropping



Fig 2.0: blue dot indicates turnout in the section <20'



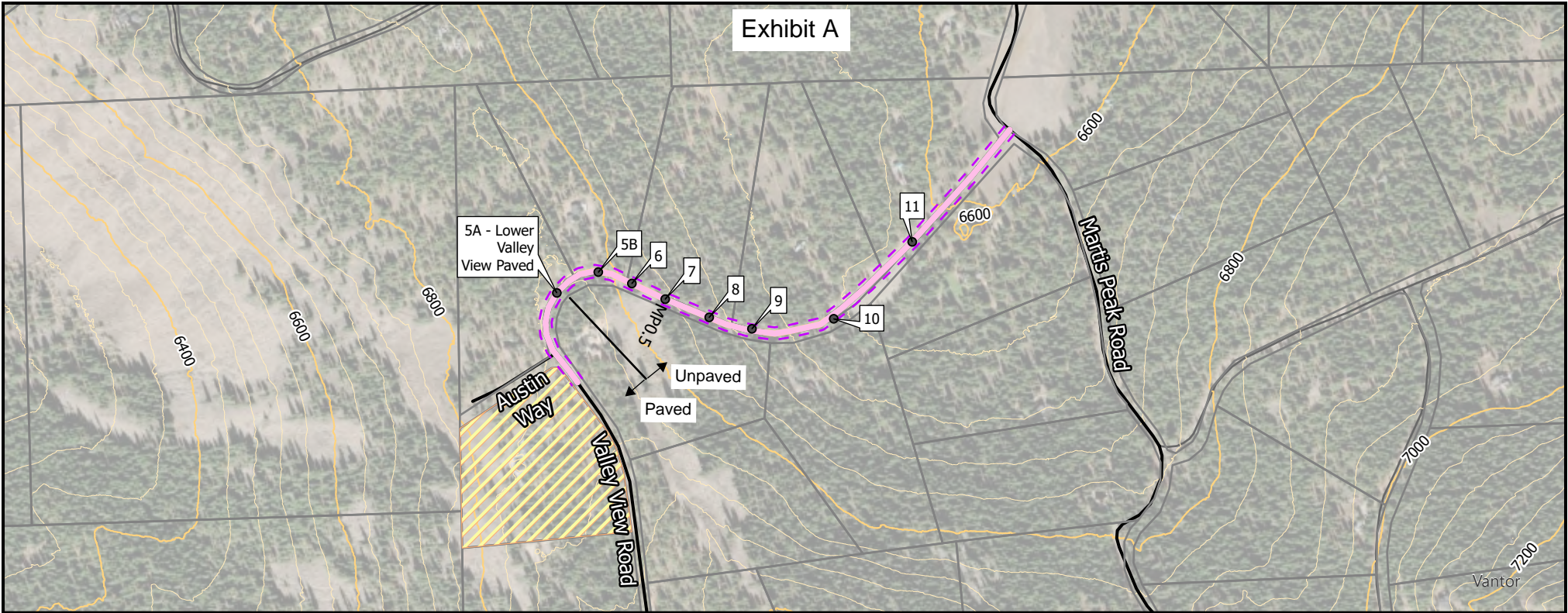
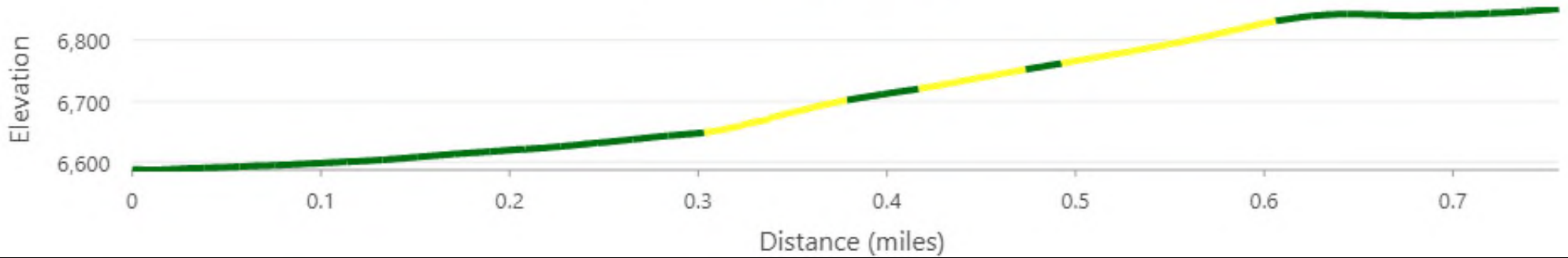


Exhibit A

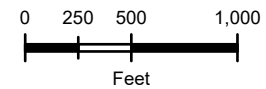
Valley View Road Slope



VALLEY VIEW ROAD PROFILE

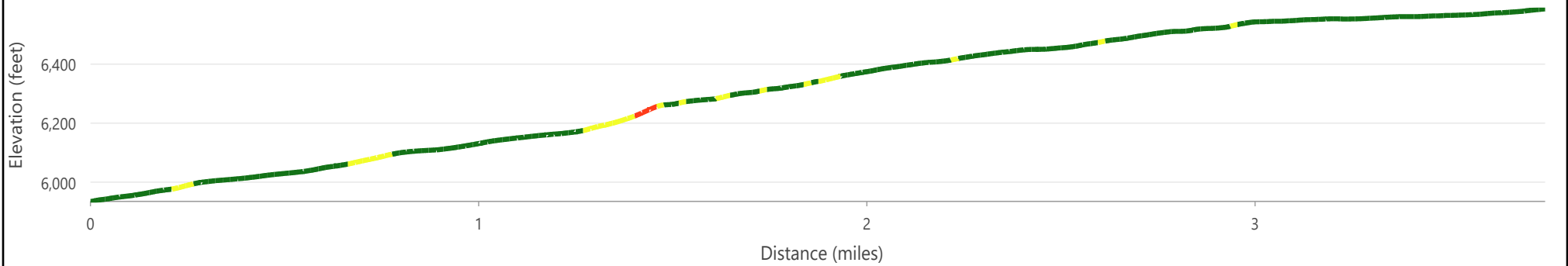
17031AUSTIN WAY
NEVADA COUNTY, CA
MARCH 2026

- 17030 Austin Way
- Roadway Slope (%)**
 - < 10
 - 10 to 16
 - 16+
- Travelled Way Width**
 - Does not meet County standard road width (< 20')
 - Meets County standard road width (> 20')
- Shoulder Width**
 - Meets County standard shoulder width (> 2')
 - Does not meet County standard shoulder width (< 2')



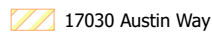


Martis Peak Slope



MARTIS PEAK ROAD PROFILE

17031 AUSTIN WAY
NEVADA COUNTY, CA
JANUARY 2026



17031 Austin Way

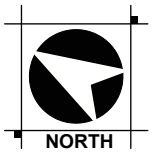
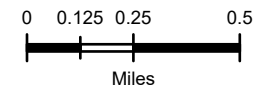
- Roadway Slope (%)**
- < 5
 - 5 - 10
 - 10 +

Travelled Way Width

- Does not meet County standard road width (< 20')
- Meets County standard road width (> 20')

Shoulder Width

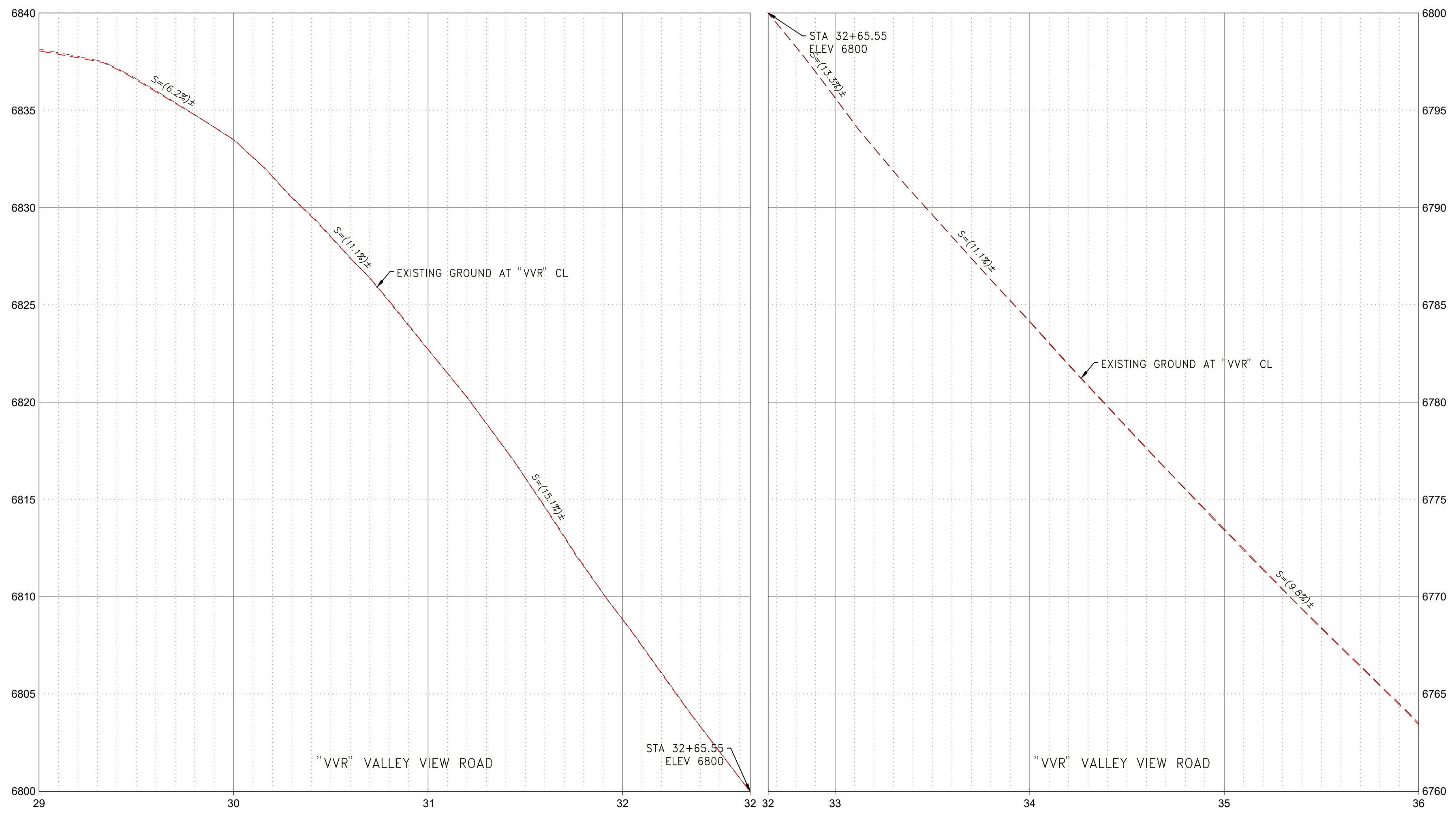
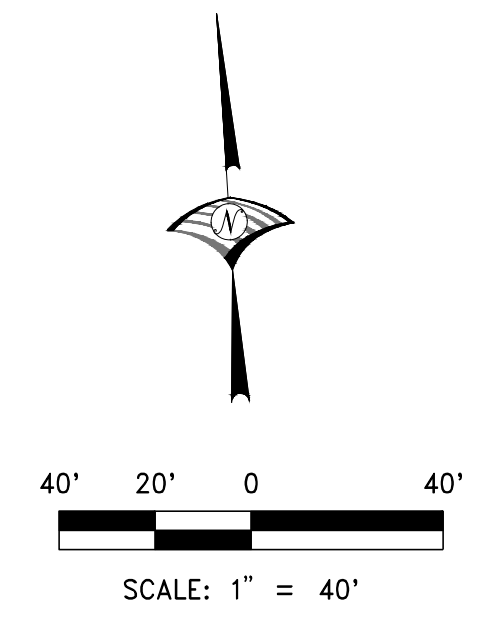
- Meets County standard shoulder width (> 2')
- Does not meet County standard shoulder width (< 2')





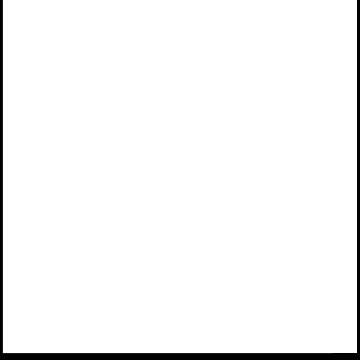
NOTE: CENTERLINE SHOWN (VVR) IS AT THE CENTER OF RIGHT-OF-WAY AND NOT NECESSARILY THE CENTER OF THE ROAD

- EXISTING ASPHALT ROAD SURFACE
 - EXISTING GRAVEL ROAD
 - STOPPING SITE DISTANCE (115') BASED ON COUNTY OF NEVADA DEPARTMENT OF PUBLIC WORKS STANDARD DRAWING A-1 (20 MPH DESIGN SPEED) AND AASHTO GEOMETRIC DESIGN OF STREETS AND HIGHWAYS (GREEN BOOK) TABLE 3-1
- ABBREVIATIONS:
 FMA - FUEL MODIFICATION AREA (ZONE)
 R/W - RIGHT-OF-WAY
 $-2(A+B)$ - LESS THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
 $+2(A+B)$ - GREATER THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
- EXISTING GROUND PROFILE AT RIGHT-OF-WAY CENTER
 - EXISTING GROUND PROFILE AT ROADWAY CENTER



NO.	DESCRIPTION	DATE

DATE: DECEMBER 2025
 SCALE: H:1"=40' V:1"=4'
 DRAWN BY: LS
 DESIGNED BY: ML
 CHECKED BY: BCG



WOOD ROGERS ENGINEERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 1981 Corporate Blvd
 Reno, NV 89502
 Tel: 775.823.4068
 Fax: 775.823.4066

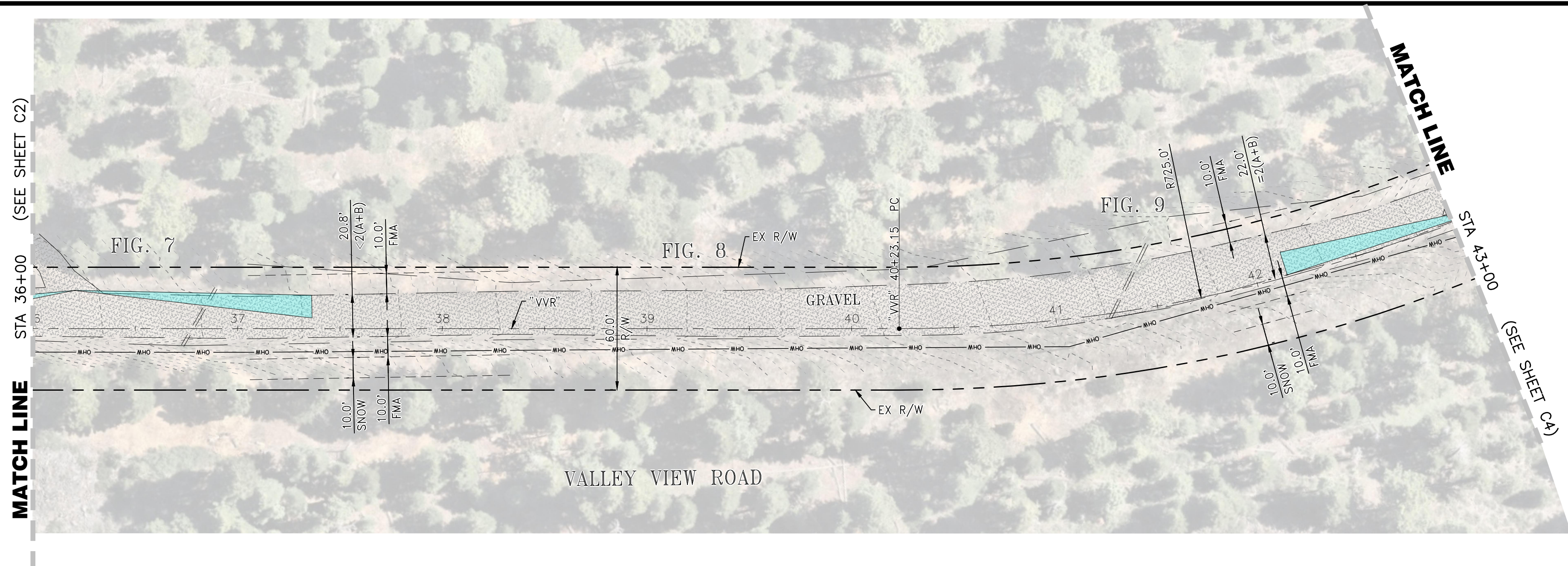
AUSTIN RIDGE

TRUCKEE AUSTIN RIDGE SPECIAL EVENTS
 VALLEY VIEW ROAD
 PLAN & PROFILE
 STA 29+00 TO 36+00






PROJECT NO.
8512.053

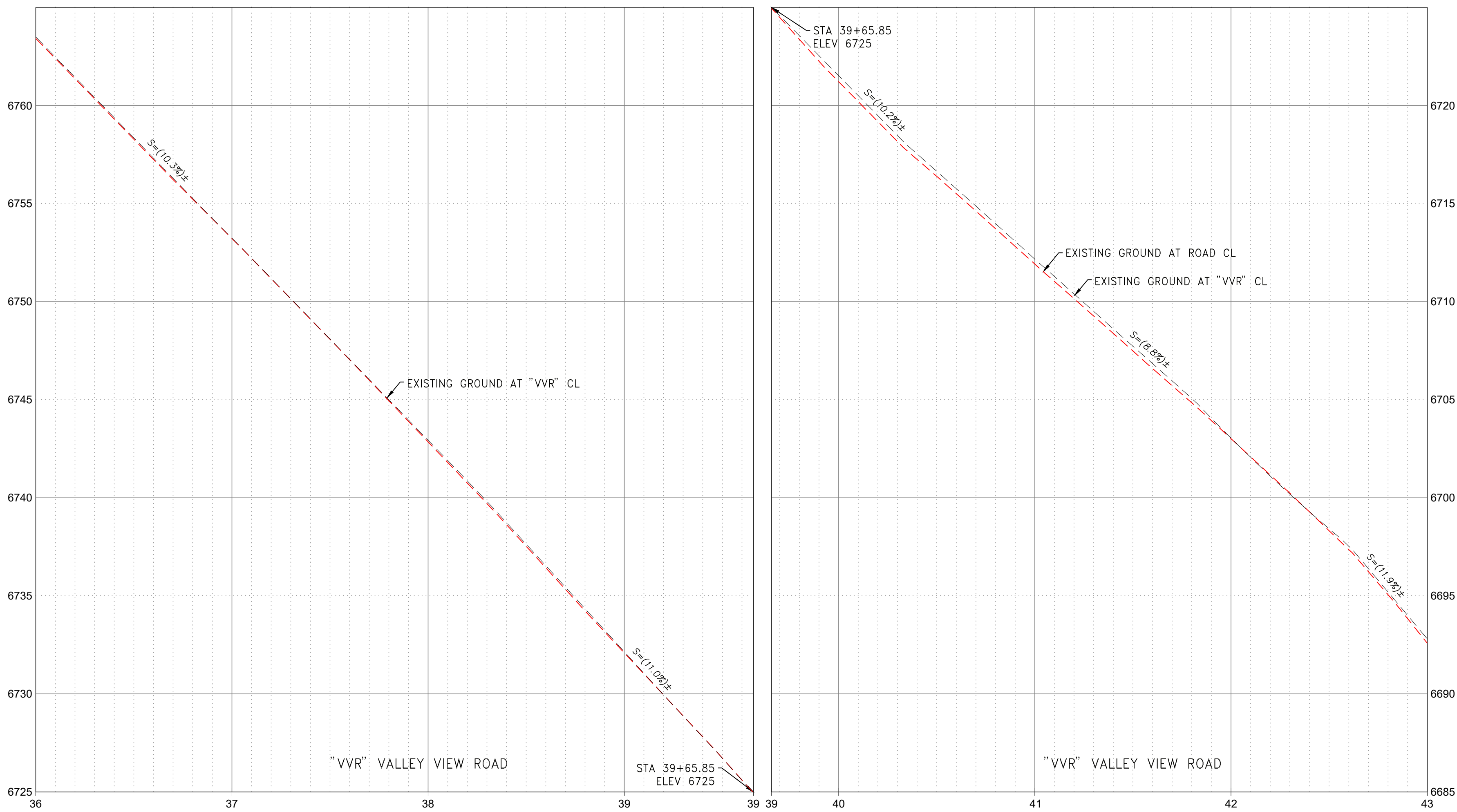
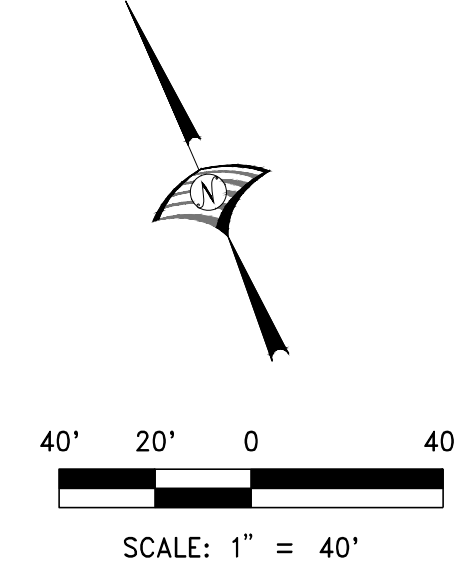
DRAWING
C2

J:\Users\47259\17031_Austin\7031_Austin_OA\Draw\Draw\Sheets\17031_C.dwg 2/7/2026 1:03:PM Michael Lorum



NOTE: CENTERLINE SHOWN (VVR) IS AT THE CENTER OF RIGHT-OF-WAY AND NOT NECESSARILY THE CENTER OF THE ROAD

-  EXISTING ASPHALT ROAD SURFACE
 -  EXISTING GRAVEL ROAD
 -  STOPPING SITE DISTANCE (115') BASED ON COUNTY OF NEVADA DEPARTMENT OF PUBLIC WORKS STANDARD DRAWING A-1 (20 MPH DESIGN SPEED) AND AASHTO GEOMETRIC DESIGN OF STREETS AND HIGHWAYS (GREEN BOOK) TABLE 3-1
- ABBREVIATIONS:
 FMA - FUEL MODIFICATION AREA (ZONE)
 R/W - RIGHT-OF-WAY
 -2(A+B) - LESS THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
 >2(A+B) - GREATER THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
-  EXISTING GROUND PROFILE AT RIGHT-OF-WAY CENTER
 -  EXISTING GROUND PROFILE AT ROADWAY CENTER



NO.	DESCRIPTION	DATE

DATE: DECEMBER 2025
 SCALE: H:1"=40' V:1"=4'
 DRAWN BY: LS
 DESIGNED BY: ML
 CHECKED BY: BCG

WOOD RODGERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 1981 Corporate Blvd
 Reno, NV 89502
 Tel: 775.823.4068
 Fax: 775.823.4066

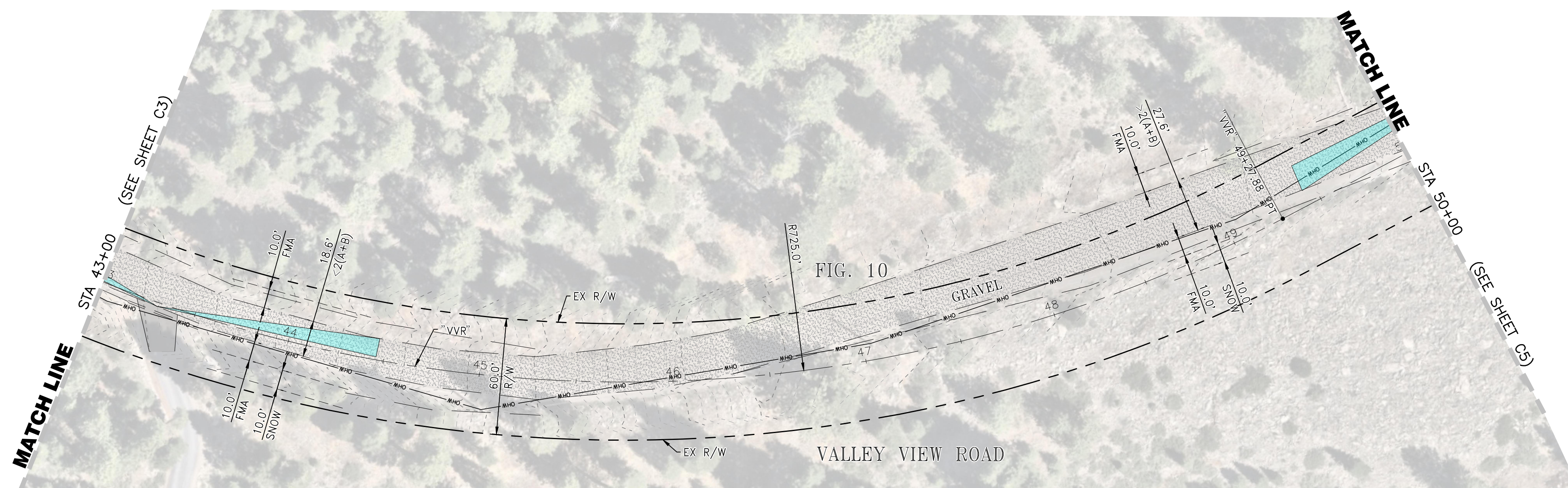
AUSTIN RIDGE

**TRUCKEE AUSTIN RIDGE SPECIAL EVENTS
 VALLEY VIEW ROAD
 PLAN & PROFILE
 STA 36+00 TO 43+00**


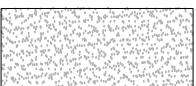
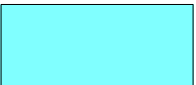


PROJECT NO.
8512.053

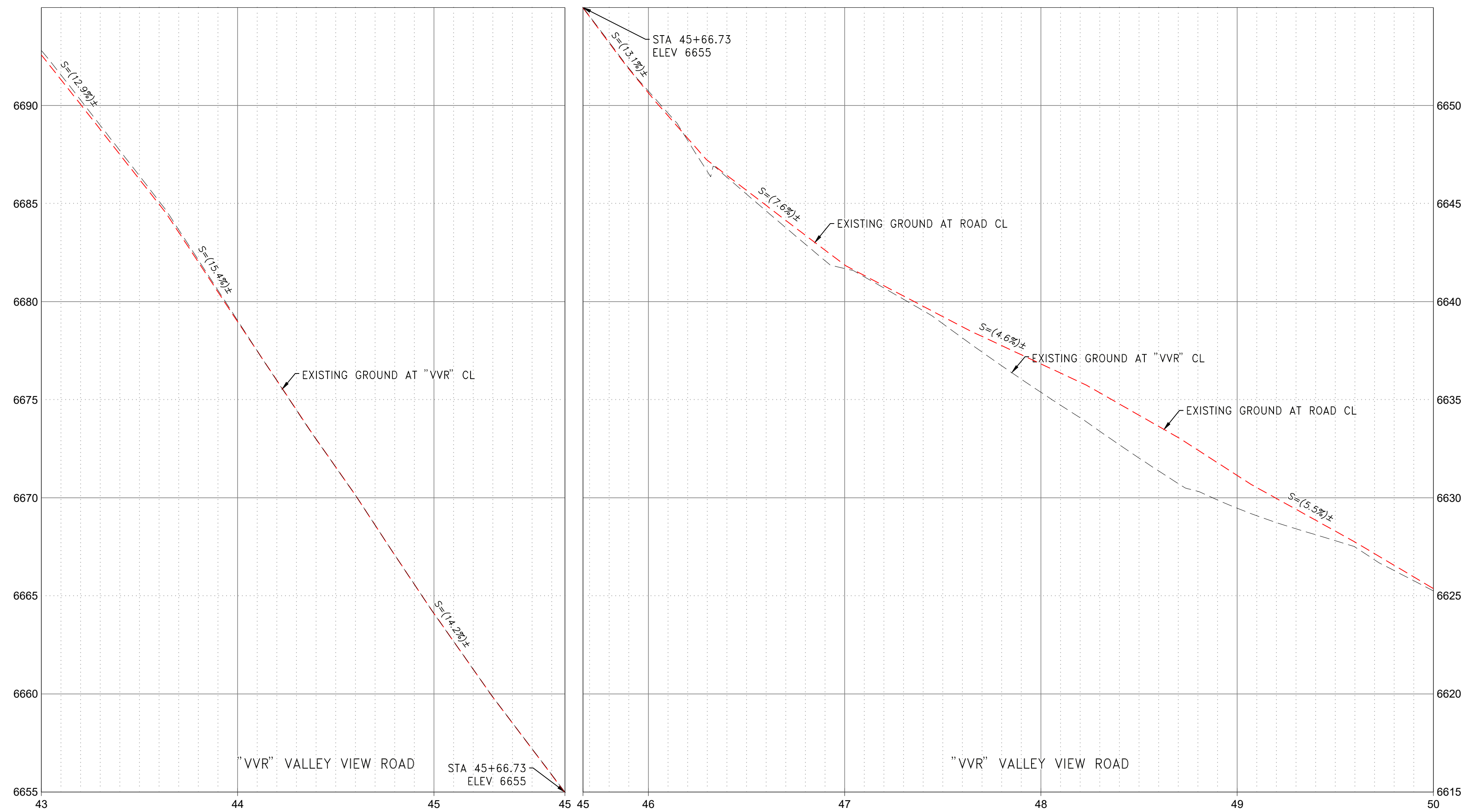
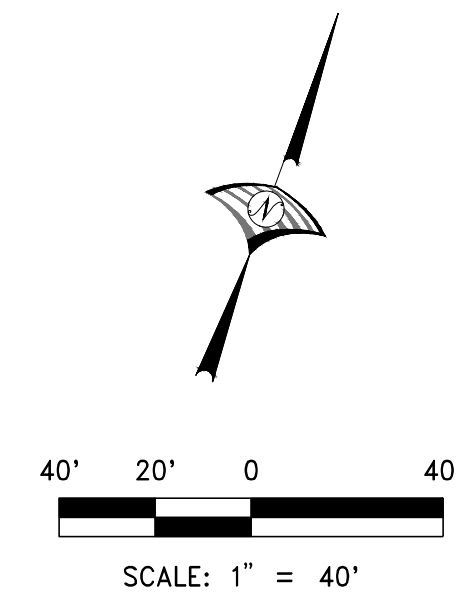
DRAWING
C3

J:\Users\4759_17031_Austin_OA\Gis\Draw\Sheets\17031_C.dwg 2/7/2026 12:56 PM Michael Latham



NOTE: CENTERLINE SHOWN (VVR) IS AT THE CENTER OF RIGHT-OF-WAY AND NOT NECESSARILY THE CENTER OF THE ROAD

-  EXISTING ASPHALT ROAD SURFACE
 -  EXISTING GRAVEL ROAD
 -  STOPPING SITE DISTANCE (115') BASED ON COUNTY OF NEVADA DEPARTMENT OF PUBLIC WORKS STANDARD DRAWING A-1 (20 MPH DESIGN SPEED) AND AASHTO GEOMETRIC DESIGN OF STREETS AND HIGHWAYS (GREEN BOOK) TABLE 3-1
- ABBREVIATIONS:
 FMA - FUEL MODIFICATION AREA (ZONE)
 R/W - RIGHT-OF-WAY
 -2(A+B) - LESS THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
 +2(A+B) - GREATER THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
-  EXISTING GROUND PROFILE AT RIGHT-OF-WAY CENTER
 -  EXISTING GROUND PROFILE AT ROADWAY CENTER



NO.	DESCRIPTION	DATE

DATE: DECEMBER 2025
 SCALE: H:1"=40' V:1"=4'
 DRAWN BY: LS
 DESIGNED BY: ML
 CHECKED BY: BCG

PROJECT NO. 8312.053

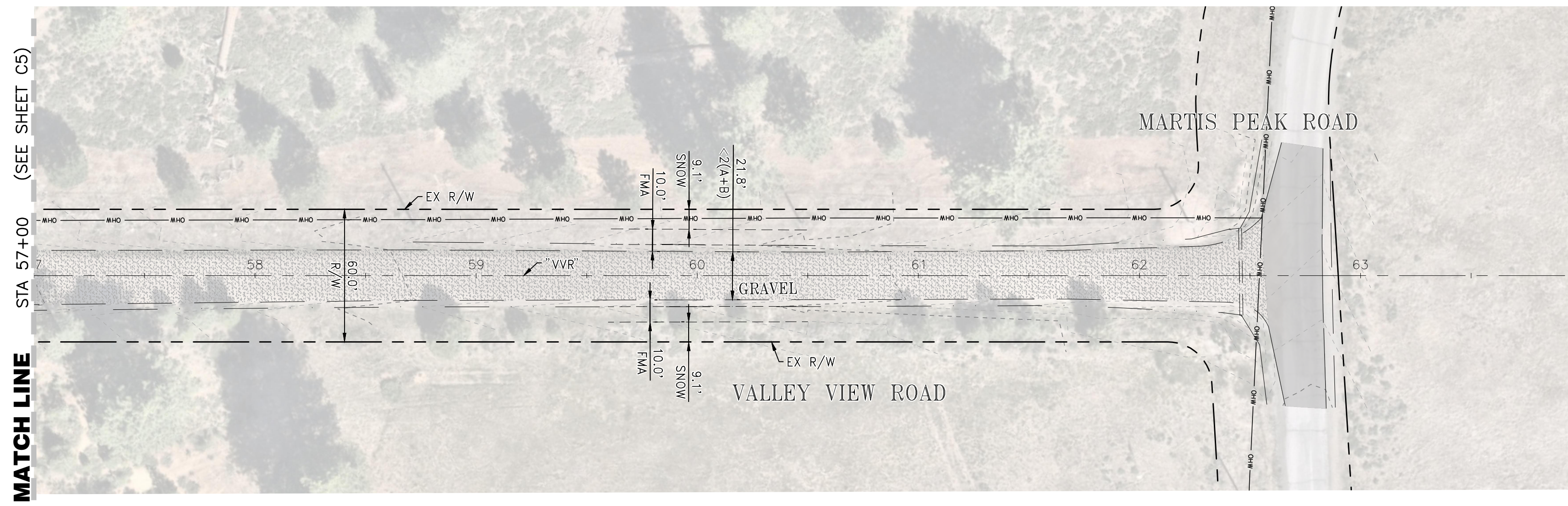
WOOD ROGERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 1981 Corporate Blvd
 Reno, NV 89502
 Tel: 775.823.4068
 Fax: 775.823.4066

AUSTIN RIDGE



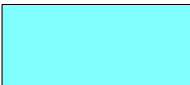
**TRUCKEE AUSTIN RIDGE SPECIAL EVENTS
 VALLEY VIEW ROAD
 PLAN & PROFILE
 STA 43+00 TO 50+00**

DRAWING
C4



J:\Users\4759_17031_Austin\7031_Austin_OA\Draw\Sheets\17031_C.dwg 2/7/2026 12:56 PM Michael Lanum

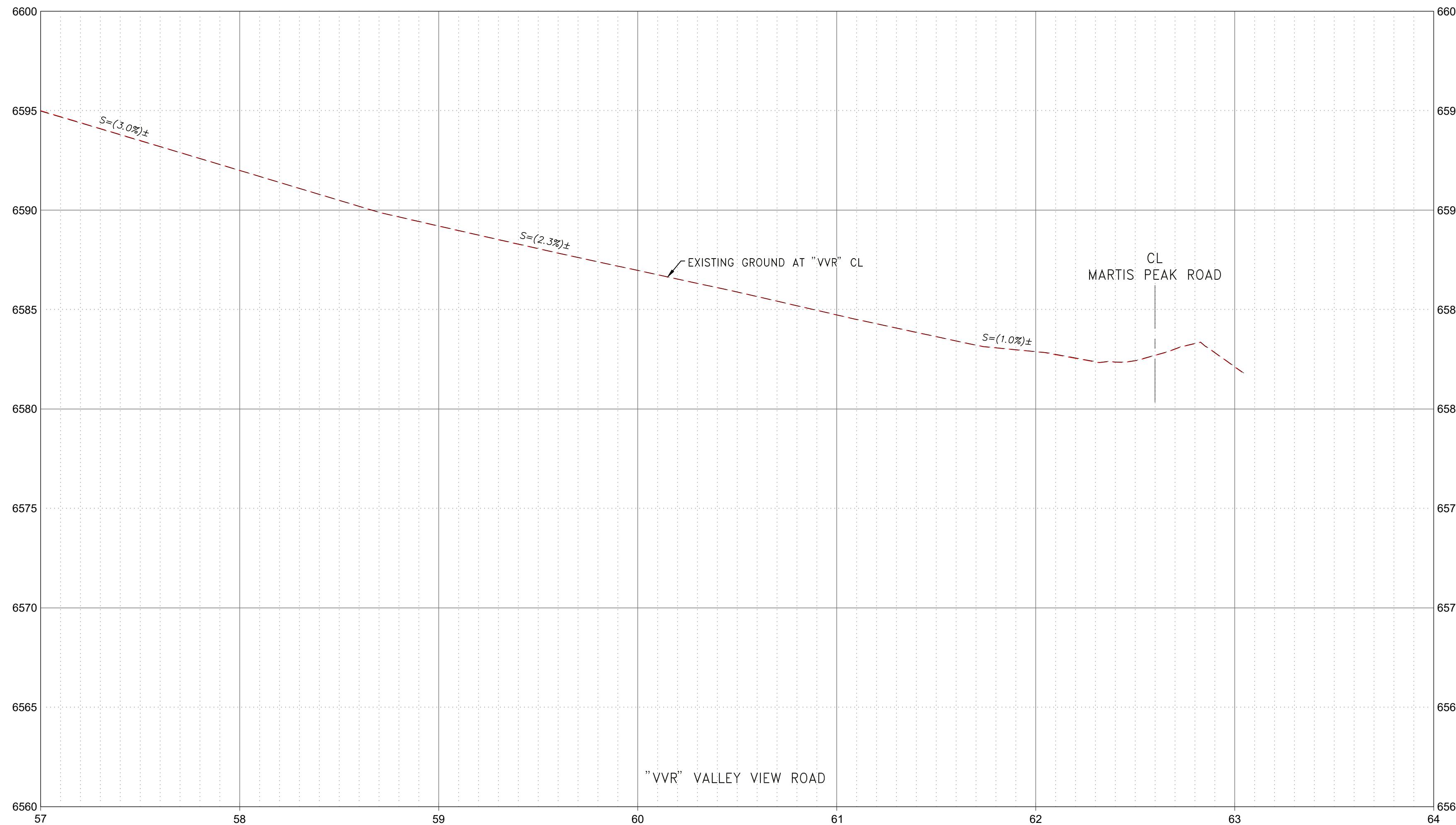
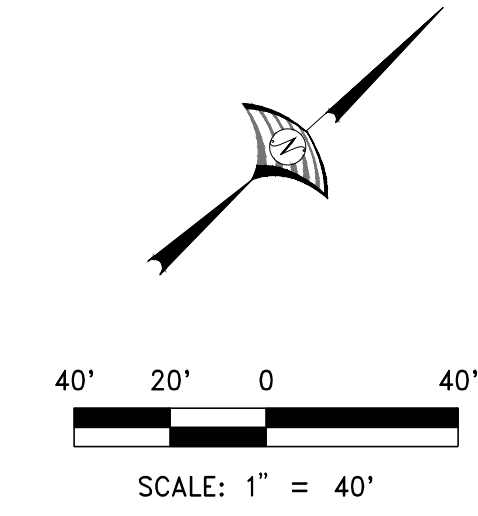


NOTE: CENTERLINE SHOWN (VVR) IS AT THE CENTER OF RIGHT-OF-WAY AND NOT NECESSARILY THE CENTER OF THE ROAD

-  EXISTING ASPHALT ROAD SURFACE
-  EXISTING GRAVEL ROAD
-  STOPPING SITE DISTANCE (115') BASED ON COUNTY OF NEVADA DEPARTMENT OF PUBLIC WORKS STANDARD DRAWING A-1 (20 MPH DESIGN SPEED) AND AASHTO GEOMETRIC DESIGN OF STREETS AND HIGHWAYS (GREEN BOOK) TABLE 3-1

ABBREVIATIONS:
 FMA - FUEL MODIFICATION AREA (ZONE)
 R/W - RIGHT-OF-WAY
 $-2(A+B)$ - LESS THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1
 $+2(A+B)$ - GREATER THAN ROAD WIDTH PER NEVADA COUNTY STANDARD DRAWING A-1

-  EXISTING GROUND PROFILE AT RIGHT-OF-WAY CENTER
-  EXISTING GROUND PROFILE AT ROADWAY CENTER



NO.	DESCRIPTION	DATE

DATE: DECEMBER 2025
 SCALE: H:1"=40' V:1"=4'
 DRAWN BY: LS
 DESIGNED BY: ML
 CHECKED BY: BCG

WOOD RODGERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 1981 Corporate Blvd
 Reno, NV 89502
 Tel: 775.823.4068
 Fax: 775.823.4066

AUSTIN RIDGE

**TRUCKEE AUSTIN RIDGE SPECIAL EVENTS
 VALLEY VIEW ROAD
 PLAN & PROFILE
 STA 57+00 TO 63+00**

PROJECT NO.
8312.053

DRAWING
C6

J:\Users\47259_17031_Austin_0A\Gis\Draw\Sheets\17031_C6.dwg 2/27/2025 2:02 PM Michael Lorum

DEFENSE AND INDEMNIFICATION AGREEMENT

This Defense and Indemnity Agreement ("Agreement") is made and entered into between the County of Nevada, a political subdivision of the State of California ("County"), and Dan Irish with 17031, LLC, ("Applicant"), and is effective as of _____, 2026. This Agreement is made with regard to the following facts:

RECITALS

WHEREAS, Applicant is the owner of the real property located in the unincorporated area of Nevada County at 17031 Austin Way, Truckee, CA 96161, APN: 049-060-012, for which the Applicant has applied for approval of an Outdoor Events Application and Petition for Exceptions to Road Standards (PLN25-0137; OEA25-0001; PFX26-0001)(collectively "Project Approval"); and,

WHEREAS, the Project is a land use development project or other land use decision for which a Defense and Indemnification Agreement is required pursuant to the conditions of the Project Approval; and,

WHEREAS, it is in the public interest for County and Applicant to enter into this Defense and Indemnification Agreement as Applicant will benefit from the County's processing of the application and the Project Approvals that may result therefrom.

NOW THEREFORE, in consideration of the processing of the application and any resulting Project Approval and the mutual promises and agreements contained herein, and in satisfaction of an express condition of the Project Approval, the Applicant hereby agrees as follows:

1. The Applicant agrees to defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees (collectively "County Parties") to attack, set aside, void or annul the above-referenced project approval or any of the proceedings, acts or determinations taken done or made as a result of County's processing and/or approval of the Project or, or to impose personal liability against such agents, officers, or employees based upon or arising out of the project approval. Applicant's obligation to defend and indemnify under this Agreement shall apply to any lawsuit or challenge against the County Parties alleging failure to comply with the California Environmental Quality Act or with the requirements of any other federal, state, or local laws, including but not limited to general plan and zoning requirements. Applicant's obligations under this Agreement to defend and indemnify the County Parties shall include, but not be limited to, payment of all court costs and attorneys' fees, all litigation-related costs, all costs of any judgments or awards against the County, all settlement costs and/or any claim for private attorney general fees claimed by or awarded to any party from the

County. Applicant further agrees to cooperate in good faith with County in performance of obligations as set forth in this Agreement.

2. The County shall notify the Applicant promptly of any claim, action or proceeding and cooperate fully in the defense. Upon receipt of such notification, Applicant shall assume the defense of the claim, action, or proceeding, including the employment of counsel reasonably satisfactory to the County Counsel's Office and Applicant, and the prompt payment of the attorneys' fees and costs of such counsel. In the event of a disagreement between the County and Applicant over litigation issues, County shall have the authority to control the litigation and make litigations decisions, including but not limited to, settlement or other disposition of the matter. If County reasonably determines that having common counsel would present such counsel with a conflict of interest, or if Applicant fails to promptly assume the defense of the claim, action, or proceeding or to promptly employ counsel reasonably satisfactory to County, then County may employ separate counsel to represent or defend the County, and Applicant shall pay the reasonably attorneys' fees and costs of such counsel within 30 days of receiving an itemized billing therefore. At its sole discretion, the County may participate in the defense of any such claim, action, or proceeding in good faith, either through County Counsel's Office at the Applicant's expense or through outside counsel at the County's expense; but such participation shall not relieve Applicant of his obligations under this Agreement.

3. Applicant's obligations to defend and indemnify under this Agreement shall apply whether or not there is concurrent, active, or passive negligence on the part of County Parties. Applicant's obligations under this Agreement shall be effective regardless of whether any or all Project approvals and/or actions by the County regarding the Project remain valid or are invalidated by the court.

4. Failure to promptly defend or indemnify the County is a material breach which shall entitle County to all remedies available under the law, including but not limited to specific performance and damages. Moreover, failure to defend or indemnify shall constitute grounds upon which the County decision-making body may rescind its approval(s) associated with the Project, and a waiver by Applicant of any right to proceed with the Project or any portion thereof.

5. Applicant shall be and remain personally obligated to all of the terms of this Agreement, notwithstanding any attempt to assign, delegate or otherwise transfer all of any of the rights or obligations of this Agreement, and notwithstanding a change in or transfer of ownership of the real property upon which the Project is located (or any interest therein). However, the Applicant may be released from such obligations if the Applicant obtains the County's prior written consent to such transfer, which consent shall not be unreasonably withheld.

6. All notices required under this Agreement shall be in writing and shall be deemed given as of the date of actual delivery if by personal delivery or sent by a nationally recognized overnight carrier, or three days after deposit in the United States mail, first class postage prepaid, to the addresses indicated below:

For Applicant: Dan Irish
9450 SW Gemini Drive, #24131
Beaverton, OR 97008

For County: Planning Director
Nevada County Planning Department
950 Maidu Avenue
Nevada City, CA 95959
Attn: Brian Foss

With a copy to: County Counsel
County of Nevada
950 Maidu Avenue
Nevada City, CA 95959

Either party may change the place for the giving of notice to it by thirty (30) days prior written notice to the other party, as provided herein.

7. This Agreement shall be binding upon Applicant and his heirs, executors, administrators, assigns and successors in interest.

8. Upon execution of this Agreement, it may be recorded with the County Recorder's Office and become a lien on any real property attached to the Project Approvals.

9. This Agreement shall constitute the complete understanding of the parties with respect to the matters set forth herein. Neither party is relying on any other representation, oral or written. This Agreement may not be changed except by a written amendment signed by all parties.

10. It is agreed and understood that this Agreement shall be interpreted fairly in accordance with its terms to effectuate the intent of the parties and not strictly for or against any party by reason of authorship that none of them is to be deemed the party which prepared this Agreement within the meaning of Civil Code Section 1654.

11. Each party executing this Agreement represents and warrants that it has been duly authorized to enter into this Agreement, that it has full and complete authority to do so, that it has consulted with or had the opportunity to consult with an attorney prior to executing this Agreement, that it enters into this Agreement knowingly and voluntarily, and that it agrees to be bound by the terms of this Agreement.

IN WITNESS WHEREOF, the County and Applicant have caused this Agreement to be duly executed, as of the date first set forth above.

COUNTY:

COUNTY OF NEVADA, a political
subdivision of the State of California

Approved as to form:

By: _____
Trevor Koski
County Counsel

APPLICANT:

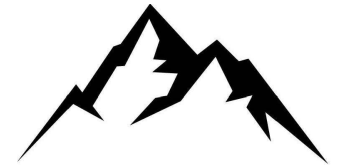
By: _____

Name: Dan Irish

Title: Owner/Applicant

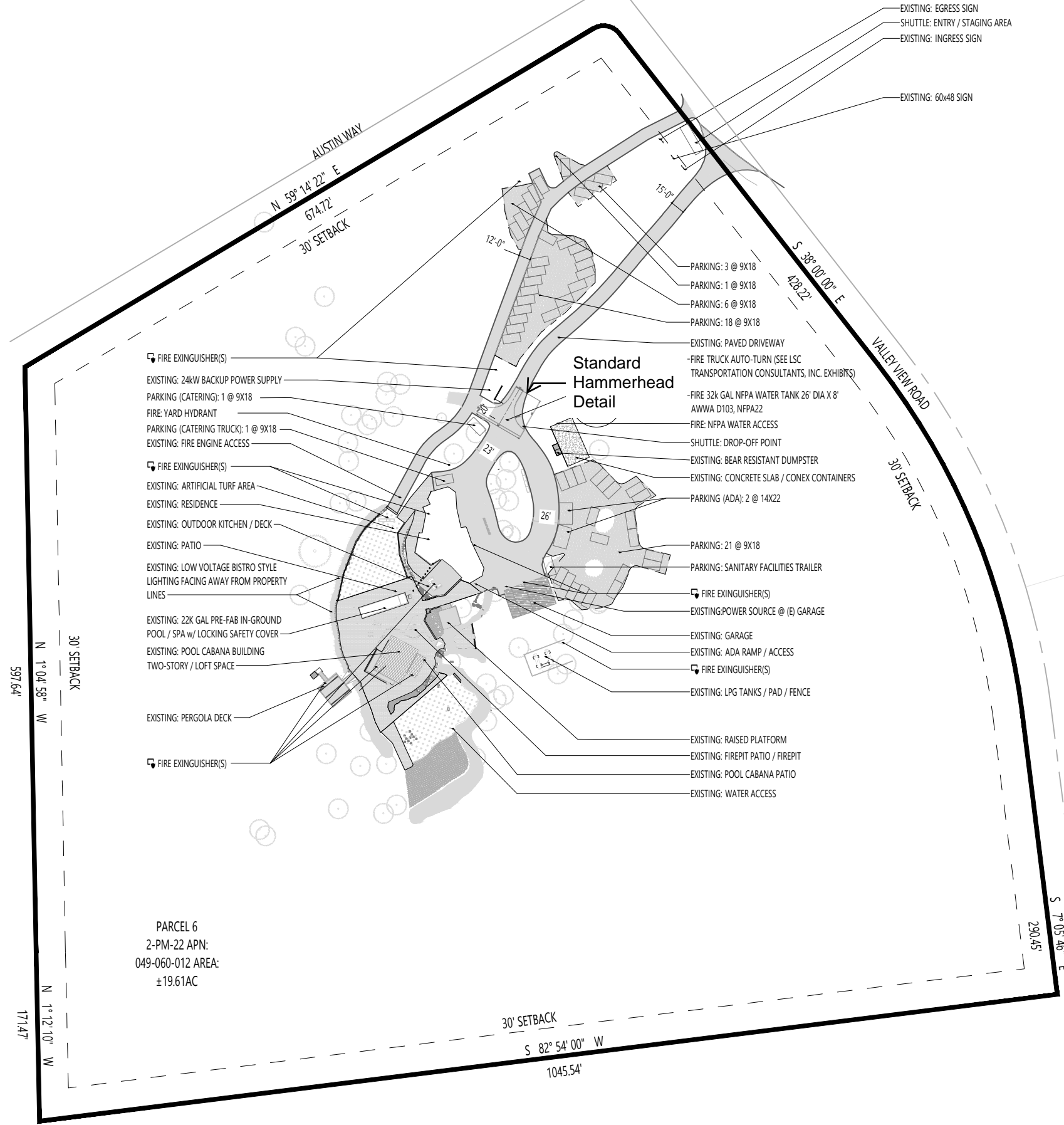


Zachary Ruybal
 Apr 29, 2026
 12:55 pm



AUSTIN RIDGE

EST. 2021



PARKING LEGEND	DESCRIPTION	QUANTITY
	18X9 PARKING	49
	22X14 ADA PARKING	2

PARCEL 6
 2-PM-22 APN:
 049-060-012 AREA:
 ±19.61AC



17031 AUSTIN WAY
 SCALE: 1" = 600'

APRIL 7, 2026