



Board of Adjustment Staff Report

Meeting Date: June 4, 2015

Subject: Administrative Permit Case Number AP15-003
Applicant: Lake Tahoe SummerFest – Georgette Porter
Agenda Item Number: 8A
Summary: To approve an administrative permit and outdoor community event business license for the Lake Tahoe SummerFest, an outdoor concert event to be held at the Sierra Nevada College in Incline Village, Nevada on July 31, August 1, 2, 3, 8, 9, 10, 15, and 16,, 2015.
Recommendation: Approval with Conditions
Prepared by: Eric Young, Planner
Washoe County Community Services Department
Planning and Development Division
Phone: 775.328.3613
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Description

Administrative Permit Case Number AP15-003 (Lake Tahoe SummerFest) – Hearing, discussion, and possible action to approve an administrative permit and outdoor community event business license for the Lake Tahoe SummerFest, an outdoor concert event to be held at the Sierra Nevada College in Incline Village, Nevada on July 31, August 1, 2, 7, 8, 9, 14, 15, and 16, 2015. The proposed outdoor concerts will be held between the hours of 7:15 p.m. and 9:15 p.m. on July 31, August 1, 7, 8, 14, and 15, 2015 (Fridays and Saturdays) and between the hours of 4:00 p.m. and 6:00 p.m. on August 2, 9, and 16, 2015 (Sundays). One additional concert will be held on the Sunday of August 1, 2015 between the hours of 11:00 a.m. and Noon. This concert is focused on children and family themes and will not include any of the catering services available at the evening concerts. All proposed concerts will be unamplified classical music venues located within a portable tent erected on the College for the event. Primary participant and spectator parking will be within the College campus, with additional off-site (overflow) parking at the Incline Village General Improvement District (IVGID) Recreation Facility, if needed. Event organizers estimate that approximately 1,300 participants and spectators will take part in the event during any one three-day event period, with a maximum of 500 participants and spectators on any one day of the event. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the Board of Adjustment may approve the issuance of the administrative permit and business license with conditions, or deny the application.

- Applicant: Lake Tahoe SummerFest – Bradley Trexell
- Property Owner: Sierra Nevada College
- Location: 948 Incline Way, Incline Village, NV 89451
- Assessor's Parcel Numbers: 127-040-10 (College) and 127-040-07 (IVGID Recreation Center)
- Parcel Size: 17.05 acres (College), 1.4 acres (Recreation Center)
- Master Plan Category: Commercial (C)

- Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 310, Temporary Uses and Structures; and Washoe County Code Chapter 25, Business Licenses, Permits, and Regulations

- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Within Section 23, T16N, R18E, MDM, Washoe County, NV

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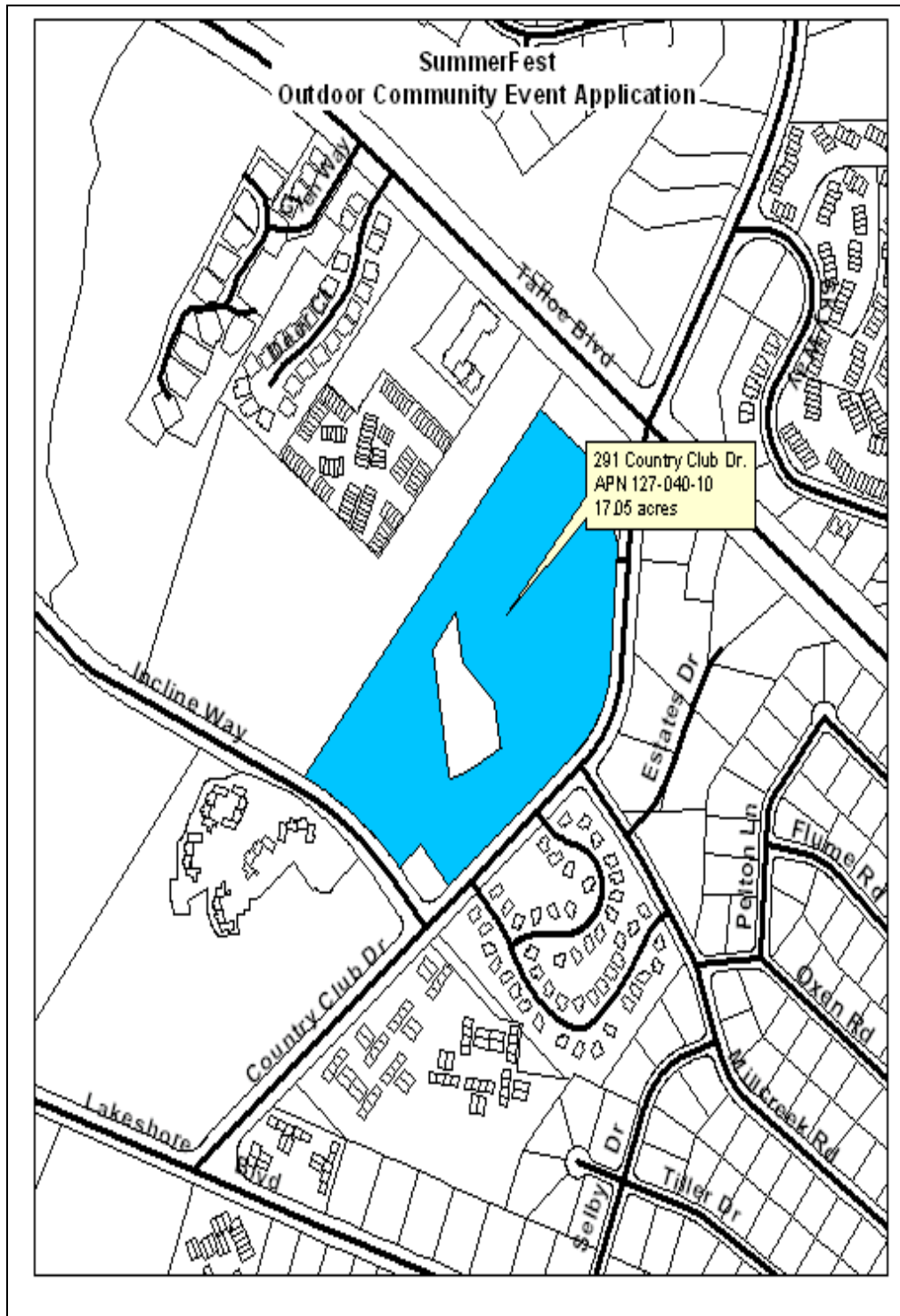
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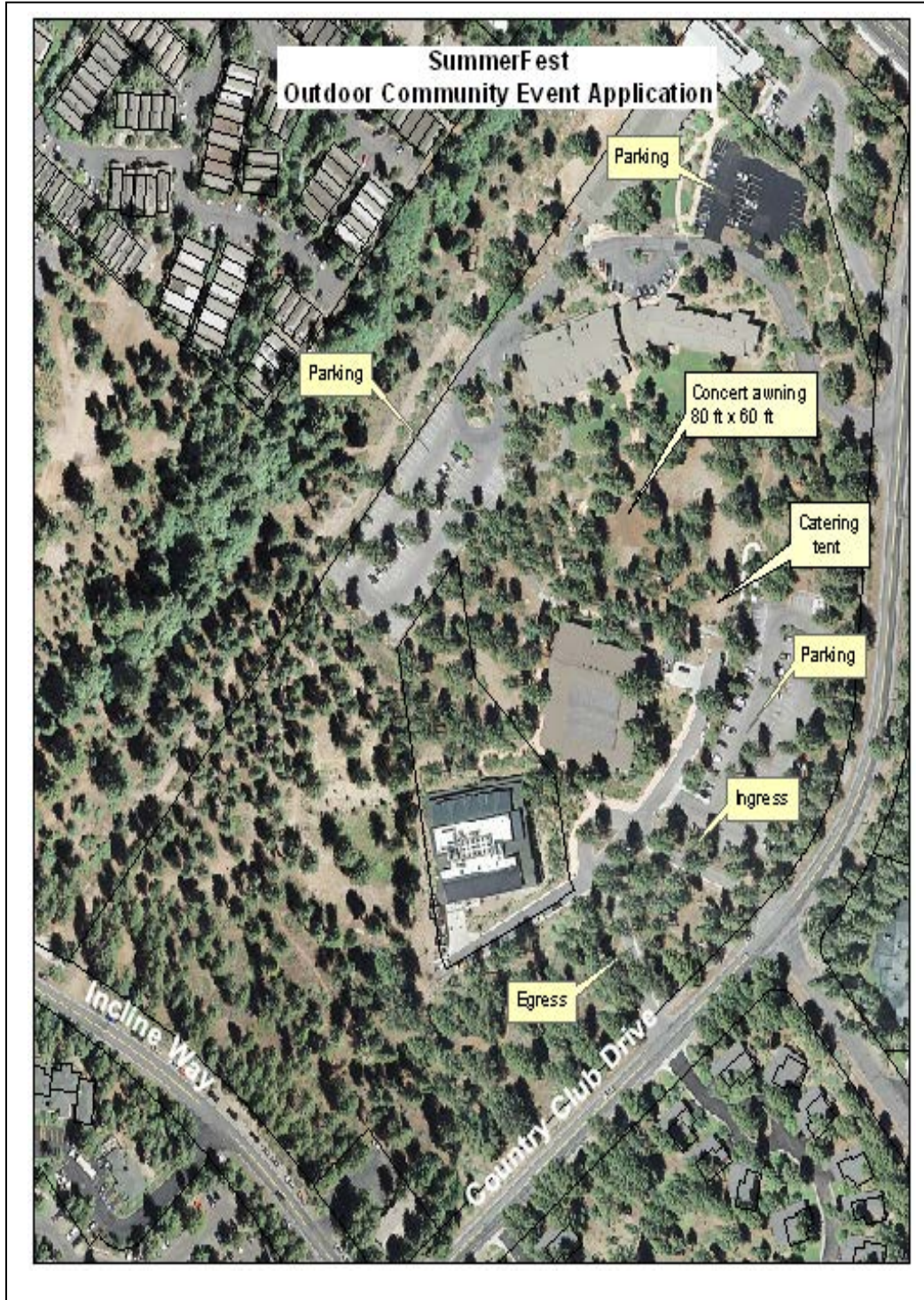
Administrative Permit Definition

The purpose of an Administrative Permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Hearing Examiner or the Board of Adjustment must find that all of the required findings, if applicable, are true.

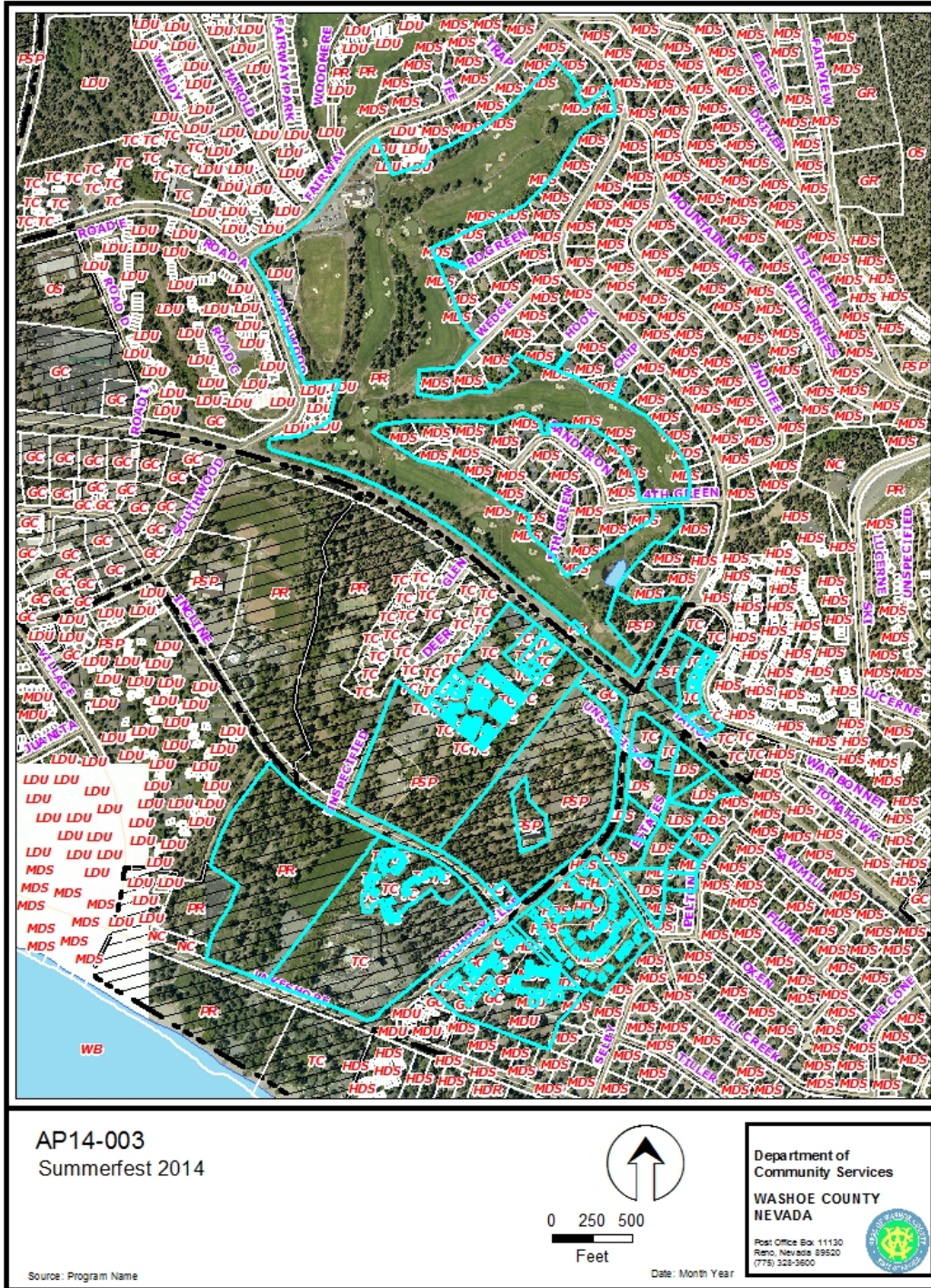
The Conditions of Approval for Administrative Permit Case Number AP15-003 is attached to this staff report and will be included with the Action Order.



Vicinity Map



Site Plan



Notice

AP15-003, Summerfest, was noticed per Washoe County Code Section 110.808.40 (c) (1). This includes all owners of property within 500 feet of the subject parcel, the Incline Village General Improvement District, and the Incline Village/Crystal Bay Citizen Advisory Board (CAB).

Project Evaluation

Lake Tahoe SummerFest is a series of concert events being held under a tent set-up on the Sierra Nevada College property. The tent is proposed to be set up in the area between the Primm Library and Patterson Hall. There are residential dwellings to both the east (Country Club Villas) and west (Tahoe Racquet Club) of the college property. The concert tent will be located approximately 500 feet from any of the residential structures.

Most concerts will be held on Friday and Saturday nights between 7:15 p.m. and 9:15 p.m., and on Sundays between 4:00 p.m. and 6:00 p.m. One additional concert will be held on the Sunday of August 1, between the hours of 11:00 a.m. and noon. These concerts are focused on family and children's themes. The concert performances will not use amplification equipment, but there will be one microphone system for making announcements, if necessary.

With the exception of the Sunday family concert, food and beverages will be provided by a private company sold before and during the concerts. The catering tent will be set up near the stair to the parking lot closest to Country Club Drive (east of Primm Library). The area where the caterer will set up is several feet below the parking lot. This lower location will serve to screen the tent from the roadway.

There are three parking lots on Sierra Nevada Campus providing 238 parking spaces. The applicant cites an agreement with IVGID to utilize the nearby recreation center parking facility for any overflow parking should the need occur. However, similar arrangements made in previous years proved unnecessary.

The restroom facilities in the campus buildings will be open for use by the concert attendees. Sierra Nevada College security staff will be on site during the concert. Volunteer staff will be assigned to direct traffic and assist the public.



Facing west towards Country Club Drive



Facing northeast



Facing southwest

Incline Village/Crystal Bay Citizen Advisory Board

Washoe County Code does not require Administrative Permits to be presented to the local Citizens' Advisory Board. However, the CAB was provided notice.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
 - Planning and Development Division
 - Engineering and Capital Projects Division
 - Building and Safety Division
- Washoe County Health District
- Washoe County Risk Management
- North Lake Tahoe Fire Protection District
- Incline Village General Improvement District.
- Washoe County Sheriff Department.
- Regional Transportation District
- Emergency Medical Services

Three out of the ten above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

- Washoe County Planning and Development addressed the hours of operation and imposed operational conditions that will be in effect for the duration of the event.

Contact: Eric Young, 775.328.3613, eyoung@washoecounty.us

- Washoe County Health District addressed the need for emergency EMT services on site, medical record keeping, permits for temporary food establishments, and restroom facilities.

Contacts: James English, 775.328.2610, jenglish@Washoecounty.us; and Brittany Dayton, 775.326.6043, bdayton@washoecounty.us

Staff Comment on Required Findings

Washoe County Development Code, Section 110.808.25 of Article 808, Administrative Permits, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the administrative permit request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards, and maps of the Master Plan and the Tahoe Area Plan.

Staff Comment: The proposed outdoor community event, a series of outdoor concerts to be conducted on the grounds of the Sierra Nevada College, is a permitted use with

acquisition of an administrative permit and business license. There are no programs policies maps or standards in any of the relevant Washoe County Plans that are inconsistent with this use.

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: 1) electric and water utilities and sanitation are provided by public utilities and agencies and are adequate, (2) with proper traffic management, roadways are capable of serving the event, (3) as explained above in the staff report, the application was reviewed by agencies who imposed conditions (Exhibit A) to assure adequate facilities, and utilities are furnished. Staff is confident that the necessary facilities are in place or will be in place as the result of a condition for the duration of the event.

3. Site Suitability. That the site is physically suitable for an outdoor community event and for the intensity of such a development.

Staff Comment: The proposed site is particularly suitable for this event. The lawn areas of Sierra Nevada College are capable of hosting the expected crowds and there is adequate room for the set up of the necessary facilities and equipment. The successful use of this area last year is an indication that the site is suitable for this event.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: The administrative permit review process ensures that all appropriate agencies have provided all necessary conditions for this event to remain non detrimental to the public health safety and welfare of the area, nor will surrounding properties be unduly injured nor will the character of the surrounding area be harmed. The conditions of approval impose noise controls (no amplification) and hours of operation to assure minimum impact on surrounding properties, and no surrounding property owners have responded to the notice sent to them objecting to the event.

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: *Not applicable.*

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Administrative Permit Case Number AP15-003 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number AP15-003 for Lake Tahoe Summerfest, having made all five findings in accordance with Washoe County Development Code Section 110.808.25:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for an outdoor community event, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

Board of Adjustment action will be effective 10 days after the decision is filed with the Secretary of the Board of Adjustment in accordance with Washoe County Code, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant: Georgette Porter, Executive Director
 Lake Tahoe SummerFest
 948 Incline Way
 Incline Village NV 89451

Property Owner: Sierra Nevada College
 291 Country Club
 Incline Village, NV 89451



Conditions of Approval

Administrative Permit Case Number AP15-003

The project approved under Administrative Permit Case Number AP15-003 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on June 4, 2015. Such conditions are imposed by as may be necessary for the protection of the health, welfare, safety and property of local residents and persons attending an outdoor community event such as that approved in AP15-003. Conditions of Approval are requirements placed on the permit by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Compliance with the conditions of this license is the responsibility of the licensee at the licensee's expense. Failure to comply with any pre-event conditions as attached may cause Washoe County to not issue the Outdoor Event business license. Failure to comply with during-event conditions as attached may cause Washoe County to take appropriate measures to revoke or suspend the Outdoor Event business license. Failure to comply with post-event conditions as attached may cause Washoe County to impose more stringent conditions on, or potentially jeopardize the approval of, future Outdoor Event business license applications.

Washoe County reserves the right to review and revise the approved conditions of this license should the County determine that a subsequent license or permit issued by Washoe County violates the intent of this approval.

The applicant shall submit all required plans, permits, documentation and other pertinent records or documents to the identified responsible agency. The applicant shall further provide the assigned case planner with proof of compliance with all pre-event conditions as described below by July 21, 2015. The Outdoor Community Event License shall be issued when the case planner notifies the Director of the Planning and Development Division, Community Services Department that all imposed pre-event conditions have been met and the license can be issued.

Washoe County reserves the right to review and revise the Conditions of approval related to this Administrative Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development

Contact: Eric Young, 775.328.3613, eyoung@washoecounty.us

The following conditions are requirements of the Planning and Development Division, which shall be responsible for determining compliance with these conditions.

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this Administrative Permit. Planning and Development shall determine compliance with this condition.

2. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this Administrative Permit.
3. The event organizers must obtain building permits by submitting plans and calculations for review and approval of all temporary structures, including tent structures. Plan submittals should include manufacturer's recommendations for anchoring and specifications regarding wind loads, flame spread and smoke-development.
4. The applicant will provide the Planning and Development Division with proof of coordination and compliance with the North Lake Tahoe Fire Protection District requirements.
5. The applicant shall provide Planning and Development a pass to gain access to the concert site, including parking, for inspection to verify that all conditions of approval are being adhered to. The pass must be good for any and all concerts. Inspection shall be random and unannounced.
6. An Outdoor Community Event license for Lake Tahoe SummerFest shall be issued prior to commencing of concerts.
7. Catering services shall obtain appropriate Washoe County business and intoxicating liquor licenses.
8. Hours of Operation. All concerts shall end by 9:30 p.m. each Friday and Saturday evening, and by 7:30 p.m. on Sundays. Pre Concert activities shall not start before 4:30 p.m. on Fridays and Saturdays and 9:00 a.m. Sundays, and all activities shall end by 10:00 p.m. on Friday and Saturday nights. All activities shall end by 8:00 p.m. on Sundays.
9. Noise. The music shall not be amplified during any concert.
10. Restroom Facilities must be open and available to the concert goers at least 30-minutes before and after the concert, and during the entire time that food or beverages are sold.
11. Lighting. All outdoor lighting, other than standard campus lighting, shall be turned off by 10:00 p.m. on Friday and Saturday nights, and by 8:00 p.m. on Sundays.
12. Clean up. The applicant shall be responsible for total clean up of the site. The tent structure shall be removed within 48 hours of the final concert on August 16, 2015. The applicant shall contact Washoe County Planning and Development to arrange final site inspection after clean up is complete.

Failure to comply with the conditions of approval shall render this approval null and void.

Washoe County Health District

Contacts: James English, 775.328.2610, jenglish@washoecounty.us; and Brittany Dayton, 775.326.6043, bdayton@washoecounty.us

The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.

1. The event organizers shall have a First Aid Station on site staffed with at least one EMT during the hours of operation of the event. This is based on the information

- supplied on their application and in accordance with the Washoe County District Board of Health EMS Mass Gathering Guidelines. By July 1, 2014, the applicant shall provide the Health Department with a letter or email from REMSA (or equivalent provider) confirming that this condition shall be met.
2. Medical Record Keeping – Within 30 days of the completion of the event a medical summary should be submitted to the Health District that includes the following:
 - a. Number of patients treated on scene.
 - b. Number of patients known to have been transported to a medical facility by private vehicle, ambulance or other means.
 - c. Listing of individual types of illness or injuries seen at the first aid station.
 3. The applicant shall secure all necessary Temporary Food Establishment Permits.
 4. The applicant shall provide sufficient bathroom facilities and handwashes for the attendees.

Washoe County Risk Management

1. Evidence of Insurance must include language for additional insured. Provide evidence of additional insured coverage by July 20, 2015.

*** End of Conditions ***

Reviewing Agency Comments:

Health District

1. Operating permits for temporary food establishments and special events shall meet the requirements of the Washoe County District Board of Health Regulations Governing Food Establishments Section 170.
2. A minimum number of non-sewered toilets are required based on a maximum of 500 attendees and the duration of the event per the below and the Washoe County District Board of Health Regulations Governing Food Establishments Section 170. Hand washing facilities are required for each bank of non-sewered toilets. The following shall be submitted to this Division:
 - a. A copy of a current contract with a permitted operator contracted to maintain the required number of non-sewered toilets and hand washing facilities.

NON-SEWERED TOILETS – SPECIAL EVENTS										
NUMBER OF PEOPLE	NUMBER OF HOURS FOR EVENT									
	1	2	3	4	5	6	7	8	9	10
0-500	2	4	4	5	6	7	9	9	10	12

3. The event organizers shall have a First Aid Station on site staffed with at least one EMT during the hours of operation of the event. This is based on the information supplied on their application and in accordance with the Washoe County District Board of Health EMS Mass Gathering Guidelines. By July 1, 2015, the applicant shall provide the Health Department with a letter or email from REMSA (or equivalent provider) confirming that this condition shall be met.
4. Medical Record Keeping – Within 30 days of the completion of the event a medical summary should be submitted to the Health District that includes the following:
 - a. Number of patients treated on scene.
 - b. Number of patients known to have been transported to a medical facility by private vehicle, ambulance or other means.
 - c. Listing of individual types of illness or injuries seen at the first aid station.
5. The applicant shall secure all necessary Temporary Food Establishment Permits.
6. The applicant shall provide sufficient bathroom facilities and handwashes for the attendees.

Incline Village General Improvement District

1. No impact to the Incline Village General Improvement District.

Washoe County Risk Management

1. Evidence of Insurance must include language for additional insured. Provide evidence of additional insured coverage by July 20, 2015.

Washoe County Planning and Development

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this administrative permit.
3. The event organizers must obtain building permits by submitting plans and calculations for review and approval of all temporary structures, including tent structures. Plan submittals should include manufacturer's recommendations for anchoring and specifications regarding wind loads, flame spread and smoke-development.
4. **By July 20, 2015**, the applicant will provide the Planning and Development Division with proof of coordination and compliance with the North lake Tahoe fire Protection District requirements.
5. **By July, 20, 2015**, the applicant shall provide Community Development a pass to gain access to concert site, including parking, for inspection to verify that all conditions of approval are being adhered to. The pass must be good for any and all concerts. Inspection shall be random and unannounced.
4. The following **Operational Conditions** shall be required for the approved dates of the Outdoor Community Event:
 - a) An Outdoor Community Event license for Tahoe SummerFest shall be issued prior to commencing of concerts.
 - b) Catering services shall obtain appropriate Washoe County business and intoxicating liquor licenses.
 - c) Hours of Operation. All concerts shall end by 9:30 p.m. each Friday and Saturday evening, and by 7:30 p.m. on Sundays. Pre Concert activities shall not start before 4:30 p.m., and all activities shall end by 10:00 p.m. on Friday and Saturday nights. Pre Concert activities shall not start before 12:30 p.m. and all activities shall end by 8:00 on Sundays.
 - d) Noise. The music shall not be amplified during any concert.
 - e) Restroom Facilities must be open and available to the concert goers at least 30-minutes before and after the concert, and during the entire time that food or beverages are sold.

- f) Lighting. All outdoor lighting, other than standard campus lighting, shall be turned off by 10:00 p.m. on Friday and Saturday nights, and by 8:00 p.m. on Sundays.
- g) Clean up. The applicant shall be responsible for total clean up of the site. The tent structure shall be removed within 48 hours of the final concert on August 17, 2014. The applicant shall contact Washoe County Community Development to arrange final site inspection after clean up is complete.
- h) Failure to comply with the conditions of approval shall render this approval null and void.