



Special Use Permit Staff Report

Meeting Date: June 5, 2014

Subject: Administrative Permit Case Number AP14-003
Applicant(s): Lake Tahoe SummerFest – Georgette Porter
Agenda Item Number: 8.C.
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 August 1, 2, 3, 8, 9, 10, 15, 16, and 17, 2014.
Recommendation: Approval with Conditions
Prepared by: Eric Young, Planner
Washoe County Community Services Department
Planning and Development Division
Phone: 775.328.3613
E-Mail: eyoung@washoecounty.us

Description

Administrative Permit Case Number AP14-003 (Lake Tahoe SummerFest) – 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 August 1, 2, 3, 8, 9, 10, 15, 16, and 17, 2014. The proposed outdoor concerts will be held between the hours of 7:00 p.m. and 9:00 p.m. on August 1, 2, 8, 9, 15, and 16, 2014 (Fridays and Saturdays) and between the hours of 4:00 p.m. and 7:00 p.m. on August 3, 10 and 17, 2014 (Sundays). Two additional concerts will be held on the Sundays of August 10 and 17, between the hours of 11:00 a.m. and noon. These concerts are focused on 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 – Georgette Porter
- 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 WCC 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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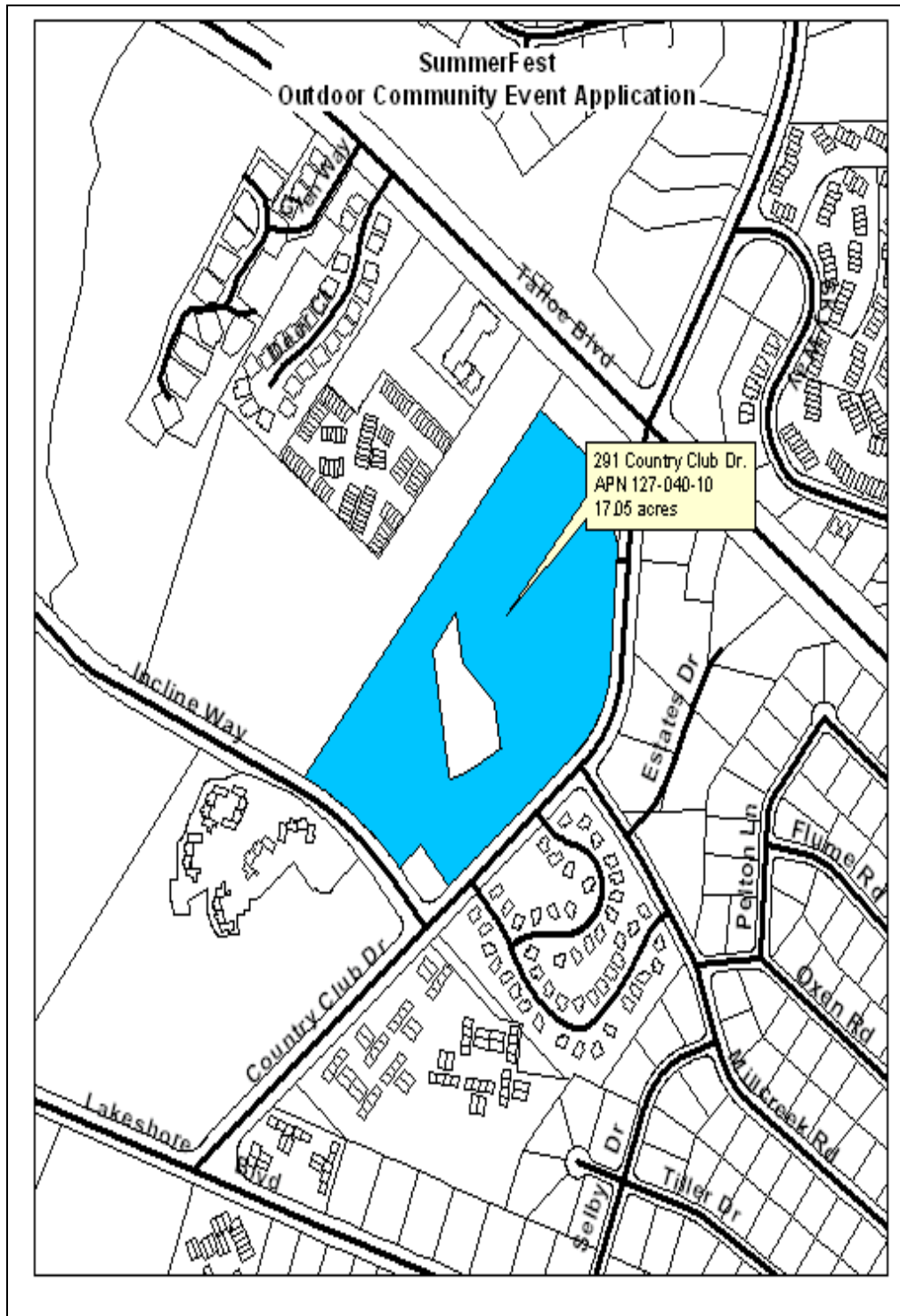
Conditions of Approval..... Exhibit A

Review Agency Comments..... Exhibit B

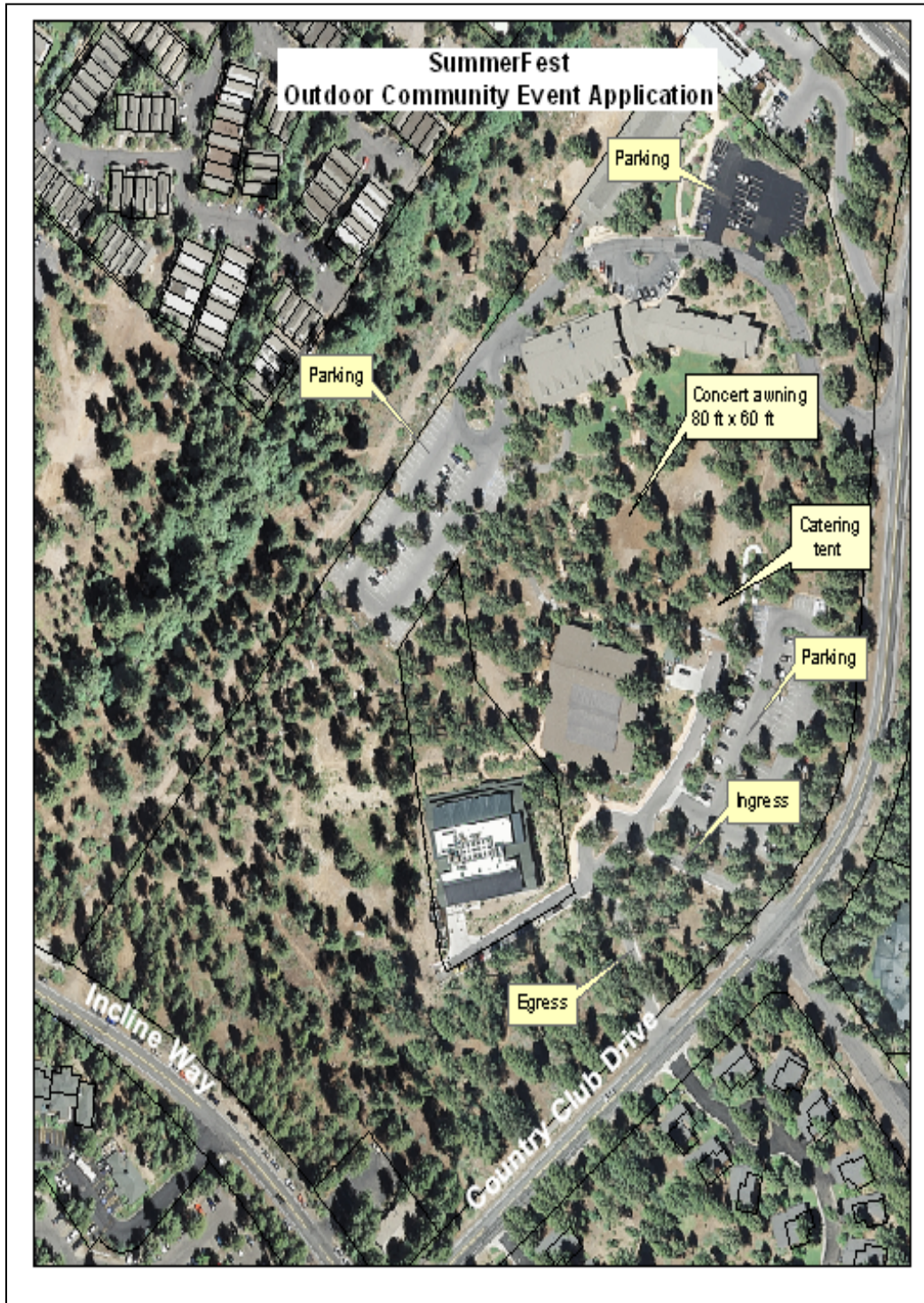
Administrative Permit Definition

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.

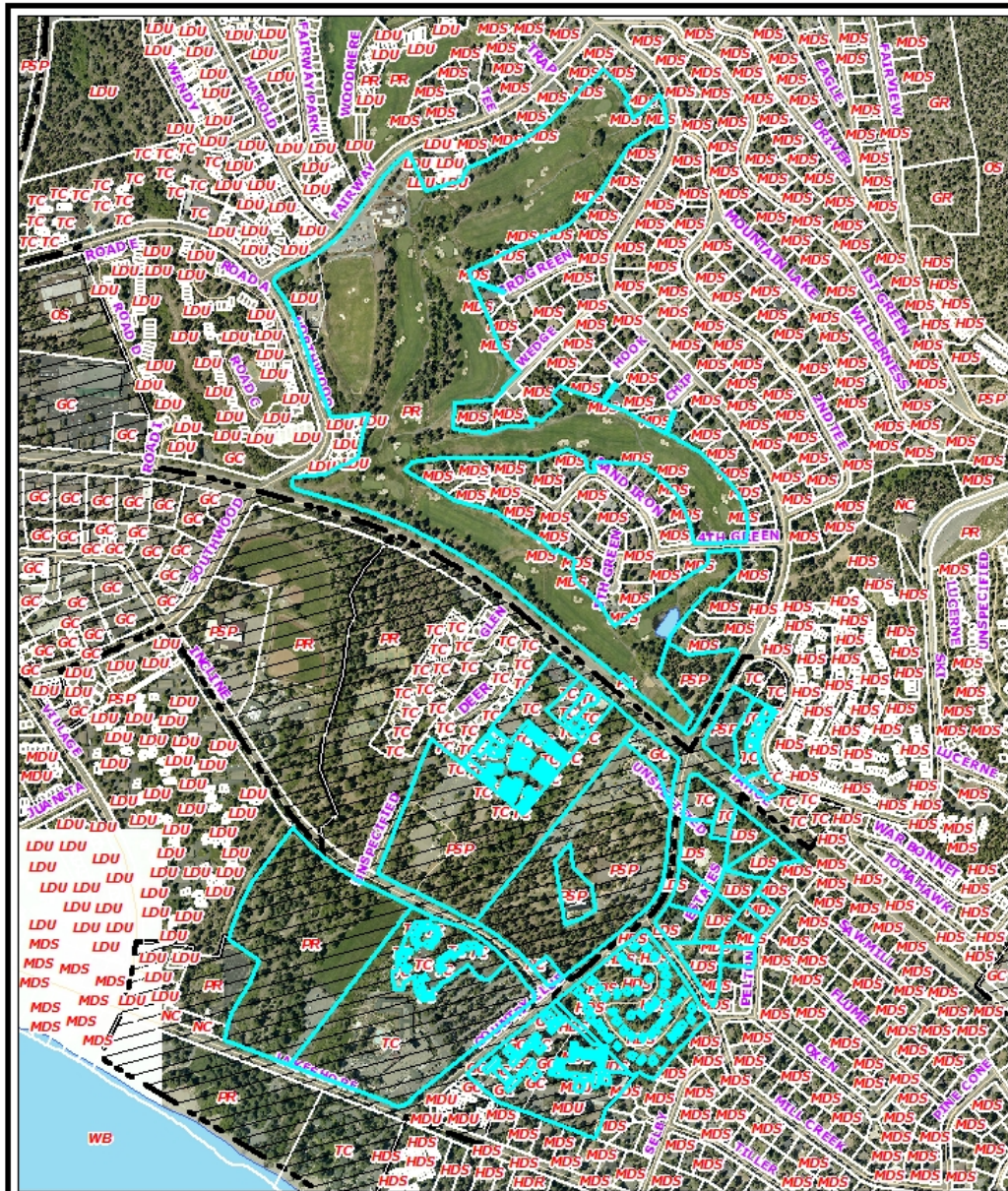
The Conditions of Approval for Administrative Permit Case Number AP14-003 is attached to this staff report and will be included with the Action Order.



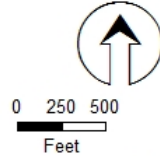
Vicinity Map



Site Plan



AP14-003
Summerfest 2014



Department of
Community Services
**WASHOE COUNTY
NEVADA**



Post Office Box 11130
Reno, Nevada 89520
(775) 328-9600

Source: Program Name

Date: Month Year

Notice

AP14-003, Summerfest, was noticed per WCC 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 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 Prim 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 7:00 and 9:00 p.m., and on Sundays between 4:00 and 7:00 p.m. Two additional concerts will be held on the Sundays of August 10 and 17, 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 two Sunday family concerts, 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 Prim 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

Administrative permits are not required by Washoe County Code to be presented at a Citizen Advisory Board meeting. 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.

Four out of the eight 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
- Incline Village General Improvement District addressed the need to coordinate with Waste Management for solid waste management.
Contact: Tim Buxton, Chief Inspector, 775.832.1246
- 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
- Washoe County Risk Management addressed the need for an insurance certificate that is up to date.
Contact: Jim Jeppson, 775.328.2075, jjeppson@washoecounty.us

Staff Comment on Required Findings

Section 110.808.25 of Article 808, *Administrative Permits*, within the Washoe County Development Code, 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 AP14-003 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 AP14-003 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 15 days after the public hearing/decision date, (June 5, 2014) 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

EXHIBIT A



Conditions of Approval

Administrative Permit Case Number AP14-003

The project approved under Administrative Permit Case Number AP14-003 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on June 5, 2014. 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 AP14-003. 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, 2014. 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 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 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 activates 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 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 17, 2014. 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 District Health Department

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 District Health Department, 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 District Health Department 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.

Incline Village General Improvement District

- **Contact:** Tim Buxton, Chief Inspector, 775.832.1246

The following conditions are requirements of the Incline village General Improvement District.

1. Waste Management is the trash provider in Incline Village and Crystal Bay per a Franchise Agreement by IVGID and this event must coordinate all trash service(s) with Waste Management.

Washoe County Risk Management

The following conditions are requirements of Washoe County Risk Management.

Contact: Jim Jeppson, 775.328.2075, jjepson@washoecounty.us

1. The coverage period in the Certificate of Insurance has expired. The certificate must be replaced with evidence of coverage effective at the time of the event.

*** End of Conditions ***

Reviewing Agency Comments:

Health District

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.

Incline Village General Improvement District

1. Waste Management is the trash provider in Incline Village and Crystal Bay per a Franchise Agreement by IVGID and this event must coordinate all trash service(s) with Waste Management.

Washoe County Risk Management

1. The coverage period in the Certificate of Insurance has expired. The certificate must be replaced with evidence of coverage effective at the time of the event.

Washoe County Planning and Development

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. **By July 20, 2014**, 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, 2014**, the applicant shall provide Planning and 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 p.m. 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 Planning and 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.

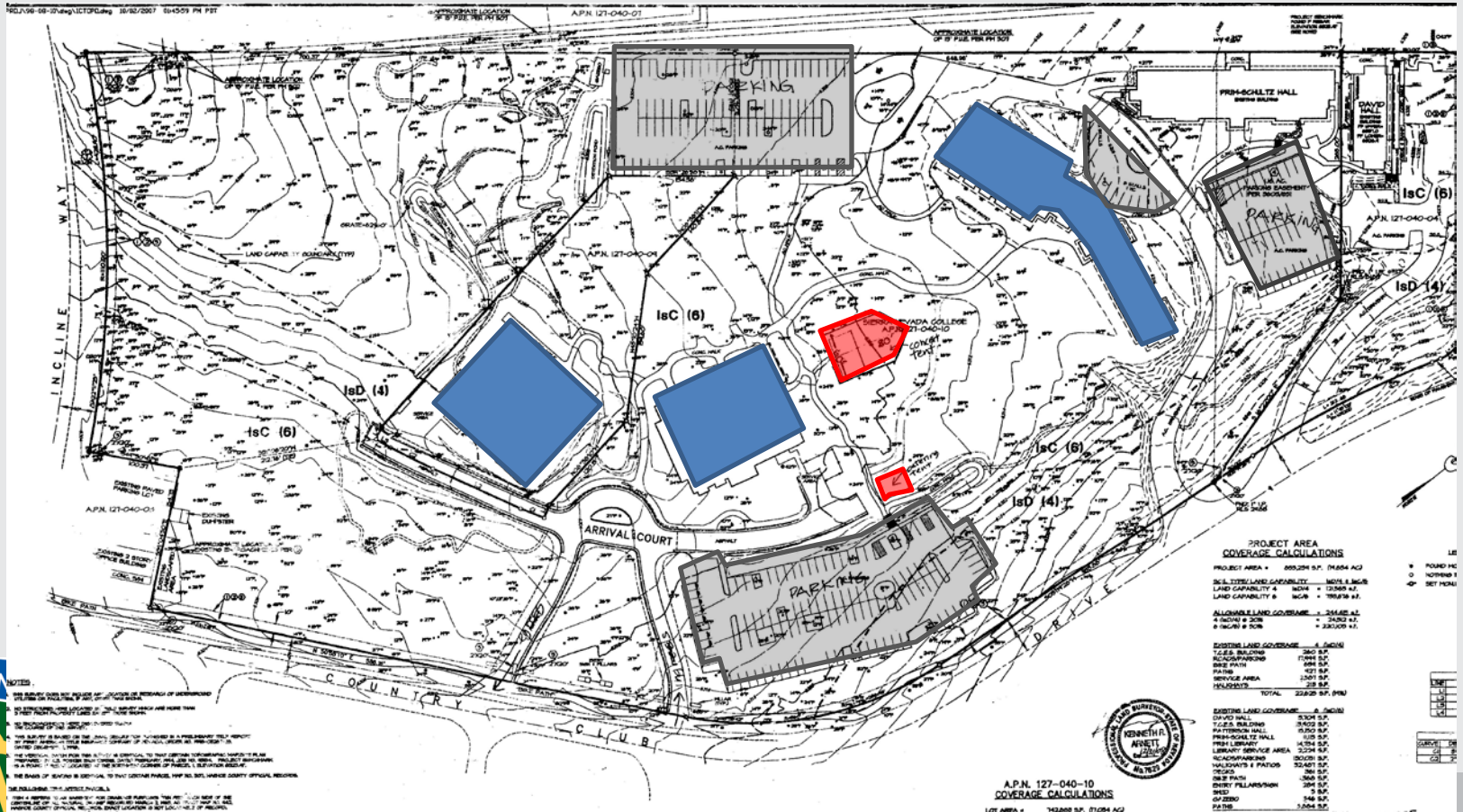
Administrative Permit AP14-003

Washoe County Board
of Adjustment

June 5, 2014



Site Plan



Background

- **Classical music concert at Sierra Nevada College**
- **Outdoor event under a tent**
- **Friday and Saturday nights 7:00 to 9:00 p.m.**
- **Sundays 4:00 to 7:00 p.m.**
- **Two Sunday 11:00 a.m. to noon Family Concerts**
- **Maximum of 500 people per concert**
- **238 parking spaces on campus**
- **Musicians will be bussed to campus**



Analysis

- **Limit the hours of operation to mitigate late night noise**
- **No amplification of music**
- **No homes within 500 feet of concert tent location**
- **Tent location is below street level of Country Club Drive**
- **Tent is located between two buildings**
- **Adequate public facilities on site**



Tent Location



Reviewing Agencies

- Washoe County Planning and Development
- Washoe County Engineering and Capital Projects Division
- Washoe County Health District
- North Lake Tahoe Fire Protection District
- Incline Village General Improvement District
- Washoe County Building and Safety
- Washoe County Risk Management
- Washoe County Sheriff's Department



Conditions of Approval

- Staffed first aid station
- Special Activity Permit from Fire Protection District
- Building Permit for Tent set-up
- Fire inspection each weekend before concert
- Hours of operation
- Lighting
- Public Facilities
- Clean-up
- Caterer's Business License
- Business license for Lake Tahoe SummerFest



Administrative Permit Findings

1. Consistency with Master Plan & 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. Adequate Public Facility Improvements:

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 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.



Administrative Permit Findings

3. Site Suitable for type & intensity of use:

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 significantly detrimental to adjacent parcels, the public, or character of neighborhood:

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.

No effect on a military station: N/A



Possible Motion

I move that after reasonable consideration, the Washoe County Board of Adjustment approves with conditions Administrative Permit Case No. AP14-003 for Lake Tahoe SummerFest having made the appropriate findings in accordance with Washoe County Development Code Section 110.808.25.

