

# **Board of Adjustment Staff Report**

Meeting Date: September 5, 2024 Agenda Item: 8A

AMENDMENT OF CONDITIONS CASE WAC24-0009 for WSUP23-0002 (IVGID

NUMBER: Tank)

BRIEF SUMMARY OF REQUEST:

To amend conditions of approval to

extend construction hours

STAFF PLANNER: Julee Olander, Planner

Phone Number: 775.328.3627

E-mail: jolander@washoecounty.gov

### **CASE DESCRIPTION**

For hearing, discussion, and possible action to approve an amendment of conditions for Special Use Permit WSUP23-0002 to amend conditions of approval 1.e, to allow heavy equipment construction activities between 7 am to 7 pm, Monday through Saturday with expanded hours of 7 pm to 7 am for the pre-stressed cable installation.

Applicant/Owner: Incline Village General

Improvement District (IVGID)

Location: 1250 Sweetwater Road

APN: 130-010-08 Parcel Size: 87.3 acres Master Plan: Tahoe

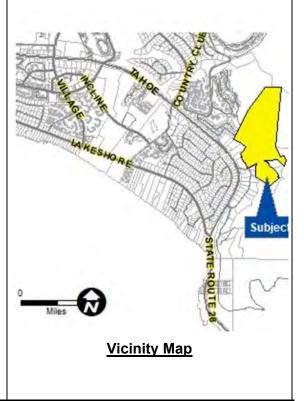
Regulatory Zone: 67% TA TC & 33% PR

Area Plan: Tahoe

Development Code: Authorized in Article 810,

Special Use Permits

Commission District: 1 – Commissioner Hill



### STAFF RECOMMENDATION

**APPROVE** 

APPROVE WITH CONDITIONS

**DENY** 

### **POSSIBLE MOTION**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Amendment of Conditions Case Number WAC24-0009 for Incline Village General Improvement District (IVGID), with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30

(Motion with Findings on Page 5)

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### **Exhibits Contents**

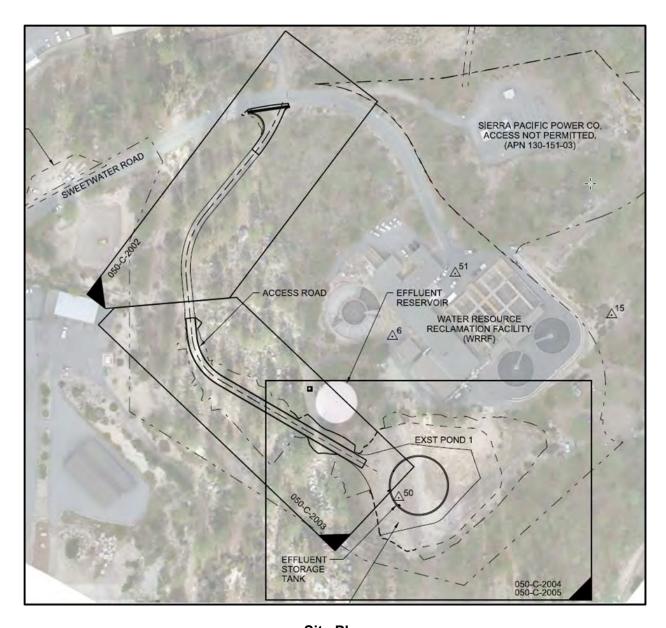
Amended Conditions of Approval		Exhibit A
WSUP23-0002 Action Order with	Original Conditions of Approval	Exhibit B
Project Application		Exhibit C

### **Amendment of Conditions**

An amendment of conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an amendment of conditions application is submitted are listed below:

- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

The amendment of conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The amendment of conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, noticing, possible involvement of a citizen advisory board, agency review and analysis, and satisfying the required findings. If the Board of Adjustment grants an approval of the amendment of conditions request, an amended action order is created along with amended condition 1(e).



Site Plan

### **Background and Evaluation of Amendment Request**

On June 1, 2023, the Board of Adjustment approved WSUP23-0002 (IVGID Tank) to allow the construction of a 40-foot tall and 99-foot diameter, 2-million gallon reinforced concrete effluent water storage tank.

The applicant is requesting to amend condition 1.e with the following language:

Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours. Heavy equipment construction activities shall be allowed Monday through Saturday from 7pm to 7am for the pre-stressed cable installation.

The request to amend the condition is to allow night work and to enable the completion of the effluent storage tank this year as the project runs the risk of not being completed in the 2024 Tahoe Basin construction season. The applicant states, "The effluent storage tank provides emergency storage of the treated effluent from the wastewater treatment plant and Nevada Department of Environmental Protection discharge permit requirements mandate the construction of the tank." The applicant indicates that grading has taken longer due to "unsuitable ground conditions." Additionally, there are a limited number of days to construct the tank, due to the location in the Tahoe Basin and TRPA grading restrictions. There are also strict temperature requirements for the materials involved to construct the tank. The limited construction days along with the grading delays have caused the applicant to request to allow construction during the night.

The location of the tank construction is immediately adjacent to the Water Resource Reclamation Facility (WRRF) site (See the Site Plan, page 4). The closest residential home is 1,300 feet away and the area is heavily forested, which will screen the work activities and help buffer construction noise. State Route 28 is approximately 2,500 feet away from the site.

### **Tahoe Planning Area**

The subject parcel is located within the Tahoe Area Plan. There are no other relevant policies related to amending a special use permit condition.

### Recommendation

After a thorough review and analysis, Amendment of Conditions Case Number WAC24-0009 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 Washoe County Board of Adjustment approve Amendment of Conditions Case Number WAC24-0009 for Incline Village General Improvement District (IVGID), with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- (a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
- (b) <u>Improvements.</u> 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;
- (c) <u>Site Suitability.</u> That the site is physically suitable for a public utility center and major grading and for the intensity of such a development;
- (d) <u>Issuance Not Detrimental.</u> 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;
- (e) 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 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s).

Applicant/Owner: Incline Village General Improvement District (IVGID).,

pw@ivgid.org & hwk@ivgid.org



# **Amended Conditions of Approval**

Amendment of Conditions Case Number WAC24-0009 For Special Use Permit Case Number WSUP23-00002

The project approved under Amendment of Conditions Case Number WAC24-0009 for Special Use Permit Case Number WSUP23-0002 shall be carried out in accordance with the Amended Conditions of Approval granted by the Board of Adjustment on September 5, 2024. Conditions of approval are requirements placed on a permit or development 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 or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

<u>Unless otherwise specified</u>, all conditions related to the amendment of conditions approval regarding the Special Use Permit Case Number WSUP23-00002 shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the amended conditions of approval related to the Special Use Permit Case Number WSUP23-00002 is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the amended conditions imposed regarding the approved Special Use Permit Case Number WSUP23-00002 may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the amended conditions of approval related to this Special Use Permit Case Number WSUP23-00002 should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

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 Building Division

1. The following conditions are requirements of Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name - Julee Olander, Planner, 775.328-3627, jolander@washoecounty.gov

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this approval.
- b. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours. Heavy equipment construction activities shall be allowed Monday through Saturday from 7pm to 7am for the pre-stressed cable installation.
- c. The applicant shall also meet all other conditions of approval previously approved on June 1, 2023 by Special Use Permit Case Number WSUP23-0002.

\*\*\* End of Amended Conditions \*\*\*



# Board of Adjustment Action Order

Special Use Permit Case Number WSUP23-0002 (IVGID Tank)

Decision: Approval with Conditions

Decision Date: June 1, 2023 Mailing/Filing Date: June 5, 2023

Property Owner: Incline Village General Improvement District (IVGID)

Staff Planner: Julee Olander, Planner

Phone: 775.328.3627

E-Mail: jolander@washoecounty.gov

**Special Use Permit Case Number WSUP23-0002 (IVGID Tank)** – For hearing, discussion, and possible action to approve a special use permit for the use type public utility center per Washoe County Code (WCC) 110.220.165 and major grading per WCC 110.438 for ±8,900 cubic yards (CY) of cut, ±9,000 CY of fill, and disturbing ±100,000 SF of the site for the construction of a road and pad for a 2-million-gallon effluent water storage tank. The request includes modifying standards to allow slopes greater than 3:1 (110.438.45(a)), revegetation to preserve erosion control (110.438.70), preservation of significant trees (110.412.25(c)) and reduction of landscape standards for a civil use (110.412.40(a)).

Applicant / Owner: Incline Village General Improvement District (IVGID)

Location: 1250 Sweetwater Road

APN: 130-010-08Parcel Size: 87.3 acres

Master Plan: Tunnel Creek & Ponderosa Ranch

Regulatory Zone: 67% TA TC & 33% PR

• Area Plan: Tahoe

• Development Code: Authorized in Article 438, Grading; and Article 810, Special Use

**Permits** 

Commission District: 1 – Commissioner Hill

Notice is hereby given that the Washoe County Board of Adjustment granted approval with conditions for the above referenced case number based on the findings in accordance with Washoe County Development Code Article 438, Grading; and Article 810, Special Use Permits. If no appeals have been filed within 10 calendar days from the Mailing/Filing Date shown on this Action Order, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the decision until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912 of the Washoe County Development Code. The action was based on the following findings in accordance with Washoe County Code Section 110.810.30:

(a) <u>Consistency</u>. The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;

WAC24-0009 EXHIBIT B To: Incline Village General Improvement District (IVGID)

Subject: WSUP23-0002
Mailing Date: June 5, 2023
Page: Page 2 of 2

- (b) <u>Improvements</u>. 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;
- (c) <u>Site Suitability</u>. That the site is physically suitable for public utility center and major grading and for the intensity of such a development;
- (d) <u>Issuance Not Detrimental</u>. 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; and
- (e) <u>Effect on a Military Installation</u>. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy, or final approval shall not be issued until all of the Conditions of Approval are satisfied. Additionally, compliance shall be required with all federal, state, and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Planning and Building Division.

Washoe County Community Services Department Planning and Building Division

Trevor Lloyd

Trevor Lloyd

Secretary to the Board of Adjustment

TL/JO/AA

Attachments: Conditions of Approval

Applicant/Owner: Incline Village General Improvement District (IVGID).,

pw@ivgid.org & hwk@ivgid.org

Action Order xc: Mike Large, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo

Lopez, Assessor's Office; Rob Wimer, Engineering and Capital Projects; James English, Washoe County Health District, John James, North Lake Tahoe Fire Protection District; Incline Village General Improvement; Tahoe Regional Planning Agency; North Lake Tahoe Fire Protection District

WAC24-0009 EXHIBIT B



# **Conditions of Approval**

Special Use Permit Case Number WSUP23-0002

The project approved under Special Use Permit Case Number WSUP23-0002 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on June 1, 2023. Conditions of approval are requirements placed on a permit or development 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.

<u>Unless otherwise specified</u>, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this special use permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the special use permit may result in the institution of revocation procedures.

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

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "conditions of approval" are referred to as "operational conditions." These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

 The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, 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.

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 Building Division

1. The following conditions are requirements of Planning and Building, which shall be responsible for determining compliance with these conditions.

### Contact Name - Julee Olander, Planner, 775.328.3627, jolander@washoecounty.gov

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this special use permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits.
- d. A note shall be placed on all construction drawings and grading plans stating:

### NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- e. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours.
- f. A number of trees will be replaced as approved by an Arborist and North Lake Tahoe Fire Protection District.

### **Washoe County Engineering and Capital Projects**

2. The following conditions are requirements of the Engineering Division, which shall be responsible for determining compliance with these conditions.

### Contact Name - Robert Wimer, P.E. 775.328.2059, rwimer@washoecounty.gov

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.

- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- e. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- f. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.
- g. Slopes steeper than 3H:1V shall be justified through a geotechnical report prepared by a Licensed Engineer in the State of Nevada.

### **North Lake Fire Protection District**

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

### Contact Name – John James, Fire Mashall, 775.831.0351 x 8131, james@nlfpd.net

- a. Emergency vehicle access shall be provided in accordance with Chapter 5 of the adopted 2018 International Fire Code. Access shall be provided and maintained at all times.
- b. All new fire hydrants shall also be included for review on the "water project," utility permits, and in accordance with Appendix C of the adopted 2018 International Fire Code.
- c. An approved water supply capable of supplying the required fire flow for fire protection shall be provided and maintained in accordance with the Chapter 5 and Appendices B and C of the 2018 International Fire Code with amendments as adopted by the North Lake Tahoe Fire Protection District.

### 4. Washoe County Health District- Environmental

The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions.

Contact Name – James English, EHS Supervisor, 775.328.2434 jenglish@washoecounty.gov

- a. If potable water infrastructure is proposed as part of the installation of the effluent tank, a Water Project will be required pursuant to NAC 445A.
- d. If the special use permit is approved all construction plans for the parcel must be routed to WCHD for review and approval.

\*\*\* End of Conditions \*\*\*

# Community Services Department Planning and Building AMENDMENT OF CONDITIONS APPLICATION



Community Services Department Planning and Building 1001 E. Ninth St., Bldg. A Reno, NV 89512-2845

Telephone: 775.328.6100

## **Washoe County Development Application**

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information	s	taff Assigned Case No.:			
Project Name: IVGID Effluent Storage Tank					
Project Construction of a new 2-million gallon reinforced concrete storage tank.					
Project Address: 1250 Sweetwa	ter Rd, Incline village,	NV 89451			
Project Area (acres or square fe	et): 95,000sf				
Project Location (with point of re	ference to major cross	streets AND area locator):			
See address above; project	directly adjacent	to existing IVGID Wastewate	er treatment plant		
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:		
130-010-08	87.300				
Indicate any previous Washo Case No.(s). WSUP23-000		s associated with this applicated 28	tion:		
Applicant Inf	ormation (attach	additional sheets if necess	sary)		
Property Owner:		Professional Consultant:			
Name: Incline Village General I	mprovement District	Name: Jacobs Engineering			
Address: 893 Southwood Blvd		Address: Redding, CA			
Incline Village, NV	Zip: 89451		Zip:		
Phone: 775.832.1203	Fax:	Phone:	Fax:		
Email: pw@ivgid.org Email: ashley.kellogg@jacobs.com		om			
Cell: 775.548.6375	Other:	Cell: 530.949.3608	Other:		
Contact Person: Hudson Klein,	PE	Contact Person: Ashley Kellogo	g, PE		
Applicant/Developer:		Other Persons to be Contacted:			
Name:		Name:			
Address:		Address:			
	Zip:		Zip:		
Phone:	Fax:	Phone:	Fax:		
Email:		Email:			
Cell:	Other:	Cell:	Other:		
Contact Person:		Contact Person:			
	For Office	Use Only			
Date Received:	Initial:	Planning Area:			
County Commission District:		Master Plan Designation(s):			
CAB(s):		Regulatory Zoning(s):			

### **Amendment of Conditions Application Supplemental Information**

(All required Information may be separately attached)

### **Required Information**

- 1. The following information is required for an Amendment of Conditions:
  - a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.
  - b. Identify the specific Condition or Conditions that you are requesting to amend.
  - c. Provide the requested amendment language to each Condition or Conditions, and provide both the existing and proposed condition(s).

Refer to the attached summary page. The prompts above are included on the attached summary page.	

2. Describe any potential impacts to public health, safety, or welfare that could result from granting the

amendment. Describe how the amendment affects the required findings as approved.
Refer to the attached summary page. The prompt above is also included on the attached summary page.

# Amendment of Conditions Application Supplemental Information

(All required Information may be separately attached)

### Required Information

1. The following information is required for an Amendment of Conditions:

a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.

The proposed amendment is to allow night work from the hours of 7pm to 7am, starting 7pm on a Sunday night thru Friday 7am. IVGID is requesting the amendment due to the critical, public health and safety nature of the project. The effluent storage tank provides emergency storage of the treated effluent from the wastewater treatment plant and Nevada Department of Environmental Protection discharge permit requirements mandate the construction of the tank. During the early grading phase of the effluent storage project, unsuitable ground conditions were discovered that required substantial mitigation work; this unforeseen mitigation work to stabilize existing ground conditions resulted in a 10-day delay to the start of the tank construction. Consequently, the project runs the risk of not being completed in the 2024 Tahoe Basin Construction season due to both seasonal temperature restrictions and TRPA grading restrictions. The remaining work requires up to 20 days of shotcrete applications to provide essential corrosion protection to the steel cabling that comprise the fundamental structural integrity of the tank. There are strict temperature limits to when shotcrete can be applied. The current construction schedule has this occurring in October when there is a greater risk of not meeting the temperature requirements. Allowing the night works to proceed will aid in making up the lost time that occurred in May/June 2024 due to the unsuitable ground conditions; if granted, the night work will significantly increase the likelihood of completing the tank in the 2024 season and providing the critical emergency storage for the towns of Incline Village and Crystal Bay.

b. Identify the specific Condition or Conditions that you are requesting to amend.

WSUP23-0002, Condition 1.e., Washoe County Planning and Building Division.

c. Provide the requested amendment language to each Condition or Conditions, and provide both the existing and proposed condition(s).

Existing condition language is as follows:

WSUP23-0002, Condition 1.e.:

"Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours."

Proposed amendment language:

"Construction activities for the pre-stressed cable installation shall be allowed for the hours of 7pm until 7am, starting on Sunday night at 7pm, completing on Friday morning at 7am.

2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

The potential impacts to the public are extremely limited. The project site is directly adjacent to the existing IVGID wastewater treatment plant and is within an industrial zone of Incline Village. The nearest residential home is over 1,300 feet away and is heavily screed by existing trees; there is no line of sight to neighboring residential properties and the project is only visible from a

small stretch of State Route 28 from a distance of approximately 2,500 feet away. There are no public health and safety risks that will result from granting the amendment.

The site work is proposed to help minimize the risk of weather/temperature-related delays that will prevent completion of the tank until 2025. The work requires a three-person crew wrapping steel cable around the circumference of the tank, from the top to the bottom. The work is supported by lights, a loader, and a mechanical man-lift. The site lights will be positioned behind the tank and/or facing away from the lake/SR28 in order to reduce light impact off site. As noted above, there are no residential lots that will be impacted by the light extents. The loader is necessary to facilitate movement of the steel cable spools as the weight exceeds manual lift capabilities; due to the small amount of personnel on site and the nature of the work, the reverse alarm will be disabled to minimize potential noise impact. Similarly, the man-lift will have its reverse alarm disabled and will only require use to extend the cable from the ground to the top of the tank (approx. 35-feet) when new cable spools are started.

With regard to the public general welfare, no impacts are anticipated as the site is extremely isolated, is heavily screened by surrounding trees/forest, and all limited use of site equipment will have the loud/piercing reverse alarms (beeping) disabled for the night shifts. The project-related noise impacts are expected to be below the ambient noise generated by State Route 28.