



## Planning Commission Action Order

**Amendment of Conditions Case Number CASE NUMBER WAC23-0009 (Boulder Bay Building A / Granite Place) for WTM16-004 (Boulder Bay)**

Decision: **Approval with Conditions**  
Decision Date: August 1, 2023  
Mailing/Filing Date: August 4, 2023  
Property Owner: Big Water Investments, LLC  
Staff Planner: Chris Bronczyk, Senior Planner  
Phone: 775.328.3612  
E-Mail: cbronczyk@washoecounty.gov

**Amendment of Conditions Case Number WAC23-0009 (Boulder Bay Building A / Granite Place) for WTM16-004 (Boulder Bay)** – For hearing, discussion, and possible action to approve an amendment of conditions for Tentative Subdivision Case Number TM16-004 (Boulder Bay) to reduce the amount of open space area associated with Building A to 1.25 acres and to transfer open space acreage to the adjacent Boulder Bay resort project.

- Applicant/Property Owner: Big Water Investments, LLC.
- Location: 1 Big Water Drive
- APN: 123-291-01
- Parcel Size: 2.77 Acres
- Master Plan: Crystal Bay Tourist
- Regulatory Zone: Crystal Bay Tourist
- Area Plan: Tahoe
- Development Code: Authorized in Article 608 Tentative Subdivision Map
- Commission District: 1 – Commissioner Hill
- Staff: Chris Bronczyk, Senior Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

Notice is hereby given that the Washoe County Planning Commission granted approval with conditions of the above referenced case number based on the findings in accordance with Washoe County Code Chapter 110 (Development Code) Article 608, Tentative Subdivision Map. If no appeals have been filed within 10 calendar days after the Mailing/Filing date shown on this Action Order, the approval by the Washoe County Planning Commission is final. If filed, an appeal stays any further action on the permit until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912, *Establishment of Commissions, Boards and Hearing Examiners*, of the Development Code. This decision is based on having made all ten findings in accordance with Washoe County Code Section 110.608.25:

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- (a) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- (b) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- (c) Type of Development. That the site is physically suited for the type of development proposed;
- (d) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- (e) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- (f) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- (g) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- (h) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- (i) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- (j) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

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 seven 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 (attached) 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 any development, to include building construction and grading, without the required permits from the Washoe County Planning and Building Division, Building Program.**

Washoe County Community Services Department  
Planning and Building Division

  
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Trevor Lloyd  
Secretary to the Planning Commission

To:  
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TL/CB/BR

Enclosure: Conditions of Approval

Applicant / Owner: Big Water Investments, LLC  
P.O. Box 6622,  
Incline Village, NV 89450  
Attn: Roger Wittenberg; [rwittenberg@intlsupplyco.com](mailto:rwittenberg@intlsupplyco.com)

Representatives: CFA, Inc  
1150 Corporate Blvd,  
Reno, NV, 89502  
Attn: Dave Snelgrove; [dsnelgrove@cfareno.com](mailto:dsnelgrove@cfareno.com)

Representatives: EKN Tahoe, LLC  
220 Newport Center Dr., Suite 11-262  
Newport Beach, CA, 92660  
Attn: Tom Jacobson; [tom@ekndevgroup.com](mailto:tom@ekndevgroup.com)

Action Order: Jennifer Gustafson, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Steve Clement, Assessor's Office; Alex Mayorga, Utilities; Walt West / Rob Wimer / Stephen Hein, Engineering and Capital Projects.

Tahoe Agencies: Tahoe Regional Planning Agency, Post Office Box 5310, Stateline, NV 89449-5310; North Lake Tahoe Fire Protection District; 866 Oriole Way, Incline Village, NV 89451-9439; Incline Village/Crystal Bay Citizen Advisory Board; Incline Village General Improvement District, 893 Southwood Boulevard, Incline Village, NV 89451; Nevada Division of Forestry, 885 Eastlake Boulevard, Carson City, NV 89701; Nevada State Lands, Rex Harold, 901 South Stewart Street, Suite 5003, Carson City, NV 89701-5246; USFS, Brian Garrett, Urban Lands Manager, 35 College Drive, South Lake Tahoe, CA 96150



# Amended Conditions of Approval

Amendment of Conditions Case Number WAC23-0009

For Tentative Subdivision Map Case Number WTM16-004 (Boulder Bay)

The project approved under Amendment of Conditions Case Number WAC23-0009 for Tentative Subdivision Map Case Number WTM16-004 (Boulder Bay) shall be carried out in accordance with the Amended Conditions of Approval granted by the Planning Commission on August 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 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.

**Unless otherwise specified**, all conditions related to the amendment of conditions approval regarding the Tentative Subdivision Map Case Number WTM16-004 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 (WAC23-0009) related to the Tentative Subdivision Map Case Number WTM16-004 (Boulder Bay) 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 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 Tentative Subdivision Map Case Number WTM16-004 (Boulder Bay) 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 – Chris Bronczyk, Senior Planner, 775.328.3612, [cbronczyk@washoecounty.gov](mailto:cbronczyk@washoecounty.gov)**

- a. **The applicant shall attach a copy of the action orders approving this project for WAC23-0009 AND Tentative Subdivision Map Case Number WT16-004 to all permits and applications (including building permits) applied for as part of this approval.**
- b. **The applicant shall meet all conditions of approval previously approved on July 5, 2016 for Tentative Subdivision Case Number Map WTM16-004.**
- c. **The applicant shall include a condition response memorandum with each subsequent permit application. That memorandum shall list each condition of approval, shall provide a narrative describing how each condition has been complied with, and the location of the information showing compliance with each condition within the improvement plan set that has been submitted.**

**North Lake Tahoe Fire Protection District (NLTFPD)**

2. The following conditions are requirements of the North Lake Tahoe Fire Protection District. North Lake Tahoe Fire Protection District shall be responsible for determining compliance with these conditions.

**Contact: John James; 775.831.0351 x8131; [jjames@nltpd.net](mailto:jjames@nltpd.net)**

- a. NLTFPD will conduct a thorough code compliance review upon formal submittal of the application.

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