

Virginia Starrett  
Opening Public Comment

I'm back.

Since we last spoke about the Master Plan, I've done a bit of research and I've discovered two significant things. But before I get to those, I'd like to first state that I have nothing but admiration and support for the methodology our County put in place 20 years ago in order to protect and preserve the rural character of Douglas County. It was downright brilliant. On an ideas level that is.

Unfortunately, on a sound documents level, I can tell you from the perspective of an English professor, there are worrisome problems. I am discouraged that it seems there is no one involved with the formation and amending of the Master Plan who has a firm grasp on either outlining or parallel structure. Both are essential to making the Master Plan structurally cohesive and also in far too many places in making it clear and coherent.

Whether it is the Planning Commission's or the Board of Commissioners choice, allowing the Master Plan to remain rife with errors that are not actually that difficult to fix, should not be permitted.

And now back to those two things I mentioned in the beginning. One, is that I discovered that the NRS does, indeed, require a Master Plan to be in place in Douglas County, but what it requires from a County this size, and what Douglas County has put together are light years apart. The Master Plan that is the subject of today's meeting is the Taj Mahal of Master Plans,

and NRS requires this kind of Master Plan only from Counties with more than 700,000 people. Why this small, rural County has called upon itself to include everything but the kitchen sink in its Master Plan I do not know, but I imagine 1,000's of hours of employee is required to maintain all the parts, and perhaps that in itself was the motive behind how expansive it is. Then again, the document as created embeds dozens of not "small, lean government" policies in concrete and acts as a vice grip on future governing authorities to have to adhere to those policies. Although I can't imagine this happening because our Planning Commission is not equipped to do so, I suggest the Planning Commission ought to pare down this County's Master Plan to what is required by NRS. In that case, I speculate it would be less than a quarter of what it is now.

The second and last discovery was that NRS strictly limits how many times in one year a governing authority in a County can change the land use as set forth in its Master Plan. That number of times is 4. I trust this is well known here in Douglas County, and that Douglas County has been careful not to exceed that permitted number.

*Virginia Starnett*

Earlier this month a Stodick Apartment resident burned himself badly attempting what's called Butane Hash Oil extraction. This guy didn't care about the damage to property he doesn't own or endangering neighbors he probably doesn't know.

How many neighbors knew about this guy and kept quiet? How many others are extracting BHO that we don't know about? We only learned about this incident because it went wrong. The sort of vigilant communities we see in regular residential neighborhoods don't exist in apartment complexes. Apartment renters have no equity stake in where they live; they are by definition temporary residents.

Affordable housing that qualifies for Federal Low Income Housing Tax Credits is largely exempt from paying property taxes, which means the cost for emergency services for fights, break-ins, car burglaries, fires, and overdoses is fully born by those who DO pay property taxes. I challenge you to tell your constituents how much affordable housing really costs them.

The issue of affordable housing isn't being dealt with honestly. Two of the six members of the Douglas County Affordable Housing Task Force do not live in Douglas County, and furthermore they meet in secret. The current "working" version of the Master Plan is an unreadable mess that's not even formatted in parallel structure. The "plan" is just a laundry list of bad ideas and contradictory language. It should have been written in crayon.

More workers commute FROM Douglas County TO jobs in other communities than vice versa. Folks, you have a decision to make. Do you serve the people of Douglas County or your special friends the developers, employers who refuse to pay a living wage, the NNDA, the Nevada Builders Alliance and unelected social engineers who want to destroy our rural lifestyle. It seems like every time we turn around there's some bright shiny object that's distracting you from doing the peoples' business: road maintenance and floodwater control. You don't need the upcoming roads workshop, you know the right thing to do.

Lynn Muzzy

Tony Johnson  
Opening Public Comment

I thank you for your time and my "Three Minutes of Fame."

I am before you today to express my concern about a couple of issues related to our community. I would hope that these are top of mind with the County Commissioners and that they underscore the importance of moving forward with the Master Plan.

My concerns stem from the devastating impact that the internet has had directly on brick-and-mortar retailers, and indirectly, on the commercial real estate market as a whole.

As you know, on-line retailing has dramatically and irremovably impacted the retail real estate market. The impact is obvious: the Amazons of the world have driven many traditional retailers out of business and caused countless others to downsize. The result is evident in our community with a sizable amount of empty retail space. As we all know, the traditional supply-demand curve dictates that with empty storefronts comes lower rents. With lower rents come lower property values. With lower property values come lower tax revenue and we all know that's not a good thing.

But it doesn't stop there. With retail space being so inexpensive to rent at this point in time, many professionals who would otherwise be in office buildings are now occupying retail space. Couple that with the fact that the internet has made working from home and remotely a transparent proposition, and the result is an overabundance of office space. So, not only is the retail sector eroding our tax base, but so too is the office sector.

So the first concern is monetary. But there's more to this than just dollars and cents. Empty commercial property can easily fall in the category of visual blight. I can think of multiple instances up and down 395 in Minden/Gardnerville. And this blight casts a pallor over our community. Before the age of the internet, we had a thriving downtown. Empty commercial space was hard to find. Storefronts and offices were full and bustling with activity. The community was flourishing and the energy was evident. Fast forward ten years and we now have For Sale

and For Lease signs up and down 395. And the number of signs is increasing, not decreasing.

In commercial real estate, the first question is always, what's the highest and best use for a property? Well, the answer is no longer retail or office for many of the properties in Minden and Gardnerville. So, what is the highest and best use? With MF rental rates set to surpass retail and office rental rates this year, the answer is clearly MF.

I am urging you to move forward with the Master Plan. As a community, we need to provide the ability to permit multi-family zoning within the Commercial Land Use designation. We also need to revise the criteria in the Mixed-Use Zoning District to reduce the percentage of commercial usage required in MUC Zoning Districts. Both of these actions are imperative in terms of a healthy, vibrant, and prosperous future for our community.

I thank your time and consideration.

Tony Johnson

**Public Comment – BOCC – Jan. 18, 2018**

For the record: Jim Slade

At your Jan. 4<sup>th</sup> meeting earlier this month, at a break following the consideration of the proposed Sunridge area development, the County Manager and the Director of Community Development provided me with some further information about impact fees, including the challenge in trying to use impact fees as a way to try to make growth pay for itself. The take-away was that not only hasn't growth paid for itself in the past, but that it's not really likely to do so in the future.

Most county residents have indicated that they want slow, steady growth, both through passage of the Sustainable Growth Initiative and by passage of the Growth Management Ordinance. To this point the 2007 Ordinance has had no effect on growth, due principally to the effects of the Great Recession. As staff stated in their Memorandum to the Board on the Growth Management Ordinance last Sept., the purpose was [quote] "to control growth, protect water resources, and support the rural lifestyle of Douglas county." [unquote] All those concerns are as valid now as they were then, perhaps even more so. I would add to that list "to avoid increased taxes to pay for unwarranted and unwanted growth."

One need only look at the proposed Judicial and Law Enforcement Center discussed by the Board earlier this month. The proponents indicated that the reason a new JLEC was needed was because the County had grown from less than 20K people to nearly 50K people since the current JLEC was built in 1982. That's a 150% increase in just 35 years, and that is not sustainable. That pace would mean 120 K people in by 2052, and 300,000K people by the time youngsters today turn 70. That's not what anyone wants, nor what our water supply can stand.

That growth in the last 35 years is why the county is considering a \$31 million new JLEC building. It's also why we needed a new Senior Center. It's also why Utility Operator fees and the gas tax have been increased, and why there will likely be a ballot question this year about raising the sales tax. Growth has not paid for itself, and existing taxpayers are being asked to pay for growth beyond the desires of most residents.

The other thing we know is that the boom/bust cycle that Nevada has endured over the years is economically unhealthy. Nevada had been the fastest growing state for decades leading up to the Great Recession. That is why we had the highest foreclosure rate, and one of the highest unemployment rates in the country. It was also true on a county-by-county basis within Nevada: the counties that had grown the fastest (including Clark, Lyon and Douglas) had the highest rates of foreclosure and unemployment. So, going forward, that is something we should strive to avoid, as well.

So, what can be done about it at this point. If a new JLEC building is really needed, how can the Board convince voters that this is worthwhile. While we cannot undo the past, you can show residents that this is not the path you plan to follow in the future. The answer, I believe, is in showing residents that you truly want to have slow, but steady growth. It was encouraging that some of the most egregious Master Plan Amendments before the Board last year were withdrawn, fearing denial. But more needs to be done.

I was part of the *ad hoc* committee that helped to craft the Growth Management Ordinance a decade ago, meeting nearly every Friday morning for the better part of a year. Sustainable growth advocates, like myself, argued against rolling over unused allocations to future years, but, in the compromise that followed, that is one issue that we lost. I believe that the best way to show that you truly want the slow, steady growth that the Master Plan calls for, is for you to wipe away all the excess allocations, so that we don't experience another boom cycle, followed the the inevitable bust. That would give residents confidence that you were on the right path, and that might even encourage them to support a one-time increase in the sales tax.

RECEIVED

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JAN 18 2018

Douglas County Manager

18 January 2018

TO: Douglas County Board of Commissioners

FROM: H. William Brooks, 2266 Main St., Genoa NV

RE: MASTER PLAN REVISIONS, HISTORIC PRESERVATION ELEMENT, GENOA HISTORIC DISTRICT

- See 29 November 2017 Memorandum

- By Legislative edict, you the Board of County Commissioners are ultimately responsible for most of what goes on in this County

- Your Planning Commission inadequately addressed the 'Genoa Historic District'

1) Ignored your consultants recommendation to create an area wide Historic District jurisdiction, rather than the present "Commercial Zoning", which is based on convoluted, inconsistent & contradictory spot zoning

- Most of the historically significant properties in Genoa are zoned "Residential" & thereby exempted from Historic District jurisdiction

- As an example, two of the most historic properties in Genoa, Kinsey Property [first recorded property in Nevada] across from the Pink House & Orchard House two doors up from me on Main Street are zoned "Residential" & thus fall outside of the Overlay District jurisdiction

- Three of the five GHDC members don't even live in Genoa, they reside in Appointment zones 2 & 3 [Chairman doesn't reside in any of the Appointment Zones]

Recommend: using the 'Historic District Appointment Zone map as the GHDC area jurisdiction

2) Restore the Genoa Town Advisory Board as ex officio members of the Historic District Commission, as it was originally constituted prior to 1995

- They deal more knowledgeably & regularly with the development related issues

3) By what timeline & by whom, will the Development Code chapter 2.28 on the Genoa Historic District & the Overlay District 20.680 be combined & revised, per Action 2.2?



Public Correspondence Received Since  
the Distribution of the Board of  
Commissioners Packet

Master Plan Update

Board of Commissioner's Special Meeting  
January 22, 2018

## Ferris, Heather

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**From:** Cariola, Louis  
**Sent:** Monday, January 22, 2018 8:20 AM  
**To:** Moss, Mimi; Ferris, Heather  
**Cc:** Thran-Zepeda, Coleen  
**Subject:** FW: Master Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Morning.

I received the following comment-email from a citizen, Gary Ludwig, who mistakenly addressed me as "Commissioner". I believe he simply took my name off the top of the Planning Department list. Coleen suggested sending to you both.

-Louis

-----Original Message-----

**From:** Gary Ludwig [<mailto:garyandpam@mac.com>]  
**Sent:** Sunday, January 21, 2018 7:25 AM  
**To:** Cariola, Louis  
**Subject:** Master Plan

Commissioner:

I was one of the individuals who took and submitted the survey concerning the Master Plan. I feel my opinions were much in line with others who took the survey - some 800 I understand. Just a few added reflections on my part. The congestion on Main Street in Gardnerville/Minden has noticeable increased and with the added apartment and single family construction, the congestion is far more likely to increase. And of course with that congestion comes more incidents of vehicle accidents, crime and demand for more public services. Let us not be fooled into believing that more of everything increases the quality of Life in the Valley. Let the Valley maintain the atmosphere for which has offered a life style treasured by its residents and envied by those who visit. It is a simple observation, but the sounds of sirens will never echo as beautiful as the honking of geese overhead...Gary Ludwig

Sent from my iPhone

## Ferris, Heather

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**From:** Moss, Mimi  
**Sent:** Monday, January 22, 2018 9:02 AM  
**To:** Ferris, Heather  
**Subject:** FW: New Master plan

**From:** Peter Henkel [<mailto:henkelusa@gmail.com>]  
**Sent:** Saturday, January 20, 2018 7:30 PM  
**To:** McDermid, Nancy; Nelson, Dave; Penzel, William; Thaler, Steve; Walsh, Larry; Moss, Mimi  
**Subject:** New Master plan

Increasing the Noise Level  
will decrease the quality of life in our valley.  
We do not need a noisier valley with bigger trucks, noisier planes, mines operating 24/7. What else is on the horizon ?  
Please do not increase the noise level.

## Ferris, Heather

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**From:** Moss, Mimi  
**Sent:** Monday, January 22, 2018 9:03 AM  
**To:** Ferris, Heather  
**Subject:** FW: Noise polices in Conservation Element of Master Plan

**From:** Dan Mrvos [mailto:[dan@mrvos.com](mailto:dan@mrvos.com)]  
**Sent:** Sunday, January 21, 2018 6:10 PM  
**To:** McDermid, Nancy; Nelson, Dave; Penzel, William; Thaler, Steve; Walsh, Larry; Moss, Mimi  
**Subject:** Noise polices in Conservation Element of Master Plan

Based on a Record Courier article this morning (Sunday, Jan. 21, 2018), I see that the BOCC will resume its review of the Master Plan Update at a meeting tomorrow (Monday, Jan. 21, 2018).

I will not be able to attend the meeting in person, so I want to remind the BOCC about the Noise Issue which is still top of mind with many citizens of Douglas County. Recall that at least 30 letters were received by the BOCC on this issue. Also recall that Commissioner Penzel directed the staff to address the "Noise Issue" as the review of the Master Plan started — at a BOCC meeting in early December 2017. However, that meeting terminated without getting to discussion of the Conservation Element (which addresses Noise).

In short, the major concern with the proposed language is the REMOVAL of requirements for the County to consider Noise Standards in evaluating: "new development", "establishing site and structural requirements", and "all development proposals and major roadway projects".

In addition to the removal of these common sense policies, the only policy left standing is: "*Conservation Policy 12.1 The County shall avoid locating noise sensitive land uses such as hospitals, schools, and homes in existing and anticipated noise impact areas.*" The preservation of this one policy along with the elimination of all other previous policies basically says: "Douglas County will no longer evaluate the impact of, or require mitigation by, Noise Producers. Instead, the County will place the onus on Noise Receivers to stay away from the Noise Producers."

Finally, while not a change introduced in this update — the proposed Conservation Goal for noise is: "*TO MINIMIZE NOISE LEVELS THROUGHOUT THE COUNTY AND, WHEREVER ECONOMICALLY FEASIBLE MITIGATE THE EFFECTS OF NOISE TO PROVIDE A SAFE AND HEALTHY ENVIRONMENT*". This is the only Goal or Policy in the entire Master Plan which includes the caveat of "where economically feasible". This caveat / escape clause should be deleted from the Noise Conservation Goal / Policies.

In closing, the purpose of a Master Plan is to provide a policy framework which reflects the values of the community and encourages compatible new development. Failure to address the Noise Policy — consistent with these goals — will result in future incompatibilities and conflicts.

— Dan Mrvos

**Ferris, Heather**

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**From:** Moss, Mimi  
**Sent:** Monday, January 22, 2018 9:03 AM  
**To:** Ferris, Heather  
**Subject:** FW: CONSERVATION ELEMENT  
**Attachments:** Suggested MP Noise text change.doc  
  
**Importance:** High

**From:** Bob Ballou [mailto:boblaurel@charter.net]  
**Sent:** Sunday, January 21, 2018 10:47 PM  
**To:** McDermid, Nancy; Nelson, Dave; Penzel, William; Thaler, Steve; Walsh, Larry; Moss, Mimi  
**Subject:** CONSERVATION ELEMENT  
**Importance:** High

Commissioner,

Below and attached is a follow-up to my email of December 3, 2017 regarding changes to the Master Plan Conservation Goal 12. I believe you received a significant number of emails regarding this at the time, but action was postponed. I recall that there was some discussion or direction from the Commissioners at the December 4<sup>th</sup> meeting that the "wherever economically feasible" wording should be stricken from Conservation Policy 12.1. I have offered it in a corrected version. I have also addressed the issue of who should be responsible for noise abatement, the creator of the noise or the County (by not putting noise sensitive uses near noise producers). Obviously, having the County not locate schools or hospitals and homes near noise producers makes sense, but what happens when a noise producer wants to locate near existing noise sensitive uses? Let's keep the onus on the producer of the noise to mitigate it.

Thank you,  
s/Bob Ballou

*The following text revisions are offered to (1) remove the ambiguity (and potential liability) of who will determine if reducing noise levels is "economically feasible" and (2) while it is admirable for the County to "avoid locating noise sensitive uses in existing and anticipated noise impact areas," the onus should be on the creator of the noise to mitigate it, not the County.*

CONSERVATION GOAL 12 -  
TO MINIMIZE NOISE LEVELS, ~~AND, WHEREVER ECONOMICALLY FEASIBLE,~~  
MITIGATE THE EFFECTS OF NOISE ~~TO AND~~ PROVIDE A SAFE AND HEALTHY  
ENVIRONMENT THROUGHOUT THE COUNTY...

Conservation Policy 12.1 The County shall avoid locating noise sensitive land uses such as hospitals, schools, and homes in existing and anticipated noise impact areas. The County shall work with the Minden-Tahoe Airport as part of the development review process to determine where aviation easements are necessary.

Conservation Action 12.1 The County will prepare noise standards for noise generating activities, including limitations on hours of operation ~~within the day.~~ and maximum noise levels at the property line of a noise producing use.

*-- Submitted by Robert Ballou, 1/22/2018*

## Ferris, Heather

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**From:** Moss, Mimi  
**Sent:** Friday, January 19, 2018 1:57 PM  
**To:** Candace@wbaplanning.com; Ferris, Heather  
**Subject:** FW: Master Plan corrections

FYI

**From:** Thompson, Bobbi  
**Sent:** Friday, January 19, 2018 1:39 PM  
**To:** Moss, Mimi  
**Cc:** Werner, Larry; Johnson, Chris  
**Subject:** Master Plan corrections

In the limited interaction I had in the process I guess I did not do a good job of discussing the issues with a Part 150 and the unlikely funding options from the FAA. Plus we already have noise contours that were completed in our 2016 Master Plan. Holding meetings asking people if the airport is noisy is not productive. We are averaging two calls a year – air show time – and I would prefer we not encourage and promote a perception of noise issue. The last draft of the Master Plan I was given was very different than this version.

The following are items that are incorrect or related to the Part 150 or ones I just had thoughts about because I had a different understanding. The item in red is critical.

Page 31, airport has 433 based aircraft  
Page 217, use of wrong name for airport  
Page 379, not sure if it matters but we have nothing in our 5-year plan for a Part 150 study nor would I recommend one at any time as they create problems and unrealistic expectations.  
Page 408, another comment about a Part 150 study – very bad idea  
Page 413, Totally disagree with Part 150 staff comments  
Page 511, again incorrect number of based aircraft  
Page 566, We do not have any plans to do this and as previously stated this is a problem we do not want to chase  
Page 669, Last paragraph - The Ordinance only states “reasonable measures” it does not say encourages to do a Part 150  
Page 669, should have a comma after personal in second paragraph last line.  
Page 672, admittedly I do not understand all the terminology but the area on this map shaded purple and identified as community facilities is all County/airport owned land  
Page 673, The area marked as receiving are is owned by Bently and used for crops  
Page 674, Would like Action 2.1 removed  
Page 728, 4<sup>th</sup> paragraph, if the receiving are identified here is the one shown on the map on page 673 – residential would be a significant problem as that is under the flight path for aircraft arrivals  
Page 845, last sentence. Not sure why this is necessary and I find it to be incendiary.  
Page 848, we have all the part 77 information already. What Carson City did in 1967 is not even compliant with current regulations.  
Pages 852, Part 77 airspace and surface details are already in our Master Plan, so I do not see why the recommendation to repeat this process  
Page 858, same Part 150 comments  
Page 861, again Part 150 and Part 77, which has already been completed  
Page 882, they really got carried away with all the Part 150  
Page 961, again we have no plans to do a Part 150 or funds  
Page 986, Part 77 in Airport Master Plan

Page 988, just a bad idea

Page 1012, if the overlay is deleted from the actions then a Part 150 really makes no sense

Page 1067, Do not understand action 13.2 revision

Page 1131, again based aircraft count should be 433

**Page 92, Conservation Goal 12.1, MUST REMOVE 12.1-IT IS A VIOLATION OF THE GRANT ASSURANCES. THE COUNTY CANNOT PUT LIMITATIONS ON HOUS AS THE FAA CONSIDERS THAT AS DISCRIMINATION**

There were repetitive comments in the balance of the pages that restated items I have already commented on.

*Bobbi Thompson, C.A.E.*

Airport Manager

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