

APPROVED JULY 1, 2019

The Workshop meeting of the Douglas County Board of County Commissioners was held on May 23, 2019 in the meeting room of the County Administration Building, 1616 8th Street, Minden, NV, beginning at 3:00 PM. **When applicable, the minutes below have been transcribed.**

Call to Order

Chairman Penzel speaks:

I would like to bring this joint meeting of the Planning Commission and the BOCC together; it's advertised as a workshop. We have Planning Commissioners and the Board of County Commissioners here also.

Commissioners Present:

Barry Penzel, Chairman
Larry Walsh, Vice Chairman
Dave Nelson, Commissioner
Wesley A. Rice, Commissioner
John Engels, Commissioner

Staff Present:

Patrick Cates, Douglas County Manager
Doug Ritchie, Chief Civil Deputy District Attorney
Mary Anne Martin, Deputy District Attorney
Michelle Pablo, Deputy Clerk

PLEDGE OF ALLEGIANCE

Chairman Penzel speaks:

So we will start out with the Pledge of Allegiance. I believe Commissioner Nelson, you're going to give us that.

Commissioner Nelson led the Pledge of Allegiance.

Chairman Penzel speaks:

Before we take Public Comment, since it's a joint meeting, I'd liked to have each one of the Commissioners introduce themselves and we'll start over here with the Vice Chair.

Vice Chairman Walsh speaks:

Larry Walsh, Commissioner.

Planning Commission Member Oland speaks:

Bryan Oland, Planning Commissioner.

Chairman Penzel speaks:

Barry Penzel, Commissioner.

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Planning Commission Chairwoman Anje de Knijf speaks:
Anje de Knijf, Chair of the Planning Commission.

Commissioner Nelson speaks:
Dave Nelson, Commissioner District 1.

Commissioner Rice speaks:
Wes Rice, Commissioner District 4.

Commissioner Engels speaks:
John Engels, District 2.

Planning Commission Member Walder speaks:
Kirk Walder on the Planning Commission.

Planning Commission Member Neddenriep speaks:
Mark Neddenriep, Planning Commission.

Chairman Penzel speaks:
Thank you.

PUBLIC COMMENT

Chairman Penzel speaks:
Now we'll open it for Public Comment. It's open for Public Comment.

Bev Anderson speaks:

I'll be nice. Good afternoon. My name is Bev Anderson and I have been going to a lot of Planning Commission and Commissioner meetings and I'm finding myself a little confused because I do not feel, my opinion, is that you're not following your rules, your bylaws and your norms and your procedures. One of the main rules is treating fellow Commissioners, staff, applicants and the public with professionalism, respect and courtesy, and I think that's the biggest item. That's in the Planning Commissions bylaws. In the Commissioners, it's the norms and the procedures; it starts out with Commissioners will avoid negative comments that could offend other Commissioners during public meetings in the press or any other time. My other thing is Commissioners should not be snappy or have sarcastic comments to the public or to each other and I've seen that happen. I'm just hoping that you will read your norms and procedures and your bylaws and be more careful in the future. Thank you.

James McKalip speaks:

I just want to say as you get into the Master Plan, consider what you've already approved and I think looking at the previous several years and even farther back they need to look at a comprehensive look at what has been done; what's going to be built that's approved, looking in regards to traffic, water and other infrastructure needs before you plan for the future. Thank you.

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Chairman Penzel speaks:
Thank you. Any further Public Comment?

Jim Slade speaks:

To review Mr. Slade's full Public Comment statement please see the Supplemental Meeting Materials.

Margaret Pross speaks:

Good afternoon, Commissioners. Margaret Pross, resident of Gardnerville and past Planning Commissioner. Recently I've heard, and not from the Commissioners, but from the public, that we don't need a Master Plan anymore and I think it's important to realize how important that plan is because it gives the County the ability to enforce County Code Title 20, the consolidated development code. In the code there is a purpose, Master Plan consistency. The purpose is for the public health, safety, general welfare and to preserve and enhance the aesthetic quality of the County by providing regulations to ensure an appropriate mix of land uses in an orderly manner. In furtherance of this purpose, the County desires to achieve the pattern of distribution of land uses, which generally is achieved by the following, I will not read you all of them but one of them is implement the goals and policies of the Master Plan. When reviewing an application, that's very important because we want to make sure that it's appropriate for the area where they're trying to get the application approved. Another one is to establish Douglas County as a unique and distinctive place with high quality of life and aesthetic resources, as well as a secure environment for the County residents and businesses. Master Plan consistency is the zoning regulations contained in this title have been found consistent with the goals and policies of the Douglas County Master Plan pursuant to the provisions of Chapter 278 of NRS, all development within the boundaries of the County, except as otherwise provided, must be consistent with the regulations. Here again, this is one of the things that we use when we look at things and see whether this is going to work, or maybe they can do this but not that, that is inappropriate. This is done through findings. For instance, if you're looking for a Special Use permit, the very first thing in this findings is that you must evaluate the special use on its capability with surrounding neighborhoods to ensure the appropriate use in that particular location. The proposed use location is consistent with the policies embodied in the adopted Master Plan, the general purpose and the intent of the applicable district regulations. Another finding for that use is the proposed use must be compatible and preserves the character and integrity of the adjacent development and neighborhoods and includes improvements. So I just want that out for the public so they understand the importance of this and that we just don't have a free-for-all we can all just do whatever we want. We have to be respectful. Thank you.

Chairman Penzel speaks:

Thank you. Any further Public Comment? Seeing none, I will bring it back to the Board of County Commissioners.

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APPROVAL OF AGENDA

Chairman Penzel speaks:

Since this is a Board of County Commissioners agenda I'll look for a motion and votes by the Commissioners.

Vice Chairman Walsh speaks:

Chair, I move to approve the agenda.

Commissioner Nelson speaks:

Second.

Chairman Penzel speaks:

So we have a motion by Vice Chairman Walsh, a second by Commissioner Nelson. All those in favor signify by saying aye. Any nays? Motion carries, 5-0.

MOTION to approve the agenda; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Walsh, Vice Chairman
SECONDER:	Dave Nelson, Commissioner
AYES:	Rice, Engels, Penzel, Walsh, Nelson

Administrative Agenda

1. For possible action. Discussion between the Douglas County Board of County Commissioners and Planning Commission to discuss the County Commissioners' vision, expectations and timeline for the Master Plan update. (Tom Dallaire and Sam Booth)

Chairman Penzel speaks:

Before we get started, a couple administrative things so that we can get through this in a timely and orderly manner. If you have something to say please raise your hand and we will recognize you and you can go on from there. Secondly, I have two emails that are out in the public area also that we received. One from Dr. Devere Henderson. It says: Ladies and Gentlemen, I met with Mary Anne, Tom and Sam on Tuesday. They gave an excellent synopsis of their approach to write the County Master Plan. Their approach is well-conceived and I heartily endorse it without reservation. I thank them for their time to walk me through how they plan to proceed.

The second one is from Ms. Hope Sullivan, a former Planning Manager. She said: Dear Chairman, as I live in your district I am writing to you regarding the upcoming meeting regarding the Master Plan update. How lucky are we to live

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here? We live in one of the most beautiful places in the county. As such, we are passionate about our community and active in participating on conversations about future growth and development. This is a good thing as debate yields a better product. The existing Master Plan is a good document that focuses on growth management and diversified development. I would suggest in updating the document the Planning Commission and Board of County Commissioners focus on strengthening the concept of directing growth to places that have urban level infrastructure. This concept is known as carrying capacity of the land. Typically, the environmentally sensitive areas and other areas that are intended for preservation are mapped and assigned a designation that correlates with treading lightly. Then areas that are served or intended to be served within urban level infrastructure including roads, public water and public sewer are designated for targeted growth. I am encouraged the County's growth management plan focuses on carrying capacity of the land and continued diversity of development. This approach should address efforts to place intensive development in areas not served by urban level infrastructure. Said in another way, intensive development would locate in a targeted growth area where urban level services are provided as opposed to in others areas where such services are not provided. I also encourage the Planning Commission and the Board of County Commissioners to work with staff to rewrite the policies relative to sound management, I think is what she intended, much of Douglas County is quiet. The existing policies address noise, but do so without utilizing standard terminology. This can lead to confusion and difficulty in application. I believe the intent is clear, but terminology should be modified. Thank you for your consideration. Sincerely, Hope Sullivan.

Okay so those are the two administrative things. Any comments from the Board of County Commissioners to start out with? Commissioner Engels.

Commissioner Engels speaks:

Wasn't Ms. Sullivan working with the County in the development department or something? Can anybody give us history on her?

Chairman Penzel speaks:

I introduced it by saying she was a former Planning Manager. Does that answer your question? Okay, any other questions? Vice Chairman Walsh.

Vice Chairman Walsh speaks:

Didn't we get an email from Planning Commissioner Akola? Did you receive that? Do you want that read into the record or not?

Tom Dallaire, Community Development Director, speaks:

That was put on the website, I understand.

Vice Chairman Walsh speaks:

Oh, alright. Thank you.

Chairman Penzel speaks:

Alright. Thank you. Mr. Dallaire, I'll turn it over to you now.

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Mr. Dallaire speaks:

Thank you, Chairman Penzel. First off, I just want to say thank you to both the Board of County Commissioners and the Planning Commission for coming together and providing us an opportunity to hear your concerns of the Master Plan. I'll turn the time over to Sam here in a second, but he has prepared a slideshow describing how we plan on attacking this. So I will turn the time over to him, but I just wanted to say thank you for your time and doing this.

Sam Booth, Planning Manager, speaks:

Good afternoon, Board of County Commissioners, Planning Commissioners. Thank you everyone for being here, I appreciate it. Tom and I have put what we think is a plan of how we can attack this Master Plan update and schedule for doing so and some of the ideas behind what we think we can do here. Tom is going to talk a little bit in detail with some maps that we've put together but before we really dive into that, I thought we would talk about our timeline for the process and just why we're here. And kind of circle back to what it is that we're doing here or looking at with the Master Plan update.

To review Mr. Booth's full presentation please see the Supplemental Meeting Materials.

Mr. Booth speaks:

So the first slide that I have prepared for you is our idea of what a potential timeline for the update to the plan could be. Here we are on May 23 we're asking today for direction from the Board of County Commissioners and the Planning Commission to get started on this plan update and hope that you will endorse the ideas that we have today. I'll describe this a little bit further but we're going to tell you today about how our idea is to first update the maps, the land use maps associated with the plan, and present those back to the Planning Commission at the July 9 meeting. Then hopefully on to the Board of County Commissioners meeting in August for approval to check back in with you and get the go-ahead there. And the second step then in our process would be for us to revise and edit the text of the plan. We would be starting in August. We've already started in reviewing some of that, but moving to get that back to the Planning Commission for approval at the November 12th meeting for the Planning Commission and then hopefully on to the Board of County Commissioners in December. We're hoping we can get this process wrapped up before the end of the year.

Mr. Booth went on to discuss the following points in his PowerPoint presentation:

- What Is Planning?
- Why Do We Plan?
- What is the Master Plan NRS 278.200?

Mr. Booth speaks:

So again, our plan of attack with the Master Plan update is to first focus on the maps. We believe that's what we want to rally behind. We want to get our land use

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maps updated and get the endorsement from the Planning Commission and the Board of County Commissioners and then move on from there with the supporting charts and data and then our narratives behind those. We think we have a good draft to work from, but we want to start with updating the maps.

Mr. Booth went on to discuss the following points in his PowerPoint presentation:

- Long term general plan for physical development.
- Identify current issues and needs in the community
- General, summarizes goals; does not include detailed regulations
- What must the Plan include?
- NRS 278.150
- NRS 278.160

Mr. Booth speaks:

Tom and I agree that we think there are many elements in the plan that are important and just going with the NRS minimum of an above ground utility plan would leave us severely lacking in our Master Plan. So we want to talk today with you guys about what criteria we have for determining what elements are in the plan and what's important to you all to be in the plan.

Mr. Booth went on to discuss the following points in his PowerPoint presentation:

- Criteria for determining what to include

Mr. Booth speaks:

Over time as the County has grown, as the utilities have grown, the Towns have grown, I think Tom and I have found that a lot of these areas don't align correctly and we want to take a look at that with this update. It's important to remember the Master Plan is a shield to undesirable development or development in the wrong areas and we want to show with this map, where suitable areas are for growth or development. We want to reduce redundancy with the plan. We know there are some elements that refer to other elements, indexes in history, and like action items and goals and we believe there's some redundancy there that we can clean up with the update. We want the plan to be straightforward and simple to navigate, easy on the eyes with less text and more images to describe what we want to see. Devere Henderson, when we met with him the other day, I think summed it up pretty well and I do believe Chairwoman de Knijf has asked this question too, can I get a printed copy of the draft plan and what we have so far. It's quite large. We've got several copies of it here today but to print those up for everyone, we wish we could have that for you; it's a big plan and we think we can pair that down and trim that back. We want this to be a plan that if somebody calls the office and they want to get copy of it printed and take it home with them, it's something they can walk away with and it's easy enough that they can look through and read and understand. Of course, in doing that and pairing it back we know that we still are going to need to maintain links to Title 20, to the development code. Title 20 has 153 references to the Master Plan and we want to

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make sure those references are still in place and we don't lose anything by trimming too much from the plan. So I'll just leave you with the goal of the Master Plan is to look ahead in the next 10 to 20 years and we want to hear what everyone's vision is. What do you want to see in Douglas County in the next 20 years? How do you want to see the County grow?

Mr. Dallaire speaks:

I was hoping to turn the time back over to you guys to explain to us, really, what your vision is and what your outcomes of this process, by December, what that is. Sam and I will be up here taking notes while you're explaining it to each other and then we're going to call it just the parking lot for now. We want to capture the thoughts that come out and then highlight how many times those same issues come up, and see what the priorities are. Then when we reconvene at the end of this we can go over the list when we're done, and after I do my presentation on what we're thinking, the direction we want to go as the staff, and see what your thoughts are on those ideas, then we can reconvene and review exactly what everybody has mentioned here today. Then you can take action on that discussion.

Chairman Penzel speaks:

We're going to continue; we're not going to adjourn so reconvene won't be a part of that. For the information of all concerned, in the parking lot will be items that will be considered direction and so if you're interested in one item or not, then you should speak up. This was intended to be a conversation and a way of melding visions of all concerned. I would like to start with the Chairwoman of the Planning Commission and let Anje speak and provide the first set of wisdom.

Planning Commissioner Chairwoman Anje de Knijf speaks:

Thank you. I'm a Realtor and sometimes people think that realtors want to pave the Valley and that's far from what I want. What I really sell here is the quality of our living environment. So to preserve that, to think that we're not going to have any growth I think is not realistic. But what we can do is have that growth in areas, as Hope mentioned where there are services that are provided, that are homogenous with the surrounding neighbors and will maintain the rural quality of our Valley while allowing additional residents to move here, or downsize, or upgrade. So that's really my focus and how to do that with the current resources that we have without depleting those resources. That's really what my main goal is. I understand the Master Plan is fluid because it changes over time and so it's not a document written in stone and that's where we have Master Plan Amendments and Zoning Map Amendments that allow for changes in the demography of the County and allow future developments to be placed in the appropriate areas. Thank you.

Chairman Penzel speaks:

Commissioner Nelson did you have something you wanted to do?

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Commissioner Nelson speaks:

I just wanted to say that your plan to be done by December is pretty aggressive and I know that you've been directed that that's what the Board of County Commissioners wants. It's not necessarily what I wanted, personally; I think it's a little too aggressive to get it done that quickly. I also noted that in your report you don't have any input from the citizens in that timeline. So I was wondering are you going to be using past processes that were taking place when we were trying to do this before? Or will you be taking consideration to people what they have to say today?

Mr. Booth speaks:

We don't have that specifically, Commissioner Nelson. We don't have that specifically on the timeline, but Tom and I have talked about that when we dive into the process, we do anticipate trying to do a workshop or two. In the draft plan there's data from several workshops that were held through the first round of things, but we recognize there can be new opinions and ideas in the last two years since that data had been put together and yeah, we would plan on trying to do a public outreach with this process.

Chairman Penzel speaks:

Next? Vice Chairman Walsh.

Vice Chairman Walsh speaks:

Thank you, Mr. Chair. First of all, I want to thank the Members of the Planning Commission for their hard work they did last year on the Master Plan update. Unfortunately, it was not a move forward but I can say that I believe the Planning Commission held many workshops and I agree with Commissioner Nelson, maybe we should also update them with perhaps a couple of new workshops. So thank you, Planning Commission, for doing that. Chairwoman de Knijf mentioned that she was a realtor; I've been working in the development field for almost 40 years, and I, like Chairwoman de Knijf, want to maintain this rural atmosphere that we have here in Douglas County. Now I see the first item on Tom's whiteboard is quality of living and I agree with that except unlike maintaining rural character which is pretty simple; you want it green, you want a beautiful quality of living is different for every person. So just, I don't want to say tread lightly but maybe I do, on focusing on quality of living because it is different for everyone. I think that what Hope Sullivan said in her letter about the carrying capacity of the land and about placing new or future development in areas where infrastructure is already existing, I think that's very important. One of the things that has come out of the current legislative session and not finalized yet is the A.B. 461 and other water bills. We're going to need to protect our water. When Governor Sisolak was running for office I had written a letter to the editor in the Record Courier saying we'd better be careful because Mr. Sisolak, or Commissioner Sisolak in Clark County was also on the Southern Nevada Water Authority and they try to grab water from out of their area. It failed but he has the opportunity to, and I think maybe already has, appoint a new State Engineer who controls the water, so we need to do some really hard long-term planning and not only over a ten to 20 year period, but we have look at a 50 to 60 year period because we don't want the

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water to go anywhere. We need a plan to make sure we have a plan that we can present as one of the provisions of the A.B. 461 that has the 15 year plan. That could be extended but you have to show how you could use the water. So we need to be very careful in planning and people get nervous when you start long-term planning, but it's not going to happen tomorrow, it's not going to happen in the next ten to 20 years, but we need to plan out further, perhaps 50 or 60 years in our development. The other thing I had was you talked about one of the requirements under NRS was to have an above ground utility plan. I don't even know if it's in the Master Plan, I know it's in Title 20, but I would suggest that we have a strong statement in the Master Plan that we ensure no solar or wind energy plants are built on the valley floor. They should be built out in the Pine Nut Mountains or out of the view of the folks from the valley floor.

Chairman Penzel speaks:

Thank you, sir. Any other comments? Commission Engels.

Commissioner Engels speaks:

The Master Plan is essential to prevent chaos from developing in the County and it needs to have and be enforceable not only for the current Boards, but for future Boards. There shouldn't be any deviation once the Master Plan is established and that doesn't mean if it's essential we could deviate but just because somebody wants it, it should be very difficult to get a kind of a deviation. We need to take into account the sustainability of our area. Also, we need to take into account the infrastructure and where we're at right now and for the future. The infrastructure is pretty much at a stretch point so all of these things now and to carry on into the future when we're not here is very important. Thank you.

Chairman Penzel speaks:

Thank you, sir. Any other comments? Commissioner Rice.

Commissioner Rice speaks:

One of the things that I've been concerned about for a very long time is adequate workforce housing. One of the problems as I see it is that young people who are born here, go to school here, go off to college, come back and they can't afford to live here. What are we going to do for people who work in our restaurants? What are we going to do for people who work in our local businesses? We constantly hear people complain about the increased traffic on Highway 395. Well if they're going to be living in Carson City and working here you're going to have even more increased traffic. I think that we need to do something to make sure that there is affordable housing for those that work here and grew up here and not force them somewhere else so that we can bring in more retirees and move out all the people that work in this County.

Chairman Penzel speaks:

Any other comments? Member Walder.

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Planning Commission Member Kirk Walder speaks:

Yes, let me start by thanking each of the Members of the Board of County Commissioners for sharing their goals for the Master Plan. I'd like to also thank Chairman Penzel for his leadership in organizing this joint workshop. I hope we can reach a consensus on a Master Plan that produces a future of successes for Douglas County. I'd like to divide my priorities into two areas; first, policy goals, and second, the process we follow. For policy, I would concur with the eight objectives that are outlined by Mr. Booth on page four of the handout. So Tom, you don't have to probably write down all eight of those, but I think they were very concise, very clear and significant. I agree with the comments that Commissioner Rice just made about workforce housing. It's just very important when you look at the areas both in the Lake area and here in the Valley, it's a shortage and we need to look to the future in doing something there. I would also suggest the three other goals, and Sam, I put together a quick slide that can summarize them as well as hearing them from me but first I think the Master Plan should be data driven. Second, I think it should outline a plan for balanced growth. And third, I think it should recognize the needs and contributions of Tahoe Township. Then as far as the process that we follow; first, civility, cooperation, compromise and consensus. Second, I think we should have an open, balanced and fact-based discussion on the Master Plan. Third, I think staff should concentrate on data production and details and the policymakers should focus on the policy objectives. As policymakers I think we should resist micromanagement of the staff in this endeavor. Then fourth, I think we should follow a timetable that is as expeditious as possible in the early stages, but does allow sufficient time for careful deliberation during the final consideration. Again, let me thank the Board of County Commissioners, my colleagues on the Planning Commission, the staff for their hard work and the public for their contributions.

Chairman Penzel speaks:

Thank you, Member Walder. Any other comments? Commissioner Nelson.

Commissioner Nelson speaks:

If I can, I was just addressing my first comments to what we heard. I would like to see the Master Plan drop a little bit in size. I know you're going to be working on that, but I don't think it should probably be more than 500 or 600 pages and I think it's grown to well over 1,100 at this point, which is just done wildly and totally unrealistic to maintain that. So I encourage you to really get in there with your shares and cut it as much as possible. I think that the Master Plan should be followed. Probably, I'm one of the more stringent ones on that and think that it is closer to written in stone than just a document that we can change whenever we want. The issue of need when we do Master Plan changes, I think we can kind of overlook the real need for what's being presented to us. A lot of times we have a lot of one particular zone that we've recently done and yet we add more. Why? If the need has been met by what we've already done, we shouldn't continue to create more. That just doesn't make any sense to me. I think that most people look at the Master Plan, that I know, as being something that if they came into the community looking to buy here they would like to see the Master Plan and see what's going to go on where and maybe even when that might happen. Very often

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we have people that buy a house; there is a view, nobody tells them that the zoning out there is different and they may be looking at a house in a few years when it develops. That can be very disconcerting to people when they find out they're going to be looking at someone else's back window. So I think the Master Plan needs to be designated as to when planned development may happen there and I know that takes a little bit of forecasting which is always difficult and nobody has a crystal ball, but I think that some kind of forecast of when things may happen with the zoning would be good for people to have. I, like Chairwoman de Knijf, I'm a realtor also and have been since 1971, so it's been a long career for me. I've seen good development; I've seen good planning and I've seen very poor planning in those almost 50 years. I hope we can really come up with a good plan, a strong plan that will lead to the community that we want in the future and not end up being as Commissioner Engels said some chaos out there. That is not what, I think, any of us want. And the Master Plan is our way of maintaining order and structure.

Chairman Penzel speaks:
Mr. Cates, County Manager.

Patrick Cates, County Manager, speaks:
Thank you, Mr. Chairman. I just wanted to add on to Commissioner Walsh's comments since he talked about legislation. I believe the bill that he was talking about is A.B. 62. That bill, the Commission voted to oppose. I just wanted to give an update; that bill was amended in the Senate Natural Resources Committee, and most of the language was taken out of that bill and it was replaced with directive for the State Engineer to promulgate regulations. So if they can't do it by law, they'll do by regulation. It's unclear what the status of that bill will be since they amended it in the second house. It's going to have to go back for concurrence to the other house and they're running out of time, but nevertheless I think Vice Chairman Walsh's comments are well taken and whether they get this particular bill through or not, I think there's going to be a continued effort to go after water.

Chairman Penzel speaks:
Thank you, sir. Good update. Commissioner Rice.

Commissioner Rice speaks:
One thing that I would like to add is when we redo this, I would like to see input from a broad spectrum of the residents of this county. Many of us are retirees from California who fled and moved here. Some of us would like to put a fence around our county and I think that's the wrong way to go. And unfortunately there are those of vocal few who like me have time on their hands; you get elected, you have no more time, but there are a lot of people that live here that don't have the time to come to our meetings. There are a lot of people that live here that don't have time to give us input. There are a lot of people here whose voices are just not being heard. I would like to come up with some way of getting a broader input from those that live and work in this county.

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Chairman Penzel speaks:

Thank you, sir. Any other comments? Commissioner Engels.

Commissioner Engels speaks:

I don't know if this is the time or the place but I think we're getting to the point too where architectural oversight might be something to be considered. I don't know if this is the time or place. Thank you.

Chairman Penzel speaks:

Thank you, sir. Member Oland.

Planning Commission Member Bryan Oland speaks:

To kind of echo what Vice Chairman Walsh is saying, I was paying attention closely to the A.B. 62 as it was going through, looking at our maps as I looked with Tom and Sam on Tuesday; I do recognize the misalignments. In a sense, looking at how our utilities and everything line up to where our development is, I appreciate the effort they're making to make all of this align. Being that the State Engineer could possibly promulgate some regulations there we want to make sure that we tie this thing with a good bow that can't be undone. So I think protecting the water is one of our key goals at this point. The quality of life and the living environment, I am a younger person who moved here for the open space; preserving that open space, I know that is a goal embodied in the Master Plan and I'd like to see that remain. Snowboarding, biking, dirt biking, that's what everybody does here that is my age and it's something that I don't ever want to see go away and additional development helps to prevent that. Currently we've been on the Receiving Areas and everything, but there is development going on that's not mapped. I have been saying since I got here, it's kind of hard to look at these things when we don't know all the development that's there. What's the future and what's the high, medium, low? What's the bottom projection and what's top projection? What are we looking at after we approve these projects and I think they're working on bringing those things together so we can really make some good decisions on that.

Chairman Penzel speaks:

Thank you, sir. Chairwoman de Knijf.

Chairwoman de Knijf speaks:

I think that perhaps in addition to a couple of workshops for the public to get more input from Douglas County residents, would it be possible to have an online survey that they can complete? Perhaps advertise it in the paper so that they know where to go to complete that survey.

Mr. Booth speaks:

We can do that, yeah.

Chairwoman de Knijf speaks:

Thank you.

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Chairman Penzel speaks:

Thank you. Member Neddenriep, do we have an Ag input here?

Planning Commission Member Mark Neddenriep speaks:

I certainly do. Thank you, Chairman Penzel. So I agree with what everybody has said here. Everybody in Douglas County loves the rural character. They love the open space. They love the rich agricultural heritage, and in every meeting I've ever been at I've always heard many, many of the Public Comment come up and say you know I wanted that view, I wanted that view forever. Well, we all want the view forever. Agriculture has provided and continues to provide at no charge to the County, ground water recharge, wildlife habitat, open space, storm water runoff, flood control, all at no charge. The best way or one of the best ways to preserve agricultural heritage in this Valley, I believe, is through the Transfer of Development Rights program. The County's TDR program had successfully preserved almost 4,000 acres of agricultural land in Carson Valley prior to the great recession. Currently, TDRs work by transferring development rights to Receiving Areas. So if you own property in a Receiving Area you have to bring in a TDR. I would like to consider all rezoning request within urban service areas, including the Towns and the General Improvement Districts, require that TDRs be brought to the table. I believe that if we require a TDR be brought to the table, we will naturally preserve a lot of agricultural land and everybody will be very pleased with the open space that is remaining. To not require a TDR to be brought to every development would, in my opinion, be very costly for the County to work on coming up with their own storm water plan, trying to protect the floodplains and I think that we have a chance right now to grab those, preserve them for eternity, and let's be honest, is it going to cost a little bit of money? It is. I don't know what a TDR is worth because there haven't been very many of them sold lately. Let's assume that a TDR is, who knows, \$2,000, \$3,000. It's less than one percent of the house and I believe all of those costs will eventually be passed on to the consumer. So I am a strong proponent in encouraging that any up zoning require TDRs. Thank you.

Chairman Penzel speaks:

Mr. Dallaire, one of the key points that he made was floodplain so that should be up there. Any other questions, comments? Commissioner Nelson.

Commissioner Nelson speaks:

Mr. Dallaire, you can mark me down as one for that too. I think that it's right on track.

Chairman Penzel speaks:

Alright. Any other comments? I appreciate that. We will take a Public Comment when we get to the end of this, in case people were asking. Mr. Dallaire, are you going into the map?

Mr. Dallaire speaks:

Yeah, are we ready for that? So what we have here is the actual Master Plan map. What we did is we overlaid the floodplains, this is the hundred year floodplain over

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the top of the future land use map. This is going to be our base map and kind of the discussion of our next conversation. It's a little awkward, I appreciate Minden bringing down their board. It's been very helpful and it's the right size. So what we have here is what Geographic Information Systems has on file today for all of the developments. So the actual planned developments are the red lined areas. Everything outlined in red is a planned development and then additionally subdivisions that have been created and that's kind of how it overlays today over the actual future land use. We've heard in all the meetings I've had, there have been some questions that we wanted to answer today, is to say, here's where we're at. You can see where the growth has been. We've added Clear Creek; it's up here with a big large Receiving Area and it's working on being developed. We've also got subdivisions throughout Johnson Lane that's been developed and then this big block in here is Grand View, which phase one is done, but there's more to come. That is my understanding and we've got to work through the phase one portion and those issues first, but it's here and it's developed. Then we've got little pieces out in the Ranchos. This was, I thought kind of interesting, the Ranchos has been done through subdivisions and not too many planned developments out there, but there's a few. As you can see this is how we have been tracking it over the years. The next layer is going to be the utility districts and this is where I've been...

Vice Chairman Walsh speaks:

Tom, I have a question. The floodplain is the gray? Is that what that is?

Mr. Dallaire speaks:

Yeah and this is 100 year, so it does not include the 500 year floodplain. Just the 100 year, the gray outline.

Chairman Penzel speaks:

Commissioner Engels, go ahead.

Commissioner Engels speaks:

Could you outline the East Fork and West Fork of the Carson River in that?

Mr. Dallaire speaks:

Sorry, so we've got East Fork of the Carson River coming in here and it fans out between Gardnerville and the Ranchos. That's all pretty much floodplain, there's a couple little pieces of high land areas here and then you've got the West Fork of the Carson River coming through. Then they merge up here at just past Genoa Lane. Then the Carson River continues on and out into Carson City up here.

Chairman Penzel speaks:

Does that answer your question, sir? Okay. The thing that strikes me about this map is you don't have anything down in Topaz Ranch Estates.

Mr. Dallaire speaks:

Well, we cut TRE off for now. I don't have paper big enough or a board for the map to sit on. If I included TRE, there are areas, and I apologize, I should have put that

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on the slide, but we do have areas and there are floodplains down in TRE as well and Receiving Areas. We will address it next time.

Chairman Penzel speaks:
Thank you.

Mr. Dallaire speaks:
Sorry.

Chairman Penzel speaks:
Well it's part of the county and we should understand the whole thing. Thank you.

Mr. Dallaire speaks:
But I ran out of board. So the next layer is the utility districts. So what we found is we've got the sewer districts and water district areas and their service boundaries. TRE does have TREs water service and then there's also two other water departments out in TRE and I apologize for not including those. I don't think we have it on a slide, do we? I think we cut that off. So what we have here in the Valley, and this is interesting, just to kind of go through the numbers and what you're looking at is the hard solid shaded zones, and this is starting to get difficult to see all of those shaded zones, but there's a sewer district behind that as a solid shade and the water district is the hatch lines with the circles. So the water is here and then the sewer boundary we've identified like Minden Gardnerville Sanitation District sewer boundary is this black and yellow line. That's their overall service boundary, but the shaded area here in gray is where they're annexed. So their annexed services are within their service boundary line. Then we've got Minden Water, which with the Plan for Prosperity process we've expanded that a little bit north. Then we've got Gardnerville Water and that's the little hatched area in here and that is extended out, but nobody has annexed or are using their services today. The annexation line is separate from the service boundary line; I just want to make sure that's clear.

Chairman Penzel speaks:
Pineview Estates down there, I assume, is that little isolated green?

Mr. Dallaire speaks:
Yeah, as a development.

Chairman Penzel speaks:
Where is the service boundary for MGSD on that?

Mr. Dallaire speaks:
Right now the yellow line is where they're at.

Chairman Penzel speaks:
And what about their grant to service that area?

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Mr. Dallaire speaks:

It's my understanding they can do it through a contract. We're still researching that. We have Carson Valley Water in the blue area so we have a small area here at the fairgrounds. You can see the boundary for that; we don't have sewer out there, but we have sewer here and we separated that a little bit so we can see, is that easier to see? Anyway, there's a solid line here where it's sewer, but the water utility is a little bit outside of that boundary. So this area in here is outside of the sewer boundary and then right here on this piece, you can kind of see this little piece, the sewer boundary, then extends outside of the water boundary. Then we go over here to the Genoa side and we've got water. The development for this, this was the Walley's location here and the water serves just the portion that was developed. Then Genoa and then also all of the golf course and the service area boundary exceeds up and extends up into the open space of Eagle Ridge. Then this is the Tahoe District that just kind of showed up on the map here. We've got Clear Creek which Douglas County Water is providing it. We've got a number of districts up here; we've got Douglas County, Indian Hills, Ridgeview I think it was, sorry Ridgeview and Indian Hills right here, so this one is a small water purveyor up here but Douglas County currently has basically the North Valley area up and around Walmart. Indian Hills has everything from Jack's Valley South with one pad north of Target that is in their district that would be served. Indian Hills serves the school and then Douglas County and Indian Hills on the hillside here shares a tank site. Now Douglas County is planning on serving Clear Creek at a certain point in time, that's going to connect, so we need to expand that service area boundary and connect Clear Creek to Douglas County's water system. Then also the sewer system is already being served up there. We're collecting the sewer and I believe it's going to Carson City for disposal and treatment. So the last slide is when we overlay the community area plan boundaries; we even have lines that don't line up with those. So I was hoping what we could do is clean this portion and really get some direction from the Board of County Commission to clean these boundary lines so we can get our service areas, that's sewer and water service areas, lined up and aligned with our community plan boundary line so when we move forward, whoever picks up the element for Johnson Lane can say I'm going to be served by Douglas County Sewer; I can be served by Douglas County Water and they know who to go to or talk to about their project. Right now I think there's a misalignment with that so that's my proposal.

Chairman Penzel speaks:

Alright. Thank you. Any discussion by the Board of County Commissioners? Any disagreement with what he said? So then I would take it if you don't have any disagreement you all agree that the map should be cleaned up. I think that's self-evident, but nonetheless. So does that give you direction on the maps?

Mr. Dallaire speaks:

Sure. We did prepare something, so in addition to that, and you can really see on these slides we have an area in Gardnerville and we can see there is a Receiving Area already outlined that was built in. It has already been developed, the file maps have been recorded, it's still future land use Receiving. This area here is vacant and it's the Virginia Ranch project and it is in a Receiving Area. You can

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see the ranch in Gardnerville here growing out, here's where the final maps are done too. This is a pretty current version, this is the last set of improvements and final maps that have been recorded. There is a small chunk left in Gardnerville that is vacant Receiving Area but the rest of this has been developed. Also, they have dedicated open space in here to the Town of Gardnerville and that open space is identified and should be a future land use designation as well and we will get to see a few more of those as the slides go on.

We've got Monterra and La Costa, there's a little bit left in the Receiving Area. This is still vacant which would still remain, this is vacant and the Muller Parkway extension and the pieces that were missing. Monterra's extension, vacant, but all of these houses are built and being lived in today but it's still within a Receiving Area. This is under construction. This portion is under construction. This pieces out here off of Stephanie right where the big S-curve is. That development right there, North Fork, I think is what it is called, that's been developed. It was a small chunk of Receiving Area. Then we can zoom in at Receiving Areas. So the Arbor Gardens, everything is built out; you can see that and this was the controversial apartment complex, kind of the end of the road, 20 years after the development was proposed, they were putting apartments on that piece. You can see here the Virginia Ranch, a closer view of Stodick Estates but it's still in Receiving Area. What we're hoping to do as staff is update our future land use map to the correct land use that has been constructed on and then leave the remaining vacant lands that's under Receiving Area so we can keep tabs on what you guys are asking for, to see where we're at, is there a need for additional Receiving Area or additional zoning or whatever? We will be able to track this much better if we are able to update the maps as developments come forward and we're looking at the process for that. This is Clear Creek, just another example. Also our water system is expanding there, the sewer system has already expanded but should this one be linked to the North Valley? It's close enough, there is some Bureau of Indian Affairs property through here and some BLM as well. Is that an area that we foresee being developed? Should be in its own area plan? Having that conversation today would be nice as well.

Chairman Penzel speaks:

We can talk about that a little bit right now. We have the Deputy District Attorney here who can update us on how that goes down Jack's Valley Road. The line from the tank to Clear Creek is in, unless you have information that it's not because they have water up there.

Mr. Dallaire speaks:

They do have water. I believe it comes from the north side from up here and they're conditioned as soon as they get into a certain phase to bring that water line down. I think they're gearing up for that now to bring that down and connect it in. But maybe it's under construction?

Chairman Penzel speaks:

Let me have the District Attorney address this.

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Doug Ritchie, Chief Civil Deputy District Attorney, speaks:

I'm not the District Attorney, I am County Counsel, to clarify. The County has prepared an application for right-of-way to be submitted to the Bureau of Indian Affairs. The Washoe Tribe has approved it; a resolution has been entered. They have a new General Counsel who is currently looking at stub-outs along Jack's Valley Road. I emailed him last week and he's still looking at it and was going to get back to me Monday. I'm going to follow up with him tomorrow just to see where they're at. But basically the application is ready. Once the application is submitted to the Bureau of Indian Affairs it takes them a couple of months to approve it and then construction can occur which will tie the county's east and west valley systems.

Chairman Penzel speaks:

And what's the status of the Clear Creek system? Is it connected or not?

Mr. Ritchie speaks:

It's connected, yes.

Chairman Penzel speaks:

That's what I thought. Is it updated for you?

Mr. Dallaire speaks:

Yeah. Is it looped? Do you know Doug? Is it actually looped yet?

Mr. Ritchie speaks:

It is not looped in yet. That's the Jack's Valley.

Chairman Penzel speaks:

That's from the school, basically, down to the Genoa Ranch is where that's got to go.

Mr. Dallaire speaks:

Okay. So on this, this shows a large portion or all the property that Clear Creek purchased for their development. It is in the Receiving Area and there are over 900 acres here that's dedicated open space. They've developed on a lot of that, or they're planning on developing on some of that more, but there's still a few developments that we don't have final maps on that would be remaining in here as future land use designations. And that's what we're trying to get to. So we would really paint a clear picture if we were able to add to our future land use maps, which was the base drawing we had there, indicating where our conservation areas are and our conservation easements and our deed restricted lands. So we have, basically, just a real quick view of that on this slide and it shows all of the different colors and who has conserved and when, and then even the file number and the GIS has identified all of those areas. So on our future land use maps we can highlight those land use areas so that the future land use is conservation. And we would just do that as similar to the planning development overlay like we did earlier on the first version of this slide. We would just highlight those parcels,

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all these parcels that are in color here, as just a conservation easement so that that is shown on our future land use map. That's really, it.

Chairman Penzel speaks:

That's it? I noticed that you have a caveat there that does not include deed restricted.

Mr. Dallaire speaks:

Yeah but we need to track those down and get them mapped. I think GIS has a layer for that but I wanted to make sure it was clear that those were just the conservation easements. Because there are more parcels in here.

Chairman Penzel speaks:

Yeah, for a full depiction you need the deed restricted.

Mr. Dallaire speaks:

Yeah, and parcels purchased through the...

Chairman Penzel speaks:

SNPLMA, Southern Nevada Public Lands Management Act.

Mr. Dallaire speaks:

Thank you, SNPLMA moneys. Thank you.

Chairman Penzel speaks:

I know that's your favorite acronym.

Mr. Dallaire speaks:

It is. Then you can see here, and I've highlighted it here, but the brown areas are the open space that's been dedicated today up there in Clear Creek. So there's a substantial amount of land. Oh, here's a Topaz map right here. This is TRE, Topaz Ranches Estates. Their GID does extend down along this open space and serves a portion of these parts. I think it's these parcels here and then this is all open space now, conservation easement. Two property owners came together and it's all open conserved land.

Chairman Penzel speaks:

What is that area known as?

Mr. Dallaire speaks:

Sleeping Elephant. That's this piece, I believe, is this ranch here.

Chairman Penzel speaks:

Okay. Any questions from the Board of County Commissioners? Any Member of the Board? Vice Chairman Walsh.

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Vice Chairman Walsh speaks:

Yes, thank you. I just want to, not necessarily on these maps, but before I forget I want to concur with Commissioner Engels, when we talk about architectural oversight. I think you wrote it down. I hope, I believe he's talking about architectural oversight on commercial properties and not on residential properties. And I would concur with that. Going through the Towns we don't have any central architectural theme. This is cowboy country, it's rural, its Ag, and a lot of stuff we have does not really lend itself to that lifestyle. So I'm looking at the Town Manager of Minden and I don't see the Town Manager of Gardnerville but I would hope that in the future they could come together with the County and have some pretty good guidelines for commercial architecture. I also agree with Planning Commission Member Neddenriep about the TDR program. I think it's pretty important that we protect that. As far as up zoning is concerned, I would agree on how we get there, Mark, but I would agree that maybe we should require TDRs. Thanks.

Chairman Penzel speaks;

Any other? Member Neddenriep.

Member Neddenriep speaks:

Yes, I have a question for Tom. So what is the difference between a deed restricted piece of property and when a developer says this is open space? Is that deed restricted also?

Mr. Dallaire speaks:

It is, yes, it is deed restricted and I don't think there is a difference. They're both deed restricted and that deed restriction actually explains what's being restricted. Like the property we obtained from the Hellwinkle Ranch with this question one funds from the State that was deed restricted specifically for no new structures. We couldn't do any new above ground structures on that property. So it actually says in the deed restriction that we can't do any new above ground structures.

Member Neddenriep speaks:

So in your mapping are you going to treat them all the same?

Mr. Dallaire speaks:

No, they would be different colored outlines; but it would be an outline over the top of the future land use designation. It would just be in color on there.

Chairman Penzel speaks:

Any other questions? Member Walder.

Member Walder speaks:

Thank you, Mr. Chairman. Tom, I concur with what you're going for there. I think you've got a good grasp of what needs to be done. It's a big undertaking, but I think you're well on the track. Could you or maybe perhaps Mr. Booth explain to me, because there's not a lot of discussion on Tahoe Township, there is not a lot of mapping there, there is not an area plan for Tahoe Township. We have the South

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Shore Area Plan, I believe that's correct Mr. Booth, and they fortunately or unfortunately kind of govern or dictate what's done at the Lake. Could you maybe give us a little one minute explanation so we're all clear on what we're doing there?

Mr. Booth speaks:

When it comes to the Tahoe region I'm still learning myself, but I do know, yes, we have the South Shore Area Plan. We have a draft version of the Tahoe Douglas Area Plan which would be the Master Plan's version in Tahoe. There are boxes in my office right now of that draft plan. Tom has had talks and we're talking with Tahoe Regional Planning Agency about starting the process back up to get that Tahoe Douglas Area Plan approved. I think it's our vision that as we progress in this tight timeline with the Master Plan update the Tahoe Douglas Area Plan would be the next thing that we would attack maybe early next year or late this year. But there are the same type of important planning principles we're going to undertake here in the Valley and the rest of the county and we need to take that to Tahoe, future land uses and those types of things and have a conversation with TRPA about the future of development there. So there's a draft plan for that but it hasn't been approved and like I said, there are some boxes of that in our office.

Member Walder speaks:

And just to be clear, so in the Master Plan we're going to be looking at here for the remainder of this year, we're not going to be dealing with those issues; those are separate issues that you will be working on and you'll have to be working on those with the TRPA?

Mr. Booth speaks:

Correct.

Member Walder speaks:

Thank you.

Mr. Dallaire speaks:

So, as part of this process and our outreach as far as staff, and staff doesn't just mean Sam and I are doing this all on our own, we've got a lot of departments and a lot of elements that Sam and I want to go through and put on the word diet and then send those elements out. What we were focusing more on today was the mapping process and we will bring that back and then start the text. We want the text to be wrapped around what's on the map and then we will include, basically, take what was done for the 2016 version and then cut and trim and put it on an exercise program to reduce its size, pairing it down. I was hoping for 300 pages but we will see. But I don't know, that might be a little optimistic but we are planning on trying to make this a way more usable, user-friendly document, something that everybody can dive into and understand and be able to come forward with some findings and keep that document in the forefront so that the developments are built based on what the vision is. And for the life of me, even as an engineer, practicing engineering in this County, what is the vision of Receiving Area? That's really what the developer brings forward to develop. And we'd like to

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take it a little bit further after this is done and after we have some conversations about this to see if that is something we want to pursue and actually come up with a plan for those areas. But for right now we are just trying to get these things straightened out. Tahoe has the big one district boundary, there are GIDs specifically throughout those areas up there and then TRPA really is the governing entity, per se, under us for that and they have a plan. We just need to get into that plan, and bring that Memorandum of Understanding forward so that everybody is on the same page with the Tahoe basin.

Chairman Penzel speaks:

Okay. Let me bring it back the Board of County Commissioners, questions, comments from any of the Commission? Seeing none, well at this point then, if you have nothing further then I will open this up for Public Comment. Is that okay?

PUBLIC COMMENT

Chairman Penzel speaks:

Okay, we'll open this up for Public Comment. Public Comment on this item is open.

Margaret Pross speaks:

Commissioners, I'm wondering, this is not exactly the Master Plan but it is an area that was mentioned by Vice Chairman Walsh regarding water. There is right now A.B. 95 which is maybe already has gone through the next process, I'm not sure, but what it is, is originally when you bought a home with a domestic well, per NRS 534.080 and .180 you were allowed to draw water for your household purposes, without limitation, as long as the amount of water did not exceed 2 acre-feet annually. What they want to do now is to force people with domestic wells to install a meter on their well at their own expense, which will restrict the water usage by 75 percent. If your home is like ours is, we have a drip system, we have zero landscape, we're two adults, I'm not even sure we could survive on 75 percent less water because we don't use that much now. So I just wanted to bring that to your attention. Thank you.

Jan Muzzy speaks:

Thank you so much for this presentation. It did teach me, educate me on what is going on in the various areas of the County. I was wondering if when you draw up your maps and any future maps if you could indicate if there have been changes in the zoning and what the changes were. That way if somebody were to come and look at these maps five years hence that they would know what the initial zoning was and what the changes were, that way it may give some people a little bit more grasp and understanding of what the purpose was for these changes. Also my other thought I had was how to make sure that these maps are updated that there is a procedure or process designed so that we don't find ourselves 22 or 23 years later from our Master Plan that things have just kind of been in a pile. It seems like it's been putting a lot of onus on both of you trying to put a lot of this together. So I think, in addition, I would like to see the Board of County

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Commissioners also require that there would be a process to keep things updated and much more easily read. Thank you.

Chairman Penzel speaks:
Thank you. Any further Public Comment?

James McKalip speaks:

Going over the Master Plan, I think it's called the housing section, a lot of the statistics would change constantly. I think that's something that could be left out of the Master Plan. The County, maybe, could publish it in a different way because they are constantly changing and you have something that's five to ten years out of date is not really useful. I think you could cut down on some of that weight of the Master Plan that is excessive. I also want to commend the Planning Commission Member, and I can never pronounce your name right, Mark Neddenriep; I think that requiring the TDRs for all development is a great thing. I think it would encourage people to actually develop in the Receiving Areas where we want them to develop and not by Ag land because it is cheaper than trying to get it rezoned. Thank you.

Franklin Harry Ernst speaks:

I like it. Making the information accessible is good news. Three reams of paper single-sided is not the way to go and that's where it was going over a year ago. So talking about making it smaller is better. I am concerned about variances. There was talk when my appeals came up to the Planning Commission three or four years ago, I don't exactly remember when it went to the Board, variances were a central topic. Some of the variances were declared and some were not and my basic PowerPoint presentation to show those variances that were not described, and some people said I won my appeal, but ultimately the former Community Development Director talked everybody out of it. When I say that was my opinion, that's how I saw it. What I am hearing today, and I am encouraged by what I'm seeing and hearing today, is I want a document, I want maps, I want for you people to mean it. Are you going to stand behind what you want to see done in the future regarding the plans, the visions, your implementation plans? Because up to now, most of the stuff just collects dust. Are you going to mean what you say, are you going to say what you mean? I would also like to see some coordination, and probably Tom will get into it later on, is with the State highway plans coming at us with three different routes. That needs to be clarified and soon. Lake Tahoe to me is a mystery, it is a puzzle. And from what I could tell, listening, and what happened up at the Lake last week is the TRPA, Tahoe Regional Planning Agency seems to be AWOL. Where are they? Why weren't they there? You guys need to get a better relationship, at least from my point of view, I would like to see better of what is going on and maybe you would too. Thank you.

Chairman Penzel speaks:
Further Public Comment?

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Jim Slade speaks:

I support the Master Plan as a whole, and I think we have heard some good ideas today. But I believe the most important thing as I mentioned earlier is that staff, the Planning Commission and the Board of County Commissioners follow the letter, intent and spirit of the Master Plan particularly when it comes to required findings for Master Plan and Zoning Map Amendments. There are a few items I'd like to discuss here that I think need to be discussed in regards to updating the Master Plan. One, is noncontiguous clustering as was attempted to be used in the Klauber Ranch project and I believe that needs to be reconsidered. I think it would be in the County's best interest to ban inner-basin transfers and reconsider the item as a whole and perhaps do away with noncontiguous clustering. As far as the comments by some, including Commission Rice, that we need broad participation by more residents, I have a great idea for more public input on RDA2, put it to a vote of the people.

Regarding big-box stores, after we got our second Walmart in little Douglas County, which is at least one too many, there was a suggestion by some members of the public that was supported by some Commissioners that perhaps we should limit the size and location of giant box stores. Perhaps they should not be allowed south of Mica. That has been an issue for a while but it's good to be proactive rather than reactive, so I think you should look at that again. It's a bad idea just to plop a second one down in South Gardnerville and then complain that there's no housing for the low-paid workers that work there, of which there are a great many.

As far as the growth management ordinance goes, with the carryover of building permits from one year to the next, to the next, to the next, that was a compromise that came out of the weekly meetings every Friday at 7:30 in the morning for a year that involved staff, the developers and the Sustainable Growth Committee, including myself; it was a compromise I didn't support. No one had any idea at the time that we would be shortly thereafter heading into the great recession and nearly a complete halt to development. There has been no year since then that the building permits have exceeded that year's allocation. So we have this ever-growing carryover that is now, I don't know the number, 2,000 or something. Anyhow, some people have suggested that since we have yet to come up and meet the annual amount, that should be wiped off the books and start all over again with the current number. We partly tried to avoid the boom/bust cycle that Nevada and Douglas County have experienced over the years, that is not a good template for the economy. So I would recommend that you do that. Sadly, my time is up.

Chairman Penzel speaks:
Further Public Comment?

Bev Anderson speaks:

I would just like to know if anybody can tell me how many building permits have been approved and are sitting there and have not been built in this County.

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They're just sitting there. Can anybody tell me the answer to that? That's the only thing I want to know.

Chairman Penzel speaks:
We will ask the question for you.

Ms. Anderson speaks:
Would you please? Thank you.

Chairman Penzel speaks:
Yes, ma'am. Further Public Comment?

JD Frisby speaks:
JD Frisby, Town of Minden Town Manager. Mr. Chair, thank you for this. Since Vice Chairman Walsh called me out a few minutes ago I would like to just make a comment on how we talked about a kind of theme for architecture. You guys are fully aware of the Plan for Prosperity that we brought forth and adopted at the end of this last calendar year. In that there was an element that talked about the need for design guidelines. Both Towns after that have gone out to obtain a consultant to further our endeavor to make sure we get some teeth to obviously be able to enforce the things we talked about within our Plan for Prosperity, but also put together some design guidelines to help us with the theme, the vision, the architecture, street widths, things of that nature to help us within obviously the standard details of the County. At the last Board meeting the Town did approve a local consultant out of Reno that I feel will do a great job. They have a very good understanding of what's going on here in Northern Nevada and I believe Gardnerville. Tom may be able to add to this, but I believe they retained the consultant that did the Plan for Prosperity. So we kind of went in a little bit different direction there, but that is a need the Town foresaw and is currently addressing. One other thing I would just like to add; a few Board of County Commissioners did mention the need for more outreach, I do agree with that. But I also foresee a need for, there is a lot of talk about development, building off of the existing infrastructure, we talk about Receiving Area and how it's going to affect the communities. Minden will be very much impacted by the decisions made by this Master Plan Amendment and I would hope, I did not see it on Sam's timeline, I did see it to go back to the Planning Commission, a decision to go back in December for approval by the Board of County Commission, but I never saw anywhere in there that the Town would have an opportunity to weigh in on that. I do believe that it would be very important to hear what the Advisory Board of the Towns have to say with this. Thank you.

Chairman Penzel speaks:
Further comments? Alright, I will bring it back the Board of County Commissioners and see if we can answer some of these questions. Are you ready Mr. Dallaire? Okay, first was the A.B. 95 and the discussion on A.B. 95 that's limiting the wells and that was actually something the State Engineer proposed. Perhaps the County Manager has an update but the point behind it was to an overstressed aquifer. They could put in these rules and it wasn't addressed to our

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aquifer specifically, it was addressed to over pumped ones and there's only one over pumped right now. Is that a good summary? Then future map changes and showing the initial and the changes that can be done. Are you thinking about putting some map like that up?

Mr. Dallaire speaks:

Yeah, we can keep the older maps in there for future land use.

Chairman Penzel speaks:

Show a progression.

Mr. Dallaire speaks:

Yeah, we want to make sure that that is the plan moving forward. So if there are some changes hopefully we won't get a lot of that after this version, but we do want to make sure that we capture those changes.

Chairman Penzel speaks:

Okay. I want to make a point that we have closed Public Comment. Just make sure that that was, you did record that, okay.

Mary Anne Martin, Deputy District Attorney, speaks:

Thank you, Mr. Chair. One concern I have about the sort of proposed redline showing what the existing zoning is and what the prior zoning is, really the Master Plan should be a forward-looking document. This is not a document where we're looking to the past. So really the reader can be directed to previous versions of the plan and go do that research themselves. It becomes so difficult for the reader, as you recall the last time the Master Plan was updated the number of redlines becomes very voluminous and you lose sight of what you're trying to look at, which is again, the term is future land use. So again, because it's a forward-looking document I wouldn't recommend there be redlines of Zoning Maps or similar things included.

Chairman Penzel speaks:

Could an appendix with the previous maps be put there?

Ms. Martin speaks:

You could, but it's going to make your document long again. We're trying to strip all of the extraneous stuff.

Chairman Penzel speaks:

Okay, fine. The next question was... Commissioner Nelson.

Commissioner Nelson speaks:

Would it be possible to have it out on the Internet somewhere with a link mentioned in the document itself where these can be found?

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Ms. Martin speaks:

That would be a much better approach in my opinion. Make the information readily accessible without making it part of the Master Plan itself.

Chairman Penzel speaks:

Okay then, the next one was a process should be written for updating the maps.

Mr. Dallaire speaks:

Right, we do have to update these regularly. I think the Nevada Revised Statute was every five years, if I recall, that we had to do that. We are hoping to do an annual summary to both the Planning Commission and the Board of County Commissioners as to the changes throughout the year and that would be another table showing what's been changed for the Master Plan portion of the future land use zoning, if any, and in addition to, we could include Zoning Map Amendments as well.

Chairman Penzel speaks:

But I thought the question was what is the process for doing that?

Mr. Dallaire speaks:

The process would be staff capturing everything that happened that year and bringing it back as just a summary document, a report, that the Board of County Commission would receive.

Chairman Penzel speaks:

Are you going to formalize that in some kind of statement?

Mr. Dallaire speaks:

We can.

Chairman Penzel speaks:

Okay. Then a housing plan, the statistics on, I think he was referring to the population changing constantly and maybe that's not an appropriate place for it and that would be part of your evaluation I think going forward.

Mr. Dallaire speaks:

Yeah, it is. I think we've gotten way down into the weeds on some of these elements and we need to get back up to the 30,000 foot level on the plan, or 50,000. The air is thin up there.

Chairman Penzel speaks:

You did get a compliment on smaller is better, but then came back and asked what about variances. Are you going to be looking at variances and how they go?

Mr. Dallaire speaks:

That is part of the code modifications that we have identified. We've got a lot of items on the June agenda. We want to get one specific one done first and then we

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will bring more forward as we work through all of these other issues besides the Master Plan and in addition to the Master Plan update.

Chairman Penzel speaks:

You've got to say what you mean and mean what you say, and is there going to be some kind of a definition of the State highways and how they are entwined with the County highways?

Mr. Dallaire speaks:

Well we've got a Transportation Plan and right now we're wondering if we need to actually bring that as a Master Plan Amendment or do we want to suck the information out of the plan that's pertinent to the Master Plan portion of it and just put a couple of pages in there as far as a transportation element in the Master Plan.

Chairman Penzel speaks:

You're talking about the five-year transportation we just approved?

Mr. Dallaire speaks:

Yeah. That way we would pull the information that we need out of that, highlight it in the Master Plan and then that would get updated with the Transportation Plan, but stays a separate document.

Chairman Penzel speaks:

If you pull the Transportation Plan into the Master Plan you have rebuilt it to the 1,000 page level. That may defeat your purpose here.

Mr. Dallaire speaks:

It would absolutely defeat my purpose.

Chairman Penzel speaks:

So I would prefer to say that you're going to extract as opposed the word you used to get that information.

Mr. Dallaire speaks:

It's a much more pleasant word, sorry.

Chairman Penzel speaks:

Lake Tahoe is a mystery. I think that statement just stands by itself. Then you throw in the TRPA and it gets a little more mysterious. I think though that what would help is the area plan process outlined so that everybody understands how complicated it gets with the TRPA. Then the approval process for it and then of course there will always be the legal challenge to that and then it comes back. And if it's approved then we have the responsibility for execution of it and that is a process. That process should probably be outlined in some document going forward, especially for the Tahoe Township. Agree or not?

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Mr. Dallaire speaks:

I agree. I have not found that document yet, nor have I looked for it in my two months, a little over two months here, but I wanted to get through today and get some direction from everybody and the public on where we need to go so that we can come up with a plan and we do need to meet with the TRPA. They have been calling, I have not had time to go up there and meet with them, but they are an integral part of the Tahoe part of this plan and they need to be a part and partner with us and sit in at the table as well as we get this updated. As I understand, I don't fully know the full details of their plan but Sam and I both need to dive into that and see what portions of that we can put into that land use element as well. It needs to match their plan. I know they've done a corridor vision similar to our Valley vision here and then also the Towns have taken it one step further with the Plans for Prosperity, and I appreciate JD's comments on that. I was going to roll back onto that with the commercial question with the architectural elements, is that they are established in that Plan for Prosperity somewhat. And then the design details or the design guidelines are going to establish those further. We could do something similar with that and with Tahoe as well. The Tahoe corridor plan and study, I think, has quite a few visionary graphics in it as well.

Chairman Penzel speaks:

Oh and it has a whole list of architectural requirements. The next question or at least the statement was that we should have a better relationship with them. I would suggest that we have since they have hired some of our planners. But I think it would be good as an editorial comment you and the County Manager go up and meet with the TRPA when you all have a chance. You've only been here a month, but I think that needs to be done also. Then there was a question about follow-ups on the Master Plan, noncontiguous clustering and then used the term inner-basin transfers. I am familiar with inner-basin transfers when you talk about water but not with the noncontiguous clustering.

Ms. Martin speaks:

Noncontiguous clustering is again going to be a Title 20 issue, not a Master Plan issue. As you may recall, Klauber Ranch is an example of noncontiguous clustering. Again that's not something that we would address in the Master Plan, that would be something that we would address with an ordinance update to Title 20. And for the record, we do have a draft variance ordinance teed up; it's just a matter of putting it on the back burner while we're working on the Master Plan stuff.

Chairman Penzel speaks:

Okay. Good to know. Then there was a comment on RDA2 and then after that was big box stores. Are there any plans to put big-box stores in a particular area?

Mr. Dallaire speaks:

We have commercial zoning already in place. The size of the parcels, Walmart consolidated a number of parcels to create that; they even moved the Town owned detention basin adjacent to that to make more of a regional pond. We hadn't looked at that part of it yet and I don't know what's actually in the Master Plan

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today that would actually limit those things. I know when Walmart came through we were trying to get the City of Reno code looked at to utilize their code here and that didn't work well and I think it will end up being a Title 20 issue where we need to include those limitations in that document. But if we need to limit it in the Master Plan, if that's the direction from this body here, then that's fine. We will look at that.

Chairman Penzel speaks:
Vice Chairman Walsh.

Vice Chairman Walsh speaks:
Thank you. I would agree with Mr. Slade's comment. I think it needs to be addressed in the Master Plan. No big boxes south of Mica Drive; you've got my vote.

Chairman Penzel speaks:
You don't want them in Ruhenstroth, huh? Then there were actually two questions on the growth management ordinance that boil down about the same thing. How many building permits have been carried forward and what's the total number right now?

Mr. Dallaire speaks:
Well, the last report I saw I think we were around 200-ish building permits now. But the building permits are issued and then the buildings are built. I'm wondering if what was meant by Ms. Anderson's comment was that how many lots have been developed that haven't been built on today. I don't know if that's what you were referring to? Okay. So we do have some information on that. I don't have it off the top of my head for today because we are focusing on the maps part, but when we bring the maps back we will have some more defined numbers on the growth management. Sam and I had an approach today to discuss it if it did come up, but we wanted to keep it focused on the maps and really getting the direction from you guys. So we can bring that back and actually analyze it. It is an interesting animal to attack and when we did during the budget cycle, prepared that graphic for you guys, it really kind of showed how that has been working or hasn't been working, one or the other. We have allotted a lot more parcels that we're not building on and we're banking those and the numbers are significant. It's huge.

Chairman Penzel speaks:
So you're going to bring that back?

Mr. Dallaire speaks:
Yeah, we will bring back.

Mr. Chairman Penzel speaks:
On a map or are you going to bring it back as a statistic?

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Mr. Dallaire speaks:
An info graphic.

Chairman Penzel speaks:
Well said, okay. Then Mr. Frisby's remarks about the Plan for Prosperity and design guidelines that they're already working on and a need for us to reach out and the Towns want a place at the table.

Mr. Dallaire speaks:
Right. We were limited on the size of that.

Chairman Penzel speaks:
At the table?

Mr. Dallaire speaks:
On the chart and I had it in there but we do want to open this up to the public. We are planning on doing a roadshow. The good thing is, is the tight timeframe on the map portion. So we're going to have to at least go see the Towns for that and then bring it back for the Planning Commission in July and then the August meeting for the Board of County Commissioners. So we will go and present those two areas because it is significant in the Valley down here where we do have a lot of service areas that overlap in our Town boundaries and annexations which don't really align with those service areas that are identified. It is a significant revision and I fully intend to take those to both Towns. I hadn't changed, we weren't planning on changing anything in Genoa but basically from GRID, and we will go visit with them and speak with their managers, and also meetings with the Town managers as well about this. Just making sure we're all on the same page before we get to their board as well. We have a lot more outreach to do and we're prepared to do that.

Chairman Penzel speaks:
Well thank you. At this point I will bring it back to the Board of County Commission, bear in mind NRS 278.150 says Master Plan preparation and adoption by Planning Commission, adoption by governing body of city or county; the first item is that the Planning Commission shall prepare and adopt a comprehensive long-term general plan for the physical development of the city, county, or region which is in the Commission's judgment bears relation to the planning thereof. Which means it starts at the Planning Commission. And the purpose behind this meeting was everybody start out on the same sheet of music with the same basic understanding. So if there are any comments from either Planning Commission or Board of County Commissioners that have not been made I sure would appreciate them being made now. Any comments?
Chairwoman de Knijf.

Chairwoman de Knijf speaks:
I think this was such a great idea because when we built the 2016 update it would've been helpful at that point to have input from the Board of County Commissioners and we could have built it in a manner that would be approved by

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both the Planning Commission and the Board of County Commissioners. So we have a base to work up from but it seems like there were hours and hours of wasted time spent that we could have spent more productively if we had known what the direction or where you guys wanted to go with it. So I'm really pleased that we decided to have our joint meeting. I think there was great input from everyone and I look forward to doing it again.

Chairman Penzel speaks:

Thank you, ma'am. Any other comments? I would like to thank the Planning Commissioners for being here; I would like to thank the public and I would like to thank the County Manager and Mr. Dallaire, you and Mr. Booth have done a great job. If there's anybody that I didn't thank it is an oversight, I'm sorry but thank you very much. Pending any other comments, I'll declare this adjourned.

CLOSING PUBLIC COMMENT

Chairman Penzel speaks:

Oh, any final Public Comment before we adjourn? Any final Public Comment? If you could hold the conversations down for final Public Comment.

Jim Slade speaks:

Just to add a few more points. I support the letter of Hope Sullivan where she urged that primarily growth should go into the current urban services areas. Anything beyond that, I would say, would be considered sprawl. That's one of the reasons the Klauber Ranch was defeated. But it's disappointing that the recent development on Pine Nut and Corley Ranch both of which were outside the Town boundaries and urban services areas were approved. They are sprawl and inappropriate. When it comes to workforce housing, that's a worthy goal to have affordable housing for those who grew up here, for teachers, for young Sheriff's Deputies, but how do you make sure that happens. How do you prevent retirees from California or for instance Walmart employees who currently live in Dayton or Silver Springs for instance, from snapping up those homes or apartments? The way you shouldn't try to resolve it is by flooding the market with cheap housing or multifamily housing. That is not in the best interest of the community and it would decrease the quality of life for every resident here particularly when it comes to traffic and water concerns etc.

A few points I'd like to make where I believe staff has let us down in recent years and hopefully things that can be corrected going forward; one, Rancho Sierra. There were seven variances requested all of which were required to meet all of the required findings, yet not only did staff recommend approval but they lumped all seven together as if they were one and made the findings altogether, basically just restating the required findings in the affirmative, without any real evidence. The Board of County Commission looked at it and voted unanimously for denial, saying that none of the variances met the required funding for hardship. That makes staff look bad and the public to lose further faith in staff and County government. Or the Klauber Ranch, despite repeated comments in the Master Plan goals and policies to protect the floodplain and the river corridor, staff

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recommended approval. Thankfully, and I thank all of you, the Planning Commission and the Board of County Commission unanimously voted for denial. But again it makes the staff look bad for coming up with a recommendation and the public again to lose face. So that is unfortunate, hopefully that kind of thing can be avoided in the future. I like Mr. Neddenriep's suggestion, we do appreciate what the Ag community does as far as retaining our rural character and open space. I think conservation easements, however they come about, whether through the transfer of development rights, through SNPLMA funding or whatever are very important and that's one good direction that would probably be helpful. Thank you.

Chairman Penzel speaks:

Further Public Comment? I'll bring it back to the Board of County Commission and the Commission will have a motion.

Vice Chairman Walsh speaks:

Yes, Mr. Chair, after some further discussion I move to direct staff to prepare revised drafts of the Master Plan maps for review at the July 9, 2019 Planning Commission meeting and adoption at the August 1, 2019 Board of County Commissioner meeting, including maps of Douglas County land use, community plans, urban service boundaries and to authorize staff to engage the public and stakeholders regarding such Master Plan map revisions.

Commissioner Nelson speaks:

Second.

Chairman Penzel speaks:

So we have a motion from Vice Chairman Walsh, a second by Commissioner Nelson. The Board of County Commissioners will vote on this. All those in favor signify by saying aye. Any nays? No nays, the motion passes 5-0.

MOTION to direct staff to prepare revised drafts of the Master Plan maps for review at the July 9, 2019 Planning Commission meeting and adoption at the August 1, 2019 Board of County Commissioner meeting, including maps of Douglas County land use, community plans, urban service boundaries and to authorize staff to engage the public and stakeholders regarding such Master Plan map revisions; carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Walsh, Vice Chairman
SECONDER:	Dave Nelson, Commissioner
AYES:	Rice, Engels, Penzel, Walsh, Nelson

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Adjournment

Chairman Penzel speaks:
And now we are adjourned.

There being no further business to come before the Board, the meeting adjourned at 4:57 PM.

Respectfully submitted:

Barry Penzel, Chairman
Douglas County Board of Commissioners

ATTEST:

Kathy Lewis, Clerk-Treasurer

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