



# AMERICAN CIVITAS

Board: Douglas County, Nevada County Planning Commission

Date: January 13, 2025

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<b>Item</b>	<b>Description</b>	<b>Outcome</b>	<b>Vote Count</b>
1	CALL TO ORDER	Called to Order	N/A
2	PLEDGE OF ALLEGIANCE	Stated	N/A
3	PUBLIC COMMENT (No Action)	N/A	N/A
4	APPROVAL OF AGENDA	Approved	(5-0)
5	APPROVAL OF PREVIOUS MINUTES	Approved	(5-0)
6	ELECTION OF CHAIR AND VICE-CHAIR	ELECTION HELD	(5-0)
7	TRANSFER DEVELOPMENT RIGHTS (TDR)	SUBMITTED TO BOCC	(5-0)
8	ORDINANCE 2025-1661	Approved	(5-0)
9	PLANNING COMMISSION ACTIVITIES REPORT	Approved	(5-0)
10	CLOSING PUBLIC COMMENT (No Action)	N/A	N/A
911	ADJOURNMENT	Adjourned	N/A

## Executive Summary

The Douglas County Planning Commission meeting on January 13, 2026, focused on administrative, policy, and review items. Key actions included electing Chair Bruno and Vice Chair Casey, discussing a Transfer Development Rights (TDR) Study with recommendations for program enhancements (e.g., tracking database, overlay zones, monitoring), advancing Ordinance 2025-1661 for mixed-use residential in commercial zones (implementing AB 241 with commercial requirements), and accepting the 2025 Activities Report. Public comments emphasized TDR demand/supply imbalances, incentives for critical areas, accuracy/transparency, and alternatives like 1:1 rooftop-TDR. Commissioners supported phased improvements, market-based approaches, and further review before BOCC submission.

## Highlights

1. TDR Study: Wood Rodgers presented findings/recommendations: Preserve program (4,600+ acres success); challenges (transparency, market misalignment); phased fixes (database/registry/website, code updates, overlay zones for incentives, GMO monitoring, infrastructure alignment). Commissioners endorsed zones/demand increases (e.g., 1:1 rooftop-TDR); opposed extra incentives/Zone 1; recommended non-TDR tools (e.g., funding initiatives); sent to BOCC with addendum/answers.
2. Ordinance 2025-1661 (Zoning Text Amendment): Revised proposal allows multifamily in all commercial districts with commercial component; retains mixed-use district. Aligned with town feedback/Master Plan. Recommended approval to BOCC.
3. 2025 Activities Report: Reviewed eventful year; commended staff workload/dedication (e.g., 2,600+ inquiries); anticipated 2026 projects (Tahoe Area Plan, Title 20 update, TDR work). Accepted unanimously.

## **Public Comment (Non-Agenda Items)**

**Public Comments:** Residents strongly urged all Planning Commissioners to begin attending Tahoe Regional Planning Agency (TRPA) Advisory Planning Commission meetings to observe differences in process and hear from planners of other local jurisdictions. Recommended attending TRPA Governing Board and committee meetings on Tahoe-specific Douglas County projects. Noted January 28, 2026 TRPA Phase Three housing Notice of Preparation for environmental impact study and February 11, 2026 Advisory Planning Commission presentation. Offered to forward agendas for TRPA, Tahoe Douglas Visitors Authority, Events Center stakeholder, and Tahoe transportation meetings to staff for distribution to Commissioners. Others criticized two Community Development processes: (1) reliance on consultants, whose recommendations align with the paying client (county/development interests), citing Park Ranch TDR receiving area (2,200 homes vs. prior 68) despite 50:1 public opposition and recent Barton developer emails dismissive of public concerns; (2) “stakeholder” groups as financially interested parties (developers, ranchers, staff) meeting in private with no transparency or public input; true stakeholders are residents, routinely ignored. Cited floodplain development followed by proposed stormwater fees/taxes (\$140 million) and broken boundary promises in Minnetonka/Golden Valley for Buckeye Farms. Stated public welfare, rural lifestyle, and water should be foremost.

## **Approval of Agenda and Previous Minutes**

The Douglas County Planning Commission considered the adoption of the agenda and previous meeting minutes.

**Commissioners’ Comments:** None received.

**Public Comments:** None received.

**Vote:** Vote unanimous to approval agenda and previous minutes.

## **Election of the Chair and Vice Chair in compliance with Chapter 2.06 of the Douglas County Code and Section 2.1 of the Planning Commission Bylaws.**

Commissioner Maureen Casey, held the election for the Chair and Vice-Chair of the Douglas County Board of County Commissioners. Commissioner Paul Bruno was elected as Chair. Commissioner Maureen Casey was elected as Vice-Chair.

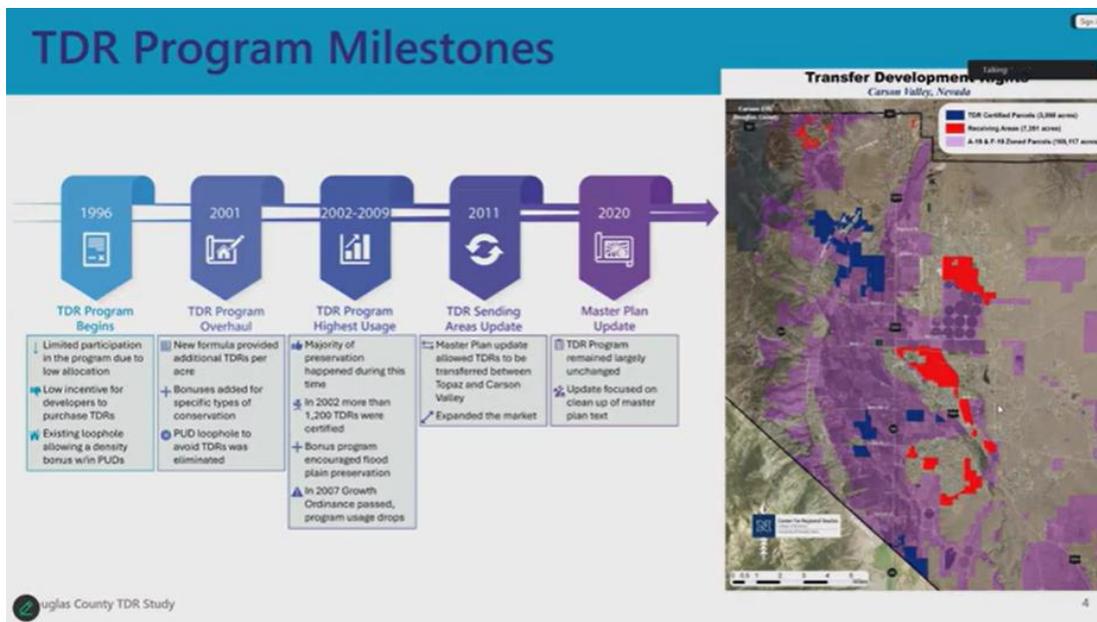
**Commissioner Comments:** None received.

**Public Comment:** Jim Slade supported Paul Bruno for Chair.

**Vote:** Unanimous (5-0) approval.

## **Transfer Development Rights (TDR) Study Presentation and Discussion**

Presentation and discussion on the TDR Study (commenced September 2023) by Wood Rodgers (Derek Kirkland, Melissa) and Planning staff (Kate Moroles-O'Neil, Tom Dallaire). Study involved background research, Technical Advisory Committee (TAC) meetings (April 2024 onward), stakeholder interviews, expert case studies, financial analysis by FCS Group, and collaboration with UNR. Key milestones: Initial recommendations (April 2025), second TAC meeting, Planning Commission workshop (August 2025) for feedback incorporation. Findings: Program (started 1996) preserved 4,600+ acres but faces challenges (e.g., transparency, market misalignment, high land values, infrastructure constraints). Benefits: Liquidity for owners, market-based, density bonuses. Stats: 169,000 acres zoned A-19/FR-19 (62,500 private, potential 3,000-12,000 units); 7,572 TDRs certified (993 assigned/used, 2,800 sold/held, 3,744 available surplus); receiving areas could support ~20,000 units. Trends: Declining farm acreage but increasing farms; rising farmland values; TDR demand drop post-2007 (coinciding with Great Recession, not GMO). Recommendations phased: Phase 1 (short-term; 1-2 years): Internal database with unique IDs, online TDR registry/marketplace, program website for education/transparency. Phase 2 (medium-term; 1-3 years): Code updates for clarity; TDR overlay zones (Zone 3: Floodplain/high-priority = 3:1 incentive; Zone 2: A-19 non-floodplain = 2:1; Zone 1: Other = 1:1, no change); monitor GMO impacts on TDR demand. Phase 3 (long-term; 2-5 years): Master plan updates to align receiving areas with infrastructure/floodplain protection. Phase 4 (long-term; 3-5+ years): Infrastructure assessments/grants to incentivize receiving area development. Other tools: PUDs, zoning overlays, development agreements, land donations/easements, county-sponsored purchases (e.g., impact fees for TDR bank). Emphasized market-based focus, monitoring growth pressures.



## Commissioner Comments

- Commissioner McKalip:** Inquired on floodplain changes via infrastructure (limited impact, mainly Pine Nuts; Carson River areas worsen with regulations); concerned GMO and demand with respect to developers; supported 3 zones; attributed interest rates for lack of supply; supported 1:1 rooftop-TDR. Supported requiring TDR for every development.
- Commissioner Casey:** Questioned Zone 1 inclusion (opposed unless quantified value e.g., watershed/watershed; risks low-value "hinterlands" TDRs); supported moratorium on East Valley growth/flood-prone areas; recommended master plan rezoning/receiving area removals (e.g., Johnson-Stephanie); endorsed 1:1 rooftop-TDR (more for larger structures); suggested land swaps for TDRs using county inventory; recommended bringing revised report back to Planning Commission before BOCC to allow absent Planning Commissioners availability to review.
- Commissioner St. John:** Questioned TDR stats reconciliation (clarified: 7,572 created, 993 assigned/used, 2,800 sold/held, ~3,744 unused); noted public opposition to program; opposed additional incentives (increases supply); supported increasing demand (e.g., 1:1 rooftop-TDR) and reducing supply (e.g., eliminate sending areas like Topaz Ranch Estates); recommended exploring non-TDR alternatives (e.g., funding initiatives like ¼-cent sales tax, STIPULA funds, floodplain policies like Truckee Meadows/Washoe County, Carson City's open space mechanism); expressed deep concern regarding fiscal aspects of the TDR program; supported bringing back to Planning for absent members/absent data accuracy.
- Commissioner Bruno:** Supported 3 zones for prioritizing critical areas; endorsed increasing demand (e.g., require TDRs for all developments, exempt low-income/individual homes); concerned about low demand/value for ranchers (e.g.,

GMO/COVID/interest rates); noted water rights stay with land; supported transparency/unique IDs to prevent issues. He further questioned fiscal ramifications of implementation.

- **Commissioner Walder:** Supported reviewing GMO to eliminate housing disincentives; explore reducing minimum parcel size for TDR participation; agreed with recommendations (except #5 overlays for complexity); supported best practices; favored incentives for conservation/infrastructure-aligned growth; opposed TDR impact fees/county-wide requirements or basin restrictions for added complexity/costs; opposed 1:1 rooftop-TDR.
- **General Board Sentiment:** Agreed to preserve/maintain TDR program; consensus (majority) on 1:1 rooftop-TDR and 3 zones (with concerns on Zone 1); emphasized demand over supply increases; supported monitoring GMO/infrastructure; mixed on bringing back to Planning (efficiency vs. full input/absent members).

## Public Comment

- **Jacques Etchegoyhen:** Supported continuing TDRs; endorsed 1:1 rooftop-TDR (sustainable; every building taps aquifer, replenished by ranchers); noted land values shifted (e.g., \$50K-100K/20 acres in 1990s vs. \$800K-1M now); emphasized simplicity/transparency.
- **Ellie Waller:** Presentations need dates/updates/acronym expansions; 2025 financial analysis should be in packet; no TDR/zoning updates until Master Plan/Title 20/stormwater complete (5+ years); understand budget integration for suggestions; Park TDR transfer (Topaz to Carson Valley) not a success; developers contribute more to infrastructure (avoid Muller Parkway issues); TDR database accuracy imperative; cap TDR needs; transparency on stakeholders; update community plans with member inclusion.
- **David Housman:** Supported continuing TDRs; demand-driven; prioritize receiving areas (best for growth); deny zoning changes/master plan amendments to avoid non-receiving development; market requires willing seller/motivated buyer.
- **Mark Gendron:** Hoped for "silver bullet" to increase demand; supported prioritizing critical TDRs; math shows surplus (~6,500 unused TDRs; 27 years at 243 homes/year, even at 150/year still ample); shrink total TDRs for viability.
- **Jim Slade:** Criticized consultants favoring development/staff desires (e.g., GMO blamed falsely; recession/COVID primary); no increased TDR benefits beyond supply/demand; ignored public (sustainable growth, development pays); Buckeye Farms example of ignoring Master Plan; TDRs won't reduce costs/protect water (aquifers dropping); 6,800+ homes planned (no more needed); suggestions: No MPAs/receiving areas until 85% built; approve 4% sales tax for development rights; utilize clustering.
- **Dan Ainsworth:** GMO hasn't restricted yet; 2021 projection: project allocation pool exhausted ~24 months from now (2028); may force shifting individual allocations to projects; ~6-7K approved homes put developers/county in tough spot.

**Vote:** Vote unanimous to compile recommendations as addendum, provide answers to questions, and forward report to Board of County Commissioners.

### **Ordinance 2025-1661: Zoning Text Amendment for Mixed-Use Residential in Commercial Zones**

Discussion of Ordinance 2025-1661, a zoning text amendment amending Douglas County Code Title 20 by revising Chapters 20.658, 20.662, 20.664, 20.666, and 20.668 to implement AB 241 (2025 Nevada Legislature), allowing mixed-use residential development in commercial zones. Applicant: Douglas County. Affected properties: Commercial zoning districts outside Tahoe Basin. Kate O'Neil (Planning Department) presented: Continuance from prior meeting allowed review of town feedback (Gardnerville, Genoa, Minden) on Plans for Prosperity, emphasizing commercial preservation. Revised proposal: Multifamily residential allowed in all commercial districts (general, tourist, neighborhood, office) but requires commercial component; retain mixed-use commercial district (due to differing uses, e.g., gun ranges not allowed). No zoning map amendment; outdated uses (e.g., events) need future updates. Aligns with Master Plan goals for multifamily in commercial areas. AJ Hammons, Deputy DA, clarified title discrepancy (excludes 20.650/20.660 as mixed-use retained). Tom Dallaire confirmed building allocations per unit for multifamily/apartments.

#### **Commissioner Comments**

- **Commissioner Bruno:** Complimented staff on ordinance preventing isolated low-cost housing enclaves; emphasized maintaining rural/small-town/western character (e.g., retail bottom, residential top; avoid "Cabrini Green"-style projects).

#### **Public Comment**

- **Jim Slade:** Opposed law (Las Vegas-driven); appreciated mixed-use/commercial requirement; urged low multifamily numbers, no variances to 35-ft height limit; confirmed allocations per unit for condos/apartments (staff: yes, including this ordinance).

**Vote** Motion by unidentified commissioner, seconded by unidentified commissioner, to recommend approval of Ordinance 2025-1661 as presented to Board of County Commissioners (prior findings met). Motion passed unanimously.

## **Planning Commission Activities Report for 2025**

Discussion to review and accept the Planning Commission Activities Report for calendar year 2025. Kate Moroles-O'Neil (Planning Department) presented, commending staff (Lucille, Linda, Colleen, counter staff) for handling ~2,600 inquiries/emails/phone calls, supporting public counter, and processing applications (e.g., tentative parcel maps). Noted eventful year; appreciated commissioners' dedication. Anticipated 2026 projects: Tahoe Douglas Area Plan, Title 20 update, further TDR work. Commissioner noted minor typo in December 9, 2025 minutes (p.184, extra letters in "McCallum"). Praised staff's effectiveness despite workload. Thanked Deputy DA AJ Hammons for guidance. Commissioner shared positive personal remodel experience with Community Development staff.

### **Commissioner Comments**

- **Chair Bruno:** Facilitated; requested bylaws copy for all commissioners and agenda discussion (no action) at next meeting.
- **Commissioner Walter Pizzo:** Noted typo in minutes; echoed appreciation for staff's diligent, effective work.
- **Commissioner James McCall:** Thanked staff (Community Development, counter) for positive interactions (e.g., timely remodel permits/changes); appreciated DA's board assignments/guidance.
- **General Board Sentiment:** Appreciated staff's hard work/smiles despite thankless job; looked forward to 2026 projects.

**Public Comment** None.

**Vote:** Vote unanimous to accept the 2025 Activities Report and submit to Board of Commissioners.

### **Closing Public Comments (Non-Agenda Items)**

**Public Comments:** Jim Slade critiqued procedural issues such as acronym use, volume of speakers, and printed materials.

**Meeting Adjourned.**