



AMERICAN CIVITAS

Board: Douglas County, Nevada County Planning Commission

Date: January 13, 2025

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Item	Description	Outcome	Vote Count
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	(7-0)
5	APPROVAL OF PREVIOUS MINUTES	Approved	(7-0)
6	Special Use Permit for Special Occasion Home (DP 25-0221)	Approved	(4:3)
7	Review and Discussion of Planning Commission Bylaws	Presentation Only	N/A
8	Presentation on Land Use, Planning, and Development Applications	Presentation Only	N/A
10	CLOSING PUBLIC COMMENT (No Action)	N/A	N/A
911	ADJOURNMENT	Adjourned	N/A

Executive Summary

The Douglas County Planning Commission meeting on February 10, 2026, held at the Historic Courthouse in Minden, Nevada, addressed three main items following standard procedures including the call to order, pledge of allegiance, opening public comments, agenda and minutes approvals. The primary focus was on approving a special use permit for a special occasion home on a 77-acre agricultural parcel, which involved extensive public input, staff recommendations, and commissioner deliberations, resulting in a 4-3 approval with amended conditions for reduced events, stricter operating hours, required owner occupancy, and a two-year review to balance ranch sustainability through agritourism with community concerns over noise, traffic, and compatibility. The meeting also included a discussion on bylaws emphasizing in-person attendance preferences with flexible remote options for valid reasons like weather or travel, and a staff presentation detailing planning processes, the master plan's role, code implementation, advisory body involvement, and TRPA oversight in the Tahoe Basin. Closing comments critiqued perceived departmental biases and the permit decision, urging community prioritization.

Highlights

1. Special Use Permit Approval: Passed 4-3 for DP 25-0221, allowing 20 events (amplified music ends 8:00 PM, operations end 10:00 PM) plus 10 daytime events (≤50 guests, end 6:00 PM, no music) on historic ranch, conditioned on occupancy pre-issuance, 2-year review from approval, on-site parking, licensed catering, and compliance with fire/NDOT/building codes; aimed at income diversification while addressing opposition on noise amplification, 55-mph road traffic hazards near trailhead, fire risks, and residency code.
2. Planning Presentation: Covered planning's benefits for health/safety/economy/environment, 2020 master plan (next update 2027) as long-term guide with implementation via Title 20 code, staff's daily roles including 2,000+ inquiries and minor approvals, town/district advisory input, commission's recommending function (final on permits/variances), board's decision authority, application flowchart stressing pre-meetings/findings linkage, and TRPA's 1969 bi-state role with regional/area plans for Tahoe environmental standards/housing.

Public Comment (Non-Agenda Items)

Public Comments: Jim Slade addressed the commission, recounting his participation in hundreds of county meetings over twenty-five years. He explained that his comments generally focused on the broader interests of the county and its communities rather than personal matters. He described his approach as research-based, fact-oriented, and aligned with the master plan and county code, particularly regarding required findings for issues like growth and development. He advocated for sustainable growth, noting voter support through passed initiatives and ordinances. He expressed concerns about variances and special use permits, ensuring they met both letter and intent. To illustrate, he compared two bed and breakfast special use permit requests: one approved for a secluded historic ranch with no opposition, and another denied for a densely populated area with strong neighbor objections over noise, parking, and quality of life. He concluded that each request must be evaluated based on unique circumstances, neighborhood, and community impacts.

Ellie Weller spoke on agenda item one, as she could not stay for the full meeting. She affirmed the right to request permits within code and statute confines. She questioned the lack of comparative information on a referenced special occasion home, emphasizing individual property analysis over competitive concerns. She recommended tabling the application due to incompleteness, noting its finality without board review and uncertainty on appeals. She highlighted the need for occupancy proof per state law, the fire marshal's prior disapprovals, and clarification on how the use avoids detriment to public welfare and properties. She asked about evacuation plans for the two-lane road with high vehicle volume, ADA compliance for parking, and noted opposition from over three dozen residents. Separately, she expressed concern over a recent board decision overturning a variance denial, setting a bad precedent for unpermitted actions. She suggested including fine options in future packages for public input and more comprehensive staff reports, referencing admissions and process details that raised questions.

Chuck Payup, owner of the property across from 445 Foothill Road, voiced strong opposition to the special use permit. He cited noise impacts on people and animals over a mile radius, given the area's acoustics, potentially disrupting the open, uncongested lifestyle. He highlighted traffic increases from up to 500 attendees, plus trailhead and existing road use, creating safety hazards on a high-speed road, especially with alcohol at events like weddings, risking accidents involving pedestrians, horses, and pets. He argued the proposal violates county cluster development policies preserving open space and tranquility. He mentioned the sensitive deer habitat designation behind his property.

Rob March, a property management professional with 48 years experience, spoke from a practical viewpoint. Mr. March noted insufficient information for decision-making on management aspects, long-term operations, and impact remedies. He acknowledged the

applicants' tax payment goals but stressed community impacts and suggested gathering more management details beyond fire and other topics.

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.

Special Use Permit for Special Occasion Home (DP 25-0221)

The commission examined a request for a special use permit. This permit would allow a special occasion home on a 77-acre parcel at 445 Foothill Road. The zoning is A-19 for agriculture. It requires a minimum parcel size of 19 acres. The property is in the Foothill Community Plan area. Applicants are Tom and Mayna Brooks. They represent the Brooks Family Trust from 2004. The assessor parcel number is 1219-26-002-013.

The site has a rich ranching history. It started with the Berry family in 1858. Preserved structures include a barn built in 1900. There is also a powerhouse from 1907. This was one of the first in Carson Valley to generate electricity. It used a Pelton waterwheel from Luther Creek. The proposal includes hosting various events. These are retreats, seminars, weddings, receptions, and family reunions. It also covers agricultural education, stargazing, pollinator field days, barn tours, history talks, and photography events. No new buildings or concerts are planned. Activities are limited to a self-imposed 4.5-acre zone. This is near the existing ranch house, orchard, and lawn. The goal is to minimize disruption to neighbors.

Planning staff defined a special occasion home. It must be an owner-occupied single-family residence with historic elements. These are offered for profit-oriented events. Qualification requires owner occupancy. It needs proof of historic character linked to Douglas County's heritage. Full compliance with building, fire, and ADA regulations is mandatory. Staff verified the site's eligibility. This is based on its agricultural roots and buildings. They concluded approval findings on packet could be met. Examples include hours from 8:00 AM to 10:00 PM. Amplified music is restricted to 8:00 AM to 8:00 PM. Events are capped at 25 per year with up to 250 guests. Most are expected at 150 or fewer. Parking must be on-site only. Barn capacity is 100 people. Home use is limited to 11 per code tables. Food and alcohol require licensed caterers. Mosquito abatement protocols are needed. Lighting must comply with dark skies rules. A three-year review assesses complaints. Revocation is possible for violations by the community development director.

For context, staff compared approved sites. Jacobs Berry Farm from 2013 allows 24 events for up to 300 guests. Amplified music runs until 9:30 PM, unamplified until 10:00 PM. Twisting T Bar Ranch has 24 events for 250 guests. It includes required turning lanes. Gansburg Ranch on Waterloo Lane permits 30 events for 250 guests. Amplified music goes until 10:00 PM. Code enforcement shows one complaint across all venues in the last decade. The ordinance aims to help ranchers diversify income. Conditions mitigate neighbor impacts.

The applicant has fourth-generation Basque heritage. They have managed the property for 30 years. Recent upgrades include well repairs and water distribution improvements. Brush was cleared for fire defense. Over 100 native trees were planted. A 29-acre conservation easement blocks development. It protects open space. Events feature buffers. These are at least 460 feet to adjacent properties. Distances to residences are 610 feet or more. Parking is fully on-site for vehicles, vendors, and accessible spots. Emergency routes meet fire standards. The operations plan focuses on safety. It includes dark skies lighting. Temporary setups like tents are removed after events. The barn is a backdrop only until structurally certified.

Zack Wood, site engineer, has 15 years in local planning. Experience includes permits for events like the Death Ride. The site's seclusion was validated. Access is 20 feet wide with gate adjustments. Parking handles 250 guests. Existing water aids firefighting. Vegetation management is in place. Noise curfews were suggested to match other venues at 10:00 PM. The application supports master plan goals. It preserves historic farm resources. The barn and home are for limited groups or prep spaces. Catering needs trained servers for alcohol. Fire rejections were on incomplete submissions. Detailed evaluations occur in site and building stages. Driveway enhancements are required. Plans are to reside on-site after tenants leave in about a month. Owner or designee will be present at gatherings. Emergency access is viable with minor modifications. Hours and events are open to tweaks.

Staff elaborated on reviews. The three-year process checks operations through enforcement and input. Revocation is possible. Traffic estimates assume 2.5 occupants per vehicle. This yields fewer than 80 peak-hour movements. It avoids major NDOT mandates. The 8:00 PM music restriction addresses hilly terrain. This could heighten sound unlike flatter areas.

Tom Brookes, the applicant, adjusted plans. Events reduce to 20. Amplified sound stops at 8:00 PM. Everything wraps by 10:00 PM. Ten afternoon sessions are added. These are for up to 50 attendees. They finish at 6:00 PM sans music.

Commissioner Comments:

- **Commissioner St. John:** Opposed the proposal. He could not make findings on compatibility, traffic, and noise. He emphasized unaddressed conflicts. Did not trust NDoT to make the correct review and decision. Weighed the number of testimony in opposition as evidence that findings could not be met. Suggested noise would be too loud.
- **Commissioner Lile:** Opposed. She highlighted flawed traffic assumptions. These do not account for local guests driving 1-2 per car rather than 3. Concerns included alcohol service. Trash and debris from events were issues. Frequent tent and port-a-potty movements occur in summer. Topography amplifies noise like conversations or animal sounds over hundreds of yards. Support was only with no amplified music. Guest limits should be 150. She stated traffic study is deeply flawed.
- **Commissioner Clutts:** Supported with modifications. These include a two-year review. He commended preservation efforts like the conservation easement. Agritourism supplements ranch income amid land-rich cash-poor realities. He empathized with neighbor concerns. Code alignment was affirmed. Secondary reviews by fire, NDOT, and code enforcement address traffic, noise, and other issues. No exact occupancy timelines were dictated beyond requiring it pre-permit.
- **Commissioner Walder:** Opposed. He could not meet findings on traffic generation. Adverse effects mitigation including noise was unmet. Public welfare detriment was an issue. Ranching challenges were appreciated. The project was viewed as incompatible in this location. Potential conditions like event and number reductions were noted.
- **Commissioner McKalip:** Supported the compromise. It includes a two-year review. Amplified music cutoff is 8:00 PM. No music for daytime events. Noise concerns were recognized. Neighbors experience similar from parties. Agritourism's necessity for ranch survival against economic pressures was emphasized. Applicants were trusted to operate responsibly for longevity.
- **Commissioner Bruno:** Supported with added conditions. Owner occupancy is within 60 days. This satisfies code temporarily pre-operation. Amplified music ends at 8:00 PM. Full closure is at 10:00 PM to limit late-night disturbances. Events reduce to 20 plus 10 daytime. A two-year review is included. Agricultural preservation and income are balanced. Stricter limits than comparables address topography-amplified noise and traffic on the 55-mph road.
- **Commissioner Casey:** Supported with reasonable time cutoffs for music. She stated her appreciation for the efforts to preserve historic property and ag land. She emphasized the net positive of the project. She was concerned about the noise level.

Public Comments: Public testimony mostly opposed the permit. Speakers argued the application violated code. Occupancy was lacking at submission. Code requires it for such dwellings. Comparative details on venues like Gansburg were absent. Competitive

disadvantages were irrelevant. Tabling was recommended due to unreadiness. Finality is without board review. Appeal uncertainty exists. Proof of occupancy per Nevada statutes is demanded beyond ownership. Fire marshal's two denials were highlighted. Updates on resolutions amid sagebrush flammability were sought. Detriment findings criteria were inquired. Evacuation plans for 100-plus vehicles on a two-lane road were questioned. Parking ADA compliance was noted. Opposition from over three dozen unique residents was stated.

Concerns extended to a recent board variance overturn. It sets precedents for unpermitted builds. Future reports should include fine options for public input on egregious violations. Opposition detailed profound noise impacts. These are audible over a mile. They affect residents and animals. Open-space lifestyles are disrupted. Potential music or activities repeat weekends. Exponential traffic comes from up to 250 attendees. Plus 30-40 trailhead vehicles with horse trailers. Existing flow necessitates stoplights. Accidents risk on the 55-mph road, often exceeded to 65. Alcohol at weddings endangers pedestrians, equestrians, pets. Fatalities are possible.

Additional issues included post-event trash truck noise. Stargazing extends late in summer. Unaddressed wildland-urban interface insurance changes require sprinklers/tanks. Water source inadequacies exist. Decibel levels exceed safe thresholds. Examples are 100-125 dB at source equating 78-90 dB at distances. Suggestions for 65 dB limits like other ranches were made. Decreased values come from commercial intrusion akin to short-term rentals. Cart-before-horse on approvals was noted. Deceptive residency claims have tax benefits elsewhere. Hazardous traffic ignores weekends' trailhead/bicycle/deer activity. Narrow shoulders are an issue. Precedents open to motocross/gun ranges. Regrets over trailhead enabling unintended changes were expressed. Enforcement for overflows blocking driveways is difficult. Wildlife corridors are impacted. Sound travel like quiet quads or distant bells/conversations was highlighted. Unfair subsidization of one owner's profit is over 55 families' quiet enjoyment. Advertising as a scenic drive increases risks. County speed control is lacking as it is NDOT jurisdiction. Support arguments included agritourism's necessity. It is for ranch viability amid falling traditional income. The easement guarantees no subdivision/development. Perpetual agriculture is superior to neighbors' unprotected lands. Deep community roots were noted. Lavender partnerships enhance landscapes. Code consistency was stated. Calls were for lowering speeds to 45, 35, or 25 mph. Center lines like other lanes boost security for users and fauna. Resistance was dismissed as baseless worries. Disturbances do not match the occasional supervised setup.

Note: The commission voted by roll call. The motion was to approve with amendments. These are a two-year review from approval date. 20 events have amplified music to 8:00 PM and closure at 10:00 PM. 10 daytime events are limited to 50 guests ending at 6:00 PM without music. Owner occupancy is required prior to issuance. Vote 4:3 - Results: Commissioner McKillip aye, Commissioner St. John nay, Commissioner Lile nay,

Commissioner Clutts aye, Commissioner Walder nay, Commissioner Casey aye, Commissioner Bruno aye.

Review and Discussion of Planning Commission Bylaws

Commissioner Bruno emphasized the importance of annual examinations of the bylaws to clarify ambiguities, particularly those related to attendance requirements. Reference was made to a resolution adopted in 2022, incorporated into the bylaws and included in the meeting packet, which establishes a strong preference for in-person participation at hearings to enhance dialogue and engagement among members. However, the resolution does not explicitly delineate circumstances under which remote participation via Zoom is permissible or prohibited, noting that Zoom usage increased significantly around 2020 and 2022 due to health concerns like COVID-19 but has since shifted to non-disease-related scenarios.

Commissioner Comments

- **Commissioner Lile:** Advocated for prioritizing in-person attendance to maximize valuable dialogue and discussion, viewing remote participation as a secondary option that, while better than absence, offers a less immersive experience due to limited visual scope.
- **Commissioner Casey:** Explained that the bylaw amendment stemmed from prior attendance issues and technical burdens on staff, intending to discourage casual remote use by emphasizing the manageability of monthly commitments, with allowances for work travel, weather, or illness, but not vacations, and stressed that uncommitted members should step aside for others willing to prioritize presence.
- **Commissioner Clutts:** Noted personal travel challenges and supporting flexibility to encourage working professionals to serve, placing family and job first but committing to in-person when feasible, and accepting resignation if unable to meet stricter standards.
- **Commissioner Walder:** Concurred that in-person is preferable but supported retaining remote options for weather or unavoidable absences, highlighting past quorums reliant on Zoom and the importance of accommodating volunteers to ensure full participation over risking shortfalls.
- **Commissioner McKalip:** Observed that certain meetings suit remote better than others, acknowledging awkwardness in hybrid formats like motion-seconding delays, but affirmed its necessity for quorums and participation despite not being ideal.
- **Commissioner St. John:** Expressed agreement to proceed with current bylaws.

- **Commissioner Bruno:** Proposed considering extended absence notifications for staff readiness but deferred changes, appreciating the group's patience and consensus on maintaining the existing framework.

Public Comments: None taken.

Vote: None taken.

Presentation on Land Use, Planning, and Development Applications

The commission received a detailed presentation from the planning department outlining land use, planning, and development processes, along with the distinct roles of department staff, the planning commission, and the board of county commissioners. The session began with an explanation of planning's core purpose, as defined by the American Planning Association, to enhance community health, safety, and economic well-being while aligning with local needs, desires, and culture, anticipating growth over 10 to 20 years through goal-setting and policy development. Key benefits include fostering a shared vision for efficient investments, creating a sense of place via architectural and environmental elements, boosting property values with amenities like parks and trails, promoting public health through safety codes and access to activity spaces, provisioning infrastructure such as utilities and services, supporting economic development with affordable options, conserving environmental and cultural resources, and establishing clear expectations to reduce conflicts among landowners, developers, and regulators. The Douglas County Master Plan, last updated in 2020 with the next revision planned for 2027, serves as a mandated long-term guide under Nevada Revised Statutes for counties with planning commissions, adopted by the commission and board, addressing current issues, summarizing goals without detailed rules (reserved for Title 20 Development Code), and incorporating implementation actions. Implementation relies on Title 20 for zoning to ensure compatible land uses, along with regulations for subdivisions, floodplains, and growth management, plus processes for planning, engineering, and building permits. Staff handles daily execution of the plan and code, reviewing applications, issuing permits, managing over 2,000 annual inquiries, preparing hearing notices, advising during sessions, and approving minor items like design reviews and parcel maps. Advisory bodies—the towns of Genoa, Minden, and Gardnerville—must review zoning, parcel, and subdivision maps within their areas per code section 20.08, providing written recommendations considered as evidence, with timelines protected to avoid applicant delays; general improvement districts are similarly consulted for relevant projects, requiring applicant approvals. The planning commission, with seven appointed members serving four-year terms and meeting monthly, evaluates amendments, subdivisions, and planned developments, recommending on most but holding final authority on special use permits and variances unless appealed. The board evaluates recommendations, input, and analysis, deciding finally on amendments and subdivisions while hearing appeals. A

process flowchart detailed steps: pre-application meetings to spot issues early, three-day completeness checks, departmental distributions, internal reviews, correction reports or conditions (30 days typically, extendable), applicant meetings for major concerns, denial recommendations if unresolved, staff reports with findings or justifications, town hearings where needed, and emphasis on linking all input to required findings from statutes and code for transparency and litigation avoidance. An overview of the Tahoe Regional Planning Agency (TRPA), formed in 1969 via bi-state compact to conserve Lake Tahoe amid development pressures, described it as the first U.S. environmental land use agency, adopting a regional plan in 1987 (updated 2012) for environmental thresholds, with area plans for local flexibility—Douglas County's South Shore Area Plan covers Stateline/casino zones, while the Tahoe Douglas Area Plan is developing for remaining basin areas; all basin projects need TRPA approval, with its scope expanding to housing, though improved county-TRPA relations were noted. Findings of fact were stressed as essential for approvals or denials, requiring relation of all comments to them for rationality and legal defensibility. Commissioners commended the presentation's quality, department's dedication, staff excellence, deputy district attorney's support, and clerk's office assistance.

Commissioner Comments

- **Commissioner Walder:** Praised the planning manager's excellent presentation and commitment to improving the county, highlighted the department's unseen efforts, thanked the deputy district attorney as part of the team, and appreciated the clerk's office patience and work.

Public Comments: None taken.

Vote: None taken.

Closing Public Comments (Non-Agenda Items): Jim Slade critiqued the January 13, 2026, meeting's handling of the 2025 activities report as off-agenda, focusing instead on 2026 projections, staff appreciation, and public negativity complaints, potentially violating open meeting laws. The speaker perceived the development department as overly development-friendly, disregarding community rights, citing the Park Ranch approval for up to 2,500 homes despite 51-to-1 opposition leading to lawsuits, and referencing inappropriate emails on a Barton project. Regarding the day's special use permit, the resident argued it ignored clear code mandating owner occupancy for applications, prioritizing one family's profits over 55 families' quiet enjoyment, and urged a community-focused balance, possibly requiring leadership changes. Points of order were raised for personal attacks per bylaws, with the chair intervening for decorum while allowing continuation, though the speaker asserted factual basis before concluding.

Meeting Adjourned.