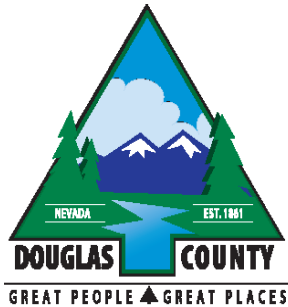




Nevada Division of
STATE LANDS

State Land Use Planning Advisory Council Meeting

October 18, 2023



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Transfer Development Rights (TDR)

Title 20 Chapter 500 in the Douglas County Code

The County's TDR program was adopted in 1996 and allows property owners in "sending areas" (A-19 and FR-19 zoning districts) to transfer their development rights to designated "receiving areas" based on execution of conservation easement.

- Purpose – is to preserve the agricultural and forest and range lands from future development by selling the development rights from those areas where the land is open and irrigated to areas where in the master plan are designated as "Receiving Area"
- "Receiving parcel": A parcel of real property situated in a receiving area, designated as such by the 1996 Master Plan, as amended



Transfer Development Rights (TDR)

A-19 zoned property

- A-19 eligible Bonus can be given for:
 1. each 19-acres shall be 9 units.
 2. each sending parcel for which at least 50% of the 19 acres is located within the designated FEMA 100-year floodplain.
 3. 7 units per 19-acres shall be provided when transfer of all of the appurtenant surface and groundwater irrigation rights from the parcel is restricted. The restriction against the transfer may provide for substitution of water rights of equivalent volume and equal or senior priority, on approval by the board at the time of substitution.
 4. 20 units for every 100 acres shall be provided for each sending parcel when the parcel or contiguous parcels are a minimum of 100 acres in area.
 5. The board in its discretion may grant additional bonuses not to exceed one unit per 19 acres for dedication of improved and permanent public access easements or easements to rivers, streams, public lands, or significant historical resources.
- 1. **Minimum parcel size for participation** in the TDR program is **40 contiguous acres**. Calculations for bonuses on parcels greater than 40 acres shall be on a prorated basis with all bonus calculations rounded to the nearest whole number. Individual parcels may be considered together for the purpose of calculating bonuses.
- 2. Any existing or remaining residential unit or commercial development on the sending parcel shall require a minimum of 40 acres, which shall not be eligible for transfer or bonuses. The parent parcel or group of parcels will be reduced by 40 acres before calculating units available for transfer and bonuses.



Transfer Development Rights (TDR)

FR-19 / FR 40 zoned property

- FR-19 / 40 eligible Bonus can be given for:
 1. each 19-acres, of which at least 50% of the 19 acres is located within the designated FEMA 100-year floodplain, shall be one unit.
 2. The board in its discretion may grant additional bonuses not to exceed one per unit per 19 acres for dedication of improved and permanent public access easements or easements to rivers, streams, public lands or significant historical resources.
 3. A bonus of one unit for every 100 acres shall be provided for each sending parcel when the parcel or contiguous parcels are a minimum of 100 acres in area.
 4. **Minimum parcel size for participation in the TDR program is 40 contiguous acres.** Calculations for bonuses on parcels greater than 40 acres shall be on a prorated basis with all bonus calculations rounded to the nearest whole number. Individual parcels may be considered together for the purpose of calculating bonuses.
 5. Lands owned or held in trust by the United States or its agencies are not eligible to participate in this program.



Transfer Development Rights (TDR)

Procedures

20.500.020 Procedure.

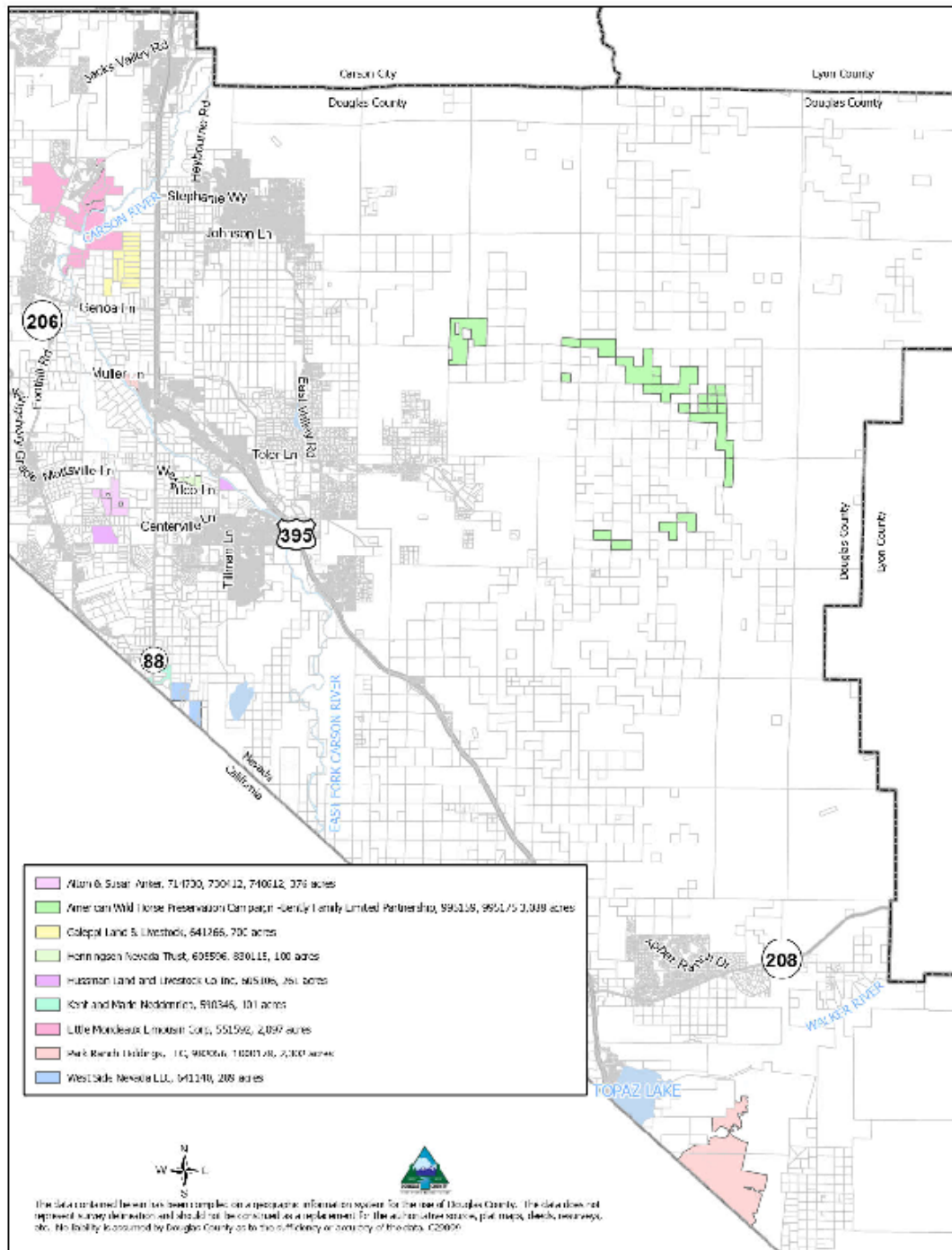
1. a person shall apply to the community development department for a certificate that the parcel eligible for such transfer or acquisition.
 1. and shall include a legal description of the parcel or parcels
 2. current title report
 3. Documentation to establish eligibility for all bonuses must be provided with the application.
 - a. evidence of the appurtenant surface water rights under the Alpine Decree or state permits for other irrigation water rights shall be provided.
 - b. For flood plain preservation, a map showing the property in the floodplain with the areas calculated for the percentage and acreage.
 - c. For 100-acre minimum parcel, a detailed map showing the property or properties and their respective parcel sizes must be provided.
2. In order for the certified TDR to be issued, the owner must record a deed restriction or grant a perpetual open space easement to the county, a local governmental agency approved by the board, or a nonprofit conservation entity.

TDR Conservation Easements

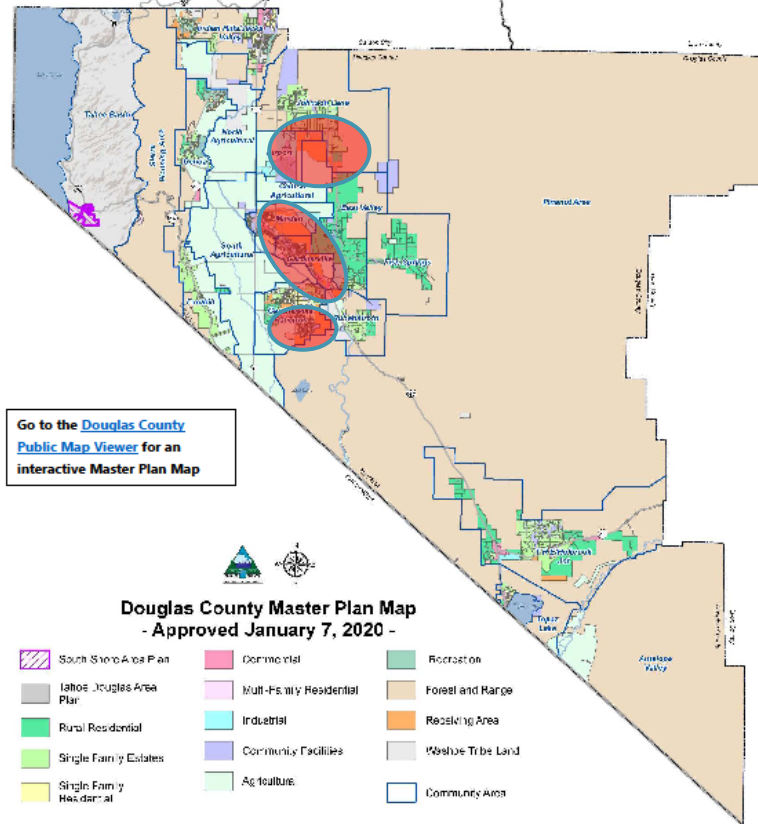
As of Today 10-18-2023:

Easement Acreage: 9,314

Total Certified TDR's: 7442



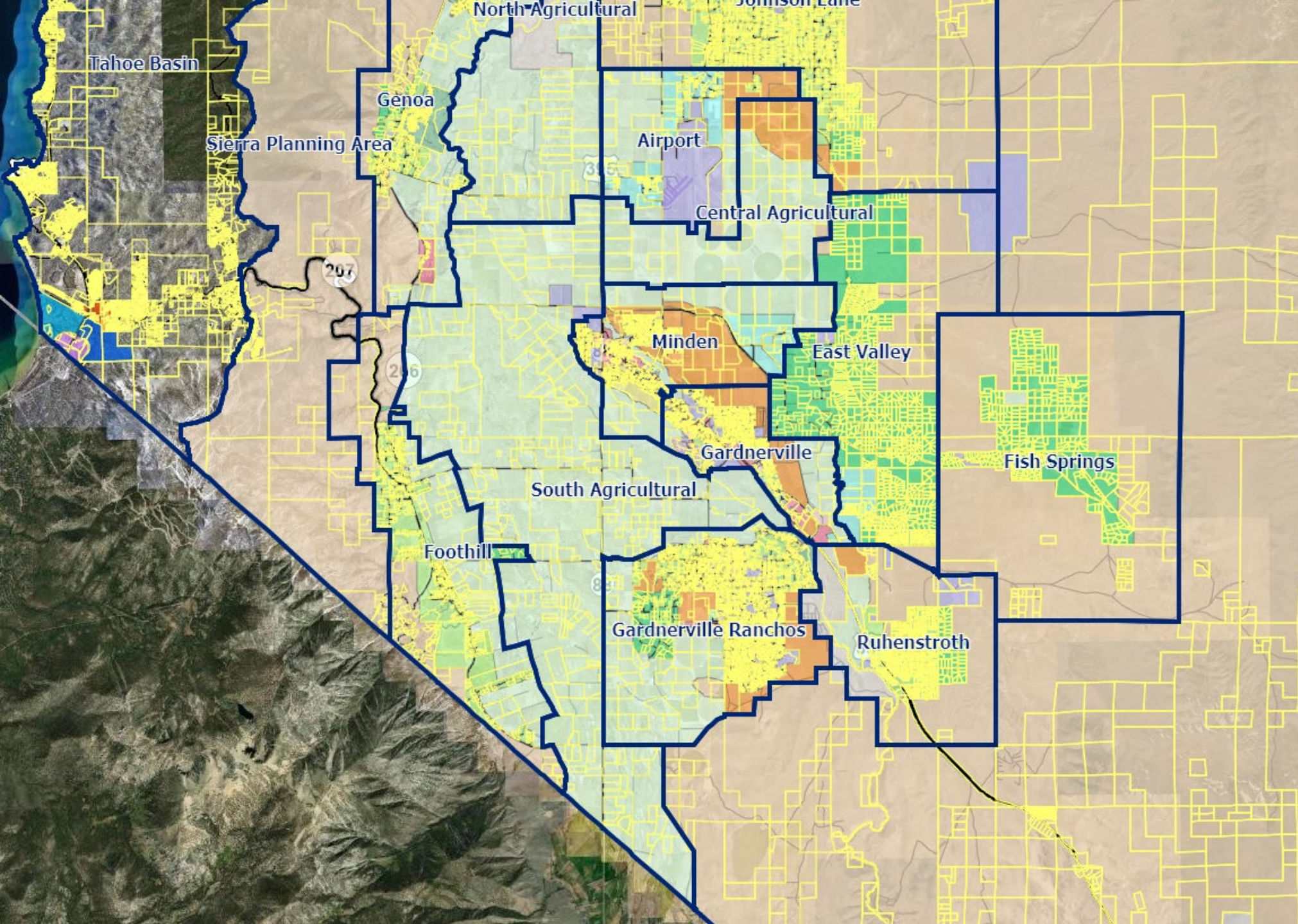
MAP L1 - DOUGLAS COUNTY FUTURE LAND USE MAP



Future Land Use Receiving Areas

<https://gisservices.douglasnv.us/portal/apps/webappviewer/index.html?id=20ef2c4240dd439589138438943395d0>

(Link to GIS Public Viewer)



Future Land Use Receiving Areas

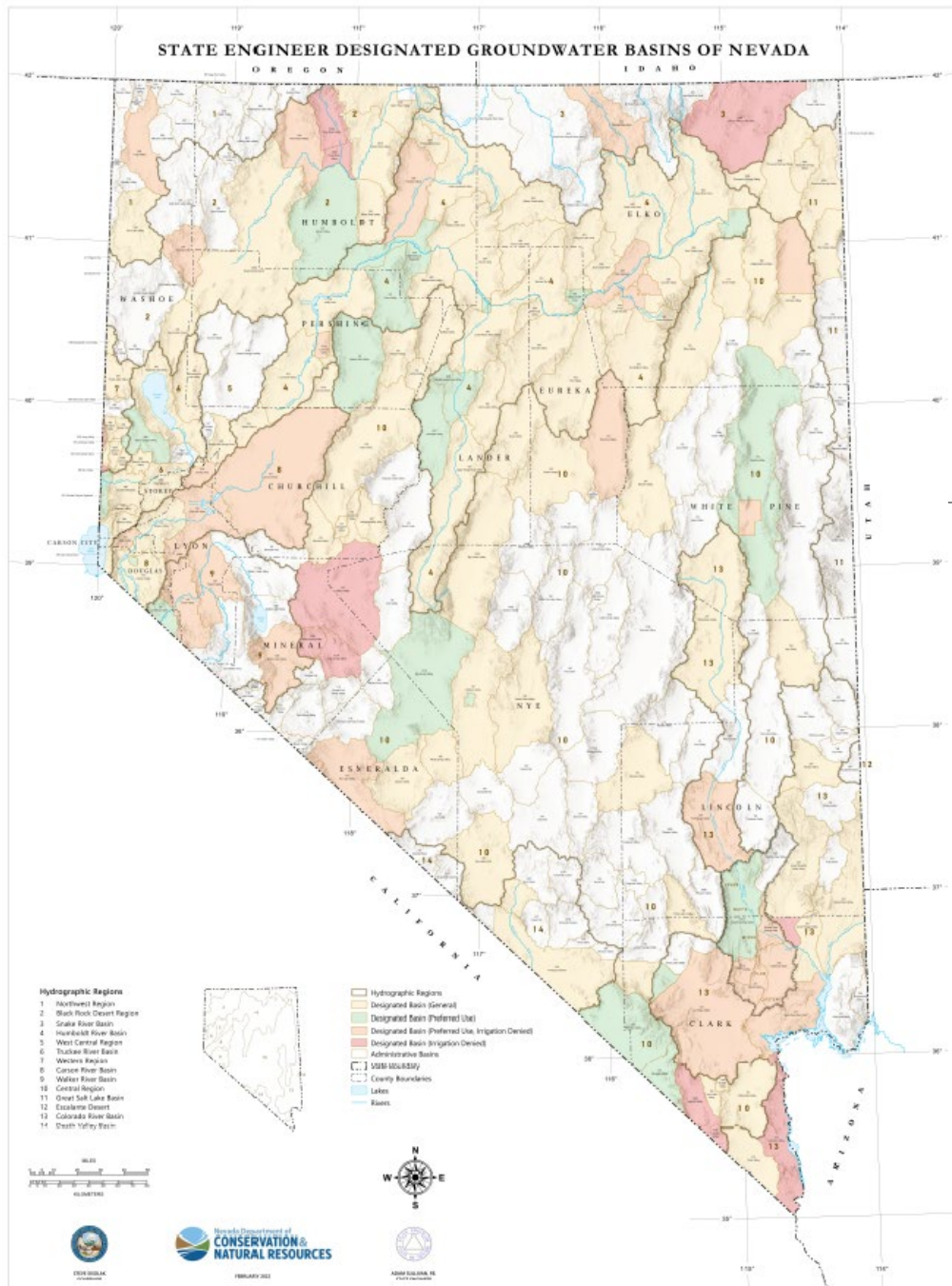
Moving forward with TDR Program

Contract with Wood Rodgers – Project Kickoff within the next month.

Included in scope of work:

- Evaluate the vacant areas within Douglas County, NV zoned A-19, FR-19 and FR 40, which are allowed to be conserved per code;
- Evaluate whether the South County and North County need be separated based on the Hydrologic basins the land is located within. Walker River Basin vs the Carson River Basin;
- Review current TDR code found in Chapter 20.500 of the DCC, and provide recommendations of code revisions and additions to clarify the use of TDRs, as stated in the Implementation Section of the Douglas County Master Plan, Action L-11.
- Evaluate the mandatory use of TDRs to increase density associated with a zoning map amendment, as stated in the Implementation section of the Douglas County Master Plan, Action A-20.
- Analyze value of TDR versus land sale.
- Evaluate bonus calculations for TDR.
- Evaluate and compare the County's TDR program to other jurisdictions with successful TDR program.







Thank you for your time and
attention today



QUESTIONS

