
CHAPTER 14:
Implementation Element

This chapter (previously Chapter 12) contains a number of modifications although it has not undergone a complete update for the 2006 Master Plan. Refer to Chapter 2: “Summary of Changes Reflected in 2006 Update” for a detailed summary of changes to the 2006 Master Plan.

Introduction

The preceding Eelements establish Ggoals and; Ppolicies; and strategies for implementation to work towards achieving the vision of the Plan of each element and individual issue. There are programs and regulations which exist and are proposed to be formulated that will serve to implement the overall objectives and policies of the plan.

Implementation of the Master Plan

Consolidated Development Code

The principal means of implementing the Master Plan will be by the adoption of a newis through the comprehensive Ddevelopment Ccode, which contains the zoning and subdivision regulations and other land development provisions. The Ddevelopment code Code, which is being developed by the District Attorney’s office and the Community Development Department, will provides for an integrated comprehensive set of development regulations. The development code provides for major revisions to existing codes and will implement the various provisions of the Master Plan, including the growth management strategies and elements.

Zoning Modifications

The Master Plan includes a variety of land use designations, which require the establishment of new zoning districts and regulations.

Through the use and application of the various zone classifications zoning districts, effective control management of land use activities and densities is possible. Zoning must be consistent with the Master Plan in order for the Master Plan to be an effective guide to future development of the community. The County will continue to maintain a current, comprehensive zoning map utilizing new zone designations contained in the development code.

“Consistency” rezoning, as used in this plan, includes the retention of more restrictive zoning (i.e., residential vs. commercial) as well as the traditional rezoning of vacant parcels consistent with the Master Plan. It is anticipated that commercially and industrially designated properties will be rezoned accordingly. However, it is not proposed that existing residential properties be rezoned to non-residential until such time it is requested by the property owner.

With revision of the development codes, comprehensive changes in zoning designations are anticipated as provided in the Land Use Element. In addition, there are land uses planned, which are inconsistent with current zoning and which are anticipated to be rezoned to be consistent with the land use element.

~~The County will develop and adopt a comprehensive zoning map utilizing new zone designations contained in the development code.~~

Subdivision and Land Division Regulations

The development code will incorporate and revise current subdivision and land division regulations. Subdivision regulations describe the sizes and shapes of lots or parcels that are acceptable in different areas and identifies what types of infrastructure must be provided to serve the lot or parcel created. Effective use of the subdivision regulations should provide lots of sufficient size and appropriate design for the use intended; provide for the preservation of environmental assets and natural resources; provide for densities of land commensurate with the natural capabilities of the land; provide for an aesthetically pleasing environment; provide for streets and highways having proper width and improvements, location, and design; provide for other amenities such as bike paths and trails; and provide for necessary improvements to protect the public health, safety, and welfare.

Minimum Service Standards

The County has adopted Minimum Facilities Policies to address the parceling/subdivision of land. As part of the Public Services and Facilities Element, additional minimum development standards have been recommended to address all development within rural and urban areas. These standards will ensure that the character of the various communities will be retained and that adequate public services and facilities will be provided to all development.

Adequacy of Public Facilities and Services

~~The County's development review process should also will ensure that public facilities are adequate to serve the new development. This has been effected through the Public Facilities Improvement Standards through the implementation of an Adequate Public Facilities Ordinance (APFO) as described in Chapter 10. An APFO section of is to be implemented through the Development Code and the adopted Douglas County Design Criteria and Improvement Standards (DCDCIS).~~

Essentially, ~~the County Code and the DCDCIS an APFO would~~ require that at the time a tentative subdivision plat is approved, the County ~~would~~ conditions the approval and requires the applicant to meet specific standards of service or provide specific facilities that must be in place before a building permit will be issued for any lot or certificate of occupancy is issued. Service standards ~~should beare~~ set for each ~~included facility project~~ based on ~~that the~~ level of service currently being provided to residents of the ~~C~~county. By addressing these issues at the subdivision approval stage, developers can be clearly notified of the types of facilities that need to be in place before occupancy; and can plan accordingly.

~~In addition, the County's building permit system will require amendment to include an evaluation for the adequacy of public facilities when a builder applies for a certificate of occupancy. No certificate of occupancy should be issued until the required public improvements have been reviewed and have been found to satisfy the requirements imposed upon the subdivision or parcel map. Since this check occurs at the time a certificate of occupancy is issued, rather than when a lot is sold, the County shall require the recording of a public notice in the real property records that occupancy of a building on specific lots will not be permitted until specific improvements are in place. This would prevent buyers from being misled that~~

~~the purchase of a lot implies that permits to complete and occupy a new structure will be issued independently of the developer's action.~~

Development Agreements

The intent of the implementation tools is to create a system where growth is directed towards appropriate locations at manageable rates without the need for individualized negotiations with development applicants on a case-by-case basis. However, in some cases unique aspects of a proposed development, its community impacts, or its phasing will require individualized agreements. These would typically apply to large and/or complex long-term projects with significant on- and off-site infrastructure requirements. Douglas County should, therefore, adopt as part of the Development Code, provisions for adopting development agreements when it is in the best interests of the County to do so.

All Development Agreements must be found to be consistent with the goals and policies of the Master Plan consistent with development code provisions and the Capital Improvements [Program](#) (CIP).

Intergovernmental Coordination

In Douglas County, intergovernmental coordination is critical to the success of community planning and growth management because many necessary public services are provided by the Towns, General Improvement Districts (GID's), or other agencies separate from the County itself. The County's Master Plan, while it cannot mandate conformance by other entities, can nevertheless establish policies that make future development patterns more predictable, assisting these other entities in their own planning efforts. The Master Plan can also establish clear means for coordination and an explicit County policy position regarding its relationship to these other providers.

Growth Monitoring and Policy Review

Effectively serving the public requires continuous monitoring of growth trends. The rate of growth and the areas in the County where growth is occurring directly affects the timing, location, and extent of demands for public facilities and services. Fiscal and employment trends provide additional guidance in planning for the public's needs. In addition to these numerical indicators of growth and change, the community should monitor "quality of life" indicators, factors which indicate whether the qualitative aspects of growth are improving Douglas County as a place to live, work, and play. Monitoring these diverse trends will help the County determine whether the growth which occurs is consistent with the desired amount, type, and location of growth, as described by the Master Plan. The Public Facilities and Services Element provides for this monitoring effort and it should be coordinated with the budget and CIP process.

Monitoring efforts are vital to determine the effectiveness of County policies and programs in achieving the community's stated goals. Over time, the best method to achieve these goals may change; new techniques may become available, funding sources may change, and some programs may prove to be more effective than others. Regular Master Plan reviews are designed to give Douglas County the ability to examine its policies, in light of its continuing growth and experience with implementing programs, and make the appropriate refinements or revisions through a regularly scheduled public review process. In this way, the Master Plan can continue to reflect the community's best assessment of its goals and the actions needed to achieve them.

Capital Improvements Program (CIP)

The ~~Capital Improvements Program~~ (CIP) is an implementation tool of the Master Plan. This program will achieve two goals. First, it will help the County plan for the construction of infrastructure needed to serve development. Second, it will identify how fast the County is financially able to provide such infrastructure, which in turn affects how fast such development should occur. A ~~capital improvements program~~ CIP becomes a particularly effective growth management tool when used in conjunction with other growth management tools such as adequate public facilities requirements and the permit allocation system. The CIP is timed to coincide with the County's annual budget process.

Review of Master Plan

Amendment Process

In order for this Master Plan to serve its purpose, the goals, objectives, and implementation tools must be allowed to work consistently over time. Frequent amendments -- particularly significant ones -- will undermine the plan's effectiveness and create internal inconsistencies between and within different elements in the plan. Two factors that will help the Plan to operate with some consistency are (1) requirements for thoughtful review prior to amendment, and (2) requirements that amendments only be considered on a fixed periodic schedule.

Master Plan Amendments include those that would 1) alter land use designations or the land use element, 2) alter the transportation element or the size or functional designation of any road, 3) change the boundaries of Urban Service Areas or Receiving Areas, 4) increase the rate of use of groundwater resources, or 5) change the recommended implementation tools for the plan, including the transferable development right system, the building permit rate allocation system, the open space acquisition system, the minimum service standards, requirements for adequate public facilities or any element of the Master Plan, 6) change the goals or policies or implementation, and 7) change minimum standards or quality levels. Amendments should only be approved after public notice and a hearing before both the Planning Commission and the County Commissioners, and after a super majority vote of the Planning Commissioners and a majority vote of the County Commissioners. Amendments will be considered during the master plan review process up to twice each year.

Amendments should be considered on the basis of whether they promote the overall goals and objectives of the Master Plan or whether there has been a demonstrated change in circumstances since the adoption of the Plan that makes it appropriate to reconsider one or more of the goals and objectives or land use designations. In addition, any request for an amendment for land use change ~~should~~must be reviewed on the basis of the following standards:

1. ~~1.~~ The proposed change reflects a logical change to the boundaries of the area in that it allows infrastructure to be extended in efficient increments and patterns, it creates a perceivable community edge as strong as the one it replaces, and it maintains relatively compact development patterns.
2. ~~2.~~ The proposed change is based on a demonstrated need for additional land to be used for the proposed use, and that such demand cannot be reasonably accommodated within the current boundaries of the area.
3. ~~3.~~ The proposed change would not materially affect the availability, adequacy, or level of service of any public improvement serving people outside the applicant's property, and is consistent with the Capital Facilities Element of the Plan and implementing ordinances. ~~(Adopted 4-4-2002)~~

On-Going Plan Review

The County shall review the Master Plan on an annual basis per NRS. In addition, it is recommended that major reviews occur at least every five (5) years for the term of the plan beginning in CY 2000.

The annual review process will allow the County to update and implement minor revisions to the plan and the goals and policies contained therein. This review should include a report on the implementation process

and the success/failures of the plan, along with recommendations for revision (which may include review as part of the 5-year process).

The 5-year review will allow the County to ascertain whether the prioritization and overall direction is consistent with the community's desires. In addition, this review will provide an opportunity to look at the success of long-term implementation strategies contained in this plan. This review and update may allow the County to extend the planning horizon beyond the year 2024~~5~~ and eliminate the need for the timely and costly major Master Plan ~~r~~Revisions.

Implementation Goals and Policies

Growth Monitoring

GOAL ~~12.14.01~~ ~~1~~ : ~~—R~~To regularly monitor the type, rate, and location of development occurring in Douglas County.

Policy ~~12.14.01.01~~ ~~—01~~ Douglas County shall monitor development activity within the ~~C~~county and within each designated Community and Planning Area. Monitoring shall include, but not be limited to, the number of building permits issued, by type, for residential and non-residential development; the size, number and use of lots created through the division of land; and the change in development potential resulting from Master Plan amendments and rezoning of land.

Policy ~~12.14.01.02~~ ~~—02~~ The Douglas County Community Development Department shall prepare an annual report summarizing the results of development monitoring for the previous year. This report shall compare the past year's development activity with previous years' activity and shall assess progress in implementing the County's Master Plan, as reflected through development activity.

Policy ~~12.14.01.03~~ ~~—03~~ The Community Development Department's annual report shall be presented to the Planning Commission for review and comment and shall be provided to the Board of County Commissioners following Planning Commission Review. ~~It is anticipated that this report will be submitted concurrently with the CIP process.~~ Copies of the annual report shall be made available for public review.

GOAL ~~12.14.02~~ ~~2~~ : ~~—T~~To Monitor and evaluate changes in Douglas County's quality of life, including its natural resources, economy, public services, fiscal condition, and community character.

Policy ~~12.14.02.01~~ ~~—01~~ The County shall establish "Quality of Life" indicators for annual monitoring.

Policy ~~12.14.02.02~~ ~~—02~~ Douglas County shall establish systems for monitoring key indicators as a means of assessing the County's success in implementing this Master Plan and achieving its goals. The results of such monitoring shall be considered during each Master Plan Review and may form the basis for approving amendments to Master Plan goals, policies, or the Land Use Plans.

Policy ~~12.14.02.03~~—~~03~~ Prior to each Master Plan Review, Douglas County shall evaluate defined “quality of life” indicators in order to examine the County’s progress toward the ~~C~~county character desired for the year 20~~24~~5. Quality of life indicators should evaluate issues such as, but not limited to: a) population growth and demographic change; b) economic growth and diversification; c) fiscal condition of the County (costs to provide service compared to revenues available); d) ability to provide services at established adequate service levels; e) changes in air quality; f) changes in surface or groundwater quality or quantity; g) public accessibility to open space; h) action taken to protect natural resources (such as steep slopes, wetlands, or ridgelines); i) availability of affordable housing, j) traffic levels; k) cultural resources; ~~and~~ l) design standards; and m) other relevant data.

Master Plan Review

GOAL ~~12.14.03~~ __: ~~E~~To establish a schedule for periodic review of the Master Plan.

Policy ~~12.14.03.01~~—~~01~~ Douglas County shall establish two regular processes for review of the Master Plan: an Annual Master Plan Review and a Five-Year Master Plan Review process.

Policy ~~12.14.03.02~~—~~02~~ The Annual review and Amendment Process will include the review of Master Plan Amendments as well as review and/or clarification of goals and policies contained in the plan.

Policy ~~12.14.03.03~~—~~03~~ Douglas County shall conduct a public participation process as part of the Five-Year Master Plan Review. This process shall be coordinated by the Planning Commission and the Community Development Department. It may include programs such as opinion surveys, public workshops, task forces, or other means of obtaining public comment on the County’s need to modify its Master Plan.

~~Policy 12.03.04—Douglas County shall establish the procedures for the Annual and Five-Year Master Plan Reviews through its Development Code.~~

GOAL ~~12.14.04~~: ~~_~~To be ~~C~~ommitted to the implementation of the County Master Plan after it is adopted.

Policy ~~12.14.04.01~~—~~01~~ Douglas County, its governing boards and commissions, elected officials, and staff shall use this Master Plan as the basis for policy decisions regarding approval of new development and investment of County funds for capital improvements. The County shall amend its Development Code in order to implement the policies of the Master Plan regarding such approval and investment.

Policy ~~12.14.04.02~~—~~02~~ Following Master Plan adoption, Douglas County shall initiate consistency rezoning on a ~~C~~county-wide basis for all or portions of property bearing an inconsistent zoning designation if it finds: a) no development has occurred under existing zoning; b) public plans for service provisions will not result in adequate public facilities to support development on the property under the existing zoning designation during the Master Plan’s timeframe; or c) development of the property under the existing zoning

designation will reduce the County’s ability to achieve planned development policies within designated community development areas or other Master Plan policies.

Policy ~~12.14.04.03~~—03 The County shall allocate sufficient funding to provide for monitoring and implementation of the Master Plan.

Policy ~~12.14.04.04~~—04 All tables, maps, figures, and numerical data shall be updated upon adoption of the Master Plan to reflect changes in land use, goals, or policies adopted as a part of the hearing process prior to final printing of the Master Plan document.

Policy 14.04.05 Douglas County shall revise its Development Code as necessary to provide adequate regulations to implement the policies of the Master Plan's Agriculture Element.

Policy 14.04.06 The County shall revise its Transfer of Development Rights policy to reflect changes needed to implement the Master Plan’s Growth Management, and Agriculture Elements.

Policy 14.04.07 The County shall establish a building permit rate allocation system.

Policy 14.04.08 The County shall update the Housing Element of the Master Plan.

Policy 14.04.09 The County shall update the Open Space and Agricultural Lands Preservation Plan.

Policy 14.04.10 The County shall analyze the creation of a Mitigation Fee Program to offset the impacts of urban and rural residential development on open spaces, agricultural lands, cultural resources and ecological resources.