

Chapter 6 Growth Management

Introduction

Due to a number of questions regarding the status of projects in Receiving Areas and the Transfer Development Rights (TDR) Program that were raised during the 2011 Master Plan Update, the following analysis of Receiving Area and Sending Area potential has been developed. Refer to Volume I, Chapter 6, Growth Management Element, for additional information on Receiving Areas and the TDR Program.

Receiving Areas

Figure 6.1, Receiving Area Status (2011), shows that there are approximately 4,972 acres in a Receiving Area in the Carson Valley and 1,286 acres in a Receiving Area in Topaz. There are approximately 2,499 acres that have been developed, are partially developed, or have tentative approval for a project and 2,473 acres that are vacant or have not been developed to full potential in the Carson Valley. It also shows that there are 1,286 acres in a Receiving Area that have not been developed to full potential in Topaz. Receiving Area can be developed for both residential and commercial purposes. Receiving Area, with the exception of lands east of the Airport and west of Rubio Way, can be developed to 16 dwelling units (du)/acre or 20 du/acre with the approval of an affordable housing and density bonus agreement. Historically, Receiving Area has developed between 5 to 7 du/acre.

**Figure 6.1
 Receiving Area Status (2011)**

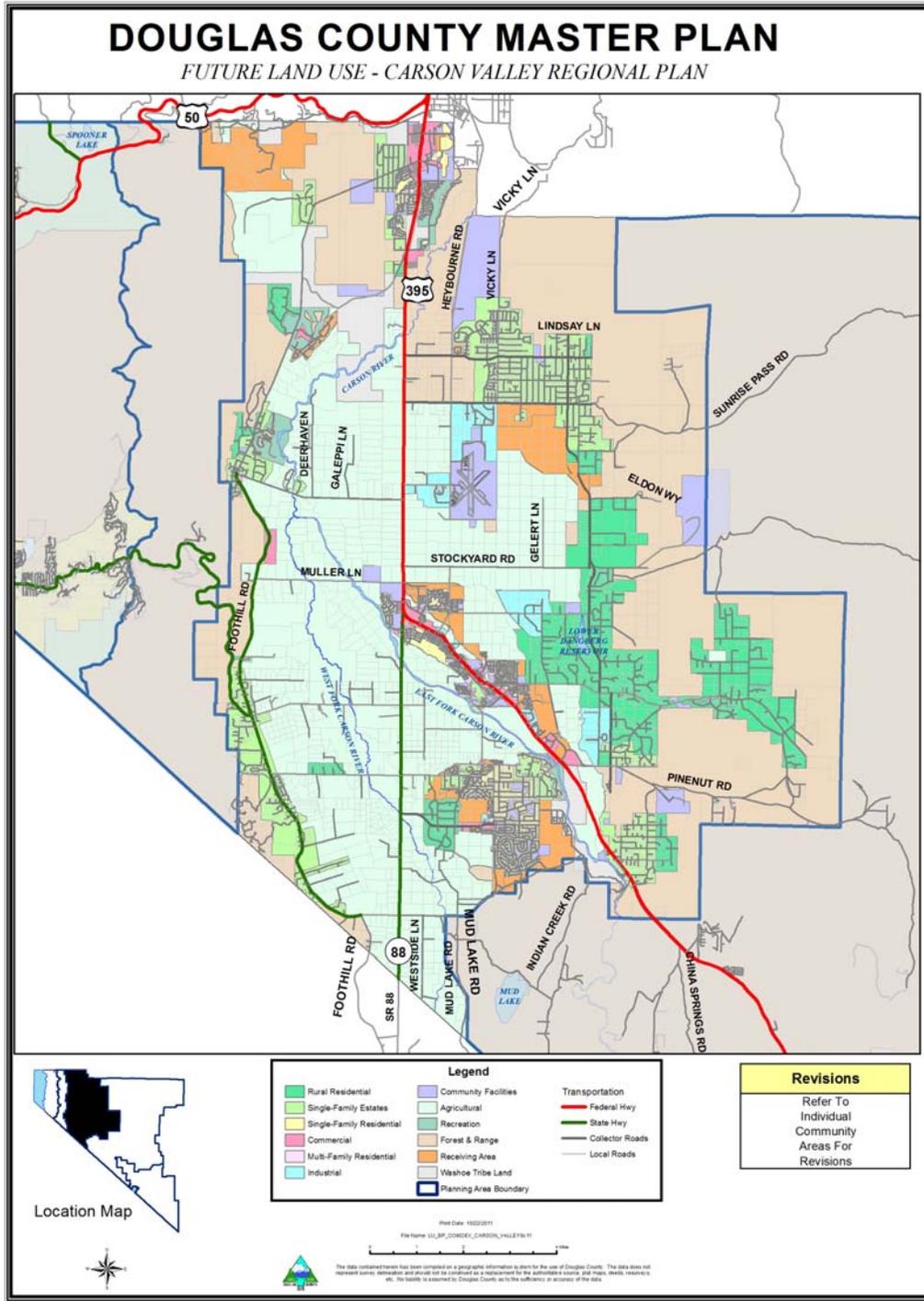
Carson Valley	Acreage
Developed or Tentatively Approved	2,499
Vacant or Not Developed to Full Potential	2,473
Total:	4,972
Topaz	
Developed or Tentatively Approved	0
Vacant or Not Developed to Full Potential	1,286
Total:	1,286

Source: Douglas County Community Development Department

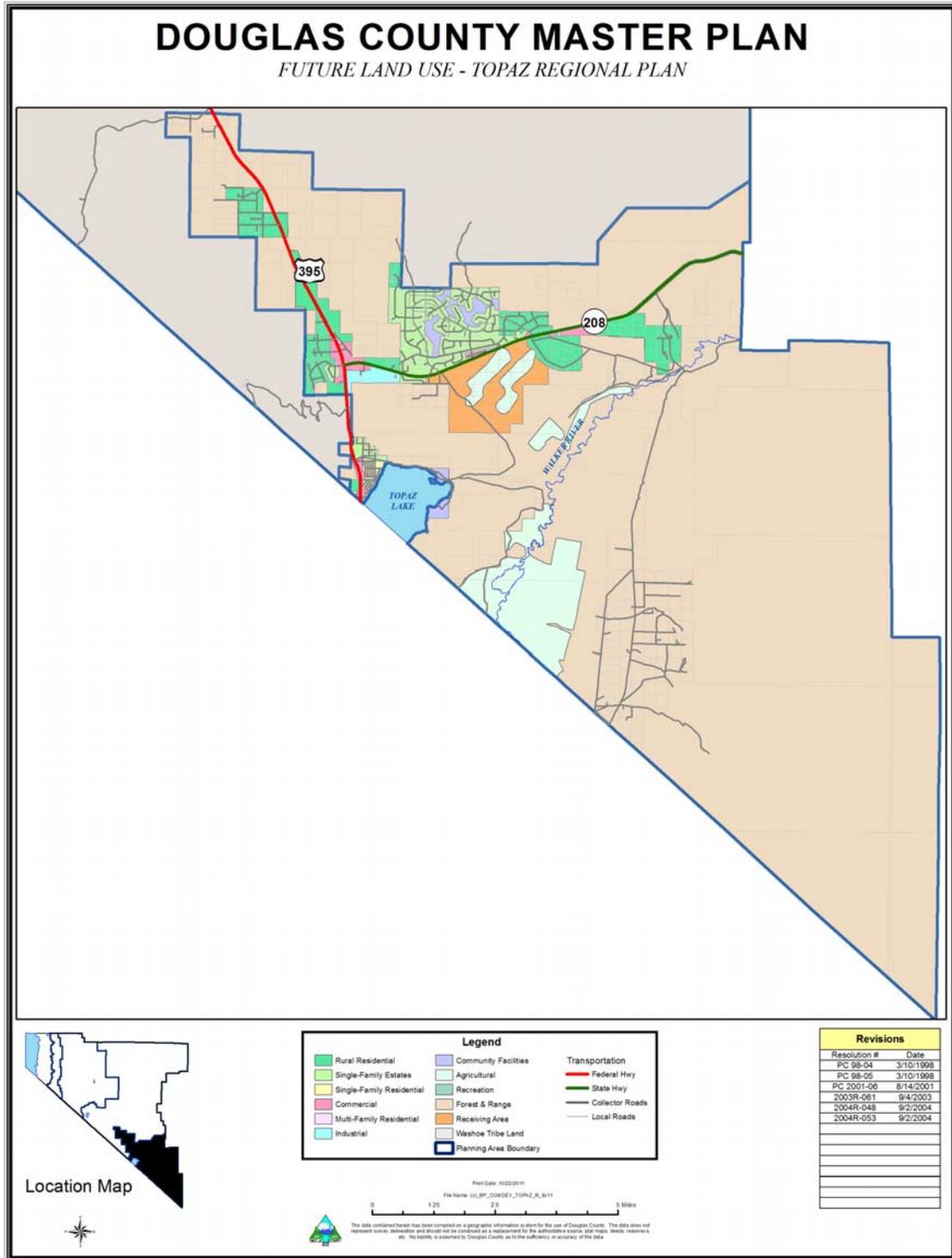
Note: Properties that contain a structure, such as a single-family home, but that could contain more units with TDRs have been classified under Vacant or Not Developed to Full Potential.

As one can see, approximately half of the Receiving Area in the Carson Valley has been developed or tentatively approved for development and none of the Receiving Area in Topaz has been developed or tentatively approved for development.

Map 6.1
Receiving Areas in the Carson Valley Regional Plan



Map 6.2
Receiving Areas in the Topaz Regional Plan



Sending Areas

The Douglas County Development Code (Chapter 20.500) allows the transfer of development rights (TDRs) from property zoned A-19 or FR-19 (Sending Areas) to property designated as Receiving Area on the Carson Valley and Topaz Regional Plan Future Land Use Maps. Each right is equivalent to a dwelling unit. The minimum parcel size for participation in the TDR program is 40 contiguous acres. Under the Master Plan, transfers of development rights are only permitted within the Carson Valley watershed or the Topaz watershed, and not from one watershed to another. This provision has not been codified in code.

Pursuant to current regulations, the Community Development Department developed Figure 6.2 for aiding in the calculation of TDRs for Sending Areas:

**Figure 6.2
 TDR Calculator**

A-19

	40 Acres	100 Acres	1,000 Acres
Base Dev. Rights	2 (40 divided by 19)	5 (100 divided by 19)	52 (1,000 divided by 19)
Base Bonus	18 (9 x base of 2)	45 (9 x base of 5)	468 (9 x base of 52)
Water Rights	14 (7 x base of 2)	35 (7 x base of 5)	364 (7 x base of 52)
Floodplain	14 (7 x base of 2)	35 (7 x base of 5)	364 (7 x base of 52)
Large Parcel	0	20 (bonus per 100 acres)	200 (bonus per 100 acres)
Total Dev. Rights	48	140	1,448
Per 19-acre parcel	24	28	27.8

FR-19

	40 Acres	100 Acres	1,000 Acres
Base Dev. Rights	2 (40 divided by 19)	5 (100 divided by 19)	52 (1,000 divided by 19)
Floodplain	2 (40 divided by 19)	5 (100 divided by 19)	52 (1,000 divided by 19)
Large Parcel	0	1 (bonus per 100 acres)	10 (bonus per each 100 acres)
Total Dev. Rights	4	11	114
Per 19-acre Parcel	2	2.2	2.19

Note: The Board may grant an additional bonus, not to exceed 1 unit per 19 acres for dedication of public access easements on A-19 or FR-19 zoned parcels. This is discretionary by the Board.

For the purpose of analysis, Figure 6.3, Carson Valley Sending Areas, and Figure 6.4 Topaz Sending Areas, provide the total amount of A-19 or FR-19 zoning that is privately held (not held by the government), not within a Receiving Area, and not within an existing open space conservation easement. The TDR potential is based off of the total acreage and is an estimate only. It also needs to be taken into account that not all property owners will be willing to participate in the TDR program and not all properties will qualify for bonus TDRs based on floodplain and water rights. Therefore, the TDR potential is likely much lower than the numbers provided.

**Figure 6.3
 Carson Valley Sending Areas**

Carson Valley A-19 Zoning*	Acreage	Percent	TDR Calculation	TDR Potential***
Total	31,480	100%	31,480/19 =	1,657
Parcels over 100 acres**	24,545	40%	24,545/100*20 =	4,909
Primary Flood Zone	13,501	43%	13,501/19*7 =	4,974
Bonus for Participating in Program			1,657*9 =	14,911
Water Rights			1,657*7=	11,598
			Total =	38,049

Note: The assumption was made that all parcels in the A-19 zoning district have Alpine Decree Water Rights.

Carson Valley FR-19 Zoning*	Acreage	Percent	TDR Calculation	TDR Potential***
Total	6,873	100%	6,873/19 =	362
Parcels over 100 acres**	2,608	38%	2,608/100=	26
Primary Flood Zone	614	9%	614/19=	32
			Total =	420

Carson Valley Total				38,469
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Source: GIS and Community Development Departments

*This is the total amount of A-19 or FR-19 zoning that is privately held (not held by the government), not within a Receiving Area, and not within an existing open space conservation easement.

** Includes contiguous parcels under same ownership that total 100 acres or more.

*** TDR Potential totals do not include the possible one bonus right per 19 acres for dedication of public access easements.

**Figure 6.4
 Topaz Sending Areas**

Topaz A-19 Zoning*	Acreage	Percent	TDR Calculation	TDR Potential***
Total	2,735	100%	2,735/19=	144
Parcels over 100 acres**	2,735	100%	2,735/100*20=	547
Primary Flood Zone	1,135	41%	1,135/19*7=	418
Bonus for Participating in Program			144*9=	1,296
Water Rights	145		145/19*7=	53
			Total =	2,458

Note: All A-19 zoning in Topaz is within APNs: 0922-000-02-005 & -006, owned by David Wallace Park and Diamond X Ranch, LLC, respectively. According to the NV Division of Water Resources, the owner of the Park parcel has two water right certificates and is currently irrigating 144.8 acres.

Topaz FR-19 Zoning*	Acreage	Percent	TDR Calculation	TDR Potential***
Total	19,309	100%	19,309/19=	1,016
Parcels over 100 acres**	14,651	76%	14,651/100=	147
Primary Flood Zone	2,261	12%	2,261/19=	119
			Total =	1,282

Topaz Total				3,740
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Source: GIS and Community Development Departments

*This is the total amount of A-19 or FR-19 zoning that is privately held (not held by the government), not within a Receiving Area, and not within an existing open space conservation easement.

** Includes contiguous parcels under same ownership that total 100 acres or more.

*** TDR Potential totals do not include the possible one bonus right per 19 acres for dedication of public access easements.

Carson Valley

A detailed breakdown of TDR activity in the Carson Valley since 2002 is provided in Figure 6.5. As one can see, 3,921 TDRs have been certified and 4,003 acres have been set aside in conservation easements as a result of the program.

Figure 6.5
Transfer Development Rights Activity
2002 to 2009

Year	# of TDRs Certified	# of TDRs Transferred to Another Owner	# of TDRs Remaining for Sale	Acreage Deed Restricted
2002	1,262	1,185	77	2,177.00
2003	663	663	0	461.64
2004	0	0	0	0.00
2005	1,447	1,445	2	989.26
2006	0	0	0	0.00
2007	146	146	0	100.00
2008	205	138	67	140.72
2009	198	138	60	135.05
Total	3,921	3,715	206	4,003.67

As provided in Figure 6.6 below, approximately 2,857 TDRs are required to support tentatively approved residential projects in the Carson Valley.

**Figure 6.6
 Carson Valley TDRs Needed to Support Approved Projects**

Project/Owner Name	APNs	GIS Acres (Not Surveyed Acreage)	TDRs Needed to Complete Project (Estimate)
Clear Creek, LLC (PD 03-004)	Multiple	1,576	301
Wal-Mart	Multiple	15	0
Ashland Park (PD 05-013)	1320-34-002-001	33	291
Kit Carson PD (PD 05-003)	Multiple	18	0
Rocky Terrace	Multiple	37	0
A Eleven, LLC (Sunshine and Rainbows Daycare)	1220-09-302-004	1	0
Aloha/Rain Shadow Ranch (PD 05-012)	Multiple	36	26
Cedar Creek	Multiple	16	0
Montana/Summit Ridge (PD 05-012)	Multiple	144	71
North Fork Trails Subdivision	Multiple	33	0
Gardnerville Town Water Co.	1220-10-501-005	6	0
Stodick Estates	Multiple	29	0
Nevada Northwest Specific Plan (includes La Costa PD 02-004)	Multiple	54	407
Monterra (Park Place) PD 05-005	Multiple	92	152
The Ranch at Gardnerville (PD 04-008)	Multiple	164	600
Oakwood Companies Specific Plan (includes Arbor Gardens and Crestmore Village Apartments)	Multiple	33	0
Virginia Ranch (Sierra Nevada SW Ent.)	1220-03-000-039 & -034	212	1,009
Total		2,499	2,857

Note: In some instances, TDRs have been purchased, but have not been transferred to a project.

As provided in Figure 6.7 below, approximately 12,235 TDRs will be required if the 2,473 acres in the Carson Valley Receiving Areas identified as Vacant or Not Developed to Full Potential in Figure 6.1 are developed at a density of 5 du/acre, approximately 17,181 TDRs will be required if developed at 7 du/acre.

**Figure 6.7
 Carson Valley TDR Requirements (2)**

Carson Valley Receiving Area	Acreage	Calculation	TDRs Required
Vacant or Not Developed to Full Potential Total	2,473		
Density of 5 du/acre		$2,473 * 5 =$	12,365
Base Dev. Rights		$2,473 / 19 =$	130
Total (Density - Base Dev. Rights).			12,235
Density of 7 du/acre		$2,473 * 7 =$	17,311
Base Dev. Rights		$2,473 / 19 =$	130
Total (Density - Base Dev. Rights)			17,181

Note: For the purpose of developing this chart, the assumption was made that all Receiving Area will be developed for residential purposes. It is likely some of it will be developed for commercial purposes, which requires 10 TDRs per acre.

As estimated in Figure 6.3, there is a potential of 38,049 TDRs available. Thus, it appears that there is more than sufficient TDR potential to support the existing Receiving Area in the Carson Valley. However, it needs to be taken into consideration that between 32 to 45 percent of available TDRs would be required to support the existing Receiving Areas. There may not be enough property owners in Sending Areas willing to participate in the TDR Program.

Topaz

The TRE/Holbrook Junction Community Plan anticipates 1,000 to 2,000 dwelling units being developed on the approximately 1,286-acre Receiving Area site. With the existing residential zoning provided in Figure 6.8, the site could be developed with 480 residential units before transferring in any TDRs.

**Figure 6.8
 Topaz Receiving Area Zoning**

Zoning	Acreage	Calculation	Permitted Residential Density (without TDRs)
SFR-2	345.5	$345.5/2 =$	173
MFR	8.8	$8.8*16 =$	141
RA-5	814.8	$814.8/5 =$	163
FR-19	59.9	$59.9/19 =$	3
TC	30.2		n/a
GC	26.7		n/a
Total	1,286		480

Source: Douglas County Community Development Department

Therefore, in order to develop the site with 2,000 dwelling units, 1,520 TDRs would need to be transferred to the site. The owner of the Receiving Area would need to find property owners in Sending Areas within Topaz willing to transfer development rights from their property.

Issues

As discussed in Volume I, Chapter 6, Growth Management Element, the Board may want to 1) direct staff to consider modifications to the TDR program to help create additional incentives for preserving agricultural lands and 2) either direct staff to codify the provision in code that TDRs cannot be transferred between the Carson Valley and Topaz watersheds or remove the language from the Master Plan that prevents the transfer of development rights between watersheds. As presented, it appears that there is sufficient availability of TDRs in the Carson Valley to support the existing Receiving Areas, however, TDR availability is somewhat limited in Topaz.