

Land Use Planning Implementation

Land Use Planning & Regional Networking Workshop
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LUP Implementation

A LUP is only effective if it can be implemented.

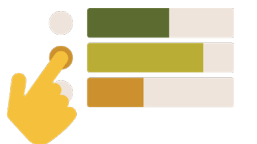
- Consider including an Implementation Plan as part of the LUP to help identify actions, activities, and tools required to bring the LUP to life.
- While LUP implementation will look different for each First Nation, the implementation section of a LUP should include:
 - A commitment to implement the LUP
 - An outline of:
 - Major actions, activities, tools required
 - General schedule
 - Responsibilities of Chief and Council, staff, committees, members, others

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What could LUP Implementation look like for your First Nation?



What LUP Implementation Looks Like: On the Land

- Similar or cohesive design and style of structures and areas
- New infrastructure connects (to) the community
- Maintained trails and sidewalks that are safe for all pedestrians
- Hazards are marked an/or managed
- Houses built far from hazards
- Banners, signs create a sense of place

- Tree lots are maintained, permission is needed for some tree removal or harvesting
- Waterways are clean and pollution is mitigated
- Existing pollution or hazardous areas are managed, risk is mitigated
- Protection of green spaces and natural areas

What LUP Implementation Looks Like: Administratively



Laws

- Zoning Laws
- Development Laws
- Environmental Protection Law
- Environmental Assessment Law
- Community Quality Laws
- Design Laws / Guidelines



Policies & Plans

- Community Plans
- Environmental Management Plans
- Forest Management Plans
- Cultural Heritage Policy
- Consultation Protocol
- Comprehensive Community Plans
- Issue specific Plans
- Land Registry Policy



Tools & Procedures

- Land Development Procedures
- Development Application Form
- Checklists & Guides
- Environmental Laws (checklist)
- Zoning Laws (checklist)
- Invoicing / Contracts / Fee Schedules
- Leases

First Nation Laws, Regulations & Guidelines

Zoning & Development Law

Community Design Guidelines

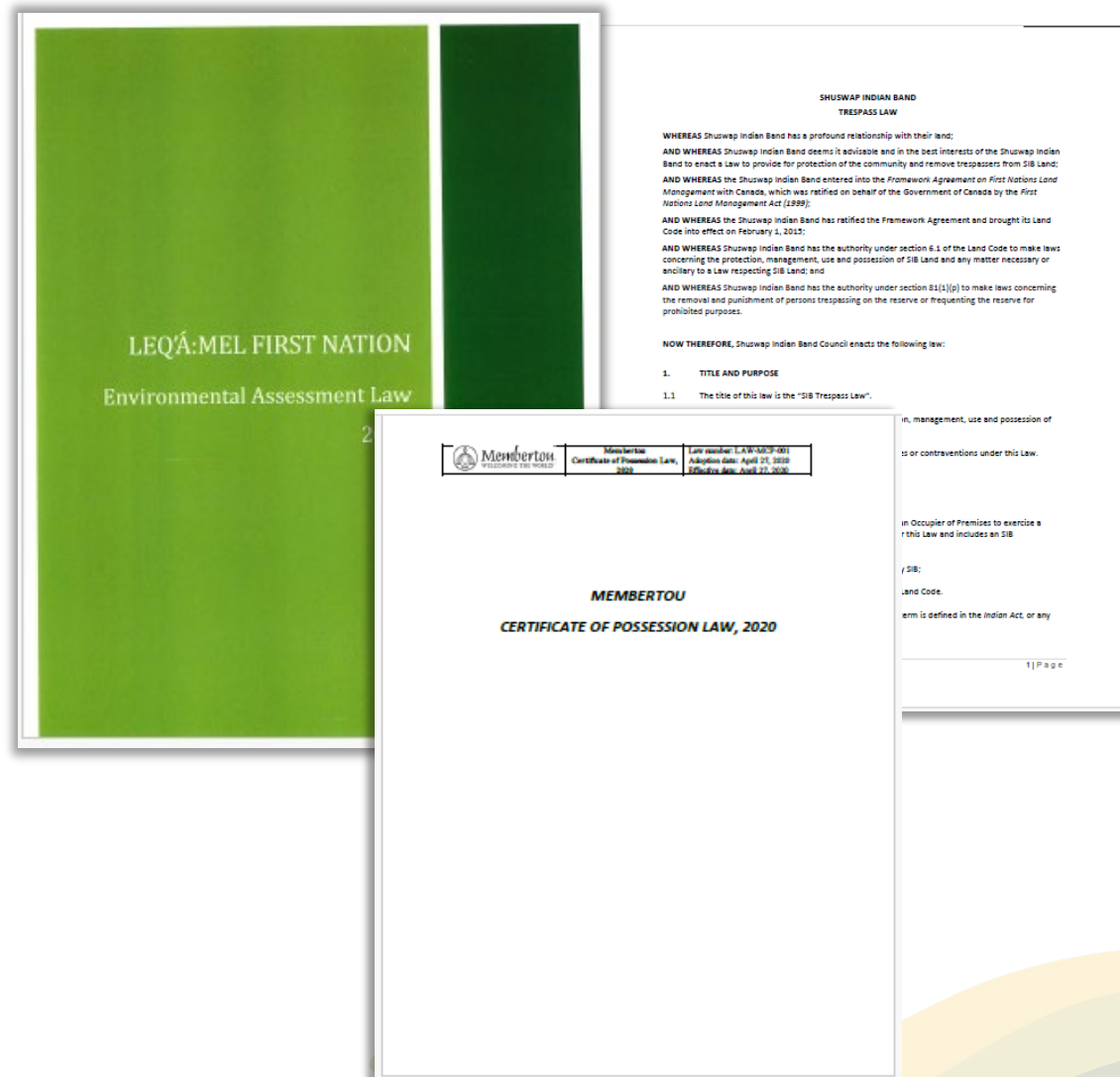
Allotment, Interests & Licences

Environmental Assessment & Protection

Natural Resource Management

Trespass, Enforcement & Ticketing

Business Permitting & Licensing



Policy & Specific Plans

- Focused and specific on a targeted area or outcome, the guiding policy comes out of the LUP, but is focused-in on a particular issue or place.
- A Site or Topic Specific Plan would describe the project in detail that will lead to on-the-ground action. These plans can be focused on single resource or can be interdisciplinary and focused on multiple areas
- Examples include:
 - Wetland Protection Plan
 - Master Site Plans, or Neighbourhood Plans
 - Community Strategies or Policies (e.g. Housing, or Recreation, or Wellness)



Tools & Planning Procedures

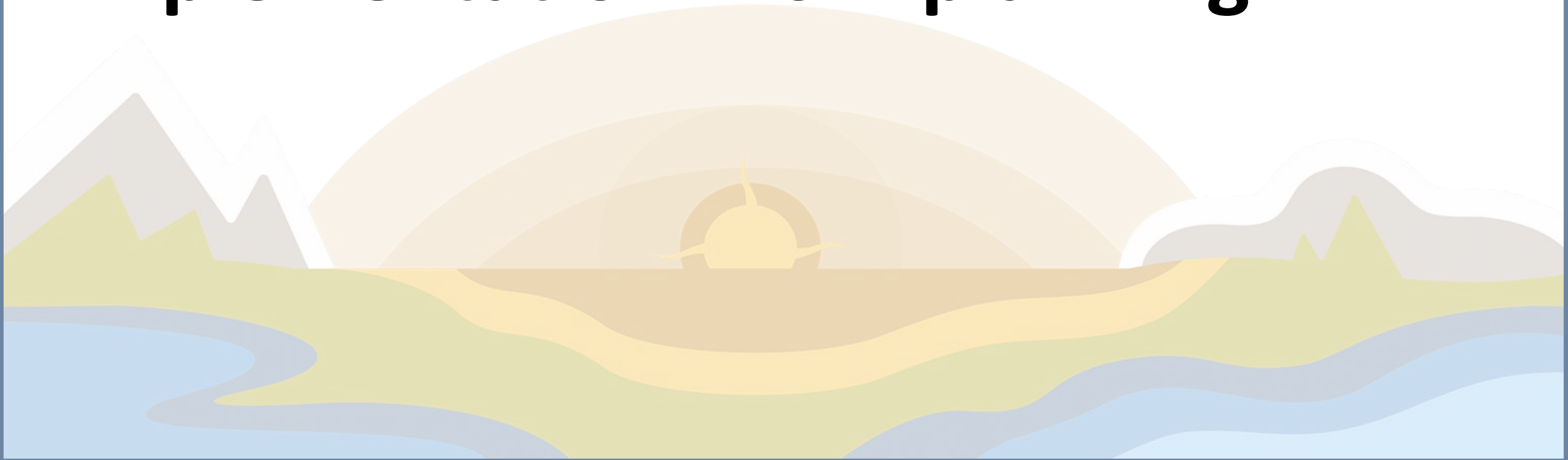
- Communication Plan between departments
- Shared development process & information distribution (i.e. de-siloing)
- Residential Tenancy and/or Leases
- Development Application and process (e.g. Land Development Processes)
- Amendments to the Land Use Plan
- Standardized decision-making process
- Institutional infrastructure – the system of LUP implementation



Discussion:
What are some ways that you have linked the LUP to lands management and law making?



Key Considerations for LUP Implementation Work planning



Key Considerations for LUP Implementation

- **Roles & Responsibilities:** Who will be responsible for which aspect of the LUP Implementation?
- **Prioritization:** How will your First Nation order the different pressing needs of your community?
- **Goals/Objectives:** What does your First Nation want to accomplish? The Implementation activities will flow directly from the LUP, and as such, the goals and objectives may be very similar.
- **Milestones:** How long will the different activities take? What can keep you on track?
- **How You Will Adapt:** Consider where there may be challenges or bottlenecks and see if there are strategies you can use to avoid them. Build in extra time so that you can get things right, not rushed.
- **Resources:** Where will the resources to complete these activities come from? Does your First Nation have the time, money, and staff (other?) to successfully complete each desired activity.
- **Metrics for Success:** How will you know if you are successful? What will your indicators be?
- **Evaluate:** In addition to defining your metrics for success, decide how often you will evaluate your progress.



Prioritization of Tasks

- Developing an implementation strategy that includes priorities creates an important opportunity for continued collaboration with staff and leadership.
- How to decide what to do today, next week, or in a year's time?
- Pile of important things: where do we start?
- Policy Priorities as per the LUP
 - What LUP policy is most pressing
 - What tools can you use to help decision-making?



Resourcing Implementation

- How many and what resources are you going to put toward a certain activity to implement?
- Having a strong understanding of how many people, how long, and how much one piece of implementation will take, may help you resource appropriately.
- A well thought-out implementation strategy should prioritize each decision for funding and implementation. The strategy should also be integrated across all First Nation departments.



Example: Land Use Plan workplan

Strategic Direction #1: Expand the Land Base

Objective/Goal	Action/Deliverable	Tasks	Responsibility	Timeline	Status
Acquire and hold properties for community uses	Develop and implement a community-based tool (policy or law) for assessing, purchasing and selling properties.	<ul style="list-style-type: none"> -Research and develop draft -Hold Community Engagement Session to review -Host LAC session to review and recommend to Council -Review, edit and Council adopt 	Lands Manager	6 months	complete
	Identify and protect sacred site X	<ul style="list-style-type: none"> -Finalize letter to BC and Canada -Ongoing Advocacy (media, gov't relations) -Seek reconciliation funds to purchase -hold in fee simple and plan for ATR 	Chief & Council + Lands Manager	6-12 months	Ongoing
	Acquire Private Property adjacent to reserve	<ul style="list-style-type: none"> -Contract lawyers to make offer -Utilize Trust Funds to make purchase -Community engagement & ratification for use of Trust Funds -Once acquired, initiate ATR application (BCR required) 	Lands Manager, Finance Manager, Chief & Council	3-6 months	In progress

Some Ingredients for Success

Similar to Land Code and LUP Development processes, LUP Implementation benefits from:

- Clear Direction & Priorities
 - Leadership should be referring to the LUP
 - Priorities are community driven and have been outlined in the LUP
- Community Engagement
 - People are aware of what is happening and have the opportunity to contribute
- Outcomes Rooted in the Community
 - Community voice is reflected through the LUP into Implementation activities
- Information Sharing
 - The LUP is easily accessible, Implementation activities clearly flow from the LUP
 - Members have the opportunity to contribute to Implementation activities



Decision Making

- Lands Management and Planning roles usually don't have decision-making authority; advice is provided by staff to decision-makers to choose the path forward.
- Balancing the advisory function of lands staff with decision making processes of a First Nation can be a challenge, along with shifting priorities. A LUP and LUP process can be a tool to help navigate these processes.

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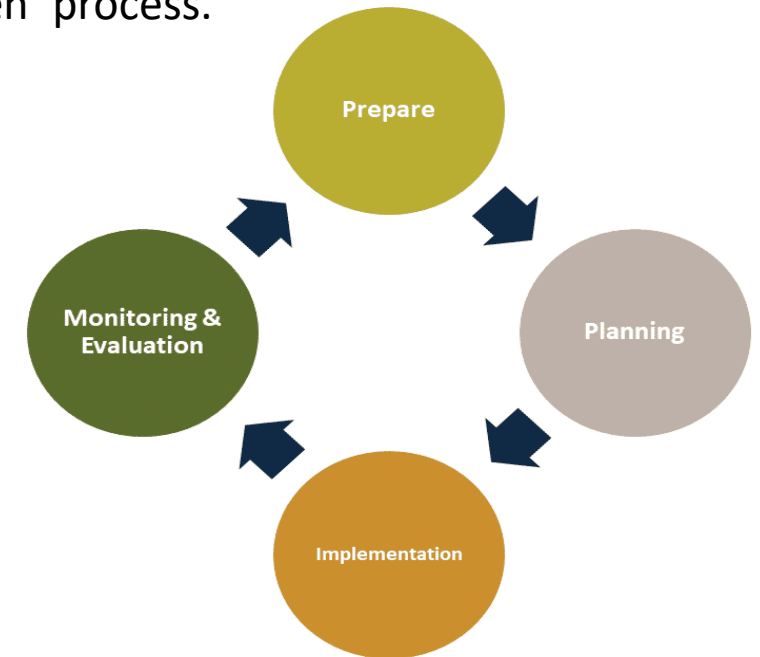
Taking all of these considerations into account, sometimes it can feel a bit chaotic... **How have you navigated these situations?**

What comes after Implementation?

- **Monitoring and Evaluation:**
 - Land Use Plan identifies where we are going
 - A good Monitoring and Evaluation program can help us see when we have arrived
 - Determine your metrics for success and identify how often you will measure

Land Use Planning is not a linear process – i.e. there is no ‘after’.

- Land use planning is cyclical and should be considered an ‘evergreen’ process.



We expect LUP Implementation to evolve over time, shaped by the needs of individual First Nations. We also anticipate LUP Implementation may identify a need for changes to government programs (e.g., housing, public works, infrastructure, etc.)