

TRPA Governing Board

JANUARY 25, 2023



Zoning Text Amendment relative to the Tahoe Area Plan Regulations

➤ Summary:

- On September 1, 2022 Douglas County Board of Commissioners approved Ordinance 2022-1603
- Amendment to implement Area Plan regulations allowing religious assemblies in the Tahoe Mixed Use (T-MU) zoning district
- Eliminates need for a special use permit
- Requires TRPA approval of amendment to the South Shore Area Plan (SSAP)

Background

- Permit application for synagogue in T-MU zoning district of SSAP
- Religious assemblies are required to obtain special use permits
- Staff identified two issues:
 - Use is similar to “membership organizations” which are allowed
 - Religious assemblies are consistent with the zone’s purpose

20.703.130 List of primary uses and use definitions

Use	Definition
Religious assembly	Religious organization assembly or institutional facility operated for worship or promotion of religious activities, including churches and incidental religious education. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals, and other potentially related operations (such as a recreational camp) are not considered a religious assembly and are classified according to their respective activities.
Membership organizations	Permanent meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, such as: business associations; professional membership organizations; labor unions and similar organizations; civic, social and fraternal organizations; political organizations; and other membership organizations. The use does not include country clubs in conjunction with golf courses (see "Golf Courses"); religious organizations ("see Religious assembly"); and lodging (see "Multi-person Dwelling").

Background (cont.)

20.703.060 Tahoe Zoning Districts

A. The following zoning districts have been established to implement an Area Plan within Douglas County:

2. “T-MU” (Tahoe – Mixed Use). This district is for areas that are targeted for redevelopment and that may include a mix of tourist, recreation, commercial, light industrial, public service, and residential uses

B. The following overlay zoning districts have been established to implement an Area Plan within Douglas County:

2. TC (Town Center) Overlay. This overlay district is for areas targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities and future development that will bring environmental gain to the Region.

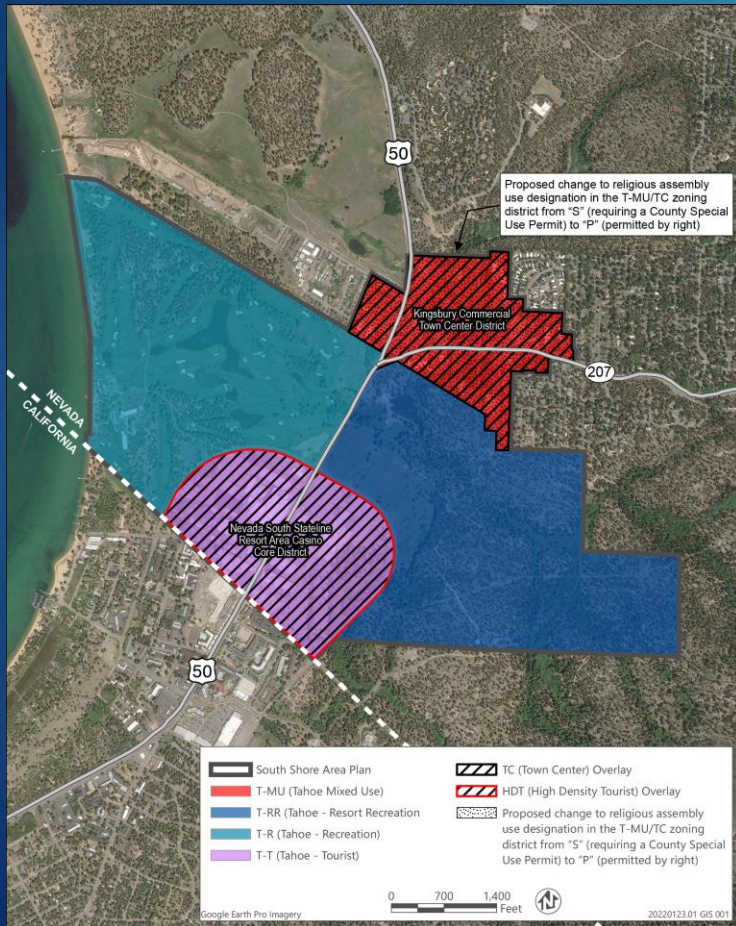
Background (cont)

➤ Douglas County Code 20.703.090 Use Table

20.703.090 Use	T-T/HDT	T-R	T-RR	T-MU/TC [3]
.080 Public service				
(A) Collection stations	TRPA-S			S
(B) Cultural facilities	TRPA-P	S[5]	TRPA-S	P
(C) Day care centers/pre-schools	TRPA-P	S[5]		S
(D) Government offices and facilities				P
(E) Hospitals				S
(F) Local assembly and entertainment	TRPA-P	S[5]	TRPA-S	p
(G) Membership organizations				P
(H) Post office	TRPA-P			P
(I) Public health and safety facilities	TRPA-P	S	TRPA-S	P
(J) Public owned assembly and entertainment	TRPA-S	S		S
(K) Public utility centers		S		S
20.703.090 Use (Cont.)	T-T/HDT	T-R	T-RR	T-MU/TC
(L) Religious assembly	TRPA-S			S

Conclusion & Recommendation

- Staff believes all findings can be made to approve amendment and implement this Area Plan regulation to be consistent with federal law and eliminate any question as to whether the existing code violates RLUIPA
- Would allow religious assemblies in T-MU without a special use permit



.080 Public service				
(A) Collection stations	TRPA-S			S
(B) Cultural facilities	TRPA-P	S[5]	TRPA-S	P
(C) Day care centers/pre-schools	TRPA-P	S[5]		S
(D) Government offices and facilities				P
(E) Hospitals				S
(F) Local assembly and entertainment	TRPA-P	S[5]	TRPA-S	p
(G) Membership organizations				P
(H) Post office	TRPA-P			P
(I) Public health and safety facilities	TRPA-P	S	TRPA-S	P
(J) Public owned assembly and entertainment	TRPA-S	S		S
(K) Public utility centers		S		S
20.703.090 Use (Cont.)	T-T/HDT	T-R	T-RR	T-MU/TC
(L) Religious assembly	TRPA-S			S-P