

ORDINANCE 2022-1603

SUMMARY

An Ordinance amending Section 20.703.090, subsection .080, of the Douglas County Code relative to the Tahoe Area Plan Regulations to make it clear that religious assemblies are authorized in the Lake Tahoe T-MU (Tahoe Mixed Use) zoning district as a matter of right and thereby eliminating the need for a special use permit. The Board of County Commissioners also finds that religious assemblies are a public service activity similar in nature to membership organizations as set out in Section 20.703.130.

TITLE

Ordinance 2022-1603, a Zoning Text Amendment (ref. DP 22-0145), amending Section 20.703.090, subsection .080, of the Douglas County Code relative to the Tahoe Area Plan Regulations to make it clear that religious assemblies are authorized in the Lake Tahoe T-MU (Tahoe Mixed Use) zoning district as a matter of right and thereby eliminating the need for a special use permit. The Board of County Commissioners further finds that religious assemblies are a public service activity similar in nature to membership organizations as set out in Section 20.703.130.

RECITALS

WHEREAS, on June 20, 2013, the Douglas County Board of County Commissioners (the "Board") adopted Ordinance 2013-1385 which added Chapter 20.703 relative to the Tahoe Area Plan Regulations to Title 20 of the Douglas County Code; and

WHEREAS, on November 21, 2013, the Board adopted Ordinance 2013-1400 which contained amendments to the Tahoe Area Plan Regulations adopted by the Tahoe Regional Planning Agency Board; and

WHEREAS, the Board has determined that religious assemblies are a public service activity that is similar in nature to membership organizations as described in Section 20.703.130 of the Douglas County Code; and

WHEREAS, membership organizations are authorized in the Lake Tahoe T-MU (Tahoe Mixed Use) zoning district as a matter of right; and

WHEREAS, given the similarities between religious assemblies and membership organizations there is no reason why religious assemblies should be required to obtain a special use permit in the Lake Tahoe T-MU (Tahoe Mixed Use) zoning district prior to operation while membership organizations are not subject to a similar requirement.

NOW THEREFORE, based on the foregoing considerations, THE Board of County Commissioners of the County of Douglas does ordain as follows:

Section I. The Douglas Development, Title 20, Section 20.703.090, subsection .080, Tahoe Area Plan Regulations, are hereby amended as follows (new language is in red and underlined and deleted language is stricken through).

20.703.090 South Shore Area Plan permitted, development permitted, and special use permitted uses (Table).

The following list represents those uses in the South Shore Area Plan which are permitted by right (P), require a County Special Use Permit (S), or are prohibited (blank space). "TRPA" is placed before any use requiring a TRPA review or Special Use Determination. Uses not listed are prohibited. Uses listed as permitted may require a Design Review pursuant to Chapter 20.614, *Design Review*, of this code. In cases where a TRPA review or Special Use Determination is required, a County Design Review or Special Use Permit shall not be required. In all cases, the County is responsible for Building Permit and Site Improvement Permit review and approval.

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 P
(M) Schools – college	TRPA-S			S
(N) Schools - kindergarten through secondary				S
(O) Social service organizations				P
(P) Threshold related research facilities	TRPA-S	S[5]	TRPA-S	S

Proposed on the 1st day of September, 2022.

Proposed by Commissioner Rice.

Adopted this 1st day of September, 2022, by the following vote:

Vote-- Ayes: Commissioners

Rice

Nowosad

Tarkanian

Gardner

Engels

Nays: Commissioners

Absent: Commissioners



Mark Gardner, Chairman
Douglas County Board of Commissioners

Attest:



Amy Burgans, Douglas County Clerk

This ordinance is effective on the 15th day of September, 2022.