



North Tahoe Preservation Alliance

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"Helping preserve the natural beauty and rural character of North Lake Tahoe"

Via email Stacy Wydra (SWydra@placer.ca.gov)

July 30, 2014

Attn: Michael Johnson, AICP, Agency Director
E. J. Ivaldi, Coordinator
County of Placer Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: Comments on Martis Valley West Area Plan

Dear Director Johnson and Coordinator Wydra:

This letter provides comments on the above mentioned Area Plan. The North Tahoe Preservation Alliance (NTPA) is a Nevada Nonprofit corporation formed to ensure that North Lake Tahoe retains its natural beauty and easygoing, rustic lifestyle. This letter provides comments on the Area Plan that are in addition to and do not replace or otherwise supersede comments that were previously submitted. We also incorporate comments from the following organizations and individuals:

North Tahoe Citizens Action Alliance
Tahoe Area Sierra Club
Friends of Lake Tahoe
Friends of the West Shore
Ellie Waller

In order that the Public can make an informed analysis, the Area Plan must adequately and accurately describe the changes, amendments and uses associated with the proposed MVW Area Plan on the Lake Tahoe basin specifically. We request that the Area Plan adequately describe the following: 1) Change the name of the Area Plan to correctly describe the fact the plan is located in the Lake Tahoe basin and NOT in Martis Valley, 2) the Area Plan must separately describe the Basin area plan and its proposed 1 million sq.ft. of coverage and 112 homes in a gated community on lands currently zoned forest/conservation separately from the rest of the project area which lies outside the Tahoe Basin, 3) describe and disclose the rationale behind the potential precedent setting zoning changes for the Tahoe Basin, 4) adequately describe and discuss the pros and cons

associated with the amendments to the Tahoe Regional Plan that are required by this Area Plan; 5) discuss and disclose the Area Plan's impacts on wildlife, forest/conservation lands, the Tahoe Rim Trail, Mt. Watson Road, traffic and the impacts of 1 million sf of coverage on the fragile environment of the Tahoe basin,

1. **The Area Plan must separately consider the impacts on the Tahoe Basin as acknowledged by the Regional Plan Implementation Committee and Governing Board on 4/24/2014.**
2. **The EIR/EIS must analyze the Tahoe Area Plan currently being developed by the applicants. The EIR/EIS Analysis must wait for that approved Area Plan document.**
3. **Area Plan Flaws and Concerns:**
 - a. Pg 1 sect.1-
 - 1) We were told at a public meeting that the applicant and his attorney, Lew Feldman developed the area plan. Is that not the case? The document says Placer County developed it which is misleading to the Public. Per the Regional Plan (RPU) and Chapter 13 Area Plans are supposed to be a Public process.
 - 2) The document states is it the intent of the RPU to rezone forest and conservation lands to residential and commercial? Where is this project's additional Resort Recreation zoning allowed/codified in the RPU?
 - 3) The statement that this project "further implements the goals and policies" of the RPU is also misleading to the public inferring TRPA's approval. What goals and policies in the RPU support these claims? Is this Area Plan changing the goals and policies of the RPU?
 - 4) What amendments to the Regional Plan are required by this Area Plan? Why shouldn't the Area Plan conform to the RPU today? Why should this Area Plan be allowed to change the RPU?
 - 5) The east parcel was not "previously approved for development of 1360 units", there was simply an allowance for the potential of that density, correct? The statement should be corrected as it is misleading to the public.
 - 6) Generally throughout the document the Tahoe MVW Area Plan is confused with the entire project plan which is also misleading to the Public. i.e. Stating that 417 acres will remain designated forest is describing the entire project, not the Tahoe portion. The Tahoe MVW Area Plan should be a stand-alone

document that isn't justified or aligned with the entire project as requested by the TRPA RPIC committee.

- 7) Where is it codified that the permissible density of Resort Recreation is one unit per acre?
 - 8) Where is it codified in Chapter 13 of the RPU that an area plan should be developed to rezone forest lands for development?
 - 9) What existing development in the basin will be retired? Where will it come from South Shore motels? 112- 200 sf motel rooms equates to 22,400 sf of coverage, not 1 million sf as proposed in this plan.
- b. Pg2 C.
- 1) The land area is described as "within the influence of existing tourist and recreational services" and "adjacent to a significant recreational resource" is also misleading to the public. The site is 5 miles from Kings Beach. The Tahoe portion is 1.6 miles from Highway 267 and another approx. two plus miles from the Ritz and farther from Northstar Village. These distances from services/recreation should be correctly described in order that the public can adequately analyze the plan.
 - 2) Describing this area plan, which rezones forest and conservation lands to allow residential and commercial, as "complimentary and consistent with TRPA's" RPU goals and policies is beyond overstatement and is misleading to the public. How does developing 112 homes, commercial, 1m sf of coverage on forest/conservation zoned lands further attain TRPA's environmental standards? How is the Area Plan complimentary and consistent with TRPA's" RPU goals and policies? Please cite relevant portions of the RPU.
- c. Page 3-A
- 1) How does developing hiking, biking and cross country ski trails on a 112 acre site enhance existing public recreation? It is already an area with these assets. In addition, the applicant has stated the project will be gated. How does a gated community enhance public recreation?
- d. Pg 5 Sect.2
- 1) How is this considered a "resort destination" when it proposes 112 homes? Isn't this project really a new residential subdivision? How is this area plan a "resort destination"?

- 2) Considering specifically the Tahoe portion-will there be a lodge and/or an active onsite rental program? Will timeshares/fractional ownership be allowed? Will there be "air condos"? At a Public workshop the applicant stated there will be "clustered development" with "112 homes on cul de sacs". How does 112 homes on cul de sacs conform to the description of clustered development?
 - 3) The plan is conspicuously silent on commercial locations in the Tahoe portion, however the use table describes schools, bars, restaurants as allowed uses. Please furnish a map depicting where commercial uses will be allowed inside the basin portion.
 - 4) How is a 1m sf of coverage in the Tahoe basin considered "minimal impacts to the natural environment"? What is the rationale for that statement?
- e. Pg 6-
- 1) Where and what kind of "transient lodging" will be located on the site?
- f. Pg 7-
- 1) The project is being represented as 112 homes, but this document promotes a resort setting. What resort uses or amenities are being considered? Will there be a club house?
- g. Sect. 3 Pg 9-
- 1) Resort Recreation (RR) was promoted for areas adjacent to urban services, such as the already designated Park Cattle and Heavenly Resort Recreation RR sites. This site is in the forest and is not adjacent to an urban area. Also RR allows only air condos, but this is single family homes? What is the rationale for describing 1.6 miles from a bus stop and 5 miles from town as "close proximity" to concentrated development.
 - 2) The document describes the allowed campground use as an intensive, but 112 homes, 1 m sf of coverage and unknown commercial as minimal impacts. What is the rationale for this claim? This is an exaggeration and misleading to the public.
- h. Pg 11 and 12 Permissible uses-
- 1) Today the only currently allowed use is a campground, The new Area Plan use table allows a multitude of commercial uses including a school. What commercial uses are contemplated?

- i. Pg 13 Sect. 4 Development Standards
 - 1) Height not to exceed 42 feet, but on Pg 26 it refers to TRPA Chapter 37 to determine allowed height. Chapter 37 allows heights greater than 42 feet. Which standard applies?
- j. Pg 28 View Guidelines-
 - 1) Omits any discussion of preserving ridge line views from Lake Tahoe. Why?

4. The existing TRPA Compact and code does not allow the transfer of units/TAUS/CFA from outside the Basin to inside the Basin.

- a. How does the transfer of density from Martis Valley to the Tahoe Basin conform to the TRPA Compact and Code? (3/28/2014 Placer County Notice of Preparation)

5. Since the proposed Tahoe Basin development and the Resort Recreation designation will increase the current urban boundary and create sprawl, the Area Plan must analyze and explain the effects of this on the fragile Tahoe environment and how the proposed Resort Recreation designation conforms to the RPU and is considered "minimal impact".

- a. How does the project site conform with the Resort Recreation use (2 sites) allowed in the RPU? Since the site is not close (within 1.5miles) to a Town center, shopping, services or a comprehensive transportation system and it is miles away from the Northstar Resort, how is the designation consistent with Resort Recreation?

6. Maps fail to depict Applicant's newly proposed Tahoe Basin Boundary to existing Tahoe Basin Boundary

- b. Evidence for applicant's request to change the boundary of the Tahoe Basin must be shown and analyzed. What is the increase in acreage in the Tahoe Basin due to the applicants request for an adjustment?
- c. Maps of the Calpeco proposed power line relocation in relation to the MVW should be depicted.
- d. Maps of the Area Plan should clearly show the location of the existing Rim Trail.
- e. What is the definition of clustered air condo units which are required in the Resort Recreation use? The applicant maintains he will build freestanding homes. What size will they be? Will they be TAUS which are allowed 1200-1800sf or will they be ERUs? Will they be fractional or timeshare?
- f. What assurances will the public have that Mt. Watson Rd or the Fiberboard freeway will only be used for emergency purposes? Will it be locked off? What will occur on the road during the 25 years of construction? What will happen to the residents if there are emergencies in the Winter? Currently Martis Camp

residents are continually using their “emergency access” through Northstar and Placer County fails to enforce Martis Camps’ claimed limited emergency use.

7. **What is the rationale for the zoning/use change request associated with lands within the basin? How does this Area Plan create environmental gain for the Tahoe Basin? Isn't this spot zoning driven by a project rather than a thoughtful planning process. Currently the lands are zoned forest or conservation which allows no development except campgrounds. Allowing 1 unit/TAU per acre residential or multi-family zoning and an unknown amount of commercial is a significant and dangerous precedent for the Tahoe Basin.**
8. **Traffic and Impacts to the Lake Tahoe Basin-**
Would construction vehicles access the Tahoe portion of the project from the Fiberboard Freeway?
9. **How would wastewater be conveyed from the Tahoe Basin portion of the development to NCSD? How many lift stations would be required?**
10. **If 1 million cubic yards of excavated materials would be required, how much material would be excavated and moved within the Tahoe Basin. How tall are the cuts?**
11. **Considering the installation of 1m sf of coverage, how many trees would be removed?**

For each of these reasons, the NTPA, respectfully request that Placer County and TRPA as the lead agencies on this joint Area Plan document distribute a complete, thorough, technically and legally adequate Area Plan for Public review and comment that fully complies with the law and is supported by substantial evidence in light of the whole record.

Sincerely,



Ann Nichols

On behalf of the North Tahoe Preservation Alliance