

League files suit over South Lake Tahoe's General Plan

By Kathryn Reed

It was a matter of when, not if the League to Save Lake Tahoe would sue South Lake Tahoe over its recently adopted General Plan.



On Friday the League filed a complaint challenging the city's General Plan that was approved in May. At that meeting the League's attorney threatened to sue if the city went through with approving a plan that was inconsistent with the Tahoe Regional Planning Agency's Regional Plan.

"It's not a surprise," City Manager Tony O'Rourke said of the complaint. "I think the council did the right thing. Unfortunately, this is the tactic the League has used historically. We have wanted to sit down with them, and hope we still can, but that process takes longer than filing a lawsuit."

In a statement released today, League Executive Director Rochelle Nason says, "From a planning perspective, the city is putting the cart before the horse, because it is prematurely trying to adopt a new General Plan before there is a new Regional Plan. This is a clear violation of the TRPA code of ordinances."

Although the city knowingly adopted items that are out of compliance with TPRA, there is essentially an asterisk by each of those items that prohibits such things like increased density from taking place until TRPA adopts its next Regional Plan – which is more than a year away.

"We knew they would probably sue us," O'Rourke told *Lake Tahoe News*. "They say they want to be partners, but then they revert to litigation. Actions speak louder than words."

O'Rourke stands by what the council approved – a document long in the works before he was hired nearly a year ago and the majority of the current council came on board last fall.

No injunction has been ordered by a judge, so the General Plan stands for now. But it is possible the League could ask a judge for the city not to implement certain aspects of the General Plan or all of it until a court rules on the entire case.

The League takes issue with the environmental document associated with the General Plan as well.

"We need plans that reduce traffic and boost restoration efforts," Nason said. "The urbanization proposed by the city will not only diminish the region's draw as a serene and beautiful place for residents and visitors, it also violates regional, state and federal environmental laws. The sensible solution would be for the city to wait until the TRPA adopts a new regional plan."

The General Plan cost the city more than \$775,000 to create. What a lawsuit will cost would be purely speculative at this point. How long the document will be tied up in court is too early to tell.

"Just because they filed a suit doesn't mean they are right," O'Rourke said.