

# Letter: How a developer can prepare an area plan

**Publisher's note:** *The following is an exchange between Tahoe Vista resident Ellie Waller and Placer County Planning Director Michael Johnson regarding the Martis Valley Area Plan.*

**Johnson:** I have provided responses to your inquiries below. It appears there is some mis-information being circulated, as the county is not a part of the preparation of the "Martis Valley West Area Plan". As noted below, there is nothing in county law that prohibits a property owner from preparing an area plan. Should a property owner chose to prepare such a plan, the plan would be subject to the same extensive public review as any other document submitted to the county. For further clarification, I have provided responses below. Let me know if you have any questions.

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**Waller:** I found out that Placer County is the lead on the Martis Valley West Area Plan. Placer (?) has enlisted Lew Feldman, attorney for the project and Kurt Krieg, the applicant for the project to complete the draft Martis Valley West Area Plan before the public has opportunity to participate and comment. Placer County has not retained the services of Lew Feldman or Kurt Krieg. The applicant is preparing the Martis Valley West Area Plan as a part of its application – there is nothing in county regulations that prohibit an applicant from preparing such a plan. As is customary, any submitted applications/documents will be processed through the county, and a full public review will be included.

1). When was Mr. Feldman and Mr. Kreig asked by Placer County

to start this process?

**Johnson:** As noted above, the county did not retain the services of Mr. Feldman or Mr. Krieg. This is an applicant-initiated project.

**Waller:** 2). Why wasn't the public asked to participate? Being this is the first Resort Recreation District-based area plan amendment to the Regional Plan update separate from the RPU EIS, I believe Placer and TRPA must be even more diligent in engaging the public.

**Johnson:** Once an application is submitted to the county, the public will be engaged in the review process. At this time, the county has no documents for the public to review.

**Waller:** Further, while the proposed specific plan is a project, the proposed area plan is an amendment to the TRPA Regional Plan. This process will set a precedent for all future area plans, master plans, and other special plans which may be proposed to the TRPA Regional Plan and/or Placer County's future area plan, and it would be in all of our best interests to ensure the public is sufficiently notified, engaged, and included in these plan processes.

**Johnson:** As with all county and TRPA projects, the public will have more than sufficient opportunity to review and provide comments prior to any public hearings.

**Waller:** Mr. Feldman stated the area plan document will possibly be released in two weeks. He also stated that because there are no adjacent private property owners this is a non-traditional area plan, and the area plan process did not warrant notification to people in North Shore.

**Johnson:** I cannot attest to Mr. Feldman's statements. As with all county projects, a robust public review process will be included, and residents of North Shore will have adequate opportunity to review and comment on the proposal.

**Waller:** As several members of the public stated, the project that is driving this area plan will mean development in the Lake Tahoe Basin that all of us can see forever, and traffic all of us will be impacted by. I request Placer County notify and engage all who will be impacted by this project, including residents, second homeowners and visitors who currently enjoy the mountain ridgeline views along North Shore.

**Johnson:** Until such time that the visual analysis is completed as part of the environmental review, it is premature to conclude what impacts may or may not result. A visual impact analysis is being prepared as part of the environmental document for this project, and the visual analysis will assess impacts that may be created by the project.

**Waller:** Finally, I have been asking for updates to the process since September 2013. Therefore it was even more surprising to learn that East-West Partners and others have already started the Martis Valley West Area Plan process behind closed doors. This is yet another precedent that Placer County should not be allowing. As you are aware, North Shore communities are already frustrated with finding out about new Plans and projects and what they mean "after the fact."

**Johnson:** As noted above, there is nothing that prohibits a property owner from preparing/submitting an area plan as part of its application. Should such a document be submitted, that document will be subject to extensive county and public review. Accordingly, there will be plenty of opportunity for the public to review and comments on submitted documents prior to any public hearing.