

EXHIBIT A

TRPA Draft Regional Plan and Draft Code of Ordinances Language

Full length documents can be found at the TRPA website:

[http://www.trpa.org/documents/rp\\_update/DEIS/2\\_Regional\\_Plan\\_Goals\\_&Policies\\_Tracked.pdf](http://www.trpa.org/documents/rp_update/DEIS/2_Regional_Plan_Goals_&Policies_Tracked.pdf)

[http://www.trpa.org/documents/rp\\_update/Code\\_Update/Phase2/2\\_Draft\\_Code\\_Tracked.pdf](http://www.trpa.org/documents/rp_update/Code_Update/Phase2/2_Draft_Code_Tracked.pdf)

**1. Accommodation of Bicycle and Pedestrian Facilities in Projects Building Height, Density and Community Design**

Draft Plan

None Referenced

Draft Code

Section 65.3

**65.3 BICYCLE AND PEDESTRIAN FACILITIES**

**65.3.1 Purpose**

*The requirements in this section are intended to implement Map 5 of the Regional Plan (Bicycle and Pedestrian Facilities).*

**65.3.2 Applicability**

*A. All applicants for commercial, tourist, mixed-use, multi-family, public service, and recreation projects, including the construction, alteration, or improvement of roadways, on lands designated with bicycle and pedestrian network trail segments in the Bicycle and Pedestrian Plan shall be required to grant an easement for the bicycle and pedestrian facilities in any of the following situations listed below:*

- 1. When there is new development of at least five residential or tourist units, or at least 10,000 square feet commercial floor area; or*
- 2. When alterations to existing development are 35 percent or greater of the value of the total improvements on the site and the improvements are not exempt or qualified exempt in accordance with Section 2.3.*

*B. Instead of granting an easement, the land may be donated to a local government when the standards of Section 65.3.3 are met.*

**65.3.3 Standards**

**A. Applicable Agency or Local Government Standards**

*Easements for public bicycle or pedestrian facilities shall accommodate facilities that comply with the standards of the Agency.*

**B. Trail Alignment Location**

1. Where feasible, alignment of bicycle or pedestrian trails that are shown adjacent to public rights-of-way on Map 5 of the Regional Plan (Bicycle and Pedestrian Facilities) shall be located in the public right-of-way, subject to approval from the applicable state transportation department.
2. Where it is not feasible to locate facilities in a public right-of-way, easement location should minimize impacts on private parcels to the extent feasible.

**C. Adjustment to Code Requirements**

TRPA, in reviewing project applications under this section, shall have the discretion to adjust or waive certain Code requirements to the minimum extent necessary, as determined by TRPA, to facilitate the efficient connection of new trails to existing and planned trail networks, while minimizing impacts of the easement on development and redevelopment projects. Adjustments may be authorized to site development standards (Chapters 30-39) as necessary to implement this subsection. Neither the land coverage nor the site area required for the bicycle or pedestrian improvement shall reduce the total land coverage or development potential otherwise allowed for the project area.

**D. Reasonable Relationship to Anticipated Impacts**

All easement dedications imposed on approved applications shall be reasonably related to the anticipated impacts of the proposed development or land use and to the purposes of this section. Any condition imposed shall be roughly proportional both in nature and extent to the anticipated impacts of the proposed development, as shown through an individualized determination of impacts. Easements shall not be required if these determinations cannot be made.

**E. Relationship to Other Code Requirements**

**1. Air Quality Mitigation**

Any dedication made pursuant to this section may qualify toward required offsets of the air quality mitigation program (See Section 65.2.4.C).

**2. Sidewalks**

Sidewalks required by the Agency or a local government shall count towards any bicycle or pedestrian facility required by this section.

**65.3.4 Prior to Issuance of Final Inspection**

The easement dedication shall be finalized and recorded prior to final project inspection by TRPA per Section 5.3.

**65.3.5 Use of Trail**

Public use shall be allowed within the easement for bicycle and pedestrian facilities.

**65.3.6 Trespass**

Nothing in this section is intended to authorize public use of private property. Public use of private property is a trespass unless appropriate easements and access have been acquired.

## **2. Bicycle and Pedestrian Facility Maintenance Plan**

Draft Plan

None Referenced

Draft Code

Section 36.5.5

### **36.5.5 Bicycle and Pedestrian Facility Maintenance Plan**

*Entities responsible for the construction and maintenance of bike and pedestrian facilities proposed as part of a project shall provide a maintenance plan, including a funding strategy for the life of the bike and pedestrian facility, that shall be approved by TRPA prior to permit issuance or funding disbursement for any proposed public bicycle and pedestrian facility.*

**EXHIBIT B**

**Comments from Agencies, Organizations and Businesses/Individuals**

Full comment letters can be read at the TRPA website, located at:

<http://www.trpa.org/RPUEISComments/>

**Agencies:**

CA\_ Department of Transportation  
CA\_ Department of Parks & Recreation  
CA\_ State Agencies  
CA\_ Tahoe Conservancy  
City of South Lake Tahoe  
Tahoe Transportation District  
Placer County  
Placer County Air Pollution Control District

**Organizations:**

Community Collaborative Of Tahoe Truckee  
League to Save Lake Tahoe, Friends of the West Shore, Tahoe Area Sierra Club – Joint  
Comments  
North Tahoe Citizen Action Alliance  
Sustainable Tahoe

**Businesses:**

Edgewood Companies  
Edgewood Companies & Heavenly Mountain Resort  
Gary Davis Group  
Harrah's/Harveys  
Sierra Colina  
Sustainable Community Advocates

**Individuals:**

Aaron, D	Drum, J	Kelly, M	Walker, R
Anonymous 2	Evans, D	Kenna, T	
Anonymous 11	Fett, E	Obray, P	
Copeland, J	Filipko, J	Raymond, H	
Dahlgren, J	High, G	Pretzer, C	
Dodge, N	Hollingsworth, T	Przybyslawski, P	