

Proposed TRPA Code of Ordinance Amendments –April 2025

1. Add Sidewalks to Class I Trails for Facilities Exempt from calculation of land coverage:

TRPA's land coverage system is designed to limit the amount of impermeable surfaces based on soil type and land capability for development. This system protects water quality by allowing natural filtration of precipitation and runoff and preventing sediment from entering water bodies.

The 2012 Regional Plan (RPU) included policies and code amendments that would reduce reliance on the personal automobile and incentivize alternative modes of transportation, including bicycle and pedestrian trails. To achieve these objectives, TRPA updated the code of ordinances to provide an exemption from the calculation of coverage for paved non-motorized trails.

The 2012 RPU EIS/EIR evaluated the impacts of this exemption and found the impacts to be less than significant with mitigation provided any such trail project install stormwater retention facilities to ensure water quality is protected. These requirements are codified in Code Section 65.3.

Connections 2050 includes policies to promote safety and active transportation, which includes complete streets projects and sidewalks. Sidewalks are critical infrastructure to achieve the Region's transportation goals and provide low-stress alternative modes of transportation. In addition to providing critical transportation infrastructure, sidewalks are part of a complete street system that includes stormwater facilities to improve water quality. To that end, an amendment to the code of ordinances is included to ensure that sidewalks, as well as non-motorized trails are exempt from the land coverage calculation. This is important to ensure that appropriate transportation facilities are constructed and that Class I paths are not installed in communities and town centers that may be better served by a sidewalk.

This code amendment would allow such an exemption only for sidewalks identified in the Active Transportation Plan (ATP) (previously referred to as the Bicycle and Pedestrian Plan). TRPA estimates that a maximum of 615,120 square feet of coverage could be exempted from coverage calculation to accommodate the potential for sidewalks in the projects identified in the ATP for complete streets and or sidewalk improvements. Given that many of these locations are previously disturbed, within town centers, and existing road rights-of-way, the amount of new coverage would likely be much less than the provided estimate.

As required for paved non-motorized trails, each new sidewalk would be required to mitigate potential water quality impacts by installing stormwater infrastructure and following TRPA Best Management Practices (BMPs). In many cases, the sidewalk would improve water quality by installing stormwater capture and drainage facilities where none existed previously.

2. Employer Trip Reduction Ordinance Update

The TRPA Employer Trip Reduction was added to the Code of Ordinances in 1992, to comply with the Air Quality objectives of the Regional Plan. The current ordinance applies to all employers, with certain requirements for all employers and more stringent requirements for those over 100 employees.

In 2018, TRPA staff developed the “Commute Tahoe” program to more effectively implement the ordinance. This web-based platform includes employer resources and on-line survey tools. To develop an implementation strategy for the program, TRPA convened the Commute Tahoe working group and implemented a pilot program to collect employee survey data from 2020-2023. The working group was comprised of a variety of employers in the region, including Barton Health, Lake Tahoe Community College, the Resort Association, the League to Save Lake Tahoe, City of South Lake Tahoe, and Placer County. The working group recommended changes to the ordinance to focus on large employers and to allow flexibility for each employer to develop site specific measures to achieve regional transportation, sustainability, and air quality objectives. TRPA is proposing to compile the data through the on-line platform and account for regional progress. While all employers continue to be included in regional outreach, the focus of the program will be on employers of over 50 employees, with higher accountability for those employers with 100 or more employees. If adopted, the updated requirements would go into effect in one year, focusing on outreach and education to the largest employers. The primary requirement would be for those employers to submit annual surveys and work with TRPA to develop an effective program.

Section Change Summary and Rationale

Land Coverage Limitations 30.4			
Code Section	Current	Proposed Change	Rationale
30.4.6	Land coverage exemptions refer only to non-motorized trails	Include sidewalks in all references to trails	The intent of the ordinance was to exempt implementation of all new active transportation facilities for both bicycles and pedestrians, including sidewalks. The exemption does not apply to existing facilities.
Bicycle and Pedestrian Facilities 65.3			
Code Section	Current	Proposed Change	Rationale
65.3.2 and 65.3.3	Bicycle and Pedestrian Plan and Map 5 of the Regional Plan	Replace with "Active Transportation Plan".	Replaces outdated references
Development and Community Design Standards for Area Plans 13.5.3			
Table 13.5.3.3-1-Footer (4)	Regional Bicycle and Pedestrian Plan	Replace with "Active Transportation Plan"	Replaces outdated reference
Employee Trip Reduction 65.5			
Code Section	Current	Proposed Change	Rationale
65.5.1 Purpose	References 1992 Regional Transportation Plan Goals and Policies	Replaces with 2012 Regional Plan and 2025 Regional Transportation Plan Goals and Policies	Outdated reference
65.5.1.B Definitions	Definitions included in Chapters 65.5 and 90	Remove and reference Chapter 90 Definitions	Remove redundancy in code
65.5.2. A Program Requirements	Level 1 applies to all employers	Level 1 applies to employers with 50+ employees	TRPA will provide regional TDM education to all employees, while reporting and monitoring program focused on employers with 50+ employees.
	Required posting and distribution of transit schedules/routes, bicycle routes, and rideshare information.	Work Locations that are not served by transit or bicycle and pedestrian infrastructure, or where employees travel between multiple work sites or field locations may be exempt.	TRPA recognizes some worksites are not conducive to application of employee trip reduction ordinance.

		Added requirement to complete annual surveys.	Online survey platform developed by TRPA is accessible to all employers and includes educational resources and survey tools.
	Level 2 applies to employers with 100+ employees	Removed point-based system. Specific measures required as follows: All requirements of Level 1 + <ul style="list-style-type: none"> • Employee transportation coordinator/liaison • Carpool parking • Bicycle parking Bi-Annual program review	Code modified to focus on most effective requirements that can be reported, and monitored through the online employer platform
65.5.4 Plan Review	Requires plan review and approval by TRPA or Transportation Management Association (TMA)	Plan review moved to 65.5.2 requirements section	
65.5.6 Implementation Schedule	Trip Reduction Plan required within 6 months of effective date of ordinance	Plan or survey results required within 1 year of effective date of ordinance	
65.5.7 Compliance Monitoring	TRPA shall conduct random audits of employer transportation plans	Modified to reference requirements for Level 2 employer bi-annual review and clarifies that audits will assess program instead of individual plans.	References requirements for Level 2 employers in addition to random audits to assess effectiveness of program.

Proposed TRPA Code Ordinance Amendments:

Active Transportation Plan and Land Coverage Exemptions for Sidewalks

Section 30.4.6(D)(3) *beings on pg 30-36*

3. Non-Motorized Public Trails

Non-motorized public trails and public sidewalks are exempt from the calculation of land coverage, subject to the following siting and design requirements and limitations.

a. Accessibility

The trail or sidewalk shall be open to the public in perpetuity at no cost, through dedication of a public easement or other means acceptable to TRPA.

b. Trail Route Design

Trail and sidewalk routes shall be designed to minimize disturbance of sensitive lands and removal of large trees and riparian vegetation. Particular areas to minimize disturbance of in the routing of trails or sidewalks are (in order of preference):

- (1) Federal jurisdictional wetlands as mapped by the Army Corps of Engineers;
- (2) Other areas in Land Capability District 1b (Stream Environment Zones);
- (3) Other areas in Land Capability Districts 1 and 2;
- (4) Areas in Land Capability District 3; and
- (5) Areas requiring the removal of trees that are larger than 14 inches DBH.

In designing trail or sidewalk routes, the protection of sensitive areas, trees, and vegetation shall be balanced with consideration of the following:

- (6) ~~Trail~~ Routes shall generally be consistent with trail and sidewalk networks identified in ~~Map 5 of the Regional Plan, "Bicycle and Pedestrian Facilities," the Active Transportation Plan, Regional Transportation Plan,~~ or adopted federal, state, tribal, or local government plans;
- (7) Detours in trail or sidewalk design to protect sensitive resources should avoid significant additions to trail length; and
- (8) Routes shall be designed to promote safety for trail and sidewalk-users ~~(e.g., by minimizing road/driveway crossings and providing buffers between trail users and roadways).~~

c. Trail and Sidewalk Design

In addition to the requirements of the Army Corps of Engineers and other public agencies, trail and sidewalk designs shall comply with the following:

- (1) Trail and sidewalk design shall comply with the AASHTO Guide for the Development of Bicycle Facilities, the AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, or other industry standard design criteria for the appropriate trail and sidewalk type, as determined by TRPA.
- (2) Except for unpaved single-track trails, bridges, boardwalks, and/or other elevated over-stream crossings shall be provided.

- (3) Except for unpaved single-track trails, all trails and sidewalks through SEZ areas shall allow periodic surface flows to pass under the trail and to maintain the natural function of the SEZ lands.
- (4) The trail and sidewalk shall be designed in accordance with the BMP handbook.
- (5) The trail and sidewalk shall be designed to minimize disruptions to or crossings of sensitive wildlife habitat.

4.d. Limit on Exemption

- (1) The maximum amount of allowable exempted coverage for trails and sidewalks under this exemption shall be limited to the trail and sidewalk networks identified in the ~~Lake Tahoe Region Bike Trail and Pedestrian Plan (TMPO 2010 as amended)~~TRPA Active Transportation Plan and or TRPA Regional Transportation Plan, and other necessary trail and sidewalk connections to the trails and sidewalks identified in the Lake Tahoe Region Bike Trail and Pedestrian Plan.

4.e. Existing Trails and Sidewalks Do Not Qualify

Trails constructed prior to January 1, 2013 do not qualify for this coverage exemption.

Sidewalks constructed prior to [DATE 2025] do not qualify for this exemption.

Table 134.5.3-1, table note [4] pg13-3

[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporating the ~~Regional Bike and Pedestrian Plan~~TRPA Active Transportation Plan.

Section 65.3.2

65.3.2. Applicability

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~~TRPA Active Transportation Plan shall be required to grant an easement for the bicycle and pedestrian facilities in any of the following situations listed below:

Section 65.3.3 Standards (B)(1)

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)~~identified in the TRPA Active Transportation Plan shall be located in the public right-of-way, subject to approval from the applicable state transportation department.

**TAHOE REGIONAL PLANNING AGENCY
PROPOSED CODE OF ORDINANCE CHANGE TO SECTION 65.5, APRIL 2025**

(For reference, existing code section 65.5:

[https:// www.trpa.gov/wp-content/uploads/TRPA-Code-of-Ordinances.pdf](https://www.trpa.gov/wp-content/uploads/TRPA-Code-of-Ordinances.pdf))

65.5 EMPLOYER-BASED TRIP REDUCTION PROGRAM

65.51 Purpose

This section implements the 2025 Regional Transportation Plan, Goal 4, Policy 4.3 and 2012 Regional Plan Goal, 1, Policy 1.5.n. The Employer-Based Trip Reduction Program (ETP) set forth in this section is intended to assist in the achievement and maintenance of environmental thresholds for transportation, sustainable communities, air, and water quality.

A. Local Government Standards

Local governments may adopt equal or superior trip reduction programs. TRPA, upon finding the local program is equal or superior to the TRPA Employer-Based Trip Reduction Program as it may affect attainment and maintenance of the thresholds, may exempt employers to such a program from the provisions of this section.

B. Definitions

The terms used in this section can be referenced in the Definitions Chapter 90.

65.52 Program Requirements

The requirements of the Employer-Based Trip Reduction Program are provided below. For seasonal work locations, the Employer Transportation Plan shall be in effect only at such times that the employment level reaches 50 or more employees.

A. Level 1-Employers with common work location of 50 or more employees

Level 1 employers shall encourage ride sharing and use of alternative commute modes by providing the information listed below.

Employers within a common work location with more than 50 employees may be exempted from these requirements if implementation is found to be impractical by TRPA. Work Locations that are not served by transit or bicycle and pedestrian infrastructure, or where employees travel between multiple work sites or field locations may be exempt.

1. Posting, in a conspicuous place, or distributing through means appropriate to the work site, informational material such as:
 - a. Current schedules, rates (including procedures for obtaining transit passes, if applicable), and routes of transit service to the common work location or employment site;
 - b. The location of all pedestrian, bicycle and multi-use path routes that serve the employment site; and
 - c. Posters or flyers encouraging the use of ridesharing and referrals to sources of information concerning ridesharing.
2. Distributing rideshare or vanpool applications to interested employees when service is available.
3. Completing an annual Worksite Survey and Employee Survey that collects data regarding employer provided benefits and incentives, and employee commute patterns and needs. The employer can use the Commute Tahoe survey platform or other survey method approved by TRPA.

B. Level 2- Employers within Common Work Locations with 100 or More Employees

In addition to the requirements of subparagraph 1.65.65.52A, all employers within common work locations with 100 or more employees working at a single project area, shall provide additional encouragement for the use of alternative transportation modes through the provision of the incentives and resources listed below.

Required Transportation Control Measures (TCMs)

Level 2 Employers shall implement the following within one year of effective date of this ordinance:

1. Employee Transportation Coordinator (ETC)

Employers shall facilitate participation of employees in trip reduction programs by designating one or more employees as an employee transportation coordinator or employee liaison. The coordinator can be an existing employee.

a. Responsibilities

The employer's responsibilities shall include:

- i. Implementing the requirements of subparagraph 65.5.2.a;
- ii. Assisting employees and tenants in forming carpools or vanpools and accessing rideshare information;
- iii. Developing, coordinating, and implementing the Employer Transportation Plan, as required under subparagraph x;

b. Submitting annual worksite and employee surveys to TRPA;

- iv. Coordinating the Employer transportation plan with property owners/managers and other tenants, as applicable; and
- v. Participating in the development of a ridesharing program through the TMA or other entity, if available.

2. Employer Transportation Plan

Every Level 2 employer shall prepare an Employer Transportation Plan. In lieu of preparing a plan, the information contained below can be submitted through the surveys on TRPA's online portal, described in section xx above.

3. Bicycle Parking Facilities

Provisions of bicycle parking for the bicycle commuters, the bicycle parking facilities shall be, at a minimum, Class II stationary bike racks.

4. Preferential Carpool/Vanpool Parking

Unless TRPA finds there are overriding considerations specific to the employment site or common work location, parking spaces for four percent of the employees shall be designated as carpool or vanpool parking and shall be, except for handicapped and customer parking, the spaces with the most convenient access to employee entrances. The employer may issue carpool and vanpools stickers and shall be responsible for monitoring the spaces.

5. Reporting Requirement

All ETCs shall meet with the TRPA Transportation Coordinator at least once every two years to review progress of their employee trip reduction programs based on reporting data submitted with the annual transportation surveys.

C. Optional Transportation Control Measures (TCM) Menu

Below is the list of additional optional transportation control measures (TCMs) an employer can implement to achieve vehicle trip reduction. It is at the discretion of the individual employer to choose which measures are best suited to its location, business, employees, and tenants. The data to demonstrate progress to achieve trip reduction shall be collected through the annual surveys and/or an annual report submitted by the employer to TRPA.

1. ETC Education Program

ETC attendance at educational seminars, workshops, or other applicable training program to develop the employee trip reduction program.

2. Carpool Matching Service

A survey or other method to match employees for carpools.

3. ETC Membership in Transportation Management Association (TMA)

To qualify as active participation, the ETC shall attend membership meetings or send a designated representative, pay all required dues, if applicable, and be involved in any other programs that the TMA Board administers.

4. Guaranteed Ride Home Program

The provision, by contract or otherwise, of a guaranteed ride home for employees who rideshare two days or more a week. The guaranteed ride home shall be provided to the ridesharer if any emergency or illness requires that they or their carpool or vanpool driver must leave work early or late.

5. Carpool Program

For obtaining a vehicle and related insurance that is made available to any group of two or more employees for commute purposes. The employer may recover full or partial operating costs from the carpool participants.

6. Vanpool Program

For obtaining a van and related insurance that is made available to any group of seven or more employees for commute purposes. The employer may recover full or partial operating costs from the vanpool participants.

7. Transit Pass Subsidy

For provision, to the employees and tenants, of a monthly transit or rail pass subsidy of 50 percent, or the maximum taxable benefit limit, whichever is greater.

8. Paid Parking

For development of an Employee Parking Management Plan, addressing paid parking, subject to approval by TRPA.

9. Transit Shelter

For provision of a transit shelter on the designated bus route or posting a bond for future construction when the transit route is extended to the employment site. Credit shall be given when the transit shelter is constructed in conformance with city/county regulations and when the employment site is on or adjacent to an existing or planned bus route.

10. Secure Bicycle Parking Facilities

For provision of bicycle parking for at least five percent of the total number of employees. The bicycle parking facilities shall be of the following types:

- a. A Class I bicycle parking facility with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment; or
- b. A fenced or covered area with Class II stationary bike racks and a locked gate.

11. Showers and Lockers

12. Flexible Work Location Outside of Employer's Established Work Location

This option may include, but is not limited to, telecommuting from the employee's home, or the creation of satellite neighborhood offices. Credit shall be given when employees are permitted to telecommute at least one day per week.

13. Flexible Work Hours Outside of Employer's Established Work Schedule

Variable work hours may include but are not limited to: 1) staggered work hours shifting the work hours of all employees to outside of peak hours; and 2) flexible work hours with individually determined work hours within guidelines established by the employer.

14. Compressed Work Weeks

This option requires a management strategy allowing the employee to compress the total number of hours required in a week to fewer days. For example, a typical 40-hour work week could be compressed into four 10-hour days.

15. On-Site Services

This option includes the provision of necessary services on or near the employment site that eliminate the need for a vehicular trip before, during, or after the work day. Services include, but are not limited to, childcare, cafeteria/restaurant, lunchroom, fitness center, dry cleaners, or post office. These services may be provided by the employer through cooperative efforts of employers and service providers, or by other means.

16. Transit System Support

This option requires the provision of financial subsidies or grants to a local transit system, such as system operations, marketing, or donation of capital needs (e.g., new buses).

65.53 Implementation Schedule

Employers subject to this ordinance shall submit an Employer Transportation Plan (ETP) or submit the online surveys within one year of the effective date of this ordinance, or when the employment level reaches 50 or more employees, whichever is later.

65.54 Compliance Monitoring

Employers shall encourage employees to use alternative transportation. In addition to the bi-annual reviews for Level 2 Employers, TRPA shall conduct random audits of all employers subject to this ordinance to evaluate the effectiveness of the program.