

45-DAY NOTICE: PROPOSED OFF-ROAD VEHICLE RULE CHANGE, ELECTRIC BICYCLE REGULATION AND OTHER NOTED CHANGES

BOARD OF DIRECTORS MEETING September 17, 2021



TAHOE DONNERSM



RECOMENDATION

1. Approve the implementation of the proposed rule change to 2.2 Off Road Vehicles
2. Adopt updated e-bike policy (Appendix A)





BACKGROUND

- E-bike use on the TD's trail and fire road system is currently governed by the Off-Road Vehicle Rule.
- Current rule needs to be updated to address and clarify motorized and motor-propelled vehicle use on Association common areas and trail system.
- December-March: Extensive community outreach initiative took place
- March 2021: Board directed staff to prepare rule change language while taking into consideration member outreach and Board of Directors' feedback.
- Draft rule created with legal counsel and interested Trails and Open Space members.
- 45-Day Comment period began July 8, extended through September
- **Approximately 290 comments were received through the feedback form.** Full export of comments included in meeting documents

PROPOSED MODIFICATIONS

2.2 Off-Road Vehicles. *Snowmobiles; off-highway vehicles (e.g., ATV's, UTV's, SXS's); motorcycles; motorized bicycles (i.e. mopeds); Class 2 and 3 electric bicycles; motor-propelled scooters or boards; electric unicycles; and off-road use of any other motor-propelled vehicle is prohibited on Common Areas, and other Association-owned properties, with the following exceptions. First, the Association may use such vehicles in the furtherance of its operations. Second, golf carts are authorized for use on the golf course. Third, Class 1, 2 and Class 3 electric bicycles and motorcycles are allowed in Association parking lots. Fourth, mobility assistive devices for those medically certified as disabled are allowed. Finally, Class 1 electric bicycle usage is authorized on the Association trail and fire road system segments designated and regulated for their use through Association open space and trails policies.*

The California Vehicle Code definitions of any terms used here in, sections 406, 12804.9, 21113, 21207.5, and 24016 of, and to add Sections 312.5 and 21213 as adopted October 7,2015, shall apply to any interpretation of this rule.

Note: Red text signifies new or amended language.

IF APPROVED, WHAT IS THE IMMEDIATE EFFECT?

As noticed to the members, effects of the proposed Off-Road Vehicle Rule on homeowners are to:

- Expand prohibition of off-road vehicles to include utility terrain vehicles (UTV's), side-by-side vehicles (SXS's), motor-propelled scooters/boards and other motor-propelled vehicles
- Authorize Class 1 electric bicycle usage on trails and fire road system **as designated and regulated by future Association open space and trails policies**



ADAPTIVE MANAGEMENT

PARTIAL/LIMITED/RESTRICTED
E-BIKE USE ALLOWED

ROAD AND TRAIL MANAGEMENT CHANGES

Review of comments submitted during the extended 45 day notice period shows membership has a clear desire for improved e-bike management.

Adaptive Management strategies were identified and adopted under the 2013 Trails Master Plan, *“Adaptive Management is a process of making slight adjustments to a system as needed to meet goals and objectives. Tahoe Donner management can utilize an adaptive system by engaging active trail users through a Trail Committee.”*

On 9/1/21 the Director of Land Management and Trail Program Manager met with the newly chartered Trails and Open Space Committee to collaborate on an interim trail management policy (Appendix A). This interim policy is intended to provide for limited e-bike access and extend adaptive management strategies to improve experiences for all trail users. If adopted, this interim policy will provide management direction until Board adoption of the updated Trails and Land Management Master Plan.





ADAPTIVE MANAGEMENT

Benefits of Extending Adaptive Management:

- Improving the quality of individual user's experiences by separating competing use patterns on specific trails and two tracks. Examples, under extended adaptive management, Rawhide will remain equestrian and hiker only, Cinnamon Twist will remain bike and hiker only. Land management may seek opportunities to test hiker only trails?
- Terminating adaptive management without an updated master plan will revert all trails back to multiple use.
- A number of member comments identified concern with concentrating e-bike traffic onto dirt roads / two tracks. Extending Adaptive Management provides management the flexibility to restrict and expand uses in specific areas to potentially minimize user conflict.





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QUESTIONS?



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