NOTICE OF ADOPTED AMENDMENT

08/02/2011

TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Tigard Plan Amendment
          DLCD File Number 002-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, August 18, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Duane Roberts, City of Tigard
    Angela Lazarean, DLCD Urban Planning Specialist
    Anne Debbaut, DLCD Regional Representative
Notice of Adoption

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: City of Tigard
Date of Adoption: 7/26/2011
Date Mailed: 7/28/2011
Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☑ Yes ☐ No Date: 4/29/2011

☑ Comprehensive Plan Text Amendment
☐ Comprehensive Plan Map Amendment
☐ Land Use Regulation Amendment
☐ Zoning Map Amendment
☐ Other: Public Improvement Standards and Transportation System Plan Amendment

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendments to the Tigard Comprehensive Plan Goal 8 - Parks, Recreation, Trails and Open Space; Transportation System Plan, Goal 1 (CPA2011-00003); and Community Development Code, Chapter 18.810 - Street and Utility Improvement Standards (DCA2011-00001) to facilitate the implementation of the Tigard Greenway Trail System Master Plan.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: N/A to: N/A
Zone Map Changed from: N/A to: N/A
Location: Citywide
Specify Density: Previous: N/A New: N/A

Acres Involved: N/A

Applicable statewide planning goals:

Was an Exception Adopted? ☐ YES ☑ NO

DLCD file No. 002-11 (18812) [16725]
Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Metro

Local Contact:  Duane Roberts  
Address:  13125 SW Hall Blvd. 
City: Tigard  
Phone: (503) 718-2444  
Fax Number:  503-718-2748 
E-mail Address:  duane@tigard-or.gov

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated twenty-one (21) days from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit one complete paper copy via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

9. Need More Copies? Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

AN ORDINANCE AMENDING THE TIGARD COMPREHENSIVE PLAN GOAL 8 – PARKS, RECREATION, TRAILS AND OPEN SPACE; TRANSPORTATION SYSTEM PLAN, GOAL 1 (CPA2011-00003); AND COMMUNITY DEVELOPMENT CODE, CHAPTER 18.810 – STREET AND UTILITY IMPROVEMENT STANDARDS (DCA2011-00001) TO FACILITATE THE IMPLEMENTATION OF THE TIGARD GREENWAY TRAIL SYSTEM MASTER PLAN

WHEREAS, Section 18.380.020 of the City of Tigard Community Development Code requires legislative amendments to be undertaken by means of a Type IV procedure, as governed by Section 18.390.060; and

WHEREAS, notice was provided to the Department of Land Conservation and Development 45 days prior to the first scheduled public hearing; and

WHEREAS, the Tigard Planning Commission held a public hearing on June 20, 2011, and recommend approval of the proposed amendments with a 8-0 vote; and

WHEREAS, notice of the public hearing was published in the Tigard Times Newspaper at least ten (10) business days prior to the public hearing; and

WHEREAS, the Tigard City Council finds that amendments to the Comprehensive Plan, Transportation System Plan and Community Development Code are necessary to facilitate and support the completion of the greenway trail system; and

WHEREAS, the Tigard City Council has considered applicable Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; federal or state statutes or regulations found applicable; applicable Metro guidelines; and applicable Comprehensive Plan Policies; plus any applicable provisions of the City implementing ordinances; and

WHEREAS, the City Council has found the following to be the applicable review criteria: Community Development Code Chapters 18.380, 18.390, and 18.810; Comprehensive Plan Policies 1.1.2, 1.2.1-2-3-5-6, 5.1.1-2-7, 8.2.1-2-6, 12.1.3-4, 12.3.11, and 13.1.1; city and Statewide Planning Goals 1, 2, 5, 8, 11, 12, and 13; and Metro Functional Plan, Titles 3 and 13.

WHEREAS, the Tigard City Council held a public hearing on July 26, 2011, to consider the proposed amendments; and

WHEREAS, the Tigard City Council has determined that the proposed development code amendments are consistent with the applicable review criteria, and that approving the request would be in the best interest of the City of Tigard.
NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS follows:

SECTION 1: The attached findings (Exhibit A) are hereby adopted in explanation of the council’s decision and illustrate how the request is consistent with the code criteria and Comprehensive Plan policies, Metro Functional Plan, and Statewide Planning Goals.

SECTION 2: The specific text amendments attached (Exhibit B) to this Ordinance are hereby adopted and approved by the City Council.

SECTION 3: This ordinance shall be effective 30 days after its passage by the council, signature by the Mayor, and posting by the City Recorder.

PASSED: By unanimous vote of all council members present after being read by number and title only, this 26th day of July, 2011.

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 26th day of July, 2011.

Craig Dirksen, Mayor

Approved as to form:

City Attorney

7/26/11

Date

Certified to be a True Copy of Ord. 11-04
Original on File

By: Carol A. Krager
Deputy Recorder - Copy of Tigard

Date: July 27, 2011

ORDINANCE No. 11-
SECTION I. APPLICATION SUMMARY

FILE NAME: GREENWAY TRAILS STANDARDS
FILE NOS.: Comprehensive Plan Amendment (CPA) CPA2011-00003
Development Code Amendment (DCA) DCA2011-00001

PROPOSAL: The applicant (city) proposes amendments to the Comprehensive Plan, Community Development Code, and Transportation System Plan to implement the Greenway Trail System Master Plan. In addition, acceptance of the Greenway Trail System Master Plan and adoption of its Project Priorities List are proposed.

APPLICANT: City of Tigard
13125 SW Hall Blvd.
Tigard, Oregon 97223

APPLICANT'S REP.: Duane Roberts
City of Tigard
13125 SW Hall Blvd.
Tigard, Oregon 97223

LOCATION: Citywide. This is a legislative change.

CURRENT ZONE/ COMP PLAN DESIGNATION: Applies Citywide.

PROPOSED ZONE/ COMP PLAN DESIGNATION: NA

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.380, 18.390; and 18.810 Comprehensive Plan Goals 1, 2, 5, 8, 11, 12, and 13 of the Comprehensive Plan, Metro Functional Plan, Title 3 and 13; and Statewide Planning Goals 1, 2, 5, 8, 11, 12, 13.
SECTION II. STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend to City Council: (1) **APPROVAL** of the proposed Comprehensive Plan, Community Development and, Transportation System Plan Amendments (2) **ACCEPTANCE** of the *Greenway Trail System Master Plan*, and (3) **ADOPTION** of the Prioritized Project List.

SECTION III. BACKGROUND INFORMATION

Proposal Description
The city, as applicant, requests consideration of *Tigard Comprehensive Plan* text amendments to facilitate and support implementation of the *Tigard Greenway Trail System Master Plan* (*GTSMP*). As part of this same application the city requests approval to amend the *Tigard Community Development Code* and the *Tigard Transportation System Plan* to additionally support the development of greenway trails within the city. Secondly, the city requests council acceptance of the *GTSMP*. Thirdly, the city requests adoption of the Project Priorities List included in the *GTSMP*. The greenway trails master plan and its project priorities list are intended to define priorities for the investment of public dollars and set the course for completing the greenway trail system. Any proposed site-specific greenway trail development activities must be approved under a separate application.

Site and Vicinity Information
The proposed changes are legislative and would apply to greenway trail development citywide.

Legislative History
The Comprehensive Plan, Community Development Code, and Transportation System Plans were respectively adopted in 2007, 2009 (updated), and 2011. The proposed changes are not site-specific and are intended to facilitate the development of greenway trails throughout the city.

Background Detail
The development of the city's first-ever *GTSMP* began in July 2010 and was completed in April 2011. Financed by an Oregon Department of Transportation grant, a three-firm consultant team (Kittelson & Associates, Alta Planning + Design, and Mason, Bruce & Girard) gathered information and conducted research for the new master plan. A combined citizens and technical committee worked with and oversaw the work of the consultant team.

The focus of the master plan effort was on practical considerations for improving and completing the trail system, such as possible routes for filling trail gaps and potential improvements to existing trails. The work scope was organized around a long list of trail-specific questions. An example is: “Up and down stream Fanno Creek Trail segments connecting to Tiedeman Avenue are off-set by some 200 feet. In place of the present jog along a busy road, evaluate a potential long term solution that brings the two sides of the trail to a common crossing point.” The answers to this and the many other questions included in the project work scope were intended to provide a better picture of potential alignments, improvement needs, costs, and community priorities.

The *GTSMP* builds on a number of past planning efforts. The greenway trail network was first delineated in 1974 in the *Tigard Area Comprehensive Pedestrian-Bicycle Pathway Plan*, which identified proposed on- and off-street bike/pedestrian facilities. The off-street trails followed the greenway system proposed in the 1971 *Tigard Community Plan*. Tigard’s first park system master plan, adopted in 1987 as the *Tigard Park Plan*, identified a
network of proposed greenway trails within the city as did the updated *Tigard Park System Master Plan* adopted in 1999. The current park system master plan, adopted in 2009, contains the now official map of the greenway trail system, upon which the *GTSMP* is based. The network includes eight trails: Fanno Creek Trail, Tualatin River Trail, the Westside Trail, Washington Square Loop Trail, Summer Creek Trail, Pathfinder-Genesis Trail, Krueger Creek Trail, and the “Tigard Street” Trail (see map attached). The current and earlier greenway trail plans all provide a macro-level analysis of the trails network and a conceptual map of trail alignments. The *GTSMP* builds off the latest parks master plan and provides the micro-level detail and analysis needed to complete the greenway trail system. Put another way, it adds the on-the-ground detail needed to move ahead with building the trails identified in the 2009 *Park System Master Plan*.

By providing a more focused look at the trail portion of the *Park System Master Plan*, the *GTSMP* fulfills Action Measure 8.2.i. of the Tigard Comprehensive Plan: “Complete a trail system master plan to guide the development of the trail system and facilitate progress toward its completion.”

**Summary of Issues:**

- The proposed amendments to the *Comprehensive Plan, Transportation System Plan, and Community Development Code* are necessary to prioritize, program, fund, and construct projects on the Prioritized Recommended Project List.

- The *GTSMP* is recommended for “acceptance” rather than “adoption”, because of the greater flexibility acceptance provides and also because of the city practice of accepting implantation-type plans.

- The Prioritization Project List is recommended for “adoption”, because its formal adoption is necessary for it to serve as the trails component in a methodology study to establish a revised Park System Development Charge (SDC) imposed on new development.

- A point of controversy is that the GTSMP-recommended alignments of portions of four greenway trails are on-street and/or “side paths” located directly adjacent to the street as opposed to inside the greenway itself. In most cases, this is due to the extensiveness of wetlands within the greenway corridor and the prohibitive cost of extending trails through wetland areas. These on-street alignments are intended to be “interim” improvements. Council’s has directed that greenway routes remain the preferred or long term option for all the greenway trails.

- A citizen, Dr. Gene Davis, advocates the Prioritized Project List be revised to include as a high priority the off-street alignment of the Washington Square Loop Trail.

**Proposed Changes**

The proposed plan amendments are as follows:

DELETE: STRIKETHROUGH

ADDITION: UNDERLINE

*CITY OF TIGARD COMPREHENSIVE PLAN* (2009):
Chapter 8: Parks, Recreation, Trails, and Open Spaces
Action Measure 8.1.20.xix

Make parks, trails, and open spaces universally accessible by as many people as possible by adhering to the United States Access Board accessibility guidance and standards, AASHTO design guidance, and Metro trail standards, where possible.
Action Measure 8.2.2.i

Complete a **Update the** trail system master plan **every five years** to guide the development of the trail system and facilitate progress toward its completion.

Action Measure 8.2.2.vi

Where appropriate, furnish trails with amenities, such as interpretive and directional signage, benches, drinking fountains, parking and staging areas, and other services.

Action Measure 8.2.2.viii.

Provide distinctive wayfinding, street signs, and mileage markers along the trail system to increase the visibility, ease of navigation, and user-friendliness of Tigard's bicycle and pedestrian trail system.

Action Measure 8.2.2.ix.

Provide interpretive signage along greenway trails for its educational value and as a means of keeping trail users on the trail to reduce encroachment into greenway natural areas.

CITY OF TIGARD TRANSPORTATION SYSTEM PLAN (2010)

Goal 1: Transportation & Land Use Planning Coordination

Policy 9. The City shall coordinate with private and public developers to provide access for all transportation modes via a safe, efficient, and balanced transportation system.

Policy 8. The City shall require appropriate access to bicycle and pedestrian facilities for all provide bicycle and pedestrian routes to school and other destinations by requiring appropriate bicycle and pedestrian facilities such as sidewalks, trails, and on-street bicycle routes to schools, parks, public facilities, and commercial areas.

CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (2010)

18.810.C.2 Minimum width.

2. The minimum width for multi-use paths separated from the road and classified as Regional or Community Trails in the Greenway Trail System Master Plan is ten (10) feet. The width may be reduced to eight (8) feet if there are environmental or other constraints.

3. The minimum width for pedestrian only off-street paths classified as Neighborhood Trails, according to the Greenway Trail System Master Plan is five (5) three (3) feet.

SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS

TIGARD DEVELOPMENT CODE CHAPTERS 18.380 and 18.390:

Chapter 18.380 states that legislative text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

18.380.020 Legislative Amendments to this Title and Map

A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

The proposal involves five Comprehensive Plan Action Measure amendments, two Transportation System Plan policy amendments, and two Community Development Code amendments. Therefore, the Planning Commission shall make a recommendation to Council regarding the proposed comprehensive and
transportation plan and development code amendments.

As defined in its charter (Tigard Municipal Code 2.08.10), the Planning Commission also shall make a recommendation to council regarding acceptance of the master plan document as a whole and adoption of its Project Priorities List. These constitute separate, non-legislative actions.

18.390.060 Type IV Procedure
A. Pre-Application conference. A pre-application conference is required for all Type IV actions.
B. Timing of requests. The Director shall receive proposed Type IV actions twice yearly. A completed application shall be submitted not more than 75 days and not less than 45 days before the first commission meeting in April and October. The Director may waive any of the above periods.
C. Application requirements.
   1. Application forms. Type IV applications shall be made on forms provided by the Director as provided by Section 18.390.080.E.1.
   2. Submittal information. The application shall:
      a. Contain the information requested on the form;
      b. Address the appropriate criteria in sufficient detail for review and action;
      c. Be accompanied by the required fee; and
   D. Notice of hearing.

A pre-application conference was not held because the request is city-initiated. The twice yearly acceptance condition is waived by the Director, Ron Bunch. All other conditions are followed, with the exception of the standard fee, which does not apply in the case of city-sponsored applications.

All of the notice-related process, procedure, and timeline conditions also have been met. Documentation of the required notices is included in the project file. Forty-five day advance notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on May 2, 2011, more than 45 days prior to the first scheduled public hearing on June 20, 2011, as required. In addition, the Tigard Development Code (TCD) and Comprehensive Plan have been acknowledged by DLCD. Below are the applicable Statewide Planning Goals that are applicable to this proposal:

Chapter 18.390.060G states that the recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;
2. Any federal or state statutes or regulations found applicable;
   No federal statutes are applicable. Applicable state and regional statutes are addressed below.

APPLICABLE COMPREHENSIVE PLAN POLICIES

The city has an acknowledged Comprehensive Plan consistent with the statewide planning goals. Therefore, consistency with the applicable Comprehensive Plan goals and policies as addressed in this section of the staff report constitute consistency with the applicable statewide planning goals.
CITIZEN INVOLVEMENT

Goal 1.1 Provide citizens, affected agencies and other jurisdictions the opportunity to participate in all phases of the planning process.

Policy 1.12 The City shall define and publicize an appropriate role for citizens in each phase of the land use planning process.

Goal 1.2 Ensure all citizens have access to:

A. opportunities to communicate directly to the City; and
B. information on issues in an understandable form.

Policy 1. The City shall ensure pertinent information is readily accessible to the community and presented in such a manner that even technical information is easy to understand.

Policy 2. The City shall utilize such communication methods as mailings, posters, newsletters, the internet, and any other available media to promote citizen involvement and continue to evaluate the effectiveness of methods used.

Policy 3. The City shall establish special citizen advisory boards and committees to provide input to the City Council, Planning Commission, and City itself.

Policy 5 The opportunities for citizen involvement provided by the City shall be appropriate to the scale of the planning effort and shall involve a broad cross-section of the community.

A nine-member citizen advisory group oversaw the development of the GTSMP. The committee members brought diverse experiences, ideas, and perspectives to their work on the committee. They represented a variety of different community-based organizations and groups: the Parks and Recreation Board, the Tualatin Riverkeepers, Trail Count/Survey volunteers, and former Neighborhood Trail Study Citizen Advisory Committee members. A separate technical advisory committee, which met jointly with the citizen advisory committee, was composed of a member of the Bike-Pedestrian Subcommittee of the Transportation Advisory Committee, the Tigard-Tualatin School District, a trail advocate and former chair of the Tualatin Hills Park and Recreation District Trails Committee, and a Metro trail planner.

In addition to the citizen steering committee, development of the master plan included several other public involvement opportunities. All of the reports and documents produced in conjunction with the development of the master plan, including the master plan itself, were available on a project web page, www.tigardgreenways.com. During the master plan's preparation, the website was interactive, and included comment and map marking features. Other public involvement activities included a city-conducted survey of people living within a quarter mile, or walking distance, of the city's "community" level trails: Summer Creek, Pathfinder-Genesis, and Krueger. These are defined as trails that begin and end inside the city and are distinguished from "regional" trails that extend beyond the city. The three are in various stages of development, with the Krueger Creek Trail being the least and the Pathfinder-Genesis Trail the most developed. Some 1,500 of the 5,000 residents who are, or would be, most served by these trails were sent trail-specific survey questionnaires. The purpose was to determine the level of neighborhood interest in, and support for, trail improvements. The data collected on neighborhood attitudes and preferences was used to help set priorities for in-filling and improving segments of these trails.

As another engagement activity, two open houses took place in January 2011, one at the library and one at
the Bonita Villa Apartments. The goal of each was to present maps of possible routes for filling trail gaps and to discuss people’s concerns about the trail system. An estimated 45 people attended the first open house. They provided a wide variety of comments, most supportive of closing trail gaps and finishing the trail system. In addition, many attendees expressed opposition to the extension of a trail through the Summer Creek greenway for environmental, safety, and privacy reasons.

In the interest of inclusion, the second open house was bilingual, and was aimed at Spanish-speaking residents. Latinos are the largest and fastest growing cultural group in the city and account for 50% of county-wide population growth. According to the Statewide Recreation Plan, walking for pleasure is the most popular outdoor recreation activity among Latinos. This open house drew some 25 people. The proposed Brown segment of the Fanno Creek Trail elicited the most comments. This segment connects to the northern end of Milton Court and will provide a short cut to the library and downtown area for the residents of the concentration of apartments located along Bonita Road and surrounding single family residences. At the same time, this segment will travel through a somewhat isolated area, where some homeless people now camp, and safety is a major concern.

The annual Neighborhood Network Open House held in February 2011 included a GTSMP table manned by city staff. Maps and copies of various handouts and informational materials related to the master plan effort were provided. Among the open house attendees, some 15 or so stopped by to ask questions and made comments and suggestions regarding the trail system.

News stories regarding the development of the master plan have appeared on the city webpage, in the Tigard Cityscape, and in the Oregonian Newspaper. E-copies of the draft and final GTSMP have been available on the project website and display copies have been available in the Tigard Public Library and at the front counter of the Tigard Permit Center.

All the proposed code amendments were included in the Implementation Chapter of the GTSMP and were part of the series of work scope tasks leading to the completion of the draft plan and constituted the culmination of the planning effort.

Policy 6. The City shall provide opportunities for citizens to communicate to Council, boards and commissions, and staff regarding issues that concern them.

The city mailed notice of the Planning Commission hearing to potentially interested parties and agencies and published notice of the hearing pursuant to TDC 18.390.060. These parties have the opportunity to attend the Planning Commission hearing and provide testimony.

FINDING: Given the extent of public involvement activities and the applicant’s documented participation, together with the published notice of the hearing pursuant to TDC 18.390.060 for Type IV Procedures, this application is consistent with applicable Citizen Involvement policies, which call for a cross section of affected citizens to be involved in all phases of the planning process and to be provided technical information and mechanisms for two-way communication, along with adequate time allotted for citizen and agency review and comment and refinement of the master plan and proposed implementation measures.

Goal 2.1 Maintain a up-to-date Comprehensive Plan, implementing regulations and action plans as the legislative foundations of Tigard’s land use planning process.
As already noted, the City of Tigard has a state-acknowledged land use planning process consistent with
Goal 2. E-copies of the proposed amendments, GTSMP, and Project Priorities List are available on the city webpage under the Public Notices link. Paper copies are available at the Permit Center front counter and in the Tigard Public Library. The proposed amendments to the Comprehensive Plan, Community Development Code, and Transportation System Plan are an outgrowth of the trails master plan, which was developed over an eleven-month period.

Goal 5.1 Protect natural resources and the environment and ecological functions they provide and, to the extent feasible, restore natural resources to create naturally functioning systems and high levels of biodiversity.

Most of the greenways are located within the hundred year floodplain. In general, the typical environmental consequences of allowing a trail to disturb a floodplain or natural resource site is related to the incremental loss of wildlife habitat as well as degradation of other natural area functions and values. Placement of fill for a trail will eliminate native vegetation. Even without fill, a trail will generate significant levels of human activity and will degrade natural area habitat values. Examples of these disturbing uses include wildlife harassment by unleashed dogs and off trail uses. Illegal trash dumping and littering also occurs along trails. Trash can pollute water, harm wildlife and provide a seed source for non-native intrusive plants. Restricting a trail would keep human activity to a minimum. To a greater or lesser extent these typical human impacts apply to the development of the greenway trails described in the Greenway Trail System Master Plan. They also apply to the proposed comprehensive, transportation system plan, and community development code amendments, which are intended to encourage and support trail development and the completion of the greenway trail network.

On the other hand, the potential impact to riparian vegetation by greenway trails is very limited and one of the values of the greenway system is to provide transportation, recreations, aesthetic, and educational opportunities for people. Urban areas like Tigard offer a unique ability to allow many people to come into contact with nature. By allowing people to experience the habitat areas, they have a chance to learn about their value and appreciate preserving them. This will increase the number of people that would support protecting more lands like these - both in urban and highly valuable rural areas. If people are excluded from natural open spaces in urban areas, they are more likely to not understand or value protecting natural areas in our rural forests. Greenway trails provide an opportunity to increase awareness of nature and appreciation for its value.

Policy 5.1.1 The City shall protect and, to the extent feasible, restore natural resources in a variety of methods to:

A. Contribute to the City's scenic quality and its unique sense of place;
B. Provide educational opportunities, recreational opportunities, and buffering between differential land uses.
C. Maximize natural resource functions and services including fish and wildlife habitat and water quality; and
D. Result in healthy and naturally functioning systems containing a high level of biodiversity.

Policy 5.1.2 The City shall demonstrate leadership in natural resource projection through the use of sustainable building practices and low impact development strategies, to the extent feasible, on all City projects.

Policy 5.1.7 The City shall protect and restore riparian and upland habitats to the maximum extent feasible on public and private land.

These policies overlap with Policy 8.2.2, which states that “the city shall design and build greenway trails and paths to minimize their impact on the environment . . .” and are addressed in that section of the staff
report. Any proposed site-specific greenway trail development activities must be approved under a separate application and will be required to meet application standards.

**Goal 8.2** Create a Citywide network of interconnected on- and off-road pedestrian and bicycle trails.

The development of the **GTSMP** is intended to fulfill this goal.

**Policy 8.2.1** The City shall create an interconnected regional and local system of on- and off-road trails and paths that link together neighborhoods, parks, open spaces, major urban activity centers, and regional recreation opportunities utilizing both public properties and easements on provide property.

**Policy 8.2.2** The City shall design and build greenway trails and paths to minimize their impact on the environment, including on wildlife corridors and on rare, and state or federally species.

**Action Measure i.** Complete a trail system master plan to guide the development of the trail system and facilitate progress toward its completion.

In the case of privately-owned floodplain, the developer is required by 18.774.070.B.4 to provide an easement for trail as a condition of development approval. Under 18.775.070.B.4, a land form alteration or development plan must include a pedestrian/bicycle pathway in accordance with the adopted pedestrian/bicycle pathway plan, unless the construction of said pathway is deemed by the Hearings Officer as untimely.

Self-evidently, the master plan, priorities list, and code changes implement 8.2.1 and Action Measure 8.2.2.i. Relative to Policy 8.2.2, environmental impact was one of the seven criteria used in the master plan to evaluate and prioritize alignment options. The other six were connectivity, safety and security, user experience, topographic constraints, cost, and right-of-way ownership.

Since conflicts are inevitable in a highly developed area like Tigard, exactly how was environmental-friendliness incorporated into the development of the GTSMP? First, to ensure the trail segments under consideration were routed and designed to be sensitive to the natural environment, an environmental consultant (Mason, Bruce & Girard) was included on the project team. This consultant provided an assessment of the potential environmental impacts of the alignment options under consideration for filling trail gaps. The consultant also looked at conformity with environmental permitting and regulations. The reason for the emphasis on minimizing conflicts and consistency with regulations is that the Tigard greenway corridors contain the city’s major streams, along with most of its wetlands and wildlife habitat. The end result is that, in some cases, where environmental impacts and construction costs are high, the **GTSMP** identifies on-street trail segments as the preferred route. In other cases, elevated boardwalk is recommended as an alternative to filling wetlands. In addition, a proposed code amend reduces so-called Neighborhood, or local access, trail width from 5 to 3 feet and is intended to minimize impact in natural areas.

Although it can detrimental, at the same time trail development can provide an opportunity to create or enhance wildlife habitat. This is especially true in the many areas where the greenway is in poor or degraded condition. In these cases, the net effect of a trail project and associated restoration activities, including vegetated corridor area, can be to improve the overall biological condition of the greenway area. Proposed Action Measure 8.2.2.ix furthers this goal by including interpretive signage, which serves an educational purpose, but also minimizes impacts.
Any proposed site-specific greenway trail development activities must be approved under a separate application and meet applicable city goals and policies regarding the environment.

**Action Measure iii. Develop trail standards for the many trail systems, sizes, and materials needed to in different settings.**

The GTSMP contains a classification system and associated design standards for different types of trails. The three basic design types include Neighborhood, Community, and Regional Trails, with Neighborhood Trails further divided into Urban and Natural Trails. The classification system and associated standards will be incorporated into the Engineering Department’s *Public Improvement Design Standards* manual.

11 Public Facilities and Services

**Goal 11.4 Maintain adequate public facilities and services to meet the health, safety, education, and leisure needs of all Tigard residents.**

**Policy 11.4.2 The City shall continue to develop and maintain a Capital Improvement Plan to help provide for the orderly provision of public facilities and services.**

The master plan as a whole; the proposed comprehensive plan, transportation system plan, and development code amendments; and the project priorities list contribute to the public facilities and services to meet the leisure needs of all residents. The greenway trails system is intended to be multi-modal and accessible to all ages and types of users. The Project Priorities List identifies improvements needs relative to the orderly provision of trails and the implementation of the greenway trail system.

**Goal 12 Transportation**

**Policy 12.1.3: The City shall maintain and enhance transportation functionality by emphasizing multi-modal travel options for all types of land uses.**

**Policy 12.1.4: The City shall promote land uses and transportation investments that promote balanced transportation options.**

Trails function as an alternative to other transportation facilities. The master plan and the proposed amendments are intended to facilitate progress toward the completion of the greenway trail network.

**FINDING:** The proposed amendments will have no effect because the proposed changes increase capacity through the provision of alternative facilities.

**Policy 12.3.11** The City shall require and/or facilitate the construction of off-street trails to develop pedestrian and bicycle connections that cannot be provided by a street.

**Action Measure viii. Develop bicycle routes that connect neighborhoods, schools, parks, recreation users, and activity centers.**

By definition, the greenway trail plan provides off-street connections for moving around the city. The amendments proposed are intended to support and encourage the development of the trail network.

The trails master plan focuses on completing the greenway system identified in the parks system concept plan. The master plan does not provide access to trails for all areas across the city equally. Instead, it
leaves many areas under-served. In particular, no trails are shown on the master plan map for the Tigard Triangle, the area south of Gaarde Street/McDonald and north of Durham Road, and areas northeast of Highway 217.

The main constraint to the feasibility of an ideal system, serving all areas of the city, is existing development. Any new trails would need to be retrofitted within areas that are approaching build-out. Unlike park sites, which can be assembled by buying land from one or two owners, trails extend through lineal corridors and cross multiple properties and, therefore, require dealing with a large number of landowners. Self-evidently, it is past time where there is a blank canvas of raw, undeveloped land with which to work. In addition to access to nature, the advantage and rationale of the established greenway trail system is that most of the trails extend through the 100-year flood plain, which is otherwise protected from development and provides the most opportunities for trails.

Completion of the greenway trail is one but not the sole means for meeting 12.3.11. Development is another means, as is highlighted in the policy.

**Goal 13 Energy Conservation**

**Policy 13.1 Reduce energy consumption**

**Policy 13.1.1 The City shall promote the reduction of energy consumption associated with vehicle miles traveled through.**

C. bicycle and pedestrian infrastructure that is safe and well connected

The energy consequences of off-street trails are overwhelmingly positive. They include reduced oil consumption and reduced reliance on energy inefficient automobiles. The projects recommended for construction will complete key links in the city and regional bicycle circulation systems. It will encourage bicycle commuting and bicycle use for recreational purposes by providing connections to neighborhood destinations and commercial and industrial land uses. As future trail extensions and neighborhood connections are completed, the trail system will further help reduce air pollution and reliance on the automobile.

FINDING: As shown in the analysis above, the applicable land use goals and policies have been met. The Planning Commission could recommend and the City Council could approve the three proposed actions. In keeping with the PRAB recommendation, the Planning Commission also could recommend and the city approve a mini-study focusing on the feasibility of any missed opportunities, if it determines through the hearing process that it would be appropriate to do so. Specifically, the range of decision-making options available are:

- With regard to the proposed amendments, the Planning Commission recommendation to council may be for denial, approval, or approval with conditions.
- With regard to the acceptance of the GTSMP, the Planning Commission recommendation to council may be for denial, approval, or approval with conditions.
- With regard to the proposed Prioritized Project List, the Planning Commission recommendation to council may be for denial, approval, or approval with
TRANSPORTATION SYSTEM PLAN POLICIES

GOAL 1 – LAND USE & TRANSPORTATION COORDINATION
Develop mutually supportive land use and transportation plans to enhance the livability of the community.

Policies
2. The City shall maintain and enhance transportation functionality by emphasizing multimodal travel options for all types of land uses.
3. The City shall promote land uses and transportation investments that promote balanced transportation options.
6. The City shall strive to protect the natural environment from impacts derived from transportation facilities.

Very clearly, the GTSMP and its proposed project list and implementing amendments carry out the Transportation System Plan goals and policies related to enhancing community livability. Greenway trails add to multimodal travel options and to the promotion of balanced transportation. Natural environment protection relative to the GTSMP was described in Goal 8.2.2.

METRO FUNCTIONAL PLAN

Title 3. Water Quality, Flood Control Management and Fish and Wildlife Conservation
3.07.310 Intent
To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities, protecting life and property from dangers associated with flooding and working toward a regional coordination program of protection for Fish and Wildlife Habitat Areas.

3.07.320 Applicability
A. This Title applies to:
1. Development in Water Quality Resource and Flood Management Areas.
2. Development which may cause temporary or permanent erosion on any property within the Metro Boundary. 3. Development in Fish and Wildlife Habitat Conservation Areas when Metro’s section 3.07.350 analysis and mapping are completed.

Tigard amended its comprehensive plan and development code to comply with this title. In Washington County the Title 3 protection measures are implemented through incorporation into the Clean Water Services (CWS) Design and Construction Standards, which all the jurisdictions within the CWS district are required to follow. The key provision related to water quality protection was the imposition of vegetated corridors around streams and wetlands.

The proposed comprehensive plan, TSP, and development code amendments do not conflict with Title 3 or interfere with the city's certified compliance with Title 3. Additionally, all land use applications for trail development will continue to be required to comply with the CWS Design and Construction standards as part of the city development review process and must be approved under a separate application.

Title 13: Nature in Neighborhoods
Nature in Neighborhoods of the Urban Growth Management Functional Plan (Functional Plan) was created to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the stream’s headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region. In essence, Title 13 was meant to achieve its intended purpose through the conservation, protection and appropriate restoration of riparian and upland fish and wildlife habitat.

The jurisdictions of the Tualatin Basin Natural Resources, including Tigard, substantially complied with the Title 13 protection program in 2007. The City of Tigard is in compliance with Title 13 by virtue of having adopted Habitat Conservation Areas, Protection Measures and Habitat Friendly Code Revisions. The proposed comprehensive plan, Transportation System Plan, and development code amendments do not conflict with Title 13 or interfere with the city’s certified compliance with Title 13. Additionally, all land use applications for trail development will continue to be required to comply with the CWS Design and Construction Standards as part of the city development review process must be approved under a separate application.

SECTION V. ADDITIONAL CITY STAFF AND OUTSIDE AGENCY COMMENTS

The City Arborist, the City of Tigard’s Public Works Department, and the Tigard Police Department reviewed the proposal and had no objection.

Oregon Department of Transportation (ODOT) has reviewed the proposal and provided no comments. Important to note is that the agency through its Transportation Management Growth Program provided a grant to finance the hiring of consultants to carry out the work of developing the Greenway Trail System Master Plan. According to the intergovernmental agreement for this grant, preparation of the GTSMP “sets the stage for city adoption of the amendments into the city Transportation System Plan, Community Development Code, Public Improvement Typical Sections, and Capital Improvement Plan.” Consequently, adoption of the proposed amendments thus will help fulfill the intent of the grant.

The Tigard Park and Recreation Board (PRAB) on 5/9/11 considered the plan on 5/9/11. According to the meeting minutes, Brian Davies made a motion to recommend the acceptance of the Greenway Trails Master Plan with further study to underserved areas, including the greenway alignment of the Washington Square trail. Hong Dao seconded the motion. The motion was approved by unanimous vote of the board members present, with Troy Mears, Peggy Faber, Marshall Henry and Gordon Kunkle voting yes.

Hong Dao made a motion to recommend adoption of the prioritized project list. Marshall Henry seconded the motion. The motion was approved by unanimous vote of the board members present, with Troy Mears, Peggy Faber, Brian Davies and Gordon Kunkle voting yes.
The City's Long Range Planning Division, Engineering Division, Building Division, Oregon Department of Land Conservation and Development, Tualatin Valley Fire & Rescue, and Metro Land Use and Planning were mailed a copy of the proposal but provided no comments.

SECTION VI. CITIZEN COMMENTS

Dr. Gene Davis sent an e-mail regarding the Project Priorities List. [Exhibit A]

Dear Duane, Planning Commission and Mayor,

I am sending you by attachment pictures you (Duane) had sent me after our field trip where we walked from Fanno Creek on SW North Dakota along Ash Creek to Hall Blvd about a mile. I came to the Parks and Recreation Advisory meeting on May 9th to fulfill the requirement in this email for the purpose of requesting this trail alignment to be moved onto the project priority list. I am writing this letter to the planning commission with the same request. Is it necessary for me to show up tonight and make a presentation and this request in person or are these pictures and this letter adequate?

It should be noted on picture #11, where we are walking through one of the 12ft x 9ft culverts under Highway 217 that we are walking on a ledge of sediment 2ft or so from the floor of the culvert. The other side had no water in it at all because there are 2 side by side culverts and I believe ODOT is committed to clean these as soon as they are convinced that down stream velocity has been achieved, which will prevent the redeposit of the sediment. We anticipate achieving that goal and maybe already have. You might check with Ronald Kroop ronald.h.kroop@state.or.us of ODOT. In any event this letter is for the purpose of requesting the trail alignment to be on the priority list and we are working on solving whatever problems exist in the hopes this trail alignment becomes a reality in the next year or two. Please do not exclude it from the 5 year plan.

Thank you very much,

Dr. Gene Davis

10875 SW 89th Avenue
Tigard, Oregon-97223

STAFF RESPONSE: Dr. Davis' request that the Project Priorities list be revised to include all or a portion of the Washington Square Loop Trail comes after the completion of the master plan and shortly before the approval of the Project Priorities List by the PRAB. Many of the questions he has raised here and elsewhere about the proposed on-street alignment of the Washington Square Loop Trail relate to a 2007 preliminary engineering study of the loop route. They include the use of the existing culvert as a trail undercrossing of Hwy 217.

The Planning Commission recommended acceptance of the GTSMP and adoption of the Project Priorities List, with the qualification the city undertake a follow-up or mini-study of any potential overlooked opportunities for greenway trails. PRAB's reason for this recommendation is that the greenway trail system does not serve all areas of the city equally and some areas, such as the Tigard Triangle area, are left under-served by the existing network. The PRAB recommended Dr. Davis' questions regarding the Loop Trail be folded into and addressed as part of this proposed follow-up study.

Given the PRAB recommendation, Staff concludes the proposed mini-study would be the appropriate vehicle to address the question of whether the Project Priorities List should be revised to include additional projects, if any, including an off-street alignment for any portion of the Washington Square Loop Trail.
Another reason for re-addressing the alignment of the Tigard portion of the Washington Square Loop Trail is the fact that the Hall/217 segment of the Washington Square Loop Trail is listed on the 2010 TSP Financially Constrained, Multi-Modal project list. The financially constrained project list includes those considered “reasonably likely” to be constructed within the 25-year planning horizon based on all anticipated transportation revenue sources. Its listing in the TSP was influenced by its inclusion in the Regional Transportation System Plan.

At this time, staff does not support changes to the Project Priorities List that would be contrary to the consultant and Stakeholder Advisory Committee recommendations for on-street trail alignments of the two sections (Fanno/Hwy 217 and Hwv 217/Hall) of the loop trail. The GT3MP was subject to extensive public review and the Project Priorities List was approved by a unanimous vote of the GT3MP stakeholder advisory committee. The PRAB-recommended follow-up study recognizes Dr. Davis concerns, the TSP listing, and, as mentioned, would provide an appropriate opportunity to address the alignment issue more comprehensively than the public hearing process.

SECTION VI. STAFF ANALYSIS, CONCLUSION, AND RECOMMENDATION ANALYSIS:

Greenway Trail System Master Plan
The GT3MP provides a better picture of potential alignments, improvement needs, costs, and community priorities and fulfills Action Measure 8.2.i. of the Tigard Comprehensive Plan: “Complete a trail system master plan to guide the development of the trail system and facilitate progress toward its completion.”

The proposed Comprehensive Plan and Transportation System Plan amendments are an outgrowth of the master plan development process and support the development and user-friendliness of greenway trails. The proposed action measure amendments more explicitly reference accessibility guidance and standards as a means to increase universal accessibility. The proposal to update the master plan every five years is important and necessary because conditions and circumstances change over time, and the master plan may need to be refined to reflect these changes. A recent example is the passage of the 2010 bond measure, which, in addition to land acquisition, provides a new funding source for trails. Wayfinding, street signs, and mileage markers are important and necessary to the trail user experience and merit a separate action measure to emphasize this importance.

The addition of interpretive signs, which are lacking in the existing network, as a Comprehensive Plan Action Measure is necessary not only because such signs serve an educational purpose, but also because they are, according to all reports, much more effective in keeping trail users from wandering off the trail and into sensitive areas than “keep out-” or “no trespassing”-type signs. They also will help the city to carry out its goals related to the use of a variety of methods to minimize the impact of trails on the environment.

The proposed amendments to the Transportation System Plan bolster the policy basis for trails and emphasize the role of trails as a transportation mode and in providing safe routes to schools and other destinations.

The proposed Community Development Code changes add a reference to the GT3MP and are intended to provide consistency with its new three-level (Regional, Community, and Neighborhood) trail classification system. The change in the width standard (for lower classification trails) from 5 to 3 feet is intended, not to dilute the old standard, but to allow advantage to be taken of opportunities for short,
narrow trails where the available corridor or right-of-way may be only 3 feet wide and/or where a trail crosses an environmentally sensitive area.

The Project Priorities List is important and necessary because, to date, trails have been built on a piecemeal basis. The GTSMP provides a more strategic approach to building the trail system. Many of the identified projects (14 of the 19) are along regional trails. Closing the trail gaps on these trails, such as the (nearly complete) Fanno Creek Trail, would result in greater connectivity and opportunities for longer trail trips. Trails serve both recreational and transportation needs, and most of the regional trails extend or connect to other trails beyond the city limits. Longer trails connect more neighborhoods to transit, schools, shopping, and employment areas, which benefits those facilities and areas as well as trail users. The proposed 2013 extension of the Westside Trail to the Tigard city limits by the Tualatin Hills Recreation District is an example of an opportunity to increase connectivity for longer trips to and from the underserved Bull Mountain area. The Prioritization Project List is recommended for “adoption”, because formal adoption legally is necessary for its proposed use as the trails component in a forthcoming methodology study to establish a revised Park System Development Charge imposed on new development.

During their April 2011 work session with the consultant team, council directed that greenway routes should continue to be the preferred or long term option for all greenway trails on the mapped system. This includes the Hwy. 217/Hall segment of the Washington Square Loop and other greenways where on-street or side-street alignments are the GTSMP-recommended option. These alignments are so identified in the GTSMP, but are not assigned 1, 2, or 3 priorities at this time. Council's intent is to make clear that, although not feasible at present, a greenway route remains a long term option for all the trails depicted in the adopted greenway trail conceptual plan.

SECTION VII. CONCLUSION

Based on the foregoing findings and analysis, staff finds that the proposed Comprehensive Plan, Transportation System Plan, and Development Code Amendments are consistent with applicable provisions of the Tigard Comprehensive Plan, Metro Regional Functional Plan, Statewide Planning Goals, and the Tigard Development Code (18.380). Staff further finds the GTSMP is consistent with applicable goals in the above-mentioned plans, and the Project Priorities list reflects the analysis of the GTSMP and the needs of the greenway trail system as a transportation facility.

Staff further finds the GTSMP fulfills Action Measure 8.2.i. of the Tigard Comprehensive Plan: “Complete a trail system master plan to guide the development of the trail system and facilitate progress toward its completion.”

SECTION VIII. RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the proposed Comprehensive Plan amendments and zone changes to City Council, acceptance of the GTSMP, and approval of the Project Priorities List.
Exhibit:
1. Photographs submitted by Dr. Gene Davis.
PROPOSED AMENDMENTS TO THE TIGARD COMPREHENSIVE PLAN, TRANSPORTATION SYSTEM PLAN AND COMMUNITY DEVELOPMENT CODE

DELETE: STRIKETHROUGH
ADDITION: UNDERLINE

CITY OF TIGARD COMPREHENSIVE PLAN (2009):
Chapter 8: Parks, Recreation, Trails, and Open Spaces
Action Measure 8.1.20.xix
Make parks, trails, and open spaces universally accessible by as many people as possible by adhering to the United States Access Board accessibility guidance and standards, AASHTO design guidance and Metro trail standards, where possible.

Action Measure 8.2.2.i
Complete a Update the trail system master plan every five years to guide the development of the trail system and facilitate progress toward its completion.

Action Measure 8.2.2.vi
Where appropriate, furnish trails with amenities, such as interpretive and directional signage, benches, drinking fountains, parking and staging areas and other services.

Action Measure 8.2.2.viii.
Provide distinctive wayfinding, street signs and mileage markers along the trail system to increase the visibility, ease of navigation and user-friendliness of Tigard’s bicycle and pedestrian trail system.

Action Measure 8.2.2.ix.
Provide interpretive signage along greenway trails for its educational value and as a means of keeping trail users on the trail to reduce encroachment into greenway natural areas.

CITY OF TIGARD TRANSPORTATION SYSTEM PLAN (2010)
Goal 1: Transportation & Land Use Planning Coordination
Policy 9. The City shall coordinate with private and public developers to provide access for all transportation modes via a safe, efficient and balanced transportation system.

Policy 8. The City shall require appropriate access to bicycle and pedestrian facilities for all provide bicycle and pedestrian routes to school and other destinations by requiring appropriate bicycle and pedestrian facilities such as sidewalks, trails and on-street bicycle routes to schools, parks, public facilities and commercial areas.

CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (2010)
18.810.C.2 Minimum width.
2. The minimum width for multi-use paths separated from the road and classified as Regional or Community Trails in the Greenway Trail System Master Plan is ten (10) feet. The width may be reduced to eight (8) feet if there are environmental or other constraints.
3. The minimum width for pedestrian only off-street paths classified as Neighborhood Trails, according to the Greenway Trail System Master Plan is five (5) three (3) feet.