

Trails Public Involvement outreach

Trails are important to communities as places to exercise, to provide safer paths to work and transit, and establish safe routes to schools. When construction is taken on by a non-profit organization, they can also provide immunity for adjacent owners when the public rights of way are used for the purpose for which they were dedicated, that is, places for people to walk even if there is no roadway improvement on the site.

The public involvement outreach by PBOT involved 8000 postcards to owners of lands adjacent to unimproved rights of way. These cards focused upon possible use of these rights of way for a trail. The notice did not highlight the major change, which was the provision of immunity these owners would receive were appropriate trails constructed. These focused postcards advising of the new policy development did not reach out individually to the whole community of users, who would benefit from improved trail connectivity. These users often include members of racially, physically, and economic communities that comprise the trail users. For example, a key trail currently under development in SW Portland along the SW 25th corridor between Stephens Crossing and Robert Gray Middle School provides needed service not otherwise available to low income and minority families.

PBOT has failed in their outreach program and its efforts to meet city equity goals. The public involvement for this proposal was slanted heavily to the property owners adjacent to the unimproved lands, and not on the intended users of the trails whose diversity is more representative of the city as a whole than is the diversity of the property owners. This public involvement approach also slanted the feedback received by PBOT on their proposal, with the primary commenters being adjacent property owners.

Purpose of Trails Policy

The Purpose of the City Trails Policy should be changed, from the above de-facto focus upon the affect the policy may have upon owners of lands next to unbuilt rights of way, to the need for Portland to build out trails on their underused lands to the benefit of all Portlanders. In a perfect city, there would be no unused rights of way as streets and sidewalks would have been constructed in those locations. We continue to have connectivity needs, but do not have the public funding to bring those projects to fruition. Trails, built by nonprofit organizations, is the way these city connections can be most effectively provided.

“To enable the construction of safe public trails on public rights of way” should be the purpose of this document. Processes should be streamlined to facilitate these improvements. Guidelines should be in place to assure they are safe for users, and respect the environment through which they pass. The ideas of adjacent owners and community users should be solicited before any construction so that local desires are respected to the extent practicable. But the desires of the larger community for the trail service that will be provided should be the over-riding factor governing its construction.

Stewardship of public rights of way

PBOT has the lead stewardship role over the public rights of way in the city. They oversee and have the approval authority over the use of these public lands by utilities, private entities, and others. Their stewardship responsibility owes no special allegiance to any property owners whose lands are adjacent to public rights of way. PBOT has reaffirmed this position recently when enacting rules allowing utility and fiber optic companies to place equipment storage structures in the public rights of way.

As stewards of the public lands, it is also their responsibility to assure that private uses of these lands be limited and do not interfere with public uses such as transportation and utility corridors. Providing private benefit of these lands to adjacent users could be viewed as de-facto vacation of the rights of way, without the accompanying upward adjustment in property tax revenue to reflect this exclusive usage.

Connectivity

Trails are historically the first and most rudimentary evidence of needed connectivity. Their routes define the most practicable and most accessible route between points where people desire to travel. The existence of social, or demand trails, are prima fascia documentation of needed connectivity and should be accepted as de-facto evidence of a connection need. Unfortunately, demand trails are not necessarily properly sited to minimize environmental damage or provide all-weather passage. This is where non-profit trails building organizations provide added value. But the initial routes, both present and historic, need to be honored when any trail requests are presented, with the objective on refining these routes through contemporary design techniques.

Community

Trails are for serving and building community. Outreach to neighbors, and neighborhood associations, are important for respecting the community needs. **Let's be clear: no not for profit group is going to go out of their way to expend their efforts to construct a trail where there are not trail users who will benefit from the project.** When a not for profit organization comes forth with requests for a permit for a trail, they should be able to make a case for the trail or trails. The process for the city issuance of a permit should include outreach to the community, including the neighborhood associations. As trails expand public services at a minimal cost, every effort should be made to grant permits except where they city identifies other public activities that require the lands, or safety or environmental issues that cannot be incorporated into the trail construction. Private desires to restrict uses of public lands do not trump community benefits of a trail.

Respectfully submitted,

Glenn Bridger, 940 SW Vincent Place, Portland.