



REQUIREMENTS FOR TRAIL RIGHTS-OF-WAY (ROW)

These requirements set minimum standards for the dedication or conveyance of easement rights or land for trail construction and operation. These requirements may apply to developed areas and to areas intended for future development.

These standards are intended to provide a pleasing trail experience for users, to allow buffers and setbacks from constructed features on adjoining land, and to allow sufficient space for trail construction, maintenance, repair, landscaping and public enjoyment.

The minimum standards set forth herein are for trails located where buildable space is limited, typically involving private development, and trails located immediately adjacent to building sites. In other locations and in open space areas, larger greenways are desired to enhance the trail and park experience.

These standards shall not supersede City, County, State, or Federal laws or codes. These standards are meant to be used only for City of Bellingham Parks & Recreation projects or voluntarily by other City of Bellingham departments.

These minimum standards shall apply to all newly defined trail right-of-way purchases and dedication approvals. Exceptions may be granted in special circumstances as determined by the Parks & Recreation Department.

1. Easements, Dedications, and Rights-of-Way For Undeveloped Trails Shall Be a Minimum of 30 Feet Wide

- a. The width of right-of-way shall be a minimum of thirty (30) feet wide to ensure access in typical terrain and to provide for trail turning radii.
- b. A wider right-of-way may be required for:
 - i. steeply sloped areas
 - ii. stormwater facilities associated with the trail
 - iii. guardrails
 - iv. park benches and landings
 - v. other trail amenities such as signing
- c. The actual width of the trail surfacing shall be as approved by the Parks and Recreation Department.

- d. Exceptions to these requirements are as follows:
 - i. Narrower right-of-way dimensions may be allowed by the Parks and Recreation Department if clearances between existing structures and property lines are less than specified herein and no other practicable alternative exists.
2. **Trail Rights-of-Way Shall Allow for Crime Prevention Through Environmental Design (CPTED) Guidelines**
 - a. Trail rights of way shall take into account sight distance, landscaping, proximity to surrounding development and associated amenities so that trails may be designed and developed using CPTED principles through the professional judgments of design personnel.
3. **Trail Rights-of-Way Shall Allow for Buffering from Other Development (ref. Figure 1)**
 - a. The minimum setback from the easement boundary to the outside edge of buildings and other structures shall be ten (10) feet minimum.
 - b. The minimum setback from the easement boundary to the outside edge of fences or freestanding walls shall be five (5) feet minimum.
 - c. The minimum setback from the outside edge of trail surface to the easement boundary shall be five (5) feet.
 - d. Exceptions to this setback requirement may include structures and amenities associated with the trail or trail experience such as pedestrian guardrails, handrails, benches, and other desirable site features.
 - e. Other special consideration and increased setbacks may be needed on a case-by-case basis depending on the use and occupancy of neighboring structures as determined by the Parks and Recreation Department.

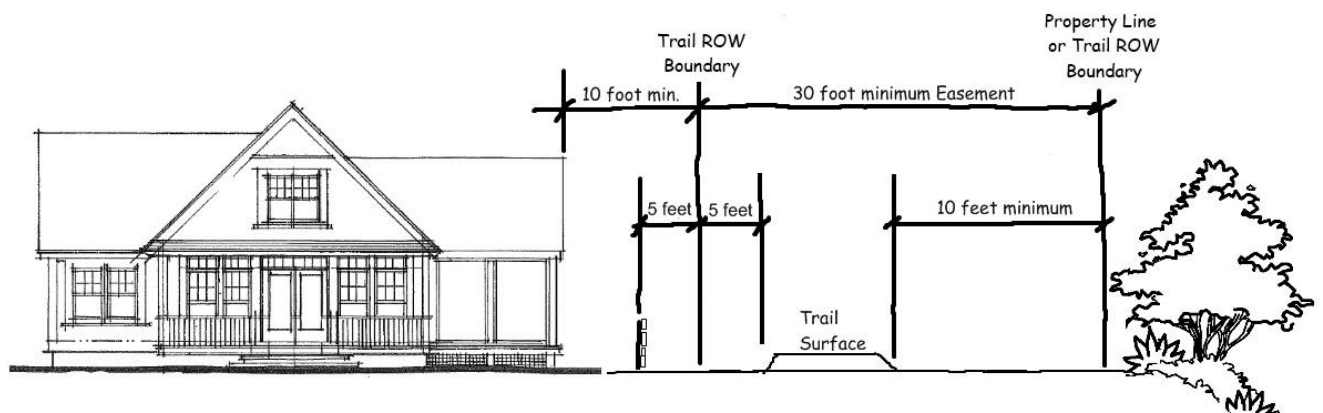


Figure 1 - Example of Minimum Trail Setbacks from Buildings, Other Structures, and Property Lines

4. Trails Shall Be Set Back From Property or Easement Boundary Lines

- a. The minimum setback from the edge of property or easement boundary lines to the edge of trail surfacing shall be ten (10) feet, except where the trail within said right-of-way crosses a property line to connect to other trails.
- b. Exceptions to this setback may be considered in cases where perpetual development restrictions prohibit development of adjacent land next to the trail right-of-way.

5. Right-of-Way For Trails Shall be Located Outside of Critical Areas

- a. Right-of-way for trail development shall not be located within wetlands, streams, steep slopes or other critical areas or their associated buffer setbacks, as defined in BMC 16.55.
- b. Exceptions may include trails that are mitigated, permitted and approved by City, County, State, and Federal permitting regulatory agencies and scheduled for development before permits expire.
- c. Exceptions may also be approved if additional suitable property is dedicated to the City for mitigation.

6. Right-of-Ways Established for Trails and Dedicated to the City Outside Publicly Purchased Park and Greenway Tracts Shall be Surveyed by Property Owner

- a. Surveys shall include property lines, overlapping or coextensive rights-of-way for non-trail uses, underground, surface and overhead structures, and other information disclosing features affecting trail construction and operation.
- b. Surveys shall include a minimum of 5 foot contour spacing unless otherwise specified.
- c. Surveys shall include critical area delineations and buffer setbacks.
- d. Survey coordinates for easement boundaries shall be provided to the Parks and Recreation Department in a form acceptable to the Department.
- e. As requested by the Parks and Recreation Department, park standard boundary markers may be installed by the surveyor along easement or right-of-way boundary and corners at a spacing not to exceed 100 feet, but may be spaced closer due to limited sight lines between markers.

7. Trail Right-of-Ways Should be Established Exclusively for Public Access as the Primary Use When Possible

- a. Exceptions may be allowed if no other practicable alternative exists and multiple easement uses must be accommodated within a coextensive or overlapping configuration.