

## PROPOSAL TO THE CITY OF MANZANITA

**TO: CITY OF MANZANITA**

**CYNTHIA ALAMILLO, CITY MANAGER-** CALAMILLO@CI.MANZANITA.OR.US

**FROM: CLASSIC RIDGE TRAIL ACCESS CAMPAIGN**

STANTON MYERS AND LAURIE MURPHY, MEMBERS/PROPERTY OWNERS

**SUBJECT: REQUEST ADDITION AS AGENDA ITEM FOR JUNE CITY COUNCIL MEETING**

PROPOSAL TO PERMIT USE OF NEW PUBLIC WALKING TRAIL (“SOUTH CHERRY TRAIL”) WHERE EXISTING CITY (OCEAN AVENUE) ROAD RIGHT-OF-WAY EXISTS FROM CHERRY STREET WEST TO OCEAN ROAD.

VOLUNTEERS WOULD CONSTRUCT THIS TRAIL FOR WALKING PURPOSES ONLY AND IT WILL PROVIDE BEACH ACCESS AND EVACUATION ROUTE FOR NUMEROUS RESIDENTS OF CLASSIC RIDGE AREA OF MANZANITA.

**DATE: MAY 25, 2020**

**CC: KRISTIN GRASSETH, ASSISTANT CITY MANAGER –**  
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**THOMAS ASCHENBRENER, CITY COUNCIL -** TASCHENBRENER@CI.MANZANITA.OR.US

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- I. REQUEST: Permission from the City of Manzanita to allow the public to use an existing City Owned Road Right-Of-Way (“ROW”) as a trail for foot traffic from Cherry Street then West down the Ocean Avenue ROW to Ocean Road. This ROW is approximately 252’ long and 25’ wide.

The request would involve allowing volunteers managed by a newly formed group called Classic Ridge Trail Access Campaign ( [trailaccess@yahoo.com](mailto:trailaccess@yahoo.com) ) to create a trail from the top of Cherry down to Ocean Road where the bottom ¼ of the trail would include either climbing turns or timber steps (safely built to US Forest Service standards) into the hillside due to steepness of this area. Trail would be 2’-6’ wide with natural sand/dirt from site with no material soil anticipated being removed. From review of Google Maps satellite and walking property there appears to be no objects in this ROW other than shrubs/trees that would require some “brushing” for trail construction.

Permission to include a plaque at trail head(s) to mark trail and commemorate supporters who donate funds, labor, and materials to project. If funds are obtained beyond the cost of initial trail development the excess would be donated to the City (and City would conduct future maintenance if needed).

Note: Thomas Aschenbrener and Kristin Grassetth have been initially consulted and provided guidance leading to this Request/Proposal and we appreciate their assistance.

- II. PURPOSE FOR REQUEST: The fencing and blockage of all access to and from Classic Ridge to the beach on 4/26/2020 has caused extreme concern and hardship for those in Classic Ridge and an urgent solution is essential. This closure lead to formation of the Classic Ridge Trail

Access Campaign with approximately 60 members and growing. The proposed trail will provide at least one formal access walking trail to and from the beach for Manzanita Residents/Property Owners which is urgently needed for safe access.

Proposed South Cherry Trail - Adjacent to the subject Ocean Avenue ROW is a 1.38 acre parcel of planted dune that is privately owned that has provided a trail for over 60 years to the Residents of Classic Ridge area of Manzanita as an access trail to and from the beach at the South point of Cherry Street. The new owners are pursuing building a home on this lot right in the middle of this historic trail (shown on Google Maps) and the City is in process of providing permits and approvals. Note: A previous proposal to build a larger number (7-8) homes on this same site was proposed over the past 15 years. Residents/Neighbors involved at that time did make sure that a pathway would have been built by developers for this project from Cherry St. to Ocean Rd. but the project was not approved due to density and impact on stabilization of the terrain for that number of homes. It was well known that this was an important historic access route for the Classic Ridge area.

North Cherry Trail (Doris Davis Pond Trail) that was recently fenced off - A second beach access trail exists at the North end of Cherry Street (Doris Davis Pond Trail). This trail also is evident on Google Maps. Both the South and North historic trails have simultaneously been recently fenced/blocked or closed (most recently the North trail was fenced off on 4/26/2020) asserting private ownership despite many (50+) years of substantial documented public use.

While trail access rights due to historic precedent is a valid argument that can be pursued, a partial solution exists at another point at the South end of Cherry Street that has been in place for many years (as most long-time Residents of the area have been aware). This is the solution being pursued with this proposal.

### III. MAIN ARGUMENTS:

1. The City of Manzanita has owned this subject Ocean Avenue Road ROW for 50+ years and there is now urgency in formalizing this as a trail as the only remaining access to and from the beach for the Classic Ridge community of Manzanita.
2. The supporting Residents/LandOwners/Citizens impacted by the access closure and benefitting from this proposed trail number over 60 people and growing (see below).
3. The trail will be constructed by Volunteers and all funding will be through private donations (unless other funding is later obtained through grant or other municipal friendly sources) so there will be no direct cost to developing this trail to the City. In the event the City would like to contribute financially to the building of the trail, the Classic Ridge Trail Access Campaign will gladly accept and make due note of the contribution.
4. The trail construction will produce a safe trail and is anticipated to follow US Forest Service standards relative to steeper sections at the bottom of the trail to include climbing turns and/or crib steps at the direction of the City to include accommodating trail stabilization.
5. A well built and controlled trail in this area will also prevent erosion given it is located in a thicker tree lined area compared to the existing trail on the privately owned adjacent 1.38

acre Sand Dune lot where you can see on Google Maps the impact of use by numerous people over the years.

6. The City of Manzanita allows and manages other similar trails on their public Right-of-Ways that are North of Laneda including Division Street between North and Ocean Avenue and a public path between 2<sup>nd</sup> and 1<sup>st</sup> Street (see attachments).
7. Tsunami Evacuation Route would be an added option which could shorten amount of time people located below the Sand Dune would reach an over 80' elevation compared to nearby street routes as it goes directly uphill to above the Tsunami zone on Cherry Street. See attached link which provides information from the Trail Access Campaign website that points out the value of having evacuation access from both the South Cherry and also Doris Davis Trail areas.

<https://trailaccess5.wixsite.com/manzanita/post/tsunami-escape-zone-a-clear-path-forward>

#### IV. RESIDENTS/PROPERTY OWNERS SUPPORTING AND POTENTIALLY BENEFITING FROM NEW TRAIL

- There are so far approximately 60 Members signed up with the new Classic Ridge Trail Access Campaign (see attachment). These are primarily Manzanita Property Owners/Residents who have been impacted by the access blockage and desire the new trail proposed. The messaging campaign is at its infancy and growing fast. We propose to work through this group to provide one point of contact with the City of Manzanita. The City would be able to refer others impacted as they discover that their access is now blocked to the Campaign group for direction and information about this proposed solution if successfully approved.
- Other potential supporters would include seasonal residents of Manzanita that may just be moving home for the summer and discover the access on and off Classic Ridge is blocked.
- General population from other parts of Manzanita or Neahkahnie who occasionally hike in this area would also support this new trail.
- Guests of Residents and Visitors who walk in the Classic Ridge area would also be supporters and may not have encountered this blockage yet.

#### V. TRAIL PROJECT PLAN

1. Volunteers (directed by Members of the Classic Ridge Trail Access Campaign) would consult with City to walk the site before starting work to obtain direction from City Representative on the trail construction plan approved by Council.
2. Trail Brushing to cut back foliage that hinders trail use would involve clearing approximately 8' of brush/trees to accommodate a 2'-6' trail (see attached).

3. Climbing turns and/or crib steps or other steps used by US Forest Service per their trail guidelines would be constructed at the bottom of the trail near Ocean Road to accommodate this steeper area of the trail.
4. Trail Stabilization and erosion control would be incorporated as needed using US Forest Service techniques including adding knicks or water bars so that water can readily flow away from the trail if impacted. There exists large areas of shrubs, trees, grasses and dirt along with sand so that the proposed trail will be stable for walking purposes. This terrain has not shifted or changed materially in several decades.
5. We would invite the City Representative back to inspect the results of this project.
6. Memorial plaque(s) would be placed at trail heading(s) on the public ROW.

VI. ESTIMATED TIME FRAME/RESOURCES NEEDED/COST:

- Urgent approval is requested for Volunteers to start working on this trail given the very recent blockage of all other access from this Classic Ridge are.
- Resources will come from private donations managed by Members of the Classic Ridge Trail Access Campaign. The cooperation and assistance of the City will be very much appreciated to solve this historic problem where people cannot access their property by walking any longer just since 4/26/2020.
- Cost is expected to be minimal and born by private sources from beneficiaries and supporters of this new trail.

VII. POTENTIAL QUESTIONS / OBSTACLES AND SOLUTIONS:

1. Type of trail and uses – This would be considered a medium to advanced walking only trail to be used by the public who are comfortable walking on a trail of this type on this terrain.
2. Trail Safety - Every effort would be made to make this trail safe and walkable to include climbing turns and/or steps where the trail is steeper at the bottom near Ocean Road.
3. Alternative routes – This would be a direct trail between Cherry Street and Ocean Road but has some relatively steep areas that would not be for everyone. There are longer but more ramped access routes on nearby streets that would be alternative routes for those not able to use this proposed trail. In addition, the Classic Ridge Trail Access Campaign is working diligently to reopen the Doris Davis Pond Trail which is a more gradual access route that would be a compliment to the proposed South Cherry Trail. This process will take considerable amount of time to work with private owners and possible inclusion of legal counsel.
4. Liability – The proposed trail will be built safely with review of the City and using US Forest Service trail guidelines for climbing turns and steps to make the trail safe for walking purposes of most active hikers.



The City of Manzanita has other existing ROW's and public access areas that they own and manage that have similar liability.

Research has indicated that there may be a benefit to designating this ROW as a trail based on the below:

Oregon Law (ORS 105) has made allowances to protect municipalities and property owners and adjacent owners immune from liability for injury or property damage arising from use of trail or structures in public easements or right-of-way.

The City currently assumes liability for all the unbuilt rights of way in the City.

It appears that this law has the potential of reducing City liability given that by classifying trails on unbuilt rights of way as "Recreational Trails", liability could be eliminated.

5. Neighbors – The vast majority if not all Residents/Property Owners of Classic Ridge would benefit from this new trail.

The proposed trail is already a 25' wide Road Right-of-Way running 252' and this fact would be well known by local property owners as it is "of record" for public to view on the Tillamook County website.

The trail will be quiet as it will be walking only and it is at a dead-end on Cherry Street so a controlled population primarily those living in or visiting this part of Classic Ridge would be regular users. The only exception would be in the event of a Tsunami evacuation where there were a large number of people on the beach in North Manzanita beach area near the Sand Dune needing to get uphill fast.

Oregon Law (ORS 105) also reduces liability for adjacent property holders of City ROW's given a trail designation.

6. Maintenance – The trail will be largely along currently walked areas in the ROW and minimal trail maintenance is expected other than trimming growing shrubs. Any steps will be built with pressure treated lumber and long lasting.

The City of Manzanita has other existing ROW's and public access areas that they own and manage with similar maintenance needs.

There may be donations of excess funds to the City to help with minimum future maintenance.

## VIII. CONCLUSION:

This proposal details a proposal whereby the City of Manzanita would work with and allow Volunteers to improve and pay for development of an existing City Road ROW as walking trail access to benefit Residents and Property Owners (including Guests and Visitors) of Manzanita.

We have shown the specifics of proposed trail design, plan to develop, a list of over 60 supporters and growing with names and contact info, addressed obstacles and solutions including liability and maintenance and shown existing similar trails within the City.

**Therefore we propose the following motion for City of Manzanita Council to approve (with inclusion as new Agenda Item at June City Council Meeting):**

- The City of Manzanita agrees to grant permission for Volunteers managed by the Classic Ridge Trail Access Campaign to construct a walking trail and for the general public to use this trail in an existing City Owned Road Right-Of-Way (“ROW”) that is 252’ long and 25’ wide labeled as “Ocean Avenue” that runs from Cherry Street then West to Ocean Road.
- The City will permit Volunteers to construct and pay for this trail with the guidance of City Public Works Director or another designated representative of the City. Trail will be constructed clearing only areas required for the safe construction and use of the trail. The steeper areas at the bottom of the trail to include climbing turns and/or timber steps constructed using US Forest Service guidelines and will include erosion control as needed.
- Permission is also granted for the Volunteers to pay for and erect a plaque at trail head(s) to mark trail and commemorate supporters who donate funds, labor, and materials to project along with adding any notification to public required by City. City will manage as ongoing trail within City owned ROW.

***We thank you for your consideration during these challenging times for all of us! We know that everyone at the City is very busy and we only bring this forward now due to the urgency of access for Classic Ridge. We will strive to use our Volunteer base to take pressure off the City resources for this project and propose to pay for the trail development to take pressure off the City budget.***

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Contact Info - **Classic Ridge Trail Access Campaign**

Email: [trailaccess@yahoo.com](mailto:trailaccess@yahoo.com)

Website: <https://trailaccess5.wixsite.com/manzanita>

Stanton Myers, Member – 503 475-0598 [stanmyers503@gmail.com](mailto:stanmyers503@gmail.com)

Laurie Murphy - [smurfs30@comcast.net](mailto:smurfs30@comcast.net)

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Attachments:

- List of Supporters who are Residents / Property Owners of Manzanita that have registered with the Classic Ridge Trail Access Campaign within the past 30 days since access was blocked from Classic Ridge. This number is growing from 60 people and is expected to exceed 100 people within the next 60 days.

<https://docs.google.com/spreadsheets/d/1Df0ecnQyP3TX1eHw11BEiLc8F92agmb87IGkU7T8E6M/edit?ts=5ec6f30a#gid=0>

- Map of Proposed Road right-of-way – Tillamook County Map of 03N10W29BA

<https://www.co.tillamook.or.us/Documents/AandT/TaxMap/pdf/t3nr10/3N1029BA.pdf>

satellite map – you can follow Ocean Avenue in a straight line to beach to see trail terrain

<https://www.google.com/maps/@45.722396,-123.940164,142m/data=!3m1!1e3>

- Manzanita City Ordinance 02-01 – shows City Authority to control Right of Way and grant permission for use.
- US Forest Service Trail Guidelines for Crib Ladder, Climbing Turns, Clearing Limits

[https://www.fs.fed.us/recreation/programs/trail-management/documents/plans/trail\\_pdfs/STD\\_936-30-01\\_Crib\\_Ladder.pdf](https://www.fs.fed.us/recreation/programs/trail-management/documents/plans/trail_pdfs/STD_936-30-01_Crib_Ladder.pdf)

[https://www.fs.fed.us/recreation/programs/trail-management/documents/plans/trail\\_pdfs/STD\\_912-02\\_Clearing\\_Limits\\_Brushing.pdf](https://www.fs.fed.us/recreation/programs/trail-management/documents/plans/trail_pdfs/STD_912-02_Clearing_Limits_Brushing.pdf)

[https://www.fs.fed.us/recreation/programs/trail-management/documents/plans/trail\\_pdfs/STD\\_936-30-01\\_Crib\\_Ladder.pdf](https://www.fs.fed.us/recreation/programs/trail-management/documents/plans/trail_pdfs/STD_936-30-01_Crib_Ladder.pdf)

- Map of Similar Division Street Road ROW that has a walking trail and is currently managed by the City of Manzanita

<https://www.co.tillamook.or.us/Documents/AandT/TaxMap/pdf/t3nr10/3N1029AB.pdf>

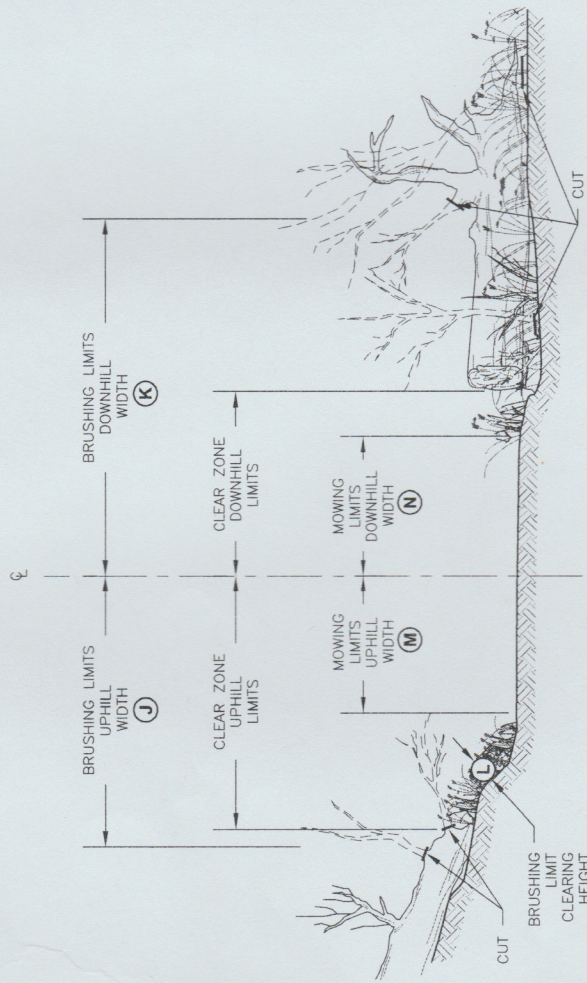
- Map of “public path” currently managed by the City of Manzanita between 2<sup>nd</sup> and 1<sup>st</sup> Streets.

<https://www.co.tillamook.or.us/Documents/AandT/TaxMap/pdf/t3nr10/3N1032BD.pdf>



CLEARING LIMITS - BRUSHING

TYPICAL ID	CLEARING METHOD	BRUSHING LIMITS			MOWING LIMITS		DISPOSAL METHOD	COMMENTS
		UPHILL WIDTH (J)	DOWNHILL WIDTH (K)	CLEARING HEIGHT (L)	UPHILL WIDTH (M)	DOWNHILL WIDTH (N)		
CLB-1	C						D	



NOTE: SEE SHEET STD\_912-01 FOR CLEAR ZONE LIMITS

CLEARING METHOD

CLEARING TYPE	CLEARING METHOD	COMMENTS
C9	BRUSHING	
C10	MOWING	
C11		

DISPOSAL METHOD

DISPOSAL TYPE	DISPOSAL METHOD	COMMENTS
D1	LOP AND SCATTER OUTSIDE TRAILWAY	
D2	LOP AND SCATTER ON FILL SLOPE	
D3	PILE AND BURN	
D4	CHIP	
D5	HAUL TO DISPOSAL SITE	
D6		

PROJECT NAME & LOCATION

U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
STANDARD TRAIL PLAN

DRAWING NAME

CLEARING LIMITS - BRUSHING

SECTION 912 - CLEARING LIMITS  
TYPICAL ID CLB

REVISION DATE

XXXXXX

NO SCALE

DRAWING NO.

STD\_912-02

SHEET OF