



Weber County

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To: Ogden Valley Planning Commissioners
Subject: Ogden Valley Pathways Master Plan

The Ogden Valley General Plan, adopted in 1998, recognizes the values trails provide to both residents and recreational visitors. One of the goals of the Ogden Valley General Plan is to enhance quality recreational opportunities, which is implemented by identifying "areas suitable for community parks, campgrounds, or trails systems". The Ogden Valley General Plan supported the development of a trails master plan and in 2002 the Ogden Valley Pathway Master Plan was adopted and incorporated into the Ogden Valley General Plan.

In early 2009, the Weber County Planning Division along with Weber Pathways established a project to create a countywide pathways master plan. The project was initiated with an endorsement by both Weber Pathways Board of Directors and the Weber Area Council of Governments. A representative from each municipality and entity (National Forest Service, Utah Department of Transportation, etc...) was invited to attend monthly meetings of the newly formed pathways committee. The existing pathways/trails/bike plan master plans from each municipality and entity were gathered and combined into one geographic information system based database. From this database, a countywide trails and bicycle route map was developed.

In October 2010, after finishing the Weber County Cooperative Pathways Master Plan, the Planning Division asked the Ogden Valley Planning Commission whether the cooperative map should be incorporated and adopted to replace the Ogden Valley Pathways Master Plan map. The Planning Commission concurred that the map should be implemented into the Ogden Valley Pathways Master Plan. Attached to this letter is a map that compares the trail in the Ogden Valley Pathways Master Plan and the Weber County Cooperative Pathways Master Plan. Dashed lines are proposed trails. Blue lines are trails in the Weber County Cooperative Pathways Master Plan while green lines are trails in the Ogden Valley Pathways Master Plan. White, or light blue areas are private lands while the darker blue areas are federal, state, or local lands. As you can see, there is much agreement between the existing pathways master plan and the cooperative master plan.

The textual portion of the Ogden Valley Pathways Master Plan is also attached. Please review this for the work session.

Some questions to consider:

- Should the cooperative pathways map replace the map general plan pathways map?
- Should any part of the textual portion of the Ogden Valley Pathways Master Plan be modified?

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THE OGDEN VALLEY PATHWAY MASTER PLAN

The Vision *in 2001*

The Ogden Valley Pathway Master Plan was developed by the Ogden Valley Chapter of Weber Pathways, a non-profit organization whose mission is to promote, plan, and protect non-motorized public pathways in Weber County. The plan development represents a grassroots community effort and was directed by a steering committee consisting mostly of local volunteers, who adopted the following vision statement: *which still holds true today*

We believe that non-motorized pathways in Ogden Valley help to maintain and enhance its beauty, pastoral atmosphere, rural lifestyle, outdoor recreational opportunities, and sense of community. Therefore, we envision a network of pathways linking all of Ogden Valley and enabling residents, visitors, and their children to travel in safety on foot, bicycle, horseback, or skis to a wide variety of destinations throughout the valley.

Background

Ogden Valley, Utah is nestled on the eastern side of the Wasatch Mountains, 10 miles east of Ogden and 40 miles north of Salt Lake City. It is a land of open spaces, mountains, wetlands, rivers and a reservoir. People here can still hike, bike or ride horseback through green fields and groves, sagebrush hills, and the remnants of a pastoral landscape that is becoming rare in northern Utah. The valley has one incorporated town, Huntsville, and four unincorporated communities: East Huntsville, Eden, Liberty and Nordic Valley. It is home to approximately 7000 permanent residents and 700 seasonal residents. Ogden Valley was explored in the early 1800s by fur trappers, who created some of the historical trail routes that are still used today. It was then settled by Mormon pioneers in the mid-1800s. Its historical sites include the oldest saloon in Utah and the birthplace of David O. McKay, former president of the Church of Jesus Christ of Latter Day Saints. The first free public school in Utah was located in Ogden Valley.

Why Do We Need a Pathway Master Plan?

Ogden Valley is experiencing its most rapid period of growth since the pioneers first settled here. This growth is changing the valley and threatens to put an end to the rural lifestyle that residents have enjoyed. Highways where one could once ride a horse or bicycle have now become unsafe due to large volumes of traffic. Development threatens to cut off access to some of the open space, public lands and recreational opportunities in the valley. Growth must be planned for, in order to achieve quality growth. A General Plan exists for Ogden Valley, but the only type of transportation it addresses is motorized.

While the automobile will certainly remain the primary mode of transportation here, many residents want other choices as well. They want to be able to walk to the post office or the grocery store, or to take their horses on a trail without having to drive them many miles in to get there. In short, they would like the opportunity to live in a walkable community. Now is the time for pathways planning in Northern Utah, before rampant development makes future pathways impossible, and the current Governor's Trails Initiative has called for trailheads linked to a major trail system within a 15-minute drive of every urban resident in Utah. It is for these

reasons that we are planning for our collective future in the Ogden Valley by developing a Pathway Master Plan.

The Benefits of Pathways

A network of non-motorized pathways in Ogden Valley will ensure that children, local citizens, and visitors here can travel safely. The Master Plan illustrates pathway connections to residential areas, schools, libraries, recreation facilities, and commercial areas. It also connects amenities such as community parks, National Forests, open spaces, and existing trailheads.

The pathways in this plan will also help protect a way of life that Valley residents have traditionally enjoyed, by ensuring that access to water, wilderness, historic trails, and open space will be preserved. The Master Plan has been designed to encourage the preservation of historic trails, to promote the creation of pathways that celebrate the unique character of Ogden Valley, and to prevent new development from cutting off non-motorized access to traditional recreation areas. It will also help connect the communities of the Valley in a way that highways cannot.

Pathways can also help provide significant health benefits to a community. Health problems such as heart disease, stroke, diabetes, and obesity are all linked to a lack of exercise. Walking, bicycling, and similar activities are excellent forms of exercise that nearly everyone can do, yet many people do not participate in them because they have no safe, convenient place to go. Non-motorized pathways provide that place.

It has also been shown that pathways actually tend to reduce crime and increase property values. Experience both nationwide and here in Weber County has shown that well-planned trails attract families, local residents, and other friendly, responsible people, whose presence on the trails serves in effect as a neighborhood watch, driving troublemakers away. Access to pathways is one of the most desirable amenities that homebuyers seek, and the value of most properties is enhanced by being near a trail.

The Public Planning Process

Public input and support were integral to the development of the plan. A series of three community workshops held in 2001 informed citizens about the master plan concept, answered questions, and identified needs, concerns and issues regarding the proposal. Before each workshop, flyers were distributed in the *Ogden Valley News*, which is delivered to all Valley residents and to subscribers outside the Valley. The workshops asked participants to describe trails that they would like to see, to identify opportunities for pathway development, to prioritize trails for current and future development, to comment on various pathway proposals, and to express their ideas and concerns.

The Ogden Valley Chapter of Weber Pathways encouraged community involvement in other ways as well. Since its inception in 1999, it has held regular meetings, which anyone interested is welcome to attend, and it has held two annual essay contests at Valley Elementary and Snowcrest Junior High on the topic of pathways in the Valley. It has also conducted a school field trip program to introduce children to local trails and trail etiquette, and it publicly dedicated the Eden Trail in June 2001.

Working with the public input generated from these workshops as well as several Ogden Valley Chapter meetings, the steering committee put together this Master Plan, which reflects the desires of many Valley residents as well as the advise and expertise of planning professionals.

Omit

The plan describes the findings of the committee and makes specific proposals for the implementation of a network of non-motorized public pathways that will serve the recreation and transportation needs of Ogden Valley communities.

Became clear from the original public input

Findings and Recommendations

It ~~is~~ clear that many Ogden Valley residents desire a non-motorized public pathway network, which would provide residents and visitors alike with a safe, pleasant way to visit their neighbors, make trips to school or shops, reach their favorite destinations, benefit from physical exercise, and enjoy their surroundings. Furthermore, as Ogden Valley grows, non-motorized pathways can help mitigate some of the negative effects of development. Therefore ~~it is proposed that~~ Weber County (henceforth referred to as “the County”) adopt ~~this Plan and the associated Proposed Pathways Map as an amendment to the General Plan for Ogden Valley.~~

All the pathways in this Plan, as described below under “Pathway Types,” are designated for non-motorized use, which is defined to include use by pedestrians, bicycles, horses, skates, scooters, skis, snowshoes, and any type of conveyance for persons with disabilities, but not mopeds, “push bikes,” motorized bicycles, motorized scooters, or snowmobiles. No motor vehicles shall be allowed on any of these pathways except as used by law enforcement officers and other authorized personnel in the course of their duties.

The Plan provides for three general categories of pathways:

1. A Valleywide pathway network as shown on the Proposed Pathways Map.
2. Pathways to connect individual neighborhoods or subdivisions to the network.
3. Additional pathways that may be proposed in the future as amendments to this Plan.

Each pathway on the Map, as well as other pathways that may be proposed in the future, should be constructed or designated for public use under one or a combination of the following scenarios:

1. On currently existing public rights-of-way.
2. On rights-of-way or easement corridors acquired from willing landowners, who may grant or sell a piece of property, an easement, or a license for use.
3. On land that is being developed, as part of the requirements for subdivision. As described below, the provision of pathways should fulfill what is currently a sidewalk requirement.

Implementation

Some pathways will be constructed as described below under “Subdivision and Development.” Others will be constructed by the County with the involvement of local residents and ~~the Ogden Valley Chapter of Weber Pathways.~~ The Proposed Pathways Map shows the network that is to be created, but it is not intended to define the exact route of every pathway. Further research and negotiations on property ownership and other issues will be needed to determine the final alignments, which should be established in accordance with the guidelines in this Plan. Wherever possible, pathways should be located in corridors that have been or will be preserved as natural or green space, thus creating a “greenway” and not merely a sidewalk or alley. The pathway system should conform to national standards for safety while reflecting the

unique character of Ogden Valley. Pathways should be convenient, aesthetically pleasing, and beneficial to the general quality of life here. A further goal of implementation will be to connect pathways to trails on Forest Service, Division of Wildlife Resources, and other public lands, where applicable.

It is suggested that the County could create a Trail Coordinator position, which might be a shared position with the Forest Service or another agency. It could be funded wholly or partly by special improvement district proceeds as described below. The Trail Coordinator would see that the Master Plan is carried out, work with County departments to arrange for and oversee pathway construction, and work with Weber Pathways and other interested parties to refine pathway routes and coordinate the use of private funds. The Trail Coordinator would also assist in applying for federal and state grants.

The County should also work in cooperation with ~~the Ogden Valley Chapter of Weber Pathways~~ and other interested groups, as appropriate, to convince the Utah Department of Transportation (UDOT) to incorporate bike lanes, as described below, into the design of both of its highways in the Valley at such time as they may be reconstructed or improved. The County, in cooperation with Weber Pathways or other non-profit organizations, should also work with private landowners to acquire trail easements wherever appropriate.

Funding

Development in the Valley will ~~probably~~ continue to occur ~~at a very rapid rate~~, and many pathway corridors must be secured soon or they will no longer be available. Furthermore, although volunteer efforts are important, professionally designed and constructed pathways cannot be built through volunteer efforts alone. Therefore all of the following potential funding sources should be considered:

Federal funds. There are several sources of Federal money that can be used for pathway construction, including Transportation Enhancement Funds, Scenic Byway Funds, National Recreational Trails Funds, and the Land and Water Conservation Fund. As a governmental agency, the County is eligible to apply for these funds, which are administered through the State of Utah.

Sometimes
State funds. The State of Utah ~~makes annual~~ appropriations to its Non-Motorized Trail Fund and Riverway Enhancement Fund, which are administered by the Division of Parks and Recreation. Grants from these funds, which require a 50% match, are available on a competitive basis to governmental agencies such as Weber County.

Private grants and donations. The experience of Weber Pathways and other trail organizations has shown that there is considerable community interest in trails, and many individuals have made donations ~~to the Ogden Valley Chapter~~ to help create pathways in the Valley. In addition, there are many private grantmaking foundations to which non-profit organizations like Weber Pathways are eligible to apply. Some of these foundations are unique to Utah; others are national or regional in scope and listed on sites such as www.sonoran.org. Weber Pathways has collaborated with the County on other trails projects and will continue to work as a County partner. Other organizations such as the Great Western Trail Association also have funds available for their trail projects, some of which will tie into this Master Plan.

Cooperative projects. The USDA Forest Service has a continuing commitment to provide quality recreation opportunities in the National Forest and has been the major trailbuilding agency in the Valley to date. It has been assisted in some projects by private organizations such as the Back Country Horsemen of Utah. Whenever possible, the County should pursue partnerships with other agencies and organizations in order to accomplish more than either entity could achieve on its own, thus making the best use of trailbuilding dollars.

In-kind donations. Local businesses have been instrumental in helping to create trails in Weber County by donating materials such as roadbase and pipe or services such as hauling and spreading dirt. Organizations such as Weber Pathways can help extend the County's trailbuilding money by arranging for in-kind donations like these.

? **A special improvement district.** Results from the third community workshop indicated that many Valley residents would support the creation of such a district to pay for pathway construction, maintenance, and land acquisition. The district could be limited to Weber County east of the crest of the Wasatch Range, including Ogden Canyon east of the Ogden City boundaries. Alternatively, it could include the whole county, reflecting the fact that Weber Pathways will be proposing trails in the western part of the county, as the County is developing a new General Plan for that area.

Pathway Types and Standards

Although concrete sidewalks with curbs and gutters can help serve pedestrian needs, they are an urban design element, inappropriate to the rural character that the Plan seeks to protect in the Valley, and community workshop participants unanimously preferred pathways to sidewalks. Therefore it is proposed that the County discontinue the urban roadway section, which includes curb, gutter, and sidewalk, as a standard in the Valley, and that the County replace its sidewalk requirement, which is currently waived for lots with a frontage greater than 150 feet, with a requirement for pathways as described in this Plan.

Pathways in the Valley will be used by a wide variety of user groups, ranging from birdwatchers to bicyclists and from young schoolchildren to senior citizens. Yet trails are not always easy to construct, and pathway corridors are often very difficult to acquire. Therefore multiple-use pathways can often provide the greatest benefit to the most users. It should be assumed that most of the pathways described in this plan will be utilized by more than one kind of user group.

In some cases, however, a pathway suitable for one user group may be unsuitable for another, because of inherent conditions such as surface or location. An example is a soft dirt trail that is ideal for horses but impossible for in-line skates. Therefore this Plan calls for pathways to be of five general types, as follows:

1. Unpaved trails. Typically located in parks or undeveloped areas, these pathways are suitable for equestrians, hikers, walkers, joggers, and mountain bikes. They should normally be at least 4 feet wide, except in the back country, where they should conform to USDA Forest Service standard trail specifications for desired and expected user types. They are to be constructed of native material or surfaced with road base when necessary to prevent erosion or muddiness.

Where they parallel a roadway, trails must be separated from the roadway by a barrier or by at least 10 feet of open space or landscaping. The County should adopt the typical unpaved trail section shown in *Figure 1*. ? already adopted ? ?

2. Bike paths. Also called “shared use paths” or “Class I Bikeways,” these pathways are suitable for walkers, joggers, skaters, and others, as well as children and casual bicyclists. They are to be paved with asphalt, concrete, or a compacted surface such as roto-mill or crushed rock and must be separated from roadways by a barrier or by at least 10 feet of open space or landscaping. Certain trails may be designed as unpaved trails at first, with the expectation that they will later be converted to bike paths as funds become available. Bike paths should be at least 10 feet wide and designed to AASHTO (American Association of State Highway Transportation Officials) standards for shared use paths; therefore the County should adopt the standard bike path section shown in *Figure 2*. ? already

Because bike paths are intended to be a safe place for persons who are uncomfortable near automobile traffic, their routing requires careful consideration. Bicyclists do not want to make frequent stops, and each intersection with a road or driveway presents a potentially dangerous point of conflict, especially where shrubs or fences block the view. Therefore bike paths should be planned to have the fewest roadway and driveway crossings possible. It is not appropriate to run a bike path alongside a roadway with densely spaced homes or businesses, unless no other route is possible. Where they terminate at a roadway, bike paths must be designed wherever possible to discourage bike riding on the wrong (left) side of the road.

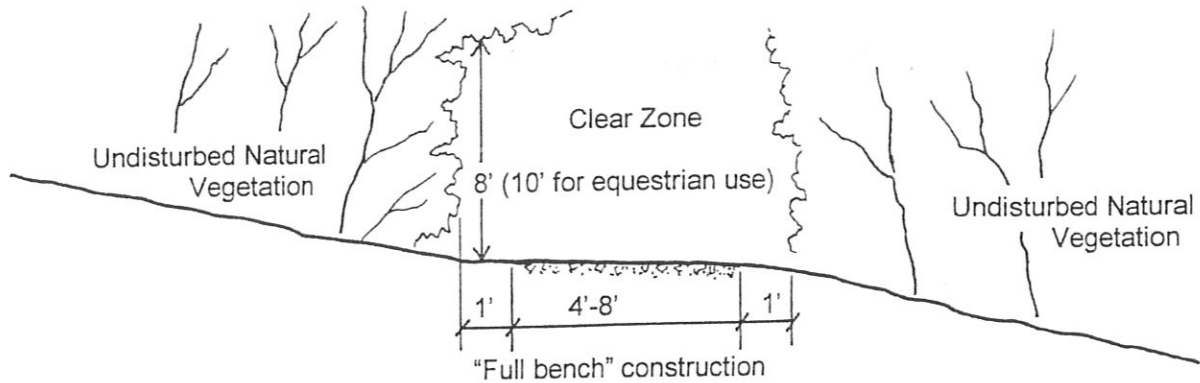
Bollards or gates may be placed at the entrance to a bike path to prevent unauthorized use by motor vehicles. Bollards should be placed 5 feet apart, with one bollard on the centerline of the bike path to divide it into two traffic directions. Appropriately designed signs should be installed to explain the purpose and use of the bike path.

3. Side paths. These paths are designed to run alongside a roadway and are intended primarily for pedestrian use. They may be paved with concrete, asphalt, road base, or crushed rock. They should normally be five feet wide, which is the minimum needed for two pedestrians to pass comfortably but narrow enough to discourage vehicular use. They may be wider in commercial areas or where pedestrian traffic is heavy. Because of heavy snow accumulations in the Valley and the need to pile up snow at the edges of roadways, and because the pathway experience is enhanced the farther it is from automobile traffic, side paths need to be located at least 10 feet from the roadway wherever possible, separated from it by open space or landscaping. The County should adopt the standard roadway section with side path shown in *Figures 3 and 4*. ? already

4. Shared roadways. These are simply minor or dead-end streets, where it is safe to walk or bike in the roadway, and no separate pathway is really needed. The shared roadway concept can be very practical in certain situations, eliminating the need to maintain a separate path. It is appropriate for local roads, loop roads and cul-de-sacs that are no more than 1,000 feet long and serve no more than 25 dwelling units, or are otherwise so designed as to exclude through traffic and prevent high motor vehicle speeds. It is not appropriate for highways or commercial areas.

5. Bike lanes. Also called “Class II Bikeways,” these are roadway lanes that have been specially striped, marked, and signed for the use of bicycles. They should always form a pair, with one lane in each direction, so that bicyclists can ride on the right side of the road, as

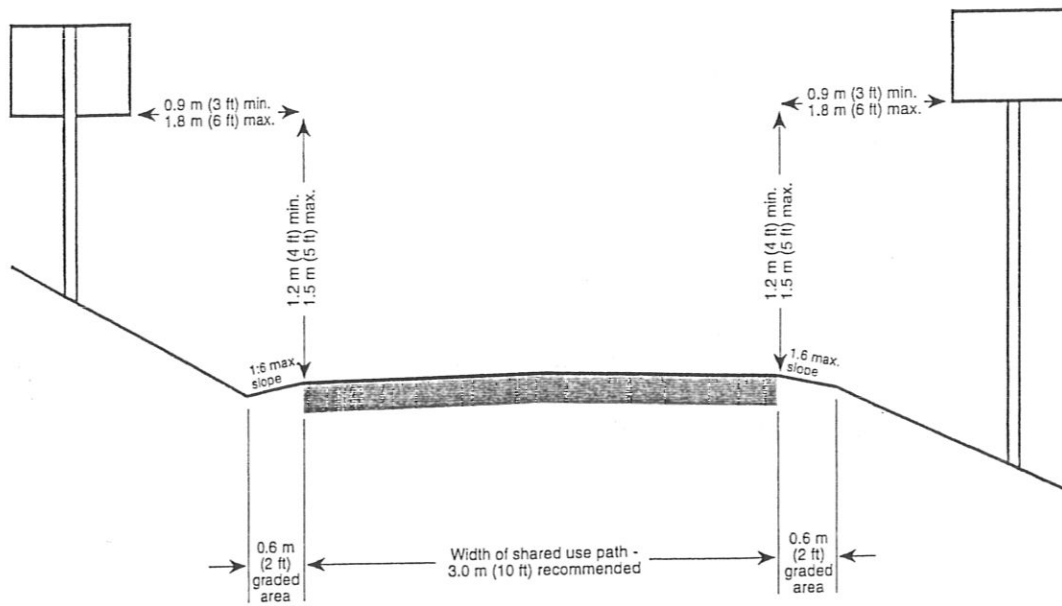
Figure 1. Typical Unpaved Trail Section



*Must be at least 10' wide if planned for later conversion to a bike path. May be less than 4' wide in the back country, but must conform to USDA Forest Service standard trail specifications for desired and expected user types.

Surfacing, when used, shall be 1"-minus crushed rock, shall consist of no less than 50% clay, and shall be compacted to "hard" condition. Drainage shall be by means of rolling dips rather than waterbars.

Figure 2. Standard Bike Path Section



Asphalt paving shall be no less than 3" in thickness, over a sub-base of at least 6" of compacted road base or equivalent.

Figure 3. Standard Roadway Section with Side Path

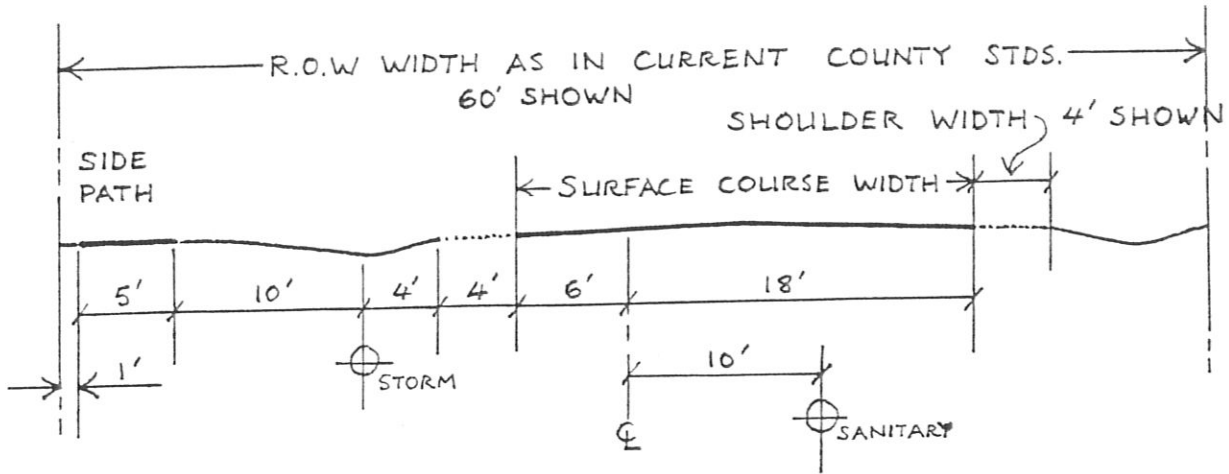
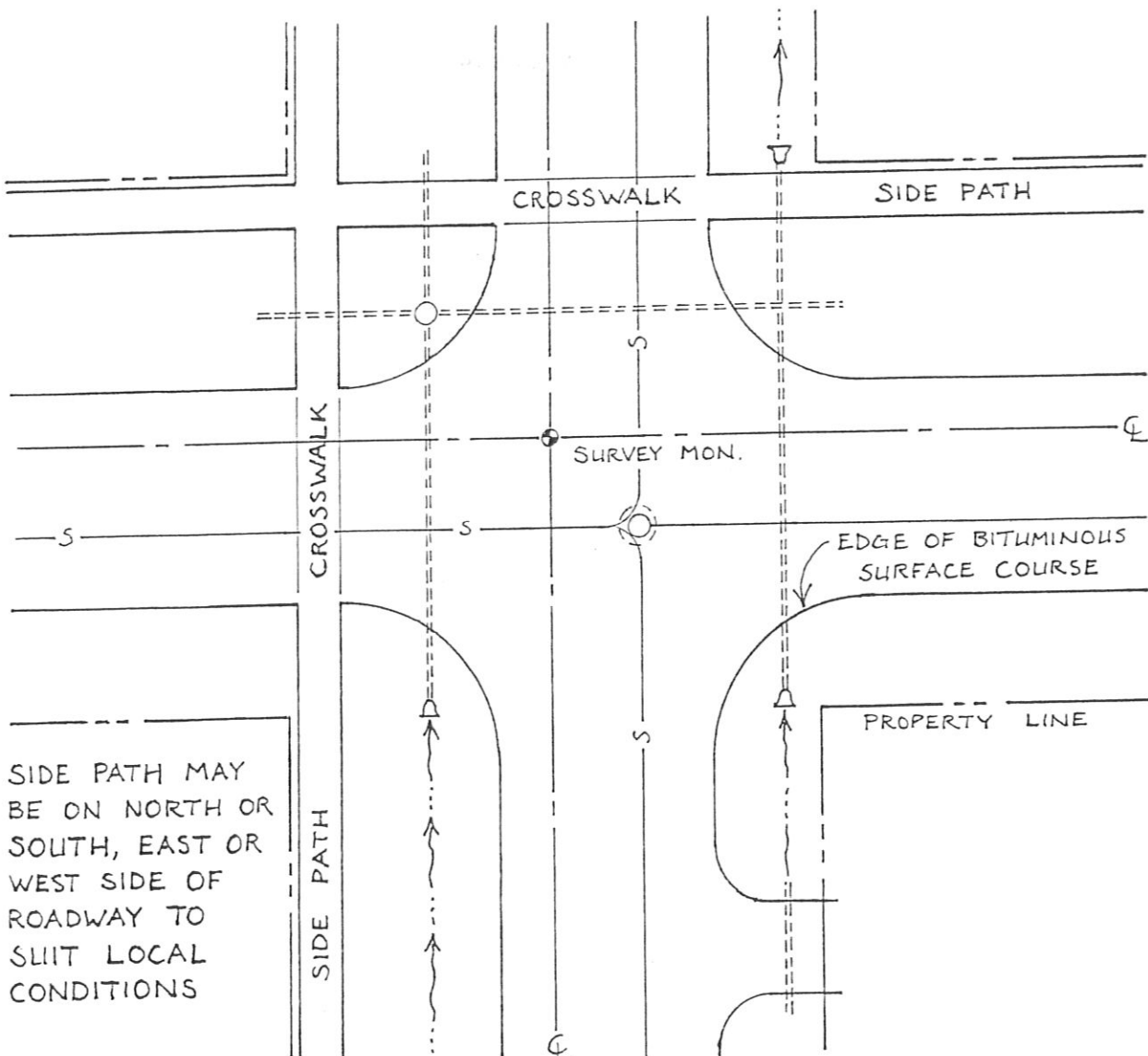


Figure 4. Intersection Details and Utility Locations for Roadway Section with Side Path



required by law. Proposed bike lanes are not shown as on the Map, because they are not separate pathways, but they should form an integral part of the Valley's non-motorized transportation system. Experienced bicyclists headed for a particular destination want to get there as quickly and directly as possible, and the roadway system often provides the most direct routes between popular destinations. Yet the presence of bicycles and pedestrians in the motorized travel lanes of busy roads is dangerous and undesirable.

Therefore all County roads in the Valley with an actual or expected average daily traffic count (ADT) of 1,000 or more should, when undergoing reconstruction or alteration, be constructed with bike lanes, and the County should adopt the standard roadway section with bike lanes shown in *Figure 5*. These bike lanes are normally at least 5 feet wide, but when it comes to bicycle and pedestrian safety, even marginal improvements are better than none. Therefore where terrain, obstacles, or other considerations make it impossible to construct bike lanes to the full width specified here, the County should still widen highway shoulders as much as practical.

The design of grates for stormwater catch basins is also critical to bicycle safety on all roadways. Grates with parallel bars pose a special danger to bicyclists, whose tires can easily slip down between the bars. Furthermore, other types of grates have been designed that effectively carry away stormwater and are also safe for bicycles. Therefore the County should amend its public works standards to replace the currently specified catch basin grate with a "bicycle-safe" grate such as that shown in *Figure 6*. ? already

In addition, the County may establish a bikeway system consisting of bike paths, bike lanes, bike routes (signed shared roadways, also called "Class III Bikeways"), or a combination of any of these. The bikeways should be signed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and should be recorded in map form and made available for publication in maps such as "Pathways in Weber County." Because of safety concerns, side paths and sidewalks must not be designated as bikeways.

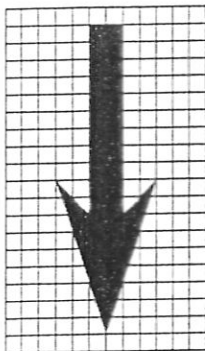
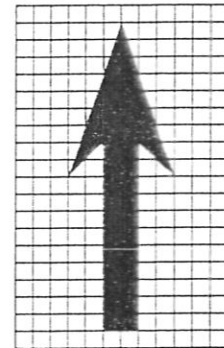
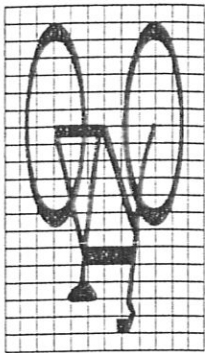
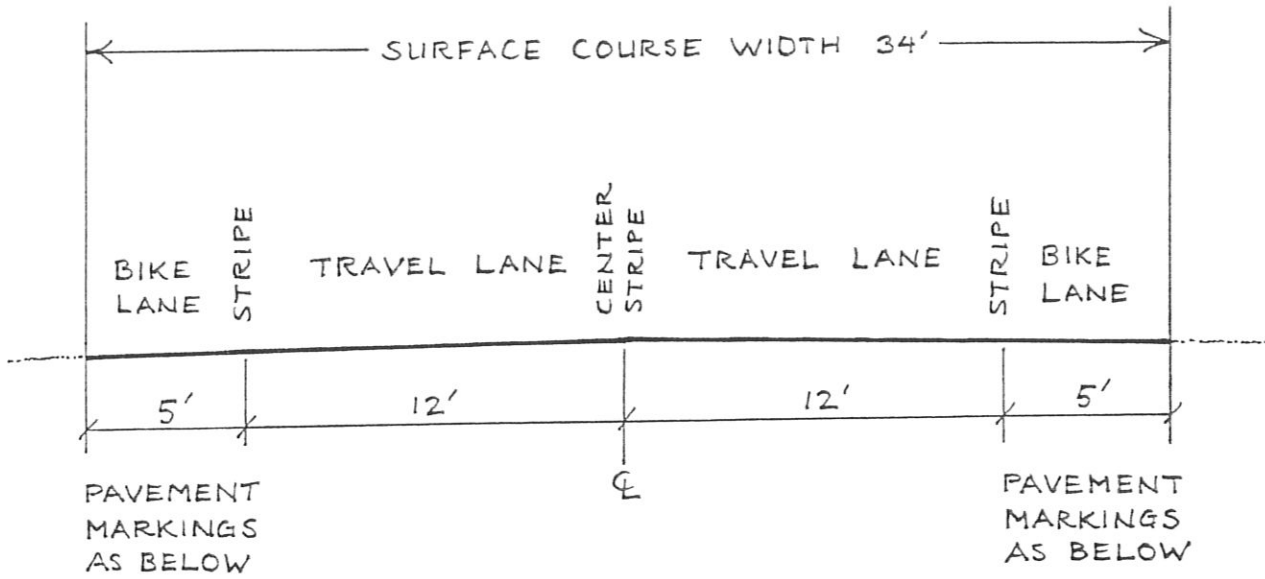
Utilities and Pathways

Because various construction activities, especially the digging and filling of utility trenches, can affect pathways, the County should require utility, construction, and excavation companies to repair any pathway torn up for utility work, restoring the pathway to its original condition or better. The installation of utilities in trail corridors is generally encouraged, except where it would cause undue environmental damage or permanently impair the trail use. Fees collected for trail corridor use by utilities should be reserved for trail building and maintenance rather than going into the County's general fund.

Utility lines that run parallel to the pathway should be placed under the trail bed where possible to minimize site disturbance. Laterals and lines perpendicular to the pathway should be located to minimize site disturbance and removal of significant vegetation. Physical obstructions should be located away from the pathway, and access points such as manhole covers should be located flush with the pathway surface where they do not pose a hazard. A bond may be required to ensure that pathway restoration is completed.

Furthermore, if a utility line of any significant distance is proposed to be trenched, the County should first determine whether the utility route could reasonably be used for a pathway as described in this Plan or on the Map. If so, the utility company should be required to return the trench not to the original contours of the landform, but to a grade that can be used for a pathway.

Figure 5. Roadway Section with Bike Lanes



□ = 0.1 m x 0.1 m
(4 in x 4 in)

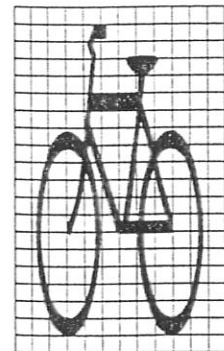
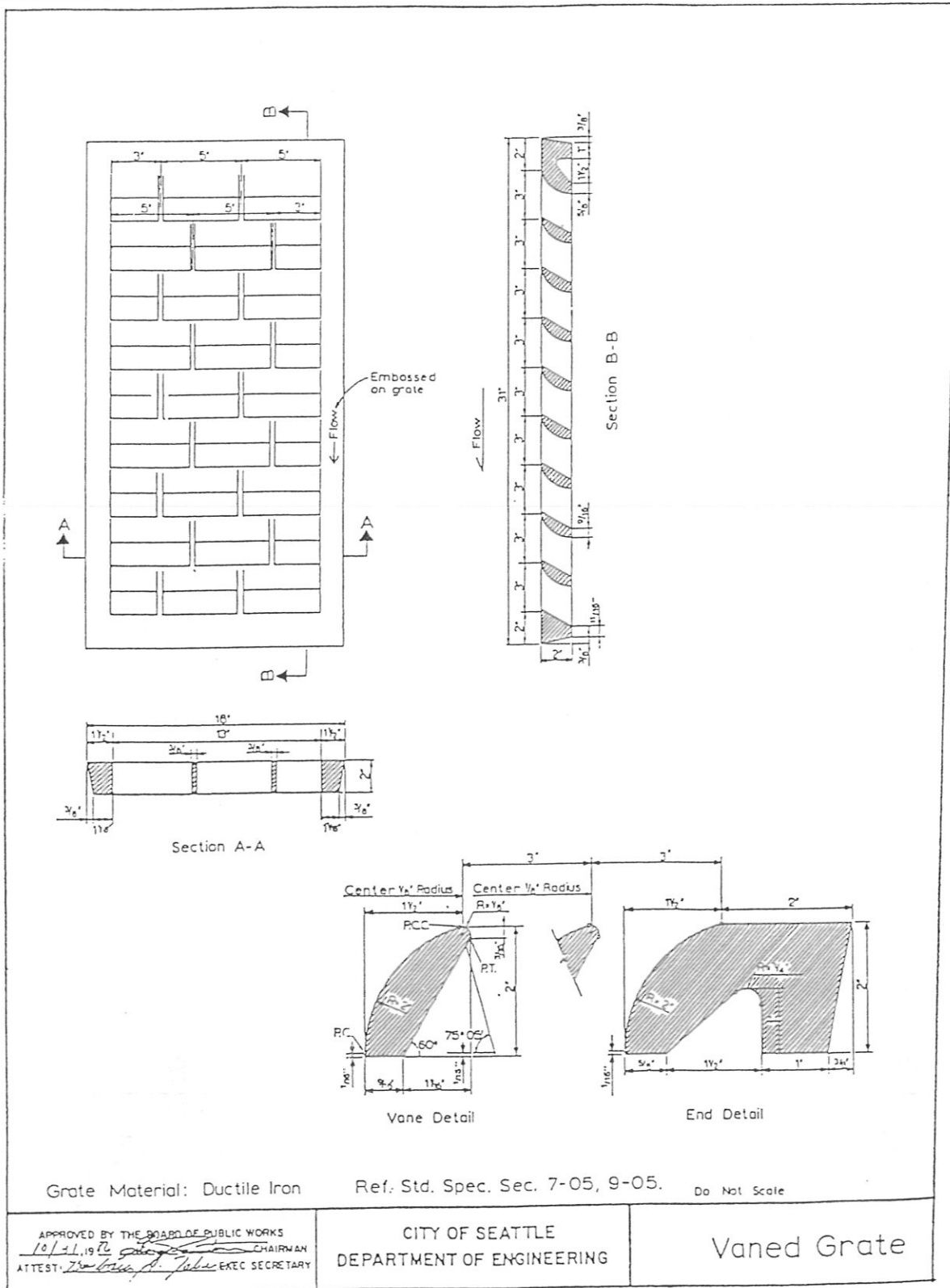


Figure 6. Bicycle-Safe Storm Drain Grate



From U.S. Department of Transportation, Federal Highway Administration, 1995, *Bicycle Safety-Related Research Synthesis*, p. 97

Subdivision and Development

One of the methods by which pathways in this plan are to be developed is construction in new subdivisions or developments, which should all be connected to the Valleywide pathway network or be so designed as to provide for connection at a later date. Pathways should be required in every subdivision, unless the approval process shows that they are not needed. However, the required pathway construction should not exceed that which is reasonable and proportionate to the development in question. Pathways are contemplated under two scenarios:

The first is a proposed pathway that is shown on the Proposed Pathways Map as passing through or near the land in question. In this case, the County should determine whether a pathway corridor must be set aside and what the exact route and width of the corridor must be. Land set aside in this manner should count towards the provision of open space for clustering and other requirements.

The second is a local pathway system that is not shown on the Map but serves a particular development and is designed to tie into the general pathway network. To accommodate the design and construction of such a system, the County should require pathway routes in each development, instead of sidewalks. These routes will consist of shared roadways, bike paths, side paths, or any appropriate combination thereof. Unpaved trails may be used to link a development to Forest Service or other recreational land. Analysis should be made during the approval process as to which pathway types are most appropriate and where they should be located. Emphasis should be placed on safety, attractiveness, and design that is tailored to the local topography and conditions, rather than trying to stamp the same “cookie-cutter” pattern on every development.

Signage and Facilities

Standard and consistent signs will be used to designate trailheads, pathway uses, directional information, educational information and historical information along the pathways. Information will also be provided at trailheads on how to donate to Weber Pathways and other trail organizations. All signs should conform, where applicable, to MUTCD standards and the Ogden Valley Sign Ordinance.

Adequate vehicle and bicycle parking, restrooms, drinking water, trail information, and hitching posts should be provided as reasonable at trailheads and, in certain cases, along the pathways. Sufficient parking for horse trailers should be provided where appropriate, and restrooms should conform to accessible standards. Not all trailheads will include all the items listed above; the design of trailhead facilities should be determined as part of the pathway route finalization process. Trailheads should be located so as to minimize their impact on the local communities and complement the rural setting.

Roadway crossings should in most cases be accomplished by means of a signed and striped crosswalk. Zebra-style crosswalks are recommended as having the highest visibility to motorists. Tunnels may be constructed under high-traffic roads, where funds permit. Tunnels should conform to AASHTO and accessibility standards and should be located on the most convenient pedestrian route in order to ensure their use and justify their expense. Pedestrian overpasses are not recommended, because of their inconvenience, inaccessibility, and negative aesthetic impacts.

As portions of the pathway system are developed, uniform materials, surfacing, and signs should be installed. Wherever possible, materials indigenous to the site should be used. Where the use of indigenous materials is not possible, the use of historic looking materials should be considered.

Maintenance

Before construction of a pathway, the entity to be responsible for its maintenance should be established. Typically, that entity will be the owner of the pathway corridor or right-of-way. The maintenance of a pathway that is not open to the public, such as that within a gated development, should be the sole responsibility of the developer or homeowner's association. The maintenance of a pathway on privately owned land over which a public easement is granted should be determined by agreement between the County and the landowner.

Volunteers from the ~~Ogden Valley chapter of~~ Weber Pathways and from other trail-advocacy organizations should monitor the pathway system to report problems and necessary maintenance issues to the county. In addition, volunteer efforts, by groups such as the Boy Scouts of America and various trail users, may be used for simple maintenance tasks. An adopt-a-trail program, modeled on Ogden City's, should be instituted as one way to assist with litter cleanup.

Landowner Relations

Respect for private property rights is an essential aspect of the Pathway Master Plan. As described under "Proposed Pathways Network" above, the scenarios under which pathways are to be constructed or designated for public use invite the cooperation of private property owners and the expression of their opinions and concerns. Furthermore, whenever a pathway is constructed along a pre-existing corridor formerly used for a different purpose, such as a canal or a power line, any pre-existing rights held by adjacent landowners concerning drainage, ditch maintenance, crossing and access, and other matters will continue to be honored.

Trespassing and liability are sometimes concerns of property owners adjacent to trails. While trespassing from pathways, just like trespassing from roadways, cannot absolutely be prevented, signs will be posted at all trailheads reminding users to "Please respect private property by staying on the trail." Access will not be allowed or provided from a pathway onto private property without the permission of the landowner. However, if landowners next to a pathway want to create their own access paths to connect to the pathway, they should be allowed and encouraged to do so.

The question of liability cannot be solved by this or any other master plan; however, it should be emphasized that the potential liability incurred by property next to a pathway is no greater than that experienced next to a roadway. Furthermore, Utah has adopted a Limitation of Landowner Liability—Public Recreation Act (Section 57-14-1 et seq.). This act specifically protects landowners who allow the public onto their property free of charge for recreational purposes.

Environmentally Sensitive Areas

The presence of wildlife is part of the heritage and charm of the Valley, and the protection of wildlife habitat and environmentally sensitive areas is an important value for many Valley residents. The Utah Division of Wildlife Resources (DWR) has identified three types of critical wildlife habitat in the Ogden Valley area:

1. Winter range, primarily for deer and elk, in the Middle Fork-Monastery area.
2. The Class 1 fishery in Ogden Canyon.
3. Small areas of wetlands and Class 3 fisheries in the Valley.

The first two types of habitat are shown on the map. Wetlands have not been mapped on the Pathway Master Plan, but along with riparian areas, or the corridors of vegetation along streambanks, they are habitats of great importance to local wildlife. The development of wetlands is also regulated by federal law, and trails along streambanks are regulated by the State Division of Water Rights.

The impacts of pathways on wildlife can be positive or negative and are not always precisely known. They vary according to the situation and the species in question. The benefits to the community of well-designed pathways usually outweigh their impacts on wildlife, but in order to minimize any negative effect on critical habitat, the following recommendations should be implemented:

1. Pathways on public land in the critical winter range area shall be closed seasonally during such dates as recommended by the DWR. Locked gates, with signage explaining the importance of the habitat and the reason for the closure, shall be installed at the trailheads or other appropriate locations.
2. Any pathway near a stream, in Ogden Canyon or elsewhere, shall be constructed so as not to adversely affect the water quality or riparian vegetation of the stream or to impair the natural processes of the stream, such as spring flooding.
3. When any pathway is planned for a designated wetland area, the Corps of Engineers shall be contacted for a 404 permit.
4. Where possible, pathways shall not be routed through the middle of large undisturbed areas of natural vegetation, but shall be located on the edge of such areas or in places that have already been disturbed by human activities.
5. Pathways shall not be routed continuously along streambanks, depriving wildlife of important undisturbed habitat, but they shall provide a reasonable number of access points to the stream, so that the public will not be tempted to create unauthorized or "social" trails to reach the water.
6. Where appropriate, pathways shall be used to improve habitat through the consolidation of many social trails into one well-designed pathway. The social trails should be revegetated with species that are native to the Valley or beneficial to wildlife.
7. Dogs shall not be permitted to run free to chase, harass, or kill wildlife.

The Proposed Pathways

The pathways described below and shown on the Proposed Pathways Map constitute a Valleywide network that reflects the results of the public planning process. The alignments shown on the map are conceptual, and exact locations will be determined only after landowner negotiations and fieldwork are completed. The map is intended for the use of trail planners, County officials and developers. It should not be used by the general public as a trail map.

Certain pathways are proposed for immediate development and noted by an asterisk (*). They were chosen to satisfy present demand, to provide significant safety benefits, or because they depend on corridors that may soon become unavailable. They will be bike paths and unpaved trails, because workshop results suggested that most Valley residents are currently more interested in separate pathways than in bike lanes. Of course, actual construction will depend on the availability of funds, the route planning process, and property ownership status. No trails are proposed for private property without a landowner's consent. ?

1. **Old Trappers Loop Road.** * This historic road, representing a route used by the early fur trappers, should be kept open to the public for non-motorized use, with special access granted to neighboring landowners, and a trailhead developed at an appropriate location at the north end.
2. **Wheeler Creek—Trappers Loop Trail.** A trail should be created to connect the Forest Service trails in the Wheeler Creek complex with the top (south) end of the Old Trappers Loop Road. The trail would be constructed in cooperation with the Forest Service and the private landowner in the area and would include a trailhead on the Trappers Loop Highway.
- yes 3. **Pineview Loop Pathway.** * This pathway will form a complete loop around Pineview Reservoir, connecting with the Pineview West Trail. The exact route has not yet been determined and is suggested only in a generalized fashion on the map. Parts of it will parallel the highway, while other parts will run along the shore. Much of the route will lie on land under the jurisdiction of the Forest Service, which will probably be the lead agency for much of the pathway planning and construction.
4. **Ogden Canyon Pathway.** Ogden Canyon is probably the most dangerous road in the County for bicyclists and pedestrians, and the need for a safe alternative is obvious. It is suggested that a pathway separate from the road be built on existing and former rights-of-way, with the goal of creating a practical, beautiful, and usable pathway route while respecting the privacy and other concerns of private landowners.
5. **Radford Hills Trail.** * This trail is proposed to connect the Pineview West Trail with the Skyline Trail, with a trailhead to be considered on Highway 158. The developer of Radford Hills has already expressed enthusiasm for the trail, but Forest Service cooperation will be required to complete the connection.
6. **Grove Trail.** This trail is meant to form a connection between Nordic Valley and the Pineview West Trail. Its exact route will need to be determined according to local terrain and property ownership.
7. **Pole Canyon Trail.** This trail would connect Nordic Valley to the Skyline Trail by means of the existing path in the Pole Canyon area or a similar route. It should be designed in coordination with the development plans of the Nordic Valley resort.
8. **Nordic Valley Pathway.** This pathway would connect Nordic Valley to the pathway network in the valley, providing a safe access route as an alternative to the highways.
9. **Western North Fork Pathway.** This pathway would serve the western side of the northern Ogden Valley and connect Nordic Valley to North Fork Park. An important component would be a spur to the Pioneer Trail over North Ogden Divide, with a trailhead at the east end of the Pioneer Trail.
10. **North Fork/Sheep Creek Pathway.** * This pathway would run from North Fork Park down through Liberty to Eden, where it would connect with the Eden Trail. It is intended

as an alternative to the increasingly busy highways and would ideally run near the North Fork River or near Sheep Creek.

11. **Avon—Liberty Road.** This unpaved road is currently open to motorized vehicles in the summer but is closed in the winter. If a new all-weather highway is constructed to Cache Valley, it is suggested that the old road be designated for pathway use.
- ? 12. **Sheep Creek—Wolf Creek Trail.** * This trail, which is to be left unpaved to accommodate equestrian use, is meant to connect the Sheep Creek development with the Wolf Creek resort. Planning for this trail must occur soon, in conjunction with the master plans for the development that is proceeding in both areas.
13. **Powder Mountain—Wolf Creek Trail.** This trail, not currently a priority, may with increasing activity at Powder Mountain gain importance as a non-motorized alternative to the Powder Mountain highway. The existing dirt road up the main Wolf Creek Canyon should be included, as far as the public easement there extends, as a spur of this trail.
14. **Wolf Creek Pathway.** * This pathway is needed to provide Wolf Creek residents and visitors with a safe way to reach the shops in Eden without having to use their cars. It would ideally be built in a separate corridor, but it is tentatively planned for the highway right-of-way for the sake of convenience.
15. **East Eden Pathway.** * This pathway would connect the Eden Trail with the Pineview Loop Pathway and the Middle Fork area. It is intended to help complete the continuity of the Valleywide pathway network and provide residents and visitors with a safe and convenient connection to the shops and other attractions in the Eden area.
16. **Middle Fork Pathway.** * The purpose of this pathway is to connect the existing Middle Fork trailhead area to the reservoir and the Pineview Loop Pathway. The exact route has not been determined, but it may parallel a streamcourse, roadway, or other corridor.
17. **Ogden Valley Canal Pathway.** * This pathway would follow the Ogden Valley Canal, either on its banks or generally running parallel to it on an alignment respectful of landowner concerns. It will form a very important component in the pathway network connecting the Valley from northwest to southeast.
18. **Power Line Trail Connection.** This trail extension will connect the existing Power Line Trail with the Wolf Creek development.
19. **Wolf Creek—Middle Fork Trail.** * This trail, popular with equestrians, would connect the trailhead being proposed at the Wolf Creek resort with the Middle Fork trail complex. Like other trails in the Wildlife Management Area, it would be closed in the winter, with a gate near the eastern end of the Wolf Creek developed area.
20. **Geertsen Canyon Trail Connection.** This extension of the north branch of the Geertsen Canyon Trail would connect to the trail network on top of the mountain.
21. **La Plata Ridge Road.** This trail would provide access from Powder Mountain to the mountainous areas on the east.
22. **La Plata Road and Trail.** The old ridgetop road would be extended southward as a trail connecting to the Geertsen Canyon—Shupe Canyon loop.
23. **Northern Connection Trail.** This trail, whose exact route is yet to be determined, would provide a trail connection from the La Plata area to Beaver Creek and the eastern portions of the County.
24. **South Fork—Beaver Creek Pathway.** This pathway would parallel Highway 39, either in the existing right-of-way or in a separate corridor, or a combination of both, to provide

safe non-motorized access to the South Fork campgrounds, the Causey area, and the lower part of Monte Cristo.

25. **Pine Creek Road.** This trail, to be designated in consultation with the private landowners in the area, would connect Brown's Hole to the South Fork—Beaver Creek Pathway.
26. **Causey Trail.** This trail would provide a safe connection from the South Fork—Beaver Creek Pathway to Causey Reservoir.
27. **Skull Crack Canyon Road.** This trail would form part of a grand loop in the southeastern part of the County and would be opened in cooperation with the private landowners in the area.
28. **South Ridgeline Trail.** A continuation of the trail loop as described under "Skull Crack Canyon Road."
29. **Bennett Creek Loop Trail.** This loop, which circles from the Monastery area to South Fork, already sees some trail use, and an official designation should be negotiated with local landowners.
30. **South Fork Pathway.** This pathway would extend east and west through the South Fork area as a safe alternative to the busy stretch of Highway 39. Ideally, it would be located in a separate corridor, but it may be built in an existing road right-of-way.
31. **East Huntsville Pathway.** This pathway would branch off the South Fork Pathway to provide a more direct connection to parts of Huntsville.
32. **South Fork—Monastery Pathway.** Another short connecting link, this pathway would help complete a safe network of pathways in the South Fork area.
33. **South Bench Canal Pathway.** This pathway would follow the South Bench Canal, running from the Monastery area west to the Old Trappers Loop Road and the Jefferson Hunt Campground area. It could be built in conjunction with alterations that have been proposed for the canal.

Acknowledgements

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The project coordinator was Geoffrey E. Ellis. The steering committee included Craig Barker—Weber County Planner, Suzanne Bazin, Rita Booth, Anthony Botello—USDA Forest Service, David C. Holmstrom, Sharon K. Holmstrom, Ed Radford—Chair of the Ogden Valley Chapter of Weber Pathways, Kay Salazar—National Park Service, Susan Summers, and Rick Vallejos—USDA Forest Service.

Appendix A: The Community Workshops

The Ogden Valley Pathway Master Plan Steering Committee organized three community workshops in order to develop a plan that reflects the wishes of the community. The workshops were publicized through articles and inserts in the Ogden Valley News, which is delivered to all Valley residents as well as to subscribers outside the Valley. Letters announcing the upcoming workshops were also sent to individuals on the Ogden Valley Pathways mailing list.

Community Workshop #1 – June 21, 2001

Objectives: The objectives of the first community workshop were to:

- Develop a broader understanding by the Ogden Valley citizens of the Ogden Valley Pathway master plan project.
- Create annotated maps reflecting public ideas for potential pathway routes, amenities, activity nodes, sensitive areas, pathway uses, etc.
- Formulate a list of project opportunities and challenges.

Attendance: Fifty-four people.

Actions: Participants were asked to fill in a comment sheet that asked their opinion on various aspects of the pathway planning process. They were also asked to draw their “wish-list” of pathways on maps that were provided.

Results: Thirty people turned in the comment sheets. Participants responded that safety was the most important issue: specifically, providing pedestrians and bicyclists with a way to get off the highways. Promoting health and a sense of community were also important to them.

When asked how to avoid negative impacts, many indicated that working cooperatively with private property owners and respecting their rights, as well as trail maintenance and litter cleanup were most important.

The most popular trail activities among respondents were walking and hiking, followed by bicycling, skiing and horseback riding. The “wish-list” drawn by the participants yielded 49 desired pathways. The ones suggested by the most people were Old Trappers Loop, a Pineview Loop, and a pathway in Ogden Canyon.

Community Workshop #2 – August 23, 2001

Objectives: The objectives of the second community workshop were to:

- Communicate the results of the June 21, 2001 workshop.
- Agree on pathway prioritizing criteria.
- Rank and agree upon the list of prioritized pathways.

Attendance: Twenty-four people.

Actions: Using a matrix and map illustrating all 49 proposed pathways from the first community workshop, the participants formed four groups and were asked to rate pathways on various criteria such as their value for recreation, transportation, and historical use. They also indicated whether each route should be an unpaved trail, a paved trail, or a set of bike lanes along a highway. Finally, each person voted for the top 16 pathways that he or she would like to see constructed or preserved in the valley.

Results: Working in groups allowed for ample discussion of the merits of each pathway, as well as the importance of various criteria to the public. The only constraint on achieving the objectives was time; however, the four groups ranked as many pathways as they could, including their favorites. The top five proposed pathways were Pineview Loop, Ogden Canyon, Pineview Shoreline, Monastery Loop, and Ogden Valley Canal. There was also overwhelming support for keeping an existing trail, the Old Trappers Loop Road, open to the public.

Community Workshop #3 – November 7, 2001

Objectives: The objectives of the third community workshop were to:

- Present the draft Ogden Valley Pathways Master Plan.
- Create an understanding of the draft master plan.
- Compile a list of ideas and changes for the draft master plan.
- Complete the comment sheets.

Attendance: 22 people.

Actions: The program began with a power point presentation on pathways and the current draft of the master plan, which was available to everyone present and had also been mailed out with the workshop announcements so that people would have a chance to read it ahead of time. Next was a question-and-answer session and general discussion of issues. Then the participants set to work in three small groups to fill out the comment sheets and list ideas and suggestions.

Results: Most participants strongly preferred separate pathways to bike lanes. One family was very concerned about the vandalism and partying that is currently occurring on the Pineview shoreline where there is no trail. Another important issue was that of not requiring too much from developers and creating a “takings” issue.

Sixteen people turned in comment sheets. An important suggestion was that the pathways on the plan not be limited to the most important but rather form a complete network over the whole Valley. A majority of participants indicated that they would be willing to pay for a Special Improvement District for pathways, with \$60.00 per year being the most common response.

Appendix B

The Goal of the Ogden Valley Pathway Master Plan Committee

Our goal is to work with citizens, organizations, planners, and elected officials to prepare a master plan for pathways in Ogden Valley. This includes proposed pathway and trailhead locations and standards that will be adopted by Weber County as an amendment to its general plan and become official public policy to be carried out as decisions are made for Ogden Valley's future.

Objectives of the Ogden Valley Pathway Master Plan Committee

We intend to accomplish the following tasks in order to achieve our goal:

1. Inventory existing conditions.
2. Research pathway plans, standards, and issues.
3. Involve the community through contact with public officials and other interested parties.
4. Involve the public in the plan development process by means of a series of workshops.
5. Utilize public input and factual research to create a pathways plan that:
 - a. Provides a system of interconnected, non-motorized, multi-use trails throughout all areas of the valley and allows for regional connections.
 - b. Includes connections to existing pathways.
 - c. Provides a variety of recreational experiences and transportation options.
6. Specify standards for pathway development, construction, and maintenance to protect the valley's natural beauty and resources.
7. Prescribe strategies to incorporate pathways into the development process for roads, residential subdivisions, and commercial properties.
8. Present the plan to local citizens, planning commissions and the Weber County Planning Commission.
9. Assist the planning commissions in making revisions as necessary.
10. Incorporate the plan into the Wasatch Front Regional Council's plans.
11. Identify partnerships and maintenance strategies.
12. Work with the County and other agencies to implement the Master Plan.

Appendix C: Case Studies on the Benefits of Pathways

Many people who have had little experience with trails and pathways become fearful when a trail is proposed near the place where they live. They are afraid that the trail will cause increased crime problems, such as vandalism, theft, and disturbance of the peace, and that it will lower their property values. In some cases, these fears are based on problems that are already occurring, in the absence of a trail; in other cases, they are simply an emotional response to that which is new and unknown. But are these fears justified? In most cases, the answer is no! The following case studies examine what really happens when a new pathway is constructed:

A study was conducted in 1987 on the Seattle, Washington's Burke-Gilman Trail, which was created from an abandoned railroad right-of-way, to determine what effect, if any, that trail had on property values and crime. It was found that property immediately adjacent to the trail was slightly easier to sell than other property in the area and had the same average selling price. Property near but not adjacent to the trail, however, was significantly easier to sell and sold for six percent more, on average. Real estate agents were even using the trail as a selling point for homes, condominiums, and apartments.

Furthermore, the Burke-Gilman trail had no apparent effect on vandalism and crimes experienced by adjacent property owners. Police officers interviewed stated that burglaries and vandalism had not increased, and they recommended the development of more trails. Residents also had good things to say about it; one woman stated that the "trail is much more positive than I expected. I was involved in citizens groups opposed to the trail. I now feel that the trail is very positive; fewer problems than before trail was built; more litter and beer cans and vagrants when railroad was in."

The Kal-Haven Trail in Michigan is another example of initial concerns about crime failing to come to pass after the trail was developed. Sheriff Tom Edmonds of Kalamazoo County stated in 1994 that there had been no increase in crime, with trespassing being the only, and an infrequent, crime. Likewise Van Buren County Sheriff H. Cal Rosema found that his earlier concerns were unfounded. "It pretty well takes care of itself," he said. In fact, his department received more complaints about trespassing before the abandoned railroad corridor was turned into a trail than afterwards.

The situation along another Michigan trail, the Hart-Montague Trail, proved to be similar. Sheriff Fred Korb of Oceana County said in the same 1994 article, "I was halfway reluctant about it off the bat. What kind of law enforcement problems are we going to have? We have had virtually zero problems on it." Department of Natural Resources records showed eight reports of vandalism during a two-year period, but the damage was done to DNR property and not to private property. Trespassing had not been a problem, although some littering did occur.

A study called *The Impacts of Rail-Trails*, conducted by the National Park Service Rivers, Trails and Conservation Assistance Program in cooperation with Pennsylvania State University, looked at the effects of three trails on the communities around them. The trails were the Heritage Trail in Iowa, the St. Mark's Trail in Florida, and the Lafayette/Moraga Trail in California. The study found that most adjacent property owners believed that the trails had no effect or a positive effect on their property values, and real estate professionals surveyed came to the same conclusion. In fact, 53% of the California property owners stated that the trail had increased their resale prices.

Between 93% and 100% of landowners along all three trails reported that since the trail had opened, they had experienced the same level or a decrease in problems such as burglary,

vandalism, animal harassment, dog manure, people asking to use the phone or bathroom, and trespassing. Up to 38% of landowners reported an increase in other problems such as loss of privacy, noise from the trail, and illegal motor vehicle use, yet about half the owners in Florida and California stated that they were "very satisfied" with the trail anyway, and less than 5% had a more negative attitude about living near the trail than they had initially.

A national survey in 1994 of more than 2,300 prospective homebuyers found that about 75% considered walking and biking paths a very important or extremely important feature in their decision to buy. They were the fourth most popular attraction, after low traffic, quiet streets, and natural open space. Even first-time homebuyers will pay an additional \$10,000 for a master planned community offering a town center, sidewalks, and walking and biking paths.

In Ogden, Utah, the area along the Ogden River used to be frequented by transients and plagued by crime, including vice and perversion of an unspeakable kind. After the Ogden River Parkway was built there, all of that changed. The area has been cleaned up and is now a popular place for families and individuals to walk, jog, rollerblade, or enjoy the athletic fields and other facilities along the route. On a sunny weekend, the crowds of people out enjoying the trail are tremendous, and it is popular with a significant number of walkers every day of the year, even in winter. Most importantly, the kinds of crime formerly found there have completely disappeared.

On the Bonneville Shoreline Trail east of the city, the residents of a condominium project at the top of 29th Street were concerned about the vacant area to the east of them. It was being used as a hangout by teenagers and vandals, who used to get drunk, light fires, and carry on all night long. The Ogden Trails Network took this area and turned it into a trailhead, with parking for 50 cars, gates at the entrance, and fences and boulder walls to keep vehicles from going on up into the foothills. This trailhead is now used by people in the neighborhood and other law-abiding citizens, and the troublemakers have been driven out. Almost every parking space is filled in good weather, and local residents have been so pleased with the improvements that one of them volunteered to be in charge of shutting the gates at night.

At the mouth of Ogden Canyon, a private landowner was experiencing problems with vandals and ATV riders trespassing on the land. The Ogden Trails Network built a trail connection there, and in 1999 the landowner wrote, "During this last year we have allowed the creation of the [trail], which connects our strategic location to the world famous Indian Trail atop beautiful Ogden Canyon. The [trail] has done wonders for our site. Incidences of vagrancy and petty crimes have dropped entirely. We could not be more pleased with how the trail system has enhanced our property!"

As of November 1, 2001, Jay Hudson of the Ogden Trails Network reports: "Lt. Dan Greenhall of the Ogden Police states that there have been no incidents on the Ogden River or Weber River Parkways this year and none on the Ogden Trails Network. We had a series of auto break-ins a couple of years ago at the trailheads of the Ogden Trails Network, but they caught the man. There have been the occasional graffiti problems but that is it. I can tell you that we have minimal problems on the Ogden Trails Network. Usually it is trash, a broken fence or a large rock moved out of position at the trailhead. There is little damage to the trails after you get 100 yards or more from the trailhead."

In summary, experiences with the trails in Ogden have confirmed what people in other parts of the nation have discovered: Trails do not increase crime; they almost always REDUCE it. A well designed trail system is like having an extra neighborhood watch that puts the friendly eyes and ears of community residents in circulation. One can conclude with confidence that the trail system in Ogden has had an overall benefit to every neighborhood it serves.

Appendix D: Utah Limitation of Landowner Liability Statute

CHAPTER 14

LIMITATION OF LANDOWNER LIABILITY—PUBLIC RECREATION

Section	
57-14-1	Legislative purpose
57-14-2	Definitions
57-14-3	Owner owes no duty of care or duty to give warning—Exceptions
57-14-4	Owner's permitting another to use land without charge—Effect
57-14-5	Land leased to state or political subdivision for recreational purposes
57-14-6	Liability not limited where willful or malicious conduct involved or admission fee charged
57-14-7	Person using land of another not relieved from duty to exercise care

57-14-1. Legislative purpose.

The purpose of this act is to encourage public and private owners of land to make land and water areas available to the public for recreational purposes by limiting the owners' liability toward persons entering the land and water areas for those purposes.

57-14-2. Definitions.

As used in this chapter:

- (1) "Land" means any land within the territorial limits of the state of Utah and includes roads, water, water courses, private ways and buildings, structures, and machinery or equipment when attached to the realty.
- (2) "Owner" includes the possessor of any interest in the land, whether public or private land, a tenant, a lessor, a lessee, and an occupant or person in control of the premises.
- (3) "Recreational purpose" includes, but is not limited to, any of the following or any combination thereof: hunting, fishing, swimming, skiing, snowshoeing, camping, picnicking, hiking, studying nature, waterskiing, engaging in water sports, using boats, mountain biking, using off-highway vehicles or recreational vehicles, and viewing or enjoying historical, archaeological, scenic, or scientific sites.
- (4) "Charge" means the admission price or fee asked in return for permission to enter or go upon the land.
- (5) "Person" includes any person, regardless of age, maturity, or experience, who enters upon or uses land for recreational purposes.

57-14-3. Owner owes no duty of care or duty to give warning—Exceptions.

Except as provide in Subsections 57-14-6(1) and (2), an owner of land owes no duty of care to keep the premises safe for entry or use by any person entering or using the premises for any recreational purpose or to give any warning of a dangerous condition, use, structure, or activity on those premises to that person.

57-14-4. Owner's permitting another to use land without charge—Effect.

Except as provided in Subsection 57-14-6(1), an owner of land who either directly or indirectly invites or permits without charge or for a nominal fee of not more than \$1 per year any person to use the land for any recreational purpose does not thereby:

- (1) make any representation or extend any assurance that the premises are safe for any purpose;
- (2) confer upon the person the legal status of an invitee or licensee to whom a duty of care is owed;
- (3) assume responsibility for or incur liability for any injury to persons or property caused by an act or omission of the person or any other person who enters upon the land; or
- (4) owe any duty to curtail the owner's use of his land during its use for recreational purposes.

57-14-5. Land leased to state or political subdivision for recreational purposes.

Unless otherwise agreed in writing, Sections 57-14-3 and 57-14-4 are applicable to the duties and liability of an owner of land leased to the state or any subdivision of the state for recreational purposes.

57-14-6. Liability not limited where willful or malicious conduct involved or admission fee charged.

- (1) Nothing in this act shall limit any liability which otherwise exists for:
 - (a) willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity;
 - (b) deliberate, willful, or malicious injury to persons or property; or
 - (c) an injury suffered where the owner of land charges a person to enter or go on the land or use the land for any recreational purpose, except if the land is leased to the state or a subdivision of the state, any consideration received by the owner for the lease is not a charge within the meaning of this section.
- (2) Any person who hunts upon a cooperative wildlife management unit, as authorized by Title 23, Chapter 23, Cooperative Wildlife Management Units, is not considered to have paid a fee within the meaning of this section.
- (3) Owners of a dam or reservoir who allow recreational use of the dam or reservoir and its surrounding area and do not themselves charge a fee for that use, are considered not to have charged for that use within the meaning of Subsection (1)(c) even if the user pays a fee to the Division of Parks and Recreation for the use of the services and facilities at that dam or reservoir.

57-14-7. Person using land of another not relieved from duty to exercise care.

This chapter may not be construed to relieve any person, using the land of another for recreational purposes, from any obligation which the person may have in the absence of this act to exercise care in use of the land and in activities thereon, or from the legal consequences of failure to employ care.

Appendix E: Definitions

The following definitions were adapted from the American Association of State Highway Transportation Officials (AASHTO) *Guide to the Development of Bicycle Facilities* and used by the Ogden Valley Master Plan Steering Committee in the preparation of the Plan:

Bike lane: A portion of a roadway that has been designated for bicycles by striping, signing, and pavement markings. Also called a Class II Bikeway.

Bike path: A paved trail for pedestrians, skaters, bicyclists, and other non-motorized users. Also called a shared use path or Class I Bikeway.

Bike route: A roadway designated by signage as a recommended route for bicycles. Also called a signed shared roadway or Class III Bikeway.

Bikeway: Any route designated for bicycles, including bike routes, bike lanes, and bike paths.

Bridle path: An unpaved pathway designated especially for horses.

Non-motorized use: Use by pedestrians, bicycles, horses, skates, scooters, skis, snowshoes, and any type of conveyance for persons with disabilities, but not by mopeds, “push bikes,” motorized bicycles, motorized scooters, or snowmobiles.

Pathway: A route intended for non-motorized use, including trails, side paths, bridle paths, bike paths, and bike lanes.

Right-of-way: The strip of property owned by a county or other entity for roadway or pathway use.

Right of way: The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian.

Roadway: The portion of a road, street, or highway, including the shoulders, intended for motor vehicle use.

Rumble strips: A textured or grooved pavement sometimes used on or along shoulders of highways to alert motorists who stray onto the shoulder.

Shared roadway: A roadway open to and appropriate for pedestrian and bicycle use as well as motor vehicle travel.

Side path: A pathway, usually paved, that parallels a roadway and is intended for pedestrians. It serves the same function as a sidewalk but does not have curb and gutter associated with it.

Trail: A pathway located in a park, forest, open space, or other natural area and separated from any roadways by open space, landscaping, or a barrier.

Appendix F: References

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