

ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a City Council Meeting on Tuesday, July 12, 2022 preceded by a Joint work session at 6:00 pm with the Planning Commission. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM WORK SESSION
CE3 Discussion

see attachment

REGULAR CITY COUNCIL MEETING AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum

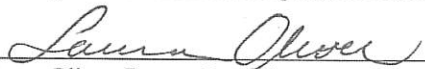
7:00 PM - REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

1. CE3 Discussion
2. Fee Schedule Food Truck Annual Fee see attachment
3. Discussion and Motion on 1 or 2 Lot Subdivisions see attachment
4. Interlocal Agreement With Utah County Regarding Election Ballot Drop Boxes see attachment

Closed Session Per Utah Code 52-4-204, If needed.


Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 11th day of July 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 11th day of July 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

ELK RIDGE
CITY COUNCIL MEETING
JULY 12, 2022

TIME AND PLACE OF MEETING

This public hearing and regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, July 12, 2022, at 7:00 PM**. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on June 27, 2022.

ROLL CALL

Mayor: Robert Haddock

Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory, Thompson, Tanya Willis,
Planning Commission: Maureen Bushman *Planning Commission*, Maureen Bushman, Matt Stewart,
Melanie Paxton, Ron Hill

Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*,

Public: Rosemarie Evans, Karl Shuler, KC Bush, Stephen Simmons, Larry Lee, Jed Ottesen

6:00 PM WORK SESSION

Discussion ensued on lot size and how many sewer connections are realistic with topography, water protection zones, open spaces and sensitive areas and should the city do the sensitive area map. A lot 4 acres or larger can have animal rights and does not have to do open space. Open space is used when a development clusters. Should the minimum lot size ½ acre or acre? How much bonus density should the city do if any? Sewer connections are limited, and the city is looking into possibly getting more connections.

ELK RIDGE
CITY COUNCIL MEETING
JULY 12, 2022

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, July 12, 2022, at 7:00 PM preceded by a work session at 6:00 pm**. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on July 11, 2022.

ROLL CALL

Mayor: Robert Haddock

Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory, Thompson, Tanya Willis,

Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, Matt Stewart, Planning
Commission, Larry Lee, Planning Commission, Melanie Paxton Planning Commission

Public: Rosemarie Evans, Karl Shuler, KC Bush, Steven Simmons,

OPENING REMARKS- INVITATION

Opening remarks were offered by Matt Stewart

Pledge lead by Councilmember Peterson

APPROVAL/AGENDA TIME FRAME

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIMEFRAME
COUNCILMEMBER PETERSON SECONDED

VOTE: AYE (5) NAY (0) APPROVED

53 **PUBLIC FORUM**

54 Rosemarie Evans – wondered if the limited sewer connections could have a lottery instead of first come
55 first serve and they have a smaller lot and would like a smaller minimum lot size.

56 Karl Shuler – wants to reiterate that a base density of 1 acre or ½ or smaller for bonus density for parking,
57 trails etc. would be hard if the 4-acre lot size is in place.

58 KC Bush – Lives on High Sierra and is concerned about traffic on High Sierra. It was not designed for high
59 traffic. Also concerned about fire/emergency services, water, and sewer.

60 Steve Simmons – lives on High Sierra and is concerned about traffic and are the citizens going to have to pay
61 for the infrastructure.

62 Jed Ottesen- his property has been in the news recently because his foundation is crumbling, and his family
63 has reached the end of their rope. They will be walking away from their home due to the consequences of bad
64 development. He wants a response from the city of what happened back then and how are you going to see
65 that it doesn't happen in the future. They cannot get any help and were offered pennies on the dollar for their
66 home from and they are exhausted after 5 years of red tape from the federal government.

67
68 **REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**

69 **1. CE3 Discussion**

70 Mayor Haddock stated the deadline for the CE3 is August 30th. Continue discussion from work
71 session. The planning commission members present all prefer 1 acre lots with no clustering. Trails and
72 open space are top priority as well as fire mitigation. Discussion ensued on trails, types of trails and
73 open space and slopes and the best way to provide access to the mountain in everyone's best interest
74 but the city has legal right to set up zones in their city as per state code. Discussion ensued on
75 whether the city should make 2 different codes for this area. Discussion ensued on areas that would not
76 be able to connect to the sewer. A new well and tank need to be in place before development. Sewer,
77 water, and roads need to be dealt with for any type of development.

78
79 **2. FEE SCHEDULE FOOD TRUCK ANNUAL FEE**

80
81 COUNCILMEMBER ABBOTT MOTIONED TO APPROVE RESOLUTION 22-07-12-1R THE
82 ANNUAL FOOD TRUCK FEE OF \$75 COUNCILMEMBER PETERSON SECONDED

83
84 VOTE: AYE (3) NAY (2) APPROVED
85 Tanya Willis NAY
86 Nelson Abbott NAY
87 Tricia Thomas AYE
88 Cory Thompson AYE
89 Jared Peterson AYE

90 **3. DISCUSSION AND MOTION ON 1 OR 2 LOT SUBDIVISIONS**

91 Mayor Haddock stated the city code contradicts itself. This motion is to move it to public hearing.

92
93 COUNCILMEMBER PETERSON MOTIONED TO MOVE THIS TO PLANNING COMMISSION
94 FOR PUBLIC HEARING COUNCILMEMBER THOMAS SECONDED

95
96 VOTE: AYE (5) NAY (0) APPROVED

97
98 **4. INTERLOCAL AGREEMENT WITH UTAH COUNTY REGARDING ELECTION BALLOT**
99 **DROP BOXES**


100
101 COUNCILMEMBER PETERSON MOTIONED TO ADOPT RESOLUTION 22-07-12-2R
102 BETWEEN UTAH COUNTY REGARDING ELECTION BALLOT DROP BOXES
103 COUNCILMEMBER WILLIS SECONDED

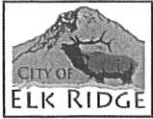
104 VOTE: AYE (4) NAY (1) APPROVED

105 Tanya Willis AYE
106 Nelson Abbott NAY
107 Tricia Thomas AYE
108 Cory Thompson AYE
109 Jared Peterson AYE
110

111 COUNCILMEMBER THOMPSON MOTIONED TO ADJOURN COUNCILMEMBER WILLIS
112 SECONDED

113
114 VOTE: AYE (5) NAY (0) APPROVED
115

116 
117 Laura Oliver, Deputy Recorder



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801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a Joint work session at 6:00 pm with the Planning Commission on Tuesday, July 26, 2022. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM WORK SESSION

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call

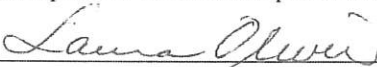
AGENDA ITEM

CE3 Discussion

see attachment

Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 14th day of July 2022.



Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 14th day of July 2022.



Laura Oliver, Deputy Recorder

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ELK RIDGE
CITY COUNCIL MEETING
JULY 26, 2022

TIME AND PLACE OF MEETING

This public hearing and regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, July 26, 2022, at 7:00 PM preceded by a joint work session with Planning Commission at 6:00PM.** The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on July 25, 2022.

ROLL CALL

Mayor Pro Tem: Nelson Abbott

Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory, Thompson, Absent – Mayor Haddock

Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*

Public: Kristen Rutter, Mark Shillingburg, Valerie Gettys, Lisa Graham, Dari Schulb, Ken Christensen, Dave Clark, Ron Clark, KC Bush, Robert Strang, Holly Worthington, Blake Worthington, James Alistrum-Attorney, David Ruff, Sharon Shuler, Karl Shuler, Kelly Adams, Aubrey Johnson, Justin Hutchins, Jed Shuler, Leann Adams, Kevin Clark, Shae lark, Barry Fullmer, Katy Fullmer

Councilmember Nelson Mayor - Pro Tem stated this is a joint meeting with Planning Commission to discuss the CE3 Code and will go through the most current changes.

Councilmember Abbott stated there is an added a line for adding parking areas for trail heads. Question was asked who pays for this, could impact fees pay for this. Councilmember Abbott stated no but the city would need to put it in the capital facilities plan. Additional density could be given in exchange for parking areas. Parking areas would keep cars from parking all over the neighborhoods.

Another line was for water drainage

Open space was stricken and changed to unbuildable, which are the ridgelines and steeper slopes

Fault lines an additional line was added.

Wildlife corridors were better defined. Discussion ensued on how to connect corridors and if there are and how to identify wildlife corridors. Councilmember Thomas stated the city cannot go rogue and just choose what is a corridor but should defer to the experts. Councilmember Abbott stated the Utah Fish and Game Department identifies wildlife corridors. Councilmember Abbott spoke with this department, and they stated that wildlife 20%-30% are what animals' traverse where they can see prey and they don't have to connect. The Fish and Game maps show corridors that mirror what the cities map show of the steeper slopes There are no official wildlife corridors at this time but the Fish and Game will be collaring wildlife in this area to determine that but it is not scheduled. Animals will go where they feel the safest. Standard livestock fences let animals through. Councilmember Thompson states that the HR1 10-9-2 code already has in it about preserving the natural habitat in the natural state; why would we change that.

Councilmember Peterson states the HR1 Code is too restrictive. There are only a few ridges, but the rest is not and should not be as restrictive. Councilmember Abbott stated 30% slopes already do not allow fences or horses. Councilmember Willis stated 10-9 also covers fencing, Remove the word connecting

Unstable soils unstable soils that cannot be engineered are unbuildable.

51 Benching and terracing to make larger building sites is prohibited. "Excessive" was removed because it is
52 too vague. The intent was so that land cannot be leveled and make unbuildable slopes terraced and
53 buildable. Ron Gaily, Planning Commission stated that excessive was originally used because no
54 terracing was too restrictive. A height has to be determined where there is no terracing or use a modifier;
55 so, the modifier "excessive:" was used. If left as is there is no benching. Councilmember Abbott stated the
56 building lot has to be determined before development and recorded on the mylar. Peterson, this falls under
57 the subdivision this is so topo can't be leveled to make more lots but terracing a private lot to put in a wall
58 is different which is already in the Discussion ensued on changing the code to "During the subdivision
59 phase there is no benching and terracing to make additional or larger building lots is prohibited".

60
61 Discussion ensued on open space. Councilmember Abbott does not want open space dedicated to the city
62 unless its trails and roads but not slopes of 20%-30%. Councilmember Thomas stated future councils can
63 always change what open space dedicated to the city is used for, and that a trust is the only way to protect
64 open space. Larry Lee Planning Commission asked if there is another part of the code that talks about
65 trails? Discussion ensued on parks and trails: a trail isn't a park and what type of park would be utilized
66 and the cost associated with parks. Councilmember Abbott stated open space and private open space has
67 to be clearly defined so public stays off private lands. Councilmember Willis stated that the city is behind
68 on the required park space and open space comes in if there is clustering. Large private open space could
69 potentially be divided later, and more homes are put in then was originally platted in the future. Melanie
70 Paxton, Planning Commission asked/stated for clarification that the landowner and developer have a say
71 in where the trails are? Trails are the key interest to the city. Councilmember Abbott clarified that the
72 landowner and developer do have that right and this is done during the subdivision approval process. The
73 options for open space is to give the landowner and developers a choice. Councilmember Peterson stated
74 the only open space that should be spelled out are the trails, parks and parking lots, everything else is
75 private property and should be up to the developer/landowner to put in a trust etc. and if they want to
76 donate open space to the city, they can negotiate that. Councilmember Abbott stated if the developer puts
77 in trails, they need to forego sidewalks, it needs to be one or the other. Melanie Paxton, Planning
78 Commission stated the city needs to designate what type of trails there are going to be, paved or natural.
79 Larry Lee stated roadside trails can be easily connected and easier to maintain especially in the winter.

80
81 Road grade was changed to 10%. Melanie Paxton, Planning Commission stated that Shawn Elliot spoke
82 to the Planning Commission and 10% is standard. Councilmember Willis stated this cuts down on cut and
83 fill when putting in the roads.

84
85 Ron Gaily, Planning Commission stated revegetation was changed to a "general plan" just so the city
86 knows they have a plan and not so restrictive. Councilmember Peterson would rather have this done
87 during final approval.

88
89 Councilmember Abbott stated the city is under some constraints because of sewer and water. I well and
90 tank also has to be out before anything is developed. Councilmember Thompson stated that the city has to
91 add storm drain and retention to this code; it is not mentioned anywhere. Run off is a significant issue.
92 Councilmember Thompson stated at the last meeting all council and planning commission members said
93 1 acre is the preferred minimum. Councilmember Peterson stated his task from the last meeting was to
94 look into sewer connections and issues. Payson stated they could have additional sewer connection with
95 upgrades to the mainline for 300-400 connections, but Payson has not given the city a definitive answer as
96 Payson is currently mapping Elk Ridge lines which will take a couple weeks. Councilmember Abbott
97 stated that new development would only have to pay for the upsizing of any upgrades to the sewer
98 mainline to Payson, Elk Ridge would have to pay for the remaining 75% per state code. Councilmember
99 Thompson stated the council cannot pass could on "what if" the council has to use real data.
100 Councilmember Abbott stated that right now with the connections the city has lot sizes work out to a 4-
101 acre minimum. Councilmember Peterson stated the buildable area with the drainages and everything that

is on the sensitive area map including everything that is not gradable to the sewer with the elevation there is some area that could not hook into the sewer. Subtracting 20% out of the buildable area for roads it works out o a .71-acre minimum lot size minimum, so the 1 acre is more in line taking everything into account.

Councilmember Abbott moved into the regular city council meeting.

**ELK RIDGE
CITY COUNCIL MEETING
JULY 26, 2022**

TIME AND PLACE OF MEETING

This public hearing and regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, July 26, 2022, at 7:00 PM preceded by a joint work session with Planning Commission at 6:00PM.** The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on July 25, 2022.

ROLL CALL

Mayor Pro Tem: Nelson Abbott
Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory, Thompson, Absent – Mayor Haddock
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*
Public: Kristen Rutter, Mark Shillingburg, Valerie Gettys, Lisa Graham, Dari Schulb, Ken Christensen, Dave Clark, Ron Clark, KC Bush, Robert Strang, Holly Worthington, Blake Worthington, James Alistrum-Attorney, David Ruff, Sharon Shuler, Karl Shuler, Kelly Adams, Aubrey Johnson, Justin Hutchins, Jed Shuler, Leann Adams, Kevin Clark, Shae lark, Barry Fullmer, Katy Fullmer

OPENING REMARKS– INVITATION

Opening remarks were offered by Ron Gaily, Planning Commission

APPROVAL/AGENDA TIME FRAME

COUNCILMEMBER THOMAS MOTIONED TO APPROVE THE AGENDA AND TIMEFRAME
COUNCILMEMBER PETERSON SECONDED

VOTE: AYE (5) NAY (0) APPROVED

PUBLIC FORUM

Lisa Graham - Concerned about safety and traffic. High Sierra was not meant to handle high traffic. Landowners have rights but that should not supersede existing homeowners.
Valerie Gettys - Agrees with Lisa Graham
Dari Schulb - also concerned about traffic. Development needs to be done smart and safe.
Casey Bush- Is concerned about new sewer and how that will affect his utility bill and is also concerned about traffic on High Sierra
Holly Worthington - is concerned about fire mitigation and evacuation from the area
James Alistrum Attorney for Liz Moeller - concerned with 4 acre minimum and bonus density and takings of the city
David Ruff - owns land above High Sierra Drive for 15 years and would like to be able to build his home on this land and the development to be an asset to the city. Even without a new development the city needs a new well and would like the city to work with landowners productively.

153 Sharon Shuler - landowner whose family has been working on developing the land for 14 years. All the
154 decisions the council is making are affecting people's lives and would like to work reasonably
155 Karl Shuler - watched Elk Ridge get started and wondered how Goosenest and the little bridge would
156 handle the traffic with 24 homes within the city, but it worked out and wondered how it would affect his
157 pheasant hunting. He didn't want development but has changed his mind over the years. When he tried to
158 develop his land, they were going to add width to High Sierra and a possible trail or sidewalk but as time
159 has gone on and houses were built it made it harder to do that. Problems of sewer and water are an
160 ongoing issues all through Utah but these issues can be fixed.
161 Kelly Adams - been in Elk Ridge since 1989 development is inevitable and is concerned that new
162 infrastructure is being built on old infrastructure. The city needs to look at the whole infrastructure when
163 developing.
164 Aubrey Johnson - Her family donated a lot of land to the city and would like the city to treat her family
165 fairly which has not been the case. Her father (Karl Shuler) does not want special treatment. The 4-acre
166 lot minimum is, and 2 ingress and egress are unfair not fair as seen throughout the city.
167 Jed Shuler - If the density of 4 acre minimum is considered almost 40% of the area is taken out. Is also
168 concerned about all the constraints being out into this area which greatly reduces the buildable lots. The
169 4-acre minimum is too restrictive and makes it impossible to develop.
170 Leann Adams - is concerned about the density that developers are requesting. Council is responsible for
171 health and safety which is fire safety, old connecting to new infrastructure and traffic and runoff. She is
172 for property rights for developers and existing residents.
173 Kevin Clark - is concerned about water pressure and flooding, he had to put a sump pump in to protect his
174 home from runoff. How is runoff going to be addressed?
175 Kristin Rutter - The Shuler family helped establish Elk Ridge and the property owners are not looking to
176 put in hundreds of homes.
177

178 REGULAR CITY COUNCIL MEETING AGENDA ITEMS

179 1. CE3 Discussion

180
181 Councilmember Peterson stated land that cannot connect to the sewer is because of the
182 topography, sewer cannot run uphill. The bigger the lots are the more the city will have to
183 subsidize the roads. The 4-acre minimum is absurd. He does not think the city should do
184 clustering and just go with a set lot density and 1-acre minimum lot size and require trails.
185 Councilmember Abbott agrees with Councilmember Peterson. Councilmember Thomas asked if
186 that 1 acre includes unbuildable area? Councilmember Peterson stated there needs to be enough
187 buildable area on a lot. Ron Gaily, Planning Commission stated there will be 400 homes up there
188 times x amount of cars on High Sierra that's an issue that a lot of people spoke of tonight; 1 acre
189 may be the nice thing to say but the consequence is what a lot of people are deeply concerned
190 with. Councilmember Willis stated they are tying in with how the master plan and is supposed to
191 tie into a connector street. Ron Gaily, Planning Commission stated an individual this evening
192 spoke of other developments only having 1 access, but the city cannot have 300 homes up there
193 with just a single exit. Councilmember Peterson stated the city code requires 2, a traffic study and
194 utility studies. Councilmember Willis stated she can figure out option for sewer and water but has
195 not been able to find a solution to traffic. Councilmember Abbott stated until the city has a way to
196 get adequate roads to the area the city is setting itself up for trouble. Councilmember Willis stated
197 the city had its practice fire and the city needs to learn from that.
198

199 Councilmember Abbott stated there is a 4-acre base and if you do clustering that 4 acre can go
200 down to 1 acre in exchange for trails open space and other things. This gives developers an
201 option. Councilmember Willis stated perhaps those lots can be grandfathered in. Councilmember
202 Abbott stated the previous Elk Haven development worked out at 1 acre lots. Councilmember

Peterson does not want to play games with it and just do straight 1 acre lots and get rid of the shenanigans which costs everyone in the city. The city needs to set parameters and have the engineers figure it out. Larry Lee Planning Commission stated having bonus density it does identify the interests in what the city would want; that is the one advantage. If you take out the bonus density maybe there should be a priority of things that are desirable to the city which would fit in with Councilmember Peterson's approach. Melanie Paxton Planning Commission stated that you cannot just take, that is illegal.

Councilmember Thompson stated he is inclined to leave it at the bigger lot size and if the engineers can prove and that all concern have been addressed then the 1-acre higher density would be ok. Ron Gaily Planning Commission stated that is essentially what is written.

Discussion ensued on the minimum frontage being changed from 150 feet to 100-120 feet and the front setback from 50 feet to 30 feet and side setback from 20 feet to 12 feet. Councilmember Abbott stated the council needs to get input from the Fire Chief on the setbacks. Cul-de-sac size at 150 feet which is recommended by the Fire Chief and Public Works instead of 170 feet.

Other items the Planning Commission needs to look at in the next meeting:

Building envelope on page 10 needs to be elaborated on such as what is included in the envelope and what is not included.

Strike #6 it is elsewhere in the code.

The tables need to be altered. Retention walls code needs to state it follows the current IBC.

Cuts and fills maximum cut or fill is 15 feet is that across the entire lot? What exactly does this mean? Remove the word maximum?

Fencing change to cordoned off during the grading process or leave according to SWWPP

Limits of disturbance clarify

Off street parking is already elsewhere in the code.

Driveway grades

Subdivision process is already in the code. Remove except for additional items needed for the CE3 code.

Livestock and animal rights is already elsewhere in the code.

abide by it and not something a developer had made and not referred to as a suggestion.

Page 4 B - Ridgelines and unbuildable spaces and lesser slopes, meet and grades- needs to be clarified with better defined language or needs removed.

Conditional Use permits should be approved by staff administration as stated elsewhere in the code.

Councilmember Peterson stated the sensitivity map needs to be done by the city and the developers

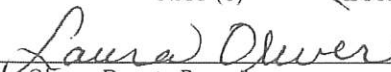
COUNCILMEMBER THOMPSON MOTIONED TO ADJOURN COUNCILMEMBER THOMAS
SECONDED

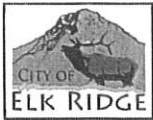
VOTE:

AYE (5)

NAY (0)

APPROVED


Laura Oliver, Deputy Recorder



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801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a City Council Meeting on Tuesday, August 9, 2022. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

REGULAR CITY COUNCIL MEETING AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum

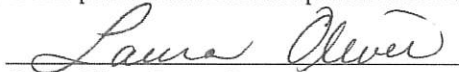
7:00 PM - REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

- | | |
|--|----------------|
| 1. Amblevue Timeline for Recording Mylar | see attachment |
| 2. The Highlands at Elk Ridge Renaming of Phases | see attachment |
| 3. Speeding Hillside Drive | |

Closed Session Per Utah Code 52-4-204, If needed.

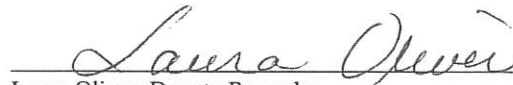
Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 8th day of August 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 8th day of August 2022.


Laura Oliver, Deputy Recorder

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**ELK RIDGE
CITY COUNCIL MEETING
AUGUST 9, 2022**

TIME AND PLACE OF MEETING

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ROLL CALL

Mayor: Robert Haddock
Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory Thompson, Tanya Willis,
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*,
Public: Judy Grantham, Kent Partridge, Denise Partridge, Tom Davis, Trudy Davis, Joe Wilkins, Collin Brinkerhoff, Steve Latham, Ty Ellis, Larry Lee, Dan Towsey, Jim Chase, Stephen Simmons

OPENING REMARKS- INVITATION

Opening remarks were offered by Kent Partridge
Pledge lead by Larry Lee

APPROVAL/AGENDA TIME FRAME

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIMEFRAME
COUNCILMEMBER PETERSON SECONDED

VOTE:	AYE (5)	NAY (0)	APPROVED
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PUBLIC FORUM

Judy Grantham lives on Hillside Dr. and is very concerned about the speeding on Hillside Dr. Since she moved here in 2008 there have been 4 accidents from speeding cars which included 2 trees taken out, a neighbors car totaled that was parked on the street which 10 minutes prior their grandchildren were playing. She would like to recommend a Sherriff sit on Hillside Dr for a while, put in speed bumps, 2 flashing speed signs, one at the top and one at the bottom. The city needs to improve the safety on this street.

Tom Davis stated he his office window faces Hillside Dr, and he sees speeders all the time. He has seen cars side by side racing. He has purchased signs that say please slow down this is a neighborhood not a racetrack, but he is in an HOA to deal with. He tries to get people to slow down but he is usually just flipped off. Only one person ever apologized. They have grandkids play in their yard and it is just not safe to play there. Its scary and something needs to be done.

Ty Ellis stated he is concerned about the water pressure that he now has. He has filed a formal complaint with the city. Obviously, this may take time to fix but h has had 3 decades of a service level that was sufficient for his needs and it is odd that the pressure is now lower. He hopes that the council will allocate the funds necessary to fix the problem when it is presented to them.

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

1. AMBLEVIEW ESTATES

Tabled until clarification from attorney

2. THE HIGHLANDS AT ELK RIDGE RENAMING OF PHASES

The developers are changing which phase is going to be done first, therefore it has been recommended that the names of the phases be changed as well. Phase 2, with the connecting road from Canyon View Dr to Loafer Canyon will be done first and will be changed to phase 1.

55 COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE RENAMING OF THE
56 HIGHLANDS OF ELK RIDGE FROM PHASE 2 TO PHASE 1 COUNCILMEMBER THOMAS
57 SECONDED

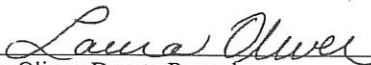
58
59 VOTE: AYE (5) NAY (0) APPROVED

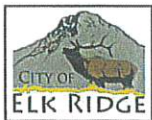
60 3. **SPEEDING; HILLSIDE DR**

61 Mayor Haddock has reached out to the Sheriff's department to step up patrolling in this area.
62 Councilmember Abbott recommended the use of the speed trailers, as well as painting speed limit on
63 the road and 25 per hour signs.

64
65 **COUNCILMEMBER THOMAS MOTIONED TO ADJOURN COUNCILMEMBER THOMPSON**
66 **SECONDED**

67
68 VOTE: AYE (5) NAY (0) APPROVED

69
70 
71 Laura Oliver, Deputy Recorder



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a City Council Meeting on Tuesday, August 23, 2022 preceded by a special meeting. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

6:00 PM – SPECIAL MEETING

Approval/Agenda Time Frame
Roll Call

Closed Session

7:00 PM – REGULAR CITY COUNCIL MEETING AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum 2 MINUTES MAXIMUM PER PERSON

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

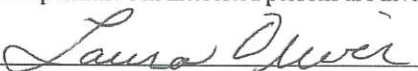
- | | |
|--|----------------|
| 1. Proposed Ordinance CE 3 | see attachment |
| 2. Financial Review | see attachment |
| 3. Approval of City Council Minutes for June 28, 2022 | see attachment |
| 4. Approval of City Council Minutes for July 12, 2022 | see attachment |
| 5. Approval of City Council Minutes for July 26, 2022 Joint Meeting with Planning Commission | see attachment |

Closed Session Per Utah Code 52-4-204, If needed.

Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 22nd day of August 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 22nd day of August 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

ELK RIDGE
PLANNING COMMISSION
AUGUST 23, 2022

TIME AND PLACE OF MEETING

This public hearing and regularly scheduled meeting of the Elk Ridge City Council was scheduled for Tuesday, August 23, 2022, at 7:00 PM. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on July 11, 2022.

ROLL CALL

Mayor: Robert Haddock
Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory, Thompson, Tanya Willis,
Planning Commission: Maureen Bushman *Planning Commission*, Maureen Bushman, Matt Stewart, Melanie Paxton, Ron Hill
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*,
Public: Rosemarie Evans, Karl Shuler, KC Bush, Stephen Simmons, Larry Lee, Jed Ottesen

OPENING REMARKS- INVITATION

Opening remarks were offered by Matt Stewart
Pledge lead by Councilmember Peterson

APPROVAL/AGENDA TIME FRAME

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIMEFRAME COUNCILMEMBER PETERSON SECONDED

VOTE: AYE (5) NAY (0) APPROVED

PUBLIC FORUM

Opening Suzie Fullmer
Pledge - Tricia Thomas

Roll call Mayor, Haddock, Tanya Willis, Jared Peterson, Nelson Abbott, Tricia Thomas, Cory Thompson

JARED PETERSON APPROVED AGENDA AND ADJUST THE TIME FRAME TO 7:02 ____ SECONDED

VOTE: AYE (5) NAY (0) APPROVED ALL AYE

Lisa Graham requests the city and residents of Elk Ridge not to yield to unsubstantiated claims by attorneys that come into the city and threaten lawsuits. Please keep in mind the safety of the residents.

Karl Shuler stated he appreciates the time and effort that has gone into drafting the CE3 code. They all want the same thing, a pleasing, safe community while protecting the natural beauty. The latest drafts still have concerns. Lot size, the council voiced that they preferred 1-acre lot sizes yet the 4-acre minimum is still there due to sewer restrictions. A 1 acre is available if the landowner gives up 40%, put in trails and other amenities. Lots size should go back to 1 acre with ½ acre in clustering. This is too restrictive and is inequitable, illegal, and unconstitutional.

Sharon Shuler - deferred to attorney

Jed Shuler - Deferred to attorney

Bob Strang - Deferred to attorney

Attorney Stephanie O'Brien representing the Shuler's (et al) represents landowners that own over 120 acres. Attorney O'Brien stated she is going to be rude and address the council directly. Our demands in all the letters that have been submitted to the city are not being met. The restrictions are a moratorium. The current code is not tailored to protect life and environmentally sensitive areas. to pass it in its current form would be excessive, too restrictive, and unlawful. The open space is a taking and unlawful. There are multiple cities that allow development on 30% slopes safely. Restrictions on terracing and benching are too restrictive and limit development and are arbitrary and are not supported by data. There is a dissimilar position with the development of the rest of the city and the CE3 area. Not allowing development in areas, other than those that are hazardous is arbitrary and capricious and unrealistic and is not supported by real data. A council member stated in a previous meeting the 4-acre lot size is sewer hookups available. Theta is not to protect property or life, but lack of infrastructure caused by expansive development without the foresight on how it would impact property owners in the CE3 zone who have been attempting to develop their property since 2008 but due to the economy was delayed. They are asking the council to pause on the CE3 zone. They are not giving her clients any choice but to take legal action to develop their property.

59 Tony Searle stated he is a resident of the city and has heard very little of the discussion. He has no problem with property
60 owners developing their land but is concerned that the residents do not end up with the tax burden for developing this area.
61 Katherine Pasker, Attorney for the Moeller family (et al) stated she is concerned about the legality of the CE3 code and not
62 here to threaten. They are here to help educate, persuade, and work with the city to create a legal code that helps her clients
63 develop their land. She hears the same thing in every meeting that property owners want to develop their land like others that
64 have developed in the city. They don't want to be treated differently. There are very real infrastructure concerns and those
65 can be addressed in the impact fees for sewer, water, and roads. A moratorium on development is not a way to address that.
66 Do not rush to approve the CE3 code without consideration of the issues that will impact her clients. In the previous planning
67 commission meeting it was stated that the commission doesn't think this is a great plan. They would like to continue the
68 discussion and for the city to please consider their comments.

69 Liz Moeller Trustee for the Bennett Trust – Stated they want to be a partner with the city in this. Her mother willingly gave
70 access to the city to access the city water tank. However, with that the easement road led people to believe they had access to
71 the property, but it is private property and always has been. They would like to be a good partner and develop trails, but the
72 city has to take another look at this code, or this will never happen. There is no need for the city to rush for fear that
73 landowners are ready to pounce. As far as she knows Elk Haven is the only development that could be a possibility at this
74 moment and an application has not been completed and there are no immediate plans to do so. They want to be able to
75 develop their land in a responsible way and similar to the rest of the city. They want 1/2 lots. They are willing to do more than
76 any other part of the city to preserve more of the natural terrain and building trails. The city's attempt to take 40% of their
77 land without compensation is not fair. The city's rush to complete this ordinance will deprive the city for generations with the
78 infrastructure and ability to have trails. No other part of the city is treated in this discriminatory manner. Her impression of the
79 previous Planning Commission meeting is that no one, not even the planning commission, thinks this is a good final draft.
80 They want to be partners and hope that the city will listen to the professionals and in finalizing the CE3 ordinance.

81 Ken Harris stated he lives on Canyon View Dr. since 1974 and has seen what has happened to the city and the development.
82 They are all here because some stuck their neck out and developed the land. He is an architect and help people figure out how
83 to develop and build and deal with ordinances. He feels that this is the most restrictive ordinance he has read in a long time
84 and developers will walk away from it. This is some of the most beautiful ground in the county and we need to do it right. He
85 owns 40 acres. If he gives 40% to the city that leaves him 24 acres to develop which would be financially impossible to
86 develop. The citizens want access to this ground with trail and trailheads to enjoy the beautiful ground and the landowners
87 would love to see that happen. If we don't make it so this land can be developed then it will be bought up by private people
88 who want their private ranch, gates will go up, fences will go up, access by the citizens of Elk ridge will seize.

89 Brad Dayton stated he has lived here for 20 years and has enjoyed this land sometimes legally and sometimes illegally. He
90 worked with Liz Moeller's mother to put in a trail to connect with another trail and the people of Elk Ridge fell in love with it
91 and didn't realize what was happening. Cycling saved his life. He just came back from New Zealand where there is a cohesive
92 unity between private landowners and public lands. He has built trails in Forebay and can see the impact this has had on the
93 community there. He thinks we can do that here.

94 Scott Bell stated this is a beautiful parcel of land. One of the reasons it is still beautiful is because of the fire department. He
95 never thought he would see the day when someone so foolish set off illegal fireworks at the top of Salem Hills Dr that started
96 to burn up this exact parcel of land that is under consideration. A 737 was diverted from another fire to ours to put out the
97 flames. Otherwise, it wouldn't be a beautiful parcel but a liability to the city with mudslides that could come down without
98 discrimination. As the council looks at this community to look at fire and liability and potential damage to the entire city as a
99 result of fire. We have watched fire burn towards the city in both and the fire marshal stood on his doorstep and said that fire
100 is going to be on your doorstep shortly. We need to do everything we can to mitigate fire hazards for the residents and future
101 homeowners of that area.

102 Maureen Bushman stated she is a member of the Planning Commission. She has lived here since 1979 and has seen a lot of
103 growth and things that go well and that don't go well. She has been an active member of the community, laid sod in the park,
104 painted the city office and volunteered with the fire department and CERT and patrolled the city during the fire. The
105 community gets stronger when we work together. In preparation to join the planning commission she studied the city code
106 and general plan and spoke with residents, went to training and studied manuals as well as other cities codes. Other members
107 of the planning commission have done likewise. The planning commission members live in every part of the city. One job of
108 the planning commission is to write code and is confident they can write code for the community. They do not do it alone. All
109 discussions are public and not in someone's living room. The planning commission has input and insights from the city
110 planner Shay Stark who has helped with the general plan and writes code. As the planning commission worked on the CE3
111 code we talked with landowners, taken field trip, put together facts, and expert opinions. We have asked for input from the
112 fire chief and the fire code, talked with an expert on open space, talked to public works and road engineers about cul-de-sacs,
113 and road grade, asked state experts about wildlife corridors and sensitive areas. They have had conversations with adjacent
114 city planners, fire chiefs and other officials etc. In other words, they have done the homework and have put in the time. They
115 share all of this with the city council who worked just as hard ensuring all of Elk Ridge citizens are heard. The CE3 code is
116 based upon the General Plan. The code itself was based on the HR1 code. If there are discrepancies or areas that seem to be a
117 problem, they can be adjusted but the intent for the code is, for all the citizens of Elk Ridge, and to protect the She feels that
118 the planning commission has been cast in a bad light and being unfair. The planning commission is the first place that you

come to when you have complaints, issues and problems and we are happy to serve you. They are your elected officials who we pass recommendations onto.

Jennifer Yorgesen stated last meeting one of the attorneys stated that Cory Thompson and Tricia Thomas needed to recuse themselves because it was too personal for them and that they were directly affected. We are all directly affected and asking that of them was unfair. There are a lot of things that she understands about land development and wanting to get the highest and best use, but she also understands how those things affect existing residents. There are several different acreages being talked about. Many times, people purchased land without doing due diligence as to what can actually be done on that land. It is not the city's fault if you don't do due diligence. She was involved in a development of 20 homes on 15 acres and the city required 2 roads, an ingress and an egress and would not budge. We as builder, and developers had figure out how to do it. The developers need to figure out with their professionals how to do it without making the residents pay 40% of the development cost.

Justin Hutchins stated he just wants the code done right. He lives on the corner of Elk Ridge Dr. and Gladstan Dr. and is concerned about runoff from development. All the water from High Sierra and Hayleys Lookout comes down Elk Ridge Dr. and right into his basement. He was flooded 2 weeks ago with 6 inches in his basement. He has been told that the drainage the city has is insufficient for the amount of runoff that we have. We don't have storm drains, there are french drains which the water passes right over. His house was allowed to be built below grade, was that short sightedness or poor planning. The crown of the road is sloped so that it forces water into the yards. One of the planning commissioners said last week that this is not their expertise, and that the city needed a fulltime city planner. With the growth of the city this needs to be considered. There are good things that come from volunteer work, but we are out of our lane.

Lee Pope stated he has been a resident here for 60 years and a landowner. He has seen this type of sentiment 30, 20, 10 years ago covering the same issues and nothing ever happens to assist us in our property rights. We have given a lot to this community in roads and parks and a golf course. Whether it is a conscious effort or not you don't want development here. He has many conversations with people who didn't know who he is about what they want in Elk Ridge, and they don't want development. He wants a beautiful development. There are many developers that can come up with a beautiful plan that would work. That is a fact. But there isn't a single developer that would touch this with a 10-foot pole with all the restrictions this code has. All the issues are being really exaggerated here and one is with forest fires. He could go into safety and sewer and all the other issues that every city has to work through. In the last 50 years 17 people in Utah have died from forest fires. That is about $\frac{1}{3}$ of a person per year. You have to look at the economy just like you do with traffic and safety. If the sentiment is you don't want development, then he would like for people just to say that. Because if you want to allow development you would allow something reasonable to the city, landowners. He just doesn't see or feel that and hasn't for a long time. The City Council and Planning commission are great people but let's get someone in here that knows what they are doing and put all of these factors together with the landowners, citizens, which he is, and developers and come up with a plan they can live with. You can accept the ordinance as it is right now, and he will just go home and pound sand.

Jim Chase stated writing code is tough. He was on the planning commission and city council. He was on the planning commission when a lot of this was discussed. The thought was to have 5 acre lots. A lot of people were concerned about that. Infrastructure is very expensive, so they came up with the 4-acre lot or 1 acre with clustering which consolidated infrastructure. That is what is in the general plan, but the code was not done.

Mayor Haddock thanked everyone for their comments. This is not an us against them issue. We all live in this community and want what's best for everyone. We recognize that there are state laws that the city needs to adhere to and agree that this is beautiful land. This area is furthest away if the city needs to evacuate which needs to be considered. The city has already had a forest fire. Of those that were here in 2018 it wasn't a fun experience. We didn't die but could the city had planned better, could the city had made better decisions years ago as a city? I don't think anyone could argue that the city could have done things better and so we need to learn from this. The city is not motivated to stop things. We think all of you are great people. We don't have any vendettas against anyone here. We are trying to follow the general plan which is the city's mandate. Building over 30% slope is not something the city came up with, that is a federal regulation and cannot be done anywhere. A lot of things like cuts and fills, the city doesn't want the hillside torn up. The city doesn't want to see that from the point of the mountain. Nobody wants that. The city is trying to make a call that is fair and reasonable. You can build a walkout basement on slope ground, contour the land which has been done throughout the city. Some examples of bad decisions are allowing grades below the road. We don't want to repeat past mistakes. The city wants a good plan for stormwater runoff. There are fault lines and sensitive areas. The city does not want the ravines filled. The city wants the water to have somewhere to go from a storm. There are places in the city where ravines, natural drainages, were filled in and whole lines of homes have paid for it. It hurts my heart when it is said that the city is against you and trying to restrict you and making things unfeasible. That is not what the city is trying to accomplish. This is higher ground. It is going to get a lot more snow and the city has to plan for that. Public works has to consider a lot of things which is the reasoning behind the larger radius of cul-de-sacs. This isn't half baked. The city didn't try to do this on our own. A lot of blood, sweat and tears has gone into this from the Planning Commission, the Chairperson Maureen Bushman and city council. There are a lot of misconceptions, and we are one community, and we all want what's best for the whole community and that is what the city is sincerely trying to do.

1. CE 3 ZONE

Councilmember Willis read from the General Plan the CE3 zone. Karl Shuler stated that the original zone in this area was CR1 with 1 acre lots not HR1 and everyone is sticking to that like its gospel. Mayor Haddock stated they are following the general Plan approved in 2018. Councilmember Willis stated everything in the CE3 zone is either from the HR1 code or can be found in other cities in Utah, Salt Lake, Park City, and others. It was not just made up. The city has had input in public meetings from fire and road experts. Clustering was recently removed but can be put back in and explained how clustering improves on the infrastructure cost and maintenance. Attorney O'Brien asked about the deadline. Mayor Haddock stated that there was a closed meeting concerning pending litigation per state code and council went over the CE3 code. The attorney made a few recommendations but overall does not see any issues. Since there is no application there is no deadline. Attorney O'Brien stated she doesn't have the authorization from her client to ask but that she noticed a \$30,000 earmark in the financials toward attorney's being added to the budget and asked to know if any of those funds can be diverted away from the cost of ... Councilmember Thompson stated to Mayor Haddock that the mayor did not have to address this. Mayor Haddock agreed with Councilmember Thompson. Councilmember Thompson thanks everyone for being here, friends, neighbors, residents. Council goes through lots and lots of meetings every 2 weeks and a lot of times there is not a lot of participation and sincerely thanked everyone for coming. It helps immensely to have feedback from the community. Every council member and the mayor has heard from the community whether they are in favor, or He urged everyone to read the draft of the CE3 code not. It is very clear that there has been a significant amount of time put into the draft making sure everyone's concerns are addressed. For him personally the health and safety concerns for everybody who lives in Elk Ridge and may have a home on the hillside is paramount. It was mentioned that 17 people have burned to death in Utah. He does not want a single person ever to burn to death in Utah in a wildfire, not one ever. He doesn't want a single house to be flooded ever. He wants to properly manage runoff. It doesn't matter what he wants or doesn't want; what matters is the city is doing right by the people who live here today and anyone who decides to move into a potential development. He wants the city to take the time to address everything. He will not be recusing himself. Councilmember Peterson stated that he agrees that the code needs to be done right and not pass it with a lot of changes. He wants a traffic plan but in the city standards. Councilmember Abbott stated he would like a more thorough application on wildlife corridors and fire. In order to comply with the code and WUI, Wildland Urban Interface, the city has to look closer at clearances around the homes and the lot size and width. As the code is currently with a frontage of 100 feet, there is 10 feet between properties and with that the hillside should just be clear cut of all vegetation. Lot frontage has to be addressed by professionals. Also, open space and the liability this imposes on the city needs to be addressed. He will never risk a firefighter's life to save a trail unless it was to save a child. Council needs to have a discussion on trails versus sidewalks, sidewalks that function as a trail as opposed to trails going in behind lots. We need to find a way this works for the property owners and city. Council went through and added changes recommended by city attorney - subsection I as recommended and skip ahead to section 10-9b-9-7 subsection A, should read: "All land having slope of 20% or greater that is not part of an approved limit of disturbance as described in section 10-9b-13-5 shall remain in its natural state and shall not be graded, fenced or otherwise disturbed". Councilmember Peterson needs clarification on putting just a barn on a lot as written in conflicts with current city code. Need to add stand alone in the accessory apartment section. Everywhere that wildlife habitat/corridors need to be "as determined by current sensitive areas map". Open Space needs to be unbuildable space. Discussion ensued on open space and unbuildable space and ravine and slopes and the city getting bids on mapping the area to determine these areas. Councilmember Thomas asked why a landowner can't fence their own property. Discussion included any fencing would have to be a height for wildlife to cross and not impede drainage. Discussion ensued on exceptions for 30% slopes. Fire protection needs to be referenced in the fire protection plan. Revegetation needs to state revegetated per the revegetation plan, strike indigenous plants. Discussion went back to open space, and it was decided to have the attorney draft something in this section. The city doesn't need a lot of public land and off-road trails do not need to be paved. Open space needs to be protected from future councils selling it. How does the city maintain public access and limit cost to the city. Discussion on trails included not having trails in the road but separate and not behind homes. Discussion on giving the Planning Commission the authority in the code to approve trail surface. Cul-de-sacs are to stay at 150 feet which was reduced from 170 previously. Councilmember Willis would like to implement a code city wide similar to one in Phoenix which designates what local streets are and traffic capacities are. Councilmember Peterson stated a traffic study could do that. Discussion ensued on traffic code and studies. There is not a standard in Utah. Salem just did a road study that the city may look at. Councilmember Peterson still doesn't like the lot size and the 4-acre lot and wants the code straight forward with smaller lots. Councilmember Willis and Thomas disagree and the fire threat of having that many homes on the hill is not consistent with the fire expert's opinion. Councilmember Peterson stated fire threat will be mitigated due to the fire code. Councilmember Thompson is fine with lot size as written and his main concern is fire, water, stormwater, and safety. If it can be proven to him that smaller lots would increase safety, then he might consider it. This code already allows for 1 acre if you

do the requirements. Councilmember Abbott stated that cul-de-sacs are bigger, and the frontage needs to be calculated differently and be bigger than 60 feet average. Mayor Haddock stated lots on curved roads that lay on the inside radius would also need to be looked at in reference to frontage. Councilmember Abbott reiterated adherence to the wildland urban interface, lots will be clear cut if frontages are too small and would like the 20-foot side setback clarified by the fire chief. Minimum size restrictions on a home need to be removed from the whole city code due to state code.

COUNCILMEMBER PETERSON MOTIONED TO CONCLUDE THE DISCUSSION DUE TO THE TIME
COUNCILMEMBER THOMPSON SECONDED

VOTE AYE (5) NAY (0) ALL APPROVED

2. FINANCIAL REVIEW

There were no concerns.

3. APPROVAL OF CITY COUNCIL MINUTES FOR JUNE 28, 2022, JULY 12, 2022, AND JULY 22, 2022

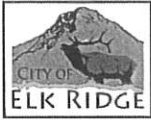
COUNCILMEMBER ABBOTT MOTION TO APPROVE THE MINUTES FOR JUNE 28, 2022, JULY 12, 2022, AND JULY 22, 2022, AS PRESENTED
COUNCILMEMBER THOMPSON SECONDED

VOTE AYE (5) NAY (0) ALL APPROVED

COUNCILMEMBER ABBOTT MOTIONED TO ADJOURN
COUNCILMEMBER THOMAS SECONDED

VOTE AYE (5) NAY (0) ALL APPROVED


Laura Oliver, Deputy Recorder



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

AMENDED AGENDA

AMENDED NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a City Council Meeting on Tuesday, September 13, 2022. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 PM – REGULAR CITY COUNCIL MEETING AMENDED AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum 2 MINUTES MAXIMUM PER PERSON

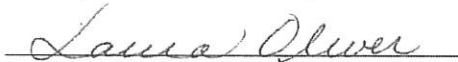
REGULAR CITY COUNCIL MEETING AMENDED AGENDA ITEMS:

- | | |
|--|----------------|
| 1. Fire Chief Presentation on Urban Interface Zone | |
| 2. General Plan Amendment/Zone Change; Asay Subdivision | see attachment |
| 3. Fullmer Subdivision Preliminary and Final Approval | see attachment |
| 4. Fences, Walls, and Hedges 10-12-13-H4 Tennis Court Setbacks | see attachment |
| 5. Proposed Ordinance Amendment, Development Code 10-12-37-D 2-3 Parcel Subdivision | see attachment |
| 6. Clarify Street Signs | see attachment |
| 7. Resolution, Amendment to Interlocal Agreement 2016-620 Between Utah County and Elk Ridge City | see attachment |
| 8. CE 3 | see attachment |
| 9. Approval of City Council Minutes for August 9, 2022 | see attachment |

Closed Session Per Utah Code 52-4-204, If needed.

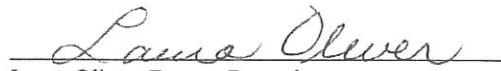
Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 13th day of September 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 13th day of September 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

ELK RIDGE
CITY COUNCIL
SEPTEMBER 13, 2022

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, September 13, 2022, at 7:00 PM**. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on September 12, 2022.

ROLL CALL

Mayor Pro Temp Nelson Abbott Absent - Mayor Haddock
Council Members: Nelson Abbott, Jared Peterson, Tanya Willis Absent - Tricia Thomas, Cory, Thompson
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, Fire Chief Waite
Public: Katherine Pasker, Sam Ballard, Joe Ballard, Larry Lee, Bob Paxton, Bob Strang, Liz Moeller, Melissa Shuler, Brad Shuler, Karl Shuler, Gavin Wright, Justin Hutchins, Lee Pope

OPENING REMARKS- INVITATION

Opening remarks were offered by Councilmember Peterson
Pledge lead by Councilmember Abbott

APPROVAL/AGENDA TIME FRAME

COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE AGENDA AND TIMEFRAME COUNCILMEMBER WILLIS SECONDED

VOTE: AYE (3) NAY (0) APPROVED Absent - Tricia Thomas, Cory, Thompson

PUBLIC FORUM

Katherine Pasker, Attorney - would like to reserve their comments for item 8, the CE3 zone
Bob Paxton - would like to reserve their comments for item 8, the CE3 zone
Bob Strang - would like to reserve their comments for item 8, the CE3 zone
Liz Moeller - would like to reserve their comments for item 8, the CE3 zone
Melissa Shuler - would like to reserve their comments for item 8, the CE3 zone
Brad Shuler - would like to reserve their comments for item 8, the CE3 zone
Karl Shuler - would like to reserve their comments for item 8, the CE3 zone
Lee Pope - would like to reserve their comments for item 8, the CE3 zone
Justin Hutchins - his wife had an experience in needing to use the restroom. The restroom at Shuler Park is locked and she was not able to use the restroom. She asked the city office to either give us the code or unlock the door so they can use them. They could/would not help her. The bathrooms need to be unlocked during park hours.

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

1. **FIRE CHIEF PRESENTATION ON URBAN INTERFACE ZONE**

Fire Chief Waite stated he has been the fire chief for 20 years. First, anyone whoever says they aren't opposed to development is opposed to development. What I am opposed to is getting stuck in a no-win situation. The fire department deals with 3 things 1. Accessibility 2. Fire flow 3. Defensible space. Accessibility is road width, steepness of grade and the ability to turn around and move equipment in a hurry. These things need to be addressed. A 3,000 sq ft structure, which is a rambler size home with a finished basement, the structure needs roughly 600-700 gallons of water per minute (gpm), at 20 psi from a fire hydrant that is within 100 feet. That is not a straight away, that is by road distance. If there is a situation where there is not enough fire flow for a structure that is larger than can be defended, then the structure cannot be defended in a safe manner for the firefighters. Fire hydrants are tested around the city every year. One reason for this is for the ISO which is an insurance rating. Elk Ridge has pretty good insurance rates across the city because of the city's ISO rating, with the current fire flow between 600 and 1100 gpm at different locations around the city. As the city starts going up the hill, be advised that the fire flow is going to change. That will require some different things to happen such as requiring tanks to be built higher on the hill and additional water supply to make the fire flow what it needs to be for the size of structures that will be built in that area. Next is defensible space. When you look at all the federal and state guidelines on defensible space, it goes out to 100 feet around each individual structure which includes side buildings, main structure, sheds etc. That 100 sq ft may overlap into someone else's property. You cannot go onto someone else's private property and clear the defensible space if the neighboring landowner chooses not to clear it. A homeowner needs that 100 feet in order to protect their home. In the video that is playing, these houses are built in the trees. Because of the situation the city is in we cannot allow that: you cannot put firefighters into a place they cannot get out of. There are options that can be looked at such as automated sprinkler

58 systems that cover 250 sq ft (per a question asked) to mitigate fire but again, where is the water coming from and is that
59 going to take away from the firefighters. Personal self-contained tanks are an option but what if the power gets cut
60 which happens in fires. There are options to mitigate the risk. Cisterns can be built, 10,000-gallon tanks can be put in
61 the home which can be accessed by the fire department. Terrain features also play a part, cutting terrain can cause
62 further issues after the fact. When it comes down to it the residents are the ones paying the costs. How is the city going
63 to defend/maintain open space? The city has problems in maintaining the parks it has now, how is the city going to deal
64 with open space. The picture shown (on screen) is from the Bald Mountain Fire from 2018. The picture on the right is
65 what is now Miracle Mountain. The fire crested Miracle Mountain and came up and burned into Loafer Canyon. The
66 bowl at the top (full of huge flames) all happened within 30 minutes. The trees in the bowl are 70-80 feet tall if you do
67 the math, the flames are about 300 feet tall. Embers can jump very easily; we were getting embers in the city. The city
68 dodged a bullet this time, it may not next time. Wildfires create their own weather. Fires can do strange things, this fire
69 did things I had never seen before. Typically, the oak brush and lower brush burns a lot faster, in this fire the big pines
70 burned faster than anything. There was a study done on the period during the fire and after the fire. The moisture
71 content in the pines was lower than the lumber that can be purchased at Home Depot. The pines were timber dry. We
72 are in a drought; the potential is here, and I would not like to have a resident live in these conditions without knowing
73 the risks and what they can do to help protect themselves by mitigating what they can on their property. Question from
74 the audience- Was anyone allowed to go in and take the dry timber out? Fire Chief Waite- No that is Forest Service
75 land. They may be letting some people up there, but you have to go through the forest service. Comment from
76 Audience- they have seen documentaries that the forest service wants to clear timber, but they get sued by the
77 environmentalists. He hikes a lot, and it is dangerous not only here but almost everywhere you go. Question from
78 audience- From the experience of the Pole Creek and Bald Mountain fire mountain- how important is the evacuation
79 path and having 2 roads and how realistic is it that a fire can be managed? Fire Chief Waite- during an evacuation there
80 are double lanes going out. The city has 2 lane roads. With all lanes going down how do you get fire fighters up those
81 streets in the middle of an evacuation. Luckily the fire apparatus for this station was already on the hill and when the
82 big trucks started coming in 2 days after the evacuation the roads were clear. When you have oak brush that is 20 feet
83 high, and flames that are 50 feet high, it's not hard for fire to reach across firebreaks if you have a good wind. If the fire
84 is coming from one direction you don't want to have to go towards it to evacuate, there has to be another way out.
85 During the fire the smoke would settle down into the city at night and anyone with respiratory problems would have
86 had problems. Question from audience - The way the CE3 code is written, a lot of the oak brush would be undisturbed,
87 especially if you do 4 acre lots and all of that open space would make the problem worse, wouldn't it? Fire Chief
88 Waite- I cannot make the landowner or anybody do what they need to do. He can only advise them. If you have a 4-
89 acre lot, then you can make defensible space around the structures. In a 1/2 acre lot there is going to be overlap and all
90 that does is put fire in one big place. A house is considered fire load. If you have a 4-acre lot, then the landowner can
91 keep their area clean. Comment/ Question from audience - in areas where the town has 1/2 acre lots there is probably
92 less potential fire hazard then there would be with undisturbed oak brush left in its natural state as is stated in the CE3
93 code right now. It seems that it would be better to have some roads and some places where you can get around and
94 places where landowners can keep the undergrowth cleaned out. If you have a 4-acre lot that is 200 feet wide, it's 800
95 feet deep; that is a lot for a person to keep clean. Whereas if the homes are clustered or with a smaller lot, they would
96 be more defensible than relying on someone with an 800-foot depth lot to try keep their portion clean. Councilmember
97 Willis stated the city has already adopted the international fire code and the wildland urban interface. Fire Chief Waite-
98 a wildfire will burn from treetop to treetop to building to treetop and burn everything in its path if you don't have
99 defensible space to stop and or slow the fire. If you put in a lot of open space who is going to maintain it? He doesn't
100 have time to do it, does anyone? Audience member- he imagines the landowner will do it since there is an ordinance.
101 Fire Chief Waite- do you know how many people actually adhere to the code -- Zero, not one. Audience - if it's in our
102 code couldn't the city require them? Fire Chief Waite- agrees but it is impossible to enforce it. It would be a full-time
103 job to go around and tell people to cut their trees down and that is what it is going to take. I am not against any of this,
104 but these are the things that landowners need to be thinking about: are landowners going to get upset that they will be
105 required to put sprinkler systems in. There isn't one developer that will get the call that there is a problem; residents
106 call the city. The city has to deal with it on the tail end. That is why the city has codes; to try to get it right the first time
107 so the city doesn't have to deal with this mess down the road. During the development process I deal with fire hydrants
108 and fire flow. After that I deal with structures, fire sprinklers in the house etc. There are things that help mitigate the
109 risk, so the city doesn't get the questions of "why did you allow me to build here?" I don't want to lose one firefighter
110 because they were put into an unwinnable situation. Thank you. Councilmember Abbott stated being in the fire
111 department he understands it as well as Councilmember Willis due to her father being a fire chief. Not everyone has
112 that background, and some things may not be that obvious. Fire Chief Waite - people want to build in places that they
113 just cannot defend. Question from audience: how does Woodland Hills, Mapleton etc. deal with this issue? Fire Chief
114 Waite - he spoke with Woodland Hills fire chief a couple months ago and asked him what ISO (insurance) rating is and
115 the answer was 4 b. and I wondered how they got that rating since they don't have defensible space. They do however
116 have some other things in place such as a full-time fire department paid for by grants. Some city's bought the land and
117 have segregated that land and doesn't let anyone go on it at all. Every city that has mountain land has done urban

interface with their city code, so they don't have these problems. Councilmember Willis stated there are cities such as Draper and Sandy that do not allow any structures in the highest areas, they allow equestrian parks and such but no residential homes. Fire Chief Waite stated on the night of Sep 13, 2018, there were winds that were 40 mph blowing north. The fire was moving 5 miles an hour. The fire was a mile and a quarter away and had a straight line towards Elk Ridge. The fire turned and went on the backside of Miracle Mountain. He's never seen anything like that before and it likely will never do that again. He is not opposed to people living on the south end of the city, but he does not want to put his people in a no-win situation. If that happens the house will burn to the ground because he cannot replace a firefighter, a house can be replaced. Structures conduct heat. If you have a house fire it starts the trees on fire which starts structures on fire and so on. There was a time his department was not allowed to go to Woodland Hills because of this type of situation because of putting firefighters at risk. Councilmember Willis stated lots with smaller frontages have structures closer together and then add an accessor apartment and you have a fuel load next to the property line. Fire Chief Waite stated there was a garage fire a few years ago that was so intense it melted the siding of the house next door 50 feet away. He had a crew on that house and the other home that was melting that was 50 -75 feet away. The Fire Chief does an annual report for the city and in 2019 the call volume doubled, and it is only going up. The higher the population the higher the call volume. The fire department is seeing a decrease in volunteers.

2. General Plan Amendment/Zone Change; Asay Acres Subdivision Plat A

COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE GENERAL PLAN AMENDMENT/ZONE CHANGE; ASAY ACRES SUBDIVISION PLAT A COUNCILMEMBER WILLIS SECONDED.

VOTE: AYE (3) NAY (0) APPROVED Absent –Tricia Thomas, Cory, Thompson

3. FULLMER SUBDIVISION PRELIMINARY AND FINAL APPROVAL

COUNCILMEMBER WILLIS MOTIONED TO APPROVE THE FULLMER SUBDIVISION PRELIMINARY AND FINAL PLAT COUNCILMEMBER PETERSON SECONDED

VOTE: AYE (3) NAY (0) APPROVED Absent –Tricia Thomas, Cory, Thompson

4. PROPOSED ORDINANCE AMENDMENT, DEVELOPMENT CODE 10-12-37-D 2-3 PARCEL SUBDIVISION

COUNCILMEMBER PETERSON MOTIONED TO APPROVE PROPOSED ORDINANCE 22-06, DEVELOPMENT CODE 10-12-37-D COUNCILMEMBER WILLIS SECONDED

VOTE: AYE (3) NAY (0) APPROVED Absent –Tricia Thomas, Cory, Thompson
Councilmember Willis AYE
Councilmember Peterson AYE
Councilmember Abbott AYE

5. CLARIFY STREET SIGNS

North Rocky Mountain Way- says replace pole should say – Put a new sign on north and south
Elk Ridge Drive– take the sign at the top and put it where the blinky sign is and put the blinky sign just below the round about
Hudson Drive east bound – saying there is a sign there already. Rotate the sign 90° to east west
North of Bridger says replace a speed limit sign. Until this road is in Highlands is completed just leave as is.
Escalante and Magellan says remove stop sign and replace with yield signs – put yield on both sides.
Replace 25 in front of the office - leaving as 25
Remove speed limit sign on Park – just leave it
Yield sign on top of Artist - leave as is

6. RESOLUTION, AMENDMENT TO INTERLOCAL AGREEMENT 2016-620 BETWEEN UTAH COUNTY AND ELK RIDGE CITY

COUNCILMEMBER WILLIS MOTIONED TO APPROVE THE RESOLUTION 22-09-13-1R, AMENDMENT TO INTERLOCAL AGREEMENT 2016-620 BETWEEN UTAH COUNTY AND ELK RIDGE CITY COUNCILMEMBER PETERSON SECONDED

VOTE: AYE (3)

NAY (0)

APPROVED Absent –Tricia Thomas, Cory, Thompson

7. CE 3

Councilmember Abbott turned the time over to those who as requested to speak before the discussion CE3.

Karl Shuler - stated during a previous meeting that the CE3 code is the most restrictive code along the Wasatch Front, and it was refuted that there were other cities with restrictive codes. He created a matrix using 4 areas using lot size or density, slope restrictions, road grades, sensitive areas restrictions, and then on clustering, trails, and amenities. He used Elk Ridge, Woodland Hills, Payson, and Draper. The area in Draper is very well thought out and very similar to Elk Ridge terrain and Elk Ridge is the most restrictive. When he talked to Draper, they have several zones which are all smaller lots and did not mention larger lots. If you look at the zone map the larger, agricultural lots are all on the backside of Traverse Mountain.

Liz Moeller - read a letter that was given to the city by Ken Harris. The city needs density to help pay for any development on the southside without putting the financial burden on the current residents. The amount of open land is too much. A professional planner needs to write code.

Attorney Pasker - stated she renewed the objections that have been previously argued which have not been addressed and would like to state what the actual real measures there would be to mitigate fire risk and a path forward. The Fire Chief stated the specific concerns for fire safety are secondary access, road width and steepness, fire hydrants, defensible space, and water supply. None of the objections the landowners have raised have to do with any of these items. We all recognize fire risk is a real danger, there are many risks that can be in this area but the way to deal with that is not to effectively prohibit development, it is to mitigate risk through measures the fire chief was discussing. Unfortunately, as proposed, CE3 doesn't do anything about the current risk faced by the city; the mountain is already there, the trees are already there and the only way to create secondary access and deal with the road width and actual paved roads to provide the expanded fire hydrants and defensible space, fire breaks, water supply etc. is to permit development. That is the only way funds are going to come in to incorporate those elements that will improve fire safety for all of the community down wind. By not allowing development, like the CE3 effectively does, the mountainside will remain the tinderbox that it is. We would encourage the city to revisit the ordinance; and if the concern is really about fire, with how communities around the country and planning professionals address fire risk and it's not through density, it's through fire mitigation that the fire chief went through. They understand that the city doesn't want to expend resources on Urban interface measures, and the chief said the city can't force people to do any of the things mentioned, you absolutely can, through code enforcement. We encourage the city to take advantage of the tools it has and not just say they city won't allow people up there. You will need a density to support the infrastructure that needs to go on that mountain to create defensible space and the fire breaks. A potential path forward is that they would like some time to prepare a concept plan for the city council to review to actually have an idea of what is possible in that area; where should development patterns be created, where is that defensible open space possible, where should those fire breaks be where should the trails be so that city council can have a real view of what is even possible given sewer lines, ravines, roads that won't be cut in certain places do to the slopes. It will take about 5 weeks to prepare the concept. It's just a planning document to help guide the city council in this process to prepare a CE3 ordinance that deals with the actual terrain and possibilities in this area. We encourage the council to delay action on this ordinance while they prepare the plan at the landowner's expense. Even if other cities are prohibiting development, it is not of the size and degree of this area. This is 400 acres, and no other city is as restrictive as Elk Ridge.

Bob Paxton - stated he agrees with the previous statements. Four years ago, there was a planner that was outside of the city that was promoting 5 acre lots. As the council and planning commission and landowners were discussing this area the city promised to be honest with the landowners with the zoning that was present when they purchased the land, and he would ask the same thing from them. He would ask for the time for a flyover and to prepare a concept that isn't haphazard. He lives and recreates in Draper and goes along the along Bonneville Shoreline trail. This land was purchased and set aside for open space. If the city offered to buy the land from him, he would be done.

Bob Strang - stated in order to make a development up here it needs to be feasible to be developed. He thinks there should be an overlay in order to deal with all the issues.

Lee Pope - stated he has lived here 50 years and he has children and grandchildren who live here. He is concerned about the safety of his family just as everyone else is. Everything seems to revolve around safety. The last meeting with Planning Commission he mentioned that 17 people have died in Utah from a forest fire in the last 50 years. A councilmember, not here today, replied in his response to me that every death was important. Unfortunately, he misunderstood my point. Of course, every death from a forest fire is a tragedy but my point was not going to talk about what is, what could or may happen, but what actually happens and what the real figures are in the state of Utah. The number of fire deaths per year in the last 50 years is 1 person every 4 years and referred to the article which he took the figures. Lightening 1 death from lightening every year, that is 4 times the number of people that died from fire. Magnitudes of 10 or more exist those who participate in hiking cycling etc. We as landowners should be concerned about things that people do every day and ban everyone from hiking or riding bicycles on their property. Hopefully this analogy will help the city see how easy it is to overstate and amplify the emotion of the word safety. People who live in hillside communities should be made aware of the risks and miniscule risk of death and serious injury of living there.

We live in one of the most beautiful, safe, and low crime communities in the United States and in Utah largely because very good family-oriented people and retired people with many common values have moved here. He is not aware of a single death where life threatening injury from violent crime ever occurred in Elk Ridge. Someday it could happen the city could have a forest fire but it's unlikely if you look at the history of Utah and all the communities that have ever been built. He suggests the council and planning commission should calmly step back and take a look at the risks involved based on the history of the state and use a little commonsense when formulating restrictive covenants that may make development in upper Elk Ridge financially infeasible and impossible. The landowners have a right to sell for a reasonable price, developers will only develop if it is financially attractive. Council has stated the city isn't in the business of pleasing developers but really yes you are. If you don't, please the developers then it's never going to get developed and Elk Ridge will own that property. There won't be anyway anyone else can use it. The city has to ensure reasonable community standards while enabling equitable development.

Brad Shuler - stated he has lived here his whole life. He has seen development come and has appreciated the friendships that he has had with residents and happy that Elk Ridge is what it is today. There is a letter that their legal counsel has sent to the city and would like to reiterate that what the safety concerns the fire chief spoke of already exist, High Sierra which borders this land is half acre or smaller lots. Salem Hills Drive Hillside Dr all have homes, which are up against the natural areas that are not developed. By passing the current draft of the CE3 code from his assessment is that it will prevent development and continue being the current risk it already is to the city. The 4 acre lots is not going to allow for development to happen. When there was a fire, the city put a fire break through their land, and they were happy to do that. Putting in development will help manage fire danger risks and help the city. Right now, there isn't any gradation but having smaller lots and clustering will help the city, developers, and landowners to get together and make it a safer city for all of us. If the city is really concerned about wildfires, we need to create a zoning ordinance that will allow for development which is reasonable and safe.

Councilmember Abbott stated that it is on the agenda for discussion but there are several council members missing. He has had a lot of sleepless nights over this and thinks there are somethings which need to be left to people who know what they are doing. He spoke with fish and game, and they are getting ready to do a study on wildlife and come in and tag and track large game. Last night he saw 20 deer in one yard but that doesn't mean that is a wildlife corridor. There are certain issues that haven't been worked out; and none of this even matters until they know where it is identified; where is the tank and well to be located and all the other things that have to come in as part of this process. Based on what was said tonight, the landowners would like to present a concept. With the cost of any litigation and costs to the residents as a result of development, the reality of it is that the city charges impact fees to put in wells and tanks etc. and the new homeowners are not paying 100% of that cost. Existing residents are going to pick up between 30 and 40% of that cost because state code says we get to, not because we agree or because its right or fair, which is different than Mr. Harris indicated in his letter. That is a tough pill to swallow so the city needs to contemplate that as the city moves forward with this and work something out that works for everyone. Other developers have come in and born the cost of infrastructure and the city collected and paid money back as developments came in to cover it so that the city is not making the existing residents pay for that infrastructure. The city has had substantial growth but all of that was paid for upfront. The city had a million-gallon tank put in, a well put in, a well upgrade and that was all paid for before even one lot was built on. If the city can work together then the city and landowners will get a lot farther than if we cram code down everybody's throat. Councilmember Willis stated she doesn't like that the city would let developers come in and dictate the city code and does not think that is how it should be done. Councilmember Abbott stated he didn't think they are dictating code but coming in and showing the city what is possible. Going back to what Councilmember Peterson has said in the past, there are certain parts of this ground that one just can't develop; it is too steep, sewer doesn't flow uphill without things that the city code doesn't allow and so one has to look at other options. There are other physical constraints and limitations that all go into it. There are pieces of ground that are permanently landlocked and will never be able to do anything with it because to get to it you would have to have roads that are over 20%. The city does not have to be the bad guy here, the engineers can tell them what can and cannot be done. Councilmember Willis stated council had some questions and she went to the experts; Drinking water - a fire would impact the city drinking water even if the city does nothing then the risk is still there. There is a report funded by the USDA Forestry Service titled PAS 594 that talks about ravines and drainage for planners to deal with urban interface areas. It talks about slopes which makes a difference with a fire which shows the city should not be building in ravines and drainages. Ridge lines should be protected 30 feet per story, which what the standard is, the city has only 30 feet. Meaning if a home is 2 stories tall then it has to be 60 feet off the ridgeline, 3 story home- 90 feet off the ridgeline. These are the standards. One of the attorneys in this room sent us the same report only an older addition. The city code needs to say 30 feet per story off a ridgeline. Open space - Sandy City has a very detailed plan of what can and cannot be in the urban interface it is called the OS zone. Overall, slopes and ridgelines are protected because of fire. Accessory buildings need to have a greater setback and not in an ignition zone and putting a fuel load in someone's defensible space. Councilmember Peterson stated he is remaining firm on his stance of density; what the city has defined is way too big. 4 acres is a big lot; that is the size of the stake center. His house, being where it, is safer than if it were on High Sierra. Having more roads in the CE3 area helps break it up. There is a fine balance; the urban interface and the fire codes will provide avenues to get that balance. If the city is doing a code and there is a list of restrictions of what

someone can do on their property, just as I would not want someone defining what I can do or not do on my property without just cause, every line in that code needs to be justified. As councilmember Abbott stated on the wildlife corridors, who is defining that? The experts need to define that, currently there are no wildlife corridors. Council can reference State code "as per state". Regulations need to be listed. A lot of this code has been dictated on what someone thinks should go in there. He has changes and doesn't like the code and thinks the city should throw it out and start over. If the council wants to continue to make this something the city adopts, there are a lot of changes which he has, that need to be made. If the landowners have something that is feasible and wants to bring something to show what can be done. The landowners have the biggest skin in the game. He lives where he does because someone subdivided and developed it so he could have his home in a place he loves. There needs to be limits but they need to be justified and not opinion. Councilmember Willis stated council has gotten a lot of facts and when the experts don't match what people want to hear then we don't want to hear the expert opinions. Most of the code is from the HR1 and the General plan. The city paid a lot of money to have this plan and HR1 done and there are people who view it the same way who are not here tonight. Councilmember Abbott stated and those people knew when this meeting was and chose not to be here tonight. They were elected to represent the people and made the decision not to be here tonight. Councilmember Willis stated the fire chief is very uncomfortable with clustering on cul-de-sacs. Councilmember Abbott agreed that this is a concern. In the original Elk Haven plan, there are no cul-de-sacs and it allowed for defensible space. He spoke with the individual for over an hour and half who is over all of Utah County fire fighting specifically about this and right now the city has no way to deal with any of this. Councilmember Willis stated and that is why there were so many restrictions on the HR1 code which is one acre. Discussion ensued on having the gradation of lots and going from 1/2 acre lots to 4 acre lots. Councilmember Willis stated allowing a concept to come in is backwards. The city sets the zone, and the code and concepts are planned around that. Councilmember Peterson stated if this reverts back to the HR1 with the Hillside Cluster overlay which allows 1/2 acre lots with restrictions. Councilmember Willis stated but the city did not feel that was adequate when they did the general plan. Councilmember Peterson stated jumping to four acres was too much. 1/3 of the city is up there and does not see a good reason for 4 acres. He does not personally want the city to pay for it as well as any of the residents. There has to be a balance in density. Discussion ensued on fire, urban interface, lot, and home sizes.

COUNCILMEMBER PETERSON MOTIONED TO LET THE LANDOWNERS BRING A PLAN FORTH AND IMPLEMENT SOME OF THOSE IDEAS AND NOT VOTE ON IT UNTIL THAT HAPPENS COUNCILMEMBER ABBOTT SECONDED

VOTE: AYE (2) NAY (1) Absent –Tricia Thomas, Cory, Thompson

Motion did not pass, there has to be a council majority vote even if there is a quorum.

8. APPROVAL OF CITY COUNCIL MINUTES FOR AUGUST 9, 2022

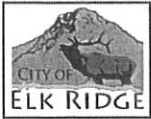
COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE CITY COUNCIL MINUTES FOR AUGUST 9, 2022, COUNCILMEMBER WILLIS SECONDED

VOTE: AYE (3) NAY (0) APPROVED Absent –Tricia Thomas, Cory, Thompson

COUNCILMEMBER PETERSON MOTIONED TO ADJOURN COUNCILMEMBER WILLIS SECONDED

VOTE: AYE (3) NAY (0) APPROVED Absent –Tricia Thomas, Cory, Thompson


Laura Oliver, Deputy Recorder



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

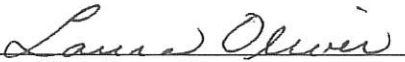
Notice is hereby given that the City Council of Elk Ridge is cancelled for Tuesday, September 27, 2022. The meeting normally held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 PM - REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

CANCELLED

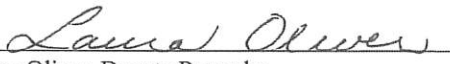
Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 23rd day of September 2022.


Laura Oliver, Deputy Recorder

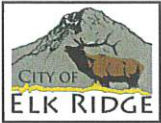
CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 23rd day of September 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a **City Council Meeting on Tuesday, October 11, 2022.** The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 PM – REGULAR CITY COUNCIL MEETING AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum 2 MINUTES MAXIMUM PER PERSON

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

- | | |
|--|----------------|
| 1. Asay Acres Subdivision Plat A Preliminary and Final Plat Approval | see attachment |
| 2. Evelyn's View Subdivision Enter Durability and Accepted by the city | see attachment |
| 3. Allocate Water for Tasker Subdivision | see attachment |
| 4. Proposed Amendment to 10-12-13 Fences, Walls and Hedges | see attachment |
| 5. Highland at Elk Ridge Final Plat | see attachment |
| 6. Approval of City Council Minutes for September 13, 2022 | see attachment |

Closed Session Per Utah Code 52-4-204, If needed.

Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 10th day of October 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 10th day of October 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

**ELK RIDGE
CITY COUNCIL MEETING
October 11, 2022**

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for Tuesday, October 11, 2022, at 7:00 PM. The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on October 10, 2022.

OPENING REMARKS- INVITATION

Opening remarks were offered by Easton Roberts

Pledge lead by Councilmember Thomas

ROLL CALL

Mayor: Robert Haddock

Council Members: Tricia Thomas, Jared Peterson, Nelson Abbott, Cory Thompson Absent-Tanya Willis,

Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, Deputy Monsen

Public: Skylee Ellsworth, Larry Lee, Stephen Simmons, Collin Brinkerhoff, Joe Wilkins, K.C. Bush, Jim Chase, Jaxon Mehlhoff

APPROVAL/AGENDA TIME FRAME

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIME FRAME
COUNCILMEMBER PETERSON

VOTE	AYE (4)	NAY (0)	ALL APPROVED	Absent- Tanya Willis
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PUBLIC FORUM

Larry Lee stated the 24-inch culvert at the end of the proposed road as it connects to Loafer Canyon Road may not be big enough and is concerned about losing an exit if Loafer Canyon Road is to flood.

Steve Simmons stated the Elk are down and would like the wildlife corridors preserved. The ridge lines need to be protected in order to preserve wildlife corridors. Protecting the ridge lines also act as a defensible space against wildfire. All the ridge lines connect to slopes that are 30% or greater on both sides. Wildfire deaths are low in number but 1000s of homes can be destroyed.

Casey Bush stated at the last meeting there were only 3 council members here. In the future he would hope that when serious matters are voted on that the whole council is present. You don't let a developer come in and tell you what they want and then plan a code around it. If a code says it doesn't allow an amusement park, then you don't let them present a preliminary plan. Establish the code first. He has speculated on land before and knows there are risks. Residents are concerned about fire, water, and traffic. They aren't anti-development, but they want their voices heard. It is not the city council's job to make a development profitable. Council's job is to represent the citizens and establish code. If developers can profitably build, great but if they can't they gambled and lost.

Jaxon Mehlhoff stated he is a Fire fighter and lives on High Sierra and watched the wildfire of 2018. He was instrumental in the decision to build backfires and fire break roads further away from Elk Ridge near forebay which kept the fire away from the city. He was told the night of the fire which houses would burn as just a matter of fact. The city dodged a bullet and Woodland Hill's dodged a grenade. The fire could have turned back towards the city really quickly. The city needs resources in place to fight wildfire, which are weak right, now before any further development is approved.

Maureen Bushman Planning Commission Chair updated council on the last meeting. The Planning Commission discussed a traffic plan and whether the city should do another one. A traffic study was done 5 years ago. Shawn Elliott, a resident, works for MAG and would volunteer to do an evaluation. This would be helpful and factual in making decisions. The county will do a traffic count for free. The Planning Commission would like the city to look at a grid plan and understand the roads and their purpose, traffic patterns and creating an evacuation plan for residents and who goes where during an evacuation.

56 1. ASAY ACRES PLAT A SUBDIVISION PRELIMINARY AND FINAL PLAT APPROVAL

57
58 COUNCILMEMBER PETERSON MOTIONED TO APPROVE ASAY ACRES PLAT A SUBDIVISION
59 PRELIMINARY AND FINAL PLAT COUNCILMEMBER ABBOTT SECONDED

60
61 VOTE AYE (4) NAY (0) ALL APPROVED Absent- Tanya Willis

62
63 2. EVELYN'S VIEW SUBDIVISION ENTER INTO DURABILITY AND ACCEPT INTO THE CITY
64 Councilmember Thompson was concerned with the language in the durability letter and wanted it to clarify
65 the slurry seal was paid in lieu of for when the city redoes the road next year. The letter was changed by the
66 Deputy Recorder at that time.

67
68 COUNCILMEMBER THOMPSON MOTIONED TO ENTER EVELYN'S VIEW SUBDIVISION INTO
69 THE ONE YEAR DURABILITY PERIOD AND ACCEPT IT INTO THE CITY COUNCILMEMBER
70 PETERSON SECONDED

71
72 VOTE AYE (4) NAY (0) ALL APPROVED Absent- Tanya Willis

73
74 3. ALLOCATE WATER SHARES TASKER SUBDIVISION

75
76 COUNCILMEMBER THOMAS MOTIONED TO ALLOCATE 1.01 ACRE FROM WATER RIGHT 59-
77 6004 TO LOT 2 OF THE TASKER SUBDIVISION COUNCILMEMBER PETERSON SECONDED

78
79 VOTE AYE (4) NAY (0) ALL APPROVED Absent- Tanya Willis

80
81 4. PROPOSED AMENDMENT TO 10-12-13 FENCES, WALLS, AND HEDGES

82 Mayor Haddock stated the city had adopted the state requirement having fencing over 7 feet to require a
83 permit but there is some more language dealing with sport courts that needs to be addressed.
84 Councilmember Peterson stated the planning commission added language pertaining to fire hydrants, which
85 he agrees with. Section C was changed to clarify the city allows up to 8 feet Section H but anything over 7
86 feet needs a permit. Section H currently requires fencing for sports courts to be setback at 20 feet and
87 fencing up to 18 feet. He proposes fencing not having any setbacks and limiting fencing up to 12 feet. This
88 fence cannot be in the front setback or used as a border fence and not site obscuring at corners keeping the
89 clear view requirements.

90
91 COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE AMENDMENT TO ORDINANCE
92 10-12-13 FENCES, WALLS, AND HEDGES WITH THE CHANGE TO SECTION H WITH A 12 FOOT
93 MAXIMUM FENCE COUNCILMEMBER THOMPSON SECONDED

94
95 VOTE AYE (3) NAY (1) ALL APPROVED Absent- Tanya Willis

96 Councilmember Peterson AYE
97 Councilmember Abbott NAY
98 Councilmember Thomas AYE
99 Councilmember Thompson AYE

100
101 5. HIGHLAND AT ELK RIDGE FINAL PLAT

102 Discussion ensued on the retention pond, drainage and storm water and the size of the culvert possibly
103 being increased in size. Council will have the city planner take a second look at the culvert size.
104 Councilmember Peterson stated this came through with a different developer and some of the item's
105 council had redlined are being addressed. The street names need to be changed. Canyon View had a curve
106 in it that would have created a Sky Hawk with a blind curve. Through discussions with the city planner and
107 developer Canyon View has been straightened out and the road coming down from Longview Meadows
108 Subdivision is no longer a through street, intersecting with Canyon View. Discussion ensued on increasing
109 the retention pond. Councilmember Thompson stated he would like to look into making the retention pond
110 a usable space for a soccer field for example. Discussion ensued on size, parking, usage, and maintenance
111 and will be something the city will consider but will not be as a requirement of the development.

Councilmember Peterson stated the trail needs to be shown on the plat, and the fire hydrants need to be looked at by the fire chief, the topo along the roads needs to be engineered and some street names are too similar to existing street names and will need to be changed.

COUNCILMEMBER PETERSON MOTIONED TO APPROVE HIGHLANDS AT ELK RIDGE SUBDIVISION PHASE 2 WITH THE FOLLOWING CHANGES:

1. RENAME HIGHLAND DRIVE AND QUAIL RIDGE DRIVE
2. PUT THE TRAIL ALONG THE WEST SIDE OF CANYON VIEW DRIVE ON THE PLAT
3. ADDRESS THE 3 HYDRANTS ON CANYON VIEW DR.
4. ALL OF THE TOPO RETAINING ROADS NEEDS TO BE ALL ENGINEERED
5. HAVE THE CITY PLANNER TAKE A SECOND LOOK AT THE CULVERT AND DRAINAGE.

COUNCILMEMBER THOMAS SECONDED

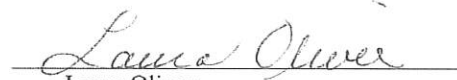
VOTE AYE (4) NAY (0) ALL APPROVED Absent- Tanya Willis

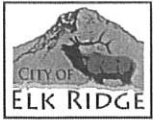
6. **APPROVAL OF CITY COUNCIL MINUTES FOR SEPTEMBER 13, 2022**

Tabled - 2 of the 4 members including the mayor were not at the September 13, 2022, meeting and abstained. The minutes will place on the next meeting agenda for a majority approval.

COUNCILMEMBER ABBOTT MOTIONED TO ADJOURN COUNCILMEMBER THOMAS SECONDED

VOTE AYE (4) NAY (0) ALL APPROVED Absent- Tanya Willis


Laura Oliver



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a City Council Meeting on Tuesday, October 25, 2022. The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Councilmember Abbott will be participating through electronic means.

7:00 PM – REGULAR CITY COUNCIL MEETING AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum 2 MINUTES MAXIMUM PER PERSON

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

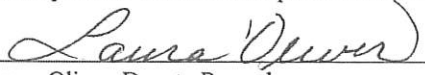
- | | |
|--|----------------|
| 1. Traffic Study, Traffic Code | |
| 2. CE3 Zone | see attachment |
| 3. Budget Amendment: Truck | see attachment |
| 4. Financial Review | see attachment |
| 5. Approval of City Council Minutes for September 13, 2022 | see attachment |
| 6. Approval of City Council Minutes for October 11, 2022 | see attachment |

Closed Session Per Utah Code 52-4-204, If needed.

Handicap Access, Upon Request. (48 Hours Notice)

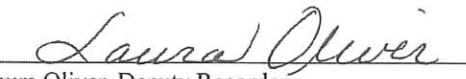
The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 24th day of October 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 24th day of October 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

**ELK RIDGE
CITY COUNCIL MEETING
October 25, 2022**

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, October 25, 2022, at 7:00 PM.** The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on October 24, 2022.

OPENING REMARKS– INVITATION

Opening remarks were offered by Max Staheli
Pledge lead by Councilmember Thompson

ROLL CALL

Mayor: Robert Haddock
Council Members: Tricia Thomas, Jared Peterson, Nelson Abbott, Cory Thompson, Tanya Willis,
Electronic – Nelson Abbott
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, Deputy Monsen
Public: Liz Moeller, David Ruff, Kristin Roylance, Robert Paxton, David Cline, Karl Shuler, Larry Lee,
Erik Johnson, Bob Strang, K.C. Bush, Scot Bell, Diane Schultz, Gary Kinney

APPROVAL/AGENDA TIME FRAME

Mayor Haddock moved the meeting to the fire bay to accommodate the attendees

COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE AGENDA AND ADJUST THE TIME FRAME TO 7:12 COUNCILMEMBER WILLIS

VOTE	AYE (5)	NAY (0)	ALL APPROVED
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PUBLIC FORUM

Liz Moeller thanked the council for the opportunity to present a general concept plan which has been at their expense. They hope that it will expand on what is already here in Elk Ridge City and to be a good neighbor.
David Ruff there has been a lot of mis information. He has owned his property on the south end of town longer than most people have lived in Elk Ridge and would like to one day build his own home here. This isn't a big developer it's just the landowners who want to build their vision that they have had for a while. Due to the economy in 2008 development was delayed. We want to put in something that everyone can life with and be a part of the community.
Kristine Roylance lives on High Sierra and bought the property 16 years ago because it was not going to be a collector or arterial road. Road safety has not addressed as it should. The road can be a hazard when it snows. There are no sidewalks, and it was never intended to handle 2000 cars a day.
Robert Paxton owns property on the south end of town and gave zoning acres of Draper and Sandy of hillside property.
Karl Shuler owns 120 acres in the CE3 area. One misconception is there is 1 developer that is going to build 400 homes. This is false the land is not owned by a developer. The biggest problem is the size of the lots at 4 acres that reduces the property rights and values of the landowners. Ther e is no 400-acre proposed approach. The landowners are very concerned about fire safety and only want to comply with all state and local fire codes.
KC Bush wants the council to keep the acreage at 4-acre lots size.
Scot Bell The key ingredient to fire mitigation is defendable space. Would like to encourage the city to protect the current and future residents first responders.
Dianne Schults lives on Haleys Lookout and would like to see the city do more to ensure road safety.

Maureen Bushman stated the Planning Commission had a discussion on traffic safety and if the city needed to do a traffic study city wide.

AGENDA ITEMS

55 1. TRAFFIC STUDY, TRAFFIC CODE

56
57 COUNCILMEMBER PETERSON MOTIONED MOVE FORWARD WITH A TRAFFIC STUDY
58 MAUREEN BUSHMAN, PLANNING COMMISSION CHAIR WILL TAKE LEAD TRICIA THOMAS
59 SECONDED

60
61 VOTE AYE (5) NAY (0) ALL APPROVED

62 2. CE 3

63 Reed Staheli landowner gave presentation on the development of the south end of the city which is the CE3
64 zone. It takes cooperation between the city and the landowners for a successful development. Over the
65 years the same issues come up with developments- fire, water, sewer, road safety. He did a brief overview
66 of the acreage. There is a fair amount of unbuildable space that would be open space. There are a dozen
67 different landowners in the area. The road would come over from High Sierra and over to Hillside Dr. and
68 individual landowners would need to be contacted about the second access road and 4 or more additional
69 future access roads. Development in this area is not like the north end of the city. It will be more inline with
70 Woodland Hills with defensible barriers and open space. Trails would be a big part of the development
71 along with trail heads, but they would need to work with other landowners to get permission for access.
72 Development will help with fire mitigation not hinder it with the addition of roads and hydrants. This area
73 will take years to development in order to resolve issues. There are certain areas that don't have gravity
74 flow, other areas beyond a certain point will need a new tank. This area has great potential for Elk Ridge.
75 Rather than follow the current trajectory is set aside the current draft and redo the master plan. The
76 landowners should have in out with the vision and help create the code from the vision.

77
78 Mike Hill- He worked as a federal fire fighter for 27 years in southern California. He retired from the US
79 forest service and has had 32 years fighting wildland forest fires. Over the last 4 years Utah County alone
80 has burned over 94,000 acres costing us all over 50 million dollars for suppression. When fire fighters look
81 at large fires, they ask how am I getting in and how am I getting out. The traffic plan is important and how
82 growth effects areas. How would fire fighters get into and out of the area. Firefighters trying to get to a fire
83 compete for the same roads as those evacuating from the area. How are people going to get in and out.
84 There has to be a plan. Fighting fires happens on ridge lines- structures on ridge lines hurts this effort.
85 Fire fighters have a better chance of fighting a structure on 4 acres then multiple structures tucked up
86 against each other. Structures are a fuel load. If the city is going to take seriously fire mitigation, then it
87 needs to look closely at what is being put in its area. On average 17 fire fighters die every year, 60
88 structural fire fighters die every year this year 72 has already died. Fire fighters will do whatever it takes to
89 save you. 343 fire fighters 8 EMTs 72 police officers died in the world trade center. They will lay down
90 their lives for you give the tools needed to do the job; water, access, and don't cram 10 lbs. of crap in a 5
91 lb. bag. Thank you for all your time.

92
93 Councilmember Willis asked Mike Hill and Fire Chief Waite what their view on cul-de-sacs and clustering
94 for safety concerns

95 Mike Hill stated it depends on the ingress and egress how fast can I get in and out. He would have to see a
96 full site map with hydrants roads, etc.

97 Fire Chief stated clustering concentrate fuel loads and defensible space overlaps, 150 feet around a
98 structure is the federal recommendation and that isn't possible with clustering. If there is going to be open
99 space who is going to maintain that space. The hydrants use the same water as the culinary and huge
100 structures that require more fire flow that will need more pressure. The pressure and water the city has is
101 adequate for the city right now. Landowners will have to do other mitigation on their lots.

102 Councilmember Willis stated defensible space is not clear cutting the whole defensible space, it is clearing
103 dead brush and low limbs.

104 Fire Chief Waite isn't concerned about lots size, he is concerned about ingress and egress, fire flow, fire
105 mitigation in place. He will not put fire fighters in a no-win situation. Three sides of the city are someone
106 else's Urban Interface zone; so actually, the whole city is in the urban interface. Through mitigation like
107 fire hydrants, the line for the city is above Oak Lane.

Councilmember Peterson asked if the CE3 code should just reference the wildland urban interface zone. He does not want to hamstring anyone to implement code with too many restrictions. Fire Chief Waite stated the reason the city has code is that when the city accepts the infrastructure put in by a developer, the city knows what is there, its built to a certain standard and the city can then maintain it from then on out. The city is the one who gets the call when there is a problem. What he does like about the CE3 are the restrictions on drainage, ravines, and hillsides, when those are messed with those areas you are asking for trouble. These are high risk areas to build in. Clear cutting would not help, it would make the ground unstable. Any code/development needs to be done smart so firefighters will be safe going in there. Councilmember Peterson stated there are areas where acre lots would be fine and other areas where 10 acre lots wouldn't be fine. Councilmember Willis stated Payson the west side of this property lot size is 10 acre lots or 10 homes per 100 acres per density. Councilmember Peterson stated perhaps the different areas need to be determined on per individual lots. Councilmember Thompson stated there has to be a basic code every time. The fire chief doesn't have to time to decide what every lot can be. The council's responsibility is to make sure the city has a clear map in place.

Councilmember Abbott excused himself from the meeting.

Council went through all the changes from the last meeting and clarified wording and references and strengthening definitions. Discussion ensued on open space-trails, unbuildable area, lot sizes and wildlife corridor, open space dedicated to city on case-by-case bases with maintenance plan city has right to refusal. Discussion ensued on traffic plan, when passed, to be moved to subdivision code for all subdivisions. Discussion ensued on clustering and lot sizes and placement with fire mitigation, evacuation and whether larger lots aid in this or do clustering and smaller lots, and the fire chief having more power in approval. Three of the council at this point are in favor of 4 acres with 1 acre clustering with fire chief approval. Discussion ensued on increasing setbacks to 150 on 4 acre lots and if there is a standard for setbacks and increasing accessory building setbacks. Discussion ensued on what items belong in the preliminary approval process.

Mayor called the discussion for time and to be continued at the next meeting.

3. BUDGET AMENDMENT: TRUCK

COUNCILMEMBER WILLIS MOTIONED TO APPROVE THE BUDGET AMENDMENT FOR \$27,500 FOR NEXT YEAR'S LEASES FOR TRUCKS COUNCILMEMBER THOMPSON SECONDED

VOTE AYE (4) NAY (0) ALL APPROVED Absent- Nelson Abbott

4. FINANCIAL REVIEW

There were no concerns or questions

5. APPROVAL OF CITY COUNCIL MINUTES FOR SEPTEMBER 13, 2022

COUNCILMEMBER PETERSON MOTIONED TO TABLE THE SEPTEMBER 13, 2022; MINUTES COUNCILMEMBER WILLIS SECONDED

VOTE AYE (4) NAY (0) ALL APPROVED TO TABLE Absent- Nelson Abbott

6. APPROVAL OF CITY COUNCIL MINUTES FOR OCTOBER 11, 2022

COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE CITY COUNCIL MINUTES FOR OCT 11, 2022, COUNCILMEMBER THOMAS SECONDED

153 VOTE AYE (3) NAY (0) ABSTAIN – (1) APPROVED
154 Abstain – Councilmember Willis, Absent- Nelson Abbott

155 COUNCILMEMBER WILLIS MOTIONED TO GO INTO CLOSED SESSION DUE TO POTENTIAL
156 LITIGATION COUNCILMEMBER PETERSON SECONDED

157 VOTE AYE (4) NAY (0) ALL APPROVED Absent- Nelson Abbott

158
159 COUNCILMEMBER THOMPSON MOTIONED TO ADJOURN COUNCILMEMBER THOMAS
160 SECONDED
161

162 VOTE AYE (4) NAY (0) ALL APPROVED Absent- Nelson Abbott

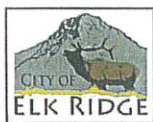
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164

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Laura Oliver



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a **Public Hearing in conjunction with the regular City Council Meeting on Tuesday, November 08, 2022.** The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Public Forum
Planning Commission Update

7:00 PM - PUBLIC HEARING

Budget Amendment- Public Works Fleet

see attachment

REGULAR CITY COUNCIL MEETING AGENDA ITEMS

- | | |
|---|----------------|
| 1. Fisher Haven Plat A Preliminary and Final Plat Approval | see attachment |
| 2. Ridge View Meadows Plat C Preliminary and Final Plat Approval | see attachment |
| 3. Micah Olson Plat A Enter Durability and Acceptance into the City | see attachment |
| 4. Audit Presentation, Greg Olsen | |
| 5. Lighthouse Subdivision Discussion | see attachment |
| 6. CE 3 | see attachment |
| 7. Budget Amendment- Public Works Fleet | |
| 8. Budget Amendment PRV Proposal | |
| 9. Water Conservation and Management Plan | see attachment |
| 10. Financial Review | see attachment |
| 11. Fraud Risk Assessment | see attachment |
| 12. Approval of City Council Minutes for Sep. 13, 2022 | see attachment |
| 13. Approval of City Council Minutes for Oct 25, 2022 | see attachment |

Closed Session Per Utah Code 52-4-204, If needed.

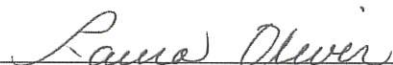
Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.
Dated this 7th day of November 2022.


Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 7th day of November 2022.


Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

**ELK RIDGE
CITY COUNCIL MEETING
November 8, 2022**

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, Nov. 8, 2022, at 7:00 PM.** The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting, was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on May 23, 2022.

ROLL CALL

Mayor: Robert Haddock
Council Members: Nelson Abbott, Tricia Thomas, Cory Thompson, Tanya Willis Absent-Jared Peterson,
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, Deputy Monsen
Public: Larry Lee

OPENING REMARKS- INVITATION

Opening remarks were offered by Diane Martin
Pledge lead by Councilmember Thomas

APPROVAL/AGENDA TIME FRAME

**COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE AGENDA AND TIME
FRAME NELSON ABBOTT SECONDED**

VOTE: AYE (5) NAY (0) APPROVED

PLANNING COMMISSION UPDATE

Maureen Bushman stated the Planning Commission discussed the Traffic Management proposed ordinance and traffic study and the city survey.
Councilmember Abbott suggested that the traffic study be done after the roads in neighboring cities finish the road construction that affects the roads outside Elk Ridge City in order for the figures to be accurately reflected.

PUBLIC FORUM

Liz Moeller - There are many different landowners, many of whom are longtime residents of the community. Our interest is in making sure that property rights are respected. They have engaged professionals to present a plan at their own expense. Our top priorities are safety and ensuring any development is done in a responsible way and want to work with the city to make sure that development is done in a balanced, fair and responsible way. Many have sent in written concerns and would like the council to carefully review and consider them.

Karl Shuler - One of the biggest questions council and planning commission has had is lot size. He and others had an aerial survey done to see where buildable areas actually are in the 476 acres. There are 286 acres that would be considered buildable and for the 4 acre lot size there would only be 70 lots. If the lots are 1 acre, taking out roads and trails there are 250 lots. There is a misconception that there are 400 lots. This area would not be developed by one developer but many and would be done gradually. The defensible space around a home only needs to be 100 feet not the 150 feet which Chief Waite stated in the last meeting. He has spoken with Chief Waite since that meeting and Chief Waite stated to him that 150 was incorrect, so a 50 foot setback for defensible space would work. He reviewed the zone of 10 acres and 1 acre areas and bonus densities of the surrounding Payson areas and would like the council to reconsider the larger lot sizes.

Larry Lee - In a lot size of 4 acres here is only 1 acres of defensible space and the rest of the lot is not treated defensibly then that's a lot of acreage that is a fire hazard. If there are large lots up there, then there needs to be a continuity for defensible space.

Connie Strang - She spoke with the Fire Chief of Woodland Hills, and he said that 4 acre lots would be harder to defend than a 1 acre lot.

55
56 **PUBLIC HEARING**

57 **BUDGET AMENDMENT- PUBLIC WORKS FLEET**

58 Mayor Haddock stated a budget amendment is needed to renew the lease option on the public works
59 trucks
60 Opened the public hearing and will it remain open.
61

62 **REGULAR CITY COUNCIL MEETING AGENDA ITEMS:**

63
64 1. **FISHER HAVEN PLAT A PRELIMINARY AND FINAL APPROVAL**

65
66 COUNCILMEMBER ABBOTT MOTIONED TO APPROVE FISHER HAVEN PLAT A
67 PRELIMINARY AND FINAL PLAT AS PRESENTED COUNCILMEMBER WILLIS SECONDED

68 VOTE AYE (4) NAY (0) APPROVED Absent - Councilmember Peterson

69 2. **RIDGE VIEW MEADOWS PLAT C PRELIMINARY AND FINAL APPROVAL**

70 COUNCILMEMBER THOMAS MOTIONED TO APPROVE RIDGE VIEW PLAT C
71 PRELIMINARY AND FINAL PLAT COUNCILMEMBER ABBOTT SECONDED

72 VOTE AYE (4) NAY (0) APPROVED - Absent -Councilmember Peterson

73 3. **MICAH OLSON PLAT A ENTER DURABILITY AND ACCEPTANCE INTO THE CITY**

74 COUNCILMEMBER ABBOTT MOTIONED TO ACCEPT MICAH OLSON SUBDIVISION INTO
75 THE CITY AND RATIFY THE POLL VOTE COUNCILMEMBER WILLIS SECONDED

76 VOTE AYE (4) NAY (0) APPROVED Absent - Councilmember Peterson

77 COUNCILMEMBER ABBOTT MOTIONED TO ACCEPT INTO DURABILITY MICAH OLSON
78 PLAT A SUBDIVISION EFFECTIVE OCTOBER 27, 2022 COUNCILMEMBER WILLIS
79 SECONDED

80 VOTE AYE (4) NAY (0) APPROVED Absent - Councilmember Peterson

81 Councilmember Thomas AYE
82 Councilmember Abbott AYE
83 Councilmember Willis AYE
84 Councilmember Thompson AYE

85 4. **AUDIT PRESENTATION, GREG OLSEN**

86
87 Greg Olsen, Auditor presented the 2021-2022 city audit. There were no findings, and the city is in
88 excellent shape and has no debt which is very impressive. The city staff and mayor have done a great
89 job.
90

91 5. **LIGHTHOUSE SUBDIVISION DISCUSSION**

92 Mayor Haddock stated there are a number of concerns that the city has in regards to infrastructure in
93 which he would like the council input; the rock wall is 10' - 11' rather than the 9' maximum height on
94 the plans, because of the slant of the wall the sidewalk width is now narrower than the plans state, the
95 plans call for a black chain link fence and the road isn't measuring to the required width.

Councilmember Thompson stated with the assurances the developer gave the council approved the change to the rock wall, and he is disinclined to give any exceptions. Councilmember Abbott stated the development needs to be shut down until all the missteps the developer made are corrected. Councilmember Willis stated the maintenance will be higher on a vinyl fence Councilmember Abbott stated the snowplow is going to blow a vinyl fence apart. Mayor Haddock stated the developer met with the 55+ community and the community wanted a vinyl fence to block headlights. Councilmember Thomas stated while she appreciates the developer wanting to do what the 55+ community wants, the 55+ community are not the ones who approved the plans, the council does. Councilmember Thompson stated they shouldn't have changed it without getting approval from the City Council. Mayor Haddock stated the drainage to Elk Ridge Dr. needs to be looked at to see if it is in and can function as planned. Councilmember Thompson stated the developer needs to stop and fix the problems to meet what was approved, the developer just can't change things. Councilmember Abbott stated the city has city standards that have to be followed, if those standards are not being followed the items in questions need to be fixed or they will not enter into durability. Just because the neighbor (55+) says you can do something doesn't mean you can if the city says you can't do it. Councilmember Thomas stated the developer needs to be told about these issues now so they can make the changes before the development goes any further. Councilmember Thompson stated the issues need to be fixed.

6. CE3 ORDINANCE

Councilmember Willis stated since the last time council met, she and Councilmember Peterson talked about open space and about making a 3rd designation called Preserved Open Space to lessen confusion. Preserved Open Space would include ravines, ridgelines, wildlife corridors, 20% slopes, 30% slopes. If it is in the Preserved Natural Space the only things that could disturb it from its natural conditions is fire mitigation, emergency situations, removal of invasive vegetation, and other things as approved by city council. These areas would be marked on the plat map. If an area falls in more than one restrictive area the most restrictive governs. Discussion ensued on front setbacks and having defensible space of a 50-foot frontage plus the width of the road which gives homes 100 feet defensible space from the home across the street. Councilmember Abbott stated the front setback of 50 would make it more difficult to defend a home and increase the amount of unbuildable land. Fire hoses are 30 feet; 30 feet is better than 50 foot setbacks. The rest of the city has setbacks of 30 feet so that homes can be defended. Councilmember Thompson stated he will support what the professional, such as Chief Waite recommends. Councilmembers called and invited Fire Chief Waite to the meeting to discuss the setbacks and emergency services. Fire Chief Waite is not concerned with having a front setback of 30 feet since it makes homes more defensible, and council members were fine with changing the front setback from 50 feet to 30 feet. Fire Chief Waite stated he misspoke when he said side setback requirements should be 150, the WUI side setback requirements are 100 feet and a lot depends on the variable of the lot, such as lot size. Fire mitigation can also be done through building materials, inside sprinklers etc. Discussion ensued on overlap and fire mitigation on larger lots and smaller lots. 3 Councilmembers agreed to 100-foot side and back setback on a 4-acre lot. Discussion ensued on the larger setbacks would not work on a 1 acre lot but would work on a 1.6 acre lot or 60,000 sq ft lot. Discussion ensued on the 1-acre lot setbacks with 50-foot setbacks that include required fire mitigation, noncompliance, and liability. Councilmember Thompson stated the city needs a code that lets the landowners utilize their property in a way that is safe but reasonable. It's easy to say too bad the landowner didn't maintain their property, but the city can do better than that because that philosophy can apply to anything, that is not how society works. There has to be a compromise making sure it is safe and also usable. A 50-foot setback on an acre lot may work, and still build a 12,000 square foot house, sounds pretty good, he would buy that, and putting fire mitigation requirements in place is not unreasonable and fine those that do not comply. Councilmember Abbott stated he would not have 4 acre

143 lots at all and would prefer a straightforward 1-acre lot with state fire mitigation requirements and that
144 the contour of the land and the ingress and egress will dictate how many homes can be built and where.
145 Councilmember Abbott stated fire mitigation needs to be in place before a certificate of occupancy is
146 issued. At least three Councilmembers agreed to 50-foot side and back setbacks on 60,000 square feet
147 lot with state code Wildland Urban Interface fire mitigation requirements. Discussion ensued on
148 frontage being minimum 120 feet and cul-de-sacs 60 feet. Council went through the ingress/egress roads
149 section. There were no other items of concern.

150 COUNCILMEMBER WILLIS MOTIONED TO APPROVE ORDINANCE 22-07 CE 3 ZONE WITH
151 THE CHANGES MADE TONIGHT COUNCILMEMBER THOMAS SECONDED

152 VOTE AYE (3) NAY (1) APPROVED Absent - Councilmember Peterson

153 Councilmember Abbott voted nay

154 Mayor Haddock closed the public hearing for the budget amendment. There were no public comments or concerns

155 7. **BUDGET AMENDMENT PUBLIC WORKS FLEET**

156 COUNCILMEMBER WILLIS MOTIONED TO APPROVE RESOLUTION 22-11-08-1R BUDGET
157 AMENDMENT COUNCILMEMBER THOMAS SECONDED

158 VOTE AYE (4) NAY (0) APPROVED Absent - Councilmember Peterson

159 Councilmember Willis AYE
160 Councilmember Thompson AYE
161 Councilmember Abbott AYE
162 Councilmember Thomas AYE

163 8. **BUDGET AMENDMENT PRV PROPOSAL**

164 Councilmember Abbott would like a second opinion and measurement to see if the prv's really need to
165 be done.

166 COUNCILMEMBER WILLIS MOTIONED TO MOVE THE BUDGET AMENDMENT TO PUBLIC
167 HEARING FOR THE PRV'S IN THE AMOUNT OF \$262,000 ON DEC 13,
168 2022.COUNCILMEMBER THOMPSON SECONDED

169 VOTE AYE (4) NAY (0) APPROVED Absent - Councilmember Peterson

170 9. **WATER CONSERVATION AND MANAGEMENT PLAN**

171 The city council had no concerns.

172 10. **FINANCIAL REVIEW**

173 The council had no concerns or questions.

174 11. **FRAUD RISK ASSESSMENT**

175 There were no concerns

176 12. **APPROVAL OF CITY COUNCIL MINUTES FOR SEPTEMBER 13,2022**

177 COUNCILMEMBER ABBOTT MOTIONED TO APPROVE MINUTES FOR SEPTEMBER 13, 2022
178 IN ORDER TO COMPLY WITH STATE REQUIREMENTS COUNCILMEMBER THOMAS
179 SECONDED

180 VOTE AYE (4) NAY (0) APPROVED Absent- Councilmember Peterson

181 13. APPROVAL OF CITY COUNCIL MINUTES FOR OCTOBER 25, 2022

182 COUNCILMEMBER ABBOTT MOTIONED TO APPROVE CITY COUNCIL MINUTES FOR
183 OCTOBER 25, 2022 COUNCILMEMBER THOMAS SECONDED

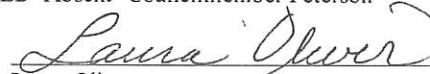
184 VOTE AYE (3) NAY (0) APPROVED Absent- Councilmember Peterson

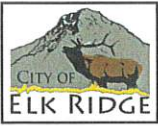
185 Abstain- Councilmember Willis

186 COUNCILMEMBER WILLIS MOTIONED TO ADJOURN COUNCILMEMBER THOMPSON
187 SECONDED

188 VOTE AYE (4) NAY () APPROVED Absent- Councilmember Peterson

189
190


Laura Oliver



ELK RIDGE CITY - 80 East Park Drive - Elk Ridge, UT - 84651
801.423.2300 staff@elkridgecity.org www.elkridgecity.org

NOTICE OF AGENDA

Notice is hereby given that the City Council of Elk Ridge will be holding a **City Council Meeting on Tuesday, December 13, 2022.** The meeting will be held at the Elk Ridge City Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 PM – REGULAR CITY COUNCIL MEETING AGENDA

Opening Remarks if Volunteered
Pledge of Allegiance
Approval/Agenda Time Frame
Roll Call
Update from Planning Commission
Public Forum 2 MINUTES MAXIMUM PER PERSON

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

- | | |
|---|----------------|
| 1. Justin Hannig- Concept, Animal Rights | see attachment |
| 2. Burton Subdivision Amendment | see attachment |
| 3. City Survey Results, Ron Gailey | |
| 4. Ratify Poll Vote, Lighthouse Subdivision | |
| 5. 2023 Public Meeting Calendar | |
| 6. Proposed Sale of City Property by Public Works Building Discussion | see attachment |
| 7. Equipment Purchases – Plow Truck, Mini Excavator, Skid Steer | |
| 8. Resolution 22-12-13-1R | see attachment |
| 9. Financial Review | see attachment |
| 10. Approval of City Council Minutes for November 8, 2022 | see attachment |

Closed Session Per Utah Code 52-4-204, If needed.

Handicap Access, Upon Request. (48 Hours Notice)

The times that appear on this agenda may be accelerated if time permits. All interested persons are invited to attend this meeting.

Dated this 12th day of December 2022.



Laura Oliver, Deputy Recorder

CERTIFICATION

I, the undersigned, duly appointed and acting Deputy Recorder for the municipality of Elk Ridge, do hereby certify that a copy of the Notice of Agenda was provided to the Payson Chronicle, 145 E Utah Ave, Payson, Utah, and to each member of the Governing Body on the 12th day of December 2022.



Laura Oliver, Deputy Recorder

*Please note: If you would like to address council in the Public Forum, you will be required to sign in and state the topic of your discussion by the time the regular council meeting begins. You will then be called upon at your time to speak. Comments are limited to 2 minutes.

Agenda and attachments can be found at the Utah Public Access site <https://www.utah.gov/pmn/>

**ELK RIDGE
CITY COUNCIL MEETING
December 13, 2022**

TIME AND PLACE OF MEETING

This regularly scheduled meeting of the Elk Ridge City Council was scheduled for **Tuesday, Dec. 13, 2022, at 7:00 PM.** The meeting was held at the Elk Ridge City Hall, 80 East Park Drive, Elk Ridge, Utah. Notice of the time, place, and Agenda of this Meeting, was provided to the Payson Chronicle, 145 E. Utah Ave, Payson, Utah, and to the members of the Governing Body on Dec. 12, 2022.

ROLL CALL

Mayor: Robert Haddock
Council Members: Nelson Abbott, Tricia Thomas, Jared Peterson, Cory Thompson, Tanya Willis,
Others: Royce Swensen, *City Recorder*, Laura Oliver, *Deputy Recorder*, Deputy Monsen
Public: Larry Lee, Stacy Haskell, Todd Larsen, Robert Black

OPENING REMARKS- INVITATION

Opening remarks were offered by Councilmember Thompson
Pledge lead by Councilmember Willis

APPROVAL/AGENDA TIME FRAME

**COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE AGENDA AND TIME FRAME
COUNCILMEMBER WILLIS SECONDED**

VOTE: AYE (5) NAY (0) APPROVED

PLANNING COMMISSION UPDATE

Ron Gailey gave a quick update on the last planning commission meeting.

PUBLIC FORUM

Stacy Haskell stated she has lived here for 20 and her husband for over 40. They are building a new home and are having a difficult time with finding dark sky compliant outside lighting. She feels it is a security issue not being able to light up their property. Not being able to have a decent light on the front porch but having jelly fish lighting is weird. Streets are starting to look like Vegas from jelly fish lighting, but she can't have a decent porch light. She would like to get rid of the code for residential homes.

Todd Larsen is concerned about the retention pond for Highlands Subd. behind his property. It is on his property and feels it is not to city and state codes and passed out a report he had done by an outside engineer. The report also states that the engineering group determined the 24" culvert won't hold the water and will flood his house.

Robert Black is concerned about the placement of the retention pond for Longview Meadows Subd.

REGULAR CITY COUNCIL MEETING AGENDA ITEMS:

1. JUSTIN HANNIG- CONCEPT, ANIMAL RIGHTS

Justin Hannig wanted clarification that the property which has horses on it right now would keep animal rights if he bought the property. Discussion ensued on grandfathering of animal rights, and it was determined that if he bought the property, he would be able to put horses on it until it goes through the subdivision process, then it loses its animal rights. Councilmember Peterson stated that he could apply for a zone change to R&L which has animal rights. Councilmember Thomas stated that he would need comply point system in the animal code regardless of the zone.

2. BURTON SUBDIVISION AMENDMENT

Mayor Haddock stated this is an older subdivision in 2007. The plat has a horseshoe driveway. Because the elevation of the home being built too high, they are not able to do the horseshoe driveway

and would like to amend the plat to remove the horseshoe driveway. They have an area outside the garage to turn around and the driveway will enter/exit on the very east side of the property. Councilmember Thompson is concerned about the slope of the driveway and the clear view of that curve. Councilmember Thomas asked why the house was built too high, who is supposed to have caught that? Councilmember Abbott stated there are inspectors that do that. Discussion ensued on the dangers of backing out onto Park Dr and visibility on that curve. Councilmember Peterson asked once the wall is in will it impede the clear view of that curve? Any fence in front of the home cannot be higher than 36 inches. Royce Swensen stated that the homeowner has been working with city planner to try and get the horseshoe driveway to work and it just doesn't. Right now, there is still a lot of dirt in front of the house that needs to be removed. Councilmember Thompson asked if the city allows high retaining walls in front the house. Councilmember Peterson stated that inspectors look at the frost line when they inspect footings, not the height. Councilmember Thomas stated the council needs to see more detail of where everything is going to be in order to understand the homeowners plan. Councilmember Willis stated the homeowner knew that the plan called for the horseshoe driveway, why was the homebuilt so that the plat couldn't work. Discussion ensued on the size of the easement would possibly help in the clear view of the curve. Councilmember Abbott stated the garage can be lowered; it has been done before.

COUNCILMEMBER PETERSON MOTIONED TO APPROVE THE PLAT AMENDMENT MINUS THE WALL, FENCE AND DRIVEWAY. COUNCILMEMBER ABBOTT SECONDED.

VOTE	AYE 2	NAY 3	MOTIONED FAILED
------	-------	-------	-----------------

Council decided to hold off any further decision until they understand better the homeowners plan for the wall, fence and driveway and will place this in the agenda for the next meeting.

3. **CITY SURVEY RESULTS, RON GAILEY**

Ron Gailey presented the city survey results and had 700 surveys completed which is an excellent return. Councilmember Abbott stated that he read through all the comments and that the residents need to know that most of the concerns have been address, are being addressed or not valid. Discussion ensued on communication and transparency and possible ways to improve that such as using social media more, using an intern to post on different medians. Goals setting front the survey. Council stated the survey is great and voiced their appreciation to Ron Gaily for his time in doing the survey.

4. **RATIFY POLL VOTE, LIGHTHOUSE SUBDIVISION**

The poll vote was on the change of the chain link fence to a vinyl fence.

The change for the fencing was approved and Council ratified the change as follows:

VOTE	AYE (3)	NAY (2)	APPROVED
Councilmember Thomas	AYE		
Councilmember Abbott	NAY		
Councilmember Thompson	AYE		
Councilmember Peterson	AYE		
Councilmember Willis	NAY		

5. **2023 PUBLIC MEETING CALENDAR**

Discussion ensued on the need for public works to be at council meetings to discuss projects and concerns and the possibilities of someone being present at council meetings from public works.

Councilmember Abbott stated there have been previous public works directors that met with the mayor and the mayor presented public works issues. Council had no concerns with the calendar as is.

101
102 6. **PROPOSED SALE OF CITY PROPERTY BY PUBLIC WORKS BUILDING**
103 **DISCUSSION**

104 Mayor Haddock stated there is a strip of property between the public works property and the
105 neighboring resident. There is a sewer easement in that property that would remain. The property
106 would need to go through the process requirements for selling property at fair market value.

107 Councilmember Thompson stated the funds from the sale of this property could be used to do
108 something the citizens want on the survey. Council did not have any concerns with selling the strip of
109 property. Councilmember Abbott would like to off all the pieces of property that the city has that are
110 unusable.

111 7. **EQUIPMENT PURCHASES – PLOW TRUCK, MINI EXCAVATOR, SKID STEER**

112 Mayor Haddock stated the small plow truck was sold last year and the replacement plow truck will
113 happen in the next budget year. Public Works would like to sell the backhoe and buy mini ex and skid
114 steer. Councilmember Peterson stated a mini ex is preferred to a backhoe and is where the industry has
115 transitioned. Council really needs to discuss with public works what level of services is the city going
116 to do. If the city is going to do projects such as the water pipes that need replaced etc. then buying
117 equipment would be good but if the equipment is just going to sit there, then it shouldn't be purchased.
118 Along with that there needs to be a discussion on the amount of service that is expected with snow
119 removal that way an educated discussion on the type of equipment is needed so the correct equipment
120 is purchased. If the city isn't going to plow, why get plows? When do we put the plows out, when there
121 is 2 inches as soon as it starts snowing? Councilmember Abbott stated in the past there is a mark on the
122 wall at the fire department that showed at what snow level to start plowing. Councilmember Peterson
123 stated is the city going to plow all the way to the curb or a lane in both directions? 11 mailboxes were
124 destroyed by going all the way to the curb. He gets calls about dead grass because they have thrown
125 salt too far. Landscaping gets destroyed. Councilmember Abbot stated his neighbor's yard was plowed
126 into the councilmembers yard. Councilmember Peterson asked when should the plows go out?
127 Councilmember Thompson asked if there was a time set for plowing? Mayor Haddock stated
128 administratively plows stop at 10 pm and start again at 4 am. Councilmember Thompson stated that
129 after 10 is the best time when there are fewer cars on the road. Councilmember Peterson stated he
130 watched 2 buses slide sideways one morning. If it is dropping snow at midnight, it would be better to
131 go move 3-4 inches at that time than to move 10 in the morning. If the busses wait until the am then
132 the roads aren't done when the busses the majority are on the road. He is a backup plow driver, and he
133 has not been called once. Councilmember Willis stated she received calls about the bus routes not
134 being done. Councilmember Peterson stated he thinks they need to just do lane of travel and not curb
135 to curb. Councilmember Thompson stated plowing should be based on conditions not time and should
136 be done lane of travel and not curb to curb and trails don't have to be plowed. Some cities wait until
137 there is 4 inches on the road, others send trucks out when it's still raining to throw salt. The most
138 common complaints are snow pushed into/in front of the driveways, not plowing, landscaping and
139 mailboxes being destroyed, the islands coming up Elk Ridge Dr. Councilmember Thompson stated he
140 would prepare something with the expectations/procedures for plowing. Royce Swensen stated that
141 anyone other than the public works director would have to be paid overtime for coming to the meeting
142 and the cost of snow removal may increase and there may need to be a budget amendment.
143 Councilmember Peterson stated direction needs to be out there now for the upcoming storm. Back to
144 the equipment purchase, the city needs to have a game plan first before any equipment is bought.

145 8. **RESOLUTION 22-12-13-1R**

146
147 COUNCILMEMBER ABBOTT MOTIONED TO APPROVE RESOLUTION 22-12-13-1R
148 AS PRESENTED COUNCILMEMBER WILLIS SECONDED

VOTE AYE (5) NAY () APPROVED
Councilmember Willis AYE
Councilmember Peterson AYE
Councilmember Abbott AYE
Councilmember Thomas AYE
Councilmember Thompson AYE

9. FINANCIAL REVIEW
There were no concerns.

10. APPROVAL OF CITY COUNCIL MINUTES FOR NOVEMBER 8, 2022

COUNCILMEMBER ABBOTT MOTIONED TO APPROVE THE NOVEMBER 8, 2022;
MINUTES COUNCILMEMBER THOMPSON SECONDED

VOTE AYE (4) NAY () APPROVED
Councilmember Peterson Abstained

COUNCILMEMBER ABBOTT MOTIONED TO ADJOURN COUNCILMEMBER WILLIS
SECONDED

VOTE AYE (5) NAY () APPROVED


Laura Oliver