

## **ORDINANCE NO. 26-09**

**AN ORDINANCE OF ELK RIDGE CITY, UTAH, AMENDING TITLE 10 OF THE ELK RIDGE CITY CODE RELATING TO TRAILS AND TRAIL IMPROVEMENTS; AMENDING SECTIONS 10-9A-11-7, 10-9C-14, 10-15B-1(B), AND 10-15D-3(B); AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Elk Ridge City is a municipal corporation and political subdivision of the State of Utah; and

WHEREAS, the City Council finds that amendments to the City's trail regulations are appropriate to provide greater consistency between zoning districts, subdivision requirements, the Official Trails Map, the City's adopted trail plans, and City construction and development standards; and

WHEREAS, the proposed amendments clarify trail classifications, tread widths, trail corridors and easements, surfaces, connections, alternative designs, natural-surface trails, private trails, deferred construction, and the circumstances requiring amendments to adopted trail plans; and

WHEREAS, after providing the notice required by law and conducting a public hearing, the Elk Ridge City Planning Commission reviewed the proposed amendments and forwarded its recommendation to the City Council; and

WHEREAS, the City Council has considered the Planning Commission's recommendation, the proposed amendments, applicable City plans and standards, and all public comment received concerning the amendments; and

WHEREAS, the City Council finds that adoption of these amendments promotes the health, safety, welfare, connectivity, recreation, and orderly development of Elk Ridge City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS:**

### **SECTION 1. AMENDMENT OF CITY CODE**

The Elk Ridge City Code is hereby amended as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

The amendments include revisions to the following provisions:

1. Section 10-9A-11-7;
2. Section 10-9C-14;
3. Section 10-15B-1(B)(4) and (5);
4. Section 10-15D-3(B)(4) through (11).

### **SECTION 2. CODIFICATION**

The City Recorder and City's code publisher are authorized to incorporate the amendments contained in Exhibit A into the Elk Ridge City Code and to make nonsubstantive formatting, numbering, capitalization, punctuation, cross-reference, and similar clerical corrections necessary for proper codification, provided that no such correction alters the substantive meaning of the provisions adopted by this Ordinance.

### **SECTION 3. REPEALER**

All ordinances, resolutions, provisions of the Elk Ridge City Code, or parts thereof that conflict with this Ordinance are hereby repealed to the extent of such conflict.

### **SECTION 4. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or the amendments adopted herein is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance.

### **SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect upon passage and posting or publication as required by law.

PASSED AND ADOPTED by the City Council of Elk Ridge City, Utah, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Approved by the Mayor:

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Mayor – Robert Haddock

ATTEST

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Spencer Foster - City Recorder

|                              |       |
|------------------------------|-------|
| Councilmember Jared Peterson | Voted |
| Councilmember Tanya Willis   | Voted |
| Councilmember Cory Thompson  | Voted |
| Councilmember Melanie Paxton | Voted |
| Councilmember Charles Wixom  | Voted |

I, SPENCER FOSTER, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of

**“AN ORDINANCE AMENDING THE CITY OF ELK RIDGE TITLE 10 OF THE ELK RIDGE CITY CODE RELATING TO TRAILS AND TRAIL IMPROVEMENTS; AMENDING SECTIONS 10-9A-11-7, 10-9C-14, 10-15B-1(B), AND 10-15D-3(B); CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.”**

SPENCER FOSTER  
Elk Ridge City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH                                 )  
                                                              ) ss.  
COUNTY OF UTAH                                 )

I, Spencer Foster, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance #26-09 which is attached hereto on the \_\_\_\_ day of \_\_\_\_\_ 2026.

The three places are as follows:

1.       The Elk Ridge City Office, 80 E Park Drive
2.       The Elk Ridge City Website elkridgecity.org
3.       The Utah Public Notice Website Utah.gov

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

\_\_\_\_\_  
SPENCER FOSTER  
Elk Ridge City Recorder

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2026 by SPENCER FOSTER.

My Commission Expires:

\_\_\_\_\_  
Notary Public

Residing at:                                 Utah County

## EXHIBIT A

### 10-9A-11-7: TRAILS:

Trails required along roadways shown on the city trail plan shall be ten feet (10') wide and paved as described within the trail development standard. Trails traversing and connecting open space areas are required in cluster developments. Trail access must be provided in all developments from cul-de-sacs connecting to open space areas or to adjoining current or future developments. Trails connecting roads through open space to adjoining developments shall be six feet (6') wide, paved, and be set back from adjoining lot property lines at least fifteen feet (15') on each side. The planning commission can waive the paved trail requirement for gravel in areas that a gravel trail would be appropriate to help preserve natural conditions. (Ord. 08-4, 2-26-2008) Trails within the HR-1 Zone shall conform to the Elk Ridge Trails, Parks, and Open Space Master Plan, and trail requirements and standards established in section 10-15D-3(B) of the Elk Ridge City Code.

### 10-9C-14: TRAILS:

Development within the CE-3 Zone shall comply with the Elk Ridge Trails, Parks, and Open Space Master Plan, and the trail requirements and standards established in section 10-15D-3(B) of the Elk Ridge City Code.

~~A. All proposed development in CE-3 shall be consistent with the city's General Plan, regarding trails, parks, and trail access locations. A dedication of private land may be required for public trails if the required dedication complies with the exaction requirements set forth in Utah Code section 17-27a-507(1).~~

~~B. All land offered for dedication for trails or public access to trails must be verified by Planning Commission and City Council before approval of the site plan. The city has the option of rejecting the applicant's offered land dedication if the proposed dedication does not comply with the exaction requirements set forth in Utah Code section 17-27a-507(1), or the requirements set forth in subsection C below. The city may suggest more suitable land for the applicant's consideration that does comply with each of these requirements.~~

~~C. Land offered for dedication for trails must be suitable located so that:~~

~~—1. Proposed trail construction and maintenance is feasible;~~

~~—2. Side slopes do not exceed seventy percent (70%);~~

~~—3. Rock cliffs and other insurmountable physical obstructions are avoided;~~

~~D. Trails required along roadways shown on the city trail plan shall have a ten foot (10') easement surfaced as described within the trail plan, in addition to the standard street right-of-way.~~

~~—E. In addition to trails along roadways and as part of the city trail plan, and natural-traversing and interconnecting open space areas throughout the development, as identified on the trails map, are required.~~

~~—F. Trail easement connecting roads through open space to adjoining development, public facilities, or adjacent cut-de-sacs, shall be ten feet (10') wide and paved. The planning commission can waive the paved trail requirement in areas that a natural trail would be more appropriate to help preserve natural conditions.~~

~~—G. Public parking areas at major trailheads that can also serve as emergency staging areas, must be included in the proposed development.~~

~~—H. Planning Commission and City Council can determine the required surface for each trail. (For example, but not limited to: paved, natural, gravel.)~~

~~—I. Trails-in-lieu of sidewalks do not count towards the percentage of open space required for clustering. (Ord. 22-07, 11-8-2022)~~

#### 10-15B-1: REQUIRED IMPROVEMENTS:

##### B. Sidewalks And Trails:

4. ~~Improved Trails:~~ Required trails and trail improvements shall comply with the Elk Ridge City Trails, Parks, and Opens Space Master Plan, and the trail requirements and standards established in section 10-15D-3(B) of the Elk Ridge City Code. Required trails shall be considered required improvements subject to the applicable completion and guarantee provisions of the Elk Ridge City Code. Developments shall provide any planned trails for bicycle/pedestrian use which connect the development to other public facilities such as parks or the major existing and established in the City's General Plan or other officially adopted trail map of the City. The trail requirement also is extended to cut-de-sacs that require a trail easement connecting neighborhoods. Trails are required improvements, subject to the guarantee provisions of this title.

##### ~~—5. Trail Requirements:~~

~~—a. Trail placement must conform to the city's adopted, which is a part of the City's General Plan. Any proposed trail placement that deviates from the Trails Map will require an amendment. As part of the General Plan, any such amendment must undergo review and approval by the Planning Commission, followed by City Council approval.~~

~~—b. Trails, must conform to the surfacing indicated on the adopted City Trails map. Any proposed changes to the surfacing type will be considered a modification to the General Plan and must be submitted for review and approval by the Planning Commission, followed by the City Council approval.~~

~~—c. All trail surface must be six inch (6") deep concrete or prepared base and ten feet (10') wide.~~

#### 10-15D-3(B)(4): IMPROVED TRAILS:

4. Improved Trails. Developments shall provide improved trails and trail connections where required by the to "city of Elk Ridge Trails, Parks, and Open Space Master Plan, Official Trails Map, this title, or an approved development plan. Required trails shall conform to applicable City construction specifications and development standards" and for bicycle/pedestrian use which connect the development to other public facilities such as parks or the major existing and planned trails established in the city's general plan. The trail requirement also is extended to cul-de-sacs that require a trail easement connecting neighborhoods. Trails are required improvements, subject to the applicable completion and guarantee provisions of chapter 16 of this title. (Ord. 06-14, 10-10-2006)

5. Definitions and Trail Classifications. For purposes of this Section, "Trail" means a facility intended for pedestrian, bicycle, and other permitted nonmotorized use; "Trail Tread" means the traveled surface; and "Trail Corridor" means the area designated or required for a trail and associated improvements, which may include the tread, concrete edging, shoulders, grading, drainage, landscaping, snow storage, utilities, maintenance access, and related improvements. Trail classifications are:

- (a) Main Trail – a primary shared-use trail connecting neighborhoods, parks, schools, public facilities, destinations, other trails, or regional systems, typically with a ten-foot (10') asphalt tread;
- (b) Residential/Local Connector Trail – a neighborhood-scale connector, typically with an eight-foot (8') asphalt tread, reducible to six feet (6') only where site constraints make the typical width impracticable and the reduced width provides safe and functional connectivity;
- (c) Backcountry/Natural Surface Trail – a natural or approved aggregate trail in open-space or similar terrain, generally with a two-foot (2') to four-foot (4') bench; and
- (d) Road Shared Trail – a trail associated with a roadway where a separate trail is impracticable or unnecessary, designed in accordance with City-approved engineering and construction standards.

6. Trail Corridors and Connections. Trail tread width and Trail Corridor width are separate requirements. Main Trails shall have a minimum twenty-foot (20') Trail Corridor and Residential/Local Connector Trails shall have a minimum fifteen-foot (15') Trail Corridor unless otherwise established by applicable City standards. Backcountry/Natural Surface and Roadside Shared Trail corridor widths shall be determined based on site conditions and applicable City standards. The City may require additional corridor width reasonably necessary for grading, drainage, maintenance, utilities, snow storage, fencing, or other trail improvements. Development shall preserve and provide adopted trail connections, including connections from cul-de-sacs or street termini and to adjoining

property, parks, public facilities, open space, and existing or planned trails, where required by this Section or an adopted City plan.

7. **Sidewalks, Roadways, Crossings, and Utilities.** Sidewalks and trails are separate improvements. A concrete sidewalk shall not satisfy a City-designated trail requirement unless the City expressly approves it as an alternative connection through an existing developed area where the planned trail is impracticable; such approval does not reclassify the sidewalk as a Trail or make concrete an approved primary longitudinal Trail surface. Trails shall be separated from motor-vehicle travel lanes where reasonably practicable; an approved Road Shared Trail may be used where separation is impracticable. Road, driveway, and utility crossings and utilities within a Trail Corridor shall be designed and located in accordance with City standards so as not to unreasonably interfere with trail safety, drainage, construction, operation, maintenance, or future reconstruction.

8. **Alternative Design and Alignment.** The City Engineer and applicable land-use authority may approve a minor adjustment to a mapped trail alignment or an alternative design where existing development, topography, drainage, utilities, environmental conditions, or other site constraints make the planned alignment or full compliance impracticable, provided the alternative maintains substantially equivalent connectivity, function, safety, accessibility, and feasibility; maintains the intended general route; and does not eliminate the trail, materially reduce public access, or materially change its classification or intended function. The applicant shall demonstrate compliance with these criteria.

9. **Dedication, Public Access, Plats, and Acceptance.** All required or planned Trail Corridors affecting a proposed development shall be clearly shown on the preliminary plat or preliminary development plan and shall remain shown on the final plat. The preliminary plat or plan shall identify the Trail Corridor location, classification, minimum corridor width, proposed trail alignment, and intended connection to existing or planned trails and adjoining properties. The final plat shall show the approved Trail Corridor and identify the applicable dedication, public right-of-way, or perpetual public trail easement necessary to secure the corridor for its intended trail purpose. Private ownership may be approved only where perpetual public access acceptable to the City is recorded. A Trail Corridor shown on an approved preliminary plat shall not be removed, materially relocated, or materially reduced on a final plat except through an approved modification consistent with this Section and the Trails, Parks, and Open Space Master Plan. Dedication or recording does not constitute City acceptance of construction, ownership, or maintenance responsibility. City acceptance shall occur only in accordance with applicable law and City requirements after required improvements are completed and accepted.

10. **Construction, Maintenance, and Protection.** Required trails shall be constructed, inspected, completed, and guaranteed in accordance with approved plans, this Title, and the City's Trail Construction and Development Standards. Before final approval, responsibility for continuing maintenance, repair, replacement, vegetation management, drainage, snow removal where applicable, and related obligations shall be established by

plat, easement, development agreement, or other approved instrument. No person shall place or maintain a fence, structure, landscaping, vehicle, material, or other obstruction within a public Trail Corridor in a manner that interferes with public use, visibility, drainage, maintenance, or emergency access.

11. **Deferred Construction.** The City may approve deferred construction of a required trail when immediate construction would create an isolated segment or is impracticable because of the timing of another planned public improvement. Any deferral, completion assurance, or payment in lieu shall comply with applicable City requirements and law and shall preserve the planned Trail Corridor and connection.

12. **Master Plan Changes and Vacation.** An amendment to the Trails, Parks, and Open Space Master Plan shall be required to eliminate a planned trail connection, materially relocate a Trail Corridor, add a significant new Trail Corridor, or materially change a trail's classification or intended function. Vacation, abandonment, release, or material reduction of a dedicated Trail Corridor, public right-of-way, or public trail easement shall comply with applicable law and City procedures and shall not eliminate an adopted trail connection except through the applicable amendment process.

13. **Natural Conditions and Trailheads.** Trails shall be located and designed to minimize unnecessary disturbance to steep slopes, drainage corridors, vegetation, wildlife habitat, geologic hazards, and other sensitive features, and the land shall be suitable for feasible construction and maintenance. Major trailheads identified by the Master Plan shall provide parking, restrooms, emergency access, staging, and other improvements when required by applicable City standards, the Fire Code, or the Fire Authority.

14. **Development Exactions.** Any Trail Corridor, land dedication, public right-of-way, public trail easement, trail improvement, or other trail-related requirement imposed as a condition of development shall comply with applicable Utah law governing development exactions, including the required essential link to a legitimate governmental interest and rough proportionality, both in nature and extent, to the impact of the proposed development.

15. **Trails Along Roadways and Open Space.** Unless specifically approved as a Road Shared Trail or other City-approved roadway/trail design, required Trail Corridors shall be separate from and in addition to required street rights-of-way. A Trail Corridor may overlap a street right-of-way only where specifically approved by the City. A trail approved in lieu of a required sidewalk shall not count toward a required open-space percentage unless expressly permitted by another provision of this Title.