



PLANNING COMMISSION MINUTES

Wednesday, April 03, 2024

Approved May 1, 2024

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, April 3, 2024, at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Commission, media, and interested citizens.

Presiding: Chair Andy Powell

Commissioners Present at Work Meeting: Darryl Fenn, Andrea Bradford, Alternate Forest Sickles, Jackson Ferguson, Heather Garcia, Alternate Preston Oberg, Alternate Terrah Anderson

Excused: Brody Rypien, Adam Jacobson

Staff Present: Planning Manager Clint Spencer, Planner II Sheldon Howa, City Recorder Jackie Nostrom, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Communications Specialist Destiny Skinner, Public Works Director Justun Edwards, Community Development Director Blake Thomas, and Public Utilities Engineering Manager Jonathan Bowers.

6:00 PM WORK MEETING (Fort Herriman Conference Room)

1. Commission Business

Chair Andy Powell called the work meeting to order at 6:05 p.m.

1.1. Review of City Council Decisions – Michael Maloy, Planning Director

City Planner Michael Maloy highlighted the Planning Commission reappointments were approved during the previous Council meeting. Additionally, he discussed the financial aspects of the City, particularly focusing on the budget for Community Development which included Engineering, Building, Planning, and Economic Development. He highlighted that most of the budget requests remained unchanged or saw minor adjustments due to the ongoing construction and financial needs of the City. However, some Capital Project issues and line items were noted, which might require further review and discussion with the Council.

1.2. Review of Agenda Items – Planning Staff

Item 4.1 Pickleball Courts – Planner Howa discussed an application that would amend a conditional use permit to expand the site plan for additional pickleball courts. It was noted that this application had been previously approved in February. The applicant, who had since sold their business, sought to expand the pickleball courts to utilize the entire building they leased. The property was described as a warehouse, with previous zoning issues related to an indoor dance studio, which required zoning amendments for accommodation. The applicant intended to maintain a professional office space within the building as part of their obligations after selling the business. The rest of the building would be dedicated to pickleball courts, with the facility remaining a private membership club. Plans for tournaments and potential national competitions were discussed, indicating the facility's adherence to standards set by the Pickleball association.

Item 5.1 Water Master Plan – Public Utilities Engineering Manager Jonathan Bowers presented the amendment to the Water Master Plan. Commissioner Oberg inquired about the secondary water system and whether there were plans to extend it to areas like Freeman Farms. Manager Bowers explained the focus was on maintaining existing lines and not expanding further. Commissioner Anderson asked about the lifespan of the current system components, which Public Works Director Justun Edwards elaborated on, mentioning a range of years. City Planner Maloy shared their experience with secondary water systems in another community. Director Edwards touched on the source of Herriman's water and future developments and highlighted the contract with Jordan Valley Water Conservancy District. He also mentioned upcoming regulations regarding maximum water usage per acre for new developments. The conversation shifted to potential water usage of an education campus and changes in water demand over the years, Public Works Director Edwards noted a decrease in water demand per capita despite population growth.

Item 5.2 Commercial Land Uses – City Planner Maloy noted during a previous Council work session, the Council displayed some interest in adding a proximity regulation rather than a per capita standard for car washes and credit unions. He explained he couldn't find a good matrix to justify the standard but wanted the Commission to be aware of the possible regulations. He noted car washes would be allowed as accessory use, except for full-service car washes. City Planner Maloy highlighted the proposal for credit unions allowing one establishment for every 20,000 residents based on the latest population estimates provided by the Governor's Office of Planning and Budget. Commissioner Oberg questioned if Credit Unions would be allowed as an accessory use to a car dealership.

Item 5.3 Helicopter Ordinance – City Planner Maloy presented the ordinance as drafted by the City Attorney's Office and asked if there were any questions. The Commission expressed concern if the definition of helicopter would prohibit drones.

1.3. Presentation and discussion of Planning Commission Policy update recommendations – Michael Maloy, Planning Director

<https://www.herriman.org/uploads/files/4498/Item-1.3-Staff-Report.pdf>

City Planner Maloy presented a policy update regarding minor subdivisions, suggesting they could be handled administratively. He also proposed the chair be elected the first meeting in January rather than July and the Commission agreed. The group further suggested commercial sites one-half acre and larger looking to be subdivided should come to the Planning Commission for review and approval. Commissioner Oberg offered an alternative solution to add development standards for commercial lots to help guide staff in those minor subdivisions. City Planner Maloy proposed waiting to send the policy to the Council to develop small site commercial standards and determine the appropriate lot size that should come to the Commission for approval. The Commission agreed.

1.4. Presentation and discussion of planning and land use development practices, policies, and standards – Michael Maloy, Planning Director

Planner Laurin Hoadley shared metrics gathered from Pinterest exercises related to Urban Landscape. She provided insights into the urban landscape code and discussed various Pinterest boards, including those focused on placemaking and external accessory dwelling units (ADUs). City Planner Maloy inquired about refreshing invitations to the Pinterest boards, and the Commission agreed to focus on placemaking, urban landscape, and external ADUs. They also discussed possible legislation regarding detached ADUs and observed trends in two-story garage conversions. The Commission expressed interest in learning from

existing ADU examples and exploring pre-approved plans for ADU construction. City Planner Maloy highlighted efforts by other cities to streamline ADU permit processes.

2. Adjournment

Commissioner Garcia moved to adjourn the meeting at 6:59 p.m. Commissioner Ferguson seconded the motion, and all voted aye.

7:00 PM REGULAR PLANNING COMMISSION MEETING (Council Chambers)

3. Call to Order

Chair Andy Powell called the meeting to order at 7:07 p.m.

3.1. Invocation, Thought, Reading and/or Pledge of Allegiance

Assistant City Attorney Matt Brooks led the audience in the Pledge of Allegiance.

3.2. Roll Call

Full Quorum present.

3.3. Conflicts of Interest

There were no Conflicts of Interest reported.

3.4. Approval of Minutes for the March 06, 2024, Planning Commission Meeting

<https://www.herriman.org/uploads/files/4497/Item-3.4-Draft-Minutes-2024-03-06.pdf>

Commissioner Garcia moved to approve the minutes of the March 6, 2024 meeting with the following change on Page 8: “Commissioner ~~Bradford~~ Anderson clarified there is nothing in this agreement for the architectural standards for Medium Density Small Lot in the MDA right now. Planning Manager Spencer feels like this is something staff can work with the applicant to add the standards before sending to council. Commissioner ~~Bradford~~ Anderson clarified if commission moves it forward to council, then staff would work with the developer but, if they continue it, this will come back to planning commission.” Commissioner Bradford seconded the motion, and all voted aye.

4. Administrative Items

Administrative items are reviewed based on standards outlined in the ordinance. Public comment may be taken on relevant and credible evidence regarding the application compliance with the ordinance.

4.1. Consideration of an amendment to a conditional use to expand the approval of a site plan for a tenant finish of an indoor recreational use from six (6) indoor pickleball courts to ten (10) indoor courts in the Rockwell Landing Development, located at 15892 S Rockwell Cove in the M-1 Manufacturing Zone.

Applicant: Henri Bonan, The HB Group (authorized agent)

Acres: ±2.21

File No: C2024-028

<https://www.herriman.org/uploads/files/4499/Item-4.1-Staff-Report.pdf>

Planner Sheldon Howa explained that in February of 2024, The Commission approved a Conditional Use request for an Indoor Recreational use known as Royal Courts, an indoor pickleball court facility. The approval consisted of converting three of five units in a multi-tenant building from General Wholesale and Warehousing to Indoor Recreation.

Since the approval, the applicant sold off the business and has sought to expand the recreational use to encompass all five units. As a result of the increased number of courts, parking requirements were also heightened. However, the conversion of a portion of the space to an office professional mitigated the impact on parking requirements, ensuring compliance with the original standards. Despite the increased parking needs, the applicant proposed 98 parking stalls, well above the required 42, which would be sufficient for the facility.

Planner Howa presented the floor plan layout which revealed the majority of the space would be dedicated to the pickleball courts, with a small office area reserved for consulting services. He explained staff thoroughly reviewed zoning ordinances and conditioning standards and found the proposal to be in alignment with the regulations and noted Engineering had no objections either, leading to the recommendation for approval with the following conditions:

1. Receive and agree to all recommendations from other agencies.
2. Provide soundproofing to all office areas that are not part of the indoor recreational use.
3. No signs are approved with the request.

The Commission questioned the potential use of the facility for tournaments and professional events. While there were no specific standards outlined for tournament parking, it was clarified the facility would primarily cater to members and professionals, with limited public

events. The applicant, Henry Bonan, elaborated on the unique concept of the club, emphasizing limited memberships and levels based on players' frequency of play.

Mr. Bonan expressed gratitude for the warm reception and explained the venture into pickleball stemmed from economic challenges faced by his previous business. He outlined plans to differentiate the club from others by offering limited memberships and ensuring ample court availability. Furthermore, he highlighted collaborations with renowned pickleball professionals, Scott Johnston and Chuck Taylor, who would serve as ambassadors for the club. In response to concerns about parking during tournaments, Bonan assured that events would be limited in scale to prevent parking issues. Additionally, he proposed bringing in top-ranked players for exhibitions exclusively for club members, further enhancing the club's appeal.

The Commission expressed appreciation for the comprehensive presentation and the innovative approach to pickleball club management.

Commissioner Fenn moved to approve item 4.1 Consideration of an amendment to a conditional use to expand the approval of a site plan for a tenant finish of an indoor recreational use from six (6) indoor pickleball courts to ten (10) indoor courts in the Rockwell Landing Development, located at 15892 S Rockwell Cove in the M-1 Manufacturing Zone with staff recommendations: 1. Receive and agree to all recommendations from other agencies. 2. Provide soundproofing to all office areas that are not part of the indoor recreational use. 3. No signs are approved with the request. Commissioner Garcia seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Absent</i>
<i>Commissioner Adam Jacobson</i>	<i>Absent</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Preston Oberg</i>	<i>Not Voting</i>
<i>Alternate Terrah Anderson</i>	<i>Aye</i>

The motion passed unanimously.

5. Legislative Items

Legislative items are recommendations to the City Council. Broad public input will be taken and considered on each item. All legislative items recommended at this meeting will be scheduled for a decision at the next available City Council meeting.

5.1. Review and consideration of a recommendation to amend the Water Master Plan as an element of the Herriman City General Plan. (Public Hearing)

Applicant: Herriman City

City File No: G2024-014

<https://www.herriman.org/uploads/files/4502/Item-5.1-Staff-Report.pdf>

Public Utilities Engineering Manager Jonathan Bowers presented changes to the Water Master Plan which covered the annexation area, density, land use, secondary water system planning modifications, and conservation goals with water use regulations. Commissioner Bradford highlighted differences in water due to various sources. Public Works Director Edwards highlighted a study on water treatment options for the high mineral content. The reverse osmosis option was deemed to be too costly which led to a suggestion to purchase more water for Jordan Valley Water until capital costs could be met. Commissioner Oberg raised concerns about secondary water users, emphasizing the need to requirements to make it worthwhile. Manager Bowers clarified the end users would not be obligated to convert to secondary water.

Chair Powell opened the public hearing.

There were no comments offered.

Commissioner Garcia moved to close the public hearing, Seconded by Commissioner Sickles, and all voted Aye.

Commissioner Fenn thanked the team for the thorough report and hoped the budget was set up to plan for future needs. Director Edwards responded in the affirmative. Commissioner Oberg asked if the hard water had an impact on the infrastructure. Director Edwards confirmed it would impact the mechanical systems of the infrastructure.

In response to a question posed by Commissioner Bradford, Director Edwards highlighted that impact fees paid for new system improvements while water rates would be utilized to update the existing system. The studies conducted are utilized to help equitably charge residents and developers.

Commissioner Sickles moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consideration of a recommendation to amend the Water Master Plan as an element of the Herriman City General Plan. Commissioner Anderson seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Absent</i>
<i>Commissioner Adam Jacobson</i>	<i>Absent</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Preston Oberg</i>	<i>Not Voting</i>
<i>Alternate Terrah Anderson</i>	<i>Aye</i>

The motion passed unanimously.

5.2. Review and consideration of a recommendation to amend Title 10 (Land Development Code) of the Herriman City Code to regulate the location and quantity of credit unions and car washes in Herriman. (Public Hearing)

Applicant: Herriman City

City File No: Z2024-001

<https://www.herriman.org/uploads/files/4500/Item-5.2-Staff-Report.pdf>

City Planner Maloy presented a proposal to amend Title 10, aiming to regulate the location and quantity of credit unions and car washes within the City. The proposal would address concerns regarding the potential overabundance of commercial establishments. City Planner Maloy delved into various aspects of the proposed amendment to balance economic prosperity with public health, safety, and welfare to coincide with the current City code. Staff looked to promote employment opportunities while delivering essential City services.

City Planner Maloy delved into various aspects of the proposed amendment, including the rationale behind it and its alignment with the City's zoning objectives. He emphasized the need to balance economic prosperity with public health, safety, and welfare. He relayed the importance of generating tax revenues and promoting employment opportunities while delivering essential City services.

Specific limitations proposed in the draft included categorizing self-serve car washes as accessory land uses, while allowing full-service car washes as primary land uses, subject to certain conditions. Additionally, the proposal suggested restricting credit unions to one per

20,000 residents. Maps depicting the current distribution of car washes and credit unions in the city were provided for reference.

The Commission discussed issues including whether to impose water reclamation standards for car washes, the feasibility of population ratios versus proximity restrictions for credit unions, and potential inclusions with master development agreements. They explored the implications of these limitations on existing and future commercial opportunities within the City along with the sustainability of water usage in car wash operations and the importance of ensuring compliance through annual certification processes.

Commissioner Fenn raised questions about the number and distribution of credit unions in the city, with considerations for future growth and development. The Commission considered the potential impacts on economic development, sustainability, and regulatory framework.

Chair Powell opened the public hearing.

No comments were offered.

Commissioner Sickles moved to close the public hearing, Seconded by Commissioner Garcia, and all voted Aye.

Commissioner Garcia expressed surprise at the distribution of car washes and credit unions on the map presented. She noted a concentration of credit unions in one area and highlighted the need for additional services particularly with the development of Olympia. Chair Powell acknowledged that Olympia could incorporate more services through the previously approved Master Development Agreement. City Planner Maloy offered insight to the map, mentioning the concentration of credit unions and the potential for future developments in adjacent areas.

Commissioner Fenn suggested utilizing a proximity requirement to allow businesses as it was important to access the services. City Planner Maloy outlined the objective of attracting different commercial businesses to support tax revenues and highlighted the transferability of land use rights if a patron left the premises. Chair Powell asked if there was a possibility of exceptions for certain businesses to which City Planner Maloy responded in the negative under the current draft.

Commissioner Fenn moved to forward a positive recommendation of approval to City Council of item 5.1 to amend Title 10 of the Herriman City Code to regulate the location

and quantity of credit unions and car washes in Herriman with the addition to allow credit unions to be allowed as an accessory use. Commissioner Bradford seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Nay</i>
<i>Commissioner Brody Rypien</i>	<i>Absent</i>
<i>Commissioner Adam Jacobson</i>	<i>Absent</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Preston Oberg</i>	<i>Not Voting</i>
<i>Alternate Terrah Anderson</i>	<i>Aye</i>

The motion passed with a vote 5:1

5.3. Review and consideration of a recommendation to amend Title 10 (Land Development Code) of the Herriman City Code to regulate the location and operation of heliports and helicopters or other personal air mobility vehicles in Herriman. (Public Hearing)

Applicant: Herriman City

City File No: Z2024-035

<https://www.herriman.org/uploads/files/4501/Item-5.3-Staff-Report.pdf>

City Planner Maloy discussed the need for a review and consideration of a recommendation to amend Title 10 to regulate the location and operation of heliports and helicopters. He recounted incidents which led to justification of adopting an ordinance to regulate heliports within the community. He emphasized the distinction between emergency uses like air medical support and personal air transport. City Planner Maloy explained that the temporary regulation adopted by the Council allowed time for further exploration before deciding on a permanent ordinance.

City Planner Maloy referenced the recent helicopter activities in neighboring communities and stressed the importance of adopting regulations which would maintain safety. He explained this ordinance was drafted and prepared by the City Attorney’s office and recalled the work meeting discussion highlighting the proposed ordinance would pertain to personal transit rather than done activity, which was subject to separate regulations.

Commissioner Sickles questioned the definition of helicopter and expressed concern it would prohibit drones. City Planner Maloy relayed his desire to not potentially restrict other aerial activities like drone operations and suggested clarifying definitions to specify exceptions.

Commissioner Ferguson recommended to include language to not prohibit unmanned aerial vehicles. Commissioner Oberg requested to allow for public special events exemption. City Planner concurred the definition could be refined to include those recommendations.

Chair Powell opened the public hearing.

No comments were offered.

Commissioner Garcia moved to close the public hearing. Commissioner Bradford seconded the motion, and all voted Aye.

Commissioner Ferguson moved to forward a positive recommendation of approval to City Council of item 5.1 to amend Title 10 (Land Development Code) of the Herriman City Code to regulate the location and operation of heliports and helicopters or other personal air mobility vehicles in Herriman with the inclusion to allow for a public special event exemption as well as an amendment to the definition of helicopter to exempt unmanned aircraft.

Commissioner Garcia seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Absent</i>
<i>Commissioner Adam Jacobson</i>	<i>Absent</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Preston Oberg</i>	<i>Not Voting</i>
<i>Alternate Terrah Anderson</i>	<i>Aye</i>

The motion passed unanimously.

6. Chair and Commission Comments

There were no comments offered.

7. Future Meetings

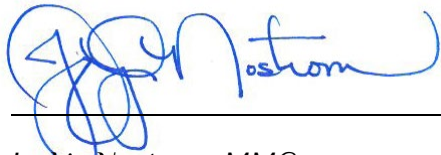
7.1. Next City Council Meeting: April 10, 2024

7.2. Next Planning Commission Meeting: April 17, 2024

8. Adjournment

Commissioner Garcia moved to adjourn the meeting at 8:35 p.m. Commissioner Fenn seconded the motion, and all voted aye.

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 3, 2024. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Jackie Nostrom, MMC

City Recorder