



PLANNING COMMISSION MINUTES

Wednesday, October 04, 2023
Approved November 15, 2023

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, October 4, 2023, 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: Darryl Fenn, Heather Garcia, Brody Rypien, Jackson Ferguson, Adam Jacobson, Andrea Bradford, Alternate Forest Sickles, Alternate Terrah Anderson, and Alternate Preston Oberg

Excused

Jackson Ferguson

Staff Present: Communications Specialist Mitch Davis, Planning Director Michael Maloy, Planner II Sheldon Howa, Assistant City Attorney Matt Brooks, Record Specialist Angela Hansen, Engineer Josh Petersen, Planner I Laurin Hoadley

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

Chair Andy Powell called the meeting to order at 6:02 p.m.

1. Commission Business

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

Planning Director Michael Maloy announced Wasatch developer wants a few amendments to their agreement and to exercise the option to expand the area around them into their plan. Rosecrest MDA group wants to pause their interest in development due to lack of infrastructure. DAI has been talking with Rosecrest to move some of property out Rosecrest to create a new mda. DAI is offering to give a tour of the property. This would require an

early start to the work meeting. Commission agreed on October 18th to begin at 5:00 pm on site for a tour and then continue back at city hall.

Planning Director Maloy and Planner Manager Spencer met with Councilmember Orhn about the RV ordinance. She requested staff to review where the problems areas are concentrated, and where would multiple RV storage make sense to allow in the city. The possibility of allowing RV storage as a home occupation was mentioned.

Commissioner Rypien arrived 6:11

Planning Director Maloy advised adding RV storage as home occupation would require amendments to the draft. Right now home occupation requires in home use, RV storage is open air. Having a home occupation business license would allow for onsite inspection.

Commission discussed

Staff will research the requested information and bring to a future meeting.

Commissioner Jacobson submitted the possibility to reopen storage to C1 or C2 in certain parts of Herriman that will never get a commercial property. Planning Director Maloy surmises it's possible to identify specific zone types for different uses. There has been discussion about creating a new zone for neighborhood commercial. Since everything is available online, residents want an experience at their commercial buildings, these types of commercial are performing better. Commissioner Jacobson maintains you can't over saturate the market or no one wins.

Planning Director Maloy explained Council is interested in creating tools and zoning amendments to establish a ratio of commercial and distance. For example breweries license is limited by population. Concentrations of similar commercial can also spur more interest; examples are auto malls and furniture row. Council wants Commission to examine the idea of dispersing certain commercial type. Herriman needs a balance between enticing what you do want but limiting what don't want.

1.2. Review of Agenda Items – Planning Staff

No discussion needed for today's items.

1.3. Review and discuss draft short-term rental regulations – Michael Maloy, Planning Director

<https://www.herriman.org/uploads/files/3885/Item-1.3-Staff-Memo-Attachments.pdf>

Planning Director Maloy reviewed the draft short-term rental regulations. Commissioner Fenn went to the APA Utah convention that discussed short-term rental, in his view, they are still very divided. Planning Director Maloy disclosed SLC as an example, reported that it's happening in their community so why not create a program that legalizes these properties. The policies can enforce rules, improve the properties, and have the possibility of more taxes being received. There has been some discussion about wanting owner occupied/or local owner. Applying a ratio limit to a block by population can help control

over use. Sandy city is doing a ration. The use of Airbnb is declining, but it is still nice to see what other communities have been doing. Herriman doesn't have the demographic that other areas have concerns with. In conclusion Planning Director Maloy will flush out the draft a bit more to bring it back to the commission.

- 1.4. Review and discuss potential amendments to the Planning Commission's administrative land use review and decision-making policy – Michael Maloy, Planning Director

<https://www.herriman.org/uploads/files/3884/Item-1.4-Staff-Memo-Attachments.pdf>

Planning Director Maloy wanted to see the commission's opinion and concerns on the draft, this draft will be flushed out and then brought back to commission. Commissioner Jacobson wants to prohibit the communities that are already developed and zoned from cutting the size of the lot years later to add more housing.

2. **Adjournment**

Chair Andy Powell adjourned the work meeting to the regular meeting at 7:01 pm.

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

3. **Call to Order**

Chair Andy Powell called the meeting to order at 7:06 pm.

- 3.1. Invocation, Thought, Reading and/or Pledge of Allegiance
Laurin Hoadley lead the audience in the Pledge of Allegiance

3.2. Roll Call

Full quorum present.

3.3. Conflicts of Interest

No conflicts were offered.

- 3.4. Approval of Minutes for the July 19, 2023, August 2, 2023, August 16, 2023, and September 6, 2023 Planning Commission Meetings

Commissioner Garcia moved to approve the minutes for the July 19, 2023 August 2, 2023, August 16, 2023 and September 6, 2023 Planning Commission meetings. Commissioner Fenn seconded 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 a Subdivision Plat Amendment for Village at the Boulders Subdivision Phase 3 located at 14853 Trap Rock Way in the R-20-43 Multi-Family Residential Zone. Applicant: Dalmatia, LLC (property owner) Acres: ±0.84 File No: S2023-123

<https://www.herriman.org/uploads/files/3886/Item-4.1-Staff-Report-Attachments.pdf>

Planner Hoadley presented the subdivision in Boulder subdivision site map. The lot is .84 acres and would be split into 4 parcels. Staff recommends approval.

Commissioner Jacobson moved to approve item 4.1 Consideration of a Subdivision Plat Amendment for Village at the Boulders Subdivision Phase 3 located at 14853 Trap Rock Way in the R-20-43 Multi-Family Residential Zone. Commissioner Rypien seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

4.2. Consideration of an Amended Conditional Use for Lifestone Church at 5222 W Herriman Boulevard in the C-1 Commercial Zone. Applicant: Cody Williams, Lifestone Church (authorized agent) Acres: ±2.64 File No: C2023-109

<https://www.herriman.org/uploads/files/3887/Item-4.2-Staff-Report-Attachments.pdf>

Planner Howa presented the amendment to Lifestone Church to decrease the size of building, reduce the amount of class rooms, up the size of the auditorium, lower the parking, and increase buffering of nearby residents. Overall site plan is presented. Staff recommends approval with conditions.

Applicant Cody Williams (civil engineer) revealed they have partnered with a new preschool from West Jordan. They recently signed an agreement to open in September of next year. This gives them a tight building plan schedule. Commissioner Fenn asked why the sidewalk doesn't go all the way to end of parking. Applicant Williams explained there is a grading issue with the last 12 feet. Commissioner Powell remarked he likes the access to walking trail.

Commissioner Fenn moved to approve item 4.2 Consideration of an Amended Conditional Use for Lifestone Church at 5222 W Herriman Boulevard in the C-1 Commercial Zone with conditions listed in the staff report. 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>Absent</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Not Voting</i>
<i>Alternate Commissioner Terrah Anderson</i>	<i>Not Voting</i>
<i>Alternate Commissioner Preston Oberg</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.

No recommendations at this time

6. Chair and Commission Comments

No comments offered.

7. Future Meetings

7.1. Next City Council Meeting: October 11, 2023

7.2. Next Planning Commission Meeting: October 18, 2023

8. Adjournment

Commissioner Garica moved to adjourn the meeting at 7:19 pm, and all voted aye.

I, Angela Hansen, Records Specialist for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on October 04, 2023. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Record Specialist