



PLANNING COMMISSION AGENDA

Wednesday, January 03, 2024

Approved February 07, 2024

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

Commissioners Excused:

Staff Present: Planning Director Michael Maloy, Communications Specialist Mitch Davis, Deputy Chief of Police Cody Stromberg, Assistant City Attorney Matt Brooks, Deputy Recorder Angela Hansen, Planner II Sheldon Howa, and Planner I Laurin Hoadley

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

Chair Andy Powell called the work meeting to order at 6:03 p.m.

1. Commission Business

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

Planning Director Maloy cited the City Council did not have a second meeting in December. The swearing in ceremony for re-elected Councilmembers Shield and Henderson was held January 2, 2024.

1.2. Review of Agenda Items – Planning Staff

Planner II Howa disclosed the Kum and Go was bought out by Good 2 Go. They are asking to rebrand the building still in construction.

1.3. Land Use Policy Updates, Training, and Discussion – Michael Maloy, Planning Director

Planning Director Maloy informed the commission that DA1 will be at the next meeting to further conversations regarding the amendment to Panorama Point. Wasatch Group will also be at the meeting for the South Hills amendment discussion. The two groups have some property exchanges they are anticipating and will need to align infrastructure and roads together. This is all dependent on the development of the water system the city has been working on. Development is coming to the hillside; the question is finding what is good for the City and the future property owners.

After next week's work meeting Community Development Director Thomas will report back to the council. Then staff anticipates initiating the formal amendments and having a community outreach meeting with the public before having the public hearing.

City Recorder Nostrom recently questioned why Planning Commission Chair and Vice Chair elections are held in August and not January. Commissioner Oberg inquired if Council Member elections in January would affect the approval of the Chair. Planning Director Maloy noted the Commissioners' terms end at different times throughout the year, this would only affect the Chair and Vice election. The Commission had no issues with moving the election to January.

A draft of the Planning Commission referral policy that was previously requested was distributed and discussion began.

Planning Director Maloy conveyed City Code already gives Planning Commission the authority to refer certain land use matters to staff for administrative review and approval. This includes items that require a public hearing but does not include legislative items. The legal consultant hired to review the land use code has suggested leaving all the decisions to city staff. Planning Director Maloy prefers more public comments to less. Hearings do bring new facts that the city didn't fully understand. Herriman is a community with a lot of green fill property. His recommendation is to leave all of that in the hands of the commission. The commission could consider additional items that would require a public hearing to be referred to staff. For example, items such as minor subdivision lots less than 10 could go straight to staff. Commission discussed options.

Discussion continued including commission's involvement with animal permits, home occupation, monument signs, lot lines adjustments, and lot consolidations.

Commissioner Anderson queried why the Legislature wants this moving faster? Is there a waiting list of developers trying to get on the Commissions agenda? Planning Director Maloy maintains the city is moving through the requests timely. The legal consultant is helping to move things efficiently and quickly. It's his belief they are looking for consistency from city to city and removing the city councils from any involvement in the subdivision process.

Director Maloy expressed the purpose of this policy is to improve the efficiency of municipal government, maintain balance of the general public interests with private property rights, and preserve due process.

The General Decision-Making standards for any application would be as follows. Each type of application has a specific standard that needs to be met. The engineering standards and building code, if applicable, will be reviewed and met before approval. Public notice would be sent when required. If the notice is not a requirement Planning Director Maloy proposes a notice still be sent to the abutting property with a 10-day notice for questions. After review, the staff-planner would decide to approve, approve with condition, or if they are uncomfortable with decision then they would forward to commission or simply deny. Any decision from administration is subject to an appeal. Appeals would go straight to the appeal board. The denial would be posted to the city's website. Any denial by the appeal hearing officer would be appealable at third district court.

Michael would like to bring this policy back with updates for approval.

City Arborist Trent Bristol has been working with the Parks Department Manager on a tree management plan for the city's urban forest. He has worked hard on getting grants for tree related efforts in the city. If we can adopt an official plan, it will help him immensely in getting future grants. Staff are thinking of adding the plan as an element of the general plan. The plan will come to the Commission in the spring.

City Manager Cherpeski is currently having meetings about the 2024 Utah legislation session.

2. Adjournment

Commissioner Garcia moved to adjourn the meeting at 6:59 p.m. Seconded by Commissioner Ferguson and all voted aye.

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

3. Call to Order

Chair Andy Powell called the work meeting to order at 7:04 p.m.

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

Planner II Howa led the audience in the Pledge of Allegiance.

3.2. Roll Call

Full Quorum present

3.3. Conflicts of Interest

No conflicts were reported.

3.4. Approval of Minutes for the December 06, 2023, Planning Commission Meeting

<https://www.herriman.org/uploads/files/4072/20231206PCMinutes-DRAFT.pdf>

Commissioner Garcia motioned to approve the Minutes for the December 06, 2023 Planning Commission meeting; Commissioner Rypien 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 Conditional Use Amendment for the site plan and building elevations of a Good 2 Go Convenience Store (previously approved as Kum & GO) located at 4978 W 12600 South in the C-2 Commercial Zone. Applicant: Jim Ames, South Fork Property Management, LLC (authorized agent)

Acres: ±1.41

File No: C2023-151

<https://www.herriman.org/uploads/files/4073/Item-4.1-Staff-Report.pdf>

Planner II Howa presented the map for the convenience store that recently changed ownership to Good 2 Go for the request of a conditional use amendment. Currently the building is still under construction. The new owner is requesting to change some of the exterior finishes in order to fit with their branding. They are proposing to add a new entrance tower that will be 17'x25'x5', the finished materials of aluminum accents to be revised to dark bronze and changing the fuel canopy to Good 2 Go orange.

Staff Recommends approval with conditions.

Jim Ames Applicant online

Applicant Ames expressed his gratitude for the presentation of the requested changes.

Commissioner Rypien moved to approve item 4.1 Consideration of a Conditional Use Amendment for the site plan and building elevations of a Good 2 Go Convenience Store (previously approved as Kum & GO) located at 4978 W 12600 South in the C-2 Commercial Zone, with the staffs 5 conditions listed below.

1. Receive and agree to all remaining corrections from City departments.
2. All original conditions of approval must be met (City File # C2022-182)
3. Trash enclosure shall be finished to match primary structure (enclosure cannot be painted and the doors must be 100 percent opaque - §10-23-13)
4. Provide convenient on-site bicycle parking (§ 10-12-6.C.8)
5. No signs are approved with this request.

Commissioner Ferguson seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Yes
Commissioner Jackson Ferguson	Yes
Commissioner Heather Garcia	Yes
Commissioner Brody Rypien	Yes
Commissioner Adam Jacobson	Yes
Commissioner Andrea Bradford	Yes
Alternate Commissioner Forest Sickles	Not Voting
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

5. Chair and Commission Comments

No comments were offered.

6. Future Meetings

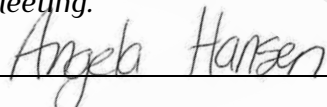
6.1. Next City Council Meeting: January 10, 2024

6.2. Next Planning Commission Meeting: January 17, 2024

7. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 7:10 p.m. Seconded by Commissioner Garcia and all voted aye.

I, Angela Hansen, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on January 03, 2024. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen
Deputy City Recorder