



## PLANNING COMMISSION MINUTES

**Wednesday, May 01, 2024**

**Approved June 5, 2024**

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, May 1, 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, Brody Rypien, Adam Jacobson, Alternate Preston Oberg, Alternate Terrah Anderson

**Excused:**

**Staff Present:** Planning Manager Clint Spencer, Planner II Sheldon Howa, Deputy City Recorder Angela Hansen, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Communications Specialist Destiny Skinner, Planning Director Michael Maloy, and Staff Engineer III Josh Petersen

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

Chair Andy Powell called the 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 reported the City Council adopted the helicopter ordinance with clarification for manned aircraft only and exempting drones. He explained the permit process for obtaining a temporary helipad for large events.

## 1.2. Review of Agenda Items – Planning Staff

Planning Director Maloy informed the Commission of the reordering of the agenda items, Item 5.5 will be discussed directly after item 4.1.

Item 4.1- Planning Director Maloy divulged if the Planning Commission wants to table the subdivision the city will not hold another public meeting. If they pass the item, it will be contingent on the City Council's approval of the rezone in item 5.5. A community meeting was held for this item, but no one showed up.

Item 5.5- No comments were offered.

Item 5.1- Planning Manager Clint Spencer announced this item also had a community meeting. The only people that showed up were the families to the south and both are in favor of the project. There might be some questions about the subdivision layout when it comes back for approval.

Item 5.2- Planning Director Maloy mentioned the text amendment has been talked about in previous meetings. Initially they started looking into 4 different zone types. This was prompted by the applicant for the next two items. The applicant was presented the opportunity to extend their road into a longer cul-de-sac adding 6-7 more lots. But the development pattern approved in their Master Development Agreement (MDA) is not allowed with our current zoning tools. As a city is we have an obligation from the state to study and potentially identify regulations that facilitate these moderate-income housing. We felt comfortable as a city to sponsor the text amendment then Perry Homes submitted the general plan amendment and zoning amendment. Looking at the 4 options we decided to simplify the zones into two categories R-1-8 and RA-1. The council could establish what the minimum square footage is and potentially do a gross density standard. This ordinance would establish a minimum size and allow the planning commission to require design standards only if they enter a negotiation process with a developer. In talking with the staff and Perry Homes, we feel what we have put together will allow this type of development but does not include enough maximum requirements. We will go ahead with the public hearing and gather the comments and questions today. Staff would like to have the commission table the amendment. The staff are hoping to create a tool that is useful and allows selective control of where and how it is applied.

Commissioner Rypien expressed his appreciation of benefiting the smaller developers that want to come in with these new options.

Planning Director Maloy acknowledged there is a growing awareness that we are seeing more of these smaller infill projects, right now we are approving what feels like a compromise due to the available tools. We need smarter tools to do these types of projects. This will be a big topic for the upcoming joint meeting. We feel like these new tools will help manage the growth with smarter compatibility in these smaller developments. Commissioner Jacobson sought the width requirement they are suggesting? He wonders if limiting the width could result in smaller homes. Planning Director Maloy replied if you look at houses prior to the 1960's they are smaller housing with more yard space. These zones

will also require a single wide approach, or an alleyway loaded product with a Homeowners Association (HOA) maintenance. Commissioner Sickles conveyed 40% lot coverage on a 6,000 square foot lot still gives you a 2,400 square foot footprint which is still a large house. Commissioner Jacobson wondered if you could force a product with a carport or detach garage by the house. We no longer have a way for people to add to their homes to stay in them longer. He believes there's still interest in these small houses. We need to think about limiting at least one side of the lot. Having a larger set back on one side but still allowing 6 or 7 feet on the smaller side. Commissioner Sickles imparted it all comes back to driveway width, currently we are creating 3 & 4 car garages causing more expensive housing. Commissioner Jacobson relayed we see a lot of the bigger homes adding concrete across most of their yards to get more parking. Planning Director Maloy advised the RA-1 zone allows only a single car width approach and maintains it until the back of the home. If there is an opportunity for flexibility, we might need to do some lot averaging. Commissioner Jacobson offered if you don't include a garage on day one, then you can add the garage later. Commissioner Rypien Brody finds the idea of alley's appealing. Commissioner Jacobson rebutted if you're requiring an alley way you won't get them because these smaller projects won't have a HOA to maintain them. He appreciates the housing in White City. If you look at the housing around White City and Sandy, there are very small houses and lots. These allow people to buy a house that they can expand over time and not need to move all the time. Planning Manager Spencer expanded if we are talking about restricting the building size it won't allow for adding on to the home later, these developers are building to the maximum on the lots which doesn't allow for adding on later. Commissioner Jacobson added we could establish a building maximum on the primary dwelling but allow an accessory dwelling or have primary building restrictions. Planning Director Maloy commented we need to create a new base zone type that emits a developing pattern the community finds desirable. If the developer wants something different, they could come back to the planning commission with design standards. Commissioner Oberg wondered if the restrictions are going to force builders to back out since it's already a smaller profit build. Commissioner Garcia inquired if the developers are getting money from the state. Commissioner Rypien responded if the building is under \$350,000, they are getting some benefits from the state. Planning Director Maloy stated Perry Homes doesn't have these development patterns, they have small lots, but they aren't building smaller homes. If you want to modify the zone for these 2 acres, they will continue with the development pattern they are already using. Commissioner Ferguson commented that the lots require a 6-foot park strip, if that is removed, it would increase the lot size. Planning Director Maloy rebutted with the park strips are city owned and not included in the lot size. Commissioner Jacobson conveyed he believes removing the park strip provides more yard space to plant larger trees. Planning Director Maloy contradicted him with if this was the best practice, why are we not doing that everywhere? Tree lined streets are still more desirable. Commissioner Ferguson encouraged everyone to look at North Cove neighborhood in Peach City, Georgia. They have housing that is rear loaded, back-to-back, sidewalks right up to the curb, and bigger side yards. Commissioner Jacobson agreed he enjoys seeing the historic neighborhoods with the large trees, but also doesn't want the giant trees to uplift the sidewalk. Is it possible to remove the park strip and require more

trees in the yard for these smaller subdivisions. Planning Director Maloy resolved let's start with a base line standard that can be modified and still create a good neighborhood. But if you break the rules you must compensate for that in other ways to create desirable areas. Commissioner Jacobson explained as an engineer himself, he loves trees, he prefers a well-maintained full yard over a mostly maintained yard with a really crappy park strip. Commissioner Garcia ventured everyone is on the same page. We need to decide, do you offer the options upfront or as a bargain chip later. Commissioner Fenn proclaimed he doesn't want someone to come in with a large number of acres and do these small 6,000 square foot lots. Planning Director Maloy suggested we could require a mix of lot sizes with most of them requiring the average and allow some smaller and some larger. Many of the developers are bringing what they are already producing to the city, these designs won't fit in these areas. The city needs to have greater influence on the designs of the neighborhoods. The city will eventually need to show action taken with the conversation about moderate housing for the state. Commissioner Oberg inquired what is the motivation to these developers to get them to build these types of projects. Planning Director Maloy disclosed the builders get more profit when they rezone the property. Commissioner Anderson pitched having conversation with the developers to show them what their options are. Planning Director Maloy communicated we have a pre-application conversation where we give them feedback based on the general plan, policies and history with working with the commission and council.

1.3. Discussion and Consideration of Planning Commission Policy Amendments – Michael Maloy, Planning Director

1.4. Training and Discussion of Land Use Planning Policies, Standards, and Development Practices – Michael Maloy, Planning Director

## 2. Adjournment

*Commissioner Garcia moved to adjourn the meeting at 6:57 p.m. Seconded by Commissioner Sickles 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 7:04 p.m.

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

Planner Hoadley 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 March 20, 2024 and April 03, 2024 Planning Commission Meetings

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+3.4+-+Draft+Minutes+03-20-2024+%26+04-03-2024.pdf>

*Commissioner Garcia moved to approve the Minutes for the March 20, 2024, and April 03, 2024, Planning Commission meeting; 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.

Chair Powell directed item 5.5 will be moved up to be discussed prior to item 5.1.

Chair Powell recited the public comment policy procedure.

**4.1. Consideration of a Preliminary Plat Amendment of Lot 1 of the Schmidt Acre Subdivision to further subdivide Lot 1 into two (2) lots located at 7475 W Hi Country Road in the A-1-43 (Agricultural) Zone. (Public Hearing)**

**Applicant: Anton Kulikov (owner)**

**Acres: ±1.10**

**File No: S2024-027**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+4.1+-+Staff+Report.pdf>

Planner Howa presented the vicinity map of the property. This request is running concurrently with the rezone request on item 5.5. The request is for a preliminary plat amendment for a flag lot. Originally this was a 2-lot subdivision when it was created with Salt Lake County in 2003. Lot 2 was approved for a rezone to A-1-21 in 2016. The subject property is just over 1 acre and requesting a rezone to A-1-43. They meet the flag lot standards. There are some ownership issues with the Hi Country Road. Talking with the City Engineer it was found Herriman just provides maintenance on the road. The applicant will continue to work with the city to add improvements to that road either done by the City or Hi Country. The applicant has no objection to the improvements on that road. The proposal map of the flag lot was shown. The front lot will be .50 acres and the rear lot will be .59 acres. The lot meets flag lot requirements for the staff road. The lot will require a 6-foot vinyl privacy fence. They have requested to remove the fencing standard, but the Planning Commission is unable to do that. A 20-foot emergency access easement is required and being met. There is a provision in the ordinance to change the front setback to the west side of the property since it limits the way the house can sit. The staff's recommendation is to either table the item pending City Council's decision or approve it with the conditions it will be contingent upon the City Council's approval which is item one in the recommendations.



Applicant Antonn Kulikov voiced he'd like to take out the fence between the lots since it is between two brothers, but it sounds like the commission can't make that discussion.

Chair Powell expounded the flag lot requirements have changed forcing the fencing to stay.

Chair Powell opened the public hearing.

No Comments were offered.

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

Chair Powell elaborated this will need the council's approval of the rezone before the applicant can move forward.

*Commissioner Rypien moved to approve item 4.1 Consideration of a Preliminary Plat Amendment of Lot 1 of the Schmidt Acre Subdivision to further subdivide Lot 1 into two (2) lots located at 7475 W Hi Country Road in the A-1-43 (Agricultural) Zone with staff recommendations 1. Approval is contingent upon City Council approval of the rezone for this property to A-1-21 Agricultural Single-Family (City File No. Z2024-026). 2. Comply with the requirements of the City Code, the adopted engineering standards, and any final plan corrections identified by the city. 3. Work with the Engineer Department to determine if road improvements along Hi Country Road will be required. 4. The front yard of Lot 102 (flag lot) shall be oriented to the west side of the lot. 5. Correct Street name on plat from "Hi Mountain Road" to "Hi Country Road." 6. Provide an access agreement from the Hi Country HOA granting permission to access both lots from Hi Country Road. 7. Install no parking signs along the staff portion of the flag lot*

*Commissioner Ferguson seconded the motion.*

*The vote was recorded as follows:*

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Aye
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	not voting
Alternate Preston Oberg	not voting
Alternate Terrah Anderson	not voting

*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.

**5.5. Consideration of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to A-1-21 Single Family Agricultural Zone for property located at 7475 W Hi Country Road. (Public Hearing)**

**Applicant: Anton Kulikov (owner)**

**Acres: ±1.10**

**File No: Z2024-026**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+5.5+-+Staff+Report.pdf>

Planner Howa attested the rezone request is for the same the lot on item 4.1. The rezone request is from A-1-43 to A-1-21 to allow for future development of a flag lot. The rezone is consistent with the general plan. It meets the general plan compliance. There are a lot of flag lots already in the Hi-Country area. Staff recommends forwarding a positive recommendation to the City Council.

Chair Powell opened the public hearing.

No Comments were offered.

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

*Commissioner Rypien moved to forward a positive recommendation of approval to City Council of item 5.5 **Consideration of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to A-1-21 Single Family Agricultural Zone for property located at 7475 W Hi Country Road** with staff's recommendation of 1. The approval of the submitted preliminary plat application (City File #S2024-027) is contingent on this rezone request being approved by the City Council.*

*Commissioner Garcia seconded the motion.*

*The vote was recorded as follows:*

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

*The motion passed unanimously.*

**5.1. Consideration and recommendation of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to A-1-10 Single Family Agricultural Zone for the properties located at 12650 S 6000 West and 12664 S 6000 West. (Public Hearing)**

**Applicant: Bruce Bowles, LSB Land Co, LLC (owner)**

**Acres: ±2.74**

**File No: Z2024-019**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+5.1+-+Staff+Report.pdf>

Planning Manager Spencer presented the Bowles property rezone vicinity map. Currently there is one home on 2.74 acres. They are requesting a rezone to separate into 5 single family residential lots. The General Plan supports the rezone. The conceptual subdivision map was shown. The General Plan compliance and zoning compliance is consistent with what is developing around it. A rezone option comparison table was shown. Staff recommends a positive recommendation to the City Council.

Commissioner Ferguson clarified the layout shown was just proposed. Planning Manager Spencer agreed it is conceptual, there are some conversations on how far the dead-end roads would extend into the property to allow a turn around.

Applicant Bruce Bowles expressed his appreciation of the presentation. They are subdividing farmland for some of their kids to build homes and trying to keep it agriculture.

Chair Powell opened the public hearing.

No Comments were offered.

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

Commissioner Ferguson suggested if the subdivision had access north and south it could have connectivity to nearby lots. Planning Manager Spencer briefed that they have looked at the access. The lots to the north are pretty much established and at the community meeting the property owners to the south were not interested in developing in the foreseeable future.

*Commissioner Garcia moved to forward a positive recommendation of approval to City Council of item 5.1 Consideration and recommendation of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to A-1-10 Single Family Agricultural Zone for the properties located at 12650 S 6000 West and 12664 S 6000 West.*

*Commissioner Rypien seconded the motion.*



*The vote was recorded as follows:*

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

*The motion passed unanimously.*

**5.2. Consideration and recommendation of a request to amend Chapter 10 of the Herriman City Land Development Code regarding Single Family Residential District standards for 5,000 to 8,000 square foot lots. (Public Hearing)  
Applicant: Herriman City  
File No: Z2024-015**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+5.2+-+Staff+Report.pdf>

Chair Powell disclosed items 5.2, 5.3 and 5.4 are interrelated and will be discussed together in one presentation but will have separate public hearings and motions made.

Planning Director Maloy conveyed although there is a recommendation for approval in the packet, staff believes in the value of the Commissions' and the public's comments. The applicant is aware that the Commission could possibly table this item to get these proposed changes right. This is a zoning text amendment to Land Use Applications to potentially add R-1-8 Residential Single-Family Zone and RA-1 Residential Avenues Single Family Zone. R-1-8 is a minimum 8,000 square foot lot. It is standard across the valley. RA-1 will introduce more flexibility and incentives for better designs to encourage developers to build more obtainable housing. The state is asking the city to look at what we can do to encourage these types of smaller housing.

The General Plan would need to be amended to fit the new zoning. The plan would need to identify additional zones consistent with Residential Neighborhood 2. The request is to apply it to these 2 acres. Then a zoning map amendment would be needed for the 2 acres requested change from A-1-43 to the potential new RA-1. The intent is to extend the development that is adjacent to this property in the Hidden Oaks Master Development Agreement (MDA). The developer wants to extend this cul-de-sac but, there is no zoning tool that is consistent with the designs approved in their MDA. The cul-de-sac would not be added to their MDA. The city recognized there are not a lot of smaller homes being built. There are possibilities of bringing down the height maximum of these homes to encourage developers to use some of the attic space as livable space. The garages would be either

rear loading or detached with a flare-out behind the house. The new zone could limit driveway width which opens more on-street parking. The staff's objective is to improve the zoning tools for better housing opportunities in the city. The state is pushing all cities to improve the kind of housing opportunities that are attainable. The city also needs better zoning tools for better neighborhoods not just more housing. These tools should create neighborhoods that can add quality of life, wealth, and mobility with better design. He believes regulatory incentives are better than financial incentives. The state has set limitations on municipalities for building design standards for one or two-family dwellings. The city cannot require; exterior color limits, cladding material styles or types, style, dimension, or pitch of roofs, exterior nonstructural architectural ornamentation, location or design of windows, doors, or garages (except for rear loading garages), number of rooms, layout of rooms, minimum square footage over 1,000 (excluding garage), or rear yard standards. These changes by the state so far have not moved developers to build smaller homes. If the developer is asking for a modification of the standards and asks to enter a PUD or MDA, then the city can require design standards.

The city has seen more infill development requests and recognized we don't have great standards or tools for these smaller lots. Single family zones R-1-8 and RA-1 zones are suggested for the Commission's review to add these standards. Most of the staff's effort was focused on the RA-1 with a small width lot minimum of 6,000 square foot lot but, there may be a need to add a maximum limit to create a smaller home on a smaller lot. The draft ordinance says a rear loaded or alley loaded garage is allowed on a HOA maintained road. As the staff believes there are not enough restrictions to create the smaller homes we are looking for, they want to add more maximum limits.

The subject property map was shown. The future land use map designated this as neighborhood commercial, primarily because we couldn't see another way to do more residential using the current tools. Perry Homes came to the city with the opportunity to acquire the property and add it to their development. They still have the problem of a zoning tool doesn't exist to allow them to add the streetscape into these 2 acres. The proposal is to change it to neighborhood residential 2 to allow up to 8 units per acre. A general plan text amendment is needed to allow this change. The request is to allow a 6,000 square feet lot minimum. It's possible to have R-1-6 or R-1-7 as options if the commission wants staff to investigate it.

Planning Director Maloy relayed these items will need separate hearings and motions on these three items.

Chair Powell inquired if the commission could approve one item without the others. Planning Director Maloy replied it doesn't make sense to approve one without the other. Commissioner Bradford sought if the applicant had requested to have the 6,000 square feet lots? Planning Director Maloy communicated the developer requested for this size or suggested some type of average lots of 6,000 square feet. Commissioner Bradford called for clarification on the suggested 15 feet minimum setback. Planning Director Maloy advised it's harder to fit all the utilities into the yards under 15 feet. Commissioner Bradford clarified the city can't require a front fence, but the owner could still build one.

Commissioner Sickles probed if there was flexibility on the set back if the rear alley had access for the utilities. Planning Director Maloy confirmed they could use an alley as a utility network. Commissioner Ferguson expressed his fondness for houses close to the road if they can be rear loading or have detached garages behind the house. He likes the idea of lowering the overall cost of housing. Commissioner Fenn voiced that if you put the utilities in the back, wouldn't the garage interfere with the utilities. Planning Director Maloy stated the garage would have to be built out of the utility easement. Commissioner Fenn divulged he doesn't feel alleys are conducive in these smaller projects.

Planning Director Maloy communicated he recognizes this draft is a little rough and still needs more standards. Commissioner Anderson recounted it was mentioned that Riverton has these small zones, do other communities have smaller zone types? Planning Director Maloy conveyed there are many communities with these tools. Herriman is untypical in the fact we don't have the smaller zones. Herriman needs to create the right restrictions that work for the developers and the marketplace but doesn't destroy the quality of the city. Commissioner Fenn proclaimed looking back, if these options were available before they could have prevented some of the town homes.

Applicant Merlin Huff owner of Perry Homes outlined the 2 acres are just a continuation of the Hidden Oaks development house styles with the possibility of upgrading some streetlights and signage. It wouldn't be part of the Hidden Oaks MDA or HOA. Commissioner Fenn sought if the housing would look anything like the pictures shown in the presentation? Merlin Huff informed the commission no, it would continue the Hidden Oaks area look with some slight differences. Commissioner Fenn remarked we haven't done anything in a cottage style starter home in the city, has Perry Homes done any kind of study that these types of homes would sell? Merlin Huff noted they haven't done any studies. Their focus is on affordability. They want the houses to stand out in 10-15 years. The only way to make them small but desirable is with the architecture design. He believes our forefathers had much better architecture standards and these smaller homes could bring back those standards. The lots next to these 2 acres would have the same architecture and lot sizes. Planning Director Maloy points out these new tools would allow for a mutual agreement with compatible street scapes. Merlin Huff commented that he understands everyone is in a tight spot with affordability. He believes this new tool is in its early stages and can evolve if the developers come together to make it work. Commissioner Jacobson inquired if Perry Homes has any products that do not have a garage. Merlin Huff replied they do not. Commissioner Ferguson exclaimed it's ironic that this development is a master plan agreement, and it is opening the idea for smaller developers to come build. Commissioner Anderson inquired what the appeal of this type of zoning being created is to the developers? Merlin Huff voiced that they would be able to match the existing designs without having to create or amend their MDA. He lives on a big lot; it takes a lot of work to maintain. He believes the larger lots are not desirable anymore. The only way to achieve affordability is smaller lots with the anticipated trends. Planning Director Maloy added these lots still have yards compared to other areas with larger homes on small lots. Commissioner Sickles observed with the way the staff has worded the zoning change, you are doing the same project as Hidden Oaks. Would these meet those new zoning standards.

Planning Director Maloy revealed the creative aspect of this is we are creating strict policy for the zones. If they are asking for modifications to the zone requirements, we have the option to negotiate. This request makes sense to add it to the already created design standards of the nearby MDA development. Preston voiced concern with the homes on the 2 acres not being part of the HOA, the HOA would not be responsible to take care of this area.

Chair Powell opened the public hearing.

No Comments were offered.

*Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Ferguson, and all voted Aye.*

*Commissioner Jacobson moved to continue item 5.2 **Consideration and recommendation of a request to amend Chapter 10 of the Herriman City Land Development Code regarding Single Family Residential District standards for 5,000 to 8,000 square foot lots.***

*Commissioner Garcia seconded the motion.*

*The vote was recorded as follows:*

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

*The motion passed unanimously.*

**5.3. Consideration and recommendation of a request to amend the General Plan and Future Land Use Map from Neighborhood Commercial to Neighborhood Residential Two for property at 7234 W Herriman Main Street property. (Public Hearing)**

**Applicant: Merlin Huff, Perry Homes (owner)**

**Acres: ±2.00**

**File No: G2024-039**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+5.3+-+Staff+Report.pdf>

Chair Powell opened the public hearing.

No Comments were offered.

*Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Ferguson, and all voted Aye.*

***Commissioner Fenn moved to continue item 5.3 Consideration and recommendation of a request to amend the General Plan and Future Land Use Map from Neighborhood Commercial to Neighborhood Residential Two for property at 7234 W Herriman Main Street property.***

*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>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 Preston Oberg</i>	<i>Not voting</i>
<i>Alternate Terrah Anderson</i>	<i>Not voting</i>

*The motion passed unanimously.*

**5.4. Consideration and recommendation of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to R-1-6 Single Family Residential Zone for property at 7234 W Herriman Main Street. (Public Hearing)**

**Applicant: Merlin Huff, Perry Homes (owner)**

**Acres: ±2.00**

**File No: Z2024-040**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+5.4+-+Staff+Report.pdf>**

Chair Powell opened the public hearing.

No Comments were offered.

*Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Ferguson and all voted Aye.*

Commissioner Ferguson voiced his opinion that R-1-6 makes sense and would like to see both an R-1-8 and R-1-6 come back for the commissions review. He believes this area would



be a good area to watch. He could see both zones working well. Planning Director Maloy express staff wanted to create some incentives for the developer to build better smaller single-family homes and not larger homes. Commissioner Fenn emphasized if this puts our children into houses, he's in favor of it. Commissioner Fenn questioned if we continue all this does it go back to staff and not council? Planning Director Maloy counseled this comes back to staff. Commissioner Jacobson expressed in this scenery it is advantageous for the developer to keep the same product, but he is not comfortable with that on future projects. Commissioner Fenn remarked we need to make sure we are doing what's good for the city not what Perry Homes wants right now. He trusts the city staff will come up with these restrictions. Commissioner Sickles agrees he has the same concerns, what would stop the next developer wanting to use the same products on smaller lots.

*Commissioner Jacobson moved continue item 5.4 Consideration and recommendation of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to R-1-6 Single Family Residential Zone for property at 7234 W Herriman Main Street.*

*Commissioner Ferguson seconded the motion.*

*The vote was recorded as follows:*

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

*The motion passed unanimously.*

**5.5. Consideration of a request to amend Herriman City's Official Zoning Map from A-1-43 Single Family Agricultural Zone to A-1-21 Single Family Agricultural Zone for property located at 7475 W Hi Country Road. (Public Hearing)**  
**Applicant: Anton Kulikov (owner)**  
**Acres: ±1.10**  
**File No: Z2024-026**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/5-1-24/Item+5.5+-+Staff+Report.pdf>

Item 5.5 was discussed prior to Item 5.2

## 6. Chair and Commission Comments

Commissioner Ferguson revealed a desire for the Planning Commission to have a longer work session meeting to hash through these types of issues. Planning Director Maloy voiced he can create a new draft and email it out for extended conversations also.

## 7. Future Meetings

7.1. Next City Council Meeting: May 8, 2024

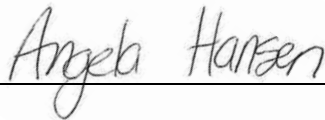
7.2. Next Planning Commission Meeting: May 15, 2024

7.3. Next City Council Meeting: May 22, 2024

## 8. Adjournment

*Commissioner Jacobson moved to adjourn the meeting at 8:42 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 May 01, 2024. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.*



Angela Hansen

Deputy City Recorder