



PLANNING COMMISSION AGENDA

Wednesday, June 04, 2025

NOTICE IS HEREBY GIVEN that the Herriman Planning Commission shall assemble for a meeting in the City Council Chambers, located at
5355 WEST HERRIMAN MAIN STREET, HERRIMAN, UTAH

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

1. Commission Business

- 1.1. Review of City Council Decisions – Michael Maloy, Planning Director
- 1.2. Review of Agenda Items – Planning Staff
- 1.3. Presentation and discussion of potential amendments in Title 10 Land Development Code regulating wireless telecommunication facilities in Herriman – Michael Maloy, AICP, Planning Director
- 1.4. Presentation and discussion of potential amendments in Title 10 Land Development Code to permit and regulate detached accessory dwelling units (ADUs) in Herriman – Michael Maloy, AICP, Planning Director

2. Adjournment

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

3. Call to Order

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

5355 W. Herriman Main St. • Herriman, Utah 84096
(801) 446-5323 office • herriman.gov

3.2. Roll Call

3.3. Conflicts of Interest

3.4. Approval of Minutes for the May 7, 2025, Planning Commission Meeting

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 approval for a Conditional Use amendment for Rockwell Landing at 15932 S Rockwell Park Cove in the M-1 Manufacturing Zone.

Applicant: Braiden Rindlisbacher (property owner)

Acres: ±0.72

File No: C2025-053

5. Chair and Commission Comments

6. Future Meetings

6.1. Next City Council Meeting: June 11, 2025

6.2. Next Planning Commission Meeting: June 18, 2025

7. Adjournment

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. Request assistance by contacting Herriman City at (801) 446-5323 and provide at least 48 hours' advance notice of the meeting.

ELECTRONIC PARTICIPATION: Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

PUBLIC COMMENT POLICY AND PROCEDURE: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Commission will be asked to complete a written comment form and present it to the City Recorder. In general, the chair will allow an individual three minutes to address the Commission. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. This policy also applies to all public hearings.

I, Angela Hansen, certify the foregoing agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body, at the principal office of the public body, on the Utah State Public Notice website www.utah.gov/pmn/index.html and on Herriman City's website at www.herriman.gov, Posted and dated this 29th day of May 2025 Angela Hansen, Deputy City Recorder



STAFF REPORT

DATE: June 4, 2025
TO: The Planning Commission
FROM: Michael Maloy, AICP, Planning Director
SUBJECT: Presentation and discussion of potential amendments in Title 10 Land Development Code regulating wireless telecommunication facilities in Herriman.

RECOMMENDATION:

Staff recommends that the Planning Commission review the attached Land Development Code amendment proposal, submitted by attorney Mark Williams of Taft | Sherman & Howard, and identify any questions or concerns. (This legislative request will be considered by the Planning Commission on June 18, 2025, following a public hearing.)

ISSUE BEFORE COMMISSION:

Whereas this item has been scheduled for discussion only during the Planning work meeting, no action is required at this time.

BACKGROUND & SUMMARY:

The City received a request to amend the Land Development Code regarding the permitting and placement of wireless telecommunication facilities within the City. In response to the proposed amendment, City Attorney Todd Sheeran engaged Gerard (Gerry) Lederer of BBK Attorneys at Law as special counsel on federal communications law. The objective of the proposal is to expand potential locations for wireless telecommunication facilities, which includes “monopoles” for cellular communications, within the City. Currently, monopoles are restricted to public and quasi-public properties in Herriman. Due to Herriman's suburban development pattern, most properties are privately owned and used for residential or commercial purposes, and relatively few properties qualify as public or quasi-public. This pattern of land use development has notably hindered the development of adequate wireless telecommunication facilities within the City.

Compounding the impact of site limitations for new monopoles has been the rapid residential population growth of the City and strong demand for fast, reliable, and accessible telecommunication services—especially data streaming services, like those used for internet streaming, that require the continuous flow of data from various sources, allowing for real-time processing and analysis.

Given these conditions, many residents and businesses in Herriman experience poor or unacceptable levels of wireless telecommunications services. As such, in response to the unmet demand for services, the applicant, in consultation with the City, has prepared the attached draft legislative amendment for consideration by the Planning Commission and City Council.

ALTERNATIVES:

Whereas this item is scheduled for discussion only, no alternatives are required.

ATTACHMENTS:

- A. Draft Ordinance

FSECTION 1.	RECITALS
SECTION 2	PURPOSE
SECTION 3	EXCLUSIONS.
SECTION 4	DEFINITIONS
SECTION 5	GENERAL STANDARDS FOR ALL FACILITIES
SECTION 6.	LOCATION STANDARDS FOR ALL FACILITIES
SECTION 7.	ENGINEERING AND DESIGN STANDARDS
SECTION 8.	WAIVERS OF THESE STANDARDS.
SECTION 9.	STANDARD CONDITIONS OF APPROVAL FOR PERMITS
SECTION 10	ELIGIBLE FACILITY REQUESTS.
SECTION 11	SMALL CELL FACILITIES
SECTION 12.	BASIC APPLICATION REQUIREMENTS FOR PERMITS
SECTION 13	EFFECTIVE DATE

RESOLUTION NO. __-__

A RESOLUTION OF THE CITY OF HERRIMAN ADOPTING ENGINEERING, DESIGN AND LOCATION STANDARDS, CONDITIONS OF APPROVAL AND BASIC APPLICATION REQUIREMENTS FOR WIRELESS COMMUNICATIONS FACILITIES ON LAND OTHER THAN PUBLIC RIGHT-OF-WAY AND PUBLIC PROPERTY.

The City Council of the City of Herriman does hereby find, resolve and order as

follows:

SECTION 1. Recitals

A. It is still the preference of the City Council of the City of Herriman to locate small wireless communications facilities within the public rights of way or wireless communications facilities that do not meet the definition of a small wireless facility on public property. Siting of a wireless facilities outside of the rights of way and not on public property shall only be permitted if denial of such a permit would violate law as demonstrated in the application of a Permittee. Should such a finding be made, any such permit to locate a wireless facility outside of the rights-of-way and not on public property shall be subject to this Code Section.

B. This section shall govern the permitting, installation, and regulation of wireless communications facilities in the City, other than those in the public right-of-way or on public property which are subject to City Code.

C. All applicants shall engineer, design, and locate the wireless communications facilities in accordance with the standards and wireless regulations set forth separately though the resolution adopted by the City Council and as established by the City Engineer.

D. Being authorized to do so by Federal and Utah law, the City wishes to establish engineering, design and development standards applicable to wireless installations for deployments outside of the public right of way and/or located on City property;

E. The City also wishes to set standard conditions of approval and basic application requirements applicable to wireless permits.

SECTION 2. Purpose.

The purpose of this document is to (1) establish design and location standards (Standards) for wireless communications facilities on land other than on a public right-of-way or on City property; (2) set standard conditions of approval for Wireless Permits (WPs); and (3) set basic application requirements for WPs.

SECTION 3. Exclusions.

The following facilities are exempt from the requirements of this article but may be governed by other laws and other portions of this ordinance.

A. CONSUMER-END ANTENNAS. Consumer-end antennas shall be exempt from the provisions of this article if they meet the following requirements, as applicable:

1. A satellite dish less than one meter (39.37 inches) in diameter and that, if mounted on a mast, is mounted no higher than needed to receive or transmit an acceptable quality signal and in no event higher than twelve (12) feet above roofline.
2. An antenna designed to receive over-the air broadcast signals, no higher than needed to receive or transmit an acceptable quality signal and in no event higher than twelve (12) feet above roofline.
3. A broadband radio service antenna one meter or less in diameter or diagonal measurement and that, if mounted on a mast, is mounted no higher than needed to receive or transmit an acceptable quality signal and in no event higher than twelve (12) feet above roofline.

B. AMATEUR RADIO ANTENNAS:

1. That are completely enclosed within a permitted building; or
2. That consist of a single wire not exceeding one-fourth inch in diameter. Such wire antennas may be located in setback areas provided the antenna does not extend above the maximum building height in the district; or
3. That consist of a single ground-mounted vertical pole or whip antenna not exceeding fifty (50) feet in height in residential zone classifications or one

hundred and five (105) feet in height in non-residential zone classifications, measured from finish grade at the base of the antenna, and not located in any required setback area. Support structures or masts for pole or whip antennas shall conform to standards set out in the Utah Building Standards Code.

4. Nothing in this Section shall be read to waive the requirement of a building permit for the support structure or mast.

C. LIKE KIND EQUIPMENT REPLACEMENTS.

1. Like kind equipment replacements or adding or changing equipment in an existing cabinet, vault, or shroud that does not increase pre-existing visual or noise impacts and has radio frequency (RF) emissions that are in compliance Federal Communications Commission (“FCC”) regulations. The existing equipment must have been approved by the City and the equipment must be in compliance with all permit conditions. Qualifying like kind equipment replacements that do not require County approval consist of upgrades or exchanges of equipment that are substantially similar in appearance and the same or less in size, dimensions, weight and RF emissions to the then-existing and approved equipment. This exemption does not apply to generators.

D. CERTAIN TEMPORARY FACILITIES.

The following temporary wireless facilities that will be placed for less than fourteen (14) consecutive days, provided any necessary building permit or other approval is obtained and the landowner’s written consent is provided to the City:

1. Facilities installed and operated for large-scale events; and
2. Facilities needed for coverage during the temporary relocation of an existing and already-approved facility.

E. LEGALLY EXISTING WIRELESS FACILITIES.

1. Subject to Applicable Laws , any wireless facility already legally constructed and in operation as of the date of this ordinance’s effective date shall remain subject to the provisions of the version of the ordinance in effect prior to this revision, unless and until a revised permit, substantial conformance, or other modification is approved on such facility, at which time the provisions of the revised ordinance shall apply in full force going forward as to such facility.

DRAFT

SECTION 4. Definitions.

For the purposes of these Standards, the definitions set forth in Herriman Municipal Code (CODE) Section _____ are incorporated by reference into this Resolution and in addition the following definitions apply:

- A. Antenna. A device used for the purpose of transmitting or receiving wireless communication signals or both, along with associated equipment and consistent with the provisions of 47 C.F.R. § 1.6002(b) – (d).
- B. Applicable Law. Has the same meaning as Law as defined in Herriman Code Chapter 1-3.
- C. Base Station. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network as defined in 47 C.F.R. § 1.6100(b)(1), or any successor provision.
- D. Collocation. The mounting or installation of transmission equipment on a legally existing base station or tower as defined: (a) for the purposes of any eligible facilities request, the same as defined by the FCC in 47 C.F.R. § 1.6100(b)(2), as may be amended, which defines that term as ‘[t]he mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.’ As an illustration and not a limitation, the FCC's definition means to add transmission equipment to an existing facility and does not necessarily refer to two or more different facility operators in the same location; and (b) for all other purposes, the same as defined in 47 C.F.R. section 1.6002(g)(1) and (2), as may be amended, which defines the term collocation as (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modifying a structure for the purpose of mounting or installing an antenna facility on that structure.
- E. Concealed Wireless Facilities. Facilities blended into the environment by being placed entirely within an existing or new structure or so as not to be recognized as a wireless facility. Concealed Wireless Facilities include, but are not limited to, architecturally screened roof-mounted

facilities, facade-mounted design feature facilities, clock tower facilities and entry statement signage facilities. These may consist of concealed wireless facilities on a new structure or concealed wireless facilities on an existing structure, and the distinction may affect how the associated permit is processed.

- F. **Disguised Wireless Facilities.** Facilities designed and sited so as to be minimally visually intrusive, which incorporate concealment elements that screen or otherwise alter the appearance of the wireless facility to integrate it into the surrounding environment and support structure or base station. Disguised wireless facilities include, but are not limited to, faux trees including but not limited to monopalms and monopines, facilities integrated into flagpoles, facilities integrated onto water towers or other architecturally designed structures, facilities integrated onto street lights, facilities integrated into electric utility poles, strand mounted antennas, and facilities painted to blend with their surroundings.
- G. **Eligible Facilities Request.** Any request for modification of a legally existing tower or base station that does not substantially change the physical dimensions of such tower or base station as defined in 47 C.F.R. section 1.6100(b)(3), or any successor provision.
- H. **Equipment Enclosure.** Any freestanding or mounted structure, shelter, cabinet, or vault used to house and protect Supporting Equipment.
- I. **FAA.** The Federal Aviation Administration or its lawful successor.
- J. **FCC.** The Federal Communications Commission or its lawful successor.
- K. **Non-Residential Zone Classifications.** Any of the following zones: -.
- L. **Other Wireless Facilities.** New wireless facilities or modifications to existing wireless facilities that are not otherwise exempt from this article and that do not qualify as small cell facilities, collocations, eligible facilities requests, disguised facilities, or concealed facilities.
- M. **Personal Wireless Services.** Services as defined in 47 U.S.C. § 332(c)(7)(C)(i) or any successor provision, current examples of which

include but are not limited to commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

- N. Wireless Services Facility. A wireless facility used for the provision of personal wireless services.
- O. Planning Director. The Planning Director of the City of Herriman or his or her designee.
- P. Residential Zone Classifications. Any of the following zones:
- Q. “School” any building, campus or sports field which is designed, constructed or used for education, instruction or school sports, whether public or private, in any branch of knowledge.
- R. Small Cell Facility or Small Wireless Facility. The term as defined in 47 C.F.R. § 1.6002(l), or any successor provision.
- S. “Stealth facility” (or “stealth facilities”) means a wireless communications facility designed to look like something other than a wireless tower or base station.
- T. Support Structure. A pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service, whether on its own or comingled with other types of services, as defined in 47 C.F.R. 1.6002(m) or any successor provision.
- U. Supporting Equipment. The equipment necessary for processing wireless communication signals and any ancillary equipment including, but not limited to, air conditioners, emergency generators, and other back-up power suppliers.
- V. Temporary Wireless Facility. A wireless facility intended or used to provide wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a single location or following a duly proclaimed local or state emergency requiring additional service capabilities. Temporary facilities include without limitation, cells on wheels (also referred to as COWs), sites on

wheels (also referred as SOWs), cells on light trucks (also referred to as COLTs), or other similar wireless facilities: (1) that will be in place for no more than six months, or such other longer time as the City may allow in light of the event or emergency; (2) for which required notice is provided to the FAA; (3) that do not require marking or lighting under FAA regulations; (4) that will not exceed the height limit in the applicable zone; and (5) that will either involve no excavation or involve excavation only as required to safely anchor the facility, where the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least two (2) feet.

W. Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for personal wireless services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. This definition does not include Utility Poles.

X. Utility Pole. A structure designed to support electric, telephone, and similar utility lines. A Tower is not a utility pole.

Y. Wireless Facility, Wireless Communication Facility or Facility. Transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

SECTION 5. General Standards for all Facilities

The following general requirements apply at all times to all wireless communications facilities located in all zoning districts:

- A. All wireless communications facilities shall be engineered and designed to minimize the visual impact by means of placement, screening, camouflaging, painting and texturing and to be

compatible with existing architectural elements, building materials and other site characteristics. The applicant shall use the smallest and least visible antenna possible to accomplish the facility's objectives. All antennas and support structures shall be painted and/or textured to achieve architectural compatibility with the structures to which they are attached and/or with which they are located.

- B. Each facility must comply with any and all applicable provisions of the Herriman Municipal Code, including but not limited to provisions of the Utah/Herriman Building Code, Utah/Herriman Electric Code, Utah/Herriman Plumbing Code, Utah/Herriman Mechanical Code, and Utah/Herriman Fire Code, and any conditions of approval imposed as part of the approval process.
- C. Each facility must comply with any and all applicable regulations and standards promulgated or imposed by any Herriman, state or federal agency, including, but not limited to, the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA). Further, all wireless communications facilities, associated equipment and services shall comply with Americans with Disabilities Act (ADA) requirements.
- D. Fire and Electrical Safety Standards. All wireless communications facilities shall contain:
 - 1. A power shut off readily accessible to fire service personnel for emergencies;
 - 2. Surge protection for lightning discharge or other significant electrical disturbances;
 - 3. Signage as required by the permit conditions, the National Electric Code or the Los Angeles County Fire Department Chief or their designee; and
 - 4. Instructions for first responders to de-energize the equipment.

- E. The facility must at all times comply with all applicable health requirements and standards pertaining to radio frequency emissions as promulgated by the FCC.
- F. All antennas shall meet the minimum siting distances to habitable structures required for compliance with FCC regulations and standards governing the environmental effects of radio frequency emissions.
- G. Interference with city communications systems and other governmental emergency systems is prohibited. Further, no permits issued pursuant to this chapter of the CODE establishes any guarantee or warranty that Licensee's facility will be free from interference from city or third-party communication systems.
- H. Noise. Wireless communications facilities and equipment must comply with the City's noise ordinance in CODE Chapter _____, or any successor provisions, and be designed to prevent noise and sound from being plainly audible at a distance of fifty (50) feet from the facility or within ten (10) feet of any residence.
- I. Signs. No facility may display any signage or advertisement unless it is expressly allowed by this paragraph, necessary for stealth concealment purposes, or required by law or a permit condition. Every facility shall at all times display signage that accurately identifies the facility owner and provides the owner's unique site number and a local or toll-free telephone number to contact the facility owner's operations center, and which complies with FCC regulations.
- J. Landscaping. Where appropriate, facilities shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs, whether or not utilized for screening. In addition to any landscaping used for concealment or screening purposes, the applicant shall replace any existing landscaping displaced during construction or installation of the applicant's facility. The applicant's landscaping plan shall be subject to the City's review and approval but shall, at a

minimum, match the existing landscaping and foliage surrounding the installation site consistent with CODE Section _____. Permittee shall ensure that any vegetation, including vegetation provided for screening, allowed to remain in place within the area covered by permit is properly maintained and watered compliant with the Fire Code.

- K. All electrical support equipment located within cabinets, shelters, or similar structures shall be screened from public view. Roof-mounted electrical support equipment shall be discouraged. Ground-mounted electrical support equipment shall be encouraged. In addition, under grounding of support equipment is required wherever practicable.
- L. All antennas shall be located such that any person walking adjacent to the transmitting surface of the antenna will be walking on a grade that is a minimum of eight and one-half feet below the transmitting surface.
- M. Lighting of antenna structures and their electrical support equipment is prohibited, except as required by any order or regulation of the FCC or the FAA and except for manually operated emergency lights for use when official operating personnel are on site.
- N. Unless barred by other laws, no permit will be granted absent a backup power supply for all new wireless communications.

SECTION 6. Location Standards for All Facilities

The location standards for all wireless communications facilities, other than those that qualify as eligible facilities requests, are as follows:

- A. No wireless telecommunication facility shall be located within five hundred (500) feet of any school, playground, or park unless a finding is made, based on technical evidence acceptable to the reviewing authority that the absence of its deployment would have the effect of prohibiting Personal Wireless Services as provided by Applicable Law. Except for facilities installed on

the same pole or tower as an existing wireless telecommunication facility, wireless telecommunication facilities located within any residential zone district shall not be located within five hundred (500) feet of any other wireless communications facility.

- B. All new freestanding wireless communications facilities and monopoles shall be set back a minimum distance of at least one hundred (100) percent of the height of the facility or monopole from any property line abutting a residential zone district. This minimum setback is not subject to the waivers allowed under Section 8 of this Resolution.
- C. Location preference for wireless communications facilities should be given to the following:
 - 1. Property designated non-residential unless otherwise prohibited pursuant to this title, unless the absence of the facility's deployment would have the effect of prohibiting Personal Wireless Services as provided by Applicable Law.
 - 2. Facilities attached or sited adjacent to existing structures. Whenever possible, facilities shall be located on and/or inside existing structures. Appropriate types of existing structures may include, but are not limited to: buildings, water tanks, telephone poles and utility towers and poles, sign standards, light standards and roadway overpasses.
 - 3. Sites with minimum separation. Sites that are more than five hundred (500) feet from school, playgrounds, and parks; provided, however, that Small Cell/Wireless Facilities may be spaced closer if the Applicant can demonstrate that failure to provide such closer placement would have the effect of prohibiting Personal Wireless Services as provided by Applicable Law.
 - 4. Sites that are not highly visible from adjacent public roadways.

5. Unless otherwise indicated in CODE Chapter 17.46 or these Standards, no wireless facility shall be installed on an exposed ridgeline unless the facility blends with the surrounding existing natural and man-made environment and a finding is made that no other location is technically feasible.

SECTION 7. Engineering and Design Standards for all Facilities

The general design standards for wireless communications facilities subject to this Chapter are as follows:

- A. **Basic Requirements.** The proposed wireless facility and its supporting structure (if needed) shall be limited to the minimum size necessary to serve the defined service objectives of the wireless service provider or providers that will be using the facility, except where a larger facility has superior concealment elements.
- B. **Materials.** The materials used shall be non-reflective and non-flammable.
- C. **Cabinet doors and other openings** must be designed to stay securely closed, and openings in all facilities shall be shielded or made the smallest size feasible to protect against fire and wind-blown embers.
- D. **The tower, or other support structure, and all equipment** shall be designed to withstand forces from seismic events. To that end, all wireless facility sites must be built to the applicable standards of Hardening Requirements including but not limited to APCO ANSI 2.106.1–2019, or their replacements. The telecommunications tower, pole or structure when fully loaded with antennas, transmitters, and other equipment and camouflaging shall be designed as determined by the Building Official. All equipment mounting racks and equipment used shall be anchored in such a manner that such a quake will not tip them over, throw the equipment off its shelves, or otherwise act to damage it.

- E. All connections between various components of the facility, power lines, and conduit shall be designed in a manner to protect against damage by a natural disaster, a vehicular accident, an act of vandalism or similar external forces.
1. Stealth. The wireless facility shall be stealth unless the applicant demonstrates that a stealth design would be technically infeasible or would prohibit or have the effect of prohibiting the provision of wireless services.
- F. Stealth elements and techniques should be used to blend the facility with surrounding materials and colors of the support structure or make the facility appear to be something other than a wireless facility. Stealth elements include, but are not limited to, the following:
1. Radio frequency (RF) transparent screening or shrouds;
 2. Matching the color of the existing support structure by painting, coating, or otherwise coloring the wireless facility, equipment, mounting brackets, and cabling;
 3. Placing cables and wires inside the pole or beneath conduit of the smallest size possible;
 4. Minimizing the size of the site;
 5. Installing new infrastructure that matches existing infrastructure in the area surrounding the proposed site;
 6. Painting, coating, or otherwise coloring new wireless facilities, equipment, mounting brackets, and cabling a color designed to allow the facility to blend in with the color of the sky or surroundings when viewed from the ground;
 7. Using paint of durable quality; and

8. Building with weather-resistant materials while permitting weathered treatment for aesthetic reasons and to avoid reflective material.
- G. Minimum Height. All antennas shall be located such that: (1) any person walking adjacent to the transmitting surface of the antenna will be walking on a grade that is a minimum of eight and one-half feet below the transmitting surface; and (2) no person at ground level will be exposed to an exposure level that is higher than allowed by the FCC's general population exposure rules.
- H. Facade-Mounted Equipment. Facade-mounted antennas and equipment shall be architecturally integrated into the building, or other support structure, design and otherwise made as unobtrusive as possible so that the facility does not appear to be a wireless facility. Antennas and equipment should be located entirely within an existing or newly created architectural feature so as to be completely screened from view. Facade-mounted facilities shall generally not extend more than eighteen (18) inches out from and may not project above the building face. Façade-mounted wireless telecommunication facilities shall not exceed twenty-eight (28) feet in height above the ground. However, antenna elements, mounted flush on the facade of an existing structure that exceeds twenty-eight (28) feet, may have a height equal to the height of the building.
- I. Ground-Mounted Equipment. Outdoor ground-mounted equipment associated with base stations shall be avoided whenever feasible. In locations visible or accessible to the public, applicants shall conceal outdoor ground-mounted equipment, including ancillary power generation equipment, with opaque fences or landscape features that mimic the adjacent structure(s) (including, but not limited to, dumpster corrals and other accessory structures) and by painting, texturing, or otherwise concealing the facility as much as possible. Ground-mounted wireless communications facilities shall be located near existing structures or trees at similar heights for screening purposes where

feasible. Not more than one ground-mounted antenna, provided that licensed amateur radio station antennas consistent with this Section shall also be permitted on each site.

- J. **Roof-Mounted Facilities.** Roof-mounted antennas and necessary equipment shall be screened from above if visible from higher elevations. Rooftop-mounted wireless telecommunication facilities shall not exceed twenty-eight (28) feet in height or three (3) feet above the roof parapet from which they are attached, whichever is less restrictive. Associated roof-mounted equipment cabinets shall not extend more than three (3) feet above the roof from which it is attached and shall be set back a minimum of ten (10) feet from the edge of the roof. All roof-mounted equipment cabinets shall be located behind a mechanical screen wall. In the event that a roof parapet wall screens the equipment cabinets, a mechanical screen wall will not be required.
- K. **Freestanding Facilities.** Freestanding facilities requiring a new monopole or other new support structure shall be stealth facilities. Further, they shall be located as close as possible to existing above-ground utilities, such as electrical towers or utility poles (which are not scheduled for removal or under grounding for at least 18 months after the date of application), light poles, or trees of comparable heights, and in areas where they will not detract from the appearance of the City.
 - 1. Freestanding wireless telecommunication facilities, including monopoles, shall not exceed fifty (50) feet in height and shall not extend higher than the top of the ridgeline nearest the antenna, unless approved by the Planning Director for a greater height, but in no case greater than eighty (80) feet. The height of a freestanding facility shall be measured from the natural undisturbed ground surface below the center of the base of the tower itself to the tip of the highest antenna or piece of equipment attached thereto.

2. Aside from the antenna itself, no additional equipment may be visible. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the freestanding facility and shall be camouflaged or hidden to the fullest extent feasible without jeopardizing the physical integrity of the facility.
 3. Monopole installations shall be situated so as to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.
 4. All antenna components and accessory wireless equipment shall be treated with exterior coatings of a color and texture to match the predominant visual background or existing architectural elements so as to visually blend in with the surrounding development. Subdued colors and non-reflective materials that blend with surrounding materials and colors shall be used.
 5. Monopoles shall be no greater in diameter or other cross-sectional dimensions than is necessary for the proper functioning of the facility.
- L. All wireless telecommunication facilities shall be designed to prevent unauthorized climbing and graffiti.
- M. Fire Safety Standards. All wireless facilities designs shall include:
1. A power shut off, such as by means of rapid entry Knox or similar type systems shall be installed;
 2. Surge protection devices capable of mitigating a direct or partial direct lightning discharge; and
 3. Surge protection devices capable of mitigating significant electrical disturbances that may enter the facility via conductive cables.

- N. Satellite dish or parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function.
- O. Support equipment pads, cabinets, shelters and buildings require architectural, landscape, color, fencing, or other camouflage treatment to minimize visual impacts to the extent deemed necessary by the Planning Director. Landscaping screening should also be provided if irrigation water is available.
- P. No freestanding facility or ancillary support equipment may be located between the face of a building and a public street, bikeway, park or residence.

SECTION 8. Waivers of These Standards.

- A. A waiver of one or more of these Standards may be granted in the following circumstances:
 - 1. Applicant demonstrates with substantial evidence that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate Applicable Laws or regulations;
 - 2. Applicant demonstrates with substantial evidence set forth in a feasibility study that compliance with a requirement of these Standards would be technically infeasible and the proposed wireless facility complies with the requirements of these Standards to the greatest extent technically feasible. For example, an exception to a requirement to conceal antennas in a shroud may be granted if shrouding is shown to be technically infeasible and an alternative concealment such as a colored film wrap is proposed; or
 - 3. Applicant demonstrates with substantial evidence that the particular engineering, design or location proposed involves an alternative that better meets the purposes of this Section, and is in substantial compliance with a

requirement of these design Standards and results in no increase in public visual impact to the community, or provides other benefits. For example, an exception to the wireless facility location limitations may be granted when the applicant can demonstrate that the placement is less visible from viewsheds of residences or shielded by vegetation or existing infrastructure (such as barriers), or is less physically intrusive (for example, less impactful to tree roots or reduces noise). Among other factors, in deciding whether or not to grant an exception, the Planning Commission may consider the impact of expansions to the facility that the applicant would be entitled to make as of right if granted.

- B. Waivers may only be requested at the time an application is initially submitted for a discretionary permit. The request must include both the specific provision(s) from which waiver is sought and the basis of the request, including all supporting evidence on which the applicant relies. Any request for waiver after the City has deemed an application complete constitutes a material change to the proposed wireless facility and shall be considered a new application. A request for waiver from one or more requirements does not relieve the applicant from compliance with all other applicable provisions of law.

SECTION 9. Standard Conditions of Approval for Permits .

- A. **Generally.** In addition to any supplemental conditions imposed by the Planning Director as the case may be, all development permits or conditional use permits granted for wireless communications facilities subject to this Chapter shall be subject to the following conditions, unless modified by the approving authority:
1. The permittee shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commission, agents, officers, or employees to attack, set aside, void, or annul, the

approval of the project, or to hold the City liable in whole or in part as a result of the engineering, design, construction or operation of the facility. The City shall promptly notify the provider(s) of any such claim, action or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

2. The permittee's facilities shall not interfere with City's communications systems. The permittee shall be responsible for costs for determining the source of the interference, all costs associated with eliminating the interference (including but not limited to filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the city attributable to the interference.
3. Subsequent submittals for this project shall be in substantial compliance with the plans date-stamped received by the Planning Department on _____. The project shall comply with all conditions of approval stipulated in the referral sheets attached to the agenda report for this project. In the event the project plans conflict with any condition of approval, the condition shall take precedence and revised plans shall be submitted and approved by the Planning Director .
4. The permit and rights conferred in this approval shall not be effective until the permittee signs, notarizes and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 30 days of this decision or prior to issuance of any development, conditional use, building, electrical or encroachment permit.
5. The applicant shall digitally submit a complete set of plans, including the items required in Condition No. 6 to the Planning Department for consistency review and

approval prior to plan check and again prior to the issuance of any building or development permits.

6. The Notice of Decision (including the signed and notarized Acceptance of Conditions Affidavit) shall be copied in its entirety and placed directly onto a separate plan sheet(s) to be included in the development plans prior to submitting any development permits from the City of Herriman .
7. A development permit or conditional use permit, as applicable, shall be valid for a period of one (1) year from issuance, unless pursuant to another provision of the Code or these conditions, it expires sooner or is terminated. At the end of one (1) year from the date of issuance, such development or conditional use permit shall automatically expire, unless an extension or renewal has been granted, which grant shall not be unreasonably withheld. A person holding a development permit or conditional use permit must either (1) remove the facility within thirty (30) days following the permit's expiration (provided that removal of support structure owned by City, a utility, or another entity authorized to maintain a support structure need not be removed, but must be restored to its prior condition, except as specifically permitted by the City); or (2) prior to expiration, submit an application to renew the permit, which application must, among all other requirements, demonstrate that the impact of the wireless facility cannot be reduced. The wireless facility must remain in place until it is acted upon by the City and all appeals from the City's decision exhausted.
8. The installation and construction authorized by a permit shall be completed within three (3) years after its approval, or it will expire without further action by the City unless prior to the three (3) years the applicant submit an extension request and the City, in its sole discretion, grants a time extension for due cause. The installation and

construction authorized by a permit shall conclude, including any necessary post-installation repairs and/or restoration to the property, within thirty (30) days following the day construction commenced. The permittee must provide written notice to City within ten (10) days after completing construction and may not begin operations until all City and Fire Department (if applicable) inspections have been completed and the project is found to be consistent with the permit. The expiration date shall be suspended until an appeal and/or litigation regarding the subject permit is resolved.

9. The Planning Director may grant up to four one-year extensions of the timeline, in Condition 7 above, for completing the installation and construction authorized by a development or condition use permit, if the Planning Director finds that the conditions, including but not limited to changes in the wireless ordinance under which the permit approval was issued, have not significantly changed.
10. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.
11. All structures shall conform to the requirements of all buildings and fire codes. Notwithstanding this review, all required permits, including but not limited to an encroachment permit from the City, shall be secured.
12. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the CODE. An application with all required materials and fees shall be required.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. .
14. If human bone is discovered, the procedures found in Utah and Herriman law shall be followed. These procedures require notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours.

Wireless Facility Conditions

15. All antennas shall meet the minimum siting distances to public/uncontrolled areas required for compliance with the FCC regulations and standards governing the environmental effects of radio frequency emissions. Permittee shall keep up to date on current information from the FCC in regards to maximum permissible radio frequency exposure levels. In the event that the FCC changes its guidelines for human exposure to radio frequency, permittee shall, within 30 days after any such change, submit to the Planning Director a report prepared by a qualified engineer that demonstrates actual compliance with such changed guidelines. The Director may, at permittee's sole cost, retain an independent consultant to evaluate the compliance report and any potential modifications to the permit necessary to conform to the FCC's guidelines. Failure to submit the compliance report required under this condition, or failure to maintain compliance with the FCC's guidelines for human exposure

to radio frequency at all times shall constitute grounds for permit revocation.

16. All antennas shall be located so that any person walking adjacent to the transmitting surface of the antenna will be walking on a grade, which is a minimum of eight and one-half feet below the transmitting surface.
17. All antennas, equipment, and support structures shall be engineered and designed to prevent unauthorized climbing.
18. The wireless facility shall be erected, operated, and maintained in compliance with the general requirements set forth in the Standards and any specific requirements in the permit.
19. The antenna and electrical support equipment shall, at all times, be operated in a manner that conforms to the applicable health and safety standards, including those imposed by this Ordinance.
20. Wireless communications facilities and equipment must comply with the City's noise ordinance in or any successor provisions and prevent noise and sound from being plainly audible at a distance of fifty (50) feet from the facility or within ten (10) feet of any residence.
21. The Planning Director's approval is required if a generator is to be placed onsite for temporary or permanent use.
22. All non-ground-mounted equipment associated with the application shall be located no lower than eight feet above grade or ground level on the monopole or support structure.
23. The City or its designee may enter onto the facility area to inspect the facility upon 48 hours prior notice to the permittee. The permittee shall cooperate with all inspections and may be present for any inspection of its

facility by the City. The City reserves the right to enter or direct its designee to enter the facility and support, repair, disable, or remove any elements of the facility in emergencies or when the facility threatens imminent harm to persons or property. The City shall make an effort to contact the permittee prior to disabling or removing any facility elements, but in any case, shall notify permittee within 24 hours of doing so.

24. Testing of any equipment shall take place on weekdays only, and only between the hours of 8:30 a.m. and 4:30 p.m., except that testing is prohibited on holidays that fall on a weekday. In addition, testing is prohibited on weekend days.
25. Permittee shall obtain and maintain throughout the term of the permit commercial general liability insurance with a limit of two million dollars (\$2,000,000) per occurrence for bodily injury and property damage and four million dollars (\$4,000,000) general aggregate including premises operations, contractual liability, personal injury, and products completed operations. The relevant policy(ies) shall name the City, its elected/appointed officials, commission members, officers, representatives, agents, and employees as additional insureds. A true and correct copy of the policy of insurance shall constitute proof of insurance required by this Subsection. Permittee shall use its best efforts to provide thirty (30) days' prior notice to the City of to the cancellation or material modification of any applicable insurance policy. Failure to maintain insurance consistent with this Condition shall automatically void the permit, and the permittee shall immediately deenergize and remove the facility from operation.
26. Prior to issuance of a City permit or encroachment permit, the permittee shall file with the City, and shall maintain in good standing throughout the term of the approval, a

performance bond or other surety or another form of security (for example, a letter of credit) for the removal of the facility in the event that the use is abandoned or the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to the cost of physically removing the facility and all related facilities and equipment on the site, based on the higher of two contractor's quotes for removal that are provided by the permittee. The permittee shall reimburse the city for staff time associated with the processing and tracking of the bond, based on the hourly rate adopted by the City Council. Reimbursement shall be paid when the security is posted and during each administrative review. Any amounts due to the City under this Code shall not exceed the amounts permitted under Applicable Law.

27. Permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement, or property without the prior consent of the owner of that structure, improvement, or property. No structure, improvement, or property owned by the City shall be moved to accommodate a permitted activity or encroachment, unless the City determines that such movement will not adversely affect the City or any surrounding businesses or residents, and the Permittee pays all costs and expenses related to the relocation of the City's structure, improvement, or property. Prior to commencement of any work pursuant to any permit, the permittee shall provide the City with documentation establishing to the city's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement, or property to be affected by permittee's facilities.
28. No possessory interest is created by a Wireless Permit. However, to the extent that a possessory interest is deemed created by a governmental entity with taxation authority, permittee acknowledges that City has given to permittee

notice pursuant to that the use or occupancy of any public property pursuant to a development or conditional use permit may create a possessory interest which may be subject to the payment of property taxes levied upon such interest. Permittee shall be solely liable for, and shall pay and discharge prior to delinquency, any and all possessory interact taxes or other taxes, fees, and assessments levied against permittee's right to possession, occupancy, or use of any public property pursuant to any right of possession, occupancy, or use created by this development or conditional use permit.

29. If a facility is not operated for a continuous period of six (6) months, the Wireless Permit and any other permit or approval therefor shall be deemed abandoned and terminated automatically, unless before the end of the six (6) month period (i) the Director has determined that the facility has resumed operations, or (ii) the City has received an application to transfer the permit to another service provider. No later than ninety (90) days from the date the facility is determined to have ceased operation, or the permittee has notified the Director of its intent to vacate the site, the permittee shall remove all equipment and improvements associated with the use and shall restore the site to its original condition to the satisfaction of the Director. The permittee shall provide written verification of the removal of the facilities within thirty (30) days of the date the removal is completed. If the facility is not removed within thirty (30) days after the permit has been discontinued pursuant to this subsection, the site shall be deemed to be a nuisance, and the City may cause the facility to be removed at permittee's expense or by calling any bond or other financial assurance to pay for removal. If there are two (2) or more users of a single facility or support structure, then this provision shall apply to the specific elements or parts thereof that were abandoned but will not be effective for the entirety thereof until all users cease use thereof. Once the facility is

removed, and City has confirmed the space has been returned to its prior state, notwithstanding reasonable wear and tear, the security described above shall be released by the City.

30. In the event the City determines that it is necessary to take legal action to enforce any of these conditions, or to revoke a permit, and such legal action is taken, the permittee shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City otherwise agrees, in its complete discretion, to waive said fees or any part thereof.

Construction

31. Installation hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No installation activities shall be permitted on Sundays and City-designated holidays. The restricted work hours described in this condition do not apply to emergency maintenance necessary to protect health or property. The City may issue a Stop Work Order if permittee violates this condition. Construction activities shall be conducted in compliance with, and abide by, all applicable safety codes and permit conditions.
32. All sites must be designed and build to the standards of ANSI/APCO Public Safety Grade Site Hardening Requirements, also referred to as "APCO ANSI 2.106.1-2019".

Site Specific Conditions

33. In the event that the electric service provider does not currently offer an alternative metering option, the

permittee shall remove the above-grade electric meter when such option becomes available. Prior to removing the above-grade electric meter, the permittee shall apply for any encroachment and/or other ministerial permit(s) required to perform the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.

34. The permittee acknowledges that the City specifically includes conditions of approval related to (a) painting, coloring or finishing the equipment to match the monopole or support structure; (b) undergrounding all equipment to the extent possible; (c) installing equipment within shrouds, conduits and risers as concealment elements engineered and designed to integrate the wireless facility with the surrounding built and natural environment; and (d) specific structural, seismic, electrical, fire and operating/maintenance requirements. Any future modifications to the permittee's wireless facility must maintain or improve all concealment elements and safety precautions.
35. Before the permittee submits any applications for construction, encroachment, excavation or other required permits in connection with this permit, the permittee must incorporate a true and correct copy of this permit, all conditions associated with this permit and any approved photo simulations into the project plans (collectively, the "Approved Plans"). The permittee must construct, install and operate the wireless facility in substantial compliance with the Approved Plans as determined by the Director or the Director's designee. Any substantial or material alterations, modifications or other changes to the Approved Plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, must be submitted in a written request subject to the Director's prior review

and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern.

36. The permittee shall install and at all times maintain in good condition a “Network Operations Center Information” and “RF Caution” sign on the utility pole no less than three (3) feet below the antenna (measured from the top of the sign) and no less than nine (9) feet above the ground line (measured from the bottom of the sign). Signs required under this condition shall be installed so that a person can clearly see the sign as he or she approaches within three (3) feet of the antenna structure. If any person on or within the property is or may be exposed to emissions that exceed applicable FCC uncontrolled/general population limits at any time the sign shall expressly so state, and provide instructions on how persons can avoid any such exposure. The sign shall also include the name(s) of the facility owner(s), equipment owner(s) and operator(s)/carrier(s) of the antenna(s), property owner name, as well as emergency phone number(s) for all such parties. The sign shall not be lighted, unless Applicable Law, rule or regulation requires lighting. No signs or advertising devices other than required certification, warning, required seals or signage, other signage required by law, this Chapter, any City or applicable state code . The sign shall be no larger than two (2) square feet.
37. The permittee shall ensure that all signage complies with FCC Office of Engineering and Technology Bulletin 65, or American National Standards Institute C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who

can exert transmitter power-down control over this site as required by the FCC.

38. In the event that the FCC changes any of radio frequency signage requirements that are applicable to the project site approved herein or ANSI Z535.1, ANSI Z535.2, and ANSI C95.2 standards that are applicable to the project site approved herein are changed, the permittee, within 30 days of each such change, at its own cost and expense, shall replace the signage at the project site to comply with the current standards.
39. The permittee shall maintain the paint, color and finish of the facility in good condition at all times.
40. All improvements, including foundations, and appurtenant ground wires, shall be removed from the property and the site restored to its original pre-installation conditions within 90 days of cessation of operation or abandonment of the facility.
41. Permittee shall at all times maintain compliance with all applicable federal, State and local laws, regulations, ordinances and other rules, including Americans with Disabilities Act (ADA) requirements.
42. The permittee shall cooperate with all inspections. The City and its designees reserve the right to support, repair, disable or remove any elements of the facility in emergencies or when the facility threatens imminent harm to persons or property.
43. Permittee shall at all times maintain accurate contact information for all parties responsible for the facility, which shall include a phone number, street mailing address and email address for at least one natural person. All such contact information for responsible parties shall be provided to the Planning Department at the time of

permit issuance and within one business day of permittee's receipt of City staff's written request.

44. Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification and removal of the facility.
45. The site and the facility must be maintained in a neat and clean manner and in accordance with all approved plans and conditions of approval.
46. Permittee shall promptly remove any graffiti on the wireless facility at permittee's sole expense within 48 hours after notice.

Prior to Operation

47. The applicant shall request a final Planning Department inspection and final building inspection by the City of Herriman immediately after the wireless facility has been installed and prior to the commencement of services.
48. Within thirty (30) calendar days following the installation of any wireless communications facilities, the applicant shall provide to the Planning Department with a field report prepared by a qualified engineer verifying that the unit has been inspected, tested, and is operating in compliance with FCC standards. Specifically, the on-site post-installation radiofrequency (RF) emissions testing must demonstrate actual compliance with the FCC OET Bulletin 65 RF emissions safety guidelines for general population/uncontrolled RF exposure in all sectors. For this testing, the transmitter shall be operating at maximum operating power, and the testing shall occur outwards to a distance where the RF emissions no longer exceed the

uncontrolled/general population limit. Such report and documentation shall include the make and model (or other identifying information) of the unit tested, the date and time of the inspection, a certification that the unit is properly installed and working within applicable FCC limits, and a specific notation of the distance from the transmitter at which the emissions are equal to or less than the uncontrolled/general population limit.

49. The operation of the approved facility shall commence no later than one (1) month after the City completes its post-installation inspections of the facility, any issues with the facility are resolved, and the City receives the RF testing report required in the condition of approval above, or the development or conditional use permit will expire without further action by the City.

Fixed Conditions

50. Violation of any of the conditions of this approval shall be cause for revocation and termination of all rights thereunder.

SECTION 10 Eligible Facilities Requests

1. Permits for an Eligible Facilities Request shall be subject to the terms and conditions of the underlying permit unless modified by the approving authority, and provided further that such request shall be approved in accordance with Applicable Law.
2. The City's grant or grant by operation of law of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the City's grant or grant by operation of law of an eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory

approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station.

3. The City's grant or grant by operation of law of an eligible facilities request does not waive, and shall not be construed to waive, any standing by the City to challenge Section 6409(a) of the Spectrum Act, any FCC rules that interpret Section 6409(a) of the Spectrum Act, or any modification to Section 6409(a) of the Spectrum Act.

SECTION 11 Small Cell Facilities

In addition to the other conditions of approval placed on a Wireless Permit, all permits for a small cell facility under this Chapter shall be subject to the additional condition, unless modified by the approving authority, that the City's grant of a permit for a small cell facility request does not waive, and shall not be construed to waive, any standing by the City to challenge any FCC orders or rules related to small cell facilities, or any modification to those FCC orders or rules.

SECTION 12. Basic Application Requirements for Permits .

- A. Generally. In addition to providing all required fees, all wireless telecommunication facility carriers or providers shall provide the information required by a separate application form published, and updated from time to time, by the City. If no such form is available, then the applicant must submit all documents, information, and any other materials necessary to allow the City to make required findings and ensure that the proposed facility will comply with Applicable Laws and not endanger the public health, safety, or welfare. Such information may include:
 1. Contact information for:
 - a. Applicant and their representatives
 - b. Owner of proposed wireless communications facility

- c. If different from facility owner, the identity of the person or entity responsible for operating the proposed wireless facility
- d. The property owner or owner of the structure on which the proposed wireless facility would be installed
- e. Names, addresses, telephone numbers, and email addresses of anyone acting on behalf of the applicant with regard to the application;
- f. The name, address and phone number of all persons that prepared or assisted in preparing the application and any required reports;
- g. The postal address, parcel number, or utility pole identifier of the property;
- h. The location of the schools, playgrounds and parks within 500 feet of the project site;
- i. Local contact person for emergencies
- j. Assessor's Parcel Number
- 2. Purpose of new wireless communications facility or amendment
- 3. Type of Application (Select all that apply)
 - a. Eligible Facilities Request
 - b. Small Cell – Collocation
 - c. Small Cell – New Structure
 - d. Collocation (Non-Small Cell)
 - e. All Other Wireless Communications Facilities
 - f. Permit Renewal
 - g. Waiver
- 4. Letter of authorization signed by the property owner authorizing the applicant to submit and process the application, including executed copies of any leases, letters of agency, or proof of ownership, of private property involved in the project.
- 5. Authorizations, and Licenses
- 6. Provide previous approvals, if applicable, and Certificate of Completion. Site inspection fees may apply if a final inspection was never requested

7. Identify all other required permits and approvals for the subject facility.
8. Electrical and Structural Safety Information. The following engineering documents must be included in the application:
 - a. A one-line diagram of the electrical system;
 - b. Panel Directories;
 - c. A plot plan showing the location of the mounting structure including address, or structure designation, or GPS location on the front sheet;
 - d. A plot plan showing the location of the service disconnecting means;
 - e. An elevation drawing of the equipment and the service disconnecting means;
9. Structural Safety Information. The structural/civil engineering documents as recommended by a Utah licensed professional civil.
 - a. Photo simulations, from at least three different angles, showing the pole and streetscape before and after installation. In some cases, more than three different angles may be required;
 - b. The azimuth, size and center-line height location of all proposed and existing antenna(s) on the supporting structure;
 - c. The number, type and model of the antenna(s) that will be used with a copy of the specification sheet;
 - d. The make, model, type and manufacturer of any tower involved and a design plan stating the tower's capacity to accommodate multiple users;
 - e. Site and Construction Plans. Complete and accurate plans, drawn to scale, signed, and sealed by a Utah-licensed engineer, land surveyor, and/or architect, which include the following items.
 - (1) A site plan and elevation drawings for the facility as existing and as proposed with all height and width measurements explicitly stated.

- (2) A site plan describing the proposed tower and antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;
 - (3) A depiction, with height and width measurements explicitly stated, of all existing and proposed transmission equipment.
 - (4) A depiction of all existing and proposed utility runs and points of contact.
 - (5) A depiction of the leased or licensed area of the site with all rights-of-way and easements for access and utilities labeled in plain view.
- f. If the equipment is proposed to be pole-mounted, a signed affidavit by a licensed and registered engineer that such equipment could not be installed underground to the extent possible, and if any of the equipment can be located underground, that such equipment will be placed underground in a waterproof vault or an explanation indicating it is not possible;
- g. Description as to why the desired location is superior to other similar available locations, including, but not limited to:
- (1) Proximity to residential buildings and descriptions of efforts to prevent any blocking of or mitigate the impact on views of impressive scenes;
 - (2) Written documentation demonstrating a good faith effort to locate the proposed facility in the least intrusive location in accordance with the location requirements of this Resolution;
- h. A description in writing and a visual rendering demonstrating effective screening of all ground-mounted or roof-mounted equipment of the facility from view.

- i. Color-coded carrier-generated RF Coverage (propagation) maps, at a scale no smaller than 1 inch (1”) to a quarter (1/4) mile with all appropriate legends, showing the coverage for the highest and lowest frequencies to be used by the facility. Frequencies are to be stated numerically, not qualitatively. Provide a represented value in dB of each colors it specifically represents.
- j. If the project involves, modifies or will use an existing facility or structure, a description of the type of structure (e.g., guyed, self-supporting lattice or monopole), and a report on the physical condition of the facility certified by a professional engineer licensed in the state of Utah.
- k. If the application is for a new tower, substantial technical evidence by a carrier or wireless service provider justifying the total height of the proposed facility and the need for such to the exclusion of all reasonable alternatives. Evidence in the form of propagation studies must include all modeling data and assumptions used to produce the studies at the requested height and should take into consideration the ability to collocate other carriers in the future.
- l. A siting analysis which identifies other feasible locations, including collocation sites, within or outside the City which could provide comparable service in the area intended to be served by the facility, if any.
- m. If the applicant is not itself an FCC-authorized provider of personal wireless service intending to use the facility to provide its own personal wireless services the application shall provide the name(s) of all providers that do intend to immediately use the facility, and include exhibits of any commitments by such provider(s).
- n. An affirmation that the proposed installation will be FCC compliant, in that it will not cause members of the general public to be exposed to RF levels that

exceed the emissions levels deemed safe by the FCC. A copy of the fully completed FCC form “A Local Government Official’s Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A” titled “Optional Checklist for Determination of Whether a Facility is Categorically Excluded” for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands must be shown on the Appendix A form(s) attached to the application. All planned radio frequency emissions are to be entered on each Appendix A form only in wattage units of “effective radiated power.”

- o. A statement detailing the frequency, modulation and class of service of radio or other transmitting equipment;
- p. A copy of the FCC license applicable for the intended use of the proposed facilities;
- q. A HazMat Business Plan for all new generators, and any storage and/or use of hazardous materials during the project, to include:
 - i. A list of toxic substances that may develop during arcing or fire that may impede fire suppression efforts;
 - ii. A list of hazards that may develop during arcing or fire that may impede fire suppression efforts;
- r. A demolition plan, if applicable.
- s. A written statement of the applicant’s willingness to allow other carriers to co-locate on the proposed personal wireless service facility where technically and economically feasible and aesthetically desirable, subject to the qualification that colocation should not occur when public exposures from the resulting higher cumulative sources would exceed FCC limits.

- t. Such other information as the Director shall establish.
- u. A statement signed by a person with legal authority to bind the applicant attesting to the accuracy of the information provided in the application. If attester not an authorized employee of the applicant, then the attester must demonstrate that it is an authorized agent of the applicant, with lawful Power of Attorney from the applicant.

SECTION 13 PROCESSING OF APPLICATIONS

The City shall process applications submitted under this provision within the time required by Applicable Law, and, to the extent the application is for a permitted use as identified in Section 10-16-1, approve or deny such applications pursuant to Section 10-5-10 of the Code within the time required by Applicable Law, subject to any mutual agreements to extend such time limits.

SECTION 14 AMENDMENT OF USES

Section 10-16-1 of the Code is hereby amended to state that wireless telecommunication facilities shall be a Permitted use in the C-1, C-2, and T-M zones so long as the facility complies with the location, engineering, design, and operational standards and conditions identified in this Chapter _____. Footnote 41 to Section 10-16-1 of the Code is hereby amended to state, “⁴¹Must be located on public or quasi-public owned property or utility site, and not in public parks, unless an exception is granted by the Planning Commission, subject to section 10-29-8 of this title or as otherwise permitted pursuant to Chapter _____ of this title.”

SECTION 15 EFFECTIVE DATE

This Resolution will become effective immediately upon adoption.
The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this ____ day of _____ 2025.

DRAFT



PLANNING COMMISSION MINUTES

Wednesday, May 07, 2025

Draft Pending Formal Approval

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, May 07, 2025, 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: Brody Rypien, Darryl Fenn, Andrea Bradford, Jackson Ferguson, Heather Garcia, Adam Jacobson, Alternate Terrah Anderson, Alternate Forest Sickles, Alternate Preston Oberg

Excused:

Staff Present: Planning Manager Clint Spencer, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Communications Specialist Mitch Davis, Staff Engineer III Josh Petersen, Assistant City Manager Wendy Thomas, Deputy Chief of Police Cody Stromberg, and City Recorder Jackie Nostrom

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

Chair Andy Powell called the meeting to order at 6.06 p.m.

1. Commission Business

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

Planning Manager Spencer acknowledged that in their latest meeting, the City Council had granted approval for all items concerning the athletic complex project. Despite the approvals, he highlighted that several negotiating points remained unresolved, particularly with regard to the land reserve, which is integral to the overall approval process. Additionally, Commissioner Oberg mentioned that Councilman Shields had voiced strong opinions during his final meeting, urging others to view it on YouTube or read about it in local publications. Planning Manager Spencer noted that the public

comments received during the City Council meeting mirrored those previously expressed at the Planning Commission meeting.

During the meeting, Commissioner Andrea Bradford also remarked on the Parks Master Plan discussions, emphasizing the importance of a high standard of maintenance, public access and water conservation to the community. She highlighted the value of ongoing engagement with residents to ensure their concerns and ideas are considered in the development process, particularly in acquiring additional park space to meet future needs. She felt that this level of engagement would help align the goals of the master plan with the community's expectations and needs.

1.2. Review of Agenda Items – Planning Staff

The commission expressed enthusiasm for tackling the evening's agenda items and addressing any potential concerns that might arise. They began by discussing item 4.1 a proposed conditional use permit, which involved a change of use for a former daycare facility. The plan was to transform the daycare into a multi-use space offering various services, such as a coffee shop and personal service offices, under a business mall concept. This new approach would provide opportunities for small businesses to get started by sharing operational costs, making it easier for new business owners to establish themselves.

Additionally, the commission reviewed item 4.2 a request for a conditional use permit to establish a new location for Chartway Federal Credit Union. Planning Manager Spencer described the proposed building and outlined the landscaping and pedestrian pathways included in the plan. The commission noted with appreciation that the proposal adhered to the existing Master Development Agreement (MDA) for the Anthem area.

Furthermore, they evaluated item 4.3 a conditional use permit request submitted by Axia Partners for a light manufacturing facility to be located in the M-1 Manufacturing Zone. The applicant planned to occupy a section of the Axia Business Park building for manufacturing purposes, which included aerospace components and firearm accessories. The commission carefully reviewed the proposed use, particularly focusing on the storage and distribution of some materials, such as tear gas and flash bangs. They highlighted that such storage and distribution activities would be regulated by the Bureau of Alcohol, Tobacco, and Firearms (ATF), with additional oversight from local fire and building departments.

Review of item 4.4 included an extension request was made for the previously approved subdivision to allow for marketing and securing potential buyers. The necessity for a secondary access to exceed 30 lots was noted, and this would be the only possible extension.

Item 4.5 and 4.6 addressed the preliminary plat approval for Rockwell Park Cove Subdivision. The site faced constraints from existing easements, resulting in unconventional lot shapes. Plans for light industrial and office development were discussed, and the potential need for planning commission approval for outdoor storage was noted.

Discussion of item 5.1 focused on the Title 10 recodification. Changes were highlighted, including removing redundant references to be aligned with state laws for consistency and clarity. Potential complications from omissions and the method for future corrections were addressed. The commission was informed about ongoing statutory compliance, appealing procedures, and updates.

- 1.3. Review and discuss Planning and Zoning standards, policies, best practices, and potential amendments in the Herriman City Land Development Code to ensure compliance with the Utah Code Land Use Development and Management Act – Michael Maloy, Planning Director

No discussion on this item.

2. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 7:00 p.m. Seconded by Commissioner Sickles and all voted aye.

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

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

3. Call to Order

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

Angela Hansen 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 19, 2025 and the April 02, 2025 Planning Commission Meeting

[March 19, 2025 Draft PC Minutes](#)

[April 2, 2025 Draft PC Minutes](#)

Commissioner Garcia motioned to approve the Minutes for the March 19, 2025 and April 02, 2025 Planning Commission meeting; Commissioner Jacobson 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. Review and consider approval of a Conditional Use Permit for a “change of use” from Commercial Daycare (Serendipity) to Restaurant, Fast Food, Personal Instruction Service, and Personal Care Service at 5746 W 13400 South in the C-2 Commercial Zone. Applicant: Hilda Galaso (authorized agent)
Acres: ±1.56
File No: C2025

Planning Manager Spencer presented the item, explaining that the applicant was proposing new uses for a building previously used as a daycare. The proposal included a coffee shop and personal service offices. He noted that a parking study had been conducted, showing that the 74 existing parking stalls would be adequate for the proposed uses, despite the ordinance requiring 77 stalls.

The applicant, Hilda Galaso, explained that the space would be used as a business mall, providing opportunities for small businesses to start more easily by sharing some bills.

The commission discussed the parking situation and the nature of the proposed coffee shop, which would serve as a waiting area for the other businesses.

*Commissioner Rypien moved to approve item 4.1 **Review and consider approval of a Conditional Use Permit for a “change of use” from Commercial Daycare (Serendipity) to Restaurant, Fast Food, Personal Instruction Service, and Personal Care Service at 5746 W 13400 South in the C-2 Commercial Zone with staff’s recommendations 1. Receive and agree to all recommendations from other agencies. 2. Provide on-site bicycle parking as required by 10-12-6(C)(6) of the City Code.***

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.

4.2. Review and consider approval of a Consideration Use Permit for Chartway Federal Credit Union (FCU) at 5262 W Denali Park Drive in the C-2 Commercial Zone.

Applicant: Phillip Richards, Chartway FCU (property owner)

Acres: ±1.01

File No: C2024-147

[Item 4.2 Staff Report](#)

Planning Manager Spencer presented the item, he outlined the site plan, noting that the building is designed to be just over 2400 square feet with 20 parking stalls available for patrons. The building is proposed to have a height of 20 feet, and it will feature materials like stone, cement board, and EFS, along with large glass openings to provide an inviting exterior. He also highlighted the landscaping plan, which meets city ordinance by incorporating 34 percent landscaping, adding greenery and aesthetic appeal to the site.

The commission noted that the proposal followed the MDA for Anthem and appreciated the landscaping and pedestrian pathways included in the plan.

Joanna Graham, representing the applicant, confirmed that they were happy to meet the conditions of approval set forth by the city.

*Commissioner Jacobson moved to approve continue, item 4.2 **Review and consider approval of a Conditional Use Permit for Chartway Federal Credit Union (FCU) at 5262 W Denali Park Drive in the C-2 Commercial Zone with staff's recommendations 1. Required to screen utilities. 2. Note on landscaping plan for changes.***

Commissioner Fenn 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.

4.3. Review and consider a Conditional Use Permit for a Light Manufacturing use at 15897 S Axia Drive, Suites 12-17, in the M-1 Manufacturing Zone.

Applicant: Paige Zollinger (authorized agent), Axia Partners, LLC (property owner)

Acres: ±20.9

File No: C2025-044

[Item 4.3 Staff Report](#)

Planning Manager Spencer presented the item, explaining that the applicant proposed to occupy the southern part of the Axia Business Park building, which is approximately 80,000 square feet (including 4,850 feet for office space) for manufacturing aerospace components, firearms, firearm accessories, and storage and distribution of destructive devices.

He detailed the proposed use of the space, including a "shoot box" for testing products and storage of materials such as tear gas and flash bangs. He emphasized that the storage and distribution of these materials would be regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and that the fire department and building department had reviewed and approved the plans.

*Commissioner Jacobson moved to approve item 4.3 **Review and consider a Conditional Use Permit for a Light Manufacturing use at 15897 S Axia Drive, Suites 12-17, in the M-1 Manufacturing Zone with staff's recommendations 1. Receive and agree to all recommendations from other agencies. 2. The manufacturing of explosives or the following items designated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as destructive devices is prohibited: a. Any explosive, incendiary, or poison gas. i. Bomb, ii. Grenade, iii Rocket having a propellant charge of more than 4 ounces, iv. Missile having an explosive or incendiary charge of more than one-quarter ounce, v. Mine, or vi. Similar device (excluding devices used for the deployment, launching, or discharging of explosives or***

destructive devices. 3. The storage of gunpowder or other propellants for the manufacturing of non-lethal devices or projectiles shall be stored and secured in locations per the ATF, Fire Marshall, and local building codes. 4. Testing of firearms, firearms devices, and accessories shall be conducted in accordance with the ATF, Fire Marshall, and local building codes. 5. A Hazardous Materials (or “Hazmat”) Permit is submitted to the Unified Fire Authority (UFA) prior to the issuance of a Certificate of Occupancy.

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.

4.4. Review and consider Preliminary Plat Approval Extension for Laguna Pointe Subdivision (No. S2023-044) at 14860 S Juniper Crest Road in the R-1-15 Residential Zone with a Zoning Condition (ZC).

Applicant: Laguna Investment Co, LLC (property owner)

Acres: ±40.71

File No: S2025-047

Item 4.4 Staff Report

Planning Manager Spencer presented the request for an extension of the preliminary plat approval for the Laguna Point subdivision. He explained that the applicant was seeking to extend their approval to May 7, 2026, to allow time for marketing the property to a potential buyer.

He reminded the commission that the development was limited to 30 lots until a second access point could be provided. He also noted that this would be the only extension allowed, and if the subdivision was not recorded within the next year, the applicant would need to reapply.

John Lindsley, the authorized agent for Laguna Point, confirmed that they were working with a top-tier builder and needed the extra time to finalize plans and submit construction drawings.

Commissioner Rypien moved to approve item 4.4 Review and consider Preliminary Plat Approval Extension for Laguna Pointe Subdivision (No. S2023-044) at 14860 S Juniper Crest Road in the R-1-15 Residential Zone with a Zoning Condition (ZC) with staff’s recommendations 1. Resolve all remaining corrections. 2. Work with Fire Mashall to provide 2 accesses to the public street for more than 30 lots.

Commissioner Jacobson 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.

- 4.5. Review and consider Preliminary Plat Approval for Rockwell Park Cove Subdivision at approximately 15928 S Rockwell Park in the M-1 Manufacturing Zone. (Public Hearing)**
Applicant: Scott Thorsen (authorized agent)
Acres: ±28.47
File No: S2024-140
[Item 4.5 Staff Report](#)

Planner Hoadley presented the preliminary plat for Rockwell Park Cove Subdivision, explaining that the property had numerous easements and power lines running through it, resulting in oddly shaped lots. She noted that there were five lots in total, all over one acre in size.

Scott Thorson, the applicant, was present but did not add any additional information.

Chair Powell opened the public hearing.

No comments were offered.

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

Commissioner Ferguson moved to approve item 4.5 Review and consider Preliminary Plat Approval for Rockwell Park Cove Subdivision at approximately 15928 S Rockwell Park in the M-1 Manufacturing Zone with staff's recommendations 1. The applicant continues working with engineering staff to resolve corrections before final administrative approval of the subdivision plat. 2. The applicant shall provide a cross-access easement through Lot 2 to access Lot 1.

Commissioner Jacobson 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>

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.

4.6. Review and consider a Conditional Use Permit to develop Rockwell Park Cove for Office, Warehouse, and Light Manufacturing uses at approximately 15928 S Rockwell Park in the M-1 Manufacturing Zone and the Rockwell Landing Business Park.

Applicant: Scott Thorsen (authorized agent)

Acres: ±28.47

File No: C2024-144

Item 4.6 Staff Report

Planner Hoadley continued her presentation, explaining that lots 1 and 4 of the Rockwell Park Cove subdivision had planned tenants. She noted that a previous conditional use approval for the area required any outdoor storage to be approved by the Planning Commission.

She pointed out that a portion of lots 1 and 4 would be left native due to steep grades and power line easements.

Commissioner Rypien moved to approve item 4.6 Review and consider a Conditional Use Permit to develop Rockwell Park Cove for Office, Warehouse, and Light Manufacturing uses at approximately 15928 S Rockwell Park in the M-1 Manufacturing Zone and the Rockwell Landing Business Park with staff's recommendations 1. Applicant receives and agrees to all required corrections and standards of the City. 2. Applicant must provide bicycle parking on each lot. 3. Applicant shall specify all exterior building materials for final review and approval by Planning staff. 4. Applicant shall specify all exterior light fixtures and provide product specifications for staff review to ensure compliance with adopted lighting requirements that prohibit light glare and measurable light pollution beyond property lines. 5. Applicant shall provide locations and materials for dumpster enclosures. 6. Applicant revises the proposed landscape plan with the following: a. Provide a landscape island for every ten stalls within lots 1 and 4.

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. 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 consider a recommendation to approve the 2023 recodification of Title 10 of the Herriman City Municipal Code. (Public Hearing)

Applicant: Jackie Nostrom, City Recorder

File No: Z2025-049

[Item 5.1 Staff Report](#)

City Recorder Nostrom presented the recodification of Title 10 of the Herriman City Municipal Code. She explained that the process began in 2022 to update references to state law, resolve conflicting codes, and ensure consistent formatting and numbering throughout the code.

She emphasized that the intent was not to change the regulatory intent of any portion of the code, but to remove redundancies, update state law references, and achieve consistent numbering.

The commission discussed concerns about potentially omitted sections and the process of addressing any inadvertent removals. City Recorder Nostrom assured the commission that scrivener's errors could be fixed without issue.

Chair Powell opened the public hearing.

No comments were offered.

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

The commission expressed appreciation for the effort to clean up and streamline the code. They discussed the removal of certain sections, such as appeal processes, and were reassured that these processes were still in place through references to state code.

Commissioner Fenn moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consider a recommendation to approve the 2023 recodification of Title 10 of the Herriman City Municipal Code.

Commissioner Jacobson 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.

6. Chair and Commission Comments

Commissioner Ferguson expressed concern about a trail that would be affected by the Laguna Point development. It was clarified that the trail in question was on private property.

7. Future Meetings

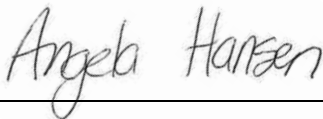
7.1. Next City Council Meeting: May 14, 2025

7.2. Next Planning Commission Meeting: May 21, 2025

8. Adjournment

Commissioner Rypien moved to adjourn the meeting at 7:43 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 07, 2025. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Deputy City Recorder



STAFF REPORT

DATE: June 4, 2025

TO: The Planning Commission

FROM: Clinton Spencer, AICP, Planning Manager

SUBJECT: Review and consider approval of a Conditional Use Permit Amendment for Rockwell Landing at 15932 S Rockwell Park Cove in the M-1 Manufacturing Zone.
Applicant: Braiden Rindlisbacher (property owner)
Acres: ±0.72
File Number: C2025-053

RECOMMENDATION:

Staff recommends that the Planning Commission approve the following findings:

- Subject to compliance with staff recommendations, the proposed plan complies with the following:
 - a. Conditional Use Standards, and
 - b. All other existing Conditional Use requirements.

Staff recommends **approval** of the Conditional Use Permit Amendment for Rockwell Landing 15932 S Rockwell Park Cove in the M-1 Manufacturing Zone with the following requirements:

1. Receive and agree to all recommendations and requirements from other departments.
2. Continue the existing public sidewalk along the frontage of the proposed site.
3. Provide an updated landscaping plan with the required sidewalk.

ISSUE BEFORE COMMISSION:

Should the Planning Commission approve the Conditional Use to approve a site plan for outdoor storage as requested?

If approved by the Planning Commission (subject to the required conditions), the applicant will continue to work with staff to make all necessary corrections before any permits are issued.

BACKGROUND & SUMMARY:

A conditional use was approved for property in the Rockwell Landing development on November 5, 2015. Due to market changes and other factors, such as the alignment of the Mountain View Corridor, the conditional use was amended in June 2024 to include additional property in the development. It was further amended in May 2025 to include the development of a construction office and a wholesale warehouse. The applicant is now proposing an additional amendment to provide outside storage for a landscaping company located within the development.

The proposed storage area is located off the existing cul-de-sac on an undeveloped lot. The applicant proposes to perform minor grading of the site and enclose the storage area with a six-foot masonry wall. Access to the site will be provided via a twelve-foot wide compacted gravel road that connects to the cul-de-sac through an existing curb cut and driveway approach. Two gates will provide access to the storage area. Landscaping will be provided along the public street as required by Herriman City Code. The proposed storage area will also be gravel. The only user of the storage area will be the landscape business currently located in the Rockwell Landing development.

DISCUSSION:

ENGINEERING REVIEW

***Staff Finding:** The Engineering Department has reviewed the proposed site plan and had no significant concerns. Any remaining minor issues can be addressed during the final review of the Engineering and Building Permit process.*

CONDITIONAL USE REVIEW (STANDARDS FROM 10-5-10.E):

According to the City Code, the use is considered as a “Contractor Sales and Service” because it is associated with a landscaping contractor's office within the development, which is a permitted use in the M-1 Manufacturing Zone. However, per the original Conditional Use approval letter, condition No. 15 requires a separate conditional use permit for any “outside storage,” and subject to compliance with the “Approval Standards” listed in 10-5-10(E) that have been summarized and reviewed below:

Consistent with the applicable objectives, goals, and policies of the General Plan

***Staff Finding:** The Future Land Use (FLU) Map in the adopted General Plan designates the subject property as an “Employment Campus/Business Park,” which is consistent with the current zoning classification of C-2 Commercial.*

According to the General Plan, the objective of the Employment Campus/Business Park land use category is:

With frontage along Mountain View Corridor and available land, Herriman is well-positioned to help fill a gap and facilitate employment opportunities for the growing Southwest region of the county. The Employment Campus areas will bring in jobs and revenue via property tax and sales tax through associated retail uses. Providing for larger clusters of job-producing uses will help facilitate efficient use of infrastructure and attract auxiliary uses. These light industrial and business park areas are important economic resources for Herriman City and the region. (Herriman General Plan, FLU-30)

Whereas the proposed use is consistent with the stated purpose of the Employment Campus/Business Park designation, and the General Plan states that the M-1 Zone is consistent with the Future Land Use Map designation of Employment Campus/Business Park, the proposal is consistent with the General Plan.

The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:

- a) Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.**

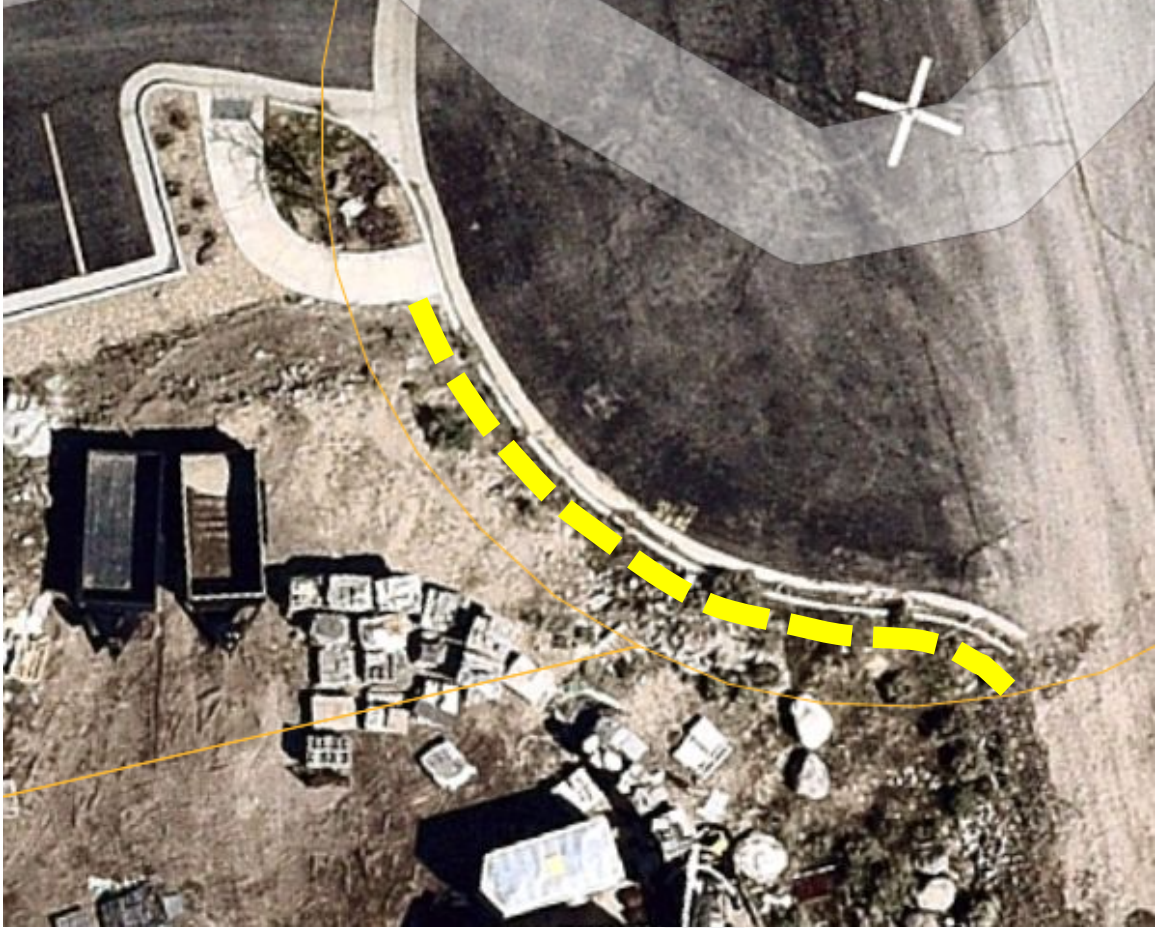
Staff Finding: Access to the site will be through an existing drive approach on the cul-de-sac. A recorded access easement also provides for access into the storage area.

- b) Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.**

Staff Finding: The Engineering Department has reviewed the plans and deemed the site and proposed plans adequate for utility systems, service delivery, and capacities.

- c) Detrimental effects on connectivity and safety for pedestrians and bicyclists.**

Staff Finding: The applicant will need to continue the existing public sidewalk along the frontage of their property (as shown in the following image).



- d) **Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.**

Staff Finding: The proposed plan shows the storage area with a six-foot-tall masonry wall for screening, which complies with City Code. Within the storage area, the applicant will install a compacted road base and a layer of gravel to mitigate dust and “vehicle-tracking” of mud and dirt from the site to the street.

- e) **Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste**

disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high groundwater, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.

Staff Finding: Concerns regarding waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading and topography, storm drainage and flood control, high groundwater, sensitive lands, and environmental health hazards have been addressed by the applicant or are not impacted by the proposal.

- f) Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.**

Staff Finding: There are no lighting or signage proposals included with this proposal.

- g) Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.**

Staff Finding: No buildings are proposed with the application, and the applicant is proposing a masonry fence to screen the storage area.

- h) Detrimental effects on the tax base and property values.**

Staff Finding: The proposal is expected to have minimal impact on property value, as no buildings are proposed for construction.

- i) Detrimental effects on the current level of economy in governmental expenditures.**

Staff Finding: The City is not providing any economic incentives to the proposed business; however, the marginal increase in property value is expected to result in a positive impact on City revenues.

- j) Detrimental effects on emergency fire service and emergency vehicle access.**

Staff Finding: The appropriate agencies have reviewed the proposed use and found no detrimental impacts on emergency fire services or vehicle access.

- k) Detrimental effects on usable open space.**

Staff Finding: No usable open space will be affected by this proposal.

- l) **Inadequate maintenance of the property and structures in perpetuity, including performance measures, compliance reviews, and monitoring.**

Staff Finding: The site is currently undeveloped, and there are no outstanding or unresolved violations or compliance issues related to the site.

ZONING ORDINANCE REVIEW

Landscaping.

Staff Finding: City code 10-23-4(D)(1)(a) requires twenty (20) feet of landscaping behind the lot lines abutting the street. The applicant is proposing landscaping but will need to update the landscaping plan to show the required public sidewalk.

Compliance with Existing Conditional Use Requirements for the Site. Below is a list of required conditions for the development of Rockwell Landing (City File No. 39C15), which was approved on November 5, 2015:

1. Meet with the Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies, including UFA.
3. Submit a landscaping plan showing types, sizes and placement of plant material to the Staff for review and final approval.
4. Building elevations to be reviewed and approved by the Planning Commission. Materials board required.
5. Install curb, gutter and sidewalk on all public streets.
6. No signs are approved with this request, separate approval will be required.
7. Install a 6 foot precast/masonry wall along the north property line adjacent to Porter Rockwell from the MVC right of way to the west side of the building on lot 2.
8. Provide a traffic study to the engineering department for review and approval.
9. The subdivision plat shall be recorded prior to a building permit being issued.
10. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.
11. The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20').
12. Screen all outside trash and dumpster areas.
13. Provide storm drain detention to meet City standards.
14. Parking shall be provided for the warehouse square footage at 1 space for each person employed during the highest employment shift. Parking for any retail space shall be provided at 1 space for each 200 square feet of retail floor space.
15. Any outside storage needs to come back to the Planning Commission for a separate conditional use permit.
16. The property adjacent to the future Mountain View Corridor shall be landscaped. This can be done with water wise landscaping.

Staff Finding: *As stated above, condition number 15 requires the Planning Commission to review the proposal. Although all previous development requirements will remain in effect, any additional conditions for the proposed amendment will be documented and retained in City records and limited to the Subject Property described within City File No. C2025-053.*

In conclusion, City staff has determined that the applicant's request is consistent with the applicable standards and requirements and recommends approval by the Planning Commission, subject to the conditions listed above.

ALTERNATIVES:

The Planning Commission may consider the following alternative actions when voting on the proposal:

Alternatives	Recommendation	Considerations for Alternative	Considerations against Alternative
Approve proposal as submitted		Approval facilitates commercial growth within the City	Without staff recommendations, the proposal does not address site-specific conditions observed by staff
Approve proposal with Staff recommendations	Yes	Approval facilitates commercial growth within the City	With staff recommendations, the site-specific issues are addressed
Postpone proposal (with or without date)		Commission may identify additional issues that warrant further research and review. A motion to postpone should identify what additional information is required	Staff has not identified any issues that warrant postponement
Deny proposal		Commission may deny the proposal due to failure to comply with City standards. A motion to deny the proposal should include one or more findings of non-compliance and identify the applicable standard	Staff has not identified any findings that warrant denial

ATTACHMENTS:

- A. Application
- B. Vicinity Map
- C. Site, Landscape, Grading Plan
- D. Plat
- E. Existing Conditional Use Approval



Conditional Use Application

PROPERTY INFORMATION			
Property Address: 15932 S Rockwell Park Cove			
Parcel Numbers: 33221510040000			
Acres: 0.72		Proposed building square footage:	
Request: Outdoor Screened Storage			
APPLICANT INFORMATION			
Name of Applicant: Braiden Rindlisbacher			
Address of Applicant: [REDACTED]			
Email of Applicant: [REDACTED]		Phone: [REDACTED]	
Applicants Affiliation with the Subject Property:			
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Engineer <input type="checkbox"/> Architect <input type="checkbox"/> Other			
Engineer: (if not listed above) Jason Thompson			
Email of Engineer: [REDACTED]		Phone of Engineer: [REDACTED]	
Architect: (if applicable) n/a			
Email of Architect n/a		Phone of Architect: n/a	
Property Owner: (if not listed above)			
Email of Owner:		Phone:	
OFFICE USE ONLY			
Date Received:	Received By:	File Number:	Fee:
Zone:	Assigned Planner:		Receipt #

APPLICANT'S AFFIDAVIT

State of Utah)
City of Herriman)

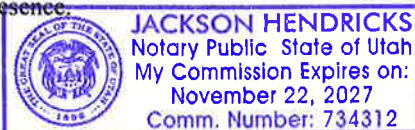
I (we), Braiden Rindlisbacher, being duly sworn, depose and say that I (we) am (are) the owner(s) or authorized agent(s) of owner, of property involved in the attached application and that the statements and answers contained herein in the attached plans and other exhibits thoroughly, to the best of my (our) ability, present the argument in behalf of the application requested herewith and that the foregoing statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

Signed _____

STATE OF UTAH)
COUNTY OF SALT LAKE)

On this 6th of February, in the year 2023, before me Braiden Rindlisbacher personally appeared _____, proved to me through satisfactory evidence of identification, which was Primary License, to be the person whose name is signed on the preceding document in my presence.

Notary Signature _____



*May be owner of record, contract owner, party to valid earnest money agreement, option holder or have other legal control of the property.

AGENT AUTHORIZATION

I (we), _____, the owner(s) of the real property at _____, Herriman, Utah, do hereby appoint _____ as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City Boards considering this application.

Signed _____

STATE OF UTAH)
COUNTY OF SALT LAKE)

On this _____ of _____, in the year 20____, before me _____, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document in my presence.

Notary Signature _____



Conditional Use Checklist		City Use Only	
Applicant Submitted	All information should be submitted electronically to planning@herriman.org	Accepted	N/A Initials
Initial <input checked="" type="checkbox"/>	Conditional Use Application, including a description of the proposed use and the appropriate fee		
Initial <input checked="" type="checkbox"/>	A statement by the applicant demonstrating how the conditional use permit request meets the approval standards (See attached)		
<input checked="" type="checkbox"/>	Site Plan submittal information (Land Development Code 10-5-12), which includes:		
Site plan showing the following:			
Initial <input checked="" type="checkbox"/>	All infrastructure and development facilities related to the project located within two hundred fifty feet (250') of the site boundary		
Initial <input checked="" type="checkbox"/>	Layout, dimensions, and names of existing and future road rights-of-way		
Initial <input checked="" type="checkbox"/>	Project name, north arrow, and tie to a section monument		
Initial <input checked="" type="checkbox"/>	The boundary lines of the project site with bearings and distances		
Initial <input checked="" type="checkbox"/>	Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas		
Initial <input checked="" type="checkbox"/>	Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, and mechanical equipment		
Initial <input checked="" type="checkbox"/>	Location of man-made features including irrigation facilities, bridges, railroad tracks, and buildings		
Initial <input checked="" type="checkbox"/>	A tabulation table, showing total gross acreage, square footage of street rights-of-way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density		
Initial <input checked="" type="checkbox"/>	Identification of property, if any, not proposed for development		
Grading and drainage plan showing the following:			
Initial <input checked="" type="checkbox"/>	North arrow, scale, and site plan underlay		
Initial <input checked="" type="checkbox"/>	Topography contours at two foot (2') intervals		
Initial <input checked="" type="checkbox"/>	Areas of substantial earth moving with an erosion control plan		
Initial <input checked="" type="checkbox"/>	Location of existing water courses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water		
Initial <input checked="" type="checkbox"/>	Location of any designated FEMA floodplain and/or wetland boundaries;		
Initial <input checked="" type="checkbox"/>	Direction of stormwater flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off-site facilities, and off-site drainage facilities when necessary based on adopted City standards and specifications; and		



Utility plan showing the following:			
Initial <u>X</u>	North arrow, scale, and site plan underlay		
Initial <u>X</u>	All existing and proposed utilities including, but not limited to, sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and street lights		
Initial <u>n/a</u>	Minimum fire flow required by the Building Code for the proposed structures, and fire flow calculations at all hydrant locations		
Initial <u>X</u>	Location and dimensions of all utility easements		
Initial <u>n/a</u>	A letter from each utility provider, other than the City, addressing the feasibility and their requirements to serve the project;		
Initial <u>X</u>	Landscaping plan, consistent with the requirements of chapter 23 of this title		
Building elevations for all buildings showing the following:			
Initial <u>n/a</u>	Accurate front, rear, and side elevations drawn to scale		
Initial <u>n/a</u>	Exterior surfacing materials and colors, including roofing material and color		
Initial <u>n/a</u>	Outdoor lighting, furnishings, and architectural accents		
Initial <u>n/a</u>	Location and dimensions of proposed signs		
Initial <u>X</u>	Where one or more conditions of unusual soil, vegetation, geology, or slope exist, resulting in increased fire, flood, or erosion hazards, traffic circulation problems, sewage disposal problems, or potential property damage from extensive soil slippage and subsidence, an applicant shall, upon request of the Planning Commission or City Engineer, provide contour and drainage plans, cut and fill specifications, and soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any event such plans and reports shall be reviewed and approved by the City prior to final approval of a site plan;		
The following documents:			
Initial <u>n/a</u>	Any agreements with adjacent property owners regarding development of the site		
Initial <u>n/a</u>	Evidence of compliance with applicable Federal, State, and local laws and regulations, if requested by the Planning Commission or Community Development Director		
Initial <u>n/a</u>	A traffic impact analysis, if requested by the Planning Commission or City Engineer		
Initial <u>n/a</u>	Warranty deed and preliminary title report or other document showing the applicant has control of the property		
Initial <u>X</u>	Parcel maps from the County Recorder's Office showing the subject property and all property located within four hundred feet (400') thereof.		



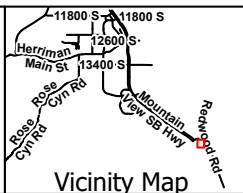
CONDITIONAL USE STANDARDS

Approval Standards: A conditional use permit shall run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use. All conditional uses shall meet the following standards:

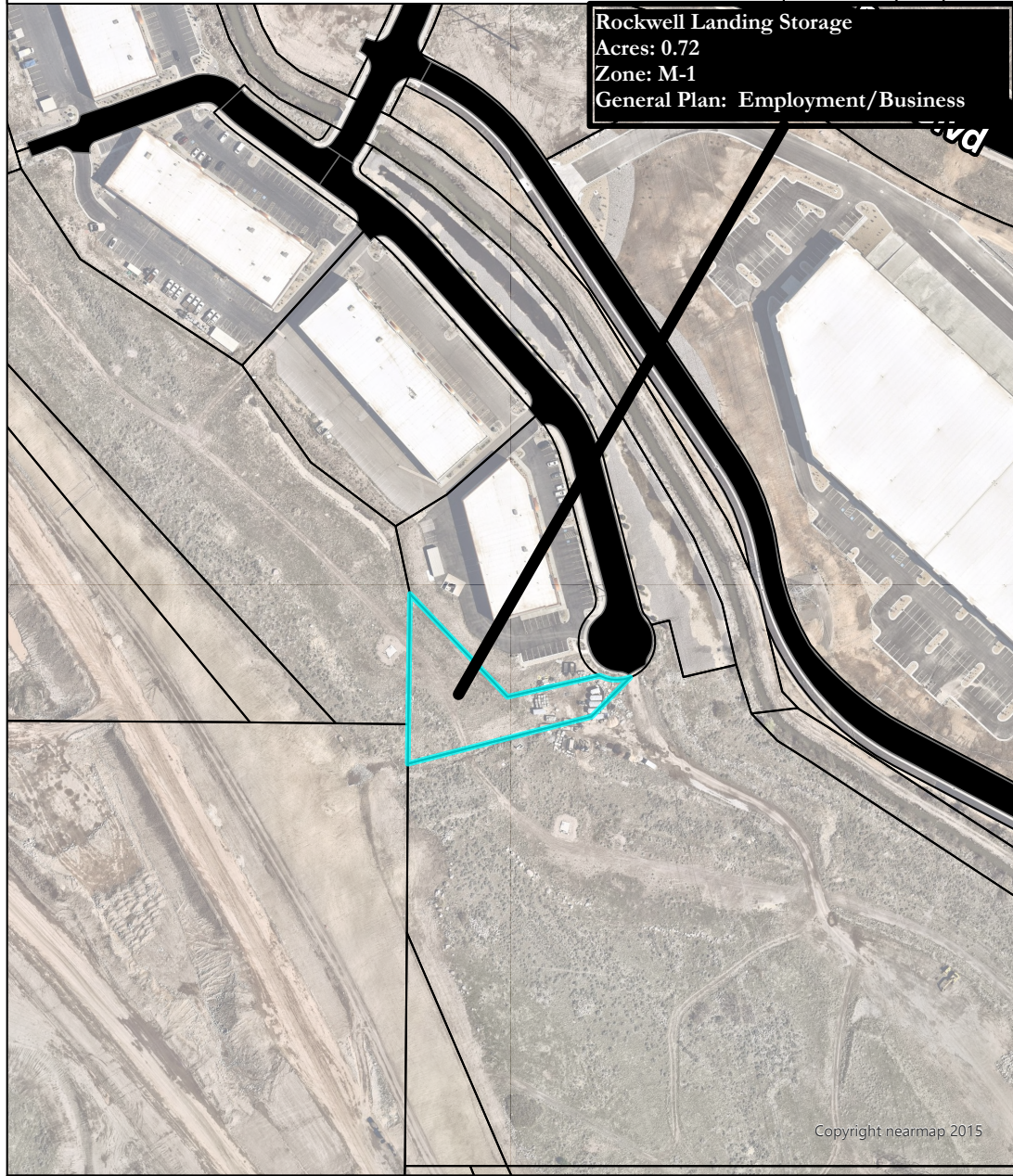
1. The proposed conditional use shall comply with City, State, and Federal codes as applicable to the site where the conditional use will be located.
2. The proposed conditional use is consistent with the applicable objectives, goals, and policies of the General Plan.
3. The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:
 - a. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
 - b. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
 - c. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
 - d. Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.
 - e. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
 - f. Detrimental effects of modifications to or installation of signs and exterior lighting

- that conflict with neighborhood compatibility.
 - g. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
 - h. Detrimental effects on the tax base and property values.
 - i. Detrimental effects on the current level of economy in governmental expenditures.
 - j. Detrimental effects on emergency fire service and emergency vehicle access.
 - k. Detrimental effects on usable open space.
 - l. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
4. Conditions may be imposed as necessary to conform the proposed conditional use permit to the requirements set forth in subsection E of this section. Such conditions shall be expressly set forth in the approval authorizing the conditional use.

Rockwell Landing Outdoor Storage
15932 S Rockwell Park Cove

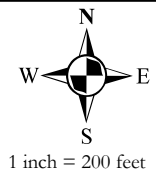
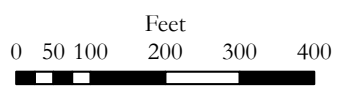


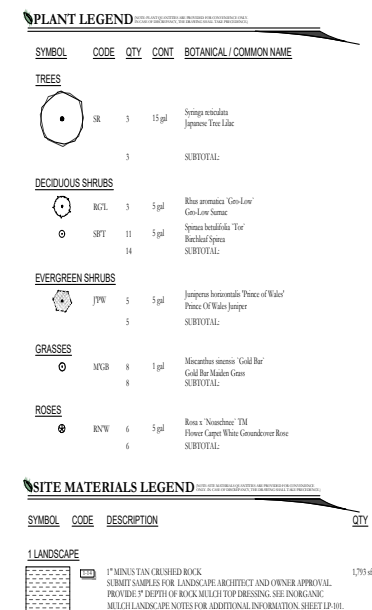
Rockwell Landing Storage
Acres: 0.72
Zone: M-1
General Plan: Employment/Business



Copyright nearmap 2015

Herriman Planning & Zoning





74



November 6, 2015

Kim Rindlisbacher
14572 S 790 W, A100
Bluffdale, UT 84065

Re: File Number 39C15

Dear Mr. Rindlisbacher:

The Herriman Planning Commission at their regular meeting on November 5, 2015, granted approval to your request for a business park on property located at approximately 15800 S Camp Williams Road. The approval is subject to the following conditions:

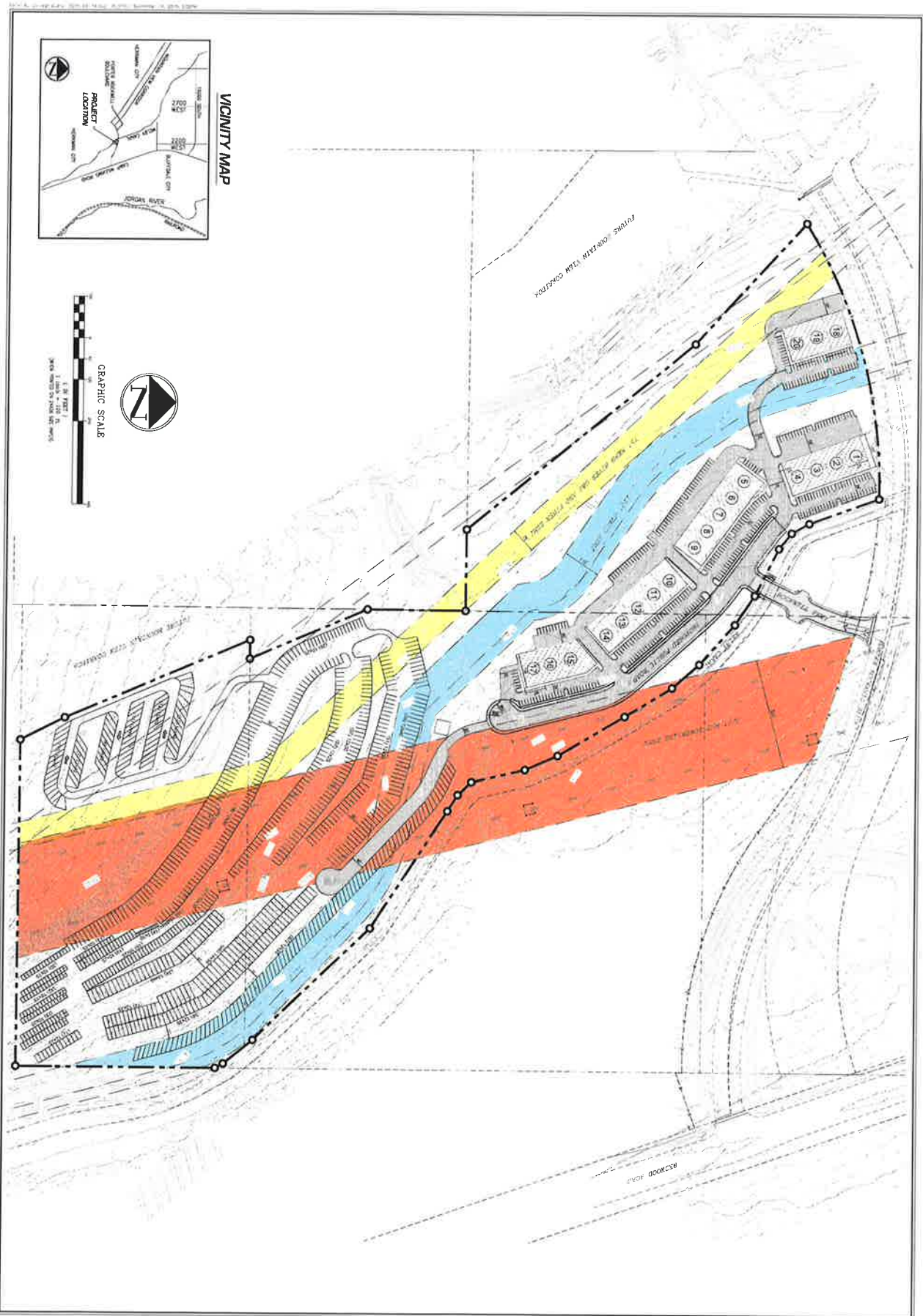
1. Meet with the Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies, including UFA.
3. Submit a landscaping plan showing types, sizes and placement of plant material to the Staff for review and final approval.
4. Building elevations to be reviewed and approved by the Planning Commission. Materials board required.
5. Install curb, gutter and sidewalk on all public streets.
6. No signs are approved with this request, separate approval will be required.
7. Install a 6 foot precast/masonry wall along the north property line adjacent to Porter Rockwell from the MVC right of way to the west side of the building on lot 2.
8. Provide a traffic study to the engineering department for review and approval.
9. The subdivision plat shall be recorded prior to a building permit being issued.
10. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.
11. The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20').
12. Screen all outside trash and dumpster areas.
13. Provide storm drain detention to meet City standards.
14. Parking shall be provided for the warehouse square footage at 1 space for each person employed during the highest employment shift. Parking for any retail space shall be provided at 1 space for each 200 square feet of retail floor space.
15. Any outside storage needs to come back to the Planning Commission for a separate conditional use permit.
16. The property adjacent to the future Mountain View Corridor shall be landscaped. This can be done with water wise landscaping.

For questions concerning the engineering process please contact Augusto Robles. If you have any other questions please contact the Planning Department during regular business hours.

Sincerely,

Heather Upshaw, AICP
Senior Planner
planning@herriman.org

13011 S. Pioneer Street • Herriman, Utah 84096
(801) 446-5323 office • (801) 446-5324 fax • herriman.org



SHEET NO.
CP-1

DATE: 10/1/2010
BY: J. HERRIMAN
CHECKED: J. HERRIMAN
APPROVED: J. HERRIMAN

ROCKWELL LANDING BUSINESS PARK
OVERALL CONCEPT PLAN
HERRIMAN, UTAH

NO.	DATE	BY	DESCRIPTION
1	10/1/2010	J. HERRIMAN	INITIAL DESIGN
2			
3			
4			

SEAL

PROFESSIONAL ENGINEER

UTAH

NO. 10000

EXPIRATION DATE 12/31/2012



JH
ENGINEERING