



CITY COUNCIL AGENDA

Wednesday, December 10, 2014

NOTICE IS HEREBY GIVEN that the Herriman City Council shall assemble for a Meeting in the City Council Chambers, located at 13011 South Pioneer Street (6000 West), Herriman, Utah.

5:00 PM - WORK MEETING: (*Front Conference Room*)

COUNCIL BUSINESS

- A. Review of this evening's agenda
- B. Administrative Reports
 - 1. Arts Council budget discussion – James Crane, Arts Council Chair
 - 2. Victim Advocacy discussion – Lieutenant Troy Carr, Unified Police Department
 - 3. Operations Department Update – Monte Johnson, Operations Director
 - 4. Water Department Updates – Justun Edwards, Water Director
 - 5. Discussion regarding the 2015 meeting schedule – Bryn McCarty, City Planner and John Brems, City Attorney
 - 6. Discussion pertaining to Community Development notice procedures – Bryn McCarty, City Planner
 - 7. Other Updates
- C. Adjournment

7:00 PM - GENERAL MEETING:

1. CALL TO ORDER

- A. Invocation and Pledge
- B. Approval of the Minutes
- C. Mayor's Comments
- D. Council Recognitions

November 19, 2014

2. PUBLIC COMMENT: *Audience members may bring any item to the Mayor and Council's attention. Comments will be limited to two or three minutes. State Law prohibits the Council from acting on items that do not appear on the agenda.*

3. PUBLIC HEARING AGENDA

- A. Public Hearing to discuss the environmental report that have been developed to examine potential environmental impacts associated with the Herriman City Water Tank project – Justun Edwards, Water Director
- B. Public Hearing and consideration of an ordinance adopting the Storm Drain Impact Fee Enactment – Blake Thomas, City Engineer

4. CONSENT AGENDA

- A. Approval of a Resolution adopting the 2015 Annual Meeting Schedule – Jackie Nostrom, City Recorder
- B. Approval of an Ordinance to ban the use of fireworks and any open flame fires within certain areas of Herriman City – Brett Wood, City Manager
- C. Approval of an Ordinance amending a Plat named Sunrise Pointe Phase 1 to Sunrise Heights Phase 1 – Blake Thomas, City Engineer

- D. Approval of a Resolution to repeal the rate increase for the Wasatch Front and Recycling District – Brett Wood, City Manager
- E. Approval of the 2014 Water Conservation Plan – Justun Edwards, Water Director
5. DISCUSSION AND ACTION ITEMS
- A. Discussion and consideration of an Ordinance to rezone 13849 South 7530 West from A-1 (Agricultural Min. 1 Acre) to A-.25 (Agricultural Min. 10,000SF) (14Z14) – Bryn McCarty, City Planner
- B. Discussion and consideration of an Ordinance to rezone 13841 South 7530 West from A-1 (Agricultural Min. 1 Acre) to A-.25 (Agricultural Min. 10,000SF) (File No. 15Z14) – Bryn McCarty, City Planner
6. MAYOR AND COUNCIL COMMENTS
7. CALENDAR
- A. Meetings
- December 18 – Planning Commission 7:00 p.m.
 - January 15 – Planning Commission 7:00 p.m.
 - January 9-10 – Budget Retreat
 - January 14 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.
- B. Events
- December 24 – Christmas Eve; City Offices Closed
 - December 26 – Christmas Day; City Offices Closed
 - January 1 – New Years’ Day; City Offices Closed
8. ADJOURNMENT
9. RECOMMENCE TO WORK MEETING (IF NEEDED)
10. CLOSED SESSION (IF NEEDED)
- A. *The Herriman City Council may convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*
11. SOCIAL GATHERING (No action will be taken on any items)
- A. Social gathering will take place at Wendy’s; 5600 West 13400 South, Herriman, Utah

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. To request assistance, contact Herriman City at (801) 446-5323. Please 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.

CITIZEN COMMENT POLICY AND PROCEDURE

During each regular Council meeting there will be a citizen comment time. The purpose of this time is to allow citizen’s access to the Council. Citizens requesting to address the Council will be asked to complete a written comment form and present it to Jackie Nostrom, City Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist the citizen; direct the citizen to the proper administrative departments; or take no action.

Certificate of Posting

I, Jackie Nostrom, the duly appointed, qualified, and acting City Recorder of Herriman City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the agenda; it was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body. Also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on Herriman City’s website at www.herriman.org

Posted and Dated this 3rd day of December 2014

Jackie Nostrom, CMC
City Recorder



SPECIAL CITY COUNCIL MINUTES

Wednesday, November 19, 2014

Amended November 18, 2014 @ 4:00 P.M.

Awaiting Formal Approval

The following are the minutes of the Special City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, November 19, 2014 at 5:00 p.m.** in the Herriman City Community Center Council Chambers, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

Presiding:

Mayor Carmen Freeman

Council Members Present:

Mike Day, Matt Robinson, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:

Brett geo. Wood, City Manager
Gordon M. Haight II, Assistant City Manager
Tami Moody, Director of Administration & Communications
Jackie Nostrom, City Recorder
John Brems, City Attorney
Alan Rae, Finance Director
Danie Bills, Events Manager
Blake Thomas, City Engineer
Bryn McCarty, City Planner
Dwayne Anjewierden, Chief of Police
Clint Smith, Unified Fire Authority Chief
Justun Edwards, Water Director
Cathryn Nelson, Chief Building Official

5:00 PM - WORK MEETING: *(Front Conference Room)*

5:11:06 PM COUNCIL BUSINESS

Mayor Carmen Freeman called the meeting to order.

COUNCILMEMBER CORALEE WESSMAN-MOSER MOVED TO REORDER THE AGENDA.
COUNCILMEMBER MIKE DAY SECONDED THE MOTION, AND ALL VOTED AYE.

A. [5:11:50 PM](#) Discussion of a resolution adopting the Bylaws of the Herriman City Youth Council – Michelle Baguley, Youth Council Mentor

Youth Council Mentor Michele Baguley presented the proposed constitutional documents for the Youth City Council, and introduced each member of the Youth City Council. Youth Council City Recorder Sarah Hale informed the Council that the Constitution Committee had rewritten the bylaws to have a more specific structure, and asked for any comments or recommendations. Councilmember Moser commended the Youth Council on their phenomenal draft of the constitutional documents. She offered minor changes to the documents, and asked how it was determined to require each member to attend six City Council or Planning Commission meetings during the year. Recorder Hale explained that attending meetings is the best way to learn about actual city government, and attending six meetings a year would provide balance of only having to attend one meeting every other month. The Youth Council agreed.

Mayor Freeman recommended that advisors should ensure that the Youth Council comply with their respective duties and responsibilities. Recorder Hale asked for clarification. Mayor Freeman expressed his support for members of the Youth Council to be held accountable for duties associated with their appointment. Councilmember Moser suggested that the documents be presented to the City Council for review at the next meeting. Recorder Hale confirmed.

Councilmember Craig B. Tischner thanked the Youth Council for their presentation. He extended his appreciation to Youth Council Mentors Michelle Baguley and Raquel DeLuca for their contribution to the Youth Council. Councilmember Moser suggested that the Youth Council conduct a presentation to the City Council on an annual or semi-annual basis.

A. Review of this evening's agenda

B. Administrative Reports

6. [5:24:15 PM](#) Discussion regarding Open Space and Trails – Brett Wood, City Manager

City Manager Brett Wood reminded the Council of the proposal made to utilize a portion of open space, and requested their direction. He relayed concerns of overlooked maintenance and continual garbage that continues to be found on the property. The Council expressed their support to maintain the trails and open space for preservation, and suggested that maintenance should be enhanced. City Manager Wood concurred. Councilmember Day indicated that connectivity is essential in the community where residents value open space and trails. Councilmember Moser recommended cost estimates to be presented to the Council to install appropriate barricades to keep motorized vehicles off the property. City Manager Wood confirmed.

7. [5:32:42 PM](#) Other Updates

Water Director Justun Edwards suggested that the proposed Special Assessment Area should not continue to move forward, and recommend that the Council make a formal motion to abandon the intention to designate the Special Assessment Area. The Council agreed.

Chief of Policy Dwayne Anjewierden relayed a life-saving incident of an infant to the Council, and expressed his appreciation to the responders as well as everyone who assisted in the event. City Manager commended the Unified Police Department for the amazing service that was offered. Mayor Freeman thanked Chief Anjewierden for the report.

1. [5:38:55 PM](#) **City Council Retreat agenda discussion** – Brett Wood, City Manager
City Manager Brett Wood presented a tentative agenda for the retreat in January, and asked for any comments or recommendations. Councilmember Moser stated that she felt comfortable with the agenda as presented. Mayor Freeman questioned the Friday timeline, and suggested not having dinner with significant others to increase flexibility. Councilmember Tischner agreed.

2. [5:36:44 PM](#) **2015 Mayor Pro Tempore discussion** – Brett Wood, City Manager
City Manager Brett Wood informed the Council that the Mayor Pro Tempore timeline will expire the beginning of January, and asked for Council recommendations. Councilmember Tischner indicated that availability for the position is extremely important. Councilmember Moser recommended that the Mayor speak with each member of the Council individually to determine their desire.

3. [5:45:22 PM](#) **Planning Update** – Bryn McCarty, City Planner
City Planner Bryn McCarty offered a quick update of planning projects and recent Planning Commission approvals. She reviewed potential annexations, and noted that the applicant has been made aware that they would be required to pay for infrastructure. Planner McCarty offered a brief synopsis of the Anthem Development and the issue of rezoning the property to MU-2 designation. She offered an explanation of the mixed-use residential component, and explained that the original application requested the C-2 zone. She relayed the Planning Commission recommendation to keep the same overall density to seven units per acre, as well as the following zoning conditions:

1. Funding and construction of the Anthem Park Blvd off-ramp from Mountain View Corridor shall begin immediately, representing an infrastructure investment of approximately \$1.3 million dollars to greatly enhance the commercial and mixed use opportunities in the MU-2 area.
2. Provide agreements to Herriman City stating that the funding, construction and right-of way acquisition expenditures relative to Anthem Station Drive are to be borne by the developer(s) and not Herriman City, other than the standard transportation impact fees that would generally be applied toward a system-wide city road improvement project.
3. No residential units shall be approved and/or constructed on the MU-2 property, until commercial/office building permit(s) have been approved by the City and construction of such has commenced.
4. No residential units shall be constructed on the Anthem property, located in the southwest portion of the project (approximately 85 acres) until commercial construction has commenced.
5. The Anthem Park needs to be built next year. (the large rope park)

6. Maintain access to the school district property in the 85 acres.
7. If no commercial development has been started in the next 10 years, reduce the density on the 85 acres to 3 units per acre, a maximum of 255 single family units, and lose the remaining density on the project.
8. Modify condition #3 and #4 below to state that a large commercial user of greater than 50,000 square feet must be under construction prior to any of the residential in the commercial area or 85 acres. A building with a smaller square footage may be acceptable with approval from the City Council.

Planner McCarty informed the Council that the Planning Commission will approve the Site at the November 20, 2014 meeting. Councilmember Moser indicated that the important element in approving the MU-2 zoning is contingent upon agreements. Mayor Freeman suggested stating the contingencies in the motion, and that the concepts would have to be enforceable. Councilmember Moser expressed her concern that the commercial portion of the development needs to be quantified, and leaving a caveat available to the Council to modify the conditions to allow the commencement of residential construction. Planner McCarty recommended approving the zoning and drafting a development agreement that would outline the zoning conditions.

4. [6:18:41 PM Engineering Update](#) – Blake Thomas, City Engineer
City Engineer Blake Thomas offered capital project update of current projects that are in construction, in design, and observed ongoing items. Water Director Justun Edwards explained that the water tank project is moving forward, and that the plans are at the Division of Drinking Water for approval.

5. [6:11:35 PM Discussion pertaining to Gina Road](#) – Bryn McCarty, City Planner
City Planner Bryn McCarty oriented the Council to Gina Road and observed the section of unpaved road. She explained that the owner would like to subdivide the parcel into two lots and sell the property as buildable lots, but ordinances require the City to gain right-of-way acquisition and pavement. Assistant City Manager Gordon Haight explained that residents have expressed their desire to leave the dirt road intact. He recommended the property owner donate 33' of property for right of way improvements and to pay a fee in lieu of paving the road, so the funds would be available when the road would be improved. Councilmember Moser asked for a policy to be drafted and research be conducted to identify how many unique parcels could be in this type of situation. City Planner McCarty confirmed.

C. [6:28:57 PM Adjournment](#)

COUNCILMEMBER TISCHNER MOVED TO ADJOURN THE WORK MEETING.
COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL VOTED AYE.

10. [6:54:34 PM Recommence to Work Meeting \(If Needed\)](#)

COUNCILMEMBER DAY MOVED TO RECOMMENCE THE WORK MEETING.
COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND ALL VOTED AYE.

3. [6:54:42 PM](#) **Planning Update** – Bryn McCarty, City Planner

Think Architecture Principal Tim Soffe relayed the frustration of Mr. Doug Young regarding the zoning conditions for the Anthem Development. He explained that an individual cannot control the type, size and timeframe that a commercial development be constructed in a development. Principal Soffe expressed his opinion that those items are strictly market dependent, and suggested the provisions of the size of the commercial establishment and the reduction in density be removed from the zoning conditions. Councilmember Moser responded that the caveat would allow negotiations to reduce the size of the establishment, and to guarantee that commercial development would be constructed. She expressed her concern of commercial development being interpreted as something as minimal as a snow shack.

[7:02:01 PM](#) *Councilmember Matt Robinson arrived.*

Councilmember Day agreed, and relayed examples of developments that never followed through with ensured commercial development. Councilmember Moser acknowledged that higher density would be needed to support commercial growth; however, if no commercial development is implemented then the higher density would not be essential. Principal Soffe reiterated that an individual cannot guarantee those conditions will be met. Mayor Freeman reminded the Council that commitments have already been rendered for the total amount of units. Councilmember Moser responded that the units weren't approved as apartments. She acknowledged that the commercial vision may not materialize; which consequently, the caveat would be there to allow further negotiations.

Principal Soffe relayed his concern that the reduction in units is unreasonable. Councilmember Moser suggested that the reduction in residential units would be Mr. Young's commitment to ensure that commercial development will occur. Principal Soffe responded that condition would reduce the previously vested amount of units. Councilmember Moser offered a brief background of how the timeframe was determined. Councilmember Day questioned whether the developer believed that commercial development would happen.

Councilmember Tischner expressed his concern of the City not being sustainable. Mayor Freeman explained the setbacks that the City would be faced with if the rezone is denied. Councilmember Matt Robinson observed the strategic commercial location, and noted that there is limited opportunity for a southwest commercial center. Principal Soffe reiterated the concerns of Mr. Young, and added that he would commit to all of the other outlined conditions.

Mayor Freeman relayed his position of being unfavorable to apartments, but recognized the importance of commercial development. Councilmember Day responded that in previous discussions it was determined that apartments are necessary to bring commercial development. Councilmember Tischner explained that the proposed development neighbors adjacent communities that are likely to be lined with high density, and Herriman City could benefit by capturing those tax dollars. Councilmember Moser asked if Mr. Young would be

willing to commit to a reduction in the size of the commercial establishment. Principal Soffe declined. Councilmember Robinson indicated that the developer would be taking a significant risk in hoping that the units would bring the commercial center. He asked if Mr. Young was aware that his credibility would be on the line with Herriman City if this project did not occur. Mr. Soffe verified.

Councilmember Tischner reminded the Council that the proposed units are not subsidized; they are high end apartments. He expressed his belief in the vision of the developer, and would support the development. Councilmember Day thanked Councilmember Tischner for relaying his position on the issue. Councilmember Tischner added that no resident would be willing to increase taxes, and the City needs other sources of revenue in order to become sustainable.

D. [7:32:21 PM](#) Adjournment

COUNCILMEMBER DAY MOVED TO ADJOURN THE WORK MEETING. COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND ALL VOTED AYE.

7:00 PM - GENERAL MEETING:

1. [7:37:58 PM](#) CALL TO ORDER

Mayor Freeman called the meeting to order and welcomed everyone in attendance.

A. [7:38:27 PM](#) Invocation and Pledge

Scout Troop Master Brian Verwer offered the invocation. Scout Troop #4344 led the audience in the Pledge of Allegiance.

B. [7:41:48 PM](#) Approval of the Minutes

October 29, 2014

COUNCILMEMBER TISCHNER MOVED TO APPROVE THE MINUTES OF OCTOBER 29, 2014 AS WRITTEN. COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

C. Mayor's Comments

There was no comment offered.

D. Council Recognitions

There were no Council recognitions.

2. [7:41:22 PM](#) PUBLIC COMMENT

There was no public comment offered.

3. [7:42:08 PM](#) CONSENT AGENDA

A. Consideration of a resolution to appoint a member of the governing board of trustees of the South Salt Lake Valley Mosquito Abatement District – John Brems, City Attorney

B. Consideration of a resolution approving an Equipment Lease Agreement with Zions First National Bank – Alan Rae, Finance Director

COUNCILMEMBER TISCHNER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN. COUNCILMEMBER DAY SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Absent
Councilmember Craig B. Tischner	Aye
Councilmember Coralee Wessman-Moser	Absent
Mayor Carmen Freeman	Aye

The motion passed unanimously with Councilmember Robinson and Councilmember Moser being absent.

4. REPORTS, PRESENTATIONS AND APPOINTMENTS

- A. [7:43:10 PM](#) **Consideration of a resolution appointing a City Treasurer as provided by Herriman City Code §1-7-3(A)** – Jackie Nostrom, City Recorder
City Recorder Jackie Nostrom reported that after the City Treasurer interviews, it has been recommended that Ms. Leslie Anglin be appointed as the new City Treasurer.

COUNCILMEMBER DAY MOVED TO APPROVE RESOLUTION NO. 14.32 APPOINTING LESLIE ANGLIN AS THE CITY TREASURER. COUNCILMEMBER TISCHNER SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Coralee Wessman-Moser	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

Recorder Nostrom administered the Oath of Office for City Treasurer Leslie Anglin.

5. [7:46:30 PM](#) PUBLIC HEARING AGENDA

- A. [7:46:32 PM](#) **Public Hearing and consideration of a resolution approving an amendment to the Herriman City 2014-2015 fiscal year budget** – Alan Rae, Finance Director
Finance Director Alan Rae informed the Council that the budget amendment was for consideration of an additional \$45,000 for the purchase of two lighted informational signs. The original approved amendment was determined that the size of the screens were not adequate. He relayed staff recommendation to the Council. Councilmember Tischner expressed his desire to continue this item to offer additional time to reconsider the design of the sign for blending purposes. He expressed his desire to reinvest the money into City Hall. Councilmember Moser indicated that she understood the position of Councilmember Tischner; however, recommended moving forward with the budget amendment. She added that the architectural style of the signs would blend in appropriately. Director Rae

responded that the Council would have to approve the expenditure of funds prior to the purchase of the communication boards. Mayor Freeman added that the logistics of the sign could be altered.

Mayor Freeman declared the public hearing portion of the meeting opened.

Mr. David Watts, 14461 South Windom Road expressed his support for the communication signs, and encouraged that some considerations should be addressed.

COUNCILMEMBER DAY MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER ROBINSON SECONDED THE MOTION, AND ALL VOTED AYE.

COUNCILMEMBER DAY MOVED TO APPROVE RESOLUTION NO. 14.33 APPROVING AN AMENDMENT TO THE 2014-2015 FISCAL YEAR BUDGET. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Aye
Councilmember Craig B. Tischner	Nay
Councilmember Coralee Wessman-Moser	Aye
Mayor Carmen Freeman	Aye

The motion passed with a vote of 4:1

6. DISCUSSION AND ACTION ITEMS

A. 7:56:59 PM Discussion and consideration of a resolution adopting the Bylaws of the Herriman City Youth Council – Jackie Nostrom, City Recorder

Mayor Freeman informed the audience that this item will be continued to a future City Council meeting.

COUNCILMEMBER TISCHNER MOVED TO CONTINUE THE RESOLUTION APPROVING THE HERRIMAN CITY YOUTH COUNCIL OFFICES AND RESPONSIBILITIES AND CHARTER. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Absent
Councilmember Craig B. Tischner	Aye
Councilmember Coralee Wessman-Moser	Absent
Mayor Carmen Freeman	Aye

The motion passed unanimously.

B. [7:57:47 PM](#) Discussion and consideration of a resolution encouraging partnership with the State of Utah to address transportation funding – Blake Thomas, City Engineer

City Engineer Blake Thomas presented the roadway maintenance funding and relayed today's realities and tomorrow's options. He reviewed the fuel tax revenues, and noted that Utah has the 24th lowest motor fuel tax rate among the United States. The motor fuel tax is the primary transportation funding source for cities. Engineer Thomas explained that the 24.5 cent fuel tax authorized in 1997, when adjusted for inflation would need to be increased to 36 cents. 30% of the tax collected goes to local governments and the remaining 70% goes to the Utah Department of Transportation (UDOT). Mayor Freeman asked if the funds would be placed in the City's General Fund. Finance Director Alan Rae confirmed, and noted that the funds are required to be utilized for road maintenance.

Engineer Thomas explained the maintenance funding options and the tax adjustment, and noted that the numbers would be provided next week. Mayor Freeman stated that this increase is needed to help sustain cities road maintenance. Councilmember Day expressed his support of the increase. Councilmember Moser noted that she was in favor of the local option that gives the Council the ability to request opinion from residents. Engineer Thomas relayed that the study would verify if the funds will solely go to local municipalities, how the funds may be utilized, and how allocation to the municipalities would work. Mayor Freeman asked the Council if they would approve the resolution offering support and contribute \$1,000 for advertising and other amenities to the State of Utah.

City Manager Brett Wood thanked Engineer Thomas for the presentation, and expressed his appreciation for the contribution his employment has brought to Herriman City.

COUNCILMEMBER DAY MOVED TO APPROVE RESOLUTION NO. 14.35 ENCOURAGING PARTNERSHIP WITH THE STATE OF UTAH TO ADDRESS TRANSPORTATION FUNDING SHOWING SUPPORT IN THIS RESOLUTION IN REGARDS TO THE .25 CENT SALES TAX INCREASE, AS WELL AS \$1,000 TO PARTICIPATE IN THE STUDY. COUNCILMEMBER MOSER SECONDED THE MOTION. (RENUMBERED TO RESOLUTION NO. 14.34 TO KEEP SEQUENTIAL ORDER)

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Absent
Councilmember Craig B. Tischner	Absent
Councilmember Coralee Wessman-Moser	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously with Councilmember Robinson and Councilmember Tischner being absent.

C. [8:21:23 PM](#) Consideration to approve an amendment to the Storm Drain Master Plan – Blake Thomas, City Engineer

City Engineer Blake Thomas stated that the Storm Drain Master Plan has been reviewed by the Council, and recommended approval of the Ordinance. He asked if there were any questions. There were none.

COUNCILMEMBER MOSER MOVED TO APPROVE ORDINANCE NO. 14-40 ADOPTING AN AMENDMENT TO THE STORM DRAIN MASTER PLAN. COUNCILMEMBER DAY SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Absent
Councilmember Craig B. Tischner	Absent
Councilmember Coralee Wessman-Moser	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

D. [8:22:26 PM](#) Consideration to approve an amendment to the Storm Drain Impact Fee Facilities Plan - Blake Thomas, City Engineer

City Engineer Blake Thomas reported that the Storm Drain Impact Fee Facilities Plan is a portion of the Storm Drain Master Plan that had been presented. He asked if there were any questions. There were none.

COUNCILMEMBER DAY MOVED TO APPROVE ORDINANCE NO. 14-41 ADOPTING THE 2014 STORM DRAIN IMPACT FEE FACILITY PLAN. COUNCILMEMBER MOSERSECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Absent
Councilmember Craig B. Tischner	Absent
Councilmember Coralee Wessman-Moser	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously with Councilmember Robinson and Councilmember Tischner absent.

E. [8:22:39 PM](#) Consideration to approve an amendment to the Storm Drain Impact Fee Analysis - Blake Thomas, City Engineer

City Engineer Blake Thomas reported that the Storm Drain Analysis is a portion of the Storm Drain Master Plan that had been presented. He asked if there were any questions. There were none.

COUNCILMEMBER MOSER MOVED TO APPROVE ORDINANCE NO. 14-42 ADOPTING THE STORM DRAIN IMPACT FEE ANALYSIS. COUNCILMEMBER DAY SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Absent
Councilmember Craig B. Tischner	Absent
Councilmember Coralee Wessman-Moser	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously with Councilmember Robinson and Councilmember Tischner absent.

H. **8:23:47 PM Discussion regarding Resolution No. 14.19 pertaining to the designation of Special Assessment Area #1 – Justun Edwards, Water Director**

Water Director Justun Edwards informed the Council that the Special Assessment Area #1 was set to be approved or abandoned on December 10, 2014. He explained that with the number of protests received, he requested to stop the Assessment Ordinance. Mayor Freeman asked if the property owners were aware that the City intended to abandon the Special Assessment Area. Director Edwards confirmed a letter would be sent to each property owner. Councilmember Day expressed his appreciation to the individuals who attended the public hearing.

COUNCILMEMBER MOSER MOVED TO APPROVE THE ABANDONMENT OF INTENTION TO DESIGNATE SPECIAL ASSESSMENT AREA #1. COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

COUNCILMEMBER MOSER MOVED TO TEMPORARILY RECESS THE CITY COUNCIL MEETING. COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

THE CITY COUNCIL MEETING RECONVENED BY CONSENSUS AT 9:05 P.M.

F. **9:06:22 PM Discussion and consideration of an Ordinance to rezone 12200 South 5250 West from (R-2-10 Residential) to MU-2 (Mixed Use) (File No. 13Z14) – Bryn McCarty, City Planner**

City Planner Bryn McCarty informed the Council that the Planning Commission recommended approval of the rezone. Planning Commission Chair Clint Smith explained to the Council that the original application requested to be zoned to C-2, and has since been changed to the MU-2 zone, and elaborated that change was deemed to be more appropriate.

COUNCILMEMBER TISCHNER MOVED TO APPROVE ORDINANCE NO. 14-43, AND 14-44 TO REZONE 12200 SOUTH 5250 WEST FROM R-2-10 RESIDENTIAL TO MU-2 MIXED USE AND 5350 WEST ANTHEM PARK BLVD FROM R-2-10 MEDIUM DENSITY RESIDENTIAL TO R-M MULTI-FAMILY RESIDENTIAL WITH THE FOLLOWING ZONING CONDITIONS: (1) FUNDING AND CONSTRUCTION OF THE ANTHEM PARK BLVD. OFF-RAMP FROM THE MOUNTAIN VIEW CORRIDOR SHALL BEGIN IMMEDIATELY, REPRESENTING AN INFRASTRUCTURE INVESTMENT OF APPROXIMATELY \$1.3 - \$1.5 MILLION DOLLARS TO GREATLY ENHANCE THE COMMERCIAL AND MIXED USE OPPORTUNITIES IN THE MU-2 AREA. (2) PROVIDE

AGREEMENTS TO HERRIMAN CITY STATING THAT THE FUNDING, CONSTRUCTION AND RIGHT-OF-WAY ACQUISITIONS EXPENDITURES RELATIVE TO ANTHEM STATION DRIVE ARE TO BE BORNE BY THE DEVELOPER(S) AND NOT HERRIMAN CITY, OTHER THAN THE STANDARD TRANSPORTATION IMPACT FEES THAT WOULD GENERALLY BE APPLIED TOWARD A SYSTEM-WIDE CITY ROAD IMPROVEMENT PROJECT. (3) NO RESIDENTIAL UNITS SHALL BE APPROVED AND/OR CONSTRUCTED ON THE MU-2 PROPERTY, UNTIL OFFICE/RETAIL/COMMERCIAL BUILDING PERMIT(S) HAVE BEEN APPROVED BY THE CITY AND CONSTRUCTION OF SUCH HAS COMMENCED. (4) NO RESIDENTIAL UNITS SHALL BE CONSTRUCTED ON THE ANTHEM PROPERTY, LOCATED IN THE SOUTHWEST PORTION OF THE PROJECT (APPROXIMATELY 85 ACRES) UNTIL CONDITION #3 ABOVE HAS BEEN FULFILLED. (5) ANTHEM PARK TO BE STARTED IN THE SPRING OF 2015. (6) ACCOMMODATE THE SCHOOL DISTRICT FOR DEVELOPMENT. (7) REZONE THE NORTH C-2 PROPERTY TO ADJOIN THE MU-2. (8) PREPARE AND SUBMIT FOR REVIEW AND APPROVAL A REGIONAL COMMERCIAL MASTER PLAN AND TEXT AMENDMENT FOR THE MU-2 ZONE. (9) DEFINE COMMERCIAL COMMENCEMENT TO BE #1 COMPLETED AND #8 MASTER PLAN OF REGIONAL COMMERCIAL AREA. MAYOR FREEMAN SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Matt Robinson

Aye; Councilmember

Robinson thanked the audience for their patience regarding this matter and explained that this decision has been extremely difficult. He relayed his feelings of not being friendly to high density in the City; however, expressed his point of view that Herriman City has to stop being funded by growth via building permits. When development stops, the transition becomes extremely painful. Councilmember Robinson stated that the viability of Herriman City should be dependent on sales tax, and reiterated that his support of the project is for the commercial development that is needed in the community, not for the apartments. The apartments will help the City attract commercial development. He expressed that it is in the best interest of the City and its' residents to allow this building district to commence and become the best shopping complex in the southwest portion of the valley.

Councilmember Craig B. Tischner

Aye

Councilmember Coralee Wessman-Moser

Nay; Councilmember Moser

explained that Condition #3 indicated that no residential units should be approved on the MU-2 property until commercial or office building permits are approved. However, this isn't quantified in size or quality of development. It could be interpreted as a simple snow shack would then trigger additional residential construction in the MU-2 area. Herriman City residents continue to be concerned with density. The mutual intent is to ensure commercial development will be brought to Herriman, but in exchange for these apartments, which were made as a part of this motion, a portion of the density should be at risk if a true commercial development doesn't materialize within a decade. The developer has not agreed to that condition. Councilmember Moser extended her support of the commercial in the area; however, expressed her concern that the developer is not confident enough in the development to agree to a reduction in density if the commercial development does not materialize.

Councilmember Mike Day Nay; Councilmember Day agreed with the statement offered by Councilmember Moser. He expressed his support of the commercial development, but not the apartments.

Mayor Carmen Freeman Aye; Mayor Freeman indicated that in order to gain commercial the City would have to agree to some high density. He expressed that the apartments are not favorable, and recognized the importance of this project to entice light rail transit in Herriman.

The motion passed with a vote of 3:2.

City Attorney John Brems requested confirmation that the zoning conditions would be outlined in a development agreement. This was verified. Mayor Freeman thanked Councilmember Moser and Councilmember Day for their statements, and expressed his deep respect for the Council and noted that each member of the Council has Herriman City's best interest at heart.

Developer Doug Young expressed his appreciation to the Council for their support, and relayed his desire to make this project the best commercial development. Councilmember Robinson thanked Developer Young and Think Architecture Principal Tim Soffe. Principal Soffe reciprocated, and extended his appreciation to staff for their efforts.

- G. *(Continued from October 22, 2014)* Discussion and consideration of an Ordinance to rezone 5350 West Anthem Park Blvd from R-2-10 (Medium Density Residential) to R-M (Multi-Family Residential) (File No. 12Z14) – Bryn McCarty, City Planner

7. MAYOR AND COUNCIL COMMENTS

8. CALENDAR

A. Meetings

- November 20 - Planning Commission meeting; 7:00 p.m.
- December 4 - Planning Commission meeting; 7:00 p.m.
- December 10 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.

B. Events

- November 27 – Thanksgiving Day; City Offices Closed
- November 28 – Thanksgiving Holiday; City Offices Closed
- December 8 – Holiday Sing A Long

9. [9:24:30 PM](#) ADJOURNMENT

COUNCILMEMBER ROBINSON MOVED TO ADJOURN THE CITY COUNCIL MEETING. COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND ALL VOTED AYE.

11. CLOSED SESSION (IF NEEDED)

A. *The Herriman City Council may convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable*

imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205

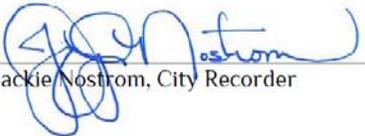
There was no closed session.

12. SOCIAL GATHERING

A. Social Gathering will take place at McDonald's 5108 West 13400 South, Herriman, UT

*This document constitutes the official minutes for the Special
Herriman City Council Meeting held on Wednesday, November 19, 2014*

I, Jackie Nostrom, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Herriman City, of Salt Lake County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Wednesday, November 19, 2014.


Jackie Nostrom, City Recorder



Community Development UPDATE

November 19, 2014



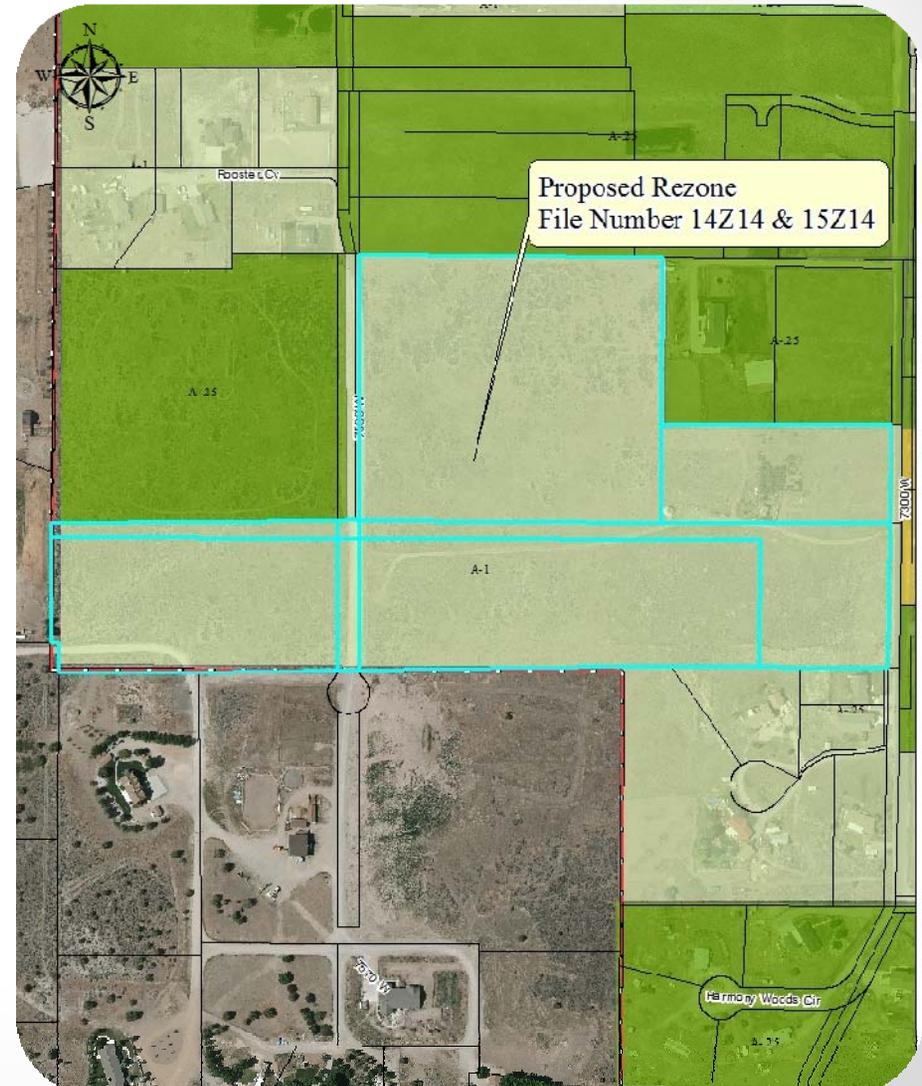


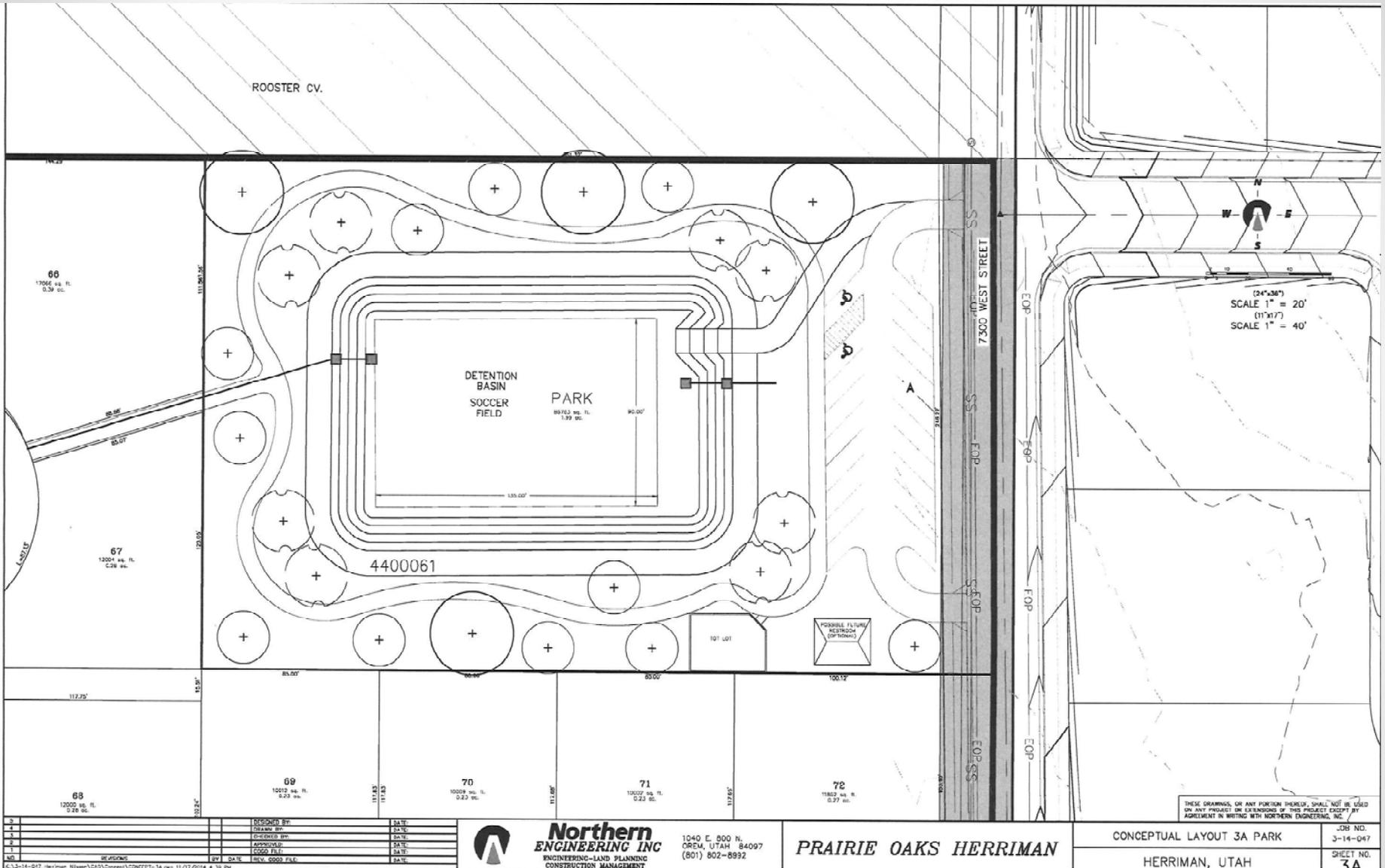
PLANNING DEPARTMENT UPDATE

November 19, 2014

Current Planning Commission Agenda Items

- **Hull**
 - Rezone of 10 acres from A-1 to A-.25
 - Rezone of 17.9 acres from A-1 to A-.25

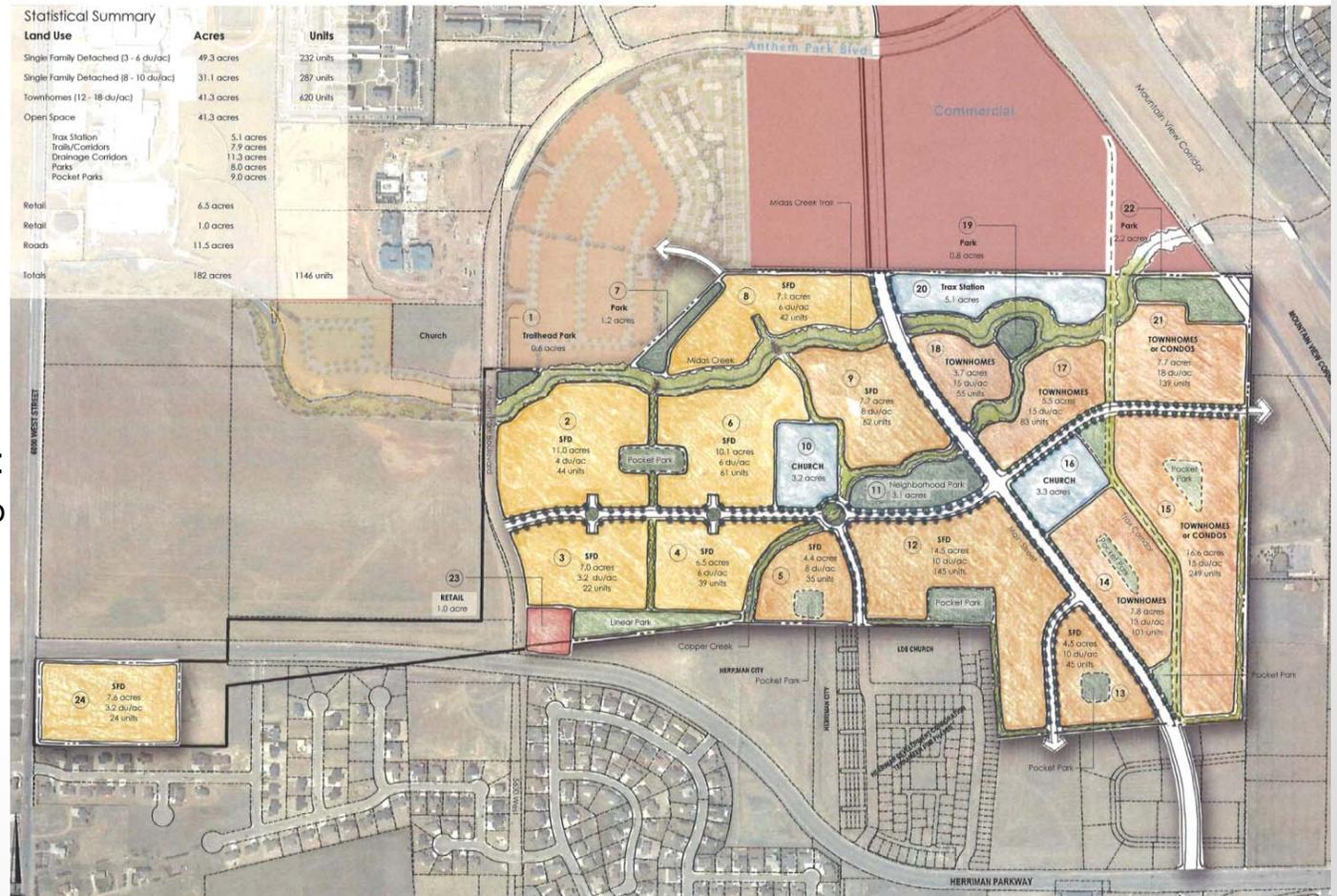




EC-13-14-047 Northern Engineering\3A\CONCEPTUAL\CONCEPTS\3A PLAN 11.17.2014.dwg

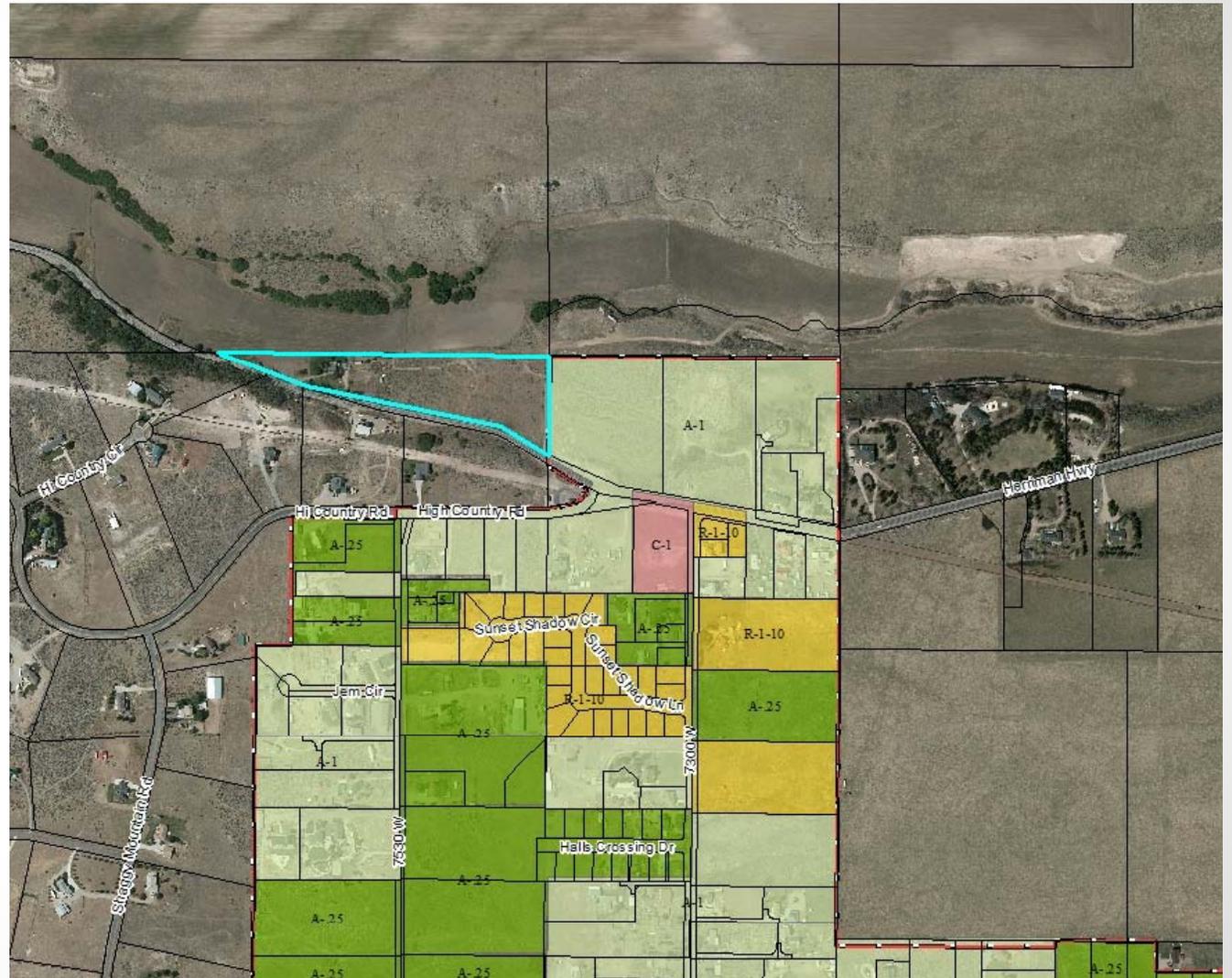
Current Planning Commission Agenda Items

- **Bowler Properties**
 - Preliminary Planned Unit Development (PUD) of Single Family Lots and Townhomes
Acres: 152 Zone: R-2-10 Units: 1146



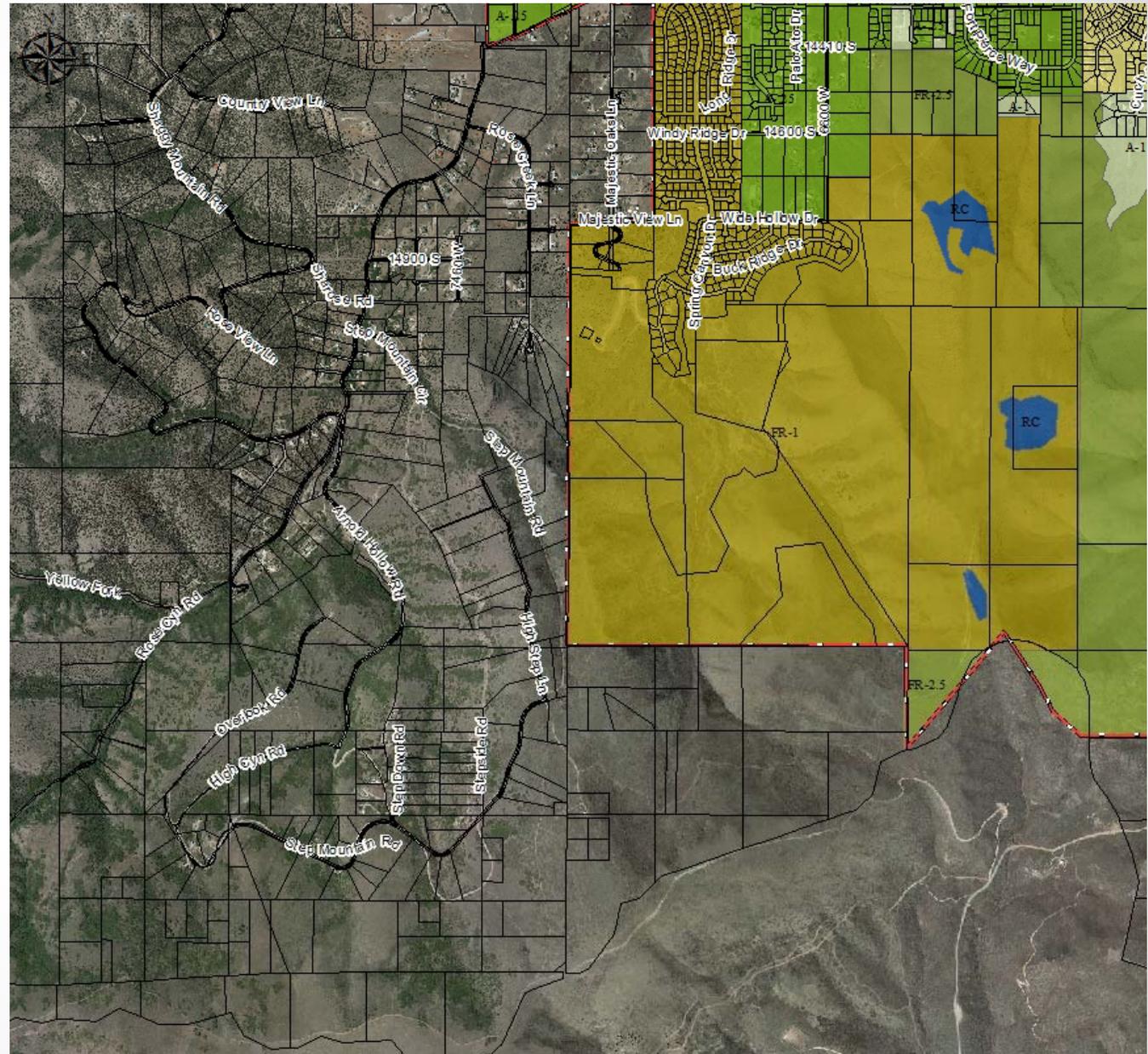
Potential Annexations

- 8.8 Acres
- Shown on the General Plan as Agricultural Residential



Potential Annexations

- Acres
- Currently 5 acre zoning in the County





ENGINEERING DEPARTMENT UPDATE



CAPITAL PROJECTS

FY 2014/2015



NORTH ENTRY PARK

- STATUS
 - SPRINKLERS INSTALLED
 - FINAL GRADING UNDERWAY
 - ROCK TO BE INSTALLED THIS WEEK
 - SOD, TREES, & SHRUBS WILL BE PLANTED IN SPRING
- PROJECT BUDGET
 - \$75,000
 - PARK IMPACT FEES
- EST. COMPLETION
 - PH. 1 NOV. 26, 2014
 - PH. 2 APRIL 1, 2015



7530 WEST ROADWAY

- STATUS
 - ON HOLD UNTIL SPRING
- PROJECT BUDGET
 - \$300,000 CITY PORTION
 - \$195,000 DEVELOPER PORTION
 - GENERAL FUND
- EST. COMPLETION
 - MAY 1, 2015



ROSE CREEK ASPHALT TRAILS

- STATUS
 - 99% COMPLETE
 - FINAL PUNCHLIST ITEMS
- PROJECT BUDGET
 - \$300,000 FOR CONSTRUCTION
 - GENERAL FUND
- EST. COMPLETION
 - NOV. 21, 2014



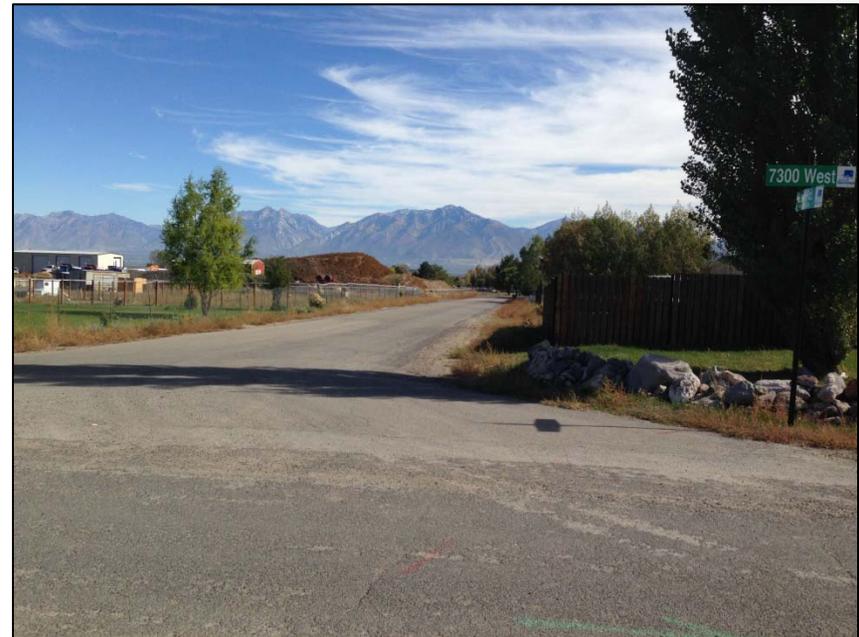
5 MG WATER TANK & TRANSMISSION LINE

- STATUS
 - SL COUNTY SUBDIVISION PROCESS
 - COORDINATION WITH KENNECOTT ON LAND
- PROJECT BUDGET
 - \$4.5M BAN
- EST. COMPLETION
 - NOV. 2, 2014 (DESIGN)
 - SEPT. 1, 2015 (CONSTRUCTION)



GINA ROAD STORM DRAIN

- STATUS
 - SURVEY COMPLETE
 - PRELIMINARY DESIGN IN PROGRESS
 - EASEMENTS/ROW NEEDS AND CONSTRAINTS
- PROJECT BUDGET
 - \$0 (DESIGN)
 - \$300,000 FOR CONSTRUCTION
- EST. COMPLETION
 - FEB. 1, 2015 (DESIGN)
 - SPRING 2015 (CONSTRUCTION)



11800 SOUTH ROAD WIDENING

- STATUS
 - SURVEY COMPLETE
 - PRELIMINARY DESIGN AT 50%
- PROJECT BUDGET
 - \$0 (DESIGN)
 - IN-HOUSE DESIGN WORK
- EST. COMPLETION
 - DEC. 31, 2015 (DESIGN)
 - SPRING/SUMMER 2015 (CONSTRUCTION)



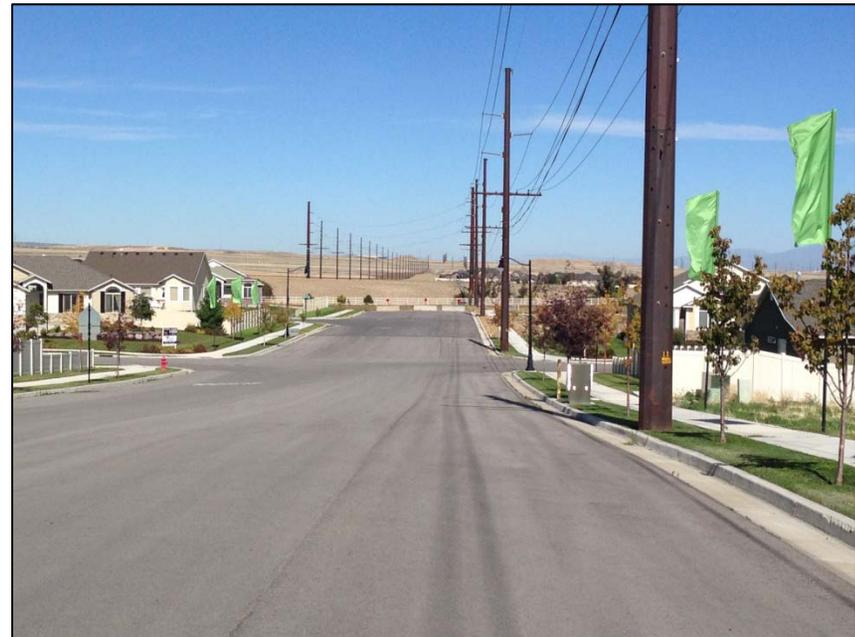
HERRIMAN PARKWAY EXTENSION TO 6400 WEST

- STATUS
 - SURVEY COMPLETE
 - PRELIMINARY DESIGN 75%
 - EASEMENTS NEEDED
- PROJECT BUDGET
 - \$0 (DESIGN)
 - IN-HOUSE DESIGN WORK
- EST. COMPLETION
 - JAN. 1, 2015 (DESIGN)
 - SUMMER 2015 (CONSTRUCTION)



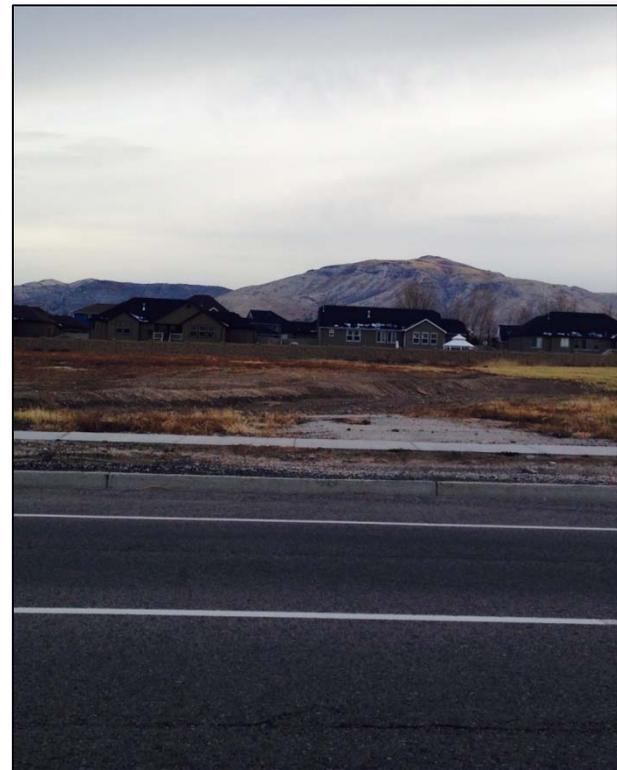
6400 WEST CULINARY WATER LINE

- STATUS
 - SURVEY COMPLETE
 - PRELIMINARY DESIGN AT 25%
 - EASEMENTS NEEDED
- PROJECT BUDGET
 - \$0 (DESIGN)
 - IN-HOUSE DESIGN WORK
- EST. COMPLETION
 - JAN. 1, 2015 (DESIGN)
 - SUMMER 2015
(CONSTRUCTION)



SPECIAL PROJECTS

- TRAFFIC
 - SIGNING & LIGHTING AT 5600 WEST AND SALERNO
 - PROVIDENCE HALL DROP
 - SIGNAL WARRANTS
- ROSECREST PLAT V ROCKERY EVALUATION
- FLOODING CONCERNS
- TRANSPORTATION MASTER PLAN AND IMPACT FEE STUDY
- 5600 WEST REPAIRS





BUILDING DEPARTMENT UPDATE

November 19, 2014

Comparison of Permits Issued

- **Single Family Dwellings**

October 2014 – 35

Fiscal Year July-Oct 2014 – 134

YTD Jan-Oct 2014 – 327

October 2013 – 46

Fiscal Year July-Oct 2013 – 173

YTD Jan-Oct 2013 – 388

- **Multi-Family Dwellings (by Units)**

October 2014 – 10

Fiscal Year July-Oct 2014 – 162

YTD Jan-Oct 2014 – 219

October 2013 – 31

Fiscal Year July-Oct 2013 – 95

YTD Jan-Oct 2013 – 176

- **Commercial Buildings**

October 2014 – 1

Fiscal Year July-Oct 2014 – 9

YTD Jan-Oct 2014 – 11

October 2013 – 0

Fiscal Year July-Oct 2013 – 1

YTD Jan-Oct 2013 – 7



7300 W

Gina Rd

McCuiston Ave

McCuiston Ave

Chey Ct

Ari Cir

Alexis Cir

Dylan Loop Rd

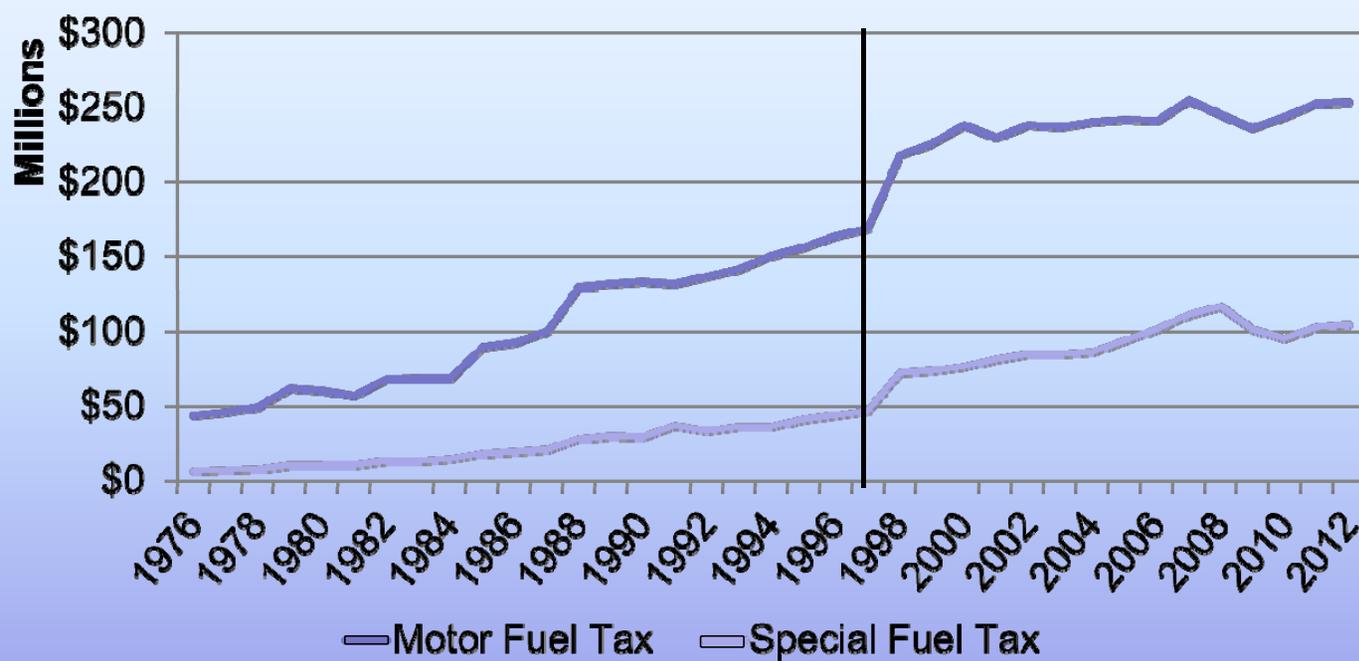
Roadway Maintenance Funding

Today's Realities
Tomorrow's Options

User Fees - Authority

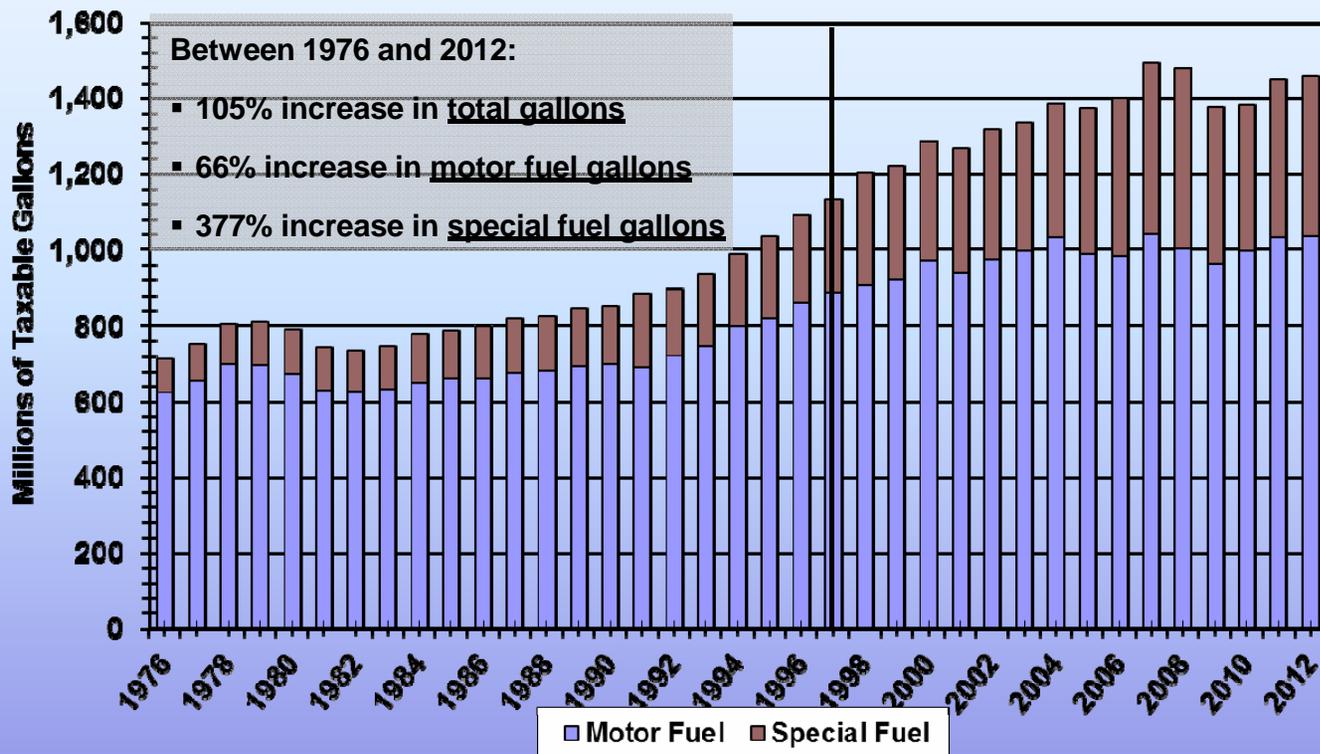
- Since 1961, the Utah Constitution has provided that the proceeds of any tax, fee, and other charges related to the operation of motor vehicles on public highways must be used for **highway purposes**
 - Motor Fuel Tax
 - Special Fuel Tax
 - Vehicle Registration Fees

Fuel Tax Revenues



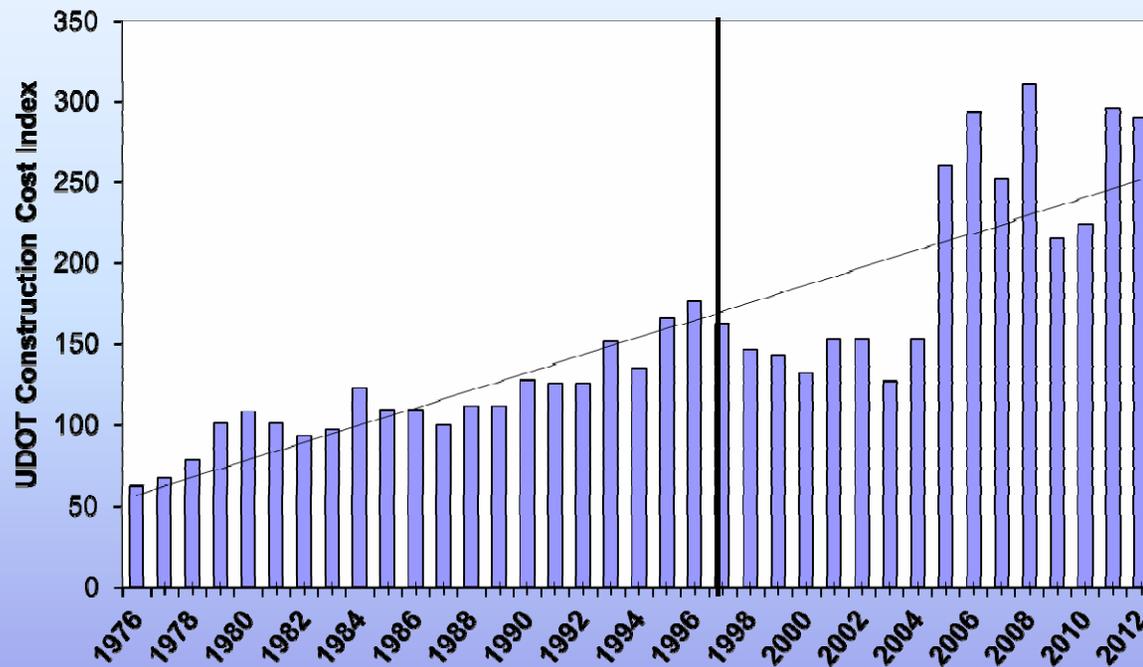
Source: Utah Department of Transportation, "Annual Statistical Summary" (1979-2012); State Tax Commission, "Annual Report"

Taxable Gallons of Fuel Purchased in Utah



Source: Utah Department of Transportation, "Annual Statistical Summary" (1979-2012); Utah State Tax Commission

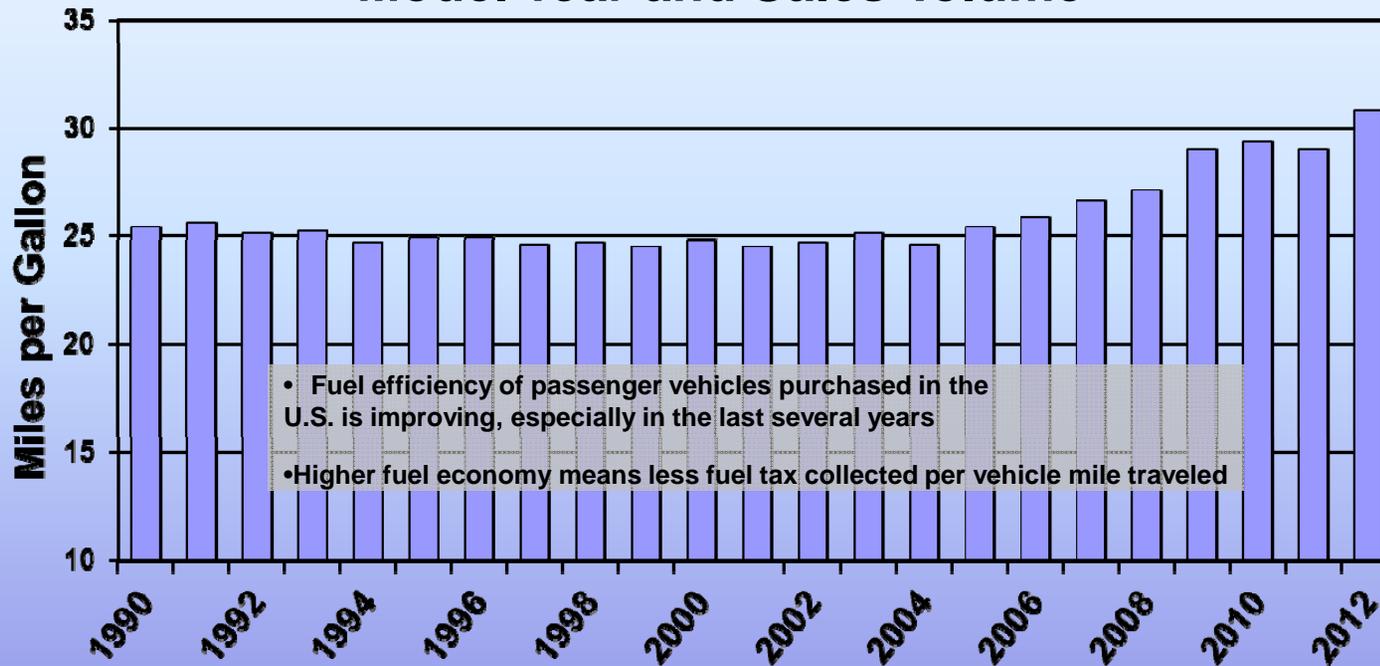
Construction Cost Increases



Source: Utah Department of Transportation, Construction Cost Index Report for 4th Quarter, 2012; Bureau of Labor Statistics

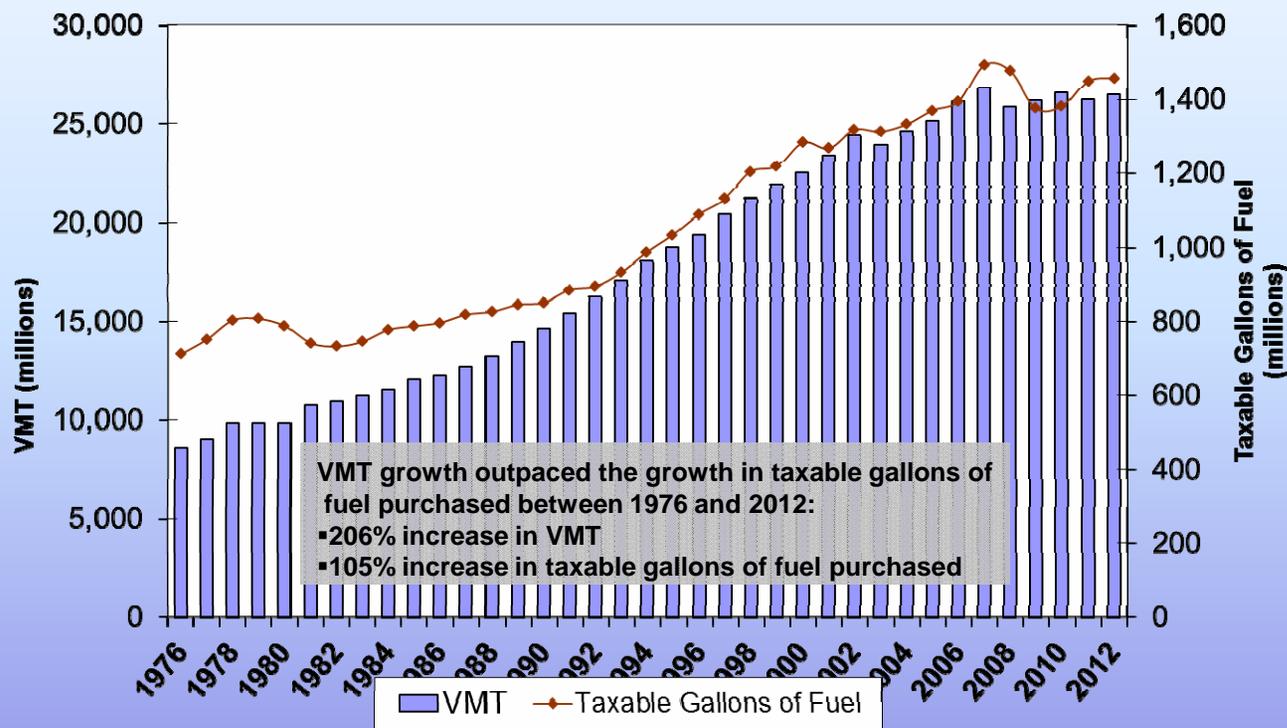
National Fuel Economy

Fuel Economy Performance Based on Model Year and Sales Volume



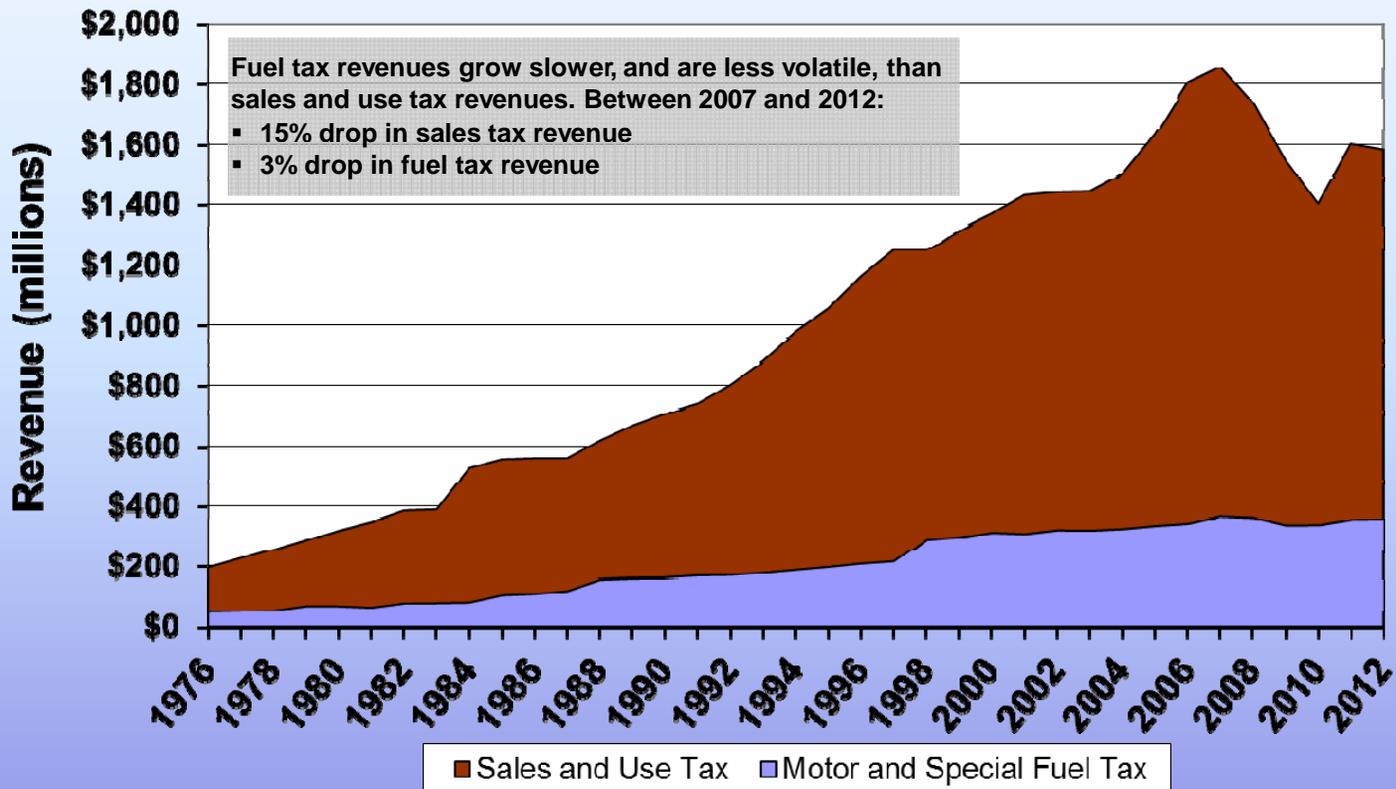
Source: "Summary of Fuel Economy Performance" April 2013; U.S. Department of Transportation

Vehicle Miles Traveled (VMT)



Source: Utah Department of Transportation, "Annual Statistical Summary" (1979-2012); Utah State Tax Commission

Growth of Fuel Taxes and State Sales and Use Tax



Source: Utah Department of Transportation, "Annual Statistical Summary" (1979-2012); Utah State Tax Commission

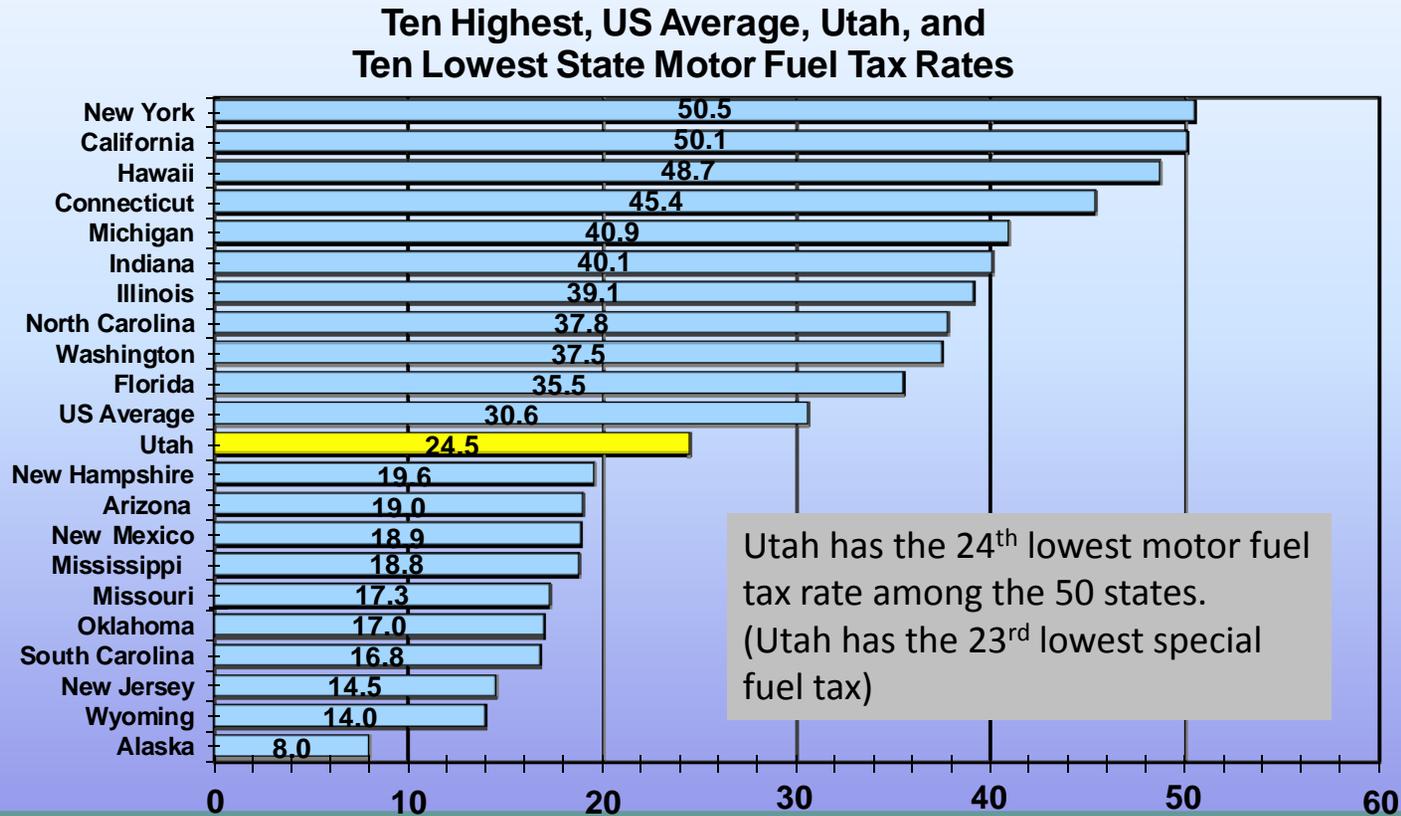
Motor Fuel & Special Fuel Tax

- Motor Fuel: gasoline and gasohol
- Special Fuel: diesel and any fuel not considered a motor fuel
- Rate: 24.5 cents per gallon (cpg)
- Last rate change was a 5.5 cpg increase in 1997

Fiscal Year	Revenue Motor Fuel	Revenue Special Fuel	Growth Motor Fuel	Growth Special Fuel
2012 (actual)	\$252.9 m	\$104.1 m	0.2%	0.2%
2013 (projected)	\$250.7 m	\$99.5 m	-0.9%	-0.5%

Source: Utah Tax Commission, TC-23 (2012-13 Revenue Summary); Utah Code, Section 59-13-201

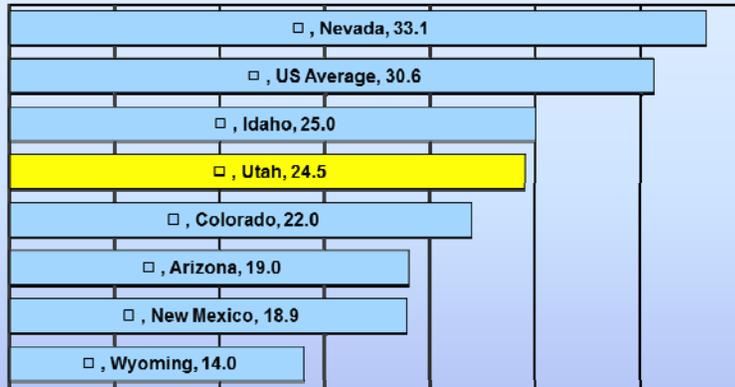
State Motor Fuel Tax Comparison



Source: American Petroleum Institute, as of April 1, 2013 (<http://www.api.org/statistics/fueltaxes/>)

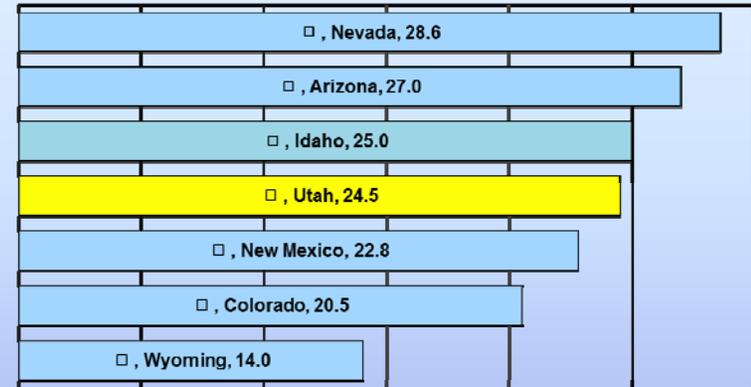
State Motor & Special Fuel Tax Comparison

MOTOR FUEL TAX COMPARISON Surrounding States, US Average, and Utah



State Tax Rate (cents)

SPECIAL FUEL TAX COMPARISON Surrounding States and Utah

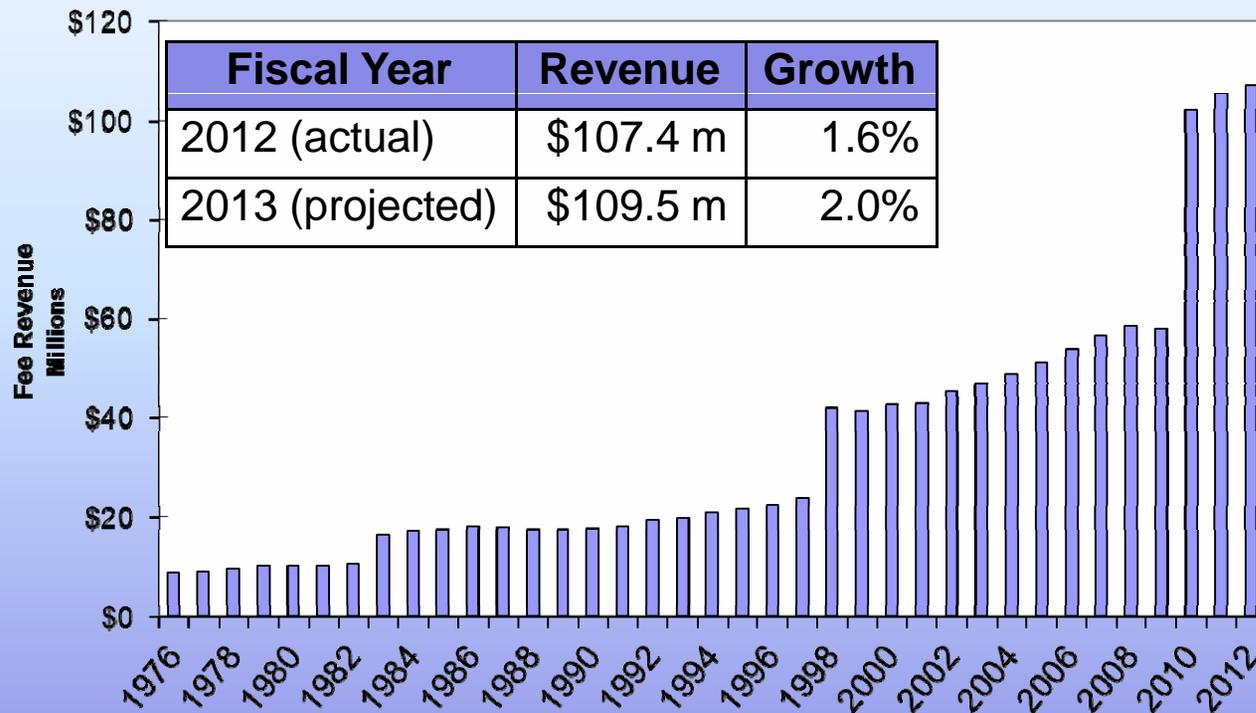


State Tax Rate (cents)

Utah Motor Fuel Tax

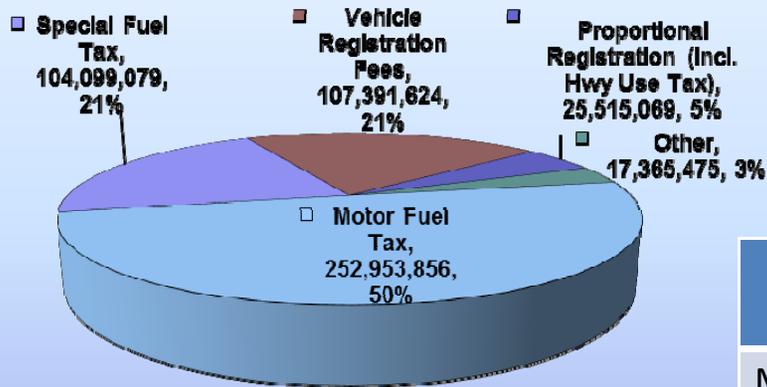
- The motor fuel tax is the primary transportation funding source for cities and towns
 - Utah cities and towns are responsible for 35,000 miles of roads
 - 30% of the tax collected goes to local governments, 70% goes to UDOT
 - When adjusted for inflation, the 24.5 cent tax authorized in 1997 would have to be increased to 36 cents

Vehicle Registration Fees - - Revenues, 1976 - 2012



Source: Utah Department of Transportation Annual Statistical Surveys, years 1979-2007; State Tax Commission, TC-23

FY 2012 User Fee Revenue (millions)



Tax	Local Portion 30%	UDOT Portion 70%
Motor Fuel	\$75,866,157	\$177,067,699
Special Fuel	\$31,229,724	\$72,869,355
Total	\$107,095,881	\$249,937,054

Total Revenue: \$507,325,103

Source: Utah State Tax Commission, TC-23; UDOT, 2012 Annual Statistical Summary

Transportation Funding Sources

- Transportation Fund
- **B and C Roads Account**
- Centennial Highway Fund
- Transportation Investment Fund of 2005
- Critical Highway Needs Fund
- Marda Dillree Corridor Preservation Fund
- Local Transportation Corridor Preservation Fund
- Tollway Special Revenue Fund
- County of the First Class State Highway Projects Fund
- County of the Second Class State Highway Projects Fund
- Highway Projects within Counties Fund
- Transportation Infrastructure Loan Fund
- Aeronautics Restricted Account

B&C Roads Funds

- 30% fuel tax portion that goes to cities and counties
 - 75/25 distribution before July 1, 2007
 - Funds are used under the direction of UDOT “as the Legislature shall provide”
 - Funds are distributed to cities and counties by formula based on length of road and pavement type

Herriman Road Maintenance Needs

- Current Budget is \$300,000 for Routine and Preventative Maintenance
- 2014 Road Condition Survey Completed by Utah LTAP

Step 1 Proposed Roadway Baseline Funding Distribution
(2014-2017)

Pavement Preservation Strategies	Percent of Street Network	Funding Distribution
Routine Maintenance	5.0%	\$34,100
Preventative Maintenance	11.0%	\$324,900
Rehabilitation	0.9%	\$138,000
Reconstruction	0.0%	\$0
Total	16.9%	\$497,000

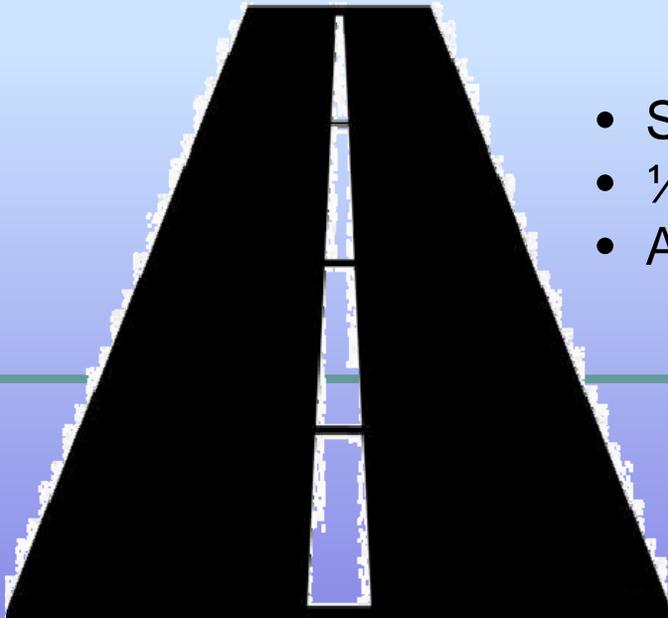
Step 2 Proposed Roadway Baseline Funding Distribution
(2018-2024)

Pavement Preservation Strategies	Percent of Street Network	Funding Distribution
Routine Maintenance	5.0%	\$34,100
Preventative Maintenance	7.0%	\$206,700
Rehabilitation	1.7%	\$260,600
Reconstruction	1.0%	\$298,000
Total	14.7%	\$799,400

- Does not account for future road construction additions

Source: Utah Code, Sections 72-2-107 and 72-2-103; Utah Department of Transportation 2012 Annual Statistical Survey

Maintenance Funding Options



- Study for Fuel Tax Changes
- ¼ Cent Local Option Sales Tax
- Alternative Transportation Options

Motor Fuel Tax Adjustment

- Complete a study to better align revenue with needs
 - Adjust for shortfalls since last increase was incorporated in 1997
 - Index the tax for inflation related adjustments
 - Account for new technologies
 - Hybrid and/or Electric vehicles
 - More fuel efficient vehicles



1/4 Cent Local Option Sales Tax Study

- 0.25 cents on all sales, statewide
- Study to verify
 - If funds will solely go to local municipalities
 - How the funds may be used
 - Maintenance, new construction, etc
 - How allocation to municipalities will work



Alternative Transportation Options

- Transit Investments
 - Relieve traffic congestion
 - Improve air quality
- Expanded Options
 - Trails
 - Bicycle lanes



Questions?





STAFF REPORT

DATE: December 1, 2014

TO: The Honorable Mayor and City Council

FROM: Justun Edwards

SUBJECT: Finding of No Significant Impact (FONSI) Zone 2 North 5 MG Tank

RECOMMENDATION:

No motion necessary.

BACKGROUND:

The FONSI document was part of the environmental assessment which was performed on the tank site. The Report will be summarized after the conclusion of the Public Hearing. A staff Environmental Scientist from the Division has reviewed the document, and minimized impacts has been identified. The review concluded that no significant impacts would result from the proposed project.

FISCAL IMPACT:

None.

City Council
December 10, 2014



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF DRINKING WATER
Kenneth H. Bousfield, P.E.
Director

PUBLIC NOTICE

The Division of Drinking Water (DDW), Utah Department of Environmental Quality, herewith publishes a Finding of No Significant Impact (FONSI) for the Herriman Tank project, located northwest of Herriman, Utah. An Environmental Report has been developed to examine potential environmental impacts associated with this project. The Environmental Report and the FONSI are available at the DDW office:

Division of Drinking Water
Utah State Department of Environmental Quality
195 North 1950 West, P.O. Box 144830
Salt Lake City, Utah 84114-4830
Phone: 801-536-4200 or 801-536-0048

FINDING OF NO SIGNIFICANT IMPACT

As required by the guidelines for the preparation of environmental impact statements, an environmental review has been performed on the proposed State of Utah, Division of Drinking Water (DDW) action below:

Project: Herriman 5 MG Storage Tank Project

Office Location: 13011 South Pioneer Street
Herriman, Utah 84096

Project Number: 3F194

Total Estimated Cost: \$4,682,000

Funding Amounts: DWB: \$4,682,000 (2% for 20 years)

The project entails the construction of a five- million gallon storage tank and associated onsite improvements.

An Environmental Report has been developed for this proposed project. Letters requesting comments from federal, state and local agencies have been sent out; comments will be summarized and included in the Report. A staff Environmental Scientist from the Division has

reviewed this document. Temporary environmental impacts were identified, as well as mitigating measures to minimize these impacts. The review process indicated that no significant environmental impacts would result from the proposed action. Consequently, a decision has been made to issue a FONSI.

Any and all contractors will be required to comply with all pertinent federal, state and local laws, regulations, and executive order; such as Utah State Air Quality regulations R307-309. If anything is uncovered or otherwise discovered during construction of this project, that may have cultural or historic significance, work must be stopped, and the DDW and the State Historic Preservation Officer will be notified. These two agencies will investigate any such discoveries. If it appears that part of the construction work may be causing an adverse environmental impact, construction must be stopped, and the DDW will be notified.

The FONSI will be available for review until November 12, 2014. There will be a public meeting to discuss the project and receive additional comments on November 12, 2014 at the Herriman City Hall, located at 13011 S. Pioneer Street, Herriman, UT at 7:00 pm. Any comments received during this comment period will be evaluated, and incorporated as appropriate. Questions or comments may be directed to Jim Martin, at 801-536-4494, or jhmartin@utah.gov.

DIVISION OF DRINKING WATER, DEQ, STATE OF UTAH

Michael J. Grange, P.E.
Construction Assistance Section Manager



STAFF REPORT

DATE: December 1, 2014
TO: The Honorable Mayor and City Council
FROM: Blake J. Thomas, P.E.
SUBJECT: Storm Drain Impact Fee Enactment

RECOMMENDATION:

Approval per comments in the discussion and alternatives sections below

BACKGROUND:

The Storm Drain Master Plan, Impact Fee Facilities Plan, and Impact Fee Analysis have all been approved at this point. The final step in the process is to enact the impact fee.

DISCUSSION:

The proposed fee solely affects Storm Drain Service Area #1. The previously adopted fee is \$3106.57 per acre. The proposed fee is \$3489.79 per acre. The development agreement for the Midas Creek Annexation, which is included entirely in Service Area #1, sets an aggregate limit on the impact fee amount that can be charged. The aggregate limit set forth in the development agreement indicates that impact fees cannot exceed \$7924.17 or \$6161.06 per single and multi-family dwelling units, respectively. Note that the storm drain impact fee is calculated per acre and the aggregate limit is calculated per dwelling unit. With an increase in the storm drain impact fee there may have to be a concession made on another impact fee so that the fees can be kept within the aggregate limit.

ALTERNATIVES:

Rather than adopting the full fee, adopt the fee at the previously adopted amount so as to not cause any issues with other impact fees as development occurs in the Midas Creek Annexation area.

FISCAL IMPACT:

Adopting a reduced fee may result in having some improvements be funded with general fund dollars rather than having the improvements funded entirely with impact fees.

Blake Thomas
City Engineer

City Council
December 10, 2014

**HERRIMAN, UTAH
ORDINANCE NO. 14-_____**

**ORDINANCE REAFFIRMING THE ADOPTION OF THE 2013 STORM DRAIN
IMPACT FEE FACILITY PLAN AS UPDATED ON JULY 11, 2014, AND THE
HERRIMAN STORM WATER IMPACT FEE ANALYSIS DATED SEPTEMBER 2014;
ADOPTING AN IMPACT FEE ENACTMENT THAT IMPOSES A STORM WATER,
DRAINAGE, AND FLOOD CONTROL FACILITIES IMPACT FEE; PROVIDING FOR
THE CALCULATION AND COLLECTION OF SUCH FEE; AND PROVIDING FOR
APPEAL, ACCOUNTING, SEVERABILITY OF THE SAME, AND OTHER RELATED
MATTERS**

WHEREAS, the Herriman City Council (“Council”) met in regular meeting on December 10, 2014, to consider, among other things, reaffirming the adoption of the 2013 Storm Drain Impact Fee Facility Plan as updated on July 11, 2014, and Herriman Storm Water Impact Fee Analysis dated September 2014; adopting an Impact Fee Enactment that imposes a Storm Water, Drainage, and Flood Control Facilities Impact Fee; providing for the calculation and collection of such fee; and providing for appeal, accounting, severability of the same, and other related matters; and

WHEREAS, the City is a local political subdivision of the state of Utah and has authority pursuant to Utah Code Ann. § 11-36a-101, et seq. (the “Impact Fee Act”), to mitigate the impact of new development on public facilities by enacting an impact fee; and

WHEREAS, the Council finds that it is in the public interest to reaffirm the adoption of the 2013 Storm Drain Impact Fee Facility Plan as updated on July 11, 2014, (collectively “IFFP”) and Storm Water Impact Fee Analysis dated September 2014 (“IFA”) to address impacts of development upon the City; and adopt this Storm Water, Drainage, and Flood Control Facilities Impact Fee Enactment (“Impact Fee Enactment”) that imposes a Storm Water, Drainage, and Flood Control Facilities Impact Fee; and

WHEREAS, on November 19, 2014, the Council adopted the IFFP after notice and public hearing according to law, and on November 19, 2014, the Council adopted the IFAs after notice and public hearing according to law; and

WHEREAS, the Council finds that the IFFP identifies demands placed upon existing public facilities by new development activity and proposes means by which the City will meet those demands and has generally considered all revenue sources, including impact fees, and anticipated dedication of system improvements, to finance the impacts on system improvements; and

WHEREAS, the Council finds that the IFA identifies the anticipated impacts on or consumption of existing capacity of public facilities by anticipated development activities, identifies impact on system improvements required by anticipated development activities to maintain the established level of service for each public facility, demonstrates how those

anticipated impacts are reasonably related to the anticipated development activities and estimates the proportionate share of the cost for existing capacity that will be recouped and the cost of impacts on system improvements that are reasonably related to the new development activity; and

WHEREAS, the Council finds that the impact fees which are enacted pursuant to this Impact Fee Enactment are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received; and

WHEREAS, on _____, notice of the date, time, and place of a public hearing to consider the adoption of this Impact Fee Enactment was mailed to each affected entity, posted on the City's official website, published in the *Salt Lake Tribune* and *Deseret News*, and published on the Utah Public Notice website; and

WHEREAS, on _____, copies of this Impact Fee Enactment were made available to the public; and

WHEREAS, on _____, 2014, the Council held a public hearing regarding the adoption of this Impact Fee Enactment.

NOW, THEREFORE, BE IT ORDAINED as follows:

Section 1. Findings; Authority; Purpose.

The Council finds and determines that growth and development activities in the City will create additional demand and need for storm water, drainage, and flood control facilities, and the Council finds that persons responsible for growth and development activities should pay a proportionate share of the costs of such planned facilities needed to serve the growth and development activity. The Council further finds that based on the IFFP and IFA that impact fees are necessary to achieve an equitable allocation of the costs borne in the past and to be borne in the future, in comparison with the benefits already received and yet to be received. The provisions of this Impact Fee Enactment shall be liberally construed in order to carry out the purpose and intent of the Council in establishing this impact fee program.

Section 2. Definitions.

Except as provided below, words and phrases that are defined in the Impact Fee Act shall have the same meaning in this Impact Fee Enactment.

2.1 Applicant shall mean any person or entity that is requesting a subdivision plat approval or intends to connect or is otherwise interested in connecting to the City's storm water, drainage, and flood control facilities system if a subdivision plat is not required.

2.2 Impact Fee(s) shall mean the stated impact fee assessed (less all allowable exemptions, adjustments, credits, reimbursements, or other adjustments required by this Impact

Fee Enactment and/or the Impact Fee Act) set forth herein for system improvements based on the requirements of this Impact Fee Enactment.

2.3 Impact Fee Agent shall mean the person or persons designated by the City to evaluate the Impact Fee applications and calculate the resulting Impact Fee.

Section 3. Reaffirming the Adoption of the IFFP and IFA and Adopting a Level of Service. The Council hereby reaffirms the adoption of the IFFP attached as exhibit “A” and the analysis reflected therein. The Council also hereby reaffirms the adoption of the IFA attached as exhibit “B” and the analysis reflected therein. The Council hereby adopts and determines to maintain the current level of service as set forth in the IFFP and IFA

Section 4. Impact Fees Accounting.

4.1 Impact Fees Accounting. The City has established a separate interest-bearing ledger account with the Utah Public Treasurer’s Investment Fund for each type of public facility for which impact fees are collected. Interest earned on such account shall be allocated to that account.

(a) *Reporting*. At the end of each fiscal year, the City shall prepare a report on each fund or account showing the source and amount of all monies collected, earned, and received by the fund or account and each expenditure from the fund or account. The report shall identify impact fees by the year in which they were received, the project from which the funds were collected, the system improvements for which the funds were budgeted, and the projected schedule for expenditures. The report shall be in a format developed by the State Auditor that is certified by the City’s Chief Financial Officer and shall be transmitted annual to the State Auditor.

(b) *Impact Fee Expenditures*. The City may expend Impact Fees collected pursuant to this Impact Fee Enactment only for systems improvements that are (i) identified in the IFFP; and (ii) for the specific public facilities type for which the fee was collected.

(c) *Time of Expenditure*. Impact Fees collected pursuant to this Impact Fee Enactment shall be expended or encumbered for a permissible use within six (6) years of the receipt of those funds by the City. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.

(d) *Extension of Time*. The City may hold unencumbered Impact Fees for longer than six (6) years if the Council identifies in writing (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years and (ii) an absolute date by which the fees will be expended.

4.2 Refunds. The City shall refund any Impact Fees collected pursuant to this Impact Fee Enactment paid by an Applicant, plus interest actually earned on such amounts, when

(i) the Applicant does not proceed with the development activity and files a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted.

4.3 Additional Fees and Costs. The Impact Fees authorized hereby are separate from and in addition to user fees and other charges lawfully imposed by the City, such as engineering and inspection fees, building permit fees, review fees, and other fees and costs that may not be included as part of the Impact Fee.

4.4 Fees Effective at Time of Payment. Unless the City is otherwise bound by a contractual requirement, the Impact Fee shall be determined in accordance with the provisions of Section 5 below.

Section 5. Impact Fee Imposed, Amount, and Procedure.

5.1 Impact Fee Imposed. Impact Fees are hereby imposed on the basis of the IFA and shall be paid as a condition of approving a subdivision plat by the City, or as a condition of connecting to the City's storm water, drainage, and flood control facilities system if a subdivision plat is not required.

5.2 Impact Fee Amount. There is hereby imposed in Service Area #1 (also known as West Herriman) an Impact Fee in the amount of \$3,489.79 per acre, in Service Area #2 (also known as South Herriman) an Impact Fee in the amount of \$1,337.48 per acre, and in Service Area #3 (also known as Towne Center) an Impact Fee in the amount of \$8,041.32 per acre.

5.3 Application Procedure. Each Applicant shall make application in writing to the City on forms provided by the City for determination of the amount of the required Impact Fees payable by the Applicant. Each Applicant shall provide all information requested by the City to allow the City to verify the accuracy of the information presented by the Applicant. The Impact Fee Agent shall consider the information presented by the Applicant and determine the resulting Impact Fee.

Section 6. Exemptions, Adjustments, and Credits.

6.1 Exemption. The City may, on a project-by-project basis, authorize exemptions to the Impact Fee imposed for development activity that the City determines to be of broad public purpose to justify the exception such as low-income housing, the state, a school district, or a charter school (the school district and charter school on the same basis) and, except for low-income housing, establish one or more sources of funds other than Impact Fees to pay for that development activity.

6.2 Adjustments. The City may adjust Impact Fees at the time the fee is charged to ensure that Impact Fees are imposed fairly and respond to (i) unusual circumstances in specific cases, (ii) a request for a prompt and individualized impact review for the development activities of the state or a school district or a charter school and an offset or credit for a public facility for which an Impact Fee has been or will be collected, or (iii) permits adjustments of the amount of the Impact Fee to be imposed on a particular development based upon studies and data submitted by the Applicant.

6.3 Credits and Reimbursements.

(a) The City shall give the Applicant a credit against the Impact Fee for any dedication of land for, improvements to, or new construction of, any system improvements provided by the Applicant if the facilities are system improvements or are dedicated to the public and offset the need for identified system improvements.

(b) The City shall ensure that the Applicant be allowed a credit against or proportionate reimbursement of the Impact Fees if the Applicant, including a school district or charter school, dedicates land for a system improvement, builds and dedicates some or all of the system improvement, or dedicates a public facility that the City and the Applicant agrees will reduce the need for a system improvement.

Section 7. Service Area. Three service areas are hereby established. The service areas are identified in the map attached as exhibit "C."

Section 8. Appeal Procedures.

8.1 Application. The appeal procedure applies to challenges to the legality of Impact Fees, the interpretation and/or application of those fees.

8.2 Request for Information Concerning the Fee. Any person or entity required to pay the Impact Fee may file a written request for information concerning the fee with the City. The City will provide the person or entity with the IFFP, IFA, and other relevant information relating to the Impact Fee within two (2) weeks after receipt of the request for information.

8.3 Appeals. The validity of the Impact Fee may be challenged as set forth in the Impact Fee Act.

Section 9. Severability. If any section, subsection, paragraph, clause, or phrase of this Impact Fee Enactment shall be declared invalid for any reason, such decision shall not affect the remaining provisions of this Impact Fee Enactment, which shall remain in full force and effect, and for this purpose, the provisions of this Impact Fee Enactment are declared to be severable.

Section 10. Effective Date. The Impact Fee imposed pursuant to this Impact Fee Enactment shall take effect March 10, 2015 (at least 90 days after its enactment).

ADOPTED by the Council this 10th day of December, 2014.

HERRIMAN

Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, City Recorder



STAFF REPORT

DATE: December 3, 2014
TO: The Honorable Mayor and City Council
FROM: Jackie Nostrom, City Recorder
SUBJECT: 2015 Annual Meeting Schedule

RECOMMENDATION:

Motion to Approve Resolution No _____ adopting the 2015 annual meeting schedule for Herriman City Council, Agency, and Commissions as attached in Exhibit A

BACKGROUND:

U.C.A §52-4-202 requires all public entities to adopt and publish an Annual Meeting Schedule if they hold regular meetings scheduled in advance over the course of a year. U.C.A. §10-3-502 requires cities to hold regular monthly meetings based on their populations. Herriman City is a third class city (30,000 to 65,000 population) and is required to hold at least one meeting per month.

Herriman City Code §1-6-4 requires regular meetings to be held on the second and fourth Wednesdays of each month, unless there is a holiday. The Mayor may hold the meeting as scheduled, unless otherwise changed by the City Council as the need arises. Regular Work Sessions are also scheduled accordingly.

DISCUSSION:

Please see the attached Exhibit A. All meetings will be held on their regular schedule, including work sessions. Special or Emergency Meetings may be held at the call of the Mayor or with the consent of two Council Members upon three hours notice.

The Community Development and Renewal Agency will hold regularly scheduled meetings to present and adopt their budgets in May and June. Other meetings may be held as necessary at the call of the Chairman and will be posted as required with 24 hours minimum notice.

The Planning Commission will hold regularly scheduled meetings on their regular schedule, including work sessions. The schedule has anticipated holidays that fall on regular meeting days and either have been cancelled or rescheduled accordingly.

ALTERNATIVES:

The Council may schedule, reschedule, or cancel meetings they wish as long as one meeting per month is held.

City Council Agenda
December 10, 2014

FISCAL IMPACT:

None.

Jackie Nostrom
City Recorder

Attachments – Resolution and Annual Meeting Schedule

HERRIMAN CITY, UTAH
RESOLUTION NO. 14.

**A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN CITY, UTAH ADOPTING
AN ANNUAL MEETING SCHEDULE FOR 2015**

WHEREAS, the Utah State Legislature has declared that cities of the third, fourth or fifth class shall hold meetings at least once a month in the Utah State Code §10-3-502

WHEREAS, Herriman City has reached the classification of a third class city by attainment of a population between 30,000 and 65,000 as defined in the Utah State Code §10-2-301;

WHEREAS, the Herriman City Code §1-6-4(A) requires regular meetings to be held on the second and fourth Wednesdays of each month, unless otherwise changed by the City Council as the need arises. In no case shall any less than one meeting per month be held in accordance with U.C.A. §10-3-502.

WHEREAS, The Utah State Legislature has further required public bodies which hold regular meetings scheduled in advance over the course of a year to give public notice of the annual meeting schedule, and to include the date, time and place of such meetings in Utah State Code §52-4-202.

NOW THEREFORE, BE IT RESOLVED by the City Council of Herriman City, Utah, on this 10th day of December, 2014, to adopt the meeting schedule (“Exhibit A”) as the official City Council, Commissions, and Committees meeting schedules for the calendar year 2015;

AND FURTHERMORE RESOLVE to authorize its publication and posting according to U.C.A. 52-4-202

HERRIMAN CITY

Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, City Recorder

HERRIMAN CITY ANNUAL MEETING SCHEDULE FOR 2015

ANNUAL MEETING SCHEDULE FOR THE CITY COUNCIL

PUBLIC NOTICE is hereby given that the 2015 Annual Meeting Schedule of the City Council of Herriman, Utah is as follows:

REGULAR MEETING	DATE
January.....	14 – 28 – 29*
February.....	11 – 25
March.....	11 – 25
April.....	8 – 22 – 30*
May.....	13 – 27
June.....	10 – 24
July.....	8 – 22 – 30*
August.....	12 – 26
September.....	9 – 23
October.....	14 – 28 – 29*
November.....	11
December.....	9

Regular meetings of the City Council are held in the Council Chambers of the Community Center, 13011 South Pioneer Street (6000 West) Herriman, Utah commencing at 7:00 p.m. on the second and fourth Wednesday of each month. Work Meetings begin at 5:00 p.m. in the Blue Conference Room and are held on the second and fourth Wednesday of each month. Call the City Offices at 801-446-5323 or check www.herriman.org for more information.

* Joint Meetings with the City Council and the Planning Commission will be held in the Council Chambers of the Community Center, 13011 South Pioneer Street (6000 West) Herriman, Utah commencing at 6:00 p.m. on the fifth Thursday of each month. Meetings may be cancelled due to holidays or lack of agenda items.

ANNUAL MEETING SCHEDULE FOR THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

PUBLIC NOTICE is hereby given that the 2015 Annual Meeting Schedule for the Community Development and Renewal Agency of Herriman, Utah is as follows:

REGULAR MEETING	DATE
May	13 – 27
June.....	10

Regular meetings will convene in the Community Center Council Chambers, 13011 South Pioneer Street (6000 West) Herriman, Utah. Other meetings may be held as necessary at the call of the chairman and will be posted as required with a minimum of 24-hours' notice. Call the City Offices at 801-446-5324 or check www.herriman.org for more information.

ANNUAL MEETING SCHEDULE FOR THE PLANNING COMMISSION

PUBLIC NOTICE is hereby given that the 2015 Annual Meeting Schedule for the Planning Commission is as follows:

REGULAR MEETING	DATE
January.....	15 – 29*
February.....	5 – 19
March.....	5 – 19
April.....	2 – 16 – 30*
May.....	7 – 21
June.....	4 – 18
July.....	2 – 16 – 30*
August.....	6 – 20
September.....	3 – 17
October.....	1 – 15 – 29*
November.....	5 – 19
December.....	3 – 17

Meetings may be cancelled due to holidays or lack of agenda items. Regular meetings begin at 7:00 p.m. and convene in the Community Center Council Chambers, 13011 South Pioneer Street, as posted. Study sessions before the meetings begin at 6:00 p.m. in the Council Chambers. The City Council may periodically attend the work sessions. Call Community Development at 801-446-5323 or check www.herriman.org for more information.

* Joint Meetings with the City Council and the Planning Commission will be held in the Council Chambers of the Community Center, 13011 South Pioneer Street (6000 West) Herriman, Utah commencing at 6:00 p.m. on the fifth Thursday of each month. Meetings may be cancelled due to holidays or lack of agenda items.



STAFF REPORT

DATE: December 4, 2014

TO: The Honorable Mayor and City Council

FROM: Brett Wood, City Manager

SUBJECT: Fireworks Ban within Certain Areas of Herriman City

RECOMMENDATION:

Approve Ordinance No. _____ banning the use of fireworks and any open flame fires within certain areas of the City.

BACKGROUND:

The over growth and dry weather conditions has created an extreme fire danger in Herriman and to surrounding areas.

DISCUSSION:

Please see the attached map. As per Herriman City Code §4-2-3(B) except for display operators properly licensed as required by the state and as approved by the fire marshal, it is unlawful for any person to discharge, ignite, explode, project, or otherwise fire or permit the ignition, explosion, projection of any fireworks or open flame fires within two hundred feet (200') of an undeveloped property or agricultural field.

Staff will review the map periodically to ensure the restricted area is properly aligned with vacant land and high vegetation areas. It has been determined to approve the updated map now to make residents aware of the restricted areas in advance.

ALTERNATIVES:

The City Council may alter the map as deemed necessary.

FISCAL IMPACT:

None.

Brett Wood
City Manager

City Council
December 10, 2014

HERRIMAN, UTAH
ORDINANCE NO. 14-

**AN ORDINANCE OF HERRIMAN CITY COUNCIL BANNING THE USE OF
FIREWORKS AND ANY OPEN FLAME FIRES WITHIN
CERTAIN AREAS OF THE CITY**

WHEREAS, the Herriman City Council (the “*Council*”) met in regular session on December 10, 2014 to consider among other things, banning the use of fireworks and any open flame fires within certain areas of the city; and

WHEREAS, the over growth and dry weather conditions has created an extreme fire danger in Herriman and to surrounding areas; and

WHEREAS, Unified Fire Authority has issued a fireworks and open flame fire restriction for various areas; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the inhabitants of Herriman to ban the use of fireworks and any open flame fires within certain areas of the city.

NOW, THEREFORE, BE IT ORDAINED except for display operators properly licensed as required by Utah law it is unlawful for any person to display, discharge, ignite, explode, project or otherwise fire or permit the ignition, expulsion projection of any fireworks or open flame fires within two hundred (200) feet of an undeveloped property or agricultural field or south of 14200 South , extending to the intersection of Emmeline, following Emmeline and all the property south of Emmeline to Juniper Crest Drive. (see attached map)

BE IT FURTHER ORDAINED that the definition of “fireworks” be the same as set forth in UTAH CODE ANN. § 53-7-202(10)(a). Any person convicted of violating the provisions of this ordinance shall be guilty of an infraction.

PASSED AND APPROVED this 10th day of December 2014.

HERRIMAN CITY COUNCIL

By: _____
Carmen Freeman, Mayor

ATTEST:

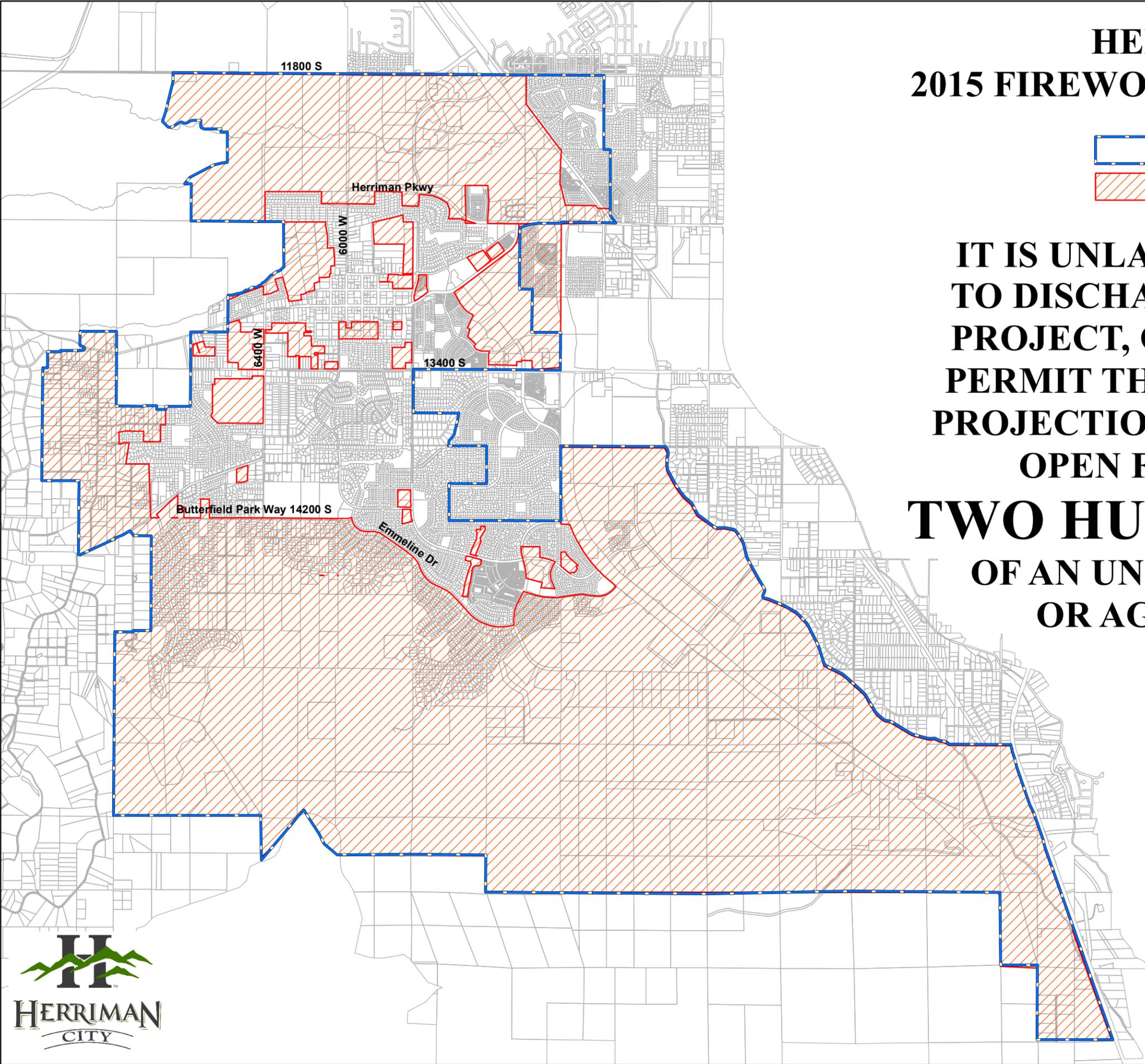
Jackie Nostrom, City Recorder

HERRIMAN CITY 2015 FIREWORK RESTRICTION AREA

 HERRIMAN CITY LIMIT
 RESTRICTED AREA



IT IS UNLAWFUL FOR ANY PERSON TO DISCHARGE, IGNITE, EXPLODE, PROJECT, OR OTHERWISE FIRE OR PERMIT THE IGNITION, EXPULSION PROJECTION OF ANY FIREWORKS OR OPEN FLAME FIRES WITHIN TWO HUNDRED (200) FEET OF AN UNDEVELOPED PROPERTY OR AGRICULTURAL FIELD.





STAFF REPORT

DATE: November 12, 2014
TO: The Honorable Mayor and City Council
FROM: Blake Thomas
SUBJECT: Amending plat name from Sunrise Pointe Phase 1 to Sunrise Heights Phase 1

RECOMMENDATION:

Approval

BACKGROUND:

Sunrise Pointe Phase 1 plat was recorded, but there is another plat with the same name, so the plat name needs to be amended.

DISCUSSION:

The county's procedure to amend a plat name is for the City to adopt an ordinance which is then recorded with the county.

ALTERNATIVES:

The county will not allow a duplicate plat name.

FISCAL IMPACT:

None

Herriman, Utah
Ordinance No. 14-__

**AN ORDINANCE OF HERRIMAN CITY COUNCIL AMENDING THE NAME OF THE
SUNRISE POINT PHASE 1 SUBDIVISION TO SUNRISE HEIGHTS PHASE 1
SUBDIVISION**

WHEREAS, the Herriman City Council (the "*Council*") met in regular session on December __, 2014 to consider among other things, amending the name of the Sunrise Point Phase 1 subdivision; and

WHEREAS, the City approved a subdivision named Sunrise Point Phase 1 Subdivision; and

WHEREAS, the Salt Lake County Recorder informed the City that there is already a subdivision named Sunrise Point Phase 1 Subdivision; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the inhabitants of Herriman to amend the name of the Sunrise Point Phase 1 Subdivision.

NOW, THEREFORE, BE IT ORDAINED that the Sunrise Point Phase 1 Subdivision shall now be known as Sunrise Heights Phase 1 Subdivision.

PASSED AND APPROVED this __ day of December, 2014.

Herriman

Carmen Freeman, Mayor

Attest

Jackie Nostrom, City Recorder



STAFF REPORT

DATE: December 4, 2014

TO: The Honorable Mayor and City Council

FROM: Brett Wood, City Manager

SUBJECT: Repealing Resolution No. 13.44 that authorized the Wasatch Front Waste and Recycling District Fee Increase for 2015

RECOMMENDATION:

Approve Resolution No. ____ recognizing that the Wasatch Front Waste and Recycling District does not need a fee increase and repeal Resolution No. 13.44 that approved the associated fee increase.

BACKGROUND:

With the increased costs to utilize the land fill and the large amount of returned second garbage cans, it had been determined that a fee increase was inevitable in order to keep providing superior service to patrons.

DISCUSSION:

In 2014 the Wasatch Front Waste and Recycling District have successfully improved efficiencies in order to avoid the 2015 fee increase, and have requested the increase be repealed.

ALTERNATIVES:

The Council may determine not to repeal the fee increase.

FISCAL IMPACT:

None.

Brett Wood
City Manager

City Council
December 10, 2014



STAFF REPORT

DATE: December 1, 2014
TO: The Honorable Mayor and City Council
FROM: Justun Edwards
SUBJECT: 2014 Water Conservation Update

RECOMMENDATION:

Approval of Plan

BACKGROUND:

Water Conservation Plans must be updated every 5 years, this plan follows the state rule. The plan will assist Herriman City to meet the Utah State Department of Water Resources goal, which is to reduce the per capita water use which was set in the year 2000 by 25% by the year 2025. The plan outlines methods which we can implement for outdoor and indoor water use conservation to help us meet that goal.

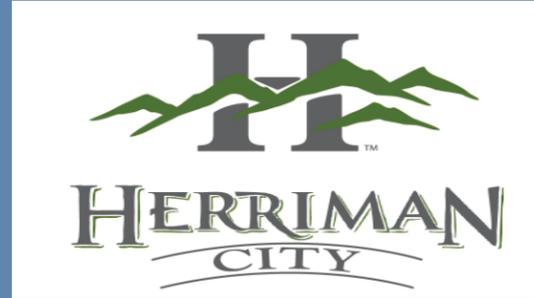
ALTERNATIVES:

None.

FISCAL IMPACT:

\$5,433

City Council
December 10, 2014



HERRIMAN CITY

2014 WATER CONSERVATION
PLAN

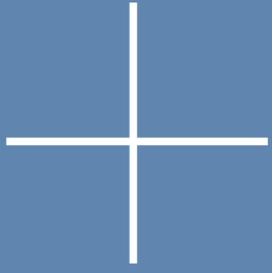
PROJECT NO. 217-14-02
DECEMBER 2014



PREPARED BY:



Bowen Collins
& Associates, Inc.
CONSULTING ENGINEERS



Salt Lake Area Office:
154 East 14000 South
Draper, Utah 84020
Phone: (801) 495-2224
Fax: (801) 495-2225

Boise Area Office:
776 East Riverside Drive
Suite 125
Eagle, Idaho 83616
Phone: (208) 939-9561
Fax: (208) 939-9571

Southern Utah Area Office:
1664 South Dixie Drive
Suite E102
St. George, Utah 84770
Phone: (435) 656-3299
Fax: (435) 656-2190



WATER CONSERVATION PLAN

INTRODUCTION

Water conservation has different meanings to different people. People who have adopted a conservation ethic are likely to support a wide range of water conservation practices aimed at reducing water use. Others not so inclined often associate water conservation with inconvenience, deprivation, and dry yards. From Herriman City's perspective, water conservation means increasing the efficiency of water use in order to sustain future water supplies to its customers. It does not mean dry yards and brown lawns, but rather a wise use of water to ensure that it is not wasted. With this in mind, Herriman City has adopted water conservation as a key element in its long-term master plan to serve its customers.

Attitudes toward water supplies are changing. Water is no longer seen as an endless supply, but as a valuable commodity that needs to be managed wisely. With this change in attitude, conservation is becoming a larger part of water suppliers' plans to meet future water needs. Many water suppliers throughout the country have adopted conservation programs. Benefits experienced as a result of these programs include:

- Maximizing utilization of existing water conveyance, treatment, and distribution facilities
- Delaying or deferring expensive construction of capital improvement projects
- Reducing the need for additional water supplies.

Officials at the State of Utah Department of Water Resources recognize the potential of conservation programs to extend current water supplies. They have established a statewide conservation goal of reducing per capita water use from levels measured in 2000 by 25 percent by the year 2025.

Herriman City recognizes the potential benefits of conservation efforts, which ultimately will reduce costs to individual customers. Since sustained additional water conservation will be an important component in Herriman City's plans for future water use, this report will evaluate the City's current conservation program and will discuss additional measures that will allow the City to conserve water.

HISTORY AND CURRENT POPULATION

The area of Herriman was first settled in 1849 and first became a City on April 19, 2001. Since the year 2000, Herriman City has experienced an average growth rate of approximately 28.6 percent growing from a population of approximately 1,500 people in 2000 to a population of 28,000 today (an 18 times increase in population) with much more room for growth remaining in the City. The historic and projected future population of Herriman City is identified in Table 1 below.

Table 1
Historic and Projected Herriman City Population

Year	Population
2000	1,523
2010	21,785
2014	28,797
2020	42,506
2030	71,361
2040	100,004
2050	120,020
2060	130,501
Buildout	138,613

Note that the population projections for Herriman City are somewhat higher than the population projections developed by the Governor's Office of Planning and Budget for Herriman City. This is primarily because the Herriman City boundary is projected to expand through annexation as indicated in Figure 1.

Figure 1 (placeholder)

EXISTING WATER USERS (Municipal & Industrial Connections)

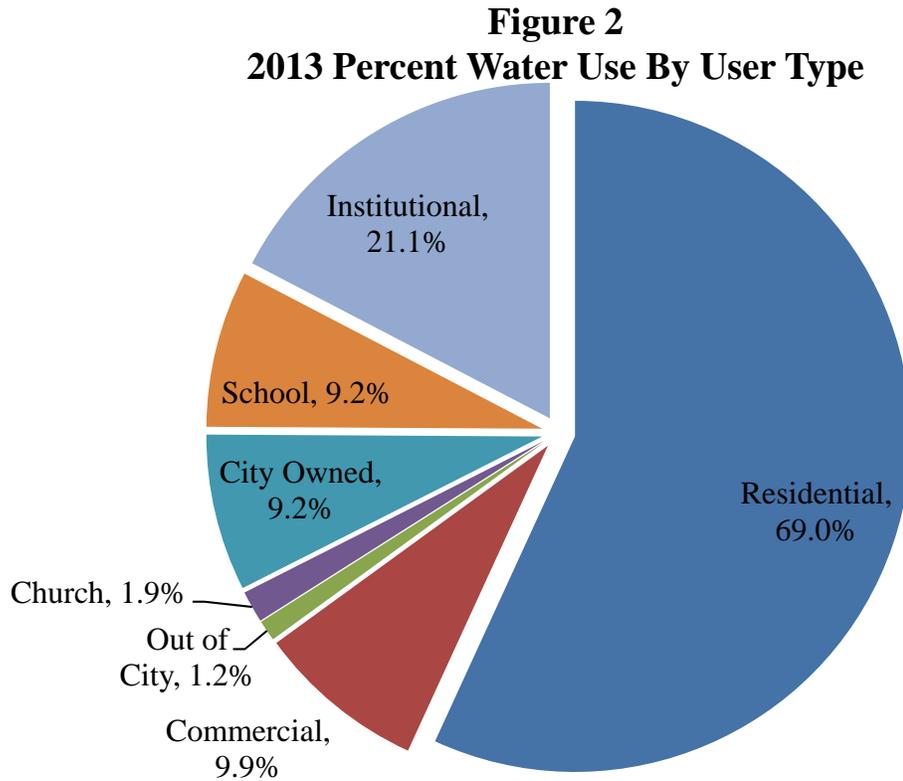
In 2000, Herriman City’s population was primarily an agricultural community using culinary water for indoor uses. Average per capita demands per person in the City were approximately 90 gallons per capita per day (90 gpcd) or 360 gallons per connection per day. For comparison, the State of Utah’s estimated average demand per residential connection is 400 gallons/per day for indoor water use only. Water use patterns today include more outdoor irrigation using culinary water. Table 2 lists the approximate number of culinary connections in the City in 2013.

**Table 2
Culinary Water Connections**

Meter Size	Residential	Commercial	Landscape	Total Culinary Water Connections
0.75	4,968	19	64	5,051
1	2,370	52	49	2,471
2	11	51	48	110
4	0	2	0	2
6	1	0	0	1
8	1	0	0	1
Total	7,351	124	161	7,636
Percentage	96.3%	1.6%	2.1%	100.0%

In addition to culinary water use in the City, the City has a partial secondary water system that is used to serve residents in newer parts of the City. The secondary water system began service to parts of Herriman in 2012, and approximately 2,400 secondary meter boxes exist in the City. However, there are only about 1,100 active secondary connections in the City. Many of the remaining meter boxes have yet to be connected to the City’s active secondary system. Currently, the City is planning on expanding its secondary water system to serve developing areas in its four lowest pressure zones (eventually connecting the empty meter boxes). Higher pressure zones are not practical to serve with a pressure irrigation system and developed parts of the City are cost prohibitive to convert to secondary in the near future.

Figure 2 shows the estimated water use by connection type in the City for 2013 water use.



TOTAL WATER DELIVERIES

Total water deliveries by source and type for the last four years are listed in Table 4 below.

Table 4
Annual Water Production by Source and Type (acre-ft)

Year	Springs	Culinary Wells	JVWCD	Welby Jacobs	Secondary Wells	Culinary Total	Secondary Total	Total
2010	122	1,941	2,640	--	--	4,704	0	4,704
2011	135	1,838	3,540	--	--	5,513	0	5,513
2012	116	2,311	3,999	127	--	6,426	127	6,553
2013	76	2,218	3,682	287	--	5,975	287	6,263

EXISTING WATER SUPPLY

The existing water supply for Herriman City is summarized in Table 5 below.

**Table 5
Source Capacity Summary**

Source	Location	Source Type	Peak Capacity (gpm)	Maximum Yield (acre-ft) ¹	Water Right (acre-ft)
Arnold Springs	6400 W 131000 S	Culinary	122	157.43	101.36
HP Well #1 ²	6400 W 131000 S	Culinary	172	221.95	
HP Well #2 ²	13106 S Rose Canyon Rd	Secondary	150	193.56	
HP Well #3 ²	7100 W 142000 S	Culinary	121	156.14	
HP Well #4 ²	7100 W 142000 S	Culinary	121	156.14	
Hamilton Well ²	5600 W 134000 S	Culinary	1,750	2,258.20	
Stokes Well ²	6515 W Rose Canyon Rd	Culinary	200	258.08	
Tuscany Well ²	5400 W Toscana Way	Secondary	1,000	1,290.40	
Bowdell Well ²	6000 W 12737 S	Secondary	300	387.12	2,880.47
5200 W & 13400 S Well	5200 W 13400 S	Culinary	3,000	2,580.80	800.00
JVWCD ³	Various locations	Culinary	14,900	19,226.96	1,667.00
Welby Jacobs ⁴	Various locations	Secondary	6,000	2,800.00	1,219.00
Total			26,836	29,686.77	6,667.83

¹ Maximum yield for springs and well is 80% of Peak Capacity in acre-ft

² Water rights for these wells have been consolidated. Perfected = 13.30 af, Approved changes = 1,167.17 af, Approved change with reconsideration = 1,700.00 af

³ JVWCD peak capacity and max yield is based on a contract. Last year Herriman used 2,640 acre-ft of JVWCD water

⁴ Maximum yield for Welby Jacobs water is limited by seasonal demands

PROJECTED WATER SUPPLY AND DEMAND

Table 6 and Figure 3 show the projected demand in the City with and without conservation.

Table 6
Projected Demand With & Without Conservation

Year	Annual Demand without Conservation (acre-ft)	Annual Demand with Conservation (acre-ft)	Additional Supply Required without Conservation (acre-ft)
2000	426	426	0
2005	3,498	3,324	0
2010	6,101	5,491	0
2015	8,984	7,637	0
2020	11,903	9,523	0
2025	15,572	11,679	3,445
2030	19,984	14,988	4,996
2035	24,227	18,171	6,057
2040	28,005	21,004	7,001
2045	31,189	23,392	7,797
2050	33,610	25,208	8,403
2055	35,348	26,511	8,837
2060	36,545	27,409	9,136

Because it is difficult to predict which parts of the City will develop first, it is also difficult to predict how soon additional culinary water supplies will be needed in the City. Figure 3 indicates that a large portion of the City’s existing water supply is from the Welby Jacobs Canal. If the City’s secondary system does not develop quickly enough, additional culinary water may be needed sooner than indicated in Table 5 and Figure 3.

Future water supplies for Herriman City will largely come from additional purchases of JVVCD contract water or Welby Jacob canal water for secondary irrigation. There is also some capacity to expand ground water use within the City.

CURRENT DEMAND & CONSERVATION GOAL

To avoid additional costs associated with acquiring more culinary and secondary water, the City would like to limit the growth in demand through conservation efforts. Existing per capita demand in Herriman City is estimated in Table 7 since 2010.

Figure 3 (Place Holder)

**Table 7
Herriman City Per Capita Demand**

Year	Per Capita Demand (gpcd)
2010	193
2011	205
2012	224
2013	198

For comparison, the State of Utah average per capita demand was 185 gpcd in 2010. The Jordan Valley Water Conservancy District (JVWCD), which is the wholesale water supplier for most of the City’s on the west side of Salt Lake County (including Herriman City), had a per capita demand of approximately 250 gpcd in 2000. Herriman City’s water conservation goal is based on a 25 percent reduction in per capita demand from the JVWCD 2000 average per capita demand. Table 8 indicates the proposed conservation goal and timeline for Herriman City’s conservation goal.

**Table 8
Herriman City Per Capita Conservation Goal**

Year	Per Capita Demand w/ Conservation (gpcd)
2000	250
2005	237.5
2010	225
2015	212.5
2020	200
2025	187.5

The City’s long term conservation goal is to reduce per capita demands to less than or equal to 187.5 gpcd by the year 2025. The City already has much less per capita water use than the JVWCD 2000 baseline, but consistently exceeds the 187.5 gpcd goal.

Conservation Measurements

To track how well the City is achieving its conservation goal, the City will calculate per capita demands on an annual basis using its production data and purchase data from JVVCD along with population estimates.

WATER METERING AND PRICING

To encourage conservation, the City has implemented a tiered water rate structure for both culinary and secondary water. Table 9 lists the water rates for residential connections (1” diameter or less) in the City for pressure zones 1 – 4.

**Table 9
Residential Connection Culinary & Secondary Rates**

	Culinary Water - Without Access to Secondary Water (Zone 1 - 4)	Culinary Water - With Access to Secondary Water (Zone 1 - 4)	Secondary Water Cost (Zones 1 - 4)
Culinary Water			
Base Rate (\$/month)	\$25.50	\$17.00	\$0.93
Tier 1 Volume (\$/kgal)	\$1.65	\$1.65	\$1.38
Tier 1 Cap (gal)	5,000	5,000	10,000
Tier 2 Volume (\$/kgal)	\$1.75	\$1.75	\$1.68
Tier 2 Cap (gal)	10,000	10,000	25,000
Tier 3 Volume (\$/kgal)	\$1.85	\$2.00	\$1.94
Tier 3 Cap (gal)	25,000	25,000	40,000
Tier 4 Volume (\$/kgal)	\$1.95	\$2.50	\$2.45
Tier 4 Cap (gal)	40,000	40,000	70,000
Tier 5 Volume (\$/kgal)	\$2.50	\$2.75	\$2.86
Tier 5 Cap (gal)	80,000	80,000	>70,000
Tier 6 Volume (\$/kgal)	\$3.20	\$3.30	
Tier 6 Cap (gal)	>80,000	>80,000	

In general, the base cost of water per connection increases with larger meter sizes (for non-residential connections) and for higher pressure zones (that require higher energy costs for pumping). The full culinary and secondary rates are available on the City’s website.

Including meters at every culinary and secondary water service connection was an important part of the City’s conservation plan. In addition, the City has a goal of replacing water meters every 15 – 20 years as needed to maintain meter and reporting accuracy. The City currently has an automated meter read (AMR) system that is read monthly through drive-by

collection. Approximately 25 percent of the meters in the system have leak detection capabilities (all meters installed after 2011 read usage every 15-minutes). This allows City personnel to notify residents on a monthly basis if a leak is detected. All new meters in the City will have this capability. However, because the majority of the City's existing meters are less than 10 years old, it will be at least 10-15 years before all of the City's meters have leak detection capabilities.

CURRENT CONSERVATION MEASURES & PUBLIC EDUCATION PROGRAMS

Because Herriman City's population has increased by 18 times since 2000, the majority of City water system infrastructure is relatively new. As the City has developed, conservation efforts have included some of the following programs:

- **Secondary Water System** – The City requires developers to install secondary distribution pipes in areas where secondary water is or will be accessible (Zones 1 – 4). As part of the secondary system, meter boxes and setters are installed so that secondary water can be tracked and paid for by volume.
- **Water Rates** – The City's water rates are tiered so that the highest volume users pay more per 1,000 gallons to encourage conservation. The goal is to reduce peak system demands and reduce the waste of water on outdoor landscaping uses.
- **Open Space & Parks** – The City meters water use at all parks and open spaces and evaluates use at larger parks on an annual basis to determine if any changes to irrigation patterns are warranted. The City has also installed rain detection devices at some parks to reduce needless watering during or after rain events.
- **Education Programs** - The City participates with JVVCD in the "Slow the Flow" educational program and encourages the use of water wise plumbing fixtures, landscaping plans, and irrigation systems. A link to educational programs offered by JVVCD is included on the City's website.
- **Leak Detection** – All meters installed since 2011 can log water use every 15 minutes and can detect fixture leaks at connections. This data is used to notify users of leaks in household fixtures.
- **Flyers** – Occasionally, flyers are sent to all consumers in their monthly water bills giving information on water conservation and tips on methods to conserve water both indoor and outdoor. Flyers are also located in the City offices giving facts and tips on water conservation.
- **Water Conservation Coordinator** – The City has appointed Danette Markus (the water department administrative assistant) as the City's Water Conservation Coordinator. The coordinator is responsible for all City conservation efforts including the Public Education Program, the Water Conservation Workshop, distributing City conservation information at City events, and acting as the liaison for water conservation matters between the citizens and City officials.
- **Outdoor Watering Ordinance** – The City has an ordinance restricting watering between 10 AM – 6 PM to reduce water waste through evapotranspiration.

These conservation efforts are likely responsible for the relatively low per capita water use in Herriman City compared to the Jordan Valley 2000 per capita water demand. Although the City strives to encourage conservation,

PROPOSED CONSERVATION MEASURES

Potential conservation measures are discussed in detail in the paragraphs that follow. Because of the inter-related nature of conservation measures, the amount of water that will be saved by each individual program cannot be calculated with any degree of accuracy.

WaterSense Program – The “WaterSense” partnership program developed by the Environmental Protection Agency provides free access to media materials, public service announcements, factsheets, brochures, and bill stuffers with water-efficiency messages. The City is considering becoming a WaterSense partner to obtain relevant information on and encourage conservation.

Meter Testing Program – As mentioned previously, most meters in the City are relatively new (less than 11 years old). However, the City intends to implement a meter testing and replacement program in 2016 to begin evaluating the oldest meters in its system.

Rain Sensors Installed in Parks – The City intends on installing rain sensors at City Parks and open spaces. These devices can detect rainfall events and send messages to the central control computer, indicating how much precipitation has been received at the site and can terminate a watering cycle when the precipitation makes irrigation unnecessary. The City will also require sensors to be installed in all new parks and open spaces.

Outdoor Conservation Incentives – The City would like to begin providing financial incentives to City residents to reduce outdoor watering requirements. The City may offer a rebate program for rain sensors installed on irrigation systems or for landscape modifications that reduce water use. This program is still under development, but the City hopes to have the program finalized by spring 2016.

Consumer Confidence Report – Water conservation information is included in the consumer confidence report. This report is sent to all Herriman City customers and includes information on the City’s water sources, water quality information, conservation tips.

Expanded City Ordinances Regarding Water Conservation – The City is currently considering several water conservation ordinances:

- Water Waste Ordinance – An ordinance stating it is unlawful to waste water in anyway.
- Plumbing Fixtures – The City may require all new construction to use WaterSense certified plumbing fixtures.
- Landscaping Ordinances –
 - The City is in the process of adopting a Water Efficient Landscape Ordinance. The ordinance would require new commercial and multifamily developments,

as well as new City-owned properties, to submit landscape and irrigation plans during the development review process. The plans would be required to be designed by certified professionals in both landscape and irrigation systems. The landscaped areas of the new developments could be required to meet certain irrigation system efficiency standards once installation is completed. In addition, water conserving plants would be required for areas with steep slopes. The developments would also be required to pass a water audit once the irrigation systems have been installed.

Frequent Conservation Rate Structure Updates and Improvements – Several years ago, Herriman City adopted seasonal water rate structure designed to encourage conservation. While the City believes that the new rate structure has helped consumers focus on conservation, it is felt that additional conservation could be better achieved through expanded education programs instead of additional rate revisions.

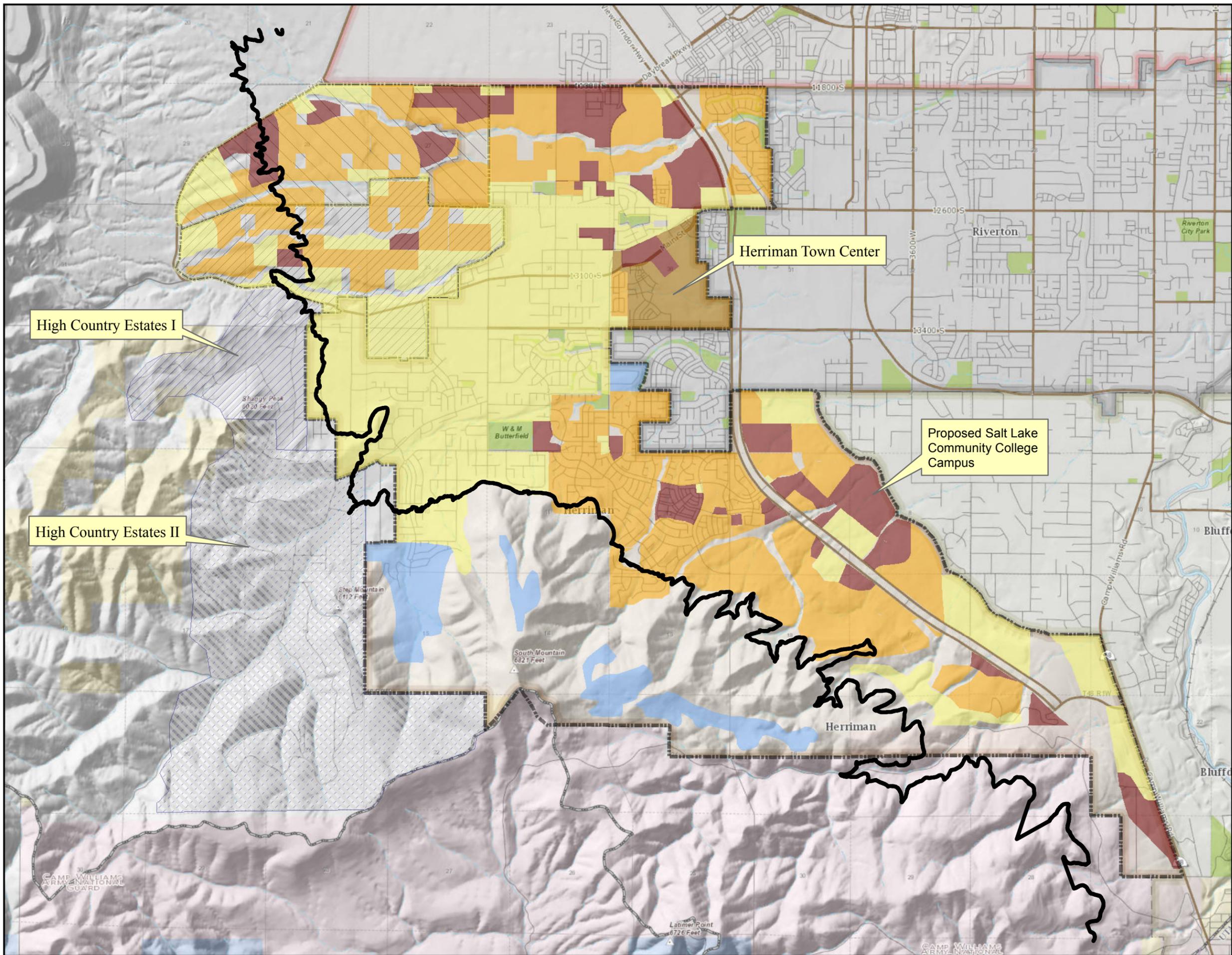
Water System Audits – The “Slow the Flow” program offers audits to water users. The audit includes checking sprinkling systems. After the audit, the program offers suggestions to improve water use efficiency. This program is available to all types of connections.

Expand Public Education Efforts – Herriman City currently supports many water conservation programs. Herriman City plans to remain active in public education on water conservation to sustain a long-term reduction in water use. Potential additional public education efforts may include:

- **Expanded Web-Based Information** – For many people, the Internet is now their primary source for information regarding water conservation. The City plans to expand the conservation information currently provided on the City’s web site and provide links to other conservation oriented websites.
- **Conservation Gardens** – The City will pursue water conserving landscapes within the City as well as advertising the demonstration and education gardens at the Jordan Valley Water Conservancy District’s main office.

WATER CONSERVATION PLAN ADOPTION

This water conservation plan was adopted December 10, 2014.



Legend

— Secondary Upper Boundary

ERCs / Acre

- 0.0 - 0.3
- 0.4 - 2.0
- 2.1 - 4.0
- 4.1 - 8.0
- 8.1 - 12.0
- 12.1 - 22.0

Proposed Annexation Area

- Year 2025
- Year 2040
- Current City Boundary

External Service Area

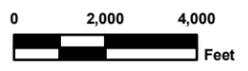
- High Country Estates I
- High Country Estates II

*Equivalent residential connections (ERCs) shown in this figure based on indoor water use equivalency

NORTH:



SCALE:



HERRIMAN CITY PROJECTED DEVELOPMENT DENSITY

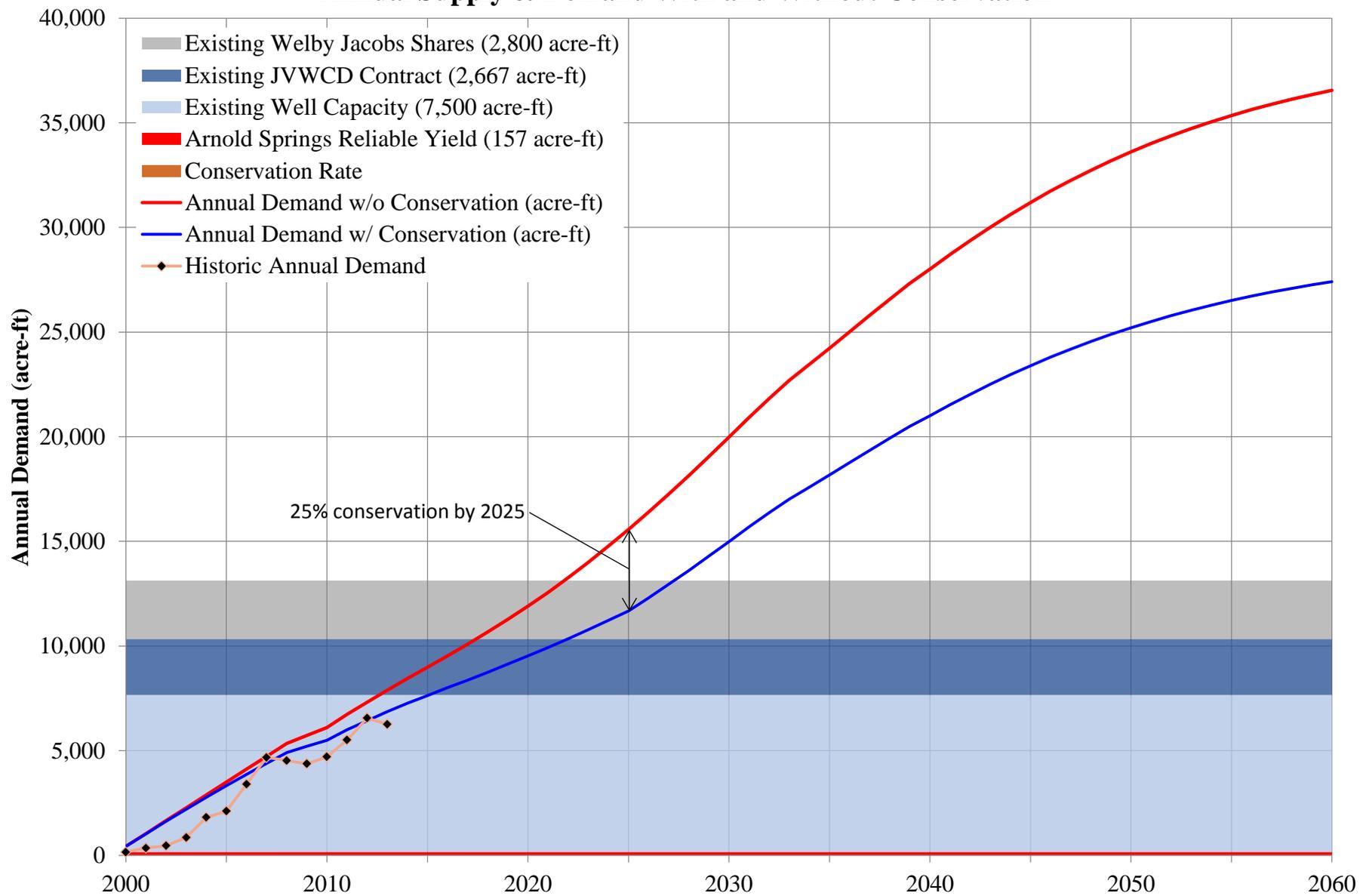
HERRIMAN CITY
WATER CONSERVATION PLAN

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

FIGURE NO.

1

Figure 3
Annual Supply & Demand With and Without Conservation





STAFF REPORT

DATE: December 4, 2014
TO: The Honorable Mayor and City Council
FROM: Planning Commission
SUBJECT: 14Z14 Rezone from A-1 to A-.25

RECOMMENDATION:

Approve the rezone from A-1 to A-.25 with a zoning condition of 2.6 dwelling units per acre.

BACKGROUND:

The general plan shows that the site is in the agricultural residential designation requiring a density of 1.8-3.0 units per acre. Higher densities are achievable as part of a PUD.

DISCUSSION:

The applicant met with the Planning Commission in a work meeting to discuss a subdivision versus a PUD. The applicant has submitted a subdivision with open space to achieve larger lots while still providing open space. A PUD in this area would require smaller lots than the PC feels comfortable with.

ALTERNATIVES:

FISCAL IMPACT:

None.

Bryn McCarty
City Planner

City Council
December 10, 2014

Herriman, Utah

Ordinance No. 14-xx

Rezone 13849 S 7530 W from A-1 (Agricultural Residential 1 Acre) to A-.25 (Agricultural Residential Quarter Acre) (File No. 14Z14)

WHEREAS, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

WHEREAS, pursuant to City of Herriman Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance map changes; and

WHEREAS, notice of the Planning Commission public hearing on the land use ordinance map change was sent on November 7, 2014, noticing of the November 20, 2014, public hearing at 7:00 p.m.; and

WHEREAS, the Planning Commission recommended approval of the land use ordinance map change in the meeting held on November 20, 2014, at 7:00 p.m. in the Community Center; and

WHEREAS, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

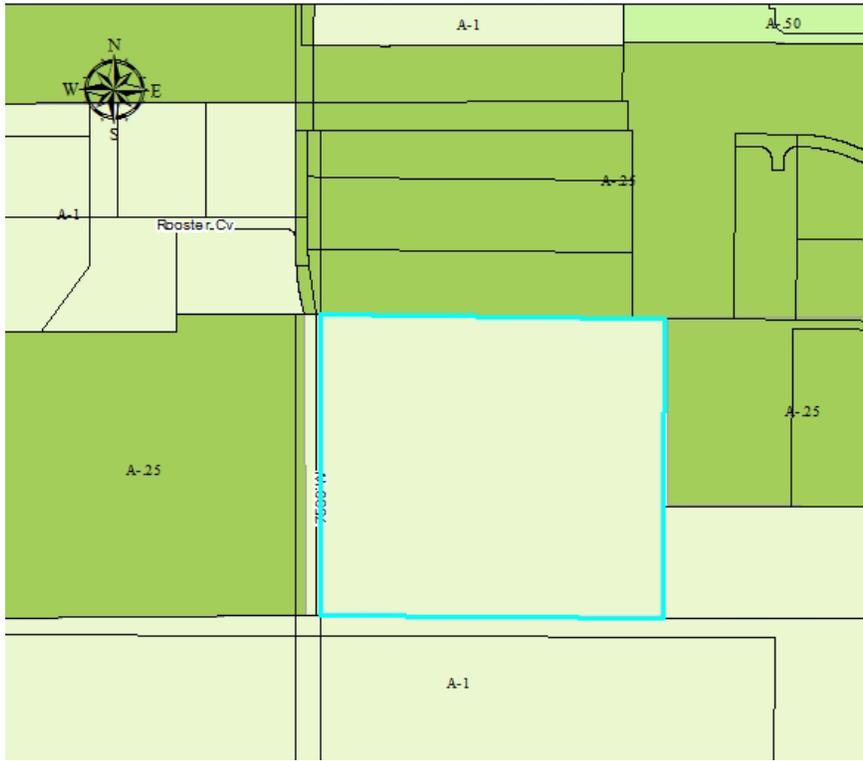
WHEREAS, the City Council public meeting on December 10, 2014, was held at 7:00 p.m. in the Community Center; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Herriman to adopt the land use ordinance map change as recommended by the Planning Commission;

NOW THEREFORE, be it ordained by the Herriman City Council that the following legally described area be adopted as a map change from A-1 to A-.25 with a zoning condition that the density not be over 2.6 units per acre on the zoning map of the City (12Z14):

Legal Description

Parcel Number 32-04-400-025
Contains 10 Acres



PASSED AND APPROVED this 10th day of December, 2014.

HERRIMAN CITY COUNCIL

By: _____
Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, City Recorder



STAFF REPORT

DATE: December 4, 2014
TO: The Honorable Mayor and City Council
FROM: Planning Commission
SUBJECT: 15Z14 Rezone from A-1 to A-.25

RECOMMENDATION:

Approve the rezone from A-1 to A-.25 with a zoning condition of 2.6 dwelling units per acre.

BACKGROUND:

The general plan shows that the site is in the agricultural residential designation requiring a density of 1.8-3.0 units per acre. Higher densities are achievable as part of a PUD.

DISCUSSION:

The applicant met with the Planning Commission in a work meeting to discuss a subdivision versus a PUD. The applicant has submitted a subdivision with open space to achieve larger lots while still providing open space. A PUD in this area would require smaller lots than the PC feels comfortable with.

ALTERNATIVES:

FISCAL IMPACT:

None.

Bryn McCarty
City Planner

City Council
December 10, 2014

Herriman, Utah

Ordinance No. 14-xx

Rezone 13841 S 7300 W from A-1 (Agricultural Residential 1 Acre) to A-.25 (Agricultural Residential Quarter Acre) (File No. 14Z14)

WHEREAS, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

WHEREAS, pursuant to City of Herriman Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance map changes; and

WHEREAS, notice of the Planning Commission public hearing on the land use ordinance map change was sent on November 7, 2014, noticing of the November 20, 2014, public hearing at 7:00 p.m.; and

WHEREAS, the Planning Commission recommended approval of the land use ordinance map change in the meeting held on November 20, 2014, at 7:00 p.m. in the Community Center; and

WHEREAS, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

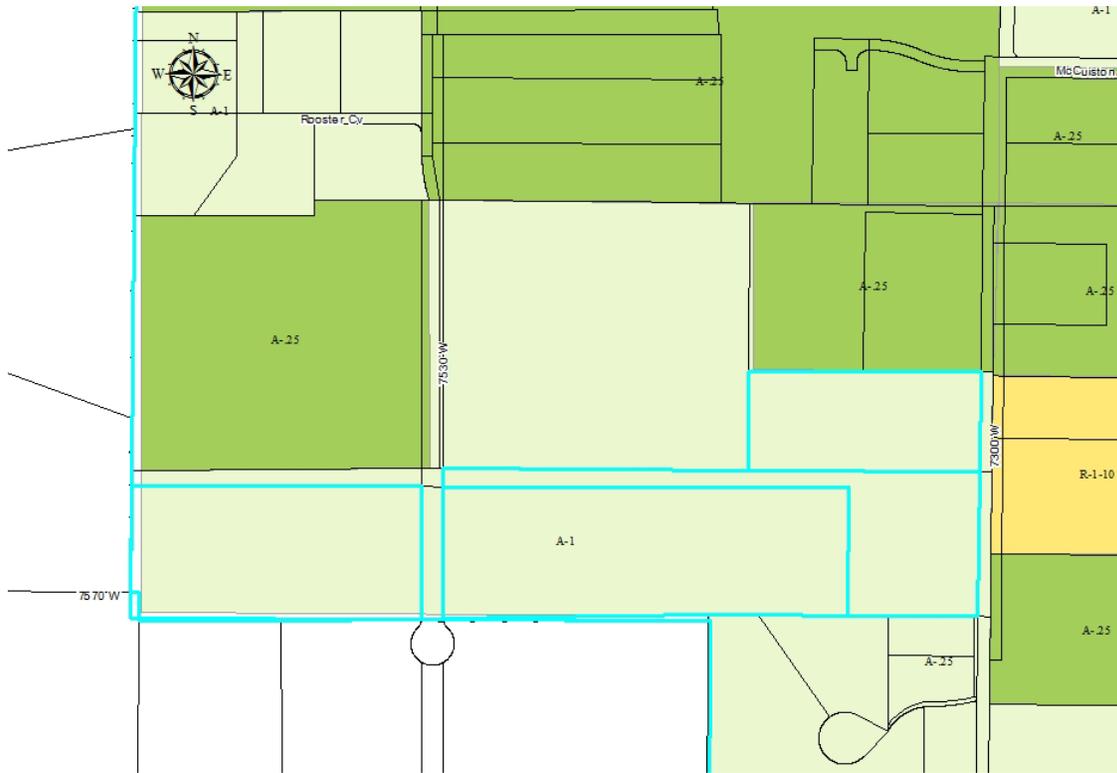
WHEREAS, the City Council public meeting on December 10, 2014, was held at 7:00 p.m. in the Community Center; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Herriman to adopt the land use ordinance map change as recommended by the Planning Commission;

NOW THEREFORE, be it ordained by the Herriman City Council that the following legally described area be adopted as a map change from A-1 to A-.25 with a zoning condition that the density not be over 2.6 units per acre on the zoning map of the City (12Z14):

Legal Description

Parcel Numbers 30-04-400-061 30-04-400-062 30-04-400-063 Contains 17.9 Acres



PASSED AND APPROVED this 10th day of December, 2014.

HERRIMAN CITY COUNCIL

By: _____
Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, City Recorder