



## PLANNING COMMISSION MINUTES

Wednesday, July 16, 2025

\*Amended July 11, 2025 @ 11:30 a.m.

Approved September 17, 2025

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, July 16, 2025, at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Commission, media, and interested citizens.

**Presiding:** Chair Andy Powell

**Commissioners Present at Work Meeting:** Brody Rypien, Darryl Fenn, Andrea Bradford, Jackson Ferguson, Heather Garcia, Alternate Forest Sickles

**Excused:** Adam Jacobson, Alternate Preston Oberg

**Staff Present:** Planning Manager Clint Spencer, Planner II Sheldon Howa, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Communications Specialist Mitch Davis, Staff Engineer III Josh Petersen, Assistant City Manager Wendy Thomas, Community Development Director Blake Thomas, Planning Director Michael Maloy.

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

Chair Andy Powell called the meeting to order at 6:01 p.m.

#### 1. Commission Business

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

Planning Manager Spencer reported on recent City Council decisions that reappointments were made for Andrea Bradford, Daryl Fenn, and Heather Garcia. Community Development Director Thomas added that there was a small amendment to the Panorama MDA, giving one of the property owners the right to submit a name for the dog park portion of Panorama Park. This was in exchange

for the ability to swap some property to adjust the Juniper Crest Road alignment. He noted that while the MDA was not signed yet, it was expected within a week. He also mentioned there was some contention among the council regarding the naming of the dog park, resulting in a 3-2 vote. The vacating of the existing right of way was approved with a 5-0 vote.

### 1.2. Review of Agenda Items – Planning Staff

The commission briefly reviewed the agenda items for the meeting, discussing each item as follows:

Item 4.1 The commission discussed the discovery of a large, unrecorded easement that required site plan amendments, including adjustments to building alignment and landscaping. Staff recognized the necessity of these changes and found them reasonable under the circumstances.

Item 4.2 The commission considered the shift from a tilt-up building to a brick and metal design, appreciating how this change aligns with the company's branding and operational needs. They also noted the positive long-term relationship anticipated with the business.

Item 4.3 The commission reviewed the proposed changes to the building's rear elevation, which include replacing storefront windows with man doors and brick, acknowledging this necessity for accommodating internal layout requirements.

Item 4.4 The commission reviewed the amendment affecting landscaping in front yards, emphasizing how the process ensures proper maintenance and aligns with planned development.

Item 4.5 The commission noted that this item was to be continued for further modifications by the developer.

Item 4.6 The commission praised the applicant's responsiveness to the requested changes in site layout for better pedestrian safety and found the proposal compliant with city standards.

Item 5.1 The commission focused on amendments concerning retaining walls and subdivision walls, with the Planning Commission deliberating on height restrictions, co-location requirements, setback requirements, and their impact on usable space lots.

Item 5.2 The commission covered proposed amendments related to wireless communication facilities. The Commission extensively discussed points such as conditional vs. permitted use, height and setback restrictions, facility separation distances, and stealth requirements to ensure appropriate service provision while maintaining community aesthetics and safety.

### 1.3. Review and Discuss Juniper Canyon Trailhead and Bike Jump Park – Bryce Terry, City Engineer and Wendy Thomas, Assistant City Manager

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+1.3.pdf>

Assistant City Manager Thomas presented an update on the Juniper Canyon Trailhead and Bike Jump Park project. She reported that an open house was held on June 26th, with 147 postcards sent out and approximately 10 people attending. One person immediately adjacent to the project expressed general concerns, while several others were excited about the jump park.

The project is located in the Juniper Canyon Recreation Area near Mountain View Corridor, Lees Market, and the new Academy Terrace apartments. It extends up the canyon to Juniper Crest and

beyond to the hillside. Phase 1, which included the Juniper Canyon East Trailhead and track, was completed a few years ago with support from Salt Lake County.

The current phase (Phase 3) includes a trailhead parking lot with restrooms, a small pavilion, and about a mile of asphalt trails through the canyon. The proposed trailhead is a cul-de-sac design, which is a scaled-down version of the original grand design due to dwindling park impact fees. This design is more cost-effective and easier for sewer access.

The bike jump park, funded by Friends of Herriman through grants, will include three lines of beginner, intermediate, and advanced jumps. She noted that these types of parks are becoming popular in parks and open spaces.

Commission members asked questions about the proximity to emergency services, the topography of the site, and future amenities planned for the area. Assistant City Manager Thomas confirmed that future phases may include additional amenities like a playground and possibly a dog park.

1.4. **\*Discussion regarding a proposed fitness center development located at 4684 West 12600 South – Blake Thomas, Community Development Director**

[https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+1.4+Staff+Report\\_Lifetime.pdf](https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+1.4+Staff+Report_Lifetime.pdf)

Community Development Director Thomas presented information about a proposed Lifetime Fitness center development. The location is near the Maverick on 12600 South, encompassing about 14 acres. Blake showed the site plan, which includes another lot for future development, and the fitness center with an upper pool and pickle ball courts.

Dan Beavers from Lifetime provided an overview of the company and their proposed facility. He explained that Lifetime is a health and wellness company that has been operating clubs across the country for over 30 years. The proposed facility would be similar to their recently opened club in Rosemont, Minnesota, offering a variety of amenities for members from "90 days to 90 years."

The commission engaged in a thorough review of various elements of the proposal, specifically focusing on its overall impact, choice of building materials, landscaping plans, and projected timeline. The applicants provided insight into their plans, highlighting their ambition to initiate construction following final design approval and permitting processes, with an anticipated construction period of approximately 18 months, aiming for project completion by fall 2027.

## 2. Adjournment

*Commissioner Garcia moved to adjourn the meeting at 7:01 p.m. Seconded by Commissioner Ferguson and all voted aye.*

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

Chair Andy Powell called the meeting to order at 7:07 p.m.

## 3. Call to Order

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

Angela Hansen led the audience in the Pledge of Allegiance.

### 3.2. Roll Call

Full Quorum Present

### 3.3. Conflicts of Interest

No conflicts were reported.

### 3.4. Approval of Minutes for the June 18, 2025 Planning Commission Meeting

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+3.4.pdf>

*Commissioner Garcia motioned to approve the Minutes for the June 18, 2025 Planning Commission meeting; Commissioner Oberg seconded and all voted aye.*

## 4. Administrative Items

Administrative items are reviewed based on standards outlined in the ordinance. Public comment may be taken on relevant and credible evidence regarding the application compliance with the ordinance.

### 4.1. Consideration of an amendment of the Conditional Use for Main Street Meats at 2342 W Porter Point Cove in the M-1 Manufacturing Zone.

**Applicant: Brandon Lundeen (Authorized agent)**

**Acres: ±2.53**

**File No: C2025-077**

<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+4.1.pdf>

Planning Manager Spencer presented the amendment for Main Street Meats' conditional use permit. He explained that the company was approved in March but discovered a large, unrecorded easement during site preparation. This necessitated changes to their approved plans.

The site plan has been tweaked slightly, with the building shifted a bit. Due to the easement, they can't plant trees in a large portion north of the property, so they're proposing large shrubs instead. There's also a small reduction in parking, but they were over by more than 20 stalls originally, so this isn't a concern.

Brandon Lundin from Diversified Design Services, representing the applicant, explained that they discovered two 36-inch diameter high-pressure gas lines on the west side of the property and two large aquifers on the other side. These utilities restrict infrastructure, retaining walls, and large trees with deep roots in those areas.

*Commissioner Oberg moved to approve item 4.1 Consideration of an amendment of the Conditional Use for Main Street Meats at 2342 W Porter Point Cove in the M-1 Manufacturing Zone with staff's recommendations 1. Comply with department requirements. 2. Comply with Landscaping requirements: A. LA Stamp B. 50% live growth C. Along Porter Rockwell Blvd (work w/ UDOT) D. Waiver to replace trees w/ shrubs per easement. 3. Different texture/ color/ material for pedestrian crossing. 4. Screening fencing not be chain link; vinyl or better.*

*Commissioner Ferguson seconded the motion.*

*The vote was recorded as follows:*

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	Aye
Alternate Commissioner Preston Oberg	Absent

*The motion passed unanimously.*

**4.2. Consideration of a Conditional Use Permit amending the building footprint and elevations for the Colonial Flag building located at approximately 15928 S Rockwell Park (Lot 1, Rockwell Park Cove Subdivision) in the M-1 Manufacturing Zone.**

**Applicant: Reid Wintersteen (Authorized agent)**

**Acres: ±8.06**

**File Number: C2025-084**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+4.2.pdf>**

Planner Howa presented the amendment for the Colonial Flag building, explaining that the applicant is requesting revisions to the elevations and building footprint. This new design transitions from a tilt-up building to a brick and metal building, with a reduction in the footprint by approximately 620 square feet. The proposed design utilizes metal paneling and includes a brick wainscot across the bottom, which meets the minimum standard for the M-1 Manufacturing Zone.

Paul Swenson, owner of Colonial Flag, and Patrea Marolf, his real estate broker, expressed their excitement about becoming part of the Herriman community. Paul shared his motivation for the changes, highlighting that the new design more accurately reflects the company's brand and operational needs. He also mentioned a personal connection to metal buildings due to his family's history in the insulation business and his desire to move away from the tilt-up design they've used for many years.

Paul also discussed the importance of the building's visibility and their intention to install a 150-foot flagpole at the site, adding that it would be shorter than the power lines behind the building. The commission responded favorably to the changes, finding them to align with city requirements, and appreciated the patriotism Colonial Flag brings to the community. Additionally, the commission discussed the materials used, the potential for landmark status with the flagpole, and the overall design aesthetics. The anticipation of enhanced community involvement and cultural contributions from Colonial Flag was emphasized, as was the company's long-standing reputation for maintaining the appearance of their flags.

***Commissioner Garcia moved to approve item 4.2 Consideration of a Conditional Use Permit amending the building footprint and elevations for the Colonial Flag building located at approximately 15928 S Rockwell Park (Lot 1, Rockwell Park Cove Subdivision) in the M-1***



**Manufacturing Zone with staff's recommendations 1. Applicant receives and agrees to all recommendations of approval. 2. All conditions of the original approval are met (per City File No C2024-144). A. Provide landscaped parking island as required. B. Provide convenient bicycle parking. 3. Building elevation shall include one or more non-metal siding materials to comply with City Code 10-13-4, which prohibits the construction of full "metal buildings". 4. Concealed fasteners shall be used on all architectural metal panels. 5. The applicant shall provide an updated photometric plan for the site.**

Commissioner Fenn seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	Aye
Alternate Commissioner Preston Oberg	Absent

The motion passed unanimously.

**4.3. Consideration of an amendment of a Conditional Use site plan to modify the building elevations of a multi-tenant structure in the Garage Plaza Development located at 12543 S Herriman Auto Mall Row in the C-2 Commercial Zone.**

**Applicant: Steve Pruitt / AGP HGP 2 LC (Owner/Agent)**

**Acres: ±1.42**

**File No: C2025-085**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+4.3.pdf>**

Planner Howa presented the amendment for the Garage Plaza multi-tenant building. The proposal involves changes to the building's rear elevation, specifically removing the storefront windows and replacing them with man doors and brick to match the rest of the building's facade. He detailed how the design modifications are intended to better accommodate the interior layout and the functional needs of back-of-house spaces, highlighting that the rear of the building does not face any public rights-of-way and is not highly visible, thereby minimizing potential aesthetic concerns.

Jeremy Ford, representing the applicant, further elaborated on the necessity of these updates, pointing out that the original architectural plans included storefront features that were not suitable for the building's intended use. The updated plans aim to optimize the building's service areas by simplifying the rear access and ensuring consistency with the overall architectural style.

During the commission's deliberations, members acknowledged the practical reasons for the proposed changes and expressed understanding of their needs. They noted that the revised elevations align well with the intended functionality of the building and maintain coherence with the architectural elements already approved in the earlier design. As the amendments were primarily

focused on logistical improvements rather than aesthetic alterations, the commission found that the proposed modifications were sensible and did not detract from the building's overall design or its integration within the commercial area.

*Commissioner Ferguson moved to approve item 4.3 Consideration of an amendment of a Conditional Use site plan to modify the building elevations of a multi-tenant structure in the Garage Plaza Development located at 12543 S Herriman Auto Mall Row in the C-2 Commercial Zone with staff's recommendations 1. Receive and agree to all recommendations and requirements from other departments. 2. The conditions of approval are met from the original approval (City File No C2023-068). And adding 3. Amended windows on east elevation to be reviewed by staff.*

*Commissioner Garcia seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Absent</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>Absent</i>

*The motion passed unanimously.*

**4.4. Consideration of an amended Plat for Joshua Tree at Olympia Phase 1, at 6660 W Pine Trail Ln in the Large Project Master Plan Community (LPMPC) known as Olympia.**

**Applicant: Wright & Associates LLC (Owner)**

**Acres: ±4.216**

**File No: S2025-080**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+4.4.pdf>**

Planning Manager Spencer presented the amended plat for Joshua Tree at Olympia Phase 1, located at 6660 W Pine Trail Ln in Olympia. The amendment is focused on the detached single-family homes and involves inserting an easement in the front yards of these properties to ensure the ongoing maintenance of landscaping. He provided an overview of the existing plat and the proposed changes, emphasizing that the amendment is straightforward and involves only minor modifications.

During the presentation, Planning Manager Spencer noted that there has been a considerable amount of construction activity in Olympia recently, with many of the streets already in place and several units in Phase 1 under construction. He highlighted that the new amendment primarily deals with establishing an easement for maintenance purposes and does not impact the overall layout or function of the existing plat.

*Commissioner Oberg moved to approve item 4.4 Consideration of an amended Plat for Joshua Tree at Olympia Phase 1, at 6660 W Pine Trail Ln in the Large Project Master Plan Community*

*(LPMPC) known as Olympia with staff's recommendations 1. Subject to conditions of approval from 07/19/2023. 1. Receive and agree to the remaining corrections from all City departments. 2. The final plat and plans from Kings Canyon and Olympia Backbone Dedication Plat be approved and recorded before, or the same time as, the proposed plat to provide access to the subdivision. 3. The applicant work with staff to update the Land Use plan. 4. Work with staff to ensure compliance with sight triangles and street tree locations. 5. Note that no stone in the park strip may be smaller than 1-1/12" inches. 6. Ensure the fifty (50%) percent of the landscaping is covered with live growth.*

Commissioner Sickles seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	Aye
Alternate Commissioner Preston Oberg	Absent

The motion passed unanimously.

**4.5. Consideration of a Preliminary Plat for a twenty-seven (27) lot residential subdivision known as the Homestead at Butterfield Subdivision located generally at 13255 S Rose Canyon Road in the A-1-10 Agricultural Single-Family Zone. (Public Hearing)**

**Applicant: Jeff Neal (Property owner)**

**Acres: ±14.337**

**File No: S2025-022**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+4.5.pdf>**

Chair Powell announced the item was requested by the applicant to be continued.

**Commissioner Ferguson moved to continue item 4.5 Consideration of a Preliminary Plat for a twenty-seven (27) lot residential subdivision known as the Homestead at Butterfield Subdivision located generally at 13255 S Rose Canyon Road in the A-1-10 Agricultural Single-Family Zone.**

Commissioner Garcia seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye



Alternate Commissioner Forest Sickles      Aye  
Alternate Commissioner Preston Oberg      Absent

*The motion passed unanimously.*

**4.6. Consideration of a Conditional Use for a 7-11 gas station and convenience store located at approximately 14752 S Academy Pkwy in the C-2 Commercial Zone.**

**Applicant: Elliot Smith, TerraForm Companies, LLC (Authorized agent)**

**Acres: ±1.65**

**File Number: C2025-065**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+4.6.pdf>**

Planner Hoadley presented the conditional use application for a 7-11 gas station and convenience store. She explained that during the review process, they worked with the applicant to adjust the sidewalk layout to mitigate potential auto-pedestrian conflicts. All landscaping requirements have been met, and engineering standards have been satisfied.

Joe Pienezza, representing Terraform Companies, the developer, expressed their excitement to bring another 7-11 to the area and confirmed that they were comfortable with the staff's recommendations.

The commission briefly discussed the proposal and found it to be in line with city requirements.

*Commissioner Oberg moved to approve item 4.6 Consideration of a Conditional Use for a 7-11 gas station and convenience store located at approximately 14752 S Academy Pkwy in the C-2 Commercial Zone with staff's recommendations 1. Receive and agree to all recommendations from other agencies. 2. Relocate the pedestrian walkway to minimize conflicts between automobiles and pedestrians. 3. Provide a walkway for future development to the south. 4. Provide a bike rack for customer and employee use. 5. Provide an Architectural Review Committee (ARC) approval letter from the South Hills Development team.*

*Commissioner Ferguson seconded the motion.*

*The vote was recorded as follows:*

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	Aye
Alternate Commissioner Preston Oberg	Absent

*The motion passed unanimously.*

**5. Legislative Items**

Legislative items are recommendations to the City Council. Broad public input will be taken and considered on each item. All legislative items recommended at this meeting will be scheduled for a decision at the next available City Council meeting.

**5.1. Review and consider a recommendation to amend Title 10 of the Land Development Code to modify the definition and associated standards that regulate the design and placement of retaining walls and subdivision walls in Herriman. (Public Hearing)**  
**Applicant: Sheldon Howa, Planner II, Herriman City File No: Z2025-087**  
<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+5.1.pdf>

Planner Howa presented the proposed amendments to the Land Development Code regarding retaining walls and subdivision walls, aiming to address several issues identified by the city council and are connected to a pending ordinance established in January 2025. The key components of these amendments consist of several integral parts: Definitions, Measurement Clarifications, State Legislation, Location Regulation, Height Restrictions, Exceptions, Subdivision Walls, and Engineering Requirements.

These proposed changes aim to improve the way retaining walls and subdivision walls are integrated into new developments, ensuring they are safe, functional, and minimally impactful on the surrounding environment. The commission discussed these amendments extensively, considering safety, aesthetics, and functionality while also focusing on reducing potential conflicts between property owners.

Chair Powell opened the public hearing.

No comments were offered.

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

Commissioners engaged in a detailed discussion regarding the proposed amendments to the regulations for retaining walls and subdivision walls. The conversation touched on several key aspects, reflecting the commission's priorities in ensuring safety, aesthetics, and functionality within the community.

A primary topic of concern was the reasoning behind the specific height restrictions for retaining walls. Commissioners noted the variability in standards among different municipalities, with some allowing taller walls while others mandate shorter, tiered structures. This prompted considerations of Herriman's unique topographical challenges, acknowledging that requiring excessive tiering could significantly impact the usable space in residential lots, therefore affecting homeowners' ability to fully utilize their properties. The discussions underscored the importance of ensuring both current and future compliance through rigorous planning and review processes.

Setback requirements from property lines and structures were another focal point. While intended to protect neighboring properties, particularly in terms of drainage and safety concerns, commissioners were wary of the potential for overly restrictive setbacks to hinder development.

The possibility of granting exceptions under specific circumstances, particularly where tiered wall construction might render a lot practically unusable, was acknowledged as a necessary flexibility.

Safety and aesthetics were persistent themes throughout the deliberations. The commission emphasized the need for retaining walls and subdivision walls to be not only effective but also visually harmonious with the surrounding environment. The integration of aesthetic features such as color bands and decorative elements for taller walls was proposed to enhance their visual appeal and community acceptance.

Following this extensive exploration of implications and considerations, commissioners leaned towards a recommendation for approval, contingent upon certain modifications being made to better address these concerns. The conditions proposed by staff, along with additional refinements made during the meeting, would be implemented to ensure the amendments align with both the city's developmental goals and the community's expectations.

*Commissioner Ferguson moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consider a recommendation to amend Title 10 of the Land Development Code to modify the definition and associated standards that regulate the design and placement of retaining walls and subdivision walls in Herriman staff recommendations 1. Amendments pertaining to subsection §10-3-5 Definitions Generally, defining “Retaining Walls”, “Subdivision Walls”, “Surcharge”, and adding clarity to the definition of “Building Height”. 2. Amendment adding a subsection to § 10-29 Supplementary and Qualifying Regulation regulating the construction and placement of retaining walls. and adding 3. Staff to refine the language to Height, Building and refine language to Engineer exception for height and tiering at the 5 feet.*

*Commissioner Sickles seconded the motion.*

*The vote was recorded as follows:*

Commissioner Darryl Fenn	No
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	No
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	Aye
Alternate Commissioner Preston Oberg	Absent

*The motion passed with a vote 4:2.*

- 5.2. Review and consider a recommendation to amend Title 10 Land Development Code to expand telecommunication services by modifying the location criteria and related standards for the construction and operation of wireless communication facilities, including monopole structures, on non-residential property.**

**Applicant: Mark Williams, Taft, Sherman & Howard (attorney and authorized agent)**

**File No: Z2024-125**

**<https://herrimancity-meeting-files-pc.s3.us-west-1.amazonaws.com/7-16-25/Item+5.2.pdf>**

Planning Director Maloy presented the continuation of a proposed text amendments concerning wireless communication facilities. The main driver behind this was the applicant's submission for interest in acquiring a site for a potential facility within the city. This amendment aimed to address various aspects of the current code pertaining to wireless communication facilities.

One significant issue was whether to maintain wireless communication facilities as a conditional use or transition them to a permitted use in specific zones. The prevailing sentiment among the commissioners was to lean towards keeping them conditional to retain a measure of oversight, ensuring each application could be assessed on its conditions and merits.

Another crucial area of deliberation involved height restrictions for monopoles. There was a proposal to allow taller monopoles to facilitate more carriers on a single pole, thereby reducing the overall number within the city. This viewpoint contrasted with concerns about the visual impact such structures might have on the community aesthetic, particularly in residential areas.

Setback requirements from residential zones emerged as another contentious topic. Commissioners considered existing setbacks and whether these should be extended or altered to better protect residential properties. The goal was to find a balance that would address safety concerns without being too restrictive and limiting potential development.

The discussion also touched on separation distances between facilities. By spacing them appropriately, the commission hoped to avoid saturation in any one locality while ensuring comprehensive coverage across the city. There were differing opinions on what the exact measurements should be, indicating the need for a carefully crafted policy that would be effective and adaptable.

Stealth requirements and what measures could satisfy these requirements were yet another point of contention. Commissioners debated what form stealth elements should take, and whether paint alone constitutes a sufficient solution. The applicant noted that a combination of different stealth measures might be necessary to blend the monopoles effectively into the surrounding landscape.

Overall, the commission engaged in a thorough analysis balancing the need for modern communication services with maintaining visual appeal and community standards. A motion was ultimately passed, with the consensus to recommend approval to the city council. This included retaining the conditional use requirement, discussing pole height limitations, recommending a minimal distance from residential lot lines, and removing a section concerning facility distances from schools and parks.

*Commissioner Fenn moved to forward a positive recommendation of approval to City Council of item 5.2 Review and consider a recommendation to amend Title 10 Land Development Code to expand telecommunication services by modifying the location criteria and related standards for the construction and operation of wireless communication facilities, including monopole structures, on non-residential property with staff's recommendations 1. The applicant shall work with Planning Department staff to codify the proposal in a format that is consistent with the adopted Herriman City Code. 2. Replace all references to 'development permit(s),' which is undefined, with "land use permit(s)," which is defined in Herriman City Code 10-3-5. 3. Amend the term of expiration in Section 9, A.7 from one (1) year to two (2) years, which is consistent with City Code 10-5-10 (J) for Conditional Use Permits. 4. Amend Section 9, A.8 to read, "The installation and construction authorized by a building permit shall be completed within ~~three (3) years~~ 180 days after its approval,*

or it will expire without further action by the City unless prior to the ~~three (3) years~~ 180 days the applicant submit an extension request to the City Building Department, in its sole discretion, may grants a

time extension for due cause.” 5. Amend the initial reference to code citations, such as “47 C.F.R.” to read “Title 47 Telecommunication of the Code of Federal Regulations (47 C.F.R.)” or add definitions for all code references (such as “C.F.R.” and “U.F.C.”) to Section 4 of the amendment. 6. Amend Section 6. C.1. (Location Preference) as follows: ~~A. Property designated non-residential unless otherwise prohibited pursuant to this title, unless the absence of the facility’s deployment would have the effect of prohibiting Personal Wireless Services as provided by Applicable Law. B. Property designated public or quasi-public, unless otherwise prohibited pursuant to this title. However, property designated non-residential may be administratively approved by the Planning Director under the authority of the Planning Commission as a Conditional Use, subject to the provisions of Section 10-4-8 of this Title, when: 1. Public or quasi-public properties are unavailable or inaccessible within an area that has technical or communication deficiencies, and 2. The absence of the facility’s deployment would have the effect of prohibiting Personal Wireless Services as provided by Applicable Law.~~ 7. Amend Section 4.S to clarify that a “Concealed Facility” or “Disguised Facility” is a type of “Stealth Facility” subject to all stealth facility regulations. 8. Whereas Herriman City Code 7-13 sufficiently regulates “Small Wireless Facilities,” Section 11 and regulations of “Small Cell” permits should be removed from the proposal. 9. Regarding proposed amendments to Table 10-16, “Stealth Facilities” shall be classified as a “Permitted Use,” and “Freestanding Facilities” with a monopole shall be classified as a “Conditional Use” in non-residential zones or on public or quasi-public property. And adding 10. causing it to be conditional, limiting the pole height to 80 feet, making it 100 percent the height of the pole to the residential lot line, and deleting section 10-35-6-C-3 Sites with minimum separation. Sites that are more than five hundred (500) feet from school, playgrounds, and parks; provided, however, that Small Cell/Wireless Facilities may be spaced closer if the Applicant can demonstrate that failure to provide such closer placement would have the effect of prohibiting Personal Wireless Services as provided by Applicable Law.

Commissioner Jackson seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	No
Commissioner Brody Rypien	No
Commissioner Adam Jacobson	Absent
Commissioner Andrea Bradford	Aye
Alternate Commissioner Forest Sickles	No
Alternate Commissioner Preston Oberg	Absent
Chair Andy Powell	Aye

The motion passed with a vote 4:3

## 6. Chair and Commission Comments

Commissioners discussed their reasons for voting for or against the motion on item 5.2. The main point of contention was the setback distance from residential areas, with some commissioners preferring a 200-foot minimum distance or a percentage based on the height of the pole.



## 7. Future Meetings

7.1. Next Planning Commission Meeting: August 6, 2025

7.2. Next City Council Meeting: August 13, 2025

## 8. Adjournment

*Commissioner Sickles moved to adjourn the meeting at 9:51 p.m. Seconded by Commissioner Garcia and all voted aye.*

*I, Angela Hansen, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on July 16, 2025. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.*



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Angela Hansen

Deputy City Recorder