



CITY COUNCIL AGENDA

Wednesday, October 08, 2025

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

5:30 PM – WORK MEETING: (Fort Herriman Conference Room)

1. Council Business

- 1.1. Review of this Evening's Agenda
- 1.2. Future Agenda Items
- 1.3. Council discussion of future citizen recognitions

2. Administrative Reports

- 2.1. September 2025 City Status Report – Trevor Ram, Assistant to the City Manager
- 2.2. Discussion Regarding Potentially Amending City Ordinance Concerning Road Cuts – Bryce Terry, City Engineer
- 2.3. Discussion of a budget amendment to fund the Stampede Bowl Trail – Anthony Teuscher, Deputy Director of Parks, Recreation and Events

3. Adjournment

7:00 PM – GENERAL MEETING:

4. Call to Order

4.1. Invocation/Thought/Reading and Pledge of Allegiance

4.2. City Council Comments and Recognitions

5. Public Comment

Audience members may bring any item within the City's purview to the City Council's attention. Comments will be limited to two minutes. State Law prohibits the Council from acting on items that do not appear on the agenda. Public comments for this meeting will also be conducted electronically. Any person interested in addressing the Council may submit a comment by emailing recorder@herriman.org or by visiting Herriman.org/agendas-and-minutes, where there is a link to fill out an online public comment form. Your statement will be incorporated into the public record.

6. City Council Reports

6.1. Councilmember Jared Henderson

6.2. Councilmember Teddy Hodges

6.3. Councilmember Sherrie Ohrn

6.4. Councilmember Terrah Anderson

7. Mayor Report

8. Consent Agenda

8.1. Review and approval of the August 2025 financial summary – Kyle Maurer, Director of Finance and Administrative Services

8.2. Approval of the September 10, 2025, and September 24, 2025 City Council meeting minutes

9. Discussion and Action Items

- 9.1. Discussion and consideration of amendments to Herriman City Commercial Zoning Code Sections 10-3-6: Land Use Categories Definitions, 10-12: Commercial and Office Zones, 10-15-7: Major Corridor Sign Overlay Zone, and 10-16: Table of Uses – Blake Thomas, Community Development Director
- 9.2. Review and consider a proposal by Larry Myler, Herriman 73 Partners LLC, to amend the Crescent Commercial Development Master Development Agreement (MDA) to allow Warehousing and General Wholesale activities as a conditional land use, modify buffer requirements between commercial and residential land uses, and require compliance with architectural standards for commercial construction within the MDA for ±15.5 acres of property located approximately at 5452 W Herriman Boulevard in the C-2 Commercial Zone (City File No M2025-110) – Michael Maloy, City Planner

10. Future Meetings

- 10.1. Next Planning Meeting: October 15, 2025
- 10.2. Next City Council Meeting: October 22, 2025

11. Closed Session

The Herriman City Council may temporarily recess the City Council meeting to 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

12. Adjournment

13. Recomment to Work Meeting (If Needed)

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

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

PUBLIC COMMENT POLICY AND PROCEDURE: The purpose of public comment is to allow citizens to address items on the agenda.

Citizens requesting to address the 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.

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



STAFF REPORT

DATE: September 24, 2025

TO: The Honorable Mayor and City Council

FROM: Trevor Ram

SUBJECT: City Status Report – September 2025

RECOMMENDATION:

Staff recommend acceptance of the City Status Report.

ISSUE BEFORE COUNCIL:

Should the City Council accept the City Status Report for September 2025?

ALIGNMENT WITH STRATEGIC PLAN:

CE 2 – Promote trust in government

BACKGROUND/SUMMARY:

This is the City Status Report for September 2025.

DISCUSSION:

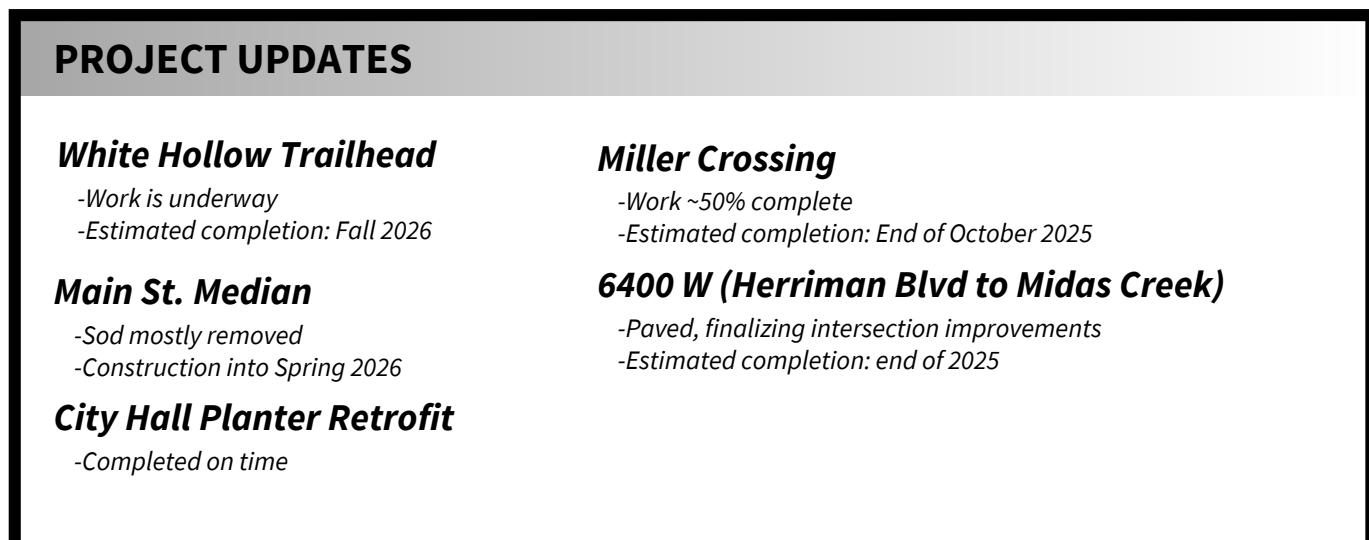
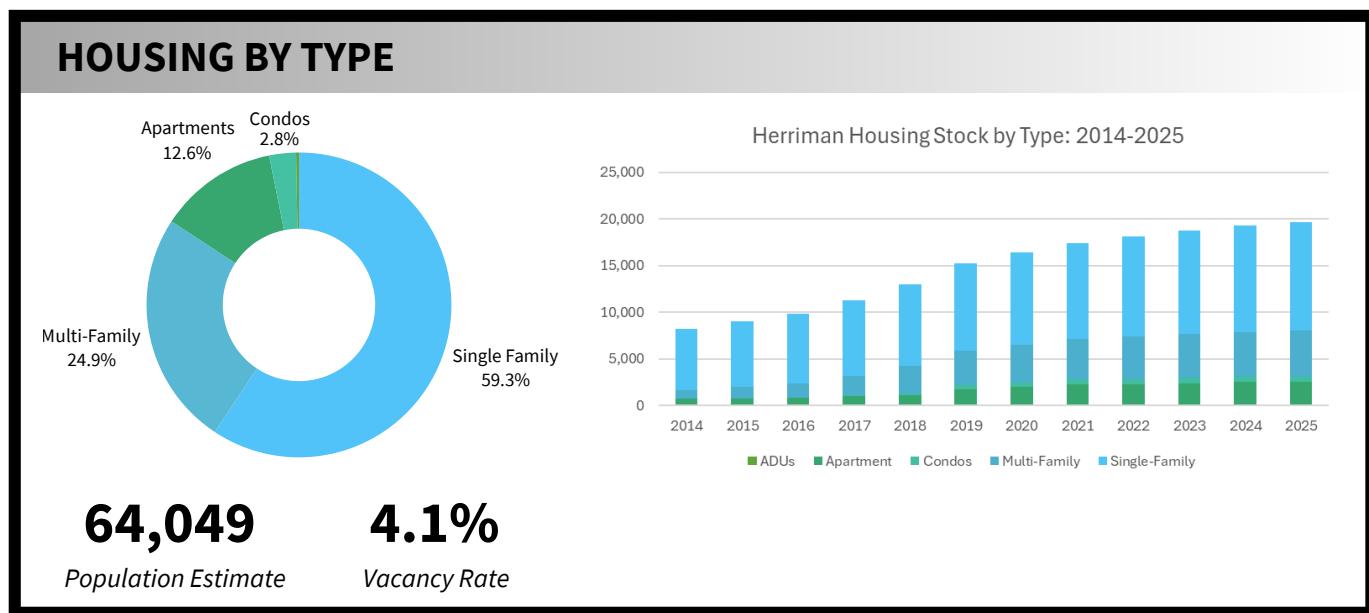
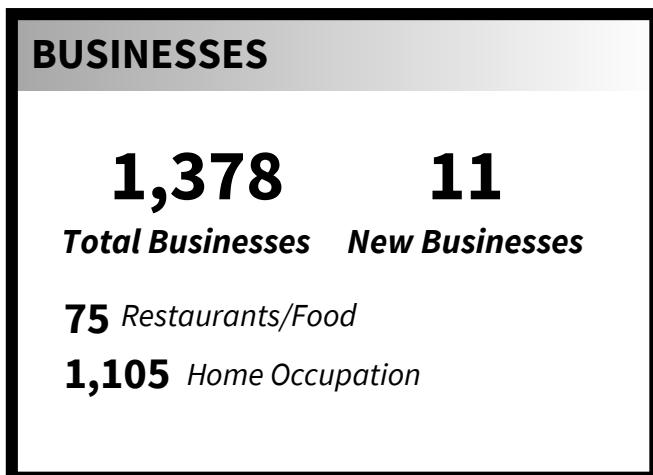
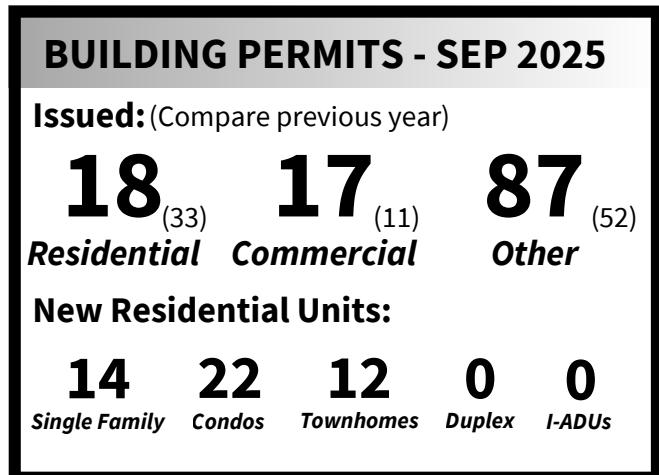
Attached is the City Status Report for September 2025.

ALTERNATIVES:

- 1) City Council accepts the City Status Report (recommended).
- 2) City Council requests additional information.

HERRIMAN CITY STATUS REPORT

AS OF SEPTEMBER 30, 2025



HERRIMAN CITY STATUS REPORT

AS OF SEPTEMBER 30, 2025

SALES TAX

\$974,372.91

Population and direct sales-last 12 months

● Population ● Direct Sales ● Previous Year Total



Proportions

● Population ● Direct Sales



*Note: Months shown above indicate the months in which sales were generated.
Disbursement of these funds lags by about 2 months.*



STAFF REPORT

DATE: August 14, 2025

TO: The Honorable Mayor and City Council

FROM: Bryce Terry, City Engineer

SUBJECT: Discussion Regarding Potentially Amending City Ordinance Concerning Roadway Cuts

RECOMMENDATION:

Staff recommends that the City Council provide feedback on the proposed amendments to Herriman City Code §7-4-8 as presented.

ISSUE BEFORE COUNCIL:

Should the City consider amendments to Herriman City Code §7-4-8, which governs restoration of roadway surfaces following utility or contractor excavations, to strengthen protections for newly constructed and recently treated roadways?

ALIGNMENT WITH STRATEGIC PLAN:

ES 6.2 – Roadway pavement management

BACKGROUND/SUMMARY:

Herriman's existing code requires excavation restorations to match existing pavement and, in some cases, resurface a wider section of roadway. However, recent experience has shown that early pavement cuts significantly reduce roadway life and create long-term maintenance challenges.

Neighboring and regional jurisdictions have adopted stronger protections, including moratoriums on cuts in new pavement, expanded restoration areas, and protections for chip seal and slurry seal treatments.

DISCUSSION:

A summary of the Proposed Updated Ordinance:

- Establish a 3-year moratorium on roadway cuts in newly constructed or reconstructed pavement, except for emergency or urgent repairs authorized by the City Engineer.
- Require full-width resurfacing (25 feet in each direction) for excavations made within the first five (5) years after construction or reconstruction.

- Require full-width restoration if roadway has received a surface treatment (asphalt overlay, chip seal, slurry seal, etc.) within the preceding two (2) years.
- Confirm City Engineer authority to suspend operations if restoration cannot be properly achieved.

Existing Code:

7-4-8 Restoration of Surface

- A. Any person making any excavation or tunnel in or under any public street, alley, or other public place in the city shall, at his own expense, restore the surface to its same type and depth of pavement as that which is adjoining, including the gravel base material. Refills shall be properly tamped down, and any bracing in such tunnel or excavation shall be left in the ground. All restoration shall conform to the city standards, and all restorations shall be accomplished within 72 hours from the time of the excavation, unless additional time is granted in writing by the city. If, within the preceding three years, the city has resurfaced the pavement with either asphalt, chip seal, or slurry seal, the permittee shall be responsible for resurfacing the entire width of the excavated pavement, from curb to curb, to a length of 25 feet from each side of the excavation or cut. Such resurfacing shall be made with either asphalt, chip seal or slurry seal, as determined by the city engineer, and shall conform to city standards.
- B. The city engineer has the authority to suspend operations under excavation permits where, in his judgment, climatic changes would prevent proper restoration of pavement surfaces.
- C. If the excavation impacted adjacent private property, the private restoration requirements include restoring the private property to pre-excavation standards, even if the excavations are on a public utility easement.

Proposed Code:

7-4-8 Restoration of Roadway Surface

A. Moratorium on Newly Constructed Pavements.

1. No person shall make any excavation, test hole, or pavement cut within a public street, alley, or other public place that has been newly constructed or reconstructed within the preceding three (3) years.
2. Exceptions may be granted by the City Engineer for emergency repairs, urgent utility service connections, or other installations deemed in the best interest of the City.

B. Restoration Requirements for Pavements Less Than Five (5) Years Old.

1. For any excavation made in pavement constructed or reconstructed within the preceding five (5) years, the permittee shall restore the roadway surface as follows:
 - a. Resurfacing shall extend the full width of the roadway, from curb to curb (or edge of pavement to edge of pavement where no curb exists)
 - b. The resurfacing shall extend a minimum length of twenty-five (25) feet in each direction from the limits of the cut.

- c. Pavement restoration shall be made with asphalt concrete or other surface treatment, as determined by the City Engineer, and shall conform to City standards.

C. Restoration Requirements for Recently Treated Pavements.

1. If the City has resurfaced a roadway with asphalt overlay, chip seal, slurry seal, or other surface treatment within the preceding two (2) years, any excavation shall require full-width restoration of the treated roadway surface.
2. The City Engineer shall determine the appropriate treatment method for restoration.

E. Private Property Restoration.

Where excavation impacts adjacent private property, the permittee shall restore such property to pre-excavation condition, including landscaping, hard surfaces, or other improvements, even if the work occurred within a public utility easement.

F. Authority of the City Engineer.

The City Engineer is authorized to suspend excavation work under this section if, in their judgment, weather, materials, or other conditions would prevent proper restoration.

FISCAL IMPACT:

Adoption of these amendments is expected to reduce long-term pavement maintenance and resurfacing costs by preserving pavement integrity and extending service life. There is no direct fiscal impact on the City for adoption; costs are borne by utility companies and contractors performing excavations.

ALTERNATIVES:

Option 1 [Recommended] - Move forward as proposed. Staff will prepare a resolution for adoption in a future General Meeting.

Option 2 – Modify and Return. Provide feedback on proposed ordinance requirements or treatment protections. Direct staff to revise the ordinance language and return for further work meeting discussion before proceeding.

Option 3 – Maintain Current Code. Take no action at this time

ATTACHMENTS:

- n/a



STAFF REPORT

DATE: 09/24/2025

TO: The Honorable Mayor and City Council

FROM: Anthony Teuscher, Deputy Director of Parks, Events, and Recreation

SUBJECT: Consideration of a Budget Amendment for the Stampede Bowl Trail Construction

RECOMMENDATION:

Allow for a budget amendment to fund the Stampede Bowl Trail construction using general fund dollars.

ISSUE BEFORE COUNCIL:

Does the council want to allow the construction of the Stampede Bowl Trail with the trail maintenance dollars from the general fund?

BACKGROUND/SUMMARY:

The Stampede Bowl Trail is a multi-use trail that will provide a connection between the existing Mosey and Rawhide Trails and will have a length of approximately one-half mile. The Stampede Bowl Trail was first approved for construction on May 8th, 2024.

DISCUSSION:

We had originally planned to secure grant funding for the construction of the Stampede Bowl Trail; however, we were unsuccessful in this cycle. Fortunately, we now have the opportunity to engage the same contractor currently constructing the Bonneville Shoreline Trail (BST) to begin work on the Stampede Bowl Trail immediately after completing the BST, which is anticipated in mid-October. Qualified trail contractors are extremely limited, and many are unwilling to take on smaller projects such as this. Leveraging this contractor who is already mobilized within our trail system presents an efficient and cost-effective opportunity. To proceed, however, the project would require funding from the General Fund, as grant funding is not currently available.

Additionally, we anticipate a surplus in the trail maintenance budget this year. Due to limited staffing and available time, staff were unable to complete the planned crack sealing and mastic sealing projects during the summer and early fall. As a result, funds originally allocated for these efforts will remain unspent and could be reallocated to support the construction of the Stampede Bowl Trail.

ALIGNMENT WITH STRATEGIC PLAN:

- ES3 – Natural Resources, parks, trails, and amenities.

ALTERNATIVES:

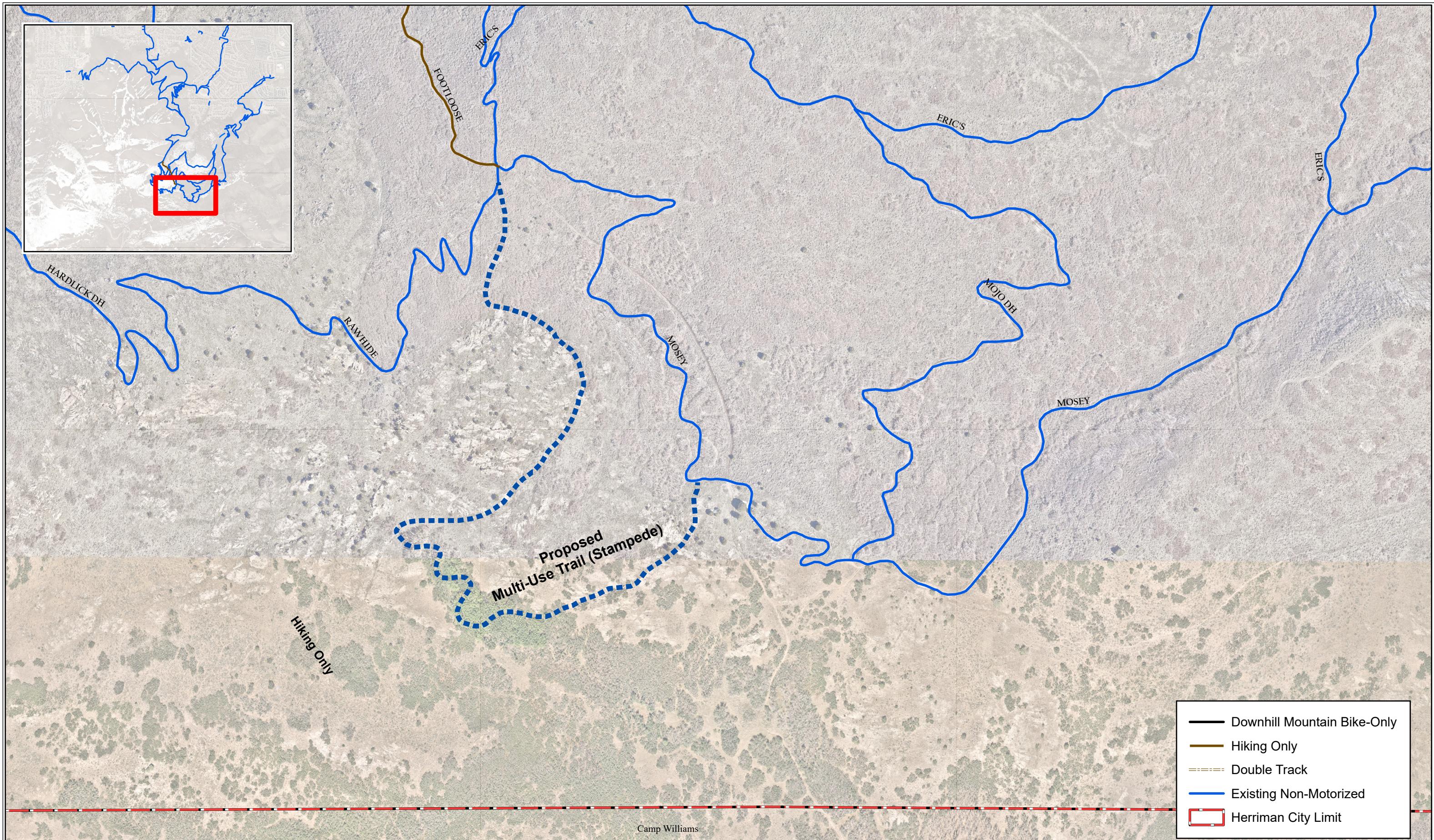
- Postpone the construction of the trail.
- Continue to pursue grant funding to fund the construction.

FISCAL IMPACT:

The cost of the trail construction is \$36,500

ATTACHMENTS:

Trail alignment



*Trail Alignments May Change
During Construction

HERRIMAN CITY STAMPEDE BOWL

0 75 150 300
Feet





STAFF REPORT

DATE: September 29, 2025

TO: The Honorable Mayor and City Council

FROM: Kyle Maurer, Director of Finance and Administrative Services

SUBJECT: Review and approval of the August 2025 financial summary

RECOMMENDATION:

Staff recommends approval.

ISSUE BEFORE COUNCIL:

Should the City Council approve the monthly financial summary as presented?

ALIGNMENT WITH STRATEGIC PLAN:

ES 8 – Ensure fiscal sustainability within all City functions.

BACKGROUND/SUMMARY:

City staff have prepared the attached financial summary for August 2025.

DISCUSSION:

City staff have prepared a monthly financial summary encompassing transactions through August 31, 2025. Notable items and exceptions have been noted in the report. Overall, revenues are above year-to-date projections and expenditures are less than anticipated.

It is important to note preliminary fund balance information is included, along with anticipated fiscal year 2025 capital project carryovers. The City's annual audit has not been completed, and fund balance information should not be relied upon until the audited financial statements are released.

ALTERNATIVES:

The City Council may choose not to approve the monthly financial summary as presented.

ATTACHMENTS:

Monthly Financial Summary

City of Herriman Budget Versus Actual Report - August 2025

General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Taxes	275,200	275,200	18,753,220	18,478,020	1%	248,483	111%
Licenses & Permits-Other	5,428	10,044	55,680	45,636	18%	9,111	110%
Intergovernmental	430,416	430,416	2,288,000	1,857,584	19%	-	0%
Parks & Recreation District Fee	97,956	195,946	1,144,560	948,614	17%	189,725	103%
Charges for Services-Parks & Rec	14,270	29,800	192,000	162,200	16%	77,873	38%
Charges for Services-Events	4,621	6,228	520,080	513,852	1%	-	0%
Charges for Services-Other	17,111	32,523	215,550	183,027	15%	37,012	88%
Fines and Forfeitures	16,573	32,015	192,570	160,555	17%	28,959	111%
Miscellaneous	36,669	83,663	258,140	174,477	32%	346,761	24%
Budgeted Use of Fund Balance	-	-	204,260	204,260	0%	-	0%
Total General Fund Revenue	\$ 898,244	\$ 1,095,835	\$ 23,824,060	\$ 22,728,225	5%	\$ 937,924	117%
Expenditures							
General and Administration	422,853	995,037	5,348,315	4,353,278	19%	758,308	131%
Public Works and Operations	717,962	1,699,244	7,237,835	5,538,591	23%	791,236	215%
Parks, Recreation, and Events	576,056	827,777	5,719,250	4,891,473	14%	985,351	84%
Community Development	164,837	256,867	1,645,670	1,388,803	16%	286,873	90%
Transfers Out	152,610	1,997,481	3,872,990	1,875,509	52%	1,810,609	110%
Total Expenditures	\$ 2,034,318	\$ 5,776,406	\$ 23,824,060	\$ 18,047,654	24%	\$ 4,632,377	125%
Excess of Revenues Over (Under) Expenditures	\$ (1,136,074)	\$ (4,680,571)	\$ -			\$ (3,694,453)	

Fund Balance Available (Unrestricted)					
	FY2022 (ACFR)*	FY2023 (ACFR)*	FY2024 (ACFR)*	FY2025 (Estimated)**	FY2026 (Budget)
Beginning Balance	\$ 2,829,134	\$ 8,006,953	\$ 8,991,065	\$ 8,303,678	\$ 4,339,889
Addition (Use of)	5,040,375	984,112	(687,387)	(3,000,945)	(247,110)
Anticipated Carryovers	-	-	-	(962,844)	-
Ending Balance	\$ 7,869,509	\$ 8,991,065	\$ 8,303,678	\$ 4,339,889	\$ 4,092,779

*Includes Police, Animal Services, Community Services, and Emergency Management expenditures

**Unaudited.

% of expenditures	30%	26%	30%	25%	19%
Amount Over (Under) Recommended Fund Balance Reserve				0	(1,207,816)

City of Herriman Budget Versus Actual Report - August 2025

General Fund Tax Revenue Detail							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Sales Tax	-	-	12,605,850	12,605,850	0%	-	0% 1
Sales Tax-Transportation	-	-	1,715,610	1,715,610	0%	-	0% 1
Property Tax	3,443	3,443	1,131,780	1,128,337	0%	4,957	69% 2
Franchise Tax (Energy/Cable)	265,069	265,069	3,083,180	2,818,111	9%	236,999	112% 2
Municipal Telephone Tax	-	-	139,390	139,390	0%	-	0% 1
Transient Room Tax	-	-	15,610	15,610	0%	-	0% 1
Motor Vehicle Fees	6,688	6,688	61,800	55,112	11%	6,527	102% 2
Total General Fund Tax Revenue	\$ 275,200	\$ 275,200	\$ 18,753,220	\$ 18,478,020	1%	\$ 248,483	111%

City of Herriman Budget Versus Actual Report - August 2025

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Personnel	1,301,790	2,036,866	12,828,120	10,791,254	16%	1,953,171	104% 3
Operating Expenditures	927,218	2,380,693	10,508,440	8,127,747	23%	1,272,444	187% 3
Grants	-	-	90,500	90,500	0%	90,500	0% 4
Capital Outlay	23,330	42,005	89,430	47,425	47%	41,081	102% 4
Administrative Chargeback	(370,630)	(680,639)	(3,565,420)	(2,884,781)	19%	(535,428)	127% 3
Transfers to Other Funds	152,610	1,997,481	3,872,990	1,875,509	52%	1,810,609	110% 4
Total General Fund Expenditures	\$ 2,034,318	\$ 5,776,406	\$ 23,824,060	\$ 18,047,654	24%	\$ 4,632,377	125%

1 Sales tax, municipal telephone tax, and transient room tax are received two months after receipt at point of sale.

2 Property tax, franchise tax, and motor vehicle fees are received one month after payment is made.

3 Risk Management Fund charges made in July (timing difference).

4 Debt service payments due in July (timing difference).

City of Herriman Budget Versus Actual Report - August 2025

General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
General and Administration							
Legislative							
Personnel	22,819	39,134	217,440	178,306	18%	36,920	106.0%
Operating Expenditures	515	55,717	283,600	227,883	20%	53,294	104.5%
Administrative Chargeback	(26,988)	(41,073)	(112,340)	(71,267)	37%	(17,140)	240%
Total Legislative	(3,654)	53,778	388,700	334,922	14%	73,074	73.6%
Planning Commission							
Personnel	1,635	2,398	23,960	21,562	10%	2,400	100%
Operating Expenditures	821	821	10,100	9,279	8%	1,037	79%
Administrative Chargeback	(1,872)	(2,454)	(25,970)	(23,516)	9%	(1,953)	126%
Total Planning Commission	584	765	8,090	7,325	9%	1,484	51.5%
Administration							
Personnel	96,979	150,908	877,230	726,322	17%	142,018	106%
Operating Expenditures	2,063	7,821	68,880	61,059	11%	3,940	199%
Administrative Chargeback	(25,465)	(42,061)	(211,530)	(169,469)	20%	(32,542)	129%
Total Administration	73,577	116,668	734,580	617,912	16%	113,416	102.9%
Legal							
Personnel	57,833	89,167	528,420	438,803	17%	84,212	106%
Operating Expenditures	2,550	4,375	203,165	198,790	2%	10,418	42%
Administrative Chargeback	(14,848)	(23,974)	(153,870)	(129,896)	16%	(16,990)	141%
Total Legal	45,535	70,018	577,715	507,697	12%	77,640	90.2%
Human Resources							
Personnel	39,903	60,761	392,270	331,509	15%	59,454	102%
Operating Expenditures	64,477	356,933	508,950	152,017	70%	70,127	509%
Administrative Chargeback	(20,503)	(81,270)	(167,720)	(86,450)	48%	(23,605)	344%
Total Human Resources	83,877	336,424	733,500	397,076	46%	105,976	317.5%
Finance							
Personnel	72,678	110,897	870,840	759,943	13%	107,566	103%
Operating Expenditures	4,563	9,747	111,840	102,093	9%	9,336	104%
Administrative Chargeback	(27,416)	(46,944)	(283,710)	(236,766)	17%	(44,120)	106%
Total Finance	49,825	73,700	698,970	625,270	11%	72,782	101.3%
Justice Court							
Personnel	32,619	51,988	320,900	268,912	16%	52,381	99%
Operating Expenditures	18,977	29,030	164,970	135,940	18%	17,882	162%
Total Justice Court	51,596	81,018	485,870	404,852	17%	70,263	115.3%
City Recorder							
Personnel	37,991	56,647	443,020	386,373	13%	53,795	105%
Operating Expenditures	2,021	17,262	188,420	171,158	9%	9,789	176%
Administrative Chargeback	(14,866)	(22,522)	(114,830)	(92,308)	20%	(14,573)	155%
Total City Recorder	25,146	51,387	516,610	465,223	10%	49,011	104.8%
Customer Service							
Personnel	34,838	58,527	335,260	276,733	17%	52,774	111%
Operating Expenditures	(47)	(16)	6,970	6,986	0%	80	-20%
Administrative Chargeback	(17,555)	(30,838)	(192,760)	(161,922)	16%	(29,918)	103%
Total Customer Service	17,236	27,673	149,470	121,797	19%	22,936	120.7%
Information Technology							
Personnel	48,938	75,634	466,910	391,276	16%	69,309	109%
Operating Expenditures	11,740	23,887	221,860	197,973	11%	22,779	105%
Software (Licensing & Support)	3,487	46,099	135,300	89,201	34%	39,696	116%
Capital Outlay	-	-	20,500	20,500	0%	406	0%
Administrative Chargeback	(10,613)	(22,405)	(133,930)	(111,525)	17%	(21,714)	103%
Total Information Technology	53,552	123,215	710,640	587,425	17%	110,476	111.5%
Communications							
Personnel	27,070	42,419	359,050	316,631	12%	56,820	75%
Operating Expenditures	11,303	39,290	168,040	128,750	23%	31,548	125%
Administrative Chargeback	(12,794)	(21,318)	(182,920)	(161,602)	12%	(27,118)	79%
Total Communications	25,579	60,391	344,170	283,779	18%	61,250	98.6%
Total General and Administration	422,853	995,037	5,348,315	4,353,278	19%	758,308	131.2%

City of Herriman Budget Versus Actual Report - August 2025

General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Public Works and Operations							
Administration							
Personnel	61,822	97,193	654,060	556,867	15%	103,177	94%
Operating Expenditures	1,230	2,842	28,740	25,898	10%	969	293%
Administrative Chargeback	(21,339)	(38,126)	(227,660)	(189,534)	17%	(34,611)	110%
Total Administration	41,713	61,909	455,140	393,231	14%	69,535	89.0%
Facilities							
Personnel	38,527	57,450	321,240	263,790	18%	44,624	129%
Operating Expenditures	20,676	96,452	544,190	447,738	18%	38,813	249%
Capital Outlay	-	-	-	-	0%	-	0%
Administrative Chargeback	(5,984)	(15,995)	(91,270)	(75,275)	18%	(8,492)	188%
Total Facilities	53,219	137,907	774,160	636,253	18%	74,945	184.0%
Fleet Management							
Personnel	40,623	63,450	365,310	301,860	17%	59,129	107%
Operating Expenditures	2,145	18,826	85,450	66,624	22%	20,139	93%
Administrative Chargeback	(8,299)	(13,273)	(90,770)	(77,497)	15%	(15,560)	85%
Total Fleet Management	34,469	69,003	359,990	290,987	19%	63,708	108.3%
Streets							
Personnel	91,968	145,524	743,400	597,876	20%	133,886	109%
Operating Expenditures	15,126	50,503	835,095	784,592	6%	153,910	33%
Crack and Chip Seal	434,007	1,154,595	2,850,000	1,695,405	41%	193,091	598%
Capital Outlay	-	14,400	29,750	15,350	48%	17,200	84%
Administrative Chargeback	(2,960)	(5,435)	(29,280)	(23,845)	19%	(3,193)	170%
Total Streets	538,141	1,359,587	4,428,965	3,069,378	31%	494,894	274.7%
Snow Removal							
Personnel	-	-	129,060	129,060	0%	-	0%
Operating Expenditures	-	562	156,650	156,088	0%	-	0%
Total Snow Removal	-	562	285,710	285,148	0%	-	0.0%
Street Signs							
Personnel	4,339	4,525	92,340	87,815	5%	170	2662%
Operating Expenditures	1,796	2,381	56,590	54,209	4%	3,002	79%
Total Street Signs	6,135	6,906	148,930	142,024	5%	3,172	217.7%
Street Lights							
Personnel	27,708	44,479	275,530	231,051	16%	44,903	99%
Operating Expenditures	16,577	18,891	509,410	490,519	4%	40,079	47%
Capital Outlay	-	-	-	-	0%	-	0%
Total Street Lights	44,285	63,370	784,940	721,570	8%	84,982	74.6%
Total Public Works and Operations	717,962	1,699,244	7,237,835	5,538,591	23%	791,236	214.8%
Parks, Recreation, and Events							
Community Events and Recreation							
Personnel	31,934	47,062	379,780	332,718	12%	45,436	104%
Operating Expenditures	6,956	12,467	154,540	142,073	8%	9,430	132%
City Events	25,607	30,741	455,310	424,569	7%	19,226	160%
Total Community Events and Recreation	64,497	90,270	989,630	899,360	9%	74,092	121.8%
Arts & Cultural Development							
Grants (Friends of Herriman)	-	-	90,500	90,500	0%	90,500	0%
Total Arts & Cultural Development	-	-	90,500	90,500	0%	90,500	0.0%
Cemetery							
Personnel	1,347	2,329	40,280	37,951	6%	8,481	27%
Operating Expenditures	2,102	3,409	40,530	37,121	8%	5,589	61%
Capital Outlay	440	4,715	15,180	10,465	31%	2,475	191%
Total Cemetery	3,889	10,453	95,990	85,537	11%	16,545	63.2%
Parks							
Personnel	224,011	350,828	2,158,400	1,807,572	16%	345,388	102%
Operating Expenditures	264,484	344,215	2,188,380	1,844,165	16%	418,012	82%
Capital Outlay	-	-	-	-	0%	-	0%
Total Parks	488,495	695,043	4,346,780	3,651,737	16%	763,400	91.0%
Blackridge							
Personnel	14,292	22,592	56,880	34,288	40%	26,076	87%
Operating Expenditures	4,811	7,076	50,600	43,524	14%	13,286	53%
Total Blackridge	19,103	29,668	107,480	77,812	28%	39,362	75.4%

City of Herriman Budget Versus Actual Report - August 2025							
General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Ice Ribbon							
Personnel	72	72	62,770	62,698	0%	-	0%
Operating Expenditures	-	2,271	26,100	23,829	9%	1,452	156%
Total Ice Ribbon	72	2,343	88,870	86,527	3%	1,452	161.4%
Total Parks, Recreation, and Events	576,056	827,777	5,719,250	4,891,473	14%	985,351	84.0%
Community Development							
Administration							
Personnel	40,623	63,394	373,570	310,176	17%	61,225	104%
Operating Expenditures	20	26	5,720	5,694	0%	140	19%
Administrative Chargeback	(20,005)	(36,482)	(205,080)	(168,598)	18%	(33,252)	110%
Total Administration	20,638	26,938	174,210	147,272	15%	28,113	95.8%
Economic Development							
Personnel	14,302	22,866	132,120	109,254	17%	21,791	105%
Operating Expenditures	3,828	15,342	76,230	60,888	20%	49,653	31%
Capital Outlay	-	-	-	-	0%	-	0%
Total Economic Development	18,130	38,208	208,350	170,142	18%	71,444	53.5%
Planning & Development							
Personnel	60,800	94,659	575,510	480,851	16%	91,833	103%
Operating Expenditures	609	1,695	77,750	76,055	2%	2,899	58%
Administrative Chargeback	(40,681)	(72,227)	(419,060)	(346,833)	17%	(66,253)	109%
Total Planning & Development	20,728	24,127	234,200	210,073	10%	28,479	84.7%
Engineering							
Personnel	126,888	205,611	1,199,080	993,469	17%	177,253	116%
Operating Expenditures	4,267	13,704	154,250	140,546	9%	26,212	52%
Administrative Chargeback	(87,288)	(149,060)	(822,400)	(673,340)	18%	(128,454)	116%
Total Engineering	43,867	70,255	530,930	460,675	13%	75,011	93.7%
GIS							
Personnel	49,231	75,902	433,490	357,588	18%	72,150	105%
Operating Expenditures	507	13,729	140,810	127,081	10%	6,616	208%
Capital Outlay	22,890	22,890	24,000	1,110	95%	21,000	109%
Administrative Chargeback	(11,154)	(15,182)	(100,320)	(85,138)	15%	(15,940)	95%
Total GIS	61,474	97,339	497,980	400,641	20%	83,826	116.1%
Total Community Development	164,837	256,867	1,645,670	1,388,803	16%	286,873	89.5%
Transfers to Other Funds							
Transfer to Debt Service Fund	-	1,692,261	2,016,670	324,409	84%	1,602,614	106%
Transfer to Public Safety Fund-Non Police	100,993	201,985	1,211,910	1,009,925	17%	207,995	97%
Transfer to Capital Projects Fund	33,844	67,688	406,130	338,442	17%	-	0%
Transfer to Capital Equipment	17,773	35,547	213,280	177,733	17%	-	0%
Transfer to Herriman North CRA	-	-	25,000	25,000	0%	-	0%
Budgeted Increase in Fund Balance	-	-	-	-	0%	-	0%
Total Transfers to Other Funds	152,610	1,997,481	3,872,990	1,875,509	52%	1,810,609	110.3%
Total General Fund Expenditures	\$ 2,034,318	\$ 5,776,406	\$ 23,824,060	\$ 18,047,654	24%	\$ 4,632,377	124.7%

1 Utah League of Cities and Towns membership due in July. Also affects Administrative Chargeback (timing difference)

2 Risk Management fund charge made in July (timing difference).

3 Software support contracts (timing difference).

4 Personnel and operating costs occur during summer months (timing difference).

5 Memberships paid in July (timing difference).

6 Nearmap subscription for the year paid in August (timing difference)

7 Debt service payments due in July (timing difference).

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City of Herriman Budget Versus Actual Report - August 2025

General Fund - Police							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grants	2,923	2,923	162,440	159,517	2%	3,603	81%
Student Resource Officers	-	-	432,500	432,500	0%	-	0%
Miscellaneous	1,557	9,529	119,860	110,331	8%	21,645	44%
Transfer From HCSEA	699,166	1,724,453	9,893,710	8,169,257	17%	1,371,818	126%
Budgeted Use of Fund Balance	-	-	42,850	42,850	0%	-	0%
Total Police Revenue	\$ 703,646	\$ 1,736,905	\$ 10,651,360	\$ 8,914,455	16%	\$ 1,397,066	124%
Expenditures							
Personnel	971,358	1,478,650	8,775,990	7,297,340	17%	1,292,275	114%
Operating	88,439	260,502	1,388,020	1,127,518	19%	225,465	116%
Operating-Dispatch	-	204,743	405,350	200,607	51%	183,897	111%
Transfer to Capital Equipment Fund	-	-	82,000	82,000	0%	-	0%
Total Expenditures	\$ 1,059,797	\$ 1,943,895	\$ 10,651,360	\$ 8,707,465	18%	\$ 1,701,637	114%
Excess of Revenues Over (Under) Expenditures	\$ (356,151)	\$ (206,990)	\$ -			\$ (304,571)	

1 Risk Management fund allocation charged in July (timing difference).

2 Dispatch fees are paid semi-annually (timing difference).

City of Herriman Budget Versus Actual Report - August 2025

General Fund - Animal Services, Community Services, Emergency Management							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Animal Services Fee	9,240	17,050	29,400	12,350	58%	4,025	424%
Fines - Code Enforcement	900	1,100	10,000	8,900	11%	600	183%
Insurance Proceeds	100	100	-	(100)	0%	-	0%
Budgeted Use of Fund Balance	-	-	-	-	0%	-	0%
Transfer From General Fund	100,993	201,985	1,211,910	1,009,925	17%	207,995	97%
Total Revenue	\$ 111,233	\$ 220,235	\$ 1,251,310	\$ 1,031,075	18%	\$ 212,620	103.6%
Expenditures							
Animal Services							
Personnel	35,567	55,523	309,370	253,847	18%	48,416	115%
Operating	19,132	54,982	290,040	235,058	19%	52,443	105%
Capital Outlay	-	-	-	-	0%	-	0%
Total Animal Services	\$ 54,699	\$ 110,505	\$ 599,410	\$ 488,905	18%	\$ 100,859	109.6%
Emergency Services							
Personnel	245	546	36,640	36,094	1%	778	70%
Operating	240	5,540	14,000	8,460	40%	6,217	89%
Total Emergency Management	\$ 485	\$ 6,086	\$ 50,640	\$ 44,554	12%	\$ 6,995	87.0%
Community Services							
Personnel	19,211	30,463	172,850	142,387	18%	27,756	110%
Operating	1,250	9,327	74,630	65,303	12%	10,406	90%
Capital Outlay	-	8,558	-	(8,558)	0%	-	0%
Total Community Services	\$ 20,461	\$ 48,348	\$ 247,480	\$ 199,132	20%	\$ 38,162	126.7%
Crossing Guards							
Personnel	18,750	19,744	344,080	324,336	6%	17,094	116%
Operating	1,620	1,620	9,700	8,080	17%	1,217	133%
Total Emergency Management	\$ 20,370	\$ 21,364	\$ 353,780	\$ 332,416	6%	\$ 18,311	116.7%
Transfers to Other Funds							
Transfer to Capital Equipment Fund	\$ -	\$ -	\$ -	\$ -	0.0%	\$ -	0.0%
Total Expenditures	\$ 96,015	\$ 186,303	\$ 1,251,310	\$ 1,065,007	15%	\$ 164,327	113.4%
Excess of Revenues Over (Under) Expenditures	\$ 15,218	\$ 33,932	\$ -			\$ 48,293	

1 Yearly software subscriptions (timing difference).

City of Herriman Budget Versus Actual Report - August 2025

Park Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Park Impact Fees	39,057	67,462	2,100,000	2,032,538	3%	106,519	63%
Interest Income	29,685	64,949	240,000	175,051	27%	89,513	73%
Budgeted Use of Fund Balance	-	-	1,541,000	1,541,000	0%	-	0%
Total Revenue	\$ 68,742	\$ 132,411	\$ 3,881,000	\$ 3,748,589	3%	\$ 196,032	68%
Expenditures							
Capital Projects	237,905	442,999	3,365,000	2,922,001	13%	130,796	339%
Transfer to Debt Service Fund	-	15,831	516,000	500,169	3%	-	0%
Total Expenditures	\$ 237,905	\$ 458,830	\$ 3,881,000	\$ 2,922,001	12%	\$ 130,796	351%
Excess of Revenues Over (Under) Expenditures	\$ (169,163)	\$ (326,419)	\$ -			\$ 65,236	

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 5,471,968	\$ 6,915,696	\$ 8,047,361	\$ 9,995,106	\$ 2,749,457
Addition (Use of)	1,443,728	1,131,665	1,947,745	(1,827,647)	(1,476,000)
Anticipated Carryovers	-	-	-	(5,418,002)	-
Ending Balance	\$ 6,915,696	\$ 8,047,361	\$ 9,995,106	\$ 2,749,457	\$ 1,273,457

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025

Public Safety Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Public Safety Impact Fee	11,540	31,735	200,000	168,265	16%	-	0%
Interest Income	6,477	13,113	56,000	42,887	23%	11,970	110%
Total Revenue	\$ 18,017	\$ 44,848	\$ 256,000	\$ 211,152	18%	\$ 11,970	374.7%
Expenditures							
Professional Services	3,400	3,400	-	(3,400)	0%	-	0%
Budgeted Increase in Fund Balance	-	-	256,000	256,000	0%	-	0%
Total Expenditures	\$ 3,400	\$ 3,400	\$ 256,000	\$ 252,600	1%	\$ -	0.0%
Excess of Revenues Over (Under) Expenditures	\$ 14,617	\$ 41,448	\$ -			\$ 11,970	

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ 953,706	\$ 1,333,000	\$ 1,672,692
Addition (Use of)	-	953,706	379,294	339,692	256,000
Ending Balance	\$ -	\$ 953,706	\$ 1,333,000	\$ 1,672,692	\$ 1,928,692

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025							
	Fire Impact Fee Fund						
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Fire Impact Fee	17,763	48,849	250,000	201,151	20%	-	0%
Interest Income	5,240	10,617	690	(9,927)	1539%	11,238	94%
Budgeted Use of Fund Balance	-	-	332,810	332,810	0%	-	0%
Total Revenue	\$ 23,003	\$ 59,466	\$ 583,500	\$ 524,034	10%	\$ 11,238	529.2%
Expenditures							
Professional Services	3,400	3,400	-	(3,400)	0%	-	0%
0048-00 Fire Station 103 Replacement	2,250	2,250	583,500	581,250	0%	65,201	3%
Total Expenditures	\$ 5,650	\$ 5,650	\$ 583,500	\$ 577,850	1%	\$ 65,201	8.7%
Excess of Revenues Over (Under) Expenditures	\$ 17,353	\$ 53,816	\$ -			\$ (53,963)	

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ 918,222	\$ 1,284,955	\$ 332,823
Addition (Use of)	-	918,222	366,733	47,868	(332,810)
Project Carryovers	-	-	-	(1,000,000)	-
Ending Balance	\$ -	\$ 918,222	\$ 1,284,955	\$ 332,823	\$ 13

*Unaudited

1 Public Safety impact fee study (budget amendment will be needed).

City of Herriman Budget Versus Actual Report - August 2025

Transportation Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Road Impact Fees	42,335	73,125	2,500,000	2,426,875	3%	117,760	62%
Interest Income	5,963	17,646	19,000	1,354	93%	26,143	67%
Budgeted Use of Fund Balance	-	-	14,340	14,340	0%	-	0%
Total Revenue	\$ 48,298	\$ 90,771	\$ 2,533,340	\$ 2,442,569	4%	\$ 143,903	63.1%
Expenditures							
Agreements and Reimbursements	-	-	345,830	345,830	0%	-	0%
Capital Projects	-	-	310,910	310,910	0%	22,053	0%
Professional Services	10,832	35,457	90,000	54,543	39%	-	0%
Transfer to Debt Service Fund	-	971,994	1,786,600	814,606	54%	682,300	142%
Total Expenditures	\$ 10,832	\$ 1,007,451	\$ 2,533,340	\$ 1,525,889	40%	\$ 704,353	143.0%
Excess of Revenues Over (Under) Expenditures	\$ 37,466	\$ (916,680)	\$ -			\$ (560,450)	

1 Transportation Master Plan update (timing difference).

2 Bond payments due in August (timing difference).

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 86,259	\$ 2,217,044	\$ 1,399,558	\$ 3,535,511	\$ 674,127
Addition (Use of)	2,130,785	(817,486)	2,135,953	(1,073,629)	(14,340)
Anticipated Carryovers	-	-	-	(1,787,755)	-
Ending Balance	\$ 2,217,044	\$ 1,399,558	\$ 3,535,511	\$ 674,127	\$ 659,787

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025

Debt Service Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grant-UDOT	-	-	800,000	800,000	0%	-	0%
Transfers In	-	2,741,986	4,381,220	1,639,234	63%	2,346,914	117%
Interest Income	9,953	9,956	28,000	18,044	36%	13,591	73%
Total Revenue	\$ 9,953	\$ 2,751,942	\$ 5,209,220	\$ 2,457,278	53%	\$ 2,360,505	116.6%
Expenditures							
2021 Sales Tax Bond Debt Service	733,661	733,661	799,000	65,339	92%	730,627	100%
2015 Sales Tax Bond Debt Service	1,766,206	1,766,206	2,104,420	338,214	84%	1,735,719	102%
2025 Sales Tax Bond Debt Service	97,526	97,526	2,097,000	1,999,474	5%	-	0%
Capital Lease Payments	-	-	198,800	198,800	0%	-	0%
Trustee Fees	-	-	10,000	10,000	0%	-	0%
Total Expenditures	\$ 2,597,393	\$ 2,597,393	\$ 5,209,220	\$ 2,611,827	50%	\$ 2,466,346	105.3%
Excess of Revenues Over (Under) Expenditures	\$ (2,587,440)	\$ 154,549	\$ -			\$ (105,841)	

1 Debt service payments made in August (timing difference).

2 A future budget amendment will be needed to reduce the 2025 Sales Tax Bonds and Capital Lease debt service payments.

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Budget)	FY2026 (Budget)
Beginning Balance	\$ 1,277,051	\$ 2,378,574	\$ 760,680	\$ 703,417	\$ 703,417
Addition (Use of)	1,101,523	(1,617,894)	(57,263)	-	-
Ending Balance	\$ 2,378,574	\$ 760,680	\$ 703,417	\$ 703,417	\$ 703,417

Note: Fund balance is restricted (state grant)

City of Herriman Budget Versus Actual Report - August 2025

Project	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Park Impact Fee Fund							
0043-00 DAI & 11800 S Business Center Trail	-	-	265,000	265,000	0%	-	0%
0045-00 Dansie Home Restoration and Open Space	-	-	-	-	0%	-	0%
0054-00 Herriman Athletics Sports Complex	-	205,094	-	(205,094)	0%	5,400	3798%
0056-00 Herriman Historic Park	-	-	1,000,000	1,000,000	0%	-	0%
0062-00 Hidden Oaks Open Space Improvements	-	-	-	-	0%	125,396	0%
0068-1C Juniper Canyon Recreation Area 1C	-	-	2,000,000	2,000,000	0%	-	0%
0083-00 Mountain Ridge Park	237,905	237,905	-	(237,905)	0%	-	0%
0098-00 Rockwell Landing Trailhead/Parking	-	-	100,000	100,000	0%	-	0%
0136-00 Wide Hollow Trailhead	-	-	-	-	0%	-	0%
Total Park Impact Fee Fund	237,905	442,999	3,365,000	2,922,001	13%	130,796	339%
Transportation Impact Fee Fund							
0001-01 11800 S Improvements Phase 1 Reimbursement	-	-	284,380	284,380	0%	-	0%
0011-04 6400 W Improvements Phase 4	-	-	-	-	0%	3,325	0%
0097-00 Rockwell Connector Reimbursement	-	-	61,450	61,450	0%	-	0%
0125-00 Traffic Signal 11800 S & 6400 W	-	-	43,750	43,750	0%	-	0%
0127-00 Traffic Signal Herriman Rose Blvd	-	-	267,160	267,160	0%	-	0%
0132-00 Transportation Master Plan	10,832	35,457	90,000	54,543	39%	-	0%
Total Transportation Impact Fee Fund	-	-	746,740	711,283	0%	3,325	0%

1 This project was budgeted in fiscal year 2025. A budget carryover amendment will be needed (planned to be proposed in the fall).

City of Herriman Budget Versus Actual Report - August 2025

New Development Street Lights Fee Fund

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Interest Income	787	1,598	-	(1,598)	0%	1,941	82%
Budgeted Use of Fund Balance	-	-	-	-	0%	-	0%
Total Revenue	\$ 787	\$ 1,598	\$ -	\$ (1,598)	0%	\$ 1,941	82%
Expenditures							
New Development Street Lights	313	6,114	-	(6,114)	0%	2,387	256%
Total Expenditures	\$ 313	\$ 6,114	\$ -	\$ (6,114)	0%	\$ 2,387	256%
Excess of Revenues Over (Under) Expenditures	\$ 474	\$ (4,516)	\$ -			\$ (446)	

Fund Balance Available

	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 616,516	\$ 536,153	\$ 211,711	\$ 220,960	\$ -
Addition (Use of)	(80,363)	(324,442)	9,249	(9,583)	-
Anticipated Carryovers	-	-	-	(211,377)	-
Ending Balance	\$ 536,153	\$ 211,711	\$ 220,960	\$ -	\$ -

*Unaudited

1 This fund is no longer used and will be closed once project installations are complete.

City of Herriman Budget Versus Actual Report - August 2025

New Development Street Signs Fee Fund

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Interest Income	1,081	2,194	-	(2,194)	0%	2,423	91%
Budgeted Use of Fund Balance	-	-	-	-	0%	-	0%
Total Revenue	\$ 1,081	\$ 2,194	\$ -	\$ (2,194)	0%	\$ 2,423	91%
Expenditures							
Sign Installation	-	-	-	-	0%	47	0%
Total Expenditures	\$ -	\$ -	\$ -	\$ -	0%	\$ 47	0%
Excess of Revenues Over (Under) Expenditures	\$ 1,081	\$ 2,194	\$ -			\$ 2,376	

Fund Balance Available

	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2025 (Budget)
Beginning Balance	\$ 282,850	\$ 270,166	\$ 260,405	\$ 272,920	\$ -
Addition (Use of)	(12,684)	(9,761)	12,515	10,988	-
Anticipated Carryovers	-	-	-	(283,908)	-
Ending Balance	\$ 270,166	\$ 260,405	\$ 272,920	\$ -	\$ -

1 This fund is no longer used and will be closed once project installations are complete.

City of Herriman Budget Versus Actual Report - August 2025

Herriman City Safety Enforcement Area							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	26,005	26,005	10,316,240	10,290,235	0%	(133,527)	-19%
Motor Vehicle in Lieu	50,855	50,855	538,550	487,695	9%	49,761	102%
Interest Income	(637)	3,754	100,000	96,246	4%	(2,386)	-157%
Budgeted Use of Fund Balance	-	-	-	-	0%	-	0%
Total Revenue	\$ 76,223	\$ 80,614	\$ 10,954,790	\$ 10,874,176	1%	\$ (86,152)	-94%
Expenditures							
Public Notices	-	104	1,000	896	10%	-	0%
Budgeted Increase in Fund Balance	-	-	362,360	362,360	0%	-	0%
Transfer to Public Safety Fund	699,166	1,724,453	9,893,710	8,169,257	17%	1,371,818	126%
Transfer to Capital Equipment Fund	-	697,720	697,720	-	100%	697,720	100%
Total Expenditures	\$ 699,166	\$ 2,422,277	\$ 10,954,790	\$ 8,532,513	22%	\$ 2,069,538	117%
Excess of Revenues Over (Under) Expenditures	\$ (622,943)	\$ (2,341,663)	\$ -			\$ (2,155,690)	

1 Yearly fleet replacement fund contribution (timing difference).

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 1,307,908	\$ 1,355,992	\$ 193,397	\$ 1,251,694	\$ 1,980,709
Addition (Use of)	48,084	(1,162,595)	1,058,297	729,015	362,360
Ending Balance	\$ 1,355,992	\$ 193,397	\$ 1,251,694	\$ 1,980,709	\$ 2,343,069

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025

Herriman City Fire Service Area							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	23,342	23,342	8,612,060	8,588,718	0%	32,808	71%
Motor Vehicle in Lieu	45,311	45,311	461,930	416,619	10%	44,343	102%
Interest Income	29,997	59,902	316,580	256,678	19%	46,935	128%
UFSA Fund Balance Transfer	-	-	37,900	37,900	0%	-	0%
Use of Fund Balance	-	-	4,296,380	4,296,380	0%	-	0%
Total Revenue	\$ 98,650	\$ 128,555	\$ 13,724,850	\$ 13,596,295	1%	\$ 124,086	104%
Expenditures							
Professional Fees	-	102	200	98	51%	-	0%
Bldgs & Grounds - Supplies Maint	-	-	40,000	40,000	0%	-	0%
Contract Services (UFA)	-	1,421,287	5,875,810	4,454,523	24%	1,383,444	103%
Contract Services (UFA)-Debt Service	-	-	447,000	447,000	0%	-	0%
0048-00 Fire Station 103 Replacement	-	-	-	-	0%	-	0%
Total Expenditures	\$ -	\$ 1,421,389	\$ 6,363,010	\$ 4,941,621	22%	\$ 1,383,444	103%
Excess of Revenues Over (Under) Expenditures	\$ 98,650	\$ (1,292,834)	\$ 7,361,840			\$ (1,259,358)	

1 Truth in Taxation notice (timing difference)

2 Contract payment made to Unified Fire Authority quarterly (timing difference).

Fund Balance Available (Unrestricted)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 158,744	\$ 1,152,984	\$ 3,320,407	\$ 6,586,519	\$ 9,052,498
Addition (Use of)	994,240	2,167,423	3,266,112	2,465,979	(4,296,380)
Ending Balance	\$ 1,152,984	\$ 3,320,407	\$ 6,586,519	\$ 9,052,498	\$ 4,756,118

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025

Herriman Towne Center CDA							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	4,096,520	4,096,520	0%	-	0%
Interest Income	5,710	16,093	126,020	109,927	13%	16,123	100%
Total Revenue	\$ 5,710	\$ 16,093	\$ 4,222,540	\$ 4,206,447	0%	\$ 16,123	100%
Expenditures							
HTC Communities Participation Agreement	-	-	1,879,920	1,879,920	0%	-	0%
2016 Tax Increment Bond	-	854,570	854,570	-	100%	854,243	100%
2016 SAA Bond	-	-	900,580	900,580	0%	-	0%
Trustee and Administrative Fees	41,665	44,704	86,980	42,276	51%	40,163	111%
Budgeted Increase to Fund Balance	-	-	500,490	500,490	0%	-	0%
Total Expenditures	\$ 41,665	\$ 899,274	\$ 4,222,540	\$ 3,323,266	21%	\$ 894,406	101%
Excess of Revenues Over (Under) Expenditures	\$ (35,955)	\$ (883,181)	\$ -			\$ (878,283)	

1 Debt service and administrative fee payments made in August (timing difference).

Fund Balance Available (Unrestricted)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 4,258,649	\$ 5,026,472	\$ 6,338,779	\$ 2,739,129	\$ 2,845,245
Addition (Use of)	767,823	1,312,307	(3,599,650)	106,116	500,490
Ending Balance	\$ 5,026,472	\$ 6,338,779	\$ 2,739,129	\$ 2,845,245	\$ 3,345,735

**Unaudited*

City of Herriman Budget Versus Actual Report - August 2025

Herriman Business Center CDA							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	1,737,440	1,737,440	0%	-	0%
Interest Income	4,582	9,299	26,030	16,731	36%	7,878	118%
Total Revenue	\$ 4,582	\$ 9,299	\$ 1,763,470	\$ 1,754,171	1%	\$ 7,878	118.0%
Expenditures							
Tax Incentive Payment-Rosecrest	-	-	1,447,760	1,447,760	0%	-	0%
Administrative Fees	2,409	4,147	26,290	22,143	16%	3,541	117%
Budgeted Increase in Fund Balance	-	-	289,420	289,420	0%	-	0%
Total Expenditures	\$ 2,409	\$ 4,147	\$ 1,763,470	\$ 1,759,323	0%	\$ 3,541	117.1%
Excess of Revenues Over (Under) Expenditures	\$ 2,173	\$ 5,152	\$ -			\$ 4,337	

Fund Balance Available (Unrestricted)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 2,659,132	\$ 280,982	\$ 587,823	\$ 889,990	\$ 1,205,221
Addition (Use of)	(2,378,150)	306,841	302,167	315,231	289,420
Ending Balance	\$ 280,982	\$ 587,823	\$ 889,990	\$ 1,205,221	\$ 1,494,641

**Unaudited*

City of Herriman Budget Versus Actual Report - August 2025

Herriman Anthem Town Center CRA

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	1,524,690	1,524,690	0%	-	0%
Interest Income	1,724	3,500	6,360	2,860	55%	1,679	208%
Total Revenue	\$ 1,724	\$ 3,500	\$ 1,531,050	\$ 1,527,550	0%	\$ 1,679	208.5%
Expenditures							
Tax Increment Payments	-	-	730,580	730,580	0%	-	0%
Mitigation Payments	-	-	417,710	417,710	0%	-	0%
Sales Tax Incentive Payments	-	-	13,250	13,250	0%	-	0%
Affordable Housing	-	-	110,700	110,700	0%	-	0%
Administrative Fees	2,142	3,712	23,950	20,238	15%	2,448	152%
Budgeted Increase in Fund Balance	-	-	234,860	234,860	0%	-	0%
Total Expenditures	\$ 2,142	\$ 3,712	\$ 1,531,050	\$ 1,527,338	0%	\$ 2,448	151.6%
Excess of Revenues Over (Under) Expenditures	\$ (418)	\$ (212)	\$ -			\$ (769)	

Fund Balance Available (Unrestricted)

	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 391,368	\$ 201,274	\$ 69,686	\$ 190,725	\$ 454,928
Addition (Use of)	(190,094)	(131,588)	121,039	264,203	234,860
Ending Balance	\$ 201,274	\$ 69,686	\$ 190,725	\$ 454,928	\$ 689,788

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025

Herriman Innovation District CDA

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	349,130	349,130	0%	-	0%
Interest Income	2,825	5,734	23,430	17,696	24%	4,235	135%
Total Revenue	\$ 2,825	\$ 5,734	\$ 372,560	\$ 366,826	2%	\$ 4,235	135.4%
Expenditures							
Mitigation Payments	-	-	141,270	141,270	0%	-	0%
Affordable Housing	-	-	20,790	20,790	0%	-	0%
Administrative Fee	1,095	1,916	12,950	11,034	15%	1,056	181%
Budgeted Increase in Fund Balance	-	-	197,550	197,550	0%	-	0%
Total Expenditures	\$ 1,095	\$ 1,916	\$ 372,560	\$ 370,644	1%	\$ 1,056	181.4%
Excess of Revenues Over (Under) Expenditures	\$ 1,730	\$ 3,818	\$ -			\$ 3,179	

Fund Balance Available (Unrestricted)*

	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ 89,900	\$ 253,434	\$ 477,576	\$ 742,885
Addition (Use of)	89,900	163,534	224,142	265,309	197,550
Ending Balance	\$ 89,900	\$ 253,434	\$ 477,576	\$ 742,885	\$ 940,435

*Unaudited

*The Innovation District has long-term contracts that will consume any available fund balance if fulfilled.

City of Herriman Budget Versus Actual Report - August 2025

Herriman North CRA							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Transfer from General Fund	-	-	25,000	25,000	0%	-	0%
Total Revenue	\$ -	\$ -	\$ 25,000	\$ 25,000	0%	\$ -	0%
Expenditures							
Sales Tax Incentive Payment	-	-	25,000	25,000	0%	-	0%
Total Expenditures	\$ -	\$ -	\$ 25,000	\$ 25,000	0%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ -	\$ -			\$ -	

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Actual)	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Addition (Use of)	-	-	-	-	-
Ending Balance	\$ -	\$ -	\$ -	\$ -	\$ -

City of Herriman Budget Versus Actual Report - August 2025

Development Services Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Charges for Services	169,403	378,354	1,703,000	1,324,646	22%	302,006	125%
Licenses and Permits	149,378	355,077	2,093,000	1,737,923	17%	184,666	192%
Interest	16,314	33,410	85,155	51,745	39%	33,410	100%
Budgeted Use of Fund Balance	-	-	615,440	615,440	0%	-	0%
Total Revenue	\$ 335,095	\$ 766,841	\$ 4,496,595	\$ 3,729,754	17%	\$ 520,082	147%
Expenditures							
Personnel	122,252	190,036	1,373,570	1,183,534	14%	181,477	105%
Operating	50,644	117,360	446,725	329,365	26%	54,139	217%
Administrative Fees	184,862	334,778	1,864,350	1,529,572	18%	283,606	118%
Community Development Software	-	-	-	-	0%	-	0%
Transfer to Debt Service Fund	-	61,900	61,950	50	100%	62,000	100%
Contribution to Fund Balance	-	-	-	-	0%	-	0%
Total Expenditures	\$ 357,758	\$ 704,074	\$ 3,746,595	\$ 3,042,521	19%	\$ 581,222	121%
Excess of Revenues Over (Under) Expenditures	\$ (22,663)	\$ 62,767	\$ 750,000			\$ (61,140)	

1 Software support contracts (timing difference).

2 Debt service payment due in July (timing difference).

Fund Balance Available (Unrestricted)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ -	\$ 2,214,825	\$ 4,048,593
Addition (Use of)	-	-	2,214,825	1,833,768	(615,440)
Ending Balance	\$ -	\$ -	\$ 2,214,825	\$ 4,048,593	\$ 3,433,153
<i>*Unaudited</i>					
% of expenditures				112%	93%
Over (Under) Fund Balance Policy				2,419,776	1,590,831

City of Herriman Budget Versus Actual Report - August 2025

Grants Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
CDBG Program	-	-	135,000	135,000	0%	-	0%
Total Revenue	\$ -	\$ -	\$ 135,000	\$ 135,000	0%	\$ -	0%
Expenditures							
Personnel (Mental Health Grant)	1,251	1,535	-	(1,535)	0%	-	0%
0181-01 Community Center Remodel	-	-	135,000	135,000	0%	-	0%
Total Expenditures	\$ 1,251	\$ 1,535	\$ 135,000	\$ 133,465	1%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ (1,251)	\$ (1,535)	\$ -			\$ -	

1 Grant received in FY2025; carryover budget amendment will be needed.

Fund Balance Available (Unrestricted)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimate)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Addition (Use of)	-	-	-	31,878	-
Anticipated Carryovers				(31,878)	
Ending Balance	\$ -	\$ -	\$ -	\$ -	\$ -

*Unaudited

City of Herriman Budget Versus Actual Report - August 2025

Capital Projects Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Corridor Preservation Revenue	-	-	2,640,000	2,640,000	0%	-	0%
Grants-Federal (ACUB)	-	-	2,000,000	2,000,000	0%	-	0%
Grant-UDOT (7300 W Extension \$10.5M)	-	-	7,500,000	7,500,000	0%	-	0%
Interest Income	74,351	123,033	-	(123,033)	0%	199,287	62%
Miscellaneous Revenue	431	431	-	(431)	0%	-	0%
Transfer In - Herriman City Fire Service	-	-	7,361,840	7,361,840	0%	-	0%
Transfer In - General Fund	33,844	67,688	406,130	338,442	17%	-	0%
Transfer In - Water Fund	-	1,842,117	1,842,120	3	100%	-	0%
Budgeted Use of Fund Balance	-	-	1,776,160	1,776,160	0%	-	0%
Total Revenue	108,626	2,033,269	23,526,250	21,492,981	9%	199,287	1020%
Expenditures							
Capital Projects	126,446	3,151,982	23,526,250	20,374,268	13%	2,567,868	123%
Total Expenditures	126,446	3,151,982	23,526,250	20,374,268	13%	\$ 2,567,868	123%
Excess of Revenues Over (Under) Expenditures	(17,820)	(1,118,713)					\$ (2,368,581)

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ (6,469,722)	\$ 3,333,738	\$ 6,271,864	\$ 11,538,362	\$ (3,524,857)
Addition (Use of)	9,803,460	2,938,126	5,266,498	(1,443,753)	(1,276,160)
Estimated Carryovers	-	-	-	(13,619,466)	-
Ending Balance	\$ 3,333,738	\$ 6,271,864	\$ 11,538,362	\$ (3,524,857)	\$ (4,801,017)
Interfund Loan (Water Rights Impact)	\$ 12,500,000	\$ 10,485,370	\$ 8,529,469	\$ 7,609,748	\$ 7,609,748
Water Interfund Loan Shortage				(1,662,693)	(1,662,693)
Adjusted Ending Balance	\$ 12,500,000	\$ 16,757,234	\$ 20,067,831	\$ 2,422,198	\$ 1,146,038
<i>*Unaudited</i>					

City of Herriman Budget Versus Actual Report - August 2025							
	Public Works Facility Capital Projects Fund					Prior Year	% of Prior Year
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Interest Income	3,113	6,349	21,300	14,951	30%	7,220	88%
Budgeted Use of Fund Balance	-	-	153,700	153,700	0%	-	0%
Total Revenue	\$ 3,113	\$ 6,349	\$ 175,000	\$ 168,651	4%	\$ 7,220	88%
Expenditures							
0089-00 Public Works Facility	-	-	175,000	175,000	0%	-	0%
Total Expenditures	\$ 18,400	\$ 18,400	\$ 175,000	\$ 156,600	11%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ (15,287)	\$ (12,051)					\$ 7,220

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 74,538	\$ 546,868	\$ 779,262	\$ 813,039	\$ 260,129
Addition (Use of)	472,330	232,394	33,777	(279,500)	(153,700)
Estimated Carryovers	-	-	-	(273,410)	-
Ending Balance	\$ 546,868	\$ 779,262	\$ 813,039	\$ 260,129	\$ 106,429
<i>*Unaudited</i>					

City of Herriman Budget Versus Actual Report - August 2025

Project	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Transportation							
0001-01 11800 S Improvements Ph 1 (Reimb)	-	-	381,900	381,900	0%	-	0%
0016-04 7300 W Extension Ph 4	-	-	7,500,000	7,500,000	0%	-	0%
0125-00 Traffic Signal 11800 S & 6400 W	-	-	250,000	250,000	0%	-	0%
0127-00 Traffic Signal Herriman Rose Blvd & Ft Herriman Pkwy	-	-	14,070	14,070	0%	-	0%
0050-00 Gina Rd Improvements	-	-	1,918,280	1,918,280	0%	-	0%
0100-01 Rose Canyon Rd ROW Imp Phase 1	-	-	15,000	15,000	0%	-	0%
0182-00 Streetlight Replacement Project	-	-	72,800	72,800	0%	24,504	0%
0153-00 Sidewalk Trip Hazard Removal	-	-	124,000	124,000	0%	-	0%
0055-05 Herriman Blvd Phase 5 (Reimb)	41,470	41,470	-	(41,470)	0%	-	0%
0058-00 Herriman Main Street Widening	-	-	-	-	0%	198,565	0%
0016-02 7300 W Widening Phase 2	-	-	-	-	0%	381,614	0%
0010-01 6000 W Road Widening Phase 1	33,691	33,691	-	(33,691)	0%	4,250	793%
0010-02 6000 W Road Widening Phase 2	-	-	-	-	0%	-	0%
0201-00 Olympia Blvd (Reimb)	-	3,001,030	-	(3,001,030)	0%	1,952,444	154%
Total Transportation	75,161	3,076,191	10,276,050	7,199,859	30%	2,561,377	120%
Parks & Recreation							
0170-00 Main St Median-Water Efficient Landscaping	45,090	45,090	600,000	554,910	8%	-	0%
0215-00 Ice Ribbon Reserve Fund	-	-	155,560	155,560	0%	-	0%
0082-00 Mineral Way Park Playground Replacement	-	-	100,000	100,000	0%	-	0%
Total Parks & Recreation	45,090	45,090	855,560	810,470	5%	-	0%
Other							
0216-00 Property Acquisition	-	-	4,640,000	4,640,000	0%	6,420	0%
0172-00 ERP System Replacement	6,195	30,701	300,000	269,299	10%	71	43241%
0018-00 Animal Shelter	-	-	92,800	92,800	0%	-	0%
0048-00 Fire Station 103 Replacement	-	-	7,361,840	7,361,840	0%	-	0%
Total Other	6,195	30,701	12,394,640	12,363,939	0%	6,491	473%
Total Capital Project Expenditures	\$ 126,446	\$ 3,151,982	\$ 23,526,250	\$ 20,374,268	13%	\$ 2,567,868	122.7%

City of Herriman Budget Versus Actual Report - August 2025

Capital Equipment Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Interest Income	10,656	18,758	-	(18,758)	0%	12,438	151%
Transfer from General Fund	17,773	35,547	213,280	177,733	17%	-	0%
Transfer from Police Fund	-	-	82,000	82,000	0%	-	0%
Transfer from HCSEA Fund	-	697,720	697,720	-	100%	697,720	100%
Budgeted Use of Fund Balance	-	-	618,000	618,000	0%	-	0%
Total Revenue	\$ 28,429	\$ 752,025	\$ 1,611,000	\$ 858,975	47%	\$ 710,158	106%
Expenditures							
Conference Room Upgrades	-	-	10,000	10,000	0%	-	0%
0190-00 Community Room Projectors	-	10,849	-	(10,849)	0%	-	0%
0191-00 City Council Workroom A/V Upgrades	-	-	50,000	50,000	0%	-	0%
Snowplow (Streets)	-	-	16,000	16,000	0%	-	0%
Ford F150 (Unit 199) (Parks)	-	-	73,400	73,400	0%	-	0%
Ford F150 (Unit 210) (Parks)	-	-	63,880	63,880	0%	-	0%
Speed Trailer (Police)	-	-	22,000	22,000	0%	-	0%
VTM Case Service Integration (Police)	-	-	60,000	60,000	0%	-	0%
Ford F150 (Unit HPD174) (Police)	-	-	81,000	81,000	0%	-	0%
Ford F150 (Unit HPD175) (Police)	-	-	78,000	78,000	0%	-	0%
Ford F150 (Unit HPD176) (Police)	-	-	78,000	78,000	0%	-	0%
Ford F150 (Unit HPD177) (Police)	-	-	78,000	78,000	0%	-	0%
Ford F150 (Unit HPD178) (Police)	-	-	75,000	75,000	0%	-	0%
Ford F150 (Unit HPD179) (Police)	-	-	75,000	75,000	0%	-	0%
Ford F150 (Unit HPD180) (Police)	-	-	78,000	78,000	0%	-	0%
Ford F150 (Unit HPD181) (Police)	-	-	75,000	75,000	0%	-	0%
Contribution to Fund Balance	-	-	697,720	697,720	0%	-	0%
Total Expenditures	\$ -	\$ 10,849	\$ 1,611,000	\$ 1,600,151	1%	\$ 166	6536%
Excess of Revenues Over (Under) Expenditures							
	\$ 28,429	\$ 741,176	\$ -			\$ 709,992	

1 Project budgeted in fiscal year 2025. A carryover amendment will be proposed in the fall.

Fund Balance Available					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ -	\$ 701,820	\$ 1,915,246
Addition (Use of)	-	-	701,820	1,376,005	79,720
Anticipated Carryovers	-	-	-	(162,579)	-
Ending Balance	\$ -	\$ -	\$ 701,820	\$ 1,915,246	\$ 1,994,966
<i>*Unaudited</i>					

City of Herriman Budget Versus Actual Report - August 2025

Capital Projects - Bond Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Bond Proceeds	-	-	13,263,310	13,263,310	0%	-	0%
Developer Reimbursement	-	-	1,100,000	1,100,000	0%	-	0%
Bond Premium	66,340	94,207	-	(94,207)	0%	-	0%
Total Revenue	\$ 66,340	\$ 94,207	\$ 14,363,310	\$ 14,269,103	1%	\$ -	0%
Expenditures							
0011-03 6400 W Improvements Phase 2 & 3	-	2,791,578	-	(2,791,578)	0%	-	0%
0044-02 Dansie Blvd Phase 3	-	-	1,477,000	1,477,000	0%	-	0%
0186-00 Herriman Main St Widening Phase 2 (Hidden Oaks)	-	-	1,300,000	1,300,000	0%	-	0%
0001-02 11800 S Phase 2	-	-	3,500,000	3,500,000	0%	-	0%
0011-02 6400 W Improvements Phse 2	-	-	5,450,000	5,450,000	0%	-	0%
0038-00 Creek Ridge Open Space Corridor	-	-	2,250,000	2,250,000	0%	-	0%
Cost of Issuance	750	105,676	386,310	280,634	27%	-	0%
Total Expenditures	\$ 750	\$ 2,897,254	\$ 14,363,310	\$ 11,466,056	20%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ 65,590	\$ (2,803,047)	\$ -			\$ -	

The original biennial budget (adopted June 2024) contained an initial estimate of when projects would be completed. However, a revised project list was prepared for the 2025 Sales and Franchise Tax Revenue Bonds. A second bond will not be issued this year. The original project list adopted as part of the 2025 Sales and Francise Tax Revenue Bonds will be carried over as part of a future budget amendment.

City of Herriman Budget Versus Actual Report - August 2025

Water Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Sales	2,386,753	4,954,671	17,703,647	12,748,976	28%	3,808,503	130%
Connection Fees	6,675	16,425	150,000	133,575	11%	15,425	106%
Interest Income	45,913	96,289	50,000	(46,289)	193%	76,296	126%
Interest Income-Construction Funds	47,859	96,442	-	(96,442)	0%	158,572	61%
Jordan Valley Water Conservancy Grant	-	-	40,000	40,000	0%	-	0%
Other	26,087	48,735	253,790	205,055	19%	47,511	103%
Use of Fund Balance	-	-	2,125,825	2,125,825	0%	-	0%
Total Water Fund Revenue	\$ 2,513,287	\$ 5,212,562	\$ 20,323,262	\$ 15,110,700	26%	\$ 4,106,307	126.9%
Expenditures							
Administration							
Personnel	24,103	37,937	236,430	198,493	16%	35,419	107%
Operating	87,683	185,350	672,920	487,570	28%	75,552	245%
Administrative Chargeback	101,669	207,005	1,049,410	842,405	20%	159,083	130%
Total Administration	\$ 213,455	\$ 430,292	\$ 1,958,760	\$ 1,528,468	22%	\$ 270,054	159.3%
Maintenance							
Personnel	180,958	287,848	2,064,680	1,776,832	14%	274,070	105%
Operating	132,378	231,045	1,683,100	1,452,055	14%	234,888	98%
Water Purchases (JVWCD)	1,094,691	2,230,609	6,991,250	4,760,641	32%	2,077,198	107%
Capital Outlay	12,400	248,337	661,100	412,763	38%	213,862	116%
Total Maintenance	\$ 1,420,427	\$ 2,997,839	\$ 11,400,130	\$ 8,402,291	26%	\$ 2,800,018	107.1%
Blue Stakes							
Personnel	5,279	9,695	45,490	35,795	21%	6,199	156%
Operating	1,338	2,370	30,650	28,280	8%	1,883	126%
Total Blue Stakes	\$ 6,617	\$ 12,065	\$ 76,140	\$ 64,075	16%	\$ 8,082	149.3%
Secondary Water							
Personnel	11,448	16,476	107,070	90,594	15%	11,837	139%
Operating	93,694	117,406	496,600	379,194	24%	81,394	144%
Total Maintenance	\$ 105,142	\$ 133,882	\$ 603,670	\$ 469,788	22%	\$ 93,231	143.6%
Other							
Bond Payments and Fees	-	488,700	3,483,450	2,994,750	14%	516,600	95%
Transfer to Water Capital Projects	-	958,992	958,992	-	100%	3,698,449	26%
Transfer to Capital Projects Fund	-	1,842,117	1,842,120	3	100%	-	0%
Total Other	\$ -	\$ 3,289,809	\$ 6,284,562	\$ 2,994,753	52%	\$ 4,215,049	78.0%
Total Expenditures	\$ 1,745,641	\$ 6,863,887	\$ 20,323,262	\$ 13,459,375	34%	\$ 7,386,434	92.9%
Excess of Revenues Over (Under) Expenditures	\$ 767,646	\$ (1,651,325)	\$ -			\$ (3,280,127)	

1 Full Risk Management charge made in July (timing difference).

2 Water purchases do not follow a 1/12 distribution (although 7% higher than last year) (timing difference).

3 Water meter purchases for new connections (timing difference).

Fund Balance Available (Current Assets Less Current Liabilities)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimate)*	FY2026 (Budget)
Beginning Balance	\$ (1,658,449)	\$ 22,305,266	\$ 23,989,171	\$ 31,968,026	\$ 8,822,080
Addition (Use of)	23,963,715	1,683,905	7,978,855	(19,166,983)	(2,125,825)
Ending Balance	\$ 22,305,266	\$ 23,989,171	\$ 31,968,026	\$ 8,822,080	\$ 6,696,255

*Unaudited. Excludes unspent and unbudgeted bond proceeds

Over (Under) Fund Balance Policy

\$ 3,030,777 \$ 7,455

Water Fund Summary							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue	\$ 2,513,287	\$ 5,212,562	\$ 20,323,262	\$ 15,110,700	26%	\$ 4,106,307	127%
Expenditures							
Personnel	221,788	351,956	2,453,670	2,101,714	14%	327,525	107%
Operating	315,093	536,171	2,883,270	2,347,099	19%	393,717	136%
Water Purchases	1,094,691	2,230,609	6,991,250	4,760,641	32%	2,077,198	107%
Capital	12,400	248,337	661,100	412,763	38%	213,862	116%
Bond Payments	-	488,700	3,483,450	2,994,750	14%	516,600	95%
Administrative Chargeback	101,669	207,005	1,049,410	842,405	20%	159,083	130%
Transfer to Water Capital Projects	-	2,801,109	2,801,112	3	100%	3,698,449	76%
Total Expenditures	\$ 1,745,641	\$ 6,863,887	\$ 20,323,262	\$ 2,101,714	33.8%	\$ 7,386,434	92.9%
Excess of Revenues Over (Under) Expenditures	\$ 767,646	\$ (1,651,325)	\$ -			\$ (3,280,127)	

City of Herriman Budget Versus Actual Report - August 2025

Water Capital Projects Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grant - Secondary Waterline 13400 S 5600 W	-	-	2,000,000	2,000,000	0%	-	0%
Grant - State of Utah 2M Culinary Water Tank	-	-	-	-	0%	-	0%
Transfer from Water Fund	-	958,992	958,992	-	100%	3,698,449	26%
Total Revenue	\$	\$ 958,992	\$ 2,958,992	\$ -	32%	\$ 3,698,449	26%
Expenditures							
0208-00 Water Sites Security Cameras	-	-	20,000	20,000	0%	-	0%
0177-00 Power to Hi Deck PRV Stations	-	-	12,000	12,000	0%	-	0%
0178-00 EFI PRV Rehabilitation	-	-	40,000	40,000	0%	-	0%
0222-00 PRV Replacement	-	-	20,000	20,000	0%	-	0%
0176-00 PRV SCADA System Upgrades	-	-	53,500	53,500	0%	1,316	0%
0111-00 Water SCADA System Upgrade	-	-	55,000	55,000	0%	665	0%
0175-00 AMI Towers	-	-	30,000	30,000	0%	-	0%
0154-00 PRV Corrosion Correction Plan	-	-	138,000	138,000	0%	-	0%
0218-00 Old Town Water Project (EPA Grant)	606,007	606,007	-	(606,007)	0%	2,278	26603%
0161-00 Olympia Zone 3 Culinary Water Tank	-	-	-	-	0%	5,418	0%
0141-00 Zone 2 & 3 Major Water Imp Mgmt	19,145	19,145	-	(19,145)	0%	-	0%
Freightliner 10 Wheel Dump Truck	-	-	374,435	374,435	0%	-	0%
Ford F350 Utility Truck (Unit 208)	-	-	96,257	96,257	0%	-	0%
Ford F150 Pickup (Unit 213)	-	-	59,800	59,800	0%	-	0%
0224-00 4000 W VFD Refurbishment	-	-	60,000	60,000	0%	-	0%
Secondary Waterline 13400 S 5600 W	1,238	207,040	2,000,000	1,792,960	10%	-	0%
Olympia Zones 5 & 6 Water Infrastructure	-	-	-	-	0%	-	0%
Contribution to fund balance	-	-	-	-	0%	-	0%
Total Expenditures	\$ 1,311,666	\$ 1,517,468	\$ 2,958,992	\$ 1,441,524	51%	\$ 9,677	15681%
Excess of Revenues Over (Under) Expenditures							
	\$ (1,311,666)	\$ (558,476)	\$ -			\$ 3,688,772	

1 Projects were budgeted in FY2025. A future budget amendment will be needed.

City of Herriman Budget Versus Actual Report - August 2025

Water Rights Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Rights	4,394	7,654	-	(7,654)	0%	53,681	14%
Interest Income	15,860	32,170	60,000	27,830	54%	64,986	50%
Use of Fund Balance	-	-	1,439,000	1,439,000	0%	-	0%
Total Revenue	\$ 20,254	\$ 39,824	\$ 1,499,000	\$ 1,459,176	3%	\$ 118,667	34%
Expenditures							
Water Right Purchases	-	-	1,333,000	1,333,000	0%	-	0%
Water Right Research/Fees	-	114	166,000	165,886	0%	7,368	2%
Total Expenditures	\$ -	\$ 114	\$ 1,499,000	\$ 1,498,886	0%	\$ 7,368	2%
Excess of Revenues Over (Under) Expenditures	\$ 20,254	\$ 39,710	\$ -			\$ 111,299	

Fund Balance Available (Current Assets Less Current Liabilities)					
	FY2022	FY2023	FY2024	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 16,064,088	\$ 15,967,361	\$ 15,771,508	\$ 9,782,285	\$ 15,937,436
Addition (Use of)	(96,727)	(195,853)	(5,989,223)	6,155,151	(1,439,000)
Ending Balance	\$ 15,967,361	\$ 15,771,508	\$ 9,782,285	\$ 15,937,436	\$ 14,498,436
Interfund Loan (Capital Projects)	\$ (10,485,370)	\$ (9,822,566)	\$ (8,529,469)	\$ (7,609,748)	\$ (7,609,748)
Adjusted Ending Balance*	\$ 5,481,991	\$ 5,948,942	\$ 1,252,816	\$ 8,327,688	\$ 6,888,688

*Unaudited. The interfund loan is anticipated to be paid off in FY2026.

City of Herriman Budget Versus Actual Report - August 2025

Water Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Impact Fees	89,782	177,254	3,000,000	2,822,746	6%	220,183	81%
Interest Income	11,110	32,589	60,000	27,411	54%	53,047	61%
Total Revenue	\$ 100,892	\$ 209,843	\$ 3,060,000	\$ 2,850,157	7%	\$ 273,230	77%
Expenses							
Capital Projects							
SR-111 Waterlines	6,564	7,103	-	(7,103)	0%	-	0%
0044-02 Dansie Blvd Phase 3	-	-	360,000	360,000	0%	-	0%
0011-02 6400 W Improvements Phase 2	-	-	1,435,200	1,435,200	0%	-	0%
Total Capital Projects	\$ 6,564	\$ 7,103	\$ 1,795,200	\$ 1,788,097	0%	\$ -	0%
Other							
Professional Services	-	-	90,000	90,000	0%	-	0%
Contribution to Fund Balance	-	-	1,174,800	1,174,800	0%	-	0%
Total Other Expenses	\$ -	\$ -	\$ 1,264,800	\$ 1,264,800	0%	\$ -	0%
Total Expenses	\$ 6,564	\$ 7,103	\$ 3,060,000	\$ 3,052,897	0%	\$ -	0%
Excess of Revenues Over (Under) Expenses	\$ 94,328	\$ 202,740	\$ -			\$ 273,230	

Fund Balance Available (Current Assets Less Current Liabilities)					
	FY2022	FY2023	FY2024	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 21,281,842	\$ 3,434,344	\$ 283,835	\$ 3,143,241	\$ 501,043
Addition (Use of)	(17,847,498)	(3,150,509)	2,859,406	(406,507)	1,174,800
Estimated Carryovers	-	-	-	(2,235,691)	-
Ending Balance	\$ 3,434,344	\$ 283,835	\$ 3,143,241	\$ 501,043	\$ 1,675,843

**Unaudited*

City of Herriman Budget Versus Actual Report - August 2025

Storm Water Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Storm Water Fee	148,326	296,682	1,797,670	1,500,988	17%	287,027	103%
Interest Income	4,437	11,575	15,000	3,425	77%	10,703	108%
Private Storm Water Enforcement	-	-	30,000	30,000	0%	100	0%
Total Revenue	\$ 152,763	\$ 308,257	\$ 1,861,410	\$ 1,553,153	17%	\$ 297,830	104%
Expenses							
Administration							
Operating	6,468	8,157	101,900	93,743	8%	8,417	97%
Administrative Chargeback	37,869	75,018	408,440	333,422	18%	58,159	129%
Transfer to Storm Water Capital Projects	-	395,000	395,000	-	100%	-	0%
Total Administration	\$ 44,337	\$ 478,175	\$ 905,340	\$ 427,165	53%	\$ 66,576	718%
Maintenance							
Personnel	48,756	72,763	501,920	429,157	14%	71,672	102%
Operating	7,245	22,183	230,150	207,967	10%	19,155	116%
Capital	-	-	4,000	4,000	0%	6,928	0%
Total Maintenance	\$ 56,001	\$ 94,946	\$ 736,070	\$ 641,124	13%	\$ 97,755	97%
Engineering							
Operating	1,173	10,616	77,950	67,334	14%	8,617	123%
Administrative Chargeback	14,817	25,257	142,050	116,793	18%	22,370	113%
Total Engineering	\$ 15,990	\$ 35,873	\$ 220,000	\$ 184,127	16%	\$ 30,987	116%
Total Expenses	\$ 116,328	\$ 608,994	\$ 1,861,410	\$ 1,252,416	33%	\$ 195,318	312%
Excess of Revenues Over (Under) Expenses	\$ 36,435	\$ (300,737)	\$ -			\$ 102,512	

1 Full transfer to Storm Water Capital Projects made in July (timing difference).

Fund Balance Available (Current Assets Less Current Liabilities)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 402,487	\$ 570,054	\$ 672,381	\$ 1,257,984	\$ 1,220,581
Addition (Use of)	\$ 167,567	\$ 102,327	\$ 585,603	\$ 644,716	\$ (18,740)
Estimated Carryovers	-	-	-	(682,119)	-
Ending Balance	\$ 570,054	\$ 672,381	\$ 1,257,984	\$ 1,220,581	\$ 1,201,841
Over (Under) Fund Balance Policy				\$ 650,422	\$ 470,636
<i>*Unaudited</i>					

City of Herriman Budget Versus Actual Report - August 2025

Storm Water Fund Summary							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
	\$ 152,763	\$ 308,257	\$ 1,861,410	\$ 1,553,153	17%	\$ 297,830	103.5%
Expenditures							
Personnel	48,756	72,763	501,920	429,157	14%	71,672	102%
Operating	14,886	40,956	410,000	369,044	10%	36,189	113%
Capital	-	-	4,000	4,000	0%	6,928	0%
Administrative Chargeback	52,686	100,275	550,490	450,215	18%	80,529	125%
Transfers/Contribution to Fund Balance	-	395,000	395,000	-	100%	-	0%
Total Expenditures	\$ 116,328	\$ 608,994	\$ 1,861,410	\$ 1,252,416	33%	\$ 195,318	311.8%
Excess of Revenues Over (Under) Expenditures	\$ 36,435	\$ (300,737)	\$ -			\$ 102,512	

City of Herriman Budget Versus Actual Report - August 2025

Storm Water Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Storm Drain Fees	15,247	33,001	200,000	166,999	17%	37,463	88%
Interest Income	11,067	22,395	36,200	13,805	62%	26,378	85%
Total Revenue	\$ 26,314	\$ 55,396	\$ 236,200	\$ 180,804	23%	\$ 63,841	87%
Expenditures							
0120-00 Master Planning - Storm Drain	-	-	10,000	10,000	0%	-	0%
0011-02 6400 W Improvements Phase 2	-	-	219,000	219,000	0%	-	0%
Total Expenditures	\$ -	\$ -	\$ 236,200	\$ 236,200	0%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ 26,314	\$ 55,396	\$ -			\$ 63,841	

Fund Balance Available (Current Assets Less Current Liabilities)					
	FY2022 (ACFR)	FY2023 (ACFR)	FY2024 (ACFR)	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ -	\$ -	\$ 3,062,527	\$ 2,304,094	\$ 1,380,120
Addition (Use of)	-	3,062,527	(758,433)	567,986	-
Estimated Carryovers	-	-	-	(1,491,960)	-
Ending Balance	\$ -	\$ 3,062,527	\$ 2,304,094	\$ 1,380,120	\$ 1,380,120

City of Herriman Budget Versus Actual Report - July 2025

Storm Water Capital Projects Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grant - State of Utah	31,395	31,395	-	(31,395)	0%	-	0%
Interest Income	2,540	2,540	-	(2,540)	0%	-	0%
Transfer from Storm Water Fund	-	395,000	395,000	-	100%	-	0%
Total Revenue	\$ 33,935	\$ 428,935	\$ 395,000	\$ (33,935)	109%	\$ -	0%
Expenditures							
0151-00 Storm Drain Retrofit Projects	7,316	7,316	290,000	282,684	3%	-	0%
Flood Mitigation Grant	20,419	20,419	-	(20,419)	0%	-	0%
0152-00 Storm Drain SCADA Master Plan Projects	-	-	75,000	75,000	0%	-	0%
0060-00 Hi Country Rd Storm Drain	-	-	30,000	30,000	0%	-	0%
Total Expenditures	\$ 27,735	\$ 27,735	\$ 395,000	\$ 367,265	7%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ 6,200	\$ 401,200	\$ -			\$ -	

1 Project was budgeted in FY2025. A future amendment will be needed.

1

City of Herriman Budget Versus Actual Report - August 2025

Benefits Management Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Benefits Management Charges	2,485	117,751	163,100	45,349	72%	-	0%
Interest Income	382	811	-	(811)	0%	-	0%
Total Revenue	\$ 2,867	\$ 118,562	\$ 163,100	\$ 44,538	73%	\$ -	0%
Expenditures							
Claims and Professional Services	14,187	22,777	163,100	140,323	14%	-	0%
Total Expenditures	\$ 14,187	\$ 22,777	\$ 163,100	\$ 140,323	14%	\$ -	0%
Excess of Revenues Over (Under) Expenditures							
	\$ (11,320)	\$ 95,785	\$ -			\$ -	

City of Herriman Budget Versus Actual Report - August 2025

Risk Management Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Risk Management Charges	-	515,460	515,460	-	100%	-	0%
Interest Income	778	2,802	-	(2,802)	0%	-	0%
Total Revenue	\$ 778	\$ 518,262	\$ 515,460	\$ (2,802)	101%	\$ -	0%
Expenditures							
Insurance	-	309,438	323,000	13,562	96%	-	0%
Claims and Professional Services	5,047	5,047	61,000	55,953	8%	-	0%
Contribution to Fund Balance	-	-	131,460	131,460	0%	-	0%
Total Expenditures	\$ 5,047	\$ 314,485	\$ 515,460	\$ 200,975	61%	\$ -	0%
Excess of Revenues Over (Under) Expenditures							
	\$ (4,269)	\$ 203,777	\$ -			\$ -	

1 Insurance payments are made in July (timing difference).

1

City of Herriman Budget Versus Actual Report - August 2025

High Country I Water Fund								
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual	YTD	% of Prior Year
Revenue								
Water Sales	17,893	37,179	-	(37,179)	0%	33,530	111%	
Penalties	132	132	-	(132)	0%	-	0%	
Connection Fee	16,884	16,884	-	(16,884)	0%	-	0%	
Interest Income	1,102	2,144	-	(2,144)	0%	2,813	76%	
Total Revenue	\$ 36,011	\$ 56,339	\$ -	\$ (56,339)	0%	\$ 36,343	155%	
Expenditures								
Administration								
Personnel	-	-	-	-	0%	1,089	0%	
Operating	277	397	-	(397)	0%	514	77%	
Total Administration	\$ 277	\$ 397	\$ -	\$ (397)	0%	\$ 1,603	25%	
Maintenance								
Personnel	3,430	5,060	-	(5,060)	0%	6,225	81%	
Operating	7,233	8,589	-	(8,589)	0%	-	0%	
Capital	-	-	-	-	0%	-	0%	
Total Maintenance	\$ 10,663	\$ 13,649	\$ -	\$ (13,649)	0%	\$ 6,225	219%	
Total Expenditures	\$ 10,940	\$ 14,046	\$ -	\$ (14,046)	0%	\$ 7,828	179%	
Excess of Revenues Over (Under) Expenditures	\$ 25,071	\$ 42,293	\$ -					\$ 28,515

Fund Balance Available (Unrestricted)					
	FY2022	FY2023	FY2024	FY2025 (Estimated)*	FY2026 (Budget)
Beginning Balance	\$ 86,917	\$ 103,771	\$ 103,533	\$ 65,462	\$ (16,300)
Addition (Use of)	60,986	47,453	13,831	(17,597)	-
Capital Reserve	(44,132)	(47,691)	(51,902)	(64,165)	-
Ending Balance	\$ 103,771	\$ 103,533	\$ 65,462	\$ (16,300)	\$ (16,300)
<i>*Unaudited</i>					
Capital Reserve Balance	\$ 136,548	\$ 184,239	\$ 236,141	\$ 300,306	\$ 300,306

High Country II Water Fund								
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual	YTD	% of Prior Year
Revenue								
Water Sales	30,128	63,844	-	(63,844)	0%	60,062	106%	
Water Impact Fees	-	-	-	-	0%	(16,884)	0%	
Interest Income	2,569	5,244	-	(5,244)	0%	5,303	99%	
Total Revenue	\$ 32,697	\$ 69,088	\$ -	\$ (69,088)	0%	\$ 48,481	142.5%	
Expenditures								
Personnel	5,584	7,314	-	(7,314)	0%	9,139	80%	
Operating	14,688	15,770	-	(15,770)	0%	25,594	62%	
Capital	-	-	-	-	0%	-	0%	
Total Expenditures	\$ 20,272	\$ 23,084	\$ -	\$ (23,084)	0%	\$ 34,733	66.5%	
Excess of Revenues Over (Under) Expenditures	\$ 12,425	\$ 46,004	\$ -					\$ 13,748

Fund Balance Available					
	FY2022	FY2023	FY2024	FY2025 (Estimated)	FY2026 (Budget)
Beginning Balance	\$ 617,677	\$ 788,439	\$ 471,185	\$ 581,707	\$ 684,670
Addition (Use of)	170,762	(317,254)	110,522	102,963	-
Ending Balance	\$ 788,439	\$ 471,185	\$ 581,707	\$ 684,670	\$ 684,670



CITY COUNCIL MINUTES

Wednesday, September 10, 2025
Awaiting Formal Approval

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, September 10, 2025, at 5:30 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 Council, media, and interested citizens.

Presiding: Mayor Lorin Palmer

Councilmembers Present: Terrah Anderson, Jared Henderson, Sherrie Ohrn

Councilmembers Excused: Teddy Hodges

Staff Present: City Manager Nathan Cherveski, Assistant City Manager Wendy Thomas, City Recorder Jackie Nostrom, Finance Director Kyle Maurer, City Attorney Todd Sheeran, Communications Manager Jonathan LaFollette, Community Development Director Blake Thomas, Police Chief Troy Carr, HPD Commander Brent Adamson, UFA Division Chief Anthony Widdison, City Engineer Bryce Terry, Operations Director Monte Johnson, Assistant to the City Manager Trevor Ram, City Planner Michael Maloy, Public Works Director Justun Edwards, and Building Official Cathryn Nelson.

5:30 PM – WORK MEETING: (Fort Herriman Conference Room)

1. Council Business

Mayor Lorin Palmer called the meeting to order at 5:30 p.m. Councilmember Teddy Hodges was excused from the meeting.

1.1. Review of this Evening's Agenda

Council and staff briefly reviewed the agenda.

1.2. Future Agenda Items

Assistant City Manager Wendy Thomas mentioned that they have the solicitor ordinance scheduled for a future meeting. Community Development Director Blake Thomas discussed the solicitor ordinance, noting that he had reviewed the codes for Herriman, West Jordan, and South Jordan and found them to be identical, suggesting they were copied from state code. He explained that Herriman's current process directs violations to community services when someone doesn't have proper identification. Director Thomas suggested starting with a memo to see if any changes are needed, expressing concern that changing the ordinance would make Herriman different from neighboring cities.

Director Thomas also discussed a GPS infrastructure mapping proposal from a vendor who had approached the City. The vendor wanted to select an area to map and collect data, offering to do this at no cost to the City. They would then make this data available to developers. Director Thomas noted the vendor has done similar work in another country for 12 years and is now returning to work in the U.S. He expressed concerns about potential security issues and workload implications, emphasizing that if it required any workload or money from the City, they shouldn't proceed. The Council discussed whether there was a need for city involvement since the vendor would essentially be taking aerial photographs that are already publicly visible.

1.3. Council discussion of future citizen recognitions

Assistant City Manager Thomas suggested recognizing Tracy Fonger for her work on the Herriman Trails. Mayor Palmer concurred.

2. Administrative Reports

2.1. Presentation and discussion of a proposal to amend the Hidden Oaks Master Development Agreement (MDA) Design Guidelines for Cottage Homes by Ivory Development – Michael Maloy, Planning Director

City Planner Michael Maloy introduced the topic, noting that Brad Mackay from Ivory Homes was present. Mayor Palmer explained that he brought this back for discussion after receiving feedback from several city staff and UFA employees who expressed interest in affordable housing options.

Mr. Mackay clarified that the area around the school where they had previously proposed additional lots was now off the table as they were moving forward with the current plan. He expressed willingness to work with the City on creating affordable housing somewhere in the project if there was interest. He stated that achieving a project cost below \$400,000 would

not be feasible under the current conditions and emphasized that unless additional funding was contributed to subsidize the project, costs would remain above that threshold regardless of other adjustments. Mr. Mackay noted that just the basic construction costs for a house were around \$400,000 without any lot or upgrades. He also revealed that the middle school would no longer be built at Hidden Oaks as they were under contract with the school district to purchase that site.

Councilmember Sherrie Ohrn expressed concerns about the proposal, stating she had reviewed the October 23, 2024 meeting and found that the same arguments and concerns still applied. She questioned how making homes smaller on smaller lots made them more affordable, noting that the price per square foot was actually very high. She pointed out specific issues including the lack of parking across the street due to the school location and questioned calling it affordable housing when a \$400,000 price point resulted in extremely expensive per-square-foot costs. Councilmember Ohrn emphasized the traffic impacts of continued development noting that increased development further west exacerbates traffic congestion for downstream communities. She noted the lack of planned east-west traffic solutions and cautioned that adding more density without addressing infrastructure needs would continue to compound the problem.

Councilmember Jared Henderson questioned why the proposal was being reconsidered, expressing surprise that the matter had returned for discussion after being previously addressed. He noted that this was not part of a new development plan but rather an attempt to reintroduce a concept that had already been through the public process. Councilmember Henderson engaged in an in-depth discussion on housing economics, expressing skepticism about the assumption that increased density leads to greater affordability. He argued that higher-density housing has not effectively addressed affordability concerns and has, in some cases, contributed to rising prices. He observed that the market shift from entry-level single-family homes to townhomes and condominiums has created a scarcity of the types of housing people most desire, thereby driving up costs.

He also raised questions about the definition and implementation of workforce housing and housing subsidies. Specifically, he asked for details on how such programs would function, including any deed restrictions, income qualifications, and the long-term impact on housing availability and affordability.

City Planner Maloy clarified that they weren't talking about removing parking but potentially deferring garage construction to make the product more affordable. He noted that 80% AMI in Salt Lake County was about \$99,000 household income for a family of four, which might qualify for a home in the \$400,000-450,000 range, with these cottage homes selling at around \$500,000 with a garage.

Councilmember Terrah Anderson expressed support for offering a range of housing options within the community. She stated that communities are healthier when there is a spectrum of housing types and emphasized the value of diversity in housing. While acknowledging that the proposal may not fully address affordability concerns or meet the state's definition of affordable housing, she noted the importance of inclusivity and providing options at varying price points.

The Council engaged in extensive discussion about existing housing diversity in Herriman, infrastructure challenges, and the impact of density on traffic and water resources. City Manager Nathan Cherveski shared housing statistics for Herriman.

The Council expressed appreciation for Mr. Mackay's time while maintaining their concerns about the proposal's appropriateness for the location.

2.2. Consideration of a Franchise Agreement with Senawave – Todd Sheeran, City Attorney

City Attorney Todd Sheeran presented a franchise agreement with Senawave, a company wanting to provide telecom and internet services in the community. He explained that the Council had revised its telecommunications ordinance about a year ago and updated the template franchise agreement accordingly. A key change addressed providers getting franchise agreements for one service but providing different services, ensuring the city collected appropriate fees.

Attorney Sheeran outlined the fee structure: telecommunications has a 3.5% tax capped by federal law, cable is capped at 5%, and other providers within the franchise agreement also pay 5%. Senawave had agreed to these terms and the standard template agreement, though they requested two modifications. First, they wanted language ensuring the city wouldn't discriminate between providers, which Attorney Sheeran noted was already required by federal law and unnecessary to add. Second, they wanted to alter the bonding language from a fixed \$50,000 bond to bonding only during construction. Attorney Sheeran recommended keeping the existing bond requirement, explaining that if infrastructure remains in the right-of-way after a provider leaves, the city would have bond money available for removal.

Attorney Sheeran noted that Senawave wasn't guaranteeing service to all of Herriman, which was common for providers who install where profitable. He expressed appreciation for Senawave's patience during the lengthy process of updating templates and codes. When asked about concerns, Attorney Sheeran identified right-of-way management as the primary issue, noting the challenge of managing multiple providers in the right-of-way and potential complications during city projects. He stated he didn't think they were at that point yet but

would rely on public works to alert them if construction projects encounter problems with too many providers.

The Council agreed with maintaining the bonding requirement and supported bringing the agreement back for consideration.

2.3. City Status Report – August 2025 – Trevor Ram, Assistant to the City Manager

Assistant to the City Manager Trevor Ram provided an update on the city's business and positive economic activity. He reported that approximately 50 new businesses, primarily home occupations, had been licensed in the past two months. He highlighted a success story involving a business who recently transitioned from home-based to a brick-and-mortar location within Herriman.

Assistant to the City Manager Ram noted that detailed housing type breakdowns were available and proposed returning with more granular data in future meetings to support ongoing housing discussions. He briefly mentioned that several development projects were actively progressing across the city.

On the fiscal front, Assistant to the City Manager Ram reported a significant milestone in August which reflected June sales, when Herriman received its largest-ever sales tax disbursement from the state. Approximately 27% of that amount was from direct sales within Herriman, which was one of the highest monthly proportions to date.

The Council focused on data needs, particularly in the context of infrastructure planning and legislative communication. Councilmember Henderson emphasized that decisions around large-scale developments had already been made, with entitled areas in place. He suggested that future data efforts should center on illustrating the infrastructure impacts of the density the city has already approved.

Councilmember Anderson expressed a desire to track the percentage of multifamily housing, noting her hope that it would not continue to increase. She stressed the importance of gathering comprehensive data on transportation and water infrastructure to strengthen the city's case for additional funding. Mayor Palmer proposed organizing tours for state legislators ahead of the upcoming legislative session. He noted that when lawmakers visit Herriman, they are often surprised by the amount of existing density and apartment housing. He suggested these site visits could provide valuable context for future legislative advocacy.

Councilmember Ohrn referenced a prior study indicating that Herriman residents face the highest transportation costs in the county due to long commuting distances. She stressed that the city's role extended beyond housing, it included planning for commercial,

recreational, and employment opportunities. She expressed frustration with the legislature's fast-paced decision-making process.

2.4. Herriman City Continuity of Operations Plan "COOP" – Brent Adamson, Commander

Herriman Police Department Commander Brent Adamson presented the Continuity of Operations Plan as part two of the comprehensive emergency plan adopted a year ago. He explained the plan ensured the City could continue functioning during emergencies by identifying key players, essential services, and maintaining operational continuity.

Commander Adamson detailed the process of working with all city business units to identify their key personnel, products/services (water, streets, lights, legal services), succession planning, and contact information. The plan addressed alternate locations if city buildings were unavailable, records access, and backup personnel for each position.

He noted the plan did not require formal adoption but was being presented for Council awareness. The contact information and phone numbers were not included in the public packet due to operational sensitivity. When asked about training, Commander Adamson explained they distributed questionnaires to directors, conducted review meetings, and plan to conduct tabletop exercises similar to the comprehensive emergency management plan training.

City Manager Cherpesci raised the issue of emergency management staffing, noting it's currently a part-time position and suggested this would need to be addressed as the City grows, particularly with expansion into wildland-urban interface areas. He emphasized the increasing risks and need for adequate emergency management resources.

Councilmember Ohrn discussed evacuation concerns, referencing previous fire evacuations and the challenges of getting people out with limited routes. She emphasized the need for community messaging about evacuation plans, ensuring residents are signed up for emergency alerts through Everbridge, and helping people understand evacuation procedures.

2.5. Salt Lake County Multi-Jurisdictional Hazard Mitigation Plan Volume 1 and 2 including Herriman City Annex – Brent Adamson, Commander

Herriman Police Department Commander Adamson presented the Salt Lake County Multi-Jurisdictional Hazard Mitigation Plan, describing it as a massive 1,800-page document involving about 25 cities, jurisdictions, schools, and other entities in Salt Lake County. This five-year update, which was last updated in 2019, was developed through a county grant with an external contractor and dozens of meetings over the past year.

The plan was required by FEMA and has already been adopted by Salt Lake County. It identified various hazards including wildfire, severe storms, lightning, landslides, and hillside sloughing, though Herriman was not in an avalanche area. Volume 1 contained the countywide plan while Volume 2 included individual city annexes. Commander Adamson noted FEMA was currently reviewing it and has already requested additional information about floodplain regulations.

When asked about practical use during emergencies, Commander Adamson clarified this wasn't a response document but rather a federal requirement to identify potential hazards and mitigation plans. He mentioned working with City Manager Cherpesci and Police Chief Carr on developing bullet-point checklists for actual emergency response, and described a state app that could provide step-by-step emergency procedures without requiring cell service.

Commander Adamson emphasized this represented improved coordination, with Salt Lake County working to ensure all entities have integrated plans that flow from city to county to state level, rather than the previously disconnected approach. The plan would come back for formal adoption at a future meeting.

3. Adjournment

Councilmember Ohrn moved to adjourn the Council work meeting at 6:48 p.m. Councilmember Anderson seconded the motion, and all present voted aye.

7:00 PM – GENERAL MEETING:

4. Call to Order

Mayor Palmer called the meeting to order at 7:05 p.m. and excused Councilmember Teddy Hodges.

4.1. Invocation/Thought/Reading and Pledge of Allegiance

Ms. Megan Bennett led the audience in the Pledge of Allegiance.

4.2. City Council Comments and Recognitions

Councilmember Sherrie Ohrn addressed the Council regarding a tragic shooting that occurred earlier in the day in Utah County. The incident involved a 31-year-old father and husband who was known for his strong belief in the Constitution and the importance of open, respectful debate. Councilmember Ohrn emphasized that, regardless of whether individuals share the same passions or viewpoints, everyone in America should have the freedom to express their beliefs and engage in open debate without fear of violence. She expressed concern over the increasing polarization and growing intolerance for differing perspectives across the country. She noted that the individual's platform centered on promoting dialogue

and resolving disagreements through conversation. She stressed that working through differences should be done through discussion, not violence.

Councilmember Ohrn requested a moment of silence to honor the victim and to reflect on the need for more constructive and respectful ways to engage in public discourse. The Council observed a moment of silence.

5. Public Comment

Vicky Macias addressed the Council with inquiries concerning recent changes related to fiber internet providers and the proposed modifications to the master plan for Ivory's housing development. She requested clarification on the City's decision to change fiber providers and whether residents would have access to two service options. In regard to the Ivory development, she referenced the developer's request for smaller housing units, which the Council ultimately declined to approve.

Councilmember Henderson clarified that the City was not changing anything but rather adding options for residents. He explained these were private companies wanting to provide service, not a city function.

6. City Council Reports

6.1. Councilmember Jared Henderson

Councilmember Henderson reported on the Unified Fire Authority Board, urging residents to be conscientious about wildland fire dangers. He specifically highlighted concerns about lithium-ion battery safety, referencing a recent social media post. He warned about the dangers of charging lithium-ion batteries, especially in garages during hot weather, noting there has been an increasing number of structure fires due to these batteries from power tools, e-bikes, and scooters.

6.2. Councilmember Teddy Hodges

Councilmember Hodges was excused from the meeting.

6.3. Councilmember Sherrie Ohrn

Councilmember Ohrn reported on the Youth Council retreat held the previous Friday and Saturday at City Hall. She noted that 31 youth had applied to participate in the program this year and commended the young leaders for their initiative and engagement. She expressed appreciation for their efforts in planning activities, conducting meetings, and exploring ways to improve the community. Councilmember Ohrn remarked that the service provided by these youth is invaluable and acknowledged the positive role of parents in raising such committed individuals.

6.4. Councilmember Terrah Anderson

Councilmember Anderson reported on the recent Mosquito Abatement Board meeting, noting that a proposed tax increase had been adjusted from \$0.99 to \$0.77 per household annually. She also cautioned that West Nile virus cases are on the rise and urged residents to take preventive measures, including using mosquito repellent and wearing long sleeves, particularly during dawn and dusk hours.

Councilmember Anderson also shared details of a recent visit to Camp Williams alongside representatives from neighboring cities. The visit focused on land use concerns, fostering positive relationships, and increasing community awareness of Camp Williams' operations due to its proximity to the City.

7. Mayor Report

Mayor Palmer reported noted the City held a ribbon-cutting ceremony for Phase 1 of Mountain Ridge Park, located at 13800 South, which featured an all-abilities playground on the east side of the City. In addition, a groundbreaking was held for a new trailhead at Wide Hollow, which would include a parking lot and a “challenge staircase”.

8. Reports, Presentations and Appointments

8.1. Mountain West Chamber of Commerce Presentation – Susan Schillings, Mountain West Chamber

Mountain West Chamber President Susan Schillings highlighted the Chamber's long-standing relationship with Herriman and introduced two Chamber board members: Megan Bennett of Edward Jones, and Stephanie Isiko of CMIT Solutions.

Megan Bennett, former Chair and current board member, spoke on the importance of chambers of commerce in fostering community and economic vitality. She referenced the documentary *Join or Die*, which explored the role of social organizations such as chambers in bridging divides and fostering civic engagement. Ms. Bennett emphasized that the Mountain West Chamber serves both the business community and the broader public, supporting initiatives such as teacher appreciation, student scholarships, and community recognition programs.

Ms. Bennett presented economic data highlighting the vital role of small businesses, noting that they contribute 44% of the U.S. GDP. Of that, 80% is generated by businesses with fewer than 10 employees. She outlined the Chamber's four strategic pillars: networking, education, community impact, and advertising. The Chamber has experienced 18% year-over-year growth in new membership, attributing much of this success to its more personalized and intimate approach to networking compared to larger organizations.

Stephanie Isiko provided an overview of the Chamber's community programs. These include the annual Teacher Appreciation Luncheon, where each school nominates a representative to attend a catered event with gifts provided by local businesses. In the most recent year, 31 teachers from charter and private schools participated.

The Chamber also awards eight \$1,500 scholarships to students from Riverton, Herriman, Mountain Ridge, Providence Hall, and Summit Academy. These scholarships are intended for students who may not typically receive academic awards but have demonstrated significant personal growth. Funds can be used for college or trade school expenses.

Another signature event is the Knight of Heroes, a black-tie gala recognizing outstanding contributions from individuals in law enforcement, fire services, charitable organizations, local businesses, and the broader community. Public nominations determine the honorees.

Educational opportunities include two monthly meetings: a Women in Business luncheon and a Lunch and Learn series, featuring topics such as financial planning, artificial intelligence, social media marketing, and cybersecurity.

Ms. Bennett also shared recent advancements in the Chamber's marketing and digital outreach. Their social media following has grown to 731 followers, with recent posts reaching over 15,000 users. The Chamber has launched a Local Link program that enables businesses to create promotional discounts to increase local engagement and foot traffic. Isiko noted she is currently leading the Local Link scavenger hunt, having taken advantage of several discounts at participating businesses.

9. Consent Agenda

9.1. Review and approval of the July 2025 financial summary – Kyle Maurer, Director of Finance and Administrative Services

9.2. Approval of a Resolution appointing Justum Edwards as an alternate member to the Trans-Jordan Cities Board – Jackie Nostrom, Deputy Director of Administrative Services/City Recorder

Councilmember Ohrn moved to approve the consent agenda as written. Councilmember Henderson seconded the motion.

The vote was recorded as follows:

<i>Councilmember Terrah Anderson</i>	<i>Aye</i>
<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Teddy Hodges</i>	<i>Absent</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>

Mayor Lorin Palmer

Aye

The motion passed unanimously with Councilmember Hodges being absent.

10. Discussion and Action Items

10.1. Review and consider an ordinance to (1) amend City Code subsection §10-3-5 to define “Retaining Walls”, “Subdivision Walls”, “Surcharge”, and “Building Height,” and (2) add subsection §10-29 to regulate the construction and placement of retaining walls – Michael Maloy, City Planner

City Planner Michael Maloy presented the proposed ordinance amendments, which stemmed from an extensive review of retaining wall regulations initiated after the Council adopted a pending ordinance. The initiative wanted to clarify regulation, identify deficiencies, and assist in better administration. The ordinance was crafted to address significant issues observed in current practices and to ensure safer, more predictable outcomes for property developments.

The Planning Commission held a public hearing in July, where the ordinance was deliberated. It resulted in a 4-2 vote to recommend approval, albeit with some modifications. City Planner Maloy highlighted that the ordinance introduces vital new definitions, including subdivision wall, which promoted early planning for significant grade changes within subdivision master plans. This approach was intended to prevent the common deferral of such considerations to individual property owners.

Key provisions of the ordinance included allowing subdivision walls to be up to 9 feet high on the condition of adequate engineering support. The ordinance provided explicit guidance on retaining wall placement to avoid potential conflicts with public utility easements and emphasized the necessity for stepped retaining wall systems, complete with specific setback requirements. Enhanced engineering requirements for rockeries were made more stringent to prevent failures that had previously been witnessed in the city.

City Attorney Todd Sheeran provided further insight into the two proposed options for measuring building height under the ordinance. Option 1 was more restrictive, mandating no single building elevation to exceed a 35 feet limit. Option 2 offered more flexibility, allowing the average of all elevations to determine compliance with the zone's maximum height, provided no single side exceeds 125% of that maximum. This option was particularly suited for hillside developments that embody much of Herriman's future growth.

Community Development Director Blake Thomas explained the reasoning behind the 9-foot rockery height allowance. This height requires engineering designs that include tie-backs and fabric stabilization to ensure structural integrity and safety. Councilmember Ohrn expressed concerns about the potential instability of taller rockeries, referencing past failures. Director

Thomas assured that the new engineering requirements are designed to preempt such issues effectively.

The Council engaged in a thorough discussion on the height measurement options. They recognized that with much of the City's undeveloped land situated on slopes, these regulations would play a pivotal role. Councilmember Henderson observed that Option 2 would offer developers more flexibility in designing within these natural contours. The Council agreed.

Councilmember Henderson moved to approve Ordinance No. 2025-20 amending Title 10 of the Herriman City Code to modify definitions and land use regulations affiliated with retaining walls and using option 2 outlining that on sloped lots, the height of each building façade shall be measured as the average of the vertical distance between finished grade and the highest point of the building along that façade. For purposes of calculating overall building height, the average height shall be determined by averaging the heights of all sides of the building. Example: If the highest-grade point along the front façade results in a height of 25 feet and the lowest grade point results in a height of 35 feet, the average height of that façade shall be 30 feet. The overall building height shall then be calculated as the average of the façade heights on all sides of the building. And (2) No single façade shall exceed 125% of the maximum height permitted in the zone, even if the average height complies with the overall limit. Councilmember Anderson seconded the motion.

The vote was recorded as follows:

Councilmember Terrah Anderson	Aye
Councilmember Jared Henderson	Aye
Councilmember Teddy Hodges	Absent
Councilmember Sherrie Ohrn	Aye
Mayor Lorin Palmer	Aye

The motion passed unanimously with Councilmember Hodges being absent.

10.2. Request from MLM Holdings, LLC to Renew/Update Land Transfer Agreement – Todd Sheeran, City Attorney

City Attorney Sheeran presented the request from Mike Maze to renew and update the land transfer agreement for approximately 4.65 acres of city-owned property. Mr. Maze had previously failed to perform under the original agreement's strict conditions and timeframes, partly due to a requirement to purchase adjacent property. The revised plan shows the development can fit entirely on the city's property without needing the adjacent land.

Key additions to the agreement include:

- Adding D-BAT and Mr. Maze personally as parties to the agreement

- Any loans against the property would be secondary to the City's interest
- A reversionary deed signed in advance allowing the city to reclaim the property upon default
- Recording the agreement against the property
- Requiring investor acknowledgment of the agreement terms

Councilmember Anderson moved to temporarily recess the City Council meeting to convene in a closed session to discuss pending, or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205 at 7:51 p.m. Councilmember Ohrn seconded the motion.

The vote was recorded as follows:

Councilmember Terrah Anderson	Aye
Councilmember Jared Henderson	Aye
Councilmember Teddy Hodges	Absent
Councilmember Sherrie Ohrn	Aye
Mayor Lorin Palmer	Aye

The motion passed unanimously with Councilmember Hodges being absent.

The Council reconvened the Council meeting at 8:53 p.m.

City Attorney Sheeran outlined additional clarifications to be added to the agreement:

- Specific definition of Phase 1 and Phase 2
- Public improvements to include a trailhead with bathroom, pavilion, and kiosk
- These improvements must be completed before certificate of occupancy for Phase 1
- Process for removing the lis pendens currently filed against the property
- Requirement for assurance of funding transfer by Friday between old and new investors
- Timing requirements for investor acknowledgment

Mr. Maze confirmed he had already signed loan paperwork and had no concerns with the proposed additions, stating the funding would occur by Friday once the lis pendens was removed.

Councilmember Henderson moved to approve revised Land Transfer and Development Agreement between Herriman City, Dream Big Enterprises LLC, MLM Holdings LLC, and Michael Maze, incorporating the revisions and clarifications as outlined by the City Attorney. These include: defined phasing for the project, requirements for public improvements prior to occupancy of Phase 1, provisions related to lis pendens removal,

confirmation of investor funding transfers, and timing for investor acknowledgments. Direct the City Attorney and City Manager to finalize the agreement language to ensure all discussed terms and protections for the City are accurately reflected. Councilmember Ohrn seconded the motion.

The vote was recorded as follows:

<i>Councilmember Terrah Anderson</i>	<i>Aye</i>
<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Teddy Hodges</i>	<i>Absent</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously with Councilmember Hodges being absent.

11. Future Meetings

- 11.1. Next Planning Meeting: September 17, 2025**
- 11.2. Next City Council Meeting: September 24, 2025**

12. Events

- 12.1. Hungry Herriman and Farmer's Market: Monday Evenings @ Crane Park 5:00 p.m.**
- 12.2. Inflatable Dash: Monday September 15, 2025 @ Crane Park 7:00 p.m.**

13. Closed Session

The Herriman City Council may temporarily recess the City Council meeting to 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

14. Adjournment

Councilmember Henderson moved to adjourn the Council meeting at 9:03 p.m. Councilmember Anderson seconded the motion, and all present voted aye.

15. Recomence to Work Meeting (If Needed)

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 10, 2025. This document constitutes the official minutes for the Herriman City Council Meeting.



Jackie Nostrom
Jackie Nostrom, MMC
City Recorder



CITY COUNCIL MINUTES

Wednesday, September 24, 2025
Awaiting Formal Approval

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, September 24, 2025, at 5:30 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 Council, media, and interested citizens.

Presiding: Mayor Lorin Palmer

Councilmembers Present: Jared Henderson, Teddy Hodges, Sherrie Ohrn

Councilmembers Excused: Terrah Anderson

Staff Present: City Manager Nathan Cherveski, Assistant City Manager Wendy Thomas, City Recorder Jackie Nostrom, Finance Director Kyle Maurer, City Attorney Todd Sheeran, Communications Manager Jonathan LaFollette, Police Chief Troy Carr, UFA Division Chief Anthony Widdison, City Engineer Bryce Terry, Operations Director Monte Johnson, Assistant to the City Manager Trevor Ram, City Planner Michael Maloy, Public Works Director Justun Edwards, and Building Official Cathryn Nelson, and Deputy Director of Parks, Recreation and Events Anthony Teuscher.

5:30 PM – WORK MEETING: (Fort Herriman Conference Room)

1. Council Business

Mayor Palmer called the meeting to order at 5:32 p.m. and excused Councilmember Terrah Anderson.

1.1. Review of this Evening's Agenda

Mayor and staff briefly reviewed the agenda. It was noted that Item 2.1 would be continued to a future meeting.

1.2. Future Agenda Items

Councilmember Jared Henderson raised a serious public safety issue concerning an unauthorized road closure. He reported that a construction company had closed 12600 Street between 12400 South without obtaining an approved traffic control plan, notifying the city, or informing emergency services. The company redirected all traffic through residential streets rather than designated arterial roads, resulting in significant disruption to the neighborhood.

Councilmember Henderson described the impact, noting that residents reached out in frustration. He personally observed large, double-length dump trucks hauling fill material through a newly rebuilt 25 mph residential zone, causing damage to trees and creating hazardous conditions. He witnessed Unified Fire Authority emergency vehicles forced to make U-turns after encountering the closure, an issue exacerbated by the lack of notification to emergency responders.

Councilmember Henderson commended the City's prompt response once alerted, he requested a formal review of current processes and enforcement mechanisms. He urged staff to explore stronger accountability measures to prevent contractors from proceeding without approval and treating potential violations as minor infractions.

City Manager Nathan Cherpesci confirmed that the City had ordered the company to stop work and obtain the required permit. He added that redline revisions had been sent back on their traffic control plan. City Manager Cherpesci acknowledged the need to examine what penalties are currently in place when companies fail to comply with established procedures, especially given the risk to public safety and emergency response operations.

1.3. Council discussion of future citizen recognitions

No future citizen recognitions were requested.

2. Administrative Reports

2.1. Transit Fresh Look Briefing – Lauren Victor, WFRC Transit Fresh Look Project Manager

This item will be discussed at a future meeting at the request of the presenter.

2.2. Update Regarding Safe Routes to School Application for Intersection improvements at Herriman Rose Blvd and Herriman Main St – Bryce Terry, City Engineer

City Engineer presented an update on the Safe Routes to School grant application for intersection improvements at Herriman Rose and Herriman Main Street. The City had been awarded \$602,000 in grant funding with a required local match of 6.77%, approximately \$41,000. The funding would be available next July.

Engineer Terry provided background on the intersection's history. In August 2024, the previous school year, there had been a change in where students crossed based on feedback from crossing guards, the school, engineering, and police. All parties agreed the current setup at Herriman Rose wasn't the safest way to get kids to school, so the crossing was moved to the traffic signal at Black Locust Way and Herriman Main Street.

The community response had been significant, with several City Council meetings and a dedicated community meeting held to discuss concerns. While most agreed the intersection wasn't ideal for crossing, many didn't believe walking to the traffic signal was safe either due to crowding and kids walking in the street. A traffic study showed the intersection didn't warrant a signal and adding one would create complications due to the proximity of existing signals and visibility issues with the road curves.

The proposed improvements would create a three-quarters intersection, limiting left turns out and straight-throughs from the minor road. This would prioritize pedestrian safety by reducing conflicting traffic movements. Pedestrians crossing Herriman Main Street would only need to watch eastbound traffic, crossing two lanes at a time with a protected center median.

Engineer Terry explained that the design allowed vehicles to cross only two lanes at a time, focusing on one traffic movement at a time. This approach was intended to reduce conflict points, particularly with left-turning vehicles from side streets.

Councilmember Ohrn expressed concern about the current intersection configuration, highlighting the dangers for vehicles attempting to turn left or proceed straight through. She noted that the presence of center medians, nearby crosswalks, and heavy traffic on Herriman Main Street creates a complex and potentially hazardous environment. Engineer Terry agreed, stating that there was a lot for drivers to pay attention to, particularly with the combination of crosswalks and left-turning vehicles contributing to the overall confusion and risk. However, the improvements would mean the neighborhood could no longer turn left out or go straight through with vehicles. Councilmember Hodges expressed concern about the potential community reaction to the proposed left-turn restrictions. He noted that while a

significant portion of the neighborhood had previously engaged on issues like safe walking routes, even greater turnout could be expected in response to limitations on left turns, accentuating the importance of proactive community engagement.

The discussion included whether this would automatically become the designated safe walking route. Engineer Terry emphasized no determination had been made yet and that would require coordination with HPD, Engineering, and the School Community Council. Councilmember Henderson cautioned against creating unrealistic expectations regarding the proposed changes. He emphasized that while the design may improve conditions at the crosswalk, it may not fully resolve existing safety concerns due to ongoing sight line limitations.

Police Chief Troy Carr noted the improvements would address the most dangerous movements at the intersection while adding safety with the offset crossing. However, concerns remained about whether children would safely use the center median refuge areas and the potential need for multiple crossing guards if it became a safe walking route.

The project also included installing a sidewalk connection behind the recreation center to connect neighborhoods to the elementary school, addressing another community concern.

City Engineer Terry highlighted the next steps, which would include holding community meetings to gather neighborhood input before proceeding with full design. Engineer Terry indicated it would likely be about a month before they could schedule meetings and report back with feedback.

2.3. Request from Army Reserve National Guard (ARNG) to enter into a sub-recipient agreement with the Conservation Fund – Wendy Thomas, Assistant City Manager

Assistant City Manager Wendy Thomas presented a request from the Army Reserve National Guard (ARNG) to enter into a sub-recipient agreement with The Conservation Fund. The proposal involved the use of federal funds allocated to Herriman City through an agreement with the Department of Defense (DoD), which currently remain unused. As Herriman has no willing property sellers at this time, the ARNG proposed using the funds to purchase conservation easements on the Holbrook property in Eagle Mountain, adjacent to the camp border.

The phased purchase would begin with approximately 60 acres and would expand previously protected areas. The conservation easements would prohibit residential development near the military installation, serving as a long-term buffer.

Assistant City Manager Thomas emphasized the urgency of acting, noting that Herriman does not currently have the capacity to use the funds locally and risks losing access to them if they remain unspent. City Manager Cherpesci clarified that these were not City funds but federally allocated dollars available through Herriman's agreement with the DoD. He cited similar arrangements made with Saratoga Springs for land conservation purposes.

Councilmember Ohrn shared her observations from a recent Blackhawk flyover, noting significant residential encroachment near the camp, particularly on the summit. Mayor Palmer voiced strong support for the initiative, emphasizing the national importance of protecting military operations and the value of supporting the Guard's mission.

Assistant City Manager Thomas also noted that proceeding with the agreement would improve Herriman's fund utilization score, which has been impacted by the lack of local property acquisitions. The Council unanimously supported moving forward with drafting the sub-recipient agreement, which would be brought back for formal approval.

Councilmember Hodges moved to temporarily recess the City Council work meeting to convene in a closed session to discuss pending, or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205 at 6:02 p.m. Councilmember Ohrn seconded the motion.

The vote was recorded as follows:

Councilmember Terrah Anderson	Absent
Councilmember Jared Henderson	Aye
Councilmember Teddy Hodges	Aye
Councilmember Sherrie Ohrn	Aye
Mayor Lorin Palmer	Aye

The motion passed unanimously with Councilmember Hodges being absent.

The Council reconvened the Council work meeting at 6:36 p.m.

3. Adjournment

Councilmember Ohrn moved to adjourn the Council work meeting at 6:37 p.m. Councilmember Henderson seconded the motion, and all present voted aye.

7:00 PM – GENERAL MEETING:

4. Call to Order

Mayor Palmer called the meeting to order to 7:00 p.m.

4.1. Invocation/Thought/Reading and Pledge of Allegiance

Deputy Director of Administrative Services Jackie Nostrom led the audience in the Pledge of Allegiance.

4.2. City Council Comments and Recognitions

Councilmember Teddy Hodges enthusiastically shared about the recent inflatable dash event, praising it as incredibly fun and commending Communications Specialist Mitch Davis for producing this successful event. He noted that those who missed it could find photos and videos on Facebook and expressed kudos to the entire communications department for their work on this event.

5. Public Comment

Mark Chaston offered an electronic comment expressing his concern and discontent regarding the proposed restriction of left-hand turns from Herriman Rose Blvd onto Herriman Main Street. As a resident of the Herriman Towne Center for the past 10.5 years, he's witnessed several changes to traffic flow in our community. One significant change was the closure of the access point to Herriman Main near the dog park, which has already caused increased congestion and inconvenience for residents in that area. Now, with the potential removal of the left-turn option from Herriman Rose Blvd, it feels like yet another measure that will negatively impact our neighborhood's accessibility and traffic efficiency. The city has already taken steps to improve pedestrian safety by requiring crossings at the light in front of City Hall. This was a reasonable adjustment that balanced safety with accessibility. However, diverting vehicular traffic unnecessarily—especially when alternative routes are limited or less efficient—seems counterproductive and burdensome to residents. I urge the city to reconsider this proposal and explore solutions that maintain safe and reasonable access for both pedestrians and drivers. Our community deserves thoughtful planning that reflects the lived experiences of those who call Herriman home. Thank you for your time and consideration.

6. City Council Reports

6.1. Councilmember Jared Henderson

There was no report.

6.2. Councilmember Teddy Hodges

Councilmember Hodges reported on several board meetings he attended this week. At the Jordan Basin Improvement District meeting that morning, they had good discussions about maintenance completed at the facility over the past month and plans for an upcoming future expansion. He explained they had traveled to several different locations to research the best technology and learn what they want and need in their new facility, which was significant progress.

He also attended the South Valley Chamber Meeting that morning with Councilmember Ohrn, where they learned about several exciting developments. The Titans Business Awards were coming up soon, noting the Council has a table reserved if members wish to attend. They discussed institutes for 2026 and leadership sponsorships. Most excitingly, the practice facility for the Mammoth (the Utah Hockey Club) would be opening soon. The board would get a tour and described it as an amazing facility. Additionally, the Delta Center has been refurbished with new sight lines and better seating. They were shown renditions and pictures of the improvements, which looked impressive. The first preseason practice game was scheduled for next weekend with brand new ice and seating.

6.3. Councilmember Sherrie Ohrn

Councilmember Ohrn attended the Wasatch Front Waste and Recycling District Board meeting, where preliminary discussions for the upcoming budget season were initiated. One key topic of discussion was the future of the trailer rental program. The Board expressed a preliminary inclination toward discontinuing the program due to its high operational costs. The wheeled trailers currently require insurance coverage, adding a significant expense compared to more cost-effective roll-off containers. The program costs the district over \$500,000 annually and does not generate sufficient revenue to offset expenses. The Board will review alternative options at its next meeting.

Councilmember Ohrn also provided an update on the ongoing Request for Proposals for a feasibility study regarding the City of Herriman's potential withdrawal from the district. A follow-up meeting was scheduled for October to continue discussions on this matter. Although she was unable to attend the recent Trans-Jordan Cities meeting due to travel, Councilmember Ohrn received detailed notes from Public Works Director Justun Edwards. Key issues discussed included the growing concern around glass recycling, which was becoming a significant challenge for landfill management and may lead to potential legislative actions. The meeting also highlighted the critical issue of electronic waste and battery disposal. Trans-Jordan was currently experiencing an average of two fires per week caused by improperly discarded batteries. Councilmember Ohrn emphasized the importance of public education on this issue, noting that residents can safely dispose of batteries and e-waste at the Trans-Jordan facility at no cost, thereby helping to mitigate these risks.

She reported that the new transfer station recently held its open house and began accepting commercial waste a few weeks ago. It will open to the general public on October 1st. The facility is located in the river bottoms near 9000 South and offered an easier alternative for waste disposal compared to the more difficult terrain at the main Trans-Jordan site.

6.4. Councilmember Terrah Anderson

Councilmember Anderson was excused from the meeting.

7. Mayor Report

Mayor Palmer reported on his recent attendance at "Water School," a three-day educational conference held near Cedar City. The event was organized by the four largest water districts in the state and designed to provide in-depth education on water sources, infrastructure, and associated costs. The conference brought together ten local elected officials and ten state legislators in an intimate setting to encourage brainstorming and collaborative discussion.

Mayor Palmer noted the intensity and volume of information shared during the event but emphasized its value. He was particularly struck by the distances water must travel, sometimes hundreds of miles, before reaching treatment facilities and ultimately the valley.

Mayor Palmer indicated he would share the presentation slides with the City Council and suggested that it may be worthwhile to provide similar educational opportunities for the community to enhance public understanding of water infrastructure and resource challenges.

8. Reports, Presentations and Appointments

8.1. 2025 Water Use Update – Justun Edwards, Public Works Director and Anthony Teuscher, Deputy Director of Parks, Recreation and Events

Public Works Director Justun Edwards presented the water use update, noting the last comprehensive update was in 2022. He explained the presentation would focus on summer water use since winter usage remains fairly consistent at around 6,000 gallons per month for single-family homes. Looking at citywide summer water use from 2022 through 2025 (April through October irrigation season), there has been a steady increase, with July typically being the highest month at about 700 million gallons of water used citywide.

This year showed significant increases: May, June, and August all saw higher usage than previous years, with August being much higher. The same pattern appeared in residential water use specifically. Director Edwards highlighted the impact of the 2021-2022 statewide conservation push. After 2020 being one of the highest water use years ever, the conservation messaging from the state and city team showed clear results with much lower usage in 2022. However, 2024 and 2025 show usage rebounding, possibly due to large snow years leading residents to be less conservation-minded.

The Council's adopted water efficiency standards were showing positive results. After collecting sufficient data over several years and accounting for time needed for backyard installation and full-year water data, homes built to water efficiency standards show approximately 30% less overall water use compared to traditional landscapes. Director

Edwards praised the Council's foresight in implementing these standards alongside Jordan Valley.

Director Edwards highlighted the gallons per capita per day have been climbing back up after the 2022 conservation efforts, though Herriman remains far below the state average and surrounding communities, attributed partly to being a young city with homes built with water-efficient indoor fixtures. Comparing growth versus increased consumption from 2021 to 2024, the city added approximately 283 million gallons of usage due to new connections and 8.5 million gallons due to 17 acres of new parks. Of the total 574 million gallons of additional water used, about 290 million was due to growth, while 282 million represented increased consumption.

Weather data showed this year had higher temperatures in May, June, July, and August compared to previous years, combined with virtually zero precipitation from May through August. These conditions naturally drive increased water demands.

Councilmember Ohrn emphasized the need to change conservation messaging away from "drought" language to focus on lifestyle changes, noting that Utah's dry climate combined with growth requires permanent changes rather than temporary conservation during droughts. She expressed concern about residents who refuse to reduce water use because they were here before the growth and stressed that conservation must be positioned as a necessary lifestyle change, not a temporary measure. She also noted people are tired of seeing the same conservation messaging with green vests and "brown is the new green" slogans. Director Edwards acknowledged these concerns and mentioned Jordan Valley was introducing new water campaigns with updated branding and messaging, which would be shared with all cities in the district.

Deputy Director of Parks, Recreation and Events Anthony Teuscher then presented on city-owned water usage, primarily park irrigation, restrooms, and splash pads. Overall usage increased this year compared to the previous three years, surpassing 50 million gallons in July. However, this was expected given the growth in the parks department.

Looking at gallons per acre, the previous three years showed a downward trend in water usage. However, there was a large uptick this most recent year. Deputy Director Teuscher attributed this to several factors: the extreme lack of precipitation preventing irrigation systems from being turned off noting that, normally, one significant storm allows shutting down the entire system for 3-4 days, providing substantial savings, higher than normal temperatures requiring more water to maintain service levels, and the construction and establishment of two large parks, Mountain Ridge Park and Monument Park in Olympia, which require watering 3-4 times daily during turf establishment.

The Parks Department remains committed to water conservation through best management practices including regular audits and inspections, maintaining specific mowing heights for conservation, watering passive recreation areas no more than three times per week while sports fields receive up to five times per week as needed. Deputy Director Teuscher expressed hope that with better weather cooperation next year, they could return to previous conservation levels, viewing this year as somewhat of an anomaly.

Councilmember Ohrn praised the new landscaping in front of City Hall incorporating stormwater management as an example of water conservation efforts and noted the upcoming removal of sod from Main Street medians to be replaced with water-efficient landscaping.

Director Edwards concluded by reiterating the importance of continued conservation messaging, noting Communications Manager Jonathan LaFollette and his team do excellent work but messaging may need refreshing due to increased snowpack and message fatigue. He emphasized that water efficiency standards were helping reduce consumption and praised the Parks Department for obtaining monthly water reports to track usage and make adjustments throughout the summer.

9. Consent Agenda

9.1. Accounting of Recently Approved Change Orders – Bryce Terry, City Engineer

9.2. Salt Lake County Multi-Jurisdictional Hazard Mitigation Plan Volume 1 and 2 including Herriman City Annex.

9.3. Approval of the August 13, 2025, August 26, 2025, August 27, 2025, and September 16, 2025, City Council meeting minutes

Councilmember Henderson moved to approve the consent agenda as written. Councilmember Hodges seconded the motion.

The vote was recorded as follows:

<i>Councilmember Terrah Anderson</i>	<i>Absent</i>
<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Teddy Hodges</i>	<i>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously with Councilmember Anderson being absent.

10. Discussion and Action Items

10.1. Consideration of a Land Purchase Agreement with Olympia Ranch, LLC for the purchase of 7.535 acres of road right-of-way for future U-111 and Herriman Boulevard – Bryce Terry, P.E., City Engineer

City Engineer Bryce Terry presented this as a follow-up to the council's previous application for funds through Salt Lake County's Corridor Preservation Fund. The purchase covered two roadway areas in the Olympia area where future U-111 and Herriman Boulevard will be located, including a portion of existing Herriman Boulevard between 6000 West and 6400 West.

The purchase agreement totals \$2,640,000 from the Salt Lake County Corridor Preservation Fund. In the application process, the U-111 corridor area was considered a donation while the Herriman Boulevard portion is the actual purchase/acquisition area, though both were included in this acquisition. The purchase was contingent upon approval from the Salt Lake County Council, expected at the end of the month, with no closing to occur until that approval was secured. The City would front the costs and then be reimbursed by county funds.

Engineer Terry showed exhibits of the areas and noted the existing road was only on an easement, not right-of-way, so this acquisition cleared 100% of the right-of-way.

Councilmember Henderson commented that with half being a donation, it represented approximately \$700,000 per acre value, which he found remarkable for roadway property.

Councilmember Henderson moved to approve Resolution No. R51-2025 approving the execution of a land purchase agreement with Olympia Ranch, LLC for the acquisition of 3.88 acres of right-of-way property located at approximately 6300 West 12600 South in the amount of \$2,640,000. Councilmember Hodges seconded the motion.

The vote was recorded as follows:

Councilmember Terrah Anderson	Absent
Councilmember Jared Henderson	Aye
Councilmember Teddy Hodges	Aye
Councilmember Sherrie Ohrn	Aye
Mayor Lorin Palmer	Aye

The motion passed unanimously with Councilmember Anderson being absent.

10.2. (continued from September 16, 2025) Discussion and consideration of a resolution releasing city interest in a property located at approximately 12225 South Herriman Main Street – Todd Sheeran, City Attorney

City Attorney Todd Sheeran noted this discussion was a continuation from the previous week. The City had entered into a land transfer agreement a few years ago with certain obligations that weren't fulfilled, then recently entered into a revised land transfer agreement with obligations that also were not fulfilled. This item concerned potentially selling the property instead of maintaining development obligations.

Councilmember Henderson stated they had received and reviewed an offer but felt it didn't meet expectations.

Councilmember Henderson moved to deny the request to release Herriman City's interest in property located at 12225 South Herriman Main Street. Councilmember Ohrn seconded the motion.

The vote was recorded as follows:

Councilmember Terrah Anderson	Absent
Councilmember Jared Henderson	Aye
Councilmember Teddy Hodges	Aye
Councilmember Sherrie Ohrn	Aye
Mayor Lorin Palmer	Aye

The motion passed unanimously with Councilmember Anderson being absent.

11. Future Meetings

- 11.1. Next Planning Meeting:** October 1, 2025
- 11.2. Next City Council Meeting:** October 8, 2025

12. Events

- 12.1. Hungry Herriman Food Truck Roundup:** Monday Evenings @ Crane Park 5:00 p.m.
- 12.2. Herriman Howl:** October 6, 2025 @ Crane Park 5:00 p.m.

13. Closed Session

The Herriman City Council may temporarily recess the City Council meeting to 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

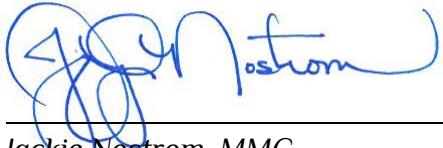
The Closed session was held during the work meeting.

14. Adjournment

Councilmember Henderson moved to adjourn the Council meeting at 7:35 p.m. Councilmember Hodges seconded the motion, and all present voted aye.

15. Recommence to Work Meeting (If Needed)

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 24, 2025. This document constitutes the official minutes for the Herriman City Council Meeting.



Jackie Nostrom, MMC
City Recorder



STAFF REPORT

DATE: September 25, 2025

TO: The Honorable Mayor and City Council

FROM: Blake Thomas

SUBJECT: Discussion and consideration of amendments to the Herriman City Commercial Zoning Code Sections 10-3-6: Land Use Categories Definitions, 10-12: Commercial and Office Zones, 10-15-7: Major Corridor Sign Overlay Zone, and 10-16: Table of Uses – Blake Thomas, Community Development Director

RECOMMENDATION:

Staff recommend approval of the zoning code amendments.

ISSUE BEFORE COUNCIL:

Should the City Council approve the proposed amendments to the commercial zoning code to include a new Commercial Flex (C-F) Zone?

ALIGNMENT WITH STRATEGIC PLAN:

The addition of the C-F Zone to the commercial zoning code is in alignment with the following goals of the strategic plan:

- A. Goal QL 2 – Balanced Land Use: Land uses should protect public health, foster a positive community atmosphere, and promote social mobility.
- B. Goal CE 1 – Business Development: Cultivate an environment that allows and supports entrepreneurship, innovation, smart business development, and traditional retail and commerce.
- C. Goal CE 1.1 – Business Support: Enact policies and programs that support local businesses development, growth, and retention.

BACKGROUND/SUMMARY:

The Herriman City Zoning Map identifies specific properties designated for commercial use. The City Commercial Zoning Code permits a wide range of commercial uses by designating several separate zones where such uses are allowed as a “permitted” or “conditional” use. These zones are identified as C-1, C-2, OP, RC, MU, MU-2, T-M, M1, and M-2, more specifically described below:

- **C-1: Neighborhood Commercial.** Lower-intensity commercial uses located within (or adjacent to) a neighborhood that have little or no impact, such as traffic or noise, due to the limited land uses allowed.
- **C-2: Community Commercial.** Traditional retail businesses and services, typically located within a commercial center, will likely have a noticeable impact on surrounding properties and infrastructure, such as increased traffic.
- **OP: Office Professional.** Business offices with limited commercial uses.
- **Resort Community.** Limited land uses, such as outdoor recreation, compatible with natural and scenic resources.
- **MU: Mixed Use.** Promote diversity of residential, office, and low-impact commercial uses. Usually applied to larger properties that can accommodate commercial and residential uses on the same lot.
- **MU-2: Mixed Use 2.** Allows for the mixing of residential and non-residential uses on the same site and/or within the same building, and usually with more traditional commercial uses.
- **T-M: Technology and Manufacturing.** Larger-scale technology and manufacturing parks for research, development, office, light manufacturing, fabrication, and wholesale distribution.
- **M-1: Manufacturing 1.** Lower intensity light manufacturing, fabricating, storage, warehousing, and wholesale distribution. Sexually oriented businesses are allowed in this zone as a conditional use.
- **M-2: Manufacturing 2.** Higher-intensity land uses, such as manufacturing facilities, which are typically located on larger properties and generate negative impacts that warrant mitigation. Sexually oriented businesses are also allowed within this zone as a conditional use.

DISCUSSION:

There appears to be a gap in the intensity of allowed uses between the C-2 Zone and the M-1 Zone. Several commercial developers have recently expressed interest in developing small-scale light manufacturing/commercial facilities (Mini-Flex or Maker Space), but do not wish to develop in the M-1, M-2, or T-M zones, which are the only zones where a “maker space” is currently permitted in City Code. These zones encourage larger-scale development, which is not consistent with the Mini-Flex/Maker-Space concept. The Herriman NEXT General Plan supports the consideration of allowing a variety of commercial uses by identifying economic development policies and strategies that promote flexibility in response to shifting trends, needs, and impacts.

Staff have identified several properties in Herriman that are zoned C-2 but have remained undeveloped, despite a growing demand for commercial use. These properties have limitations to development, which include accessibility from a main roadway, decreased visibility, irregular shape, and challenging topography. It is very challenging and likely cost-prohibitive to develop these properties for the uses allowed in the C-2 zone. By creating a zone that allows for a slightly wider array of uses than the C-2 Zone, these properties could be developed in a way that provides a great service to the community while minimizing impacts on neighboring properties. A Commercial-Flex Zone (CF Zone) could be applied to these properties to help encourage economic

development, provide a space for home occupations to expand, and provide an option to specialty entrepreneurs to set up shop in Herriman. It is recommended that the minimum design requirements for this type of development vary from traditional commercial development standards. Several key factors to consider include building materials, architectural elements, setbacks, and the storage of equipment and materials on-site. Another consideration is the ability to provide indoor storage as an accessory use to a primary use of Mini-Flex/Maker Space.

Following is a list of key changes/additions that have been included in the proposed code amendment:

- Section 10-3-6: Land Use Category Definitions
 - The following uses, with definitions, have been added to the code.
 - Assembly of Goods
 - Car Detailing
 - Commissary
 - Drive-Up Self-Storage
 - Indoor Self-Storage
 - Printing Distribution
 - Reselling
 - Section 10-12: Commercial and Office Zones
 - Added purpose of C-F Zone
 - Defined uses allowed in C-F- Zone
 - Identified development standards in the C-F Zone
 - Identified requirements for setbacks, building heights, and maximum allowable lot coverage in the C-F Zone
 - Section 10-15-7: Major Corridor Sign Overlay Zone
 - Included the C-F Zone as an applicable zone in the overlay zone.
 - Section 10-16: Table of Uses
 - Added a column for the C-F Zone and included the uses that were added to section 10-3-6 as permitted uses in the C-F Zone.
 - Included the following uses as permitted in the C-F Zone
 - Construction Sales and Service
 - Media Service
 - Medical or Dental Laboratory
 - Office, Professional
 - Printing
 - Repair Service
 - Research Service
 - Retail, general
 - Secondhand Store
 - Vehicle and Equipment Rental
 - Vehicle Repair, Limited
 - Wholesale and warehousing, limited

- Included a requirement that indoor and drive-up self-storage are allowed accessory uses to a primary permitted use on sites that are a minimum of 5 acres.

ALTERNATIVES:

Alternative	Pros	Cons
1. Recommend approval of the item to the City Council [RECOMMENDED]	Allows the item to proceed to the City Council for their approval.	None
2. Recommend approval of the item to the City Council with additional recommendations from the Commission	The Commission may identify items that have not yet been considered that will improve the effectiveness of the amended code.	None
3. Continue the item to a future date	Could provide additional opportunity for the Commission to consider aspects of the code amendments or staff to conduct research on those aspects identified by the Commission.	None
4. Recommend denial of the item to the City Council	Maintain the status quo with the commercial zoning code.	Could eliminate the opportunity to create a zone to address deficiencies in the current code and not expand ability to promote economic development in certain parts of Herriman.

FISCAL IMPACT:

None identified

ATTACHMENTS:

- A. Amendment to 10-3-6(D): Land Use Category Definitions
- B. Amendments to 10-12: Commercial and Office Zones
- C. Amendments to 10-15-7: Major Corridor Sign Overlay Zone
- D. Amendments to 10-16-1: Table of Uses

10-3-6 Land Use Categories Definitions

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[Sections A-C are excluded from this text and are to remain unchanged]

D. *Commercial uses.*

Agricultural sales and service means an establishment primarily engaged in the sale or rental of animal care products; anhydrous ammonia; farm supplies, tools and implements; feed and grain; tack; and the like; including accessory machinery repair services.

Animal care service means an establishment providing care and treatment for animals, including grooming, but excluding a kennel.

Assembly of goods means the process of putting together previously manufactured parts or sub-assemblies into a finished item or unit.

Bank or financial institution means an organization involved in deposit banking, finance, investment, mortgages, trusts, and the like. Typical uses include commercial banks, credit unions, finance companies, and savings institutions.

Bed and breakfast homestay means a dwelling which:

1. Has frontage on a street with a minimum right-of-way of 60 feet;
2. Contains a maximum of five guestrooms;
3. Is occupied by the owner or individual responsible for operating the facility;
4. Provides accommodations for guests paying compensation;
5. May serve breakfast served during the morning hours but lunch or dinner is not served;
6. Does not change the residential character of the dwelling or property where the dwelling is located; and
7. Conforms to applicable requirements of the health department and the fire department.

Bed and breakfast inn means a building which:

1. Contains a minimum of six, but not more than 30, guestrooms (except in the R-M Zone, which is limited to a maximum of 20 guestrooms);
2. Provides accommodations for guests paying compensation;
3. Serves breakfast;
4. Does not include cooking in any individual guestroom;
5. Has a residential appearance;
6. Does not exceed two stories in height; and
7. May include a restaurant and conference meeting rooms.

Brewpub means a business that produces or manufactures beer for consumption in connection with a meal prepared by an on-premises restaurant.

Business equipment rental and supplies means an establishment primarily engaged in the display, storage, and sale of goods or services used by office, professional and service establishments, including sale, rental, or repair of equipment and supplies used by office, professional, and service establishments, but excluding automotive, construction, and farm equipment. Typical uses include office equipment and supply

firms, small business machine repair shops, and hotel equipment and supply firms.

Business services means an establishment that provides photocopy, packaging, mail, or delivery services.

Car detailing means the process of cleaning, refurbishing, and maintaining the interior and exterior of vehicles to enhance their appearance and condition focusing on the cosmetic care of vehicles, distinct from mechanical repairs or routine maintenance.

Car wash, accessory, means an automatic or self-serve car wash that is an accessory use to a primary use on the same parcel or lot.

Car wash, automatic, means an establishment primarily engaged in providing automatic or unassisted machinery for the cleaning of motor vehicles, with or without hand drying or vacuuming facilities for customer use.

Car wash, full serve, means an establishment primarily engaged in providing cleaning or detailing services of motor vehicles, both exterior and interior surfaces, by one or more employees of the establishment. A full-serve car wash may or may not include the use of automatic or unassisted machinery in the cleaning or detailing process. A full-serve car wash may be allowed as a main use on a parcel or lot where permitted by the zoning district.

Car wash, self-serve, means an establishment primarily engaged in providing self-serve facilities for the cleaning of motor vehicles in a wash bay with a pressurized water hose, with or without hand drying or vacuuming facilities, by a customer, subscriber, or user of the establishment.

Commissary means a licensed and approved commercial kitchen facility.

Construction sales and service means an establishment engaged in retail or wholesale sale of materials and services used in construction of buildings or other structures, as well as outdoor storage of construction equipment or materials on lots other than construction sites. Typical uses include lumber yards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, air conditioning, electrical, plumbing, and heating supply stores, swimming pool sales, construction and trade contractors' offices and storage yards, and public utility corporation storage yards.

Convenience store means an establishment, not exceeding 5,000 square feet of gross floor area, serving a limited market area and engaged in retail sales, from the premises, of gasoline, food, beverages, and frequently or recurrently needed items for household use.

Data center means a centralized repository for the storage, management, and dissemination of electronic data.

Day care/preschool center means a facility, other than a facility located in an occupied dwelling, operated by a person qualified by the state which provides day care, protection, or supervision and/or preschool instruction but which does not include any person who is violent or being treated for alcoholism or drug abuse, or is placed in the

facility in lieu of confinement, rehabilitation, or treatment in a correctional facility. A day care/preschool center excludes:

1. Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
2. Facilities operated in connection with a shopping center or other principal activity, where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or
3. Special activities or programs, including athletics, crafts instruction, and similar activities conducted on a periodic basis by civic, charitable, private, or governmental organizations.

Dealership means a site or location in the state:

1. At which a franchisee conducts the business of a new motor vehicle dealer; and
2. That is identified as a new motor vehicle dealer's principal place of business for licensing purposes under U.C.A. 1953, § 41-3-204.

Dealership; automobile, trucks, sales and service (new), means the use of any building, land area, or other premises or portion thereof, for the display, or sale of new automobiles, light trucks or vans, and including any warranty repair work and other repair service conducted as an accessory use.

Dealership; automobile, trucks, sales and service (used), means the use of any building, land area, or other premises or portion thereof, for the display or sale of used automobiles, light trucks or vans, and including any warranty repair work and other repair service conducted as an accessory use.

Dealership; recreational vehicle, all-terrain vehicle, boat or trailer, sales and service (new), means the use of any building, land area, or other premises or portion thereof, for the display, or sale of new recreational vehicles, all-terrain vehicles, boats or trailers, and including any warranty repair work and other repair service conducted as an accessory use.

Dealership; recreational vehicle, all-terrain vehicle, boat or trailer, sales and service (used), means the use of any building, land area, or other premises or portion thereof, for the display, or sale of used recreational vehicles, all-terrain vehicles, boats or trailers, and including any warranty repair work and other repair service conducted as an accessory use.

Drive-up self-storage means fully enclosed individual storage at ground level allowing customers to drive their vehicles directly up to the unit for easy loading and unloading.

Fireworks stand means a temporary structure used for the sale of Class C fireworks by a retail seller authorized by the state.

Food cart means a non-motorized cart that a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption.

Food truck means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption. The term "food truck" does not include a

food cart or an ice cream truck.

Garage, private, means an accessory building designed or used for storage of not more than four automobiles owned and used by the occupants of the building to which it is accessory. A garage shall be considered part of a dwelling if the garage and the dwelling have a roof or wall in common.

Garage, public, means a building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor-driven vehicles.

Garden center means an establishment primarily engaged in retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental or landscaping purposes.

Gas and fuel, storage and sales means an establishment or site used for bulk storage and wholesale distribution of flammable liquid, gas, or solid fuel, excluding below-ground storage accessory to an allowed main use on the site.

Gasoline service station means an establishment engaged in retail sale of gasoline and petroleum products.

Hotel/motel means an establishment with six or more guestrooms, each rented for a period less than 30 days and without fixed cooking facilities, offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms.

Indoor self-storage means storage units located inside a building, offering protection from the elements and potentially climate control, unlike outdoor storage units. These units are typically accessed through hallways or corridors within the building, with options for first-floor or elevator access.

Kennel means a commercial establishment having three or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for a fee, or selling said dogs.

Laundry or dry cleaning, limited, means an establishment providing household laundry and dry cleaning services, classified as low hazard under applicable codes, with customer dropoff and pickup; or an establishment providing home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises. Limited laundry or dry cleaning excludes laundry services as defined in this section.

Liquor store means a state store or package agency engaged in the sale of alcoholic beverages for off-site consumption as provided in Utah Code § 32B-1-102.

Media service means an establishment primarily engaged in broadcasting and other information services accomplished by electronic mechanisms, including the internet, radio, television, film, or sound recording studios.

Medical or dental laboratory means an establishment that conducts basic medical or dental research and analysis. The term "medical or dental laboratory" does not include a

facility providing any type of in-house patient services typically provided by hospitals and clinics.

Medical service means an establishment providing therapeutic, preventive, or corrective personal treatment services on an out-patient basis by physicians, dentists, and other practitioners of the medical or healing arts, such as licensed, accredited massage therapists; licensed physical therapists; and psychotherapists; as well as the provision of medical testing and analysis services. Typical uses include medical and dental offices and clinics, and blood banks.

Mobile store means a portable structure, including vehicles, without a permanent foundation, for use on a temporary or seasonal basis, from which goods or merchandise are sold or where a service is provided which is utilized on the premises and which is approved for not more than 120 days per calendar year at the same location or within 250 feet of a previously approved location.

Model home sales office means an unoccupied dwelling used for promotion and sales of new homes or condominium units.

Mortuary means an establishment that prepares the bodies of deceased persons for burial or cremation and conducts funerals.

New motor vehicle means a motor vehicle that:

1. Has never been titled or registered; and
2. For a motor vehicle that is not a trailer, travel trailer, or semitrailer, has been driven less than 7,500 miles.

New motor vehicle dealer means a person who is licensed under U.C.A. 1953, § 41-3-202(1)(a) to sell new motor vehicles.

Office, professional, means a building or premises where executive, management, administrative, or professional services are provided, except medical services, and excluding the sale of merchandise on the premises except when associated with uses such as a cafeteria and child care facilities which are accessory to a main use.

Parking lot means an open area, other than a street, used for parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers. A parking lot excludes an impound lot.

Pawn shop means any person or establishment engaged in any of the following:

1. Lending money on deposit of personal property;
2. Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor;
3. Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or
4. Selling unredeemed pledged personal property.

Personal care service means an establishment primarily engaged in providing frequently or recurrently needed services of a personal nature. Typical uses include barbershops, beauty salons, electrolysis studios, massage therapists, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers.

Personal instruction service means an establishment primarily engaged in the provision of informational, instructional, personal improvement, and similar services. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, and martial arts training.

Printing means an establishment primarily engaged in producing books, magazines, newspapers, and other printed matter.

Printing distribution means activities related to both printing and the distribution of printed materials.

Produce stand means a booth, stall, or other area located on property where produce raised on the property is sold to the general public.

Recreation and entertainment, indoor, means an establishment providing recreation and entertainment that is wholly enclosed in a building. Typical uses include amusement rides, athletic and fitness facilities, bowling alleys, dance halls, indoor theaters, pool halls, racquetball and handball courts, and swimming pools.

Recreation and entertainment, outdoor, means an establishment providing recreation and entertainment which takes place in the open. Typical uses include archery ranges, batting cages, campgrounds, golf courses, golf driving ranges, drive-in theaters, miniature golf courses, rodeo grounds, tennis courts, and amusement rides.

Recreational vehicle park means an area or tract of land used or designed to accommodate two or more recreational vehicles on a commercial basis.

Repair service means an establishment primarily engaged in providing repair services, but excluding vehicle and equipment repair. Typical uses include appliance repair shops, computer and other electronic equipment repair, furniture repair and upholstery shops, watch or jewelry repair shops, and musical instrument repair shops.

Research service means an establishment engaged in industrial, medical, or scientific inquiries.

Reselling means the retail sales of merchandise after the buying, selling, or trading of the merchandise.

Restaurant, fast food, means an establishment that sells ready-to-eat food and beverages quickly and which has one or more of the following characteristics:

1. Food and beverage orders are not taken at the customer's table;
2. Food and beverages are generally served in disposable wrapping or containers; and
3. Food and beverages may be offered directly to the customer in a motor vehicle from a drive-up service window.

Restaurant, general, means an establishment open to the public where food is prepared and consumed on the premises and where food and beverage orders are taken at the customer's table from an individually-provided menu and are served in non-disposable containers by an employee at the same table.

Retail, general, means an establishment that rents or sells goods to the public, but

excluding uses specifically classified in another term in this section. Typical uses include apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, furniture and appliance stores, gift and novelty shops, glass and mirror shops, grocery stores, hardware stores, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet stores, sporting goods stores, toy stores, and variety stores.

Retail tobacco specialty business means:

1. A commercial establishment in which:
 - a. The sale of tobacco products accounts for more than 35 percent of the total annual gross receipts for the establishment;
 - b. Food and beverage products, excluding gasoline sales, is less than 45 percent of the total annual gross receipts for the establishment; and
 - c. The establishment is not licensed as a pharmacy under the Pharmacy Practice Act (U.C.A. 1953, § 58-17b-101 et seq.).
2. Tobacco products include electronic cigarettes as defined in U.C.A. 1953, § 59-14-802 and e-cigarettes as defined in such code.

Secondhand store means a retail establishment for purchase and resale of used goods such as clothing, furniture, appliances, books, and other household items.

Sexually oriented business means any adult business, nude entertainment business, seminude dancing bar, outcall service, and nude and seminude dancing agency as defined in HCC 3-12-3.

Tavern means any business establishment which is:

1. Licensed by the state alcoholic beverage control commission as an on-premises beer retailer and designated by the commission as a tavern which sells beer for consumption on the establishment's premises; and
2. Licensed as required under this Code.

Temporary building means a temporary movable structure utilized during construction of a development project for purposes incidental to the construction work on property where it is located.

Transportation service means an establishment that moves people or goods and services. Typical uses include taxicab service, passengers automobiles for rent with drivers, ambulance service, and parcel delivery service.

Vehicle and equipment rental means an establishment engaged in rental of vehicles or equipment from the premises, along with incidental service, or maintenance. Typical uses include rental of automobiles and trucks, boats, farm equipment, motorcycles, and recreational vehicles; construction equipment rental yards; and moving trailer rental.

Vehicle and equipment repair, general, means an establishment primarily engaged in major repair or painting of motor vehicles or heavy equipment. Typical uses include automobile repair garages, paint and body shops, farm equipment repair, upholstery shops, installation of major accessories, and transmission and engine rebuilding services.

Vehicle repair, limited, means an establishment providing motor vehicle repair or maintenance services within a completely enclosed building. Limited vehicle repair

excludes paint and body shops, general vehicle equipment and repair services, and storage of vehicles for more than 90 days. Typical uses include businesses engaged in repair and/or replacement of brakes, air conditioning, generators, starters, and tires; motor tune-ups; front-end alignments; battery recharging; lubrication; and sales, repair, and installation of associated parts and accessories such as tires, batteries, windshield wipers, and hoses.

Warehouse, self-service, means a building, not served by sewer, water, or gas utilities, which contains separate, individual, and private storage spaces of various sizes used exclusively for storing personal property, retail business inventory items, and business records and accounts.

Wireless telecommunication facility means a building or structure consisting of equipment used for transmission, reception, or transfer of voice or data through radio wave or wireless transmission.

10-12-1 Purpose

- A. C-1 zone. The purpose of the C-1 zone is to provide areas in the city for neighborhood commercial development.
- B. C-2 zone. The purpose of the C-2 zone is to provide areas in the city for community commercial development.
- B.C. C-F zone.** The purpose of the C-F Zone is to provide areas in the city for a variety of commercial uses that include warehousing, light-manufacturing, entrepreneurship, reselling and retail. This zone is intended to encourage commercial development in areas that may have limitations such as topography, access, irregular shapes, and visibility from major corridors. This zone is intended to create areas in the city where home occupation businesses can transition into a small commercial space, an option for existing small businesses to expand in the city, and create a maker space where businesses can collaborate with one another.
- C.D. OP zone.** The purpose of the OP zone is to provide an aesthetically attractive environment for business offices with limited commercial use that cater to a business office complex. This zone is intended to ensure compatibility of new development with surrounding land uses through standards that provide attractive buildings, well-planned grounds and other appropriate amenities supporting employee activity. Uses which produce noises, excessive vehicle traffic, excessive parking needs, objectionable odors, storage of hazardous substances or the outside storage of inventory or equipment are not appropriate in this zone.

10-12-2 Scope

The provisions of this chapter shall apply to real property located in commercial and professional office zones as shown on the official zoning map.

10-12-3 Definitions

Certain words and phrases in this chapter, including uses, are defined in HCC chapter 10-3.

10-12-4 Uses Allowed

- A. *Permitted and conditional uses.* Permitted and conditional uses allowed in commercial and professional office zones shall be as set forth on the table of uses in HCC chapter 10-16. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by an empty box.
- B. *Accessory uses.* Permitted and conditional uses set forth in HCC chapter 10-16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title.
- C. *Prohibited uses.* Any use not shown on the table of uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in HCC 10-5-9.
- D. *Businesses and uses; conditions.* The stores, shops or businesses designated in this chapter shall be retail establishments only and shall be permitted only under the following conditions:
 1. Such business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles.
 2. All products, whether primary or incidental, shall be sold at retail on the premises; no entertainment, except music, shall be permitted in cafes, confectioneries or refreshment stands.
 3. All uses shall be free from objection due to odor, dust, smoke, noise, vibration, or other causes.

1. Any manufacturing shall be incidental to and operated in connection with a use permitted in this chapter and shall be conducted wholly within a completely enclosed building.
2. Limited wholesale, enclosed warehousing are allowed in the C-F Zone.
3. Drive-up and indoor self-storage are allowed as an accessory use in the C-F Zone.
 1. The number of drive-up storage units shall not exceed the number of tenant spaces designated as the primary use.
 2. Use of drive-up storage units shall be restricted to owners or lessees of the primary use tenant space(s).

10-12-5 Development Approval

- A. *Generally.* The use and development of land located in commercial and office zones shall be approved according to applicable administration and development review procedures set forth in HCC chapter 10-5.
- B. *Site plan approval.* Any development in commercial and professional office zones shall be subject to approval of a site plan as provided in HCC 10-5-11.
- C. *Conditional use approval.* The conditional use permit procedure set forth in HCC chapter 10-5 shall be applied to the following:
 1. C-1 zone. Development over 22,000 square feet.
 2. C-2 zone. Development over 44,000 square feet.
 3. C-F zone. Development over 44,000 square feet.
 4. OP zone. All development.

10-12-6 Development Standards

- A. *Generally.* The use and development of land located in commercial and office zones shall conform to the standards set forth in this section and Chart 10-12 in HCC 10-12-7, except as may be authorized by another provision of this title.
- B. *Alteration and expansion of existing facilities.* When development is proposed to alter or expand existing facilities and the proposed use, alteration, or expansion increases the floor area and/or parking requirements by 25 percent, then the entire site shall be brought into compliance with current city ordinances.
- C. *C-1 and C-2 zones.* Development in the C-1 and C-2 zones shall conform to the following design criteria requirements in addition to other applicable provisions of this title:
 1. Direct pedestrian and bike paths shall be provided on site to match those approved or built in adjacent developments.
 2. Accessible parking spaces should be convenient to building entries.
 3. Crosswalks and sidewalks shall be incorporated within the project to provide pedestrian connections to the building. Crosswalks shall be so configured to be a design feature of the development. When pedestrian access traverses a commercial use, a material or textural change is required to identify pedestrian paths, which may include pavers, raised pedestrian paths, edges and other methods of emphasizing pedestrian use. Bulb-outs and other pedestrian design may be used to shorten walking distances across open pavement. Sidewalks should be used when appropriate to connect parking lots with building entries. Heavy painted lines shall be used in conjunction with pedestrian paths where required by the Americans with Disabilities Act (ADA).
 4. For commercial development over five acres, pedestrian amenities shall be provided that allow for use and enjoyment of outdoor areas as a developmental

focal point or centralized amenity. These shall include a minimum of one feature from each of the following categories:

- a. Landscaping: raised landscape planters, shade trees, specimen trees, potted plants, botanical exhibits, trellised planting walls, centralized green gathering space.
- b. Hardscaped: pedestrian scaled lighting, seating walls, meandering sidewalks, centralized hard-surfaced gathering space (decorative concrete, pavers, a semi-permeable surface, or composite decking).
- c. Aesthetics: art features, water features, informational kiosks, shade structures, tables, benches, drinking fountains, recreational amenities.
5. Within commercial shopping centers over ten acres, transit stops with bus pullouts on public streets shall be provided with convenient pedestrian access to transit stops and outlying parking areas.
6. Convenient and permanent bicycle parking shall be provided in locations that do not interfere with pedestrian circulation. Bicycle parking facilities shall be disbursed throughout larger sites and located in convenient and visible areas.
7. Direct pedestrian and bike paths shall be provided on site to match those approved or built in adjacent developments and existing or planned trails, parks, or open space.
8. Support uses, such as trash enclosures, compactors, truck loading areas and outdoor storage, shall be oriented away from residential uses to the extent practical.
9. Drive-through lanes shall be located away from adjoining residential developments. Speakers and menu boards shall be located so that noise is not directed toward residential uses and shall incorporate a screen wall and landscaping to mitigate noise. Menu board locations shall be shown on preliminary and final site plans.
10. Service electrical system (SES) panels shall be recessed into the building elevation. Access doors shall be screened with landscaping or a solid wall (with landscaping) built of similar building materials and colors of the main development and equal to or exceeding the height of the SES panel; or placed in back of the building if not exposed to adjoining properties.
11. Proposed outdoor display and sales areas shall be located on final site plans, including, but not limited to, propane sales, vending machines, amusements, and seasonal sales. Their location should not displace required parking and pedestrian or landscaping areas.
12. Wall elevations should terminate at a logical point, such as a column or tower element.
13. For all buildings, at least two of the following elements should repeat horizontally. Buildings with façades greater than 100 feet in length shall include a minimum of four such elements, repeated at appropriate intervals, either horizontally or vertically. The use of the same element repeated across the building's façades shall count as only one element:
 - a. Texture change.
 - b. Material change.
 - c. Architectural variety and interest through a change in plane, such as building offsets, recesses, and projections. Wall projections, offsets, and recesses shall be a minimum of 18 inches.
 - d. Window and door reveals, archways or projecting ribs.
 - e. Variations in roof pitches and planes.

- f. Entrance features which include canopies, recesses, porticos, or similar features that are consistent with the character of the building and make the entrance to the building easily visible. Entrance features shall be proportionate to the entrance's opening and shall be applied to all public entrances.
- 14. Parapets for concealing flat roofs shall be designed to match the existing architecture. EPDM, PVC, rubberized, rolled or liquid roofing membranes, or other similar roofing systems shall not be used on pitched roofs or in areas that are visible from the street or adjoining properties.
- 15. All building materials shall be high quality, durable, and provide a low-maintenance finish. All façades, including back and side elevations, shall be constructed as follows:
 - a. Primary materials: a minimum of 60 percent brick or stone that is not part of the support structure or panelized. The brick or stone shall be a natural color and shall not be painted.
 - b. Secondary materials: The balance of exterior wall area shall consist, at a minimum, of two other materials, including brick, stone, glass, architectural metal panels, decorative block or concrete, stucco or simulated stone panels.
 - 1) Stucco products, if used, shall clearly be used in minimal amounts and as a contrast or accent to other building material and shall not exceed 20 percent of any building façade.
 - 2) Simulated stone panels shall be of cementitious construction.
 - 3) Glazing systems shall be constructed of aluminum (anodized or painted) or steel (painted or powder coated). Wood, aluminum cladded, or vinyl glazing systems may be considered and are subject to the standards outlined in subsection (C)(15)(c) of this section.
 - 4) Architectural metal panels shall be painted, anodized, or sealed. Profiles may include flat, boxed, or ribbed. Galvanized or raw metal finishes and corrugated "wavy" profiles may be considered if the standards outlined in subsection (C)(15)(c) of this section are met.
 - A) Architectural panels shall be installed using a hidden fastening system.
 - B) Architectural panels shall meet all building code requirements and carry a manufacturer's warranty.
 - c. The planning commission may grant an exception to allow for a substitution of the building's secondary materials wherein all the following conditions are met:
 - 1) The primary materials exceed 60 percent coverage on at least two elevations.
 - 2) The structure's finish materials incorporate alternate design characteristics that are equivalent to or exceed those otherwise achieved by the strict adherence to this section.
 - 3) The granting of an exception will not adversely affect the established character of the surrounding structure or development.
 - 4) The granting of the exception shall be complementary or essential to the overall design of the structure.

- 5) The substitute material shall be of high quality, and durability, to provide a low-maintenance finish.
- d. The city council may grant an exception to this criteria for a building that is part of a large commercial project that has approved design guidelines and is greater than 40,000 square feet.
- 16. Freestanding accessory structures, such as enclosed service/refuse areas and covered parking, should be designed to be an integral part of the building architecture. The forms, colors, textures and materials used on the main building should be applied to all sides of these structures generally visible to the public.
- 17. Franchise architecture (building designs that are prototypical or identifiable with a particular chain or corporation) shall be revised if the proposed building design does not conform with the design standards set forth in this section. The applicant, upon request, shall provide color pictures of other national tenant buildings (nonprototype examples) that have been built in other cities and states.
- 18. All exterior lighting shall conform to standards set forth in this section, and this title. All exterior lighting shall comply with approved site plan requirements and design guidelines.

A. C-F zone. Development in the C-F zone shall conform to the following design criteria requirements in addition to other applicable provisions of this title:

- 1. Building Materials: Buildings shall consist of durable materials.
 - a. The portion of building(s) facing public streets shall primarily consist of brick, stone, glazing, glass, and/or architectural metal panels.
 - 1) All fasteners shall be installed as to not be visible unless they are incorporated into the architectural design of the building.
 - b. There shall be at least two texture or material changes of the building material for each side of the building.
- 2. Building Massing and form: Design shall consider angles, heights, and shapes to create visual interest.
 - a. Balconies, overhangs, awnings, or other protruding elements shall be incorporated on walls exceeding 40 feet of horizontal length.
- 3. The main/public entry for the building shall be visually distinct through the use of additional massing, glazing, and/or design elements that allow the tenant and customer to easily identify the designated building entry point.
 - a. Enhanced lighting elements and fixtures may be used in conjunction with signage to help guide the user to the building entrance.
- 4. Lighting: Any building or site lighting shall not extend into adjacent residential property.
- 5. Signing: A uniform plaque for tenants mounted to the exterior of the building wall is allowed.
 - a. The tenant's logo and hours of operation are allowed to be on the entry door.
- 6. Fencing: All fencing shall comply with Chapter 10-21 of this code.
 - a. Gated access is allowed, parking for store fronts shall not be gated.
 - 1) All gated areas shall include acceptable access per the Fire Marshal.
 - 2) Gates may be made of wrought-iron and/or metal that complements the color of the primary structure or architectural elements of the primary structure.
- 7. Parking: Parking shall generally comply with Chapter 10-24 of this code.
 - a. Parking for storefronts shall not be reserved for anyone except customers
 - b. Employee parking may be allowed in gated area(s).

1. Landscaping: All landscaping shall comply with Chapter 10-23 of this code
 - a. Portions of the site designated for deliveries may reduce the required landscaping in the delivery area to accommodate access for delivery vehicles and semi-trucks.

D. OP zone. Development in the OP zone shall conform to the following design criteria requirements in addition to other applicable provisions of this title:

1. Buildings in predominantly residential areas shall have a pitched or gabled roof and use material that is similar or alike types with surrounding existing residential uses.
2. All utility connections shall be designed to be similar with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment.
3. Exterior lighting shall be provided as follows:
 - a. On any public road where street lighting is not in place, lighting shall be provided at least equivalent to light produced by a 100-watt incandescent bulb per each 50 feet of frontage, or fraction thereof. Lighting shall be provided, by a freestanding fixture, in the yard space between the building and public street or attached to the wall of a building which is not more than 30 feet from the street property line.
 - b. Each parking area shall be illuminated for safety by installing lighting fixtures which emit light at least equivalent to that of a 100-watt incandescent bulb per 100 feet in all directions.
 - c. All lighting shall be shielded so as not to shine into surrounding residences or skyward.

10-12-7 Other Applicable Regulations

To the extent that use and development of land located in commercial and office zones includes any matter governed by other applicable regulations set forth in this title, such regulations shall apply in addition to the requirements of this chapter.

CHART 10-12. COMMERCIAL AND OFFICE ZONE DEVELOPMENT STANDARDS

A) *Minimum lot area and width.*

Zone	Lot Area	Lot Width
C-1	None	None
C-2	None, except as follows: Vehicle rental and sale: 2 acres	None
<u>C-F</u>	<u>None</u>	<u>None</u>
OP	None	None

B) *Minimum yard for all buildings.*

Zone	Front Yard	Side Yard	Rear Yard
		None, except as follows:	None, except as follows:
C-1	20 feet	Side yard adjacent to agricultural or residential zone boundary: 20 feet	Rear yard adjacent to agricultural or residential zone boundary: 20 feet
		Corner lot: 20 feet from street	None, except as follows:
		None, when located adjacent to another commercial use	Corner lots which rear upon side yard of lot in agricultural or residential zone:
C-2	20 feet	Side yard adjacent to agricultural or residential zone boundary: 15 feet plus 1 foot for every 1 foot of building height above 15 feet	Building height 35 feet or less: 20 feet
		Corner lot: 20 feet from street	Building height more than 35 feet: 30 feet
		None, except as follows:	None, except as follows:
C-F	<u>20 feet, except as follows: 10' along a collector or arterial street.</u>	<u>Adjacent to agriculture or residential zone boundary: 15 feet, plus 1 foot for every 1 foot of building height above 15 feet.</u>	<u>Adjacent to agricultural or residential zone boundary: 30 feet, except as follows: 10 feet for accessory uses plus 1 foot for every 1 foot of building height above 15 feet!</u>
OP	25 feet	Adjacent to residential use or zone: 2 feet for every 1 foot of building height	Adjacent to residential use or zone: 2 feet for every 1 foot of building height
		Street side yard: 25 feet	

1. Exception: The Planning Commission may approve a 10-foot rear yard setback for buildings over 25 feet in height if the building is adjacent on two sides to either collector or arterial roadways and/or adjacent topography results in the perceived building height being less than the actual building height from the adjoining property.

C) *Maximum building height.*

Zone	<i>All Buildings</i>
C-1	35 feet
C-2	45 feet
<u>C-F</u>	<u>35 feet for primary use</u>
OP	45 feet

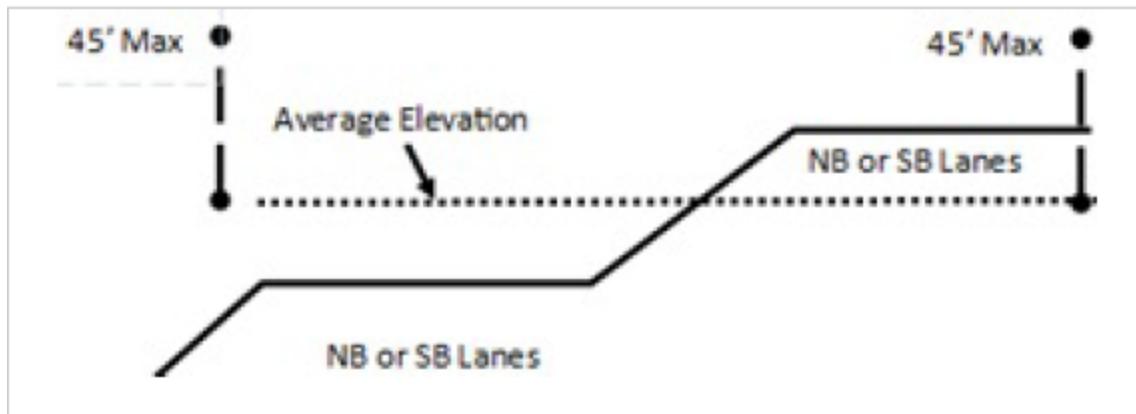
1. The Planning Commission may approve up to 45 feet for an accessory use based on the proximity to residential development and site topography.

D) *Lot coverage for all buildings.*

Zone	<i>Maximum Coverage</i>
C-1	60% of lot
C-2	60% of lot
<u>C-F</u>	<u>75%</u>
OP	None

10-15-7 Major Corridor Sign Overlay Zone

1. *Purpose.* The purpose of the Major Corridor Sign (MCS) Overlay Zone is to provide additional opportunities for signage along major corridors in the city. These corridors are typically state-owned and include higher than normal traffic counts, and speeds than found on other city-owned streets and corridors.
2. *Applicability.* The provisions of this section shall apply to all the following conditions:
 1. All land zoned C-1, C-2, **C-F**, M-1, M-2, MU, MU-2, OP and AMSD, excluding area within the SEMU Sports and Entertainment and VWU Village Mixed Use Overlay Zones.
 2. Have a minimum development frontage on a state-owned corridor of at least **500** feet.
 3. Area which includes an overall commercial, mixed use, or manufacturing development of **8** contiguous acres minimum.
3. *Development approval.* Any sign utilizing the provisions of this section shall be considered a conditional use and shall follow the established process for said use.
4. *Development standards.*
 1. *Generally.* All standards not specified in this chapter shall comply with all other regulations of this title, specifically those in HCC chapter 10-27 and all applicable federal and state laws.
 2. Notwithstanding any other restriction in this Code, including HCC chapter 10-27, or this title, any sign shall be owned and operated by the developer of the overall commercial, mixed use, or manufacturing site.
5. *Signage.* Signage shall be allowed on land located in the MCS overlay zone as follows:
 1. *Underlying zones.* Signage shall be allowed to the same extent authorized in the underlying zone, as set forth in HCC chapter 10-27.
 2. *Multi-tenant center sign.*
 1. Square footage of the multi-tenant center sign shall not count towards the overall signage of an individual building.
 2. Requires a minimum of 20 contiguous acres as part of an overall commercial, mixed use, or manufacturing site.
6. *Sign development standards.*
 1. A multi-tenant center sign shall be a conditional use and shall conform to applicable requirements of HCC chapter 10-27. An application for a permitted sign shall first obtain planning approval from the planning commission confirming compliance with each of the following requirements in advance of applying for a building permit:
 1. The sign shall be located within 50 feet of any state-owned right-of-way and within the boundaries of the MCS overlay zone.
 2. The sign shall not be located within 500 feet from another multi-tenant sign.
 3. The maximum height of the sign shall not exceed 45 feet to the top of the sign above:
1. The average elevation of the most adjacent travelled way of Mountain View Corridor (NB and SB lanes) located within 100 feet from the base of the sign.



2. The most adjacent travelled way of any other state-owned street within 100 feet from the base of the sign.
4. Each sign may have two display faces with an active display area not to exceed 500 square feet each, and an inactive (static) display area not to exceed 700 square feet. However, in no event shall the total sign area (active plus inactive) exceed 800 square feet.
5. Each sign face shall be oriented towards the travelled way of the adjacent state-owned street and away from any residential dwellings.
6. The sign, including the supporting structure, shall be architecturally consistent with surrounding development and shall include decorative material such as stone, brick, decorative steel, or similar materials. In no case is an exposed support pole permitted.
7. No sign shall extend closer than five feet to the edge of the right-of-way property line, nor impede a required easement.
2. In addition to the information required for a building permit as described in subsection (F)(1) of this section, and the requirements as set forth in HCC chapter 10-27, an application for a multi-tenant center sign shall satisfy the requirements described below:
 1. A site plan depicting the location of the proposed sign on the subject property, a rendering of the sign calling out materials and sign dimensions, and any fencing or other screening to segregate the sign area from adjoining uses;
 2. A photometric plan for the sign along with a statement from the electronic display manufacturer certifying that each display will allow for automatic dimming based on nighttime and daytime and ambient light conditions based on industry best practices; and
 3. An acknowledgement from the sign owner that the sign will be operated in accordance with HCC 10-27-11.

M-1 Zone				
Awning	25% of wall area may be covered 50% of awning may have sign copy	Cannot extend above building wall	8 feet maximum projection from building May be on 3 building walls	Attached to building 8 feet minimum above ground Primary sign copy on face or street side of structure
Balloon	None	None	Anywhere on lot	A balloon sign is a conditional use
Flat or wall	20% of wall area	None	Building wall	
Monument	32 sq. ft., plus 1 sq. ft. for every 4 feet of frontage over 30 feet on a street up to 64 sq. ft.	6 feet	18 feet setback 1 sign per 300 feet frontage, or part thereof	A monument sign is a conditional use
Planned center	200 sq. ft.	16 feet above sidewalk grade	2 feet setback	A planned center sign is a conditional use. It is limited to commercial centers with 3 or more acres and multiple retail tenants Maximum of 1 sign per street frontage Subject to conditional use approval
Roof	Same as ground sign	10 feet above roof		Roof sign may be substituted for a ground or projecting sign, but is subject to conditional use approval. The planning commission may deny a sign or set more restrictive conditions. Signs shall be installed so that the support structure is not visible
Temporary	None	None		Allowed a maximum of 21 days at any one time, with a minimum 30-day separation between displays, and not more than 4 times during a calendar year

Window	None	None	In window	None
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Updates to 10-16-1.B: Table of Uses

- Add a column to the use table for the C-F Zone
- Add the following uses as permitted in the C-F- Zone
 - Assembly of Goods
 - Car Detailing
 - Commissary
 - Construction Sales and Service
 - Drive-Up Self Storage
 - Indoor Self Storage
 - Media Service
 - Medical or dental laboratory
 - Office, professional
 - Printing
 - Printing Distribution
 - Repair service
 - Research Service
 - Reselling
 - Retail, general
 - Secondhand store
 - Vehicle and equipment rental
 - Vehicle repair, limited
 - Wholesale and warehousing, limited
- Add a footnote to the use table:
 - Indoor and drive-up self-storage are allowed accessory uses to a primary permitted use on sites that are a minimum of 5 acres.



STAFF REPORT

Date: September 25, 2025

To: The Honorable Mayor and Members of the City Council

From: Michael Maloy, City Planner

Re: Review and consider a proposal by Larry Myler, Herriman 73 Partners LLC, to amend the Crescent Commercial Development Master Development Agreement (MDA) to allow Warehousing and General Wholesale activities as a conditional land use, modify buffer requirements between commercial and residential land uses, and require compliance with architectural standards for commercial construction on ±15.5 acres of property located approximately at 5452 W Herriman Boulevard in the C-2 Commercial Zone (City File No M2025-110) – Michael Maloy, City Planner

RECOMMENDATION:

Following a public hearing on September 17, 2025, the Planning Commission voted 6-0 to recommend approval of the proposal, with the following additional modification:

- An illustration of an alternative “landscape buffer” plan that mitigates reasonably anticipated detrimental impacts between commercial land uses in the Crescent Commercial Development MDA and the adjacent residential neighborhood, instead of a masonry or precast fence.

ISSUE BEFORE COUNCIL:

Should the City Council approve the applicant’s request to amend the Crescent Commercial Development MDA?

ALIGNMENT WITH STRATEGIC PLAN:

Within the City Council’s Strategic Plan, staff identified the following applicable strategies that the proposal is consistent with:

- **CE 1 – Business Development.** Cultivate an environment that allows and supports entrepreneurship, innovation, smart business development, and traditional retail and commerce.
- **CE 1.1 – Business Support.** Enact policies and programs that support local business development, growth, and retention.

DISCUSSION:

The applicant is requesting amendments to the Crescent Commercial Development MDA, which guides the development of ± 15.5 acres of property located approximately at 5452 W Herriman Boulevard in the C-2 Commercial Zone, as shown in the following map:



The intent of the proposal is to accommodate the development of retail businesses that also require warehouse space for light manufacturing and shipping, which uses are not currently allowed within the C-2 Zone or MDA, as described in Attachment A.

Due to the parcel's unusual shape and development limitations associated with an engineered "soil cap" that was constructed to mitigate soil contaminants, the vacant property has been difficult to develop. However, the property has recently attracted the interest of a successful, regionally owned retail business that is exploring relocating its operations to the subject property. However, through initial discussions with the property owner and potential occupant, the City identified elements of the MDA that must be amended to facilitate the proposal. The required amendments are described in Attachment B.

The Herriman City Planning Commission reviewed the proposal during a work meeting held on September 3, 2025. During the meeting, the Commission expressed concern regarding the applicant's request to remove a standard "buffer" requirement to construct a solid masonry wall between commercial and residential land uses. It was suggested that, through the proper design of a landscaped berm with increased vegetation for screening, and—if needed—an opaque vinyl fence to screen or secure the site, the proposal may be an acceptable alternative. In response, the applicant prepared an illustration of a landscape buffer alternative and presented it to the Commission immediately before the September 17, 2025, public meeting.

The Herriman City Planning Department mailed and posted the public hearing notices on September 5, 2025. Prior to the publication of this staff report, the City had not received any comments either for or against the proposal. However, during the Planning Commission public hearing, residents expressed the following concerns:

- **Resident 1** expressed concerns about the risks associated with moving contaminated soils and the potential liabilities to the City if remediation is not handled properly. However, they had no objection to the proposed use or structure.
- **Resident 2** referenced prior discussions from a previous rezone and reiterated ongoing concerns about contaminated soil. They recommended that the Planning Commission require full removal of the soil, with that condition explicitly stated in the MDA.
- **Resident 3** emphasized community health risks, noting that improper removal or mitigation could increase the chance of cancer-related illnesses and expose the City to potential lawsuits. They also expressed mistrust of the developer based on past experiences with the developer.

In response to the public hearing comments, the Engineering Department provided information to the Planning Commission that addressed the environmental concerns and assured the public that any soil remediation activities would be properly engineered and supervised to ensure compliance with all applicable statutes.

It should be noted for the record that Utah State Code recognizes approval or modification of a "master development agreement" (MDA) as a type of "zoning" regulation, and the adoption or amendment of an MDA requires (1) a Planning Commission public hearing and recommendation, and (2) legislative action by the City Council. As such, the Council will be the final decision maker for this request.

As per the following Herriman City Code, the City Council is required to base its decision in this matter on whether the proposal complies with the following standards, *which apply to MDAs*:

10-5-8.E. Approval Standards. A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council. In making an amendment, the following factors should be considered:

1. Whether the proposed amendment is consistent with [the] goals, objectives, and policies of the general plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

ALTERNATIVES:

The City Council may consider the following alternative actions:

Alternatives	Recommendation	Pros	Cons
<i>Approve proposal as submitted</i>		Facilitates potential commercial development and remediation of property with challenged soils	Commission recommended a modification that requires an alternative landscape buffer design that mitigates detrimental effects
<i>Approval proposal with modifications specified by the Council</i>	Yes	Council may identify additional issues that may improve the proposal	Modifications may have unintended consequences if insufficiently drafted or reviewed
<i>Continue the proposal to a future meeting with or without a certain date. (Council may specify rationale for continuance and request additional information for consideration)</i>		Allows additional time to consider the impacts and options of the proposal	Continuing the proposal will require expenditure of additional resources and prevent staff from working on other objectives of the City
<i>Deny the proposal as submitted</i>		Denial maintains the current MDA	Denial may impede the development of desirable commercial services within the City

FISCAL IMPACTS:

None. The proposed ordinance does not obligate the current (or future) Herriman City Budget.

ATTACHMENTS:

- A. Crescent Commercial Development MDA
- B. Draft Ordinance

After recording, please send to:

Herriman City
Attn: City Recorder
5355 West Herriman Main Street
Herriman, Utah 84096

And

Herriman 73 Partners LLC
10771 South Rippeling Bay
South Jordan, UT 84009

14070338 B: 11399 P: 9677 Total Pages: 21
02/08/2023 01:53 PM By: adavis Fees: \$0.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: HERRIMAN CITY
5355 W HERRIMAN MAIN ST HERRIMAN, UT 84096



Affected Parcel No(s):26253590040000

**MASTER DEVELOPMENT AGREEMENT
FOR
CRESCENT COMMERCIAL DEVELOPMENT**

This Master Development Agreement is between Herriman City, a Utah municipal corporation, and Herriman 73 Partners LLC, a Utah limited liability company. This MDA is effective on the date the last party executes this MDA as indicated by the date stated under that party's signature line.

Recitals

- A. Owner owns all of the Property.
- B. Master Developer owns the Property.
- C. The Property is subject to the planning and land use ordinances of Herriman City.
- D. The Property is currently zoned C-2.
- E. The Parties desire to enter into this MDA to specify the rights and responsibilities of Master Developer to develop the Property as expressed in this MDA, and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this MDA.
- F. The Parties acknowledge that development of the Property will result in planning and economic benefits to the City and its residents by, among other things, requiring orderly development, in-place remediation of imported soils containing heavy metals, and prohibiting certain less desirable uses, of the Property.
- G. The Parties understand that the intent of this MDA is to be treated as a "development agreement" within the meaning of, and entered into pursuant to the terms of Utah Code §10-9a-101, *et seq.*
- H. The Master Developer seeks to develop and use the Property in accordance with the Master Plan.
- I. The City, acting pursuant to its authority under Utah Code § 10-9a-102(2) *et seq.*, and the City's Vested Laws, and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has elected to exercise its legislative discretion to enter into this MDA for the purpose of regulating the development the Property pursuant to the terms contained herein and the underlying rezone regulations.
- J. This MDA and all of its associated "legislative", "broad, competing policy-considerations" and "generally applicable" decisions regarding the development of the Project as those terms are discussed in *Baker v Carlson*, 2018 UT 59 were considered by the Planning Commission on September 01, 2022 pursuant to Utah Code Section 10-9a-532(2)(iii), in making a recommendation to the City Council.
- K. The City believes that this MDA and the Zoning of the Property constitute the

completion of the “legislative”, “broad, competing policy-considerations” and “generally applicable” decisions by the City Council regarding the development of the Project as those terms are discussed in *Baker v Carlson*, 2018 UT 59.

L. The City intends that the implementation of those “legislative”, “broad, competing policy-considerations” and “generally applicable” decisions through the provisions and processes of this MDA relating to “fixed criteria” are “administrative” in nature.

M. This City’s entry into this MDA is authorized by the adoption of an Ordinance on October 12, 2022.

Now, therefore, the Parties agree as follows:

Terms

(1) **Incorporation.** The foregoing Recitals and attached Exhibits are hereby incorporated into this MDA.

(2) **Definitions.** As used in this MDA, the words and phrases specified below shall have the following meanings:

ADMINISTRATIVE MODIFICATIONS: means those modifications to this MDA that can be approved by the Administrator pursuant to Section.

ADMINISTRATOR: means the person designated by the City as the Administrator of this MDA.

APPLICANT: means a person or entity submitting a Development Application.

BUILDOUT: means the completion of all of the development on all of the Project in accordance with the approved plans.

CITY: means Herriman City, a political subdivision of the State of Utah.

CITY’S FUTURE LAWS: means the ordinances, policies, standards, procedures and processing fee schedules of the City which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this MDA.

CITY’S VESTED LAWS means the ordinances, policies, standards and procedures of the City in effect as of the date of the execution of this MDA. A relevant portion of the City’s Vested Laws is attached as **Exhibit D**, with each party having a full digital copy.

COMMERCIAL SITE: means a portion of the Project being developed for commercial, mixed use, retail, office or any other use that is not exclusively residential.

COMMERCIAL SITE PLAN: means a Development Application for developing a Commercial Site that does not require a Subdivision.

DEFAULT: means a material breach of this MDA.

DENIAL/DENIED: means a formal denial issued by the final decision-making body of the City for a particular type of Development Application but does not include review comments or “redlines” by City staff.

DEVELOPMENT: means the development of any improvement, whether public or private, on the Project pursuant to an approved Development Application, including, but not limited to, any Public Infrastructure, Private Improvement, Subdivision, Commercial Site or any of the Intended Uses.

DEVELOPMENT APPLICATION: means an application to the City for development of a portion of the Project including a Subdivision, Commercial Site Plan or any other permit, certificate or other authorization from the City required for development of the Project.

DISPUTE: means and disagreement between the Parties regarding the administration or implementation of the MDA, including but not limited to Denial or a Default.

LUDMA: means the Municipal Land Use, Development, and Management Act, Utah Code § 10-9a-101, *et seq.*

MASTER DEVELOPER: means **Herriman 73 Partners LLC**, a Utah limited liability company, and its assignees or transferees as permitted by this MDA.

MASTER PLAN: means the general layout of the types and areas of development of the Project as illustrated on **Exhibit C**.

MDA: means this Master Development Agreement including all of its Exhibits.

NOTICE: means any notice to or from any party to this MDA that is either required or permitted to be given to another party.

OWNERS: means Herriman 73 Partners LLC

PARTIES: means all or the relevant group of Owners, Master Developer and the City.

PARTY: means either Owner, Master Developer or the City

PROJECT: means the total development to be constructed on the Property pursuant to this MDA with the associated public and private facilities, Intended Uses, Maximum RDUs, Phases and all of the other aspects approved as part of this MDA.

PROPERTY: means that approximately fifteen and a half (15.5) acres of real property owned or controlled by Master Developer more fully described in **Exhibit A**.

SUBDIVISION: means the division of any portion of the Project into developable lots pursuant to LUDMA.

SUBDIVISION APPLICATION: means the application to create a Subdivision.

ZONING: means the zonings for the respective Property as shown on the Zoning Map and more fully detailed in **Exhibit B**.

ZONING MAP: means the map of the zoning for the respective Property, **Exhibit B**.

(3) Vested Rights and Reserve of Legislative Powers.

(a) **Vested Rights.** Consistent with the terms and conditions of this MDA, Master Developer has the **vested right**, as defined by Utah Code § 10-9a-509 and as that term is construed in Utah's common law, to develop and construct the Project during the term of this MDA in accordance with the terms of this MDA, the Master Plan, and the City's Vested Laws. In the event of a conflicting terms, the order listed in this section shall be the order of control (i.e. this MDA controls, then the Master Plan, etc.).

(b) **Reserved Legislative Powers.** The Parties acknowledge that under the laws of the State of Utah (including Utah Code Ann. § 10-9a-532 (2022) and the United States, the City's authority to limit its police power by contract has certain restrictions. As such, the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of the Master Developer under this MDA and with respect to use under the zoning designations as referenced in this MDA based upon the policies, facts, and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the vested rights of the Master Developer under this MDA shall be of general application to all development activity in the City and, unless the City declares an emergency, the Master Developer shall be entitled to prior written notice and an opportunity to be heard with respect to any proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

(c) Exceptions to Vested Rights. Vested rights, as specified in Section (2)(a), are subject to the following exceptions:

(i) *Agreement by the Parties.* The City's Future Laws that the Parties agree in writing to the application thereof to the Project.

(ii) *State and Federal Compliance.* The City's Future Laws that are generally applicable to all Property in the City and which are required to comply with State and Federal laws and regulations affecting the Project.

(iii) *Codes.* The City's Future Laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, fire or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual on Uniform Traffic Control Devices, or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare.

(iv) *Taxes.* Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all Property, applications, persons and entities similarly situated.

(v) *Fees.* Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.

(vi) *Impact Fees.* Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City and which meet all requirements of the U. S. Constitution, Utah Constitution, law and applicable statutes, including but not limited to Utah Code § 11-36a-101 *et seq.*

(vii) *Generally Applicable Laws not in Conflict with this MDA.* The City regulations, ordinances, resolutions, or policies adopted after the date of this MDA that are not in conflict with the terms and conditions for development of the Property established by this MDA, which are generally applicable throughout the City and which do not materially increase the cost of developing the Project nor diminish the rights the Master Developer to develop the Project on the terms set forth in this MDA.

(viii) *Planning and Zoning Modification.* Changes by the City to its planning principles and design standards such as architectural or design requirements, setbacks or similar items so long as such changes are generally

applicable across the entire City and do not materially and unreasonably increase the costs of the Project.

(4) Master Developer Obligations.

(a) Attached as Exhibit C is the Uses and Design Standards Exhibit that details the uses and development standards that the City and the Master Developer have agreed will result in the development bringing the greatest benefit to the City and should govern the Property.

(5) Administrative Modifications. The following modifications to this MDA may be considered and approved by the Administrator.

(a) Infrastructure. Modification of the location and/or sizing of the infrastructure for the Project that does not materially change the functionality of the infrastructure.

(b) Minor Amendment. Any other modifications deemed to be minor modifications by the Administrator.

(c) Application to Administrator. Applications for Administrative Modifications shall be filed with the Administrator.

(d) Administrator's Review of Administrative Modification. The Administrator shall consider and decide upon the Administrative Modification within a reasonable time not to exceed forty-five (45) days from the date of submission of a complete application for an Administrative Modification. If the Administrator approves the Administrative Modification, the Administrator shall record notice of such approval shall be against the applicable portion of the Property in the official City records.

(6) Term. This MDA shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the Parties mutually agree to extend the term, this MDA shall not extend further than a period of fifteen (15) years from the Effective Date.

(7) Default.

(a) Notice. If the Master Developer fails to perform their respective obligations hereunder or to comply with the terms hereof, the party believing that a default has occurred shall provide notice to the other party.

(b) Contents of Notice of Default. The notice of default shall: (i) specify the claimed event of default; (ii) identify with particularity the provisions of any applicable law, rule, regulation or provision of this MDA that is claimed to be in default; (iii) identify why the default is claimed to be material; and (iv) if the City chooses, in its

discretion, it may propose a method and time for curing the default which shall be of no less than thirty (30) calendar days duration.

(c) **Meet and Confer.** If any party gives a notice of default the Parties shall meet within twenty-one (21) calendar days of the notice and make good faith effort to resolve the issues specified in the notice.

(d) **Mediation.** If the Parties are unable to resolve the notice of default after the Meet and Confer provision of Section (9)(c), the Parties shall attempt within fifteen (15) calendar days to appoint a mutually acceptable mediator with knowledge of the issue in dispute. If the Parties are unable to agree on a single acceptable mediator, they shall each, within fifteen (15) calendar days, appoint their own representative. These two representatives shall, between them, choose the single mediator. The Parties shall split the fees of the chosen mediator, each party paying 50% of the fees. The chosen mediator shall within fifteen (15) calendar days, review the positions of the Parties regarding the dispute and promptly attempt to mediate the issue between the Parties. If the Parties are unable to reach MDA, the mediator shall notify the Parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding on the Parties.

(e) Emergency Default. The requirements of Sections 9(c)-(d) shall not apply to any default that the City declares in the notice of default to be an emergency related to the fundamental purpose of this MDA.

(8) **General Provisions.**

(a) Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either Party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least ten days before the date on which the change is to become effective:

If to City: Herriman City
Attn: City Recorder
5355 West Herriman Main Drive
Herriman, Utah 84096

If to Master Developer: Herriman 73 Partners LLC
10771 South Rippling Bay
South Jordan, UT 84009

With a Copy to: Heather McDougald, Legal Counsel
High Ground Development Inc.

1982 West Pleasant Grove Blvd., Ste. J
Pleasant Grove, UT 84062
hmcdougald@highground.dev

If to Owner:

Herriman 73 Partners LLC
10771 South Rippling Bay
South Jordan, UT 84009

With a Copy to:

Heather McDougald, Legal Counsel
High Ground Development Inc.
1982 West Pleasant Grove Blvd., Ste. J
Pleasant Grove, UT 84062
hmcdougald@highground.dev

(b) Mailing Effective. Notices given by mail shall be deemed delivered seventy-two hours following deposit with the U.S. Postal Service in the manner set forth above.

(c) No Waiver. Any party's failure to enforce any provision of this MDA shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

(d) Headings. The descriptive headings of the paragraphs of this MDA are inserted for convenience only and shall not control or affect the meaning or construction of any provision this MDA.

(e) Authority. The Parties to this MDA represent that they have full power and authority to enter into this MDA, and that all necessary actions have been taken to give full force and effect to this MDA. Master Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Master Developer and City warrant to each other that the individuals executing this MDA on behalf of their respective party are authorized and empowered to bind the party on whose behalf each individual is signing. Master Developer represents to City that by entering into this MDA Master Developer has bound all persons and entities having a legal or equitable interest to the terms of this MDA as of the Effective Date.

(f) Entire Agreement. This MDA, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by City for the Property contain the entire MDA of the Parties with respect to the subject matter

hereof and supersede any prior promises, representations, warranties, inducements or understandings between the Parties which are not contained in such MDAs, regulatory approvals and related conditions.

(g) Amendment. This MDA may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the Parties or by their successors-in-interest or assigns. Any such amendment of this MDA shall be recorded in the official records of the Salt Lake County Recorder's Office.

(h) Severability. If any of the provisions of this MDA are declared void or unenforceable, such provision shall be severed from this MDA. This MDA shall otherwise remain in full force and effect provided the fundamental purpose of this MDA and Master Developer's ability to complete the development of the Property is not defeated by such severance.

(i) Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of this MDA. The Parties shall agree that the venue for any action commenced in connection with this MDA shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

(j) Remedies. If either party breaches any provision of this MDA, the non-defaulting party shall be entitled to all remedies available both at law and in equity.

(k) Attorney's Fees and Costs. If either party brings legal action either because of a breach of this MDA or to enforce a provision of this MDA, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

(l) Binding Effect. The benefits and burdens of this MDA shall be binding upon and shall inure to the benefit of the Parties and their respective heirs, legal representatives, successors in interest and assigns. This MDA shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

(m) No Third-Party Rights. The obligations of Master Developer and City set forth in this MDA shall not create any rights in or obligations to any other persons or Parties except to the extent otherwise provided herein.

(n) Assignment. The rights and responsibilities of the Master Developer under this MDA may be assigned in whole or in part with the consent of the City as provided herein.

(i) Selling of Parcels or Subdivision. The selling or conveying lots in any approved subdivision or parcels to builders or end-users shall not be deemed to be an "assignment" subject to the above-referenced approval by the City.

(ii) Transfer. The Master Developer may transfer all or any part of the

Property to any entity “related” to the Master Developer (as defined by regulations of the Internal Revenue Service in Section 165), the Master Developer’s entry into a joint venture for the development of the Project, or the Master Developer’s pledging of part or all of the Project as security for financing shall also not be deemed to be an “assignment” subject to the above-referenced approval by the City. The Master Developer shall give the City Notice of any event specified in this sub-section within fifteen (15) calendar days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

(iii) *Time for Objection.* Unless the City objects in writing within ten (10) business days of notice, the City shall be deemed to have approved of and consented to the assignment.

(iv) *Denial.* The City may only withhold its consent if the City is not reasonably satisfied of the assignee’s financial ability to perform the obligations of Owners or Master Developer, as the case may be, proposed to be assigned or there is an existing breach of a development obligation owed to the City by the proposed assignee or related entity that has not either been cured or in the process of being cured in a manner acceptable to the City.

(o) No Agency Created. Nothing contained in this MDA shall create any partnership, joint venture, or agency relationship between the Parties.

(p) Estoppel Certificate. Upon twenty (20) days prior written request by Master Developer or a Subdeveloper, the City will execute an estoppel certificate to any third party certifying that Master Developer or a Subdeveloper, as the case may be, at that time is not in default of the terms of this Agreement.

(q) Appointment of Representatives. To further the commitment of the parties to cooperate in the implementation of this MDA, the City, Owners and Master Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and Owners and Master Developer. The initial representative for the City shall be the City Manager. The initial representative for Master Developer shall be Trey Orsak. The Owners’ Representative shall be Larry Myler. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this MDA and the development of the Project.

(9) Recordation and Running with the Land. This MDA shall be recorded in the chains of title for the Property. This MDA shall be deemed to run with the land. The relevant portion of the City’s Vested Laws shall codified in Exhibit D with a full digitized copy of the City’s Vested Laws provided to each Party and recorded with the City Recorder.

To evidence the Parties' MDA to this MDA, each party has executed it on the date stated under that party's name.

[SIGNATURE PAGES FOLLOW]

Table of Exhibits

Exhibit A	Legal Description
Exhibit B	Zoning Map
Exhibit C	Uses and Design Standards Exhibit
Exhibit D	Portion of City Vested Laws

HERRIMAN CITY

Signature: Lorin Palmer
By: Lorin Palmer
Its: Mayor
Date: 11-29-2022

State of Utah)
:ss

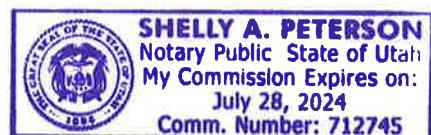
County of Salt Lake)

On this 29 day of November, 2022, personally appeared before
me Lorin Palmer (name of document signer), whose identity is
personally known to me (or proven on the basis of satisfactory evidence) and who by me
duly sworn/affirmed, did say that he/she is the Mayor of Herriman City and that said
document was signed by him/her in behalf of said city by Authority of its Bylaws or by
Ordinance or Resolution, and said Lorin Palmer (name of
document signer) acknowledged to me that said city executed the same.

Approved as to form:


Office of the City Attorney

Shelly A. Peterson
Notary Public



MASTER DEVELOPER

Signature: 

By: Larry Myler

Its: Manager

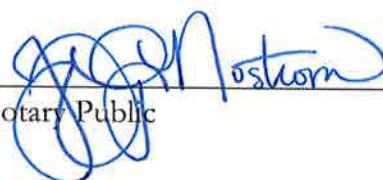
Date: 11-30-22

State of Utah)

County of Salt Lake)^{ss}

On this 30th day of November, 2022., personally appeared before me Larry Myler (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of Herriman 73 Partners, a Utah limited liability company, and that said document was signed by him/her in behalf of said corporation by authority of its Operating MDA or by Resolution, and said Larry Myler (name of document signer) acknowledged to me that said corporation executed the same.




Jacqueline Hostrom
Notary Public

OWNER

Signature: 

By: Larry Myler

Its: Manager

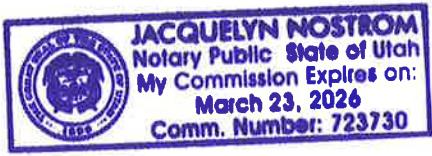
Date: 11-30-22

State of Utah)

County of Salt Lake)^{ss}

On this 30th day of October, 20_22., personally appeared before me Larry Myler

(name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of Herriman 73 Partners, a Utah limited liability company, and that said document was signed by him/her in behalf of said corporation by authority of its Operating MDA or by Resolution, and said Larry Myler (name of document signer) acknowledged to me that said corporation executed the same.




Jacquelyn Nostrom
Notary Public

EXHIBIT A

(Property Description)

Crescent Piece:

MILLER CROSSING HERRIMAN COMMERCIAL LOT 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN HERRIMAN CITY, SALT LAKE COUNTY, UTAH

MILLER CROSSING HERRIMAN COMMERCIAL, LOT 2 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

Contains: 675,180 Sq. Ft., or 15.50 Ac.

EXHIBIT B

(Zoning Map)

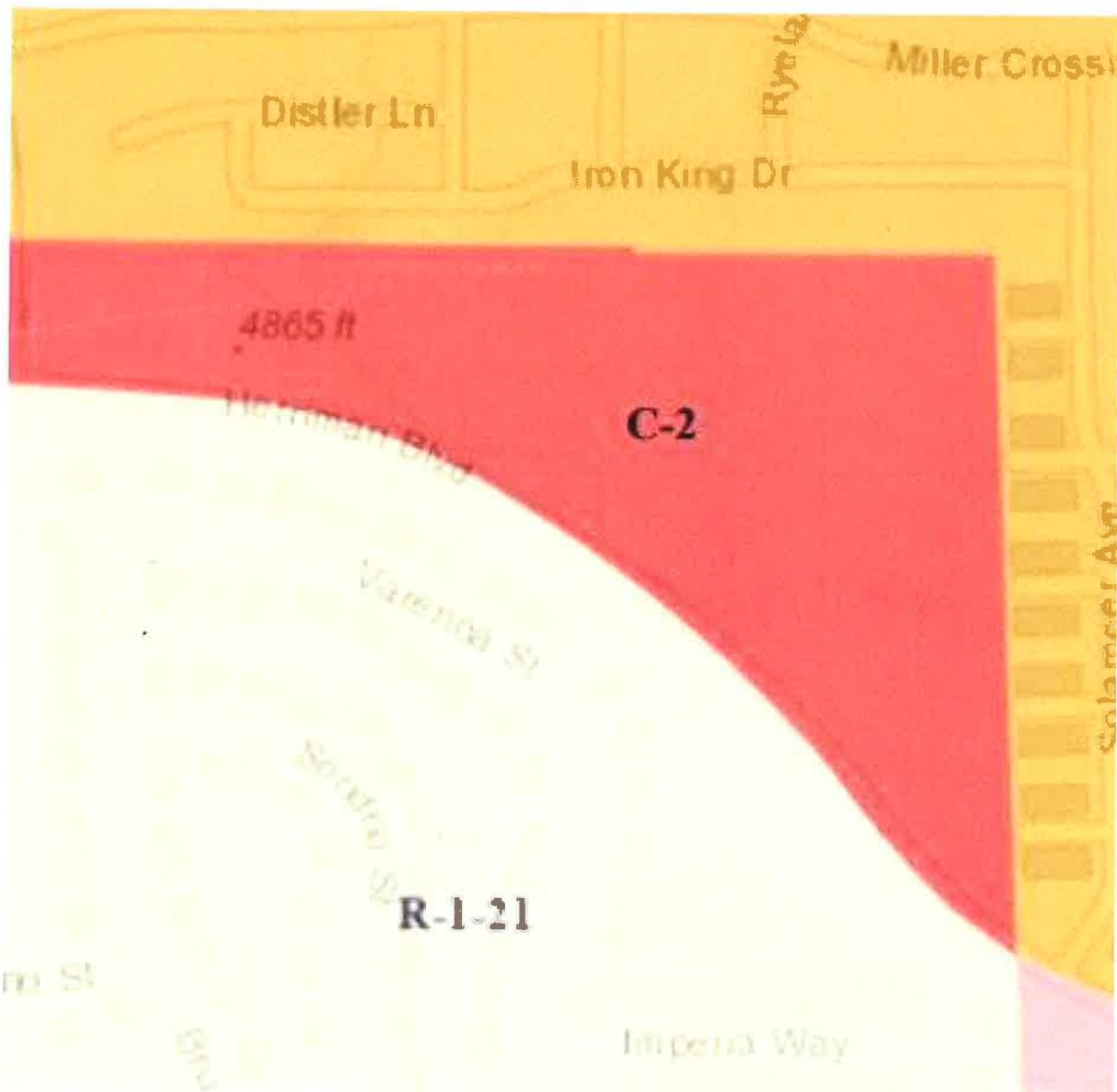


EXHIBIT C

(Uses and Design Standards Exhibit – “Crescent”)

The provisions of this exhibit shall apply only to real property located the map attached hereto as Exhibit A and referenced in the Master Development Agreement as the “Crescent.”

The Crescent is currently zoned C-2. Except as specifically set forth herein, the requirements of the C-2 zone shall govern. In the event of any conflict between the requirements of the C-2 zone and this MDA, the terms of this MDA shall govern.

A. PERMITTED AND CONDITIONAL USES. Except as otherwise provided herein,

1. Permitted uses in the Crescent include:
 - a. Permitted uses listed in the C-2 Zone; and
2. Conditional uses in the Crescent include:
 - a. Conditional uses listed in the C-2 Zone;
 - b. Permitted uses listed in the AMSD Zone; and
 - c. Recreation and entertainment, outdoor.

B. PROHIBITED USES. The following uses are not permitted in the Crescent:

- Church
- Congregate living facility
- Golf course
- Government service
- Operations center
- Protective Services
- Resource recycling collection point
- School, charter
- School, elementary, middle, or high
- School, vocational
- Animal care service

Daycare/preschool center

Laundry or dry cleaning, limited

Mortuary

Personal care service

Personal instruction service

C. DEVELOPMENT AND DESIGN STANDARDS.

1. Compliance. All conditional and permitted uses shall comply with the Development and Design Standards as stated in City Code for C-2, except the AMSD uses, which shall comply with Herriman City Code 10-31.
2. Exceptions.
 - a. The following exceptions shall apply to the development standards in paragraph 1:
 1. Trees. Buffers separating commercial from residential areas should include trees that touch at maturity. When planted, trunk caliper thickness shall be at least 2 inches. Developer shall take into account the need to buffer with adjoining residents when selecting the type and size of trees.
 2. Setbacks and Height. If Developer is not required to, or chooses not to, remove the berm on the Property where the impacted soils are capped, the following requirements shall apply:
 - a. The maximum height of any structure shall be thirty feet (30') above finish grade; and
 - b. There shall be an additional ten feet (10') of setback adjacent to residential properties over and beyond what is required in this Agreement and Herriman City Code.

If Developer is required to, or chooses to, remove the berm on the Property, the additional requirements listed in this section shall not apply and the maximum height and setbacks shall comply with applicable sections of Herriman City Code.

3. Double Fencing. When requirements for buffer-fences result in double-fencing (as defined in HCC 10-29-10), Developer will work with neighboring property owners to remove the pre-existing fence with the least possible disruption to the enjoyment of the neighboring property. If the owners of the pre-existing fences refuse to have their fences removed, double-fencing shall be allowed.

D. REVIEW OF CONDITIONAL USES.

1. Under the direction of the Community Development Director or designee, all conditional uses as referenced in this Master Development Agreement shall be referred to the Planning Department for administrative review and decision.
 - a. Following the receipt of a complete conditional use application, and completion of the zoning compliance review process, the City shall mail a public notice to all affected entities, property owners, and residents within 300 feet of the subject property. The public notice shall provide information on the application and allow ten (10) business days for public review and comment before an administrative decision is made.
 - b. All administrative decisions shall be based on applicable standards of review and posted on the City website.
 - c. As described in Herriman City Code 10-5-24, all administrative decisions are subject to appeal.

EXHIBIT D

(Relevant Portion of City's Vested Laws on file at City Offices)

HERRIMAN, UTAH
ORDINANCE NO. 2025 -

**THE FIRST AMENDMENT TO THE CRESCENT COMMERCIAL DEVELOPMENT
MASTER DEVELOPMENT AGREEMENT TO PERMIT WAREHOUSE AND
WHOLESALE LAND USES AND MODIFY ARCHITECTURAL DESIGN AND
BUFFER REQUIREMENTS WITHIN THE BOUNDARIES OF THE AGREEMENT**

WHEREAS, the City of Herriman, pursuant to Utah State Code, may adopt an ordinance to establish land development regulations (“Zoning”), which includes the adoption or Amendment of the regulatory text, official zoning map, or master development agreement (“MDA”); and

WHEREAS, pursuant to Utah State Code, the Planning Commission (the “Commission”) shall prepare and recommend any MDA amendments to the City Council (the “Council”); and

WHEREAS, pursuant to the City of Herriman Land Development Code, the Commission shall hold a public hearing and provide reasonable notice at least ten (10) days prior to the said public hearing to recommend any MDA amendments to the Council; and

WHEREAS, a notice of a Planning Commission public hearing on an MDA amendment was posted in three (3) public locations and mailed to affected entities on September 5, 2025, for a meeting to be held on September 17, 2025, at 7:00 p.m.; and

WHEREAS, the Commission voted 6-0 to recommend approval of the MDA amendment in a public meeting held on September 17, 2025, at 7:00 p.m. in the City Council Chamber; and

WHEREAS, pursuant to Herriman City Code, it is the responsibility of the Council to consider the MDA amendment and the Commission’s recommendation in a public meeting; and

WHEREAS, a City Council public meeting was held on October 8, 2025, at 7:00 p.m. to discuss the MDA amendment; and

WHEREAS, the Council finds that it is in the best interest of the citizens of Herriman City to adopt the MDA amendment, which was recommended by the Planning Commission and documented in City File number M2025-110;

NOW, THEREFORE, be it ordained by the Herriman City Council for approval to amend the Crescent Commercial Development MDA as described in Exhibit “A”.

This Ordinance, assigned Ordinance No. 2025-_____, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City Recorder.

PASSED AND APPROVED this 8th day of October 2025.

HERRIMAN CITY

ATTEST:

Mayor Lorin Palmer

Jackie Nostrom, City Recorder

Exhibit "A"

FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR CRESCENT COMMERCIAL DEVELOPMENT

Parcel No. 26-25-359-004-0000

THIS AMENDMENT TO MASTER DEVELOPMENT AGREEMENT ("Amendment"), amending certain provisions in the Master Development Agreement dated November 29, 2022, and recorded in the Salt Lake County Recorder's office on February 8, 2023, as Entry No. 14070338, is made and entered into on _____, by and between the City of Herriman, Utah, a Utah municipal corporation ("City"), and Herriman 73 Partners LLC ("H73" or "Owner"). The City and the Owner are sometimes individually referred to as a "Party" and collectively as the "Parties."

RECITALS:

WHEREAS, the Parties entered into a Master Development Agreement dated November 29, 2022 (the "2022 MDA") vesting certain rights and uses with respect to Salt Lake County Parcel number 26-25-359-004-0000 (the "Property"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Parties have agreed to amend the 2022 MDA to increase the number of potential commercial uses of the Property.

Now, therefore, in consideration of the recitals above and the terms and conditions set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Owner hereby agree as follows:

1. Effective Date. This Amendment shall become effective on the date it is executed by Owners and the City ("Effective Date"). The Effective Date shall be inserted in the introductory paragraph preceding the Recitals.
2. Affected Property. The Property ownership map and/or legal descriptions for the Property are attached as Exhibit "B". In the event of a conflict between the legal description and the Property ownership map, the legal description shall take precedence.
3. Amendment.
 - a. Exhibit C to the 2022 MDA is amended as follows:
 - i. Item A.2. (Conditional Uses) is amended to add Warehousing and Wholesale – general.
 - ii. Item C. (Development and design standards) number 2. (Exceptions) is amended to add the following new exception: 2.a.3. As a buffer between

commercial and residential uses, a landscaped berm may be constructed and maintained in lieu of a precast fence as illustrated in Exhibit C, pending administrative approval by the City Manager, or designee, of a final landscape plan, stamped by a licensed landscape architect, containing sufficient evidence that the reasonably anticipated detrimental effects arising from the commercial development are sufficiently mitigated and compliant with the adopted Conditional Use Approval Standards in HCC 10-5-10.

- iii. Item C. (Development and design standards), adding a new number 4 as follows: All warehouse or wholesale uses shall comply with the Architectural Design and Material Standards stated in Herriman City Code 10-31 intended for AMSD uses. See Exhibit B for examples of materials.
- 4. Vested Rights. The rights established by this Amendment shall vest immediately upon the Effective Date, shall run with the land, and shall be irrevocable for the Term.
- 5. All terms of the 2022 MDA not amended by this Amendment shall remain in full force and effect.
- 6. In the event of any conflict between the 2022 MDA and this Amendment, this Amendment shall govern.

[Signatures and Acknowledgements to Follow]

HERRIMAN CITY

Signature: _____
By: _____
Its: _____
Date: _____

Approved as to form:

Office of the City Attorney

State of Utah)
 : ss

County of Salt Lake)

On this ____ day of _____, 2025, personally appeared before me _____ (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the Mayor of Herriman City and that said document was signed by him/her in behalf of said city by Authority of its Bylaws or by Ordinance or Resolution, and said _____ (name of document signer) acknowledged to me that said city executed the same.

Notary Public

OWNER

Signature: _____
By: _____
Its: _____
Date: _____

State of Utah)
 : ss

County of)

On this ____ day of _____, 2025, personally appeared before me Larry Myler, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of Herriman 73 Partners, LLC, a Utah limited liability company, and that said document was signed by him/her in behalf of said company by authority of its Operating Agreement Larry Myler acknowledged to me that said corporation executed the same.

Notary Public

EXHIBIT A – THE PROPERTY

Crescent Piece:

MILLER CROSSING HERRIMAN COMMERCIAL LOT 2

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN HERRIMAN CITY, SALT LAKE COUNTY, UTAH

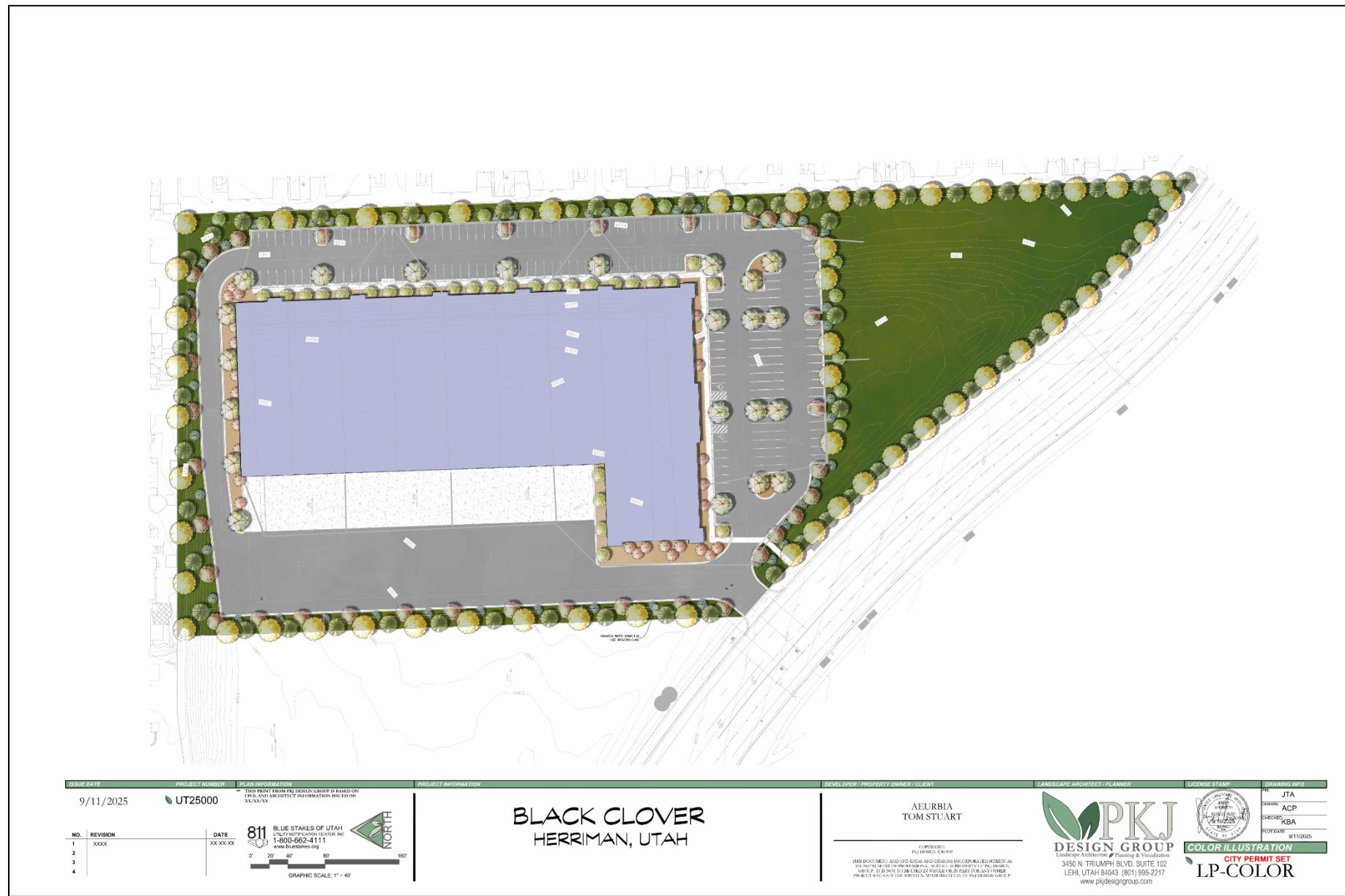
MILLER CROSSING HERRIMAN COMMERCIAL, LOT 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

Contains: 675,180 square feet, or 15.50 acres

EXHIBIT B – DESIGN MATERIALS

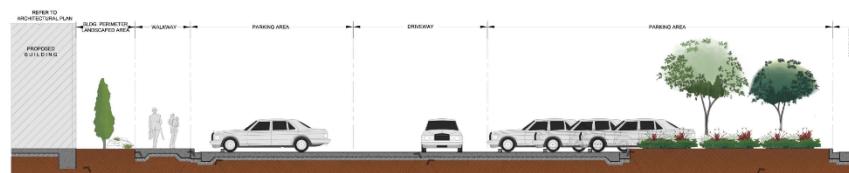


EXHIBIT C – ALTERNATIVE LANDSCAPE BUFFER





LONGITUDINAL LANDSCAPE SECTION THRU A
NOT TO SCALE



LONGITUDINAL LANDSCAPE SECTION THRU C
NOT TO SCALE



LONGITUDINAL LANDSCAPE SECTION THRU B
NOT TO SCALE



ISSUE DATE	PROJECT NUMBER	PLAN INFORMATION	PROJECT INFORMATION
9/11/2025	UT25000	THIS DRAWING IS BASED ON: CIVIL AND ARCHITECTURAL INFORMATION ISSUED ON: XX/XX/XX	THIS DRAWING IS BASED ON: CIVIL AND ARCHITECTURAL INFORMATION ISSUED ON: XX/XX/XX
NO.	REVISION	DATE	
1	XXXX	XX/XX/XX	
2			
3			
4			



BLACK CLOVER
HERRIMAN, UTAH



GRAPHIC SCALE: 1" = 100'

DEVELOPER / PROPERTY OWNER / CLIENT	LANDSCAPE ARCHITECT / PLANNER	LICENSE STAMP	DRAWING INFO
AEURBIA TOM STUART	PKJ Landscape Architecture & Planning 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 695-2217 www.pjdesigngroup.com	JTA DRAWN ACP CHECKED CBA REMOVED 9/11/2025	COPYRIGHT PKJ DESIGN GROUP THIS DOCUMENT AND ITS IDEAS AND DESIGN INCORPORATED HEREIN AS AN INTEGRAL PART OF PROFESSIONAL SERVICES IS THE PROPERTY OF PKJ DESIGN GROUP. IT IS NOT TO BE COPIED, REPRODUCED, OR USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF PKJ DESIGN GROUP.