



CITY COUNCIL AGENDA

Wednesday, October 22, 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

5:00 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. (5:00-6:00 p.m.) Kick off Budget Discussion for the Next Biennial Budget Process – Nathan Cherpeski, City Manager and Kyle Maurer, Finance Director**
- 2.2. Update on Parks, Trails, and Open Space Master Plan – Anthony Teuscher, Deputy Director of Parks, Recreation and Events**
- 2.3. Continued Discussion Regarding the Vacation of an Asphalt Trail near Estates at Rose Creek Subdivision – Bryce Terry, City Engineer**
- 2.4. Discussion on potential fiscal year 2026/2027 water rate increase – Kyle Maurer, Finance Director**

3. Adjournment

7:00 PM – GENERAL MEETING:

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

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.gov or by visiting Herriman.gov/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. Public Hearing

8.1. Public Hearing and consideration of an ordinance adopting the Public Safety Impact Fee Facilities Plan and Impact Fee Analysis and imposing Public Safety Impact Fees; and providing for the calculation and collection of such fees – Kyle Maurer, Finance Director

9. Consent Agenda

9.1. Approval of the October 8, 2025 City Council meeting minutes

10. Discussion and Action Items

10.1. Review and consider a proposal to amend Chapter 10-34 of Herriman City Code to reduce the minimum setback or yard requirements for an accessory structure when located within a rear yard, and expand enforcement remedies in Chapter 10-7 of the Herriman City Code to include building height deviations no greater than 10% when substantial construction has been undertaken in good faith, subject to City approval. (City File Z2025-040) – Michael Maloy, City Planner

10.2. Consideration to Award the Design Contract for the Herriman Athletic

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Complex – Bryce Terry, City Engineer

- 10.3. Discussion and consideration of an Interlocal Agreement with the Olympia Public Infrastructure District (PID) regarding the reimbursement of funds to construct approximately 4,650 feet of new roadway along 7300 West from Herriman Main Street to Herriman Boulevard – Blake Thomas, Community Development Director**

11. Future Meetings

11.1. Next Planning Meeting: November 5, 2025

11.2. Next City Council Meeting: November 12, 2025

12. Events

12.1. November 4 – Election Day

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

15. Recommence 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 the 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.

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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 16th day of October, 2025.
/s/ Jackie Nostrom, City Recorder



STAFF REPORT

DATE: October 08, 2025

TO: The Honorable Mayor and City Council

FROM: Nathan Cherpeski, City Manager

SUBJECT: Kick off Budget Discussion for the Next Biennial Budget Process

RECOMMENDATION:

Provide staff direction as necessary.

ISSUE BEFORE COUNCIL:

Discuss levels of service

ALIGNMENT WITH STRATEGIC PLAN:

ES 8 – Ensure fiscal sustainability within all City functions

BACKGROUND/SUMMARY:

We will hold several budget planning discussions to provide staff direction and guidance as we begin our next biennial budget process.

DISCUSSION:

Review presentation from Staff and provide direction



STAFF REPORT

DATE: 10/09/2025

TO: The Honorable Mayor and City Council

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

SUBJECT: Update on Parks, Trails, and Open Space Master Plan

RECOMMENDATION:

This item is for informational purposes only. Staff recommends that the City Council receive an update on the progress of the Parks, Trails, and Open Space Master Plan and provide feedback as needed.

ISSUE BEFORE COUNCIL:

Staff and the City's consultant will present an update on the Parks, Trails, and Open Space Master Plan currently under development. The plan is being updated to ensure alignment with community needs, growth projections, and Herriman's long-term vision for recreation, connectivity, and open space preservation.

ALIGNMENT WITH STRATEGIC PLAN:

QL 1 – Parks and amenities
ES 8.1.1 – Master plans and impact fee analyses updates

BACKGROUND/SUMMARY:

Herriman City initiated the update of the Parks, Trails, and Open Space Master Plan in early 2025 to replace the previous plan, adopted in 2020. The goal of the update is to provide a comprehensive framework for managing, improving, and expanding the City's park system, trail network, and open space resources over the next 5-7 years.

The City engaged Landmark Design to lead the update process, with Y2 Analytics serving as a sub-consultant to conduct the community survey. The survey gathered public input on recreation priorities, park satisfaction, trail use, and desired amenities.

To date, the consultant team has:

- Completed a full inventory and condition assessment of all City-owned parks, trails, and open spaces.
- Analyzed current and projected service levels using benchmarking data from comparable Utah cities.
- Conducted a statistically valid community survey and stakeholder interviews to identify key needs and priorities.
- Developed preliminary recommendations for new park locations, trail connections, open space preservation, and amenity upgrades.
- Coordinated plan components with the City's General Plan, Transportation Plan, and Capital Facilities Plan updates to ensure alignment.

DISCUSSION:

Early findings from the planning process indicate a strong community interest in expanding trail connectivity, improving access to natural open spaces, and providing more active recreation opportunities for youth and families. Residents also expressed appreciation for Herriman's existing parks, but identified maintenance, shade structures, and restroom access as areas for improvement.

The consultant team is now refining draft recommendations and mapping concepts for future park and trail development. The next steps will include presenting the draft plan to the Planning Commission and City Council for review, followed by a public open house and comment period.

ALTERNATIVES:

- Receive the update and provide direction or feedback to staff and consultants.
- Request modifications or additional analysis before the draft plan is finalized.

FISCAL IMPACT:

No fiscal impact at this stage.



HERRIMAN CITY

2025 PARKS MASTER PLAN UPDATE SURVEY



KEY FINDINGS & TAKEAWAYS

- Quality of life remains high, with an average rating of 77. *However, scores tend to decrease the longer residents have lived in Herriman.*
- Frequent park use has increased while frequent trail use has declined since 2019. *55% of respondents reported using Herriman City parks a few times a month or more, up from 45% in 2019. Meanwhile, 49% say they use trails a few times a month or more, down from 57%. However, infrequent trail use has also declined, meaning fewer residents use trails rarely or never.*
- Residents are satisfied with the amount of parks, amenities, and trails but want improved quality and features. *69% agree there are enough parks, amenities, and trails, but trail users want them more connected, linked to neighborhoods, and extended in mileage, while park users prioritize more trees and shade, better maintenance, and additional restrooms.*
- Residents are satisfied with the number of arts and cultural events but want more variety and awareness. *While 66% say the number of events is appropriate, awareness of the Friends of Herriman Arts Council has dropped to 34%. Fort Herriman Towne Days drew the largest attendance (55%) of any city event, and residents are most interested in more outdoor concerts (49%) and markets or vendor fairs (43%).*
- Maintenance & upgrades to existing recreational amenities is the prevailing priority where future investment is concerned. *However, substantial shares of residents would like to see additional future investment in landscaping (trees, shade structures, 43%), and additional athletic fields and courts (37%).*

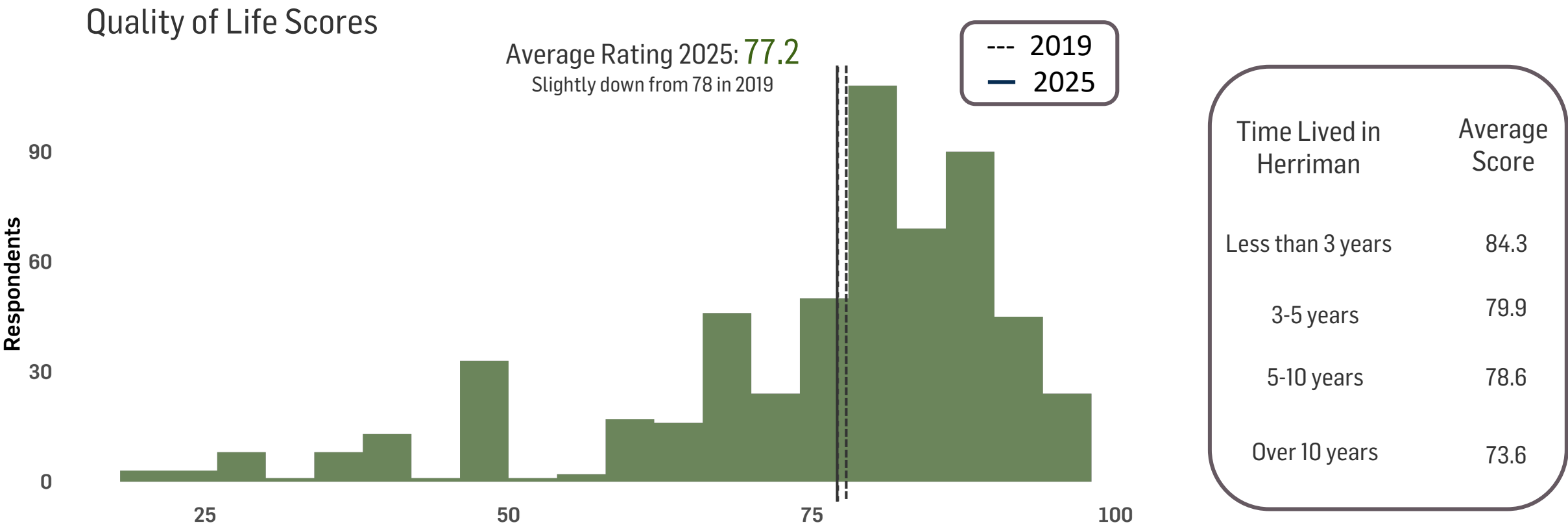
METHODOLOGY

- 609 Herriman City residents were sampled via address-based sampling.
- Survey invitations were sent via email and text messages. All surveys were completed online.
- The data were weighted to reflect the demographics of registered voters in Herriman, specifically in regard to age, gender, and home ownership.
- Online interviews fielded July 8th – July 27th, 2025
- Margin of error +/- 4.0 percentage points

Herriman Quality of Life

Quality of Life Stable Since 2019; Ratings Vary by Residency Length

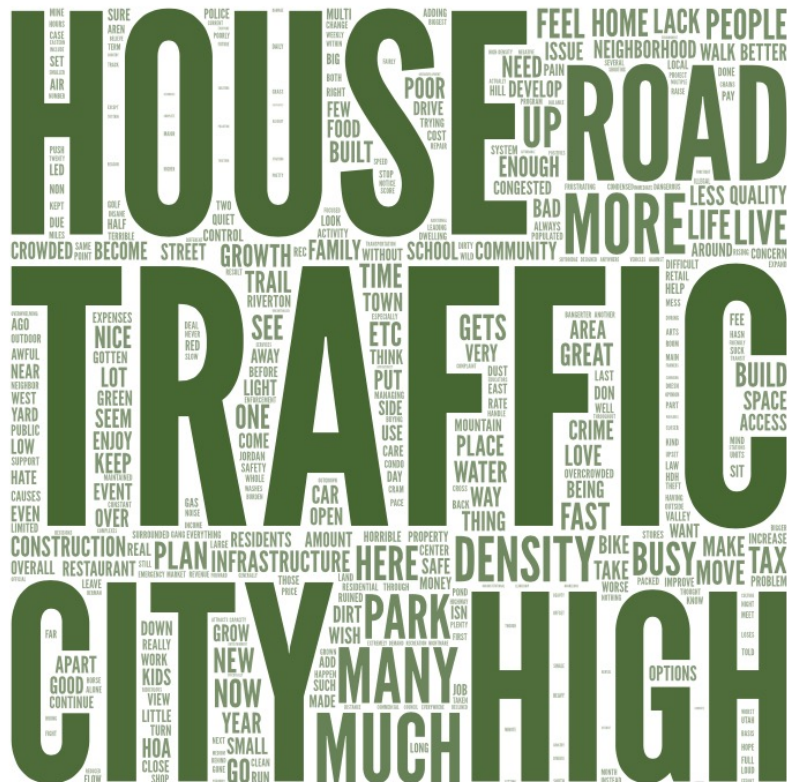
Herriman's 2025 average quality of life score is 77.24, nearly unchanged from 78 in 2019. However, residents' satisfaction varies significantly by tenure, with those living in the city for over 10 years rating it just 73.6 compared to 84.3 among newcomers.



Overcrowding and High-Density Housing: Key Drivers of Lower QoL

Residents who rated quality of life below 83 out of 100 were asked to explain why they gave their score. They often pointed to high-density housing, traffic, and overcrowding as concerns. Parks, trails, and Herriman's strong sense of community were frequently mentioned as positives, though many felt parks and trails still have room for improvement.

Commonly Used Words



Open-Ended Responses from Residents with Below-Average Ratings

“Overall, Herriman is a great place to live and raise a family. However, there is a lot of traffic and way too much high-density housing.”

70/100

"It's a great city but the fast increase in high density housing is decreasing quality of life." 71/100

“Getting too crowded. Too much traffic. Not enough access in case of an emergency.”

70/100

"I love the
parks, trails,
and greenways.
Great
community."

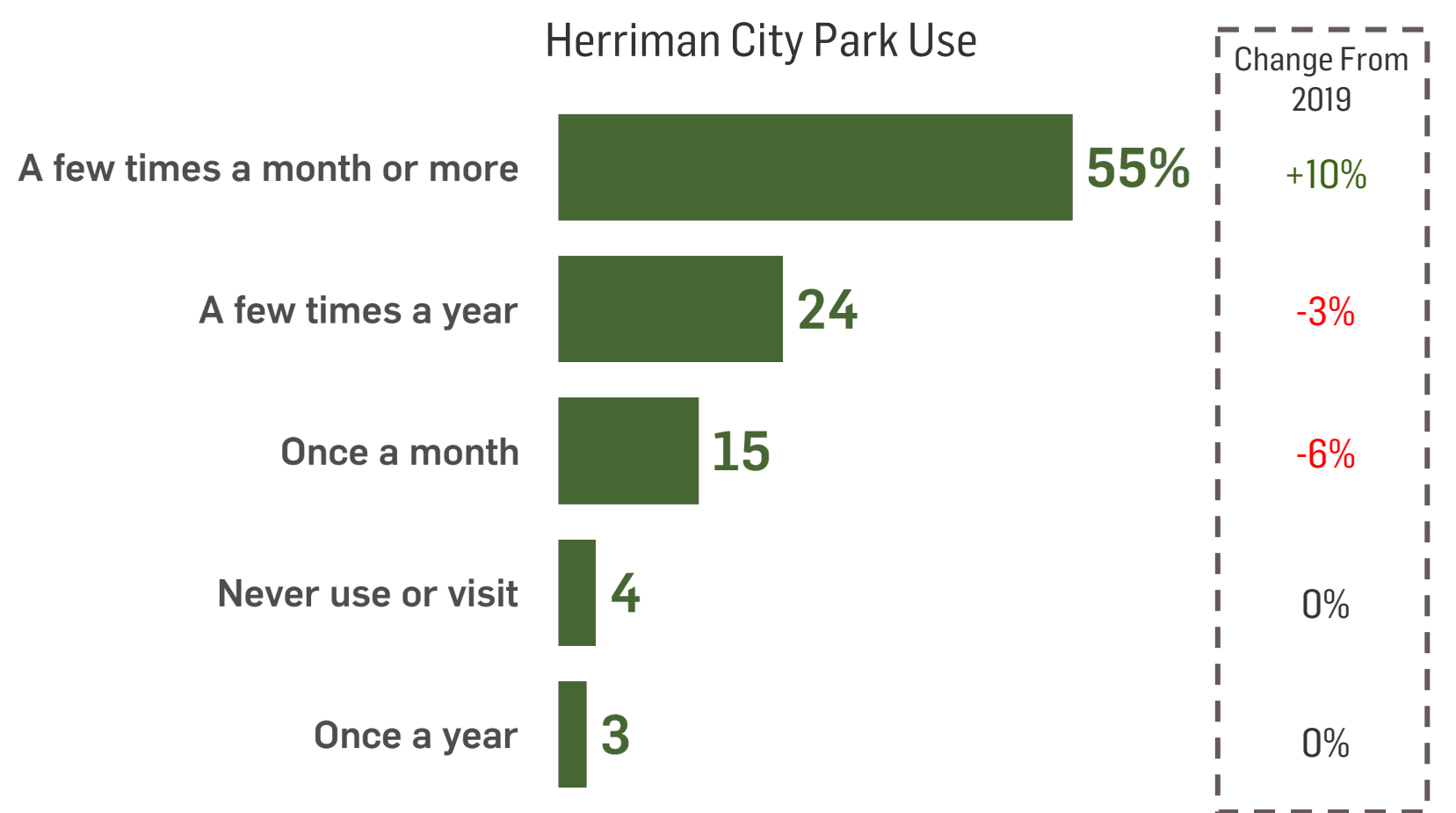
75/100

"There is too much multi family homes and not enough roads to get people in and out. Parks do not have enough shade." 40/100

Parks

Growing Engagement with Herriman Parks

Frequent park use rose to 55% in 2025, up from 45% in 2019.



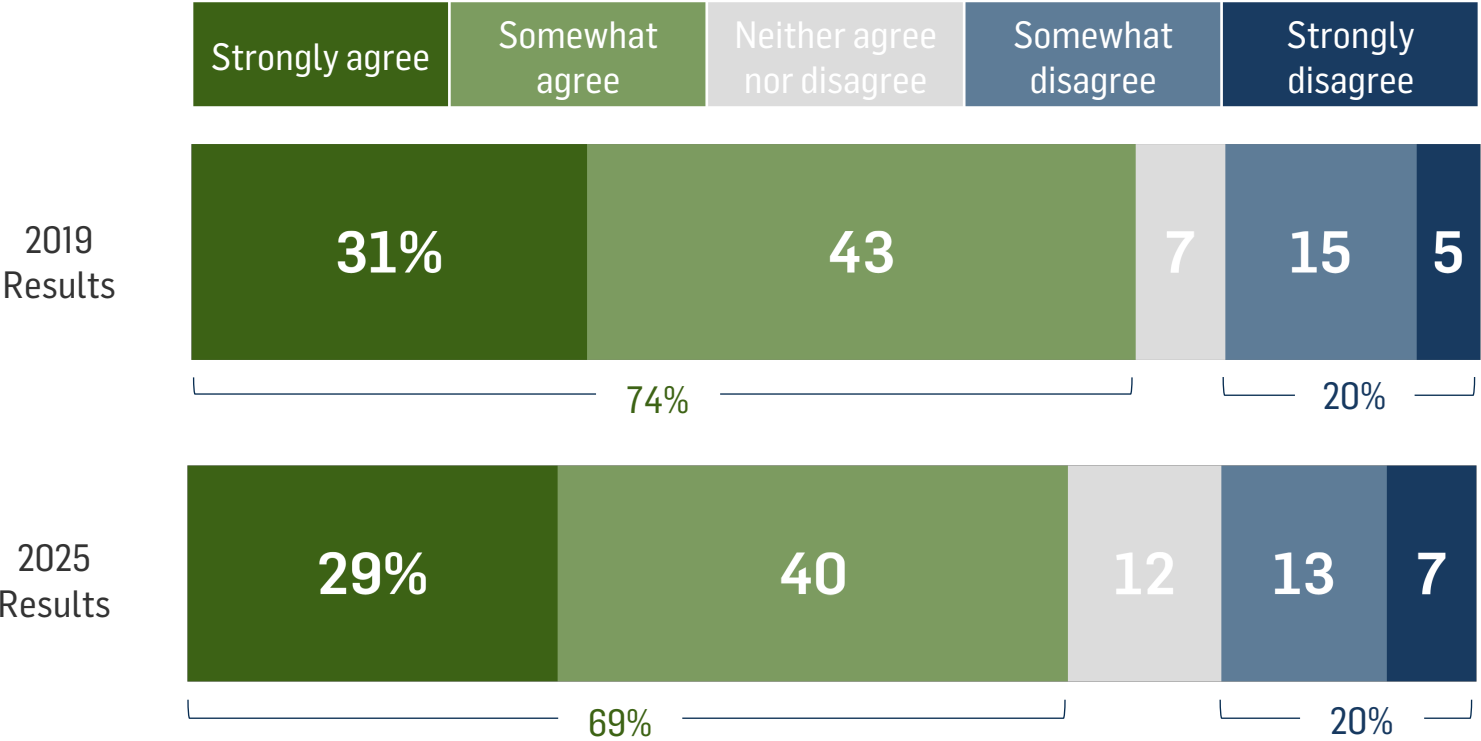
Factors Influencing Park Use

Park use is significantly higher among certain groups. Residents with children are far more likely to visit parks frequently- 68% use them at least a few times a month, compared to just 38% of those without children. Homeownership also plays a role: 57% of homeowners are frequent park users compared to 47% of renters. Higher-income residents also tend to use the parks more regularly than those in lower income brackets.

Most Residents Feel Herriman Has Enough Parks and Trails

69% of residents agree there are an adequate amount of parks, amenities, open spaces, and trail opportunities, slightly down from 74% in 2019. While overall satisfaction remains high, a slight rise in disagreement may reflect increasing demand for these amenities as the city grows.

Herriman Provides Enough Parks, Amenities, Open Spaces, and Trails



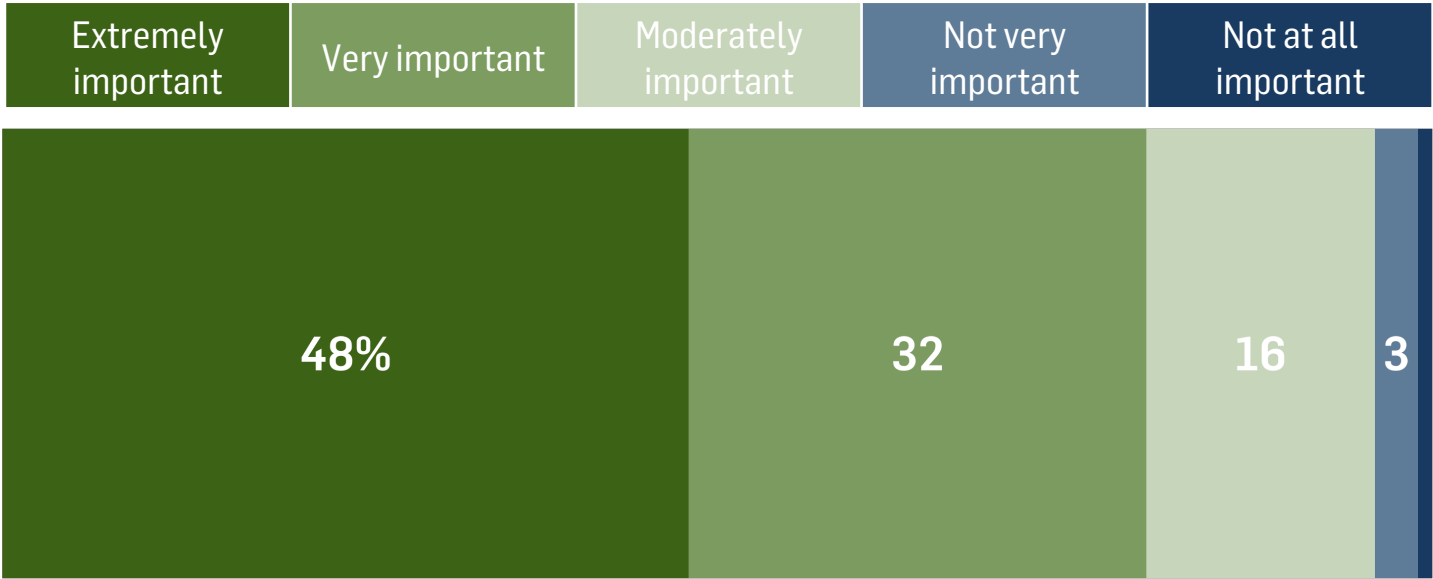
Frequent Users and Proximity Seekers Want More Park Options

Residents who prioritize proximity to parks were more likely to express dissatisfaction- 20% disagreed that Herriman offers enough parks and trails, compared to 14% among those who don't value proximity as highly. Frequent park users (once a month or more) were also more likely to agree with the statement (70%) than infrequent users (44%). Among those who disagreed, most reported using parks for their proximity, sports facilities, or trails, suggesting that current options may lack these specific amenities.

Proximity to Parks Matters Most to Residents

Nearly half of respondents say it's extremely important to have a public park within walking distance of their home. Besides proximity, other popular features drawing residents to parks outside Herriman include pickleball courts, splash pads, and walking trails.

Importance of Parks Close to Home



Top Parks Mentioned Outside Herriman are in Neighboring Cities

- Bluffdale, Riverton, South Jordan, and West Jordan City Parks
 - Parks in Daybreak
 - Wardle Fields Park

Top Reasons for Visiting Other Parks

- Pickleball Courts
- Splash Pad
- Close by
- Walking trail
- Playground

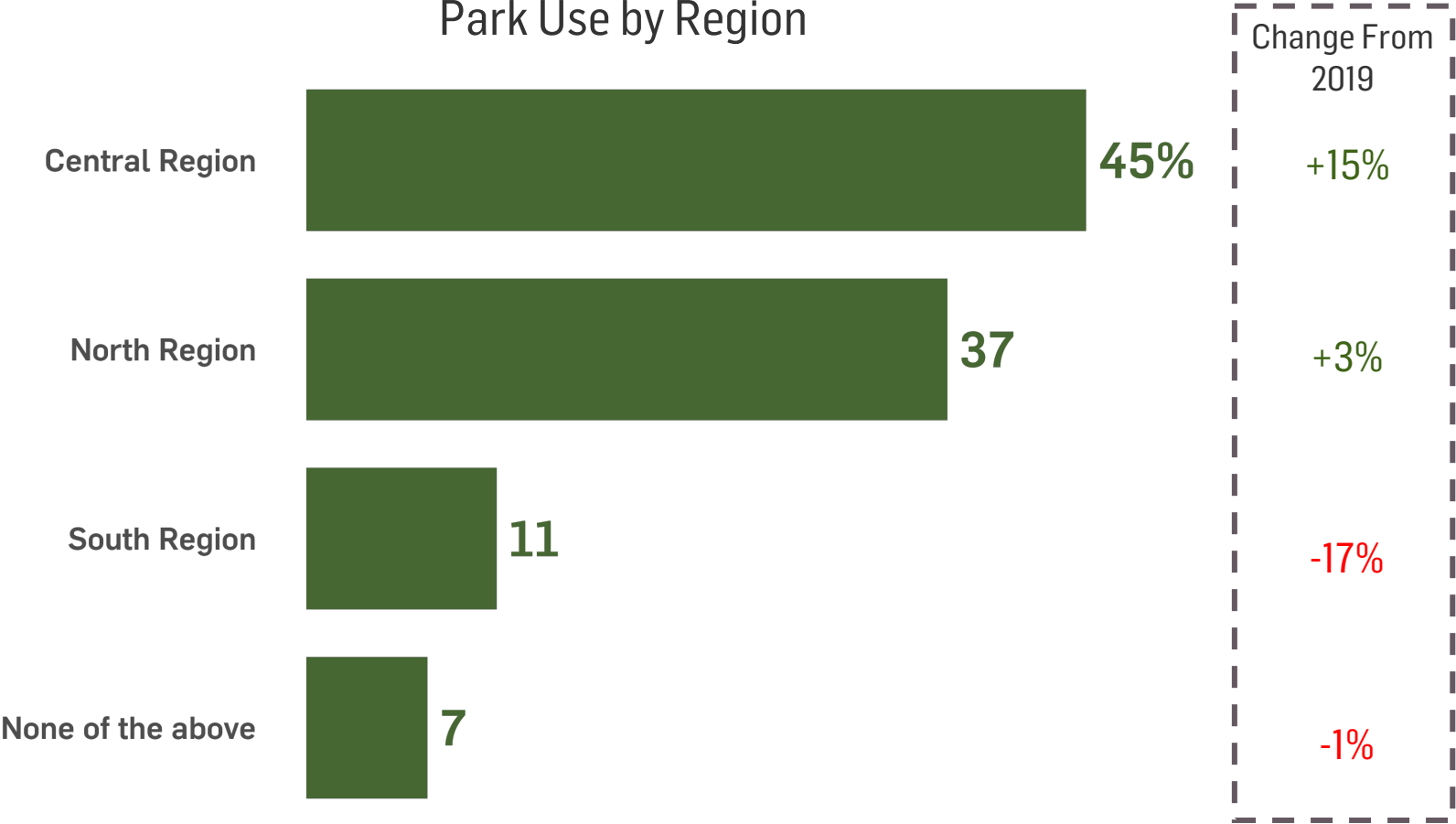
Q: Thinking more generally, how important is it to have public parks within walking distance of your home (i.e. within half a mile or 10 minutes)? (n = 589)

Q: Which parks or fields outside of Herriman, if any, do you use most often? Why? (n = 423)

Most Park Visits Occur in Central and Northern Herriman

Central Herriman remains the most visited region for parks and recreation with 45% selecting this option, an increase from 34% in 2019. The North region saw an increase to 37% from 30%, while the South region's visits dropped significantly from 28% in 2019 to 11% in 2025.

Park Use by Region

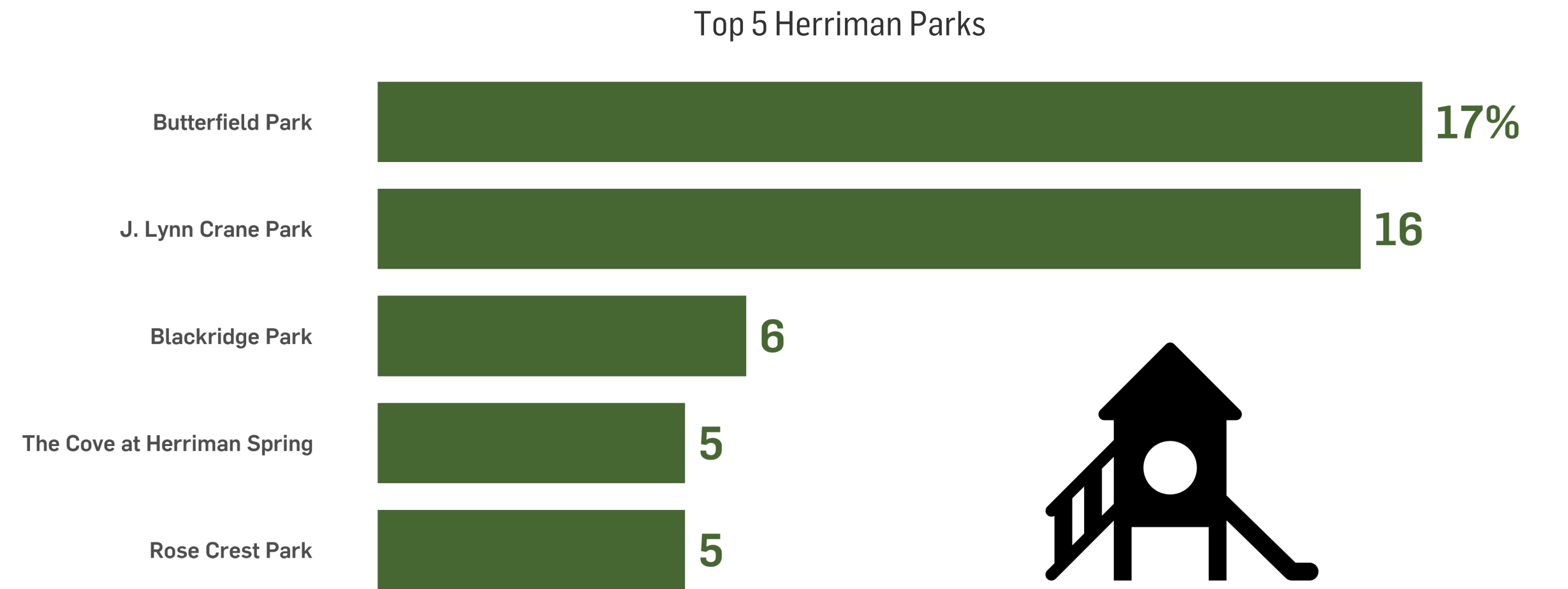


Central and North Regions Serve Most Active Park Users

Park users who visit at least once a month most commonly frequent the Central (46%) and North (42%) regions, while infrequent users are far less likely to visit any region, especially the South (3%). Those who believe Herriman has an adequate supply of parks and amenities are more likely to use the North region (41%), while those who disagree tend to use the Central region (50%). Additionally, respondents who value features like proximity, trails, sports fields, and special attractions most often visit parks in the Central (45%) and North (44%) regions, reinforcing their importance as recreational hubs in Herriman.

Top 5 Most Frequented Parks in Herriman

The top five most frequently visited parks in Herriman are Butterfield Park (17%), J. Lynn Crane Park (16%), Blackridge Park (6%), The Cove at Herriman Spring (5%), and Rose Crest Park (5%).



Proximity Drives Park Use; Shade and Maintenance Are Top Concerns

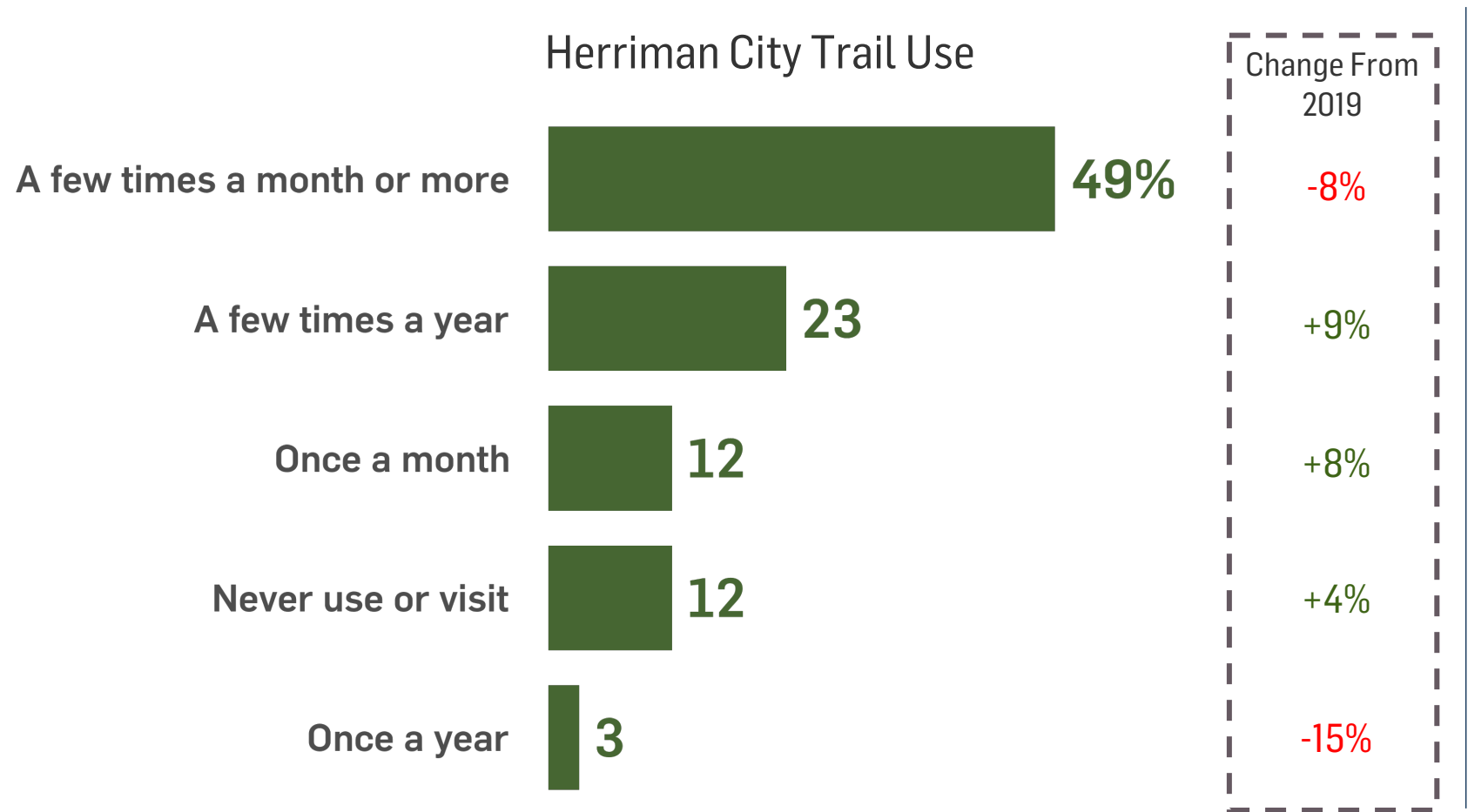
Residents prioritize parks close to home and want more trees, cleaner facilities, and better restrooms. Nearly half of residents continue to choose parks based on location consistent with results from 2019, while interest in trees and shade has risen from 25% in 2019 to 40% in 2025- now the top improvement mentioned by residents.



Trails

Half of Residents Use Herriman Trails Frequently

49% of residents report using trails a few times a month or more, down from 57% in 2019. At the same time, infrequent trail use has declined, with fewer residents saying these use trails only once a year or never.

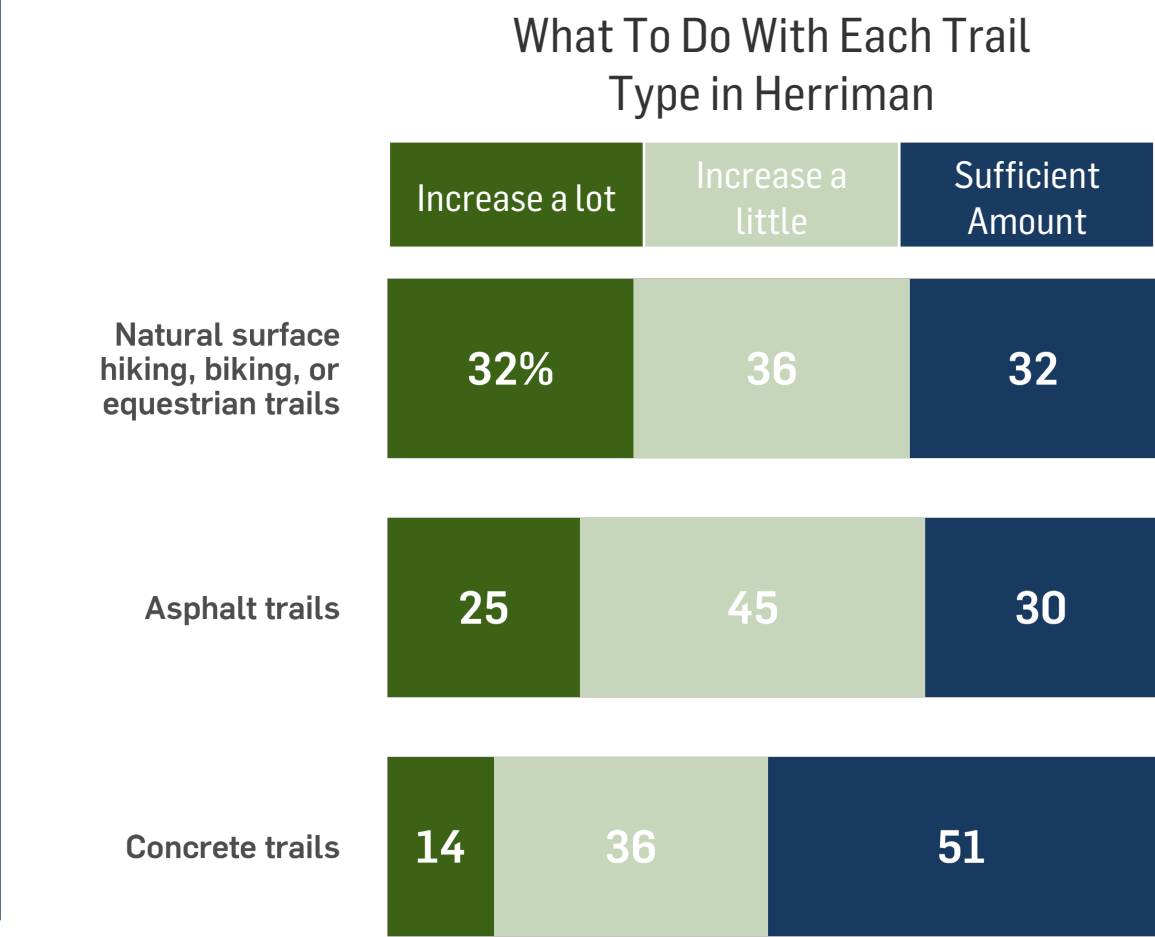
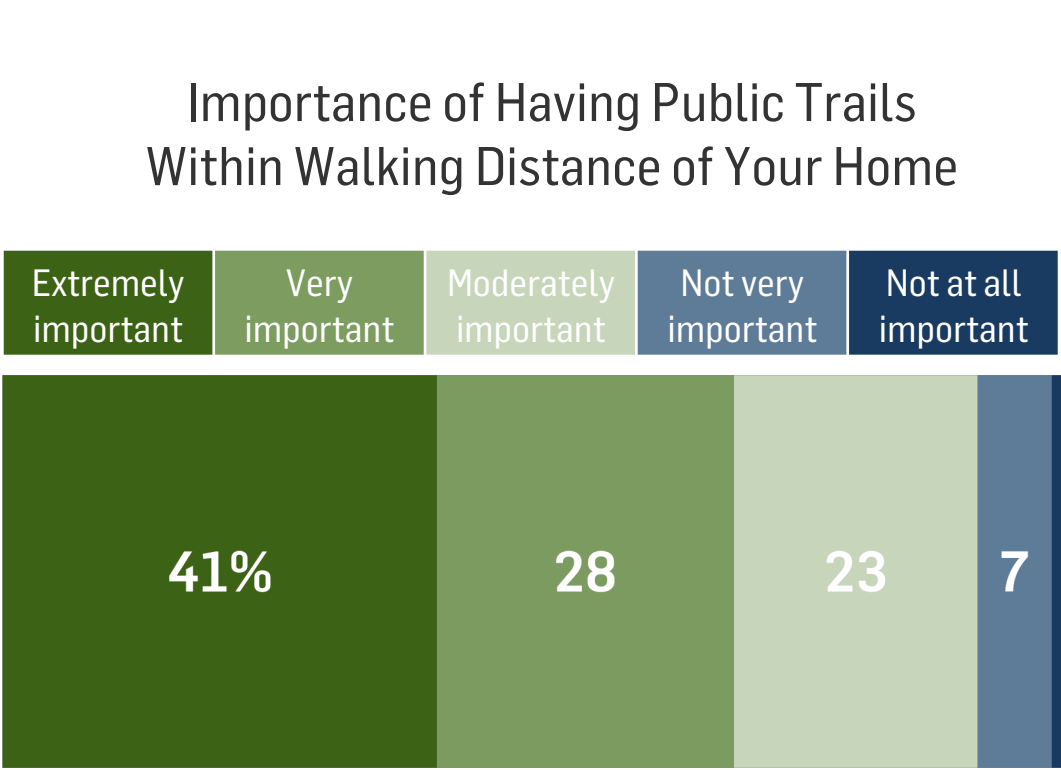


Trail Use Varies by Income, Not by Family or Lifestyle Factors

Trail usage in Herriman increases notably with household income, with higher-income residents reporting more frequent use. In contrast, other demographic and lifestyle factors such as having children, owning horses, or agreeing with the current number of trails show little variation in trail usage. Regardless of these differences, most groups use the trails at similar frequencies.

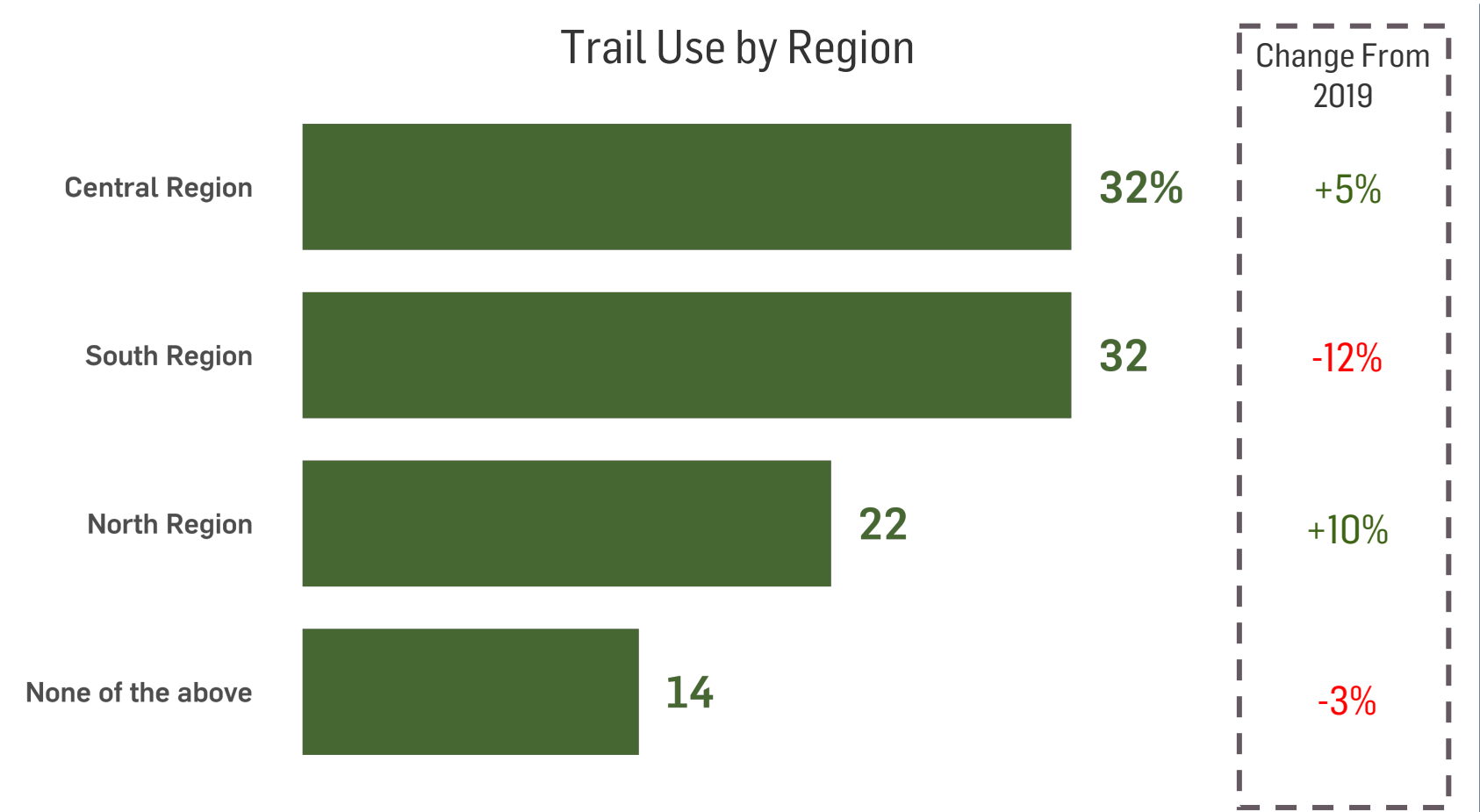
Residents Prioritize Close Trails; Views on Trail Expansion Varies

A majority of residents prioritize having trails within walking distance of their home, with strong interest in increasing natural surface trails. While 68% favor expanding hiking, biking, or equestrian trails, opinions on asphalt trails are more moderate, and over half believe current concrete trails are sufficient.



Central and Southern Herriman Trails See the Most Use

32% of respondents use trails most often in both the central and southern regions. Southern trail use declined from 44% and Central trail use increased from 27%, in 2019. Northern region trail use nearly doubled from 12% to 22% in 2025, despite still being the least used region for trails.

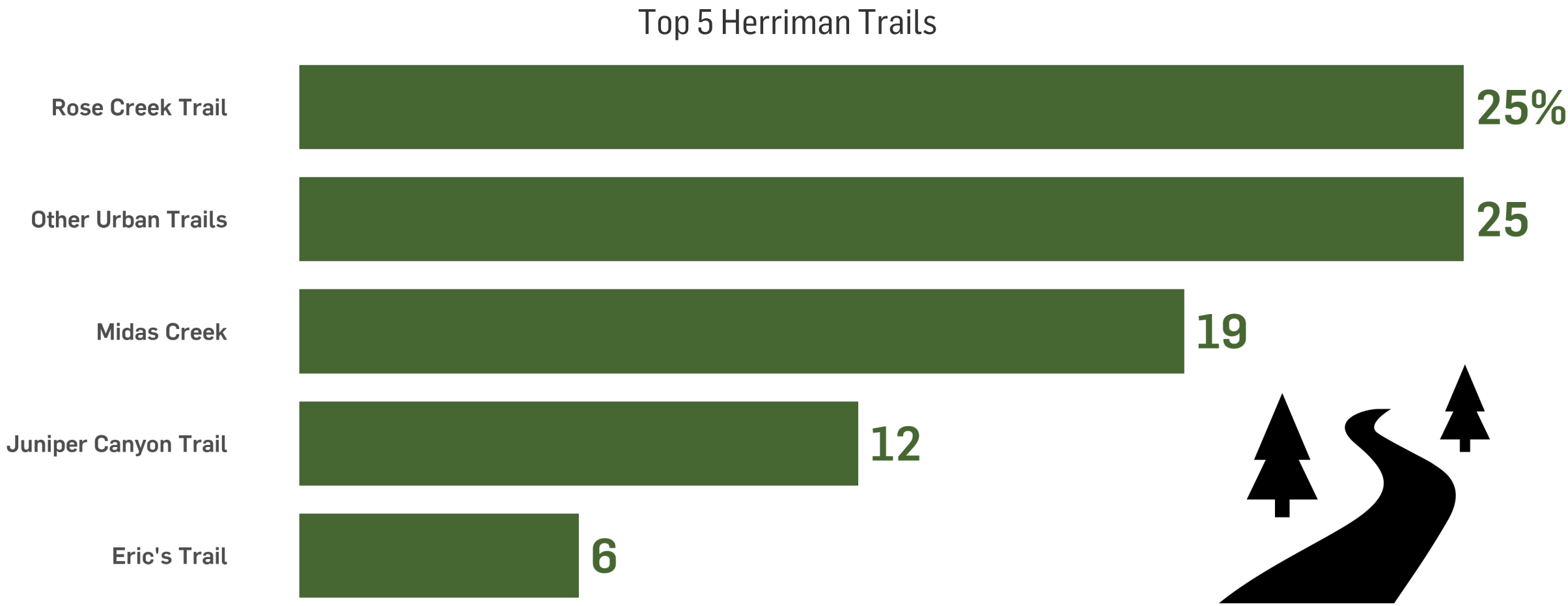


Trail Use Patterns Differ by Use, Amenities, and Perception

Trail preferences shift notably based on how residents use them. Frequent users (monthly or more) favor the south (39%) and central (33%) regions, while infrequent users largely avoid all areas—just 3% use the northern trails. Recreational bikers prefer the south (57%), while bike commuters rely heavily on the north (68%). Walkers and joggers lean toward the central region (41%), and equestrian users overwhelmingly use central trails (81%). Those unsatisfied with the number of trails in Herriman city gravitate toward the south (42%), indicating possible unmet trail demand in that region.

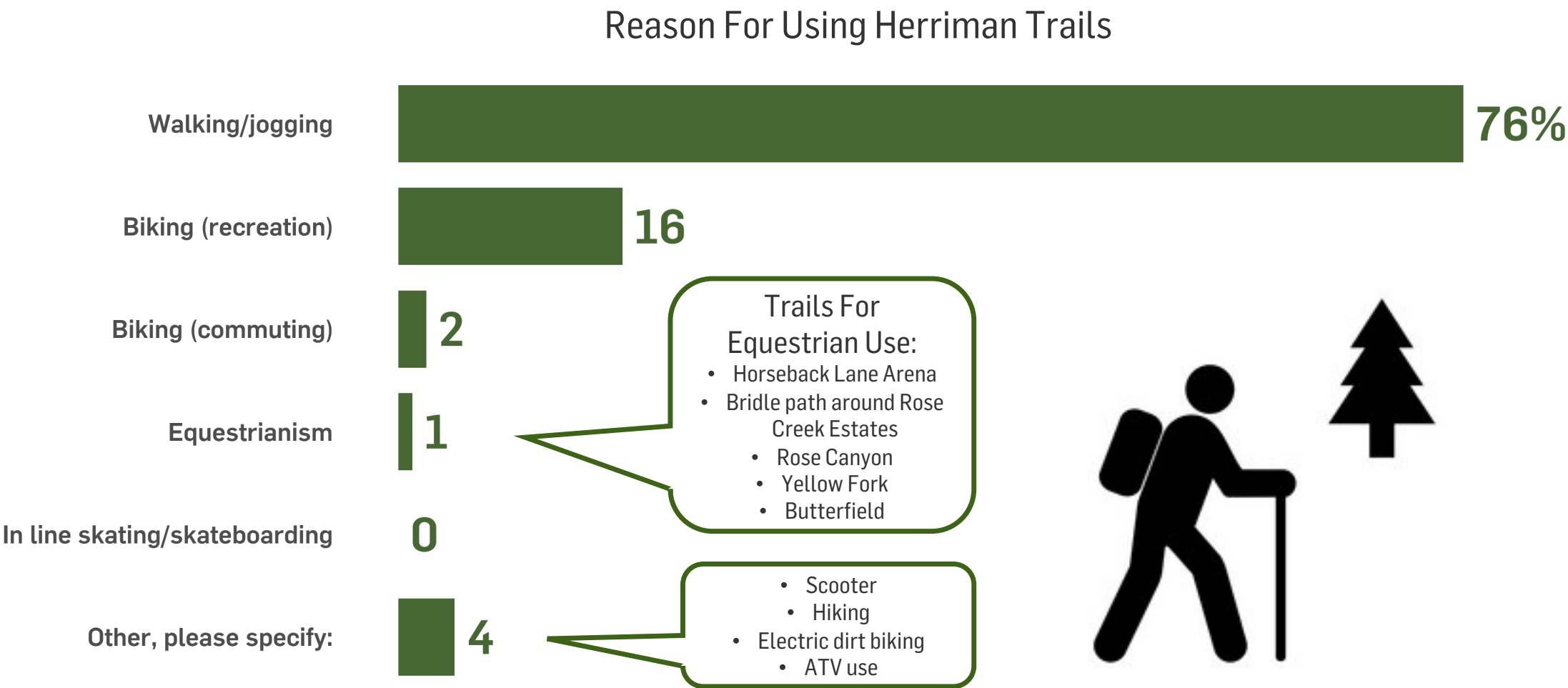
Top 5 Most Frequented Trails in Herriman

The five most frequently used trails in Herriman are Rose Creek Trail (25%), Other Urban Trails (25%), Midas Creek (19%), Juniper Canyon Trail (12%), and Eric's Trail (6%).



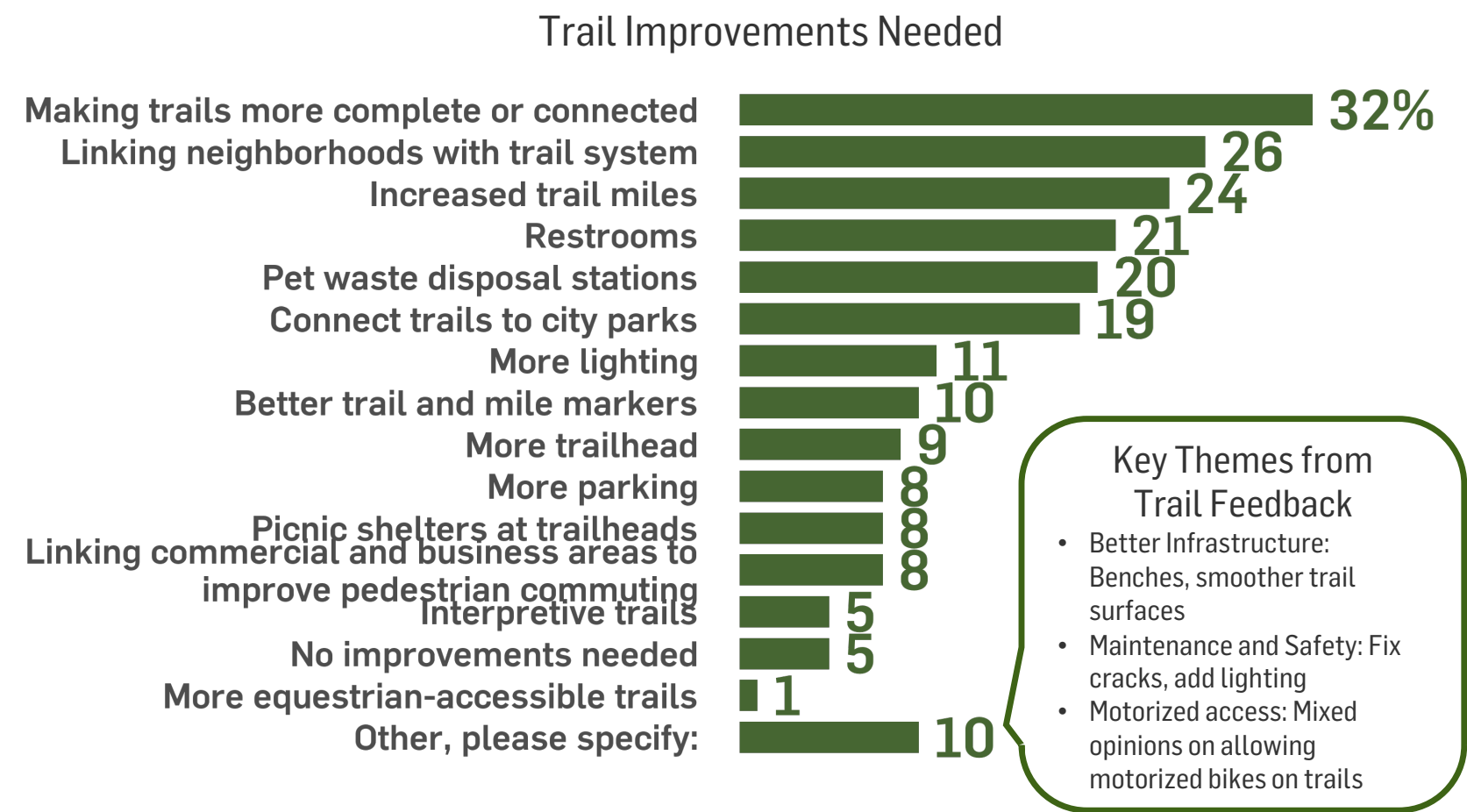
Walking and Jogging Lead Trail Use in Herriman

The most common reason residents use Herriman's trails is for walking or jogging (76%), followed by recreational biking (16%).



Top Trail Improvements Focus on Connectivity and Access

Herriman residents prioritize making trails more complete or connected (32%), linking neighborhoods with trail systems (26%), and increasing trail mileage (24%) as the most needed improvements. These same three areas also topped the list in the 2019 survey, but interest in each has grown: support for more connected trails rose from 28% to 32%, linking neighborhoods increased from 22% to 26%, and expanding trail mileage rose from 18% to 24%. While a wide range of improvement suggestions were offered, these three consistently stand out as the top priorities for residents.



Improvement Priorities Vary by Trail Use and Frequency

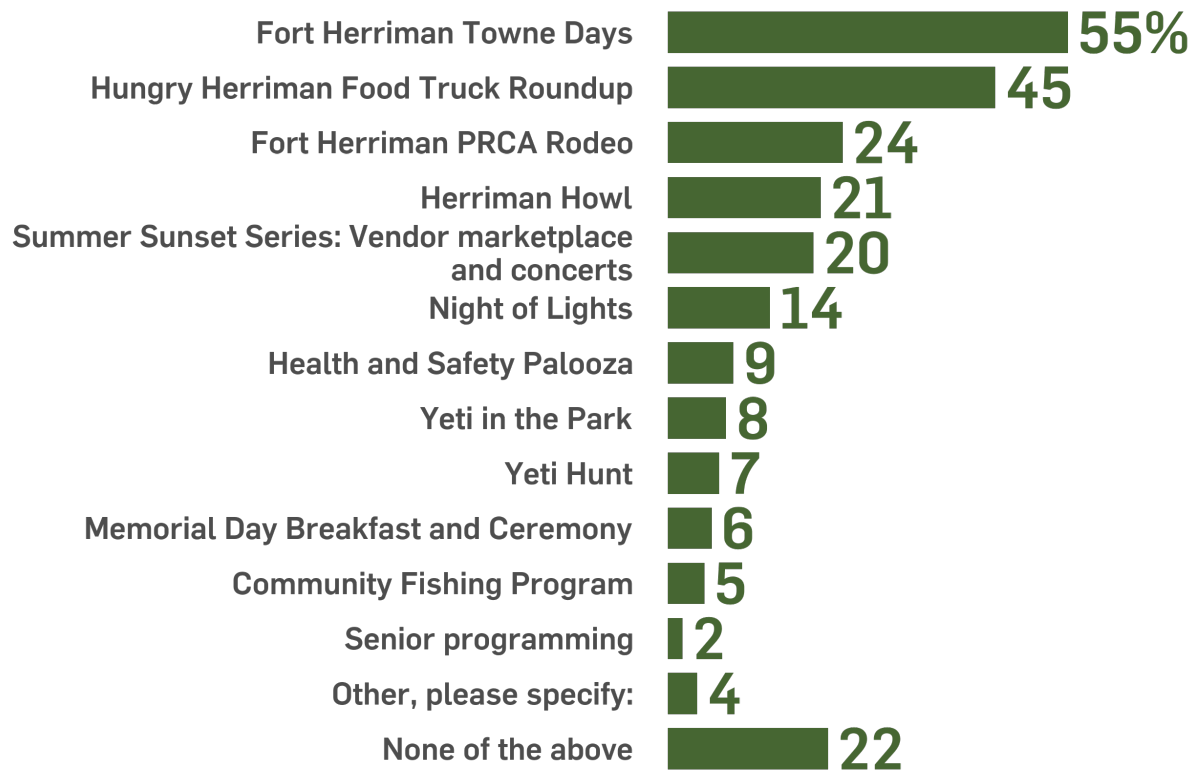
Preferences for trail improvements differ based on how and how often residents use the trails. Those who use trails for biking and skateboarding are most likely to want trails to be more complete or connected, while those who bike or jog prioritize linking neighborhoods through trail systems. Residents who ride horses are the most supportive of increasing overall trail mileage. Usage frequency also impacts preferences: frequent users (once or more a month) most often support better trail connectivity (34%), linking neighborhoods (25%), and more pet waste stations (23%).

Arts & Culture

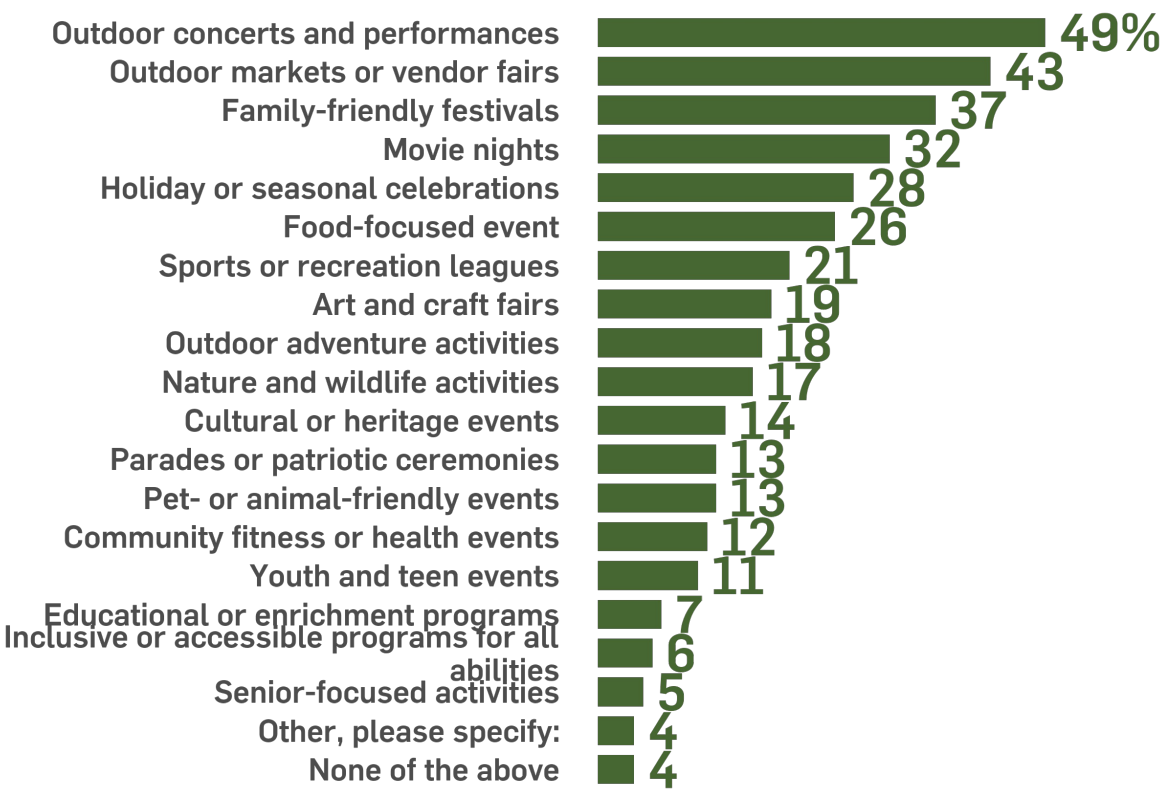
Event Attendance Up; Outdoor Concerts and Markets Desired

The most attended Herriman events were Fort Herriman Towne Days (55%), the Hungry Herriman Food Truck Roundup (45%), and the Fort Herriman PRCA Rodeo (24%). Fewer residents reported attending no events this year (22%) compared to 2019 (34%), showing increased community engagement. Looking ahead, residents most want to see outdoor concerts (49%), vendor fairs or markets (43%), and family-friendly festivals (37%).

City Events Attended in the Past Year



Requested Future Events



Friends of Herriman Arts Council Awareness Declines

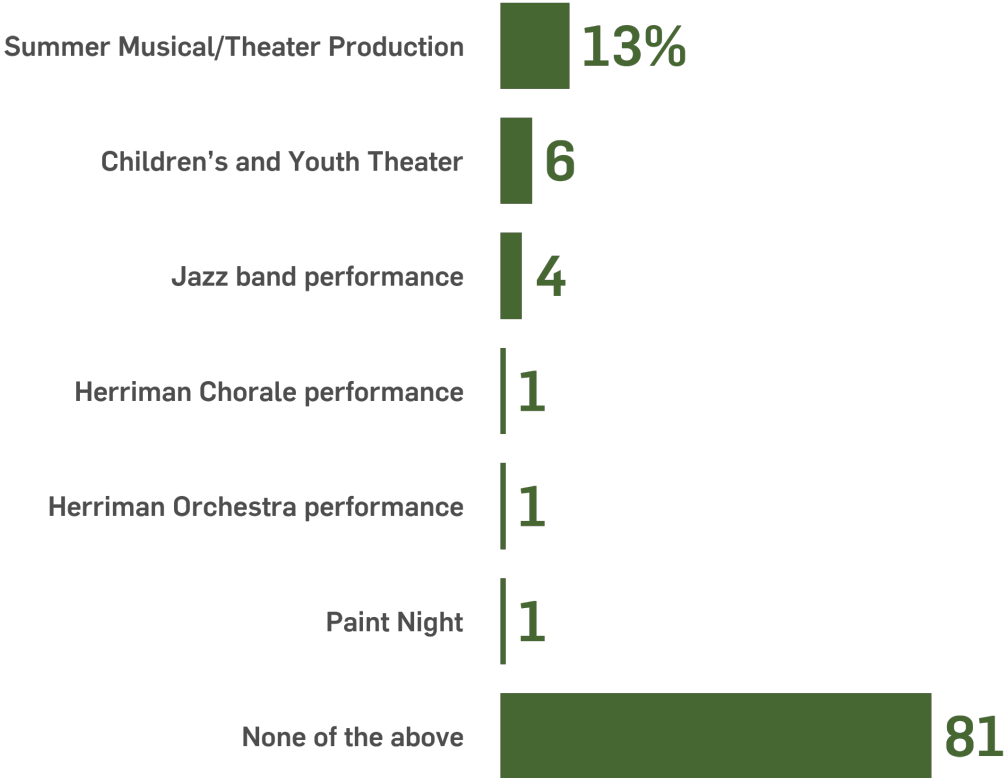
Fewer residents reported having heard of the Friends of Herriman Arts Council compared to 2019, indicating a drop in overall awareness. While participation rates in events hosted by the Arts Council remain largely unchanged since 2019, the majority of residents still report never attending. These results suggest an opportunity to boost visibility and engagement with Arts Council programming.



34% of respondents have heard of the Friends of Herriman Arts Council compared to 53% in 2019

3% of respondents participate in Friends of Herriman Arts Council events at least once a month

Arts Council Event Attendance

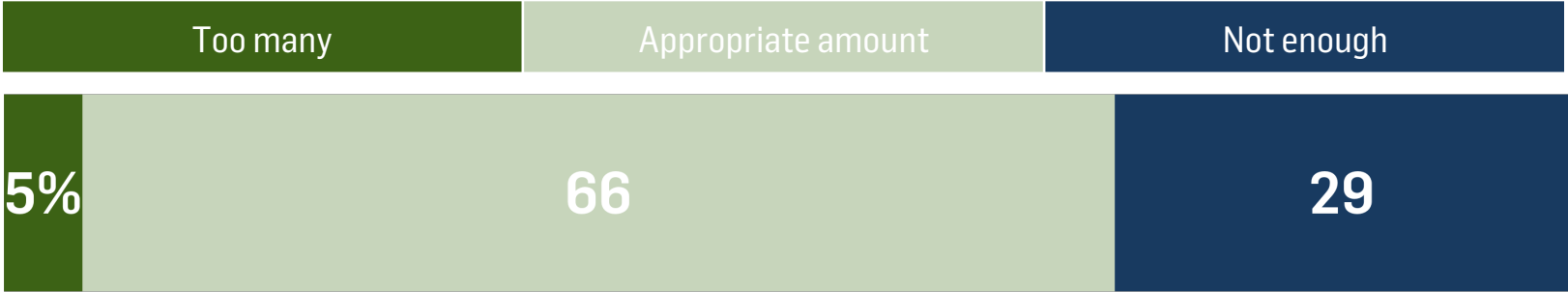


Q: Have you heard of the Friends of Herriman Arts Council? (n = 589)
Q: How often do you attend or participate in Friends of Herriman Arts Council events? (n = 218)
Q: Which, if any, of the following Friends of Herriman Arts Council events have you attended in the past year? Select all that apply. (n = 586)

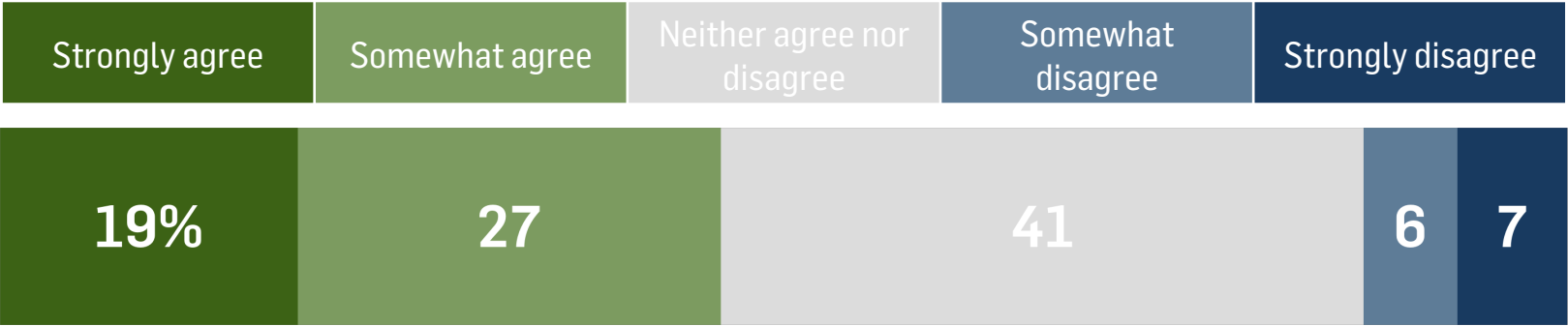
Residents See Room to Grow Arts and Cultural Events in Herriman

29% of residents said Herriman doesn't offer enough arts and cultural events, up from 18% in 2019. While most still feel the number of events is appropriate (66%), that figure has declined from 77% in 2019. When asked whether a community arts center would improve these offerings, 46% agreed (an increase from 41% in 2019), while fewer residents expressed disagreement. These results suggest growing support for expanding the city's arts and cultural infrastructure.

Opinion on arts and cultural events in Herriman



Cultural and Art events would be improved by having a community arts center

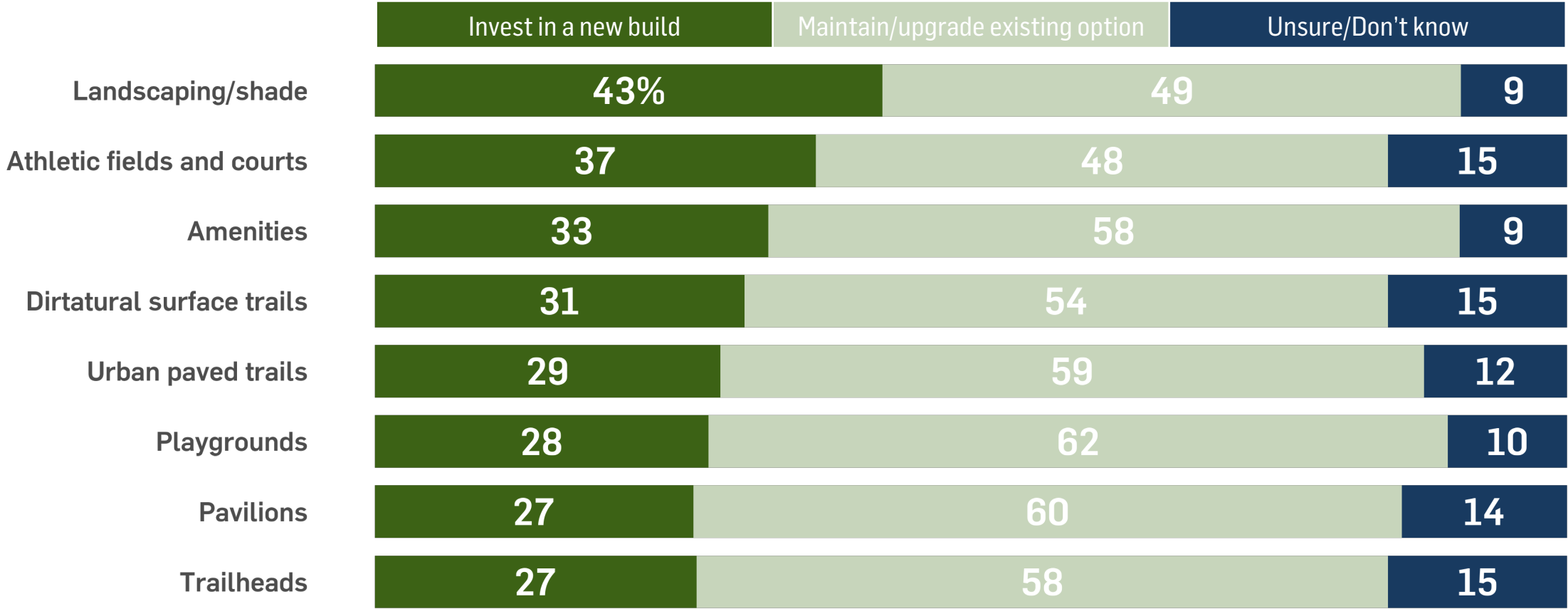


Investment Priorities

Residents Prioritize Maintaining Existing Parks and Facilities

When asked about future investments, most residents preferred maintaining or upgrading existing amenities over building new ones- especially for playgrounds (62%), pavilions (60%), and trailheads (58%). New development was more supported for landscaping and shade (43%) and athletic fields and courts (37%), but even in these areas, a majority still favored maintenance.

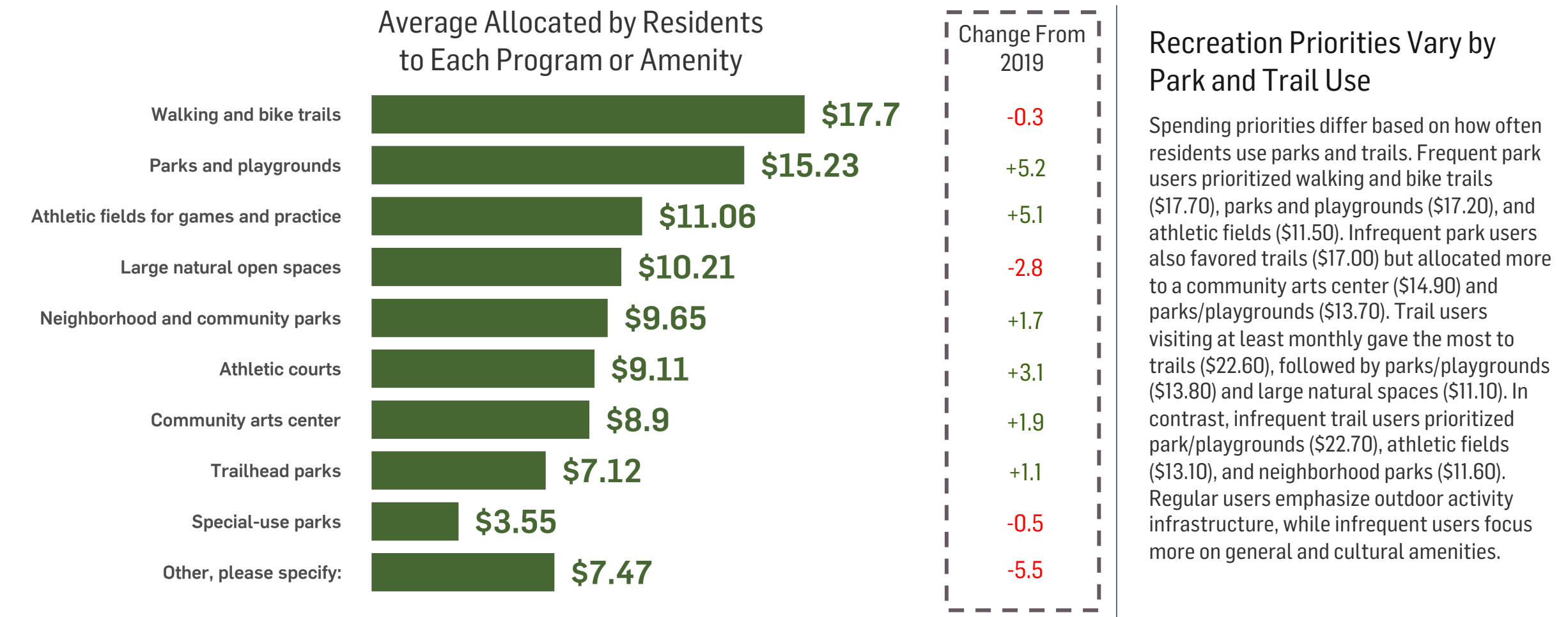
Preferred Action on Parks, Trails, and Facilities in Herriman



Q: For each of the following parks, trails, or facilities, would you prefer Herriman build new options or maintain/upgrade existing options? (n = 578)

Trails Remain Top Priority; Parks and Fields See Biggest Gains

Residents allocated the most funding to walking and biking trails (\$17.70), maintaining their top priority status. Parks and playgrounds (\$15.23) and athletic fields (\$11.06) saw the largest increases in support since 2019, while funding for large natural open space declined.

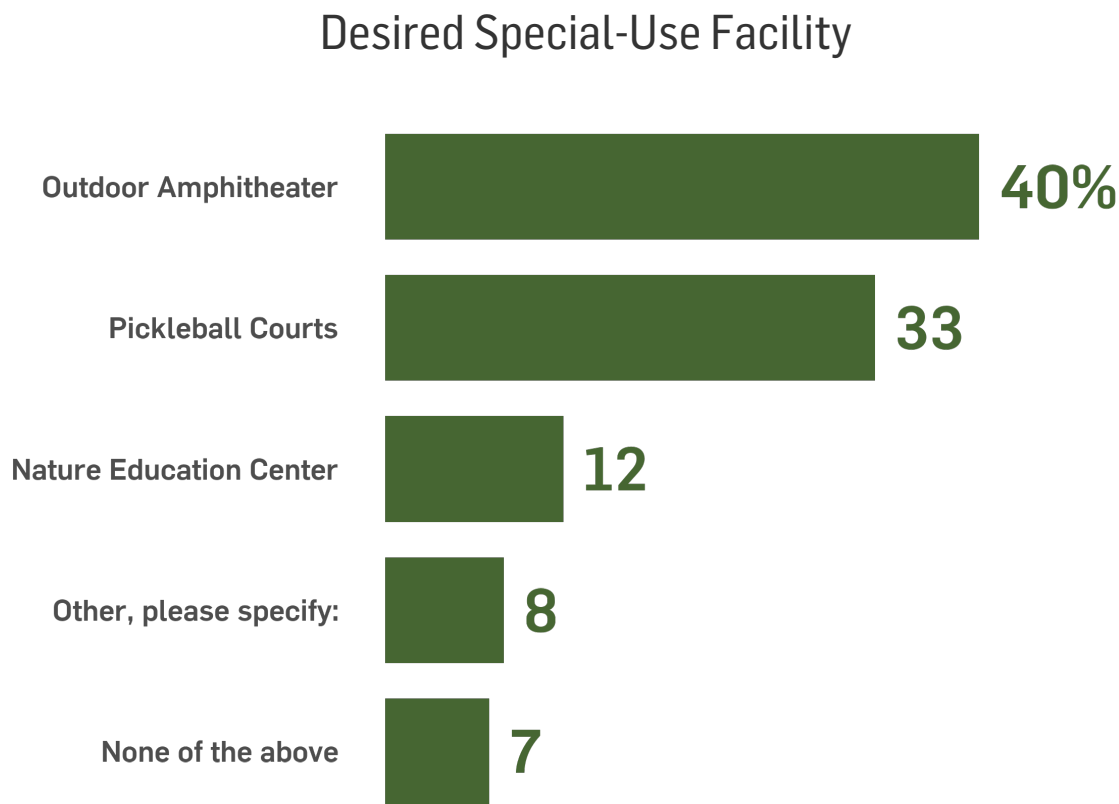


Recreation Priorities Vary by Park and Trail Use

Spending priorities differ based on how often residents use parks and trails. Frequent park users prioritized walking and bike trails (\$17.70), parks and playgrounds (\$17.20), and athletic fields (\$11.50). Infrequent park users also favored trails (\$17.00) but allocated more to a community arts center (\$14.90) and parks/playgrounds (\$13.70). Trail users visiting at least monthly gave the most to trails (\$22.60), followed by parks/playgrounds (\$13.80) and large natural spaces (\$11.10). In contrast, infrequent trail users prioritized park/playgrounds (\$22.70), athletic fields (\$13.10), and neighborhood parks (\$11.60). Regular users emphasize outdoor activity infrastructure, while infrequent users focus more on general and cultural amenities.

Top Special Use Priorities: Climbing Park and Outdoor Amphitheater

When asked about special use parks, residents most often supported a climbing park (32%), fishing pond (30%), and disc golf course (27%). When asked to choose the special use facility that Herriman should most consider funding, an outdoor amphitheater (40%) and pickleball courts (33%) were clear favorites.



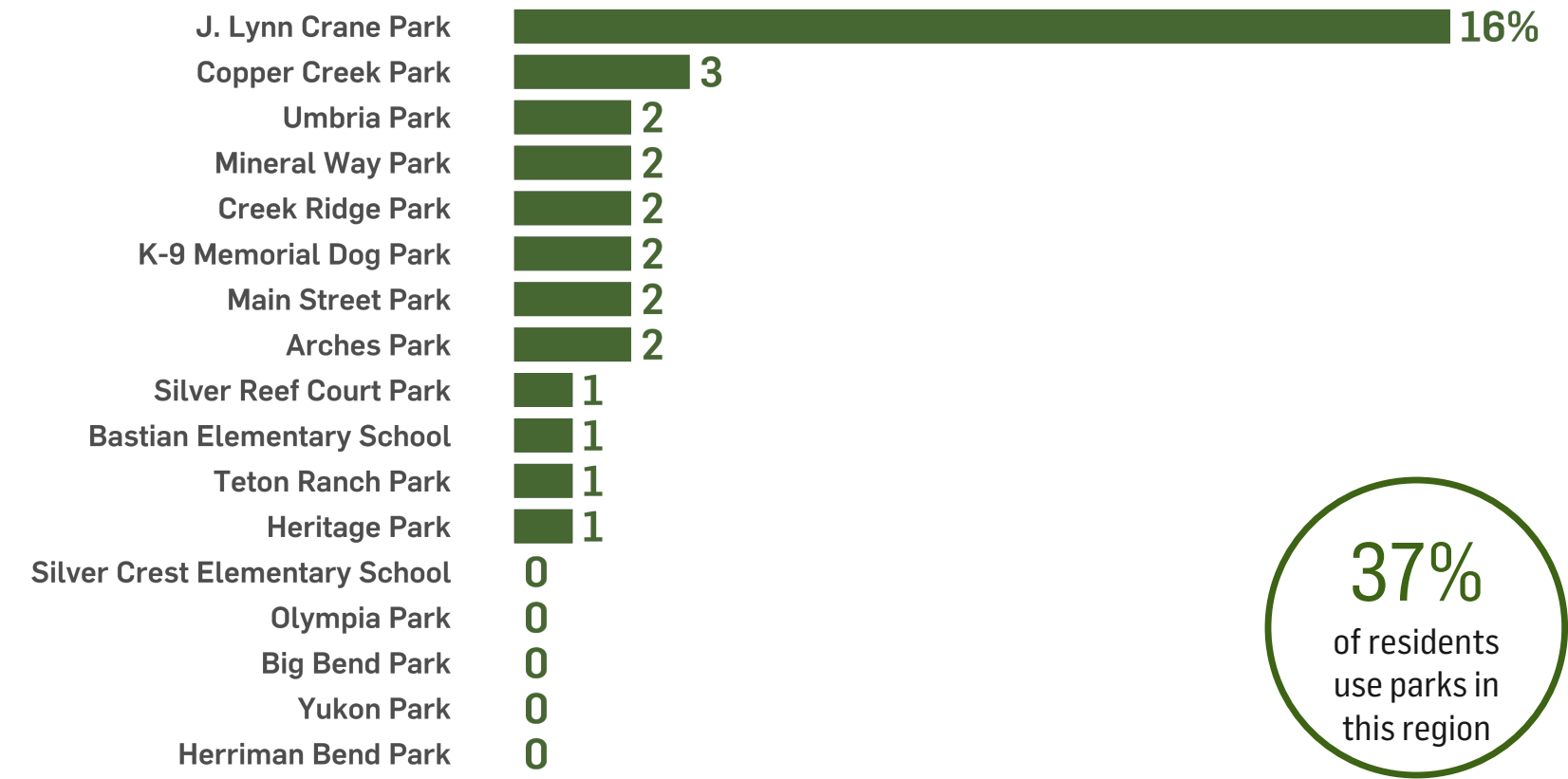


Appendix: Regional Park Use & Improvements

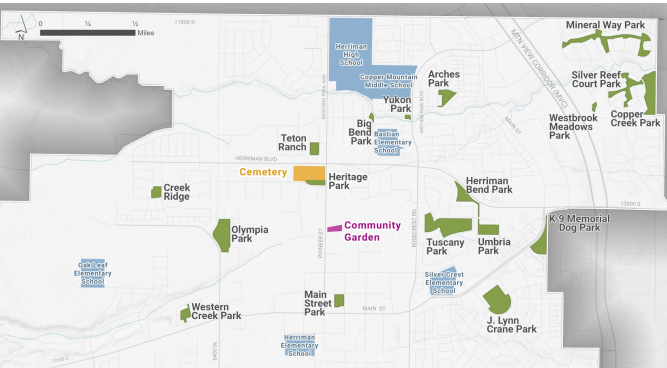
J. Lynn Crane Park Stands Out in Northern Herriman Parks

J. Lynn Crane Park is by far the most visited park in the Northern Region, with 16% of all park users reporting that park as their most visited.

North Region Park Use



37%
of residents
use parks in
this region



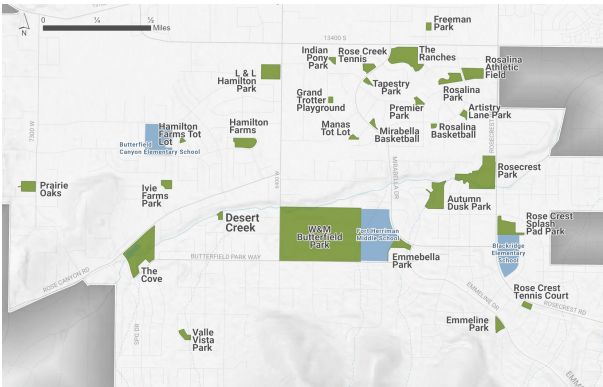
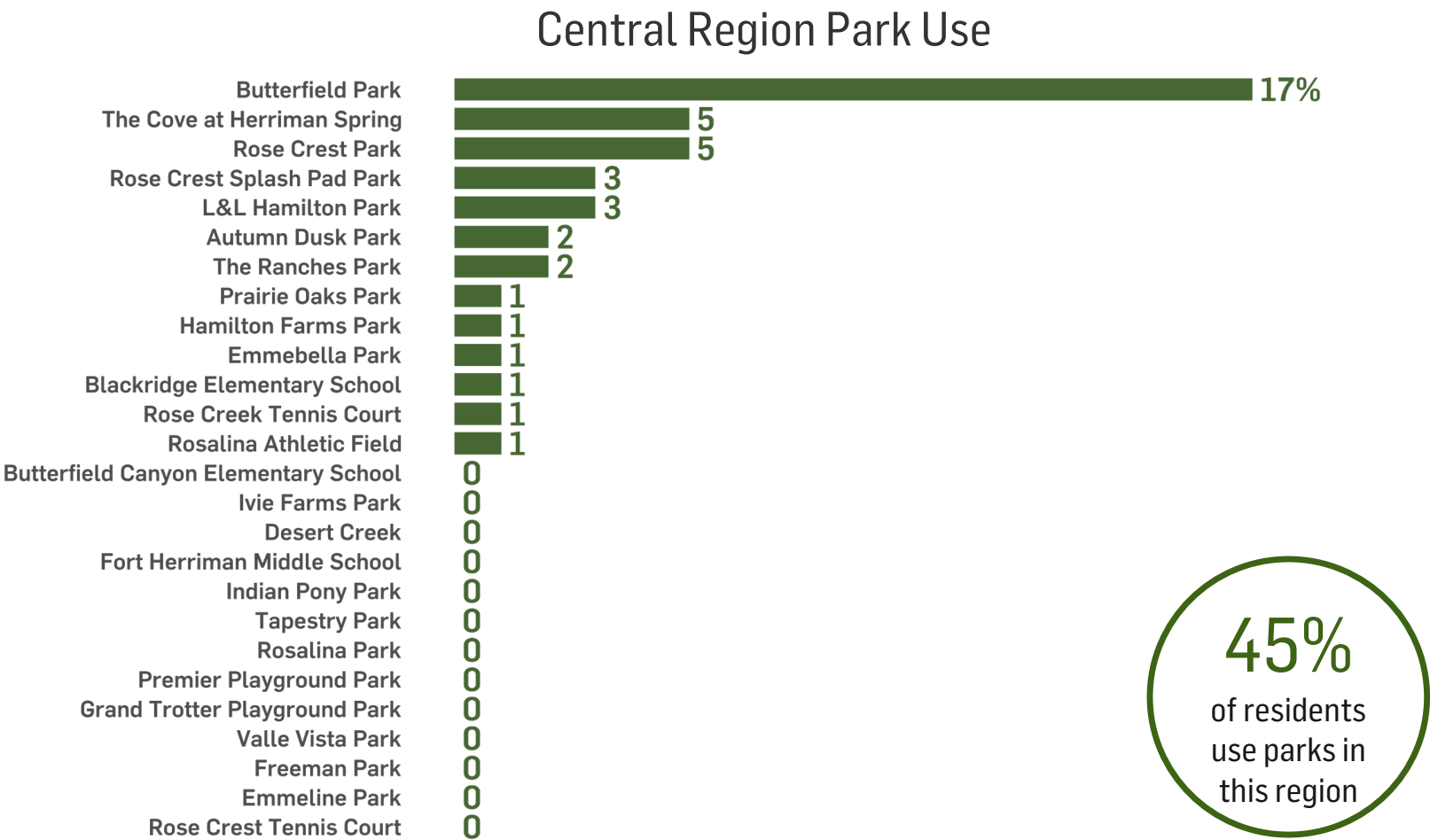
Why Residents Use Northern Parks and What They Want Improved

J. Lynn Crane Park is the most-used northern park, especially among those seeking proximity to work (82%), special features (55%), safety (37%), and playground equipment (33%). Residents focused on fitness equipment are more evenly split between Olympia Park and Herriman Bend Park (35%). Top improvement requests center on shade and amenities. At J. Lynn Crane Park, 64% want more trees/shade, while Copper Creek Park users prioritize shade (36%) and walking paths (28%), with playgrounds, maintenance, and restrooms each at 17%. Overall, shade and upgrade facilities are the main needs for northern parks.

Q: Which Herriman City park, field, or recreational facility does your household use most often? *On the map below, please select the Herriman City park, field, or amenity you visit most frequently.* (n = 609)

Butterfield Park Leads Among Central Region Parks

Among all park users, 17% visit Butterfield Park most often, while 5% visit The Cove at Herriman Spring and 5% visit Rose Crest Park, making these the top three parks in the central region.

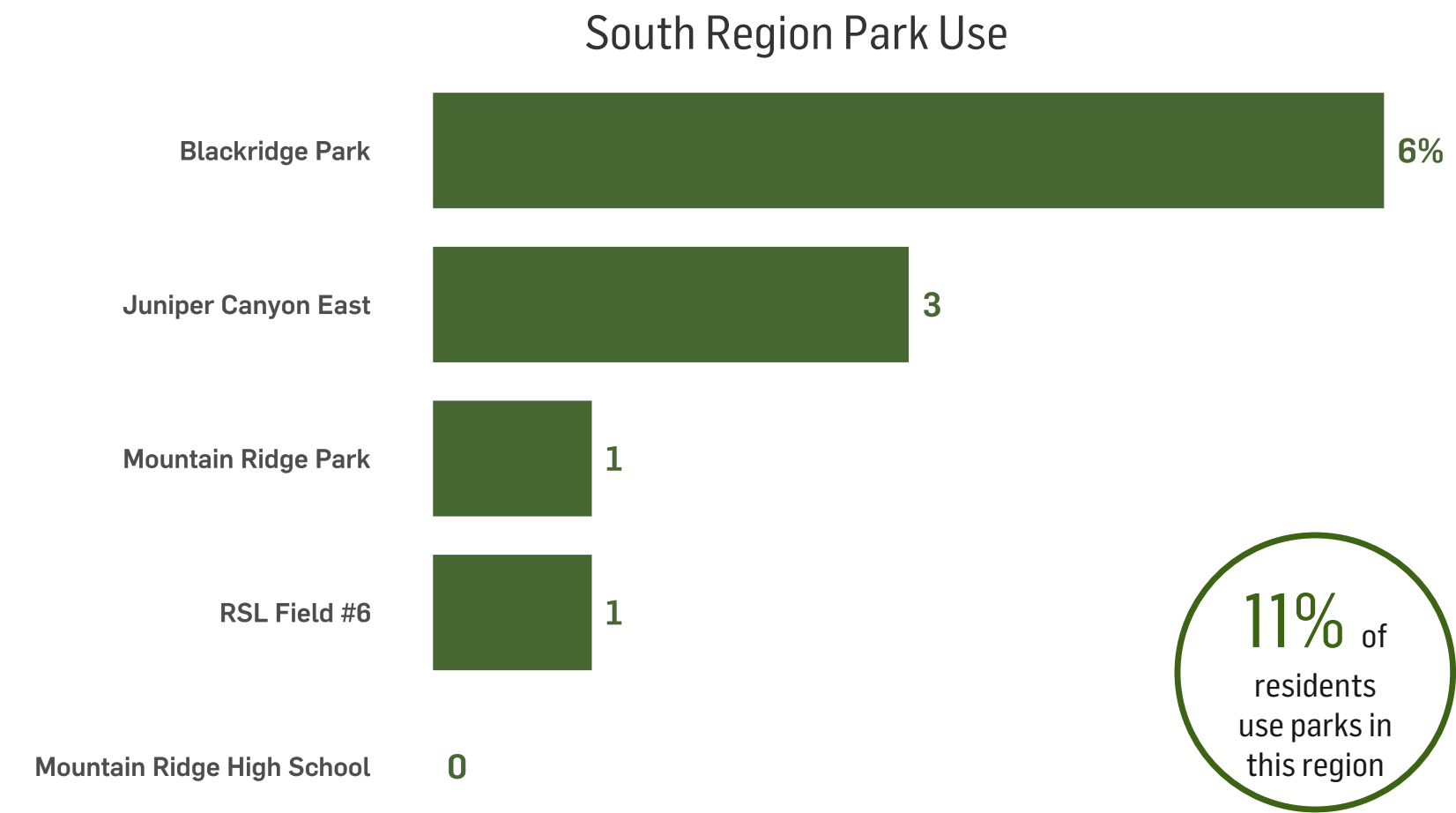


Why Residents Use Central Parks and What They Want Improved

Butterfield Park is the main hub for sports fields and courts (66%) and safety (29%). Rose Crest Park attracts 21% seeking trees and atmosphere, while the Cove at Herriman Springs serves more varied purposes. Improvement priorities reflect each park's role: Butterfield users want more trees and shade (33%) and additional sports fields and courts (18%). Cove users are split between other improvements (31%), more sports fields/courts (22%) and no changes needed (24%). Rose Crest user main want more trees/shade (23%), though 38% say no improvements are necessary.

Most Used Park in South Herriman: Blackridge Park

Blackridge Park (6%) and Juniper Canyon East (3%) are the most used parks in the southern region.



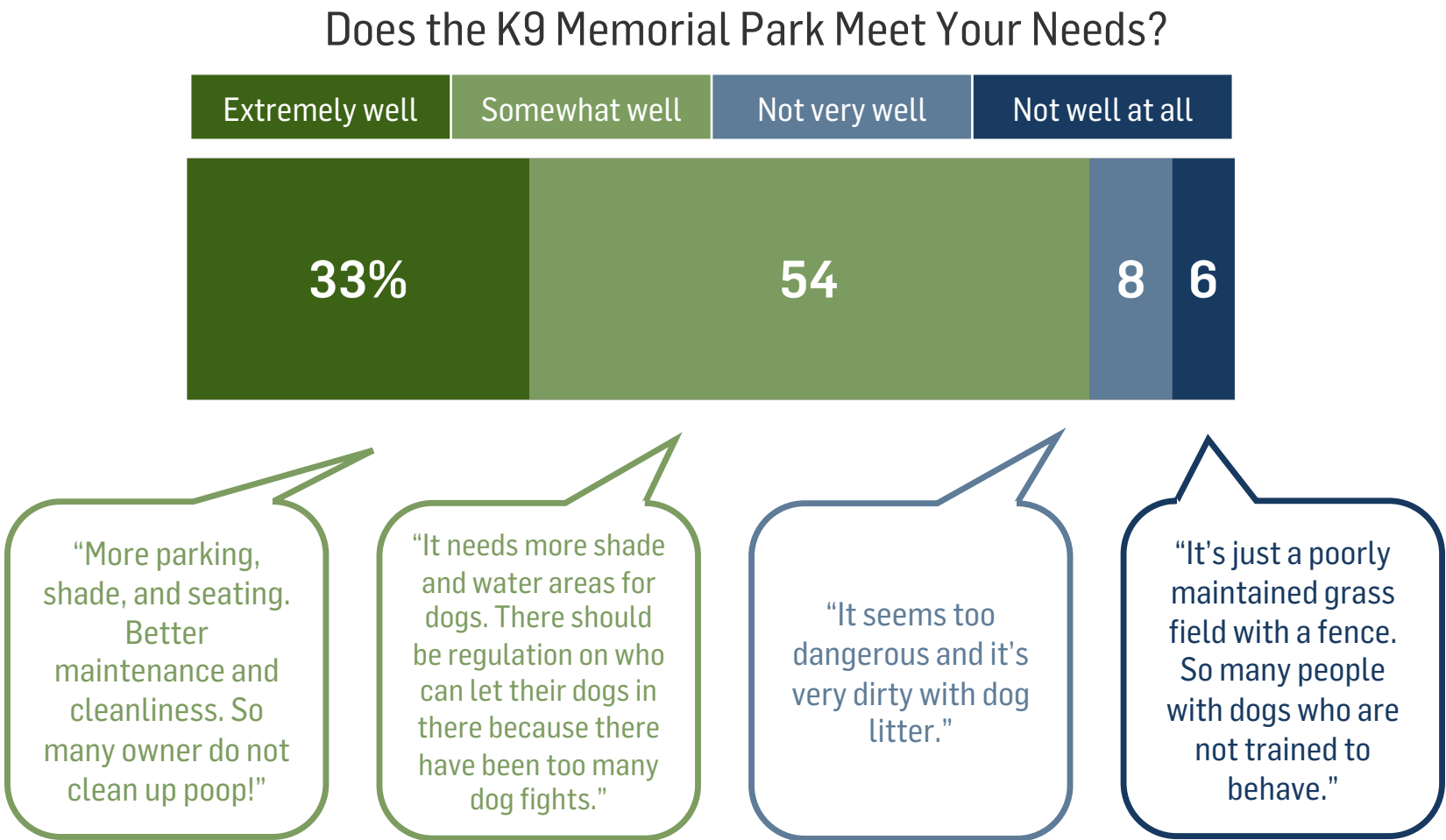
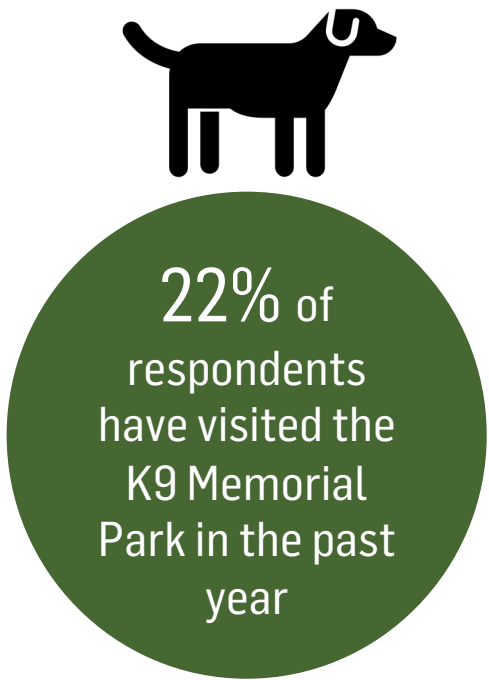
Why Residents Use Southern Parks and What They Want Improved

Blackridge Park is especially popular among southern region residents seeking physical fitness and exercise equipment (29%) and is also used by 20% of those prioritizing pathways and trails. The top requested improvements are more trees and shade (35%), other improvements not listed (34%), and additional walking and jogging paths (16%). Park users in this region using a park not listed have similar desired uses and improvements.

Q: Which Herriman City park, field, or recreational facility does your household use most often? *On the map below, please select the Herriman City park, field, or amenity you visit most frequently.* (n = 609)

High Satisfaction with K9 Park, Few Key Concerns Expressed

87% of respondents say the K9 Memorial Dog Park meets their needs either extremely or somewhat well. However, those less satisfied cited concerns with limited parking, lack of shade and seating, inadequate water access for dogs, and poor maintenance- particularly with dog waste cleanup.

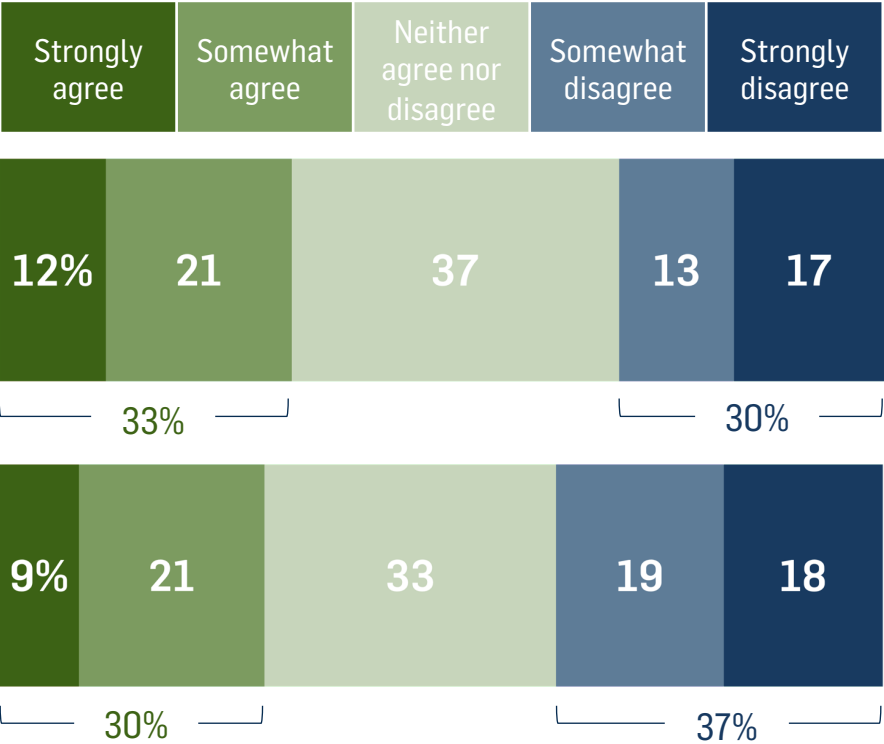


Q: Have you visited the K9 Memorial Dog Park in the past year? (n = 589)
Q: To what extent does the K9 Memorial Dog Park meet your needs? (n = 111)
Q: In a sentence or two, what could the K9 Memorial Dog Park do to better meet your needs? (n = 66)

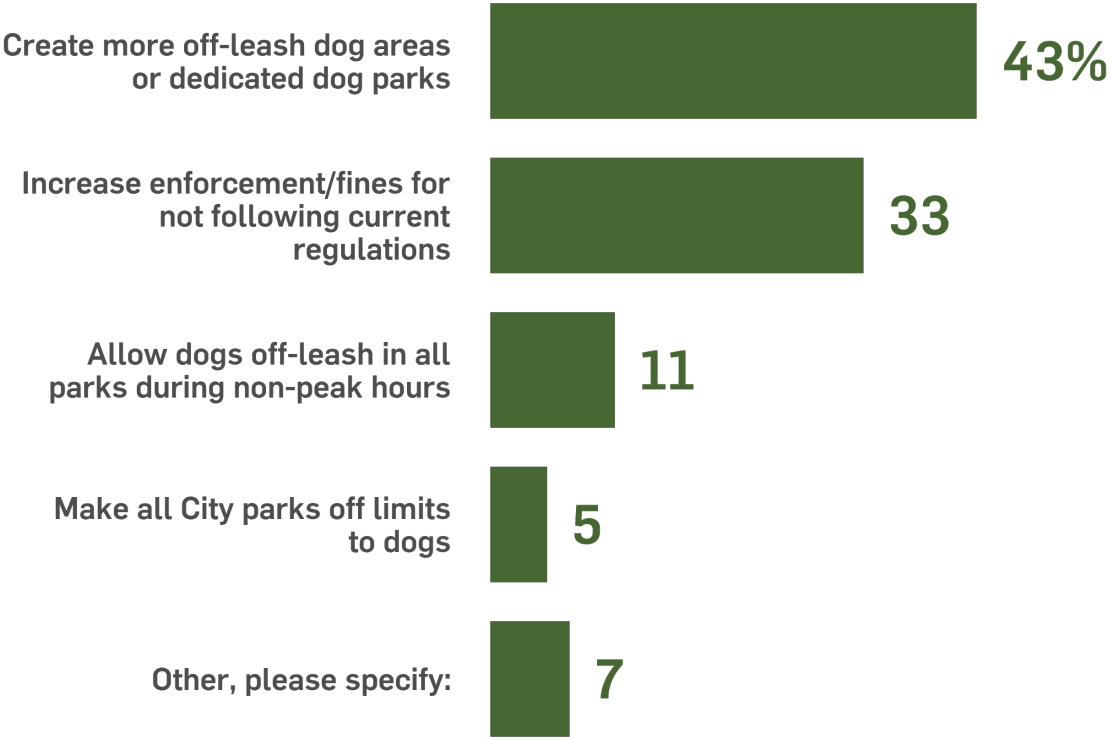
Mixed Views on Dog Conflicts; Support Grows for More Dog Parks

Fewer residents strongly agree than dogs cause conflicts in parks compared to 2019 (down from 12% to 9%), while the percentage of those neutral to the statement remains high. Support for creating more off-leash areas or dog parks has increased to 43% (up from 36%), becoming the clear top proposed solution. Very few support banning dogs from parks entirely, though support did rise slightly from 2% to 5%.

Dogs or Dog Owners Cause Conflict in Herriman Parks and Open Spaces



Solutions to Dog Problems in Herriman Parks

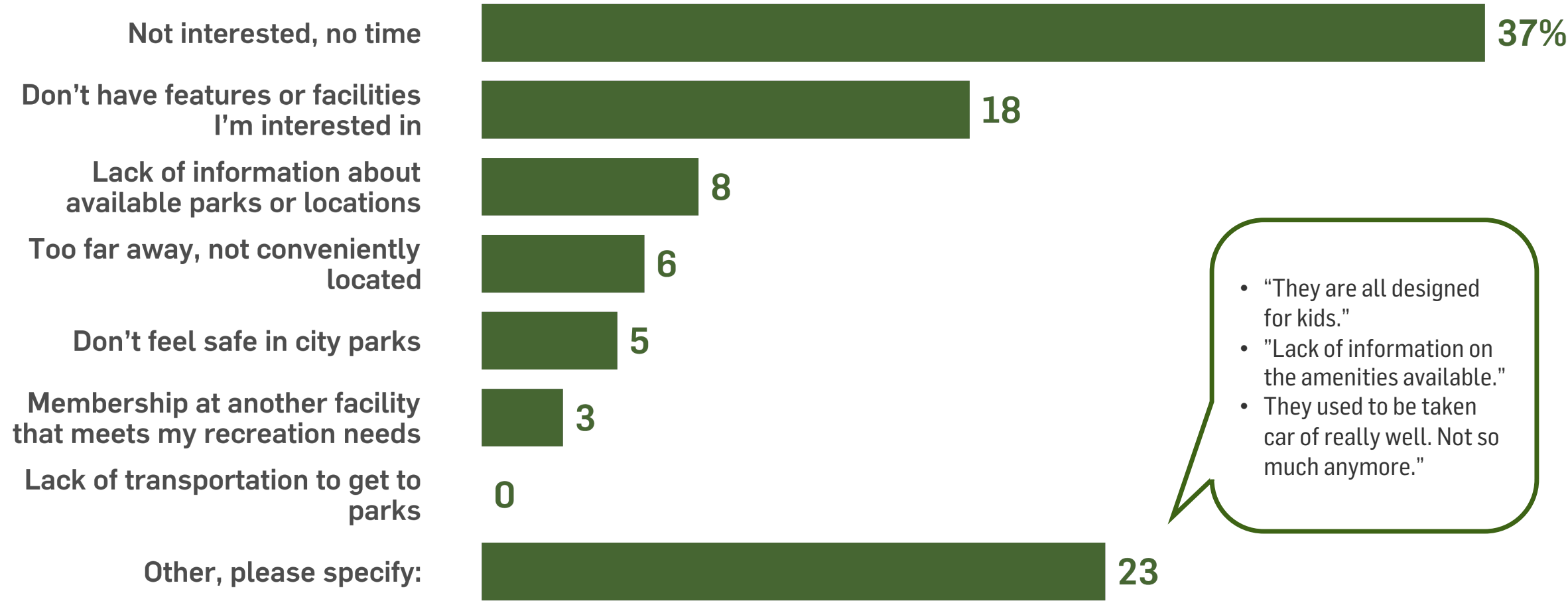


Q: To what extent do you agree or disagree with the following statement? *Dogs and/or their owners often cause conflicts with other users in Herriman parks and open spaces.* (n = 588)
Q: How would you most prefer Herriman to mitigate the conflicts between dogs and/or their owners and other park and open space users? (n = 582)

Lack of Time/Interest or Features Are Main Barriers to Park Use

Among non-users, 37% cite limited time or interest, while others point to missing features, lack of information, or other reasons.

Reason For Not Using Herriman Parks

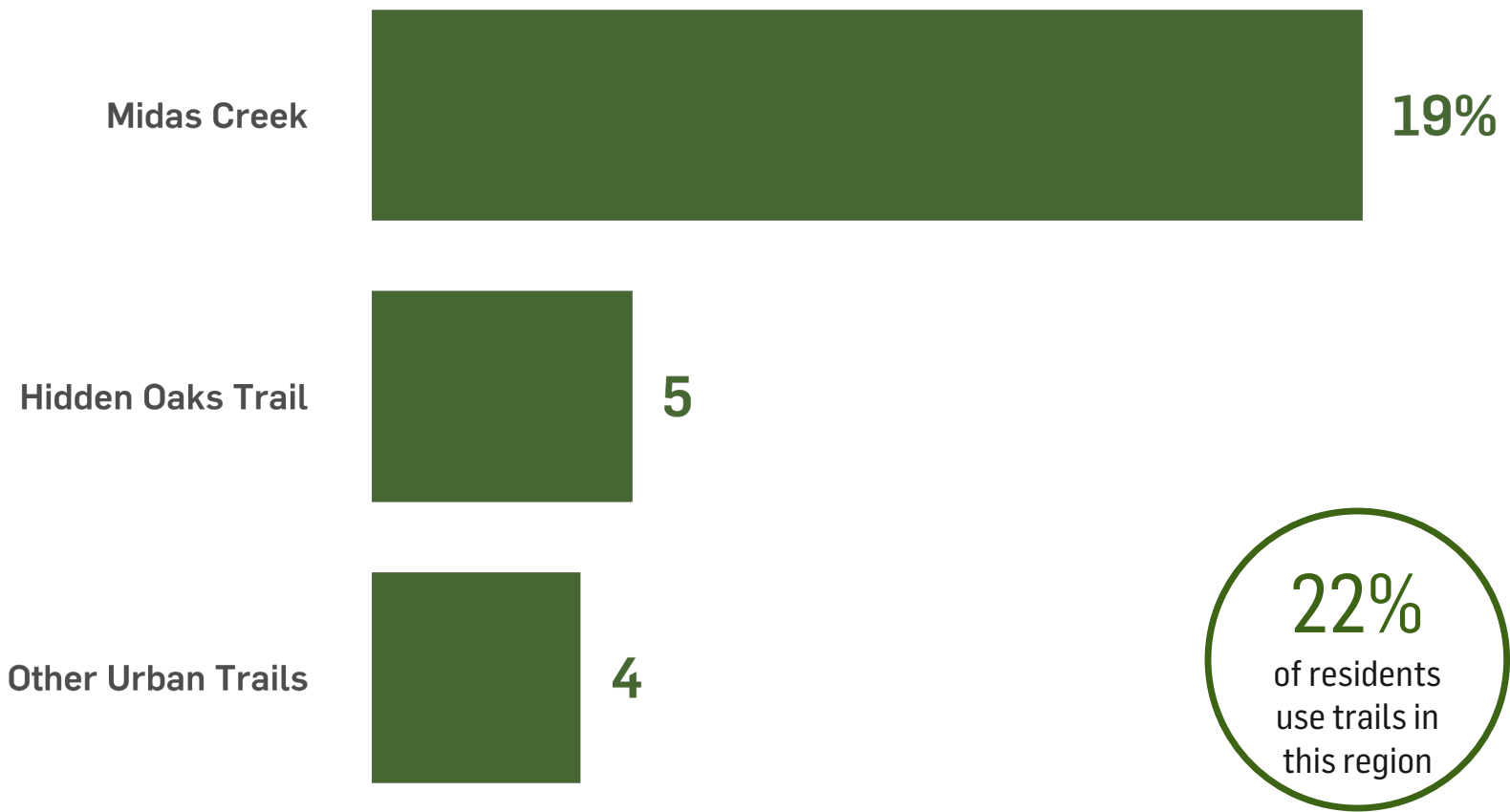


Appendix: Regional Trail Use & Improvements

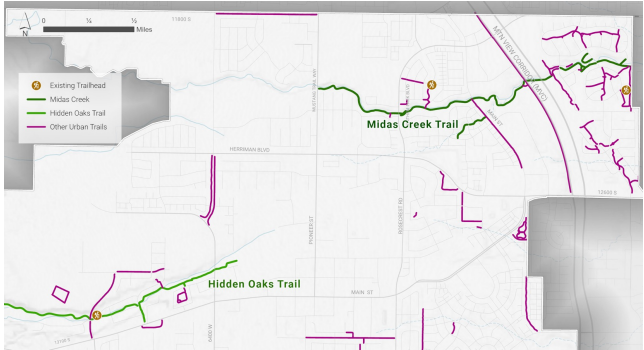
Midas Creek Is The Most-Used Trail in the North

Among trail users, 19% use Midas Creek and 5% use Hidden Oaks Trail most frequently, making them the most popular trails in northern Herriman.

North Region Trail Use



22%
of residents
use trails in
this region



Why Residents Use Northern Trails and What They Want Improved

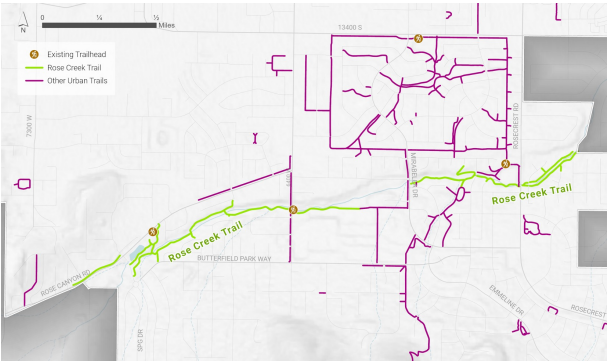
Midas Creek Trail is the most-used trail in the northern region, especially among bike commuters (100%), skateboarders (100%), recreational bikers (66%), and joggers (69%). Hidden Oaks and other trails see less but still notable use. Improvement priorities vary by trail. Midas Creek users most often want more complete and connect trails (41%) and better pet waste disposal (33%). Users of other urban trails prioritize connections to city parks (48%) and improved connectivity (34%). Hidden Oaks users also cite better connectivity (37%). Overall, improving trail connections is the top concern.

Q: Which Herriman City trail does your household use most often? Please select the Herriman City trail you visit most frequently. See the legend in the top left. (n = 115)

Rose Creek Leads Trail Use in Central Region

25% of all trail users in Herriman use Rose Creek Trail, making it the most used trail in Herriman.

Central Region Trail Use



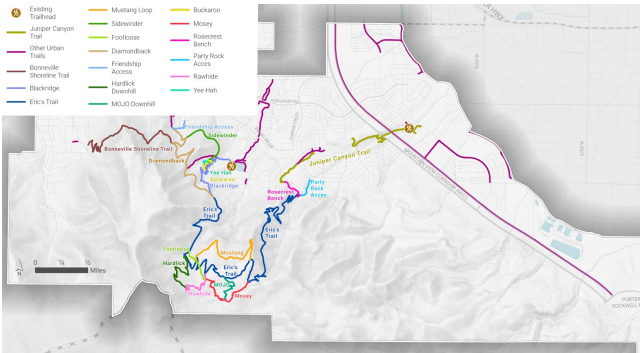
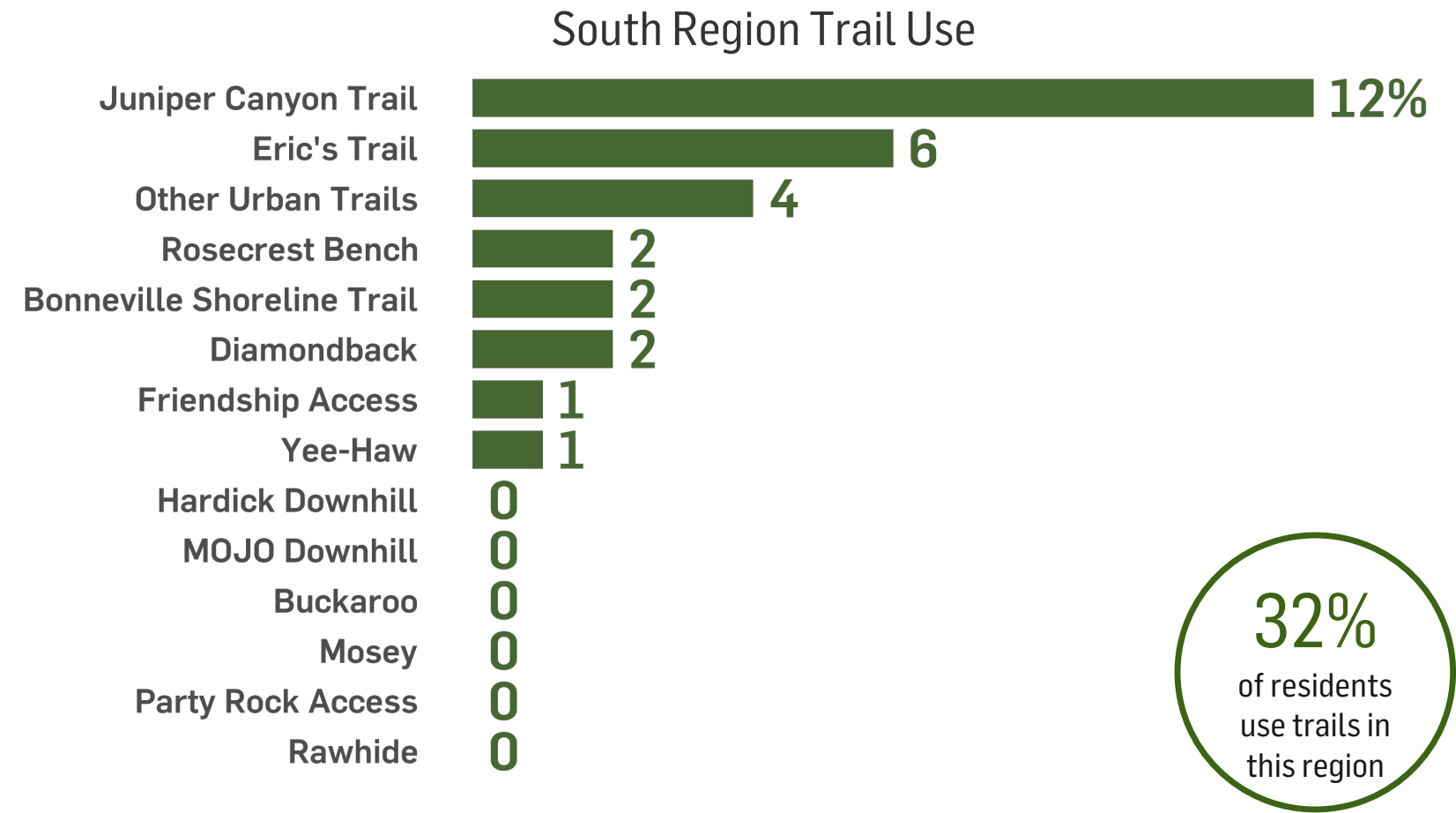
Why Residents Use Central Trails and What They Want Improved

Rose Creek Trail is the preferred option for most central region trail users, especially among skateboarders (100%), joggers (69%), and recreational bikers (77%). Equestrian users are more likely to use other urban trails (75%). Improvement priorities reflect the different uses of these trails. Among Rose Creek users, the top request is more restrooms (29%), while those using other urban trails most often want trails to be more complete or connected (31%) with restrooms also a common request (26%). Overall, better infrastructure and trail connectivity is desired from trail users in this region.

Q: Which Herriman City trail does your household use most often? Please select the Herriman City trail you visit most frequently. See the legend in the top left. (n = 201)

Juniper Canyon Leads Trail Use in the Southern Region

Among trail users, 12% use Juniper Canyon most often while 6% use Eric's Trail.



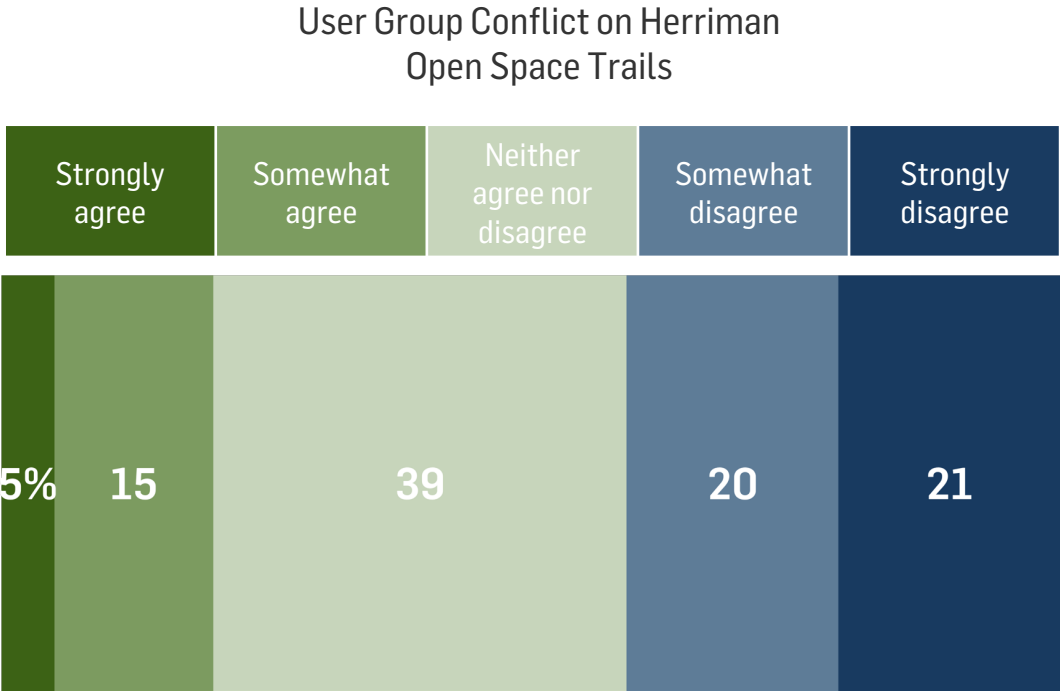
Why Residents Use Southern Trails and What They Want Improved

Southern trail use reflects distinct activity patterns. Eric's trail is the clear choice for equestrian users (100%) and is also popular among recreational bikers (43%). Juniper Canyon dominates for bike commuting (82%) and is the top pick for walkers and joggers (34%). For improvements, Juniper Canyon users most often want more complete and connected trails (39%) and better links to neighborhoods (27%). Eric's Trail users prioritize both completing connections (53%) and increasing trail miles (52%). Less-used trails share common requests for more parking, restrooms, added trail miles, and more links from trails to neighborhoods.

Q: Which Herriman City trail does your household use most often? Please select the Herriman City trail you visit most frequently. See the legend in the top left. (n = 196)

Most See Little Conflict on Trails, but Support Separate Paths

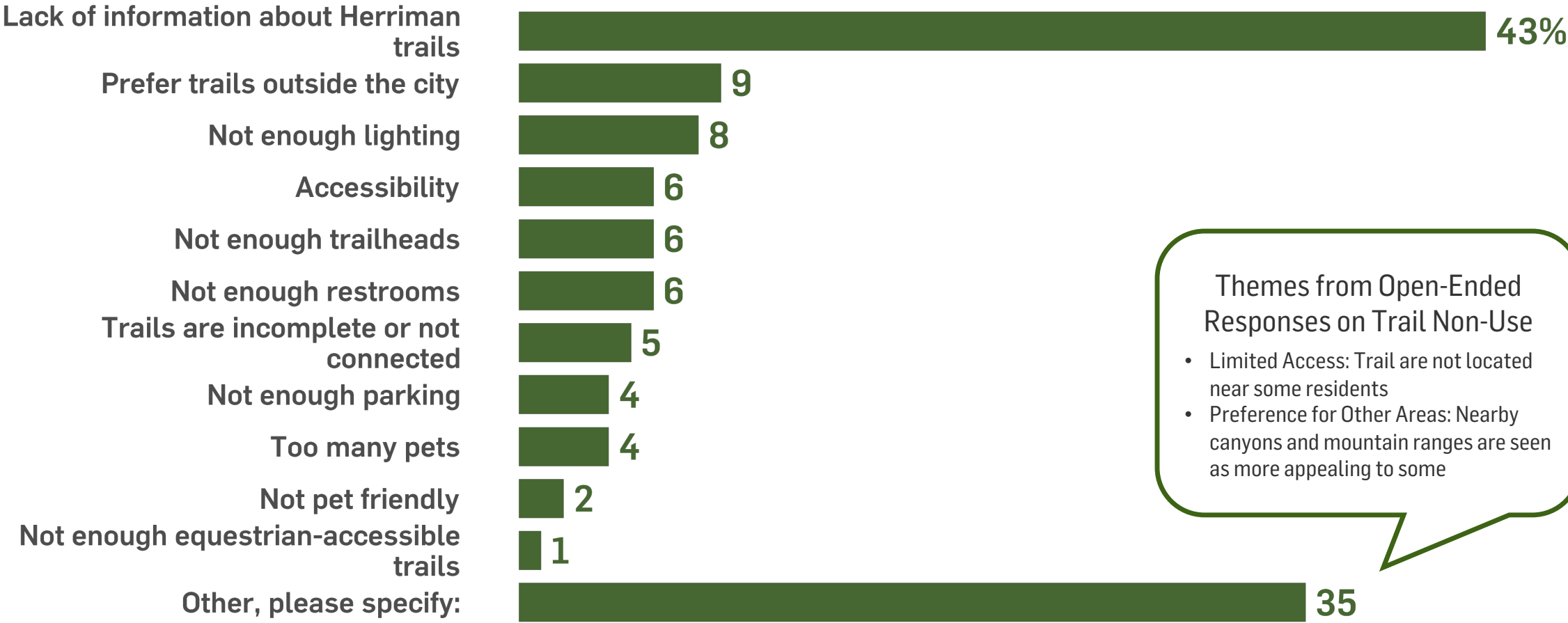
While only 20% of residents agree that user groups often conflict on Herriman's open space trails, nearly half (47%) support creating separate trails for different users as the top solution. Another 25% suggested alternatives such as leash requirements, alternating days, and promoting trail etiquette.



Top Barrier to Trail Use: Lack of Information

43% of respondents who don't use Herriman trails cite a lack of information as the main reason. Others mention preferring trails outside the city (9%), insufficient lighting (8%), or other reasons (35%)

Reasons For Not Using Trails

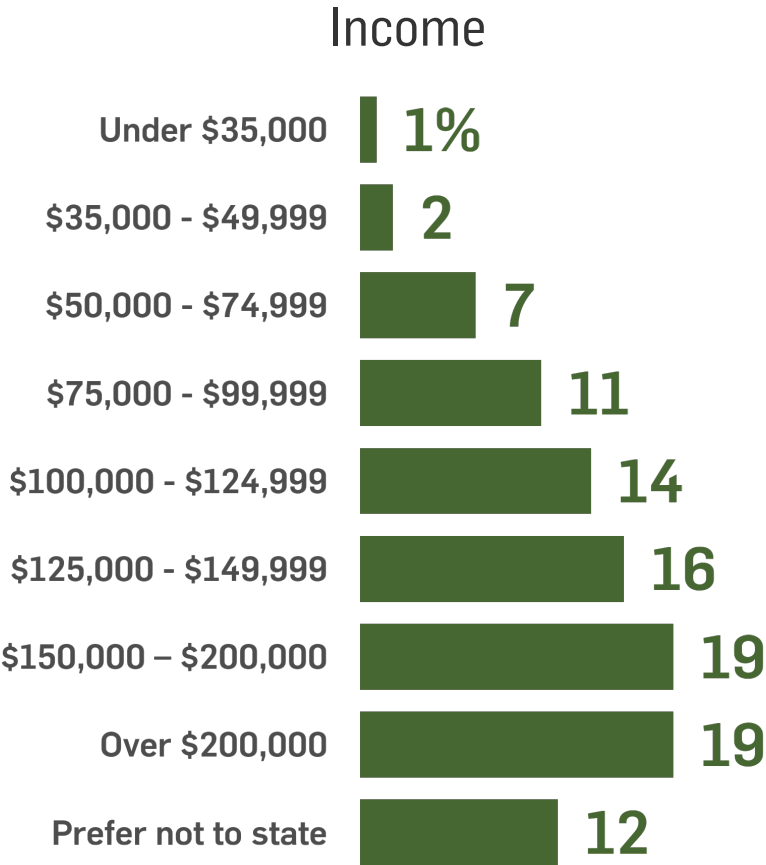
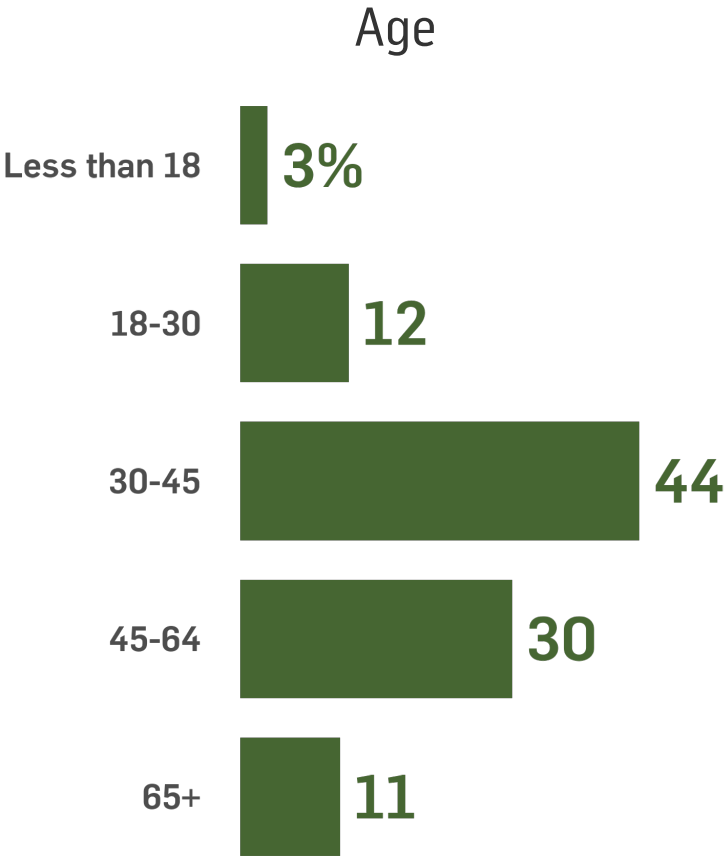
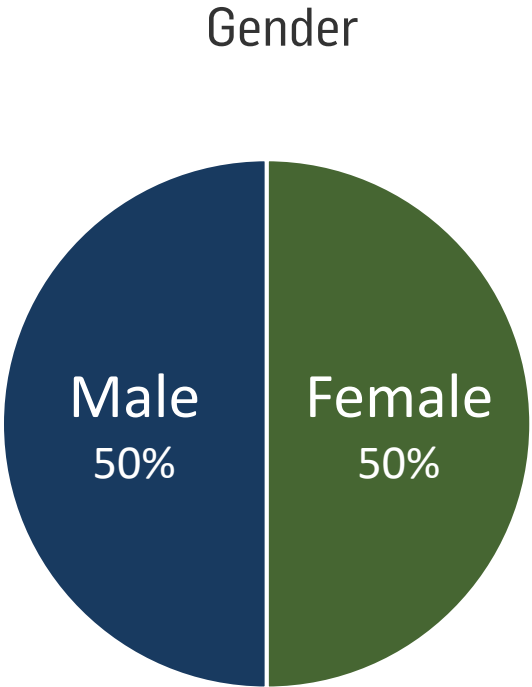


Themes from Open-Ended Responses on Trail Non-Use

- Limited Access: Trail are not located near some residents
- Preference for Other Areas: Nearby canyons and mountain ranges are seen as more appealing to some

Appendix: Sample Composition

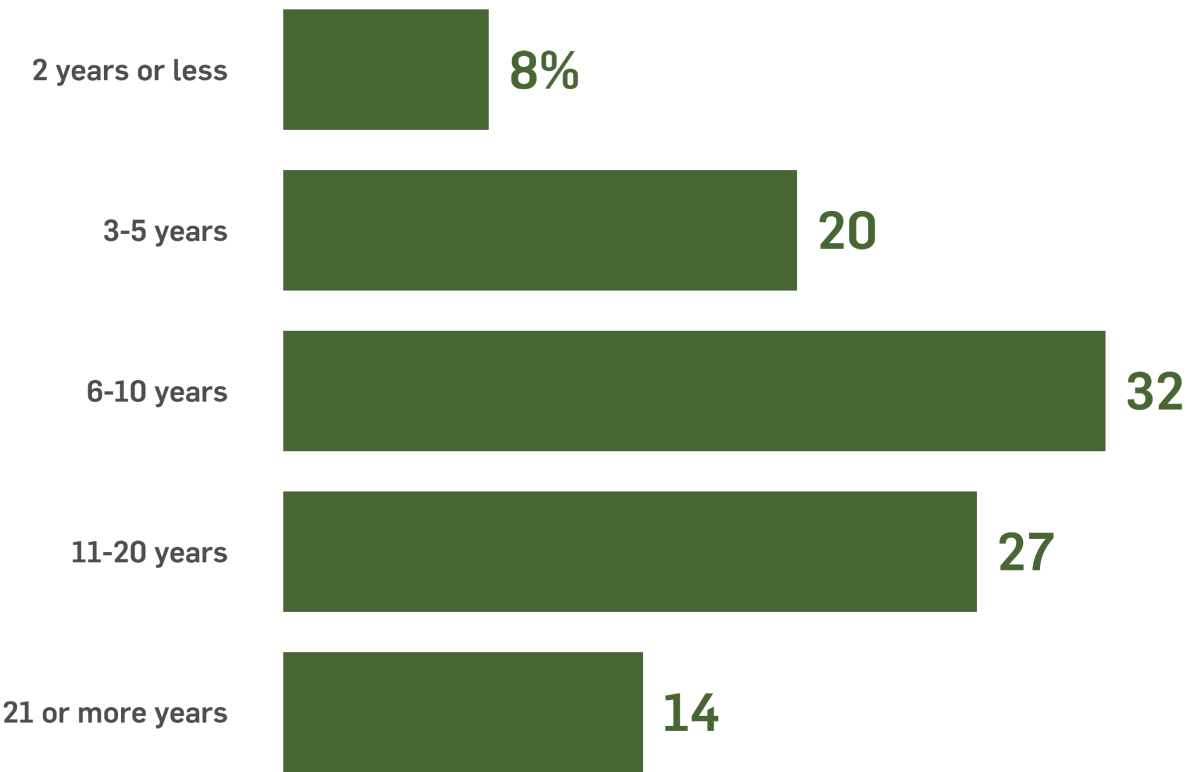
Basic Demographics



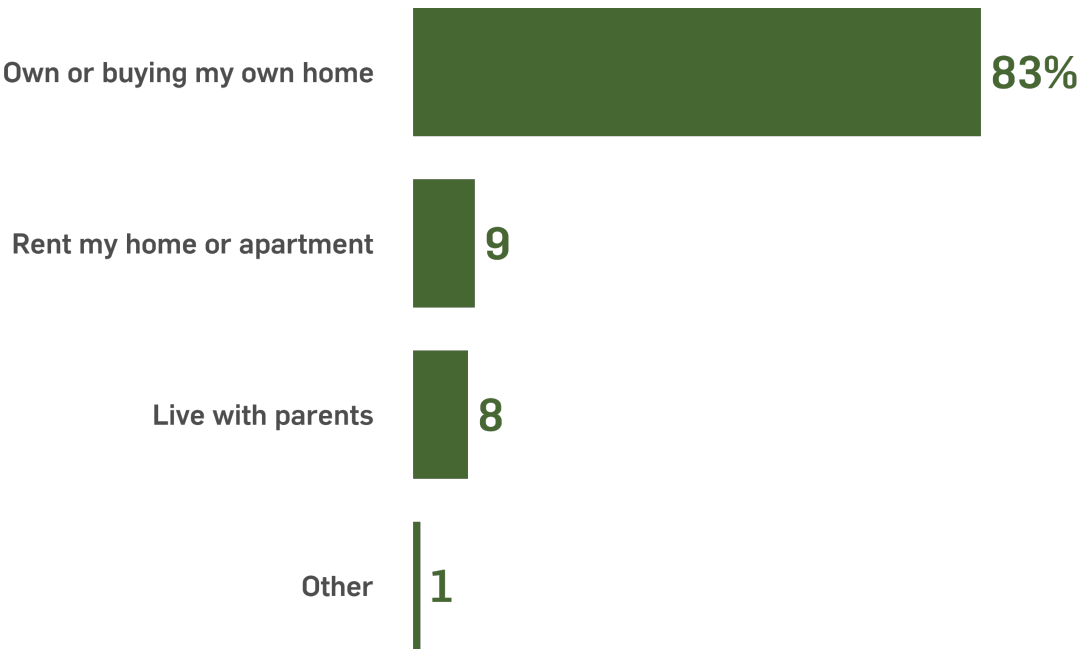
Q: What is your gender? (n = 588)
Q: Please enter the year you were born? (YYYY, e.g., 1975) (n = 609)
Q: What do you expect your 2025 family income to be? (n= 588)

Residence & Occupancy

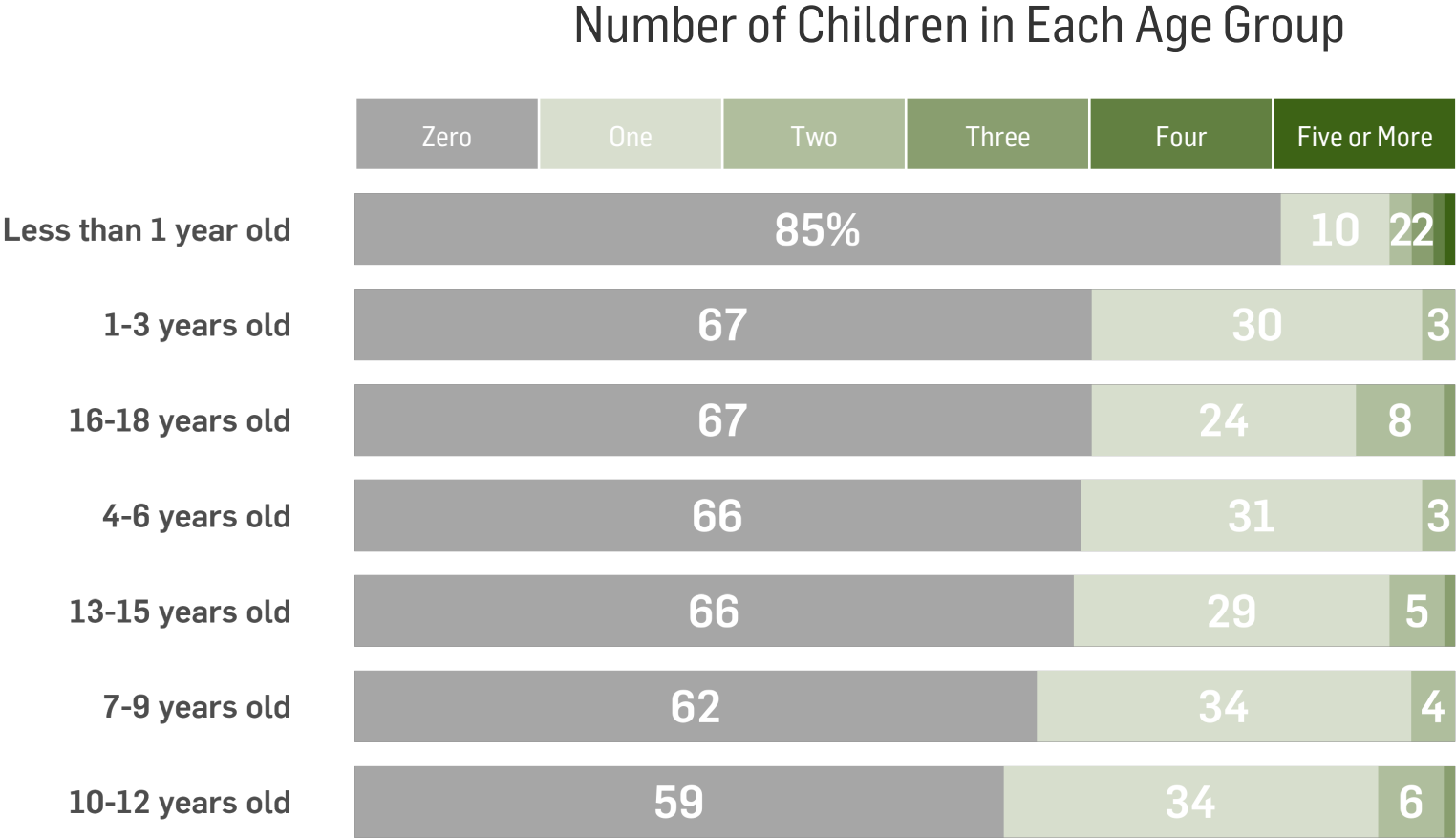
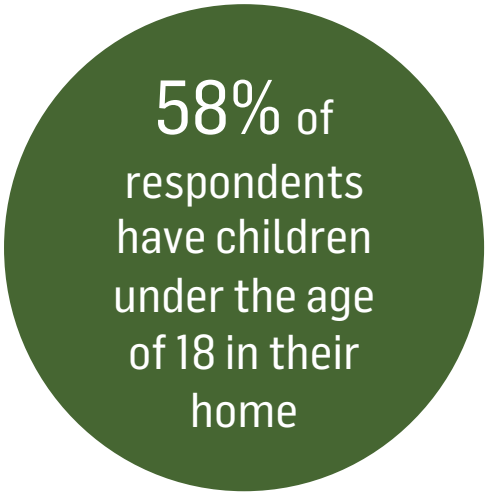
Length of Residence



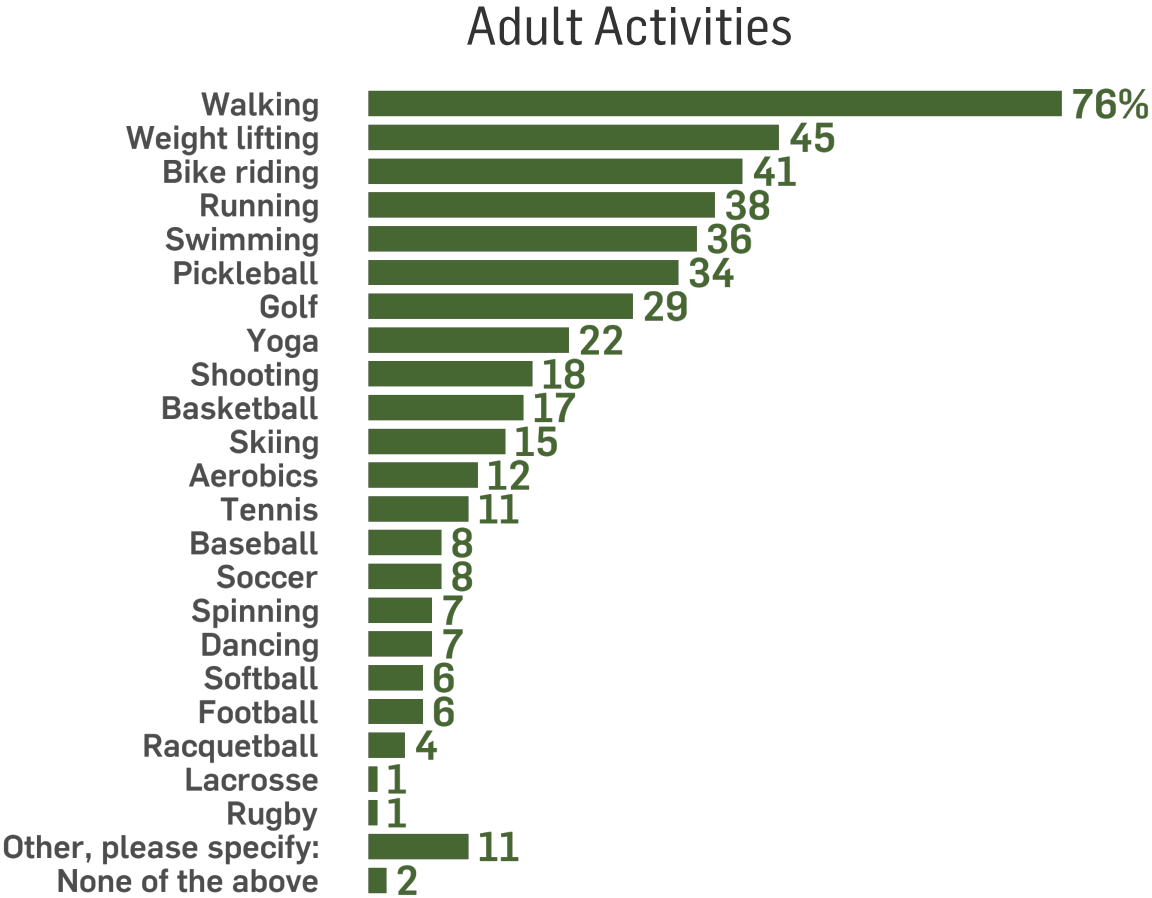
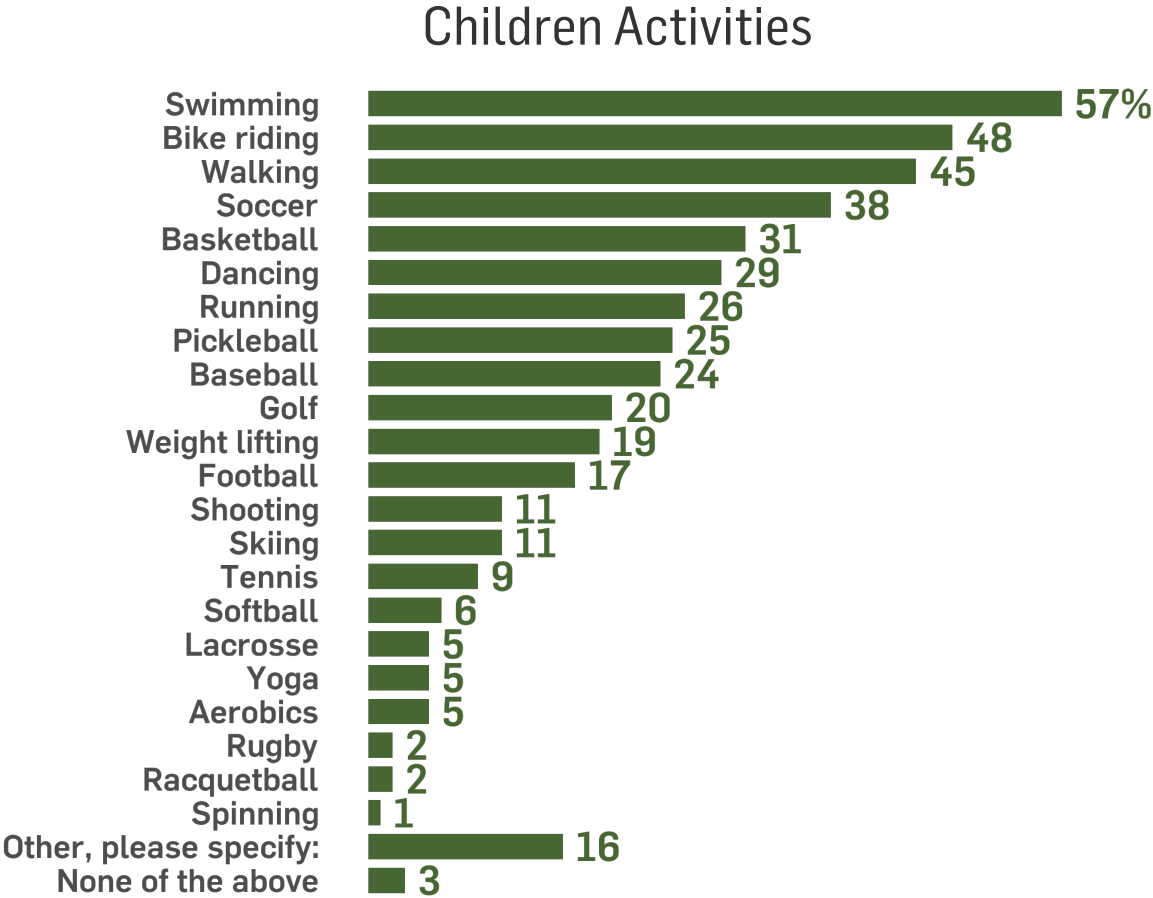
Home Ownership



Household Composition

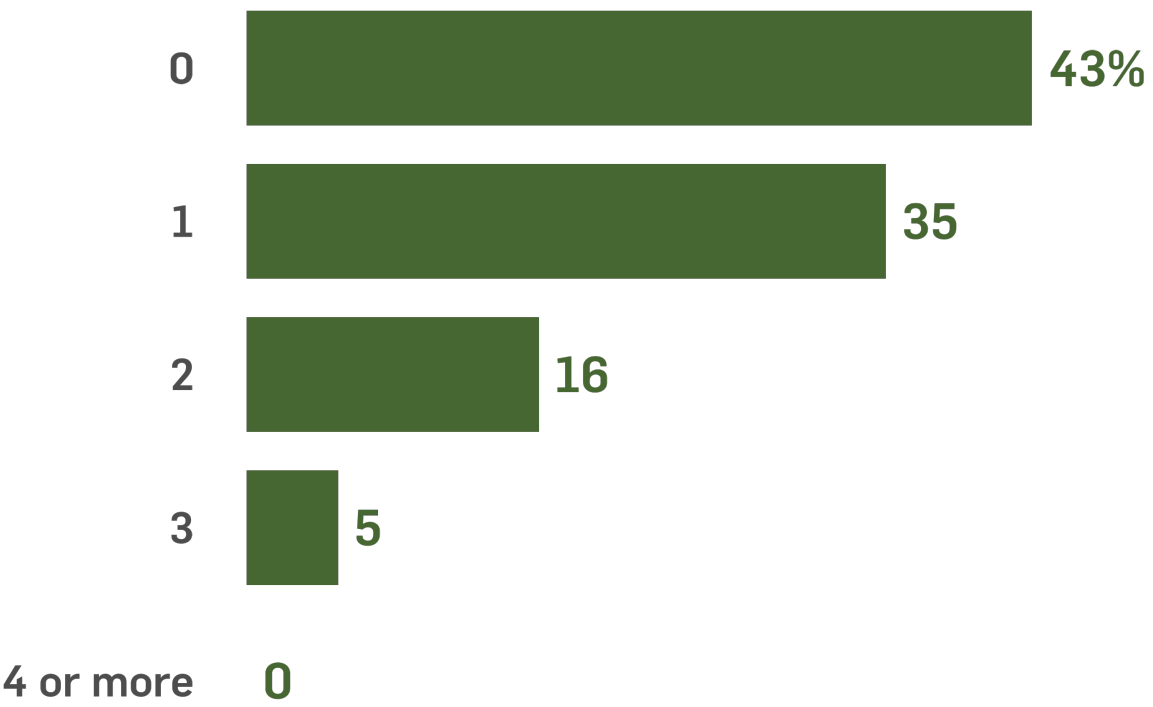


Household Recreation Habits

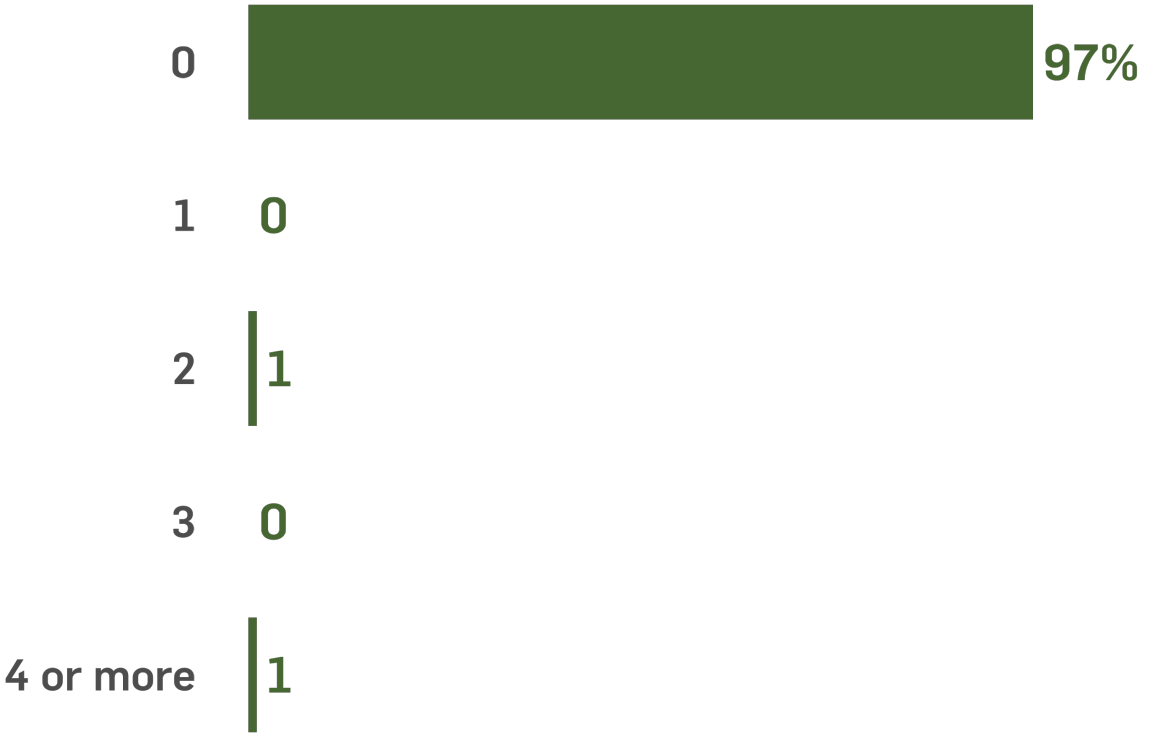


Domesticated Animals

Number of Dogs



Number of Horses





STAFF REPORT

DATE: October 8, 2025

TO: The Honorable Mayor and City Council

FROM: Bryce Terry, City Engineer

SUBJECT: Discussion Regarding Petition to Vacate Asphalt Trail near Rose Creek Estates Subdivision

RECOMMENDATION:

Staff recommends retaining the trail at this time, as it serves its intended purpose of providing pedestrian connectivity within the subdivision and to the broader trail and sidewalk network. While the petition reflects valid concerns from adjacent property owners, the trail benefits the larger community and aligns with the City's long-term goals for walkability and open space access.

ISSUE BEFORE COUNCIL:

Whether to initiate proceedings to vacate a public trail located behind properties in Rose Creek Estates Phases 7a and 7b, following receipt of a resident petition citing safety, privacy, and maintenance concerns.

At the September 2025 City Council Work Meeting, Council requested additional information regarding:

1. How the trail could be vacated procedurally, and
2. What the associated costs and staff resources would be.

BACKGROUND/SUMMARY:

The City received a petition signed by 13 of 16 homeowners whose lots are immediately adjacent to an asphalt-paved public trail that was dedicated as part of the Rose Creek Estates Phase 7a subdivision. The trail connects to 13400 South and links sidewalks and neighborhood streets, contributing to the subdivision's pedestrian network.

The petitioner expressed concerns related to:

- The 12-foot-wide corridor causes safety concerns.
- Loitering, littering, and occasional unauthorized vehicle use.
- Limited City maintenance leading to overgrowth and weed problems.
- Resident privacy and security.
- Proximity to 13400 South contributes to perceived safety issues.

Some residents have installed privacy fencing contrary to City policy to mitigate these concerns. A personal anecdote was shared in which a resident's pet accessed the trail and was killed in traffic on 13400 South, emphasizing the impacts of the trail's current configuration.

It is important to note that the petition was signed by property owners immediately adjacent to the trail. The trail, however, was intended to serve the broader subdivision and surrounding neighborhood, and there is potential that a larger sampling of the community may yield different results. The current petition is more a representation of feedback from residents who live immediately adjacent to the trail.

Previously, this issue was discussed at a Council meeting in January 2024, where the initial discussion resulted in a opposition to vacating the trail, however, no formal action was taken at that time, and since that time there has been a petition sent to the Council.

DISCUSSION:

Information regarding the two questions that were asked at the last council meeting is as follows:

1. According to the City Attorney, Herriman City has flexibility in determining how the vacation would occur. The Council may choose to:
 - a. Split the trail corridor evenly and vacate ownership to the adjacent property owners on both sides, or
 - b. Vacate the full width of the corridor to one side, should there be justification (e.g., topography, existing improvements, or property access).
2. Two options are possible to complete the vacation as presented in the table below

Method	Pro/Cons	Description	Estimated Cost
Plat Amendments (recommended)	This will update the plat that has already been recorded, which is the cleanest way to record and update parcel data for future reference. It	Amend and record the two affected subdivision plats to remove the trail dedication and	\$2,750

	does require the signature of all property owners impacted	redistribute the land to adjacent parcels.	
Quit Claim Deeds	Able to be quickly signed and doesn't require the signature of the whole group. Allows for the trail to be vacated in pieces individually.	Prepare and record 18 individual quit claim deeds transferring ownership of the trail portions to adjacent property owners.	\$1,900

ALTERNATIVES:

1. **Retain the trail** and implement targeted improvements to address resident concerns.
2. **Conduct broader public outreach** to determine community sentiment before taking formal action.
3. **Initiate a formal vacation process**, including public notice and evaluation of reversionary interests.

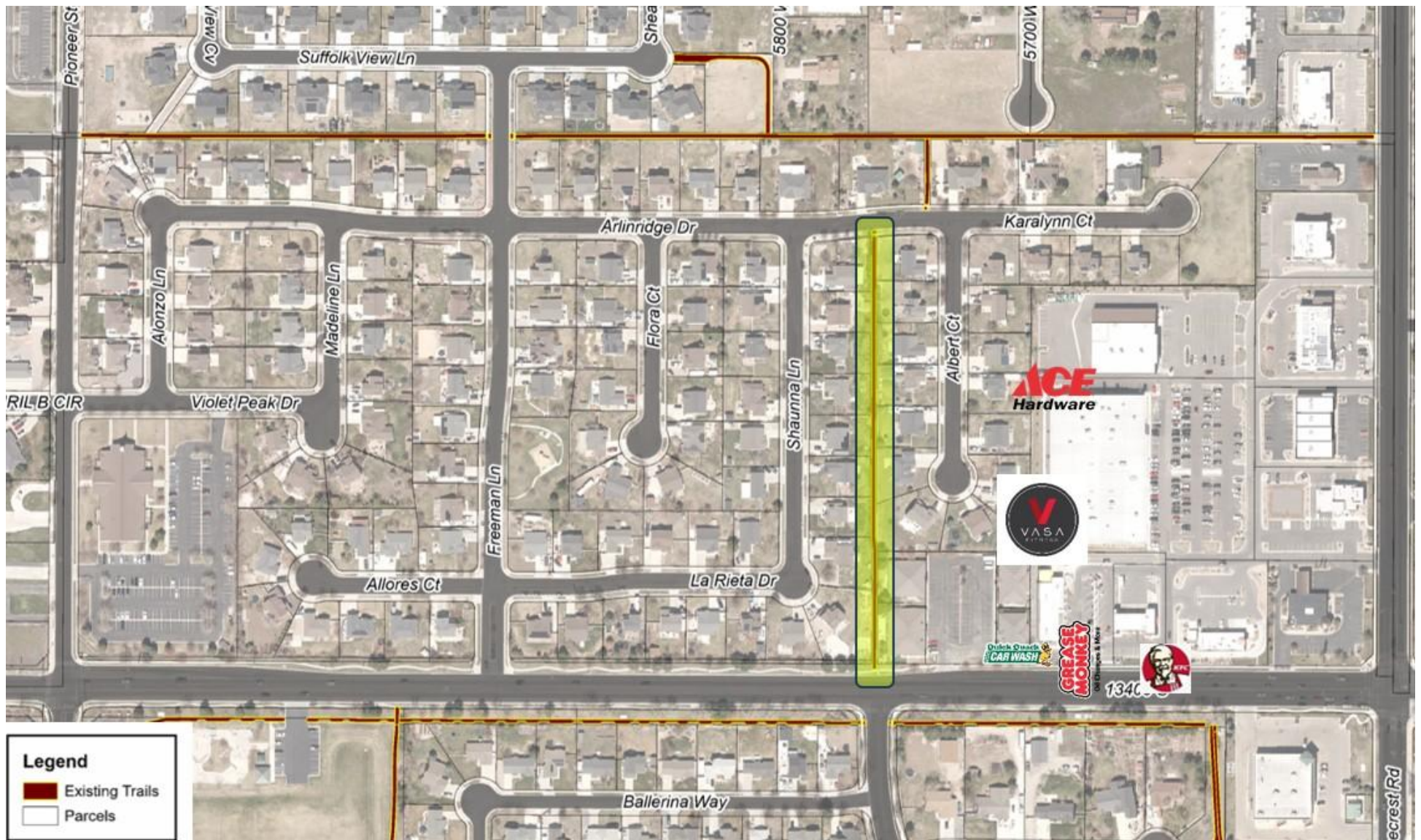
FISCAL IMPACT:

N/A

ATTACHMENTS:

- Exhibit 1 – Location of the Trail
- Rose Creek Estates Phase 7A Subdivision Plat (how the trail was dedicated to the City)

EXHIBIT 1 – Location of Trail





STAFF REPORT

DATE: October 10, 2025

TO: The Honorable Mayor and City Council

FROM: Kyle Maurer, Director of Finance and Administrative Services

SUBJECT: Discussion on a potential fiscal year 2026/2027 water rate increase

RECOMMENDATION:

N/A – This is for discussion only.

ISSUE BEFORE COUNCIL:

N/A – This is for discussion only. Staff would like direction on potential rate increase alternatives or other information the City Council needs to make an informed decision.

ALIGNMENT WITH STRATEGIC PLAN:

ES 8 – Ensure fiscal sustainability within all City functions

BACKGROUND/SUMMARY:

On March 27, 2024, the City Council adopted water rates based on a water rate fee study performed by Bowen Collins and Associates. The fee study recommends yearly fee increases through fiscal year 2033. Staff will update the City Council on the Water Fund's financial performance for fiscal year 2025 and discuss staff's recommended fee increase for fiscal year 2026/2027 (December 2025 through November 2026).

DISCUSSION:

A fee rate study was performed by Bowen Collins and Associates for fiscal years 2025 through 2033, with a focus on fiscal years through 2029. Several scenarios were presented, with the final one adopted by the City Council being yearly rate increases in conjunction with bonding for capital projects. The recommended rate increases by Bowen Collins were as follows:

<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
16.3%	13%	13%	9.5%	3%

As part of the adoption, the City Council directed staff to evaluate actual financial performance against the rate model and present updated rate scenarios yearly. Below is a summary of financial performance compared to the model for fiscal year 2025:

Water Rate Model Actual Performance Versus Expected (Unaudited)			
	Actual	Model	Difference
Rate Revenue	\$ 15,742,739	\$ 13,512,167	\$ 2,230,572
Non-Rate Revenue	6,159,680	4,938,310	1,221,370
Bond Proceeds	-	9,000,000	(9,000,000)
Total Revenue	21,902,419	27,450,477	(5,548,058)
Operating Expenses	12,179,313	13,858,635	1,679,322
Debt Service	2,554,409	2,549,910	(4,499)
Capital Expenses	4,721,169	8,252,298	3,531,129
Total Expenses	19,454,891	24,660,843	5,205,952
Beginning Fund Balance	7,448,078	2,337,540	5,110,538
Ending Fund Balance	9,895,606	5,127,174	4,768,432
Recommended Reserve	6,089,656	6,929,318	839,661
Available for Appropriation	\$ 3,805,949	\$ (1,802,144)	\$ 5,608,093

Overall, the Water Fund outperformed the model for fiscal year 2025. Contributing factors included rate revenue exceeding expectations (due to higher than anticipated consumption) and operating expenses coming in lower than anticipated. In addition, the model contemplated issuing a bond for capital projects, which did not occur. Ending fund balance was also \$4.8 million more than anticipated in the model.

Continuing with the Bowen Collins recommended rate model would yield the following projected financial results:

Water Rate Model						
Bowen Collins Recommended Rate Increase						
Recommended Rate Increase	16%	13%	13%	10%	3%	
	2025 (Actual) (Unaudited)	2026 (Budget/ Estimated)	2027 (Forecast)	2028 (Forecast)	2029 (Forecast)	Total
Rate Revenue	\$ 15,742,739	\$ 17,588,635	\$ 20,729,790	\$ 23,068,110	\$ 24,639,279	\$ 101,768,553
Non-Rate Revenue	6,159,680	3,766,068	4,034,928	4,310,062	4,590,712	22,861,451
Bond Proceeds	-	8,000,000	15,000,000	13,000,000	-	36,000,000
Total Revenue	21,902,419	29,354,704	39,764,717	40,378,172	29,229,991	160,630,003
Operating Expenses	12,179,313	15,880,820	15,816,557	16,858,177	17,941,480	78,676,347
Debt Service	2,554,409	2,556,110	3,306,385	4,724,992	5,947,086	19,088,983
Capital Expenses	4,721,169	14,070,131	15,191,800	16,484,950	2,679,453	53,147,503
Total Expenses	19,454,891	32,507,061	34,314,742	38,068,119	26,568,020	150,912,833
Beginning Fund Balance	7,448,078	9,895,606	6,743,248	12,193,224	14,503,277	
Ending Fund Balance	9,895,606	6,743,248	12,193,224	14,503,277	17,165,248	
Recommended Reserve	6,089,656	7,019,350	7,908,278	8,429,088	8,970,740	
Available for Appropriation	\$ 3,805,949	\$ (276,102)	\$ 4,284,945	\$ 6,074,188	\$ 8,194,508	

Ending fund balance available for appropriation would be approximately \$8.2 million.

Below is an alternative scenario where fund balance available for appropriation is used to offset rate increases over the next four years:

Water Rate Model						
Staff Recommended Rate Increase						
Recommended Rate Increase	16.3%	6.5%	6.5%	6.5%	6.5%	
	2025 (Actual) (Unaudited)	2026 (Budget/ Estimated)	2027 (Forecast)	2028 (Forecast)	2029 (Forecast)	Total
Rate Revenue	\$ 15,742,739	\$ 16,576,900	\$ 18,413,537	\$ 20,394,834	\$ 22,524,156	\$ 93,652,166
Non-Rate Revenue	6,159,680	3,766,068	4,034,928	4,310,062	4,590,712	22,861,451
Bond Proceeds	-	8,000,000	15,000,000	13,000,000	-	36,000,000
Total Revenue	21,902,419	28,342,968	37,448,465	37,704,896	27,114,869	152,513,617
Operating Expenses	12,179,313	15,880,820	15,816,557	16,858,177	17,941,480	78,676,347
Debt Service	2,554,409	2,556,110	3,306,385	4,724,992	5,947,086	19,088,983
Capital Expenses	4,721,169	14,070,131	15,191,800	16,484,950	2,679,453	53,147,503
Total Expenses	19,454,891	32,507,061	34,314,742	38,068,119	26,568,020	150,912,833
Beginning Fund Balance	7,448,078	9,895,606	5,731,513	8,865,235	8,502,012	
Ending Fund Balance	9,895,606	5,731,513	8,865,235	8,502,012	9,048,861	
Recommended Reserve	6,089,656	7,019,350	7,908,278	8,429,088	8,970,740	
Available for Appropriation	\$ 3,805,949	\$ (1,287,837)	\$ 956,957	\$ 72,924	\$ 78,121	

Under this scenario, the recommended rate increase is reduced to 6.5% per year (versus the average yearly increase of 9.0% under the Bowen Collins model). Bonding of \$36 million is still contemplated (similar to the Bowen Collins model). An additional scenario was calculated by

staff reducing the amount of bonding to \$32 million, but that scenario only reduced the average rate increase by 1.1%.

A public hearing will be scheduled for a future City Council meeting to possibly adopt a water utility rate increase. Staff would like direction and input on other potential rate increase scenarios to consider.

ALTERNATIVES:

N/A – This is for discussion only.

FISCAL IMPACT:

Fiscal impact is dependent on the Council's decision in a City Council meeting.

ATTACHMENTS:



STAFF REPORT

DATE: October 10, 2025

TO: The Honorable Mayor and City Council

FROM: Kyle Maurer, Director of Finance and Administrative Services

SUBJECT: Discussion and consideration of an Ordinance adopting the Public Safety Impact Fee Facilities Plan, Impact Fee Analysis, imposing Public Safety Impact Fees, and providing for the calculation and collection of such fees.

RECOMMENDATION:

Staff Recommends Approval of the Ordinance.

ISSUE BEFORE COUNCIL:

Should the City Council adopt the Impact Fee Facilities Plan, Impact Fee Analysis, and enact the public safety impact fees as presented?

ALIGNMENT WITH STRATEGIC PLAN:

ES 8 – Ensure fiscal sustainability within all City functions

BACKGROUND/SUMMARY:

The City enacted a Police Impact Fee in March 2019 and a Fire Impact Fee in September 2020. It is best practice to update both the Impact Fee Facility Plan (IFFP) and Impact Fee Analysis (IFA) regularly to ensure impact fees reflect current market conditions. Zions Public Finance, Inc. has prepared an update to both documents for consideration.

DISCUSSION:

To adopt an updated Impact Fee, the City needs to notice a public hearing and provide the public an opportunity to review the IFFP, IFA, and Enactment. After the public hearing, the City may choose to adopt, reject, or adopt with modifications the maximum recommended impact fee. Once the impact fee has been enacted, there is a 90-day waiting period before the new impact fee could be collected.

The recommended Public Safety Impact Fees for 2025 are included on Table 45 of the Public Safety Impact Fee Analysis. A summary is provided below:

	Police	Fire	Total (Per Unit or Per SF)
Residential	\$201.13	\$549.16	\$750.29
Non-Residential	\$0.35	\$0.43	\$0.78

The current fees are as follows:

	Police	Fire
Residential	\$288.50	\$444.08
Non-Residential	\$0.50	\$0.27

The IFA recommends yearly fee increases. If pursued, these would be brought back to the City Council for consideration and adoption each year.

ALTERNATIVES:

The City Council may choose not to adopt the IFFP, IFA, or Impact Fees. The City Council may choose to adopt a fee lower than staff's recommendation.

FISCAL IMPACT:

Fiscal impact will be dependent on the amount and type of development within the City.

ATTACHMENTS:

Impact Fee Facilities Plan
Impact Fee Analysis
Ordinance

HERRIMAN CITY



DRAFT PUBLIC SAFETY IMPACT FEE FACILITIES PLAN



Zions Public Finance, Inc.
July 2025

Executive Summary

Herriman City (the “City”) has been one of the fastest growing cities in Utah in recent decades.¹ This growth in population results in new residential (dwelling units) and non-residential (commercial and institutional) development. From 2025-2035, the City’s population is expected to increase by 21,746 persons and will be accompanied by other nonresidential development.

TABLE 1: PROJECTED POPULATION, HOUSEHOLD, AND NON-RESIDENTIAL SQUARE FEET GROWTH SUMMARY, 2025-2035

Year	Population	Residential Units	Non-Residential SF
2025	62,731	18,236	4,763,004
2035	84,477	24,557	6,414,170
Growth 2025-2035	21,746	6,321	1,651,166
<i>Source: Herriman City, U.S. Census Bureau, UGRC, Salt Lake County Assessor’s Office, ZPFI</i>			
<i>*Percentage is calculated using the total 2025 figures.</i>			

Due to projected growth, the City will need additional facility space to maintain its proposed level of service (PLOS). Service levels are measured as qualifying public safety facility square feet (SF) per call. If more facility space isn’t constructed, the proposed level of service (PLOS) will decrease as new development is created in the City.

TABLE 2: 10-YEAR IMPACTS TO PUBLIC SAFETY LEVELS OF SERVICE WITHOUT NEW CONSTRUCTION

Description	Existing Level of Service (ELOS, 2025)	Proposed Level of Service (PLOS)	Projected Level of Service with No New Facilities (2035)
Police			
Police Building Space	0.45 SF/call	0.41 SF/call	0.33 SF/call
Exterior Storage	0.32 SF/call	0.32 SF/call	0.23 SF/call
Fire			
Fire Facilities	11.69 SF/call	11.69 SF/call	8.68 SF/call

Police will see a slight decline from its existing service levels (ELOS) to its proposed levels of service (PLOS) in the future. New police facilities are anticipated to be built by 2028; therefore, the 2028 service level is the PLOS for service. There is a small amount of excess capacity to be consumed by police before new facilities are built. There is no excess capacity in police exterior storage and its service levels are proposed to remain constant.

New fire facilities are anticipated to be built in 2026 which is when new facilities are planned and when new impact fees will be enacted. Therefore, the ELOS and PLOS for fire are the same.

The 10-year allocated cost of impact-fee eligible future improvements to maintain the PLOS is anticipated to be \$2,441,938 for police facilities and \$24,158,932 for fire facilities.²

TABLE 3: SUMMARY OF FUTURE POLICE FACILITIES

¹ According to the U.S. Decennial Census, Herriman City’s population was 1,523 in 2000, 21,785 in 2010, and 55,144 in 2020.

² The fire facility cost includes 4,091 sf of space to be rebuilt at Station 103.

New Construction	Square Feet	Cost
Building Space	2,829	\$1,971,976
Exterior Storage	2,820	\$469,962
TOTAL	5,649	\$2,441,938

TABLE 4: SUMMARY OF FUTURE FIRE FACILITIES

Description	Construction Year	Square Feet	Cost per Square Foot	Total Cost
Station 103 Rebuild	2026	10,000*	\$825.89	\$8,258,932
Station (W Main Street)	2029	10,000	\$720.00	\$7,200,000
Station (SLCC campus)	2032	12,000	\$725.00	\$8,700,000
Total				\$24,158,932

*Includes 4,091 sf of rebuild space and costs

These facilities will be paid for with available funds, impact fees, and bonds. Detailed information regarding the calculation of relevant metrics and funding mechanisms are found in the body of this impact fee facilities plan (IFFP).

Utah Code Legal Requirements

Utah law requires that communities prepare an Impact Fee Facilities Plan before preparing an Impact Fee Analysis (IFA) and enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFFP. This IFFP follows all legal requirements as outlined below. The City has retained Zions Public Finance, Inc. (ZPFI) to prepare this Impact Fee Facilities Plan in accordance with legal requirements.

Notice of Intent to Prepare Impact Fee Facilities Plan

A local political subdivision must provide written notice of its intent to prepare an IFFP before preparing the Plan (Utah Code §11-36a-501). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFFP.

Preparation of Impact Fee Facilities Plan

Utah Code requires that each local political subdivision, before imposing an impact fee, prepare an impact fee facilities plan. (Utah Code 11-36a-301).

Section 11-36a-302(a) of the Utah Code outlines the requirements of an IFFP which is required to identify the following:

- (i) identify the existing level of service
- (ii) establish a proposed level of service
- (iii) identify any excess capacity to accommodate future growth at the proposed level of service

- (iv) identify demands placed upon existing facilities by new development activity at the proposed level of service; and
- (v) identify the means by which the political subdivision or private entity will meet those growth demands.

Further, the proposed level of service may:

- (i) exceed the existing level of service if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service; or
- (ii) establish a new public facility if, independent of the use of impact fees, the political subdivision or private entity provides, implements, and maintains the means to increase the existing level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.

In preparing an impact fee facilities plan, each local political subdivision shall generally consider all revenue sources to finance the impacts on system improvements, including:

- (a) grants
- (b) bonds
- (c) interfund loans
- (d) impact fees; and
- (e) anticipated or accepted dedications of system improvements.

Certification of Impact Fee Facilities Plan

Utah Code 11-36a-306 states that an impact fee facilities plan shall include a written certification from the person or entity that prepares the impact fee facilities plan. This certification is included at the conclusion of this analysis.

Impact Fee Facilities Plan

This Impact Fee Facilities Plan (IFFP) was prepared to meet the requirements of Utah Code §11-36a. Impact fees are a one-time fee charged to new development to help offset the capital costs associated with new growth in a community. Herriman City has determined that there is one city-wide service area for public safety services and that the service area is coterminous with existing City boundaries.

The IFFP considers only *system* facilities in the calculation of impact fees. For the City, this has been determined to include: (1) building space that serves and houses police, fire, or other public safety entities (excluding detention space), and (2) fire suppression vehicles costing in excess of \$500,000.

Background

New development places increased demand on public safety facilities. One way of measuring the increased demand is through the increased calls for service that result. This approach allows the City to identify the demands coming from within Herriman, as well as the demands originating from outside of Herriman (i.e., pass-through traffic). Impact fees are only calculated based on the increased growth coming from within Herriman and not for increased demand originating from development outside of Herriman, but for which Herriman must provide services (i.e., pass-through traffic stops and mutual aid).

Impacts on public safety facilities will come from both residential and non-residential growth. The demand units for these groups are identified as residential units (household units) and non-residential square feet. Demand units increase with development which generates more calls for service and, therefore, the need for more public safety building space. This growth is projected as follows:

TABLE 5: GROWTH PROJECTIONS, 2025-2035

Year	Population	Residential Units	Non-Residential SF
2025	62,731	18,236	4,763,004
2026	64,369	18,712	4,887,392
2027	66,050	19,201	5,015,029
2028	67,775	19,702	5,145,999
2029	69,545	20,217	5,280,390
2030	71,361	20,744	5,418,290
2031	73,810	21,456	5,604,255
2032	76,344	22,193	5,796,603
2033	78,964	22,955	5,995,552
2034	81,674	23,742	6,201,330
2035	84,477	24,557	6,414,170
Growth 2025-2035	21,746	6,321	1,651,166

Source: Herriman City, U.S. Census Bureau, UGRC, Salt Lake County Assessor's Office, ZPFI

Police

Facilities consist of the main police building (excluding detention space), detective area, interior storage facilities, and exterior storage facilities. No police vehicles are included in the analysis.

Formerly, Herriman City was served by the Unified Police Department (UPD) of Salt Lake County. The Herriman Police Department replaced the services provided by the UPD in 2018. The City plans on constructing a new 33,000-square foot police building in 2028.⁵ In the interim, police services are housed in Herriman's City Hall and old city hall, but this is just a temporary location until the new facilities are built.

The City currently has 11,481 sf of facility space at either City Hall or the old city hall. In addition, the City leases 8,000 sf at Rockwell. The leased space has not been included in service levels for the purpose of impact fee calculations. The City also has 8,134 sf of exterior storage space.

TABLE 6: EXISTING POLICE BUILDINGS

Description	Amount
City Hall (including detective area and interior storage)	9,806
Old City Hall	1,675
TOTAL	11,481

The existing police department building space has excess capacity sufficient to serve the needs of new development through 2028, the target year for new police facility construction.

Fire

Facilities consist of fire stations and fire suppression vehicles. It should be noted that fire suppression vehicles that have been acquired previously or will be acquired within the next six years may be included in the study. However, Herriman does not have, nor is planning to acquire, any such vehicles by 2035. Therefore, no costs for fire vehicles are included in this analysis.

Herriman City's fire department operates under the Unified Fire Authority (UFA) and currently has two fire stations (#103, #123). Due to recent and ongoing growth, the fire department is planning to rebuild Station #103 and construct two new stations within the timeframe of this study.

The rebuild portion of Station 103 cannot be counted in the calculation of impact fees. However, the 5,909 square feet of expansion space can be included. By 2035, the City will have a total of 50,822 square feet of station space.

TABLE 7: HERRIMAN FIRE FACILITIES

Station	Location	Future Completion Year	Square Feet (SF)
Current Facilities			
103	Herriman Pkwy	N/A	4,091
123	Rosecrest Station	N/A	18,822
Total			22,913
Future Facilities (including Existing)			

⁵ Target year given by Herriman City.

Station	Location	Future Completion Year	Square Feet (SF)
103	Herriman Pkwy – Rebuild*	2026	10,000
123	Rosecrest Station	N/A	18,822
TBD	7300 W Main Street	2029	10,000
TBD	Wood Hollow Station (near SLCC)	2032	12,000
Total			50,822

*Plans are to rebuild the 4,091 SF of the existing station and construct an additional 5,909 SF at the station.

Calls for Service Analysis

Call information (the number of calls and their respective classifications for a 12-month period ending in 2024) was provided by the City. Using the actual data from 2024, calls were categorized as either residential or non-residential using GIS applications and analysis.⁷ Expected growth and historical proportions of call data were then applied to determine future call projections.

In 2018, Herriman commissioned Parametrix to evaluate total traffic volumes and pass-through traffic on major roads in Herriman. It was found that the traffic volumes result in an overall pass-through traffic rate of nearly 47 percent. Citing this study, it is assumed that approximately 47 percent of traffic calls are classified as pass-through.

TABLE 8: PASS-THROUGH TRAFFIC ANALYSIS

Description	Daily Volume	Herriman Trips
11800 South West of MVC	37,958	18,003
11800 South East of MVC	8,388	3,076
Herriman Main Street West of 6400 West	14,588	12,423
Herriman Main Street East of 5600 West	24,948	22,631
MVC Southbound north of 12600 South	16,659	4,789
MVC Northbound north of 12600 South	14,699	2,359
MVC Southbound south of Rosecrest Road	4,967	2,287
MVC Northbound south of Rosecrest Road	5,566	2,360
<u>Total</u>	<u>127,773</u>	<u>67,928</u>
Herriman Traffic	53.16%	
Pass-through Traffic	46.84%	
Source: Parametrix Memorandum dated November 15, 2018; ZPFI		

Police

⁷ GIS data sources: Utah Geospatial Resource Center (UGRC), Salt Lake County Assessor's Office

In 2024, the City received 25,131 police calls for service,⁹ with approximately 68.68 percent of the residential and nonresidential calls originating from residential units and the remaining 31.32 percent from non-residential units.¹⁰ These proportions from actual 2024 calls were used to project calls into 2025 and beyond.

Additional calls are shown as exempt (pass-through traffic and agency assists), as these demand units are not included in the calculation of impact fees. The increased police calls for service are projected as follows for residential and non-residential development in Herriman.

TABLE 9: POLICE – PROJECTED GROWTH IN CALLS FOR SERVICE BY DEVELOPMENT TYPE

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls**	Total Calls for Service	Residential Units	Non-Residential SF
2025	16,008	7,299	2,481	25,787	18,236	4,763,004
2026	16,426	7,490	2,545	26,461	18,712	4,887,392
2027	16,855	7,685	2,612	27,152	19,201	5,015,029
2028	17,295	7,886	2,680	27,861	19,702	5,145,999
2029	17,746	8,092	2,750	28,588	20,217	5,280,390
2030	18,210	8,303	2,822	29,335	20,744	5,418,290
2031	18,835	8,588	2,919	30,342	21,456	5,604,255
2032	19,481	8,883	3,019	31,383	22,193	5,796,603
2033	20,150	9,188	3,122	32,460	22,955	5,995,552
2034	20,842	9,503	3,230	33,575	23,742	6,201,330
2035	21,557	9,830	3,340	34,727	24,557	6,414,170
Growth, 2025-2035	5,549	2,530	860	8,940	6,322	1,651,166

*Adjusted total calls; includes traffic calls. Traffic calls net of pass-through calls were allocated proportionally based on the ratios of residential and non-residential calls to total calls.

** Includes pass-through calls and mutual aid calls.

Fire

In 2024, the City received 1,910 fire calls for service,¹¹ with approximately 83.01 percent of those calls originating from residential units and the remaining 16.99 percent from non-residential units. These proportions from actual 2024 calls were used to project calls into 2025 and beyond.

Additional calls are shown as exempt (pass-through traffic and agency assists), as these demand units are not included in the calculation of impact fees. The increased fire calls for service are projected as follows for residential and non-residential development in Herriman.

TABLE 10: FIRE – PROJECTED GROWTH IN CALLS FOR SERVICE BY DEVELOPMENT TYPE

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls**	Total Calls for Service	Residential Units	Non-Residential SF
2025	1,496	306	157	1,960	18,236	4,763,004
2026	1,535	314	161	2,011	18,712	4,887,392
2027	1,575	322	166	2,064	19,201	5,015,029
2028	1,617	331	170	2,117	19,702	5,145,999
2029	1,659	340	174	2,173	20,217	5,280,390

⁹ Source: Herriman City Police Department

¹⁰ Other calls include traffic calls and mutual aid

¹¹ Source: Unified Fire Authority (UFA)

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls**	Total Calls for Service	Residential Units	Non-Residential SF
2030	1,702	348	179	2,230	20,744	5,418,290
2031	1,761	360	185	2,306	21,456	5,604,255
2032	1,821	373	191	2,385	22,193	5,796,603
2033	1,883	386	198	2,467	22,955	5,995,552
2034	1,948	399	205	2,552	23,742	6,201,330
2035	2,015	412	212	2,639	24,557	6,414,170
Growth, 2025-2035	519	106	55	679	6,322	1,651,166

*Adjusted total calls; includes traffic calls. Traffic calls net of pass-through calls were allocated proportionally based on the ratios of residential and non-residential calls to total calls.

** Includes pass-through calls and mutual aid calls.

This growth in calls for service will require increased fire station space in order to meet the demands of new development.

Existing Levels of Service

Utah Code 11-36a-302(1)(a)(i)

Police

Service levels are based on police building space and exterior storage facilities. Existing service levels for buildings and exterior storage are shown below and are stated as the number of square feet per call.

There are a total of 25,787 projected police calls for service in 2025 and 11,481 square feet of police facility space (including detective areas and interior storage). This results in an existing service level of 0.45 square feet of building space per call. The existing levels of service for each type of police facility space are summarized in the table below:

TABLE 11: POLICE – EXISTING LEVELS OF SERVICE (ELOS)

Facility Description	Facility Square Feet	2025 Total Calls	Current Level of Service (ELOS)
Existing Police Station	11,481	25,787	0.45
Existing Police Exterior Storage	8,134	25,787	0.32

Fire

Existing levels are based on fire facility space, which includes current fire station facilities. Service levels are calculated using total calls.

The City currently has 22,913 square feet of fire facility space and projects 1,960 fire calls for service in 2025. This results in an existing service level of 11.69 square feet of building space per call.

TABLE 12: FIRE – EXISTING LEVELS OF SERVICE (ELOS)

Facility Description	Facility Square Feet	2025 Total Calls	Current Level of Service (ELOS)
Existing Fire Stations	22,913	1,960	11.69 SF/call

Proposed Levels of Service

Utah Code 11-36a-302(1)(a)(ii)

Police

Existing police service levels will decline slightly by 2028 when the existing police stations are considered to be at full capacity. By taking the anticipated square footage and dividing by the projected calls at capacity (2028), the proposed level of service of 0.41 square feet per call is calculated. Service levels for exterior storage remain constant at 0.32 square feet per call.

TABLE 13: POLICE – PROPOSED LEVELS OF SERVICE (PLOS)

Facility Description	Facility Square Feet at Capacity	Calls for Service at Capacity	Proposed Level of Service – Square Feet per Call
Police Station	11,481	27,861	0.41
Police Exterior Storage	8,134	25,787	0.32

Fire

The City intends to maintain its 2026 service levels for its fire facilities when it will be at full capacity and begin construction of additional space. The City intends to rebuild and expand Station 103 and construct two new fire stations within the next few years. Because these impact fees will take effect in 2026, fire facilities are considered to be at full capacity.

Excess Capacity

Utah Code 11-36a-302(1)(a)(iii)

Police

Herriman has excess capacity in its police facilities. The existing space available in each facility is outlined in the table below:

TABLE 14: POLICE – EXCESS CAPACITY SUMMARY

	City Hall	Old City Hall
Total SF	9,806	1,675
Calls 2025	25,787	25,787
Calls 2028	27,861	27,861
Call Growth	2,074	2,074
Calls 2025-2028 as % of Capacity Calls	7.4%	7.4%
Excess SF	730	125

Fire

The City does not have any excess capacity in its fire stations.

Demands Placed Upon Existing Facilities by New Development Activity

Utah Code 11-36a-302(1)(a)(iv)

Police

Accounting for excess capacity, police will need an additional 2,829 square feet by 2035 in order to reach proposed service levels based on increased demand from Herriman development. This reflects the respective proposed service levels for various police facilities.

The demands placed upon existing facilities by new development activity are outlined in the tables below for the police building and exterior storage.

TABLE 15: POLICE BUILDING SPACE NEEDED TO MAINTAIN EXISTING SERVICE LEVEL

Year	Total Calls for Service	Square Feet Needed at Existing Service Level	Excess Capacity (Deficit) in Square Feet	Projected Level of Service with No New Facility Space
2025	25,787	10,627	854	0.45
2026	26,461	10,904	577	0.43
2027	27,152	11,189	292	0.42
2028	27,861	11,481	-	0.41
2029	28,588	11,781	(300)	0.40
2030	29,335	12,088	(607)	0.39
2031	30,342	12,503	(1,022)	0.38
2032	31,383	12,933	(1,452)	0.37
2033	32,460	13,376	(1,895)	0.35
2034	33,575	13,835	(2,354)	0.34
2035	34,727	14,310	(2,829)	0.33

TABLE 16: POLICE EXTERIOR STORAGE SPACE NEEDED TO MAINTAIN EXISTING SERVICE LEVEL

Year	Total Calls for Service	Square Feet Needed at Existing Service Level	Excess Capacity (Deficit) in Square Feet	Projected Level of Service with No New Facility Space
2025	25,787	8,134	-	0.32
2026	26,461	8,346	(212)	0.31
2027	27,152	8,564	(430)	0.30
2028	27,861	8,788	(654)	0.29
2029	28,588	9,018	(884)	0.28
2030	29,335	9,253	(1,119)	0.28
2031	30,342	9,571	(1,437)	0.27
2032	31,383	9,899	(1,765)	0.26
2033	32,460	10,239	(2,105)	0.25
2034	33,575	10,590	(2,456)	0.24
2035	34,727	10,954	(2,820)	0.23

To maintain the proposed level of service, police building space and exterior storage will need to increase by 2,829 square feet and 2,820 square feet, respectively, by 2035.

Fire

If no new facilities are constructed, the fire department will have a deficiency of 7,943 square feet of station space by 2035. Service levels would decline from the proposed level of service (PLOS) of 11.69 square feet per call to 8.68 square feet per call by 2035.

TABLE 17: FIRE STATIONS – FACILITIES NEEDED TO MAINTAIN EXISTING SERVICE LEVEL

Year	Total Calls for Service	Square Feet Needed at Existing Service Level	Excess Capacity (Deficit) in Square Feet	Projected Level of Service with No New Facility Space
2025	1,960	22,913	11.69	-
2026	2,011	22,913	11.39	(598)
2027	2,064	23,511	11.10	(1,212)
2028	2,117	24,125	10.82	(1,842)
2029	2,173	24,755	10.55	(2,489)
2030	2,230	25,402	10.28	(3,152)
2031	2,306	26,274	9.94	(4,047)
2032	2,385	27,176	9.61	(4,972)
2033	2,467	28,108	9.29	(5,929)
2034	2,552	29,073	8.98	(6,919)
2035	2,639	30,071	8.68	(7,943)

The Means by Which the Political Subdivision Will Meet Growth Demands

Utah Code 11-36a-302(1)(a)(v)

Police

The City will meet the estimated growth demands by constructing a new police station. The City has plans for a new 33,000 square foot police building, with an anticipated cost of \$23,000,000, including land. The City will also acquire additional exterior storage space. New development's share of that building, over the next 10 years, is 2,829 square feet or \$1,971,976 of the total cost.

TABLE 18: COSTS OF FUTURE POLICE FACILITIES

Description	Construction Year	Square Feet	Cost per Square Foot	Total Cost
Police Building	2028	2,829	\$696.97	\$1,971,976

Description	Construction Year	Square Feet	Cost per Square Foot	Total Cost
Exterior Storage Space	2028	2,820	\$166.67	\$469,962
Total		5,649		\$2,441,938

Fire

Growth demands will be met through the rebuild and expansion of Station 103, as well as the construction of two new stations (one near 7300 W Main Street and the other near SLCC campus). The costs for the stations are anticipated to be \$7,200,000 and \$8,700,000, respectively. The rebuild and expansion for Station 103 is expected to cost \$8,258,932, but only the additional square feet over the current square feet can be included in impact fees (square footage over 4,091). A credit will be made in the Impact Fees Analysis for the costs associated with the rebuild. A summary of anticipated costs is in the table below:

TABLE 19: COSTS OF FUTURE FIRE FACILITIES

Description	Construction Year	Square Feet	Cost per Square Foot	Total Cost
Station 103*	2026	10,000*	\$825.89	\$8,258,932
Station - 7300 W Main Street	2029	10,000	\$720.00	\$7,200,000
Station - SLCC Campus	2032	12,000	\$725.00	\$8,700,000
Total				\$24,158,932

*Station 103 currently has 4,091 square feet but will have a total of 10,000 square feet after the rebuild and expansion.

Consideration of Revenue Sources to Finance System Improvements Impacts

Utah Code 11-36a-302(2)(a)(b)(c)(d)(e)

Impact fees will be used to fund the established growth-driven public safety services for police and fire.

Grants

The City is unaware of any potential grant sources for future public safety facilities. However, should it be the recipient of any such grants, it will then look at the potential to reduce impact fees.

Bonds

The City has portions of bonds for police and fire outstanding. The cost for the rebuild of fire station 103 will be paid for with cash. Other future facilities will be financed with bonds. Credits for the bond financing will be made in the Impact Fees Analysis.

Interfund Loans

To the extent that funds are available, interfund loans could be considered to cover costs.

Impact Fees

Because of the growth anticipated to occur in the City, impact fees are a viable means of allowing new development to pay for the impacts that it places on the existing system. This IFFP is developed in accordance with legal guidelines so that an Impact Fee Analysis may be prepared and the City may charge impact fees for public safety.

Anticipated or Accepted Dedications of System Improvements

Any item that a developer funds must be included in the IFFP if a credit against impact fees is to be issued and must be agreed upon with the City before construction of the improvements.

Credits Against Impact Fees

Utah Code 11-36a-304(2)(f)

The Impact Fees Act requires credits to be paid back to development for future fees that may be paid to fund system improvements found in the IFFP so that new development is not charged disproportionately. Credits may also be paid back to developers who have constructed or directly funded items that are included in the IFFP or donated to the City in lieu of impact fees, including the dedication of land for system improvements. This situation does not apply to developer exactions or improvements required to offset density or as a condition for development. Any item that a developer funds must be included in the IFFP if a credit is to be issued and must be agreed upon with the City before construction of the improvements.

In the situation that a developer chooses to construct facilities found in the IFFP in lieu of impact fees, the arrangement must be made through the developer and the City.

The standard impact fee can also be decreased to respond to unusual circumstances in specific cases in order to ensure that impact fees are imposed fairly. In certain cases, a developer may submit studies and data that clearly show a need for adjustment.

At the discretion of the City, impact fees may be modified for low-income housing, although alternate sources of funding must be identified.

Certification

Utah Code 11-36a-306(1)

Zions Public Finance, Inc. certifies that the attached impact fee facilities plan:

1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; and
3. complies in each and every relevant respect with the Impact Fees Act.

HERRIMAN CITY



DRAFT PUBLIC SAFETY IMPACT FEE ANALYSIS



Executive Summary

Impact fees are evaluated herein to offset the impacts of new development on Herriman City (“the City”). The impact fees in this analysis (IFA) have been calculated according to Utah State Code (§11-36a) and utilize elements found in the City’s Public Safety Impact Fee Facilities Plan (IFFP). Due to new development, total calls for public safety service will increase by 8,940 for police services and 679 for fire services over the study period (2025-2035).

TABLE 1: POLICE – PROJECTED GROWTH IN CALLS FOR SERVICE BY DEVELOPMENT TYPE

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls*	Total Calls for Service	Residential Units	Non-Residential SF
2025	16,008	7,299	2,481	25,787	18,236	4,763,004
2035	21,557	9,830	3,340	34,727	24,557	6,414,170
Growth, 2025-2035	5,549	2,530	860	8,940	6,321	1,651,166

*Descriptions of these call categories and how they were projected are found in the body of the IFA.

TABLE 2: FIRE – PROJECTED GROWTH IN CALLS FOR SERVICE BY DEVELOPMENT TYPE

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls*	Total Calls for Service	Residential Units	Non-Residential SF
2025	1,496	306	157	1,960	18,236	4,763,004
2035	2,015	412	212	2,639	24,557	6,414,170
Growth, 2025-2035	519	106	55	679	6,321	1,651,166

*Descriptions of these call categories and how they were projected are found in the body of the IFA.

Service levels are measured as qualifying public safety facility square feet (SF) per call. If more facility space isn’t constructed, the proposed level of service (PLOS) will decrease as new development is created in the City.

TABLE 3: 10-YEAR IMPACTS TO PUBLIC SAFETY LEVELS OF SERVICE WITHOUT NEW CONSTRUCTION

Description	Existing Level of Service (ELOS, 2025)	Proposed Level of Service (PLOS, 2035)	Projected Level of Service with No New Facilities (2035)
Police			
Police Building Space	0.45 SF/call	0.41 SF/call	0.33 SF/call
Exterior Storage	0.32 SF/call	0.32 SF/call	0.23 SF/call
Fire			
Fire Facilities	11.69 SF/call	11.69 SF/call	8.68 SF/call

To maintain the proposed service levels into the future, both fire and police services will need to construct additional facility space. The City has plans for a new 33,000 square foot police building, with an anticipated cost of \$23,000,000, including land. The City will also acquire additional exterior storage space. New development’s share of that building, over the next 10 years, is 2,829 square feet or \$1,971,976 of the total cost.

TABLE 4: SUMMARY OF FUTURE POLICE FACILITIES ATTRIBUTABLE TO NEW DEVELOPMENT BY 2035

New Construction	Square Feet	Cost
Building Space	2,829	\$1,971,976
Exterior Storage	2,820	\$469,962
TOTAL	5,649	\$2,441,938

Fire growth demands will be met through the rebuild and expansion of Station 103, as well as the construction of two new stations (one near 7300 W Main Street and the other near SLCC campus). The costs for the stations are anticipated to be \$7,200,000 and \$8,700,000, respectively. The rebuild and expansion for Station 103 is expected to cost \$8,258,932, but only the additional square feet over the current square feet can be included in impact fees (square footage over 4,091). A credit will be made in the Impact Fees Analysis for the costs associated with the rebuild. A summary of anticipated costs is in the table below:

TABLE 5: SUMMARY OF FUTURE FIRE FACILITIES

Description	Construction Year	Square Feet	Cost per Square Foot	Total Cost
Station 103 Rebuild	2026	10,000*	\$825.89	\$8,258,932
Station (W Main Street)	2029	10,000	\$720.00	\$7,200,000
Station (SLCC campus)	2032	12,000	\$725.00	\$8,700,000
Total				\$24,158,932

*Includes 4,091 sf of rebuild space and 5,901 sf of expansion space; the total amount to new development for Station 103 is \$4,880,203 and the rebuild amount is \$3,378,279, thereby reducing the overall total amount eligible for impact fees to \$20,780,203.

Using the cost of future facilities and other relevant costs (e.g. excess capacity, bond interest costs, consultant costs), a gross cost per call can be calculated for both police and fire.

TABLE 6: CALCULATION OF GROSS COST PER POLICE CALL

Summary	Amount
City Hall Buy-In	\$23.40
Old City Hall Buy-In	\$1.71
Interest Cost on Bond	\$43.46
New City Hall Construction	\$220.59
Exterior Storage Construction	\$52.57
Consultant Cost	\$0.95
Gross Cost per Call	\$342.68

TABLE 7: CALCULATION OF GROSS COST PER FIRE CALL

Summary	Amount
New Construction	\$8,826.33
Consultant Cost	\$12.51
Total Gross Cost per Call	\$8,838.84

The gross cost per call is used to calculate the maximum impact fees for public safety. This is done by calculating appropriate credits as discussed in the body of this report to apply to the gross

cost per call and multiplying by the ratio of police or fire calls to the relevant category type (households for residential, square feet for non-residential). The ratios of calls to category type are summarized as follows.

TABLE 8: POLICE AND FIRE CALLS PER RESIDENTIAL UNIT AND NONRESIDENTIAL SQUARE FEET

Description	Calls per Unit/SF
Police – Residential	0.87782
Police – Non-Residential	0.00153
Fire – Residential	0.08205
Fire – Non-Residential	0.00006

This results in the following final fee schedule.

TABLE 9: MAXIMUM PUBLIC SAFETY FEES BY YEAR

Summary	Police	Fire	TOTAL (per unit or per SF)
2025			
Residential	\$201.13	\$549.16	\$750.29
Non-Residential	\$0.35	\$0.43	\$0.78
2026			
Residential	\$207.77	\$564.12	\$771.89
Non-Residential	\$0.36	\$0.44	\$0.80
2027			
Residential	\$214.43	\$579.32	\$793.75
Non-Residential	\$0.37	\$0.45	\$0.83
2028			
Residential	\$221.15	\$594.35	\$815.50
Non-Residential	\$0.39	\$0.47	\$0.85
2029			
Residential	\$227.93	\$609.47	\$837.40
Non-Residential	\$0.40	\$0.48	\$0.88
2030			
Residential	\$234.77	\$624.77	\$859.54
Non-Residential	\$0.41	\$0.49	\$0.90
2031			
Residential	\$241.68	\$640.48	\$882.16
Non-Residential	\$0.42	\$0.50	\$0.92
2032			
Residential	\$248.59	\$656.64	\$905.24
Non-Residential	\$0.43	\$0.51	\$0.95
2033			
Residential	\$255.53	\$672.93	\$928.46
Non-Residential	\$0.45	\$0.53	\$0.97
2034			
Residential	\$262.50	\$689.27	\$951.77
Non-Residential	\$0.46	\$0.54	\$1.00
2035			
Residential	\$269.51	\$692.44	\$961.94
Non-Residential	\$0.47	\$0.54	\$1.01

Intermediate calculations and further analysis can be found in the body of the IFA.

Utah Code Legal Requirements

Preparation of Impact Fee Analysis

Utah Code requires that “each local political subdivision... intending to impose an impact fee shall prepare a written analysis (Impact Fee Analysis or IFA) of each impact fee” (Utah Code 11-36a-303). This IFA follows all legal requirements as outlined below.

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis which is required to identify the following:

- anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;

- anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;

- how anticipated impacts are reasonably related to the anticipated development activity

- the proportionate share of:

 - costs for existing capacity that will be recouped; and

 - costs of impacts on system improvement that are reasonably related to the new development activity; and

 - how the impact fee was calculated.

Further, in analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:

- the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;

- the cost of system improvements for each public facility;

- other than impact fees, the manner of financing for each public facility such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;

- the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by means such as user charges, special assessments, or payment from the proceeds of general taxes;

- the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;

- the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities

that will offset the demand for system improvements, inside or outside the proposed development;

extraordinary costs, if any, in servicing the newly developed properties; and

the time-price differential inherent in fair comparisons of amounts paid at different times.

Calculating Impact Fees

Utah Code 11-36a-305 states that for purposes of calculating an impact fee, a local political subdivision or private entity may include the following:

construction contract price;

cost of acquiring land, improvements, materials, and fixtures;

cost for services provided for and directly related to the construction of the system improvements, planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and

for a political subdivision, debt service charges if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the costs of the system improvements and

one or more expenses for overhead.

Additionally, the Code states that each political subdivision or private entity shall base impact fee amounts on realistic estimates and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

Certification of Impact Fee Analysis

Utah Code 11-36a-306 states that an impact fee analysis shall include a written certification from the person or entity that prepares the impact fee analysis.

Impact Fee Enactment

Utah Code 11-36a-401 states that a local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402. Additionally, Utah Code 11-36a-401 states that an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

Notice of Intent to Prepare Impact Fee Analysis

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Analysis (Utah Code 11-36a-503(1)). This notice must be posted on the Utah Public Notice website for at least 10 days. The City has complied with this noticing requirement for the IFA by posting notice.

Impact Fee Analysis

Utah Code allows cities to include only (1) public safety facilities (exclusive of incarceration space) and (2) fire vehicles with a cost of \$500,000 or more in the calculation of impact fees. This IFA is organized based on the legal requirements of Utah Code 11-36a-304.

Impact on Consumption of Existing Capacity

Utah Code 11-36a-304(1)(a)

Impacts on public safety facilities will come from both residential and non-residential growth. This growth is projected as follows:

TABLE 10: GROWTH PROJECTIONS, 2025-2035

Year	Population	Residential Units	Non-Residential SF
2025	62,731	18,236	4,763,004
2026	64,369	18,712	4,887,392
2027	66,050	19,201	5,015,029
2028	67,775	19,702	5,145,999
2029	69,545	20,217	5,280,390
2030	71,361	20,744	5,418,290
2031	73,810	21,456	5,604,255
2032	76,344	22,193	5,796,603
2033	78,964	22,955	5,995,552
2034	81,674	23,742	6,201,330
2035	84,477	24,557	6,414,170
Growth 2025-2035	21,746	6,321	1,651,166

Source: Herriman City, U.S. Census Bureau, UGRC, Salt Lake County Assessor's Office, ZPFI

Residential and nonresidential growth will create increased demand for public safety services as demonstrated by the increased calls for service that are projected to occur.

Call information (the number of calls and their respective classifications for a 12-month period ending in 2024) was provided by the City or the Unified Fire Authority. Using the actual data from 2024, calls were categorized as either residential or non-residential using GIS applications and analysis.¹ Expected growth and historical proportions of call data were then applied to determine future call projections.

Additionally, pass-through calls and mutual aid calls have not been included in the calculation of impact fees. Impact fees are only calculated based on the increased growth coming from within Herriman and not for increased demand originating from development outside of Herriman, but for which Herriman must provide services (i.e., pass-through traffic stops and mutual aid).

TABLE 11: IMPACT FEE ELIGIBLE PUBLIC SAFETY CALLS IN 2025

Category	Residential Calls*	Calls per Residential Unit**	Non-Residential Calls*	Calls per Non-Residential Square Foot**
Police	16,008	0.87782	7,299	0.00153
Fire	1,496	0.0821	306	0.00006

*Only includes impact-fee eligible calls. More information can be found in the IFFP.

¹ GIS data sources: Utah Geospatial Resource Center (UGRC), Salt Lake County Assessor's Office

Category	Residential Calls*	Calls per Residential Unit**	Non-Residential Calls*	Calls per Non-Residential Square Foot**
**Calculated by taking the number of impact-fee eligible calls and dividing it by the number of households or non-residential square feet in 2025.				

For reference, a table of existing levels of service (ELOS) and proposed levels of service (PLOS) is provided in the table below. The calculation and additional background on these service levels can be found in the IFFP.

TABLE 12: PUBLIC SAFETY LEVELS OF SERVICE

Description	Existing Level of Service (ELOS)	Proposed Level of Service (PLOS)
Police		
Police Building	0.45 SF/call	0.41 SF/call
Exterior Storage	0.32 SF/call	0.32 SF/call
Fire		
Fire Facilities	11.69 SF/call	11.69 SF/call

Police

The projected calls for police are presented in the table below:

TABLE 13: POLICE – PROJECTED GROWTH IN CALLS FOR SERVICE BY DEVELOPMENT TYPE

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls**	Total Calls for Service	Residential Units	Non-Residential SF
2024***	15,600	7,113	2,417	25,131	17,772	4,641,781
2025	16,008	7,299	2,481	25,787	18,236	4,763,004
2026	16,426	7,490	2,545	26,461	18,712	4,887,392
2027	16,855	7,685	2,612	27,152	19,201	5,015,029
2028	17,295	7,886	2,680	27,861	19,702	5,145,999
2029	17,746	8,092	2,750	28,588	20,217	5,280,390
2030	18,210	8,303	2,822	29,335	20,744	5,418,290
2031	18,835	8,588	2,919	30,342	21,456	5,604,255
2032	19,481	8,883	3,019	31,383	22,193	5,796,603
2033	20,150	9,188	3,122	32,460	22,955	5,995,552
2034	20,842	9,503	3,230	33,575	23,742	6,201,330
2035	21,557	9,830	3,340	34,727	24,557	6,414,170
Growth, 2025-2035	5,549	2,530	860	8,940	6,321	1,651,166

*Adjusted total calls; includes traffic calls.

** Includes pass-through calls and mutual aid calls. Traffic calls net of pass-through calls were allocated proportionally based on the ratios of residential and non-residential calls to total calls.

*** Actual recorded calls from 2024.

The projected police calls will impact existing facilities for police which consists of: 1) police space at City Hall and the old city hall (including detective areas and interior storage facilities); and (2) exterior storage facilities. The police space, detective space and interior storage facilities have excess capacity, and an increase in calls will consume this excess capacity and create demand for more square feet of facility space. The effect on service levels (without the addition of more

facility space) and the amount of square feet needed to maintain service levels is outlined in the tables below:

TABLE 14: POLICE – POLICE BUILDING FACILITIES NEEDED TO MAINTAIN SERVICE LEVELS

Year	Total Calls for Service	Square Feet Needed at Existing Service Level	Excess Capacity (Deficit) in Square Feet	Projected Level of Service with No New Facility Space
2025	25,787	10,627	854	0.45
2026	26,461	10,904	577	0.43
2027	27,152	11,189	292	0.42
2028	27,861	11,481	-	0.41
2029	28,588	11,781	(300)	0.40
2030	29,335	12,088	(607)	0.39
2031	30,342	12,503	(1,022)	0.38
2032	31,383	12,933	(1,452)	0.37
2033	32,460	13,376	(1,895)	0.35
2034	33,575	13,835	(2,354)	0.34
2035	34,727	14,310	(2,829)	0.33

TABLE 15: POLICE – EXTERIOR STORAGE FACILITIES NEEDED TO MAINTAIN SERVICE LEVELS

Year	Total Calls for Service	Square Feet Needed at Existing Service Level	Excess Capacity (Deficit) in Square Feet	Projected Level of Service with No New Facility Space
2025	25,787	8,134	-	0.34
2026	26,461	8,346	(212)	0.33
2027	27,152	8,564	(430)	0.32
2028	27,861	8,788	(654)	0.32
2029	28,588	9,018	(884)	0.31
2030	29,335	9,253	(1,119)	0.30
2031	30,342	9,571	(1,437)	0.29
2032	31,383	9,899	(1,765)	0.28
2033	32,460	10,239	(2,105)	0.27
2034	33,575	10,590	(2,456)	0.26
2035	34,727	10,954	(2,820)	0.25

With no new facility space constructed, Herriman's police service levels will fall below the PLOS over the next ten years. Future facility space is required to support service levels.

Fire

The projected calls for fire are presented in the table below:

TABLE 16: FIRE – PROJECTED GROWTH IN CALLS FOR SERVICE BY DEVELOPMENT TYPE

Year	Residential Calls*	Non-Residential Calls*	Exempt Calls**	Total Calls for Service	Residential Units	Non-Residential SF
2024***	1,458	298	153	1,910	17,772	4,641,781
2025	1,496	306	157	1,960	18,236	4,763,004
2026	1,535	314	161	2,011	18,712	4,887,392
2027	1,575	322	166	2,064	19,201	5,015,029
2028	1,617	331	170	2,117	19,702	5,145,999
2029	1,659	340	174	2,173	20,217	5,280,390
2030	1,702	348	179	2,230	20,744	5,418,290
2031	1,761	360	185	2,306	21,456	5,604,255
2032	1,821	373	191	2,385	22,193	5,796,603
2033	1,883	386	198	2,467	22,955	5,995,552
2034	1,948	399	205	2,552	23,742	6,201,330
2035	2,015	412	212	2,639	24,557	6,414,170
Growth, 2025-2035	519	106	55	679	6,321	1,651,166

*Adjusted total calls; includes traffic calls.

** Includes pass-through calls and mutual aid calls. Traffic calls net of pass-through calls were allocated proportionally based on the ratios of residential and non-residential calls to total calls.

*** Actual recorded calls from 2024.

The projected fire calls will impact existing facilities, which consists of two fire stations (Station 103 and Station 123). These stations have limited excess capacity, and therefore an increase in calls results in the need for more square feet of facility space to maintain service levels once capacity is reached. The effect on service levels (without the addition of more facility space) and the amount of square feet needed to maintain service levels is outlined in the tables below:

TABLE 17: FIRE – FACILITIES NEEDED TO MAINTAIN SERVICE LEVELS

Year	Total Calls for Service	Square Feet Needed at Existing Service Level	Projected Level of Service with No New Facility Space	Excess Capacity (Deficit in SF)
2025	1,960	22,913	11.69	-
2026	2,011	23,511	11.39	(598)
2027	2,064	24,125	11.10	(1,212)
2028	2,117	24,755	10.82	(1,842)
2029	2,173	25,402	10.55	(2,489)
2030	2,230	26,065	10.28	(3,152)
2031	2,306	26,960	9.94	(4,047)
2032	2,385	27,885	9.61	(4,972)
2033	2,467	28,842	9.29	(5,929)
2034	2,552	29,832	8.98	(6,919)
2035	2,639	30,856	8.68	(7,943)

With no new facility space constructed, Herriman's fire service levels will fall over the next ten years. Future facility space is required to support service levels.

Identify the Means to Maintain the Established Level of Service

Utah Code 11-36a-304(1)(b)

Herriman City is planning to construct additional public safety facilities to maintain the proposed levels of service.

Police

The City currently has 11,481 sf of facility space at either City Hall or the Old City Hall. In addition, the City leases 8,000 sf at Rockwell. The leased space has not been included in service levels for the purpose of impact fee calculations. The City also has 8,134 sf of exterior storage space.

TABLE 18: EXISTING POLICE FACILITIES

Description	Amount
City Hall (including detective area and interior storage)	9,806
Old City Hall	1,675
TOTAL	11,481

The current space will be at capacity by 2028, resulting in a proposed service level of 0.41sf per call.³

The City will need to construct at least 2,829 square feet of building space and 2,820 square feet of exterior storage by 2035 in order to maintain the proposed level of service.

The City will meet the estimated growth demands by constructing a new police station. The City has plans for a new 33,000 square foot police building, with an anticipated cost of \$23,000,000, including land. The City also plans to acquire additional exterior storage space.

TABLE 19: COSTS OF FUTURE POLICE FACILITIES – NEW DEVELOPMENT PROPORTIONATE SHARE

New Construction	Square Feet	Proportionate Cost to New Development
Building Space	2,829	\$1,971,976
Exterior Storage	2,820	\$469,962
TOTAL	5,649	\$2,441,938

The construction of this facility space will maintain proposed service levels. How these costs factor into impact fees is outlined under the proportionate share analysis portion of this IFA.

Fire

The City has two stations currently as follows:

TABLE 20: EXISTING FIRE FACILITIES

Facilities 2024	Amount
Fire Station 103 (will be rebuilt)	4,091
Fire Station 123	18,822
TOTAL Existing Station sf	22,913

³ Calculated by dividing the 11,481 building sf at City Hall and the old city hall by the projected 27,861 calls in 2028.

The City will need to construct at least 7,943 square feet of new facility space by 2035 in order to maintain the proposed level of service.⁵

Growth demands will be met through the rebuild and expansion of Station 103, as well as the construction of two new stations. The costs for each station (one near 7300 W Main Street and the other near SLCC campus) are anticipated to be \$7,200,000 and \$8,700,000, respectively. The rebuild for Station 103 is expected to cost \$8,258,932 but only the additional square feet over the current square feet can be included in impact fees (square footage over 4,091). A summary of anticipated costs is in the table below:

TABLE 21: COSTS OF FUTURE FIRE FACILITIES

Description	Construction Year	Square Feet	Cost per Square Foot	Total Cost
Station 103 Rebuild	2026	5,909*	\$720	\$4,880,203
Station (W Main Street)	2029	10,000	\$720	\$7,200,000
Station (SLCC campus)	2032	12,000	\$725	\$8,700,000
Total				\$20,780,203

*Station 103 will include 10,000 sf but 4,091 sf are a rebuild of existing space. Therefore, only the cost of the expanded space is included.

The construction of this facility space will maintain proposed service levels. How these costs factor into impact fees is outlined under the proportionate share analysis portion of this IFA.

Relationship of Anticipated Impacts to Anticipated Development Activity

Utah Code 11-36a-304(1)(c)

Additional public safety facilities are needed due to new development and growth. One way of measuring the increased demand for services is through the number of calls for service. As calls for service increase, public safety departments are forced to expand and need more space to house their activities.

Proportionate Share Analysis

Utah Code 11-36a-304(1)(d)

The proportionate share analysis for police and fire includes the following steps:

- 1) Project increased population and nonresidential growth.⁶

⁵ Calculated by multiplying the growth in calls by 2035 (679) by the proposed level of service (11.69 sf per call)

⁶ Can only be calculated using impact-fee eligible calls (total calls net of mutual aid and pass-through traffic calls).

- 2) Project increased calls for service, keeping the ratio of calls for service for residential units and nonresidential square feet constant with existing ratios.
- 3) Project the need for increased building floor space or consumption of existing, excess capacity.⁹
- 4) Calculate the cost per call by dividing the cost of the public safety building square feet needed by the growth in calls.
- 5) Allocate the cost per call to residential and nonresidential units based on the number of calls per residential unit and nonresidential square feet, respectively.

Police

The proportionate share of relevant costs (facilities, consultant costs) and respective calculations for cost per call are outlined in the tables below. The costs are based upon the anticipated increase of 8,940 calls from 2025 to 2035.

New development will buy into existing, excess capacity in police facilities. The police department is operating out of City Hall, which was financed with a series 2015 bond for \$14,246,000. The projected growth in calls from 2025-2035 will consume the remaining excess capacity in that building by 2028, representing 7.4% of the police space in City Hall. Therefore, new development should be required to pay for the excess capacity in this facility.

The cost per call of the existing police space at City Hall for new development is \$23.40.

TABLE 22: COST PER CALL FOR BUY-IN AT CITY HALL FACILITIES

City Hall - Buy-In	Amount
City Hall - police sf	7,206
Interior Storage - police sf	2,600
Total Police SF City Hall	9,806
Total Building SF	49,700
City Hall Cost	\$14,246,000
Police Percent of Cost	19.7%
Police Cost	\$2,810,790.26
Capacity Calls Year	2028
Capacity Calls, 2028	27,861
Calls 2025	25,787
Capacity Consumed, 2025-2028	7.44%
SF Consumed	730
New Development Cost	\$209,195.55
Growth in Calls, 2025-2035	8,940
City Hall Cost per Call	\$23.40

The cost per call of the existing excess capacity at the old city hall is \$1.71.

TABLE 23: COST PER CALL FOR BUY-IN AT OLD CITY HALL FACILITIES

⁹ Note that steps 1-3 have already been completed in the analysis preceding this section, and that steps 4 and 5 are outlined under the subsections *Proportionate Share Analysis* and *Impact Fee Calculation*, respectively.

Old City Hall - Buy-In	
Old City Hall Cost	\$1,841,217
Total Building SF	15,000
Police Portion SF	1,675
Police Percent of Cost	11.2%
Police Cost	\$205,603
Capacity Calls Year	2028
Capacity Calls, 2028	27,861
Calls 2025	25,787
Capacity Consumed, 2025-2028	7.44%
SF Consumed	125
New Development Cost	\$15,302
Growth in Calls, 2025-2035	8,940
Old City Hall Cost per Call	\$1.71

In addition, new development can pay for its fair share of the interest costs associated with the Series 2015A Sales and Franchise Tax Revenue Bond issued to pay for City Hall. While the bond was issued for \$21,845,000, only \$14,246,000 is attributable to City Hall. The interest cost associated with the City Hall portion is \$6,136,343. City Hall has a total of 49,700 square feet, with 9,806 square feet (19.7%) allocated to police. The interest cost per call is therefore \$43.46.

TABLE 24: CALCULATION OF INTEREST COST PER CALL

Interest Cost on Bond	Amount
Total Interest	\$6,136,343
Portion to Police	19.7%
Police Interest Cost	\$1,210,724
Total Call Capacity 2028	27,861
Cost per Call	\$43.46

Aside from existing excess capacity, new development will also pay for its fair share of new police facilities. New development's proportionate share of the new police station is \$1,971,976 when considering new growth that will occur between 2025 and 2035.

TABLE 25: CALCULATION OF POLICE BUILDING COST PER CALL

New Police Building	Amount
Cost of New Building	\$23,000,000
SF of New Building	33,000
Cost per SF	\$696.97
SF per Call - PLOS	0.41
SF for New Development	3,684
Reduced by Excess Capacity	854
Cost to New Development	\$1,971,976
Growth in Calls, 2025-2035	8,940

New Police Building	Amount
Cost per Call	\$220.59

The cost of new exterior storage will reach \$469,962 by 2035, at a cost of \$52.57 per call.

TABLE 26: CALCULATION OF POLICE EXTERIOR STORAGE COST PER CALL

Exterior Storage	Amount
Total SF	8,134
PLOS - SF per Call	0.32
Growth in Calls, 2025-2035	8,940
SF Demand, 2025-2035	2,820
Cost per SF	\$166.67
Cost to New Development	\$469,962
Cost per Call	\$52.57

Consultant costs are also included in the calculation of impact fees.

TABLE 27: CALCULATION OF CONSULTANT COST PER POLICE CALL

Description	Amount
Consultant Fee (Police portion)	\$8,500
Growth in Eligible Police Calls, 2025-2035	8,940
Cost per Call, 2025-2035	\$0.95

Based on all the costs per call, a gross cost per police call can be calculated.

TABLE 28: SUMMARY OF GROSS COST PER POLICE CALL

Summary	Amount
City Hall Buy-In	\$23.40
Old City Hall Buy-In	\$1.71
Interest Cost on Bond	\$43.46
New City Hall Construction	\$220.59
Exterior Storage Construction	\$52.57
Consultant Cost	\$0.95
Gross Cost per Call	\$342.68

Adjustments must be made against the gross cost per police call for the following factors:

- Transfer of existing police space in City Hall and the old city hall to another City-related use, thereby saving City funds
- Impact fee fund balance of \$1,509,158
- Portion of new police facility that will benefit existing development
- Series 2015A remaining bond payments for City Hall

The value of the existing assets at City Hall and the old city hall, based on actual cost, is \$2,791,895. This amount can be credited against the new construction costs allocated to existing development.

TABLE 29: EXISTING ASSET REPLACEMENT

Existing Asset Replacement	Amount
City Hall	
City Hall Cost	\$14,246,000
City Hall - Police Portion of Cost (19.7% of building space)	\$2,810,790
Existing Development Share	\$2,601,595*
Old City Hall	
Old City Hall Cost	\$1,841,217
Police Portion of Cost (11.2% of building space)	\$205,603
Existing Development Share	\$190,300
TOTAL	\$2,791,895**
*Calculated on the ratio of existing calls for service (25,787) to calls in 2028 (27,861) multiplied by the police portion of City Hall	
** Calculated on the ratio of existing calls for service (25,787) to calls in 2028 (27,861) multiplied by the police portion of Old City Hall	

The total credit for existing development can also include the City's fund balance.

TABLE 30: CREDIT FOR EXISTING ASSETS AND FUND BALANCE

Credit to Offset Cost of Rebuild - Existing Development Share	Amount
New City Hall	\$2,601,595
Old City Hall	\$190,300
Total Credit in Existing Value	\$2,791,895
Plus Impact Fee Fund Balance	\$1,509,158
TOTAL CREDIT	\$4,301,053

Existing development will need 10,627 square feet of floor space in the new facility to replace its current usage of 9,076 sf at City Hall and 1,550 sf at the old city hall. This amounts to a cost of \$7,406,360 less credits of \$4,301,053.

TABLE 31: CALCULATION OF CREDIT AMOUNT FOR EXISTING DEVELOPMENT

Existing Development Benefits	Amount
Calls 2025	25,787
SF per Call PLOS	0.41
SF Needed	10,627
Cost per SF	\$696.97
Existing Development Rebuild Cost	\$7,406,360
Less Credit:	\$4,301,053
Existing Development Remaining Cost	\$3,105,307

The credit is calculated by spreading the total credit amount of \$3,105,307 over 20 years for an average credit of \$155,265 per year. Yearly amounts are divided by annual calls to derive a cost per call. The net present value (NPV) is then calculated for each year based on the remaining years of cost per call.

TABLE 32: CALCULATION OF CREDIT AMOUNT FOR EXISTING DEVELOPMENT

Year	Payment per Yr	Calls	Cost per Call	NPV*
2025	\$155,265	25,787	\$6.02	\$60.45
2026	\$155,265	26,461	\$5.87	\$57.45
2027	\$155,265	27,152	\$5.72	\$54.46
2028	\$155,265	27,861	\$5.57	\$51.46
2029	\$155,265	28,588	\$5.43	\$48.46
2030	\$155,265	29,335	\$5.29	\$45.45
2031	\$155,265	30,342	\$5.12	\$42.43
2032	\$155,265	31,383	\$4.95	\$39.44
2033	\$155,265	32,460	\$4.78	\$36.46
2034	\$155,265	33,575	\$4.62	\$33.50
2035	\$155,265	34,727	\$4.47	\$30.55

*NPV = net present value discounted at 5 percent

Credits must also be made for outstanding bond payments and are shown in the table below.

TABLE 33: CALCULATION OF CREDIT AMOUNT FOR OUTSTANDING BOND

Bond Summary	Total Payment	Police Portion	Amount to Existing Development	Police Calls for Service	Payment per Call	NPV*
2025	\$1,019,288	\$201,109	\$186,142	25,787	\$7.22	\$53.10
2026	\$1,017,638	\$200,784	\$185,840	26,461	\$7.02	\$48.54
2027	\$1,019,488	\$201,149	\$186,178	27,152	\$6.86	\$43.94
2028	\$1,020,283	\$201,306	\$186,323	27,861	\$6.69	\$39.29
2029	\$1,018,453	\$200,945	\$185,989	28,588	\$6.51	\$34.56
2030	\$1,019,263	\$201,104	\$186,137	29,335	\$6.35	\$29.78
2031	\$1,018,273	\$200,909	\$185,956	30,342	\$6.13	\$24.93
2032	\$1,019,120	\$201,076	\$186,111	31,383	\$5.93	\$20.05
2033	\$1,019,244	\$201,101	\$186,134	32,460	\$5.73	\$15.12
2034	\$1,018,243	\$200,903	\$185,951	33,575	\$5.54	\$10.14
2035	\$1,019,975	\$201,245	\$186,267	34,727	\$5.36	\$5.11

*NPV = net present value discounted at 5 percent to reflect bond rates

The credits calculated above are then subtracted from the gross cost per call of \$342.68 to arrive at the cost per call per year.

TABLE 34: POLICE MAXIMUM COST PER CALL

Year	Gross Cost per Call	Credit for New Construction Costs Benefitting Existing Development - NPV	Outstanding Bond Credit - NPV	Cost per Call
2025	\$342.68	\$60.45	\$53.10	\$229.13
2026	342.68	\$57.45	\$48.54	\$236.69
2027	342.68	\$54.46	\$43.94	\$244.28

Year	Gross Cost per Call	Credit for New Construction Costs Benefitting Existing Development - NPV	Outstanding Bond Credit - NPV	Cost per Call
2028	342.68	\$51.46	\$39.29	\$251.93
2029	342.68	\$48.46	\$34.56	\$259.66
2030	342.68	\$45.45	\$29.78	\$267.44
2031	342.68	\$42.43	\$24.93	\$275.32
2032	342.68	\$39.44	\$20.05	\$283.20
2033	342.68	\$36.46	\$15.12	\$291.10
2034	342.68	\$33.50	\$10.14	\$299.04
2035	342.68	\$30.55	\$5.11	\$307.02

The cost per call is then multiplied by the number of calls per residential unit or per non-residential square foot to calculate the total cost per residential unit and non-residential square foot for police facilities.

TABLE 35: POLICE CALLS PER RESIDENTIAL UNIT AND NONRESIDENTIAL SQUARE FOOT CALCULATION

Category	Calls per Unit/SF
Residential	0.87782
Non-Residential	0.00153

This information allows us to calculate a maximum impact fee for each year in the study period.

TABLE 36: MAXIMUM POLICE IMPACT FEE 2025-2035

Year	Max Cost per Call	Max Residential Fee	Max Non-Residential Fee
2025	\$229.13	\$201.13	\$0.35
2026	\$236.69	\$207.77	\$0.36
2027	\$244.28	\$214.43	\$0.37
2028	\$251.93	\$221.15	\$0.39
2029	\$259.66	\$227.93	\$0.40
2030	\$267.44	\$234.77	\$0.41
2031	\$275.32	\$241.68	\$0.42
2032	\$283.20	\$248.59	\$0.43
2033	\$291.10	\$255.53	\$0.45
2034	\$299.04	\$262.50	\$0.46
2035	\$307.02	\$269.51	\$0.47

Fire

The proportionate share of relevant costs and respective calculations for cost per call are outlined in the tables below. The costs are based upon the anticipated increase of 679 calls from 2025 to 2035.

The City has determined that there is no existing excess capacity in its fire facilities and that new facilities will be needed by 2026. New development will therefore need to pay for its fair share of

new fire facilities. New development's proportionate share of the new fire stations is \$5,996,800.86 when considering new growth that will occur between 2025 and 2035.

TABLE 37: CALCULATION OF NEW FIRE FACILITIES COST PER CALL

Description	Amount
New Construction Cost per SF*	\$754.97
Total SF Needed by New Development, 2025-2035	7,943.13
Cost of New Capacity	\$5,996,800.86
Growth in Eligible Fire Calls, 2025-2035	679
Cost per Call, 2025-2035	\$8,826.33
*Average cost per SF of new construction.	

Consultant costs are also included in the calculation of impact fees.

TABLE 38: CALCULATION OF CONSULTANT COST PER FIRE CALL

Description	Amount
Consultant Fee (Fire portion)	\$8,500.00
Growth in Eligible Fire Calls, 2025-2035	679
Cost per Call, 2025-2035	\$12.51

Based on all the costs per call, a gross cost per fire call can be calculated.

TABLE 39: CALCULATION OF GROSS COST PER FIRE CALL

Summary	Amount
New Construction	\$8,826.33
Consultant Cost	\$12.51
Impact Fee Fund Balance	\$0.00
Total Gross Cost per Call	\$8,838.84

Adjustments must be made against the gross cost per fire call for the following factors:

- Rebuild of portion of Station 103 that benefits existing development
- Impact fee fund balance of \$1,255,098
- Series 2016 lease revenue bond payments for existing development

TABLE 40: STATION 103 REBUILD BENEFITTING EXISTING DEVELOPMENT

Description	Amount
SF Benefitting Existing Development	4,091
Cost per SF of New Construction	\$754.97
Cost of New Construction Benefitting Existing	\$3,088,568.46

The credit is calculated by spreading the total cost of \$3,088,568 over 20 years at an average cost of \$154,428 per year. Yearly amounts are divided by annual calls to derive a cost per call. The net present value (NPV) is then calculated for each year based on the remaining years of cost per call.

TABLE 41: STATION 103 REBUILD BENEFITTING EXISTING DEVELOPMENT CREDITS

Year	Payment	Calls	Payment per Call	NPV*
2025	\$154,428.42	1,960	\$78.79	\$791.10
2026	\$154,428.42	2,011	\$76.79	\$751.86
2027	\$154,428.42	2,064	\$74.84	\$712.67
2028	\$154,428.42	2,117	\$72.93	\$673.46
2029	\$154,428.42	2,173	\$71.07	\$634.21
2030	\$154,428.42	2,230	\$69.27	\$594.84
2031	\$154,428.42	2,306	\$66.97	\$555.32
2032	\$154,428.42	2,385	\$64.74	\$516.12
2033	\$154,428.42	2,467	\$62.60	\$477.18
2034	\$154,428.42	2,552	\$60.52	\$438.44
2035	\$154,428.42	2,639	\$58.51	\$399.85

*NPV = net present value discounted at 5 percent

New development must also be credited for the portion of the outstanding bond costs that will pay for existing development's share of the facilities since new development is already paying its fair share through impact fees.

Credits per fire call per year are calculated in the following table.

TABLE 42: CALCULATION OF FIRE BOND CREDITS

Year	Total Payment	Fire Calls for Service	Payment	NPV*
2025	\$413,325	1,960	\$210.89	\$1,354.93
2026	\$415,385	2,011	\$206.55	\$1,211.78
2027	\$407,125	2,064	\$197.29	\$1,065.82
2028	\$404,760	2,117	\$191.15	\$921.82
2029	\$404,035	2,173	\$185.95	\$776.76
2030	\$408,830	2,230	\$183.37	\$629.65
2031	\$418,965	2,306	\$181.68	\$477.76
2032	\$418,825	2,385	\$175.59	\$319.97
2033	\$415,425	2,467	\$168.39	\$160.37

*NPV = net present value discounted at 5 percent

Credits will be applied to the gross cost per call and then multiplied by the average number of calls per unit of development type.

TABLE 43: FIRE CALLS PER UNIT

Description	Calls per Unit/SF	Fee per Unit/SF
Residential	0.08205	\$549.16
Non-Residential	0.00006	\$0.57

The average number of calls per development type are then multiplied by the cost per call to arrive at maximum fees.

TABLE 44: MAXIMUM FEES PER UNIT

Impact Fee Net of Outstanding Bond Credits	Gross Cost per Call	Outstanding Bond Credits	Credits for Rebuild Benefitting Existing Development	Fire Cost per Call	Max Fire Fee per Residential Unit	Max Fire Fee per Non- Residential per SF
2025	\$8,838.84	\$1,354.93	\$791.10	\$6,692.81	\$549.16	\$0.43
2026	\$8,838.84	\$1,211.78	\$751.86	\$6,875.19	\$564.12	\$0.44
2027	\$8,838.84	\$1,065.82	\$712.67	\$7,060.35	\$579.32	\$0.45
2028	\$8,838.84	\$921.82	\$673.46	\$7,243.55	\$594.35	\$0.47
2029	\$8,838.84	\$776.76	\$634.21	\$7,427.87	\$609.47	\$0.48
2030	\$8,838.84	\$629.65	\$594.84	\$7,614.35	\$624.77	\$0.49
2031	\$8,838.84	\$477.76	\$555.32	\$7,805.76	\$640.48	\$0.50
2032	\$8,838.84	\$319.97	\$516.12	\$8,002.75	\$656.64	\$0.51
2033	\$8,838.84	\$160.37	\$477.18	\$8,201.29	\$672.93	\$0.53
2034	\$8,838.84	\$0.00	\$438.44	\$8,400.40	\$689.27	\$0.54
2035	\$8,838.84	\$0.00	\$399.85	\$8,438.99	\$692.44	\$0.54

Impact Fee Calculation

Utah Code 11-36a-304(1)(c), 11-36a-304(2), 11-36a-305

Maximum impact fees for public safety have been calculated and summarized in under the proportionate share analysis section of this document. A table summarizing total public safety impact fees are summarized in the table below:

TABLE 45: MAXIMUM PUBLIC SAFETY FEES BY YEAR

Summary	Police	Fire	TOTAL (per unit or per SF)
2025			
Residential	\$201.13	\$549.16	\$750.29
Non-Residential	\$0.35	\$0.43	\$0.78
2026			
Residential	\$207.77	\$564.12	\$771.89
Non-Residential	\$0.36	\$0.44	\$0.80
2027			
Residential	\$214.43	\$579.32	\$793.75
Non-Residential	\$0.37	\$0.45	\$0.83
2028			
Residential	\$221.15	\$594.35	\$815.50
Non-Residential	\$0.39	\$0.47	\$0.85
2029			
Residential	\$227.93	\$609.47	\$837.40
Non-Residential	\$0.40	\$0.48	\$0.88

Summary	Police	Fire	TOTAL (per unit or per SF)
2030			
Residential	\$234.77	\$624.77	\$859.54
Non-Residential	\$0.41	\$0.49	\$0.90
2031			
Residential	\$241.68	\$640.48	\$882.16
Non-Residential	\$0.42	\$0.50	\$0.92
2032			
Residential	\$248.59	\$656.64	\$905.24
Non-Residential	\$0.43	\$0.51	\$0.95
2033			
Residential	\$255.53	\$672.93	\$928.46
Non-Residential	\$0.45	\$0.53	\$0.97
2034			
Residential	\$262.50	\$689.27	\$951.77
Non-Residential	\$0.46	\$0.54	\$1.00
2035			
Residential	\$269.51	\$692.44	\$961.94
Non-Residential	\$0.47	\$0.54	\$1.01

Certification

Utah Code 11-36a-306(2)

Zions Public Finance, Inc. certifies that the attached impact fee analysis:

1. includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
3. offsets costs with grants or other alternate sources of payment; and
4. complies in each and every relevant respect with the Impact Fees Act.

HERRIMAN, UTAH
ORDINANCE NO.

AN ORDINANCE ADOPTING AN IMPACT FEE FACILITIES PLAN, IMPACT FEE ANALYSIS, AND AN IMPACT FEE ENACTMENT THAT IMPOSES A FIRE/EMS PUBLIC SAFETY IMPACT FEE; PROVIDING FOR THE CALCULATION AND COLLECTION OF SUCH FEE; AND PROVIDING FOR APPEAL, ACCOUNTING, SEVERABILITY OF THE SAME, AND OTHER RELATED MATTERS

WHEREAS, the Herriman City Council (the “Council”) met in regular meeting on October 22, 2025, to consider, among other things, adopting an Impact Fee Enactment that imposes Police and Fire Public Safety Impact Fee; providing for the calculation of the same; and other related matters; and

WHEREAS, the City of Herriman (the “City”) is authorized to enact impact fees for certain public facilities in accordance with the Utah Impact Fees Act (the “Act”) as set forth in Utah Code Ann. § 11-36a-101 et seq.; and

WHEREAS, Zions Public Finance, Inc. has prepared an Impact Fee Analysis (“IFA”) and Impact Fee Facilities Plan (“IFFP”) for Fire/EMS that analyzes proposed public facilities and associated impact fees as provided in the Act; and

WHEREAS, the proposed Police and Fire Public Safety Impact Fees set forth in the attached IFA will replace the previously adopted Police and Fire Public Safety Impact Fees; and

WHEREAS, the IFFP (i) considers all revenue sources for financing public facility system improvements necessary to accommodate future growth, (ii) analyzes statutory criteria for determining whether a proportionate share of the cost of new Public Facilities is reasonably related to new development activity as set forth in the Act, and (iii) sets forth the methodology used to calculate the impact fees proposed for the Public Facilities; and

WHEREAS, the Impact Fee Analysis Consultant, Zions Public Finance, Inc., certified its work under Utah Code Ann. § 11-36a-306(2); and

WHEREAS, following the appropriate public notices as required by the Act and after providing copies of the IFFP, IFA, and the Enactment to the public, the Herriman City Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council’s consideration; and

WHEREAS, as provided in the Act, it is proposed that the current impact fee for Fire and Police public safety facilities be modified and that impact fees be enacted, all as set forth below; and

WHEREAS, after considering the facts and comments presented to the Herriman City Council, the Council finds (i) growth and development within the City is creating continuing demand for Police and Fire public safety facilities to serve such development, (ii) impact fees are

necessary to fairly distribute the costs of public facilities to serve new development, (iii) impact fees established by this ordinance constitute a proper proportionate share of the cost of public facilities which are reasonably related to new development activity as set forth in the Act and the IFFP; (iv) the impact fee established by this ordinance was developed by conservative analysis and justified by the IFFP; and (v) adoption of this ordinance reasonably furthers the health, safety and general welfare of current and future residents of Herriman City.

NOW, THEREFORE, BE IT ORDAINED by the Herriman City Council as follows:

Section 1. Findings. The Council finds and determines as follows:

1.1. All required notices have been given and made and public hearings conducted as required by the Impact Fees Act with respect to the Public Safety Impact Fee Facilities Plan, the Impact Fee Analysis, and this Impact Fee Enactment (“Ordinance”); and

1.2. Growth and development activities in the City of Herriman will create additional demands on its infrastructure. The facility improvement requirements which are analyzed in the Impact Fee Facilities Plan and the Impact Fee Analysis are the direct result of the additional facility needs caused by future development activities. The persons responsible for growth and development activities should pay a proportionate share of the costs of the facilities needed to serve the growth and development activity; and

1.3. Impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison with the benefits already received and yet to be received; and

1.4. In enacting and approving the Impact Fee Analysis and this Ordinance, the Council has taken into consideration, and in certain situations will consider on a case-by-case basis in the future, the future capital facilities and needs of Herriman City, the capital financial needs of the City of Herriman which are the result of the City of Herriman’s future facility needs, the distribution of the burden of costs to different properties within Herriman City based on the demand for public safety facilities of Herriman City by such properties, the financial contribution of those properties and other properties similarly situated in Herriman at the time of computation of the required fee and prior to the enactment of this Ordinance, all revenue sources available to Herriman City, and the impact on future facilities that will be required by growth and new development activities in the City of Herriman; and

1.5. The provisions of this Ordinance shall be liberally construed in order to carry out the purpose and intent of the Council in establishing the impact fee program.

Section 2. Definitions.

2.1. Except as provided below, words and phrases that are defined in the Impact Fees Act shall have the same meaning in this Ordinance; and

2.2. “Service Area” shall mean the boundaries of the City of Herriman; and

2.3. “Utah State Impact Fees Act” shall mean Title 11, Chapter 36a, Utah Code Annotated or its successor state statute if that title and chapter is renumbered, recodified, or amended.

Section 3. Adoption.

3.1. The Council hereby approves and adopts the Public Safety Impact Fee Facilities Plan and Impact Fee Analysis attached and the analyses reflected therein. The Impact Fee Facilities Plan and the Impact Fee Analysis are incorporated herein by reference and adopted as though fully set forth herein.

3.2. The Police and Fire Public Safety Impact Fees enacted by this Ordinance shall be enacted and collected as set forth herein.

Section 4. Impact Fee Calculations.

4.1. *Impact Fees.* Police and Fire Public Safety Impact Fees are hereby imposed on the basis of the Impact Fee Analysis and shall be paid as a condition of issuing a building permit from the City or other developmental approval. The impact fees imposed by this Ordinance shall be added to the Herriman Master Fees Schedule and shall be as follows:

	Police	Fire
Residential	\$201.13	\$549.16
Non-Residential	\$0.35	\$0.43

4.2. *Developer Credits/Developer Reimbursements.* A developer, including a school district or charter school, may be allowed a credit against or proportionate reimbursement of impact fees if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement, or dedicates a public facility that the City of Herriman and the developer agree will reduce the need for a system improvement. A credit against impact fees shall be granted for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities are system improvements to the respective utilities, or are dedicated to the public and offset the need for an identified future improvement; and

4.3. *Adjustment of Fees.* The Council may adjust (but not above the maximum allowable fee) the standard impact fees at the time the fee is charged in order to respond to an unusual circumstance in specific cases and to ensure that the fees are imposed fairly. The Council may adjust the amount of the fees to be imposed if the fee payer submits studies and data clearly showing that the payment of an adjusted impact fee is more consistent with the true impact being placed on the system; and

4.4. *Impact Fee Accounting.* Herriman City shall establish a separate interest-bearing ledger account for the cash impact fees collected pursuant to this Ordinance. Interest earned on such account shall be allocated to that account.

- (a) Reporting. At the end of each fiscal year, the City of Herriman shall prepare a report generally showing the source and amount of all monies collected, earned and received by the fund or account and of each expenditure from the fund or account. The report shall also identify impact fee funds by the year in which they were received, the project from which the funds were collected, the capital projects from which the funds were budgeted, and the projected schedule for expenditure and be provided to the State Auditor on the appropriate form found on the State Auditor's Website; and
- (b) Impact Fee Expenditures. Funds collected pursuant to the impact fees shall be deposited in such account and only be used by the City to construct and upgrade the respective facilities to adequately service development activity or used as otherwise approved by law; and
- (c) Time of Expenditures. Cash impact fees collected pursuant to this Ordinance are to be expended, dedicated or encumbered for a permissible use within six (6) years of receipt by Herriman. Herriman may hold previously dedicated or unencumbered fees for longer than six (6) years if it identifies in writing, before the expiration of the six-year period, (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.
- (d) Extension of Time. The City may hold unencumbered impact fees collected pursuant to this Enactment for longer than six (6) years if the Council identifies in writing (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.

4.5. Refunds. The City shall refund any impact fee collected pursuant to this Enactment as set forth in Utah Code Ann § 11-36a-303, as amended or when:

- (a) The fee payer has not proceeded with the development activity and has filed a written request with the Council for a refund; and
- (b) the fees have not been spent or encumbered within six years of the payment date; and
- (c) no impact has resulted.

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

4.7 Fees Effective at Time of Payment. Unless the City is otherwise bound by a contractual requirement, the Impact Fee shall be determined in accordance with this Enactment.

Section 5. Appeal.

5.1. Any person required to pay an impact fee who believes the fee does not meet the requirements of the law may file a written request for information with the City; and

5.2. Within two weeks of the receipt of the request for information the City shall provide the person or entity with a copy of the reports and with any other relevant information relating to the impact fee; and

5.3. Any person or entity required to pay an impact fee imposed under this article, who believes the fee does not meet the requirements of law may request and be granted a full administrative appeal of that grievance. An appeal shall be made to the City within thirty (30) calendar days of the date of the action complained of, or the date when the complaining person reasonably should have become aware of the action; and

5.4 The notice of the administrative appeal to the Council shall be filed and shall contain the following information:

- (a) The person's name, mailing address, and daytime telephone number; and
- (b) A copy of the written request for information and a brief summary of the grounds for appeal; and
- (c) The relief sought.

Section 6. Effective Date. This Ordinance, and the Impact Fees enacted hereunder, shall take effect January 20, 2026.

PASSED AND APPROVED this 22nd day of October, 2025

HERRIMAN

Lorin Palmer, Mayor

ATTEST:

Jackie Nostrom, MMC City Recorder



CITY COUNCIL MINUTES

Wednesday, October 08, 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, October 8, 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, Teddy Hodges, Sherrie Ohrn

Staff Present: City Manager Nathan Cherpeski, 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, Community Development Director Blake Thomas, City Engineer Bryce Terry, Operations Director Monte Johnson, Assistant to the City Manager Trevor Ram, Planning Manager Clint Spencer, Public Works Director Justun Edwards, 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 5:33 p.m.

1.1. Review of this Evening's Agenda

Mayor and staff briefly reviewed the agenda.

1.2. Future Agenda Items

There were no future agenda items requested.

1.3. Council discussion of future citizen recognitions

There was no future citizen recognitions noted.

2. Administrative Reports

2.1. September 2025 City Status Report – Trevor Ram, Assistant to the City Manager
Assistant to the City Manager Trevor Ram presented the September city status report, which the communications department had playfully themed as a Disneyland map, with agenda items named after rides in honor.

Building permits for single family, condos, and townhome units were reported as progressing well. Assistant to the City Manager Ram noted that businesses continued to see growth. The City's population estimate had crossed over 64,000 residents, approaching 20,000 housing units. The vacancy rate stood at 4.1%.

Regarding project updates, the Main Street median was progressing well. Assistant to the City Manager Ram particularly highlighted the planter retrofit in front of city hall, praising the team for completing it on time. Sales tax generation was stabilizing, with July being a typically low generation month. The City maintained approximately 75% of sales tax revenue from population-based distributions and 25% from direct sales.

Councilmember Jared Henderson focused on tracking property tax breakdowns and expressed interest in seeing the breakdown between residential and commercial property tax, similar to how sales tax is tracked. City Manager Nathan Cherpeski explained that property tax data wasn't received monthly but could provide year-over-year comparisons. The Council emphasized the importance of understanding this balance as commercial areas come online, particularly for budgeting purposes.

2.2. Discussion Regarding Potentially Amending City Ordinance Concerning Road Cuts – Bryce Terry, City Engineer

City Engineer Bryce Terry presented proposed amendments to the City ordinance regarding road cuts, explaining that the City had identified gaps in protecting newly constructed roads from utility cuts. Currently, there was no ordinance preventing utility companies from cutting into roads shortly after construction.

Engineer Terry detailed the current road restoration requirements, which had evolved significantly over the years. The current standard requires a "T-patch" method with additional milling and overlay, a significant improvement from straight trench cuts used 20

years ago. He explained that in 2017, the Utah APWA chapter adopted requirements for a 2-inch mill and overlay to prevent water infiltration and road deterioration.

Engineer Terry outlined the proposed amendments:

- A three-year moratorium on cuts for newly constructed roads, with exceptions for emergencies
- Enhanced repair requirements for roads within 5 years of construction, including full-width repairs from gutter to gutter plus 25 feet in each direction
- Additional requirements for roads treated with slurry seal within the past two years

City Manager Cherpeski emphasized the importance of protecting residents' investments, citing the \$10 million Main Street reconstruction as an example. He noted that utilities are regularly informed about road construction plans and have opportunities to install infrastructure beforehand or use boring techniques to avoid cuts.

Councilmember Sherrie Ohrn expressed strong support for the amendments, sharing her frustration at seeing newly constructed roads being cut up. She acknowledged the increased costs but emphasized the need to protect the City's infrastructure investments.

Councilmember Teddy Hodges suggested clarifying restoration standards for emergency exceptions. Councilmember Terrah Anderson asked about anticipated pushback, to which Engineer Terry responded that while contractors already resist current restoration requirements due to costs, the City needed to hold those impacting roads accountable rather than passing costs to residents.

The Council expressed unanimous support for bringing the ordinance amendments to a future meeting for consideration.

2.3. Discussion of a budget amendment to fund the Stampede Bowl Trail – Anthony Teuscher, Deputy Director of Parks, Recreation and Events

Deputy Director of Parks, Recreation and Events Anthony Teuscher requested a budget amendment to reallocate \$36,500 from the trails maintenance budget to construct the Stampede Bowl Trail, a half-mile multi-use primitive trail south of Black Ridge Reservoir. The trail was approved for construction in May 2024, but anticipated grant funding had not materialized.

Deputy Director Teuscher explained that a contractor currently building the Bonneville Shoreline Trail nearby could construct this trail immediately after completing their current project. He emphasized the difficulty of securing contractors for small projects like this,

noting that five contractors had been contacted with no responses with the exception of the current contractor on location.

Deputy Director Teuscher noted the funding would come from the \$70,000 trails maintenance budget, specifically from funds allocated for seal coating, crack sealing, and mastic work that couldn't be completed due to staffing shortages. The department had recently hired a third maintenance worker who would start the following Monday, but most staff time was spent on weed mitigation in urban areas rather than trail maintenance.

The Council expressed significant concerns about deferring maintenance to fund new construction. Councilmember Henderson argued that taking money from maintenance would create a deficit that compounds over time. He emphasized that the maintenance work would still need to be done, and the \$36,500 wouldn't be replaced in future budgets.

Mayor Palmer agreed with the assessment, noting the City was already falling behind on maintenance while adding more trail miles to maintain. Deputy Director Teuscher revealed that the City maintained approximately 45-50 total miles of trails (including 15-16 miles of primitive trails) with only three maintenance staff members.

When asked about projected usage, Deputy Director Teuscher noted the trail system was highly used during spring, summer, and fall. Regarding cost savings from having the contractor already mobilized, he estimated less than 5% savings but emphasized the real benefit was contractor availability.

The Council unanimously opposed the budget amendment. Councilmember Ohrn suggested the City should be able to maintain amenities prior to expanding. Councilmember Hodges requested pursuing grants more aggressively in the spring and finding alternative contractors. Deputy Director Teuscher confirmed he would continue to pursue grant funding for the trails construction.

Councilmember Hodges moved to temporarily recess the City Council work meeting to convene in a closed session to discuss pending, or reasonable imminent litigation, the purchase, exchange, or lease of real property, and the deployment of security personnel, devices, or systems, as provided by Utah Code Annotated §52-4-205 at 6:13 p.m. Councilmember Anderson 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>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously.

The Council reconvened the Council work meeting at 7:00 p.m.

3. Adjournment

Councilmember Ohrn moved to adjourn the Council work meeting at 7:00 p.m. Councilmember Hodges seconded the motion, and all voted aye.

7:00 PM – GENERAL MEETING:

4. Call to Order

Mayor Palmer called the meeting to order to 7:08 p.m.

4.1. Invocation/Thought/Reading and Pledge of Allegiance

Mr. Andrew Lawrence led the audience in the Pledge of Allegiance.

4.2. City Council Comments and Recognitions

Councilmember Hodges reported on the Herriman Howl event held Monday night, describing it as amazing with significant attendance throughout the evening. The weather was beautiful, and the event featured many new additions and opportunities for participation. Councilmember Hodges thanked the events staff and noted that police, fire, parks, and all departments were present to support the event.

Councilmember Sherrie Ohrn thanked Executive Assistant Shelly Peterson for helping with a tour that morning for South Valley School.

Mayor Palmer highlighted the groundbreaking ceremony for Fire Station 103 and noted the station was expected to take approximately 14 months to build, with completion anticipated by the end of next year.

5. Public Comment

Andrew Lawrence addressed the Council regarding agenda item 9.2, the Master Development Agreement (MDA) for the Crescent property. Mr. Lawrence noted that he resides adjacent to the site and shared feedback gathered from the recent neighborhood meeting concerning the proposal. He stated that while residents were encouraged by the prospect of a responsible development partner with reasonable operating hours and minimal neighborhood

impact, several concerns remained. Mr. Lawrence requested clarification regarding the proposed landscaping buffer, specifically whether it would include a berm or solely plantings, and what its dimensions would be. He also expressed uncertainty about future development plans for the remainder of the Crescent property and whether the landscaping buffer would extend throughout the site. Mr. Lawrence's primary concern, shared by many neighboring residents, pertained to the contaminated soil on the property, which reportedly contains lead and arsenic originating from materials imported by developers from Kennecott. He described confusion regarding jurisdictional responsibility for the site, noting that various agencies have referred oversight back to Herriman City. Mr. Lawrence further observed inconsistencies between Environmental Protection Agency (EPA) standards and the City's original soil safety standards, which were later amended in emergency meetings to align with EPA requirements. Citing a previous incident involving Rocky Mountain Power's noncompliance with required soil-handling procedures, Mr. Lawrence expressed apprehension about ensuring proper remediation practices. He urged the Council to include specific provisions within the MDA requiring that all soil remediation activities be conducted safely and in accordance with applicable regulations, given Herriman City's jurisdiction over the property. Mr. Lawrence concluded by thanking the Council for providing residents the opportunity to participate in the public process.

6. City Council Reports

6.1. Councilmember Jared Henderson

Councilmember Henderson had nothing to report at this time.

6.2. Councilmember Teddy Hodges

Councilmember Hodges had nothing to report at this time.

6.3. Councilmember Sherrie Ohrn

Councilmember Ohrn had nothing to report at this time.

6.4. Councilmember Terrah Anderson

Councilmember Anderson had nothing to report at this time.

7. Mayor Report

Mayor Palmer had nothing to report at this time.

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

Councilmember Ohrn 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>Aye</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.

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

Community Development Director Blake Thomas presented the proposed amendments to the Land Use Ordinance. He explained that the amendments were needed to address several undeveloped commercial properties in the City that face challenges such as topography, visibility, and unmotivated owners. The proposals also looked to address an intensity gap between the mixed-use zone and technology manufacturing zone.

The goals included providing opportunities for home occupations to grow beyond home-based businesses, addressing the gap in commercial uses, providing cost-effective options, and enticing maker space or micro-flex developments. Director Thomas noted that Herriman had a large number of home occupations, and when they grow, they need affordable spaces which could be potentially 1,000 square feet rather than the 3,000-5,000 square feet typically available.

The amendments included adding definitions for new uses not previously in the code, creating a C-F (Commercial Flex) zone with specific purpose statements, and allowing self-storage as an accessory use. Drive-up self-storage would be limited primarily to users of the flex space, while indoor self-storage would be open to anyone. Properties would need to be at least five acres to include storage uses.

Development standards would follow closely to C-2 requirements but with allowances to keep costs down. The front of buildings facing streets would need to be dressed up, while the back areas used for deliveries could have reduced aesthetic requirements. The amendments also addressed parking requirements, setbacks, and landscaping standards.

The proposal included changes to the Major Corridor Sign Overlay, increasing spacing requirements from 200 to 500 feet and decreasing minimum acreage from 20 to 8 acres to make the overlay more usable along Mountain View Corridor. Director Thomas recalled the Planning Commission had recommended approval with a 5-1 vote, with the dissenting vote concerning self-storage uses.

Councilmember Ohrn questioned the definition of reselling versus pawn shops, which Director Thomas clarified were defined separately. Councilmember Anderson asked about self-storage limitations and HOA fees. Councilmember Henderson emphasized that the Council's role was to provide zoning tools, not control business operations or pricing. He focused on ensuring the language didn't overly restrict who could use the drive-up storage units. The Council agreed that policing owner-occupancy requirements would be difficult and should be left to HOA or property management rather than City enforcement.

Councilmember Hodges moved to approve Ordinance No. 2025-21 amending the Herriman City Land Use Code to adopt the C-F Commercial Flex Zone and associated standards with the modification to strike the section requiring drive-up storage units be restricted only to owners or lessees of the primary use tenant space. 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>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously.

- 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

Planning Manager Clint Spencer presented the proposal for amendments to the Crescent Commercial MDA, explaining that the 15.5-acre site is currently zoned C-2 and is surrounded by residential properties on the north and east sides. The conceptual site plan showed a building with loading docks on the backside and access roads, with Herriman Boulevard to the east. He outlined three key elements of the proposed amendments: adding warehousing and wholesale uses, modifying landscape buffer requirements, and addressing architectural standards.

Manager Spencer explained that the first amendment would add warehousing and wholesale uses as conditional uses, which were not currently permitted in the C-2 zone. This would be limited to the Crescent piece through the MDA and wouldn't apply to other C-2 zoned properties. He noted that a portion of the building would be utilized by the main occupant for warehousing, while the remainder would be office-type uses, retail, and other uses.

Regarding the buffer requirements, Manager Spencer detailed that instead of the standard 15-foot buffer with a 6-foot masonry wall required between commercial and residential uses, the proposal would provide increased setbacks: approximately 98 feet to the building on the east side, 66 feet on the north side, and 24 feet on the south side. The proposal would eliminate the masonry wall in favor of increased landscaping on a berm between the residential and commercial properties. He noted this approach was similar to what was approved for the Lifetime Fitness building.

For architectural standards, Manager Spencer explained that the building would be tilt-up concrete, which was not permitted in the C-2 zone but is allowed under the AMSD zone provisions already established in the existing MDA. He noted the Planning Commission had recommended approval on September 17, 2025

Councilmember Henderson expressed concern about the need to consider future uses of the property beyond the current proposed user. He noted that while there has been considerable enthusiasm regarding the potential occupant, the Council's focus should remain on the overall land use and its impact on surrounding residents. Councilmember Henderson also emphasized the importance of receiving detailed information about the proposed buffer. He noted that uncertainty regarding the degree of the incline presents a significant issue and clarified that an inclined area does not serve the same purpose as a constructed berm designed to provide separation between different uses.

Councilmember Ohrn raised concerns regarding the design of the proposed buffer, observing that it appeared more like a ramp leading into adjacent backyards rather than an elevated berm intended to restrict traffic movement. She cautioned against focusing too heavily on the prospective user instead of the permitted uses being approved, noting the importance of maintaining flexibility should the proposed tenant not materialize. Councilmember Ohrn also emphasized the need to consider potential impacts on nearby residents, particularly with respect to operating hours and delivery truck activity.

Developer Larry Myler provided clarification regarding the proposed site design, explaining that the intended user, Black Clover, preferred the building to be situated closer to street level rather than atop the existing elevated soil. He stated that the development team planned to remove all contaminated soil down to the original grade, resulting in the finished building elevation being approximately two to four feet above sidewalk level, compared to the current elevation of about twelve feet.

Developer Myler confirmed that the developer has engaged Earthtouch to prepare a soil removal plan, which would be reviewed and approved by the City. He emphasized the importance of proper soil remediation and concurred with Councilmember Henderson's recommendation to adhere to the more stringent of the City's or EPA's soil safety standards.

Regarding the berm, Developer Myler suggested a 5-foot berm above the driving area with landscaping on top to provide both a physical barrier and decorative element. He confirmed that the entire property would be remediated in the first phase, not just the building area, and that there would be a proctor on-site daily during soil removal to monitor toxicity levels and ensure safety standards were met.

Director Thomas clarified that Herriman has institutional controls over contaminated soils in operable unit 3 per EPA's record of decision. The City's standard is 4,000 parts per million for lead in commercial development, as specified in city code section 10-15-1. He explained that the City has adopted standards and processes outlined in engineering standards, and reports to the EPA every five years on cleanup activities.

After extensive discussion about buffer specifications, soil remediation standards, and operational restrictions, the Council worked with the City Attorney Todd Sheeran to craft specific conditions. These included requirements for soil remediation to meet the more restrictive of city standards or any regulatory agency standards, specific buffer requirements including a 5-foot berm with landscaping, and provisions for operational restrictions on warehousing and wholesale activities to be addressed during the conditional use process.

Councilmember Henderson moved to approve Ordinance No. 2025-22 approving 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 with the following conditions:

1. Berm and Landscaping

1.1. The berm shall be at least five (5) feet higher than the adjacent drive or parking area and include trees and other landscaping. Landscaping shall, at a minimum, comply with the standards of the C-2 zone, but the City may require additional landscaping as part of a conditional use permit review.

2. Contamination

2.1. The applicant shall ensure that soil contamination levels meet or exceed the remediation standards established in City Code Section 10.15.1, or any higher remediation level recommended by a regulatory agency.

3. Elevation Height

3.1. The finished floor elevation shall be no more than five (5) feet above the top back of curb (TBC).

4. Conditional Use Standards

4.1. The conditional use permit (CUP) standards and any conditions of approval shall run with the land and shall not terminate upon expiration or termination of any related agreement.

5. Administrative Authority to Finalize Conditions

5.1. The City Attorney and City Manager are authorized to make any modifications necessary to effectuate these conditions and to finalize the language of the approval documents consistent with the Council's direction.

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>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Nay</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed with a vote 4:1.

Councilmember Ohrn expressed concern with the process used to present the proposed Master Development Agreement. She stated that while she supports the project and hopes it moves forward, she was uncomfortable with receiving new information and making revisions

so close to the meeting. She emphasized the importance of having adequate time to review all language in the MDA before voting, noting that even small wording changes could have significant consequences. She reiterated her support for seeing development progress but stated she could not vote to approve the agreement without sufficient time to review and understand all details.

Councilmember Hodges thanked City Manager Cherpeski for his expertise and professional recommendation. He expressed appreciation for staff efforts in working through the details during the meeting rather than delaying the discussion to a later date.

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

The closed session was conducted during the work session.

12. Adjournment

Councilmember Ohrn moved to adjourn the Council meeting at 8:57 p.m. Councilmember Hodges seconded the motion, and all voted aye.

13. 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 October 8, 2025. This document constitutes the official minutes for the Herriman City Council Meeting.



Jackie Nostrom, MMC
City Recorder



STAFF REPORT

DATE: October 9, 2025

TO: The Honorable Mayor and Members of the City Council

FROM: Michael Maloy, City Planner

SUBJECT: Review and consider a proposal to amend Chapter 10-34 of Herriman City Code to reduce the minimum setback or yard requirements for an accessory structure when located within a rear yard, and expand enforcement remedies in Chapter 10-7 of the Herriman City Code to include building height deviations no greater than 10% when substantial construction has been undertaken in good faith, subject to City approval. (City File Z2025-040) – Michael Maloy, City Planner

RECOMMENDATION:

Planning Commission voted 5-0 on May 21, 2025, to recommend approval of an amendment to reduce the minimum rear and side yard setback requirement of accessory structures when adjacent to public open space and expand enforcement remedies in Chapter 10-7 of the Herriman City Code to include building height deviations no greater than 10% when substantial construction has been undertaken in good faith, subject to City approval.

As per the additional information provided by staff within the “Discussion” section of this report, staff also recommends approval of the proposed amendment.

ISSUE BEFORE COUNCIL:

Should the City modify its accessory structure regulations to reduce rear and side yard setbacks for accessory structures when adjacent to open space, and include height deviations as a potential enforcement remedy?

BACKGROUND & SUMMARY:

The applicant is in the process of constructing a residential accessory structure in the rear yard. During construction, the City received a complaint that the structure, for which a building permit had been issued, was deemed “too tall” and “too close” to the rear and side property lines. Upon inspection, the City confirmed that the structure was too close to the rear and side property lines and was also too tall for the location. The site plan, approved as part of the building permit process, showed the required 7'-0" setback. Further, the building permit was approved with a height of 20'.

The structure was built with a 3'-0" rear yard setback and a 5'-0" side yard setback. In response, the applicant acknowledged the error and began working with the City to resolve the violation.

The applicant, who is generally familiar with building, fire, and zoning codes, believed the rear and side yard setbacks could be reduced upon implementing "fire-rated" construction standards. Although enhanced fire suppression in residential construction is a common technique for reducing setback requirements in the Building Code, *it does not reduce the minimum zoning setback requirement unless specified in City Code, which it does not.* The owner did not seek permission to amend the setbacks before construction.

Due to the size and type of the building being constructed, the applicant concluded that removing and relocating the accessory structure, including its footing and foundation system that has embedded steel corner posts, is too costly. As such, the applicant submitted the attached text amendment for consideration. If approved, the applicant's structure, which is 20'-6" tall, and has a 3'-0" rear yard setback and a 5'-0" side yard setback, would comply with the amended City Code.

The City published a Planning Commission public hearing notice on May 2, 2025, and mailed notices to all affected and registered entities with the City per State and City regulations. No public hearing comments were received before or during the public hearing.

DISCUSSION:

City Code 10-5-8. E. states, "A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the City Council as described in subsection 10-5-6A of this chapter. 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.

The text amendment would correct this situation, but may lead to unintended consequences in other situations. The Council had significant discussion about accessory structures when the current code was adopted in 2022. Additionally, not all public open spaces are used the same way. Some spaces are passive while others are active. Placing a building close to a passive open space could be quite different from placing it next to a trail or park. These are all items to be considered.

Following the City Council's discussion of this item on August 13, 2025, the Council voted to table the proposal and directed staff to review, clarify, and evaluate the proposal for further consideration by the Council. In doing so, the staff met with the applicant, modified the proposal, and forwarded the draft language to the City Attorney for review. Essentially, the modified proposal:

- Maintained the proposed setback reduction when adjacent to Open Space, which the Council seemed to support,
- Modified the *additional* building height to *additional* setback ratio from 1' in height to 1' in setback, to 2' in height to 1' in setback, and
- Maintained the 10% building height modification, which is consistent with the current City Code when addressing minor building setback errors, and if approved, would resolve the applicant's code enforcement case.

The applicant also provided an additional letter of explanation regarding the situation and additional rationale for supporting the proposal. Primarily, the applicant identified the *significant per-square-foot costs of mortgaging and maintaining private property, including annual property taxes*, that the City should consider when establishing (and minimizing) setback requirements (see Attachment A – Applicant Letter).

In general, the Planning Department remains concerned about potential impacts associated with relatively large accessory structures currently permitted in Herriman City Code, and this concern will be even greater when discussing detached accessory structures in the future. To address this concern, staff supported a previous draft submitted to the Planning Commission that reduced the maximum building height of accessory structures from 25' to 20' for lots between ¼ and ½ acres, and from 30' to 25' for ½ acres lots (or larger); however, that proposal was not supported by the Planning Commission.

Regarding the applicant's request to reduce the rear-yard setback when adjacent to Open Space, the staff and the Planning Commission agree with that element of the proposal. However, *staff agrees with the Council that the side yard setback should not be automatically reduced unless it is also adjacent to Open Space.*

Upon re-examination of the applicant's request to reduce the side yard setback for accessory structures located within a rear yard, *staff agrees with the applicant's petition that increasing the side yard setback using a "1 to 1" ratio results in "wasted" or underutilized space that is costly for residents.* When considering the current median price of a buildable 1/3-acre lot in Herriman is estimated at \$280,000, the per-square-foot cost of land based on a 30-year mortgage is *significant and warrants consideration when seeking to balance private and public interests in public policy.*

As previously stated, staff is concerned about the impacts of large accessory structures; however, some of these issues may be mitigated through design standards, such as regulating the design and placement of windows to protect privacy when directly adjacent to private property. However, other concerns, such as the impact of shadows on a rear-yard garden, should be weighed against the fact that Herriman does not regulate or limit the height or density of trees planted along a property line. In studying this issue further, *staff reviewed typical zoning ordinances throughout Salt Lake County and observed that Salt Lake City, West Valley City, and Salt Lake County all require a "1 to 1" setback increase for additional height; however, these municipalities also start with smaller setbacks than Herriman, ranging from 1 to 3 feet. And when adding a "1 to 1"*

additional setback ratio, the applicant's accessory structure height would be permissible in these jurisdictions (subject to further review of additional regulations). However, it should also be noted that Herriman City's current setback standard (*not* height) is generally consistent with other nearby jurisdictions:

- Bluffdale 8-foot minimum for interior lot
- Riverton 5-foot minimum for interior lot
- South Jordan 3-foot minimum for interior lot
- West Jordan 3-foot minimum for interior lot

Given the factors discussed above, *staff is supportive of the applicant's proposal to modify the setback ratio for additional height of accessory structures*; however, staff also recommends that additional modifications may be warranted pending future discussions on detached accessory dwelling units and expanding home occupations in accessory structures.

STRATEGIC PLAN:

Within the City Council's Strategic Plan, staff identified the following relevant strategy:

QL 4 – Neighborhood quality. Address code enforcement and public safety concerns with property owners to preserve the quality of neighborhoods and commercial areas.

FISCAL IMPACT:

None; the proposal does not obligate or negatively impact the adopted or future Herriman City Budget.

ALTERNATIVES:

The City Council may consider the following alternatives for the proposal (see Attachment B – Draft City Code Amendment):

- Approve the amendment as recommended by the Commission.
- Approve the amendment with modifications by the Council (**RECOMMENDED**).
- Continue the amendment for further consideration; the Council may request additional information or specify modifications of the proposal, if needed.
- Deny the amendment based on findings by the Council.

ATTACHMENTS:

- A. Applicant Letter
- B. Draft City Code Amendment

Resident Statement – Proposed Amendment to Setback Requirements

Submitted by: Cyle Jones

Dear Council Members,

I am writing to respectfully request your support of the proposed amendment regarding accessory structure setbacks. For my family, this issue is not abstract. Our garage is about 90% complete and has been on hold while we have worked closely with City staff to identify a resolution. This amendment represents that resolution, balancing homeowner needs with community interests in a fair and consistent way.

Updated Proposal Reflects a Balanced Compromise

I understand that the original agenda item referenced broader reductions of setbacks and enforcement remedies, including adjustments for structures adjacent to public open space. Since that time, staff has forwarded updated language to the City Attorney at your direction. The updated proposal now uses a 2:1 ratio, requiring one additional foot of setback for every two feet of structure height. This, along with the open space setback clarification, reflects the Council's intent and provides a balanced compromise that protects neighborhood character while allowing reasonable use of private property.

Maximizing Property Use and Livability

Every foot of setback translates into lost square footage for homeowners. In our case, this amendment restores 224 square feet of usable yard space, a portion large enough to make a real difference for recreation, gardening, or family activities. Without this adjustment, that space would remain wasted despite being suitable for productive use.

There is also a measurable financial impact. Homeowners pay property taxes on land regardless of whether they can use it. For us, the 224 square feet represents about \$63 per year in taxes. For a family financing at current interest rates, that same portion of property equates to \$21–\$28 in monthly mortgage payments adding up to more than \$7,500–\$10,000 over the life of a 30-year loan. These figures illustrate the real cost of leaving portions of property unusable, a burden that affects many families beyond our own.

Preventing Unintended Negative Impacts

Excessive setbacks often create “dead zones” on lots of narrow strips of land that cannot be used effectively. These areas frequently become overgrown with weeds, cluttered with dog runs or storage containers, or left neglected altogether. By adopting this amendment, more property becomes functional and well maintained, which improves not only individual lots but also the overall appearance and property values of our neighborhoods.

Respecting Neighborhood Character While Supporting Homeowners

Some concerns have been raised about taller accessory structures impacting neighbors. However, trees and landscaping, which are not subject to setbacks, often create equal or greater impacts on sunlight and views. The 2:1 ratio, combined with the open space setback adjustment, ensures structures remain proportional while protecting neighbors' interests. This approach respects both community character and property rights, providing a consistent and fair standard going forward.

Economic and Community Benefits

Finally, this amendment helps reduce unnecessary financial burdens on families. Larger setbacks increase construction costs and discourage improvements that otherwise enhance property values. In our case, it would allow us to complete a project that has been paused, but more broadly, it encourages reinvestment in Herriman's housing stock, supports higher property values, and strengthens the City's tax base. Just as importantly, it creates a clearer and more consistent standard for future projects, reducing enforcement challenges and ensuring City resources are used efficiently.

In conclusion, this amendment is about more than numbers in a zoning code it is about fairness, practicality, and livability. For homeowners, it means being able to use the property they pay for and maintain. For the City, it means adopting a policy that reduces wasted space, addresses open space setbacks, prevents neglected areas, and supports the very reasons families choose Herriman as their home.

I respectfully urge you to support this amendment so that families across Herriman can benefit from a standard that is fair, efficient, and consistent with the character of our community.

Sincerely,

Cyle Jones

[REDACTED]

[REDACTED]

Herriman, UT 84096

HERRIMAN, UTAH
ORDINANCE NO. 2025 -

**AMENDING TITLE 10 OF HERRIMAN CITY CODE TO REDUCE SETBACKS OF
ACCESSORY STRUCTURES ADJACENT TO OPEN SPACE AND EXPAND
ENFORCEMENT REMEDIES TO INCLUDE BUILDING HEIGHT DEVIATIONS**

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 Zoning text or map; and

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

WHEREAS, a notice of a Planning Commission public hearing on a Zoning text amendment was posted in three (3) public locations and mailed to affected entities on May 2, 2025, for a meeting to be held on May 21, 2025, at 7:00 p.m.; and

WHEREAS, the Commission voted 5-0 to recommend approval of the Zoning text amendment in a public meeting held on May 21, 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 Zoning text amendment and the Commission’s recommendation in a public meeting; and

WHEREAS, a City Council public meeting was held on October 22, 2025, at 7:00 p.m. to discuss the Zoning text amendment; and

WHEREAS, the Council finds that it is in the best interest of the citizens of Herriman City to adopt the Zoning text amendment, which was recommended by the Planning Commission and documented in City File number Z2025-040;

NOW, THEREFORE, be it ordained by the Herriman City Council for approval to amend the Herriman City Land Development Code, Title 10, 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 22nd day of October 2025.

HERRIMAN CITY

ATTEST:

Mayor Lorin Palmer

Jackie Nostrom, City Recorder

Exhibit “A”

The following text comprises excerpts from various sections of the Herriman City Code, providing context for the Ordinance. Only the text marked by an underline or strike-through shall be amended by the codifier.

Herriman City Code Title 10 Land Development Code

10-7 Enforcement

10-7-7: Remedies

- H. Height and Setback Deviation: When an unintended error has been made in building height or determining the location of a required setback and substantial construction subsequently has been undertaken in good faith, the Community Development Director may approve a deviation from the required building height or setback so long as the deviation is no greater than ten percent of the required building height or setback and the Director finds:
1. Strict application of the building height or setback requirement would be an undue hardship;
 2. The modification will not create a substantial detriment to adjacent property; and
 3. Will not pose a danger to public health or safety.

CHAPTER 10-34 ACCESSORY BUILDINGS AND STRUCTURES

10-34-1: Purpose

10-34-2: General Requirements

10-34-3: Location of Accessory Buildings and Structures

10-34-4: Architectural Standards

10-34-5: Standards Unique to Building and Structures in Agricultural Zones

10-34-6: Special Exceptions

10-34-1: Purpose

The purpose of this chapter is to establish uniform regulations for accessory buildings and structures within the city. These requirements are intended to ensure that accessory buildings and structures are compatible with the character of the neighborhood and do not unduly disturb or impact adjacent property owners, while ~~at the same time~~ also allowing residents flexibility to ~~make use of their property to accommodate~~ for personal hobbies and outdoor and recreational pursuits.

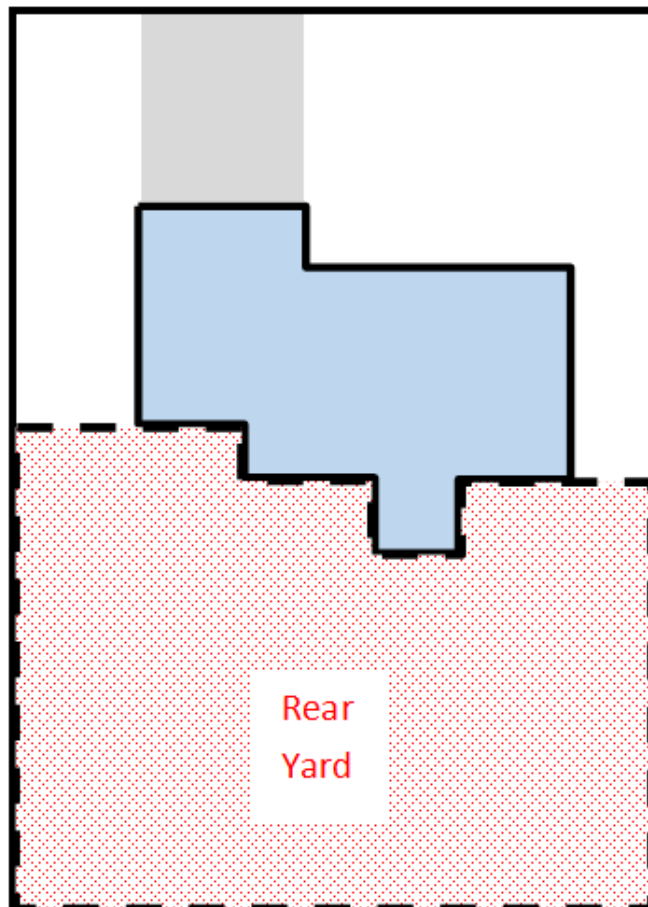
10-34-2: General Requirements

In addition to the use limitations and other regulations for the zoning district in which the accessory building or structure is proposed to be located, no accessory building or structure shall be allowed unless it complies with the following general standards:

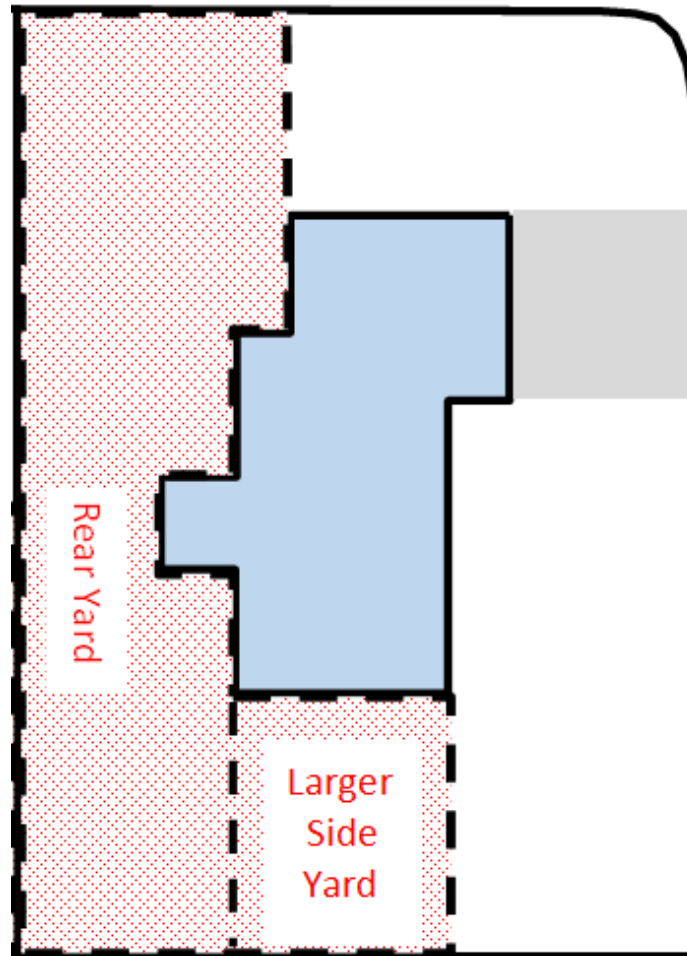
- A. All accessory buildings or structures are permitted in all ~~zones~~ zoning districts, provided they are:
 1. Incidental and subordinate to the principal use and/or structure on the property, and
 2. Compliant with the provisions of this chapter and the zone wherein they are located.
- B. An accessory building or structure shall be under the same ownership or control as the principal structure ~~and/or use on the property.~~
- C. Except for agricultural zones, no accessory building or structure shall be established or constructed before the main dwelling or structure is under construction. Said accessory structure

shall not be used prior to the issuance of a certificate of occupancy for the main dwelling or structure.

- D. No accessory building or structure shall include a residential dwelling unit nor may an accessory building or structure be rented, sold, or otherwise used as a separate living space, except as may be provided elsewhere in this Title,
- E. Accessory building and structures shall not be used for a home occupation except as provided in Section 10-22-6 of this Title.
- F. All accessory buildings and structures shall comply with any and all applicable standards and requirements of the International Building and Fire Codes.
- G. Recreational play structures less than 16 feet in height are exempt from all general restrictions of this chapter, except they shall comply with required setbacks as other accessory structures.
- H. Open roofed structures (pergola, trellis, arbors etc.), when lacking a solid roof and open on all sides, shall still be setback a minimum of three (3) feet from side and rear property lines. Open on all sides means that no solid wall is included in the structure. Lattice work that is ~~fifty (50%)~~ 50 percent transparent is not considered solid, nor are walls constructed to support plant material.
- I. Yard measurement to determine the maximum size for an accessory building/ structure.
 - 1. Rear yard measurement:
 - a. Rear yard measurement shall begin at a point on the property line parallel to the rear wall plane of the building at the most adjacent rear corner of the primary building, and follow the rear roofline of the building excluding any feature attached to the primary building such as covered patios, bump outs, or other projections connected to the primary structure.
 - b. Extends the full width of the lot.



2. Side yard measurement:
 - a. Only applicable under a Special Exception for corner lots
 - b. Side yard measurement shall begin at the most rear corner of the primary building closest to the side property line, then along the side of the building following the wall of the building to the front yard setback line for the property in the given zone, and then parallel to the front plane of the building to the side property line, then following the side property line to the rear yard.



10-34-3: Location of Accessory Buildings and Structures

- A. For setback purposes, measurements shall be taken from the foundation of the accessory structure to the property line or the foundation of the main dwelling or other building. Roof eaves and roof overhangs of one (1) foot or less are not included in the required setback.
- B. Unless placed on the ground on movable skids, accessory buildings and structures less than 200 square feet may not encroach onto any public utility or other easement. However, as the sole responsibility of the property owner, construction may occur within said easement if permission is granted from the utility companies and any other entity holding rights to public utility or other easements on the property.
- C. Dripline. In no case shall the roof of any building extend over or toward an adjacent property in a manner that will direct water from said roof onto an adjacent property, regardless of permitted setbacks.

10-34-4: Architectural Standards

- A. Except for accessory buildings and structures in Agricultural Zones that are used for agricultural purposes, for any accessory structure 200 square feet or larger in size all facades facing the street shall either match the main finish materials of the principle structure including colors, and roof lines, or be finished with one or more of the following materials:
 - 1. Stucco, cementitious fiber board siding, brick, cedar shake shingles, or stone or synthetic/cultured stone
 - 2. Non-street-facing sides of the accessory building shall be finished with either the same materials as listed above, or prefinished and painted metal siding.
 - 3. Roofing shall be made of materials designed for such application and shall match the material and/or color of the main structure on the property, including: composition asphalt/fiberglass shingles, wood shakes, slate, tile, or similar appearing materials, standing seam metal roof systems and metal shingles. Galvanized metal surfaces, reflective surfaces, or reuse of materials that are not originally designed as an exterior wall or roof finish material are not permitted.
- B. Prohibited exterior materials for all accessory buildings and structures: Exposed plywood or particle board, or similar unfinished materials, and non-rigid materials (i.e. canvas, coated canvas, and similar).
- C. Accessory structure openings, such as a minimum of one windows, or doors, or skylight, or other architectural opening feature shall be required on all elevations visible from the street.
- D. Accessory buildings and structures shall be maintained in such a manner as to not detract from the existing neighborhood. Setback areas between accessory structures and property lines shall be maintained in a weed- and debris-free condition.

10-34-5: Standards Unique To Building And Structures In Agricultural Zones

- A. Accessory buildings and structures used for agricultural purposes must be designed such that the primary function of the structure is the keeping of farm animals, and the storage of feed, farm equipment, etc. for the lot on which the building or structure is constructed. Floor plans must be provided to show that more than ~~sixty (60%)~~ 60 percent of the building will be for agricultural purposes related to the property on which the structure is located.
- B. Agricultural structures with animals shall not be located within forty (40) feet of any residential dwelling. Chicken coops shall not be placed closer than 15' to the home on which the coop is located and no closer than 25' from a home on an adjacent lot.
- C. Agricultural structures may utilize such exterior building materials that are appropriate to the use.
 - 1. Accessory structures which qualify as agricultural structures, as per 10-34-5(A), are not subject to architectural regulations in this chapter, however, all roofing shall be non-reflective.
 - 2. Greenhouses are not required to match the building materials of the primary structure.

CHART 10-34 ACCESSORY BUILDING AND STRUCTURE DEVELOPMENT STANDARDS

ACCESSORY BUILDING AND STRUCTURE REQUIREMENTS			
	ACCESSORY BUILDING SIZE		
	SMALL	MEDIUM	LARGE
	<=200 SF	201 - 400 SF	401 SF +
SETBACKS			
Distance From Primary Structure	0'	5'	
In Rear Yard - From Side and Rear Property Line (Interior, NOT adjacent to street)	1' Min	3' Min if height is <= 16' See “Height” table below for buildings taller than 16'	
Side Yard Adjacent to Street	1' Min if height <= 8' If height > 8' match primary building setback	Match required primary building setback	
From Any Building > 200 SF on Adjacent Lot	2' if height < 8'; 4' if height > 8'	6'	
From Accessory Building on Same Lot	0'	6'	
Front Yard	5' Behind Front Yard Setback for Primary Structure, and 5' Behind Front of Primary Structure		
Inside In Side Yard - Between Front and Rear Yards	Same as Required for Primary Structure; When structure is in rear yard, see above, 'In Rear Yard'		
HEIGHT			
0 - 10,000 SF Lot	16'		
10,001 - 21,780 SF Lot	16'	25 feet or Height of Primary Structure, Whichever is Less. For every foot <u>2 feet of building height</u> above 16 feet, <u>1</u> additional foot in interior side and rear yard setback <u>is</u> required, <u>except when a setback is adjacent to public or quasi-public open space</u>	25 feet or Height of Primary Structure, Whichever is Less. For every foot <u>2 feet of building height</u> above 16 feet, <u>1</u> additional foot in interior side and rear yard setback <u>is</u> required, <u>except when a setback is adjacent to public or quasi-public open space</u>
21,781 SF Lot or more	16'		30 feet; For every foot <u>2 feet of building height</u> above 20 feet, foot <u>1</u> additional foot in interior side and rear yard setback <u>is</u> required, <u>except when a setback is adjacent to public or quasi-public open space</u>
SIZE: (MAX TOTAL LOT COVERAGE FOR ALL STRUCTURES)			
0 - 6,000 SF Lot	15% of rear yard or 75% of footprint of home, whichever is less		
6,001 - 11,000 SF Lot	25% of rear yard or 75% of footprint of home, whichever is less		
11,001 - 21,780 SF Lot	25% of rear yard or 80% of footprint of home, whichever is less		
21,781 - 43,560 SF Lot	40% of rear yard or 125% of footprint of home, whichever is less		
> 43,560 SF Lot	40% of side and rear yards		

10-34-6: Special Exceptions

- A. In order to allow flexibility for specific unique circumstances addressed in Section B below, an application for a special exception to specific requirements of this chapter may be approved. In determining the appropriateness and potential impacts of a special exception, additional mitigating requirements, conditions, and limitations may be imposed to prevent or minimize adverse effects on adjoining properties. These mitigating conditions may include, but are not limited to, the use, construction, operation, appearance, location, screening, and landscaping, as may be required as part of a special exception.
- B. When allowed:
 - 1. Application for a special exception to the provisions required for accessory structures as established by this chapter (10-34) shall only be allowed under the following circumstances:
 - a. The applicant's lot has unique characteristics which may include:
 - 1) Irregular lot shape (see definitions)
 - 2) Topography which creates a unique situation
 - 3) Flexibility in determining side/rear/front yards.
 - 4) Lot adjacency to other commercial/industrial/ open space land uses on at least two (2) sides of the property.
 - 2. When the use of the building is strictly for Agricultural purposes and the applicant can demonstrate the following:
 - a. Absolute need for higher, or larger building to accommodate equipment used specific to the property for agriculture.
 - 3. Additional height of an accessory structure which is not intended for agricultural use shall be allowed for architectural purposes only.
 - 4. In cases of required parking, if a rear yard does not allow for a two car garage that accommodates the requirement for single family parking, a structure no larger than 520 square feet shall be allowed for said use.
 - 5. Corner lots as follows:
 - a. If the rear yard is less than twenty-five (25) feet.
 - b. For corner lots $\geq 10,000$ square feet:
 - 1) If the existing rear yard setback is more than twenty (20) feet shallower than the nearest adjacent interior lot with the same orientation a special exception can be considered.
 - c. When a special exception for a corner lot is permitted, the applicant may include the rear and larger side yard in the calculation to determine the maximum size for an accessory structure. No additional exemptions are permitted with this exception for architectural (except agricultural), setback requirements.
 - d. Special exceptions for corner lots shall be approved by the Planning Director. The Planning Director may request Planning Commission consideration when extenuating conditions exist.
- C. The Planning Commission shall approve a special exception to the specific requirements of this chapter, except as provided in this chapter, with conditions and limitations as may be

appropriate. Adjoining property owners shall receive notice of said hearing for a special exception no less than ten (10) days prior to the public hearing.

D. The following shall be considered by the Planning Commission in determining the appropriateness of a special exception:

1. The special exception does not materially impact the goals and policies of the City's General Plan.
2. The special exception is not in conflict with adopted restrictive covenants governing the property.
3. The proposed exception for the structure is in keeping with the development block pattern of the area.
4. The special exception will not have an adverse effect upon public health, safety, or general welfare of the community.
5. Additional height and size greater than the maximum allowed can be mitigated by:
 - a. Requiring additional setback from the property line or adjacent buildings
 - b. Requiring all sides of the accessory structure to match the home or comply with 10-34-4(A)(1).
 - c. Requiring additional landscaping buffers and plantings to screen the building from adjacent properties.
 - d. Impacts to adjoining properties can be mitigated by adjusting architectural elements, i.e. reducing or eliminating doors, windows, etc. that are visible from adjoining properties and streets.
6. The accessory structure does not violate the sight visibility triangle on corner lots.
7. Other development requirements could be required that will further mitigate and are directly associated with the impact of the special exception.
8. In cases where an exception is requested due to an irregularly shaped lot, the Commission shall consider the following:
 - a. Whether the irregularity of the lot shape restricts, or limits the placement of an accessory structure compared to a regular lot of similar size.
 - b. It shall be the burden of the applicant to clearly demonstrate the hardship due to the shape of the lot.
 - c. The requested exception cannot be considered to exceed the size, or height of any accessory structure except as provided in this chapter.
 - d. Whether the impact of the exception will place an undue impact on adjacent properties which would not be typical if the lot was a regular shape.



STAFF REPORT

DATE: October 8, 2025

TO: The Honorable Mayor and Members of the City Council

FROM: Bryce Terry, City Engineer

SUBJECT: Consideration to Approve Design Contract for the Herriman Athletic Complex

RECOMMENDATION:

Staff recommends awarding the contract for planning, design, and construction management services for the Southwest Athletic Complex to Consor Engineers, LLC, including a design contingency as outlined in Option 1.

ISSUE BEFORE COUNCIL:

Should the City Council approve the proposed contract with Consor Engineers for planning, design, and construction management of the Southwest Athletic Complex?

BACKGROUND/SUMMARY:

The Southwest Athletic Complex is listed in the Capital Improvement Plan (CIP) as Project No. 0054-00 and funded in the FY2025 budget for **\$1,121,500**, entirely from Park Impact Fees.

- The selected firm will provide comprehensive services, including:
 - Initial planning and coordination
 - Site surveys and environmental reviews
 - Detailed design and construction documents and specifications
 - Cost estimating
 - Construction oversight (meetings, submittal reviews, pay requests, change orders, claims management)

RFP Process:

- Proposals were solicited from five pre-qualified firms on **September 5, 2025**.
- Four proposals were received by the deadline (**October 1, 2025, 5:00 PM**), with two firms submitting jointly.

- A review committee (including staff from Administration, Parks, and Engineering) evaluated proposals based on qualifications, scope, cost, schedule, and design approach.
- **Conzor Engineers** were the high scoring proposal. Their reduced cost gave them a significant advantage in the scoring, but the fact that they had designed Provo's Epic Sports Park also gave them great experience scores.

Table 1. Proposal Scoring Summary

Scoring Committee Member	Proposing Firm			
	Conzor	BluLine	MGB+A/Horrocks	MHTN
Scoring Member # 1	91.0	87.2	79.2	69.3
Scoring Member # 2	89.0	73.2	73.2	67.3
Scoring Member # 3	84.0	80.2	82.2	76.3
Scoring Member # 4	91.0	80.2	82.2	72.3
Scoring Member # 5	81.0	73.2	78.2	68.3
Total Score	436.0	394.0	395.0	353.5
Average Score	87.2	78.8	79.0	70.7

Table 2. Proposal Total Fee Summary

Proposing Firm	Total Cost
Conzor	\$385,190
BluLine Designs	\$834,090
MGB+A/Horrocks	\$1,822,506
MHTN	\$2,325,000

ALIGNMENT WITH STRATEGIC PLAN:

This project supports the City's strategic goals for enhancing recreational facilities and promoting community well-being, especially those that promote sports tourism:

QL 3 – Sports tourism destination

Establish Herriman as a sports tourism center focused on sports such as soccer, rugby, baseball, and mountain biking.

DISCUSSION:

City staff have reviewed all the proposals and found the following:

1. The highest scoring proposer, Consor, has met the licensing and insurance requirements to perform the work presented in their proposal.

2. The proposer has provided adequate job experience comparable to our project, including design of the Epic Sports Complex in Provo, which is a recent project very similar in size and scope to the vision for the Southwest Athletic Complex.
3. References on prior projects indicate that the proposer will be capable of providing the level of service required by the city.
4. Given the uncertainty in final design and potential for unforeseen scope changes, it is recommended to include a design contingency of \$85,000 in the total contract amount.

FISCAL IMPACT:

This portion of the Southwest Athletic Complex project is budgeted for \$1,121,500. The Consor proposal is for \$385,190. Staff recommends an additional \$85,000 design contingency for potential scope and phasing changes, for a total contract of \$470,190.

ALTERNATIVES:

Option 1 – Award the design contract to Consor Engineers with design contingency.

Option 2 – Award the design contract to Consor Engineers as proposed with no additional contingency

Option 3 – Reject all proposals, or select a different proposal



STAFF REPORT

DATE: October 14, 2025

TO: The Honorable Mayor and City Council

FROM: Blake Thomas, Community Development Director

SUBJECT: Discussion and Consideration of an Interlocal Agreement with the Olympia Public Infrastructure District (PID) regarding the reimbursement of funds to construct approximately 4,650 feet of roadway along 7300 West from Herriman Main Street to Herriman Boulevard.

RECOMMENDATION:

Staff recommends that the City Council approve the interlocal agreement.

ISSUE BEFORE COUNCIL:

Should the City Council approve an interlocal agreement to reimburse the Olympia PID for costs incurred to design and construct 7300 West from Herriman Main Street to Herriman Boulevard?

ALIGNMENT WITH STRATEGIC PLAN:

This project aligns with the following goals of the adopted Strategic Plan:

- 1) ES-6.1: Seek outside funding sources for capital transportation projects

BACKGROUND/SUMMARY:

7300 West is a planned major collector roadway from Herriman Main Street to Herriman Boulevard. The City acquired a portion of the road right-of-way, beginning at Herriman Main Street and extending northward to approximately 13250 South, using Salt Lake County Corridor Preservation funds in 2018. The remaining right-of-way will be dedicated to the City from the Olympia PID.

Funding to design and construct the final roadway improvements will come from two sources. The first source of funding is \$10,500,000 that will come from the Utah Department of Transportation (UDOT) by way of House Bill 488 that was approved by the Utah State

Legislature in 2024. The second source of funding is \$4,000,000 of County Transportation Funds from Salt Lake County.



DISCUSSION:

The 7300 West roadway project will construct approximately 4,650 linear feet of 3-lane asphalt paved roadway. The roadway will include bike lanes on the shoulders and asphalt trails on each side. There will be pedestrian tunnels at the Olympia Boulevard roundabout and Butterfield Creek that connect to the regional trail network from Bingham Creek Regional Park to the Butterfield Canyon trailhead allowing trail users to safely cross major roadways without interrupting traffic. Additionally, there will be a traffic signal installed at Herriman Main Street and 7300 West as part of the project.

The funding sources for this project come from UDOT and Salt Lake County, combining to a total amount of \$14,500,000. Herriman has been authorized to utilize these funds to reimburse the Olympia PID for costs incurred to design and construct all improvements, including roadway, sidewalks, landscaping, trail crossings, creek crossings, and utilities. There is no anticipation of using city funds on this project.

Work that includes preliminary grading and drainage improvements has begun. It is anticipated that the work will be complete in the summer/fall of 2026 for the roadway.

ALTERNATIVES:

The council may:

1. Approve the interlocal agreement [RECOMMENDED]
2. Direct staff to modify the interlocal agreement and approve with modifications.
3. Continue the item for consideration at a future meeting.
4. Deny approval of the interlocal agreement.

FISCAL IMPACT:

Funding for this project will come from UDOT and Salt Lake County. The Salt Lake County funds are required to be spent before January 2027. There is no anticipation of using Herriman City funds for this project.

ATTACHMENTS:

- 1) Draft Interlocal Agreement

INTERLOCAL AGREEMENT BY AND BETWEEN HERRIMAN CITY AND THE OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT 1 WITH RESPECT TO THE CONSTRUCTION OF OLYMPIA BOULEVARD

THIS INTERLOCAL AGREEMENT is entered into as of this ____ day of _____, 2025, by and between **HERRIMAN CITY**, a political subdivision of the State of Utah (the “City”) and **THE OLYMPIA PUBLIC INFRASTRUCTURE DISTRICT 1**, a political subdivision of the State of Utah (the “PID”). The “City” and the “PID” may also be referred to collectively as “Parties”.

RECITALS

A. A Governing Document authorizing the creation of the PID has been approved by the City per Resolution No. _____.

B. The City has received \$10,500,000 from the Utah Department of Transportation per 2024 House Bill 488, §72-2-121(4)(k)(vi) to construct a new roadway that connects 13200 South to U-111 at approximately 12600 South (Herriman Boulevard), as depicted in Exhibit A.

C. The City has executed an Interlocal Agreement with Salt Lake County (Agreement No. 0000002125) for the transfer of up to \$4,000,000 from Salt Lake County to Herriman City for costs related to the construction of the realigned U-111 between 11000 South and 13100 South.

D. The PID desires to perform the work to design and construct the roadway and the City is willing to use the funding from the State of Utah and Salt Lake County to reimburse the PID for the costs associated with performing the work.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Real Property. The PID and the City hereby represent and warrant to each other that they are the fee owner or have the right to be the fee owner of the Real Property depicted on Exhibit A (“Real Property”) and that upon request from the City, the PID will transfer title of the Real Property it owns to the City free and clear of all liens and encumbrances.

2. Improvements. The Improvements include, but are not limited to, right-of-way acquisition, subgrade and sitework, asphalt pavement, concrete curb and gutter, concrete sidewalks, asphalt paved trails, dry and wet utilities, streetlights, retaining walls, culverts and landscaping, as depicted in Exhibit B. The PID hereby represents and warrants to the City that it will be the owner of the Improvements and that upon request, the PID will transfer the title of the Improvements to the City, free and clear of all liens and encumbrances.

3. **Condition of Improvements.** The PID will cause the installation and construction of the Improvements (the “Work”) to be completed at the PID’s sole cost and expense by qualified licensed contractors. Prior to City’s acceptance of ownership of the Improvements, the PID shall provide evidence satisfactory to the City that all labor, materials, equipment, rental, and other costs incurred in performing the Work have been paid in full and that the City will receive the Improvements free and clear of all liens and encumbrances.

4. **Conveyance to the City.** At the City’s discretion, at any time following the date of this Agreement, PID shall convey the Improvements and Real Property to the City free and clear of all liens and encumbrances by executing and delivering to the City such easements, deeds, bills of sale, or other conveyance documents as the City may require in its sole and absolute discretion.

5. **Indemnification and Warranty.** To the fullest extent allowed by law, the PID shall indemnify, defend, and hold harmless the City, its affiliates, agents, employees, and elected and appointed officials from and against any and all actions, claims, losses, damages, and expenses (including reasonable attorneys’ fees) arising out of or connected in any way to the PID’s acts or omissions in connection with the design, fabrication, construction, installation, operation, maintenance, or testing of the Improvements. If any claim is made against the City to which the City’s claims right of indemnification from the PID, the City shall have the right, but not the obligation, to assume the entire control of the defense and/or settlement of the claim, through attorneys selected by the City, and the PID shall cooperate fully with the City in connection with the same. If the City elects to assume control of the defense and/or settlement of the claim, the PID shall be liable for all City’s related costs and expenses, including, without limitation, reasonable attorneys’ fees, all judgments or verdicts, and all monies paid in settlement. Further, the PID represents, warrants, and certifies to the City that all work performed and materials used in connection with the Improvements are free from defect of material or workmanship; and all work performed and materials used shall conform to approved City specifications and applicable construction codes and local laws and ordinances regarding the construction of similar facilities; and that the material used is free from defect in design or otherwise suitable for their intended purpose. The warranty set forth in this section shall extend for one year from the date on which the City accepts conveyance of the Improvements. The PID shall indemnify and hold the City harmless for breach of any warranties hereunder.

6. **Reimbursement.** The City agrees to reimburse the PID for the total verified costs incurred from the design and construction of the Improvements and related facilities for an amount not to exceed \$14,500,000.

(a) All payment requests shall comply with the Request for Disbursement form as provided in Exhibit C.

7. **Offset Rights.** The PID agrees that, in addition to any other rights and remedies available under this Agreement, at law, or in equity, the City may set off against any payments otherwise due and owing to the PID under Section 6 of this Agreement any amount that the City may be entitled pursuant to indemnification under Section 5 of this Agreement or otherwise. Neither the exercise nor the failure to exercise such right of setoff will constitute an election of remedies or limit any of the City’s indemnifications pursuant to Section 5 of this Agreement.

8. No Third-Party Beneficiary. Nothing in this Agreement shall create or be read or interpreted to create any rights in or obligations in favor of any person or entity not a party to this Agreement. Except for the parties to this Agreement, no person or entity is an intended third-party beneficiary under this Agreement.

9. Due Diligence. Each of the Parties acknowledges for itself that it has performed its own review, investigation, and due diligence regarding the relevant law and facts upon which this Agreement is based, including representations of the City concerning the Project and the Project's benefits to the community and to the Parties, and each Party relies upon its own understanding of the relevant law and facts, information, and representations, after having completed its own due diligence and investigation.

10. Interlocal Cooperation Act. In satisfaction of the requirements of the Cooperation Act in connection with this Agreement, the Parties agree as follows:

a. This Agreement shall be authorized and adopted by resolution of the legislative body of each Party pursuant to and in accordance with the provisions of Section 11-13-202.5 of the Cooperation Act;

b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party pursuant to and in accordance with the Section 11-13-202.5(3) of the Cooperation Act;

c. Once executed, a copy of this Agreement shall be filed immediately with the keeper of records of each Party pursuant to Section 11-13-209 of the Cooperation Act;

d. The City Manager is hereby designated the administrator for all purposes of the Cooperation Act, pursuant to Section 11-13-207 of the Cooperation Act;

e. The term of this Agreement shall commence on the publication of the notice required by Section 17C-5-205 of the Act and shall continue through the date when all verified costs, or \$14,500,000, have been reimbursed to the PID, whichever occurs first.

f. Following the execution of this Agreement by both Parties, the Parties shall cause a notice regarding this Agreement to be published in accordance with Section 11-13-219 of the Cooperation Act and Section 17C-5-205 of the Act.

11. Modification and Amendment. Any modification of or amendment to any provision contained herein shall be effective only if the modification or amendment is in writing and signed by both Parties. Any oral representation or modification concerning this Agreement shall be of no force or effect.

12. Further Assurances and Cooperation. Each of the Parties hereto agrees to cooperate in good faith with the other, to execute and deliver such further documents, to adopt any resolutions, to take any other official action, and to perform such other acts as may be reasonably necessary or appropriate to consummate and carry into effect the transactions contemplated under

this Agreement. Further, in the event of any question regarding the calculation or payment of amounts contemplated hereunder, the Parties shall cooperate in good faith to resolve such issue.

13. Governing Law. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of Utah.

14. Interpretation. The terms “include,” “includes,” “including” when used herein shall be deemed in each case to be followed by the words “without limitation.”

15. Severability. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction or as a result of future legislative action, and if the rights or obligations of any Party hereto under this Agreement will not be materially and adversely affected thereby,

- a. such holding or action shall be strictly construed;
- b. such provision shall be fully severable;
- c. this Agreement shall be construed and enforced as if such provision had never comprised a part hereof;
- d. the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the invalid or unenforceable provision or by its severance from this Agreement; and
- e. in lieu of such illegal, invalid, or unenforceable provision, the Parties hereto shall use commercially reasonable efforts to negotiate in good faith a substitute, legal, valid, and enforceable provision that most nearly effects the Parties' intent in entering into this Agreement.

16. Authorization. Each of the Parties hereto represents and warrants to the other that the warranting Party has taken all steps, including the publication of public notice where necessary, in order to authorize the execution, delivery, and performance of this Agreement by each such Party.

17. Notices. All notices provided for herein shall be in writing and shall be given by first class mail, certified or registered, postage prepaid, addressed to the parties at their respective addresses set forth above or at such other address(es) as may be designated by a party from time to time in writing.

Olympia Public Infrastructure District 1
c/o Olympia Land, LLC
527 East Pioneer Road, #200
Draper, UT 84020

Herriman City

Attn: City Manager
5355 West Herriman Main Street
Herriman, UT 84096

18. **Time of the Essence.** Time shall be of the essence of this Agreement.

19. **Incorporation of Recitals.** The recitals set forth above are hereby incorporated by reference as part of this Agreement.

20. **Incorporation of Exhibits.** The exhibits to this Agreement are hereby incorporated by reference as part of this Agreement.

21. **Counterparts.** This Agreement may be executed in duplicate originals, each of which shall be deemed an original.

ENTERED into as of the day and year first above written.

[remainder of page intentionally left blank; signature pages follow]

IN WITNESS WHEREOF, the undersigned have signed this Agreement on the day and year last below written.

HERRIMAN

By _____

Lorin Palmer, Mayor

Dated: _____

ATTEST:

Jackie Nostrom, City Recorder

STATE OF UTAH)
)ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by **Lorin Palmer** and **Jackie Nostrom**, as the Mayor and City Recorder, respectively, of **HERRIMAN**, a Utah municipality.

Notary Public

APPROVED AS TO FORM: _____

**OLYMPIA PUBLIC INFRASTRUCTURE
DISTRICT 1**

By: _____

Its: Chair _____

Dated: _____

Attest:

Secretary

State of Utah)
 ss.
County of Salt Lake)

On the ____ day of _____, 2025 personally appeared before me, _____
who duly acknowledged that he executed the within document as the _____ of the
_____.

NOTARY PUBLIC

EXHIBIT A
Depiction of Location of Improvements

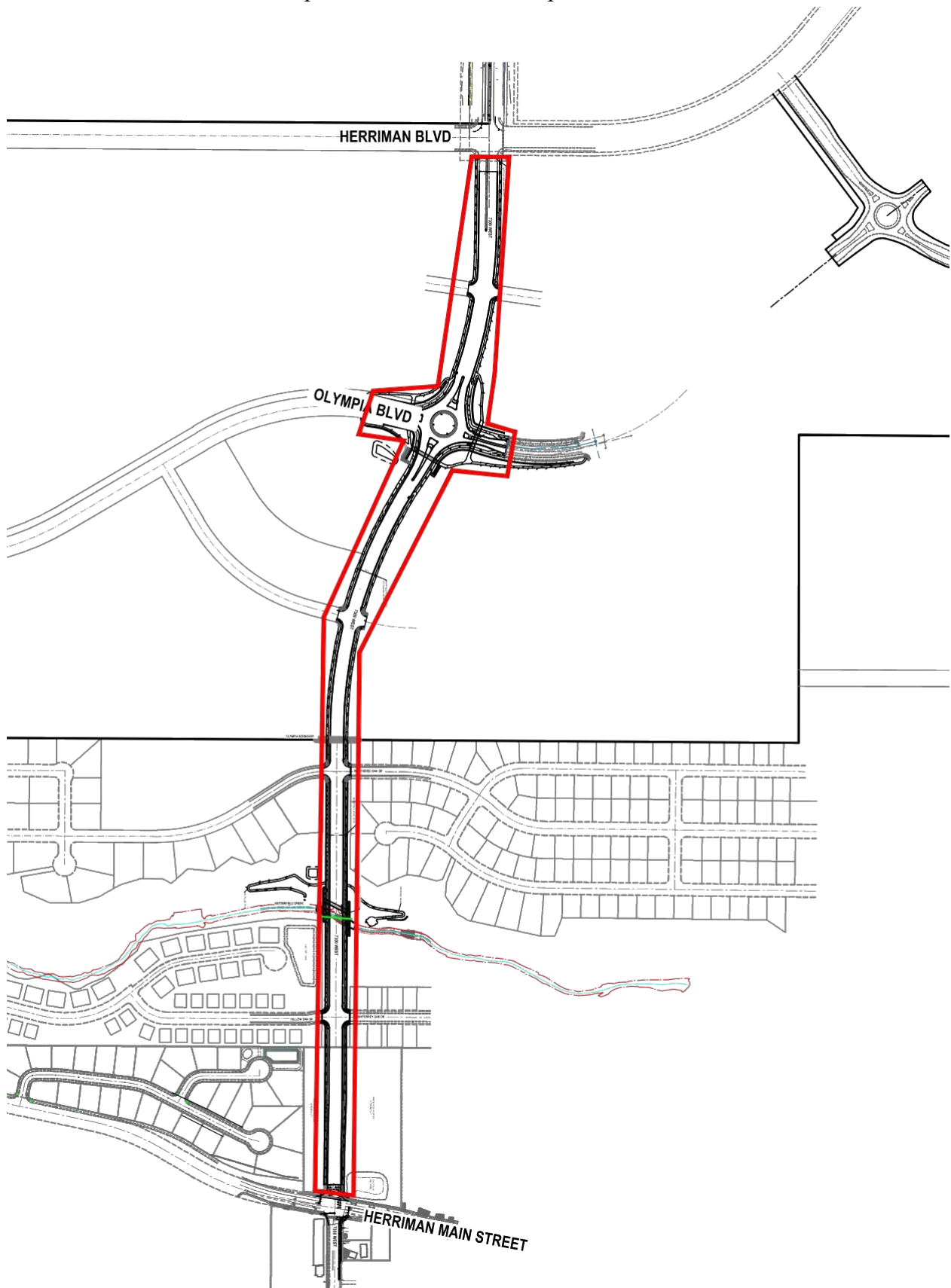


EXHIBIT B

Improvement Plans

Approved Roadway Improvement Plans

(Date Approved: 9/23/2025) are on file with the Herriman City Engineer
Located at Herriman City Hall: 5355 West Herriman Main Street, Herriman, Utah

Reimbursement Request Form
Schedule 1
Reimbursable Project Costs (RPC) Request for Disbursement