



PLANNING COMMISSION MINUTES

Wednesday, September 17, 2025

Approved November 05, 2025

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, September 17, 2025, at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Commission, media, and interested citizens.

Presiding: Chair Andrea Bradford

Commissioners Present at Work Meeting: Brody Rypien, Darryl Fenn, Jackson Ferguson, Heather Garcia, Adam Jacobson, Alternate Preston Oberg

Excused: Andy Powell, Alternate Forest Sickles

Staff Present: Planning Manager Clint Spencer, Planner II Sheldon Howa, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Communications Specialist Mitch Davis, Staff Engineer III Josh Petersen, Community Development Director Blake Thomas, and Planning Director Michael Maloy

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

Chair Andrea Bradford called the meeting to order at 6:04 p.m.

1. Commission Business

1.1. Review and discuss City Council Decisions – Michael Maloy, AICP, Planning Director

Planning Director Maloy provided an update on recent City Council decisions. He reported that Ivory Homes had returned to the City Council in a work meeting to gauge interest in potentially amending the Hidden Oaks Master Development Agreement (MDA) to accommodate cottage-style homes. The Council had previously reviewed this issue about a year ago and declined to change the MDA. He indicated that

the Council maintained the same position, noting that not all council members were present at the discussion. The Council expressed they would need to see more information upfront before considering such changes.

Planning Director Maloy also reported that during the regular meeting, the Council approved the amendment to the retaining wall, grading, and building height measurements that were initiated by staff. The amendment involved clarification on building height measurements. While there had been some concern from the city attorney's office about fully addressing all issues, the amendment proceeded with two options presented to Council. The Council chose the more lenient option, which requires measuring all four sides of a building and ensuring the average height is less than the maximum allowed, permitting one side to exceed the maximum when dealing with sloped lots.

Community Development Director Thomas added that there was ongoing discussion regarding property near the auto mall where an agreement had been breached. The city was attempting to resolve this breach related to a potential baseball training facility between Herriman Main Street and Mountain View Corridor. The Council had tabled this issue as they were uncomfortable with the request to restructure the agreement with a reduced scale of the project. Negotiations are still ongoing.

1.2. Review and discuss Agenda Items – Planning Staff

Chair Bradford reviewed the upcoming agenda items, beginning with the Moderate-Income Housing Plan presentation to be given by Susan Petheram. Planning Director Maloy confirmed this would be an informational presentation about the report that had already been delivered to the State.

The Commission then discussed the conditional use permit for an 80-foot tall wireless cell tower. Planning Director Maloy explained that the attorney representing the applicant would be available online, while the contractor responsible for building the site would likely be present in person. He reminded the Commission that this would involve balancing community values, deciding whether the site was more appropriate for a stealth solution beyond the proposed painted design, or whether a monopole with up to four arrays would better serve the community by potentially reducing the number of installations needed.

For the Crescent Commercial MDA amendment item, Planning Director Maloy explained that the applicant had been at the previous work meeting. He noted that a condition in the staff report requested a cross section for the alternative landscape buffer instead of requiring a masonry wall between commercial and residential neighborhoods. This had been provided for the PowerPoint presentation. He mentioned that neighboring residents had been watching the MDA amendment process, and that the applicant had connected with at least one resident who had questions about the buffer.

The Commission reviewed proposed amendments to the Commercial Zoning Code, including the introduction of a new Commercial Flex (CF) zone. This zone provides options for undeveloped properties with difficult topography and helps local home businesses grow without relocating. Key changes include updated land use categories, development standards, and adjustments to the major corridor sign overlay zone requirements.

1.3. Review and discuss draft amendments to Title 10 of Herriman City Code regarding landscaping requirements for all areas of the City – Clint Spencer, AICP, Planning Manager

Planning Manager Spencer presented proposed amendments to the landscaping ordinance. He explained that the city had been contemplating these changes for several years, partially motivated by changing the requirement from 75% to 50% live growth coverage based on Jordan Valley Water Conservation District recommendations. He emphasized the benefits of landscaping, including economic advantages (higher property values, cost reductions in stormwater handling, and attractiveness for businesses), environmental benefits, and social/health aspects. He outlined several key areas of the proposed amendments:

Live growth coverage included a clarification that 50% live growth coverage applies to landscaped areas, not the entire property, with a maximum of 100 square feet without vegetation.

Regarding artificial turf, after research and meeting with turf companies, staff recommended allowing artificial turf only on sports fields. Planning Manager Spencer noted concerns about heat absorption, longevity, and aesthetic considerations that led to this recommendation, though some commissioners expressed interest in allowing limited artificial turf in residential front yards.

Exceptions in the amendments would include provisions for waivers of strict compliance for landscape plans that don't strictly fit the ordinance but meet the aesthetic criteria.

Commercial buffers would involve reducing the buffer requirement from 20 feet to 15 feet for evergreens while increasing the required height.

Landscape plan changes require that changes to approved landscape plans be approved by the landscape architect and reviewed by staff (Except single family homes and duplexes).

Homeowner notification requires developers to inform future homeowners of landscaping requirements before closing if the landscaping is not completed.

Regarding parking lot landscaping, the proposal includes increasing the minimum landscape island size from 25 to 36 square feet (6x6 instead of 5x5) and requiring two trees per island to improve shade and aesthetics.

Commissioners discussed potential modifications to the artificial turf restrictions and expressed concerns about enforcement in residential areas. There was also a discussion about whether mulch should be allowed in park strips instead of just rocks larger than 1.5 inches.

1.4. Review and discuss Land Development Code standards, policies, and best practices for Herriman City to ensure consistency with the adopted General Plan and compliance with Utah State Code – Michael Maloy, AICP, Planning Director

Planning Director Maloy provided an update on the priorities for code amendments identified by the management team. The priorities are Commercial Flex Zone (CF), Landscape Ordinance, Water Element of the General Plan, Residential Infill Amendments including small lot zoning, Detached Accessory Dwelling ordinance, Fence regulations, and Moderate-Income Housing Plan updates. He also presented

information about the Cove at Herriman Springs development. He mentioned that the developer Travis Taylor had plans for a water tank and was considering a serpentine drive approach for the steep hillside, which would require exceptions to the standard requirement that property lines be at right angles to the street. The proposal included a modified cross section with a sidewalk on one side only. He noted that the project would be revisited by the Commission, due to the steep terrain, the developer was struggling to utilize all of the entitled units, resulting in fewer lots than the originally approved 222, with approximately 183 lots as per the application.

2. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 7:05 p.m. Seconded by Commissioner Garcia and all voted aye.

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

Chair Andrea Bradford called the meeting to order at 7:10 p.m.

3. Call to Order

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

Planner Sheldon Howa led the audience in the Pledge of Allegiance.

3.2. Roll Call

Full Quorum Present

3.3. Conflicts of Interest

Commissioner Rypien disclosed a conflict with Item 5.2.

3.4. Approval of Minutes for the July 16, 2025, and August 06, 2025, Planning Commission Meeting

Commissioner Garcia motioned to approve the Minutes for the July 16, 2025 and August 06, 2025 Planning Commission meeting with correction to the meeting minutes of August 06, 2025: replace Commissioner Bradford with Commissioner Powell in the vote tally; Commissioner Rypien seconded and all voted aye.

4. Administrative Items

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

4.1. Presentation and review of the Herriman City 2025 Moderate Income Housing Plan Report submitted to the Utah Department of Workforce Services (Housing & Community Development Division) as required by Utah Code 10-9a-408 – Susan Petheram, AICP, FFKR Architects (planning consultant)

Chair Bradford proposed moving the item to the end of the agenda due to the presenter's late arrival from a previous meeting.

Commissioner Jacobson made a motion to move the item to the end of the agenda. Seconded by Commissioner Ferguson and all voted aye.

The meeting returned to this item at 9:08 p.m., following its earlier deferral.

Susan Petheram from FFKR Architects provided an overview of the Moderate-Income Housing Plan report submitted to the state in August. She explained that Herriman adopted an updated plan in 2019 as part of the general plan process and modified it in 2022 to meet new state requirements for a 5-year implementation plan and annual reporting. The plan contains one overall goal, six strategies identified by the state, and six action items that implement those strategies. For the 2024-2025 reporting year, there were eight benchmarks regarding progress toward moderate income housing. Petheram detailed the six strategies Herriman is working on: Strategy A: Rezoning for densities, Strategy B: Infrastructure investments, Strategy E: Accessory dwelling units, Strategy F: Housing in commercial/mixed-use zones and near transit corridors, Strategy G: Amending land use regulations, Strategy K: Preserving existing and new moderate-income housing. For each strategy, she reported on Herriman's accomplishments include approving rezoning in the southeast section of the city for smaller lot single-family, attached single-family, and multi-family dwellings, creating new small lot single-family residential zones (R-1-5 and R-1-8), encouraging PUDs to integrate smaller lot sizes, rehabilitating and expanding active transportation infrastructure, working on regulations for detached ADUs based on lot size, allowing multi-family as buffers between commercial and single-family areas, and creating a housing task force to facilitate preservation of attainable housing. Petheram reported that the current housing split is approximately 40% multi-family (including attached single-family/townhomes) to 60% single-family. The city has one Low-Income Housing Tax Credit (LIHTC) project with 288 units, with 258 set aside for low-income households. During the past year, the city issued building permits for 312 single-family dwellings, 153 multi-family units, 50 condos, and 15 accessory dwelling units (though only one was a new construction ADU). She also noted that Herriman has approximately 13,500 entitled units through development agreements, 3,000-3,500 potential additional units in residential base zones outside development agreements, and 886 potential units through the overlay zone. Petheram mentioned that the state had added five additional strategies since Herriman updated its plan in 2022, primarily focused on promoting affordable homeownership, which could be considered for future amendments to the plan.

4.2. Review and consider a Conditional Use Permit for a new 80-foot-tall wireless cell tower and utility cabinets at 3492 W Maradona Drive in the C-2 Commercial Zone.

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

Acres: ±0.78

File No: C2025-076

Planning Director Maloy presented the conditional use permit application for an 80-foot wireless cell tower at 3492 W Maradona Drive in the C-2 Commercial Zone. He noted this was a familiar item that the Commission had seen when reviewing amendments to the code regulating wireless communication

facilities. He showed the approximate location of the property, explaining there was undeveloped commercial area to the east of the site and residential neighborhoods further east.

Planning Director Maloy explained that historically, the city had encouraged cellular companies to identify locations that could use stealth solutions where the arrays are screened, such as the pseudo clock tower at Herriman High or taller poles at high school stadiums. These facilities require line of sight to be effective and were previously required to be on public or quasi-public properties, which have become less available as residential and commercial properties have developed. The city recently approved an amendment to allow private non-residential sites to be potential locations for wireless facilities.

The site is in a C-2 zone where the use is conditional and can be up to 80 feet tall. The city requires collocations, and there may be stealth requirements if justified in the code. The applicant had submitted evidence showing the site is underserved, demonstrating an unmet need. He also noted that the proposal would displace one parking stall, and while the current quantity of stalls still met the Planning Commission approval requirement, the building permit required 53 stalls. Staff recommended making it a condition of approval that the applicant provide an updated off-street parking calculation and add a stall if needed to maintain compliance.

Mark Williams, the applicant representative, gave a presentation explaining the technical challenges with stealth designs, emphasizing how certain designs might impede collocation efforts. He specifically mentioned that while the goal is often to have a singular tower serving multiple carriers, the use of stealth designs can constrain this objective by limiting the angular positioning and arrangement of antennas required by different carriers. This restriction sometimes necessitates the construction of additional towers simply to accommodate the technical needs of other carriers. During the presentation, he presented examples of stealth designs such as monopoles and clock tower arrays. Williams elaborated that these examples, though visually less intrusive, present considerable issues in terms of expenses, citing that they prove to be cost-prohibitive in many instances. Moreover, he explained that such designs are not always capable of supporting the multiple arrays that would make the proposed tower viable for all intended wireless services in this particular location.

After discussion, commissioners expressed concerns that simply painting the tower did not meet the code's stealth requirements. Several commissioners preferred stealth options like a water tower design that would be consistent with other infrastructure in the area.

Commissioner Jacobson moved to continue without dates item 4.2 Review and consider a Conditional Use Permit for a new 80-foot-tall wireless cell tower and utility cabinets at 3492 W Maradona Drive in the C-2 Commercial Zone allowing the applicant to address the stealth options that are available or not.

Commissioner Ferguson seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>No</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>

<i>Commissioner Brody Rypien</i>	<i>No</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Absent</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Absent</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>Aye</i>

The motion passed with a vote 4:2

5. Legislative Items

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

- 5.1. Review and consider a proposed amendment to 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 uses, and require compliance with specified architectural design and material standards within the MDA.

(Public Hearing)

Applicant: Larry Myler, Herriman 73 Partners LLC (property owner)

City File No: M2025-110

Planning Director Maloy presented the proposed amendment to the Crescent Commercial Development MDA. He explained this was a public hearing for an MDA amendment for the vacant C-2 zoned property that is surrounded by residential development. The amendment required Planning Commission's recommendation to the City Council, who would make the final decision. The amendment had three key elements: adding warehouse and wholesale uses, which are typically allowed in light manufacturing zones but not commercial zones; modifying design standards for landscape buffers between commercial and residential properties; allowing use of some standards from the Auto Mall Special District for building design. He explained that because of significant grade changes on the property and the complexity of dealing with pre-existing residential properties with rear yard fences, the developer was requesting an alternative landscape design as a buffer instead of the standard masonry wall. He showed a concept proposal and cross section of how they would treat the landscape buffer between the development and existing residential areas.

Chair Bradford opened the public hearing.

During the public hearing, residents expressed concerns about the safe removal of contaminated soil on the property:

Sonny Mortensen, a resident living directly behind the property, expressed concerns about safety during the removal of contaminated soil. He mentioned past issues with dust suppression during utility work and worried about the health risks of inhaling lead and arsenic if the soil was not properly handled.

Andrew Lawrence, resident, elaborated on the history of the contaminated soil, noting it had been brought to the site because it contained high levels of lead and arsenic. He recalled previous proposals for the site, including a residential rezoning attempt that would have moved the soil elsewhere. He was concerned about ensuring proper handling of the soil and wanted explicit requirements in the MDA.

Brenda Mortensen, resident, expressed concern about health implications of removing the dirt, citing examples of cancer cases from dust exposure in other situations. She shared that video evidence from previous city utility projects showed improper dust suppression, heightening the mistrust of the developer to handle the dirt appropriately. She urged explicit requirements in the MDA for soil handling to protect residents.

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

Community Development Director Thomas provided information about the soil remediation process, explaining that the site was originally zoned residential and later changed to commercial, the city has protocols for handling contaminated soil, a soil assessment plan will be done with a grid sampling approach, soil with contamination levels above 4,000 parts per million must be removed from the site, an environmental consultant will provide oversight during the entire cleanup process, air monitoring stations will be set up with someone on-site monitoring conditions, and trucks will need to be washed down before leaving the site. The remediation follows city ordinances and state requirements. He also noted that the city has successfully conducted similar remediation projects without resident complaints, such as the Hidden Oaks project that cleaned Butterfield Creek. The applicant, represented by Braden Hansen, confirmed they would be using the same environmental consultant that has experience in Herriman and would follow all regulations to safely remove the soil.

Commissioner Fenn moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consider a proposed amendment to 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 uses, and require compliance with specified architectural design and material standards within the MDA.

Commissioner Oberg seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Aye
Commissioner Andy Powell	Absent

<i>Alternate Commissioner Forest Sickles</i>	<i>Absent</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>Aye</i>

The motion passed unanimously.

- 5.2. Review and consider a recommendation to the City Council regarding 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. (Public Hearing)
Applicant: Herriman City
File No: Z2025-121

Commissioner Rypien recused himself from discussion and voting on the item.

Community Development Director Thomas presented the proposed amendments to the Commercial Zoning Code, explaining the need for a new commercial flex zone (CF) to address undeveloped properties with challenging topography and to fill a gap between mixed-use and manufacturing zones. This would help home occupations grow within Herriman rather than relocating to other cities.

The code amendments affected four sections:

1. Land Use Categories: Adding new uses that aren't currently in the code
2. Commercial and Office Zones: Adding a purpose statement for the CF zone and allowing wholesale and warehousing as well as drive-up and indoor self-storage as accessory uses.
3. Development Standards: Allowing different architectural standards for areas not visible from public streets while maintaining higher standards for public-facing facades
4. Major Corridor Sign Overlay Zone: Adding the CF zone and changing requirements from 200 to 500 feet between signs and decreasing the required acreage from 20 to 8

Chair Bradford opened the public hearing.

Kyle Norton, a potential developer, spoke during the public hearing in favor of the amendment. He explained how this type of development helps small businesses transition from home-based operations to commercial space, providing an incremental growth opportunity. He described how the combination of flex space and storage creates synergies for small businesses.

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

Commissioner Garcia expressed concern about some of the uses in areas close to residential neighborhoods, particularly related to the drive-up self-storage, indoor self-storage, and vehicle and equipment rental, questioning how these uses might fit into the neighborhoods. Commissioner Rypien suggested that any concerns about the zone change could be addressed when it was being proposed, as the Planning Commission would still have to approve any such changes. The potential impact on

residential areas was a key consideration, with several commissioners highlighting that the process for such rezoning still required a thorough review and would provide an opportunity to address concerns specific to each location's context.

Commissioner Oberg moved to forward a positive recommendation of approval to City Council of item 5.2 Review and consider a recommendation to the City Council regarding 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 with a change to the Major Corridor Sign Overlay Zone decrease required acres to 5 acres.

Commissioner Ferguson seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>No</i>
<i>Commissioner Brody Rypien</i>	<i>Not Voting</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Absent</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Absent</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>Aye</i>

The motion passed with a vote 4:1

Commissioner Jacobson made a motion to return to item 4.1. Seconded by Commissioner Ferguson and all voted aye.

6. Chair and Commission Comments

Commissioners thanked Planner Sheldon Howa for his service as he was leaving his position with the city.

Commissioner Jacobson expressed concern about giving developers unlimited time to present while restricting residents to three minutes. He suggested implementing time limits for developers or finding ways to keep presentations more focused on new information rather than repetitive content.

Laurin Hoadley mentioned she was researching the possibility of adding a general public comment period similar to how the City Council conducts meetings, which would provide additional opportunities for resident input.

7. Future Meetings

7.1. Next City Council Meeting: September 24, 2025

7.2. Next Planning Commission Meeting: October 1, 2025

7.3. Next City Council Meeting: October 8, 2025

8. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 10:01 p.m. Seconded by Commissioner Garcia and all voted aye.

I, Angela Hansen, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 17, 2025. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Deputy City Recorder