



PLANNING COMMISSION AGENDA

Wednesday, September 16, 2026

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

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

1. Commission Business

- 1.1. Review of City Council Decisions
- 1.2. Review of Agenda Items – Planning Staff
- 1.3. Discussion of proposed amendment to Herriman City Code 10-10 relating to Residential Uses

2. Adjournment

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

3. Call to Order

- 3.1. Invocation, Thought, Reading and/or Pledge of Allegiance
- 3.2. Roll Call
- 3.3. Conflicts of Interest

3.4. Approval of Minutes for the August 19, 2026 Planning Commission Meeting

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. Review and consider a Preliminary Subdivision Plat for one (1) lot located generally at 5175 W Herriman Main Street in the MU-2 Mixed Use Zone and the Herriman Towne Center Master Development Agreement (MDA). (Public Hearing)

Applicant: HTC Communities LLC (property owner, authorized agent)

Acres: ±6.0

File No: S2026-120

5. Chair and Commission Comments

6. Future Meetings

6.1. Next City Council Meeting: September 23, 2026

6.2. Next Joint City Council and Planning Commission Meeting: September 30, 2026

6.3. Next Planning Commission Meeting: October 07, 2026

7. Adjournment

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 Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist

the citizen; direct the citizen to the proper administrative departments; or take no action.

I, Angela Hansen, 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 10th day of September 2026 /s/ Angela Hansen, Deputy City Recorder

CHAPTER 10-10 RESIDENTIAL ZONES

10-10-1 Purpose

10-10-2 Scope

10-10-3 Definitions

10-10-4 Uses Allowed

10-10-5 Development Approval

10-10-6 Development Standards

10-10-7 Other Applicable Regulations

10-10-1 Purpose

- A. *R-1 Zone*. The purpose of the R-1 Zone is to establish single-family neighborhoods which provide persons who reside therein a comfortable, healthy, safe, and pleasant environment.
- B. *R-2 Zone*. The purpose of the R-2 Zone is to establish low- to medium-density residential neighborhoods which provide persons who reside therein a comfortable, healthy, safe, and pleasant environment.
- C. *R-M Zone*. The purpose of the R-M Zone is to provide areas in the city for high-density residential development which provide persons who reside therein a comfortable, healthy, safe, and pleasant environment.

10-10-2 Scope

The provisions of this chapter shall apply to real property located in a residential zone as shown on the official zoning map.

10-10-3 Definitions

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

10-10-4 Uses Allowed

- A. *Permitted and conditional uses*. Permitted and conditional uses allowed in residential zones shall be as set forth on the table of uses in HCC chapter 10-16. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by an empty box.
- B. *Accessory uses*. Permitted and conditional uses set forth in HCC chapter 10-16 on the table of uses shall be deemed to include accessory uses and activities customarily associated with and incidental and subordinate to a permitted or conditional use, subject to applicable provisions of this title.
- C. *Prohibited uses*. Any use not shown on the table of uses shall be prohibited unless the community development director determines the use is substantially the same as a permitted or conditional use as provided in HCC 10-5-9.

10-10-5 Development Approval

The use and development of land located in residential zones shall be approved according to applicable administration and development review procedures set forth in HCC chapter 10-5.

10-10-6 Development Standards

- A. *Generally.* The use and development of land located in residential zones shall conform to the standards set forth in this section and in HCC 10-10-7, chart 10-10, except as may be authorized by another provision of this title.
- B. *Accessory structure design.* The front of any accessory structure and any additional portion of the structure viewable from a public street shall have materials and color similar to the primary dwelling. Buildings used for agricultural purposes, such as barns or other such buildings to house animals, and located in a zone which allows family food production, shall not be subject to this requirement.
- C. *Minimum zone area.* All areas to be zoned R-2-10 or R-2-15 shall be at least 15 acres.
- D. *Dwelling group design criteria.*
 - 1. *All dwelling groups.* The following requirements shall apply to all dwelling groups:
 - (1) The distance between principal buildings and the nearest perimeter lot line shall be at least 15 feet. The distance between the building and a public street shall be at least the front yard required in the zoning district; except, on corner lots, the side yard which faces on a public street shall be at least 20 feet.
 - (2) Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least 20 feet wide for one or two rear dwelling units, and at least 30 feet wide for three or more dwelling units.
 - (3) No parking areas shall include any part of the required front yard or side yard adjacent to a street.
 - (4) Parking areas adjacent to residential uses shall be screened with a six-foot-high visual barrier.
 - (5) Entrances from a private development to a public street shall maintain a clear view, as described in HCC 10-29-51.
 - (6) Public access to the dwelling group shall be from a 60-foot or wider street.
 - (7) Front and side yards next to a public street shall be landscaped in accordance with applicable provisions of HCC chapter 10-23 and the following:
 - (1) A minimum of two trees per 1,000 square feet of the ground or main floor level.
 - (2) One shrub per six linear feet of building foundation. Shrubs may be grouped.
 - (3) Grass or other plantings installed in all areas not used for building, parking, walks or drives.
 - (8) A five-foot-wide landscaped area shall be required between the drive and parking area adjacent to residential property lines. This area shall be planted with a minimum of one tree per 25 feet of linear landscaped area.

- (9) Open space shall be provided on the site equal to 25 square feet per unit in the dwelling group.
 - (10) Exterior lighting shall be provided as follows:
 - (1) Each parking area shall be illuminated for safety by installing lighting fixtures which emit light at least equivalent to that of one 100 watt incandescent bulb per 100 feet in all directions.
 - (2) All lighting shall be shielded so as not to shine into surrounding residences.
 - (11) Residential structures proposed greater than one story adjacent to existing single- or two-family dwellings may add one additional floor to the height of the proposed structure for each additional 30-foot increase in rear yard or side yard greater than the 15-foot perimeter yard requirement.
 - (12) Buildings which face each other shall be separated by 50 feet or more. Buildings which side on another building shall be separated by 16 feet or more.
2. *R-2-10 and R-2-15 Zones.* The following additional requirements shall apply to dwelling groups in the R-2-10 and R-2-15 Zones:
- (1) The land on which the dwelling group will be erected shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of individual dwelling structures in the group.
 - (2) A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet city standards.
 - (3) On any public road where street lighting is not in place, lighting shall be provided at least equivalent to light produced by a 100-watt incandescent bulb per each 50 feet of frontage, or fraction thereof. Lighting is to be provided by a freestanding fixture in the yard space between the building and public street or attached to the wall of the building which is not more than 30 feet from the street property line.
 - (4) Applications for each building higher than one story shall be evaluated on the basis of the proposed building height, mass, materials, spacing and privacy considerations. Harmony and compatibility with existing and future residential structures in the area shall also be evaluated.
3. *R-M Zone.* The following additional requirements shall apply to dwelling groups in the R-M Zone:
- (1) A minimum of two parking spaces shall be provided for each dwelling unit for units with less than three bedrooms and 2.4 spaces for units with three or more bedrooms. Additional stalls may be located in designated parking areas. Parking areas associated with a clubhouse or sales center shall have six spaces per 1,000 square feet. Parking spaces and vehicular maneuvering areas shall meet the requirements of HCC chapter 10-24.

- (2) If a six-foot-high visual barrier fence is proposed in the yard next to a public street, the barrier shall be placed no closer than ten feet to the sidewalk.
- (3) Brick, rock, or stone shall be used for the finish system on the front building façade and shall make up a minimum of 15 percent of the total area of the front façades of the complex. If the building incorporates a front porch across the entire front façade of the house, the brick, rock, or stone may be reduced to ten percent.
- (4) Brick or stone shall be used on the front elevation to show significant masonry architectural detail in the form of vertical accents. However, other architectural details may be used in lieu of brick or stone, if approved by the city. Manufactured materials may be substituted for real stone products.
- (5) The remainder of the front elevation may be finished with a combination of stucco, fiber cement material, or brick products. The use of vinyl and aluminum siding is prohibited.
- (6) Building trim should be applied consistently with the architectural style of the home. Trim should be applied so that it adds dimension to the front façade.
- (7) All finished materials used and their placement on the façade shall be indicated on the elevation rendering when submitted for review to the city.
- (8) When living space is added above a garage, the front façade shall include windows and other treatments to avoid a large blank wall space above the garage doors.
- (9) Driveway locations shall be selected to promote pedestrian friendly pathways.

2. *Steep slopes.*

- a. No development, including clearing, excavation and grading, is permitted where the slope exceeds 30 percent, except roads and trails. The entirety of any areas with slopes greater than 30 percent shall remain in natural private or public open space, except as expressly allowed in this section.
 - b. Slopes over 30 percent may be part of a lot, but may not be included in the building envelope.
 - c. Roads and other vehicular routes shall not cross slopes greater than 30 percent unless the planning commission determines:
 - (1) Appropriate engineering measures can be taken to minimize the impact of the cuts and fills, consistent with the purpose of this chapter; and
 - (2) The environment and aesthetics of the area will not be significantly affected.
2. Roads shall not cross slopes over 30 percent without review by the planning commission. In no case shall roads cross slopes greater than 50 percent.

10-10-7 Other Applicable Regulations

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

CHART 10-10. RESIDENTIAL ZONE DEVELOPMENT STANDARDS

A. Minimum lot area and width.

<i>Zone</i>	<i>Lot Area</i>	<i>Lot Width</i>
<u>R-1-6</u>	<u>6,000 sq. ft.</u>	<u>60 feet, at 25 feet from front lot line</u>
<u>R-1-8</u>	<u>8,000 sq. ft.</u>	<u>65 feet, at 25 feet from front lot line</u>
R-1-10	10,000 sq. ft.	80 feet, at 25 feet from front lot line
R-1-15	15,000 sq. ft.	80 feet, at 25 feet from front lot line
R-1-21	21,780 sq. ft.	100 feet, at 25 feet from front lot line
R-1-43	43,560 sq. ft. (1 acre)	100 feet, at 25 feet from front lot line
R-2-10	None	65 feet, at 24 feet from front lot line
R-2-15		65 feet, at the front yard setback
R-M	None	None

B. Minimum yard for residential buildings.

<i>Zone</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>
R-1-6	<u>25 feet</u>	<u>1 side yard: 6 feet</u> <u>Both side yards: 14 feet</u> <u>Corner lots: 20 feet from street</u>	<u>Single-family dwelling: 20 feet</u> <u>Any portion of uncovered or covered patio or deck: 15 feet</u>
R-1-8	<u>25 feet</u>	<u>1 side yard: 8 feet</u> <u>Both side yards: 18 feet</u> <u>Corner lots: 20 feet from street</u>	<u>Single-family dwelling: 20 feet</u> <u>Any portion of uncovered or covered patio or deck: 15 feet</u>
R-1-10	25 feet	1 side yard: 8 feet Both side yards: 18 feet Corner lots: 20 feet from street	Single-family dwelling: 25 feet Any portion of uncovered or covered patio or deck: 20 feet

R-1-15		1 side yard: 10 feet Both side yards: 18 feet Corner lots: 20 feet from street	Single-family dwelling: 25 feet Any portion of uncovered or covered patio or deck: 20 feet
R-1-21	25 feet	Both side yards: 20 feet Corner lots: 20 feet from street	Same as above
R-1-43	25 feet	15 feet	Same as above
R-2-10	Determined with planned unit development approval	1 side yard: 20 feet	
R-2-15	Driveways: 24 feet from back of sidewalk; 10% maximum slope unless specifically engineered, but shall not exceed 20%	Both side yards: 40 feet	
R-M	15 feet	Structures over 25 feet (both side yards): 20 feet plus 1 foot for each 2 feet above 25 feet	

C. Minimum yard for buildings other than residential and accessory buildings.

Zone	Front Yard	Side Yard	Rear Yard
R-1	30 feet	20 feet	30 feet
R-2	40 feet	20 feet	40 feet
R-M	40 feet	20 feet	40 feet

D. Maximum building height.

Zone	Main Building
<u>R-1-6</u>	<u>30 feet</u>
<u>R-1-8</u>	
R-1-10	35 feet
R-1-15	
R-1-21	35 feet

R-1-43	
R-2	35 feet
R-M	35 feet

E. *Maximum lot coverage.*

Zone	Lot Coverage
R-M	None

F. *Development density.*

Zone	Maximum	Minimum
R-2-10	8 units per acre	None
R-2-15	5.8 units per acre	None
R-M	20 units per acre	9 units per acre

G. Maximum driveway width

<u>Zone</u>	<u>Maximum</u>
<u>R-1-6</u>	<u>12 ft.</u>
<u>R-1-8</u>	<u>24 ft.</u>
<u>R-1-10</u>	<u>35 ft;</u>
<u>R-1-15</u>	<u>35 ft;</u>
<u>R-1-21</u>	<u>35 ft;</u>
<u>R-1-43</u>	<u>35 ft;</u>
<u>R-2</u>	<u>35 ft;</u>
<u>R-M</u>	<u>35 ft;</u>

HCC 10-16 TABLE OF USES - RESIDENTIAL ZONES EXCERPT

P = Permitted Use | C = Conditional Use | Blank = Not Permitted

Residential Land Use	SR-1	R-1-6	R-1-8	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15	R-M
Assisted living facility	<u>C</u> ⁷	<u>C</u> ⁷	<u>C</u> ⁷	C ⁷	C ⁷	C ⁷	C ⁷	C ⁷	C ⁷	C ⁷
Congregate living facility										C
Day care/preschool home ²⁶	<u>C</u>	<u>C</u>	<u>C</u>	C	C	C	C	C	C	C
Dwelling, four-family								C	C	C
Dwelling, group ⁸								C ⁹	C ⁹	C ⁹
Dwelling, multi-family										C
Dwelling, single-family	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P	C ¹⁰	C ¹⁰	C
Dwelling, single-family with internal (not detached) accessory dwelling unit	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P	P	P	
Dwelling, single-family with second kitchen ¹¹	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P	P	P	P
Dwelling, three-family								C	C	C
Dwelling, two-family								C ¹⁰	C ¹⁰	C
Home group instruction ³¹	<u>C</u>	<u>C</u>	<u>C</u>	C	C	C	C	C	C	C
Home occupation ³¹	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P	P	P	P
Residential facility for persons with a disability	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	P	P	P	P
Shipping container, living space	<u>C</u> ⁴⁸	<u>C</u> ⁴⁸	<u>C</u> ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸
Special home occupation ³¹				C	C	C	C			

Footnotes from HCC 10-16-1

7 Facility shall have a residential appearance and character. Occupancy shall be limited to not more than five residents for facilities located on streets less than 80 feet wide and not more than ten residents for facilities on streets 80 feet or wider, excluding the facility operator and the operator's family and one nonresident part-time relief employee on the premises at any one time, unless additional staffing is required for a state license.

8 Subject to dwelling group design criteria in HCC 10-10-6(D).

9 Dwelling unit density shall be at least nine units per acre and not more than 20 units per acre.

10 Allowed only as part of a planned unit development.

11 See HCC 10-29-42 for use regulations.

26 See HCC 10-29-18 for use limitations and regulations.

31 See HCC chapter 10-22 for use limitations and regulations.

48 Requires minimum lot area of 10,000 square feet and compatible building materials and colors with the main building, excluding roofline.

Excerpt note: This document includes only the footnotes cited within this residential land use table excerpt. The proposed R-1-6 and R-1-8 columns mirror the R-1-10 use permissions for purposes of the draft amendment.



PLANNING COMMISSION MINUTES

Wednesday, August 19, 2026

Draft Pending Formal Approval

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, August 19, 2026, 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, Heather Garcia, Adam Jacobson, Alternate Forest Sickles, Alternate Preston Oberg

Excused: Andy Powell, Jackson Ferguson,

Staff Present: Planner II Amanda Hamilton, Planner I Riley Norton, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Communications Specialist Garret Reynolds, Staff Engineer III Josh Petersen, Assistant City Manager Wendy Thomas (online), Community Development Director Blake Thomas, Planning Director Michael Maloy, and Deputy Chief of Police Zach Adams

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

Chair Andrea Bradford called the meeting to order at 6:05 p.m.

1. Commission Business

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

Planning Director Maloy reported that the CF zone rezone for the old Limestone Church property had been approved by the City Council. He noted that Council members had requested a comparison of permitted land uses within the zone, which staff resolved prior to the meeting. He confirmed that the CF zone permits very few uses, and the Council's questions were satisfactorily addressed before the vote.

1.2. Review of Agenda Items – Planning Staff

Planner Norton provided a preview of the home occupation daycare conditional use permit (Item 4.1), explaining that the primary point of concern was the parking and drop-off arrangement. Because the subject home is rear-loaded with no front driveway access, the applicant proposed on-street drop-off along Watchman Way. He noted that while the City's ordinance does not explicitly require on-site drop-off, prior Planning Commission decisions had consistently required this arrangement whenever a driveway was available. Staff determined that because this case deviated from that established practice, it was appropriate to bring the item before the full Commission rather than handle it administratively.

Commissioner Adam Jacobson arrived at 6:18 p.m.

Planner Norton also highlighted that the neighborhood has a history of parking congestion related to the adjacent high school, and that certain intersections had been red-lined for no parking. The subject property is set back from those intersections. An HOA approval requirement was also flagged as a condition of any approval. Staff further noted that the applicant had revised her floor plan to bring the square footage dedicated to daycare use within the allowable 20 percent threshold.

Planner Hoadley previewed the five-lot subdivision (Item 4.2), describing it as relatively straightforward with the primary outstanding item being a long-term stormwater management agreement for the retention pond parcel. Commissioner Fenn noted the Commission had reviewed related iterations of this project previously.

Planner Hamilton previewed the Beau Meadow ten-lot subdivision (Item 4.3), noting the applicant had been highly responsive to staff's concerns and had already incorporated the required six-foot precast wall into the plans, along with the required right-of-way dedication along Rose Canyon Road. Commissioner Fenn confirmed the project was located east of the previously approved five-lot subdivision.

Regarding the Laguna Pointe preliminary plat renewal (Item 4.4), Director Maloy explained that the original approval had expired and that a new preliminary plat application was required. He noted that staff received written comments from a neighboring resident, to which staff provided a detailed response distributed to the Commission the same afternoon. Community Development Director Thomas clarified that the key infrastructure delay had been the absence of secured water line easements, which had since been resolved. The current approval term would be one year, with the possibility of a one-year extension. Commissioner Garcia raised a question about whether the updated retaining wall ordinance would apply to this project, and staff clarified that walls up to ten feet are permitted, with stepping required beyond that, and that no walls in the proposed plans appeared to exceed that threshold.

Planner Hamilton previewed the rezone request (Item 5.1) for a 0.75-acre parcel at approximately 13727 South 7300 West, explaining the applicant sought to rezone from A-1-43 to A-1-10 in order to create an additional lot for a family member. The parcel does not have sufficient acreage to qualify for an A-1-21 zone. Staff noted the property is subject to water availability restrictions and that the applicant is aware and is not in a rush, describing this as a five-to-ten year plan. Planner Hamilton raised the possibility of a zoning condition limiting the parcel to no more than two lots.

Director Maloy previewed the Black Clover Holdings Master Development Agreement (MDA) (Item 5.2), explaining that the business had previously been accommodated under a separate MDA on the

Crescent parcel, which did not advance primarily due to contaminated soils. Staff and the economic development team had since identified the current C-2 zoned site at 5200 West Herriman Boulevard as an alternative location. He noted the MDA was needed to accommodate wholesale distribution, which is not a primary permitted use in the C-2 zone. Director Thomas added that the MDA was revised from the prior Crescent agreement to designate the use as permitted rather than conditional, given that only one building was being proposed on this smaller site.

Director Maloy advised that Item 5.3, the proposed amendment to Chapter 10-10 regarding residential lot development standards, had not been completed due to staffing capacity during the week and would need to be continued. He confirmed it had been properly noticed and that the Commission would need to open and close the public hearing before continuing the item.

1.3. Review and discuss Herriman City Land Use Development Standards and adopted policies for compliance with the Land Use Development & Management Act in the Utah Code – Michael Maloy, Planning Director

Staff also reported on several administrative matters. Planner Hoadley informed the Commission that following a consultation with the City's IT director, all official communications must use City-issued email accounts, and that personal email use for Commission business is not permissible. Commissioners were encouraged to contact IT staff to ensure they had active access. Planner Hoadley also reported that the Wildland-Urban Interface (WUI) map was in its final draft form and would be presented to City Council within approximately one month. Director Thomas provided background on the state's new high-risk fire area designation and associated tax, noting the City would create a webpage to direct affected residents to the appropriate state contacts. Commissioner Garcia noted that homeowners' insurance availability in Herriman was already significantly impacted by the wildfire risk classification.

Director Maloy reported that the Council's subcommittee had received all materials related to the Planning Commission alternate vacancy and was in the process of ranking applicants. He noted that prior applicants from 2022 had also been included for reference. He also previewed the upcoming fifth-Wednesday joint meeting with the City Council, which was expected to include discussions on the parks and open space master plan, a possible short-term rental policy framework, and a review of legislative priorities through the lens of the City Council's adopted strategic plan.

Planner Hoadley reported that the code compliance points discussed at the prior meeting had been catalogued in an Excel document and assigned to staff members for tracking. Director Maloy indicated these items would also be incorporated into the discussion at the upcoming joint meeting with City Council.

2. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 6:47 p.m. Seconded by Commissioner Sickles and all voted aye.

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

Chair Andrea Bradford called the meeting to order at 7:01 p.m.

3. Call to Order

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

Steve Raguskus led the audience in the Pledge of Allegiance

3.2. Roll Call

Full Quorum Present

3.3. Conflicts of Interest

No conflicts were reported.

3.4. Approval of Minutes for the July 15, 2026 Planning Commission Meeting

Commissioner Garcia motioned to approve the Minutes for the July 15, 2026 Planning Commission meeting; Commissioner Fenn 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. Review and consider approval of a Consider Use Permit for a home occupation daycare at 4511 W Watchmen Way in an R-2-10 Residential Medium Density Zone.

Applicant: Laura Reyes, Alanna Daycare (authorized agent)

Acres: ±0.07

City File No: C2026-106

Planner Norton presented the application for a home occupation daycare to be operated under the name Alanna Daycare at 4511 West Watchman Way. He explained that the proposed daycare would serve up to twelve children, with operating hours of Monday through Friday, 6:00 AM to 5:30 PM. The rooms proposed for use were the living room, kitchen, and one upstairs bedroom. The applicant met the 20 percent floor area threshold after revising her original plan.

Because the home is rear-loaded with no front entry door accessible from the garage without interior passage, the applicant proposed a street-side drop-off and pick-up plan along Watchman Way, with vehicles parking on the south side of the street adjacent to the home. Planner Norton noted that this arrangement would allow children to exit onto the sidewalk without crossing the roadway. A staggered drop-off schedule was proposed to limit the number of vehicles present at any one time. Staff conditioned the approval to require that drop-off and pick-up occur only on the south side of the street, consistent with the home's location, and require HOA approval. Staff also noted that the applicant's original plan had included a front yard play area, which is not permitted under the City's code, and that this was flagged as a condition prohibiting that use.

The Commission did not have questions for staff or the applicant and proceeded to deliberation. Commissioners expressed general support for the arrangement, noting that the low capacity of twelve children, combined with staggered pick-up and drop-off times, would likely result in no more than two parents present at any one time. The proximity to the high school and associated parking congestion on

Watchman Way was acknowledged, but Commissioners noted that the subject property was not located near the red-lined intersection zones.

Commissioner Jacobson moved to approve item 4.1 Review and consider approval of a Consider Use Permit for a home occupation daycare at 4511 W Watchmen Way in an R-2-10 Residential Medium Density Zone with staff's fourteen (14) recommendations. 1. The home day care shall comply with all applicable provisions of HCC 10-22-7 (Home Day Care) and HCC 10-22 (Home Occupations) at all times. 2. The maximum number of children in care at any one time shall not exceed eight (8) children when only one adult caregiver is present. A maximum of twelve (12) children may be permitted when two adult caregivers are present, and applicant maintains all required State of Utah licenses and approvals for that capacity. Under no circumstances shall enrollment exceed twelve (12) children at any one time. 3. Hours of operation shall be limited to 6:00 a.m. to 7:00 p.m., Monday through Friday, which are permissible per HCC10-22-7. No day care operations shall occur on weekends or federal holidays unless a subsequent amendment is approved. 4. No play equipment or outdoor play activities shall be permitted in the front yard area, consistent with HCC 10-22-7(C). 5. The applicant shall maintain a valid State of Utah childcare license for the approved capacity at all times during operation of the home day care. A copy of the current state license shall be provided to the City before issuance of a business license. 6. The applicant shall obtain a Herriman City business license before commencing day care operations, in accordance with Herriman City Code. 7. Drop-off and pick-up operations shall be managed so as not to obstruct traffic flow on Watchmen Way or adjacent streets and must occur on the south side of Watchmen Way, adjacent to the residence. Parents and guardians shall not double-park during drop-off and pick-up periods. 8. No exterior signage advertising the day care shall exceed three (3) square feet in area, and any sign shall be attached flat to the dwelling in compliance with HCC 10-27-7. 9. The home occupation shall not generate noise, odor, traffic, or other impacts that are detrimental to the residential character of the neighborhood or that exceed levels normally found within the R-2-10 Zone. 10. No structural modifications to the exterior of the dwelling shall be made to accommodate the day care without prior approval from the City. 11. The applicant shall comply with all applicable fire and building code requirements, including maintaining functional smoke detectors and fire extinguishers in all areas used for day care activities. 12. The conditional use permit shall be subject to revocation upon noncompliance with any condition of approval, in accordance with the HCC 10-7-7(F). 13. If a Herriman City business license is not obtained within two (2) years of the date of conditional use approval, the conditional use permit shall expire automatically. 14. City does not enforce HOA CC&R's. HOA approval would need to be obtained.

Commissioner Oberg seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

4.2. Review and consider approval of a Preliminary Plat for a 5-lot Subdivision at approximately 12650 S 6000 West in the A-1-10 Agricultural Single-Family Zone. (Public Hearing)

Applicant: Bruce Bowles (property owner, authorized agent)

Acres: ±1.37

City File No: S2026-023

Planner Hoadley presented the Bowles five-lot subdivision application for approximately 2.74 acres located slightly northwest of the current road alignment. She explained that the five proposed lots comply with the A-1-10 zone standards, resulting in a density of approximately 1.8 dwelling units per acre, consistent with neighboring development to the west. The subdivision's road layout includes a T-intersection that provides a potential future connection to the north, which would also serve as a temporary fire turnaround.

Staff's outstanding condition related to the execution of a long-term stormwater management agreement tied to the small retention parcel designated as Parcel A in the lower right corner of the plat. Planner Hoadley noted that construction commencement would be subject to water availability, with completion of the South Hills and Olympia water tanks anticipated within approximately one year. The applicant was present but did not add remarks.

Chair Bradford opened the public hearing.

No comments were offered.

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

Commissioner Oberg moved to approve item 4.2. Review and consider approval of a Preliminary Plat for a 5-lot Subdivision at approximately 12650 S 6000 West in the A-1-10 Agricultural Single-Family Zone with staff's eight (8) recommendations. 1. All outstanding comments from City departments, reviewing agencies, and utility providers shall be addressed to the satisfaction of the City before final plat approval and recording. 2. Parcel A stormwater facilities, including facility design, ownership, maintenance responsibilities, access provisions, and associated easements, shall be reviewed and approved by City Engineering and the City Attorney before final plat approval. 3. The applicant, acting as developer, shall coordinate with each lot owner the installation and maintenance responsibility of water-efficient landscaping within all park strips by abutting lot owner. 4. Any fencing required adjacent to agricultural land shall comply with Herriman City Code §10-21-6 and applicable City standards. 5. The proposed "stub street" and roadway turnaround configuration shall comply with all applicable Herriman City Engineering Standards and Unified Fire Authority requirements before final plat approval. 6. A certified fire flow analysis shall be submitted to and accepted by the Unified Fire Authority before issuance of building permits. 7. All public improvements and underground utilities shall be installed, inspected, tested, and approved by the appropriate agency having jurisdiction in

accordance with approved construction plans. 8. Record drawings (as-built plans) shall be submitted and accepted before final acceptance of subdivision improvements.

Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

4.3. Review and consider approval of a 10-lot Preliminary Subdivision Plat known as Beau Meadows, located approximately at 6515 W Rose Canyon Road in the A-1-10 Agricultural Single-Family Zone. (Public Hearing)

Applicant: Brett Lovell (property owner)

Acres: ±5.0

City File No: S2026-040

Planner Hamilton presented the Beau Meadows subdivision, comprising approximately five acres and ten proposed lots, all exceeding the 10,000 square foot minimum for the A-1-10 zone. She noted that the applicant had been responsive throughout the review process and that the plans were in a polished state, with minimal conditions required. Key features included a nine-foot right-of-way dedication and associated improvements along Rose Canyon Road, and a six-foot precast wall already reflected on the submitted plans.

Engineering staff noted no significant concerns beyond the standard culinary water availability restriction. Planner Hamilton added that rather than constructing a small on-site detention pond, the applicant had arranged to expand an existing detention facility in the area and route stormwater there, which was viewed favorably by staff.

Garrett Schmidt, representing the development team, addressed the Commission briefly, expressing appreciation for the collaborative process and confidence in the project's contribution to the community.

Chair Bradford opened the public hearing.

No comments were offered.

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

*Commissioner Jacobson moved to approve item 4.3 **Review and consider approval of a 10-lot Preliminary Subdivision Plat known as Beau Meadows, located approximately at 6515 W Rose Canyon Road in the A-1-10 Agricultural Single-Family Zone with staff's four (4) recommendations. 1. Acknowledge and address all remaining corrections from City Departments. 2. Applicant shall install a six-foot (6'-0") tall precast fence along Rose Canyon Road per City Code and adopted Engineering Standards. 3. Lots 1 and 10, which are adjacent to Rose Canyon Road, will only have vehicular access from Beau Cove. 4. Obtain approval from City Engineer for necessary off-site stormwater improvements before commencing construction on the subdivision.***

Commissioner Fenn seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

4.4. Review and consider a request to renew Preliminary Plat Approval for the Laguna Pointe Subdivision, comprised of 68 residential lots located at approximately 14860 S Juniper Crest Road in the R-1-15 Single-Family Residential Zone with Zoning Conditions. (Public Hearing)

Applicant: Matt Christensen (authorized agent)

Acres: ±40.70

City File No: S2026-116

Director Maloy presented the Laguna Pointe preliminary plat renewal. He provided a detailed chronology: the Planning Commission originally approved the preliminary plat in 2023 under a two-year expiration term. The applicant sought and received a one-year extension on May 7, 2025, which effectively extended the deadline to July 2026. When the applicant was in the final stages of securing signatures on the final plat, the preliminary approval expired. The applicant submitted a new preliminary plat application on July 30, 2026.

Director Maloy noted that the approximately 40-acre property is primarily zoned R-1-15, with a small portion of FR-2.5 zoning clipping three lots. All proposed lots exceed 0.35 acres. The density of 1.67 dwelling units per acre complies with the zoning condition imposed at the time of the 2015 rezoning, which set a maximum of 1.7 dwelling units per acre. The layout of the subdivision remains substantively unchanged from the originally approved plan, with extensive civil engineering work completed since. The key infrastructure delay had been the absence of secured water line easements crossing third-party properties, which had since been resolved. Director Thomas clarified that the

Panorama developer, through a Public Infrastructure District, constructed the Zone 3 and Zone 4 water tanks, which are now complete. A pump station off Mountain View Corridor and Academy Parkway was under construction and expected to be operational by mid-September. Juniper Crest Road was paved on the day of the meeting and was expected to open to the public within three to four weeks, concurrent with the activation of a new traffic signal on Mountain View Corridor.

Director Maloy confirmed that the new approval term would be one year, with the possibility of a one-year extension, and that the applicant had been clearly advised of this timeline. Director Thomas noted that the applicant is a homebuilder ready to commence construction and that final engineering review was effectively complete.

Commissioner Garcia raised a question regarding the retaining wall ordinance, noting that the project was originally approved before recent amendments. Planner Hoadley clarified that the current ordinance permits walls up to ten feet, with stepped configurations required beyond that threshold. She noted that similar lots at comparable elevations in the surrounding area had not presented issues, and that the plans reviewed did not appear to include walls exceeding ten feet. Planner Hamilton added that the ordinance does provide additional leniency for subdivision-scale walls that span multiple lots.

Applicant representative Matt Christensen confirmed that the project had been delayed primarily by water infrastructure and stated that all grading, storm drainage, and water line easements were now in order.

Chair Bradford opened the public hearing.

David Gray, a resident, posed a series of technical questions regarding the geotechnical study, slope stability analysis, construction methods including potential blasting, ground movement monitoring, stormwater discharge routing, and whether pre-construction surveys and continuous vibration monitoring would be funded by the developer and shared with adjacent homeowners. He also asked about phasing and emergency access relative to the thirty-lot restriction.

Lindsey Maxfield, a resident directly across from the project, acknowledged that Planner Hamilton had responded thoroughly to a prior set of written questions and thanked staff for their responsiveness. She nonetheless stated her continued opposition and requested that the Commission not approve the item that evening. She raised three primary concerns. First, she argued that the two-access-point standard evaluated each subdivision in isolation without modeling the cumulative evacuation capacity of the broader corridor, noting that every neighborhood along the Juniper Crest Road corridor must funnel through the same arterial. Second, she cited the statewide drought emergency and historically low snowpack as materially changed water conditions since the project was first evaluated in 2023, arguing that the cumulative demand of Laguna Pointe and Panorama together warranted a pause to establish adequate water supply basis. Third, she noted a gap between the City's general plan language regarding open space preservation and its translation into enforceable ordinance, suggesting that no holistic review of open space values had been conducted before this application reached the Commission.

Reed Dixon, representing the buyers of the project through Infinity Consultants, addressed the

Commission briefly, stating that the application complies with every applicable ordinance and zoning standard as a conventional subdivision, with no exceptions or negotiated points required.

Steve Raguskus, a resident, expressed frustration regarding the absence of answers to the technical questions posed by the first commenter and described longstanding drainage problems along the Juniper Crest Road park strip, noting erosion and channel formation that predated the current development. He indicated the City's planned multi-million dollar park strip beautification project could be undermined if stormwater from the new subdivision was not properly managed.

Dan Rivers, a resident located directly below the proposed development, echoed drainage concerns, asking specifically where stormwater would discharge, whether downstream pipe infrastructure had sufficient capacity for the steepened flows, and what detention or retention measures were planned.

Aaron Maxfield, a resident, acknowledged that the subdivision met the applicable requirements in isolation but questioned how it integrated with surrounding development. He also raised concerns about dust mitigation, noting that blasting from a nearby subdivision had caused significant ground vibrations and that dust had impacted neighboring homes.

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

Applicant Christensen responded to the public comments. He confirmed that a geotechnical report exists and that the recommendations within it would be followed, including any monitoring requirements during construction. Regarding stormwater, he explained that approximately one-third of the subdivision drains to a retention pond in the upper right corner of the plat, which discharges into Juniper Crest Road at the City's allowable release rate. The remaining flow is routed east via easement agreements to the Panorama detention pond, which is currently being upsized to accommodate the additional capacity. He stated that the proposed grading and drainage infrastructure would actually improve on existing unmanaged sheet flow conditions on the hillside. Planner Hamilton and Staff Engineer Petersen added that the project would require a Stormwater Pollution Prevention Plan (SWPPP) and Fugitive Dust Control Plan (FDCP) as part of construction permitting, both of which are reviewed and approved prior to any ground disturbance.

Engineer Petersen clarified the distinction between the preliminary plat, final plat, and construction phases for the benefit of those in attendance. He explained that the preliminary plat establishes the general layout; final engineering review, including water line sizing, detention pond sizing, and utility coordination, occurs at the final plat stage. Construction does not commence until after final plat approval and a pre-construction meeting at which all stormwater protection measures must be in place. Unified Fire Authority, the water department, public works, and the sewer district all review and stamp final construction drawings before a pre-construction meeting is authorized.

Regarding the delay in the original approval, Applicant Christensen confirmed that the primary obstacle was the physical construction of the Zone 4 water tank and securing the necessary water line easements across third-party properties. Director Thomas confirmed the water master plan had been updated to account for the combined demands of Laguna Pointe, Panorama, and Wasatch Commercial (South

Hills), and that sufficient water shares and storage capacity had been verified.

Commissioner Jacobson asked about the two-access-point condition and the concern raised by resident Maxfield regarding cumulative corridor capacity. Director Thomas and Planner Hamilton clarified that Unified Fire Authority does not count Juniper Crest Road and Bartlett Drive as two separate access points; both are treated as a single access. Therefore, the project is conditioned such that no more than thirty certificates of occupancy may be issued until a second, independent access point is operational. That second connection, known as Helen's Drive, is tied to the Panorama development's next plat phase and is expected to be built in close succession. Planner Hamilton added that there is also a future southern access point being contemplated as part of additional Panorama phases. Director Thomas clarified that the water line easement for Helen's Drive has already been secured, giving the developer control over their own infrastructure timeline.

Commissioner Oberg recalled that the half-cul-de-sac feature on the southwest end of the subdivision serves as a temporary fire turnaround and noted that once the full road network connects, the City should consider eliminating that feature to avoid maintaining unnecessary road infrastructure. Applicant Christensen indicated that a second phase of the project anticipates extending that road, making the turnaround a logical interim measure.

Director Maloy addressed the open space comment raised during the public hearing, clarifying for the record that the City's general plan designates this parcel as Neighborhood Residential 1, which contemplates residential development, not open space. Open space designations in the general plan are applied to properties already under public control or secured through negotiation; placing such a designation on privately owned land would risk constituting a regulatory taking. He further noted that the hillside open space areas referenced by public commenters are located further up the hill beyond the project boundary, and that the development layout preserves potential trail connection opportunities that the City could elect to formalize in the future.

Commissioner Fenn stated that while he was sympathetic to the concerns raised by the public, particularly regarding open space and fire safety, the staff had addressed the applicable engineering and regulatory standards, and the subdivision complied with the code. The Commission expressed appreciation for the engagement of the neighborhood.

*Commissioner Jacobson moved to approve item 4.4 **Review and consider a request to renew Preliminary Plat Approval for the Laguna Pointe Subdivision, comprised of 68 residential lots located at approximately 14860 S Juniper Crest Road in the R-1-15 Single-Family Residential Zone with Zoning Conditions with staff's three (3) recommendations. 1. The applicant shall provide two (2) vehicular access points from an existing public street (or streets) that comply with all applicable codes for emergency vehicle access before more than thirty (30) lots may be developed on the subject property. 2. Subdivision development shall be restricted pending the provision of adequate culinary water supply. No final plat shall be recorded until the City engineer certifies that culinary water supply requirements have been satisfied per HCC 10-28-5. Lots within the Hillside Overlay shall comply with the applicable standards of HCC Chapter 10-17 at the time of building permit application.***

Commissioner Fenn seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

5. Legislative Items

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

5.1. Review and consider approval of a request to amend the Herriman City Zoning Map, changing the designation from A-1-43 (1-acre minimum) to A-1-10 (10,000 sq ft minimum), for the property at approximately 13727 S 7300 West Street. (Public Hearing)

Applicant: Jordan Herrmann (property owner)

Acres: ±0.75

City File No: Z2026-112

Planner Hamilton presented the rezone application for a 0.75-acre parcel at approximately 13727 South 7300 West, submitted by property owner Jordan Herrmann. The current zoning is A-1-43. The applicant's stated goal was to create a second lot on the property to provide an affordable housing opportunity for a family member, while retaining the existing single-family home and detached garage and shop. Because the parcel does not meet the minimum acreage for an A-1-21 zone, the only viable path to creating a second lot is a rezone to A-1-10, which carries a 10,000 square foot minimum. Planner Hamilton noted that the future land use map designates this parcel as Neighborhood Residential 1, with which A-1-10 is compatible. Engineering identified no significant concerns, though the property is subject to water availability restrictions, of which the applicant is aware. She also noted proximity to the Gina Road capital improvement project and that the applicant had expressed interest in coordinating utility connections in advance of that project's three-year moratorium window. She further noted that the lot, at 0.75 acres, could theoretically accommodate up to three A-1-10 lots, and that the Commission might wish to consider a zoning condition limiting total lot yield to two.

Commissioner Jacobson raised broader concerns about the precedent of approving individual A-1-10 rezonings on lots that are too small to meet A-1-21 standards, recalling past Planning Commission efforts to require master-planned consolidation before allowing density increases in this part of the city. Director Thomas acknowledged, however, that the subject parcel was a unique case because the property owner had previously dedicated right-of-way at the corner, resulting in the reduced acreage that now disqualifies the parcel from A-1-21 eligibility. He confirmed that the lot had been subdivided from a larger county parcel and lost acreage through the right-of-way dedication process when the home was

legally established. This explanation addressed Jacobson's principal concern.

Commissioner Rypien and others expressed support for limiting the parcel to two lots given its context within a neighborhood where surrounding properties are primarily one-acre parcels. Planner Hoadley noted that the general plan's designation of the area as Neighborhood Residential 1 does contemplate the A-1-10 zone.

The applicant, Jordan Herrmann, addressed the Commission briefly, confirming that his sole intent was to build a home for a family member and that he was not a developer seeking maximum density.

Chair Bradford opened the public hearing.

No comments were offered.

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

Commissioner Jacobson stated his support for approval, specifically because of the right-of-way dedication context, and proposed a zoning condition limiting the total number of lots to two.

Commissioner Jacobson moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consider approval of a request to amend the Herriman City Zoning Map, changing the designation from A-1-43 (1-acre minimum) to A-1-10 (10,000 sq ft minimum), for the property at approximately 13727 S 7300 West Street and adding approval reason that land was previously donated and adding condition of no more than two lots on the property.

Commissioner Rypien seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

5.2. Review and consider a proposed Master Development Agreement for Black Clover Holdings LLC to develop a light manufacturing and fulfillment center for retail and wholesale distribution at 5200 W Herriman Boulevard in the C-2 Commercial Zone. (Public Hearing)

Applicant: Steven Lichtie (authorized agent)

Acres: ±7.42 acres

City File No: M2026-117

Director Maloy presented the proposed Master Development Agreement for Black Clover Holdings LLC. He explained that the business had previously been considered for a site on the Crescent parcel under a separate MDA, but that project did not move forward primarily due to contaminated soils. Staff and the City's economic development team had since worked with the business to identify an alternative site at 5200 West Herriman Boulevard, a 7.42-acre C-2-zoned parcel.

Director Maloy explained that the MDA was necessary for two reasons: first, to accommodate wholesale distribution as a primary business function, which is not permitted as a principal use in the C-2 zone; and second, to address building material standards through the MDA framework rather than the underlying zone. Director Thomas added that unlike the prior Crescent MDA, which treated the use as a conditional use due to the multi-building nature of that site, the current MDA designates the use as permitted because only one building is proposed, giving the City clear visibility into the full scope of development.

Applicant representative Sean Stein addressed the Commission, explaining that the company currently operates out of multiple fragmented locations and intends to consolidate operations at this site, which would serve as the corporate headquarters. At maximum capacity, the facility would employ approximately 80 people across all levels, from warehouse to executives. The building would also include an active retail component at the front, with space leased to additional retail tenants to create a mixed-use feel along the street frontage. Director Maloy noted that while the MDA references operating hours, commercial uses in the C-2 zone are generally not subject to hourly restrictions, and the stated hours were informational rather than regulatory.

The Commission expressed enthusiasm for the project's economic development value and its potential to activate what was characterized as a challenging piece of property to develop.

Chair Bradford opened the public hearing.

No comments were offered.

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

The Commission expressed enthusiasm for the project's economic development value and its potential to activate what was characterized as a challenging piece of property to develop.

Commissioner Garcia moved to forward a positive recommendation of approval to City Council of item 5.2 Review and consider a proposed Master Development Agreement for Black Clover Holdings LLC to develop a light manufacturing and fulfillment center for retail and wholesale distribution at 5200 W Herriman Boulevard in the C-2 Commercial Zone with staff's 4 recommendations. 1. The applicant shall comply with all terms and conditions outlined in the Black Clover MDA as adopted by the City Council, including but not limited to the development standards, permitted uses, architectural requirements, landscaping and buffering standards, and stormwater detention requirements contained therein. 2. Prior to issuance of a building permit, the applicant shall submit a final site plan, landscape plan, and building elevations for administrative review and approval consistent with the conceptual site

plan (Sheet SP 05, dated June 16, 2026) and the building materials palette (Exhibit C) attached to the MDA. 3. The applicant shall execute the MDA within 30 days following City Council adoption of the authorizing resolution. 4. The development shall comply with all applicable provisions of the Herriman City Code, including the C-2 Zone development standards vested in Exhibit D of the MDA, except as specifically modified by the MDA.

Commissioner Rypien seconded the motion.

The vote was recorded as follows:

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

The motion passed unanimously.

5.3. (Continued to a Future Planning Commission Meeting) Review and consider a request to amend Chapter 10-10 Residential Zones and related sections of the Herriman City Land Development Code to establish zoning district development for residential lots ranging from 5,000 to 10,000 square feet. (Public Hearing)

Applicant: Herriman City

City File No: Z2024-015

Chair Bradford opened the public hearing.

No comments were offered.

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

6. Chair and Commission Comments

Commissioner Garcia raised a concern prompted by public testimony during the Laguna Pointe hearing regarding emergency evacuation planning for hillside neighborhoods. She stated that as a hillside resident herself, she would appreciate the Commission being briefed on the City's existing evacuation plans and any role the Commission might play in planning for natural disaster scenarios. She suggested that having a representative from the Unified Fire Authority present at a future meeting to discuss macro-level evacuation capacity and corridor analysis would be valuable.

Commissioner Jacobson agreed and extended the concern to the broader planning question of how the City manages arterial road capacity as cumulative development occurs. He referenced Juniper Crest Road as an example where the road effectively becomes a dead end for a large number of homes if the downstream connection is not timely completed, noting that the thirty-lot threshold applied subdivision-

by-subdivision may not account for aggregate corridor loading. He suggested the Commission should consider whether additional standards are needed to protect against this scenario in future approvals.

Planner Hoadley noted that staff directs detailed evacuation inquiries to the City's UFA representative and agreed that inviting a UFA representative to present on this topic would be appropriate. She also noted that because multiple north-south roads exist in the area, not all evacuation routes require use of Juniper Crest Road, though she acknowledged that the bridge corridor presents a different consideration.

Director Maloy offered that the UFA's fire access thresholds are the primary standard staff follows and that any divergence from or expansion of those standards would be driven by the UFA's own guidance. The Commission expressed interest in pursuing a future joint briefing or work session on the topic.

7. Future Meetings

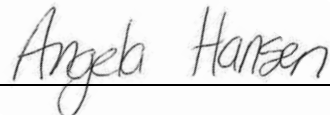
7.1. Next City Council Meeting: August 26, 2026

7.2. Next Planning Commission Meeting: September 02, 2026

8. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 8:22 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 August 19, 2026. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Deputy City Recorder



DATE: September 16, 2026

TO: The Planning Commission

FROM: Riley Norton, Planner I

SUBJECT: Review and consider preliminary approval of the Herriman Towne Center POD 12 Subdivision plat containing one (1) lot located generally at 5175 W Herriman Main Street in the MU-2 Mixed Use Zone and the Herriman Towne Center Master Development Agreement. (Public Hearing)
Applicant: Matt Watson, HTC Communities, LLC (property owner)
Acres: ±6.0
File No: S2026-120

RECOMMENDATION:

Staff recommends that the Planning Commission approve the following findings:

- a. The proposed preliminary subdivision plat, subject to the conditions set forth below, complies with all applicable zoning requirements, the City's Vested Laws as defined in the Herriman Towne Center Master Development Agreement (MDA), and the Herriman City Development Standards, 5th Edition.

Staff recommends **preliminary approval with conditions** for the Herriman Towne Center POD 12 Subdivision located generally at 5175 W Herriman Main Street in the MU-2 Mixed Use Zone and the Herriman Towne Center Master Development Agreement, subject to the following conditions:

1. Acknowledge and address all remaining corrections from all City departments.

ISSUE BEFORE THE COMMISSION:

Based on the enclosed findings, should the Planning Commission approve the proposed preliminary subdivision plat in the Herriman Towne Center?

BACKGROUND & SUMMARY:

The applicant proposes a new one-lot subdivision located generally at 5175 W Herriman Main Street. The proposed plat would create one 5.997-acre lot from two previously unplatted parcels

(Salt Lake County Parcel IDs 26-36-252-001-0000 and 26-36-252-002-0000), owned by HTC Communities, LLC. It is anticipated that the land included in this subdivision plat will be developed as a church, which is a conditional use in the MU-2 Zone and will be brought before the planning commission at a future date.

The proposed subdivision is located within the Herriman Towne Center Master Development Agreement (MDA) area. The anticipated conditional use application will be required to adhere to the requirements of the MDA. An important exception applies to park strip landscaping design standards, as described in the Park Strip Landscaping section below.

As required, eighty-eight (88) public hearing notices were mailed on September 3, 2026, to residents and property owners within 300 feet of the subject property and affected entities.

DISCUSSION:

- 1. Engineering Review.** Engineering reviewed the proposed subdivision and identified minimal corrections to be addressed during final plat approval. Engineering has also confirmed that curb, gutter, pavement, streetlights, fire hydrants, and utility stubs (water, sewer, and power) have been installed along the public street frontages. The remaining missing public right-of-way improvements are public sidewalks and park strip landscaping along the public street frontages, and potentially pedestrian improvements along the Walford Lane (Private ROW) frontage.

***Staff Finding:** Engineering review for the preliminary plat complete. The required infrastructure improvements, including sidewalk and park strips, will be conditions of approval for a future site plan application.*

- 2. Standards of Review.** As with any development within a Master Development Agreement, there are layers of controls, generally including the MDA, vested City Code and Engineering Standards, and, where applicable, current City Code and Engineering Standards. For context, staff has provided the following summary and analysis regarding the applicability of the “governing framework” for the proposed subdivision:

Herriman Towne Center MDA & City’s Vested Laws. The proposed subdivision creates a new, individually developable lot from two previously unplatted parcels within the Herriman Towne Center MDA area. The MDA states that the city may require the construction of perimeter infrastructure such as curb and gutter sidewalks and fire hydrants if reasonably necessary given the location of the "parcel" in relation to other development and the respective timing of the completion of such developments.

***Staff Finding:** The proposed subdivision and anticipated site plan application allows the city to provide flexibility to the applicant and reasonably anticipate that the frontage*

improvements will be a condition of approval for the site plan application for the development of the parcel.

ALTERNATIVES:

The Planning Commission may consider the following alternative actions:

Alternative	Recommendation	Considerations For	Considerations Against
Approve proposal as submitted (without conditions)	YES	Creates a buildable lot that complies with the MDA and existing zoning.	None Identified
Approve proposal with conditions as recommended by staff	No	Items could be identified that were not considered by the staff during their review.	None Identified
Postpone proposal (with or without date)	No	Provides time to resolve outstanding improvement and easement items before a final decision	Staff has not identified any issues that would warrant further postponement beyond the conditions recommended herein
Deny proposal	No	The Commission may find the proposal does not satisfy the applicable requirements for approval	Staff has not identified any findings that warrant denial; the deficiencies identified are addressable by conditions

ATTACHMENTS:

- A.** Application
- B.** Vicinity Map
- C.** Subdivision Plan
- D.** Title Report



Preliminary Subdivison Plat Application

SUBDIVISION INFORMATION			
Property Address: 12951 Fort Herriman Pkwy			
Parcel Numbers: 26-36-252-001-0000, 26-36-252-002-0000			
☒ New Lots/Units		1	Number of lots/units
			Total Acres: 6.0
☐ Plat Amendment			Number of new lots/units
Name of Proposed Subdivision: HERRIMAN TOWNE CENTER POD 12			
APPLICANT INFORMATION			
Name of Applicant: HTC Communities, LLC			
Address of Applicant: 10421 S Jordan Gateway, Ste 200, South Jordan, UT 84095			
Email of Applicant:			Phone:
Applicants Affiliation with the Subject Property:			
☒ Owner ☐ Engineer ☐ Architect ☐ Other			
Engineer: (if not listed above) Kagan Dixon - Wilding Engineering			
Email of Engineer:			Phone of Engineer:
Architect: (if applicable) n/a			
Email of Architect		n/a	Phone of Architect: n/a
Property Owner: (if not listed above)			
Email of Owner:			Phone:
OFFICE USE ONLY			
Date Received:	Received By:	File Number:	Fee:
Zone:	Assigned Planner:		Receipt #

APPLICANT'S AFFIDAVIT

State of Utah)
City of Herriman)

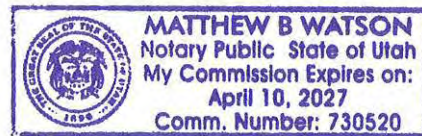
I (we), Corey A. Laiseth, being duly sworn, depose and say that I (we) am (are) the owner(s) or authorized agent(s) of owner, of property involved in the attached application and that the statements and answers contained herein in the attached plans and other exhibits thoroughly, to the best of my (our) ability, present the argument in behalf of the application requested herewith and that the foregoing statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

Signed _____

STATE OF UTAH)
§
COUNTY OF SALT LAKE)

On this 30th of July, in the year 2026, before me Matthew Watson personally appeared Corey A. Laiseth, proved to me through satisfactory evidence of identification, which was known to me, to be the person whose name is signed on the preceding document in my presence.

Notary Signature _____



*May be owner of record, contract owner, party to valid earnest money agreement, option holder or have other legal control of the property.

AGENT AUTHORIZATION

I (we), _____, the owner(s) of the real property at _____ Herriman, Utah, do hereby appoint _____ as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City Boards considering this application.

Signed _____

STATE OF UTAH)
§
COUNTY OF SALT LAKE)

On this _____ of _____, in the year 20____, before me _____, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document in my presence.

Notary Signature _____

Preliminary Plat Checklist		City Use Only	
Applicant Submitted	All information should be submitted electronically to planning@herriman.org	Accepted	N/A Initials
Initial <u> </u> MW	Preliminary Plat Application, including the appropriate fee		
Initial <u> </u> MW	Existing Conditions Inventory (Land Development Code 10-17-4)		
	Preliminary plat submittal information (Land Development Code 10-5-15), which includes:		
Initial <u> </u> MW	The boundary lines and legal description of the property to be subdivided, with all dimensions shown		
Initial <u> </u> MW	The location of existing permanent buildings and structures, on or within 50 feet of the proposed subdivision		
Initial <u> </u> MW	The layout of streets showing location, widths, and other dimensions of proposed streets (designated by actual or proposed names and numbers), crosswalks, alleys, easements, and streetlights		
Initial <u> </u> MW	The layout, numbers, and typical dimensions of lots		
Initial <u> </u> MW	Land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision		
Initial <u> </u> MW	Minimum building setback lines		
Initial <u> </u> MW	Easements proposed for water, sewer, drainage, utility lines, and other purposes		
Initial <u> </u> MW	The location of the subdivision as it relates to any associated lot owned by the applicant, including a sketch of the prospective future street system on any unplatted portion of the property, and the street system proposed within the subdivision in accordance with the future street system of the surrounding area and the general plan		
Initial <u> </u> MW	The boundary lines of adjacent unsubdivided land within 100 feet of the property proposed for subdivision, showing ownership and property monuments		
Initial <u> </u> MW	A vicinity map of the subdivision, drawn at a scale of 500 feet to the inch, showing all lots and streets in the subdivision, and all abutting streets with street names		
Initial <u> </u> MW	The names and addresses of the applicant, the engineer or surveyor of the subdivision, and the owners of land immediately adjoining the subdivision		
Initial <u> </u> MW	A contour map at intervals of at least two feet, showing all unusual topographic features with verification by a qualified engineer or land surveyor		
Initial <u> </u> MW	The location of existing sanitary sewers, storm drains, subdrains, culinary and secondary water supply mains, and culverts and other utilities within the property or within 100 feet thereof, indicating pipe sizes, grades, and manholes		
	The location, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces and lots with the size and buildable area of each proposed		

Applicant Submitted		Accepted	N/A Initials
Initial <u> </u> MW	The location, principal dimension, and names of all existing and recorded streets, alleys, and easements, both within the proposed subdivision and within 100 feet of the boundary thereof, showing whether recorded or claimed by usage		
Initial <u> </u> MW	The location and dimensions to the nearest existing benchmark or monument, and section line		
Initial <u> </u> MW	The location and principal dimensions of all water courses, public utilities, and other features and existing structures on the land adjacent to the proposed subdivision, including railroads, power lines, and topography		
Initial <u> </u> MW	The location of existing bridges, culverts, surface or subsurface drainage channels, utilities, buildings or other structures, pumping stations, or appurtenances, within the subdivision or within 200 feet thereof, and all known wells or springs, and location of any 100-year flood plain as delineated by the Federal Emergency Management Agency		
Initial <u> </u> MW	Proposed off-site and on-site culinary and secondary water facilities, sanitary sewers, storm drainage facilities, and fire hydrants		
Initial <u> </u> MW	A plan showing how the applicant proposes to handle storm water drainage for an event with a 100-year return interval, as determined by the city engineer		
Initial <u> </u> MW	A plan for providing street lighting in the subdivision		
Initial <u> </u> MW	Plans showing any required landscaping and/or parkstrip tree planting		
Initial <u> </u> MW	A soil erosion and sedimentation control plan prepared by a registered civil engineer; if the site requires substantial cutting, clearing, grading, or other earthmoving operations in the construction of improvements if required by the city engineer		
	The following documents:		
Initial <u> </u> MW	Certification of to the accuracy of the preliminary plat by the land owner		
Initial <u> </u> MW	Certification of the accuracy of the preliminary plat and any traverse to permanent survey monuments by a land surveyor registered to practice in the State of Utah		
Initial <u> </u> MW	Copies of any agreements with adjacent property owners relevant to the proposed subdivision		
Initial <u> </u> MW	A geologic hazards, geotechnical, and/or soils report prepared by a qualified engineer based upon adequate test borings or excavations in accordance with city standards and specifications, if required by the city engineer		
Initial <u> </u> MW	Evidence that all utilities and services will be available for the subdivision		
Initial <u> </u> MW	A traffic report prepared by a qualified traffic engineer, if required by the city engineer;		
Initial <u> </u> MW	Evidence of compliance with other applicable federal, state and local laws and regulations, if requested by the community development director		
Initial <u> </u> MW	A copy of proposed protective covenants, if subsurface drains or common open space are to be located within the subdivision		



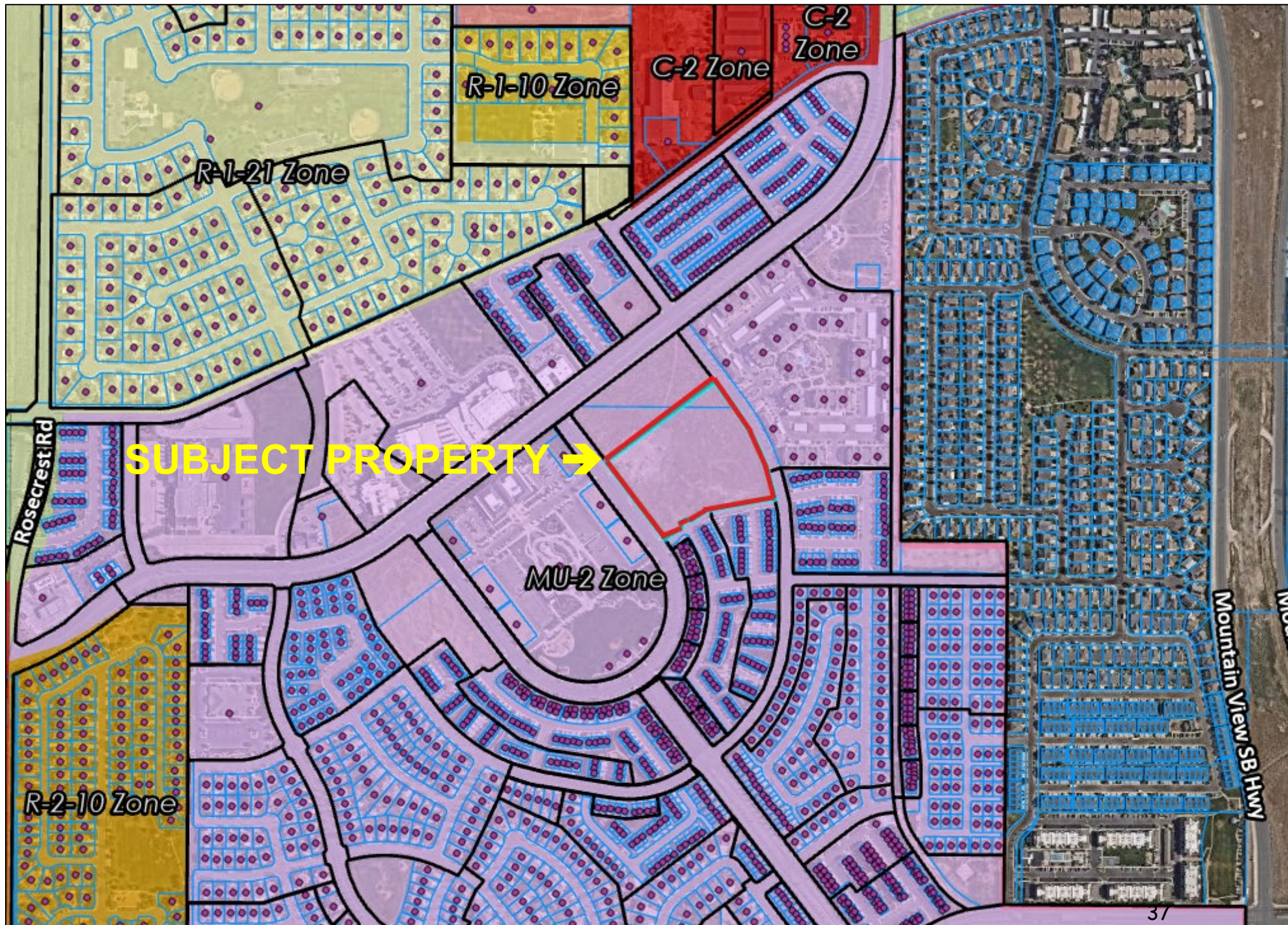
Preliminary Plat Process

- 1 A pre-application meeting is not required prior to submitting an application, but is highly recommended. Pre-application meetings are held on Tuesday afternoons, as needed.
- 2 Following the submission of all required documents, the complete application will be distributed to City department heads and any government departments or agencies deemed appropriate. The City shall have at least 14 days to review the application prior to scheduling a Development Review Conference (DRC).
- 3 The Planning Department will schedule a Development Review Conference (DRC) with the developer, engineer, and department heads. The DRC will review the preliminary plat application for compliance with applicable approval requirements. DRC's are held on Wednesdays at 9:00am at Herriman City Hall (5355 W. Herriman Main Street). The applicant will receive written minutes of all DRC comments.
- 4 The developer shall contact the Community Development Coordinator at the City to schedule a neighborhood meeting. A neighborhood meeting must be held prior to being placed on the Planning Commission Agenda.
- 5 The Planning Commission will schedule and hold a public hearing on the proposed preliminary plat application. A 10-day notice is mailed by the City to all affected entities. Public hearings are held at Herriman City Hall. Before approval or disapproval of the preliminary plat, the Planning Commission may reasonably require the applicant to provide additional information, data, or studies as may be needed to determine compliance with approval requirements.
- 6 Following the public hearing, the Planning Commission may approve, approve subject to conditions, or disapprove the preliminary plat based on written findings and recommendations regarding compliance with approval requirements.
- 7 After receiving Planning Commission approval, the developer submits a Final Plat Application to the Engineering Department for review and approval. This shall include a full set of engineered drawings compliant with the Herriman City Land Development Code and Engineering Standards.
- 8 Staff will then review and approve the final plat application. No further Planning Commission or City Council meetings are required.

All information should be submitted electronically to planning@herriman.org.

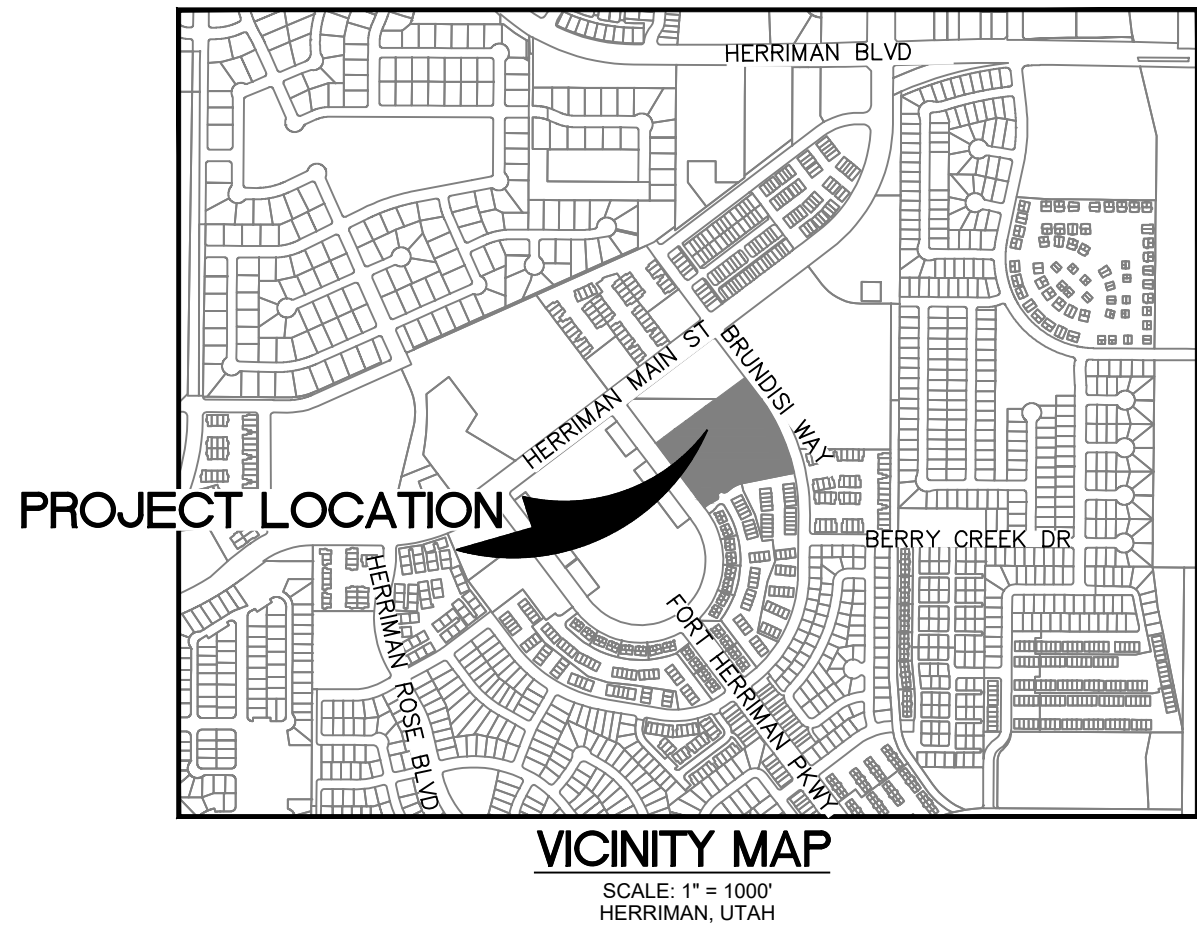
For questions regarding submittal requirements or process, please contact the Planning Department at 801-446-5323, or email planning@herriman.org.

ATTACHMENT B – VICINITY MAP



HERRIMAN TOWNE CENTER POD 12

LOCATED IN THE NORTH HALF OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
HERRIMAN CITY, SALT LAKE COUNTY, UTAH
PRELIMINARY PLAT
SHEET 1 OF 2



NOTES

1. WILDING ENGINEERING WILL SET A 5/8" REBAR AND PLASTIC CAP STAMPED "WILDING ENGINEERING" AT ALL REAR LOT CORNERS.
2. RIVETS WILL BE SET IN THE TOP BACK OF CURB FOR NORTHERN LINE, REPRESENTING AN EXTENSION OF SIDE LOT LINES.
3. NORTHINGS AND EASTINGS NOTED ON THE MONUMENTS OF THIS PLAT ARE NOTED IN NAD83, UTAH CENTRAL STATE PLANE GRID, AND ARE NOTED IN U.S. SURVEY FEET.
4. ZONED MU-2
A. FRONT SETBACK: 10'
B. SIDE YARD SETBACK: NONE, EXCEPT AS FOLLOWS: ANY COMMERCIAL OR INDUSTRIAL BUILDING OR STRUCTURE FROM A STREET: 20 FEET WHEN ADJACENT TO RESIDENTIAL ZONE, OR MATCH THE HEIGHT OF THE BUILDING.
C. REAR YARD SETBACK: NONE, EXCEPT WHEN ADJACENT TO RESIDENTIAL ZONE, THEN SETBACK MUST EQUAL HEIGHT OF BUILDING.

Line Table		
Line #	Length	Direction
L1	37.83	S52°55'25"W
L2	27.78	S50°02'57"W
L3	30.51	S63°09'30"W
L4	24.21	S52°55'25"W

LEGEND

- FOUND SECTION CORNER
- SECTION LINE
- SET 5/8 REBAR AND CAP (WILDING ENGINEERING)
- (BOUNDARY LINE)
- CL MONUMENT
- ROW CENTERLINE
- ADJACENT PROPERTY / ROW LINE
- PUBLIC UTILITY EASEMENT LINE



CHECKED FOR ZONING

ZONE: DATE:

AREA: WIDTH:

NAME:

RECORD OF SURVEY

R.O.S. #

COUNTY SURVEYOR REVIEWER DATE

PLANNING COMMISSION

APPROVED THIS DAY OF A.D. 20 BY HERRIMAN CITY PLANNING COMMISSION

CHAIRMAN: HERRIMAN PLANNING COMMISSION

ENBRIDGE GAS

QUESTAR GAS COMPANY, DBA ENBRIDGE GAS UTAH ('ENBRIDGE'), APPROVES THIS PLAT SOLELY TO CONFIRM THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. THIS APPROVAL DOES NOT (A) AFFECT ANY RIGHT ENBRIDGE HAS UNDER TITLE 54, CHAPTER 8A, A RECORDED EASEMENT OR RIGHT-OF-WAY, PRESCRIPTIVE RIGHTS, OR ANY PROVISION OF LAW; (B) CONSTITUTE ACCEPTANCE OF ANY TERMS CONTAINED IN ANY PORTION OF THE PLAT; AND (C) GUARANTEE ANY TERMS OR WAIVE ENBRIDGE'S RIGHT TO REQUIRE ADDITIONAL EASEMENTS FOR GAS SERVICE.

QUESTAR GAS COMPANY
DBA DOMINION ENERGY UTAH

APPROVED THIS DAY OF 20

BY:

TITLE:

ROCKY MOUNTAIN POWER

PURSUANT TO UTAH CODE ANNOTATED, 54-3-27, THIS PLAT CONVEYS, TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES, A PUBLIC UTILITY EASEMENT, ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN. PURSUANT TO UTAH CODE ANNOTATED, 17-27A-603(4)(C)(i), ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUBLIC UTILITY EASEMENT(S) (SOMETIMES INDICATED BY P.U.E. OF PUE ON THE PLAT), AS DESCRIBED OR SHOWN IN THIS PLAT, AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

- A. A RECORDED EASEMENT OR RIGHT-OF-WAY
- B. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- C. UTAH CODE ANNOTATED, TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES
- D. ANY OTHER PROVISION OF LAW

APPROVED THIS DAY OF 20

ROCKY MOUNTAIN POWER REPRESENTATIVE

COMCAST

APPROVED THIS DAY OF A.D. 20 BY COMCAST.

REPRESENTATIVE

CENTURY LINK COMMUNICATION

APPROVED THIS DAY OF A.D. 20 BY CENTURY LINK COMMUNICATIONS.

REPRESENTATIVE

JORDAN BASIN IMPROVEMENT DIST

APPROVED THIS DAY OF A.D. 20 BY JORDAN BASIN IMPROVEMENT DISTRICT

REPRESENTATIVE

HEALTH DEPARTMENT

APPROVED THIS DAY OF A.D. 20 BY THE HEALTH DEPARTMENT.

REPRESENTATIVE

HERRIMAN CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

HERRIMAN CITY ENGINEER DATE

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS DAY OF A.D. 20

HERRIMAN CITY ATTORNEY

HERRIMAN CITY

APPROVED THIS DAY OF A.D. 20 BY HERRIMAN CITY.

ATTEST: RECORDER PLANNING DIRECTOR

HERRIMAN TOWNE CENTER POD 12
A COMMERCIAL SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
HERRIMAN CITY, SALT LAKE COUNTY, UTAH

SALT LAKE COUNTY RECORDER RECORD #

STATE OF UTAH COUNTY OF SALT LAKE RECORDED AND FILED AT THE REQUEST OF

DATE TIME BOOK PAGE

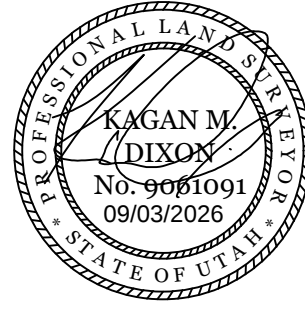
SEE \$ DEPUTY, SALT LAKE COUNTY RECORDER

SURVEYOR'S CERTIFICATE:

I, KAGAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 9061091 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

HERRIMAN TOWNE CENTER POD 12

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.



BOUNDARY DESCRIPTION

A TRACT OF LAND BEING SITUATE IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF SOUTH 89°36'57" EAST BETWEEN THE NORTH QUARTER CORNER AND THE NORTHEAST CORNER OF SAID SECTION 36, SAID TRACT OF LAND BEING COMPRISED OF A PORTION OF SALT LAKE COUNTY PARCELS 26-36-252-001 AND 26-36-252-002, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 89°36'57" EAST ALONG THE SECTION LINE A DISTANCE OF 354.85 FEET AND SOUTH 1,676.05 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 36, SAID POINT BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BRUNDIS WAY AS SHOWN ON HERRIMAN TOWNE CENTER BACH APARTMENTS SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2015P, AT PAGE 11 OF PLATS, AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES, 1) SOUTH 37°10'41" EAST 125.51 FEET TO THE POINT OF A 1,010.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, 2) ALONG SAID CURVE A DISTANCE OF 333.92 FEET THROUGH A CENTRAL ANGLE OF 18°58'54" (CHORD BEARS SOUTH 27°42'24" EAST 332.40 FEET) TO THE NORTHWESTERLY CORNER OF HERRIMAN TOWNE CENTER ROAD DEDICATION PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2018P, AT PAGE 43 OF PLATS AND THE POINT OF A 1,003.85 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG SAID CURVE A DISTANCE OF 106.25 FEET THROUGH A CENTRAL ANGLE OF 06°03'52" (CHORD BEARS SOUTH 15°18'31" EAST 106.20 FEET) TO THE POINT OF A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARKSIDE AT HERRIMAN TOWNE CENTER PHASE 4 PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2020P, AT PAGE 198 OF PLATS; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT THE FOLLOWING TWO (2) COURSES, 1) ALONG SAID CURVE A DISTANCE OF 16.63 FEET THROUGH A CENTRAL ANGLE OF 38°06'49" (CHORD BEARS SOUTH 59°49'54" WEST 16.33 FEET), 2) SOUTH 78°53'19" WEST 263.41 FEET TO THE NORTHWESTERLY CORNER OF SAID PLAT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARKSIDE AT HERRIMAN TOWNE CENTER PHASE 3 PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2020P, AT PAGE 197 OF PLATS; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT THE FOLLOWING EIGHT (8) COURSES, 1) ALONG A 114.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 51.89 FEET THROUGH A CENTRAL ANGLE OF 25°57'54" (CHORD BEARS SOUTH 65°54'22" WEST 51.45 FEET), 2) SOUTH 52°55'25" WEST 37.83 FEET TO THE POINT OF A 20.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, 3) ALONG SAID CURVE A DISTANCE OF 31.41 FEET THROUGH A CENTRAL ANGLE OF 89°58'58" (CHORD BEARS NORTH 82°05'06" WEST 28.28 FEET), 4) SOUTH 50°02'57" WEST 27.78 FEET TO THE POINT OF A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, 5) ALONG SAID CURVE A DISTANCE OF 35.00 FEET THROUGH A CENTRAL ANGLE OF 100°15'35" (CHORD BEARS SOUTH 13°01'42" WEST 30.70 FEET), 6) SOUTH 63°09'30" WEST 30.51 FEET TO THE POINT OF A 100.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, 7) ALONG SAID CURVE A DISTANCE OF 17.86 FEET THROUGH A CENTRAL ANGLE OF 10°14'07" (CHORD BEARS SOUTH 58°02'28" WEST 17.84 FEET), 8) SOUTH 52°55'25" WEST 24.21 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FORT HERRIMAN PARKWAY, AS SHOWN ON THE U-ROAD DEDICATION PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2017P, AT PAGE 242 OF PLATS; THENCE NORTH 37°04'35" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 417.16 FEET; THENCE NORTH 52°54'22" EAST 577.56 FEET TO THE POINT OF BEGINNING.

CONTAINS 261,244 SQUARE FEET OR 5.997 ACRES, MORE OR LESS.

OWNER'S DEDICATION:

KNOWN ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS:

HERRIMAN TOWNE CENTER POD 12

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES. IN WITNESS WHEREOF, WE HAVE HERUNTO SET ASIDE OUR HANDS THIS DAY OF A.D. 20

COREY A LEISETH, MANAGER
MOMENTUM-HTC, LLC

LLC ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF SALT LAKE } S.S

ON THIS DAY OF A.D. 20, PERSONALLY APPEARED BEFORE ME COREY A LEISETH, THE SIGNER OF THE FOREGOING INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT S(HE) IS A MANAGER OF MOMENTUM-HTC, LLC, MANAGER OF HTC COMMUNITIES, LLC, A UTAH LIMITED LIABILITY COMPANY, AND IS AUTHORIZED TO EXECUTE THE FOREGOING AGREEMENT IN ITS BEHALF AND THAT HE OR SHE EXECUTED IT IN SUCH CAPACITY.

WITNESS MY HAND OFFICIAL SEAL.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF UTAH THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

NOTARY PUBLIC FULL NAME:

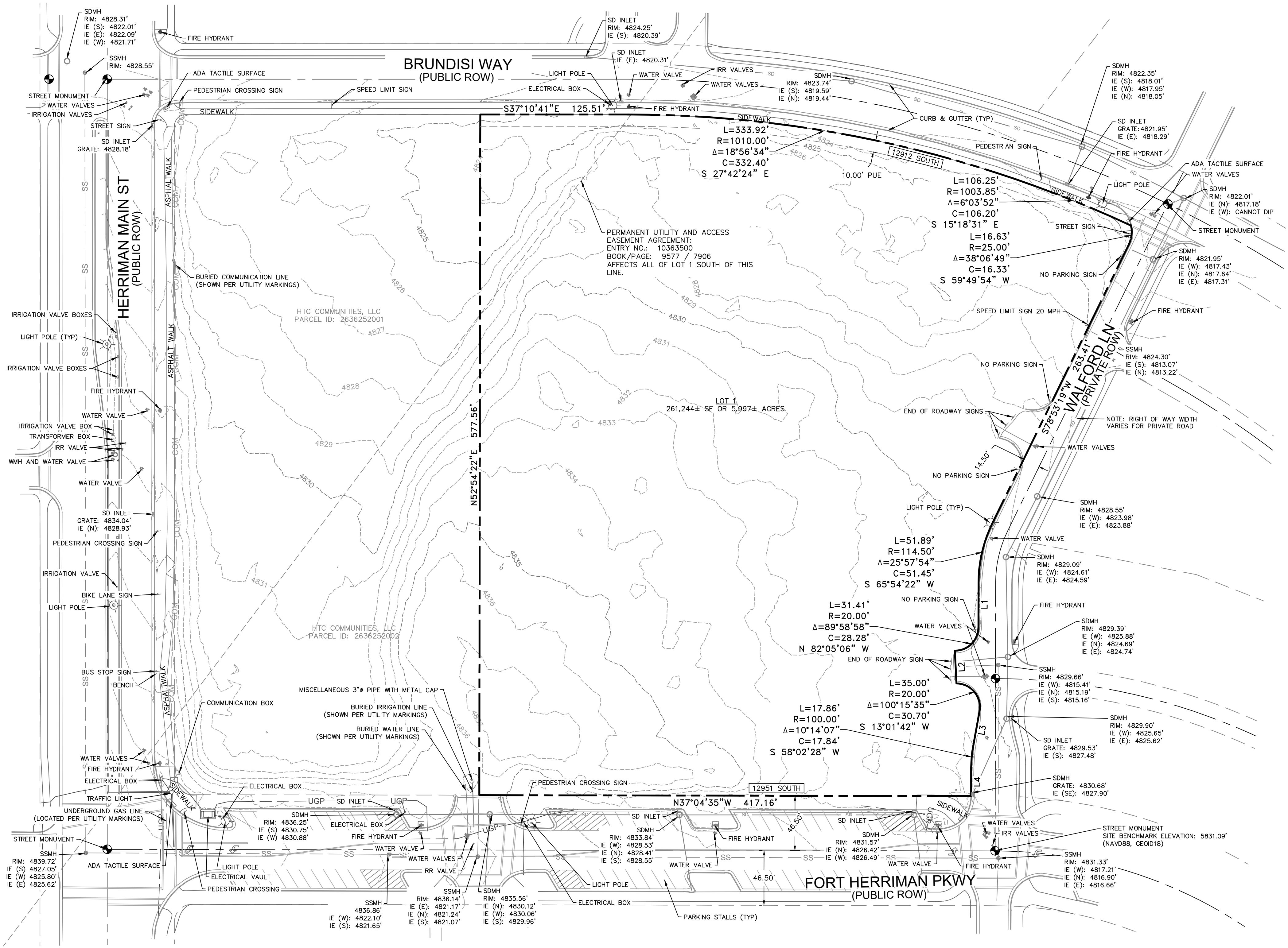
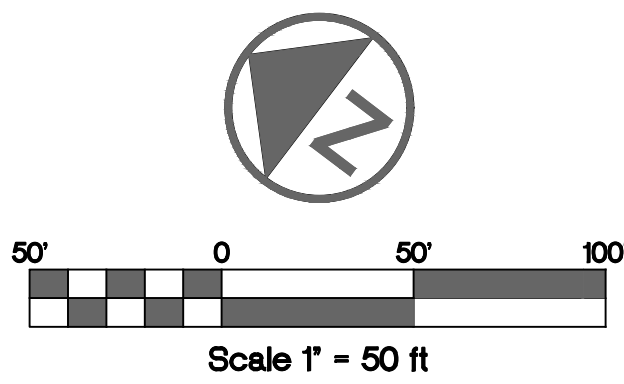
COMMISSION NUMBER:

MY COMMISSION EXPIRES:

A NOTARY PUBLIC COMMISSIONED IN UTAH

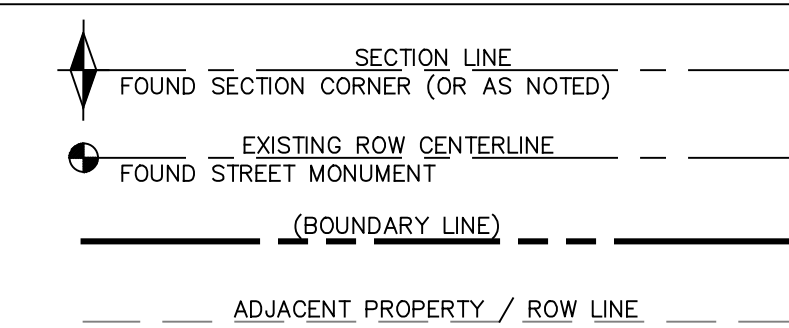
HERRIMAN TOWNE CENTER POD 12

LOCATED IN THE NORTH HALF OF SECTION 36, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
HERRIMAN CITY, SALT LAKE COUNTY, UTAH
PRELIMINARY PLAT
SHEET 2 OF 2



Line Table		
Line #	Length	Direction
L1	37.83	S52°55'25"W
L2	27.78	S50°02'57"W
L3	30.51	S63°09'30"W
L4	24.21	S52°55'25"W

LEGEND



G:\DATA\26277 Momentum Dev Herriman\dwg\26277.51 Momentum Dev Plat.dwg
PLOT DATE: Sep 03, 2026

HERRIMAN TOWNE CENTER POD 12
A COMMERCIAL SUBDIVISION
LOCATED IN THE NORTH HALF OF SECTION 36,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
HERRIMAN CITY, SALT LAKE COUNTY, UTAH

SALT LAKE COUNTY RECORDER RECORD #
STATE OF UTAH COUNTY OF SALT LAKE RECORDED AND FILED AT THE REQUEST OF

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ DEPUTY, SALT LAKE COUNTY RECORDER



ALTA COMMITMENT FOR TITLE INSURANCE

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Commonwealth Land Title Insurance Company (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 Days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.



A handwritten signature in black ink, appearing to read "Wanda S. [unclear]".

By;

Authorized Signatory

Commonwealth Land Title Insurance Company

By:

A handwritten signature in black ink, appearing to read "M. [unclear]".

ATTEST

President

A handwritten signature in black ink, appearing to read "Majorie Hemmick".

Secretary

MA17766

Transaction Identification Data for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: **Metro National Title Associates, LLC**
Issuing Office: **579 Heritage Park Blvd., Suite 101, Layton, UT 84041**
Loan ID Number:
Commitment Number: **MA17766**
Issuing Office File Number:
Property Address: **5175 West Herriman Main Street, Herriman, UT 84096 (Parcel 1)**
12951 Fort Herriman Parkway, Herriman, UT 84096 (Parcel 2)
Revision Number: **D**

SCHEDULE A

1. Commitment Date: **June 18, 2026 at 7:45 AM**
2. Policy to be issued:
 - (a) 2021 ALTA Owner's Policy
Proposed Insured: **The Well Church, a Utah Nonprofit Religious Corporation**
Proposed Policy Amount: **\$4,356,000.00**
Estate or Interest to be insured: **FEE SIMPLE**
Owner's Premium: **\$8,853.00**
 - (b) 2021 ALTA Loan Policy (Extended)
Proposed Insured: **Christian Community Credit Union, A California Corporation, as their interests may appear**
Proposed Policy Amount: **\$1,700,000.00**
Lender's Premium: **\$2,894.00**
Endorsements:
Endorsement Premium(s): **\$0.00**
3. The estate or interest in the Land at the Commitment Date is:
FEE SIMPLE
4. The Title is, at the Commitment Date, vested in:
HTC Communities, LLC, a Delaware limited liability company
5. The land referred to in this Commitment is in the State of Utah, County of Salt Lake and is described as follows:

See attached Exhibit "A"

Exhibit "A"

A TRACT OF LAND BEING SITUATE IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF SOUTH 89°36'57" EAST BETWEEN THE NORTH QUARTER CORNER AND THE NORTHEAST CORNER OF SAID SECTION 36, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 89°36'57" EAST ALONG THE SECTION LINE A DISTANCE OF 354.85 FEET AND SOUTH 1,676.05 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 36, SAID POINT BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BRUNDISI WAY AS SHOWN ON HERRIMAN TOWNE CENTER BACH APARTMENTS SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2015P, AT PAGE 11 OF PLATS, AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES, 1) SOUTH 37°10'41" EAST 125.51 FEET TO THE POINT OF A 1,010.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, 2) ALONG SAID CURVE A DISTANCE OF 333.92 FEET THROUGH A CENTRAL ANGLE OF 18°56'34" (CHORD BEARS SOUTH 27°42'24" EAST 332.40 FEET) TO THE NORTHWESTERLY CORNER OF HERRIMAN TOWNE CENTER ROAD DEDICATION PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2018P, AT PAGE 43 OF PLATS AND THE POINT OF A 1,003.85 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG SAID CURVE A DISTANCE OF 106.25 FEET THROUGH A CENTRAL ANGLE OF 06°03'52" (CHORD BEARS SOUTH 15°18'31" EAST 106.20 FEET) TO THE POINT OF A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARKSIDE AT HERRIMAN TOWNE CENTER PHASE 4 PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2020P, AT PAGE 198 OF PLATS; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT THE FOLLOWING TWO (2) COURSES, 1) ALONG SAID CURVE A DISTANCE OF 16.63 FEET THROUGH A CENTRAL ANGLE OF 38°06'49" (CHORD BEARS SOUTH 59°49'54" WEST 16.33 FEET), 2) SOUTH 78°53'19" WEST 263.41 FEET TO THE NORTHWEST CORNER OF SAID PLAT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF PARKSIDE AT HERRIMAN TOWN CENTER PHASE 3 PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2020P, AT PAGE 197 OF PLATS; THENCE ALONG THE NORTHERLY LINE OF SAID PLAT THE FOLLOWING EIGHT (8) COURSES, 1) ALONG A 114.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 51.89 FEET THROUGH A CENTRAL ANGLE OF 25°57'54" (CHORD BEARS SOUTH 65°54'22" WEST 51.45 FEET), 2) SOUTH 52°55'25" WEST 37.83 FEET TO THE POINT OF A 20.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, 3) ALONG SAID CURVE A DISTANCE OF 31.41 FEET THROUGH A CENTRAL ANGLE OF 89°58'58" (CHORD BEARS NORTH 82°05'06" WEST 28.28 FEET), 4) SOUTH 50°02'57" WEST 27.78 FEET TO THE POINT OF A 20.00 FOOT RADIUS ONTANGENT CURVE TO THE RIGHT, 5) ALONG SAID CURVE A DISTANCE OF 35.00 FEET THROUGH A CENTRAL ANGLE OF 100°15'35" (CHORD BEARS SOUTH 13°01'43" WEST 30.70 FEET), 6) SOUTH 63°09'30" WEST 30.51 FEET TO THE POINT OF A 100.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, 7) ALONG SAID CURVE A DISTANCE OF 17.86 FEET THROUGH A CENTRAL ANGLE OF 10°14'07" (CHORD BEARS SOUTH 58°02'28" WEST 17.84 FEET), 8) SOUTH 52°55'25" WEST 24.21 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FORT HERRIMAN PARKWAY, AS SHOWN ON THE U-ROAD DEDICATION PLAT, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 2017P, AT PAGE 242 OF PLATS; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING ONE (1) COURSE, 1) NORTH 37°04'35" WEST 417.16 FEET; THENCE NORTH 52°54'22" EAST 577.56 FEET TO THE POINT OF BEGINNING.

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SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

5. Delivery to, and approval by the Company of Articles of Organization and Operating Agreement for HTC Communities, LLC regarding the legal status and ability to convey and/or encumber title to the land described herein.

The Company reserves the right to make additional requirements as needed.

6. Resolution of the Board of Directors of The Well Church authorizing the transaction contemplated herein.

Said Resolution should be duly certified by an officer of the corporation and be properly acknowledged.

7. Affidavit executed by the Owner/Seller of the property certifying that said property is free and clear of liens and encumbrances.

8. Confirmation that the Voluntary Assessment is paid current, clearing Exception No(s). 13, shown herein.

9. Intentionally deleted.

10. Provide evidence of payment in full and/or a Waiver of Lien from those parties that have filed Preliminary Notices in the State Construction Registry to remove the Exception shown in Schedule B, Part 2.

11. Certificate of Completion filed with the State Construction Registry pursuant to State statute.

12. Update of the Utah State Construction Registry prior to recording; receipt by the Company of evidence of payment in full and execution of Affidavit of Acceptance of Payment in Full for Construction Services (UCA § 38-1a-503(2)(b)) of all preliminary notice(s) of lien(s) disclosed thereby.

13. Warranty Deed from the vestee to the proposed insured.

14. Trust Deed to secure your loan.

[Vesting Deed Image](#)

[Plat Map Image](#)

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15. The 6/15/2026 Survey shown herein, should be revised to add Commonwealth Land Title Insurance Company to the Survey's Certificate:ALTA Cert.

Also, the "As Surveyed Legal" will need to match the legal description shown herein as Paragraph 4 of Schedule A.

NOTE: The following names have been checked for Judgments, Federal Tax Liens and Bankruptcies and none appear of record that attach to the herein described property, except as shown herein.

HTC Communities, LLC, a Delaware limited liability company

Escrow Officer: Kelli Okabe at (801) 773-5700

END OF SCHEDULE B – Section 1

SCHEDULE B, PART II Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a Public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, that are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

The printed Exceptions 1 through 7 will be deleted for the ALTA Extended Loan Policy

8. The following affects this and other property:

Lien of Taxes, now accruing as a lien, but not yet due and payable

Year: 2026

Tax ID No.: [26-36-252-001](#)

Prior year: 2025 Paid

Amount: \$5,831.97

Lien of Taxes, now accruing as a lien, but not yet due and payable

Year: 2026

Tax ID No.: [26-36-252-002](#)

Prior year: 2025 Paid

Amount: \$22,393.58

9. The land described herein is located within the boundaries of Herriman and is subject to any assessments levied thereby.

The land described herein is located within the boundaries of the South Valley Sewer District and is subject to any assessments levied thereby.

The land described herein is located within the boundaries of Jordan Valley Water Conservancy District and is

subject to any assessments levied thereby.

10. Water rights, claims or title to water, whether or not shown by the public records.

11. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

12. Ordinance No. 924:

Dated: December 15, 2009

Recorded: January 19, 2010

Entry No.: [10880825](#)

Book/Page: 9797 / 6855

An Ordinance of the city council of Draper City, State of Utah, adopting The Community Development Project Area Plan entitled, "Project Area Plan for the Draper Gateway Community Development Project Area" dated November 5, 2009

13. Notice of Assessment Interest levying an assessment against certain properties in the Towne Center Assessment Area:

Recorded: May 21, 2010

Entry No.: [10957070](#)

Book/Page: 9827 / 3945

Notice of Assessment Interest arising out of the requirements of the Herriman City, Utah Voluntary Assessment Area (Towne Center) (the "Towne Center Assessment Area")

Recorded: October 7, 2016

Entry No.: [12384412](#)

Book/Page: 10485/5282

Notice of Assessment Interest arising out of the requirements of the Herriman City, Utah Voluntary Assessment Area (Towne Center) (the "Towne Center Assessment Area")

Recorded: October 7, 2016

Entry No.: [12384413](#)

Book/Page: 10485/5320

Notice of Restriction on Transfer:

Recorded: October 7, 2016

Entry No.: [12384414](#)

Book/Page: 10485/5331

14. Intentionally Deleted

15. Vested and accrued rights to ditches and reservations used in connection therewith and any and all oil, gas, mining and mineral rights, together with the right of the proprietor of a vein or lode to extract his ore therefrom should the same be found to penetrate or intersect the premises, and the right of ingress and egress for the use of said rights, as set forth in Patent, recorded October 20, 1965 as Entry No. [2140060](#), in Book 2425, at Page 6 of Official records.

16. Agreement, including the terms and conditions thereof:

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Grantor: The Rose Creek Irrigation Company

Grantee: State of Utah, acting through the Utah Water and Power Board

Purpose: An easement to the full use of the irrigation distribution system of the Rose Creek Irrigation Company

Recorded: August 24, 1971

Entry No.: [2405221](#)

Book/Page: 2990 / 875

17. Easement to Use Distribution System, and the terms and conditions thereof:

Grantor: The Rose Creek Irrigation Company

Grantee: State of Utah, acting through the Utah Water and Power Board

Purpose: An easement to the full use of the irrigation distribution system of the Rose Creek Irrigation Company

Recorded: August 24, 1971

Entry No.: [2405222](#)

Book/Page: 2990 / 878

Area Affected: Exact location not disclosed

18. Agreement, including the terms and conditions thereof:

Grantor: State of Utah, acting through the Utah Water and Power Board

Grantee: Herriman Irrigation Company, a corporation

Purpose: a water conservation project.

Entry No.: [2602121](#)

Book/Page: 3523/241

19. Easement to Use Distribution System, and the terms and conditions thereof:

Grantor: Herriman Irrigation Company

Grantee: State of Utah acting through the Board of Water Resources

Purpose: an easement to use the existing water distribution system from Butterfield Canyon Creek

Recorded: February 26, 1974

Entry No.: [2602125](#)

Book/Page: 3523 / 249

Area Affected: Exact location not disclosed

20. Permanent Utility and Access Easement Agreement, including the terms and conditions thereof:

Between: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah corporation
sole

And: South Fam, L.L.C., a Utah limited liability company

Dated: March 3, 2008

Recorded: March 3, 2008

Entry No.: [10363500](#)

Book/Page: 9577 / 7906

Providing: Permanent Utility and Access Easement

21. Easement, and the terms and conditions thereof:

Grantor: South Farm, LLC and Herriman City

Grantee: South Valley Sewer District

Purpose: A perpetual right of way and easement to construct, maintain, operate, repair inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities.

Recorded: November 10, 2008

Entry No.: [10558495](#)

Book/Page: 9657 / 6445

MA17766

22. The following affects Parcel 2:

Reservations in favor of the Grantor as shown in that certain Special Warranty Deed:

Grantor: Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints

Dated: August 29, 2013

Recorded: August 30, 2013

Entry No.: [11716390](#)

Book/Page: 10174 / 634

Reserving: Specifically unto Grantor all Water and Water rights, including shares of stock in water companies, minerals, coal, carbons, hydrocarbons, oil, gas, chemical elements and compounds, whether in solid, liquid or gaseous form, and all steam and other forms of thermal energy, on, in, or under the above-described land, provided that tGrantor does not reserve the right to use the subject property or extract minerals or other substances from the subject property above a depth of 500 feet, nor does Grantor reserves the right to use the surface of the subject property in connection with the rights reserved herein.

23. Subject to the rights of parties in possession of the subject property under unrecorded leases, rental or occupancy agreements and any claims thereunder.

24. A search of the Construction Registry for the State of Utah reveals Preliminary Notices:

SCR 26-36-252-001

SCR 26-36-252-002

25. Subject, but not limited, to the following items, as disclosed by a survey prepared by Wilding Engineering, having been certified under the date of June 15, 2026 , by Kagan M. Dixon, a Registered Land Surveyor holding License No. 9061091, as Job No. 26277, including but not limited to the following:

- a. There are existing piles of dirt that may indicate that this area was being used as a dump site.**
- b. Buried water line and irrigation line with miscellaneous 3" pipe with metal cap on the Southerly portion**
- c. Buried communication line on Westerly boundary**
- d. Certificate does not include Commonwealth Land Title Insurance Company in the Certification.**
- e. As surveyed legal does not match the legal description shown herein.**

[Survey](#)

COMMITMENT CONDITIONS

1. DEFINITIONS

- a. “Discriminatory Covenant”: Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
 - b. “Knowledge” or “Known”: Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
 - c. “Land”: The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term “Land” does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
 - d. “Mortgage”: A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
 - e. “Policy”: Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
 - f. “Proposed Amount of Insurance”: Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
 - g. “Proposed Insured”: Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
 - h. “Public Records”: The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term “Public Records” does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
 - i. “State”: The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term “State” also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
 - j. “Title”: The estate or interest in the Land identified in Item 3 of Schedule A.
2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company’s liability and obligation end.
3. The Company’s liability and obligation is limited by and this Commitment is not valid without:
- a. the Notice;
 - b. the Commitment to Issue Policy;
 - c. the Commitment Conditions;
 - d. Schedule A;
 - e. Schedule B, Part I—Requirements; and
 - f. Schedule B, Part II—Exceptions; and
 - g. a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY’S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- a. The Company’s liability under Commitment Condition 4 is limited to the Proposed Insured’s actual expense incurred in the interval between the Company’s delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured’s good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;

- ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
 - b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
 - e. The Company is not liable for the content of the Transaction Identification Data, if any.
 - f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
 - g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.
6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM
- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
 - c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
 - f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT
- The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.
8. PRO-FORMA POLICY
- The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
9. CLAIMS PROCEDURES
- This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.
10. CLASS ACTION
- ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.



PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending on which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, but telephone or any other means;
- Information about your transaction with us, our affiliated companies, or other; and
- Information we receive a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any non-affiliated party. Therefore, we will not release your information to non-affiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purposes, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.