



PLANNING COMMISSION AGENDA

Wednesday, October 07, 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. Herriman City Code Title 10 Discussion

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 September 02, 2026 Planning Commission Meeting

4. 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.

4.1. Review and consider a request to recommend an amendment to the Herriman City Zoning Map from A-1-43 (1-acre per lot minimum) to A-1-10 (10,000 square feet per lot minimum) for property located approximately at 7162 W Gina Road.

Applicant: Lorena Iorg (Owner)

Acres: ±0.91

City File No: Z2026-139

4.2. Review and consider a request to amend Chapter 10-10: Residential Zones and related sections of the Herriman City Land Development Code to establish R-1-6 and R-1-8 Zones.

Applicant: Herriman City

City File No: Z2024-015

4.3. Review and consider a request to amend the Olympia Master Development Agreement to add a definition for affordable New Homes, include the requirements of the Affordable Housing Infrastructure Grant Board, and modify the Development Standards.

Applicant: Herriman City

City File No: M2026-140

5. Chair and Commission Comments

6. Future Meetings

6.1. Next City Council Meeting: October 14, 2026

6.2. Next Planning Commission Meeting: October 21, 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 [enter date] /s/ Angela Hansen, Deputy City Recorder



PLANNING COMMISSION MINUTES

Wednesday, September 02, 2026

Draft Pending Formal Approval

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, September 02, 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, Andy Powell, Jackson Ferguson, Heather Garcia, Adam Jacobson, Alternate Forest Sickles, Alternate Preston Oberg

Excused:

Staff Present: Planner II Amanda Hamilton, Planner I Riley Norton, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Communications Specialist Mitch Davis, Staff Engineer III Josh Petersen, Assistant City Manager Wendy Thomas (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 6:02 p.m.

1. Commission Business

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

Planning Director Maloy opened the review of City Council decisions by noting that no items had been brought forward for specific action. He did, however, provide an update on a matter that the Council had been following: a previously approved Master Development Agreement (MDA) at 118th and Mountain View Corridor, where a commercial storage facility, Extra Safe Storage, had been developed alongside an

outdoor storage component. He recalled that prior discussions had touched on community concerns, including lighting complaints and the nature of a crash gate installed between the Mountain View Corridor and an adjacent residential neighborhood.

Director Maloy explained that the City Council had originally expected the gate to be more substantial in design, potentially discouraging cut-through traffic, rather than what was ultimately installed a welded and painted swinging metal post structure. The community had raised concerns about privacy, safety, and the perceived openness of their neighborhood to outsiders through the pedestrian and vehicular connection.

Planning Commissioner Adam Jacobson arrived at 6:10 p.m.

Community Development Director Thomas elaborated on the current status of the matter, explaining that the Council had directed staff to obtain estimates for improving the aesthetics and quality of the gate. However, before expending public funds, staff reached out to UDOT to confirm whether the gate could legally remain closed. He noted that the road connection was referenced in a cooperative agreement between the city and UDOT, which included a map designating the location as a "future city dedicated city street." There was acknowledged ambiguity in that language as to whether the road could be permanently gated or must remain open, and staff were awaiting a written determination from UDOT, expected the following week.

Commissioner Sickles raised the point that the road's original approval may have been conditioned on it serving as a through road, and that without that function, it would essentially constitute a driveway which is specifically prohibited under the relevant UDOT standards. Director Thomas confirmed that UDOT's permit correspondence had described the connection as a roadway required to transmit "commodities, goods, and people" between two points, lending credence to the concern that the gate, as currently operated, may be inconsistent with UDOT's requirements.

The discussion also touched on the pedestrian component of the connection. Director Thomas noted that there had been an internal legal discussion about whether the sidewalk portion could be closed, and the consensus was that doing so would require alternative pedestrian access, likely along Mountain View Corridor, since the right-of-way had already been opened and dedicated. The broader implication raised was that UDOT's response could ultimately force the gate to be fully opened, which would be counterproductive to the community's concerns. He summarized that the city would wait for UDOT's formal response before proceeding further.

Director Maloy used the situation as a lesson in the importance of capturing specific details in development agreements, observing that what had appeared to be a minor detail (the design and function of a gate) had grown into a significant community issue. He emphasized that these details matter and must be carefully documented in agreements and staff recommendations.

Director Thomas also briefly updated the commission on a City Council work session featuring UTA's new leadership team. UTA presented on the Via on-demand transit service, acknowledging that its growing popularity had led to longer wait times. He described a collaborative grant application being developed with Bluffdale and Riverton to increase the frequency of Route 126 bus service from once per hour to every thirty minutes, and to add more vehicles to reduce Via wait times. He further noted that the Via service area does not currently extend to the Olympia development area and encouraged commission

members attending Wasatch Front Regional Council meetings to advocate for including Olympia in the Regional Transportation Plan so that service could eventually be expanded there.

Director Maloy concluded by noting that the City Council was planning a retreat focused on prioritizing capital improvement projects, anticipated to occur before the holiday season.

1.2. Review of Agenda Items – Planning Staff

Planner Hoadley provided a preview of the evening's agenda items. Item 4.1 regarding the Toscano monument sign, she clarified that while the application was submitted as a monument sign, it technically qualifies as a planned center sign because it is located off-site from the primary business. She noted that the sign's approval requires a minimum of three acres of represented businesses, and that while the initial calculation came in at approximately 2.8 acres between Toscano's, Garage Grill, and the adjacent Shell station, the applicant had since partnered with Quick Quack Car Wash, which alone exceeds one acre, bringing the total comfortably above the three-acre threshold.

Item 4.2 for the commercial restaurant site plan at 4948 West 12600 South, Planner Hoadley identified the project as Mixtura's, located adjacent to Java Express. She noted that the application was submitted as a quick-service restaurant, but the submitted floor plan suggested a full-service operation, with a server area, staff locker rooms, and a full bar. She confirmed that the parking supply in the shared parking agreement was sufficient to accommodate either use type, and flagged a small number of corrections needed, including an additional pedestrian pathway to the rear of the building and a minor realignment of ADA ramps.

Regarding item 5.1 the Title 10 Land Development Code amendment, Director Maloy explained that the originally planned broader text amendment had been scaled back after a management review identified additional provisions that should be included. As a result, only the portion of the amendment pertaining to commissaries, outdoor seasonal retail displays, and related mixed-use zone changes was being brought forward that evening. He noted that this was prompted by a prospective business in the MU-2 zone wishing to operate a food truck commissary alongside seasonal outdoor sales. Director Thomas added that the commissary definition had been created for the commercial flex (CF) zone but had inadvertently not been applied to other zones where such operations were already occurring, and that the amendment would clean up that inconsistency while opening up appropriate flexibility in the C-1, C-2, M-1, and MU-2 zones.

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

The Planning Commission watched a training video for the remainder of the work meeting.

2. Adjournment

Commissioner Sickles moved to adjourn the meeting at 6:50 p.m. Seconded by Commissioner Powell and all voted aye.

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

Chair Andrea Bradford called the meeting to order at 7:00 p.m.

3. Call to Order

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

Riley Norton 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 August 05, 2026 Planning Commission Meeting

Commissioner Garica motioned to approve the Minutes for the August 05, 2026 Planning Commission meeting; Commissioner Jacobson 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 a Conditional Use Permit for a monument sign for Toscano, located at 12547 Herriman Auto Row, in the C-2 Commercial Zone.

Applicant: Jeremy Ford (AFP HGP)

Acres: ±0.840 acres

File No: C2026-116

Planner Hoadley presented the application for a Conditional Use Permit for a planned center monument sign to serve Toscano, located at 12547 Herriman Auto Row. She explained that while the sign is styled as a traditional monument sign, consisting of a podium base and sign panel, its off-site location requires it to be processed as a planned center sign rather than a standard monument sign. Two deviations from administrative approval standards were identified: its off-site placement and a podium width of 27 feet rather than the standard 18 feet. She noted that the sign panel incorporates a digital display screen, allowing it to advertise multiple businesses. The sign is to be placed within an easement along 12600 South, outside of public utility easements. Staff flagged that the lot ownership may be changing and included a condition to ensure that any shift in placement does not encroach into public utility easements.

Regarding the three-acre minimum acreage requirement for planned center signs, Planner Hoadley confirmed that the applicant had secured advertising partnerships with additional businesses including Quick Quack Car Wash, pushing the total represented acreage well above the required threshold.

Staff recommended approval subject to three conditions: ensuring the sign placement remains outside of public utility easements regardless of any future lot ownership changes and confirming that the sum of acreage represented by advertised businesses meets or exceeds the three-acre minimum. The applicant did not offer additional comments. The commission found the application to be straightforward.

*Commissioner Jacobson moved to approve item 4.1 **Review and consider a Conditional Use Permit for a monument sign for Toscano, located at 12547 Herriman Auto Row, in the C-2 Commercial Zone with staff's 3 recommendation 1. Acknowledge and address all remaining recommendations from other agencies. 2. Provide Public Utility Easement (PUE) waivers if the sign location encroaches within the PUE. 3. Applicant shall provide evidence to the City that the sum of acreage for all lots that include businesses that will advertise on the sign is at least 3 acres, in accordance with HCC 10-27-7 parking to the Community Development Department and it is deemed acceptable by the City.***

Commissioner Fenn seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>not voting</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>not voting</i>

The motion passed unanimously.

4.2. Consideration of a Site Plan for a commercial restaurant at 4948 W 12600 South in the C-2 Commercial Zone and Midas Crossing Master Development Agreement.

Applicant: Fernando Mendoza (property owner)

Acres: ±0.184

File No: P2026-121

Planner Hoadley presented the site plan for a new commercial restaurant, identified as Mixtura's, to be located at 4948 West 12600 South in the C-2 Commercial Zone within the Midas Crossing Master Development Agreement area. The proposed building is approximately 4,000 square feet on a 0.184-acre lot, adjacent to the existing Java Express drive-through.

She explained the ambiguity between the submitted use description of a quick-service restaurant and the floor plan, which depicted a full-service layout including a server station, staff locker rooms, and a full bar. She confirmed that the shared parking agreement with the Midas Crossing parking lot could accommodate the parking requirements for either use type (43 stalls for quick service; 52 stalls for full-service). Key zoning-related corrections included the need for an additional pedestrian pathway from the rear to 12600 South, an updated landscape plan and alignment issues with the ADA ramps that required adjustments.

Regarding the dumpster, the site plan required that Mixtura's either obtain a letter permitting dumpster use from fellow businesses in the Midas Crossing development or install a new dumpster within their lot, as fewer dumpsters were built than originally approved in the shared parking lot plans.

The proposed building elevations feature brick veneer and stone cladding. Planner Hoadley noted that the architectural review committee of the master development had approved the project, and that color

designations of "bronze stone" and "smoky mountain" were referenced in the approved plans, though a formal color and materials board had not been submitted.

Commissioner Rypien raised concern about the absence of a color and materials board. Planner Hoadley acknowledged the gap and committed to working with the applicant to provide that information.

The applicant, Fernando Mendoza, who participated remotely, confirmed flexibility on material color selection and stated he had not yet procured materials, making compliance with any color coordination requirements feasible. He also confirmed that he had initiated conversations with the Midas Crossing HOA regarding shared dumpster use and indicated that permission was expected to be granted without difficulty.

Commissioner Jacobson noted for the record that, while he did not fault staff or the applicant in this instance given that certain MDAs include embedded design standards, he would prefer that color and materials boards be submitted with future applications so the commission and the public have a clear visual record of what is being approved.

Commissioner Rypien moved to approve item 4.2 Consideration of a Site Plan for a commercial restaurant at 4948 W 12600 South in the C-2 Commercial Zone and Midas Crossing Master Development Agreement with staff's 3 conditions. 1. Applicant shall acknowledge and address all remaining corrections from City Departments. 2. Complete and submit a long-term stormwater maintenance agreement. 3. Applicant shall show the dumpster location on the site plan and provide any necessary agreements to use an off-site dumpster.

Commissioner Garcia seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>not voting</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>not voting</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 a recommendation to amend Title 10 (Land Development Code) of the Herriman City Code to (1) comply with current Utah Municipal Land Use, Development, and Management Act requirements, including public notice requirements, statutory references, and limitations on land use regulations; (2) amend and clarify**

regulations accessory dwelling units; (3) amend regulations and development standards applicable to Commercial, Mixed Use, and Manufacturing zoning districts regarding commissaries, outdoor retail displays associated with retail businesses, and seasonal sales activities; and (4) make related technical, clerical, cross-reference, conforming, administrative, and procedural amendments throughout the Land Development Code.

(Public Hearing)

Applicant: Herriman City

File No: Z2026-123

Planning Director Maloy presented a targeted amendment to Title 10 of the Herriman City Code, initiated by the city in response to a request from a prospective business seeking to operate in the MU-2 zone with a food truck commissary and outdoor seasonal retail sales component. He noted that the amendment before the commission was a narrowed subset of a larger code compliance effort that had been pulled back for additional review and would return at a future meeting.

Director Maloy explained that when the City adopted the Commercial Flex (CF) zone, a definition for "commissary" was created to accommodate food truck operators required by state code to access a licensed commercial kitchen. However, that use was inadvertently only codified in the CF zone's permitted use table. The amendment proposed adding commissaries as permitted use in the C-1, C-2, M-1, and MU-2 zones, as well as formally including it in the CF zone table where it had been omitted. Community Development Director Thomas added that several existing commissary operations in the C-2 and MU-2 zones, including some operating under the Salty Pineapple brand, were effectively grandfathered but not properly authorized under the current code, and the amendment would rectify that inconsistency.

Regarding outdoor seasonal retail displays, Director Maloy noted that the MU-2 zone currently restricts retail sales to within enclosed buildings. The amendment proposed to allow outdoor seasonal sales in connection with an established primary business, such as a Christmas tree market, pumpkin patch, or fruit stand, without requiring a separate temporary use permit. He emphasized that this provision is limited to retail transactions conducted by the primary business, not wholesale activities, and is intended to bring vitality and pedestrian-scale activity to the Town Center.

Commissioner Rypien expressed support, noting that the amendment activates the street environment consistent with the mixed-use vision for the area.

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 Jacobson moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consider a recommendation to amend Title 10 (Land Development Code) of the Herriman City Code to (1) comply with current Utah Municipal Land Use, Development, and

Management Act requirements, including public notice requirements, statutory references, and limitations on land use regulations; (2) amend and clarify regulations accessory dwelling units; (3) amend regulations and development standards applicable to Commercial, Mixed Use, and Manufacturing zoning districts regarding commissaries, outdoor retail displays associated with retail businesses, and seasonal sales activities; and (4) make related technical, clerical, cross-reference, conforming, administrative, and procedural amendments throughout the Land Development Code.

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>Aye</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>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>not voting</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>not voting</i>

The motion passed unanimously.

6. Chair and Commission Comments

Commissioner Jacobson reiterated his preference, expressed during the restaurant site plan discussion, for applicants to provide color and materials boards with future submissions. He clarified that he did not hold staff responsible for the omission in the current case given the MDA context but requested that staff reinforce this expectation with applicants going forward. Planner Hoadley acknowledged the request and noted that some MDAs do contain embedded materials standards that could be referenced or incorporated into submissions.

7. Future Meetings

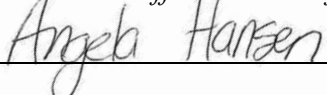
7.1. Next City Council Meeting: September 09, 2026

7.2. Next Planning Commission Meeting: September 16, 2026

8. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 7:19 p.m. Seconded by Commissioner Garcia and all voted aye.

I, Angela Hansen, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 02, 2026. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Deputy City Recorder



STAFF REPORT

DATE: October 7, 2026

TO: The Planning Commission

FROM: Laurin Hoadley, Planner II

SUBJECT: Review and consider a request to recommend an amendment to the Herriman City Zoning Map from A-1-43 (1-acre per lot minimum) to A-1-10 (10,000 square feet per lot minimum) for property located approximately at 7162 W Gina Road.

Applicant: Lorena Iorg (Owner)

Acres: ±0.91

City File No: Z2026-139

RECOMMENDATION:

Staff recommend the Commission approve the following finding:

- As proposed, the amendment complies with the General Plan and Zoning Code.

Staff recommends the Planning Commission forward a **positive** recommendation to the City Council to amend the Herriman City Official Zoning Map for the property located at 7162 W Gina Road from A-1-43 Single Family Agricultural Zone to A-1-10 Single Family Agricultural Zone as proposed by the applicant with the following condition:

1. A Zoning Condition (ZC) allowing a maximum of two lots in the subdivision.

ISSUE BEFORE COMMISSION:

Should the City amend the Herriman City Official Zoning Map to rezone the subject property from A-1-43 Agricultural Zone to A-1-10 Agricultural Zone as proposed by the applicant?

BACKGROUND & SUMMARY:

The applicant has requested a zoning map amendment for ±0.91 acres of property located generally at 7162 W Gina Road, from the A-1-43 Single-Family Agricultural Zone to the A-1-10 Single-Family Agricultural Zone. If approved, the property minimum lot area will be 10,000 square feet.

Zone	Minimum Lot Area	Minimum Lot Width
A-1-10	10,000 sq ft (minimum lot area may be reduced to 8,500 sq ft in a planned development)	85 feet, at 25 feet from the lot line

If the property is rezoned to A-1-10, it is recommended that the approval include a zoning condition of a maximum of two lots allowed in the subdivision. If the subdivision were allowed to include 3 lots, standards would require 53 feet for a city standard road right-of-way that would include curb, gutter, and sidewalks. This area cannot have a smaller private road because it is not part of a PUD with a minimum of 15 acres. A fifty-three feet wide road is not feasible for the property and supports the recommendation of a zoning condition.

This property could also be rezoned to A-1-21 and not have a zoning condition. The parcel is 0.91 acres, but was 1.00 acre prior to dedication of right-of-way for Gina Road in 2010. HCC 10-6-9 allows the city to consider the lot size prior to dedication of right-of-way, so in this case the lot would conform to the A-1-21 zone requirements for lot size.

The general plan supports an A-1-10 rezone showing the subject property as Neighborhood One. Supporting a rezone of A-1-10 would allow the applicant a larger amount of flexibility in the size of the flag lot subdivision. The flag lot could be 10,000 to roughly 21,000 square feet. If the Planning Commission were to support the rezone to A-1-21 the size of each lot would be locked to half an acre. The site is currently surrounded by A-1-43, zoning to A-1-43 would be more harmonious with current lot sizes in the area.

As per the Herriman City Code, a Zoning Map Amendment is a legislative decision. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will then hold a public meeting and decide on the application.

As required by the Utah State Code, public hearing notices were posted in three (3) public places and on the Utah State Public Notice website. Public hearing notices were also mailed to all affected entities and property owners within three hundred feet of the subject properties on September 25, 2026.

DISCUSSION:

Engineering Compliance:

Staff Finding – *Engineering reviewed the request and expressed interest in having a zoning condition of two lots total within the subdivision. The subdivision development will be restricted pending the provision of additional culinary water supply.*

Zoning Ordinance Compliance:

Per City Code 10-5-8 Zoning Map and Text Amendment, a “decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the City Council as described in subsection 10-5-6A of this chapter. In making an amendment, the following factors should be considered:”

1. **Whether the proposed amendment is consistent with goals, objectives, and policies of the General Plan;**

Staff Finding – The Future Land Use Map in the General Plan classifies the applicant’s property as “Neighborhood One,” which supports the requested rezone.

2. **Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;**

Staff Finding – While most properties within the neighborhood are zoned A-1-43 (1-acre minimum) and A-1-21 (½-acre minimum), Herriman Highlands, which is located approximately 280 feet south of the subject property, is zoned A-1-10 (10,000 square feet minimum).

3. **The extent to which the proposed amendment may adversely affect adjacent property;**

Staff Finding – Whereas the surrounding properties are developed with single-family homes, consistent with the intent of the applicants’ proposal, staff finds that the proposed amendment would not adversely affect adjacent properties.

4. **The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.**

Staff Finding – Although staff finds that most services necessary to serve the subject property are available, the property is located within Zone 3 of the Herriman City Water Delivery System, which currently restricts new development until additional water supply is made available. However, the City Council has directed staff to accept and process land use applications, but not to record any subdivisions for development until additional water supply is made available. It is anticipated that the necessary water system improvements will be completed in early 2027.

In conclusion, based on the findings in this report, staff recommends that the Planning Commission forward a positive recommendation to the City Council on the proposal.

ALTERNATIVES:

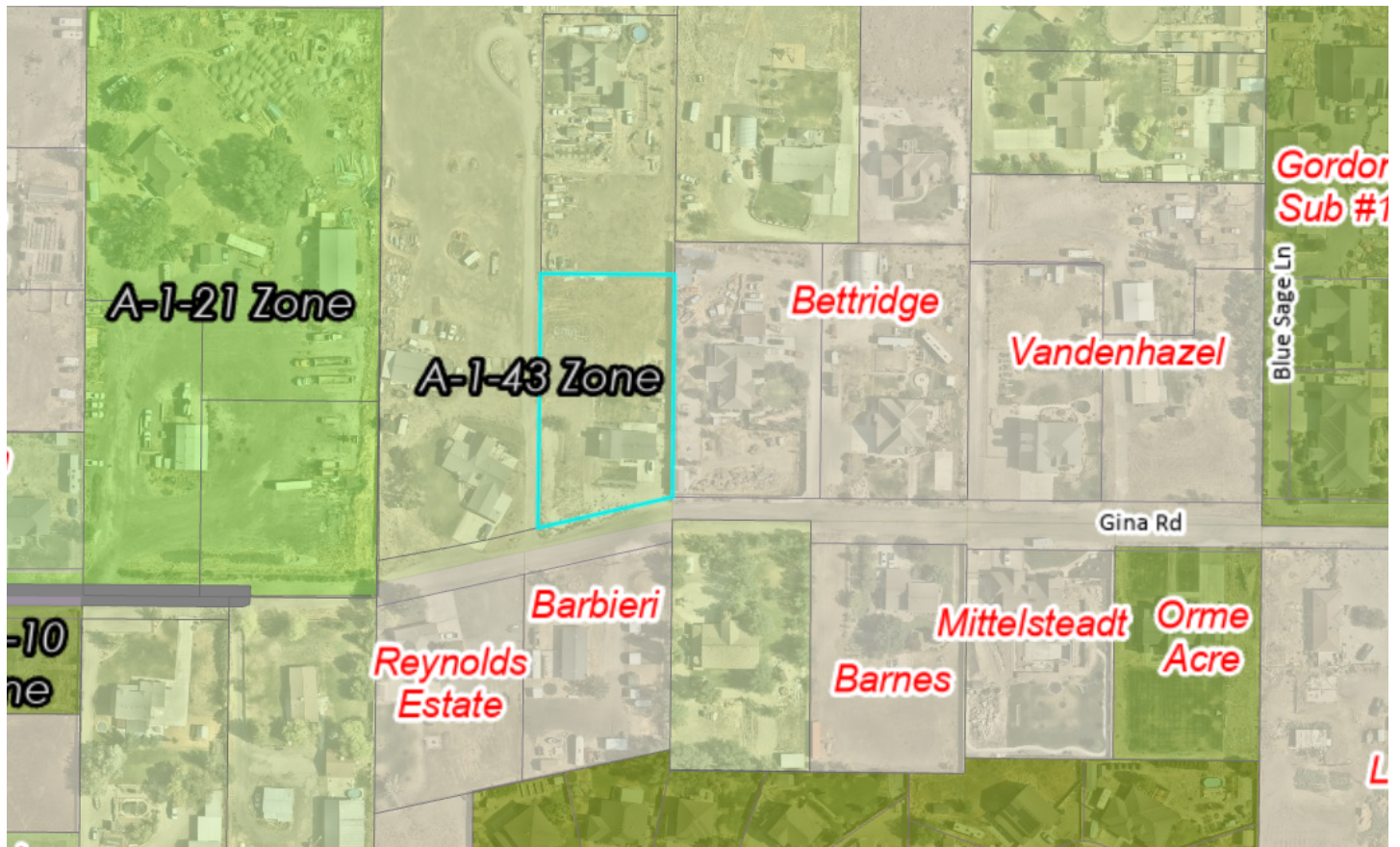
Action from the Planning Commission may include the following:

Alternatives	Recommendation	Reasons For Motion	Reasons Against Motion
Approve proposal as submitted		Approval forwards the proposal to the City Council for final review and decision	None identified by staff
Modify proposal	Yes	Modification(s) may improve the proposal to be more in character with adjacent property development	Modification(s) will up keep the Planning Commissions previous decisions
Postpone proposal (with or without date)		Postponing the proposal would allow the applicant and staff additional time to research and revise the proposal if needed	Postponing would extend the decision-making process and require additional resources
Deny proposal		Denial would maintain the existing zoning designation and limit redevelopment	Denial will inhibit redevelopment, which limits property values and tax revenues for the city

ATTACHMENTS:

- A. Application
- B. Vicinity Map
- C. Subdivision Iterations

Attachment B



Attachment C





10,420 s.f.

10,420 s.f.

18,541 s.f.

.91 acres
(Original property size)

GINA ROAD

Attachment A



Rezone Application

PROPERTY INFORMATION			
Property Address: 7142 W Gina Road Herriman, UT			
Parcel Numbers:			
Current Zone: A-1-43		Requested Zone: A-1-1D	
Total Acres: 0.92			
Name of Proposed Development: Scarlett Rose			
APPLICANT INFORMATION			
Name of Applicant: Lorena Iora			
Address of Applicant:			
Email of Applicant:		Phone:	
Applicants Affiliation with the Subject Property:			
☒ Owner ☐ Engineer ☐ Architect ☐ Other			
Engineer: (if not listed above)			
Email of Engineer:		Phone of Engineer:	
Architect: (if applicable)			
Email of Architect		Phone of Architect:	
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), Lorena Iorg, 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 Lorena Iorg

STATE OF UTAH)
§
COUNTY OF SALT LAKE)

On this 17 of September, in the year 2020, before me Kathleen White ~~Lorena Iorg~~, personally appeared Lorena Iorg, proved to me through satisfactory evidence of identification, which was UTDL, to be the person whose name is signed on the preceding document in my presence.

Kathleen White
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



DATE: September 24, 2026

TO: The Planning Commission

FROM: Blake Thomas, Community Development Director

SUBJECT: Review and consider a request to amend Chapter 10-10: Residential Zones and related sections of the Herriman City Land Development Code to establish R-1-6 and R-1-8 Zones.
Applicant: Herriman City
City File No: Z2024-015

RECOMMENDATION:

Staff recommend that the Planning Commission forward a positive recommendation for the zoning code amendment to the City Council.

ISSUE BEFORE COMMISSION:

Should the City amend the Herriman City Land Development Code to add R-1-6 and R-1-8 zoning districts for residential subdivisions allowing lots with a minimum size of 6,000 and 8,000 square feet, respectively?

BACKGROUND/SUMMARY:

Herriman is obligated by the State to facilitate the development of “Moderate Income Housing” where feasible and appropriate. While the City has accommodated the development of “smaller” residential lots for single-family housing within master development agreements or planned unit developments, these zoning tools have been used for large-scale projects, not “infill” projects. Furthermore, these tools are a negotiated development tool without any assurance or legislative obligation of approval, which reduces predictability and increases costs. As such, the Moderate Income Housing Plan adopted by the City seeks opportunities to skillfully address this concern while protecting the broader public interest of health, safety, and welfare. The smallest lot that can be developed using the city’s existing zoning tools while not entering into a development agreement or creating a PUD, is 10,000 square feet.

DISCUSSION:

The proposed amendment addresses the need for Herriman to facilitate the development of Moderate Income Housing options. Additionally, it can provide flexibility to property owners trying to develop their parcels and can provide a transition along areas that have been developed as a PUD or under the requirements of an MDA.

The proposed zoning districts, R-1-6 and R-1-8, have the following requirements:

Requirement	R-1-6	R-1-8	R-1-10 (Comparison)
Min. Lot Size	6000 sf	8000 sf	10,000 sf
Min. Lot Width	60 ft	65 ft	80 ft
Setbacks			
Front	25 ft	25 ft	25 ft
Rear	20 ft (15' for covered deck)	20 ft (15' for covered deck)	25 ft (20' for covered deck)
Side	14 ft (min. 6 ft one side) 20 ft from corner	18 ft (min. 8 ft one side) 20 ft from corner	18 ft (min. 8 ft one side) 20 ft from corner
Max. Height	35 ft	35 ft	35 ft

The proposed allowable uses for the R-1-6 and R-1-8 zones match the allowable uses in the R-1-10 zone, except for the use of shipping containers. Parking requirements for the proposed zones are regulated per HCC 10-24: Off Street Parking.

ALTERNATIVES:

Alternative	Pro's	Con's
1. Forward a positive recommendation to the City Council, as proposed. [RECOMMENDED]	Allows the item to proceed to the City Council for final consideration.	None identified.
2. Forward a positive recommendation to the City Council, with modifications.	Allows concerns to be considered that may not have been identified by staff.	None identified.
3. Continue the item to a future meeting.	Can provide additional time to review concerns.	Delays the approval and the ability to meet the requirements of the MIHP.
4. Forward a negative recommendation to the City Council	None identified	Delays or prohibits the ability to meet the requirements of the MIHP

ATTACHMENTS:

1. Proposed Amendment to HCC Chapter 10-10: Residential Zones
2. Proposed Amendment to HCC Chapter 10-16: Table of Uses

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.

<i>Zone</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>
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.

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

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

E. *Maximum lot coverage.*

<i>Zone</i>	<i>Lot Coverage</i>
R-M	None

F. *Development density.*

<i>Zone</i>	<i>Maximum</i>	<i>Minimum</i>
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

Excerpt from HCC 10-16: Table of Uses

Uses	A-1-10	A-1-21	A-1-43	<u>R-1-6</u>	<u>R-1-8</u>	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15
Agricultural Business		C	C								
Agricultural Processing											
Agriculture	P	P	P			P	P	P	P		
Apiary ³	P	P	P			P	P	P	P		
Backyard Chickens ⁴						P	P			P	P
Cannabis production establishment			C								
Family food production ⁴	P	P	P					P	P		
Pigeons ⁵						P	P	P	P	P	P
Shipping container, agricultural use only	p ⁴⁶	p ⁴⁶	p ⁴⁶								
Soil products			C ⁶								
Stable, private	P	P	P								
Stable, public			C								
Assisted living facility	C ⁷	C ⁷	C ⁷	<u>C⁷</u>	<u>C⁷</u>	C ⁷	C ⁷	C ⁷	C ⁷	C ⁷	C ⁷
Congregate living facility											
Daycare/preschool home ²⁶	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C	C
Dwelling, four-family										C	C
Dwelling, group ⁸											C
Dwelling, multiple-family											
Dwelling, single family	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	C ¹⁰	C ¹⁰
Dwelling, single family with internal (not detached) ADU	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
Dwelling, single family with second kitchen ¹¹	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
Dwelling, three-family										C	C
Dwelling, two-family										C ¹⁰	C ¹⁰
Home group instruction ³¹	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C	C
Home occupation ³¹	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
Residential facility for persons with a disability	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
Shipping container, living space	C ⁴⁸	C ⁴⁸	C ⁴⁸			C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸	C ⁴⁸
Special home occupation ³¹	C	C	C								
Auditorium or stadium											
Cemetery	C	C	C			C	C	C	C	C	C
Church or place of worship	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C	C
Club or service organization											
College or university											
Conference or reception center											
Correctional facility											
Cultural service											

Uses	A-1-10	A-1-21	A-1-43	<u>R-1-6</u>	<u>R-1-8</u>	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15
Golf course	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C	C
Government service	C	C	C								
Hospital											
Operations center											
Park, public ⁵¹	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
Post office											
Protective service											
Resource recycling collection point ¹⁴											
School, charter ¹⁵	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
School, elementary, middle, or high ¹⁶	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P	P
School, vocational											
Utility, major	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C	C
Utility substation	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C	C
Agricultural sales and service											
Alcoholic beverage ⁴⁴											
Assembly of Goods											
Banquet catering											
Bar establishment											
Beer wholesaler											
Brewery manufacturing											
Car Detailing											
Commissary											
Drive-up self-storage											
Hotel											
Indoor self-storage											
Off-premises beer retailer											
On-premises beer retailer											
Package agency											
Printing Distribution											
Reception center											
Reselling											
Restaurant - beer only											
Restaurant - full service											
Restaurant - limited service											
State liquor store											
Tavern											

Uses	A-1-10	A-1-21	A-1-43	R-1-6	R-1-8	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15
Animal care service			C								
Bank or financial institution ⁵²											
Bed and breakfast homestay	C	C	C					C	C	C	C
Bed and breakfast inn											
Brewery											
Business equipment rental and supplies											
Business services											
Car wash automatic ²⁴											
Car wash full service											
Car wash self-serve ²⁴											
Construction sales and service			C								
Convenience store											
Dealership; automobile, trucks, sales and service (new)											
Dealership; automobile, trucks, sales and service (used)											
Dealership; recreational vehicle, all-terrain vehicle, boat or trailer, sales and service (new)											
Dealership; recreational vehicle, all-terrain vehicle, boat or trailer, sales and service (used)											
Vehicle repair (accessory use only)											
Vehicle storage (accessory use only)											
Garden center		C	C								
Gas and fuel, storage and sales											
Gasoline service station											
Hotel/motel											
Kennel											
Laundry or dry cleaning, limited											
Media service											
Medical or dental laboratory											
Medical service											
Mobile Store ³²											
Model home sales office ³³	P	P	P			P	P	P	P	P	P
Mortuary											
Office, professional											
Parking lot											
Personal care service											C ⁴⁵
Personal instruction service											
Printing											
Produce stand		C	C								

Uses	A-1-10	A-1-21	A-1-43	<u>R-1-6</u>	<u>R-1-8</u>	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15
Recreation and entertainment, indoor											
Recreation and entertainment, outdoor		C	C			C	C	C	C	C	C
Repair service											
Research service											
Restaurant, fast food											
Restaurant, general											
Retail, general											
Secondhand store											
Sexually oriented business											
Shopping center											
Temporary building ³⁸	C	C	C			C	C	C	C	C	C
Transportation service											
Vehicle and equipment rental											
Vehicle and equipment repair, general											
Vehicle repair, limited											
Warehouse, self service ⁴⁰											
Wireless telecommunication facility ⁴¹	C	C	C			C	C	C	C	C	C
Freight terminal											
Heavy industry											
Laundry services											
Manufacturing											
Manufacturing, light											
Recreational vehicle storage yard											
Wholesale and warehousing, general											
Wholesale and warehousing, limited											



DATE: September 24, 2026

TO: The Planning Commission

FROM: Blake Thomas, Community Development Director

SUBJECT: Review and consider a request to amend the Olympia Master Development Agreement to add a definition for affordable New Homes, include the requirements of the Affordable Housing Infrastructure Grant Board, and modify the Development Standards.
Applicant: Herriman City
City File No: M2026-140

RECOMMENDATION:

Staff recommend that the Planning Commission forward a positive recommendation for the master development agreement amendment to the City Council.

ISSUE BEFORE COMMISSION:

Should the City amend the Olympia Master Development Agreement to comply with the funding requirements of the Affordable Housing Infrastructure Grant Board Resolution?

BACKGROUND/SUMMARY:

Herriman City was awarded a grant from the Utah Affordable Housing Infrastructure Grant Board to construct public infrastructure that directly supports the development of at least 2,500 new owner-occupied housing units. At least 1,250 of the housing units shall be single-family, detached homes constructed on lots that are no more than 5,000 square feet. In addition, a minimum of 50 single-family, detached homes shall have no more than 1,400 finished square feet and shall contain no accessory dwelling units; 450 single-family, detached homes shall have no more than 1,600 finished square feet (including the square footage of any accessory dwelling unit); and the remainder of the single-family, detached homes shall have no more than 1,900 finished square feet (including the square footage of any accessory dwelling unit).

The board resolution included a requirement that Herriman City approve an amendment to the Olympia Master Development Agreement to ensure that the housing requirements for the new owner-occupied homes were achievable.

DISCUSSION:

The Utah Affordable Housing Infrastructure Grant will be used to construct right-of-way improvements for Herriman Boulevard (from 7300 West to Bacchus Highway), Olympia Boulevard (from 7300 West to ~Bacchus Highway), and Herriman Highway (from 7300 West to Herriman Boulevard). The city will coordinate with the Olympia PID to cause the infrastructure to be constructed. In exchange for receiving funds to complete the work, the city will ensure the construction of at least 2,500 new owner-occupied housing units. These units are already included in the Olympia Master Planned Community and will not increase the total number of allowable units or overall density of the development.

Key components of the MDA amendment are listed below:

- Creates a definition for New Homes
- Includes the requirements of the AHIG Board resolution for approval of the grant funds
 - Provides guidance on the maximum allowable size of finished living space for New Homes.
 - Provides guidance on how many New Homes are required.
 - Allows for internal ADU's in new homes and sets restrictions on how many are allowed.
 - Provides reporting requirements of the developer on the progress made toward the number of New Homes constructed to ensure compliance with the AHIG Board resolution.
- Modifies the design standards to assist with the constructability of New Homes.
 - Provides a provision to allow streets that service townhomes to become public and allow mountable curb.

ALTERNATIVES:

Alternative	Pro's	Con's
1. Forward a positive recommendation to the City Council, as proposed. [RECOMMENDED]	Allows the item to proceed to the City Council for final consideration.	None identified.
2. Forward a positive recommendation to the City Council, with modifications.	Allows concerns to be considered that may not have been identified by staff.	None identified.
3. Continue the item to a future meeting.	Can provide additional time to review concerns.	Delays the approval and construction of infrastructure to support affordable housing.
4. Forward a negative recommendation to the City Council	None identified	Could jeopardize the construction of infrastructure to support affordable housing.

ATTACHMENTS:

1. Proposed MDA Amendment

When Recorded Return to:

Olympia Land, LLC
Attn: Ryan Button
527 E. Pioneer Road, Suite 200
Draper, Utah 84020

AMENDMENT NO. 4 TO MASTER DEVELOPMENT AGREEMENT
FOR
OLYMPIA

This *Amendment No. 4 to Master Development Agreement for Olympia* (“**Amendment**”) is entered into by and between OLYMPIA LAND, LLC, a Utah limited liability company (“**Master Developer**”), THE LAST HOLDOUT, L.L.C., a Utah limited liability company (“**Owner**”), and the CITY OF HERRIMAN, a municipal corporation and political subdivision of the State of Utah (“**City**”) effective as of the date signed by all parties (“**Effective Date**”).

RECITALS

A. On or about September 29, 2021, the parties entered into a *Master Development Agreement for Olympia* (“**MDA**”). The MDA was recorded in the office of the Salt Lake County Recorder on November 16, 2021, as Entry No. 13825061.

B. The MDA pertains to certain real property within the City’s municipal limits (as described in the MDA, the “**Property**”) and the development of a project and subdivision thereon (as described in the MDA, the “**Project**”).

C. The parties modified the MDA pursuant that certain *Administrative Modification #1 to the Master Development Agreement for Olympia* (“**First Administrative Modification**”) dated on or about September 1, 2022. The First Administrative Modification was recorded in the office of the Salt Lake County Recorder on September 20, 2022, as Entry No. 14018093.

D. The parties further modified the MDA pursuant to that certain *Second Amendment to the Master Development Agreement for Olympia* (“**Second Amendment**”) dated April 12, 2023. The Second Amendment was recorded in the office of the Salt Lake County Recorder on September 20, 2023, as Entry No. 14154560. The Second Amendment refers to the First Administrative Modification as the First Amendment.

E. Also on April 12, 2023, the parties modified the MDA by means of a *Second Administrative Modification to the Master Development Agreement for Olympia* (“**Second**

Administrative Modification"). The Second Administrative Modification was recorded in the office of the Salt Lake County Recorder on September 20, 2023, as Entry No. 14154560.

F. The parties further modified the MDA pursuant to that certain *Third Amendment to the Master Development Agreement for Olympia* ("**Third Amendment**") which was approved by the Herriman City Council by Ordinance No. 2025-09 dated April 23, 2025. The Third Amendment was recorded in the office of the Salt Lake County Recorder on July 16, 2025, as Entry No. 14410140.

G. On January 26, 2026, the parties again modified the MDA by means of a *Third Administrative Modification to the Master Development Agreement for Olympia* ("**Third Administrative Modification**"). The Third Administrative Modification was recorded in the office of the Salt Lake County Recorder on April 21, 2026, as Entry No. 14531788.

H. The City, with the assistance of Olympia, applied to the State of Utah for an Affordable Housing Infrastructure Grant under the provisions of Utah Code Ann. §72-2-501 et seq. and Utah Code Ann. §63B-34-101 (the "**Funding Legislation**"). The Funding Legislation created the Affordable Housing Infrastructure Grant Board under Utah Code Ann. §72-2-503 (the "**Board**") to accept grant applications, award grants, and administer the grant program.

I. At a meeting held on March 5, 2026, the Board determined that the City's grant application complied with the requirements of the grant program and made an award to the City of an amount not to exceed \$50,000,000.00 to pay for three (3) new backbone public roadways and related infrastructure improvements within or adjacent to the Olympia Project. To advance the State's affordable housing objectives, the Utah Legislature authorized and instructed the Board to adopt rules designed to ensure that 2,500 new "affordable" housing units ("**New Homes**") will be constructed in Olympia as part of the grant award program.

J. To that end, the Board adopted that certain Resolution of the Utah Affordable Housing Infrastructure Grant Board (*Resolution 2026-01*) dated July 17, 2026 (the "**Resolution**") setting forth the requirements to be satisfied for the 2,500 affordable housing units. The signed Resolution is attached hereto as Exhibit A and is incorporated herein by this reference. Among other things, the Resolution refers to a stipulation made by the City at the Board meeting on July 17, 2026, that the City would amend the MDA to comply with the terms of the Resolution. This Amendment is intended to fulfill the City's stipulation and set forth Olympia's agreement to comply with the terms of the Resolution.

K. In addition, this Amendment sets forth certain other revisions to the provisions of the MDA that are necessary to clarify and resolve certain development issues that have been identified as the initial phases of Olympia have been developed.

L. Pursuant to Section 7.1.2 of the MDA, the Parties now wish to amend the MDA to reflect and incorporate the terms provided for herein. This Amendment was approved by the City Council at a public meeting on _____, 2026, as required under the MDA for Legislative Amendments. Consistent with the conditions of such approval, this Amendment has been reviewed and approved by the City Manager and City Attorney.

AGREEMENT

NOW THEREFORE, in exchange for the mutual promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties do hereby agree as follows:

1. Recitals. The foregoing Recitals are incorporated into and made part of the parties' agreement by this reference.

2. Defined Terms. Capitalized terms used herein, but not otherwise defined in this Amendment, shall have the meaning given to such terms in the MDA. The following term shall be included in Section 1. Definitions:

New Homes means any portion of the 2500 affordable housing units built to satisfy the requirements of the Affordable Housing Infrastructure Grant Board Resolution 2026-01, approved on July 17, 2026. New Homes are included in the Maximum Residential Units for the Project and do not affect the number of maximum allowable Residential Dwelling Units in the Project. Master Developer and Owner agree to build the 2500 **New Homes** and shall distribute the constructions of the **New Homes** throughout the Project. **New Homes** shall not be concentrated in clusters or constructed exclusively within designated sections or portions of the Project.

3. Board Resolution. The City and Olympia agree to comply with all terms and requirements set forth in the Resolution attached hereto as Exhibit A. To that end, Olympia is responsible to ensure that the home builders who purchase land within or adjacent to the Olympia project shall comply with the terms of the Resolution, including, without limitation, building an adequate number of homes meeting the requirements in the Resolution to ensure that all 2,500 "affordable" homes are constructed in the areas served by the three (3) new backbone roads as required by the Funding Legislation and the Resolution. The requirements for the New Homes are as follows:

a. All 2500 New Homes shall be sold to owner occupants. A deed restriction shall be recorded with the Salt Lake County Recorder's Office on the property, at time of initial conveyance, requiring owner-occupancy for 5 consecutive years after time of initial conveyance.

b. All 2500 New Homes shall be subject to CC&R's recorded with the Salt Lake County Recorder's Office that include the following requirements:

i. A maximum of 500 of the New Homes may become occupied by a non-owner ("Rental") after the 5 consecutive years of owner occupancy has been completed.

ii. The maximum allowable number of Rentals may not be changed in the CC&R's without prior written consent of the Herriman City Council.

c. At least 1250 of the New Homes shall be single-family detached homes on lots no larger than 5,000 square feet in size. The following requirements apply to these 1250 New Homes:

i. At least 50 of these New Homes shall not exceed 1400 finished square feet and shall not include any accessory dwelling units.

ii. At least 450 of these New Homes shall not exceed 1600 finished square feet (including any accessory dwelling unit).

iii. All other single-family New Homes shall not exceed 1900 finished square feet (including any accessory dwelling unit).

iv. No more than 1000 of the single-family detached New Homes may include an accessory dwelling unit.

d. Attached single-family homes (Townhomes) shall have no more than 1750 finished square feet.

i. Accessory dwelling units are not allowed in Townhomes.

e. Condominiums may not be considered New Homes

f. All public roads providing access to New Homes shall be constructed according to the adopted Herriman City Engineering Standards and dedicated to and accepted by City.

4. Density Clarification; Internal ADUs. As set forth in the Resolution, a certain number of New Homes may be constructed with internal accessory dwelling units ("**ADUs**"). For purposes of calculating the maximum number of Residential Units that may be constructed in the Olympia Project, New Homes with accessory dwelling units shall be allowed and shall count as only one (1) Residential Unit. Further, accessory dwelling units are allowed to be constructed adjacent to the wall behind the garages of New Homes (without a shared wall to a living space) and/or adjacent

to living spaces. Such internal ADUs will be allowed only in the New Homes that are constructed in compliance with the terms of the Resolution (i.e., even though the lots less than 6,000 square feet in size). Internal ADUs constructed pursuant to the attached Resolution shall be, and hereby are, designated as a “permitted use.” Owners of homes with internal ADUs must comply with the business license requirements of Herriman City Code 10-36-5(D). No impact fees shall be assessed against any internal ADUs (consistent with Section 3.4.6.1 of the MDA).

5. Unit Mix. Section 10-29-45(G) of the Herriman City Code is hereby modified to say that building elevations shall vary so that the same front elevation of the home on one lot is not built on a directly adjacent lot (*instead of prohibiting the same building elevation within three lots*). On or before August 1 of each year during the life of the Project, Developer shall provide the City a written report showing the requirements for the development of the **New Homes** meets the requirements when the construction is complete.

6. Driveways. The following deviations from Section 4.05.12 (“Driveways”) of the Herriman City Standards & Specifications Manual – 8th Edition, 2024 (herein, the “**Development Standards**”) are hereby approved for all lots with no more than 50 feet of frontage:

b. Under Section 4.05.12(7) of the Development Standards, drive approaches shall be a minimum of three feet (3’) from all fire hydrants, signs, trees, light poles, water meters, utility boxes, and all other items located in park strips or the public right of way or utility easements (*instead of a minimum of five feet (5’)*). Water meters may be placed within 3 feet of the driveway approach, or within the driveway approach, if the water meter includes a traffic-rated lid, barrel, and collar.

c. Under Section 4.05.12(8) of the Development Standards, residential driveways shall be a minimum of three feet (3’) from a side property line for the first five feet (5’) measured from the front property line (*instead of a minimum of five feet (5’) from a side property line*). This distance is measured from the driveway itself, not the drive approach. After the first five feet (5’) from the front property line, the driveway may be placed immediately adjacent to the side property line.

d. Under Section 4.05.12(9)(c) of the Development Standards, for single family detached homes, the drive approach shall not cover more than 75% of the lot frontage (*instead of 50%*).

e. Under Section 4.05.12(11) of the Development Standards (“Driveway Location near Intersection”), driveways shall be set back from roadway intersections a minimum of

fifteen feet (15'), measured from the end of the curb return, on residential local roads (*instead of a minimum of twenty feet (20')*).

7. Public Roads in Townhome Communities. Notwithstanding any language to the contrary in the MDA, as amended, the City Code, or the Herriman City Standards & Specifications Manual, internal roadways within townhome communities will be accepted as public roads so long as: (i) the cross-section of the roadway includes at least 28 feet of asphalt, with 2-foot mountable curb and gutter on each side and accommodation of acceptable locations to install and maintain necessary underground and surface utility improvements, street lighting fixtures, and street signage so as to not conflict with pedestrian's use of sidewalks; and (ii) all other requirements under the City Code for construction, warranty, and dedication of public roads are satisfied.

8. Indemnification. Section 9.14 states the provisions of Indemnification. Developer and Owner shall also agree to defend, hold harmless, and indemnify the City, and comply with all requirements that apply to the Award of the Affordable Housing Infrastructure for **New Homes**.

9. Scope of Changes. Except as expressly modified by this Amendment, all terms and conditions of the MDA, as previously modified, shall be unchanged and shall be deemed in full force and effect. To the extent any provision of this Amendment conflicts with a provision of the MDA, as previously modified, the terms of this Amendment will control.

10. Recording. The parties agree that this Amendment may be recorded in the office of the Salt Lake County Recorder against the Property or such portion thereof which is affected by this Amendment.

11. Binding Effect. Upon full execution by the parties, this Amendment shall be binding on the parties and their successors, heirs, and permitted assigns.

12. Counterparts. This Amendment may be executed in one or more counterparts which may be exchanged by traditional or electronic means and all of which, taken together, shall constitute one and the same instrument.

[End of Amendment. Signature pages follow.]

WHEREFORE, the parties have executed this *Amendment No. 4 to Master Development Agreement for Olympia*.

DEVELOPER:

OLYMPIA LAND, LLC, a Utah limited liability company

By: _____
Ryan Button, Manager

Date: _____

State of Utah)
 :SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by Ryan Button, as Manager of Olympia Land, LLC.

Notary Public

OWNER:

THE LAST HOLDOUT, L.L.C., a Utah limited liability company

By: _____

Name: _____

Title: _____

Date: _____

State of Utah)
 :SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by Emily B. Markham as Manager of The Last Holdout, L.L.C.

Notary Public

CITY:

CITY OF HERRIMAN, a municipal corporation
and political subdivision of the State of Utah

By: _____
Lorin Palmer, Mayor

Date: _____

Date: _____

Attest:

Approved as to form:

By: _____
City Recorder

By: _____
City Attorney

State of Utah)
 :SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this ____ day of _____, 2026,
by Lorin Palmer as Mayor of the City of Herriman.

Notary Public

EXHIBIT A

RESOLUTION OF THE UTAH AFFORDABLE HOUSING INFRASTRUCTURE GRANT BOARD

(Resolution 2026-01)

This Resolution is approved and adopted by the Utah Affordable Housing Infrastructure Grant Board effective as of July 17, 2026.

WHEREAS, in 2025, the Utah State Legislature adopted House Bill 502, which, among other things, created the Utah Affordable Housing Infrastructure Grant Board (the “**Board**”) and proscribed the duties of the Board as set forth in Utah Code Ann. §72-2-501 et seq. (the “**Affordable Housing Grant Statute**”).

WHEREAS, the Board is authorized to award affordable housing infrastructure grants to public entities within a county of the first class as provided in Utah Code Ann. §72-2-502.

WHEREAS, in 2026, the Board awarded \$50,000,000.00 to pay for construction of backbone roadways and related infrastructure improvements in Herriman City (Salt Lake County, Utah) to enable development of 2,500 new affordable housing units in Herriman City to be sold to owner-occupants, at least one-half (1/2) of which must be single family detached homes and the rest may be attached housing products (collectively, the “**New Homes**”).

WHEREAS, in 2026, the Utah State Legislature amended Utah Code Ann. §72-2-501 to clarify that an “*affordable housing unit*” means a dwelling that is offered for sale to an owner-occupier at a purchase price that the Board determines is affordable for the county in which the residential unit is offered for sale and is deed restricted for up to five years (the “**2026 Amendment**”).

WHEREAS, on July 1, 2026, the Board held a meeting (the “**Board Meeting**”) to ratify the \$50,000,000.00 previously awarded to Herriman City and determine the rules that will apply to ensure the affordability of the 2,500 New Homes.

WHEREAS, after considering input provided by various sources at the Board Meeting, the Board determined that imposing size restrictions on the New Homes and lots instead of income based restrictions on home buyers or sales price restrictions is a better way to ensure affordability over time – not just for the initial purchasers of the New Homes, but for subsequent purchasers as well. The Board believes that increasing the supply of smaller “starter” homes in this area is a necessary component of addressing the housing affordability crisis in Salt Lake County.

NOW THEREFORE, the Board, exercising the authority and discretion conferred upon it, hereby: (i) ratifies the award of \$50,000,000.00 to Herriman City to pay for the previously-approved backbone roadways and related infrastructure; and (ii) adopts the following rules for the New Homes to be constructed:

1. All 2,500 of the New Homes shall be sold to owner occupants. At the time of the initial conveyance of a New Home to a homebuyer, a deed restriction shall be recorded against

the title to the New Home requiring owner-occupancy during the 5-year period following the initial conveyance.

2. All 2,500 of the New Homes shall be subject to recorded CC&Rs providing that no more than 20% of the New Homes that have satisfied the initial 5-year owner occupancy requirement may be occupied by tenants. The CC&Rs shall include language stating that this 20% rental limitation cannot be amended without the prior written consent of Herriman City.
3. At least 1,250 of the New Homes shall be single family detached homes on lots that are no more than 5,000 square feet in size. In addition, a minimum of 500 of these single family homes shall have no more than 1,600 finished square feet (including the square footage of any accessory dwelling unit); and the remainder of the single family homes shall have no more than 1,900 finished square feet (including the square footage of any accessory dwelling unit).
4. In addition to the limitations set forth in Section 3 above, no more than forty percent (40%) of the single family detached homes will have accessory dwelling units.
5. Attached townhomes shall have no more than 1,750 finished square feet.
6. The Board strongly encourages the developer and Herriman City to maximize the number of public roads with the developments (i.e., reduce the number of private roads maintained by HOAs) to minimize HOA fees and maintenance obligations. Notwithstanding the foregoing, the Board recognizes that there will be a mix of public and private internal roads where the New Homes are built. Any roads within the development that are built to city standards shall be dedicated to and accepted by Herriman City as public roads. The developer will develop all primary roads as public roads.
7. As stipulated at the Board Meeting, Herriman City will amend the Olympia master development agreement to comply with the terms of this Resolution.

***APPROVED AND ADOPTED UNANIMOUSLY BY THE MEMBERS OF THE
UTAH AFFORDABLE HOUSING INFRASTRUCTURE GRANT BOARD:***



Steve Waldrip, Board Chair-Elect

**RESOLUTION OF THE UTAH AFFORDABLE HOUSING
INFRASTRUCTURE GRANT BOARD**

(Resolution 2026-02)

This Resolution is approved and adopted by the Utah Affordable Housing Infrastructure Grant Board effective as of August 26, 2026.

WHEREAS, in 2025, the Utah State Legislature adopted House Bill 502, which, among other things, created the Utah Affordable Housing Infrastructure Grant Board (the “Board”) and proscribed the duties of the Board as set forth in Utah Code Ann. §72-2-501 et seq. (the “Affordable Housing Grant Statute”).

WHEREAS, Resolution 2026-01 was ratified by the Board on July 17, 2026, awarding \$50,000,000 to Herriman City subject to the conditions of that Resolution.

WHEREAS, after additional discussions following the adoption of Resolution 2026-01 the Board determined to reconvene to consider modifications or additions to the conditions of Resolution 2026-01.

NOW THEREFORE, the Board, exercising the authority and discretion conferred upon it, hereby adopts the following rules for the New Homes to be constructed:

1. As permitted under Subsection 72-2-503(10)(b), the board waives the requirements of Subsection 72-2-503(10)(a) and directs UDOT to transfer the full amount of \$50,000,000 to Herriman City upon execution of a grant agreement. These funds may be used to pay for design, engineering and construction of the approved roads.
2. Paragraph 3 of Resolution 2026-01 is hereby replaced and superseded by the following: At least 1,250 of the New Homes shall be single family detached homes on lots that are no more than 5,000 square feet in size. In addition, a minimum of 50 of these single family homes shall have no more than 1,400 finished square feet and shall contain no accessory dwelling units; 450 of these single family homes shall have no more than 1,600 finished square feet (including the square footage of any accessory dwelling unit); and the remainder of the single family homes shall have no more than 1,900 finished square feet (including the square footage of any accessory dwelling unit).
3. The remaining conditions of Resolution 2026-01, namely paragraphs 1,2,4,5,6 and 7, shall remain in full force and effect and no change to those rules is intended by this Resolution 2026-02.

***APPROVED AND ADOPTED UNANIMOUSLY BY THE MEMBERS OF THE
UTAH AFFORDABLE HOUSING INFRASTRUCTURE GRANT BOARD:***



Steve Waldrip, Board Chair