



PLANNING COMMISSION MINUTES

Wednesday, September 02, 2026

Approved October 07, 2026

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

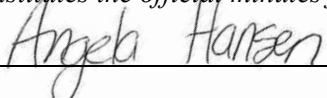
7.1. Next City Council Meeting: September 09, 2026

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