



PLANNING COMMISSION AGENDA

Thursday, October 6, 2016

NOTICE IS HEREBY GIVEN that the Herriman Planning Commission shall assemble for a meeting in the City Council Chambers, located at 13011 South Pioneer Street (6000 West), Herriman, Utah.

6:00 PM - Work Meeting: *(Front Conference Room)*

1. Home Occupation Discussion
2. Review of Agenda Items

7:00 PM - Regular Planning Commission Meeting:

1. **General Business:**

Welcome

- 1.1 Invocation and Pledge
- 1.2 Roll call
- 1.3 Approval of Minutes for: **September 1, 2016 and September 15, 2016**

2. **Administrative Items:**

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

- 2.1 **52C16** – Lords – 6163 W Butterfield Parkway – Request for an exception to the elevations for an accessory building - Zone: A-.25 – Acres: 1
- 2.2 **12S15-01** – Herriman Corners – 13365 S 5600 W – Proposed Subdivision of 4 condo units – Zone: C-2 (**Public Hearing**)
- 2.3 **16S16** – Edge Homes – 4500 W Juniper Crest Rd – Proposed Subdivision of 145 Single Family Lots (Pod 33) – Zone: R-2-15 – Acres: 17.51 (**Public Hearing held on June 16, 2016**)
- 2.4 **56C07-14** – Edge Homes – 4500 W Juniper Crest Rd – Final Planned Unit Development Approval for 145 Single Family Lots (Pod 33) – Zone: R-2-15 – Acres: 17.51
- 2.5 **19S16-01** – Rosecrest Communities, LLC – 14473 S Autumn Crest Blvd – Proposed Subdivision Amendment to add 28 townhome units (Pod 8) – Zone: MU-2 – Acres: 7.92 – Units: 125 (**Public Hearing held on August 18, 2016**)
- 2.6 **56C07-16** – Rosecrest Communities, LLC – 14473 S Autumn Crest Blvd – Proposed Amendment to the PUD to add 28 townhome units (Pod 8) – Zone: MU-2 – Acres: 7.92 – Units: 125

3. **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.

- 3.1 **14Z16** – Herriman City – Text change to the Land Use Ordinance to create a Technology and Manufacturing Zone (*Public Hearing held on August 4 and September 1, 2016*)
- 3.2 **25Z16** – Herriman City – Text change to the Home Occupation Ordinance (**Public Hearing**)
- 3.3 **26Z16** – Herriman City – Text change to the Sign Ordinance for Large Commercial Signs (**Public Hearing**)
- 3.4 **21Z16** – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 23.5 (**Public Hearing**)
- 3.5 **22Z16** – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 2.56 (**Public Hearing**)
- 3.6 **23Z16** – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 2.56 (**Public Hearing**)
- 3.7 **24Z16** – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 10.25 (**Public Hearing**)

4. Chair and Commission Comments:

5. Future Meetings:

- 5.1 City Council – Wednesday, **October 12, 2016 @ 7:00 PM**
- 5.2 Planning Commission Meeting – **November 3, 2016 @ 7:00 PM**

6. 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 planning commission 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 commission will be asked to complete a written comment form and present it to Cindy Quick, Deputy Recorder. In general, the chair will allow an individual three minutes to address the commission. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. This policy also applies to all public hearings.

I, Cindy Quick, certify the foregoing agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body, on the Utah State Website www.utah.gov/pmn/index.html and on Herriman City's website www.herriman.org.

Posted and Dated this 3rd day of October, 2016

*Cindy Quick, CMC
Deputy Recorder*



PLANNING COMMISSION MINUTES

Thursday, September 1, 2016

Waiting Formal Approval

The following are the minutes of the Planning Commission Meeting held on **Thursday, September 1, 2016 at 6:00 p.m.** in the Herriman City Community Center, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Commission and media.

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Jeremy Burkinshaw, Adam Jacobson, Curt Noble, Robyn Shakespear

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, City Engineer Blake Thomas, Planning Intern Craig Evans

6:00 PM - Work Meeting: *(Front Conference Room)*

6:03:54 PM City Planner Bryn McCarty reported that UEA Weekend is October 20th and she will be out of town she may cancel the meeting. Chair Smith reported he'd be gone as well. Chris will be gone as well. Curt Noble was welcomed and introduced and the commission took opportunity to welcome him and quickly introduce themselves. Planner McCarty briefly reviewed a few processes. She asked who could attend the Utah League of Cities and Towns Conference/Training and provided information about an additional upcoming training.

The Miller Crossing Pod 15 plan was discussed. A revised plan will be on the planning commission agenda in two weeks. A discussion about the revised plan took place. There will be a ten foot trail and some additional units. Density would remain the same and would still be less than what was approved. The applicant is working through the secondary access.

There was a question regarding the fencing requirement for the eight lot Jacobson subdivision. The applicant wondered whether or not he was required to fence his existing home. The commission requirement was to fence around the entire subdivision all three sides.

1. [6:20:12 PM](#) Review of Agenda Items

Item 2.1 & 2.2 – Subdivision and Final Master Plan – three single family lots, chapel and open space – the proposal would be in the Town Center which has a master plan. The master plan approval and subdivision approval are required. The master plan is for setbacks, design and architecture. The subdivision approval is for the subdivision and the lots. Both the master plan and subdivision approval are discussed together. The proposal would be for five lots; one lot for a church, one lot would be the open space and the other three lots are for single family homes. The proposal would include Berry Creek Drive which is a road that connects to Riverton. The staff report includes all city requirements and master plan requirements.

Item 2.3 & 2.4 – Subdivision and Final Master Plan – 78 single family lots and 16 townhomes – the item would be for the phase just below the previous one proposed. Townhome front doors face the parkway and garages are on Ft. Herriman. Transit lines go along east side (back side) of development. Density was briefly discussed. The Town Center has a minimum density and a total overall density and Matt Watson will provide an update. Mr. Watson revealed that the builder for the townhomes will be Holmes Homes and a brief discussion about the look of the townhomes and development took place.

Item 2.5 – Rasmussen Preschool – Staff can approve home occupations unless there are neighbor concerns and then it would come to the commission for approval and allow those concerns to be addressed. The applicant received HOA approval, however, there are some neighbor concerns due to a shared driveway. Fencing is not allowed in the subdivision and therefore, children will not be allowed outside. Preschools do not have to be licensed by the state and city ordinance does allow up to 12 children. There was concern for that amount of children at the proposed property. Commission voiced concerns of traffic, safety of the children and issues with the shared driveway.

Item 2.6 – Croney – Detached Garage – policy states that staff can approve a detached garage up to 1,600 square feet, however, staff notified neighbors and there were some concerns. When concerns are voiced, the proposal comes to commission for approval. The applicant did provide an HOA approval for the garage. Matt Watson reported that the applicant did submit an application a year ago. At that time the HOA provided comments to the applicant that needed to be addressed; the garage elevations would need to match the home and setback adjustments were requested. The applicant may have not understood that he needed to correct those items before his request was approved. The applicant did resubmit a request and the HOA will meet tomorrow. The changes can be resolved. The commission would like to see the size of the garage and the percentage of the backyard it covers.

Item 3.1 – Text Change to Allow Chickens – some restrictions were removed and the number of chickens allowed was adjusted. A discussion about the 40 foot side yard setback took place. The suggestion was to change it to 25 feet and to not allow chickens in the front yard.

Item 3.2 – Text Change for Technology and Manufacturing Zone – changes were made mostly to the allowed uses. A discussion about the allowed uses and how the uses will be approved took place. The ordinance requirements were briefly reviewed.

Meeting Adjourned [7:03:28 PM](#)

7:06:06 PM **7:00 PM - Regular Planning Commission Meeting:**

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Jeramy Burkinshaw, Adam Jacobson, Curt Noble, Robyn Shakespear

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Deputy Recorder Cindy Quick, City Engineer Blake Thomas, Planning Intern Craig Evans

1. General Business:

7:05:59 PM Welcome

Chair Clint Smith welcomed those in attendance.

1.1 7:06:30 PM Invocation and Pledge

Andy Rasmussen offered the invocation and Jessica Croney led us in the pledge.

1.2 7:08:09 PM Roll call:

Full Quorum, Jessica Morton and Wade Thompson absent

1.3 7:08:15 PM Approval of Minutes for: August 18, 2016

Commissioner Chris Berbert MOVED to approve the minutes for August 18, 2016.

Commissioner Adam Jacobson SECONDED the motion.

The voting was unanimous.

2. Administrative Items:

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

Chair Clint Smith reviewed the public comment policy and procedure.

2.1 7:09:45 PM 23S16 – HTC Communities, LLC – 13295 S Herriman Rose Blvd – Proposed Subdivision of 5 lots which includes 3 Single Family Lots, LDS Chapel, and HOA Open Space – Zone: MU-2 – Acres: 8 – Units: 5 (Public Hearing)

Chair Smith noted that item 2.1 and 2.2 will be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to indicate the location of the property in the town center. The approved plan for the town center was shown.

Matt Watson (applicant), HTC Communities, noted that he would discuss both item 2.1 & 2.2 together. The Herriman Town Center is a master planned community, mixed use development, approved with 5.5 units per acre. To date there has been approvals for 626 single family lots, 449 multi-family lots and 536 apartments. The total of lots to date approved in the town center are 1,611 and 421 remain. With the approval of both

applications 324 would remain. The town center is 370 acres. He pointed out everything that had been approved and noted the areas that would still need approval. The single lot for the LDS chapel would still come before the commission for site plan approval and conditional use approval. Single family lots would face the 114 foot right of way. Elevations and location for the townhomes as well as the setbacks were shown. Townhomes would be two story units, with a basement, two car garage and 20 foot driveway. The single family homes would be a mixture of single or two story, with a basement, two car garage and full length driveway. The cross section of a street view was shown which will include a center median, two travel lanes in each direction and a bike lane. The regional detention site would be about 1½ acres and unsure how many acre feet it would store. There are no amenities planned because it is fairly deep, however, it would be landscaped.

[7:20:03 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

None

[7:20:27 PM](#) Chair Smith closed the public hearing.

Chair Smith turned the time over to the commission for further discussion and possible action. Commissioners felt concerned with minimal parking but it may accommodate what is needed.

Commissioner Adam Jacobson MOVED to approve the item with staff recommendations and five requirements.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jeremy Burkinshaw Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.2 [7:21:46 PM](#) **14C08-20** – HTC Communities, LLC – 13295 S Herriman Rose Blvd – Final Master Plan Approval for 5 lots which includes 3 Single Family Lots, LDS Chapel, and HOA Open Space – Zone: MU-2 – Acres: 8 – Units: 5

Commissioner Adam Jacobson MOVED to approve the item with staff's four requirements, with a fifth requirement that all three have basements.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jeremy Burkinshaw Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

- 2.3 [7:23:00 PM 24S16](#) – HTC Communities, LLC – 13295 S Herriman Rose Blvd – Proposed Subdivision of 78 Single Family Lots and 16 Townhome Units (Pod 25) – Zone: MU-2 – Acres: 12.30 – Units: 94 (**Public Hearing**)

Chair Smith noted that item 2.3 and 2.4 will be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The townhomes will face Ft. Herriman and the rest of the pod will have single family. The future UTA transit line would run along the east side of the property. Staff had questions regarding the elevations and parking. No requirements were listed because they are waiting for additional information and will bring it back in a couple of weeks.

[7:24:38 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

None

[7:25:00 PM](#) Chair Smith closed the public hearing.

Commissioner Adam Jacobson wondered whether or not the future UTA corridor was part of the plat. The response was no that it would not be part of the plat. The assumption was that at the beginning of 2018 UTA could be coming through and so they have preserved the right of way for that purpose. Commissioner Jacobson requested that staff recommendations require that the UTA Corridor is shown on the plat so that those moving in the area will be aware of it. Chair Clint Smith also requested that basements are included as a requirement.

Commissioner Jeramy Burkinshaw MOVED to continue the item without date.

Commissioner Adam Jacobson SECONDED the motion.

The motion passed unanimously.

- 2.4 [7:27:57 PM 14C08-21](#) – HTC Communities, LLC – 13295 S Herriman Rose Blvd – Final Master Plan Approval for 78 Single Family Lots and 16 Townhome Units (Pod 25) – Zone: MU-2 – Acres: 12.30 – Units: 94

Commissioner Jeramy Burkinshaw MOVED to continue the item without date.

Commissioner Adam Jacobson SECONDED the motion.

The motion passed unanimously.

2.5 [7:28:25 PM](#) **45C16** – Rasmussen – 5216 W Windom Rd – Proposed Home Occupation for a Preschool Zone: R-M – Acres: .04

City Planner Bryn McCarty explained that typically staff approves home occupations unless concerns are voiced. There were neighbor concerns and emails received for the proposal. The emails were included in the packet. Pictures of the property were shown. Two homes share one driveway. The applicant did receive approval from the HOA.

Jessica Rasmussen (applicant), 5216 W Windom Rd, detailed the proposed drop off and pick up route. She explained that children will be dropped off at the curb and she would take them to the home. Two sessions per day were proposed. Monday, Wednesday and Friday morning and afternoon class and Tuesday, Thursday morning and afternoon class. The afternoon class would be from 12:30-3:00pm with a maximum of 12 children for each session. Chair Smith questioned what would happen during inclement weather. The response was that she would hold hands and salt the driveway if it wasn't already done by the HOA. Commissioner Robyn Shakespear wondered if the area had a school bus route. The response was no there was not a bus stop. Commissioner Jeramy Burkinshaw wondered about staffing levels. The response was that it would be her and possibly a business partner. Planner McCarty reminded the commission that no employees are allowed.

Chair Clint Smith allowed comments to be shared.

Brandy Christensen, 5222 Windom Road, lives in front of the applicant, she felt fine about the curb side pickup, however, she was concerned about traffic and safety when backing out of her driveway.

Chair Smith revealed that fencing was not allowed in the subdivision. Commissioner Chris Berbert asked if the applicant planned to have children outside. The response was no.

Chair Smith then turned the time to the commission for further discussion and action. Commissioner Adam Jacobson commented that in a pod development there would be limited common use and wondered if staff had looked at what was allowed. Her further explained that sometimes limited common means that only those who live there can access the driveway. Planner McCarty explained that she expected that the HOA would have looked at that use allowed. Commissioner Chris Berbert explained that he had previously lived in the area and when it snowed, he saw one or two cars sliding on that road and felt concerned about the safety of the area. Chair Smith did not want to violate ordinances in the HOA and wanted to make sure safety was considered. Commissioner Berbert stated that there would be a possibility of 48 cars when sessions are maxed. He worried about parking becoming an issue and the commissioners agreed.

City Planner McCarty showed the plat which had hash marks in the driveway and the back porch. It was labeled as limited common area. Commissioner Jacobson felt that the hash marks indicated that it limits who can use the driveway. He felt that an attorney would need to look at it before making a decision and Chair Smith felt a legal decision should be obtained. Commissioner Berbert suggested that the amount of traffic that could occur when the sessions are full would need to be addressed. He was concerned that the area would not handle that much traffic all at once. He would like to see something saying it's an appropriate use for the area. Commissioner Jeramy Burkinshaw agreed. He likes home based businesses however, some may be better served in commercial areas than in a residential area. He was not sure the location was right for the proposed business. Commissioners all voiced concerns with potential traffic, safety of children and what the definition of limited common area would involve. The consensus was that the applicant obtain a legal opinion and provide a safety plan to mitigate the traffic and safety concerns.

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Curt Noble SECONDED the motion.

The motion passed unanimously.

2.6 [7:50:25 PM](#) **44C16**– Croney – 14638 S Highfield Dr – Proposed Detached Garage – Zone: R-2-15 – Acres: .29

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to show the location of the garage. City ordinance allows for up to 800 square feet for a detached garage, however, the proposal was for 1,200 square feet. Pictures of the existing home were shown. Staff did receive concerns from neighbors. The applicant submitted the plan to the HOA and some changes need to be made before they will give an approval. The applicant was working on those changes for an approval. The suggestion was to continue the item until the applicant receives HOA approval.

Abe Croney (applicant), 14638 S Highfield Dr, reported that he started the process with the HOA last July and at thought the HOA manager at the time had approved his plan. However, three days ago, the new HOA manager made him aware of some changes needed. He was told that there shouldn't be an issue and they meet as a board tomorrow. He explained that most neighbors were fine with the garage and only a few behind him had concern with the height. He then put up a PVC pipe frame to show the height. He reported after the frame was on display only one neighbor still had concerns. The height would be 16 feet at mid roof, 19 feet to the peak. The elevation will match the home. The size of the garage would be 30 x 40 feet – 1,200 square feet to make the garage large enough for an RV. He was told that setbacks would need to be seven feet instead of five feet as shown on the plan. He believed the garage would cover approximately 17-18% of the back yard.

Commissioner Adam Jacobson suggested that the only thing needed was the HOA approval and the official percentage the garage would cover of the back yard. Commissioners wanted to ensure that the building materials match the home. Mr. Croney explained that he did send new plans to staff but he had been having issues with email so he would make sure they have the new plans.

Commissioner Chris Berbert MOVED to continue without date.

Commissioner Robyn Shakespear SECONDED the motion.

The motion passed unanimously.

3. **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.

3.1 [7:59:53 PM](#) **15Z16** – Herriman City – Text change to the Land Use Ordinance to allow chickens on lots in residential zones (*Public Hearing opened on August 18, 2016*)

City Planner Bryn McCarty oriented the commission with the proposed text change to allow chickens in residential zones. Based on comments received some changes were made to the ordinance. The ordinance was pretty intense before and some of the requirements had been eliminated. Roosters will not be allowed, the

requirements for rear yard and side yard were adjusted. The number of chickens allowed was adjusted to four with a maximum of ten. It was noted that this would be a recommendation to city council.

8:02:03 PM Chair Smith continued the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

None

8:02:27 PM Chair Smith closed the public hearing.

Chair Clint Smith felt the changes made were good and the most important aspects were kept. He reported that a lot of people have demonstrated that chickens can be kept and maintained in residential lots without impacting neighbors. He was in favor and good with the suggested numbers. He would like to see a change to distance B & D. He would like to include the suggestions made by Commissioner Adam Jacobson to say that no enclosures in the front yard would be allowed unless behind a fence and reducing forty feet rear and side yard to allow flexibility on a 5,000 square foot lot. He felt that requirement could be 25-30 feet from the neighbor.

Commissioner Chris Berbert MOVED for recommendation to the city council to approve the item with two changes. In 10 B, change that to, no enclosures will be permitted in any front yard and in 10 D recommending a change to, all chicken coops should be placed at least 25 feet from any dwelling on any adjacent lot. (Clarification provided by Commissioner Jacobson was to add to the first sentence, 'shall be contained entirely behind a fence' and 'no enclosures will be permitted in any front yard').

Commissioner Adam Jacobson SECONDED the motion.

Commissioner Curt Noble questioned the requirements for fencing. He was told that the area he lives in was zoned agricultural, however, the zoning requirement in the ordinance proposed was for residential.

City Planner Bryn McCarty requested that the ordinance state, chicken enclosures must be contained entirely behind a fence in the side or rear yard and will not be allowed in the front yard. Commission members were fine with that suggestion.

Commissioner Chris Berbert amended his recommendation to include Planner McCarty's suggestion.

Commissioner Chris Berbert MOVED for recommendation to the city council to approve the item with two changes. In 10 B, change that to, no enclosures will be permitted in any front yard and in 10 D recommending a change to, all chicken coops should be placed at least 25 feet from any dwelling and must be contained entirely behind a fence in the side or rear yard and will not be allowed in the front yard.

Commissioner Adam Jacobson SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jeremy Burkinshaw Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

3.2 [8:10:16 PM](#) **14Z16** – Herriman City – Text change to the Land Use Ordinance to create a Technology and Manufacturing Zone (*Public Hearing opened on August 4, 2016*)

City Planner Bryn McCarty oriented the commission with the proposed text change to create a Technology and Manufacturing Zone. The public hearing was opened a month ago to make a few changes to the uses. The ordinance would require a master plan, development agreement and zoning condition per property proposed. Food related manufacturing would be specifically prohibited. The landscaping and fencing requirements remained in the ordinance. The proposal was not for a specific property, just to create a zone. A change was suggested for the language of a development adjacent to the area closest to residential; the suggested language was compatible with existing adjacent uses or something with the general plan. Commissioner Chris Berbert suggested adding language regarding sound pollution and defining truck routes. City Planner Bryn McCarty reported that there are defined truck routes already in place she suggested adding that in the master plan. Chair Clint Smith suggested tightening up the language of purpose of provisions, where it says these areas are to be located in proximity to adequate transportation facilities and infrastructure. Commissioner Berbert reiterated that he felt the sound pollution requirements should be in the ordinance, especially with the materials used for facilities. City Planner McCarty explained that the sound pollution requirements would fall under the health ordinance and could be addressed with each individual application. Commissioner Berbert suggested that some categories be included in a different zone and a discussion about appropriate categories for the proposed zone took place. Commissioners suggested removing the following uses: commercial storage or distribution, light manufacturing assembly, outdoor storage and materials, medical clinics, manufacturing, printing and publishing and warehousing and wholesale distribution. It was suggested that the uses that support the light manufacturing business should be included. However, if the use was as a standalone entity, then the category should be removed from the zone. Planner McCarty suggested adding a description for example, 'warehousing and distribution incidental to another use.' Master plan requirements would include parking and vehicle areas to the site and an additional requirement adjacent traffic routes to be compatible with existing or future uses as shown on the general plan. Chair Smith felt that a reduction may be granted for landscaping but not a 50% reduction. This type of site does need more landscaping to soften and blend into the surrounding uses. Commissioner Adam Jacobson suggested that the landscaping state that developers shall incorporate amenities like these. The commissioners reviewed all uses. The commission continued suggestions to remove the following uses: agricultural, archery shop, cemetery and mortuary, commercial storage and distribution (unless incidental to an allowed use), conference center, convention centers and reception centers, financial institution and services (strike out the word institution and leave financial services), green house and nursery. Commissioner Chris Berbert would like the category of light manufacturing more clearly defined. The commission continued suggestions and the consensus was to remove: medical and dental clinics, facilities, printing and publishing facilities and state store. Commissioner Berbert would like to see accessory buildings come back for planning approval. City Planner McCarty explained that there was a requirement that all retail developments meet the retail criteria of 60% brick or stone. All other buildings have to be approved through the master plan which would be approved by the planning commission and metal buildings are specifically prohibited. Landscaping requirements would be included in the ordinance.

[8:45:44 PM](#) Chair Smith continued the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Gregg Poulsen, 13657 S 6315 W, appreciated what was discussed and was glad to have the uses narrowed down. He felt that there was ambiguity with light manufacturing as well. He wondered if there were regulations that would prevent extrusions and how much could be put out in a parking lot. He noted that trailers could be stacked in a welding facility, fork lifts could drop onto the concrete making lots of noise and bay doors could be opened allowing the noise of the equipment to be heard in surrounding facilities/neighborhoods. He suggested separating the two uses into different zones.

[8:48:03 PM](#) Chair Smith closed the public hearing.

Commissioner Chris Berbert reiterated that he would like more definition for light manufacturing.

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Robyn Shakespear SECONDED the motion.

The motion passed unanimously.

4. Chair and Commission Comments:

Commissioner Adam Jacobson would like home occupations in tight density areas reviewed. City Planner McCarty explained that home occupations cannot have employees and cannot use structures outside the home. There are home occupations in agricultural zones that allow for one employee and use of an outside building. However, there are larger lots that are not in agricultural zones and smaller lots in agricultural zones that should be allowed home occupations. It will be clarified as a special home occupations on a third acre or larger. Commissioner Jacobson would also like the parking ordinance addressed. Planner McCarty reported that staff contracted with an attorney to address the ordinance. The attorney would like to focus on processes and include those processes in the ordinance which will be very clarified. There will also be a table for all uses where something is allowed and where it is not allowed. It was noted that it might take five or six months to review and adjust the ordinance. Once it has been completed, the changes will be brought to them all at once, about 200 pages. The attorney would also help with the parking and sign ordinance. She reported that the home occupation would be done sooner.

5. Future Meetings:

5.1 City Council – Wednesday, **September 14, 2016 @ 7:00 PM**

5.2 Planning Commission Meeting – **September 15, 2016 @ 7:00 PM**

5.3 Joint Work Meeting – **September 29, 2016 @ 6:00 PM**

6. Adjournment:

Chair Clint Smith called for a motion to adjourn.

Commissioner Adam Jacobson MOVED to adjourn the meeting and Commissioner Chris Berbert SECONDED the motion.

The motion passed unanimously.

The meeting adjourned at [8:55:12 PM](#).

I, Cindy Quick, Deputy Recorder of Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 1, 2016. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder

DRAFT



PLANNING COMMISSION MINUTES

Thursday, September 15, 2016

Waiting Formal Approval

The following are the minutes of the Planning Commission Meeting held on **Thursday, September 15, 2016 at 6:00 p.m.** in the Herriman City Community Center, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Commission and media.

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Adam Jacobson, Jessica Morton, Robyn Shakespear, Wade Thompson

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Planner I Sandra Llewellyn, City Engineer Blake Thomas, Staff Engineer II Augusto Robles

6:00 PM - Work Meeting: *(Front Conference Room)*

6:08:21 PM City Planner Bryn McCarty briefly reported about the training received from the Utah League of Cities and Towns (ULCT).

1. 6:11:11 PM Training

City Planner Bryn McCarty provided training regarding conditional uses. It was noted that the conditional uses for Herriman City needs to be reviewed. Discussion about notices took place. She also reported on the application process and time frames for putting those items on the agenda. Briefly discussed the option of having items approved by staff verses being approved by the planning commission. A discussion about the training received at the ULCT took place.

2. 6:45:10 PM Review of Agenda Items

Chair Smith commented about the process for reviewing the agenda and suggested that they go over those items that anyone may have a question about to have the process go more quickly. City Planner McCarty complied and asked if there were any questions with any of the agenda items.

Item 2.1 – Convenience Store/Gas Station – would be a permitted use. A brief discussion ordinance language took place. The landscaping requirements were briefly discussed staff required “green” in the front and zero scape could be done along the parking lot. Commissioners would like to see more trees as well. Chair Smith explained that he plan to share that public comment was already received and no further comments would be taken during the meeting. Commissioners agreed.

Item 2.2 – Anthem Commercial Center – only approving one phase, all buildings will come back for approval.

Item 2.4 – Rasmussen Preschool – it was Commissioner Andrea Bradford’s understanding that the HOA in the area did not allow preschools. The response was that was true, however, the HOA has approved the preschool. A brief discussion about property rights (in regards to the shared driveway) took place.

No other questions on the agenda.

Meeting Adjourned [6:58:48 PM](#)



7:00 PM - Regular Planning Commission Meeting:

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Adam Jacobson, Jessica Morton, Robyn Shakespear, Wade Thompson

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Planner I Sandra Llewellyn, Assistant City Manager Gordon Haight, City Engineer Blake Thomas, Assistant City Engineer Jonathan Bowers, Staff Engineer II Augusto Robles, City Attorney John Brems

1. General Business:

[7:03:06 PM](#) Welcome

Chair Clint Smith welcomed those in attendance.

1.1 [7:03:37 PM](#) Invocation and Pledge

Brianne Tate offered the invocation and Robyn Van Shaar led us in the pledge.

1.2 [7:04:47 PM](#) Roll call:

Full Quorum, Jeramy Burkinshaw and Curt Noble absent

2. Administrative Items:

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

Chair Clint Smith reviewed the public comment policy and procedure.

2.1 [7:06:08 PM](#) **49C16** – Bourgeois – 5566 W Main Street – Proposed Convenience Store/Gas Station Zone: MU-2 – Acres: 1.6

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The proposed convenience store/gas station would be in the town center and the property is zoned mixed use. The site plan for the gas station was shown. Elevations were shown and the applicant has chosen red brick. Pictures of a similar store were shown to illustrate the style of the building. A precast wall was required along the north side with additional trees to help provide a buffer.

Danny Bourgeois (applicant), 180 N. University Ave, Provo, explained that the layout is typical of the other three stores; there will be five pumps and an RV dump. Both entrances will be 53 feet for easy access.

Chair Smith noted that comments had been received and emailed to staff. A comment form was also received during the meeting. All commission members have had a chance to review those emailed comments and the comment provided at the meeting was briefly summarized. The comment received was in opposition to the proposal there was concern of the business location next to existing townhomes. Other concerns were regarding lighting and smells of the business, as well as, the ingress and egress. Chair Smith then turned time to the commission for further discussion. Commissioner Adam Jacobson noted the concerns about the nearness of the business to the townhomes. He suggested that the applicant include more trees along the gravel area and the entire length of the property line every 20 feet. He suggested that no workers be allowed to take smoke breaks in the back of the building. Commissioner Chris Berbert suggested that providing an appropriate buffer could mitigate the concerns of the nearness of the business to the townhomes. Commissioner Wade Thompson suggested that the applicant should ensure that the building lighting shine down. Commissioner Chris Berbert asked the applicant about lighting on the building. Mr. Bourgeois explained that all four corners of the building would have lights and all of the lights would shine down. He briefly discussed the layout of the building on the site and reported that he would be fine to adjust any lights to make sure they are directed down. He discussed the storage on the back of the property. Commissioner Shakespear asked what the hours of the business would be. The response was that similar businesses are open to 10:00 pm or 11:00 pm but he would like the business to be open based on the community need and no later than midnight.

Commissioner Adam Jacobson MOVED to approve the item with staff requirements with an alteration to item number six to require that it shall include at least one 2" caliper tree per 20 feet and requirement number fourteen that states that the building shall be 30 feet away from the north property line at every point. On item fifteen there will be no smoking in the back of the building and item sixteen that the hours of operation shall be between 4:00am and 11:00pm.

Commissioner Jessica Morton SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.2 [7:20:18 PM](#) **50C16** – Anthem Center LLC – 5400 W Anthem Park Blvd – Conditional Use Approval for a Commercial Center - Zone: MU-2 – Acres: 23.947

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The property was zoned mixed use but there was an application to zone it commercial (which will be later on in the meeting). The site plan was detailed. This property does have design guidelines. The proposal was for preliminary approval for the site and elevations would come back for approval. Staff provided the traffic study as part of the packet. Pedestrian study was asked for from engineering. The buffering along Mountain View Corridor was pointed out. The design guidelines will be approved with city council in a couple of weeks.

John Gust (applicant), 126 W 10000 S, Sandy, UT, congratulated Chair Clint Smith on his new appointment and thought the proposal was described well. He had nothing further to add.

City Planner McCarty explained that the plat was approved a couple weeks ago and this is the next step in the process.

Commissioner Chris Berbert felt that providing preliminary approval would be fine. Commissioner Adam Jacobson requested a pedestrian/sidewalk and parking plan with the first building to be approved.

Commissioner Chris Berbert MOVED to approve the item with adjusting item 14 where parking shall be provided one space per 200 square feet of retail for the area, just bring back for each individual pod what they designate as the parking and item 20 add with the first building they bring back for approval the sidewalk or the intended walking paths in this development.

Commissioner Adam Jacobson SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.3 [7:28:35 PM](#) **48C16** – NuStar – 6212 W Freedom Hill Way – Request for an exception to the rear-yard setback for an addition to a single family dwelling – Zone: A-.25 – Acres: .28

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The ordinance allows commission to grant an exception to the rear yard setback. The applicant was proposing an addition on the back of the home by enclosing an existing covered patio. The ordinance allows patios to be set back 20 feet from the property line, however, homes have to be setback 25 feet. The applicant felt that he didn't need an exception where the covered patio was already part of the roofline and house. However, the setback is at 20 feet. It was reiterated that the ordinance allows for the exception.

Justin Bates (applicant), 3575 S. West Temple, explained that the current patio area is 23 feet off of the fence line. The fence line was moved when a masonry wall was installed giving an additional two feet from the existing fence line. Chair Clint Smith asked for clarification of the setback from the property line. The response was that

two feet was gained when the new wall was installed making the setback 23 feet. On the other side of the wall was a roadway.

Chair Smith turned to the planning commission for further discussion. The consensus was that there was no issues with the proposal. The exception was warranted with the distance provided and the roadway on the other side of the wall.

Commissioner Wade Thompson MOVED to approve the item.

Commissioner Robyn Shakespear SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Adam Jacobson Yes

Commissioner Jessica Morton Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

2.4 [7:33:20 PM](#) **45C16** – Rasmussen – 5216 W Windom Rd – Proposed Home Occupation for a Preschool Zone: R-M – Acres: .04 (Continued from September 1, 2016)

City Planner Bryn McCarty oriented the commission with an aerial map and pictures of the property. Concerns from the last meeting were regarding the safety of the children during drop off and pickup. Staff also talked to the HOA about the limited common for the driveway. The HOA office sent an email stating that the limited common area is only maintained by the association but for the exclusive use of the resident. The HOA also provided an approval for the preschool.

Commissioner Andrea Bradford questioned the applicants concern about an additional employee. The response was that preschools are allowed to have up to twelve kids without an additional employee. Herriman ordinance states only one employee living in the home is allowed.

Jessica Rasmussen (applicant), 5216 W Windom Rd, she clarified the hours of the afternoon session would be from 12:30-3:00pm. Chair Clint Smith questioned whether or not the applicant visited with her neighbor and how the discussion went. Ms. Rasmussen did not have an additional discussion with her neighbor. She felt that her neighbor's concerns were calmed when she learned that the parents would not be dropping off children in the driveway and thought that further discussion was not needed.

Chair Smith turned to the commission for further discussion. Commissioner Adam Jacobson felt concerned regarding the limited common area in the driveway. He would like to hear from the HOA attorney or the city attorney before he provided an approval. He thought it would be fine to continue until the attorney response was provided. Commissioner Robyn Shakespear agreed.

Commissioner Chris Berbert thanked the applicant for the information provided. Ms. Rasmussen asked for clarification on what was needed from an attorney and if it was the concern for liability. Commissioner Jacobson

wanted to ensure that the business would not be violating the property rights of the neighbor. Ms. Rasmussen was confused about what the difference was between inviting someone for a party versus having preschool children walk through the area. Commissioner Jacobson felt that the concern was due to the business use and he was uncertain if that was the case which is why he wanted attorney opinion. He doesn't want to infringe property rights of the owner next door. Chair Clint Smith reiterated that the concern was due to the driveway being shared. He felt the desire was that the applicant provide a legal opinion based on business use and wanted Herriman City attorney to weigh in on it too. Chair Smith encouraged her to reach out to her neighbor about the information provided to mitigate concerns. He felt the neighbor should provide an email stating she was fine with the business use.

Commissioner Chris Berbert MOVED to continue without date.

Commissioner Wade Thompson SECONDED the motion.

The motion passed unanimously.

2.5 [7:45:40 PM](#) **44C16** – Croney – 14638 S Highfield Dr – Proposed Detached Garage – Zone: R-2-15 Acres: .29 (Continued from September 1, 2016)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The item was continued due to a question of the percentage of coverage of the rear yard because the garage cannot cover more than 25%. The applicant provided a layout showing how that requirement has been met. The item was also continued for HOA approval, which has been provided.

Dean Croney 4676 W Rollinsford Ln, representing his son Abe Croney. His understanding was that the HOA changed leadership during the process of approving the garage and the comments from new leadership had all been fulfilled.

Commissioner Jessica Morton MOVED to approve the item with the recommendations outlined by staff, numbers 1-7.

Commissioner Robyn Shakespear SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Adam Jacobson Yes

Commissioner Jessica Morton Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

2.6 [7:48:39 PM](#) **24S16** – HTC Communities, LLC – 13295 S Herriman Rose Blvd – Proposed Subdivision of 78 Single Family Lots and 16 Townhome Units (Pod 25) – Zone: MU-2 – Acres: 12.30 Units: 94 (Public Hearing held on September 1, 2016)

Chair Smith noted that item 2.6 & 2.7 would be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. A public hearing was held at the meeting on September 1, 2016. Elevations were shown. All homes will have two car garages and the townhome units face the road. Transit line was added to the condition and included on the plat.

Matt Watson (applicant), HTC Communities, proposed changes to requirement number two and three. Number two for the two rail fence along the single family homes; he proposed a six foot vinyl fence because there will still be an open feel with the two rail fence along the multi-family home and a six foot vinyl fence will provide privacy for single family homes. He also proposed no fence along the front of Brundisi Way for requirement number three. He reported that townhomes will have basements.

Commissioner Adam Jacobson MOVED to approve the item with the seven subdivision requirements.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.7 [7:53:31 PM](#) [14C08-21](#) – HTC Communities, LLC – 13295 S Herriman Rose Blvd – Final Master Plan Approval for 78 Single Family Lots and 16 Townhome Units (Pod 25) – Zone: MU-2 Acres: 12.30 – Units: 94

Commissioner Adam Jacobson MOVED to approve the item with the seven master plan requirements outlined by staff. Item two say install a six foot vinyl fence and then cross out item three (we do not want a fence along Brundisi) and edit number eight to say all single family and townhouses shall have basements.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.8 [7:54:34 PM](#) [28S16](#) – Think Architecture – Approx. 12100 S 5400 W – Proposed Subdivision of 96 Townhome units (Miller Crossing Pod 14) – Zone: R-2-10 – Acres: 10.17 – Units: 96 (Public Hearing held on August 18, 2016)

Chair Smith noted that item 2.8 and 2.9 will be discussed together.

City Planner Bryn McCarty oriented the commission with information for the subdivision and PUD. There was an issue with a blank area on the property. A new layout including that area as part of the plan was presented. Building elevations and materials were shown. The applicant will provide a trail/connection to connect to the park. The homes will have two car garages and driveways. They add 21 guest parking spots. All homes will have basements.

Tim Soffe, Think Architecture, 5151 S 900 E, reported that park access was added to a new plan and he presented the plan to staff. He reminded commissioners that a secondary access easement for the property was still needed. That access was being worked out with Mr. Bowler and Mr. Young and they are both being very cooperative. He reported that verbal approval had been given and a document will be completed at an upcoming meeting next Monday. Commissioner Adam Jacobson noted on the Master Plan that pod 14 is 9.93 acres but the development shows 10.17 acres. The master plan shows a piece of open space that they are putting homes on and asked Mr. Soffe for clarification. Mr. Soffe's understanding was that he was to leave it out however, Mr. Bowler directed him to add it to the plan and density would not be exceeded. Commissioner Jacobson was concerned about the numbers for open space. Mr. Soffe read a statement explaining how the open space totals came to be. There would be a total of 22.639 acres of open space. Pod 14 shows more than 30% open space and pod seven, currently in design, shows 20% open space. He submitted the statement and City Planner McCarty also forwarded the email to the commission. Commissioner Adam Jacobson wondered if the PUD would have to be amended/modified by the developer. Chair Smith questioned whether or not Mr. Soffe would be okay to add a requirement for basements in the homes. Mr. Soffe was fine with that requirement.

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Wade Thompson SECONDED the motion.

The motion passed unanimously.

2.9 [8:07:52 PM](#) [38C14-06](#) – Think Architecture – Approx. 12100 S 5400 W – Final PUD approval of 96 Townhome units (Miller Crossing Pod 14) – Zone: R-2-10 – Acres: 10.17 – Units: 96

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Wade Thompson SECONDED the motion.

The motion passed unanimously.

3. **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.

3.1 [8:08:26 PM](#) [17Z16](#) – Herriman City – 12100 S 5200 W – Proposed Rezone from R-2-10 (Medium Density Residential) to C-2 (Commercial) - Acres: 6 (**Public Hearing**)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The proposed rezone was for a property south of the newly approved Walmart. The property is owned by the city. It is currently zoned residential but the general plan shows commercial and so the proposal is to rezone it to match the general plan.

[8:09:29 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Brandon Pack, 5928 W Grandpere Ave, said, go for it. He felt like it fits the master plan and what was being built in the area.

[8:10:31 PM](#) Chair Smith closed the public hearing.

*Commissioner Chris Berbert MOVED to recommend approval to the city council of the item.
Commissioner Wade Thompson SECONDED the motion.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

3.2 [8:11:21 PM](#) **18Z16** – Anthem Utah LLC – 5200 W Anthem Park Blvd – Proposed Rezone from MU-2 (Mixed Use) to C-2 (Commercial) – Acres: 39.6 (**Public Hearing**)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to illustrate the location of the property. The city had originally planned for the area to be residential and now the area has become more commercial now. The city would like to match the general plan.

Applicant was present and had nothing further to add.

[8:12:27 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

None

[8:12:56 PM](#) Chair Smith closed the public hearing.

*Commissioner Wade Thompson MOVED to approve the item and recommend approval to the city council.
Commissioner Chris Berbert SECONDED the motion.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>

Commissioner Adam Jacobson Yes

Commissioner Jessica Morton Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

3.3 [8:13:37 PM](#) **19Z16** – Anthem Utah LLC – 12600 S Anthem Park Blvd – Proposed Rezone from C-2 (Commercial) to R-2-10 (Medium Density Residential) – Acres: 1.8 (**Public Hearing**)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The property is north of Herriman Parkway next to the elementary under construction. The city felt that this area should match with surrounding residential. The rest of the property has the same zoning, seven units per acre and so the same zoning condition could be applied. Where the property is still part of the overall development the density would not change. It would just be zoned to match the rest of the residential area. The Miller's own the property around it and they will rezone it to residential as well.

Ryan Button (applicant), 6150 S Redwood Road, Taylorsville, requested the zoning condition of seven units per acre to remain consistent.

[8:16:10 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Brandon Pack, 5928 W Grandpere Ave, understood the proposed change would conform to the current master plan, however, he was concerned with the amount of traffic that the addition of town homes would add in the area. The area has a middle school, two elementary schools and high school very close to the proposed property. He was very concerned with the traffic in the area from the three schools. He felt the area should remain commercial. He thought it was prime for a convenience store or doctor office.

Aaron Slagowski, 5942 W Grandpere Ave, had the same concerns as Mr. Pack. He felt that if it was to be zoned residential then it should be zoned for larger homes. He would prefer it to be commercial property. He reported it taking 45 minutes to get home from the freeway to his home. He felt like that had a lot to do with all the homes that are being added in the city.

Bruce Ingleby, 12012 Window Arch Ln, was concerned with high density taking away the community feeling. He felt like the area should be homes with larger lot sizes or should be left commercial.

[8:21:39 PM](#) Chair Smith closed the public hearing.

Chair Smith turned to the planning commission for further discussion. Commissioner Chris Berbert asked if information had been provided for development in the area. City Planner McCarty responded that staff was still waiting on information for the property. Commissioner Berbert does have concern for the area. Commissioner Adam Jacobson wondered if the piece was part of the master plan. The response was yes and they will get additional units for the 1.8 acres because previously there were no units for the area being that it was zoned

commercial. Chair Smith wondered what the general plan called for in the area. The response was medium density residential. He reiterated the concern from the commission was that they would like to see what was planned for the property.

Mr. Button explained that this item was due to go before city council on September 28th to lock in the units for the property. The applicant reported working on moving density out of the commercial area and the amount has been in flux, almost daily. He believed all of the moving parts would come together on September 28th. He would like a recommendation to the council so they can make a decision. He advised the commission that they would see it for PUD approval and site plan approval and it would need approval before any homes could be built. The commission consensus was to see the plan and that it would not have to be rezoned in order for a PUD discussion to take place. Gordon Haight, Assistant City Manager spoke about some issues regarding the area. A development agreement will go before the council in two weeks which complicates the process. The property is land locked, adjacent to the school and part of it is the road that goes around the school. He said it could be zoned for one unit per acre. Chair Smith further clarified that the property is land locked and will become part of an overall area. He felt that the commission does not always need a plan before a property can be rezoned. Commissioner Chris Berbert felt concerned that there was property surrounding the proposed property that was planned for a rezone as well. Commissioner Wade Thompson did not want to add additional homes to the area.

Commissioner Adam Jacobson MOVED to recommend to city council approval of the item with a zoning condition of one unit per acre.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

4. Chair and Commission Comments:

City Planner McCarty congratulated Chair Clint Smith. Commissioner Adam Jacobson thanked staff for all the helpful tools they've provided lately. Commissioner Wade Thompson thanked staff for the additional training. City Planner McCarty reported that they will be going to the APWA training in a couple weeks and Commissioner Andrea Bradford would be going along. Commissioner Wade Thompson recommended that all commission members are allowed to go to the training in the future. Chair Smith reported that at the most recent retreat the council had a strong desire to increase the budget to allow for trainings.

5. Future Meetings:

- 5.1 City Council Meeting – Wednesday, September 28, 2016 @ 7:00 PM
- 5.2 Joint Work Meeting – September 29, 2016 @ 6:00 PM
- 5.3 Planning Commission Meeting – October 6, 2016 @ 7:00 PM

6. Adjournment:

Chair Clint Smith called for a motion to adjourn.

Commissioner Jessica Morton MOVED to adjourn the meeting and Commissioner Wade Thompson SECONDED the motion. The motion passed unanimously.

The meeting adjourned at [8:33:48 PM](#).

I, Cindy Quick, Deputy Recorder of Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 15, 2016. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder

DRAFT



Date of Meeting: 10/6/16	
File #	52C16
Applicant	Lords
Address	6163 W Butterfield Parkway
Request	Request for an exception to the elevations for an accessory building

Request for 52C16 - Meeting Date 10/06/16

Jason Lords is requesting an exception to the elevations for an accessory building (detached garage).

Site

The parcel is located at 6163 W Butterfield Parkway and contains 1 acre.

Zoning

The site is zoned A-.25.

Ordinance

10-8A-2: PERMITTED USES:

Permitted uses in the A-.25 zone include:

Accessory uses and buildings customarily incidental to permitted uses; provided the total square footage of all accessory buildings does not exceed eight hundred (800) square feet nor cover more than twenty five percent (25%) of the rear yard on lots under one-half ($1/2$) acre. **On lots one-half ($1/2$) acre or larger no accessory building or group of accessory buildings shall cover more than twenty five percent (25%) of the rear yard.**

10-8A-10: ACCESSORY STRUCTURES

A. Style, Color: All accessory structures must be similar in materials and color to the primary residence on the front exterior and any side or rear viewable from the street. The planning commission may grant an exception to buildings being used for agricultural purposes (i.e., barns or other such buildings to house animals).

Discussion

The City recently revised the ordinance for accessory structures. The new ordinance allows larger structures to be a permitted use on lots over a half acre, but requires them to match the color and materials of the home.

The applicant is proposing a 3,000 square foot accessory building. The property is one acre, so the size is not an issue. The existing home on the lot is a log cabin. The property owner does not want to match the color and materials of the log home, as required by the ordinance. The ordinance allows the Planning Commission to grant an exception to the ordinance for large agricultural buildings. The applicant is proposing a metal building.

Recommendation

Staff recommends approval of the exception to the elevations for an accessory building with the following requirements:

1. Receive and agree to the recommendations from other agencies.
2. The accessory building shall be a tan metal building.
3. The maximum height of the building shall be 20 feet.



Proposed Conditional Use
File# 52C16



Proposed Conditional Use
File# 52C16



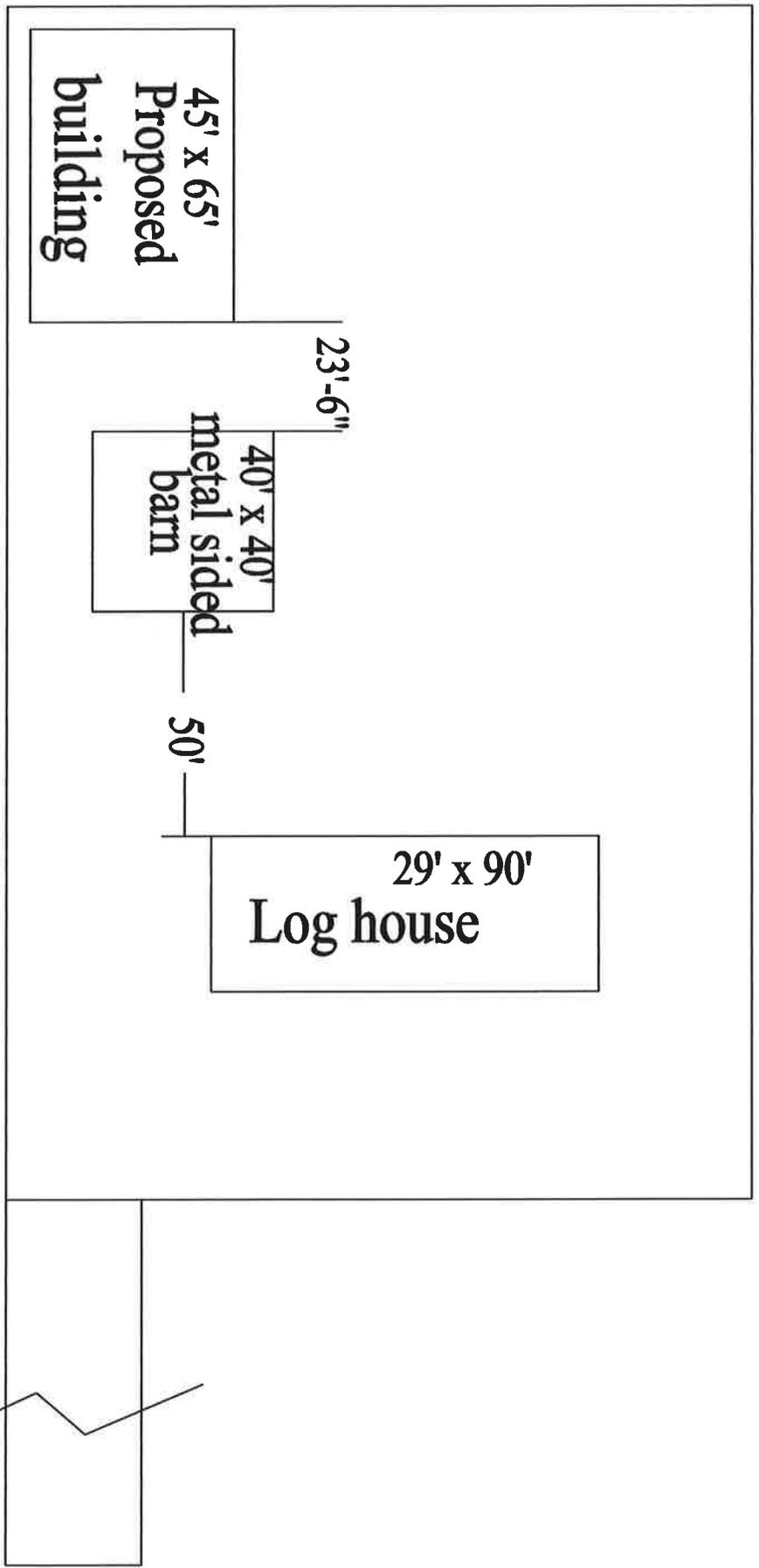
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165'

6' set back

6' set back

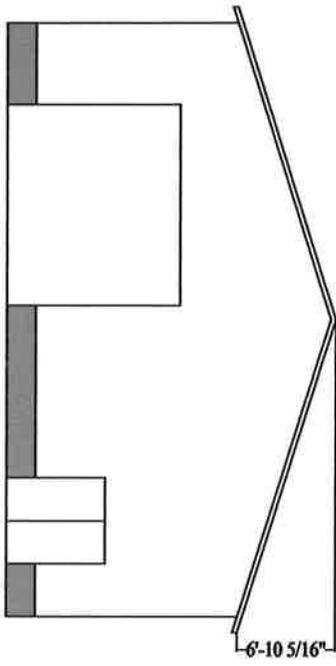
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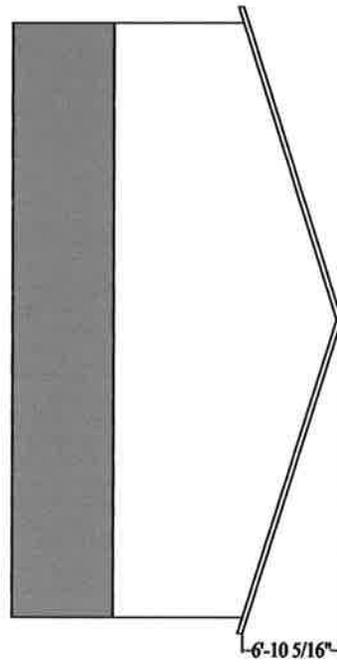




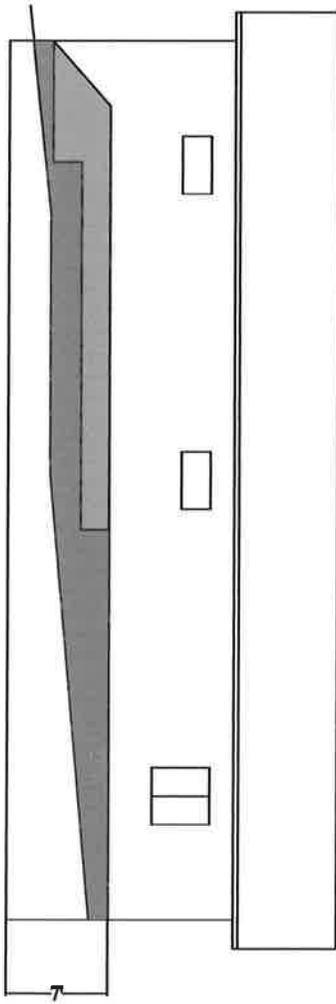
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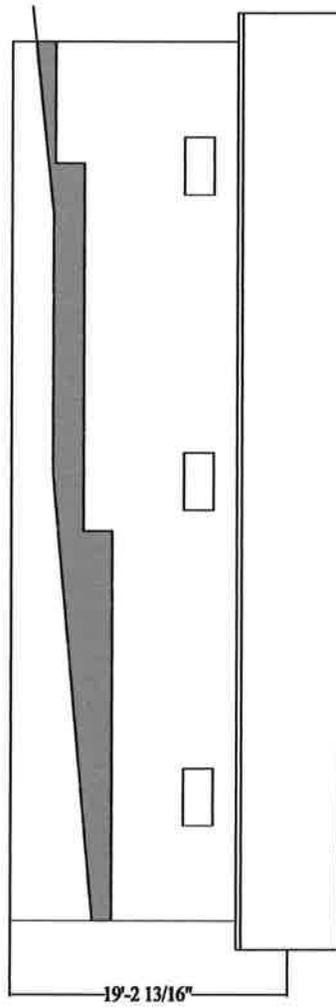
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Date of Meeting: 10/6/16	
File #	12S15-01
Applicant	Herriman Corners
Address	13365 S 5600 W
Request	Proposed Subdivision of 4 Condo Units (Public Hearing)

Request for 12S15-01 - Meeting Date 10/06/16

Brad Murdock is asking for approval for a subdivision of 4 condo units within a commercial building.

Site

The parcel is located at 5746 W 13400 S and contains 12.25 acres.

Zoning

The site is zoned C-2.

Discussion

This property was approved as a retail/office building. They are now doing a condominium plat in order to be able to sell each of the units individually. This will not change anything on the exterior of the building or the lot.

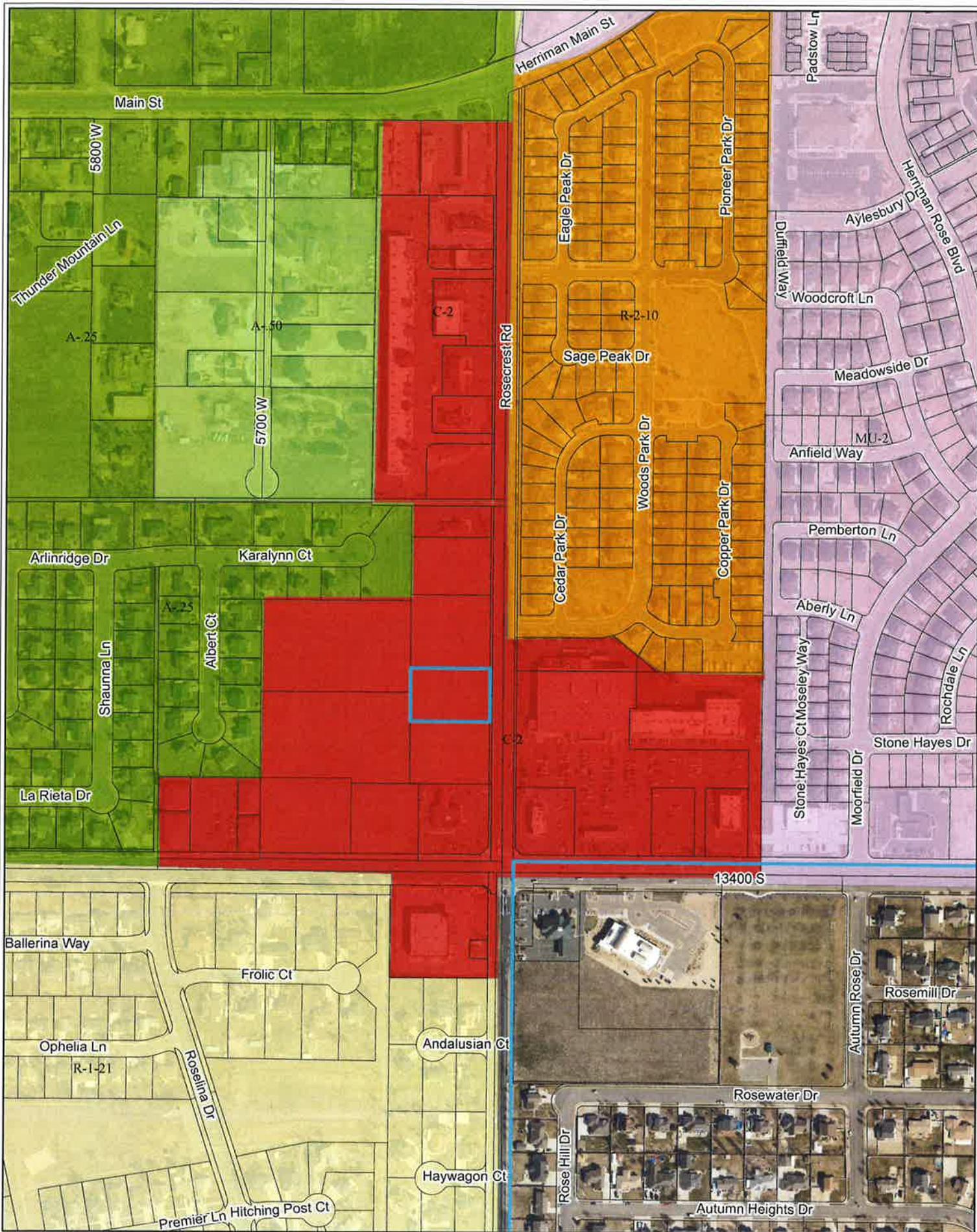
The applicant has not provided any information on CC&R's or an HOA to maintain the commons areas. There is no indication on the plat as to who would maintain the parking lot, landscaping, and other common areas.

Recommendation

Staff recommends approval of the subdivision of the 4 condo units with the following requirements:

Requirements

1. Receive and agree to the recommendations from other agencies.
2. Establish an HOA for the maintenance of all common areas.
3. CC&R's to come back for review and final approval from the Planning Commission.

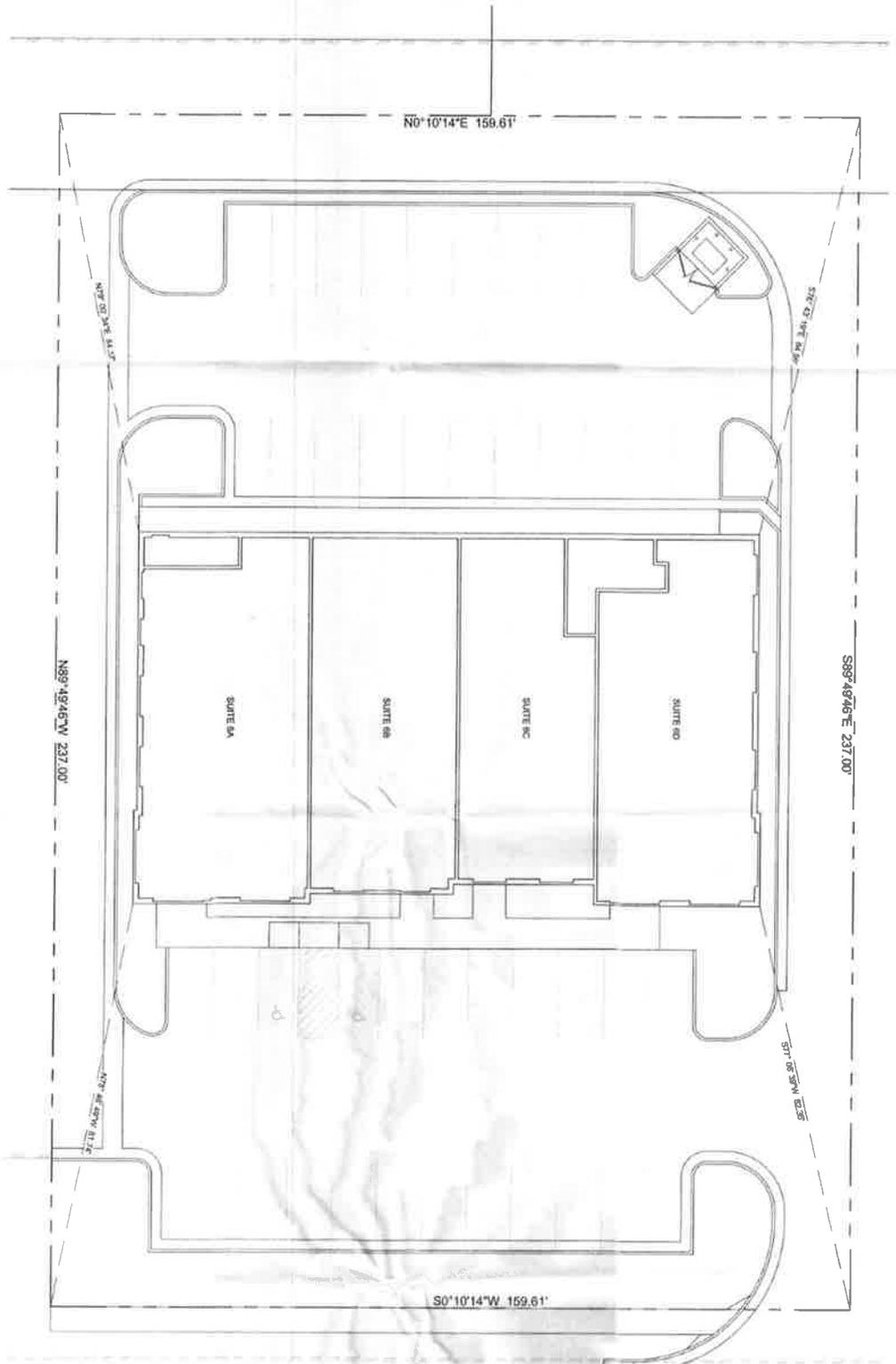


Proposed Subdivision
File Number 12S15-01



LOT 6 HERRIMAN CORNER COMMERCIAL CONDOMINIUM PLAT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36
TOWNSHIP 3 SOUTH, RANGE 2 WEST,
SALT LAKE BASE & MERIDIAN
8748 WEST 13400 SOUTH HERRIMAN, UTAH



GRAPHIC SCALE
1" = 100'

LEGEND

- BOUNDARY LINE
- ADJACENT PROPERTY LINE
- STREET CENTERLINE EXTENSION
- EASEMENT
- PROPERTY LINE



infinity
CONSULTANTS
2640 North Tremaine Mountain Blvd, Suite 205
Lehi, Utah 84043 • Tel: 801-541-3340

HERRIMAN CITY
APPROVED THIS _____ DAY OF _____, A.D. 20____
BY HERRIMAN CITY
ATTEST: _____ RECORDER MAYOR

RECORD # _____
STATE OF UTAH COUNTY OF SALT LAKE RECORDED AND FILED AT THE REQUEST OF
DATE _____ TIME _____ BOOK _____ PAGE _____
SALT LAKE COUNTY RECORDS



Date of Meeting: 10/6/16	
File #	16S16
Applicant	Edge Homes
Address	4500 W Juniper Crest Rd
Request	Proposed Subdivision of 145 Single Family Lots (Pod 33)



Date of Meeting: 10/6/16	
File #	56C07-14
Applicant	Edge Homes
Address	4500 W Juniper Crest Rd
Request	Final Planned Unit Development Approval for 145 Single Family Lots (Pod 33)

Request for 16S16/56C07-14 - Meeting Date 10/06/16

Edge Homes is asking for approval for a subdivision of 145 Single Family Lots.

Site

The parcel is located at 4500 W Juniper Crest Rd and contains 17.74 acres.

Zoning

The site is zoned R-2-15.

Background

This property is part of the Rosecrest master plan. It has received preliminary approval for density, and is now back for final PUD and subdivision approval.

The Planning Commission first heard this application on June 16, 2016. The item was continued until Juniper Crest Road was approved and engineering could resolve some concerns about access.

Issues

This pod is shown on the approved master plan as Multi Family (townhome), with a density of 8-14 dwelling units per acre. The proposed plan is for single family lots, with a density of 8.3 units per acre. The lots range in size from approximately 3,700 square feet to 7,200 square feet.

The proposed subdivision is adjacent to a drainage that will remain open space. The drainage will serve as a buffer between the proposed residential and the commercial to the south. The applicant is proposing a trail connection along the north side of the subdivision, adjacent to Mountain View Corridor, to connect the Juniper Canyon trail to the trail in the drainage.

The proposed subdivision only has one access onto Juniper Crest. Additional access will come from the adjacent phase, pod 32. The applicant has indicated that pod 32 will include the connection to pod 33 in their first phase. Only 30 lots will be allowed off of one access.

Recommendation

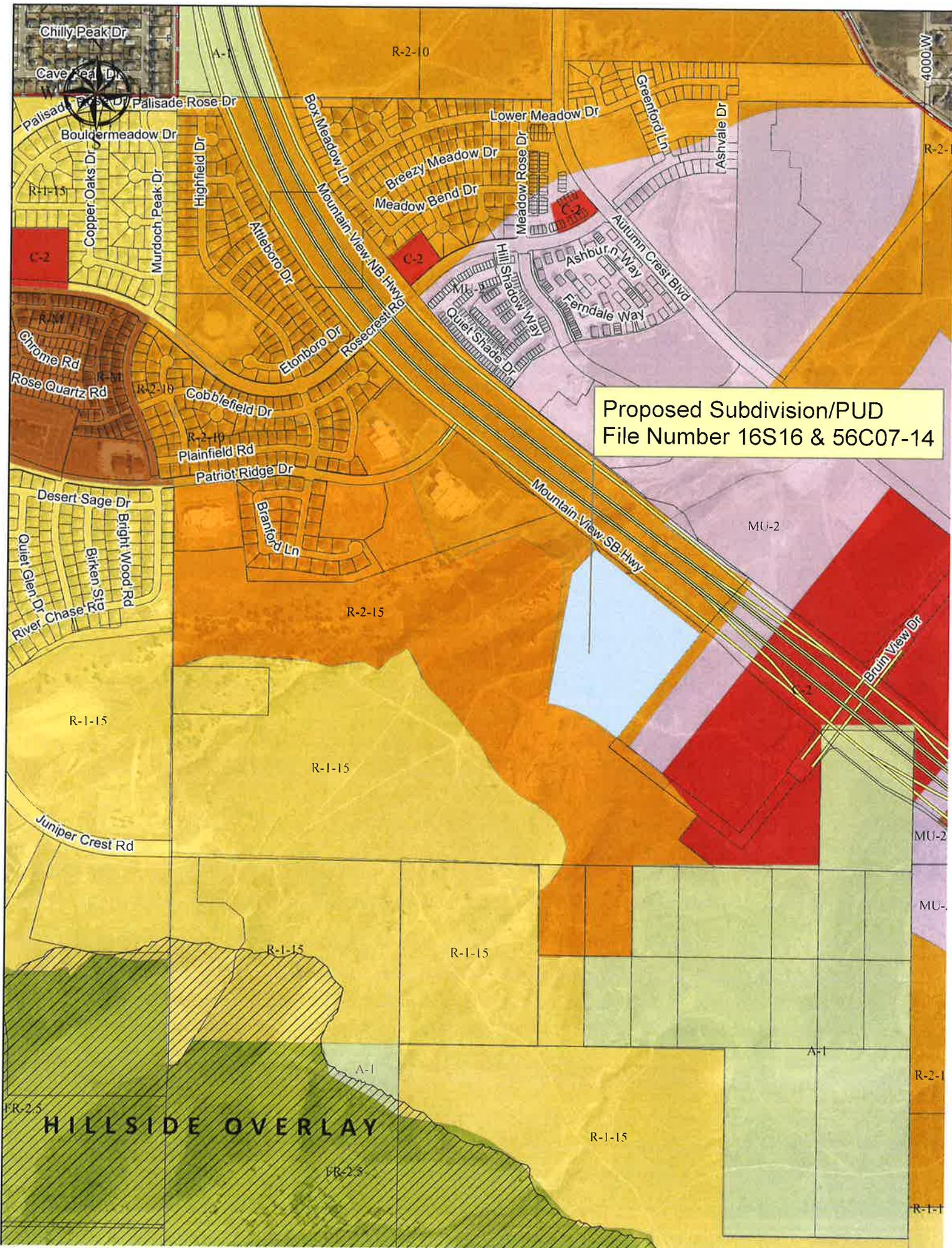
Staff recommends subdivision and final PUD approval of 145 Single Family Lots with the following requirements:

Requirements

1. Meet with the Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies.
3. Install curb, gutter and sidewalk on all public streets.
4. Only 30 lots will be allowed on a single access from Juniper Crest Road. Project is dependent on neighboring subdivisions for emergency access.
5. Building permits will be limited to 30 lots until all public infrastructure for Pod 32 is completed (substantial completion issued)
6. Approved horizontal and vertical design for Juniper Crest Road is required prior to begin engineering review of Pod 33.
7. Submit a detailed grading plan and obtain a grading permit prior to beginning any site grading activities
8. Provide detail on how fencing, slope, and storm water will be managed between backyards on the interior lots
9. All roads must intersect at 90 degrees (+/- 5 degrees).
10. No driveways will be allowed within 50 ft of the right-of-way line of Juniper Crest Road or within 20 ft of the back of sidewalk of an intersecting road within the subdivision.
11. Proposed lots 004 and 005 may not access the public road. Their access must come from the private road.
12. Work with engineering on meeting storm drain requirements.

PUD Requirements

1. Provide a 6 foot vinyl fence along the open space at the northeast side of the property, adjacent to Mountain View Corridor, and the south side of the property, adjacent to the open space channel.
2. Provide a 6 foot vinyl fence along Juniper Crest Road, not including the open space.
3. Setbacks to be as follows:
 - Front - 13' min. to living space, 18' min. to garage.
 - Rear - 12' min. to living space, 5' min. to decks or patios
 - Side - 5' min.
 - Corner - 12' min.
4. Provide a trail connection and pavilion that meets City Standard in the open space between pod 32 and pod 33.



Proposed Subdivision/PUD
File Number 16S16 & 56C07-14

HILLSIDE OVERLAY



Date of Meeting: 10/6/16	
File #	19S16-01
Applicant	Rosecrest Communities, LLC
Address	14473 S Autumn Crest Blvd
Request	Proposed Subdivision Amendment to add 28 Townhome Units (Pod 8)



Date of Meeting: 10/6/16	
File #	56C07-16
Applicant	Rosecrest Communities, LLC
Address	14473 S Autumn Crest Blvd
Request	Proposed Amendment to the PUD to add 28 Townhome Units (Pod 8)

Request for 19S16-01/56C07-16 - Meeting Date 10/06/2016

Rosecrest Communities, LLC is asking for a subdivision and PUD amendment to add 28 townhomes to pod 8 for a total of 125 townhomes.

Site

The parcel is located at 14473 S Autumn Crest Blvd and contains 7.92 acres.

Zoning

The site is zoned MU-2.

Background

This property is part of the Rosecrest master plan. It has received final PUD and subdivision approval last month. The applicant is now amending the plan to add 28 additional townhome units.

Issues

The approval for pod 8 included a vacant parcel shown as "Lot A". Salt Lake Community College indicated that they would like to purchase the property shown as Lot A, so that they may retain the corner for the school. For the previous approval, the applicant submitted 2 plans, depending on if SLCC buys the 1.76 acres shown as lot A. If SLCC buys lot A, then there will only be 97 units.

The builder would now like to receive approval for townhomes on Lot A so that he can move forward with his purchase of the property from Rosecrest. The builder still intends to sell the property to SLCC, but he needs to have the property entitled before he can close on the purchase. SLCC has also indicated that they still intend to purchase the property from the builder, but it will still be a few weeks before they have final approval.

We have included letters from the builder and SLCC in your packet.

Recommendation

Staff recommends approving the amendment to the PUD and subdivision to add 28 townhomes, for a total of 125 units, with the same requirements as the original approval:

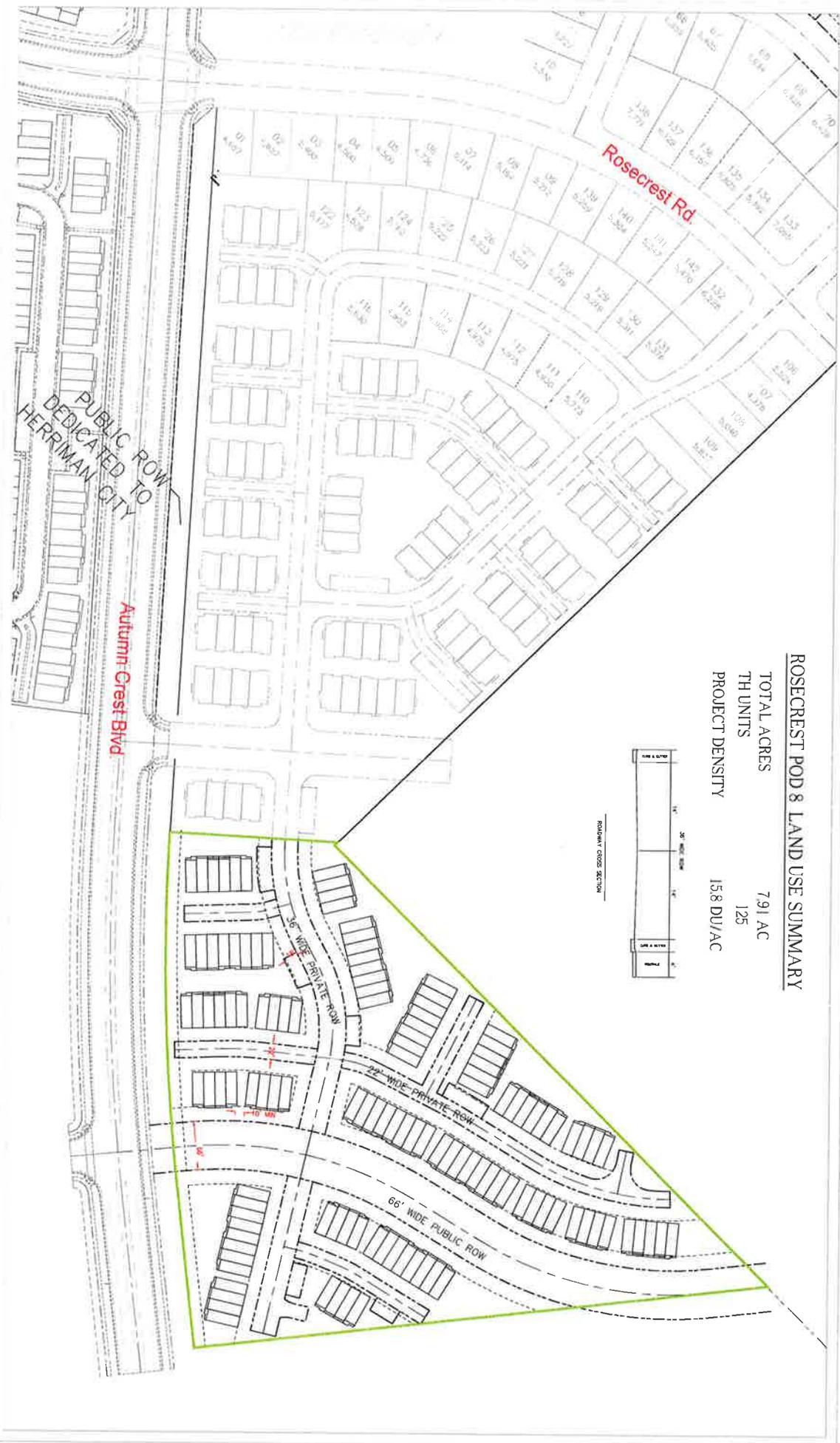
Subdivision Requirements

1. Meet with the Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies.

3. Dedication of 66 feet to the City for street right-of-way for 4000 West.
4. Install curb, gutter and sidewalk on all public streets.
5. Provide a storm drain study.
6. Submit a phasing plan for the construction of roads. Only 30 units will be allowed off of one access point.
7. No driveways shall access on to 4000 West
8. Work with UFA to provide adequate turnarounds on any roads that exceed the maximum allowed length.
9. Provided an additional 40 feet of right of way along Autumn Crest Blvd for future transit. Until the right of way is needed, it shall be landscaped and maintained by the HOA.
10. Provide "No Parking" signage along Autumn Crest.
11. The plan with 125 units is approved. If Salt Lake Community College purchases the 1.76 acres, then only 97 units are approved.

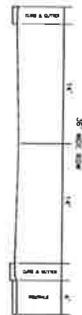
PUD Requirements

1. Setbacks shall be as follows:
 - Front: 20 feet to living space; 17' to porch from public right of way.
 - All buildings shall be 5 feet minimum from private right of way.
2. All buildings shall be 10 feet apart from each other, including any porches or overhangs.
3. All buildings shall meet the clear view triangle on the corner.
4. Buildings elevations to meet the approved Rosecrest design guidelines and receive ARC approval.
5. Building elevations to come back to the PC for review and approval.
6. Provide 2.2 parking spaces per unit.



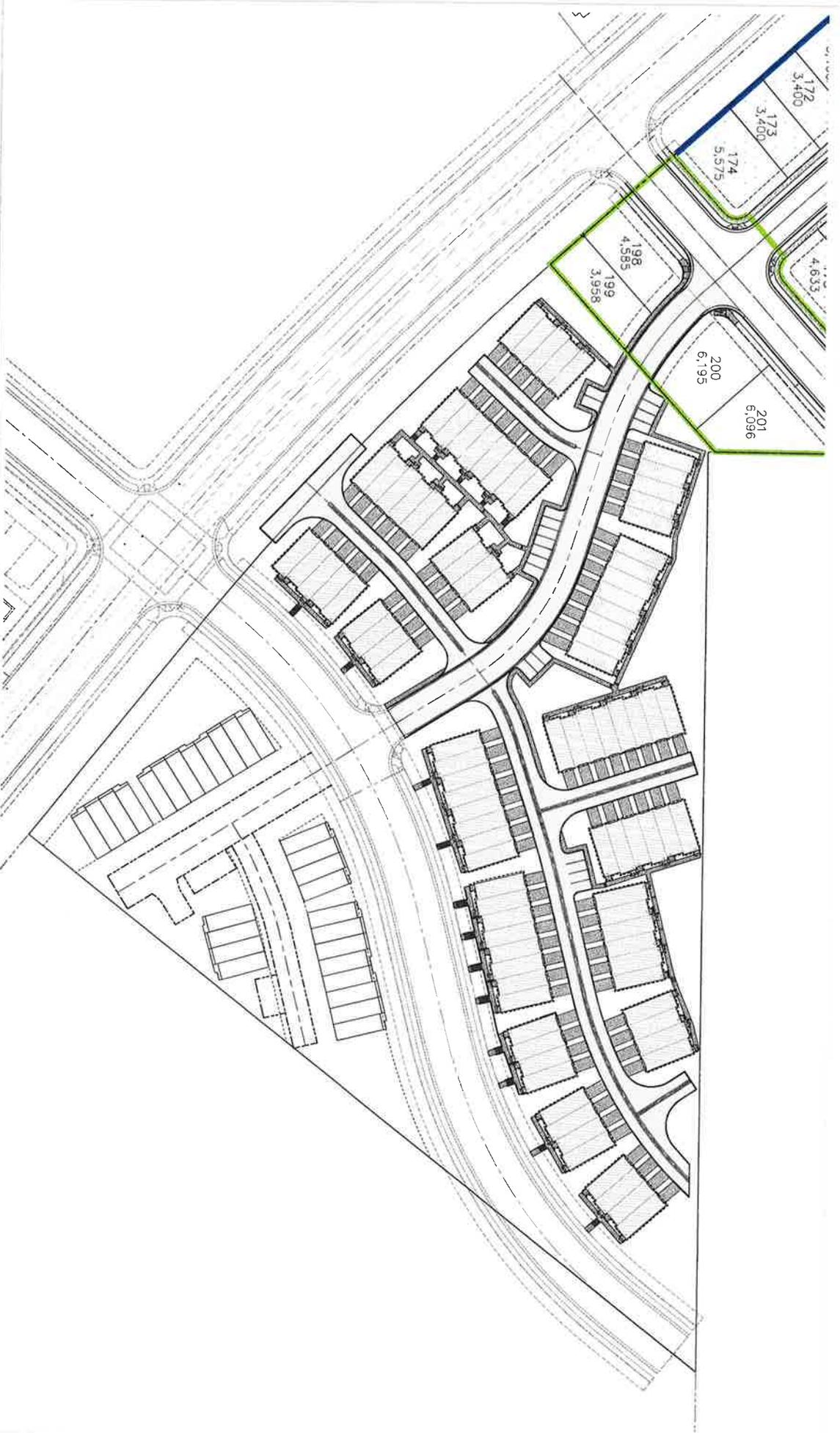
ROSECREST POD 8 LAND USE SUMMARY

TOTAL ACRES 7.91 AC
 TH UNITS 125
 PROJECT DENSITY 15.8 DU/AC



ROSECREST POD 8
 CONCEPT B (05.24.16)

SCALE: 1:150



POD 8 – PAYTON'S QUARRY
Amended Concept with 28 Additional Units (07.27.16)





September 28, 2016

Herriman City
Planning Commission
13011 South Pioneer Street
Herriman, UT 84096

Dear Planning Commissioners,

I represent Vertical Development ("Vertical") on the acquisition and entitlement of Pod 8 of Rosecrest Meadows. Vertical currently has Pod 8 of Rosecrest Meadows under contract with Rosecrest Communities, LLC. I have been working with Salt Lake Community College ("SLCC") for the past six months to sell them a 1.77-acre portion of Pod 8 that is adjacent to their future campus. Although SLCC and Vertical have agreed to the purchase terms, SLCC has a few remaining internal conditions that need to be satisfied before they can execute a purchase agreement. It is believed that we should have an executed Purchase Agreement with SLCC within the next few weeks, but as of today we do not have a signed agreement.

Being that Vertical does not have a signed agreement with SLCC, I am requesting approval of a 28 townhome subdivision on the 1.77-acre parcel as a backup plan if SLCC is not able to acquire the parcel.

The reason we are requesting approval at the October 6, 2016 Planning Commission meeting, and not waiting a few weeks to see what happens with SLCC is because we are scheduled to close on the property in a few weeks. Vertical's financing does not allow them to close on property that is not entitled. Therefore, I have submitted an application for the approval of townhomes as a contingency plan in case SLCC does not close on the 1.77-acre parcel.

Please know that Vertical's desired option is to sell the property to SLCC, but given the fact that SLCC is unable to execute a purchase agreement at this time we are requesting approval of a 28-unit townhome subdivision. If the site is approved for townhomes at the October 6th meeting and later sold to SLCC, Vertical acknowledges that SLCC will not be bound to the townhome approval and can develop the property for a use that most benefits SLCC, the City, residents and the future students.

I appreciate your time, and please feel free to contact me with any questions.

Sincerely,



James Doolin
Consultant

Vertical Development LLC



September 28, 2016

Herriman City
Planning Commission
13011 South Pioneer Street
Herriman, UT 84096

Dear Planning Commissioners,

I'm writing this letter on the request of Vertical Development LLC ("Vertical"). Vertical currently has Pod 8 of Rosecrest Meadows under contract with Rosecrest Communities, LLC. Salt Lake Community College ("SLCC") has been working closely with Vertical in negotiating the purchase of a 1.77-acre portion of Pod 8. The acquisition of the 1.77-acre parcel has been approved by the State Board of Regents pending a few outstanding conditions. We are working diligently to satisfy the remaining conditions, but will likely not have a definitive confirmation to acquire the property for a few weeks.

Based on the fact that we can't execute a purchase agreement with Vertical until we get final approval to purchase the property, we hereby request that you approve Vertical's application for 28 townhomes on the 1.77-acre parcel. We understand that Vertical needs to acquire the property from Rosecrest Communities prior to the next planning commission meeting, and further understand that they need to obtain their necessary entitlements prior to purchasing the property. We will continue working with Vertical on the SLCC's acquisition of the property, but also understand that Vertical needs to obtain the necessary entitlements as a backup plan if SLCC does not acquire the property. Lastly, we understand that if the Planning Commission approves their townhome application that it will not impact SLCC's ability to develop the property if we acquire it as planned.

Please know that it is our intention to acquire the property, but understand the Vertical needs to protect their interests if we are not able to execute the purchase of the property.

I appreciate your time.

Sincerely,

DocuSigned by:
Malin B. Francis
79C700A978D341B
Malin B. Francis

Director, Planning and Design
Salt Lake Community College



Date of Meeting: 10/6/16	
File #	14Z16
Applicant	Herriman City
Address	
Request	Text change to the Land Use Ordinance to create a Technology and Manufacturing Zone

Request for 14Z16 - Meeting Date 10/06/16

Herriman City is requesting to create a new Technology and Manufacturing Zone (TM).

Discussion

The City has been interested in locating different types of businesses and uses in the City. During the last amendment to the General Plan, the Council approved the addition of a “Light Industrial Park/Business Park” designation. Currently, there are several hundred acres along Redwood Road with this designation.

Since our zoning ordinance requires all rezones be compliant with the General Plan, it is necessary to create a zone that best fits within this new “Light Industrial Park/Business Park” designation. None of our current Commercial or Industrial Zones align with the intent of the Light Industrial Park designation. The proposed Technology and Manufacturing will allow large business parks to be developed under specific criteria. It will require a master plan for the entire site. It also has landscaping and fencing requirements that will have to be met.

The ordinance proposes that all of the uses in the zone be conditional uses. The Planning Commission may be concerned about some of the uses, depending on the location of the property in the City. Since there is currently no property in the City with this zone, anyone who wishes to use the zone would have to go through the rezone process. When the Planning Commission and City Council review the rezone, they could put a zoning condition (z/c) on the property. That would allow the City to limit the uses on a specific piece of property.

At the previous meeting, the Planning Commission gave staff direction on the list of proposed uses and other changes to be made. The text has been modified based on feedback from the PC.

Recommendation

Staff recommends approval of the text change to create a Technology and Manufacturing Zone.

Chapter XX T-M Technology and Manufacturing Zone

10-XX-1: PURPOSE OF PROVISIONS:

10-XX-2: DESIGN AND SITE PLAN REVIEW:

10-XX-3: CONDITIONAL USES:

10-XX-5: OWNERSHIP:

10-XX-6: ZONING CONDITION

10-XX-7: MASTER PLAN:

10-XX-8: SETBACKS:

10-XX-9: BUILDING HEIGHT:

10-XX-10: COVERAGE RESTRICTIONS:

10-XX-11: PARKING:

10-XX-12: LANDSCAPING:

10-XX-13: FENCING:

10-XX-14: DESIGN CRITERIA:

10-XX-15: DEVELOPMENT AGREEMENT:

10-XX-1: PURPOSE OF PROVISIONS:

The purpose of the T-M zone is to provide for and encourage the development of well-planned and designed technological and manufacturing parks. These areas are characterized by uses such as research, development, office, data centers, manufacturing, fabrication, processing, storage, warehousing and wholesale distribution. These areas are to be located in proximity to adequate transportation facilities and infrastructure so that the needs of these users may be met in an efficient manner with consideration to adjoining uses, whether uses are existing or included in the general plan.

10-XX-2: DESIGN AND SITE PLAN REVIEW:

All development under this article shall require submission of a master plan for review by the planning commission. The review shall include, but not be limited to, architectural design and theme, building materials, lighting, signage, landscaping, parking, vehicular, bike and pedestrian access and paths, accessory structures, nuisance factors and natural and manmade hazards. The review process shall comply with the regulations of chapter 24, "Conditional Uses", of this title.

10-XX-3: CONDITIONAL USES:

Uses which are conditional within the T-M zone are as follows:

~~Agricultural (Horticulture)~~

~~Archery Shop and range, provided the use is conducted within a completely enclosed building~~

~~Building Maintenance Services~~

~~Cemetery, mortuary~~

~~Commercial Recreational Facility~~

Commercial Storage or Distribution incidental to an allowed use (excluding junkyards and salvage yards)
~~Conference Center, Convention Center, Reception Center~~
Convenience Store
Data Center
Financial ~~Institutions and~~ Services
~~Greenhouse and nursery; plant materials; soil and lawn service~~
Health/Fitness Club
Hotels and Motels
Laboratory – Medical, Dental, Optical
Light Manufacturing and Assembly which are not obnoxious or offensive by reason of emission of odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts, nor hazardous by way of materials, process, product, or waste, and which: a. Do not process animal, vegetable, fish, or any food related products or the rendering and refining of fats and oils; b. Encloses all equipment, compressors, generators, and other ancillary equipment within a building or structure.
~~Medical and Dental Clinics~~
Medical Research Facility
~~Monopole, on a public or quasi-publicly owned utility site, and not in public parks unless an exception is granted by the planning commission~~
Offices, Professional
Outdoor Storage of Materials, Products and Equipment incidental to an allowed use (excluding junk yards and salvage yards)
~~Printing and Publishing Facilities~~
Public and Quasi-Public uses
Research and Development Facilities
Restaurant
Schools – Vocational and Technical
~~State store~~
Temporary Construction Buildings & Yards (12 months maximum)
Temporary Sales Office (12 months maximum)
Warehousing and Wholesale Distribution with no outside storage, incidental to an allowed use

10-XX-5: OWNERSHIP:

All master planned development shall be under unified control at the time of application and shall be planned and scheduled to be developed as a whole. The area shall be in one ownership or control during design and construction to provide for full supervision and control of the development, and to ensure conformance with these provisions and all conditions imposed upon the preliminary and final development plans.

10-XX-6: ZONING CONDITION:

A zoning condition, per section 10-6-4 of this code, may be placed on property at the time of zoning in order to restrict or prohibit uses or building heights that would not be compatible with adjoining uses, whether uses are existing or future uses as shown in the general plan.

10-XX-7: MASTER PLAN:

A master plan shall be reviewed and approved by the planning commission prior to any development in the technology and manufacturing zone. The master plan shall include a minimum of fifty (50) acres. The plan will establish where types of uses will be located and the compatibility of adjacent uses in the development. It should be the goal of the master plan to create natural buffering through the location of compatible uses. The master plan should include the following:

- A. Building orientation, size and type;
- B. A land use plan that determines where technology, manufacturing, office, and commercial uses will be located;
- C. Identification of buffering, screening or distance used to mitigate possible noncompatible uses;
- D. Parking areas and vehicle access to the site, including designated truck routes;
- E. Engineering issues, to include grading, drainage, sewer and other utilities;
- F. Compatibility with uses on adjacent properties, whether uses are existing or included in the general plan.

10-XX-8: SETBACKS:

All setbacks will be determined as part of the master plan, but in no case shall the setbacks be less than thirty (30) feet from any property line.

10-XX-9: BUILDING HEIGHT:

No building or structure shall exceed forty five feet (45') in height, unless approved by the planning commission, but in no case over seventy five feet (75').

10-XX-10: COVERAGE RESTRICTIONS:

No building or structure, or group of buildings, with their accessory buildings, shall cover more than seventy percent (70%) of the area of the lot.

10-XX-11: PARKING:

The parking requirements established in chapter 21 of this title shall apply to all technology and manufacturing zone development.

10-XX-12: LANDSCAPING:

A. All new development shall require a minimum of twenty percent (20%) of the total site landscaped and must meet the landscaping requirements found in this chapter. Landscaping shall include amenities such as water features, sports courts, gazebos, connections to master planned trail, and additional landscaping plantings. All landscaped areas shall be planted with live plant material and include a permanent automatic irrigation system. The owner, tenant and agent shall be jointly and individually responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance.

1. ~~Up to a ten percent (10%) reduction in the required landscaping may be granted by the Planning Commission as part of the master plan if the developer provides additional amenities on site, including, but not limited to: water features, sports courts, gazebos, connection to a master planned trail, and additional landscaping plantings.~~

B. The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20') behind the property line for all main uses in the T-M zone. Such areas shall include a permanent sprinkler system to ensure adequate maintenance, and shall comply with section 10-19-18 of this chapter. The planning commission may modify the landscaping requirements herein for any conditional use. The required landscaping must include:

1. Fifty percent (50%) of the landscaped area planted with shrubs, flowers and trees; and
2. The landscaped setback must include a berm that is a minimum of two feet (2') high as measured from the grade of the sidewalk.

C. Parking Lot Landscaping

1. Interior parking lot landscaping is required for any vehicular use area of twelve (12) parking spaces or five thousand (5,000) square feet of pavement, whichever is greater.
2. The minimum amount of required landscaping in the parking lot shall be five percent (5%) of the lot interior. This landscaping counts towards the overall requirement for landscaping on the site.
3. For the purpose of computing the total interior area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including planting islands, curbed areas, corner areas, parking spaces, and all interior driveways and aisles, except those with no parking spaces located on either side.
4. Deciduous shade trees shall be planted within all parking lots on the basis of one tree for each twelve (12) parking spaces. The required trees may be clustered in planter bays

or islands, but shall be located throughout the parking area to divide and break up expanses of paving and long rows of parking spaces and to create a canopy effect.

5. Planter bays or islands containing trees shall have a minimum planting area of twenty five (25) square feet, and shall have a minimum width of five feet (5') measured from the back of the curb.

10-XX-13: FENCING:

A minimum eight foot (8') decorative masonry wall is required between warehousing or ~~commercial~~ manufacturing uses and agricultural or residential zones. A higher fence or wall may be allowed or required by the planning commission ~~in unusual circumstances~~ to separate other non-compatible uses. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined by the planning commission.

10-XX-14: DESIGN CRITERIA:

A. All retail development must comply with the design criteria as required in section 10-13B-15 of this title. Building elevations will be reviewed and approved as part of the master plan.

B. All non-retail building elevations, including accessory buildings, will be reviewed as part of the master plan process. Brick and stone accents should be used on buildings where possible. Metal buildings are prohibited.

10-XX-15 DEVELOPMENT AGREEMENT:

All development in the T-M zone shall require a development agreement to be reviewed and approved by the City Council.



Date of Meeting: 10/6/16	
File #	25Z16
Applicant	Herriman City
Address	
Request	Text change to the Home Occupation Ordinance (Public Hearing)

Request for 25Z16 - Meeting Date 10/06/2016

Herriman City is requesting a text change to the ordinance regarding home occupations.

Proposed Ordinance

HOME DAYCARE/PRESCHOOL: The keeping for care, supervision and/or preschool instruction of twelve (12) or less children, including the caregiver's own children under the age of six (6) and not yet in full day school, within an occupied single family dwelling and yard for direct or indirect compensation. (State statutes and regulations may contain additional requirements or may limit the number of children allowed in a home daycare.) The dwelling must have a driveway with adequate access for drop off and pick up. "Home daycare/preschool" does not include care provided in the home of the parent or legal guardian of the child or children.

Discussion

The Planning Commission has had concerns about allowing home occupations with customers in areas that may not have adequate parking. Traffic flow and access have also been a concern. Most of these issues seem to come from home daycares and preschools.

Staff has proposed a change to the ordinance that would only allow home daycares and preschools in single family dwellings. At this point, the text change does not address other types of home occupations that may potentially have parking or traffic concerns.

Staff researched home occupation ordinances in many other cities. Staff found several areas where our ordinance could be improved. Staff recommends continuing this text change and giving staff direction on other changes they would like to see regarding home occupations.

Recommendation

Staff recommends holding the public hearing and continuing the item to allow for more discussion.



Date of Meeting: 10/6/16	
File #	26Z16
Applicant	Herriman City
Address	
Request	Text change to the Sign Ordinance for Large Commercial Signs (Public Hearing)

Request for 26Z16 - Meeting Date 10/06/2016

Herriman City is requesting a text change to the Sign Ordinance for Large Commercial Signs

Ordinance

Commercial projects
larger than 40 acres

Signs shall be as specified in Design Guidelines as approved by the City Council and attached as an exhibit to a Development Agreement that is also approved by the City Council.

Discussion

The City Council and Planning Commission have discussed making changes to the sign ordinance to allow larger signs for certain commercial projects. The Anthem Design Guidelines were recently adopted by the City Council and show several larger signs being placed along Mountain View Corridor. The ordinance now needs to be amended to allow these type of signs.

The draft ordinance allows signs on commercial projects larger than 40 acres to be approved with Design Guidelines and a Development agreement approved by the City Council.

This text change is only for on premise signs and should in no way be used to permit off premise (billboard) type signs.

Recommendation

Staff recommends approval of the text change to the sign ordinance for large commercial signs.



Date of Meeting: 10/6/16	
File #	21Z16
Applicant	Scenic Development
Address	15102 S 3200 W
Request	Proposed Rezone from A-1 to C-2

Request for 21Z16 - Meeting Date 10/06/2016

Scenic Development is requesting to rezone property from A-1 (Agricultural 1 acre min) to C-2 (Community Commercial)

Site

The parcel is located at approximately 15102 S 3200 W and contains approx 23.5 acres.

Zoning

The site is zoned A-1.

General Plan

The current general plan designates this property as medium density residential. The draft general plan that is currently being considered by the City Council shows this property as commercial.

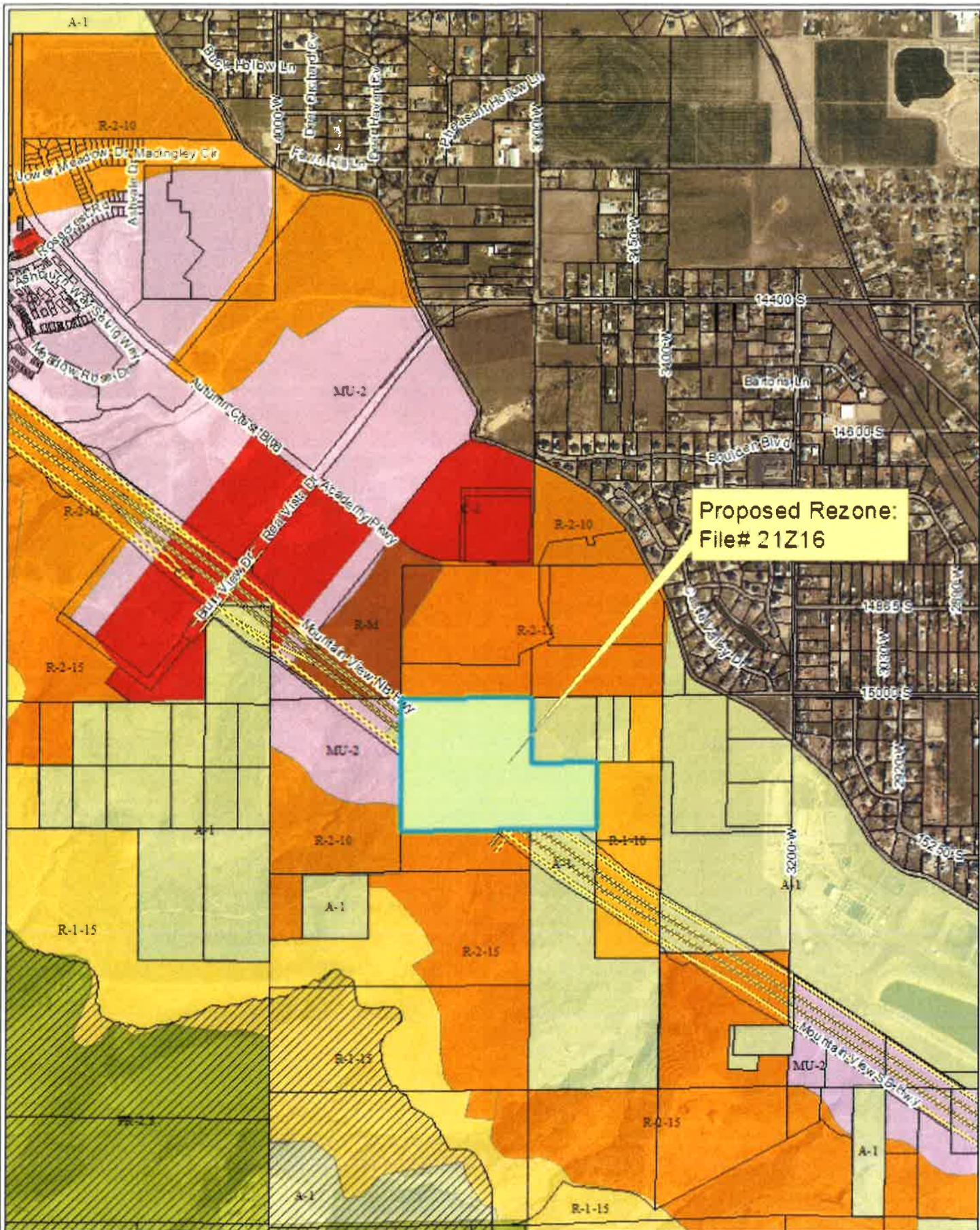
Discussion

This property is located at the intersection of Mountain View Corridor (MVC) and the future Academy Parkway. It has previously been shown as residential, but with the completion of the MVC frontage roads and the approval of the RSL Training facility, the draft general plan now shows commercial and medium density residential in this area.

The applicant has submitted a site plan that shows future retail and office on this property. They also show a portion of the property as townhomes. The Planning Commission may want to rezone only the commercial (C-2) portion of the property, and leave the proposed residential property as A-1 until the applicant has a better layout for the residential and knows what the density would be.

Recommendation

Staff recommends approval of the rezone from A-1 to C-2 and leaving the residential portion of the property as A-1.

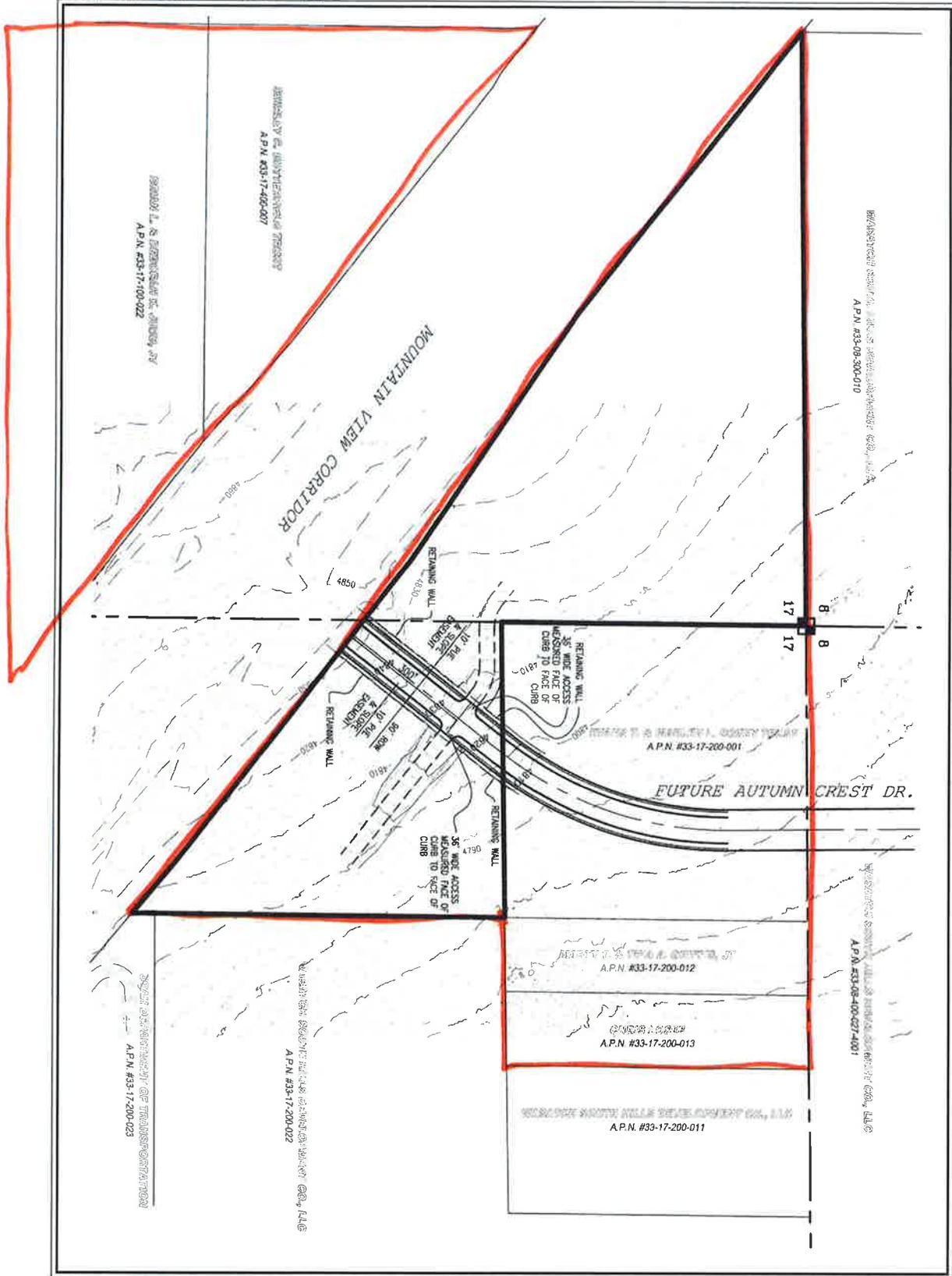


Proposed Rezone:
File# 21Z16



Proposed Rezone
File# 21Z16





SHEET NO.
SP1

SHEET SIZE: 11x17
H SCALE: 1" = 200'
V SCALE: N/A
DATE: APR. 20 2016
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SHIRLEY C BUTTERFIELD, TR. A.P.N. *33-17-400-007
ACCESS TO PROPERTY
HERRIMAN, UTAH

JT ENGINEERING
JT Engineers, PC
7955 South 2325 East
South Weber, Utah
8018667702
jason@jtenge.com



Date of Meeting: 10/6/16	
File #	22Z16
Applicant	Scenic Development
Address	15102 S 3200 W
Request	Proposed Rezone from A-1 to C-2

Request for 22Z16 - Meeting Date 10/06/2016

Scenic Development is requesting to rezone property from A-1 (Agricultural 1 acre min) to C-2 (Community Commercial)

Site

The parcel is located at approximately 15102 S 3200 W and contains approx 2.56 acres.

Zoning

The site is zoned A-1.

General Plan

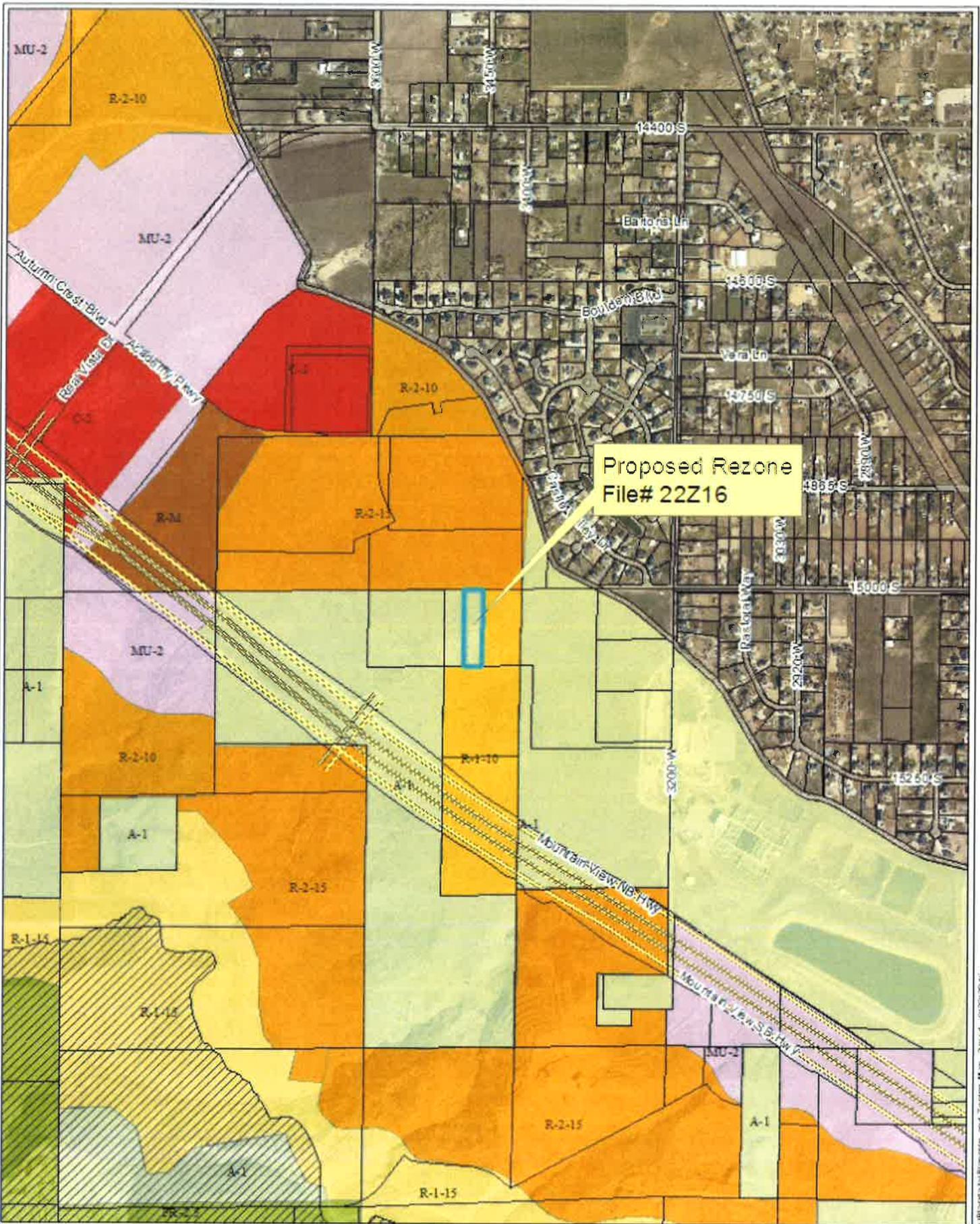
The current general plan designates this property as medium density residential. The draft general plan that is currently being considered by the City Council shows this property as commercial.

Discussion

This property is located adjacent to the intersection of Mountain View Corridor (MVC) and the future Academy Parkway. It has previously been shown as residential, but with the completion of the MVC frontage roads and the approval of the RSL Training facility, the draft general plan now shows commercial in this area.

Recommendation

Staff recommends approval of the rezone from A-1 to C-2.



Proposed Rezone
File# 22Z16



Proposed Rezone
File# 22Z16





Date of Meeting: 10/6/16	
File #	23Z16
Applicant	Scenic Development
Address	15102 S 3200 W
Request	Proposed Rezone from A-1 to C-2

Request for 23Z16 - Meeting Date 10/06/2016

Scenic Development is requesting to rezone property from A-1 (Agricultural 1 acre min) to C-2 (Community Commercial)

Site

The parcel is located at approximately 15102 S 3200 W and contains approx 2.56 acres.

Zoning

The site is zoned A-1.

General Plan

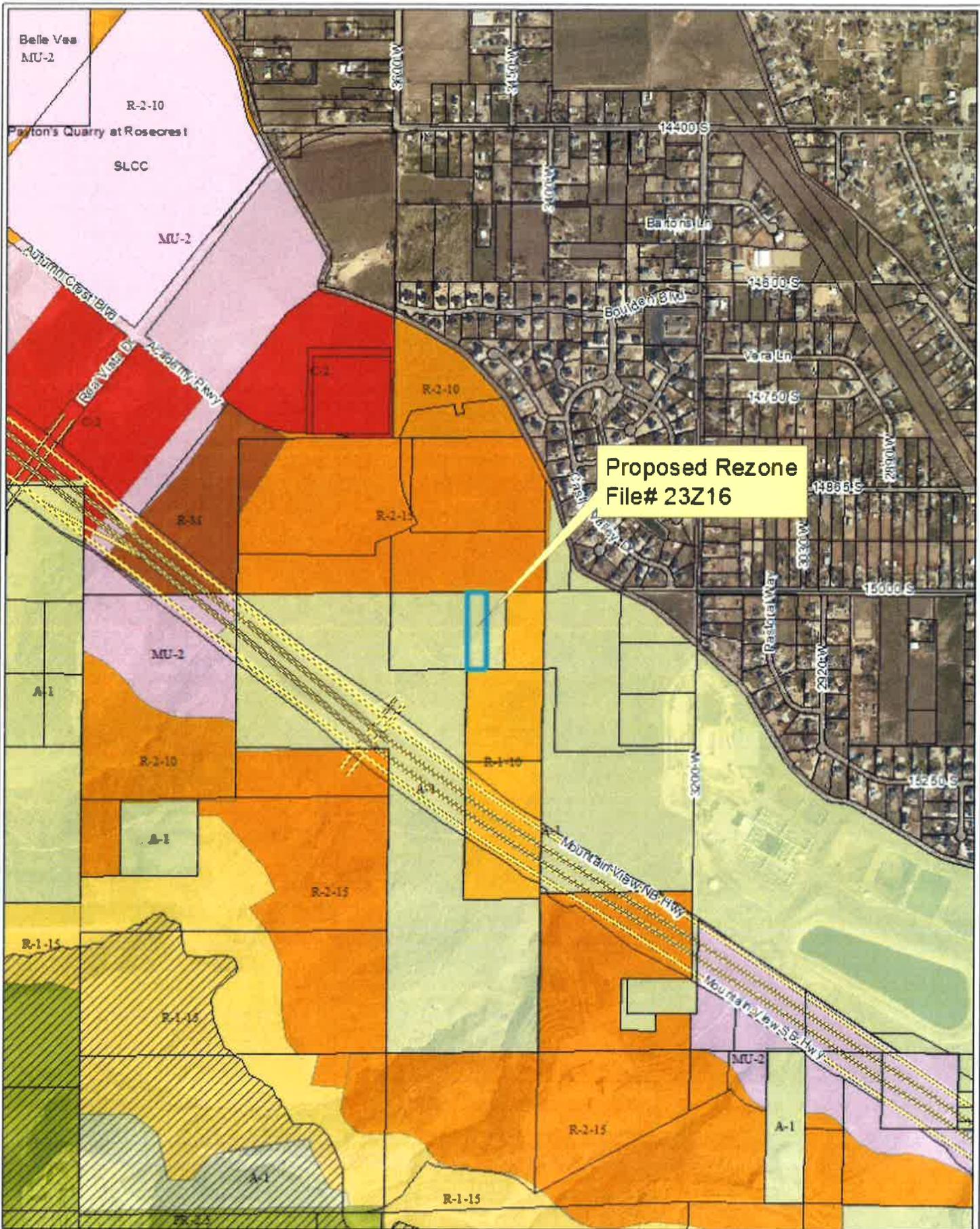
The current general plan designates this property as medium density residential. The draft general plan that is currently being considered by the City Council shows this property as commercial.

Discussion

This property is located adjacent to the intersection of Mountain View Corridor (MVC) and the future Academy Parkway. It has previously been shown as residential, but with the completion of the MVC frontage roads and the approval of the RSL Training facility, the draft general plan now shows commercial in this area.

Recommendation

Staff recommends approval of the rezone from A-1 to C-2.



Proposed Rezone
File# 23Z16



Proposed Rezone
File# 23Z16





Date of Meeting: 10/6/16	
File #	24Z16
Applicant	Scenic Development
Address	15102 S 3200 W
Request	Proposed Rezone from A-1 to C-2

Request for 24Z16 - Meeting Date 10/06/2016

Scenic Development is requesting to rezone property from A-1 (Agricultural 1 acre min) to C-2 (Community Commercial)

Site

The parcel is located at approximately 15102 S 3200 W and contains approx 10.25 acres.

Zoning

The site is zoned A-1.

General Plan

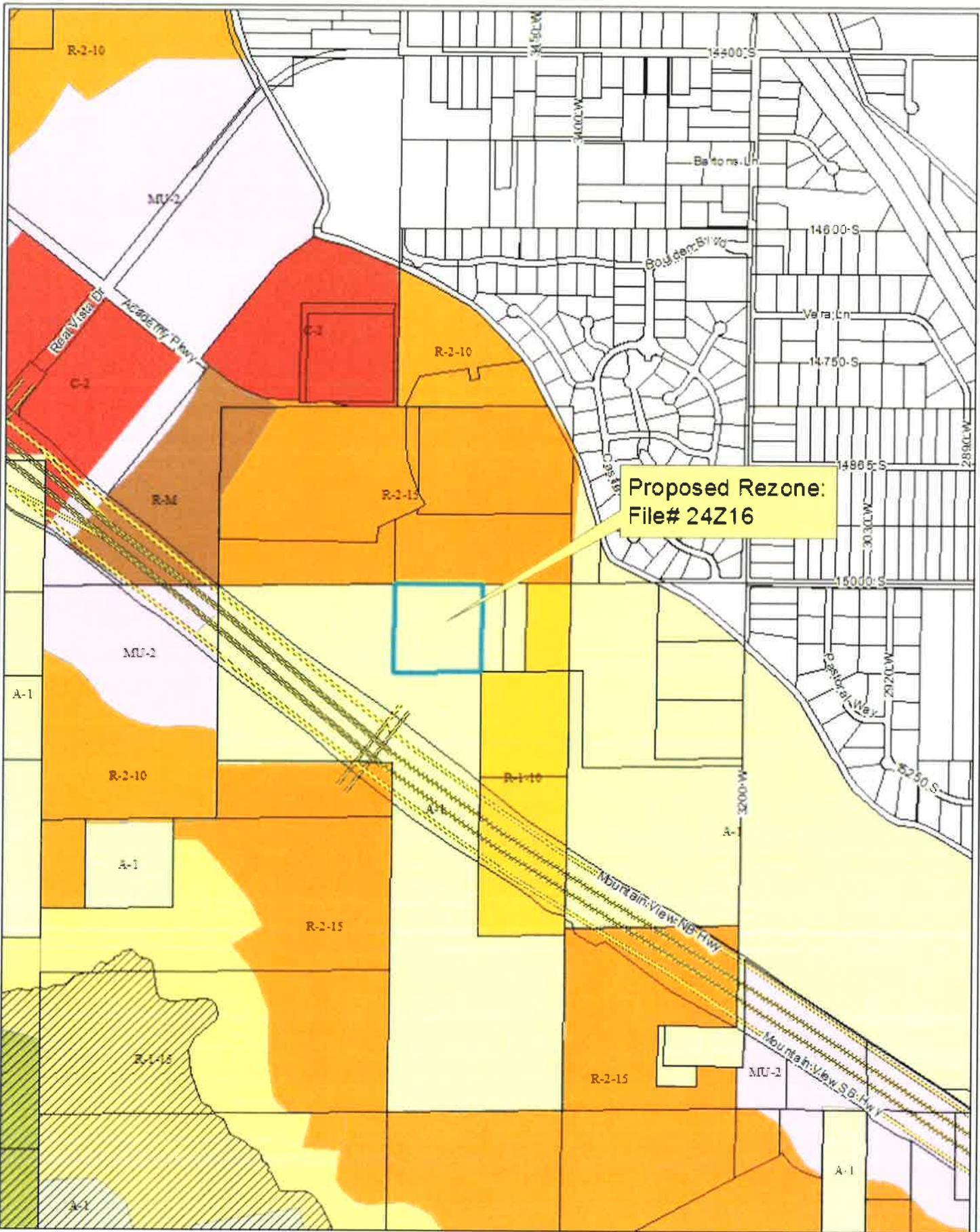
The current general plan designates this property as medium density residential. The draft general plan that is currently being considered by the City Council shows this property as commercial.

Discussion

This property is located adjacent to the intersection of Mountain View Corridor (MVC) and the future Academy Parkway. It has previously been shown as residential, but with the completion of the MVC frontage roads and the approval of the RSL Training facility, the draft general plan now shows commercial in this area.

Recommendation

Staff recommends approval of the rezone from A-1 to C-2.



**Proposed Rezone
File# 24Z16**

