



HERRIMAN CITY COUNCIL AND PLANNING COMMISSION JOINT WORK MEETING MINUTES

Wednesday, September 30, 2020
Approved December 16, 2020

The following are the minutes of the Joint City Council and Planning Commission Meeting held on **Wednesday, September 30, 2020 at 6:00 p.m.** in the Herriman City Hall Community Room, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Council and Commission, media, and interested citizens.

Presiding: Chair Chris Berbert

Council Members Present: Steven Shields, Jared Henderson, Clint Smith, Sherrie Ohrn, Mayor David Watts

Planning Commission Members Present: Andrea Bradford, Heather Garcia, Body Rypien, Andy Powell,

Planning Commission Members Present Electronically: Jackson Ferguson, Lorin Palmer, Adam Jacobson

Staff Present: City Manager Brett Wood, City Attorney Chase Andrizzi, Communications Manager Jonathan Lafollette, City Recorder Jackie Nostrom, Assistant City Manager Tami Moody, Assistant City Manager Wendy Thomas, City Planner Michael Maloy, Assistant City Planner Bryn MacDonald, Planning Coordinator Nick Whittaker, Community Development Director Blake Thomas, City Engineer Jonathan Bowers, Economic Development Manager Heather Upshaw

6:00PM - Call to Order

Chair Chris Berbert called the meeting to order at 6:06 pm.

1. 6:00 PM - Call to Order

1.1 Approval of the July 29, 2020 Joint Planning Commission/City Council Meeting Minutes

Chair Berbert moved to approve the July 29, 2020 Joint Planning Commission and City Council meeting minutes as written.

1.2 Detention Ponds, Retention Ponds and Streetscape Projects – Jonathan Bowers, City Engineer

City Engineer Jonathan Bowers expressed excitement to finish the park strips and retention ponds in the City. Engineer Bowers explained this was something which had been brought to the City Council November 8, 2019 in a presentation for the capital projects that required general funding. He explained on June 10, 2020 they brought the discussion back again to City Council as requested for additional discussion on August 19, 2020. Staff felt it would be a beneficial to discuss the item with both the Planning Commission and Council to solicit additional input. He offered a brief description of what the qualifiers are for unfinished park strips & detention ponds. Engineer Bowers reviewed the current detention ponds that need to be finished and explained they had added and subtracted a few from prior discussion. He explained they had updated the cost and increased them by 12-percent to reflect the cost of local landscape or water efficiency type standards moving forward. Engineer Bowers explained he had reached out to Jordan Valley Water regarding any possible increase and was advised of the increase. He pointed out these estimates reflect construction only costs; however, not the design costs. He went over the unfinished park strips for the city as well as the summary table. He explained they are listed in the order they were recorded. Engineer Bowers explained the default funding for these type of projects is the General Fund. He explained these projects compete with many other projects which makes it a challenge for priority funding. He explained Director of Public Works Justun Edwards and Landscape Architect Heidi Shegrud have been working with Jordan Valley Water District on a member agency grant. This grant is anywhere between \$50,000-\$55,000 the City plans to apply for each year. Engineer Bowers advised the Council and Commission that staff was soliciting direction on how to prioritize these projects moving forward.

Councilmember Sherrie Ohrn asked Engineer Bowers if the 12-percent increase had been added since the June meeting. Engineer Jonathan Bowers confirmed it was increased since August 2020. Councilmember Ohrn expressed her concern over the increase. She explained each year they wait to finish the project, the price will continue to rise. She recommended when these projects are prioritized these need to be seriously considered. Councilmember Steve Shields agreed with the concerns depicted. He explained the City would have to pay more than the fee collected, and noted the increase was at the cost of the taxpayers. He added more concern over these projects competing with other projects from the general fund as this would complicate things even more. Councilmember Shields felt the projects should have been done eighteen years ago should be completed as soon as possible. He also expressed he would like to get the others done as soon as possible since the costs are going up. He would like these done sooner rather than later to save tax payers money. He also felt paying the fee in lieu was a bad policy, and recommended it be prohibited in the future.

Commissioner Adam Jacobson explained his understanding of the concern the Council with the projects not being completed, and recommended amending the ordinance which allowed for the fee in lieu. City Engineer Jonathan Bowers explained that staff had made a cognizant effort to only offer the fee in lieu as a last resort option. He explained moving forward, he anticipated the projects be completed as the development is completed.

Chair Berbert felt the projects which had paid the fee in lieu should be placed at the top of the list. Then it would need to be prioritized after. Mayor Watts stated the projects which affect residents should be considered priority.

1.3 Discussion of draft General Plan update - Susie Petheram, FFKR

FFKR Consultant Susie Petheram gave an overview of the draft of the General Plan. She explained the Planning Commission had gone on a field trip in September to tour a couple of the key sites around the City, to help them with future land use decisions. She added they had further discussion at a later meeting and reviewed the key points of the discussion. Chair Berbert requested to touch on a few of the items. He relayed his thoughts for zoning for horses, and noted the Commission felt the larger lots would leave a smaller home footprint. He explained the Commission felt agricultural homes would typically be smaller because the families tended to spend more time outside and not in a large home. He added they also discussed flex spacing to limit big box store requirements of how they are constructed to be able to downsize easily. They also discussed an important utility of citywide fiber. He expressed his concern regarding having a plan with the property which was acquired for right-of-way to accommodate trax. He explained putting this information in the General Plan would be good since the City does not have control over when or if trax would come into the City. They also spoke about different types of transit, like a bus line through Herriman. The last thing they spoke about was getting a better picture of everything. Chair Berbert explained that checking with GIS on where the gaps of the size of houses are in the community. He explained it would be nice to have it on a piece of paper for reference and to be able to fill the gaps depicting the lot sizes that were deficient in the City. He thanked consultant Petheram for her presentation and felt she had touched on all of them really well.

Consultant Petheram anticipated to have a draft copy of the General Plan by the end of October and explained she was looking to have a Public Hearing on the plan in November 2020. Councilmember Shields expressed his concern regarding the community college. He explained he was not sure a commuter campus community college needed to have apartments and attached housing all around to support the school. He was curious to where this feedback was coming from.

Chair Berbert explained the large amount of attached units and some small lots in and around the town center are not finding the inventory to be able to upgrade to a larger home or lot in the community. He suggested residents would be moving out of Herriman because there is not sufficient inventory to stay in the community. He also explained the high density housing would come around the community college because of prior approvals. Chair Berbert explained they were trying to create a balance in the community.

Commissioner Lorin Palmer explained the Planning Commission felt they had hit the target with high density, so it was time to create a balance with other types of homes. Commissioner Heather Garcia felt they need to take a closer look at affordability. She also explained they needed to take a closer look at HB-34 to ensure compliance. City Planner Michael Maloy thanked the City Council and Planning commission for all their feedback regarding the General plan.

1.4 Discussion of the Herriman City Code to review ordinances relating to Single Family housing development – Michael Maloy, City Planner

City Planner Michael Maloy gave an overview relating to single family housing developments. Planner Maloy went through each standard and offered a brief overview, he explained the purpose of this discussion is to possibly reduce construction cost, incentivize construction of single-family homes, and improve design.

Chair Berbert asked Planner Maloy when he referenced reduce construction cost, would that mean it will reduce the cost of the homes. Planner Maloy explained the reduction in masonry standards could potentially reduce the cost of the home. Commissioner Brody Rypien advised they possibly change where it says any side that are rear viewable from the street, to say any side viewable/rear viewable of the three sides instead. Planner Maloy agreed with the points offered and acknowledged it would come down to interpretation of the regulations. He explained a corner home would clearly be visible to the road and felt the requirement should reflect this.

Councilmember Clint Smith added he had an issue with what the 40-percent was really calculating. He explained he would like to see Herriman City either go higher than the 40-percent or get rid of it all together. He explained the way it was calculated was not of any real value or texture to the front façade. He explained by adding other materials would give more depth and texture to the front of the home. He also felt they should eliminate where it stated wood and vinyl was not permitted instead put what was actually expected for the exterior. Mayor Watts agreed and suggested the standards should increase for single family attached dwellings. He offered the example that an apartment complex should be 90-100-percent brick or stone to offer a better product for Herriman residents.

Councilmember Sherri Ohrn explained her feeling they would need to be careful when dictating what needed to be brick or stone. She felt there are other building products that can look just as nice and by eliminating those options would take away the opportunity for housing variety. Planner Maloy suggested to possibly increase some standards, but have an opportunity for deviation from those standards where the City could allow for various products. Chair Berbert felt there had been a lot of “bait and switch” in the past, and expressed concern over allowing standard deviations.

Commissioner Adam Jacobson felt they could exclude the garage door and instantly the percentage of the brick and stone requirement would skyrocket. He agreed with Councilmember Smith regarding dropping the percentage and tying it to the architectural design elements.

Planner Maloy explained his understanding they needed to have one set of standards for single family and have a different set for multi-family. He also explained they needed to introduce standards to help guide the design. He felt the consensus was the percentage of masonry was still up for debate, but if they started to craft something to address some of the issues, the Commission and Council would be open to modifying the requirements. This was confirmed.

Planner Maloy explained the Planning Commission would have an opportunity to review building colors and materials, which would be part of the subdivision site design review. He also reviewed the garage, parking and driveway standards. Commissioner Adam Jacobson expressed his concern over the driveway standard and suggested they were too small. Mayor Watts also expressed his concern regarding driveway length. He witnessed a problem this problem in Rosecrest Village where an ambulance was unable to get out of a driveway because of the length. Chair Berbert observed a standard F-150 with an extended cab is 20 feet and a long bed is 21.5 feet. He felt the 24-foot driveway was adequate as this was recently increased from the previous 18-foot requirement. Councilmember Smith explained he was sure they had changed the driveway requirement, but not the garage. He intended to change the requirements to have residents avoid parking on the street as this would also be beneficial for developments within an HOA area. Consensus determined the standard could be rephrased to notate their desire. Planner Maloy agreed, and gave a brief description of the standards for floor area, roof pitch and building elevations. Planner Maloy asked if there were concerns over these standards as these are general standards and would apply citywide; essentially, unless there was a desire to include an exception for a particular zone. Commissioner Adam Jacobson explained he felt they should tie the 2,400 square feet to multi-family attached homes, and drastically drop the minimum for single-family homes.

Chair Berbert explained the reason for dropping it is so the residents have a yard. He explained that they had a situation last week where a resident could not access the backyard because the window well was in the way. He felt that decreasing the home size gives the home owner more yard space. He also explained that Herriman City has the largest square footage per single-family house in the state.

Councilmember Jared Henderson explained it did not matter if they changed the square footage of the homes, because developers would put more homes into a development and noted the price was driven by the market based off of supply and demand. He opined Herriman City was out of balance when it came to multi-family compared to single-family detached housing.

1.5 Discussion pertaining to Roof Pitch Design Guideline requirement – Michael Maloy, City Planner

City Planner Michael Maloy gave an overview of the current code regarding roof pitch. He explained the current code. He also explained some were outside the traditional residential neighborhoods, office and residential were required to have a pitch or gabled roof and use material similar to the surrounding properties. He also explained a building shall have a minimum of a 5:12 roof pitch. He reviewed the current code measured from the ridge line to the top of the structure. He explained the roof construction had an impact on snow load. The challenge in Herriman was due to builders combining roof types on homes. He asked the group if they would like to grant exceptions to the roof pitch design guidelines or remove the standard and rely solely on the building code. Commissioner Adam Jacobson stated he felt the current code was old and meant to prohibit people from going back to an older style roof pitch. He explained it was important the aesthetics fit into the current neighborhood so it would not become an eyesore. Commissioner Brody Rypien felt the pitch of the roof should be addressed by the building code to ensure it is structurally sound. He did not want to see builders compromising the integrity of the structure to save money. Commissioner Jackson Ferguson opined

they could keep the 5:12 roof pitch or even jump to a 6:12 and allow some exceptions. He felt this would allow for architectural features, for example they could double the amount of required glass or double the amount of brick or stone.

Chair Berbert explained the Commission could offer an exception as long as the product was equal to or greater than the standard. He agreed with the suggestions offered and noted the City could expand on the current requirements and have great options available for builders. Councilmember Ohrn opined variety was a good thing as it would add to the beauty of the community.

1.6 Discussion pertaining to Water Efficiency Standards –Justun Edwards, Public Works Director and City Landscape Architect Heidi Schegrud

Director of Public Works Justun Edwards gave a description of the current water efficiency standards for the Jordan Valley Conservancy District, who provided a little over 50-percent of our annual water throughout the City. He explained the water district has been planning for future demands and by doing so has adopted and approved some water efficiency standards in June. He explained the City would be required to follow these standards. Director Edwards turned the time over to Landscape Architect Heidi Schegrud.

Landscape Architect Heidi Schegrud went over the new standards. She expressed her excitement and felt they would be a great template for the city. She explained the program catered toward single-family homes, but also applied to both residential and commercial areas. The standards have already been implemented in Herriman City with the first being conducted at the Bullfrog Spas site.

Director Justun Edwards explained these water efficiency standards will be implemented throughout the entire City. He also explained the City was putting together a packet to send out to all of the builders to inform them of the upcoming changes. He explained Jordan Valley offered grants and funding opportunities for builders and homeowners who are making changes to their landscaping to follow the local scape requirements. He advised the Council and Commission that Herriman City needed to update their contract with Jordan Valley Water. He gave an overview of their current contract and the new contract. He explained his desire to not have residents pay the higher tiered water rates, which would require an amendment to the contract. The current contract was set to expire January 2021.

Commissioner Adam Jacobson expressed concern with residents getting the grant money and not maintaining their property. He explained he had seen this happen prior with zero scape. He asked what controls Jordan Valley Water had put in place to require landscape maintenance, and opined there was a lack of code enforcement within the City. Director Edwards explained this was discussed and Jordan Valley Water has implemented an educational course for residents to help. Councilmember Ohrn commented the alternative was to make the residents pay for the water they use and stop subsidizing. She felt the City needed to come up with a way to conserve water, or we simply will not have enough.

2. Future Meetings

2.1 Planning Commission Meeting – Thursday, October 1, 2020 @7:00 PM

2.2 City Council Meeting – Wednesday, October 14, 2020 @7:00 PM

3. Adjournment

Chair Berbert moved to adjourn the Joint City Council/Planning Commission Meeting at 9:24 pm. Commissioner Adam Jacobson seconded the motion and all voted aye.

I, Wendy Thorpe, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 30, 2020. This document constitutes the official minutes for the Herriman Joint City Council / Planning Commission Meeting.

Wendy Thorpe