Next

# JOINT CITY COUNCIL AND PLANNING COMMISSION AGENDA

## Wednesday, March 30, 2022

**NOTICE IS HEREBY GIVEN** that the Herriman Joint City Council and Planning Commission shall assemble for a
meeting in the City Council Chambers, located at
**CITY HALL COMMUNITY ROOM**

1. **Call to Order - 6:00 PM**
   1.1. **Approval of the June 30, 2021 Joint City Council/Planning Commission meeting minutes**
   2021_06_30 Joint CC PC Meeting Minutes.pdf

2. **Discussion Items**
   2.1. **Open and Public Meetings Act Training - Chase Andrizzi, City Attorney**

   2.2. **Herriman Preserve Project Overview (Laguna/Malibu) - Blake Thomas, Community Development Director**
   SRHerrimanPreserve.pdf

   2.3. **Discussion of a commercial development proposal on ±20.3 acres located approximately at 15101 S Mountain View Corridor in the C-2 Zone - Michael Maloy, City Planner**
   SRMountainViewAcademy.pdf

   2.4. **Discussion and prioritization of pending Title 10 Land Development Code amendments - Michael Maloy, City Planner**
   SRLegislativeUpdates.pdf

3. **Future Meetings**

3.1 April 7 - Planning Commission meeting 7:00 p.m.
3.2 April 13 - City Council work meeting 5:30 p.m.; City Council meeting 7:00 p.m.

## 4. Adjournment

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. Request assistance by contacting Herriman City at (801) 446-5323 and provide at least 48 hours advance notice of the meeting.

ELECTRONIC PARTICIPATION: Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

PUBLIC COMMENT POLICY AND PROCEDURE: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Council will be asked to complete a written comment form and present it to Jackie Nostrom, City Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist the citizen; direct the citizen to the proper administrative departments; or take no action.

I, Jackie Nostrom, certify the foregoing agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body, at the principal office of the public body, on the Utah State Public Notice website www.utah.gov/pmn/index.html and on Herriman City's website at www.herriman.org, Posted and dated this 24th day of March, 2022. /s/ Jackie Nostrom, City Recorder

# HERRIMAN CITY COUNCIL
# AND PLANNING COMMISSION
# JOINT WORK MEETING MINUTES

**Wednesday, June 30, 2021**

**Awaiting Formal Approval**

The following are the minutes of the Joint City Council and Planning Commission Meeting held on **Wednesday June 30, 2021 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 Adam Jacobson

**Council Members Present:** Sherrie Ohrn, Steven Shields, Clint Smith and Mayor David Watts

**Planning Commission Members Present:** Heather Garcia, Brody Rypien, Daryl Fenn, and Forest Sickles

**Staff Present:** City Manager Nathan Cherpeski, Assistant City Manager Wendy Thomas, Assistant City Manager Tami Moody, City Planner Michael Maloy, City Attorney Chase Andrizzi, Assistant City Planner Clint Spencer, Communications Specialist Jonathan Lafollette, City Engineer Jonathon Bowers, Chief of Police Troy Carr, City Recorder Jackie Nostrom, Records Specialist Ashley Glines, and Planner Talia Wright.

**Excused:** Jared Henderson, Andy Powell, Lorin Palmer, Andrea Bradford, Joy Kaseke, Jackson Ferguson

1. **Work Meeting – 6:00 pm**

   *Commissioner Heather Garcia moved to nominate Adam Jacobson as Acting chair. Councilmember Clint Smith Seconded the motion and all present voted aye.*

   Chair Adam Jacobson called the meeting to order at 6:03 pm.

### 1.1. Approval of the April 29, 2021 Joint Work Meeting Minutes

*Councilmember Clint Smith moved to approve the April 29, 2021 joint City Council/Planning Commission meeting minutes as written. Commissioner Heather Garcia seconded the motion, and all voted aye.*

### 1.2. **Salt Lake Community College Juniper Canyon Campus** – Scott E. Brown, Director, Local Government Relations, SLCC

Scott E. Brown distributed a handout with information on the new campus building and gave a brief presentation with updated information. The 90 acres of land was purchased in 2010, it had been 10 years in the making. This will be a one-of-a-kind building in the state for higher education because this will be the first building to be shared by two institutions, University of Utah, and Salt Lake Community College. Scott extended an invitation for the groundbreaking on July 15th at 9am.

Chair Adam Jacobson asked to do Introductions as there were two new Alternate Planning Commissioners Darryl Fenn and Forest Sickles in attendance.

### 1.3. **Discussion of the Herriman City code enforcement procedure**s – Michael Maloy, City Planner and Rocky Crisp, Code Enforcement Officer

City Planner Michael Maloy introduced Code Enforcement Officer Rocky Crisp and offered an overview of his professional background. He explained the purpose of code enforcement and the processes involved.

City Planner Maloy explained what Code Enforcement does and what they address. We will be hiring a new position for parking enforcement. He was excited about this new program to specifically address on street parking, as it has been a struggle between Code enforcement and PD on how to effectively handle the issue. Planner Maloy presented some examples of different violations that have or had been addressed. He then used Graphs to illustrate a breakdown of the types of cases handled and a summary of complaints in 2020 as well as the current reported enforcement cases so far in 2021.

The current method used for violations is the Administrative Enforcement Process.
The Administrative process generally features:

- Door hanger or personal Contact (not required by City Code)
- Courtesy notice in the form of a mailed letter
- A Notice of violation is then issued with timelines and potential penalties
- Certificate of Non-Compliance is issued if there is no cooperation or response. Certificate is needed to refer a case to the Amin Law Judge.
- Case is referred to Administrative Law Judge.

Because of Covid all Administrative Law Judge (ALJ) Hearings have been suspended.

City Planner Maloy then went on to explain the Civil Enforcement Process. This Process happens when an

action is filed in district court. The steps are as follows:

- Collect evidence (Notify Resident or start Admin Process)
- 3rd district court
- Temporary restraining order
- Court order judgement.

This Process is desirable because the judge can issue a temporary Restraining order that can be granted before there is a judgement.

City Planner Maloy Stated the City's goal is to gain Compliance with the property.
Some cases that have come more recently have made them realize they need a tool to get more attention and willingness from residents to respond to the city. The Criminal Enforcement Process would accomplish this.

The criminal process generally features:

- Requesting a "stop-work order" from the Justice Court (for building-related violations).
- Issuance of a notice of violation with associated criminal penalties. (Fine is $125 per day, and every day of violation is a new offense.)
- Although penalties are subject to the criminal code, it is unlikely that a judge would issue a jail sentence for a code violation.
- The criminal process may also increase the likelihood of obtaining an abatement order to enter the property and resolve the issue with city "manpower" or a hired contractor—if the property owner refuses to do so. In this instance, the city would bill the owner for the abatement costs—or lien the property, which is the more likely outcome.

City Planner Maloy points out paying a fine does not make the problem go away. Each day the problem persists is another offence. Many cities are using the Criminal Process because it shortens the compliance time. City Attorney Chase Andrizzi said this is an option.

City Planner Maloy again offered the Enforcement Process options for Code Enforcement when coming upon violations. First would be the Administration Enforcement process, which would be to forward a case to the Administrative Law judge if we do not have compliance. This approach will be taken based on General Condition as well as the officer's discretion. Before the case is forwarded it would be reviewed by the Planning Director. The Second option would be the Criminal Enforcement Process through our Justice Court. This approach would be taken when there is a Habitual offender, there is a lengthy history of violation, the situation needs to be escalated, we need a more aggressive Enforcement tool, the property owner will not accept or take responsibility, and again based on the officer's discretion. Code Enforcement has not used this Criminal Enforcement Process. The Final option would be the Civil Enforcement Process In this process the case would first go to the City attorney to make a decision on whether or not it would be filed in district court.

City Planner Maloy asked for feedback from council on the issue because doing anything further in clarifying the process would be a legislative matter. He then referred to the Administrative Enforcement Process and asked for an amendment to eliminate the courtesy notice currently listed in code and skip right

to Notice of violation. Councilmember Ohrn questioned if the door hanger/personal contact and a courtesy notice was the same thing. He responded that in their personal contact they are educating the resident and the courtesy notice would be duplicating it, which would then extend the timeline and lengthen the process. Commissioner Darryl Fenn questioned the timing to go through all of the steps. Planner Maloy responded it averages two weeks for each notice and inspection. He added they are always willing to work with the property owner. If there is progress being made it is common to have more than one extension. Commissioner Jacobson recalled instances where the city had gotten involved and helped with the work. He recommended the city getting involved one time and once it is cleaned up to put a lean on the property. Michael said that we can receive judgment for an abatement option in each of the processes. City Attorney Chase Andrizzi added it would be part of the judgement. Commissioner Jacobson questioned what the city needs to have in order to go in and fix the problem, stating his problem with code enforcement is there is no fix it or the city is going to. The city is not going far enough with people that don't want to fix the problem.

Councilmember Shields then asked, on the Enforcement Process, if the top three steps can be combined into one, because they are all a notice of violation. City Planner Maloy replied that is what they are essentially asking to be done and that he can give the council examples of the notices if needed.

Planner Maloy again suggested Administrative Enforcement is not the most effective tool, as both our Code Enforcement Officer and City Attorney would agree. We would still use this process in the right conditions; however Criminal Enforcement will bring quicker compliance. He then asked Attorney Andrizzi if it could be a longer process. Attorney Andrizzi responded that it would depend on the goal. If the goal is to get quick compliance it would be a quicker option. Planner Maloy added with Criminal Enforcement the risk of fine is greater, that is why it will get done sooner and would also make the risk of penalty lower. Commissioner Fenn questioned how much the fines are and if they escalate. Attorney Andrizzi responded that it is a fixed amount. Planner Maloy offered an example of someone paying the fine after the process but did not come into compliance. City Manager Nathan Cherpeski interjected, from experience, that greater compliance happens when brought before a judge. He suggested the Criminal Enforcement process works well.

Commissioner Jacobson agreed most problems will be taken care of with a courtesy notice but questioned for those that are not what we do then. Mayor Watts questioned why we cannot use both processes. Attorney Andrizzi clarified our code allows us to start with the Administrative Process and if nothing gets taken care of, we move to Criminal Enforcement. Councilmember Shields felt the difference between Administrative and Criminal would be the courtesy notice. Mayor Watts said the difference for him has more to do with what is a nuisance verses what is safety issue. He went on to explain that a violation that is a nuisance would be an administrative issue; a violation that is a safety issue should be a Criminal case. Councilmember Shields asked if we give our officer the ability to use

discretion on the notice of Violation. Planner Maloy replied that they do. Councilmember Shields commented that treating it as a nuisance is not resulting in compliance. Planner Maloy made a point that in city code they do not have an outline for Criminal Enforcement but would like one. Councilmember Ohrn questioned homeowner vs code officer interpretation of what is correct and if we wave penalty fees when

they become compliant.

Attorney Andrizzi gave some examples of cases he dealt with in previous cities and how they had helped the residents come into compliance. Discussion ensued regarding code and using discretion. City Manager Cherpeski also offered some previous experiences on the Criminal Process. Mayor Watts voiced his concerns. Councilmember Ohrn requested reports from the code enforcement officer and Mayor Watts asked for annual updates and reports on the changes that need to be made.

### 1.4. **Internal accessory dwelling unit zoning regulations** – Michael Maloy, City Planner

City Planner Michael Maloy describe what Accessory dwelling units are and the different shapes and styles they can be.

He then explained the Utah State Legislature adopted House Bill 0082, entitled "Single Family Housing Modifications," during the 2021 Legislative Session to implement the following measures:

- Modifies and defines terms applicable to municipal and county land use development and management.
- Allows a municipality or county to punish an individual who lists or offers a certain licensed or permitted accessory dwelling unit as a short-term rental.
- Allow municipalities and counties to require specified physical changes to certain accessory dwelling units, in any single-family residential land use zone:
- Require municipalities and counties to classify certain accessory dwelling units as a permitted land use; and
- Prohibits municipalities and counties from establishing restrictions or requirements for certain accessory dwelling units with limited exceptions.
- Allow a municipality or county to hold a lien against real property containing certain accessory dwelling units in certain circumstances;
- Provide for statewide amendments to the International Residential Code related to accessory dwelling units;
- Require the executive director of the Olene Walker Housing Loan Fund to establish a two-year pilot program to provide loan guarantees for certain loans related to accessory dwelling units;
- Prevent a homeowner's association from prohibiting the construction or rental of certain accessory dwelling units; and
- Make technical and conforming changes.

To ensure compliance with State Code, Planning Department staff is preparing a series of amendments to Herriman City Code Title 10 Land Development Regulations for Planning Commission and City Council consideration, including new regulations for "internal accessory dwelling units."

City Planner Maloy specified the question needing to be addressed is in which Zones does this new ordinance need to be applied. It has to be applied to Zones listed as Single-Family residential development. He identifies R1 and agricultural as Zones in Herriman we typically see single family homes. The definition of a Single Family has changed. Referencing back to the question "What zones do we allow these in?" The code is not clear on what the standard is. The city allows single family Homes in the FR zone and has a number of single-family homes over 6,00 ft in that zone. This ordinance has also made changes on short term rentals and the State has given additional tools to enforce it. He then displayed a chart showing different Zones that Single family homes are allowed in; however, those zones are also used for many other purposes.

City Manager Nathan Cherpeski asked if we can require additional parking for accessory dwelling units (ADU). Planner Maloy replied that they can. Commissioner Jacobson brought up parking as being the biggest issue. Planning Commission would typically approve an ADU if the resident could fit the parking on their property and not on the street. Councilmember Shields pointed out that this would help the current housing issue. Many people are now renting out their basement to make their House Payment. City Planner Maloy added, in reality very few people want an accessory apartment, but it is increasing. He then offered an illustration to show zones in Herriman that allow accessory apartments. The city must at least meet the requirements from the state but can expand if wanted.

Discussion ensued regarding leaving out FR zones. Councilmember Clint Smith asked Planner Maloy what his reasoning is for leaving out the FR Zones. He responds it is because those zones are intended for uses that are compatible with recreation, even though they do allow residential development in low density, that is not its original intention. He also comments that the city has a need to rezone the cove.

Planner Maloy brought up another issue to be addressed which is the state code allows the city to require a license to rent an ADU unit. Some cities will do this in order to have a record or database on where they are located. Discussion started on the pros and cons of charging a minimal fee and requiring a license. Councilmember Sherrie Ohrn questioned how it would be enforced. She then asked Chief Carr about law enforcement and how renting a unit impacts their job. He responded that they do need to know if a house has a different address or unit.

Commissioner Jacobson asked if there needs to be a separate entrance for a separate dwelling. State code does not specify. He suggested that may be something to look into. Planner Clint brought up potential safety issues. Councilmember Shields Clarified we would need a process put into place for creating an ADU. Chief Carr then briefed over their mapping units and how the addressing would work.

Planner Maloy briefed on detached structures, but stated they are currently focusing on Accessory Dwelling Units.

HB 0082 would require the city to adopt internal accessory dwelling unit regulations in all zones which are primarily intended for single-family dwellings. Staff opined these regulations would apply to the A-.25, A-.5, A-1, R-1-10, R-1-15, R-1-21, and the R-1-43 zoning designations. The Forestry Recreation Zone (FR Zone) does permit the development of low density, single-family dwelling; however, this type of development is not the primary intention of the zone.

1.5. **Building design regulation amendments for state compliance** – Michael Maloy, City Planner

The Utah State Legislature adopted House Bill 1003, entitled "Government Building Regulations Amendments," during the First Special Session of 2021 to implement the following measures:

- Modify requirements for a building permit application;
- Prohibit a municipality or county from regulating certain building design elements;
- Standardize the name of the Utah Home Builders Association throughout Utah

To ensure compliance with State Code, staff has been preparing a series of amendments to Herriman City Code Title 10 Land Development Regulations for Planning Commission and City Council consideration, including modifications to 10-29-42 relating to Single-Family Attached or Detached Design Standards.

Essentially, this bill would require the city to amend the Land Development Code to be in compliance and staff is requesting further direction while preparing the draft ordinance.

Commissioner Darryl Fenn questioned enforcement with HOAs and which one outweighs which. Planner Maloy responds State law says HOAs can't preclude internal ADUs based on state law. The City also does not enforce CCR's just City and State Code.

Planner Maloy briefly reviewed Draft Amendments to Existing City Code.

Commissioner Jacobson Stated Planning Commission felt there should be more focus on regulating multi family units rather than single family units.

2. **Future Meetings:**

2.1. Planning Commission Meeting – Thursday, July 1, 2021 @ 7:00 PM

2.2. City Council Meeting – Wednesday, July 14, 2021 @ 7:00 PM

3. **Adjournment**

*Chair Adam Jacobson moved to adjourn the Joint City Council/Planning Commission Meeting at 7:59pm. Councilmember Shields seconded the motion, and all voted aye.*

*I, Ashley Glines, Records Specialist for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on June 30, 2021. This document constitutes the official minutes for the Joint Planning Commission/City Council meeting.*

Ashley Glines

*Ashley Glines*
*Records Specialist*

HERRIMAN CITY

**STAFF REPORT**

**DATE:** March 18, 2022

**TO:** The Honorable Mayor, City Council, and Planning Commission

**FROM:** Blake Thomas, Community Development Director

**SUBJECT:** **Herriman Preserve Development Project Discussion**

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**RECOMMENDATION:**
There are no recommendations with this update.

**ISSUE BEFORE COUNCIL AND COMMISSION:**
The owners and developer of the properties have applied to create a master development agreement for the project. The project encompasses three properties, Laguna, New Laguna, and Malibu. The Laguna and New Laguna portions of the project encompass approximately 616 acres and the Malibu portion encompasses approximately 354 acres. The planning commission has the responsibility to review the developer's application and make a recommendation to the city council for the proposed development. The city council has the responsibility to receive the planning commission's recommendation and then make a final decision on the proposed development.

**BACKGROUND/SUMMARY:**
The proposed project site includes approximately 970 total acres and is nestled along the southern border of Herriman and the north border of Camp Williams National Guard Training Site. The property includes a large majority of the southern foothills and mountain peaks visible from the valley. Much of the project site was part of the properties that disconnected from Bluffdale City in the late 2000's and were then annexed into Herriman. The project is adjacent to the existing developments of Rosecrest and Wasatch-South Hills as well as several other private property owners. The west border of this project is along properties owned by either Herriman City or Camp Williams. The Herriman City owned properties were acquired with funds provided by the US Government for the purpose of preserving a compatible use buffer with Camp Williams. Much of the property is impacted by 30% slopes. The requested number of units is significantly higher than the current zoning would allow. The MDA process would also include zoning changes.

**DISCUSSION:**

The developer is proposing a development that would include a total of approximately 1250 residential units on approximately 970 acres. The development proposes to dedicate large amounts of open space to Herriman City for recreational use and open space preservation. The areas of the project where housing would be developed would be accessed by two main access roads. There are some potential challenges with achieving road grades that meet the city's engineering standards and providing utilities services such as water and sewer but it is anticipated these items can be resolved in the engineering design process.

**ALTERNATIVES:**

There are no alternatives to be discussed at this time.

**FISCAL IMPACT:**

The project has not had a fiscal analysis completed yet, but it is intended to be prepared and thoroughly analyzed as the developer continues to work through the master development agreement process.

**ATTACHMENTS**

I. Concept Plans
   a. ExO-3: Water Plan
   b. ExO-4: Sewer Plan
   c. ExO-5: Storm Drain Plan
   d. ExO-8: Parks and Open Space Plan
   e. ExO-10: Road Circulation Plan
   f. ExO-11: Pedestrian Conductivity Plan
   g. Road Cross Sections
   h. Trail Cross Sections
   i. Building Envelope
   j. Bus Turn Around

II. Example Lot Layouts

III. Herriman Preserve Design Guidelines

REGISTERED PROFESSIONAL LAND SURVEYOR
No.260242
REID H. DICKSON
STATE OF UTAH

| No. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | REVISIONS | | |

SCALE (HORIZ): NTS
SCALE (VERT): NTS
DRAWN BY: RJF
CHECKED BY: RHD
DATE: 3.17.2022
PROJECT No: -

infinity CONSULTANTS
2975 Executive Parkway, Suite 300
Lehi, Utah 84043 • Tel: 801.541.3040

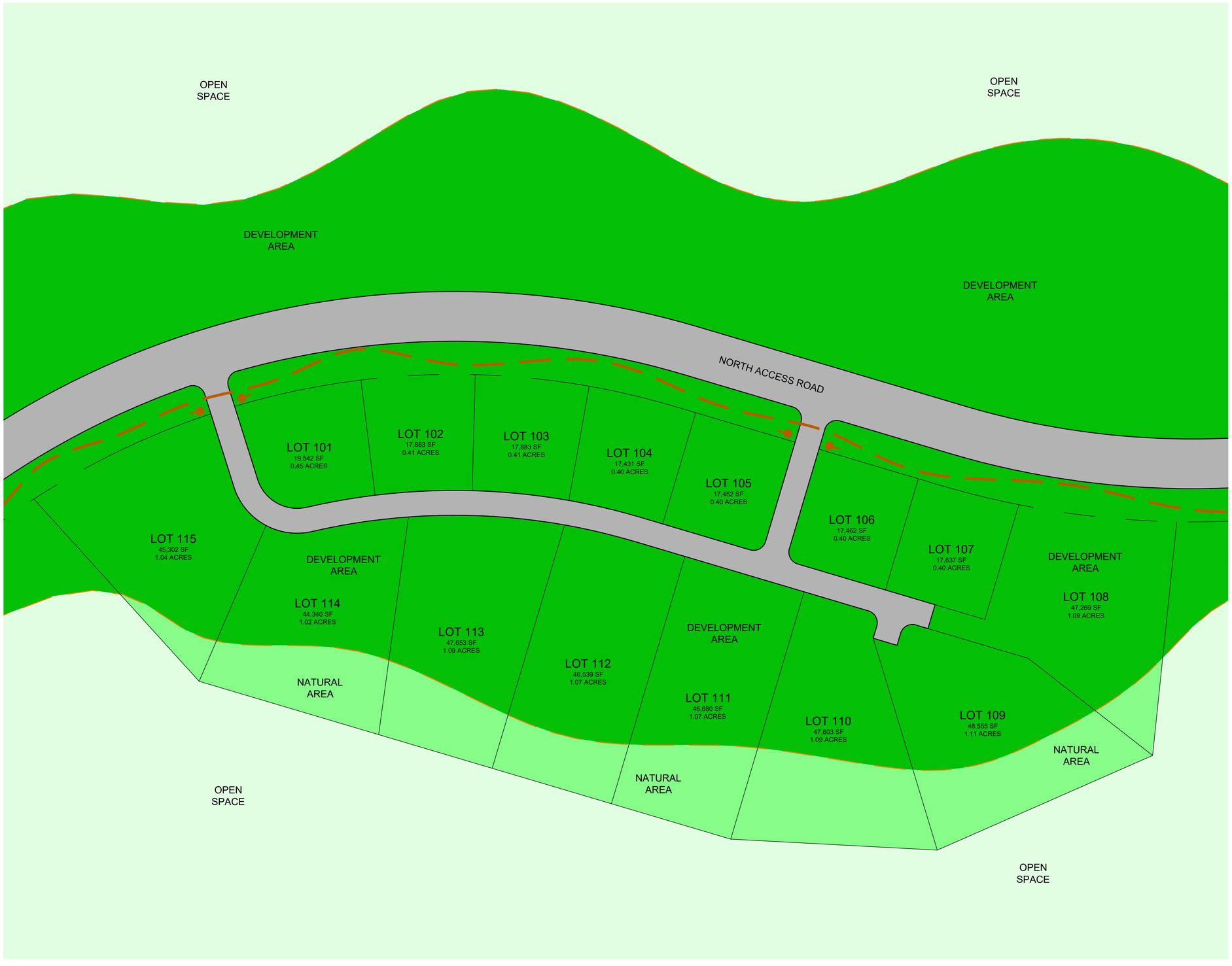
HERRIMAN PRESERVE

# CONCEPTUAL LARGE LOT LAYOUT

HERRIMAN, UTAH

SHEET
C1

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00-Cad\04-Exhibits\Example Lot Layout.dwg March 17, 2022 - 4:43pm




REGISTERED PROFESSIONAL ENGINEER
No.260242
REID H DICKSON
STATE OF UTAH

| No. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | REVISIONS | | |

SCALE (HORIZ): NTS
SCALE (VERT): NTS
DRAWN BY: RJF
CHECKED BY: RHD
DATE: 3.17.2022
PROJECT No: -

infinity CONSULTANTS
2975 Executive Parkway, Suite 300
Lehi, Utah 84043 • Tel: 801.541.3040

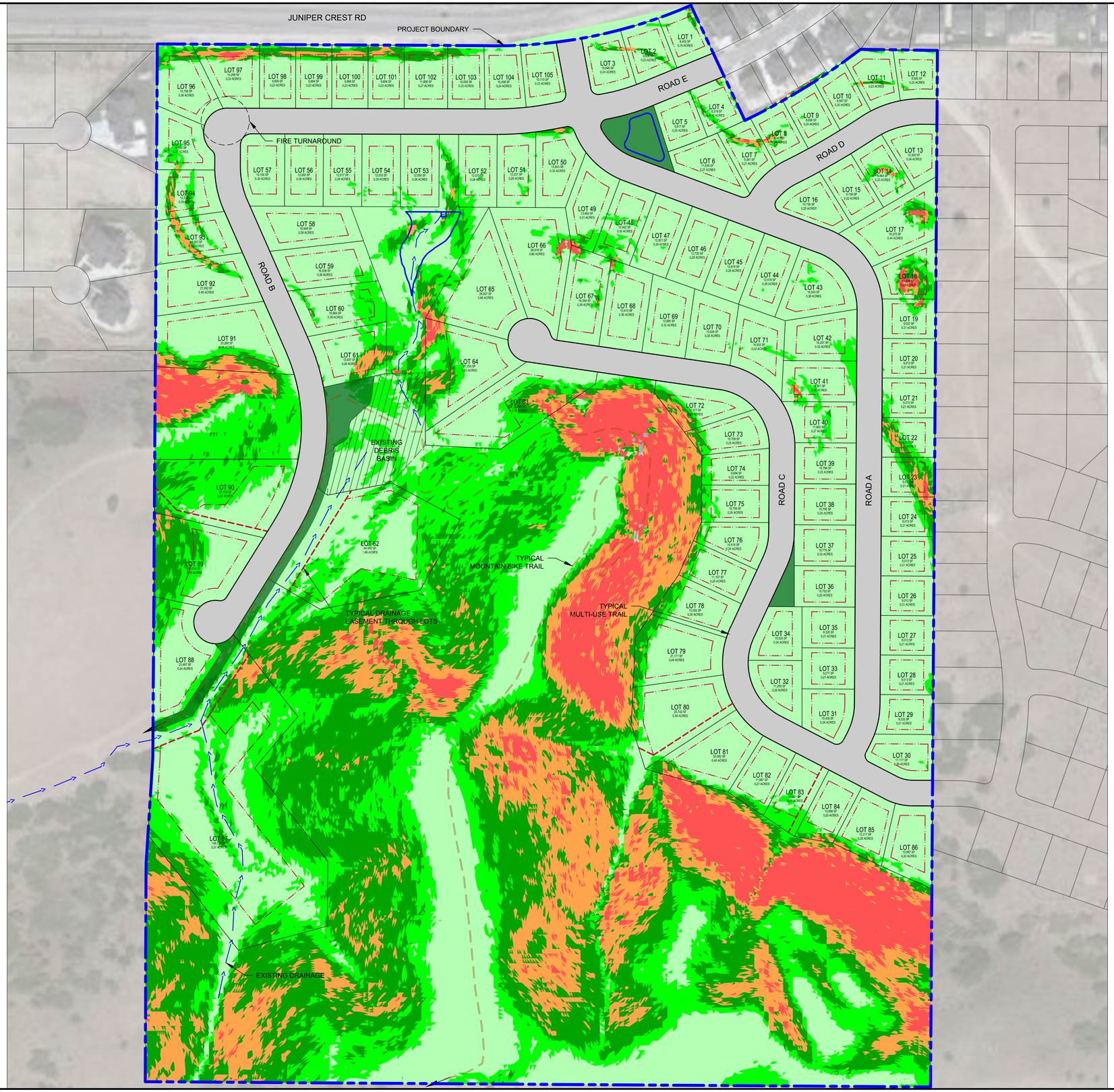
HERRIMAN PRESERVE

# CONCEPTUAL MIXED LOT LAYOUT

HERRIMAN, UTAH

SHEET
C2

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00-Cadd\04-Exhibits\Example Lot Layout.dwg March 17, 2022 - 4:43pm




GRAPHIC SCALE

100 0 50 100 200 400

( IN FEET )
1 inch = 100 ft.

## LEGEND

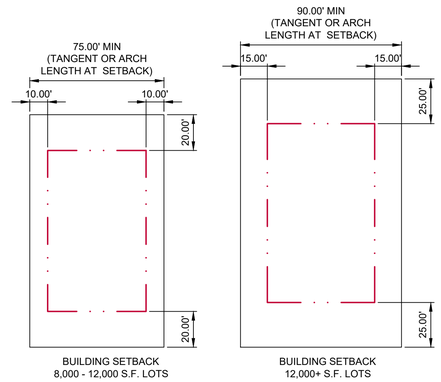
- EXISTING DEBRIS BASIN
- DRAINAGE FLOW
- PROPOSED DRAINAGE EASEMENT
- PROPOSED MULTI-USE TRAIL
- PROPOSED MOUNTAIN BIKE TRAIL
- PROPOSED BUILDING ENVELOPE

## *GENERAL NOTES*

1. *PARCEL BOUNDARY TAKEN FROM SALT LAKE COUNTY ASSESSOR PARCEL MAP*
2. *TOPOGRAPHY DERIVED FROM HERRIMAN CITIES ARCGIS.*
3. *AERIAL IMAGE FROM GOOGLE EARTH.*

## Slopes Table

| Number | Minimum Slope | Maximum Slope | Color |
|---|---|---|---|
| 1 | 0.00% | 30.00% | |
| 2 | 30.00% | 40.00% | |
| 3 | 40.00% | 50.00% | |
| 4 | 50.00% | 60.00% | |
| 5 | 60.00% | 100.00% | |




REGISTERED PROFESSIONAL ENGINEER
No.260242
REID H
DICKSON
STATE OF UTAH

| No. | DESCRIPTION | DATE | BY |
|---|---|---|---|
| 3 | RESUBMITTED TO CITY | 11.18.2021 | DP |
| 2 | CITY COMMENTS AFTER MEETING DATED 10.05.2021 | 10.12.2021 | RJF |
| 1 | CITY COMMENTS FOR APPLICATION | 10.04.2021 | RJF |

REVISIONS

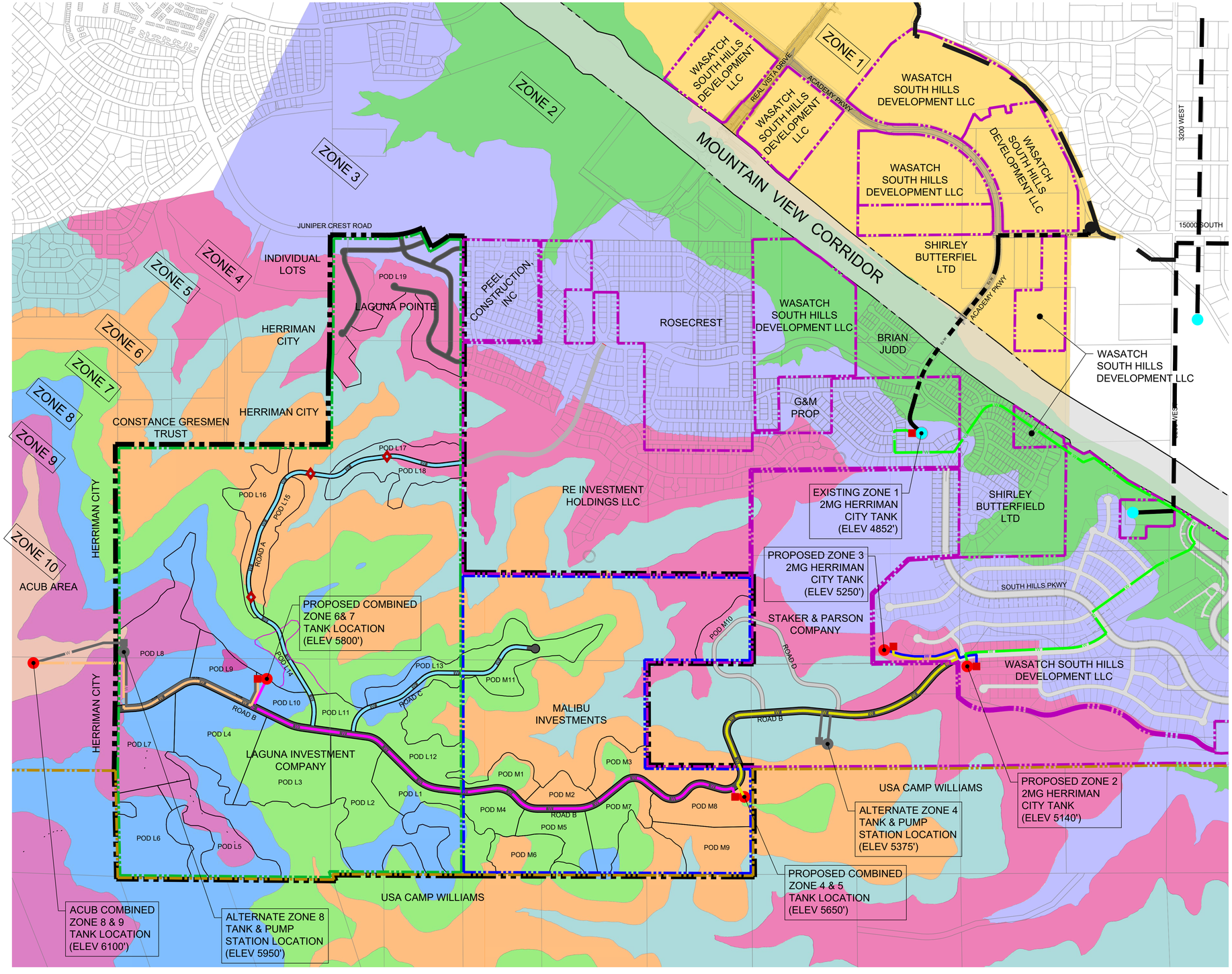
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SCALE (VERT): -
DRAWN BY: RJF
CHECKED BY: RHD
DATE: 11.18.2021
PROJECT No: 2500

infinity CONSULTANTS
2975 Executive Parkway, Suite 300
Lehi, Utah 84043 • Tel: 801.541.3040

LAGUNA POINTE
# PLANNED DEVELOPMENT SLOPE ANALYSIS
HERRIMAN, UTAH

SHEET
EX3

P:\Shared Files\Projects\2500 - Laguna\Lower Laguna Area\00-Cadd\01-Concept\2500 - Lower Laguna - Planned Development Concept.dwg November 18, 2021 - 12:20pm




GRAPHIC SCALE

600 0 300 600 1200 2400

( IN FEET )
1 inch = 600 ft.

## LEGEND

- MOUNTAIN VIEW CORRIDOR (UDOT)
- RIGHT-OF-WAY
- OVERALL PROJECT BOUNDARY
- MALIBU BOUNDARY
- LAGUNA BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- CAMP WILLIAMS
- PARCEL LINE WORK BASED ON COUNTY ASSESSOR MAPS, APPROXIMATE LOCATION, FOR PLANNING PURPOSES ONLY
- PROPOSED TANK LOCATION
- PROPOSED PUMP STATION LOCATION
- PROPOSED PRV LOCATION
- PROPOSED ZONE 2 WATER TRUNKLINE
- PROPOSED ZONE 3 WATER TRUNKLINE
- PROPOSED ZONE 4 & 5 WATER TRUNKLINE
- PROPOSED ZONE 6 & 7 WATER TRUNKLINE
- PROPOSED ZONE 8 & 9 WATER TRUNKLINE
- PROPOSED WATER MAIN

## WATER PRESSURE ZONES

| | |
|---|---|
| ZONE 1 | 4710-4850 |
| ZONE 2 | 4850-4990 |
| ZONE 3 | 4990-5120 |
| ZONE 4 | 5120-5275 |
| ZONE 5 | 5275-5390 |
| ZONE 6 | 5390-5550 |
| ZONE 7 | 5550-5700 |
| ZONE 8 | 5700-5850 |
| ZONE 9 | 5850-6000 |
| ZONE 10 | 6000-6124 |

LENGTH FROM EXISTING HERRIMAN CITY TANK TO TANK #1
APPROXIMATELY 8,400 LF

NOTES:

1. PRESSURE ZONES ELEVATIONS PER HERRIMAN CITY CULINARY MASTER PLANNING MAP.
2. PRESSURE ZONE DELINEATION HAS BEEN UPDATED TO CORRELATE WITH RECENT AERIAL TOPO SURVEY AND FUTURE PROPOSED GRADING.
3. ERC = EQUIVALENT RESIDENTIAL CONNECTION. EACH SINGLE FAMILY HOME IS AN ERC.
4. ASSUMING 0.125 ACRES OF IRRIGATED AREA PER ERC.
5. DEFINED AS 400 GALLONS PER ERC. (R309-510-8 (2) (B) )
6. DEFINED AS 2,848 GAL PER IRRIGATED AC. (R309-510-8 (2) (C) )
7. BASED ON 1,500 GPM FIRE FLOW FOR 120 MINUTES.
8. 25% OF EQUALIZATION AND OUTDOOR STORAGE. (HERRIMAN CITY MASTER PLAN)
9. COST INCLUDES RESERVOIR ($2.50/GAL), WATERLINE ($80/LF) & PUMP STATION ($150,000)

REGISTERED PROFESSIONAL ENGINEER
No.260242
REID H. DICKSON
STATE OF UTAH

| No. | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | REVISIONS | | |

SCALE (HORIZ): 1"=600'
SCALE (VERT): -
DRAWN BY: RJF
CHECKED BY: RHD
DATE: 3.17.2022
PROJECT No: -

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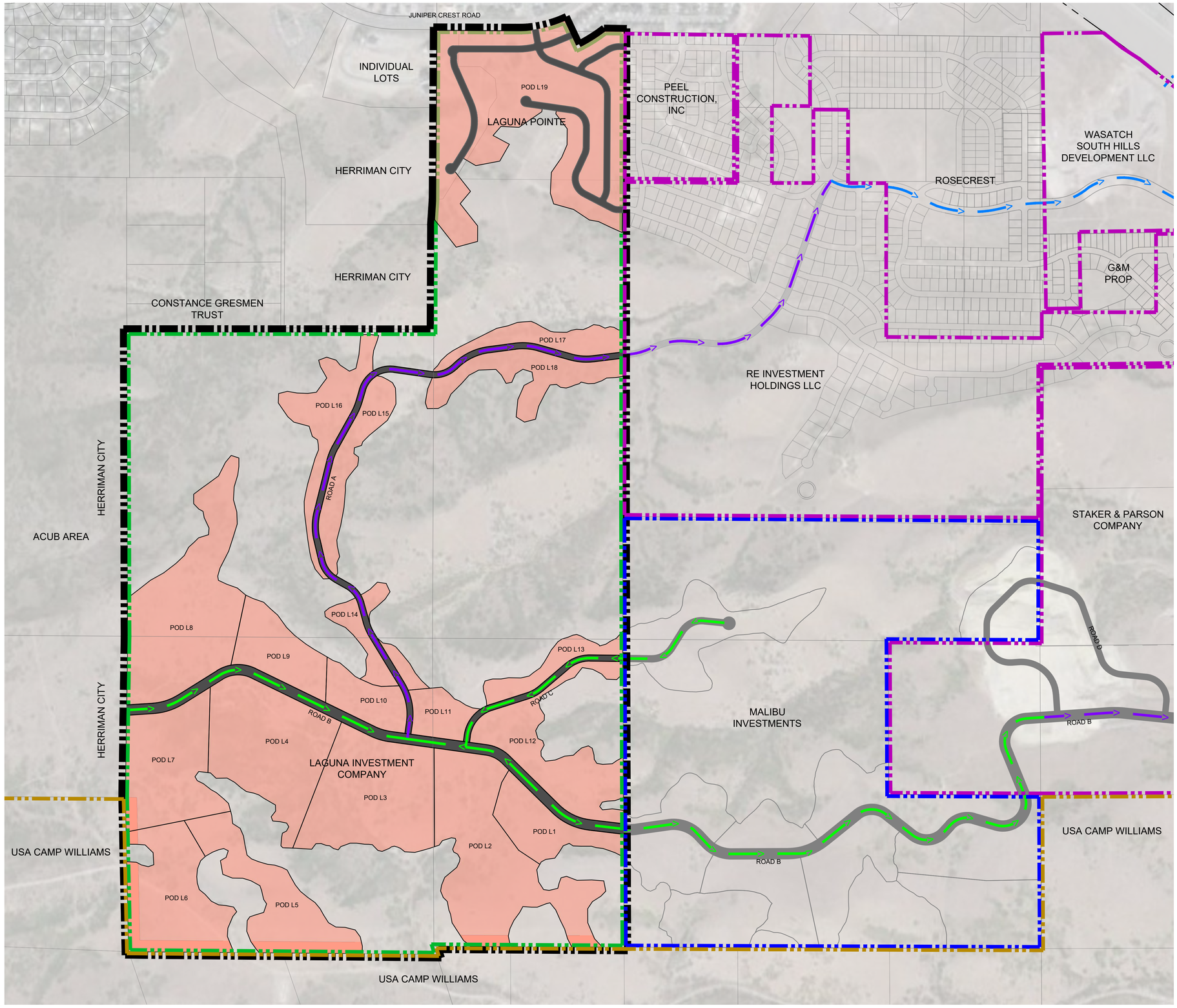
HERRIMAN PRESERVE

# OVERALL WATER PLAN

HERRIMAN, UTAH

SHEET
ExO-3

P:\Shared Files\Projects\2400 - Mallbu\00-Master plans\00-Cadd\04-Exhibits\ExO-3 Overall Water Plan.dwg, March 17, 2022 - 4:31pm




GRAPHIC SCALE

400 0 200 400 800 1600

( IN FEET )
1 inch = 400 ft.

## LEGEND

- MOUNTAIN VIEW CORRIDOR (UDOT)
- RIGHT-OF-WAY
- DEVELOPMENT AREA
- OVERALL PROJECT BOUNDARY
- MALIBU BOUNDARY
- LAGUNA BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- CAMP WILLIAMS
- PARCEL LINE WORK BASED ON COUNTY ASSESSOR MAPS, APPROXIMATE LOCATION, FOR PLANNING PURPOSES ONLY
- PROPOSED 12" SANITARY SEWER LINE EXTENSION
- PROPOSED 10" SANITARY SEWER LINE EXTENSION
- PROPOSED 8" SANITARY SEWER LINE EXTENSION

NOTES:

1. PARCEL DATA WAS ACQUIRED FROM SALT LAKE COUNTY ASSESSOR WEB PAGE.
2. PARCEL LINE WORK WAS ACQUIRED FROM THE UTAH ARCGIS WEBSITE AND IS NOT SURVEYED.
3. EXISTING SEWER LINE DATA WAS ACQUIRED FROM SOUTH VALLEY SEWER DISTRICT.

REGISTERED PROFESSIONAL ENGINEER
No.260242
REID H DICKSON
STATE OF UTAH

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| | REVISIONS | | |

SCALE (HORIZ): 1"=400'
SCALE (VERT): -
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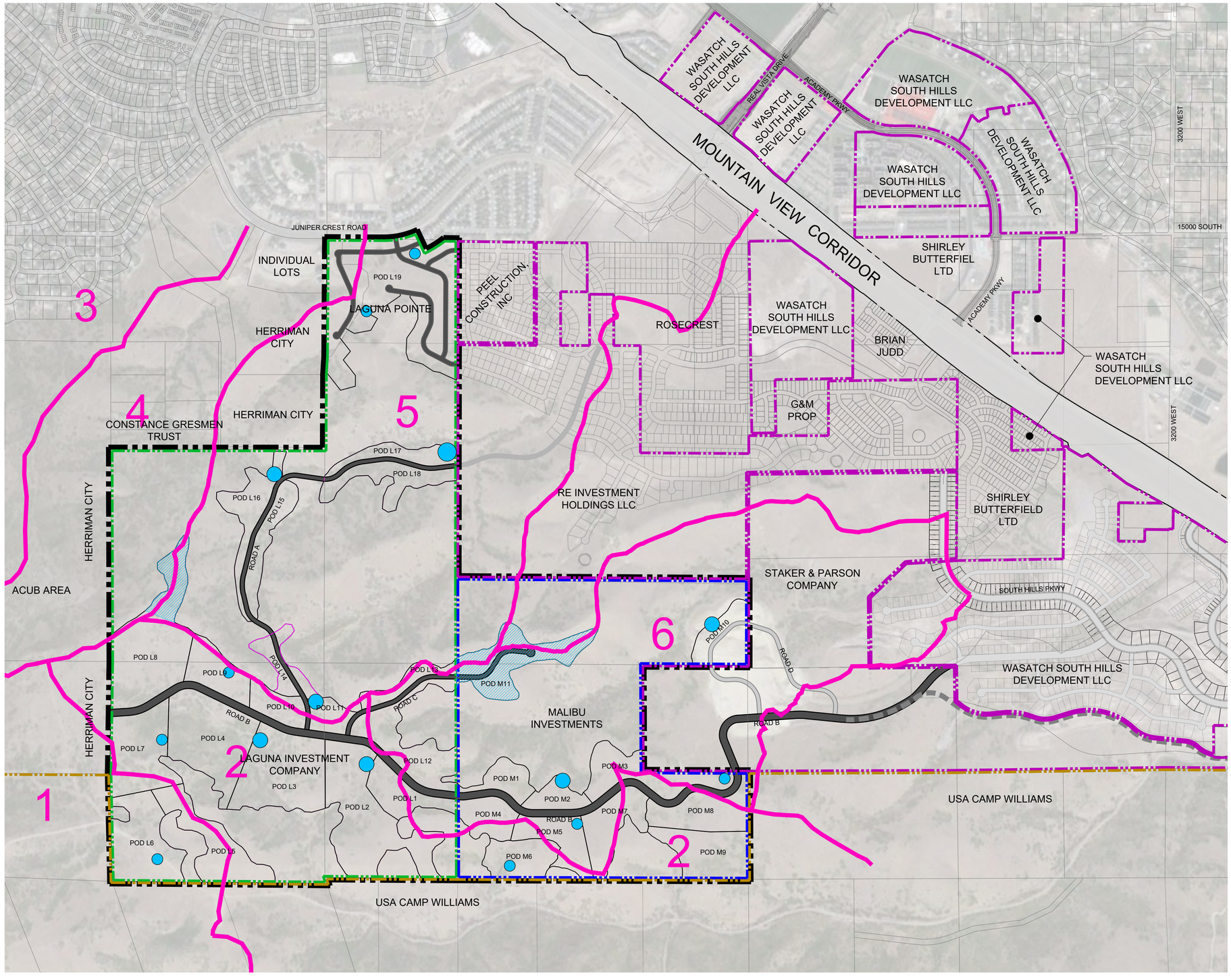
HERRIMAN PRESERVE

# LAGUNA SEWER PLAN

HERRIMAN, UTAH

SHEET
ExL-4

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00-Cadd\04-Exhibits\ExO-4 Overall Sewer Plan.dwg March 17, 2022 - 4:30pm




GRAPHIC SCALE

600 0 300 600 1200 2400

( IN FEET )
1 inch = 600 ft.

## LEGEND

- MOUNTAIN VIEW CORRIDOR (UDOT)
- RIGHT-OF-WAY
- DEVELOPMENT AREA
- OVERALL PROJECT BOUNDARY
- MALIBU BOUNDARY
- LAGUNA BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- CAMP WILLIAMS
- PARCEL LINE WORK BASED ON COUNTY ASSESSOR MAPS, APPROXIMATE LOCATION, FOR PLANNING PURPOSES ONLY
- ROAD CULVERT
- LOCAL DETENTION BASIN
- AREA DETENTION BASIN
- REGIONAL DETENTION BASIN
- DETENTION ON EACH LOT

NOTES:
1. PARCEL LINES BASED ON COUNTY TAX RECORDS DATED 2018.
2. TOPOGRAPHY DERIVED FROM HERRIMAN CITIES ARCGIS.
3. AERIAL IMAGE FROM GOOGLE EARTH.

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REID H. DICKSON
STATE OF UTAH

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Lehi, Utah 84043 • Tel: 801.541.3040

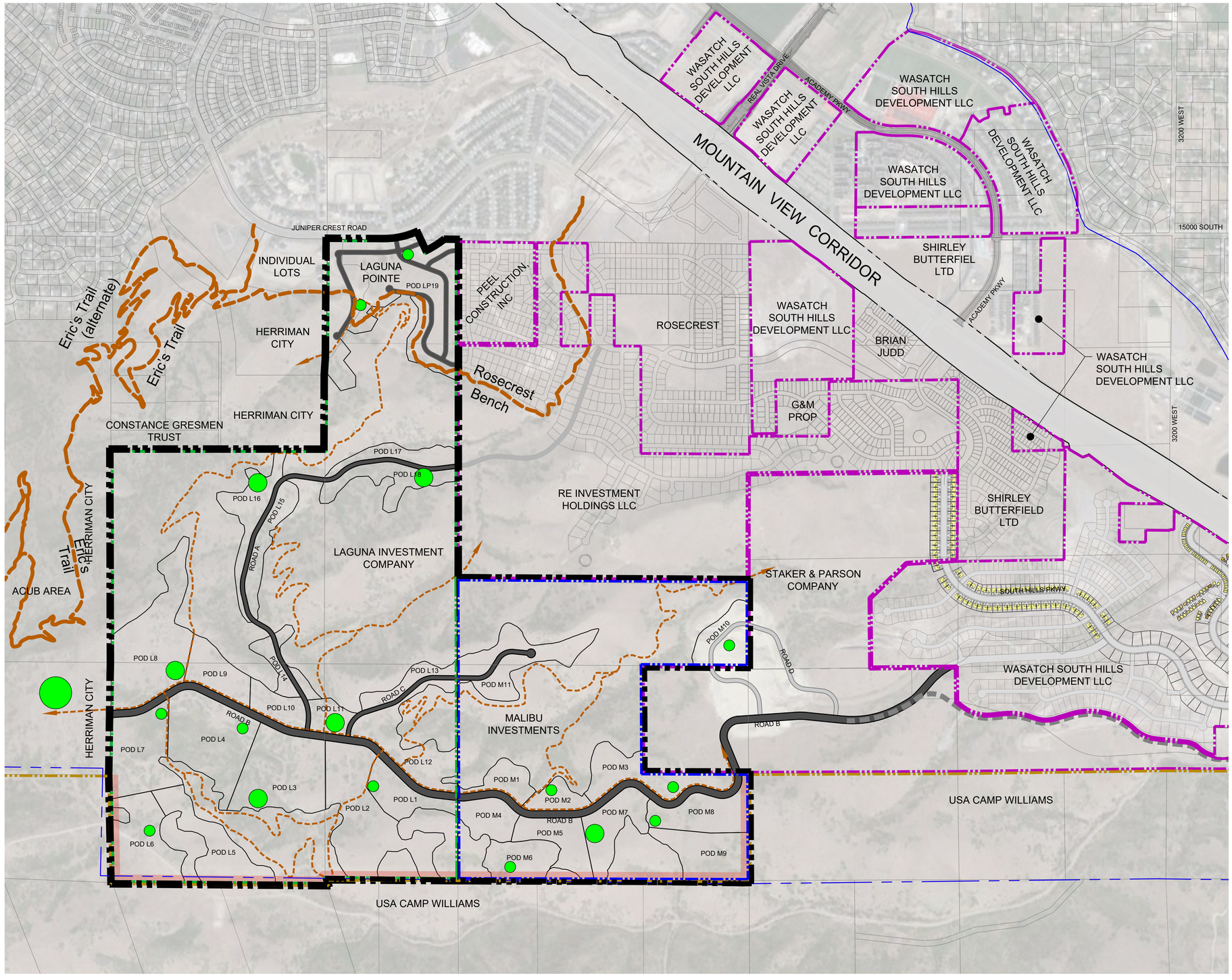
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# OVERALL DRAINAGE PLAN

HERRIMAN, UTAH

SHEET
ExO-5

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00-Cadd\04-Exhibits\ExO-5 Overall Storm Drain Plan.dwg March 17, 2022 - 4:30pm




GRAPHIC SCALE

600 0 300 600 1200 2400

( IN FEET )
1 inch = 600 ft.

## LEGEND

- MOUNTAIN VIEW CORRIDOR (UDOT)
- RIGHT-OF-WAY
- DEVELOPMENT AREA
- PROJECT BOUNDARY
- MALIBU BOUNDARY
- LAGUNA BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- CAMP WILLIAMS
- PARCEL LINE WORK BASED ON COUNTY ASSESSOR MAPS, APPROXIMATE LOCATION, FOR PLANNING PURPOSES ONLY
- TRAILS
- LOCAL PARK
- AREA PARK
- REGIONAL PARK
- ACUB BUFFER
- OPEN AREA

NOTES:
1. PARCEL LINES BASED ON COUNTY TAX RECORDS DATED 2018.
2. TOPOGRAPHY DERIVED FROM HERRIMAN CITIES ARCGIS.
3. AERIAL IMAGE FROM GOOGLE EARTH.

REGISTERED PROFESSIONAL LAND SURVEYOR
No.260242
REID H. DICKSON
STATE OF UTAH

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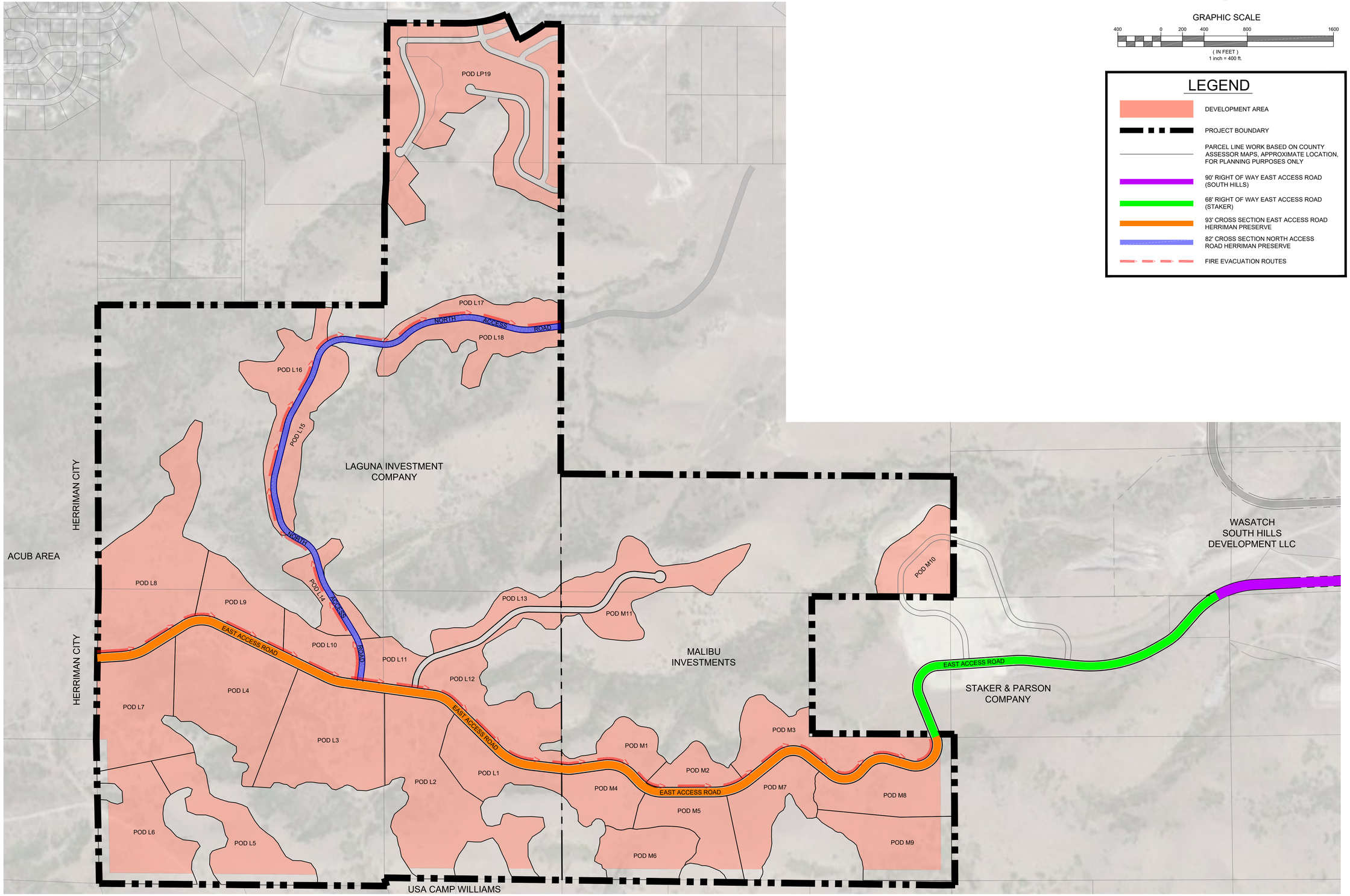
HERRIMAN PRESERVE

# OVERALL PARKS, TRAILS, AND OPEN SPACE PLAN

HERRIMAN, UTAH

SHEET
ExO-8

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GRAPHIC SCALE

400 0 200 400 800 1600

( IN FEET )
1 inch = 400 ft.

## LEGEND

- DEVELOPMENT AREA
- PROJECT BOUNDARY
- PARCEL LINE WORK BASED ON COUNTY ASSESSOR MAPS, APPROXIMATE LOCATION, FOR PLANNING PURPOSES ONLY
- 90' RIGHT OF WAY EAST ACCESS ROAD (SOUTH HILLS)
- 68' RIGHT OF WAY EAST ACCESS ROAD (STAKER)
- 93' CROSS SECTION EAST ACCESS ROAD HERRIMAN PRESERVE
- 82' CROSS SECTION NORTH ACCESS ROAD HERRIMAN PRESERVE
- FIRE EVACUATION ROUTES

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STATE OF UTAH

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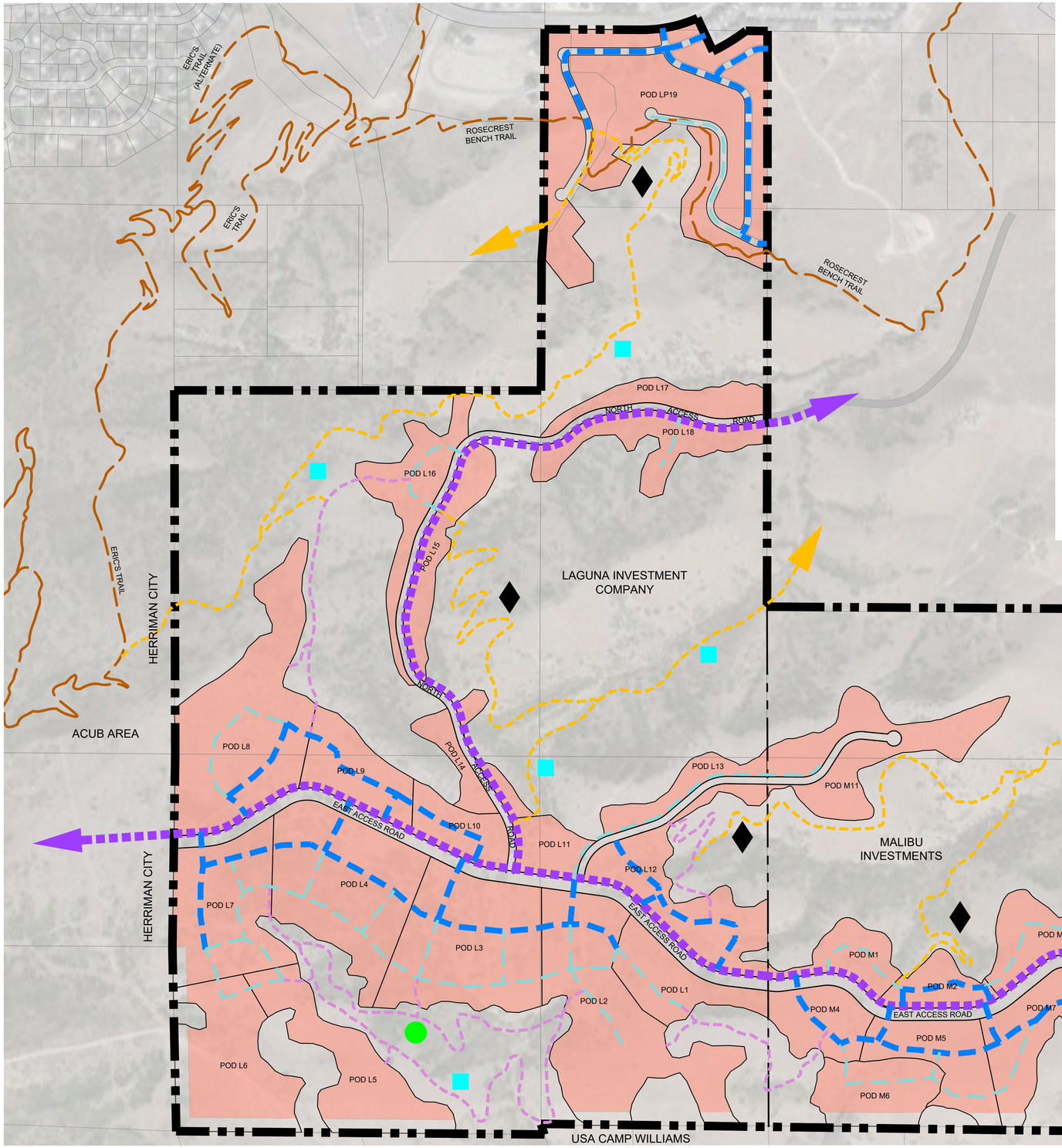
HERRIMAN PRESERVE MASTER PLAN

# ROAD CIRCULATION PLAN

HERRIMAN, UTAH

SHEET
ExO-10

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00-Cadd\04-Exhibits\ExO-10 Road Circulation Plan.dwg March 17, 2022 - 3:35pm






GRAPHIC SCALE

400 0 200 400 800 1600

( IN FEET )
1 inch = 400 ft.

## LEGEND

- DEVELOPMENT AREA
- PROJECT BOUNDARY
- PARCEL LINE WORK BASED ON COUNTY ASSESSOR MAPS, APPROXIMATE LOCATION, FOR PLANNING PURPOSES ONLY
- EXISTING HERRIMAN CITY TRAILS
- PROPOSED SINGLE TRACK TRAILS
- PROPOSED 8 FT PAVED TRAILS
- PROPOSED 5 FT CONNECTOR TRAILS
- PROPOSED SIDEWALK ON BOTH SIDES OF ROAD
- PROPOSED SIDEWALK ON ONE SIDE OF ROAD
- BEGINNER TRAIL
- INTERMEDIATE TRAIL
- ADVANCED TRAIL

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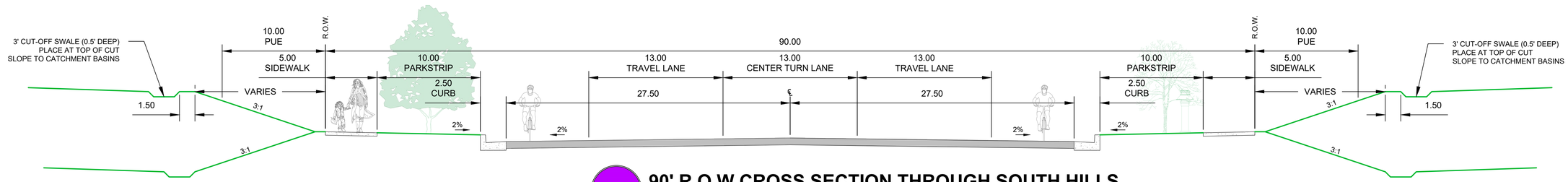
HERRIMAN PRESERVE

# PEDESTRIAN CONDUCTIVITY PLAN

HERRIMAN, UTAH

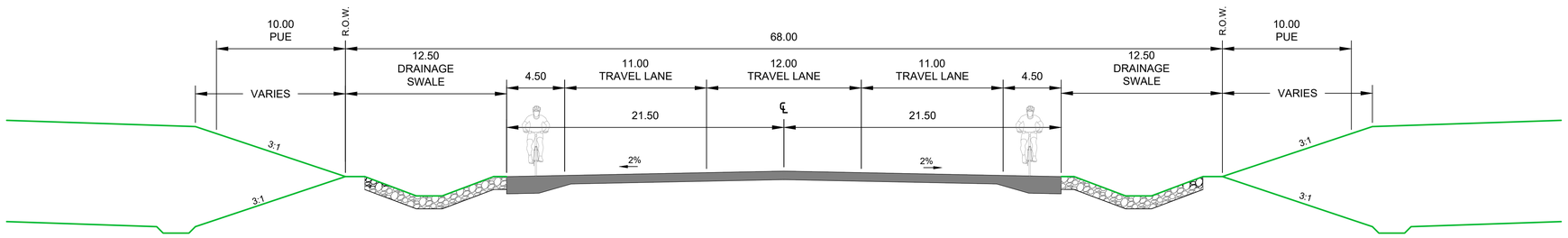
SHEET
ExO-11

P:\Shared Files\Projects\2400 - Mallibu\00-Master plans\00-Cadd\04-Exhibits\ExO-11 Pedestrian Conductivity Plan.dwg March 17, 2022 - 4:10pm



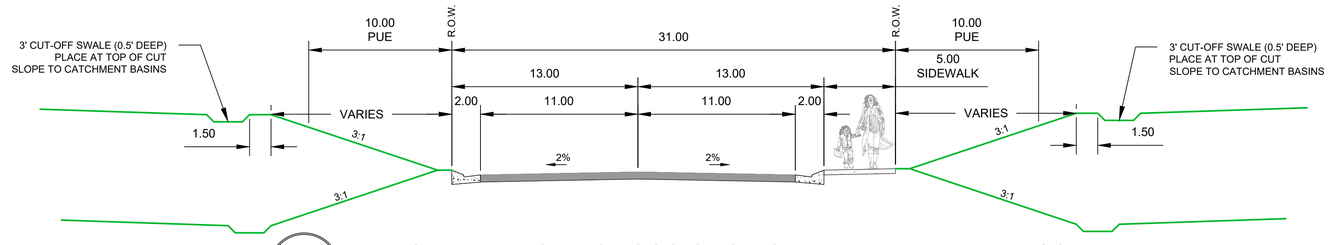

## 1 90' R.O.W CROSS SECTION THROUGH SOUTH HILLS

**SCALE: 1" = 5'**



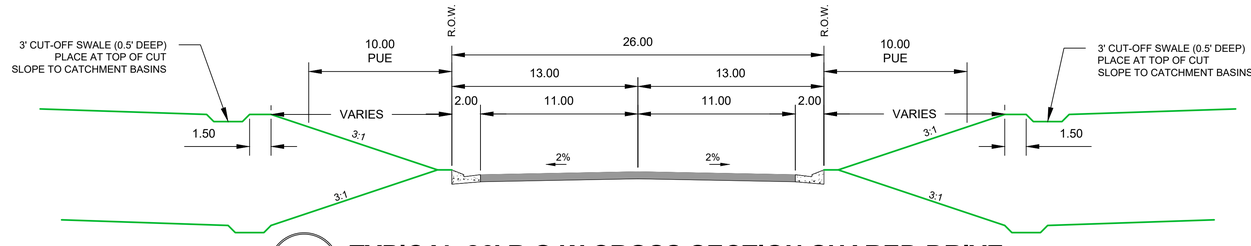

## 2 EAST ACCESS THROUGH (STAKER) 68' R.O.W CROSS SECTION

**SCALE: 1" = 5'**




## 3 TYPICAL 31' R.O.W CROSS SECTION PRIVATE DRIVE W/ SIDEWALK

**SCALE: 1" = 5'**




## 4 TYPICAL 26' R.O.W CROSS SECTION SHARED DRIVE

**SCALE: 1" = 5'**

NOTES:

1. CURB & GUTTER CAN BE CHANGED TO MODIFIED OR ROLLED TYPE CURB WHERE DRIVEWAY LOCATIONS ARE NOT TO BE DICTATED BY DESIGN, OR WHERE CURB-CUT FREQUENCY RENDERS HIGH BACK CURB UNFEASIBLE.

2. ELIMINATION OF ONE OR BOTH SIDEWALKS IS PERMISSIBLE WHERE OTHERWISE SUFFICIENT PEDESTRIAN WAYS ARE PROVIDED, OR WHERE NOT NECESSARY.

3. MINOR MODIFICATIONS TO WALK AND PARKSTRIP WIDTHS MAY BE NEEDED.

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00-Cad\04-Exhibits\Road Cross Sections Planning 03-17-2022\Road Cross Sections Planning Herriman Preserve 3-17-2022.dwg March 17, 2022 - 4:21pm

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STATE OF UTAH

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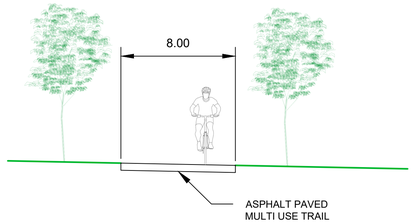
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HERRIMAN PRESERVE

# OVERALL STREET CROSS SECTIONS

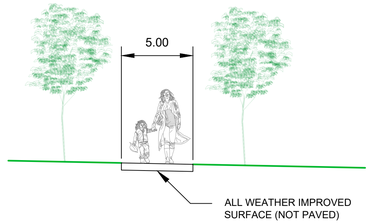
HERRIMAN, UTAH

SHEET
XS 0



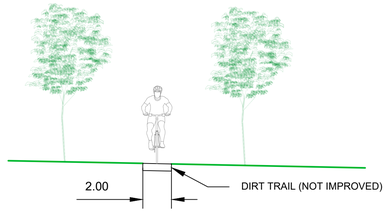

## 1 8' ASPHALT MULTI USE TRAIL CROSS-SECTION

**SCALE: 1" = 5'**




## 2 5' WIDE PEDESTRIAN CONNECTOR TRAIL CROSS-SECTION

**SCALE: 1" = 5'**




## 3 2' WIDE SINGLE TRACK TRAIL CROSS-SECTION

**SCALE: 1" = 5'**

NOTES:

1. CURB & GUTTER CAN BE CHANGED TO MODIFIED OR ROLLED TYPE CURB WHERE DRIVEWAY LOCATIONS ARE NOT TO BE DICTATED BY DESIGN, OR WHERE CURB-CUT FREQUENCY RENDERS HIGH BACK CURB UNFEASIBLE.

2. ELIMINATION OF ONE OR BOTH SIDEWALKS IS PERMISSIBLE WHERE OTHERWISE SUFFICIENT PEDESTRIAN WAYS ARE PROVIDED, OR WHERE NOT NECESSARY.

3. MINOR MODIFICATIONS TO WALK AND PARKSTRIP WIDTHS MAY BE NEEDED.

P:\Shared Files\Projects\2400 - Malibu\00-Master plans\00~Cadd\04-Exhibits\Trail Cross Section Exhibit 3-17-2022\Trail Cross Sections Planning Herriman Preserve 3-17-2022.dwg March 17, 2022 - 4:53pm

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
No.260242
REID H. DICKSON
STATE OF UTAH

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SCALE (VERT): -
DRAWN BY: DP
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PROJECT No: -

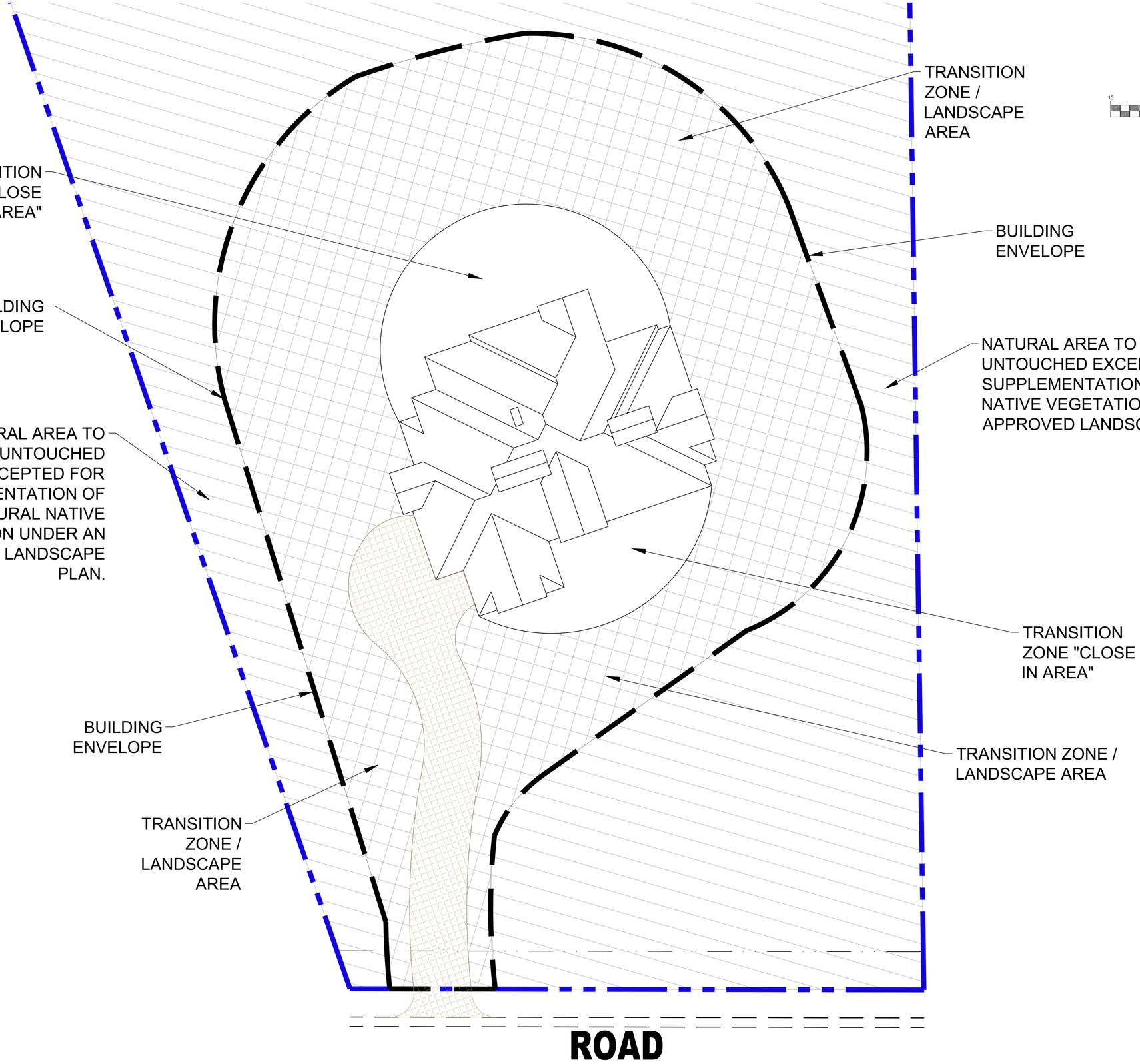
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HERRIMAN PRESERVE

# OVERALL TRAIL CROSS SECTIONS

HERRIMAN, UTAH

SHEET
TR XS 1




GRAPHIC SCALE

10 0 5 10 20 40

( IN FEET )
1 inch = 10 ft.

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No.260242
REID H. DICKSON
STATE OF UTAH

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HERRIMAN PRESERVE

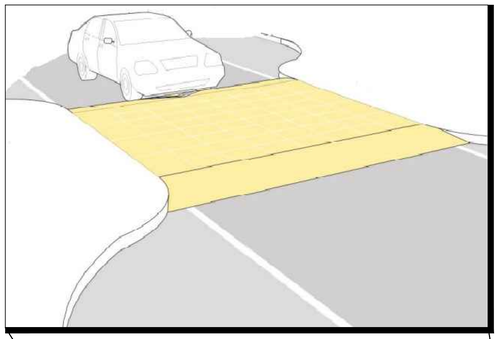
# BUILDING ENVELOPE EXHIBIT

HERRIMAN, UTAH

SHEET
EX1

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Xref ..\2400 - MALIBU XTB Sheet.dwg



SPEED TABLE & CHOKER

GRAPHIC SCALE

10 0 5 10 20 40

( IN FEET )
1 inch = 10 ft.

TRAILHEAD

AMENITY

TRAILHEAD & BUS TURN AROUND

5' PEDESTRIAN CONNECTOR TRAIL

5' PEDESTRIAN CONNECTOR TRAIL

9.9% GRADE

NORTH ACCESS ROAD

7.9% GRADE

TRAFFIC CALMING STREET CHOKER

TRAFFIC CALMING SPEED TABLE

5' PEDESTRIAN CONNECTOR TRAIL

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REID H. DICKSON
STATE OF UTAH

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| | REVISIONS | | |

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HERRIMAN PRESERVE

# BUS TURN AROUND

HERRIMAN, UTAH

SHEET
EX1

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# HERRIMAN PRESERVE

# DESIGN GUIDELINES

infinity CONSULTANTS

# Design Guidelines
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# 1 - VISIONING HERRIMAN PRESERVE

Herriman Preserve is focused on creating a premier community which blends the natural beauty of its mountain setting with excellence in architectural design. To reach this goal a combination of time proven fundamentals of design and the dynamics of new ideas and innovation is essential. The Design Guidelines have been broadened to expand the architectural horizon by continuing to evolve the Design Philosophy, and expand on the design character, as well as streamline and clarify the Review Process.

The design philosophy presented in these revised Design Guidelines will integrate the conceptof Elements of Composition as the primary test of a design. The Elements of Composition will allow for a broader expanse of design that will be reviewed not only on quantitative elements such as square footage, height and setbacks, but also on qualitative elements such as the use of shade, shadow, and artistic composition. Together the process will allow for more design freedom with a review process that allows the architect to present his work in a language that is more sympathetic to the Art of Architecture.

The document will make the process easier to understand for owners and designers through increased clarity and ease of use. Rather than a static document, it is more accessible to users through its more interactive on-line presentation as well as increased clarity of processes and goals. Below is a brief synopsis:

1. The Design Guidelines section lays out the design requirements for all aspects of the home and site design and includes photographs and drawings to illustrate these goals.

2. The Design Review Procedures section lays out the specific requirements for design submittals and the process of the Design Review Committee in evaluating each submittal.

3. The Appendices have all the forms necessary to move through the entire process as well as supplemental information necessary to identify and clarify the Committee make-up, contact information, definition of terms, and other information which may be required or helpful in moving through the Design Review Process.

4. The Construction Guidelines have been extracted from the Design Guidelines and are now a separate document which is also available on-line or through a Committee Representative.


8417

# 2 - THE DESIGN PHILOSOPHY and ELEMENTS OF COMPOSITION

For the Herriman Preserve Community to achieve a level of architectural excellence appropriate to its mountain setting, the entirety of its architecture and its landscape must work together in harmony. Many interpretations of this character are both anticipated and encouraged in each of Herriman Preserve's building
structures and throughout each of its neighborhoods. Architectural excellence and unique sophistication are expected in every Herriman Preserve design. A consistently unified respect for natural wildlife and for the historic ranch environment so distinct to Herriman Preserve's character and vision must be honored as well.

The overall Design Philosophy of Herriman Preserve is based more on the excellence of the overall Architectural Composition rather than a series of elements the design can and cannot portray. Even though there are design elements that the design needs to adhere to, the design will be reviewed first on its overall Elementsof Composition. The Elements of Composition are those elements which make a design truly excellent. The following 13 Elements of Composition should be evident in each design at Herriman Preserve.

**Elements of Composition**

1. **Site Integration:** Each Home within Herriman Preserve should be properly integrated into the setting. This includes proper siting within the setbacks and building envelop, topographic integration in established floor elevations that respond to the grade, adequate integrationof drainage to respond to the existing natural and proposed future flows, and sensitive exterior material finish selection.

2. **Scale:** All Homes within Herriman Preserve must be appropriately scaled relative to the size of the Lot and the vertical massing relative to the site context. In general, the scale for eachHome shall be as small as possible.

3. **Proportion:** Each design element of the Home has an inherent proportional relationship to the other, and to the entire structure. This includes, but is not limited to: windows, doors, fascia details, columns or posts, entry areas, exterior walls, site walls and so on. The goal is for every Home to be well composed and designed with all design elements appearing in proportion to each other and to the whole composition.

4. **Rhythm:** Rhythm refers to the regular or harmonious recurrence of overall forms, window or door openings, roof or fascia lines, structural support elements, or other shapes, colors, or materials. Architecture should exhibit a semblance of rhythm, including sequence by size, shape or pattern, or even random by proximity or similarity of forms.

5. **Balance:** Balance in architectural design is measured by the overall composition of visual forms, the exterior material placement and integration, the proportion of window area to wall mass and the composition of the building masses.

6. **Color:** The use of color as a complement to the design and the overall context is extremely important. Homes designed with consideration for color application from the start can use more interesting and sophisticated compositions than designs that apply color at the end of the design process. Herriman Preserve seeks to support the use of color beyond the simplified applications, to create a diversity of color use that adds characterto individual Homes and to the entire Community while all keeping with the historic palette of colors traditionally used on buildings throughout the Wasatch Range.

7. **Texture:** The bright Utah sun reflects a greater amount of light off smooth surfaces, so a rich and varied palette of textures is desired to minimize the reflectivity of walls and roofs. Dramatic or bold texturing must be controlled, as it can be equally disruptive to the visual environment. A random subtle texturing is preferred to a visually distracting repetitive pattern created by unintended texture.

8. **Shade/Shadow:** A vital component of design is the use of depth in architectural design and detailing to compensate for the high mountain sun. Without attention to this element of design, a Home may be incompatible with the mountain context. A transitional space or architectural features such as a large roof overhang, or trellis from the outside to the inside, is a necessary component augmenting the visual appeal and livability of the Home. Also, depth in each window or door opening adds value to the perceived quality of the Home.

9. **Material Integration:** The Design Guidelines stipulate specific criteria regarding the allowable type and placement of exterior materials. The purpose of this element as part of Design Integrity is to ensure that in addition to providing the correct type and amount, artfulness in overall composition is also achieved. The combination of textures shall be complementary rather than competing. Colors shall be compatible, and their placement must enhance the other elements of Design Integrity such as balance, appropriateness or visual strength.

10. **Integrity/Visual Strength:** The overall integrity of a design is measured in its visual strength or in how well all the components look and feel when assembled together. A well-composed Home that has excelled in all design elements listed here will have great visual strength.

11. **Appropriateness:** The degree of diversity of individual design expression will be measured against the stated goals for the overall character of the various neighborhoods within Herriman Preserve. Some individual designs may be deemed inappropriate or incompatible with the goals for Herriman Preserve and are not necessarily a reflection of the quality of the design. Appropriateness also applies to all other elements listed here withregard to the components being compatible in scale, material, color selection, and so on.

12. **Artistic Endeavor:** This element recognizes that the criteria presented in these guidelines are not intended to inhibit the overall artistic quality of a design submission. A design submission may be exempted from particular criteria if the design successfully incorporates all other elements contained herein. The exception must not cause an undue negative impact to another individual property or the Community as a whole.

13. **Sustainable Design:** Any Home built at Herriman Preserve should reflect in its architecturalcomposition sustainable design. Many tools are available to designer to achieve sustainable design and the simplest ones should be utilized first. More complex or highly visible technology should be considered last, but when utilized must be artfullyintegrated.



# 3 - HOMESITE DESIGN AND PLANNING GUIDELINES

The climate, terrain, and existing vegetation at Herriman Preserve are all important factors to be considered in the designing of any improvements to properties within the Community. The following guidelines are intended to ensure environmentally sound and aesthetically pleasing development at Herriman Preserve, which will mutuallybenefit all Herriman Preserve members.

## 3.1 The Building Envelope Concept

The building envelope concept is a major component of the philosophy behind designing and planning improvements on each individual Homesite. The building envelope is the portion of each Homesite within which all improvements; including, but not limited to any and all building projections, structures, decks, walks, landscaping improvements, grading, fencing, and all mechanical equipment, must be located, as this envelope is the only area of the Homesite where alterations or disturbance to the natural landscape (other than the supplemental planting of native vegetation which has been specifically approved by the Committee) may occur. The specific building envelope for each Homesite, as indicated on the building envelope exhibit that is given to each Owner at the time of Lot purchase from the Herriman Preserve Developer, is designed to protect and preserve the natural landscape features of the Homesite and preserve views from adjacent Homesites. Limited encroachment outside of the prescribed building envelope may only be considered for approval by the Committee where unique terrain, vegetation constraints, and/or limited Homesite width may warrant such encroachment. Under any of these limited circumstances, such encroachment will still be subject to applicable setback requirements. The Committee may, in its sole discretion, allow reconfiguration of the building envelope.

## 3.2 Homesite Work

No excessive excavation or fill will be permitted on a Homesite unless the Committee has specifically approved such excavation or fill because of terrain considerations. Ordinarily, the amount of cut and fill must be balanced with the minimal use of retaining walls and engineered building pads.

The clear cutting of vegetation within any building envelope will not be permitted; however, some selective pruning and/or the removal of trees and shrubs is necessary for developing any Homesite. Keep in mind that any cutting of trees or vegetation must be pre-approved by the Committee. If an Owner removes vegetation without Committee approval, such Owner shall be responsible for paying to promptly restore all vegetation removed with materials of like kind and size and shall be subject to a minimum $2,500.00 penalty fine.

The Committee will closely monitor the design of Homesite improvements around existing vegetation, to ensure that all root systems remain intact and that the water supply to all vegetation is appropriately maintained.

## 3.3 Grading and Drainage

All grading and drainage work on a Homesite must comply with the approved master grading and drainage plans for Herriman Preserve. All Homesite grading and drainage work can only disrupt the Homesiteminimally, as the work must not alter natural runoff drainage patterns or create any conditions that could lead to unnecessary soil erosion. In specific cases, the Committee may allow a portion of a drainage way to be re-routed within the Homesite's building envelope, but this allowance should not be assumed in all cases. The Committee may deny moving a drainage way for many reasons, which may include but are not limited to the following: the movement possibly causing a loss of vegetation, however minimal; the movement becoming an eyesore, or the movement causing civil engineering complications. As well, any drainage easements defined on a Recorded Plat may not be relocated without appropriate City of Herriman approval(s).

Sound construction and grading practices must be used to implement Homesite surface drainage. Any improvement that creates an obstruction to surface flows and/or causes storm water to back up onto a neighboring land tract or Homesite is strictly prohibited.

All ground floor levels on a Homesite should occur at a vertical elevation that allows for the final placement of backfill, walkways, driveways, and porches to produce positive drainage which moves away from the structure in all directions, while such backfill remains within the building envelope (as such envelope is described in Section 3.1 of the Design Guidelines) on the Homesite always. On hillside Homesites, the Committee recommends including foundation waterproofing and a perforated pipe foundation drainage system along the uphill and side hill foundation walls.

For sloping Homesites with a natural grade elevation variation greater than three (3) feet across the footprint of the proposed structure, the Committee requires residential design solutions to incorporate slope considerations, so the structure will step upward or downward with the natural slope. On sloped Homesites, the Committee will not approve any artificial terracing that creates an engineered pad suited to accommodate a "flat" Homesite Design.

When cut/fill operations are required, the slopes must have at least a four to one (4:1) ratio to allow for natural revegetation. If cut and fill slopes are at all steeper than the four to one (4:1) ratio, the Committee will require a pre-approved retaining wall to be built on the slopes.

During the construction phase, all Builder(s) shall take appropriate measures to eliminate erosion. Section 1.9 of Construction Regulations outlines the specific in-the-field grading and drainage requirements which all Owners shall be responsible for ensuring their Builders complete to accomplish effective erosion elimination, and Section 1.9 also explains when those requirements must be met.

## 3.4 Access Drives

Driveway surfaces are the only improvement allowed outside the building envelope, except for underground utilities servicing the Homesite; thus, driveway designs are carefully analyzed and regulated by the Committee. Each Homesite may be accessed by a single or a shared driveway as detailed below. Circular drives are generally not allowed unless they enter and exit the building envelope at a single point. Access drives shall always be located so they preserve and avoid disturbing important natural features, such as large or significant plant materials, drainage ways, and/or rock outcroppings; and such drives shall always minimize disruption of the existing landscape as well.

The Wildland Fire Program, which is included as Exhibit L of the Development Agreement, mandates the following as related to driveways in Herriman Preserve (Driveways exceeding the maximum limits must be approved by the Fire Department.):

> "The maximum grade of any driveway may not exceed 10 percent. However, 12 percent grades may be allowed for a maximum of 250 lineal feet. Driveways exceeding these parameters shall be heated. The minimum width of any driveway shall be 12 feet. All driveways over 150 feet whether or not locked by a gate shall include an approved turn-around for emergency vehicles where the driveway meets the building pad and every 400 feet for long driveways. The minimum unobstructed vertical clearance shall be 13 feet 6 inches. unobstructed vertical clearance for any and all driveways shall be 13 feet six (6) inches."

As well, the graded/paved surface of a single access driveway shall not exceed 14 feet in width where it crosses the road right-of-way, nor shall the driveway exceed this 14-foot width anywhere between its crossing the front setback of the Homesite and its connecting to the street pavement. Shared driveways may be up to 18 feet in paved width in these same areas.

The Committee will closely evaluate every driveway in relation to its applicable building envelope, to all applicable rights-of-way, and to the applicable overall Homesite Design. Driveways and garage

apron areas need to be certain that back up conditions realistically work for large vehicles to avoid driveway conditions that prove unworkable once the owner occupies that house and would need to be later modified.



The Committee must also approve the proposed driving surface of every driveway at Herriman Preserve. Driveways are encouraged to be made of colored and exposed aggregate concrete, pavers, decorative concrete systems such as Bomanite, or other pattern/texture methods. No uncolored concrete is permitted. Asphalt is allowed as a driveway material; however, the Committee, in its sole discretion, may require any asphalt drive to have an attractive, finished edge made of concrete,pavers, or another material acceptable to the Committee.






Where necessary, the Owner shall be responsible for installing a concrete or metal culvert pipe (with a diameter of 18 inches or greater) beneath each access driveway—between the road shoulder and the property line—unless otherwise approved by the Committee. In some cases, an 18-inch pipe may be too large to install because of Homesite conditions. If this is the case, the Committee will

consider allowing the following alternative: Instead, the invert flowline of the pipe shall be aligned and sloped so that ditch/drainage way storm flows will continue smoothly and unimpeded beneath the driveway crossing. The exposed ends of the pipe shall be aesthetically finished with stone headwalls, which must be made of a Committee-specified stone type and which must be laid according to the Herriman Preserve standard. A construction design detailing the headwall must be supplied to theCommittee for pre-approval prior to installation.

## 3.5 On-Site Parking

Each Homesite must have an area within the building envelope that accommodates parking for two (2) guest automobiles (by providing each a parking space that is at least 9 by 18 square feet).



Owners possessing buses, non-conventional or oversized trucks, motor homes, campers, boats, trailers, motorcycles, or any other motorized vehicle other than a conventional automobile, shall store or park these vehicles within an enclosed garage, so they are completely hidden from view. Any outside parking of motor homes, buses, or any other large recreational or non-conventional vehicles is prohibited at all times within Herriman Preserve, even when loading and unloading.

As a rule, no on-street parking will be permitted at Herriman Preserve. Upon written request by the owner ofa Lot, the Conservancy may, in its sole discretion and on a case-by-case basis, pre-approve temporary,non-construction related parking and/or on-street parking by guests (i.e. landscaping maintenance, party guests, etc.). Parking for all construction vehicles must be contained on the Homesite where construction is occurring (Refer to Construction Regulations Section 1.7 for further clarification regarding temporary, overflow construction parking). Parking on the street may be ticketed by the

Conservancy and may warrant a fine in the amount the Conservancy, in its sole discretion, deems appropriate. Any such ticket and/or fine will become a lien upon the Lot which the person(s) responsible for the inappropriately parked vehicle are visiting.

## 3.6 Utilities

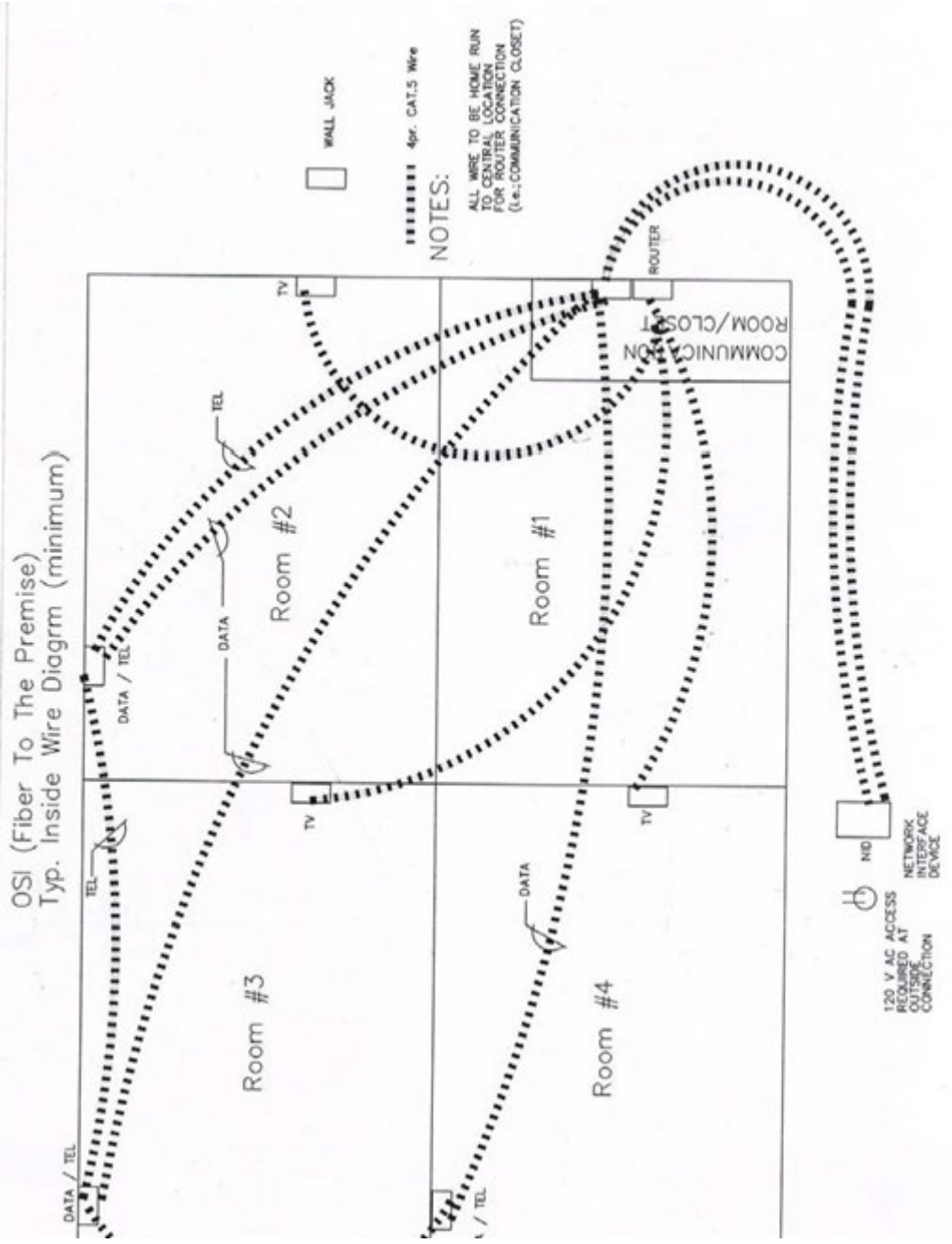
Utility service lines (e.g., water, sewer, gas, electricity telephone and cable) are located in the street right of way or an easement adjacent to the front property line of each Homesite. Each Owner is responsible for extending all utility services from their location adjacent to their homesite to the residence and for making sure this extension is routed, so as to minimize disruption to the natural landscape. Utility trenches may never encroach into any required setback, except where they initially travel from the service tap into the building envelope and must cross the natural area of the Homesite in order to do so. In most cases, this utility access to the building envelope should be located where the driveway enters the property. All utility water readouts shall be located on an exterior building wall or another easily accessible location specified by the Committee so that they provide for seeable reading. All utility boxes should, however, be appropriately buffered and screened (i.e. painted to match the wall surface on which they are mounted and screened with a wall to match adjacent building materials, or surrounded by appropriate screening landscaping as pre- approved by the Committee), so as to prevent direct view from the street, from adjacent Lots, from Open Space(s), and from Common Area(s).





All disturbed areas of the Homesite must be restored as closely as possible to their natural condition. Information regarding utility connection procedures may be obtained by contacting the respective utility companies directly. Owners may contact the Herriman Preserve Sales Staff and/or the Herriman Preserve Conservancy for utility companies' current contact information.

Each Owner intending to connect his home to technology utility services (including telephone, cable television, telecommunication services, security mechanisms, and/or any other systems for sending/ receiving data and other electronic signals) must do so through Herriman Preserve's telecommunications carrier. These Owners must meet or exceed the Herriman Preserve Developer's minimum residential wiring system standards, which standards are illustrated below:




The placement of all utility boxes and equipment shall be pre-approved by the Committee. Refer to Section 3.9.

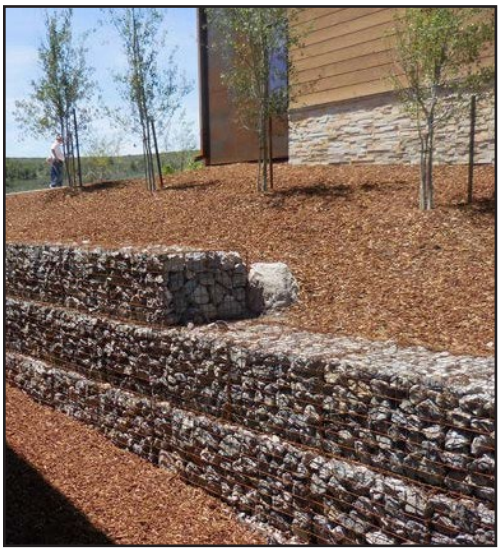
## 3.7 Walls and Fencing

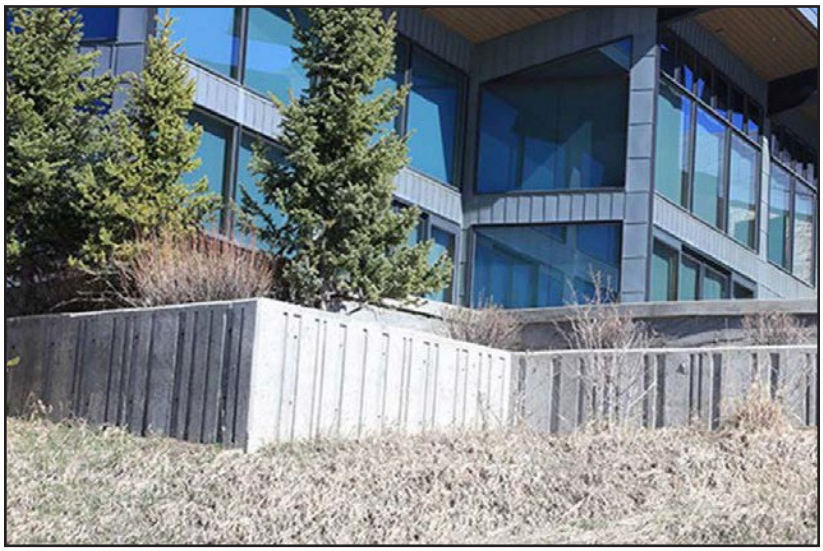
Walls and fencing are strongly discouraged except for privacy for terraces or dog runs. A homesite that demonstrates a need for walls and/or fences must design them so they are a visual extension of the residence by using similar materials and finishes. In no case will Homesite walls or fences be permitted to arbitrarily delineate the building envelope, although such walls or fences may be used to define pet runs, small yards, courtyards, or terraces that are near the residence for privacy purposes. These privacy or screen walls must not exceed 6 feet in height when measured from existing natural grade; and again, they may not encroach outside the building envelope. Fencing material must be made of wood, metal or stone matching that used on the residence.



Retaining walls may not exceed an above-grade height of six (6) feet, when measuring from the lowest grade point (regardless of whether the grade is natural or finished). Where the overall height of retained earth exceeds 6 feet itself, multiple terraced retaining walls must be used. In these multiple terraced walls, each tier must be separated by a six (6) foot planting area. As well, these tiered retaining walls cannot exceed 12 feet above the lowest grade point (regardless of whether the grade is natural or finished). All retaining walls must jog in plane for a depth of at least four (4) feet for every 20 feet they extend in the horizontal direction. No retaining wall can ever exceed a maximum length of 80 feet.

Retaining walls may be constructed of natural boulders, gabion, cast concrete, or of concrete masonry units; however, all the walls' exposed surfaces and edges must be made of stone or stone veneer that will unobtrusively blend in with the natural surroundings. In some cases, Corten steel or equal, veneered or heavy timber wood retaining wall systems may be approved. Certain types of textured concrete block may be allowed if the same block is used on the home as well. However, keystone and/or pre-manufactured retaining wall systems will not be approved.









## 3.8 Outdoor Storage

Any outdoor areas which house trash containers, firewood, maintenance/service equipment (i.e. snow blowers, etc.), or overflow home storage must be screened from all adjacent properties by either a wall or a fence. However, firewood alone may be kept in an unscreened, inconspicuous location if it is neatly stacked and if the only covering used for it is a clear plastic sheet.

## 3.9 Mechanical Equipment, Electrical Meters, Gas Meters, and Irrigation Meters

No roof mounting or wall mounting of mechanical equipment will be permitted. Any exterior mechanical equipment utilized must be mounted to the ground adjacent to the residence and must be hidden from view by walls (or a combination of walls and evergreen landscaping that is acceptable to the Committee, in its sole discretion) that are high enough to fully screen such equipment. All parts of the equipment and the enclosure must be contained within the building envelope. This equipment should be situated with the intent of minimizing noise intrusion to any adjacent Homesite(s) and/or those Homesites' outdoor living spaces.

All electrical meters, gas meters, and irrigation meters must be screened from the street, and all adjacent Homesites with a wall (or a combination of wall and evergreen landscaping that is acceptable to the Committee, in its sole discretion) which is high enough to do so. Every Owner shall be responsible for seeing that he/she and/or his/her Builder contacts the electric company for requirements concerning the placement of such screen walls and any related landscaping that has been pre-approved by the Committee. Non-evergreen landscaping will not be sufficient to satisfy this screening requirement. As well, evergreen landscaping will only be permitted to screen the equipment when it is used along with walls and when it has been specifically pre-approved by the Committee. Screening with proper walls is preferred at Herriman Preserve, and such wall screening shall always be required, except in specific cases where the Committee deems evergreen landscaping more appropriate.

The placement of all utility boxes and equipment (attached to a wall or ground mounted) shall be pre-approved by the Committee during Design Review (as part of the landscaping plan submittal, if such equipment is ground mounted) and in the Pre-Construction Conference (Chapter 1 of the Design Review Procedures and Architectural Review Committee Organization) which takes place prior to the construction of any improvements on the Homesite. Such utility equipment shall not be installed by any Owner or Builder until the Committee has approved its specific location on the Homesite, its pedestal mounting (where that is applicable), and any and all landscape buffering required to conceal it from the views of neighboring Homesites, Common Areas, Open Spaces, and roadways.











## 3.10 Storage Tanks

All fuel tanks, water tanks, or similar storage facilities must be either completely shielded from view by walls (or similar structures) or installed underground. Since natural gas is provided to all lots no fuel storage tanks should be necessary.

## 3.11 Antennae and Satellite Dishes

No satellite dishes or television/radio aerials or antennas may be installed if they are not fully screened from any roadway, adjacent Homesite(s), Open Space(s), or Common Area(s)or painted to match the adjacent home surfaces. Umbrella coverings over satellite dishes are strictly prohibited, as screen walls must be used to block them from view.

No circular satellite dish may be installed that is larger than 18 inches in diameter, and no oval-shaped satellite dish may be installed that is larger than 20 inches in diameter; unless the Committee specifically pre- approves otherwise. Antennae may only be mounted in locations on homes which are specifically pre- approved by the Committee and all antennae must be painted to match the exterior surface of the home. Unless otherwise approved by the Committee (i.e. in locations where ground mounting is unfeasible or where ground mounting would be more unattractive than building mounting), satellite dishes must be pre- approved by the Committee in size and placement and must be mounted to the ground. All satellite dishes must either be ground-mounted and screened from adjacent Homesites, Common Area(s), Open Space(s), and/or roadway views or must be mounted on the residence in such a location and be painted so as to minimize visibility from adjacent Homesites, Common Area(s), Open Space(s), and/or roadways.

Removal of trees to improve reception is prohibited. Any and all walls used for screening any satellite dish must be an integral component of the Homesite Design, and such walls must be pre-approved by the Committee. In some cases, a satellite dish may not be approved because of factors such as its proposed location on the Homesite and/or the visual consequences caused by such location (e.g. disruption of the overall street scene or creation of an eyesore to adjacent Homesites, Common Area(s), Open Space(s), roadways, etc.).

All Herriman Preserve addresses will be identified according to a standard scheme. All Owners shall be responsible for installing, at the individual Owner’s expense, one (1) standard Herriman Preserve address identification sign, containing address numbers only, which is visible from the street. Additional

illustrations, graphics, logos, street names, owner names, and/or other images are not allowed. Details about the standard to be used for such address identification for every residence (i.e. numeral type, color, and placement on the Homesite) are as follows:

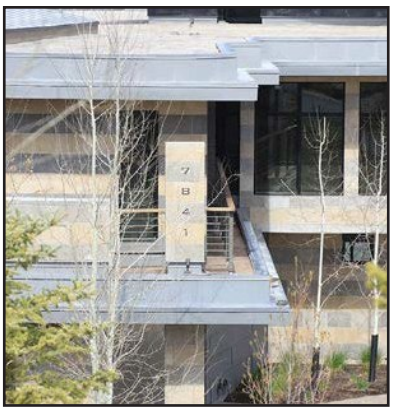
1. The numbers shall be made of high cast metal and contrast with the background, shall be subject to Fire Department approval, and shall be three (3) to four (4) inches in size.

2. The numbers shall be flush mounted directly to the wall, by using threaded studs set in adhesive between the wall and the letters.

3. In lieu of address numbers being attached to the home, a landscape address boulder may be allowed, if pre-approved by the Committee. The boulder shall be native in appearance, be located within the building envelope for the lot, and (at its smallest dimension) be as wide and deep as it is tall, to avoid a “tombstone” -like appearance. The boulder must also be cushioned into and made integral with the grade and landscape on which it sits and shall include adjacent landscaping to soften its appearance (size, type, and location to be approved by the Committee). The address numbers, if not clearly etched into the boulder, shall comply with the above requirements. The committee will review requests for address boulders based on the context of the neighborhood so that the boulders do not appear unnatural. If too many lots have similar boulder conditions not every lot will be allowed to have one.

The Owner shall be responsible for indicating compliance with the above Committee specifications before Final Approval on his/her Homesite Design will be granted, and such Owner shall install the approved address identification prior to the Committee granting Final Release on a Homesite. No additional signage of any kind will be permitted, except for the temporary construction sign provided by each Builder and/or directional signs provided by the Developer. Real estate sale and/or lease signs are prohibited. Installation of any kind of driveway markers is prohibited as well.





## 3.13 Lighting

The Developer may employ a low level, uniform street lighting scheme for safety purposes (except where a higher level of lighting is required for public safety in the judgment of the City of Herriman Engineer).For the purpose of maintaining a dark sky, no additional lighting (with the exception of soft halo lighting on street addresses identification where such lighting is specifically pre-approved by the Committee) may be installed by the Owner anywhere which is outside of the building envelope or adjacent to the street right-of-way.

Additional site lighting is permitted within a building envelope, provided such lighting does not result in any kind of excessive glare toward the street, toward neighboring properties. All exterior lighting sources must have a low level, subduedintensity; must be fully shielded; must be facing downward; and must be pre-approved by the Committee.

All external light fixtures must have frosted or heavily seeded glass, so that the light source (i.e. the bulb) is not visible at all. Security lighting must also be shielded in the same way and may only be installed if it is connected to a timed motion detector. No wall wash type of lighting is ever permitted at Herriman Preserve.

## 3.14 Swimming Pools, Spas, and/or Hot Tubs

If any swimming pools, spas, or hot tubs exist on the Homesite, they must be designed so they appear as a visual extension of the residence (by using walls or decks), and they must be shielded from view. All pools and spas must be constructed according to City of Herriman regulations. As well, if the hot tub is above-ground, it must be completely buffered, either by being recessed or concealed from view by walls that are an integral part of the Homesite Design. All pool/spa-related equipment (i.e. pumps, motors, and heaters) must be fully screened from street views and from adjacent Homesite, roadway, Open Space, and/or Common Area view(s). Any installation of a pool, spa, and/ or related equipment is subject to pre-approval by the Committee and shall be undertaken in strict compliance with all conditions established by the Committee.

## 3.15 Tennis, Sport Courts, and Basketball Goals

Due to the extensive area required for tennis or other hard-surfaced sport courts, such courts will not be permitted. Wall-mounted or free-standing basketball goals may be allowed adjacent to patios and/ or driveways, but they must be pre-approved by the Committee.

On every freestanding basketball goal, support posts must be painted so they blend unobtrusively into the surrounding visual background, and the backboard must be clear. Portable basketball hoops must always be stored inside the garage when they are not being used.

## 3.16 Play Structures

On a case-by-case basis, play structures, trampolines, swing sets, slides, or other such devices may be allowed if they are proposed to and pre-approved by the Committee, in its sole discretion. Such structure(s) must be placed within a fenced section of the rear yard and must not exceed a height of 8 feet. The Committee will only approve the structure(s) if they are constructed and finished with materials which complement their design in type and color and if such structure(s) follow the intent of the Guidelines. Generally, materials such as timber or darkly colored, powder-coated steel will be approved for the structure(s) if such structure(s) are in an inconspicuous portion of the building envelope; are largely screened from adjacent street, Open Space, and neighboring Homesite views; and are compatible with the overall Homesite Design. Plastic and/or brightly colored/finished materials will generally not be approved for such structure(s).

## 3.17 Approved Plant List

The Committee has approved a list of plants and trees deemed to be inherently compatible with Herriman Preserve's natural landscape, including both indigenous and non-indigenous species. Landscaping of all Herriman Preserve areas is expressly limited to these enumerated species. When grasses are used, they must be a type which is enumerated in the Approved Plant List as well, and they may not become a dominant component of the landscape. Any grassy area(s) must be shaped in some organic manner, rather than simply being rectangular or square- shaped; must be shielded from any roadway, Common Area(s), Open Space(s) and/or neighboring Homesite views to the extent possible; and mustbe edged with natural wild grasses so they blend naturally back into the native surroundings. In other words, the edges of these areas must be naturalized, and they shall not transition directly into the native landscape.

| COMMON NAME | BOTANICAL NAME |
|---|---|
| EVERGREEN TREES | |
| Rocky Mountain Juniper | Juniperus scopulorum |
| Colorado Spruce | Picea pungens |

| COMMON NAME | BOTANICAL NAME |
|---|---|
| DECIDUOUS TREES | |
| Rocky Mountain Maple | Acer glabrum |
| Boxelder | Acer negundo |
| Thinleaf Alder | Alnus tenuifolia |
| Shadblow Serviceberry | Amelanchier canadensis |
| Common Hackberry | Celtis occidentalis |
| Beechleaf Mountain Mahogany | Cercocarpus montanus |
| Desert Willow | Chilopsis linearis |
| Narrowleaf Cottonwood | Populus angustifolia |
| Aspen | Populus tremuloides |
| Chokecherry | Prunus virginiana melanocarpa |
| Gambel Oak | Quercus gambeli |
| Smooth Sumac | Rhus glabra |
| Staghorn Sumac | Rhus typhina |
| Rose Locust | Robinia neomexicana |
| EVERGREEN SHRUBS | |
| Greenleaf Manzanita | Arctostaphylos patula |
| Emerald Green Manzanita | Arctostaphylos santii |
| Curleaf Mountain Mahogany | Cercocarpus ledifolius |
| Silverberry | Eleagnus commutata |
| Mormon Tea | Ehhedra viridis |
| Red Yucca | Hesperaloe parviflora |
| Common Juniper | Juniperus communis |
| Utah Juniper | Juniperus osteosperma |
| Rocky Mountain Juniper | Juniperus scopulorum |
| DECIDUOUS SHRUBS | |
| Alder | Alnus incana |
| Saskatoon Serviceberry | Amelanchier alnifolia |
| Utah Serviceberry | Amelanchier utahensis |
| False Indigo | Amorpha fruticosa |
| Big Sagebrush | Artemisia tridentata |
| Mountain Big Sage | Arternisia tridentata vaseyana |
| Wyoming Big Sage | Artemisia tridentata wyomingensis |
| Martin Ceanothus | Ceanothus martinii |
| Tobacco Brush | Ceanothus veluntinus |

| COMMON NAME | BOTANICAL NAME |
|---|---|
| DECIDUOUS SHRUBS (Continued) | |
| Rubber Rabbitbrush | Chrysothamnus nauseosus |
| Douglas Rabbitbrush | Chrysothamnus viscidifloris |
| Red Osier Dogwood | Cornus sericea “Baileyi” |
| Western Hazlenut | Coryus cornuta californica |
| Cliffrose | Cowania mixicana stansburiana |
| Winterfat | Eurotia lanata |
| Rock Spirea | Holodiscus domosus |
| Shrubby Cinquefoil | Potentilla fruticosa |
| Alpine Currant | Ribes alpinum |
| Mountain Mahogany | Cercocarpus montanus |
| Woods Rose | Rosa woodsii |
| Blue Elderberry | Sambucus caerulea |
| Elderberry | Sambucus canadensis |
| Buffaloberry | Shepherdia argentea |
| Mountain Snowberry/Coralberry | Symphoricarpos oreophilus |
| PERENNIALS | |
| Hollyhock | Alcea rosea “Chater’s Double” |
| Filigree Daisy | Anthemis marschsalliana |
| Rocky Mountain Columbine | Aquilegia caerulea |
| Western Columbine | Aquilegia formosa |
| Prickly Poppy | Argemone munita |
| Poppy Mallow, Wine Cups | Callirhoe involucrata |
| Native Bluebells | Campanula rotundifolia |
| Bachelor Button | Centaurea dealbata “Rosea” |
| Keys of Heaven, Red Valerian | Centranthus ruber |
| Chicory | Cichorium intybus |
| Western Virgins Bower | Clematis ligusticifolia |
| Trailing Daisy | Erigeron flagillaris |
| Sulphur Flower | Eriogonum umbellatum |
| Stork’s Bill | Eroduim circutaruim |
| California Poppy | Eschscholzia californica |
| Blue Fescue | Festuca ovina glauca |
| Blanket Flower | Gaillardia aristata |
| Burgundy Blanket Flower | Gaillardia grandiflora |
| Dwarf Blanket Flower | Gaillardia grandiflora “Goblin” |
| Chilean Evens, Prarie Smoke | Geum triflorum |

| COMMON NAME | BOTANICAL NAME |
|---|---|
| PERENNIALS (Continued) | |
| Curlycup Gumweed | Grindelia squarosa |
| Snakeweed | Gutierrezia serothae |
| Common Sunflower | Helianthus annuus |
| Hairy Goldenaster | Heterotheca villosa |
| New Mexico Hops | Humulus lupulus neomexicanus |
| Yellow Flax | Linum flavum compacta |
| Blue Flax | Linum lewisii |
| Blackfoot Daisy | Melampodium leucanthum |
| Beebalm, Horsemint | Fistulosa |
| Mexican Evening Primose | Oenotheria berlandierri |
| Penstemon | Penstemon barbatus |
| Firecracker Penstemon | Penstemon eatonii |
| Pine Leaf Penstemon | Penstemon pinifolius |
| Rocky Mountain Penstemon | Penstemon strictus |
| Rock Goldenrod | Petradoria pumila |
| Mexican Hat | Ratibida columnifera |
| Wooly Mullein | Verbascum bombyciferum “Arctic Summer” |
| Common Mullein | Verbascum thapsus |
| GROUND COVERS | |
| Creeping Oregon Grape | Mahonia repens |
| Dwarf Mountain Lover | Pachistima canbyi |
| Mountain Lover | Pachistima myrsinites |
| GRASSES | |
| Western Wheatgrass | Agropyron smithii “Arriba” |
| Western Wheatgrass | Agropyron smithii rosanna |
| Mountain Brome | Bromus marginatus |
| Mountain Brome | Bromus Carinatus |
| Mutton Bluegrass | Poa fendleriana |
| Idaho Fescue | Festuca idahoensis |
| Sheep Fescue | Festuca ovina |
| Creeping Red Fescue | Festuca rubra |
| Perennial Ryegrass | Lolium perenne |

## 3.18 Prohibited Plants

Unless a plant is approved by the Committee and specifically listed in the Approved Plant List, such plant is prohibited. Requests by Owners to add plants they feel are worthy of consideration to this Approved Plant List may be made to the Committee. But again, it will be the ultimate decision of the Committee, in its sole discretion, to choose to honor such request. Any plant which is not specifically listed in the Approved Plant List shall be prohibited on Herriman Preserve Homesites, except on a case- by-case basis, where the Committee has pre-approved such plant as part of the Landscape Plan which was submitted for the Homesite.

## 3.19 Homesite Restrictions

Except for compounds which result from the combined development of two (2) or more Homesites, no more than one (1) residence may be constructed on any Homesite. Other outbuildings (i.e. detached garages) may be constructed, but only if they are a visual extension of the main residence. Such “complexes” are always subject to Committee pre-approval.

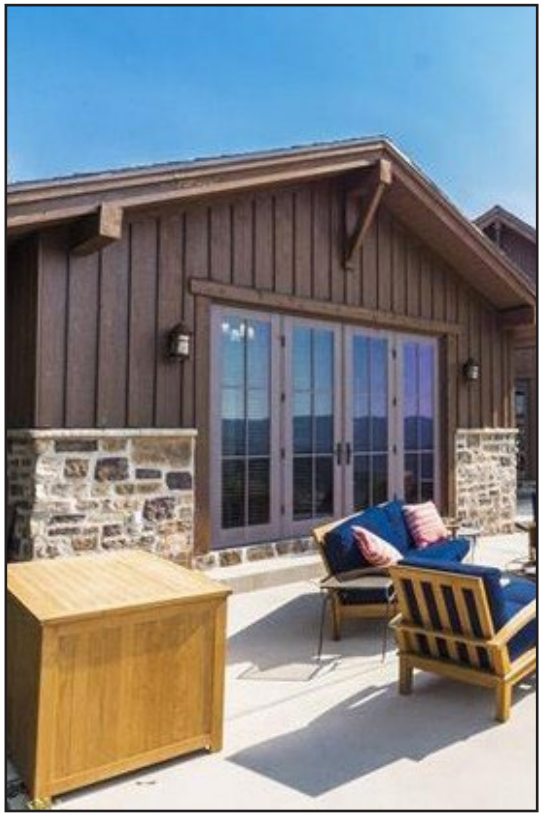
## 3.20 Fire Prevention Thinning

The Transitional Area of the Homesite is defined as the area (either inside or outside of the building envelope) where fire prevention thinning is required by the Wildland Fire Program for Herriman Preserve or where other applicable fire prevention regulations may occur. Removing native vegetation
down to raw earth for the purpose of fire prevention thinning is not allowed at Herriman Preserve, except where otherwise required by the Fire Department. When native vegetation is removed within the Transitional Area, it must always be replaced with such landscape material as is listed in Section 3.17.

## 3.21 Fire Department Restrictions

Please note that the Fire Department and the City of Herriman require homes to use noncombustible exteriormaterial for a height of at least four (4) feet anywhere the home touches natural and/or finished grade, except where the material is immediately above a hard-surfaced patio and/or driveway.
This requirement does not mean only the base 4 feet of the home can be the same noncombustible material. The material must be integrated vertically into the design so as to not give the appearance that house has been ‘dipped into a material”.















# 4 - ARCHITECTURAL DESIGN STANDARDS

The following architectural design standards are meant to reinforce and help define the concepts described within the Elements of Compositions in addition to complying with certain requirements of the City of Herriman.

## 4.1 Building Size

The goal of all Owners, Architects, and Builders who are designing and constructing homes within Herriman Preserve should be to create the highest quality homes within the smallest possible volume, without depriving Owners of a legitimate need for space. The natural land forms which are currently dominant at Herriman Preserve should remain that way. The existing quiet mountain repose and natural harmony so unique to Herriman Preserve can only be maintained if all constructed homes, improvements, and landscaping remains subservient to and naturally blends into existing landforms and landscape.

All Owners shall be responsible for adhering to all square footage limitations required by these Guidelines and all applicable Governing Documents, and/or the applicable Recorded Plat.

Most importantly though, every Owner intending to build a home at Herriman Preserve shall be responsiblefor correctly completing the Design Review process and for properly submitting the complete proposal for his/her Homesite Design to the Committee for all required reviews and approvals. In this spirit, Design Review ensures that Homesites within Herriman Preserve always maintain an unmatched level of architectural expertise, as well as ensuring that they adhere to both City of Herriman and Community standards and requirements.

## 4.2 Prefabricated Buildings

Buildings which are constructed off-site (either in whole or partial assembly) and so require transportation as such to a Homesite will not be permitted at Herriman Preserve. These buildings may include but are not limited to the following: mobile homes, stock modular buildings, and any other structure requiring transportation and set up in a partially completed state. Structures assembled off-site and then completely disassembled for transportation (i.e. log-system homes) may be permitted. Any and all such structures are subject to the Committee's architectural and aesthetic review and prior approval.

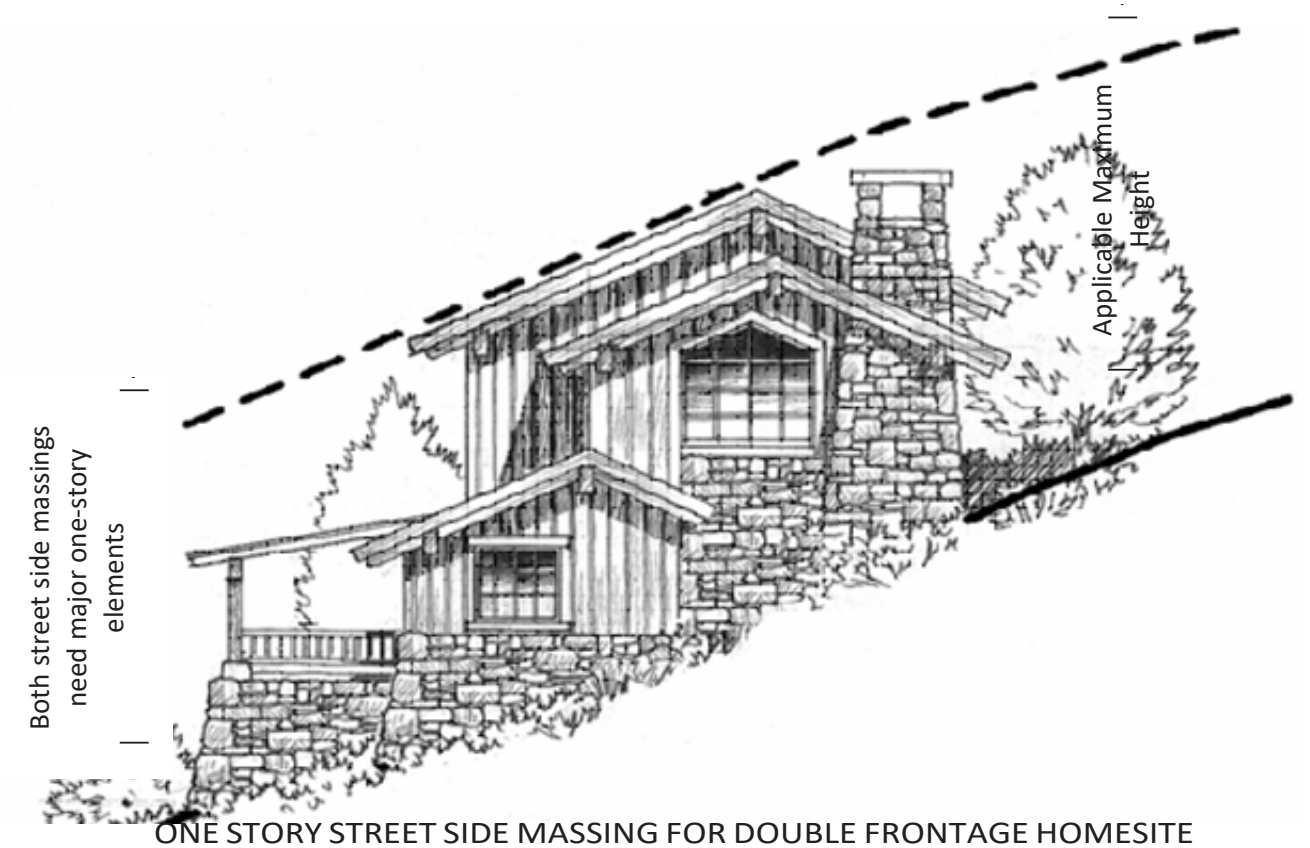
## 4.3 Height and Massing of Structures

Herriman Preserve's building height restrictions are set to comply with City of Herriman ordinances, the DevelopmentAgreement, the Governing Documents, and these Guidelines. These building height restrictions are not meant to protect any view from any lot. Their primary purpose is to create and maintain the overall development appearance of the Herriman Preserve Community.

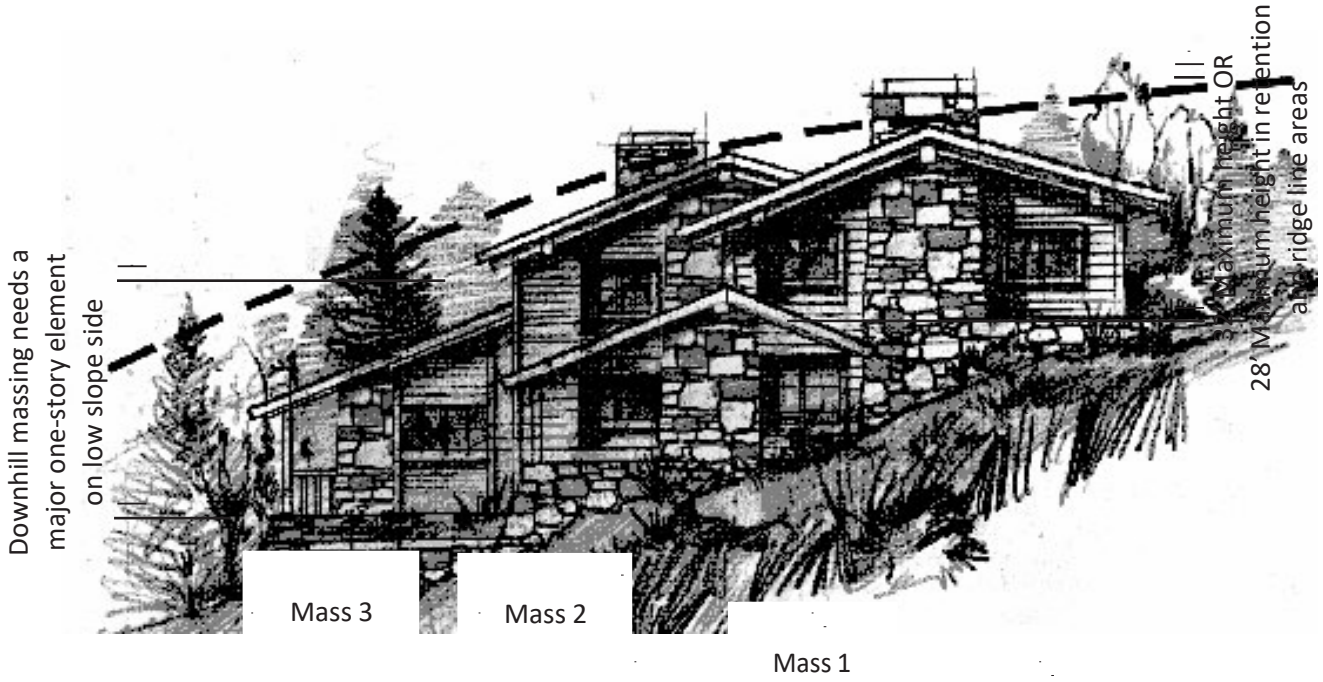
Herriman Preserve homes cannot exceed a true vertical height of 32 feet, except in Retention or RidgelineAreas where the maximum is 28 feet or whatever height may be achieved without breaking the ridgeline whichever is less. This maximum height limit is applied to the highest point on the structure, excepting chimney elements, when that point is measured from the original natural grade directly below it.

The Guidelines intend for roof forms on sloping Homesites to step down with the grade, so that these homes integrate with, rather than disrupt, the natural landscape. However, the Committee may allow some Homesites to exceed the height requirement if, for example, the average slope across the Homesite exceeds 15 percent, and if the part of the home that exceeds the maximum height is a limited, unobtrusive, ridge projection which sits at the downslope terminus. The Committee will make this allowance on a case-by-case basis after it has carefully considered factors such as the slope of the Homesite and the overall Homesite Design; however, all allowances such as this are subject to City of Herriman approval.

## SLOPIN AN SINGLE-STORY MASSING




ONE STORY STREET SIDE MASSING FOR DOUBLE FRONTAGE HOMESITE




MASSING AND HEIGHT MEASUREMENT







Section 4.6 explains specific roof design criteria (i.e. pitch ratios, structural shapes, material types, venting requirements, etc.) for Herriman Preserve Homesites.

The primary purpose of the home height criteria at Herriman Preserve is to avoid the construction of homes that are too tall. Beyond these specific height limits, the Committee will evaluate every Homesite Design in relation to its location on the landscape, to neighboring Homesites, to surrounding roadways, to adjacent Common Area and Open Space views, etc. These height restrictions are not meant to impose generalized criteria where, in some cases, more specific consideration and insight might propose a more fitting solution for a home's actual design and functionality. The Committee specifically reserves the right to impose a height restriction less than that which is stated herein, if the Committee believes such restriction is necessary within the conditions of a specific Homesite or even a specific group of Homesites.

Offsets or indentations in wall planes create visual interest and add depth via shadow lines. Therefore, the following massing requirements are established to ensure that proper depth and visual variety exist on all Herriman Preserve Homesites. Massing requirements for Homesites at Herriman Preserve are the following:

1. Height Offset Requirement

    - Homes at Herriman Preserve may never have a building wall which extends more than 20 feetin height without an offset of at least two (2) feet.

2. Length Offset Requirement

    - Homes at Herriman Preserve may never have a single-story building wall extending more than30 feet in length without an offset that extends for the full height of the one-story wall,of at least two (2) feet; and Herriman Preserve homes may never have a two-story building wall extending more than 20 feet in length without an offset that extends for the full height of the two-story wall of at least two (2) feet.

3. Massing Requirement

    - Every home within Herriman Preserve must have a minimum of three (3) distinct masses which are differentiated both vertically and horizontally by a minimum of four (4) feet,

unless the home is specifically granted an exception by the Committee. In certain instances, the Committee, in its sole discretion, may require a Homesite Design to be comprised of more than three (3) masses. See proper massing example.

4. Separation Requirement

- Once a home exceeds 6,000 square feet of Gross Total Area or in other certain instances, the Committee, in its sole discretion, may require a Homesite Design to divide a portion of its masses by using a narrow corridor or a covered walkway (which walkway and/or corridor is at most eight (8) feet wide and one (1) story in height), a detached garage, or another type of properly permitted out-building.

5. Corner Homesite Single-Story Massing Requirement

- Homes on Herriman Preserve Homesites situated at the intersection of two (2) or more roads must have single-story elements adjacent to all of those streets on the home structure, unless such Homesite Design has been specifically pre-approved by the Committee to have otherwise.

## 4.4 Foundations

All unfaced visible surfaces of concrete masonry and/or concrete foundation walls and piers must be finished with mortar-wash and must be painted to blend unobtrusively with adjacent materials. The Committee, in its sole discretion, may consider the use of either exposed aggregate concrete or textured concrete block (with a pre-approved integral or applied color) rather than mortar-wash appliqué.

Foundation walls must always step down with the grade change, so that the wall's exposed surface never exceeds a vertical height of eight (8) inches above finished grade (when measured where the wall is most greatly exposed). Material which covers the foundation wall must always be in the same plane as the wall.

Where the vertical distance of any ground floor wood deck structures exceeds 30 inches above the finished grade below it (measured from the underside of the structure, along its perimeter edge),

the deck edge must be skirted with a stone wall, wood latticework, or wood siding which screens the cavity beneath the deck. Foundation walls that occur under a skirted deck (so that they are not visible at all) are exempt from the facing requirements stated in this section.





## 4.5 Exterior Wall Materials

The Herriman Preserve Community encourages the use of many different materials that are consistent with and help appropriately broaden the emerging architectural grammar of Herriman Preserve. In keeping with the spirit of furthering the architectural grammar and staying true to the Elements of Composition, exterior materials used on every Homesite should generally be made of natural elements and shall be both compatible with, and complimentary to, the native landscape. Material selections must take into account the context of the individual lot as well as the adjacent lots so there is diversity in materials inthe street scene. Our goal is not just to make sure a house is well designed, but also the neighborhoodin total is well design. Each house makes up a piece of that overall composition.

Predominant exterior wall materials shall either be wood tongue-in-groove board siding, board-on-board, board and batten, horizontal wood lap siding, or free edged boards, native stone, concrete, specialty masonry concrete block, or steel panels, in addition to the glass for the windows. Logs may only be used on exterior walls if they are combined with an ample amount of one (1) of the materials listed above. The Committee will never approve any home which is completely made of logs.

Each home must include a significant amount of stone, concrete, or specialty concrete masonry, such as board formed concrete, on its exterior surface so that it conveys a sense of visual strength as one would expect a home in the mountains to have. The Committee, in its sole discretion, generally requires a minimum of 25 percent of the exterior wall surface of the home (excluding windows and door openings) to be made of stone, concrete of specialty masonry. As every Herriman Preserve HomesiteDesign will be uniquely tailored to its own Homesite conditions, architectural theme, etc., the Committee will make the final decision as to whether this required stone minimum is met on each

Homesite Design as such applicable Plans are appropriately submitted. The stone used may either be native or cultured (i.e. El Dorado); but regardless, the stone type must be evaluated and pre-approved by the Committee.

In its sole discretion, the Committee may consider and pre-approve an additional stone type, if an Owner and/or his/her Architect proposes such during the Design Review process.



Plywood siding is prohibited on Herriman Preserve homes unless an Owner or such Owner's Architect can sufficiently demonstrate to the Committee that the finished appearance of the proposed siding wouldbe indistinguishable from an individual board siding application.

Stucco may never be a predominant exterior surface material, but it can be used as a secondary material should it be consistent with the design intent. In its sole discretion, the Committee may approve the use of a limited amount of stucco veneer. But these limited amounts shall only be used along with another approved exterior wall material, and the stucco shall never as a main exterior wall component.

All uniformly colored and textured surface finish, metal siding (excepting copper left to patina and Corten, cold or hot rolled steel), fiberglass siding, vinyl siding, and/or asbestos siding are prohibited as well. On a case-by-case basis, the Committee will consider and pre-approve certain high-quality composition siding products if the Committee decides such products would be virtually indistinguishable from their natural wood counterparts.

All proposed composition siding products must have a porous wood-grained surface which is suitable

for the application of traditional stains and/or paints and must have a Committee pre-approved color.

All exterior surfaces, including, but not limited to gutters, roof vents, and window frames must be properly finished or painted. Corten, hot and cold rolled steel wall surfaces left to rust and copper or zinc wall surfaces left to patina may be allowed but other unfinished metallic exterior wall surfaces must be reviewed with the Committee.

The Committee will consider proposals to use large scale brick or textured specialty masonry block as an exterior finish material on a case-by-case basis.;

To bring a broad range of exterior wall materials to Herriman Preserve the following images represent some of what is considered appropriate at Herriman Preserve. Other materials will certainly be considered shouldthey be approved as appropriate to the context of the house.

## 4.6 Roofs, Trellises, and Awnings

The roofline of each Herriman Preserve home shall be responsive to the plan form in a creative way and should be evolved simultaneously as the plan form takes shape. Roofs should not be an afterthoughtonce the plan has been created. They should also be responsive to the context of the home, and work in harmony with it, so they become integrated into the overall context of the neighborhood andof Herriman Preserve in general, and not be discordant. Roofs need to be designed to be effective for theiruse as sheltering the house from the elements of snow, rain, sun and wind, as such must be shown to do so as the home is reviewed.

The following architectural standards regarding roofs on Herriman Preserve Homesites should be followedas part of the Elements of Composition:

1. **Roof Lines and Massing:** At Herriman Preserve, asymmetrical roof designs are preferred over symmetrical roof structures, unless the design is such that it is considered appropriate tothe Elements of Composition.

    - Under this intent, any long main roof lines need to be broken by lateral roof/massing elements. This ensures compliance with the Section 4.3 triple massing requirement (i.e. homes having at least three (3) distinct masses differentiated both vertically and horizontally by a minimum of four (4) feet), and it also prevents any linear awkwardness that could be present in typical roof designs. The Committee will carefully evaluate all roof ridge lengths in relation to the overall home design massing to achieve

compliance with this section, and in its sole discretion, may require roof lines to be broken or offset by further massing (in addition to the minimums required herein).

- At Herriman Preserve, the roofs of all two (or more) story homes shall include single-story elements. Higher masses in the roof design should generally occur toward the center,with the lower profiles occurring toward the outer portions of the home. At no time can the highest point of a home be at any of the outside walls. Roof Pitches: Residences at Herriman Preserve should generally be designed with pitched roofs due to the snow. Pitched roofs with the minimum pitch ratio allowed being five (5) feet in 12 (5:12) and the maximum pitch ratio allowed being 12 feet in 12 (12:12) with generally be the norm. At its discretion, the Committee may approve a certain roof design which contains a lower slope ratio, provided the design contains an appropriate mix of more
  steeply pitched roof compositions along with these low slopes. If the Committee, in its sole discretion, approves a roof with a pitch lower than 5:12, the roof must be entirely composed of copper, Corten, or zinc.

2. **Flat Roofs:** At its discretion, the Committee may approve flat roofs with very shallow pitches which are proposed for Herriman Preserve homes.

- Flat Roofs must be appropriate to the surrounding context of the lot. Flat roof designs should only be engineered with careful consideration regarding the heavy snowfalls that often occur in Herriman Preserve's mountain environment.
- The flat roof surface must be comprised of a living-green roof, pavers, and/or Corten or equal, copper or zinc—or a combination thereof. Green roof proposals must demonstrate that they will be appropriate to the landscape zone they are in at Herriman Preserve.
- Due to wind and sun conditions green roofs do not survive in several areas in Herriman Preserve, as such the landscape architect should confirm the likelihood of a healthenvironment for the roof.
- Ballasted roof surfaces are generally not allowed on custom homes. The Committee, in its sole discretion, may approve specific types and/or mixtures of dark colored ballasted rock for all or for a portion of flat roof custom home designs on a case by case basis.

3. **Prohibited Roof Forms:** At Herriman Preserve, mansard roofs, dome shapes, and/or other roofforms that do not properly resolve themselves are strictly prohibited.

4. **Encouraged Roof Forms:** The Committee strongly encourages the use of gables, hips, shed roofs, and the use of dormers or clerestories that are appropriate to the main roof form to create roof forms appropriate to Herriman Preserve homes.

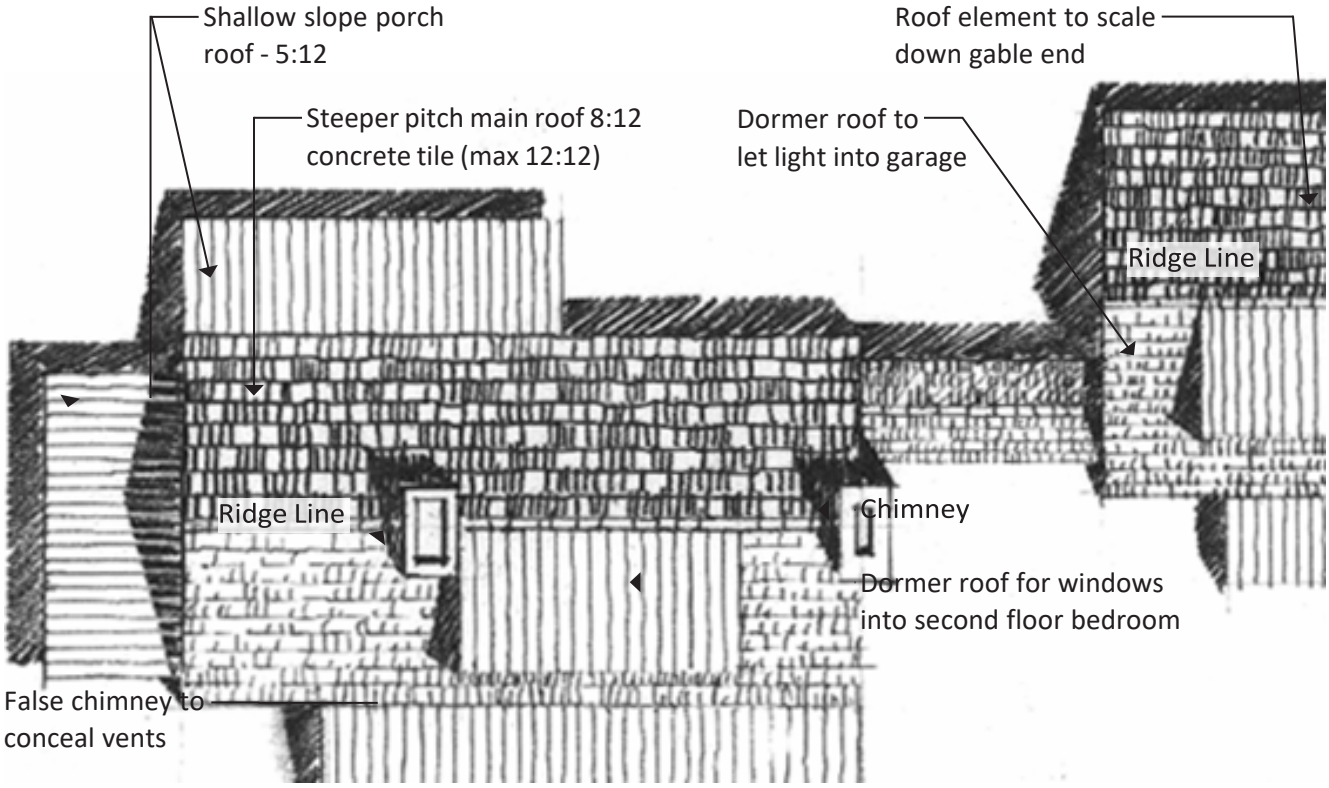
- Roof overhangs shall be found on all roof edges of Herriman Preserve homes, and shall extend on all sides for a minimum length of three (3) feet for roof slopes ranging froma 5:12 to a 12:12 pitch and four (4) feet for roof slopes which are less than 5:12.
- In its sole discretion, the Committee may approve the absence of overhangs on certain roof designs, if the Committee deems such is appropriate to the architecture and design of the home.
- Covered terraces and/or covered porches are strongly encouraged at Herriman Preserveas well, and such terraces and porches must always be fully integrated into the architecture and design of the home structure.

The following images illustrate a variety of desired roof forms.







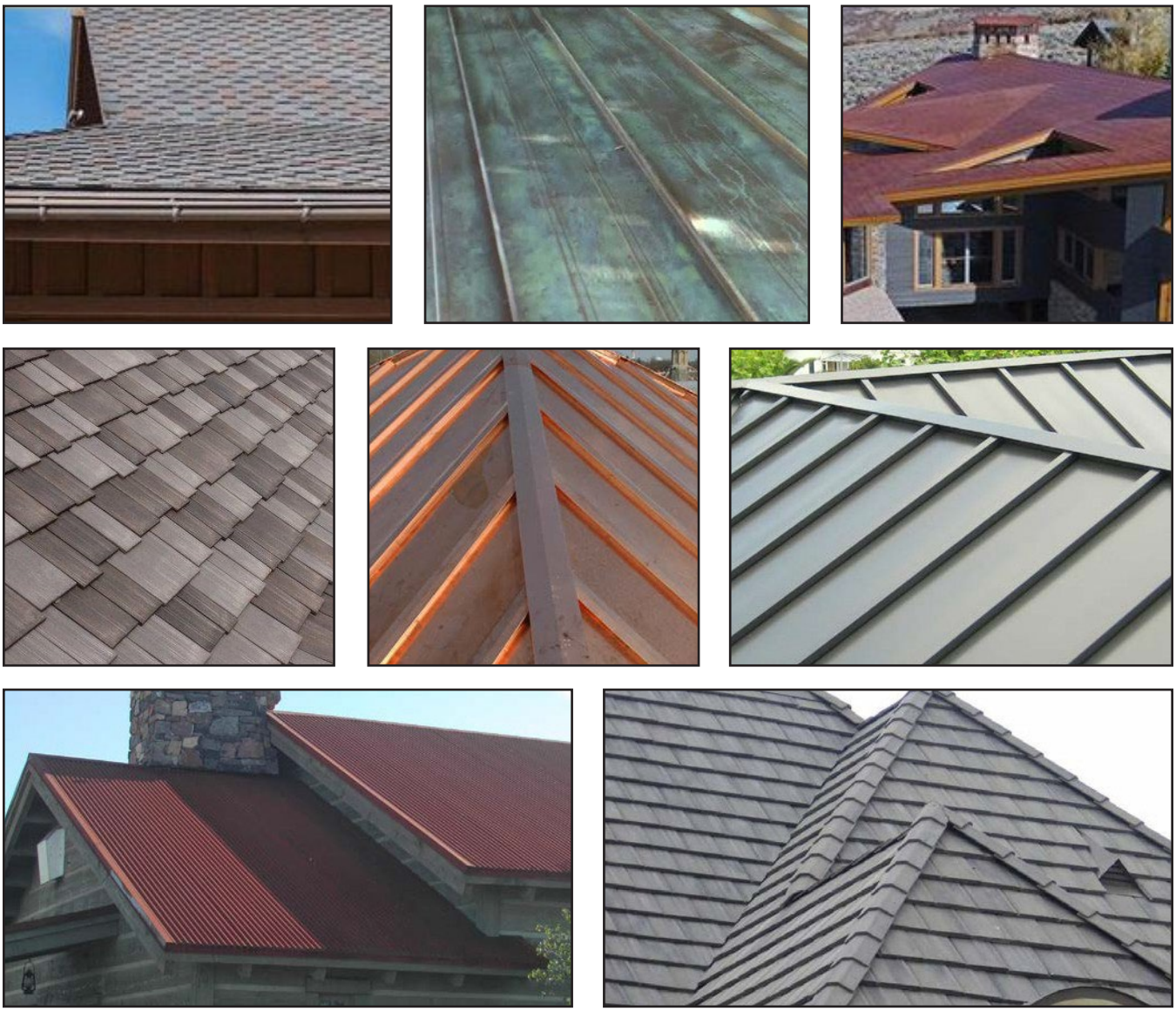



ACCEPTABLE ROOF DESIGN

Every Homesite Design submitted to the Committee must include a detailed roof penetration plan, which depicts all roof penetrations, including plumbing and mechanical vents, as well as all chimneys. The plan should show all the small plumbing vents grouped together in small chimneys as much as possible. As well, the plan should show how the large mechanical vent will be concealed in a false stone chimney. This roof penetration plan must be submitted and reviewed by the Committee prior to Final Approval.

Herriman Preserve mandates compliance with the carefully contemplated standards regarding roofing materials. Owners shall be responsible for submitting proper proof of compliance with the following standards as part of the Design Review process:

1. **Permitted Roofing Materials:** Roof materials which are permitted at Herriman Preserve include the following: weathered Corten steel (i.e. rusting steel), copper (which can naturally turn brown or patina), zinc (which is allowed to naturally patina), architectural grade fiberglass/composite shingles, slate, concrete shake tiles, textured concrete flat tiles, and certain other low reflectivity tiles



2. **Prohibited Roofing Materials:** The following roof materials are prohibited at Herriman Preserve: asphalt shingles with a standard or medium thickness, all types of barrelor “S” tiles, all asphalt roll roofing, and any permanent shiny copper or other blatantly
reflective metal surfaces. As well, wooden shake shingles and/or other flammable roofing materials are prohibited at Herriman Preserve, due to Fire Department regulations. Thus, pre- finished metal roofs will be too reflective and will be prohibited unless the Committee specifically evaluates and pre-approves them.

3. **Material Specifications:** All architectural grade fiberglass shingles must be heavy-weight (i.e. they must have a minimum weight of 355 pounds per square), three-dimensional,

thick-butt asphalt shingles. The shingles must be placed so they are randomly staggered, so they portray a wood shake look, and so they have plenty of depth to create shadow. If such architectural grade fiberglass shingles are used as a roofing material, the Committee will require the roof to also have a significant amount of copper left to patina or Corten steel to accentuate and sophisticate the roof design and structure. The actual amount of copper, zinc or Corten steel accenting which is required on a particular roof will be decided by the Committee on a case-by-case basis; but generally speaking, the Committee will require a 25 percent minimum of such accenting to occur on roofs at Herriman Preserve. In addition, an edge cap detail, as approved by the Committee, must be usedto properly finish the edge appearance.

4. **Trellises** are encouraged as a way to extend the roof form over entries and terraces and give sun protection. They must be detailed in a way to assure the committee of their longevity as trellises detailed with too small of framing members tend to twist and turn over time.

5. **Awnings** are prohibited in all cases.

## 4.7 Entrances

Entrances on Herriman Preserve homes should be designed in a human scale proportion, rather than havingexaggerated dimensions. Thus, no entry may exceed a single-story height. Appropriate grandeur should certainly be experienced after entering Herriman Preserve homes, but not extravagantly worn on their exterior façade. At Herriman Preserve, clean lines on restrained and understated entries are much more appropriate than entryways which are too ornate, monumental, or imposing (which entries the Committee will not approve).

Trellised entries can be used as a pleasing and welcoming transition area between indoor and outdoor space. Herriman Preserve prefers and encourages home entrances that are part of a covered front terrace or porch.

Since there is typically only one (1) driveway entrance per Homesite, porte-cocheres will only be approved on Homesites which are large enough to have these structures and to still allow for the required turning movements set out in Section 3.4 without encroaching into any side setbacks.

## 4.8 Porches, Terraces, and Decks

Herriman Preserve strongly encourages using a covered front porch or front-facing terrace as a core structure on every home. This feature helps “relax” the street side of the home and makes it feel less like a home one finds in a more urban area. If it is properly designed, a front terrace can be both an architectural asset and an augmenting element which encourages the traditional, more private use of the backyard.

The historically-based front porch/landscaped terrace concept will enhance Herriman Preserve homes inthe following four (4) distinct ways:

1. The focal point of the home (as viewed from the streetscape) will become the people-oriented entrance, rather than the typical garage-dominated design being seen on the front side of the home.

2. The home’s entryway will become an architectural asset without being monumental or intrusive.

3. A sitting area with the benefits of a low wall and an overhanging roof can automatically be created on the home’s front exterior. This front porch or terrace can easily become an ideal area for enjoying the exceptional view of the landscape that is so often only visible from the front of the Homesite.

4. The home’s living area immediately feels more spacious as this terrace or porch creates an easy indoor/outdoor transition which opens naturally toward the front yard and streetscape.





## 4.9 Chimneys

Well-proportioned chimney masses can and should be used as sculptural features which complement the architectural quality of every home at Herriman Preserve.

Unique chimney designs are encouraged at Herriman Preserve, as chimney structures can lend themselves to having a variety of angular and rounded forms. The Committee encourages Herriman Preserve homes to have carefully contemplated chimney structures which greatly enliven the three-dimensional quality and the architectural profile of the overall Homesite Design.
To preserve the high quality of the mountain air at Herriman Preserve, all Owners are encouraged to utilizenatural gas or propane log fireplaces in their homes, rather than using standard wood burning fireplaces and/or stoves.





Due to the extreme fire danger usually present in this high desert and mountain region, all chimneys, including outdoor fireplaces, must be equipped with a U.L.-approved or an I.C.B.O.-approved spark arrestor. All metal spark arrestors must be completely concealed from view and buffered by a sufficient chimney cap screening (i.e. black mesh, etc.) and detail. Exposed metal flue pipes will not be approved by the Committee.

## 4.10 Outdoor Fireplaces and Fire Pits

All open outdoor fireplaces and fire pits are prohibited at Herriman Preserve unless they use natural gas or propane. Portable barbecues will only be permitted if they have lidded cookers. All permanentlyinstalled barbecues must be pre-approved by the Committee.





## 4.11 Exterior Colors

Preserving the appearance of the natural landscape is a primary goal in the Herriman Preserve Communityand maintaining this focus will always play a critical part in the approval of exterior colors for Herriman Preserve Homesites. Therefore, on homes at Herriman Preserve, the colors of the exterior materials must be subdued enough to blend in with the natural landscape and they must compliment the surrounding nativity, rather than disturb it. The Committee highly recommends using earth tones
on homes' exterior surfaces; however, the Committee, in its sole discretion, may approve the use of other accenting colors (if the colors are consistent with the Homesite Design, and if such colors are used judiciously and with restraint). The composition of color for the community is very important in considering the Elements of Composition. In selecting color, it is not only important to look at colors pleasing to the homeowner's desire, but also to look at the overall context of the setting of the Homesite. We are not trying to promote a community that is too brown or too dark, but one that in context of the full community composition is interesting and naturally colorful.

Colors which approach the primary range ( blue, white, and yellow) are prohibited at Herriman Preserve, and colors that have drastic light-to-dark contrasts in value and hue are prohibited as well. In certaincases, the Committee may approve white as an accent or "trim" color; however, "light-grey" siding stains which approach white or off-white in their appearance are prohibited. Garage doors and/or exterior doors are not considered "trim."
All exterior colors must be proposed to the Committee in a sample format which sufficiently depicts the actual hue, tone, and shade of the proposed color in its final application. The Committee requires any color selection which is part of a Homesite Design to be applied to a sunny area of the home prior to Final Approval.

As the Committee will only approve exterior colors which match and compliment the natural coloration of the summer and winter landscapes at Herriman Preserve, Owners, Architects, and Buildersare encouraged to consult the Committee when formulating color proposals and when seeking appropriate examples of exterior colors. Most importantly, in every Herriman Preserve color proposal submitted, all colors must fall within a Light Reflectance Range (LRV) of 15 to 35.

## 4.12 Windows, Skylights, Draperies, and Shutters

Windows on Herriman Preserve homes should have proper architectural detailing and have an overall composition that is orderly. Windows should not appear as openings which are randomly cut into the elevation; but rather, all windows should be carefully designed so that they add depth and detail by being appropriately recessed, projected, or bordered by projections that provide a shadow pattern and reduce reflectivity. The Committee encourages consideration of the use of divided light detailing to properly scale a window. More contemporary designs will still want to consider divided light detailing to break up large unbroken panes of glass.








While elevations may differ on various sides of a Homesite, windows on every side of the home must be treated with equal attention to detail (i.e. the same attention given to the front/street side as is given to the rear side). All facades on a home shall have a sufficient degree (which required degree

will be determined by the Committee, in its sole discretion, on an individual basis, depending on the particular Homesite Design and home size) of doors, windows, or other wall openings. Windows that are either insensitively placed and/or poorly designed will not be approved by the Committee. Window heads shall either be designed so they follow roof lines or so they remain level. The Committee shall not approve scissor truss windows with slopes which do not match the roofline of the home.

All skylights shall be positioned on the roof in an organized pattern which aesthetically compliments the roof design, rather than being placed arbitrarily. All skylights shall be flatly shaped and shall have a low profile. Bubble-type skylights, or circular tube type skylights are prohibited at Herriman Preserve.

Window panes and/or skylight lenses shall not be highly reflective. Skylight lenses must be clear, grey, or bronze in color. No white skylight lenses or window panes are allowed at Herriman Preserve, and window or skylight frames which are made of reflective material which is left unfinished is strictly prohibited. This restriction especially applies to aluminum frames which must be anodized or finished with bakedenamel.

All shutters and/or drapery linings which may be visible from outside of the home must be neutrally or earth-tone colored. The Committee prefers that shutters/drapery linings be either black or other earth tones, as is required on exterior wall surfaces of Herriman Preserve homes. If a light color is preferred,earth tones (i.e. those marketed as beige, taupe, cream, ivory, etc.) should be used. The Committee will consider the shade of tinting and glazing in windows combined with the drapery colors when reviewing and evaluating proposals. Colors marketed as “white,” which is defined as the absence
of color, will never be approved by the Committee unless they are obscured by tinted glass which the Committee determines, in its sole discretion, is dark enough to eliminate unwanted contrast/ reflectivity and make the shutters/ drapery linings appear colored. Pre-approval by the Architectural Review Committee is required for any shutter/drapery addition to a Herriman Preserve home.

## 4.13 Building Projections

On Herriman Preserve Homesites, all projections from homes or other Homesite structures including, but not limited to vents, flashing, louvers, gutters, downspouts, utility boxes, porches, railings, and exteriorstairways shall either identically match the color of the surface from which they project, or they shall be painted/stained with color(s) which are pre-approved by the Committee, so that such projections unobtrusively blend in with adjacent surfaces.





Most importantly, as stated in Section 3.1, all building projections shall be contained within the building envelope.

## 4.14 Garages and Garage Doors

Every Herriman Preserve home shall have a garage (which can be either attached or detached) which accommodates at least two (2) automobiles. Carports are strictly prohibited at Herriman Preserve. Garages and/or garage doors shall not visually dominate the exterior elevations of the residence as viewed from the streetscape, neighboring Homesites, Common Areas, and/or Open Spaces. The Committeewill not approve any Homesite Design submittal which depicts the garage/garage door(s) as a visual focal point in any way.

As Herriman Preserve makes it a priority to avoid becoming a typical residential community which has streets aligned with rows of unattractive garage doors and oversized driveways, the Committee requires that all Homesite Designs genuinely strive to minimize the visual dominance of garage doors. The Committee will not approve proposed Homesite Designs which do not take effective measures toward this garage minimization goal. Owners shall be responsible for seeing that their particular Homesite Design(s) take measures toward garage mitigation, which measures include but are not limited to the following:

1. Side garage entries (which are out of direct streetscape view)

2. Garage door overhangs and/or piers that serve to recess the doors by providing an extra softness of shade and shadow

3. Significant architectural detailing (i.e. wood carriage doors or another carefully articulated design, rather than a simple horizontal line design) on the garage doors to add visual appeal and to mitigate the feeling of a dominating garage.

To most effectively eliminate the potential view of garage doors from the street, the Committee requires one (1) of the following on Herriman Preserve Homesite Designs:

1. The garage is a separate structure from the home

2. The garage is made part of a separate structural mass (with or without an enclosed connection to the main part of the home)

3. The garage entrance is completely out of street view.

If topography or other Homesite constraints make all the above options impossible, then the Committee may pre-approve alternatives to one of the above options, so long as the home portion (rather than the garage) remains as the visually dominant image on the Homesite. For instance, the Committee might approve garage doors which partially face the street if they are placed at a minimum 45-degree angle from the street right-of-way. All Homesite Designs proposing exceptions to typical garage requirements will be evaluated and pre-approved on a case-by-case basis by the Committee, in its sole discretion.

From a design perspective, garage doors must coordinate with and compliment the rest of the home's motif and architectural elements. Garages may never present closed or unarticulated facades. Garage door glazing should serve to minimize the garage doors' appearance. As well, the Committee will not approve large or unbroken masses or structures above garage doors; instead, the Committee expects to see sufficient detailing and/or a change in surface plane to sophisticate the design in the area above the garage doors.

Garage doors shall be either the same color as the main body of the home, or they should be a slightly darker shade of the same color. Regardless, garage doors should never have a hue that is so light or so dark that it causes the garage to draw extra and/or unnecessary attention. As well, the Committee may not approve the use of fluorescent or other highly visible lighting inside a garage if, in its sole discretion, the Committee decides that the light seen from the open garage door(s) and/or

garage door windows would cause an excessive glare to views from neighboring Homesites, roadways, Common Areas, or Open Spaces.





The Committee encourages garages at Herriman Preserve to have single-bay doors, rather than double- width doors, to create a smaller-scale garage appearance as it is compared to the rest of the home structure. In its sole discretion, the Committee may approve double-width garage doors if the Ownerand/or Architect can sufficiently demonstrate that the size of a double-width garage door structure is proportionally minimal when it is scaled against the rest of the Homesite Design and against the surrounding neighborhood streetscape. At Herriman Preserve, single garage doors divided by a substantial column or pier are always encouraged over double-width garage doors. Regarding garage door placement, when a Homesite Design contemplates three (3) or more garage bays, the Committee specifically requires proof that no more than two (2) doors be in the same plane. The third (and fourth) door(s) must occur in a secondary building plane, offset by a minimum length of 32 inches from the primary front wall of the garage, to avoid a continuous uninterrupted wall of three (3) or more garage doors.

Finally, garage doors may never exceed a maximum height of nine (9) feet. As well, all garage doors must be recessed at least one (1) foot from the face of the closest exterior wall surface.

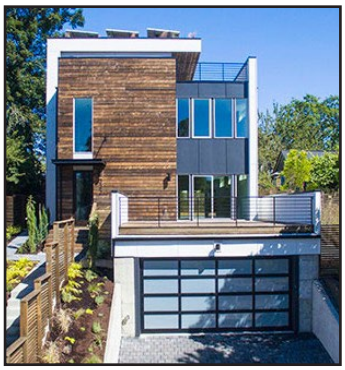
## 4.15 Solar Applications and Structures

At Herriman Preserve, passive and active solar designs are encouraged. The Committee will only approve solar applications if the Owner demonstrates that the solar hardware is consistent with the home's architectural design, which generally will require an edge to edge design concept, or some other well thought out concept for integrating them into the roof design. Retro-fitting an application of solar panels into an existing roof and/or home design after initial construction is both difficult and rarely successful from a design standpoint. If an Owner anticipates using solar panels, they should be incorporated into the Preliminary Submittal for the Homesite Design, so the Committee can properly review and approve the panels and how they are integrated into the design. While the Committee remains receptive to developing technology pertaining to home materials (i.e. solar shingles and wall

glass), solar panel arrays will not be approved on the ground plane of a home design. Below are examples of solar panels incorporated into a home:








The following images portray solar systems that won't be allowed based on various factors including but not limited to stair stepping panels, ground panels, and scattered roof panels.





## 4.16 Dog House and Flag Poles

All dog houses, dog runs, flag poles, and other permanently installed recreational equipment must be integrated into the Homesite Design and must be submitted to and pre-approved by the Committee before its construction.

## 4.17 Changes, Alterations, or Additions

All changes and/or additions to the Committee-approved Plans which occur before, during, and/or after Homesite construction must always be submitted to and approved by the Committee prior to their construction. In general, all changes, alterations and additions must be compatible with the original design. Similar materials and details must be used the changes, alteration and additions are seamlessly blended with the original construction.

## 4.18 Low Flow Toilets

All Herriman Preserve homes must use low flow toilets in their design. Low flow is defined as having amaximum of 1.5 gallons per flush.

## 4.19 Protection Systems

All Herriman Preserve homes shall be equipped with alarm systems to monitor fires and to monitor gas leaks.These alarm systems must be monitored and maintained by a reputable service.

## 4.20 Exterior Furnishings and Sound Systems

All outdoor furniture and/or sound systems must conform to the same color and reflectivity standards established in these Guidelines for a home's exterior colors (See Section 4.10). Any exterior audio speakers must be an integral part of the home and must be concealed (with proper recession or buffering, as approved by the Committee, in its sole discretion) from the views of surrounding Homesites, Open Spaces, roadways, and Common Areas. Outdoor speaker music must never be so loud as to disturb occupants of neighboring residences.






HERRIMAN
CITY

# 5 - LANDSCAPE GUIDELINES

As homes are designed and built within Herriman Preserve, care must be taken to preserve the rugged natural beauty that is so intrinsic to the Community's character. Herriman Preserve's native vegetation andunique Homesite features will always remain the fabric that weaves together a cohesive, yet very distinct Community.

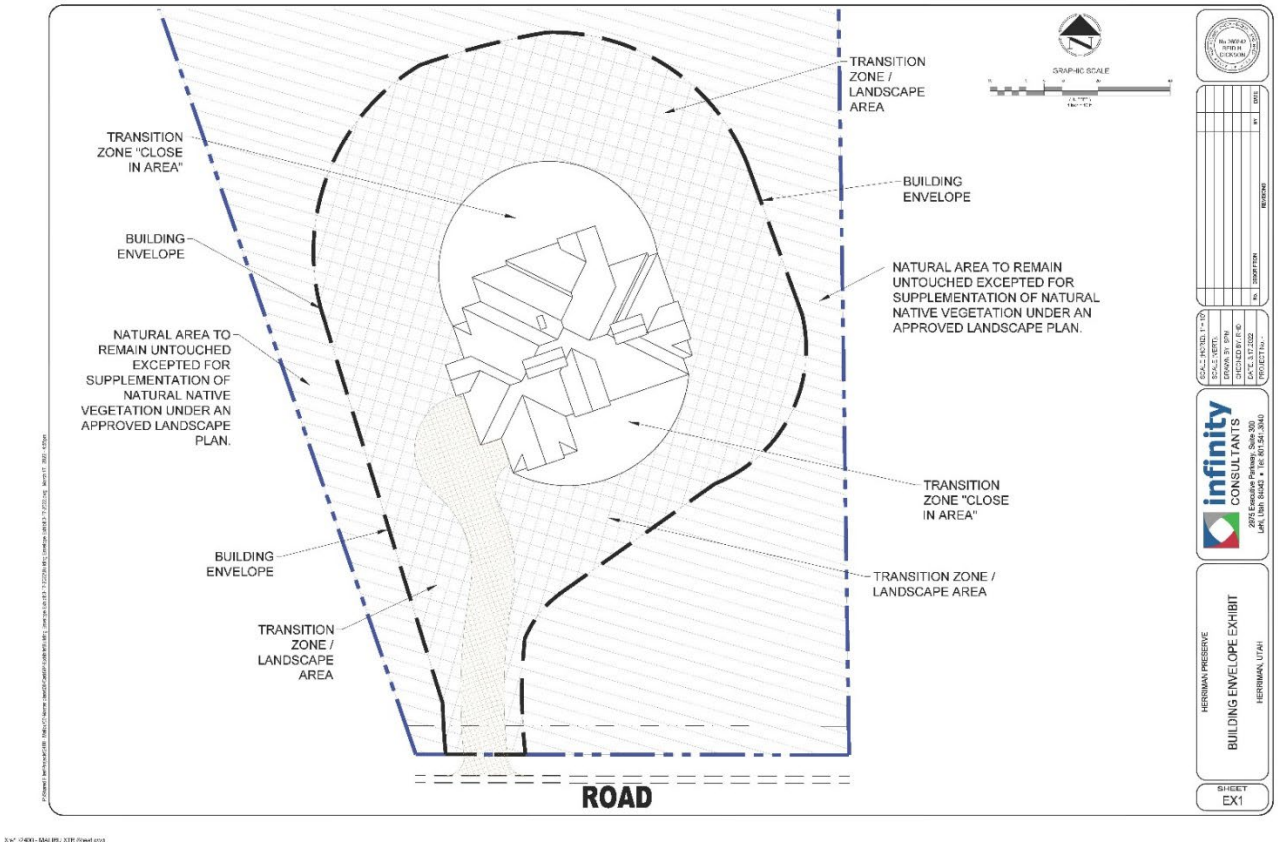
Decisions about placement of the home and any outdoor areas (i.e. patios, etc.) must be sensitive to both the preservation and the continuation of the existing natural environment on the Homesite. Thus, all trees, natural vegetation, and any other Homesite features should help to enhance the overall appearance of the Homesite. Since the plant species that are permitted for revegetation are limited, and since the growth process is long; every method that can somehow preserve existing vegetation must be employed.

All landscaping desires should be carefully considered during the site planning phase of the Homesite Design. Retrofitting a home with what seems like appropriate landscaping after the design has already been created will not likely result in a solution that is fitting for Herriman Preserve, nor one that meets the Committee's requirements.

To help enhance the natural beauty of the Homesite(s), it is key to provide a plant palette that blends with the surrounding area and using vegetation from the Approved Plant List (Section 3.17).

Each Homesite has a designated building envelope, which is specifically designed to protect and to preserve the natural features of the landscape. When thinking about the site plan and the landscape design, three (3) zones comprise each Homesite:

1. Natural Area
2. Transition Area
3. Private Area




## 5.1 Natural Area

The Natural Area is that portion of the Homesite which lies outside of the building envelope and which must remain as a natural area left untouched and undisturbed during construction. On Homesites which already have existing disturbance within the Natural Area, revegetation will be required; and it shall be the Owner's sole responsibility to install this revegetation and to preserve it as such. In other cases, the Landscape Master Plan (Development Agreement; Exhibit J) may require enhanced landscaping within a Homesite's Natural Area for different reasons; and again, it becomes the Owner's sole responsibility to install this revegetation and to preserve it. Thus, the Landscape Master Plan, requires revegetation on certain Lots within Herriman Preserve. And in still other cases, the Committee may simply permit this enhanced revegetation on a Homesite at the Owner's discretion.

If revegetation is required or otherwise permitted on a Homesite, the only plants that may be used are those which are indigenous to the general area of development in which the Homesite is located. As well, all Natural Area revegetation (i.e. all added plant material) must have both a density and a mix that match the density and mix of the general area of development as closely as possible.

On Homesites with existing vegetation, permanent irrigation of the Natural Area is not permitted

because indigenous vegetation does not normally require additional water. Permanent irrigation of the Natural Area could lead to disease and death of the native plants, and it could even promote the spreading of undesirable plant species or weeds. However, temporary irrigation of all revegetation (whether it is required or permitted) is allowed.

In an effort to create a more natural and cohesive landscape / streetscape, the Committee may, at its sole discretion, approve additional trees in the natural areas.

## 5.2 Transition Area

The Transition Area is the portion of a Homesite that is within the building envelope but is still outside the residence or Homesite walls. In the Transition Area, the Owner may enhance the landscape. All areas of Homesites which are disturbed by construction activity must be restored and revegetated; and they must be appropriately tended until the natural vegetation is reestablished and sufficiently nourished. Additional landscaping may also be required in the Transition Area by the Landscape Master Plan.

For Lot-specific requirements about Landscape Master Plan requirements see Section 5.4.

For Owners either wishing to or required to undertake supplementary planting, the Herriman Preserve landscaping concept should be envisioned as a series of concentric planting zones around a home. The most formal planting must be situated adjacent to the residence, or as an accent border within six (6) feet of either side of the entry drive or the parking apron. Plant materials in this “Close-In Zone” may be selected from the Approved Plant List described in Section 3.17. As the distance from the home increases, a transitional planting zone may occur between the formalized planting around the residence and the established building envelope. Planting in this transitional zone should be selected from the Approved Plant List in Section 3.17. The landscape shall blend back to the natural vegetation outside the building envelope referred to as the Natural Area. The line of interface between this transitional zone and the natural landscape outside the building envelope may occur along a soft-edged, irregular line which roughly approximates the building envelope line.

Most importantly, special care must be taken during the initial planning for placement of the home on the Homesite, so that sufficient planting space is allowed for any perimeter landscaping (whether it is required by the Committee or simply desired by the Owner) to occur without encroaching outside the building envelope in any area on the Homesite.

At the least, every Homesite’s landscape plan must meet the requirements of the Landscape Master Plan (as referred to in Section 5.4) for various Lot types. The Committee must review and approve the

required Homesite landscape plan (such requirement is explained in the Design Review Procedures and Architectural Review Committee Organization), as well as any and all supplemental landscape plans, prior to Final Approval and prior to any landscaping implementation on the Homesite.

## 5.3 Private Area

The Private Area is the part of the building envelope which is screened from view from adjacent Homesites, the streetscape, Open Spaces, and any Common Areas, either by site walls or another structure(s). It is within this Private Area that an Owner may create as varied a landscape as he/she desires, provided that only plants from the Approved Plant List (Section 3.17) are implemented. The Owner may only choose plants other than those from the Approved Plant List if the Committee pre-approves them. Drip irrigation systems are allowed within the Private Area. All Private Area landscape designs must be properly submitted to and pre-approved by the Committee before any landscape is implemented.

## 5.4 Landscape Master Plan Requirements

Typical lot planting requirements for Herriman Preserve Homesites include, but are not limited to thefollowing:

1. **Building Improvements:** Except for the required planting and/or irrigation of enhanced native vegetation, any and all improvements and/or disturbances made to the Site must be within the designated building envelope.

2. **Disturbance Area:** Regardless of the building envelope size on a Homesite, no more than 65 percent of the Homesite's total area may be disturbed.

3. **Vegetation Types:** On any and all Homesites, only native vegetation shall exist in the area which is situated between the access road and the designated front building line boundary. All disturbed areas on a Homesite shall be revegetated by using native grass, wildflowers, and sod seed mix.

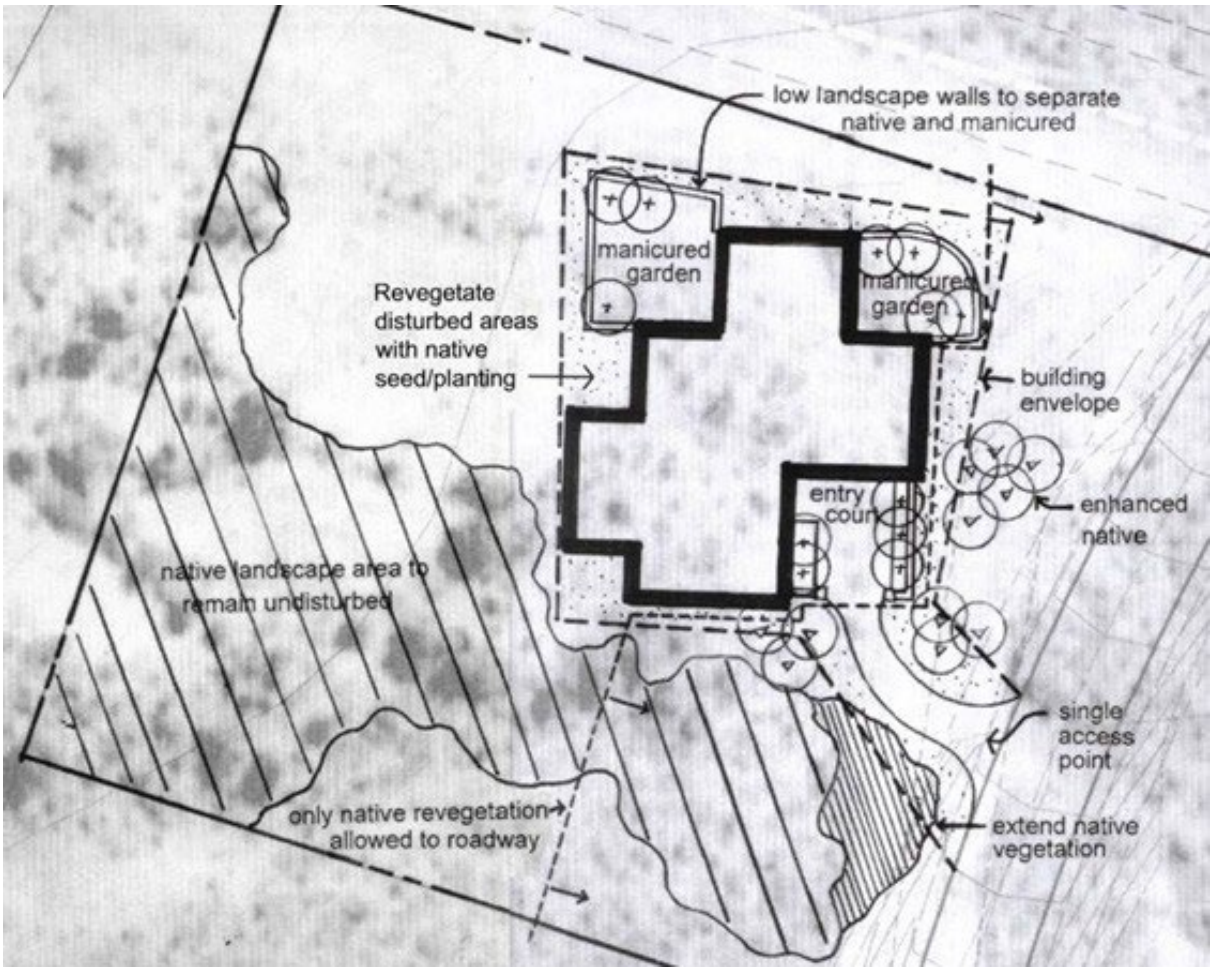
4. **Garden Areas:**

    - Manicured garden(s) (which gardens consist of sod, trees, and irrigation) are optional on Herriman Preserve Homesites.

- Such gardens may include the quantity of plants the Homesite Owner desires; however, such gardens may only have a maximum total area of 4,000 square feet.
- Any and all improvements in such gardens shall be contained within low landscaping walls, which are an architectural and visual extension of the particular home's building structure.
- Manicured garden spaces should thematically and aesthetically relate to and compliment the home structure's interior spaces.

5. **Enhanced Native Vegetation Requirements:**

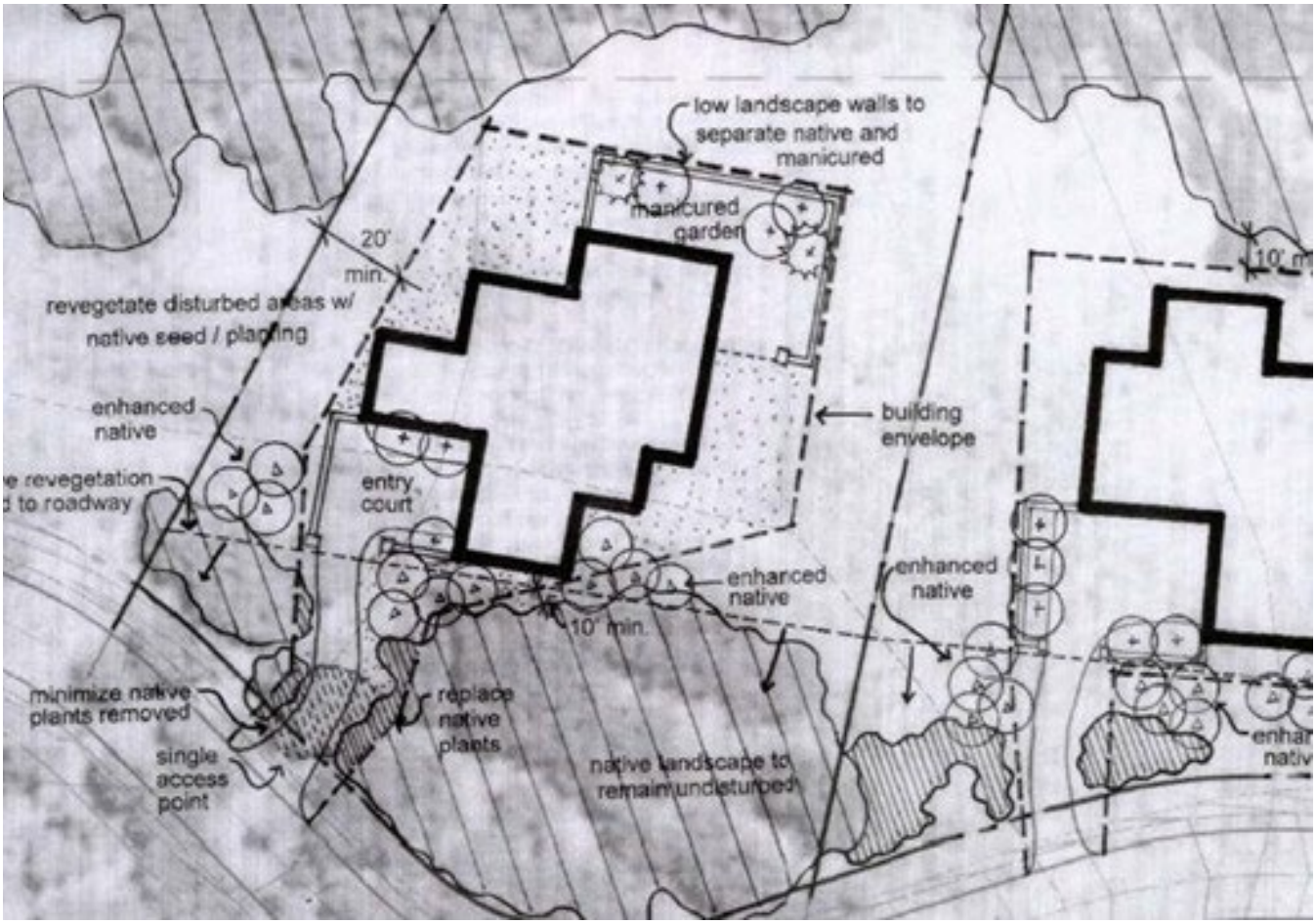
- The required enhanced native vegetation on a Homesite is separate from and situated outside of the manicured garden space, and such vegetation should effectively blend with and compliment the structural architecture on the Homesite.
- The required enhanced native vegetation may occur outside of a Homesite's building envelope. Such vegetation should include plant massing and plant types which are similar to and compliment the enhanced vegetation on all neighboring Sites. The Committee may, in some cases, require that a Homesite's enhanced vegetation actually match and connect to such vegetation on neighboring Homesite(s).
- All Homesites are required to install and maintain a proper drip irrigation system to serve the Site's enhanced native vegetation.
- Enhanced vegetation on Homesites shall comply with the following size requirements: Deciduous: at least a three (3) inch caliper, and Evergreen: a height of 14 to 16 feet.
- While a minimum height and caliper are required, it is important to vary the height and mass of the trees and shrubs to create a more natural effect.




**TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 1**

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 16 trees of which a minimum of 8 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

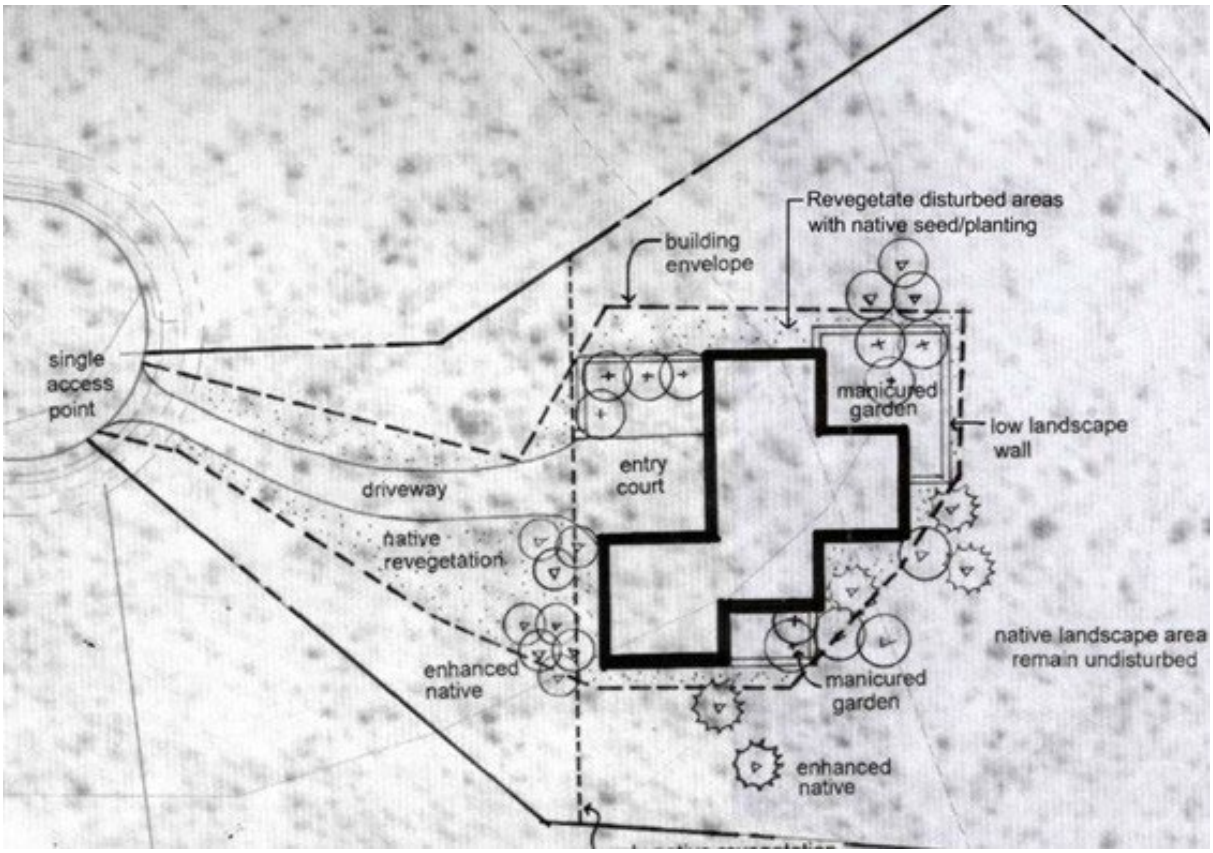
**LOT TYPE 1 VILLAGE:** Pod #




**TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 2**

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 16 trees of which a minimum of 8 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

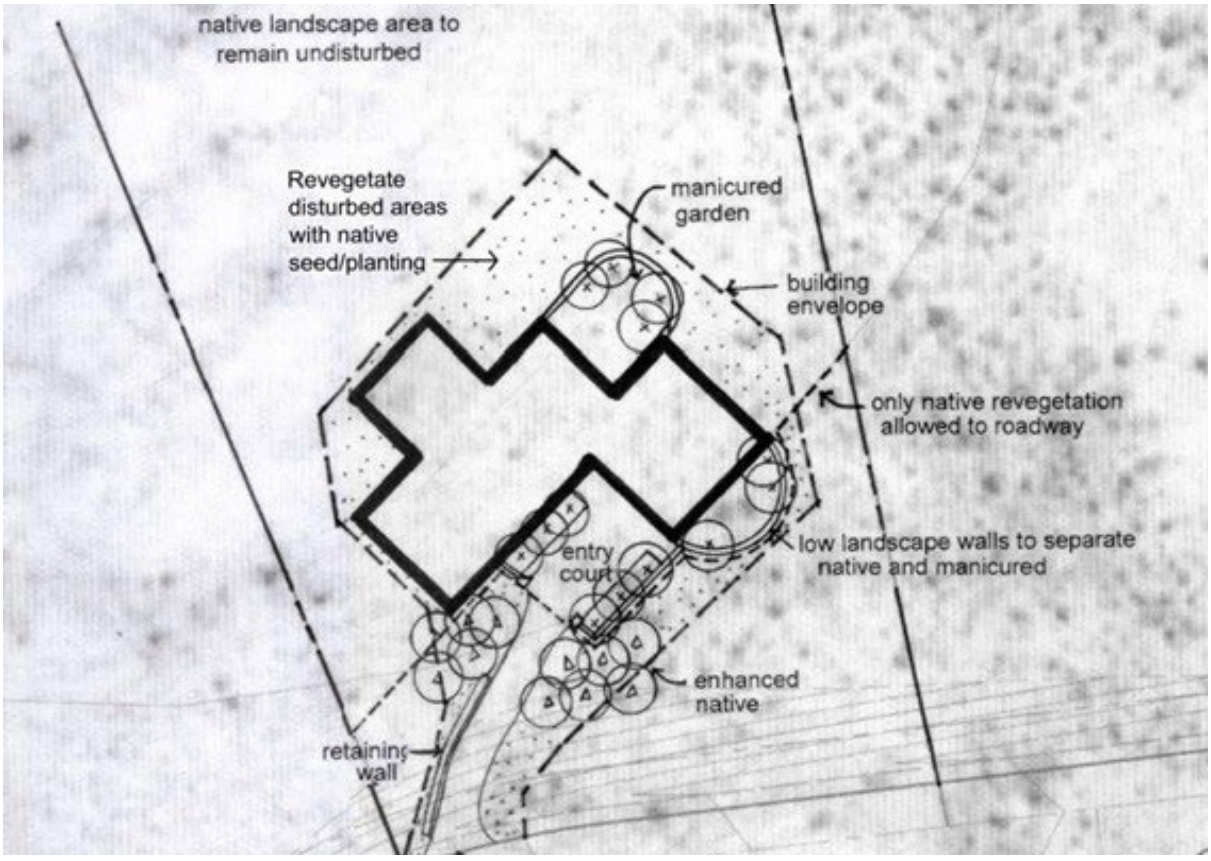
**LOT TYPE 2 VILLAGE:** Pod #




**TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 3**

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 24 trees of which a minimum of 12 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

**LOT TYPE 3 VILLAGES:** Pod #




**TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 4**

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 16 trees of which a minimum of 8 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

**LOT TYPE 4 VILLAGES:** Pod #

## 5.5 Diverse Homesites

Within Herriman Preserve, each Homesite has specific and unique native landscape characteristics. Thus, it becomes extremely important for Owners, Architects, and Builders alike to consider specific Homesite features (i.e. vegetation type(s) and density, topography, surface material, etc.) before designing and/or constructing any landscaping and/or Homesite improvements. Herriman Preserve encourages each Lot to have very carefully crafted Homesite Designs (including all landscaping andbuilding designs for the Homesite), which only contemplate improvements that preserve the Lot's native vegetation and complement its existing landscape.

During the Pre-Design phase of Design Review, the Committee requires every Owner to complete an "existing conditions" survey, which accurately provides locations and descriptions of all existing trees, plants, topography, ground planes, and elevations on the unimproved Homesite. This survey will provide a reliable basis for creating a feasible landscaping improvements plan; and as the Design Review process ensues, this initial survey information will ensure that the Committee is able to accurately evaluate how well the proposed site, grading, and landscaping improvements plans relate to and compliment the original natural character of the Homesite.

At Herriman Preserve, every Homesite Design (including landscaping) directly affects those Homesites surrounding it, as the Herriman Preserve viewscape is one overall landscape image without any individual Homesite boundaries. Therefore, for the unique Herriman Preserve landscape to be preserved, it becomesimperative for every Homesite to be carefully and successfully improved, and for every Homesite's landscaping to be accurately restored to the naturally existing landscaping originally found on it.

## 5.6 Retention and Ridgeline Area Landscaping

In Retention and Ridgeline Areas, the landscaping design on every Homesite will require special care. The Landscape Master Plan is very specific about requiring heightened landscaping and tree planting on these sensitive Homesites, which requirements depend on many factors, including but not limited to: the specific Homesite's proximity to a Preservation Area, the specific location of the Lot, the size and shape of the Lot, the size and shape of the building envelope, the proposed home's architectural design, and the proposed home's visibility from street rights-of-way.

## 5.7 Plant Salvage

Whenever practicable, the Committee highly encourages a Homesite's native plants, trees, and other vegetation which is not initially retained on the Homesite to be properly stored, salvaged, and replanted on the Site after construction of the home and other improvements take place. If this salvage and replanting is conducted appropriately, the Homesite's native vegetation will become an invaluable source for restoring the
Site's natural rejuvenation, regrowth, and unique character. The Committee must pre-approve each Homesite's replanting plan and replanting execution (by considering both arrangement and quality), so that each Site restoration at Herriman Preserve clearly reestablishes and enhances the original Site's unique landscape and native character.

Specifically, the Committee requires the following care steps to be taken during salvage and replanting:

1. Although salvage plants are adapted native plants, very careful continuing maintenance is required to ensure successful replanting. Owners are responsible for seeing that the plant salvaging process, however lengthy, is allotted adequate time to be precise and successful. In many cases, this will require Owners dedicating months to correctly boxing and removing trees and large shrubs.

2. Owners should recognize that not all native plants on the Homesite will be suitable for salvage. If a Homesite's plants are too large, are inaccessibly located, are surrounded by poor-quality soil, have poor survival history, or are not recommended for resalvage due to seasonal conditions, the Owner shall be responsible for discovering an alternate resolution for providing proper revegetation to the Homesite.

3. In some cases, even with careful attention to replanting, salvage plants may not survive or fully recover to their once-healthy state. If the Committee decides any salvage plant on a Site is too unsightly to remain in place, the Owner shall be responsible for removing and replacing the salvage plant with a Committee-approved replacement.

4. During all salvage operations, special care must be taken to minimize Homesite disruption as much as possible and to ensure the Site's Natural Area always remains untouched.

5. On every landscaping plan, salvage plant characteristics (including size, variety, source, and maintenance requirements) must be specifically delineated and described. Additional

salvage trees and plants from other “local area” sources may be planted if they are completely native, if they are planted so they appear as part of a natural and undisturbed existing landscape, if they appear as though they are native to the Site, and if the Committee, in its sole discretion, approves them.

6. The Committee requires that any person considering the salvage and/or replanting of any native plant consult a native plants salvage expert, and then submit a proper plan of such proposed salvaging to the Committee. It shall always be the Owner’s responsibility to ensure that any person salvaging/replanting on such Owner’s Homesite is fully complying with any applicable laws pertaining to the salvage and planting of native plants, or the like.

7. The Committee must always specifically pre-approve any salvage and replanting activities on a Homesite.

## 5.8 Revegetation of Disturbed Areas

Landscape disturbance on existing Homesites may only occur under the following conditions: (1) if the disturbance is for construction purposes, (2) if the disturbance falls completely within the Site’s building envelope, (3) if the disturbance is in an area(s) which has been pre-approved by the Committee, (4) if the disturbance area is completely re-landscaped upon the completion of construction, and (5) if the re- landscaping is conducted according to the Homesite’s pre-approved landscaping plan. The landscaping plan submittal must include the following in order to be pre-approved by the Committee: size, variety, and location of every existing tree and plant on the Homesite; and any and all other applicable Homesite landscaping features, including but not limited to a detailed description of ground plane character.

During the re-landscaping process, all Transition Areas on a Homesite must be fully restored to match the Site’s Natural Area. In some cases, the Committee may even require more re-landscaping than the amount that existed in the Transition Area initially, in order to create the closest possible match to the Homesite’s Natural Area. All Close-In Zones must be landscaped so they completely match the Natural Area or they must be landscaped so they begin closest to the home as an enhanced type of landscaping (purported to compliment the architecture of the home structure) and smoothly transcend to completely match the Site’s natural landscape by the time they meet the edges of the Transition Area(s) and/or Natural Area(s).

Complete landscape restoration is achieved by replicating all features of the existing natural landscape. At Herriman Preserve, complete Homesite restoration includes the following steps:

1. First, either restoring original or creating native-looking grading shapes which blend into existing drainage ways, landforms, and Site construction. The Committee will never approve shapes that are arbitrary or that appear to be artificial.

2. Secondly, the finished, exposed ground surface must match the ground surface on the rest of the Site. It is important to note that each Homesite has its own unique ground pattern and its own coloring as related to soil, sand, and surface rock. As well, each Site has its own types of rocks, and stones which should be properly identified and replicated. Though seemingly tedious, the carefully-executed surface matching becomes key to maintaining the Homesite's unique, native mountain character. Thus, other surface treatments (i.e. rocks not found on the particular native Site, wrongly colored rocks, rocks with decorative geometric shapes and/or patterns, rocks which are clearly artificial, etc.) will not be approved or allowed by the Committee.

3. Next, trees and plants (including any native grasses) must be selected from a palette of the existing vegetation varieties already identified and established on the Site.

4. Lastly, any plant locations (i.e. spacing, staggering, etc.), variety mixes, densities, and/or arrangement(s) must enhance and compliment the Homesite's existing natural theme. Therefore, the Committee may require extra elements (i.e. down trees, native grassy areas, leaf litter, dry waterways, matched outcropping, etc.) to be added depending on a Site's specific characteristics.

Blending is the technique by which a smooth transition happens between the complete native landscape on a Site to the carefully designed and articulated dense arrangement of plants and vegetation which is found closely surrounding the home structure. Proper blending allows an authentic, yet enhanced landscaping system to be created and maintained immediately adjacent to the Homesite's constructed building improvements, which will screen and shape views from surrounding Sites, Open Spaces, Common Areas, and roadways; will aid in sun control;and will soften the transition between the Site's architectural improvements and the land itself.

Specifically, this enhanced landscaping is defined as dense groupings and mixings of vegetation which might not normally occur in their exact location close to the home, but which appear as natural landform features and serve to compliment both the home structure and the Site's native landscape

character. As enhanced landscaping is proposed, the predominant, denser features should be located nearest the home and the more natural features should be located farther away from the home.

All unsightly disturbance(s) or Damage caused to the Homesite landscape shall always be repaired. Damage may occur naturally either as a result of improvements or for completely undetermined reasons. Regardless of the reason, all Damage(s) on a Site (no matter when or where they occur) must be repaired appropriately and completely. All landscaping (whether required by the Committee at any time or requested by the Owner) shall always be restoration which has been pre-approved by the Committee.

As well, to thoroughly reestablish the native landscape environment, any and all revegetation landscaping will require a sufficient temporary irrigation. Each plant may easily have separate and varying water needs; thus, all irrigation system(s) must be flexible enough to allow for both managed reduction(s) in water flow amounts and separate irrigation schedules for certain independent selections of plants. Although at some point this supplemental irrigation may be terminated, a Site's irrigation system must be in place long enough to create a permanent, quality, year-round, underground, self-serving system. As well, all irrigation equipment must be located and/or screened in such a way that it is never visible from adjacent Homesites, Common Areas, Open Spaces, and/or roadways.

Finally, the Committee requires that every Homesite Owner at Herriman Preserve make genuine efforts toreturn all disturbed areas on his/her Homesite to the most accurate rendition of the Site's original native and undisturbed natural landscape as quickly and as completely as possible.

## 5.9 Plant Density

For each Homesite's proposed landscape to achieve a finished look that is both natural and appropriate to its character, every single piece of vegetation (i.e. tree, plant, etc.) must be arranged and spaced exactly according to its natural location pattern. As each Site may easily vary in plant groups arrangements and spacing (density), the Natural Area on each Site should be used as a model for plant density on the whole Site. As the landscape plans are designed, sufficient information about the Homesite's existing Natural Area(s) must be illustrated and explained, so the Committee can properly determine how closely the proposed plant sizes, spacing, etc. relate to the existing landscape characteristics.

The final decision about plant density and spacing will also depend on factors such as the plants' initial sizes and their respective growth rates. Generally, smaller plants require close spacing initially (accompanied by subsequent thinning if the landscape appears over-crowded in the future). Other

factors to consider when planning vegetation density are the specific locations on the Homesite which require/allow planting, Site topography, Site soil conditions, available water to the Site, and/or any other Site conditions that may increase or decrease the amount of appropriate plant density.

Lastly, plant density is unique on every Homesite in Herriman Preserve, as native trees, shrubs, groundcovers, and grasses may differ drastically throughout the Community. Although every plant density evaluation and approval is highly Site-specific, patterns on a Site are as follows:

1. Plant density within the Transition Area(s) should replicate the plant density within the neighboring Natural Area(s).

2. The Committee, in its sole discretion, may approve and/or require planting which is denser than expected in the Transition Area Close-In Zone for very Site-specific purposes.

3. Plant density within a Site's Private Area may be that which the Owner desires, so long as these plants are not visible at all from adjacent Homesites, Common Areas, Open Spaces, and streetscapes.

All landscape material must meet the minimum required sizes and density, or the Homesite Owner will be required to replace per the Committee's discretion.

## 5.10 Groundcover

On some Herriman Preserve Homesites, the Committee may approve certain locations for a new and/or enhanced groundcover area (i.e. specific grasses, plants, and/or vines defined below) may be created.At Herriman Preserve, groundcover planting areas may only be developed in one of the following ways:

1. As an extension of naturally occurring groundcover on the adjacent existing landscape, or

2. As a replica of naturally occurring groundcover that appears authentic (as decided by the Committee, in its sole discretion).

The Committee shall not approve any proposals for areas which present the appearance of traditional turf for groundcover in front or rear yard improvements.

Groundcover may only be open, natural-looking, seasonal native grasses or low-growing, seasonal

native plants/vines. In order for this groundcover to grow properly and to look appropriate, this seasonal plant variation and respect for natural growth patterns must be present. The Committee will approve groundcover if, in the Committee's opinion and sole discretion, the cover is placed in logical areas along the Site's contour, the cover is both practical and aesthetically pleasing in its location on the Homesite, the cover fits with the home's orientation and architecture, and the cover has edges which naturally blend into the rest of the Homesite's landscaping.

The Committee will not approve any groundcover proposal where the grass, etc. resembles traditional turf in any way, looks like a traditional residential front or back yard, and/or appears as a permanent or artificially supported, year-round, defined, green and/or manicured lawn area.

Groundcovers which are inorganic or rock may only be used in the Transition Area of a Homesite if they exist on the adjacent undisturbed Natural Area surfaces on such Homesite, and these kinds of groundcovers must only be used in the same manner as they exist in these adjacent Natural Areas. Inorganic and rock groundcovers must always replicate the native color, shape, size and mix of materials on the existing ground plane. The existing ground must always remain natural in appearance (i.e. it cannot be raked in visible patterns, cleaned, manicured, or otherwise modified).

Groundcovers which have a designed pattern, are decorative, are artificially shaped, or are made of an arrangement of inorganic materials such as sand, gravel-screened rock, or boulders may never be used as ground plane improvements in the Natural and/or Transition Area(s) on a Homesite. As well, organic groundcovers such as manufactured non-native bark chips, compost, and/or prepared mulches may never be used in the Natural and/or Transition Area(s) on a Homesite. However, any kind of ground plane groundcover may be used on a Homesite's Private Area, so long as it is not in any way visible from any neighboring Homesites, Open Spaces, Common Areas, or roadways.

### 5.11 Turf

At Herriman Preserve, all visible Homesite landscapes shall appear as though they are completely native.Therefore, turf is never approved in the Natural and/or Transition Area(s) of a Homesite. The Committee will only consider approving the use of turf within a Homesite's Private Area if the following conditions are met:

1. The turf is comprised of grasses which are listed on the Approved Plant List under "Grasses" and

2. The turf is only planted in places which are not at all visible from any and all neighboring Homesites, Open Spaces, Common Areas, or roadways.

Any and all Committee-approved turf must be hybrid and non-seeding, and it must be maintained and/or irrigated in such a way that it does not ever adversely affect any Herriman Preserve improvement,facility, neighboring property, wildlife, and/or native plant life. If, at any time, the Committee, in itssole discretion, determines that previously-approved turf has become a nuisance for any reason, the Committee, in its sole discretion, may require that existing turf to be immediately eliminated altogether and/or to be immediately replaced with another Committee-approved turf variety.

Most importantly, only Committee-approved, seasonal native grasses shall be used as a natural landscaping element on Homesites within Herriman Preserve.

## 5.12 Hardscape

At Herriman Preserve, hardscape is defined as the following: any non-architectural, inorganic improvement and/or modification to a Homesite's natural surface, which falls within the Homesite's Natural Area or the Site's building envelope. Hardscape includes improvements such as: paths, walkways, on-site parking, improved drainage ways, hard surface landscaped areas, and/or similar improvements whichmay not be discussed in these Guidelines. Any hardscape improvements on a Homesite require Committee approval prior to the start of construction and/or installation of the improvements. The Committee must fully review and approve the proposed location(s) of the hardscape, material types
to be used, hardscape colors, and/or any other changes to the existing Site or its landscape that could in any way result from the hardscape.

Hardscape used on Herriman Preserve Homesites must comply with the following:

1. All landscape-related hardscape must appear natural and appropriate to the Homesite's existing landscape.

2. Natural surface materials, such as decomposed granite and/or surface rock must match existing colors and native textures. Manufactured products such as brick, pavers, or patterned / colored concrete must closely match the adjacent natural surface colors.

3. Whether the hardscape is natural or man-made, it must be installed/situated in such a way that it follows the natural patterns of native grasses/groundcovers which are planted to soften the improved area.

4. All walks and/or pathways must be narrow in width (i.e. two (2) to four (4) feet), and it must follow the natural ground contour lines.

5. All patios must be shaped naturally and must cause the least amount of Site modification possible. Finished patios must be located so it is apparent that they were carefully sited and shaped to fit perfectly into the most practical naturally occurring location for them on the Homesite.

6. All improvements such as elevated surfaces, curbing, swales, piping, and/or grading which alters the approved drainage plan for the Homesite must be avoided. Modifications such as these can easily redirect, concentrate, or pond storm water, which will cause erosion and water damage. Instead, porous materials and careful installation methods will help reduce water runoff and the damaging of concentrated water flows.

7. All ancillary hardscape improvements and/or associated modifications (i.e. revised grading, added landscaping, low walls, built-in seating, lighting, etc.) must be carefully contemplated in design and purpose by the Owner, Architect, and/or Builder, and must be pre-approved by the Committee. The Committee intends that any such constructed hardscape improvements will both (1) appear as a visual extension of the home's architecture (including the architecture of any other improvements on the site) and (2) feel like they directly relate to and are a visual extension of the acknowledged and approved adjacent landscape characteristics for the particular Homesite.

## 5.13 Water Features

Constructed water features are not allowed in the Natural and/or Transition Area(s) of any Herriman Preserve Homesite. However visually attractive and sophisticated these water features may potentially be, any water which is artificially introduced/added into the natural environment may easily become disruptive. Although water features are discouraged on Herriman Preserve Homesites, theCommittee may specifically consider and approve water features located in the Private Area of a Homesite if such features meet the following criteria:

1. The water feature(s) are not at all visible from neighboring Homesites, Open Spaces, Common Areas, or roadways.

2. The water feature(s) are designed in proportion to the Homesite's architectural and landscaping themes.

3. All water feature mechanical equipment is completely screened from the view of neighboring Homesites, Open Spaces, Common Areas, or roadways.

4. The water feature(s) are designed to minimize water use in normal operation and typical maintenance.

5. The water feature(s) and any and all of their lighting, mechanical equipment, water spray, drainage mechanisms, etc. must be constructed and maintained so as to never adversely affect neighboring Homesites, Open Spaces, Common Areas, roadways, native plants, and/or animals/wildlife in any way.

6. Finally, the water feature(s) may not create any kind of nuisance or extra maintenance by having complicated mechanical operations, by attracting animals or insects, or by supporting the existence of non-native plant life.

## 5.14 Gardens and Non-Native Planting Areas

Any and all non-native planting areas may only be established and maintained within the section of a Homesite's Private Area which is not visible from any and all neighboring Homesites, Open Spaces, Common Areas, or roadways. Non-native planting areas include but are not limited to the following: decorative gardens that emphasize flowering plants; gardens comprised of organized flower arrangements, non-native shrubs, and/or vegetables; and orchards and/or unnatural appearing groupings of shrubs and/or trees. This limitation does not, however, prohibit a Site from having the enhanced planting areas (which are comprised of native plants and are in the Transition Area's Close-In Zone) discussed in Section 5.7.

The following must be hidden from all views from neighboring Homesites, Open Spaces, Common Areas, or roadways: trash storage, compost areas, screens, netting and/or other animalbarriers, lighting, irrigation mechanisms, and/or any kind of mechanical equipment.

In addition, gardens and/or planting areas may never be maintained in any form on any Herriman Preserve Homesite if they contain any plant which is not Committee-approved. Any plant which is not specifically listed on the Approved Plant List, Section 3.17, shall be approved by the Committee prior to planting.

All plants that the Committee determines could potentially create a nuisance (i.e. because of excessive water use; excessive water runoff; excessive litter, seeds and/or plant debris; attraction of animals/insects; and or the threatening of existing native landscape in any way) may never be maintained on a Homesite.

All garden-associated improvements (i.e. tool and equipment storage) or growing areas (i.e. greenhouses) must be designed so they are an integral part of the home's architecture and must be evaluated and approved by the Committee as part of the Homesite Design Plans. The use of other visibly decorative plantings, such as those placed in architectural planters, pots, and/or other building-related improvements, shall always be evaluated by the Committee and approved prior to their implementation on a Homesite. Such plantings must always appear as an integral part of the Homesite Design and the actual home's architecture, rather than looking like landscaping enhancements which have been contemplated and added to the Homesite subsequent to the design of the home.

## 5.15 Access to Path System

Access to approved, designated Herriman Preserve pathways is only allowed at specifically designated trailheads. On a case-by-case basis, the Committee may evaluate and approve individual access to a Herriman Preserve path from a certain Homesite. In addition to having the necessary Site-specific characteristics warranting allowance of a special Owner access path (as determined by the
Committee, in its sole discretion), the following general conditions must be met for the Committee to consider such pathway access for any Homesite Owner:

1. The Owner shall accept sole responsibility for any and all costs relating to the Owner's requested pathway improvements, maintenance, removal, and/or restoration.

2. The Homesite must be directly adjacent to the designated Open Space containing the approved Herriman Preserve path or the approved Herriman Preserve path must cross the Homesite itself (i.e. in an easement). As well, the Committee must pre-approve the specific locationof the new access path and any and all access improvements which will occur by the Owner across the Open Space for the purposes of connecting to the Herriman Preserve pathway.

3. The Owner's access to the Herriman Preserve pathway does not/will not encroach on adjacentHomesites and/or adjacent Homesites' access to the pathway.

4. The location and use of the Owner's added pathway may not create a nuisance to any neighboring Homesites, Open Spaces, Common Areas, public rights-of-way,or roadways.

5. The Owner's pathway shall only be used by the Owner for access to the Herriman Preservepathway and shall not be used by other persons as a through-way and/or have the appearance of being a "general use" addition to the approved Herriman Preserve path.

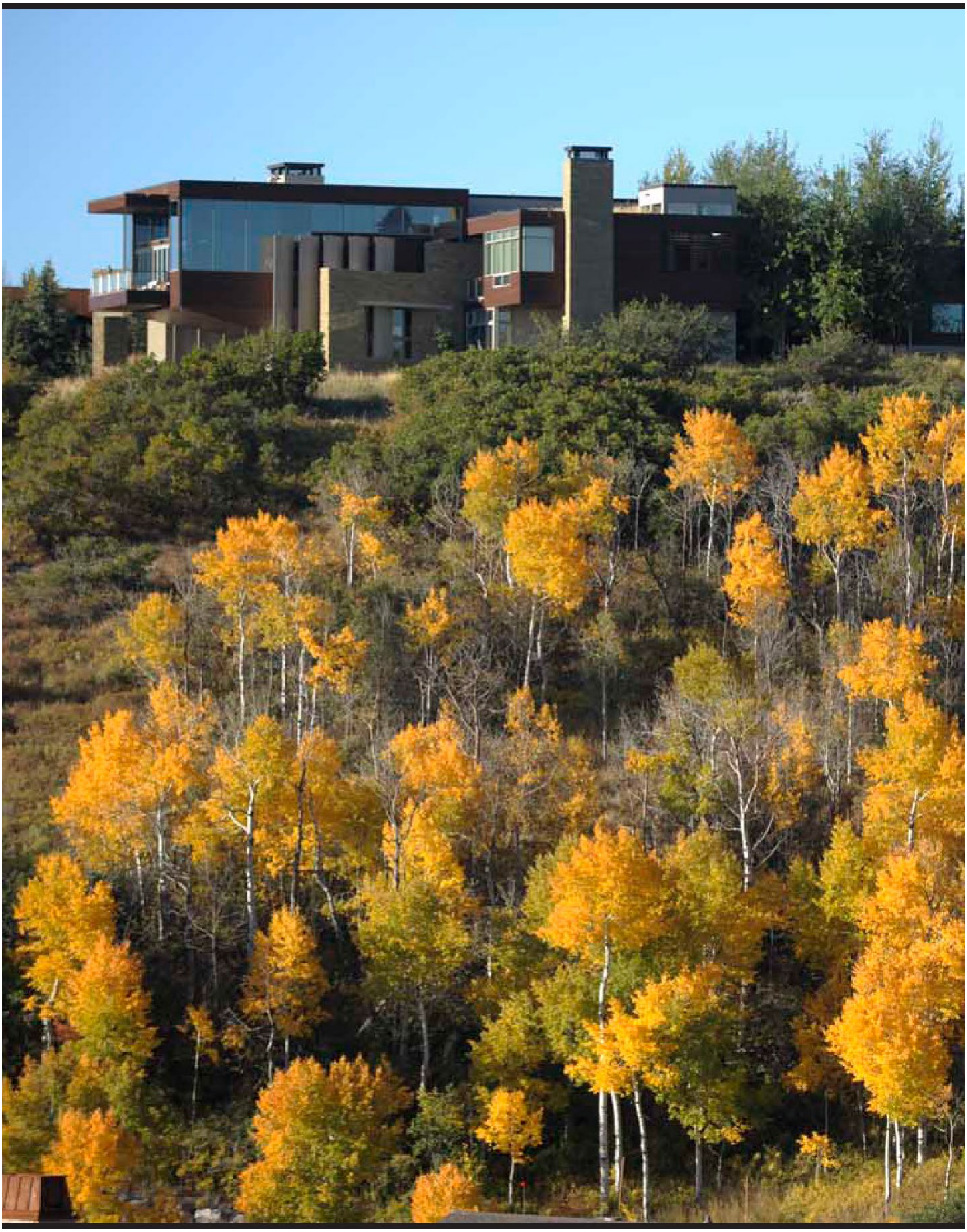
6. The Owner's pathway surface shall only be the natural, existing surface material already present, as pathway definition will naturally occur through the Owner's use of the path. Created delineation along the path (such as rock-lined edges or raked surfaces) shall not be used, nor shall any extra material be added to create the Owner's pathway.

7. The Owner's pathway shall resemble a "game trail" in appearance and size, meaning that it is unobtrusive, natural-looking, and scaled in proportion to the native, undisturbed topography of the land.

8. The Owner's pathway shall not: cause any vegetation to be removed, cause erosion, or cause any Site features to be disturbed in any way.

9. The Owner shall accept responsibility for installing any signage and/or appropriate graphics improvements the Committee, in its sole discretion, deems necessary to avoid confusion regarding the Owner's pathway and/or the Herriman Preserve pathway.

10. The Owner's pathway approval is temporary at all times. At any time, the Committee may, in its sole discretion, determine that the Owner's pathway is incompatible with the intent of the Herriman Preserve pathway system and request that the pathway be repaired, modified, or removed and restored to the natural landscape conditions. Complete compliance to any such Committee request shall always be required by Owners.



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# APPENDIX C - DEFINITIONS

*To warrant the smooth reading and understanding of these Design Guidelines, the following capitalized terms shall have the meaning given them in the Declaration or the By-Laws:*

3.21.1 Governing Documents (as defined in Section 1.4 of the Declaration), including: Declaration, Supplemental Declaration, Articles of Incorporation, By-Laws, Design Guidelines, Use Restrictions, and Development Agreement.

3.21.2 Architectural Review Committee (referred to herein as the "Committee")

3.21.3 Board of Directors (referred to herein as the "Board")

3.21.4 By-Laws

3.21.5 Common Area

3.21.6 Herriman Preserve or Community (sometimes referred to herein as the Herriman Preserve Community)

3.21.7 Conservancy

3.21.8 Conservancy's Agent

3.21.9 Declarant

3.21.10 Development Agreement

3.21.11 Lot

3.21.12 Owner

3.21.13 Plat

3.21.14 Record, Recording, or Recorded

3.21.15 Residence

3.21.16 Supplemental Declaration

3.21.17 Village

*The following capitalized terms shall have the meaning given them in the Development Agreement:*

1. Building Permit
2. City of Herriman
3. Developer
4. Estate Lot
5. Incentive Density
6. Open Space
7. Herriman Preserve LMPC Plan Book of Exhibits (as they are attached asan integral part of the Development Agreement)
8. Residential Unit
9. Resort Unit
10. Viewshed

*The following capitalized terms, if defined in the Declaration or the Development Agreement, shall keep their meanings defined therein, and shall be more specifically defined below for the purposes of these Design Guidelines only. Capitalized terms delineated below for the first time shall be defined by the following for the purposes of these Design Guidelines and for Herriman Preserve Design Review. Any terms which are not listed in this Section 1: Definitions shall be defined in the Design Guidelines.*

1. **Architect:** Either a (1) Licensed Architect or an (2) unlicensed designer, engineer, draftsman, or other person who properly submits Committee requisites and is pre-approved by the Committee to fully participate as an Architect in connection with an Owner whose Lot is undergoing or will immediately (upon proper Architect selection) undergo Design Review.
2. **Builder(s):** An Owner's General Contractor (including any and all of such Contractor's subcontractors, employees, agents, materialmen, and other persons working in conjunction with the construction of improvements on such Owner's Lot.

3. **Committee Member:** Any particular member of the Committee, as set out in Section 8.1 herein.

4. **Committee Representative:** Any Committee Member or designated person(s) who is, at a Committee Member's request, acting on behalf of a Committee Member or of the Committee as a whole.

5. **Damage:** Damage caused to the Homesite or to any neighboring Homesite(s), Open Space(s), Common Area(s), roadway(s), public rights-of-way, or any other property within Herriman Preserve by the Owner and/or the Owner's Architect(s) and/or Builder(s) during construction on the Homesite, as well as any defect, problem, disturbance, or damaging effect caused by noncompliance with or violation of the Guidelines or of the Governing Documents or by nonconformance to state or local laws, ordinances, and regulations (including building ordinances and/or zoning requirements).

6. **Design Guidelines:** The Herriman Preserve Design Guidelines as defined in the Declarationand adopted as part of the Governing Documents, including any and all attached Supplemental Design Guidelines (which may either add or modify restrictions applicableto a certain Village in the Community), Appendices, and/or Amendments thereto. Also referred to herein as "Guidelines."

7. **Design Review:** The comprehensive Architectural Review process by which an Owner submits plans for building a residence on a Herriman Preserve Homesite, which process begins with Architect Selection and ends with Final Inspection and Final Release (See Section 2for a complete Design Review list).

8. **Development Agreement:** That certain Development Agreement dated February 29, 2022, and more fully defined in the Declaration, including any and all Exhibits thereto, andspecifically referencing in these Design Guidelines the following Exhibits: the Landscape Master Plan and the Wildfire Prevention Program.

9. **Final Release:** The final phase of Design Review (as described in Section 7.14 herein), which merits the return of the Performance Deposit Agreement, the Notice of Voluntary Lien, and the Performance Deposit, or any balance thereof.

10. **Fire Department:** Herriman City Fire Service District

11. **Governing Documents:** The seven (7) items listed under "Governing Documents" above, as they are defined in Section 1.4 of the Declaration, including any and all amendments, appendices, and/or supplements to each of those Governing Documents respectively, and any rules and/or regulations adopted or promulgated by either the Conservancy or the Committee, in the Conservancy's behalf.

12. **Gross Total Area:** This Area is comprised of all areas of the home including all garage(s), unconditioned storage space/mechanical rooms, and all covered porches/patios on the ground level and all open and covered porches on the upper level(s). This space is specifically measured starting at the outside perimeter of the home.

13. **Homesite Design:** The overall, complete aesthetic and architectural vision for a Homesite, including landscaping, architecture, and any other improvements intended for the Homesite.

14. **Landscape Master Plan:** Exhibit J of the Development Agreement, and referred to herein as being applicable to the Community.

15. **Lot or Homesite or Site:** The specific Lot currently causing an Owner (including such Architect(s) and such Owner's Builder(s)) to participate in Design Review at Herriman Preserve.

16. **Net Livable Area or Enclosed Livable Space/Area:** The home's "net livable area" is comprised of all of the enclosed livable area of the home, including stairs and elevators (which are calculated one time as a shaft through the home on the level of the home where they occupy the most total area), and "walk out" floor levels. The following areas are not included in the "net livable area": (1) garage(s), (2) basement(s) (so long as the basement's finished ceiling and all four sides of the basement are completely below existing, pre-construction grade on the Lot; there is no direct ingress or egress at the basement level to the exterior; and there are no window wells or other openings which would allow certain habitable uses such as sleeping areas to be created in the future. Basements meeting such requirements may be conditioned spaces.), (3) unconditioned storage area(s), unconditioned mechanical rooms, fireplaces, any and all completely walled-in chases/cavities and exterior and interior walls except for door openings.

17. **Owner:** The particular Owner of the Lot presently undergoing Design Review at Herriman Preserve.

18. **Performance Deposit:** The Performance Deposit which is defined in Section 7.9 herein.

19. **Performance Deposit Agreement:** The two-part agreement, as defined in Section 7.9 herein, including the Deposit Agreement and the Notice of Voluntary Lien.

20. **Plan(s):** Any Site Plans, Floor Plans, Elevations, drawings, specifications, models, depictions, and/or other plans submitted as part of Design Review.

21. **Retention and/or Ridgeline Area:** A visually sensitive area within Herriman Preserve in which development and activities may occur so long as such development is not visually evident,or it is subordinate to the characteristics of the natural landscape. For the purposes
of these Guidelines, Retention Areas are those areas facing the eastern Viewsheds and Ridgeline Areas are those which are positioned on the top of a ridgelinein the Community. Lots within both of these Areas shall have special architectural restrictions, which restrictions are fully set out and detailed herein.

22. **Transition Date:** The date on which the Class B control period terminates, as such control period is defined in the Declaration and the By-Laws. For the purposes of these Guidelines, this is the date on which the Conservancy Agent assumes the Conservancy duties previously owned by the Declarant.

23. **Wildfire Prevention Plan:** Exhibit L of the Development Agreement and referred to herein as being applicable to the Community.

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HERRIMAN CITY

**S T A F F  M E M O R A N D U M**

**DATE:** March 10, 2022

**TO:** The Honorable Mayor and City Council

**FROM:** Michael Maloy, AICP, Planning Director

**SUBJECT:** Discussion of commercial development concepts on ±20.3 acres located approximately at 15101 S Mountain View Corridor in the C-2 Commercial Zone.

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## RECOMMENDATION:

Recommend consideration of the attached develpoment concepts and advise staff and the applicant (Brady Boman, Boman Companies, LLC) on a preferred option(s) for future consideration by the Planning Commission and City Council.

## ISSUE BEFORE COUNCIL:

Should the City Council recommend either of the following zoning amendment proposals for further study, review, and consideration in future public meetings?

**Option 1** – Amend the Zoning Map from C-2 Commercial to M-1 Manufacturing. This would allow for the location of potential wholesale businesses in addition to other commercial activities that typically locate in "flex space" projects—which are extremely popular in the current marketplace. This amendment would also amend the design standards, and reduce the minimum quantity of "brick or stone" on building facades.

**Option 2** – Amend the Zoning Map by adding a Planned Unit Development (PUD) Overlay to the existing C-2 Zone. Subject to Planning Commission review and City Council approval, this would allow greater flexibility in site planning and building architecture. However, this option would maintain the current prohibition of "wholesale" businesses in the C-2 Zone (to maximize tax revenues).

## BACKGROUND & SUMMARY:

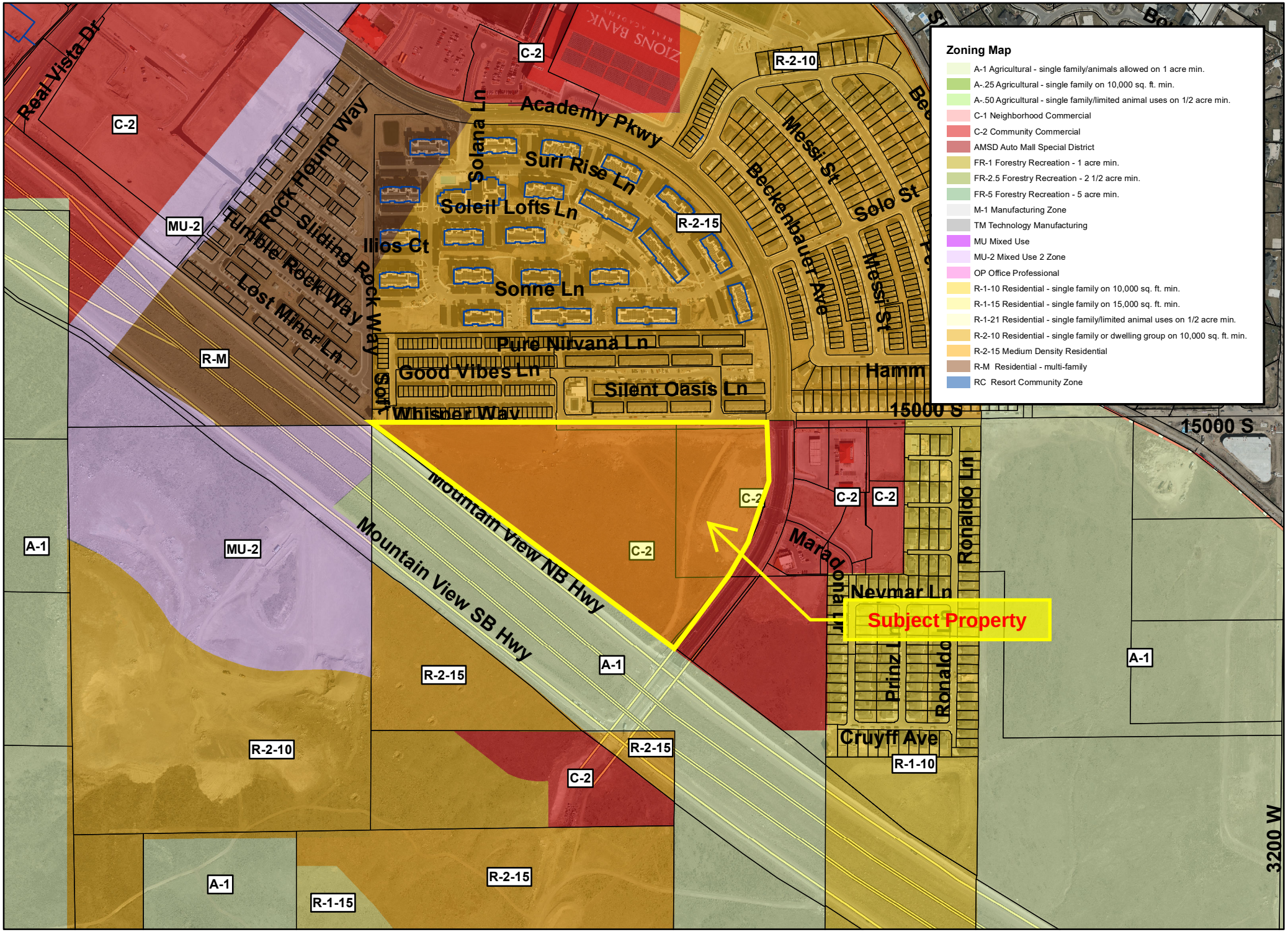
The applicant is seeking direction from the City Council on preferred legislative amendments and design concepts for a pending commercial development proposal for ±20.3 acres located approximately at 15101 S Mountain View Corridor, which is zoned C-2 Commercial (see Attachment A – Vicinity Map). Within the attached development concept, entitled "Mountain View & Academy" naterials are two "design" options that the applicant also seeks Council "feedback" on (see Attachment B – Development Concepts).

## ATTACHMENTS:

A. Vicinity Map
B. Development Concepts

# Attachment A

Vicinity Map


Zoning Map
A-1 Agricultural - single family/animals allowed on 1 acre min.
A-.25 Agricultural - single family on 10,000 sq. ft. min.
A-.50 Agricultural - single family/limited animal uses on 1/2 acre min.
C-1 Neighborhood Commercial
C-2 Community Commercial
AMSD Auto Mall Special District
FR-1 Forestry Recreation - 1 acre min.
FR-2.5 Forestry Recreation - 2 1/2 acre min.
FR-5 Forestry Recreation - 5 acre min.
M-1 Manufacturing Zone
TM Technology Manufacturing
MU Mixed Use
MU-2 Mixed Use 2 Zone
OP Office Professional
R-1-10 Residential - single family on 10,000 sq. ft. min.
R-1-15 Residential - single family on 15,000 sq. ft. min.
R-1-21 Residential - single family/limited animal uses on 1/2 acre min.
R-2-10 Residential - single family or dwelling group on 10,000 sq. ft. min.
R-2-15 Medium Density Residential
R-M Residential - multi-family
RC Resort Community Zone
Real Vista Dr
Academy Pkwy
Solana Ln
Surf Rise Ln
Soleil Lofts Ln
Ilios Ct
Sonne Ln
Pure Nirvana Ln
Good Vibes Ln
Silent Oasis Ln
Whisper Way
Rock Hound Way
Sliding Rock Way
Tumble Rock Way
Lost Miner Ln
Messi St
Beckenbauer Ave
Solo St
Hamm
15000 S
Mountain View NB Hwy
Mountain View SB Hwy
Maradona Ln
Ronaldo Ln
Nevmar Ln
Subject Property
Prinz Ln
Cruyff Ave
3200 W
C-2
R-2-10
R-2-15
R-1-10
R-1-15
R-M
MU-2
A-1

# Attachment B

Development Concepts

# MOUNTAIN VIEW & ACADEMY

## HERRIMAN, UTAH




BRADY BOMAN - 801.949.3794 // KELLEN JONES - 435.590.6350

# HERRIMAN, UTAH

*Multi-use Development with Flex Space on ~20-acres in Herriman*



**DETAILS:**

## LOCATION:

1501 MTN VIEW CORRIDOR HWY
PARCELS: 33-17-100-026-0000,
33-17-201-003-0000

## SIZE:

20.84 ACRES
(907,093 SQUARE FEET)

## POSSIBLE USES:

YOUTH SPORTS TRAINING COMPLEX
MEDICAL OFFICE SPACE
FLEX INDUSTRIAL SPACE
HOBBY-CAVE STORAGE
CREATIVE FLEX SPACE

## TIMING:

ENTITLEMENTS - BY APRIL 2022
CONSTRUCTION - THRU MAY 2023

# EXECUTIVE SUMMARY

*FOR PROSPECTIVE DEVELOPMENT*

A team of experienced developers and community members is under contract to purchase nearly 21 acres in Herriman City on the corner of Mountain View Corridor Highway and Academy. The intent in purchasing the property is to address a burgeoning demand for prospective asset classes, adding attractive amenities and new tax revenue to the City.

There are several uses that effectively maximize the current zoning requirements and allowance of the piece. There are uses that would require slight modifications or rezoning, but to the benefit of what City data suggests about demand. Proximate to Soleil and the REAL facilities, the uses compliment those neighboring and planned properties. Without being absolute about any preliminary design, the developer has contemplated two designs. Although the preliminary plans include some flex space-- the developer intends to design the buildings to look more neighborhood friendly than typical commercial or industrial spaces.

## DESIGN ONE

The first design includes:

- Approximately 40,000 square foot Sports Complex with 5 basketball courts, spectator areas including a mezzanine, and training area. This building will also includes 1-4 medical office suites for orthopedic services, physical therapy and other sports medicine users.
- Up to six 3-5 unit retail pads with at least 3 with end-cap drive through. Users would include restaurants, walk-up retail, and other medical/medical spa tenants.
- A first-of-its-kind pickleball experience similar to Top Golf. Patrons can eat, play field games or competitive or recreational pickleball. There are outdoor and indoor courts.
- 16-30 2000 square foot incubator spaces that serve as high-end hobby storage unit (for collectors), start-up space for entrepreneur, work-space for artists and other proprietors who have grown out their homes but may not yet qualify for a traditional office space.



### Sports Complex with Medical Office

With such close proximity to REAL practice and training facilities along with extensive growth, complimenting the world-renowned sports-focused development, the Complex intended for the site will serve the demand of one of the fastest growing real estate uses in one of the fastest growing communities in the country. The facilities will be an economic boon for the City of Herriman and area in general as a venue for tournaments and training. Other areas that erect a facility like this have seen a higher-velocity impact on a surrounding area than other uses because patrons (mostly families) require somewhere to eat, gas-up or charge their cars, shop, sleep and even recreate between games or with family members who aren't actively participating in the event. Between larger events and tournaments, the facility will be home to practices, local games, and elite training for athletes at several skill levels. The facility may even address a burden on local schools and churches and City and County recreational basketball programs explode with growth.

To address other demands and compliment the financial model of the facility, making it easier to build the project as more than just a steel box, the developer has secured early commitments from orthopedic surgeons, physical therapist, and other users of medical office space.

The following designs inspire project architects and capture the vision of what the Sports Complex and Medical Office Building may look like.
















## Experiential Retail

Retail amenities and restaurant options haven't kept up with the residential growth or other commercial asset development in the area. The retail space will offer the public several new options and provide a home for a number of new businesses.



Potential Vendors



## Pickleball & Restaurant Facility

Pickleball is the fastest growing sport AND amenity for both commercial and residential real estate developments (nationwide). The game is growing because it's approachable. More people, young and old, can play for fun or professionally. Local data suggests that that's the case in Utah ahead of other states. The demand is such that courts are full. This experiential setting will allow patrons to eat and play pickleball, similar to how Top Golf marries culinary experiences with golf. It's also a venue for recreational play, tournaments, and other types of events. This is also a major community amenity, whether it be families waiting for their next game at the sports facility on site, visitors of the REAL facility or other things to do along the Corridor, or members of the community, near and far.

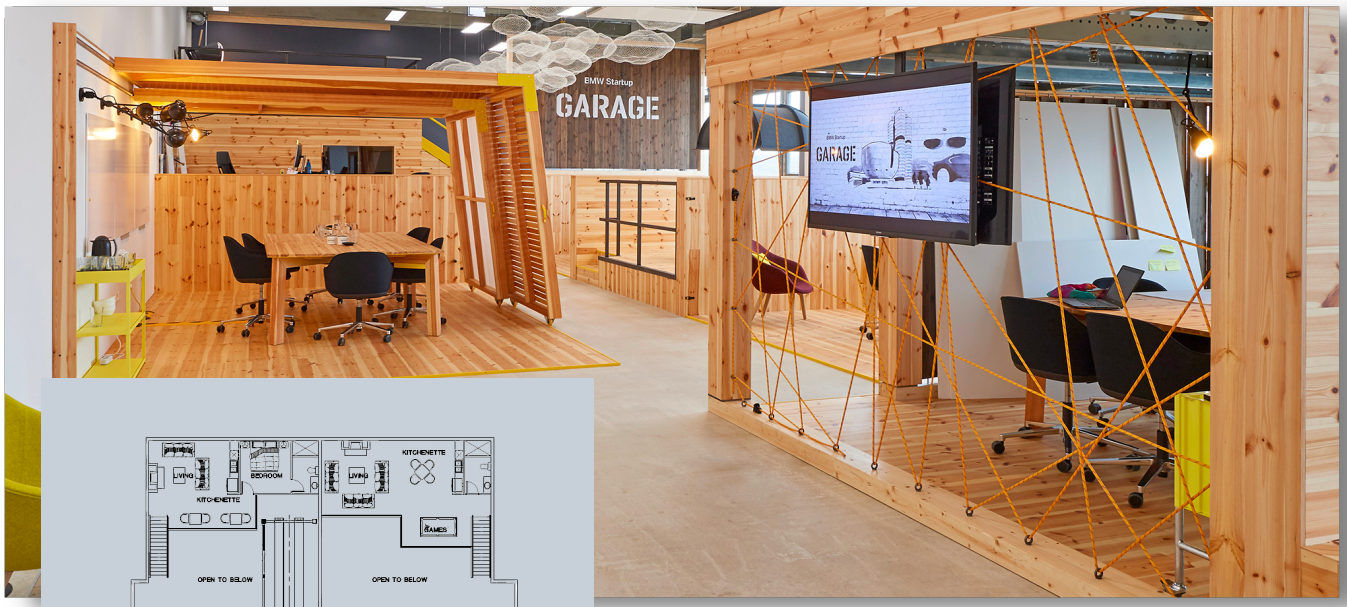


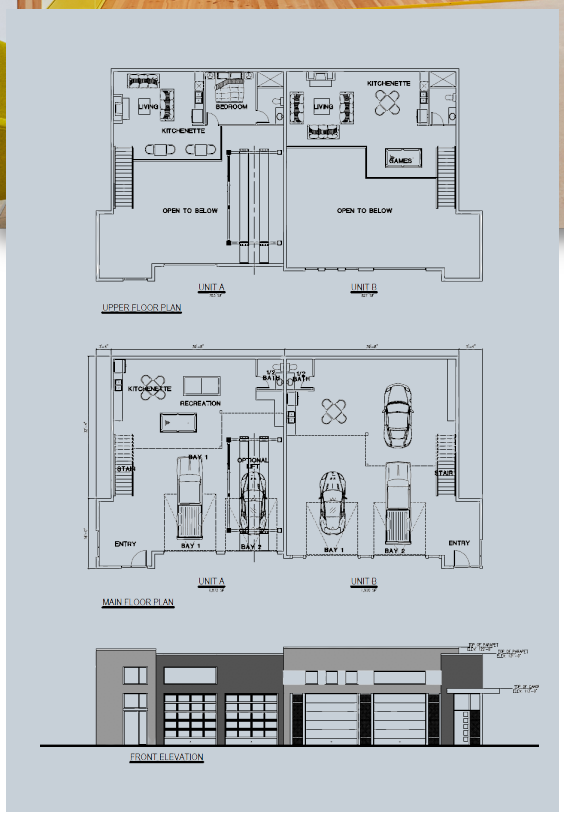


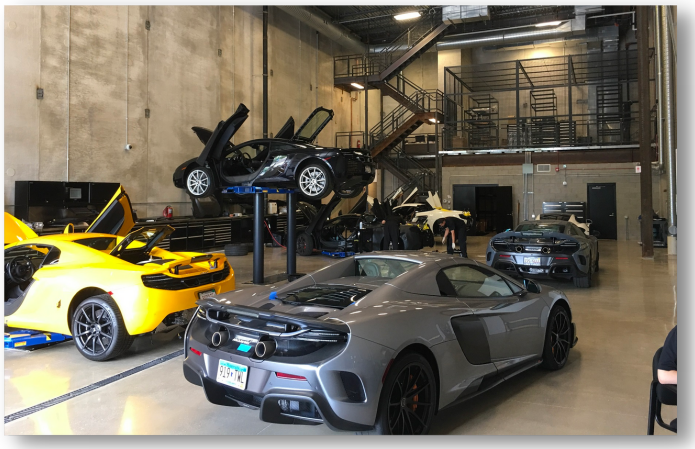



## Flex Space - Incubator, Hobby, and Creative Space

Especially during or from the impacts of the pandemic, many have been stranded to either work from home or in a space that doesn't provide the necessary resources. Cities have lost tax revenue as folks have begun working from home or combining office spaces. And even before the pandemic, it was difficult for creative professionals, startups, and hobbyists to find a place to call home (away from home). People also need a place to store their stuff, but also, access it! Usually, storage or flex and creative spaces are either too expensive for those types of users OR look like a steel box in an industrial area. These spaces would allow a massive contingent of vendors who seek a proximate solution to set up shop with a lower risk or shorter term. This growing, sustainable, recession-resistant asset class addresses a major demand within the community. Units would range from 650 square feet to 2,500 square feet.



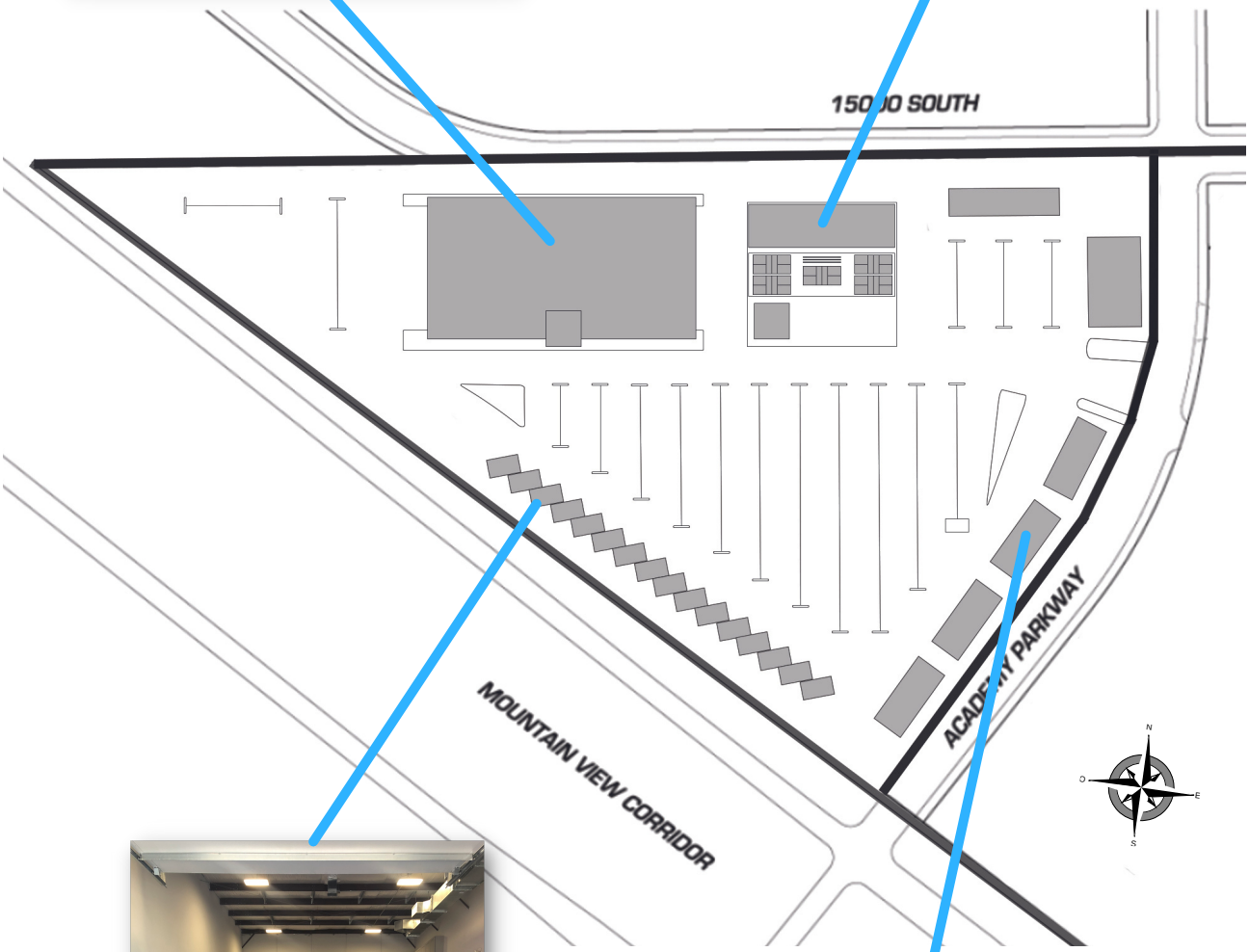



## DESIGN ONE POSSIBLE SITE LAYOUT:







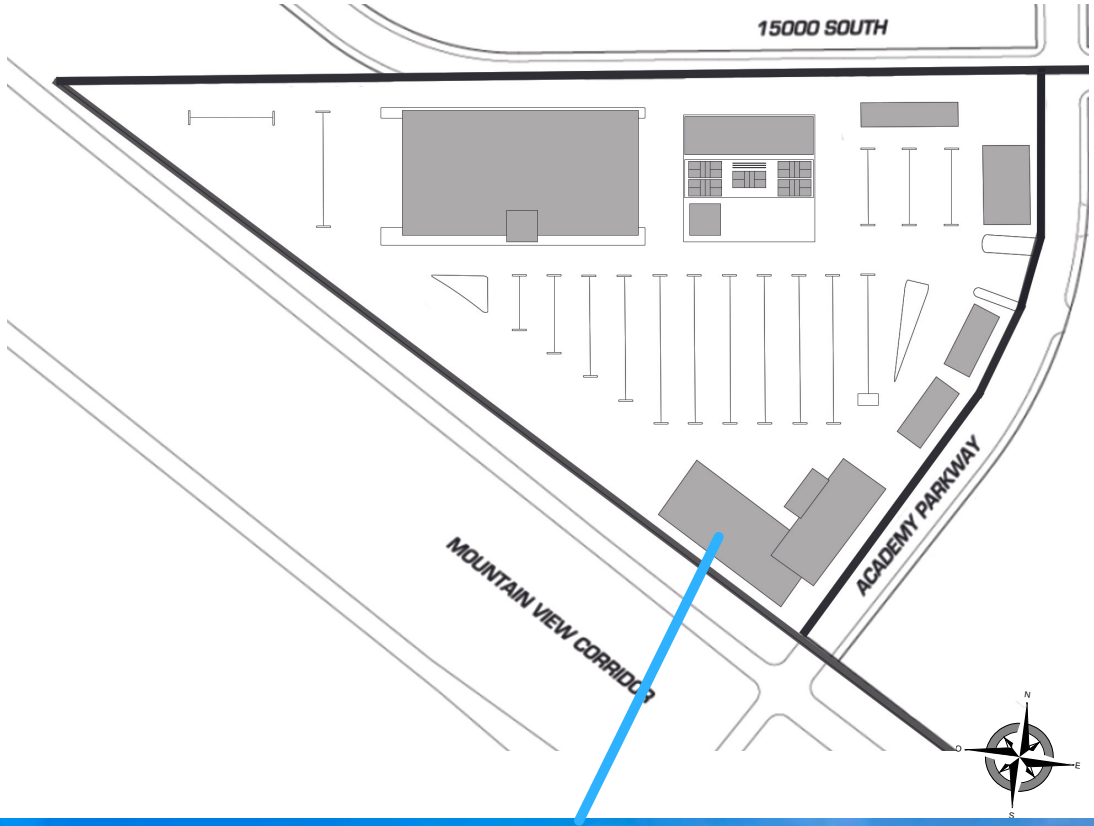






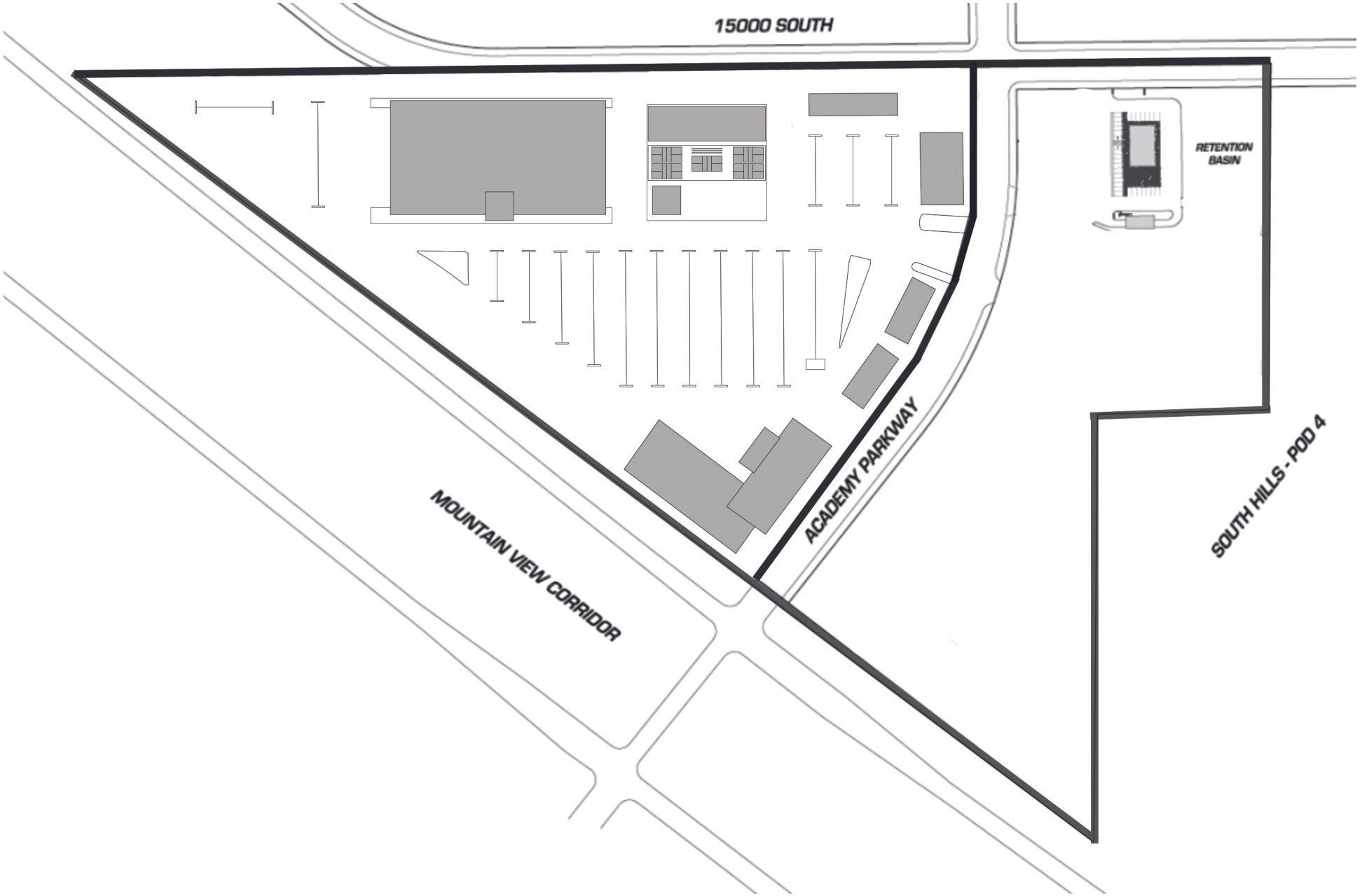
## DESIGN TWO

The second design includes shares a few of the same uses as design one, but includes a 130-bed, flagged hotel in lieu of the creative flex spaces, and has less retail. Although the economics of the hotel from a development perspective are less appealing for the developer, the City may have levers available to entice this use if it prefers it. The project could also pursue an 8-acre piece of land to the East (across Academy) for some of the uses it loses for various designs of the uses.






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ACADEMY PARKWAY
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RETENTION BASIN
ACADEMY PARKWAY
MOUNTAIN VIEW CORRIDOR
SOUTH HILLS - POD 4

HERRIMAN CITY

# STAFF REPORT

**DATE:** March 17, 2022

**TO:** The Honorable Mayor, City Council, and Planning Commission

**FROM:** Michael Maloy, AICP, Planning Director

**SUBJECT:** Joint Meeting Discussion of Land Use Legislative Updates

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## RECOMMENDATION:

Recommend the City Council and Planning Commission identify potential land use legislative amendments that may warrant additional staff research for future consideration.

## ISSUE BEFORE COUNCIL & COMMISSION:

Staff will brief the City Council and Planning Commission on the status of pending legislative applications being researched and processed by the Planning Department.

## BACKGROUND & SUMMARY:

Upon the conclusion of the 2022 Utah State Legislature, staff has initiated a review of Herriman City Code for compliance with Utah Code. In addition to this effort, staff is currently processing a number of legislative amendments to Herriman City Code that require Planning Commission and City Council review. Staff will present a comprehensive list of these amendments and discuss their status and priority during the Joint Meeting on March 30, 2022.

Staff also seeks to understand any additional or potential legislative amendments that the Council or Commission wishes to initiate for future review and consideration.

## FISCAL IMPACT:

None

## ATTACHMENTS:

A. Legislative Amendments

# **Attachment A**
Legislative Amendments

## Property Owner & Development Partner Amendments

| File No. | Applicant | Purpose | Status |
|---|---|---|---|
| G2021-085 | Howard Cooke, Gardner Company | General Plan Map amendment from Commercial to Light Industrial at 15880 Mountain View Corridor | Staff review. May be included in General Plan update. |
| Z2021-140 | Reid Dickson, Laguna Investments | Zoning Map amendment to modify location of Hillside Overlay at 14880 S Juniper Crest | Pending draft MDA |
| Z2021-141 | Reid Dickson, Laguna Investments | Zoning Map amendment to modify location of Planned Development Overlay at 14880 S Juniper Crest | Pending draft MDA |
| Z2021-142 | Reid Dickson, Laguna Investments | Zoning Map amendment from to FR-2.5 & A-1 to R-1-15 at 14880 S Juniper Crest | Pending draft MDA |
| Z2021-149 | Herriman 73 Partners | Zoning Map amendment from A-1 to R-M at 5044 W 12560 South | Pending draft MDA |
| Z2022-002 | Herriman 73 Partners | Zoning Map amendment from A-1 to C-2 at 5077 W 12560 South | Pending draft MDA |
| Z2022-004 | Brett Lovell | Zoning Map amendment from A-1 to R-1-10 at 12823 S 6300 West | City Council review pending |
| Z2022-007 | Jose Ramirez | Zoning Map amendment from FR-1 to A-.50 Zone at 14820 S Majestic Oaks Lane | City Council review pending |
| Z2022-014 | Braiden Rindlisbacher, Scenic Development | Text amendment regarding sign height and size in C-2 Zone | Staff review |
| Z2022-015 | Braiden Rindlisbacher, Scenic Development | Text amendment regarding sign height and size in M-1 Zone | Staff review |
| G2022-021 | Braiden Rindlisbacher, Scenic Development | Genera Plan Map amendment from Commercial to Light Industrial at 15790 S Rockwell Park Lane | Staff review |
| Z2022-022 | Braiden Rindlisbacher, Scenic Development | Zoning Map amendment from A-1 to M-1 at 15790 S Rockwell Park Lane | Staff review |
| Z2022-025 | Jason Brown | Amendment for internal accessory dwelling units in R-2 zones | City Council review pending |
| Z2022-026 | Palmer Helsten | Amendment for flag lots on minor collector streets parcels with two-acre minimum | Public hearing pending |

## Herriman City Amendments

| File No. | Applicant | Purpose | Status |
|---|---|---|---|
| Z2020-059 | Herriman City | Text amendment regarding placement and operation of electronic signs | City Council review pending |
| Z2021-051 | Herriman City | Text amendment regarding manufacturing zoning standards | Staff revisions pending |
| Z2021-052 | Herriman City | Text amendment regarding multi-family development standards | Staff revisions pending |
| G2021-076 | Herriman City | General Plan update | City Council review pending |
| Z2021-111 | Herriman City | Text amendment regarding density calculations in the A-.25 Zone | Staff review |
| Z2021-121 | Herriman City | Text amendment regarding home occupations, including daycares, preschools, and group instructions | City Council review pending |
| Z2021-151 | Herriman City | Text amendment to permit medical services in the C-2 Zone | City Council review pending |
| Z2022-020 | Herriman City | Text amendment to update conditional use standards as per State Code | City Council review pending |
| Z2022-038 | Herriman City | Text amendment to rename Agricultural & Residential zoning districts | Planning Commission review pending |
| Z2022-040 | Herriman City | Text amendment regarding the use of accessory structures for home occupations | Staff review |

## Potential Amendments

| File No. | Applicant | Purpose | Status |
|---|---|---|---|
| None | None | Planned Unit Development Overlay: Reduce minimum required acreage; reduce or eliminate open space requirements for commercial and manufacturing zones? | Staff research |
| None | None | Modify commercial building material standards, require street orientation and enhanced amenities | Staff research |
| None | None | Code Enforcement administration amendments | Staff research |
| None | None | Business License administration amendments | Staff research |
| None | None | Zoning administration amendments | Staff research |
| None | None | Agricultural and residential zoning standards and land use table | Staff research |
| None | None | Additional single-family zones (R-1-5, R-1-6, R-1-8) | Staff research |
| None | None | Moderate income housing update and annual report | Staff research |
| None | None | Modify “grade change” standards and process | Staff research |