



PLANNING COMMISSION MINUTES

Wednesday, February 1, 2023

Approved April 5, 2023

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, February 1, 2023, at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Commission, media, and interested citizens.

Presiding: Chair Andy Powell

Commissioners Present: Darryl Fenn, Heather Garcia, Jackson Ferguson, Adam Jacobson, Andrea Bradford, Alternate Forest Sickles, Alternate Terrah Anderson, and Alternate Preston Oberg

Commissioner Excused: Brody Rypien

Staff Present: Communications Specialist Mitch Davis, City Planner Michael Maloy, Planning Manager Clint Spencer, Planner II Sheldon Howa, Assistant City Attorney Matt Brooks, Deputy Recorder Wendy Thorpe, Staff Engineer III Josh Petersen, and Planner I Laurin Hoadley

1. 6:00 PM - Work Meeting (Fort Herriman Conference Room)

Chair Andy Powell called the meeting to order at 6:02 p.m.

1.1. Review of City Council Decisions – Michael Maloy, Planning Director
City Planner Maloy reported the Auto Mall rezone was approved at the latest Council meeting.

1.2. Review of Agenda Items – Planning Staff
Commissioner Garcia asked if window wells would fit on the lots. Planning Manager Spencer explained the easement and setback differences. By Ordinance no permanent structure was allowed on an easement, which were owned by utilities and partially by the City. Setbacks applied to above ground structures, such as the foundation wall. Window wells were within the setback area but would encroach onto the easement. Easements were not required by code. Per Staff Engineer III Petersen, only front easements would be included on future plats. The side and rear yard usually have no utilities placed on them. Planning Manager Spencer explained the process for waiver of utility easement encroachment which included a waiver from the utility company and staff acknowledgement. Removing the easement requirement would streamline the process for the remaining homes in these developments. All three items would be included in the same presentation, but motions would be required for each item.

Commissioner Jackson Ferguson arrived at 6:15 p.m.

1.3. Land Use Training: Dark Sky Lighting – Laurin Hoadley, Planner I
Planner I Laurin Hoadley presented Dark Sky Lighting training.

2. Adjournment

The Commission adjourned the work meeting by consensus at 6:49 p.m.

3. 7:00 PM - Regular Planning Commission Meeting (Council Chambers)

Chair Andy Powell called the meeting to order at 7:00 p.m.

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

Deputy Recorder Thorpe led the audience in the Pledge of Allegiance

3.2. Roll Call

Full Quorum Present.

3.3. Conflicts of Interest

No conflicts were reported.

3.4. Approval of Minutes for the December 15, 2022 Planning Commission Meeting

Commissioner Garcia moved to approve the Minutes for the December 15, 2022 Planning Commission Meetings, Commissioner Bradford seconded, and all voted aye.

4. Administrative Items

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

4.1 Consideration of a request to remove the rear and side yard easements in the Copper Fields at Creek Ridge Phase 4 Subdivision located approximately at 6685 W 12310 South in the R-2-10 (Residential) Zone

Applicant: Brandon Parr, Edge Homes (authorized agent)

File No: S2023-003

Acres: ±6.36

Chair Powell informed the Commission that all three items would be presented together, and separate motions would be provided for each item.

Planning Manager Spencer presented the information for easement adjustments for the developments of Copper Fields at Creek Ridge Phase 4, and Mountain Ridge Phases 10 and 16. At the time of approval, the plat showed five-foot public utility easements (PUE) located in the side yards of the proposed lots, which also matched the required building setback for the development. As the applicant submitted building permits, staff observed that several window wells of the proposed homes were located within the five-foot PUE area. City Code does not allow permanent structures to encroach onto these easements except when the applicant has acquired easement waivers from each of the easement

owners. The applicant has found it arduous to obtain easement waivers for each of the approved lots and has proposed to amend many of the lots that do not yet have homes on them by removing the PUEs on the sides of the homes where these window wells would be located. Rear yard PUEs were also proposed to be vacated as part of this request. Only ten-foot PUEs along the front of the lots would remain in place. The developer has sought easement waivers from all necessary utility agencies.

Applicant Brandon Watson expressed appreciation to staff. He stated eliminating the PUE would be beneficial to them and be a time saver for staff.

Commissioner Garcia moved to approve item 4.1 Consideration of a request to remove the rear and side yard easements in the Copper Fields at Creek Ridge Phase 4 Subdivision located approximately at 6685 W 12310 South in the R-2-10 (Residential) Zone, Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Yes</i>
<i>Commissioner Jackson Ferguson</i>	<i>Yes</i>
<i>Commissioner Heather Garcia</i>	<i>Yes</i>
<i>Commissioner Brody Rypien</i>	<i>Not Present</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Alternate Terrah Anderson</i>	<i>Yes</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Not Voting</i>
<i>Alternate Preston Oberg</i>	<i>Not Voting</i>

The motion passed unanimously.

4.2 Consideration of a request to remove the rear and side yard easements in the Mountain Ridge Phase 10 Subdivision located approximately at 4310 W 13850 South in the R-2-10 (Residential) Zone

Applicant: Brandon Parr, Edge Homes (authorized agent)

File No: S2023-004

Acres: ±6.32

Planning Manager Spencer had not additional information.

Commissioner Garcia moved to approve item 4.2 Consideration of a request to remove the rear and side yard easements in the Mountain Ridge Phase 10 Subdivision located approximately at 4310 W 13850 South in the R-2-10 (Residential) Zone, Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Yes</i>
<i>Commissioner Jackson Ferguson</i>	<i>Yes</i>
<i>Commissioner Heather Garcia</i>	<i>Yes</i>
<i>Commissioner Brody Rypien</i>	<i>Not Present</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Alternate Terrah Anderson</i>	<i>Yes</i>

Alternate Commissioner Forest Sickles Not Voting
Alternate Preston Oberg Not Voting

The motion passed unanimously.

4.3 Consideration of a request to remove the rear and side yard easements in the Mountain Ridge Phase 16 Subdivision located approximately at 4500 W 13815 South in the R-2-10 (Residential) Zone

Applicant: Brandon Parr, Edge Homes (authorized agent)

File No: S2023-005

Acres: ±4.60

Planning Manager Spencer had not additional information.

Commissioner Anderson moved to approve item 4.3 Consideration of a request to remove the rear and side yard easements in the Mountain Ridge Phase 16 Subdivision located approximately at 4500 W 13815 South in the R-2-10 (Residential) Zone, Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn Yes
Commissioner Jackson Ferguson Yes
Commissioner Heather Garcia Yes
Commissioner Brody Rypien Not Present
Commissioner Adam Jacobson Yes
Commissioner Andrea Bradford Yes
Alternate Terrah Anderson Yes
Alternate Commissioner Forest Sickles Not Voting
Alternate Preston Oberg Not Voting

The motion passed unanimously.

5. Chair and Commission Comments

No comments were offered.

6. Future Meetings

Wednesday, February 8, 2023 – City Council Meeting

Wednesday, February 15, 2023 – Planning Commission Meeting

7. Adjournment

Commissioner Garcia moved to adjourn the meeting at 7:10 p.m. and all voted aye.

I, Wendy Thorpe, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on February 1, 2023. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Wendy Thorpe, CMC

