



PLANNING COMMISSION MINUTES

Wednesday, May 17, 2023

Approved July 5, 2023

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, May 17, 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, Adam Jacobson, and Alternate Preston Oberg

Commissioners Excused: Andrea Bradford, Brody Rypien, Jackson Ferguson, Alternate Terrah Anderson, and Alternate Forest Sickles

Staff Present: Communications Specialist Mitch Davis Assistant City Manager Clint Spencer, Assistant City Attorney Matt Brooks, Deputy Recorder Wendy Thorpe, Engineer 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 – Clint Spencer, Planning Manager

Planning Manager Spencer reported City Council denied the Laguna Malibu rezone request and approved the Camp Williams item.

1.2. Review of Agenda Items – Planning Staff

Planning Manager Spencer stated there were no updates or additions to the agenda items.

1.3. Review and discussion of potential zoning amendments for recreational vehicle storage – Clinton Spencer, Planning Manager

The discussion commenced with Planning Manager Spencer providing a review of concerns raised in the previous meeting, encompassing issues like allowing sufficient time for compliance with regulations and addressing the storage of large trucks and utility trailers in residential areas. Deliberations also touched upon whether utility trailers should be classified as RVs and their appropriate placement behind homes. He shared the regulations in Ogden included prohibitions on storing RVs in front of or on the side facing the street, forbidding the occupation of RVs for storage purposes on residential properties, and stipulating minimum parking areas. Additionally, there were regulations concerning structures and stored materials, such as not covering structures if they exceeded a certain setback. Planning Manager Spencer proceeded to share information about RV storage regulations in other cities, including Bluffdale, Draper, Riverton, and South Jordan. Each city had varying restrictions and requirements, with some being more stringent than others. These examples were presented to provide context for the ongoing discussion on regulating RV storage.

Based on the concerns raised in the previous meeting and the research conducted, an ordinance was proposed to address RV storage. The proposed ordinance aimed to regulate the location of RV storage and prioritize safety. It included provisions such as allowing a one-year grace period after approval before strict enforcement, defining the criteria for an RV, ensuring consistent regulations across all zones, and permitted living in an RV while constructing a single-family home. Regarding the number of RVs allowed, the proposed ordinance suggested limiting it to three per lot, with the possibility of having more on larger lots. Existing properties with more than three RVs would be in violation of the ordinance. Moreover, the ordinance stated that an RV could only be stored on a property if there was a primary use, typically a single-family home. A clarification was given that if someone purchased a lot without a home, they couldn't store RVs unless they had an active building permit to construct a home. The proposed ordinance also outlined specific locations for RV storage, emphasizing placing them behind the front of the home and implementing screening measures. Graphics depicting driveway configurations, sourced from a reliable reference, were included in the proposal.

Commission discussions revolved around various issues related to the use and storage of recreational vehicles (RVs). The primary focus was determining appropriate regulations and restrictions to ensure responsible RV storage while addressing concerns about quantity and potential rental of storage space. One proposed regulation suggested that RVs should only be allowed as accessory use and must be registered to the owner or occupant of the property. The discussion touched upon the number of RVs allowed based on lot size, with suggestions ranging from one RV for smaller properties to three RVs for properties larger than half an acre. Emphasizing the need for screening, participants highlighted the requirement for a solid fence to shield RVs from neighboring properties. Concerns were raised about overly restricting the quantity of RVs, as some participants believed responsible storage and appearance could be maintained even with multiple RVs on smaller lots.

The issue of registration sparked a debate, with some expressing doubts about the necessity of registration if other ordinance requirements were met. Conversely, others argued that registration would help control potential abuses, such as renting out lots for RV storage. The conversation aimed to find a balance between reasonable regulations and discouraging the use of properties for commercial RV storage. Enforcement and management of these regulations were also considered important. Commissioners suggested adjusting the quantity limits based on lot size, potentially allowing up to three RVs on half-acre properties and up to five RVs on larger properties. It was proposed to eliminate the requirement for registration and instead focus on limiting the number of non-registered RVs to prevent excessive commercial storage. Further discussions took place regarding specific lot sizes and the potential for rentals. The meeting participants sought a balanced approach that would address concerns without imposing overly restrictive regulations while still maintaining the integrity of the neighborhood.

Code enforcement and the role of an administrative law judge were brought up, with plans to address code violations and establish a legal process. The discussion emphasized the need for improved access and parking pads, with some participants highlighting the benefits of using impervious materials like concrete or gravel to prevent damage to the ground. Concerns were raised regarding RVs impacting the city's streets and the potential for contamination. The Commission explored the possibility of requiring permits and curb cuts for driveway access. Different viewpoints were expressed regarding the preference for hard surfaces or gravel, with some suggesting depth restrictions for gravel to prevent the leakage of oils and other fluids into the ground. The challenges of enforcement were acknowledged, and the potential benefits and limitations of different surface materials were discussed.

Ultimately, the proposed changes included allowing up to five RVs, removing registration requirements, and considering the input of law enforcement while encouraging family-friendly RV parking.

2. Adjournment

The Commission adjourned the work meeting by consensus at 6:57 p.m.

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

Chair Andy Powell called the meeting to order at 7:02 p.m.

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

Jon Jensen led the audience in the Pledge of Allegiance

3.2. Roll Call

Full Quorum Present.

3.3. Conflicts of Interest

No conflicts were reported.

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 Conditional Use Permit for a car wash known as Wiggy Wash located generally at 11840 S Mustang Trail Way in the C-2 Commercial Zone

Applicant: Tracy Knapp and Jon Jensen (authorized agents)

Acres: ±1.22

File No: C2023-011

Planning Manager Spencer presented the request from Wiggy Wash in the Teton commercial area. The proposal included a 4,929 square-foot building approximately twenty-five feet tall, with a 10'- 6" detached canopy sheltering a portion of three stacking lanes, sixteen vacuum stalls, and four parking stalls. The front elevation of the main building faced 11800 South. The exterior finish of the main building, which was primarily composed of brick and stone, met the Teton Commercial MDA design guidelines. Per the MDA, any rear elevations that front a public right-of-way shall have additional architectural features to increase the structure's street presence. The proposed canopy was a steel structure with materials and colors matching the primary structure's architectural accents. The proposed site plan detailed vehicular access and circulation through two private drive approaches along Teton Falls Lane. Due to the proximity of the northern drive approach to 11800 South, the drive approach was restricted to right-turn egress only. Approximately forty-one percent of the site would be landscaped to meet the City's water efficiency standards.

Applicant Jon Jensen expressed appreciation to the Commission and staff. He offered to answer questions.

Commissioner Jacobson asked where the vacuums were located. Applicant Jensen responded they were on the west side of the property.

Commissioner Garcia moved to approve item 4.1 Consideration of a Conditional Use Permit for a car wash known as Wiggy Wash located generally at 11840 S Mustang Trail Way in the C-2 Commercial zone with the following conditions:

- 1. Receive and agree to all remaining corrections from City departments.*
- 2. No permits will be issued until the Teton Commercial Subdivision plat has been recorded.*

Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn

Yes

Commissioner Jackson Ferguson

Excused

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| <i>Commissioner Heather Garcia</i> | <i>Yes</i> |
| <i>Commissioner Brody Rypien</i> | <i>Excused</i> |
| <i>Commissioner Adam Jacobson</i> | <i>Yes</i> |
| <i>Commissioner Andrea Bradford</i> | <i>Excused</i> |
| <i>Alternate Commissioner Forest Sickles</i> | <i>Excused</i> |
| <i>Alternate Preston Oberg</i> | <i>Yes</i> |
| <i>Alternate Terrah Anderson</i> | <i>Excused</i> |

The motion passed unanimously.

4.2 Consideration of a Special Exception for the location, height, and setback requirements of an accessory structure at 13362 S 7300 West in the A-1-10 Agricultural Zone

Applicant: Bob and Kimberly Dunn (property owners)

Acres: ±0.71

File No: P2023-040

Planner I Laurin Hoadley presented the request for a special exception for an accessory structure on an irregular shaped flag lot, located in the Hansen Place subdivision, in the A-1-10 zone. They proposed an 836 square foot building. Staff recommended approval with three conditions of approval.

Applicants Bob and Kimberly Dunn had nothing to add.

Commissioner Jacobson moved to approve item 4.2 Consideration of a Special Exception for the location, height, and setback requirements of an accessory structure at 13362 S 7300 West in the A-1-10 Agricultural Zone with the following conditions:

- 1. Receive and agree to all recommendations from other agencies.*
- 2. Secure a public utility easement (PUE) waiver for all building encroachments.*
- 3. Any additional modification to increase building height or building footprint shall require Planning Commission review and approval.*

Commissioner Oberg seconded the motion.

The vote was recorded as follows:

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| <i>Commissioner Darryl Fenn</i> | <i>Yes</i> |
| <i>Commissioner Jackson Ferguson</i> | <i>Excused</i> |
| <i>Commissioner Heather Garcia</i> | <i>Yes</i> |
| <i>Commissioner Brody Rypien</i> | <i>Excused</i> |
| <i>Commissioner Adam Jacobson</i> | <i>Yes</i> |
| <i>Commissioner Andrea Bradford</i> | <i>Excused</i> |
| <i>Alternate Commissioner Forest Sickles</i> | <i>Excused</i> |
| <i>Alternate Preston Oberg</i> | <i>Yes</i> |

Alternate Terrah Anderson

Excused

The motion passed unanimously.

5. Chair and Commission Comments

Chair Powell expressed appreciation to staff for working with the applicants to provide all of the relevant information.

6. Future Meetings

Next City Council Meeting: Wednesday, May 24, 2023

Next Joint City Council/Planning Commission Meeting: May 31, 2023

Next Planning Commission Meeting: June 7, 2023

7. Adjournment

Commissioner Garcia moved to adjourn the meeting at 7:12 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 May 17, 2023. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Wendy Thorpe, CMC
Deputy City Recorder