The following are the minutes of the Joint City Council and Planning Commission Meeting held on Thursday, August 30, 2018 at 5:30 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 Jessica Morton

Council Members: Jared Henderson, Nicole Martin, Sherrie Ohrn and Clint Smith, Mayor David Watts

Planning Commission Members: Andrea Bradford, Adam Jacobson, Curtis Noble, Chris Berbert, Lorin Palmer, Parry Harrison, Brody Rypien

Staff Present: City Manager Brett Wood, Assistant City Manager Gordon Haight, Director of Administration and Communications Tami Moody, City Recorder Jackie Nostrom, City Planner Michael Maloy, Assistant City Planner Bryn McCarty, Communications Specialist Destiny Skinner, City Attorney John Brems, City Engineer Blake Thomas, Planning Coordinator Craig Evans, Community Development Coordinator Sandra Llewelyn, Planning Coordinator Craig Evans, Parks and Recreation Director Wendy Thomas, Staff Engineer Josh Peterson, and Assistant City Engineer Jonathan Bowers.

1. 5:30 PM WORK MEETING:
Commissioner Jessica Morton called the meeting to order at 5:52 pm.

1.1 Approval of Minutes for May 31, 2018, Joint Work Meeting
Councilmember Ohrn moved to approve the May 31, 2018 minutes as written. Councilmember Smith seconded the motion and all voted aye.

1.2 Update on proposed Olympia Hills development on approximately 900 acres located approximately at 6901 W 11800 South
City Planner Michael Maloy provided an update about the Bonneville research of the Olympia Hills
development. The City learned from the inconsistencies with the study that had been conducted. The contract was at the state of one-third completion with heavy involvement. It has been scheduled to be presented at the next City Council meeting. There are many concerns from the regional and state leaders about growth in the valley. Director of Administration and Communications Tami Moody offered the presentation from the caucus meeting in order to give more context to the research. She addressed the Planning Commission to touch on the presentation. The legislature needed to understand the issues in order for the cities to properly plan.

Some of the main topics discussed included population growth, housing policy, principles for resolutions, and proper balance of residential to commercial. Overall, this would be a topic of focus during the legislative session. During the legislative meeting, the City needed to stress portraying the right message. She further reviewed the involved housing group. The City does not control the market, but only helps provide services and support the communities.

An editorial would be published in the Deseret News discussing affordable housing. It suggested local communities should relax zoning restrictions, allow more high-density housing projects where it makes sense, and be less restrictive about citizens wanting to rent out parts of their homes. The impacts of the housing shortage are well known and is challenging for the citizens. There are lower vacancy rates, an increased number of doubled households, which included higher housing costs. These conditions won’t continue depreciating as the level of residential construction activity increases. Between January and May 2018, the number of permits for new dwelling units was at the highest level since 2006. A balance must exist between commercial and residential in order for a City to achieve sustainability.

HUD took a strong stance against local control with hardly anyone noticing. The State has been instigating an anti-NIMBY (Not In My Back Yard) law that to hopefully bring more housing, despite the negative feedback from surrounding neighborhoods. Their stance government is required to do what is best for the community and higher density may help the Utah housing crisis. It is a solution that many don’t want near them. This legitimate issue of housing affordability was being used for a three-pronged push for more affordable housing. Each City and State is different, and not one size fits all. The fix would hopefully cater to the issues in Utah. Case studies were presented on what other municipalities have done to address the issue. Councilmember Ohrn asked why the State is stepping in where the City is closer to the issue. She mentioned that many cities have potential for growth, such as Vernal or Price. These cities could absorb some of the growth if industries were introduced to help with the economy. She opined that this was not a good solution, especially since the State paying for it inevitably included the City footing the bill. This only appeared to be a short-term fix for the State which could lead to more cost and hardship in the long-term.

Planning Commissioner Jacobson opined that current salaries aren’t supporting home costs and mentioned that the League should look at that statistic. Director of Administration and Communications Tami Moody responded that the League had put together a package with the best interest of the communities in mind that would work in the best interest of the communities. City Planner Michael Maloy added that some information was also part of the Bonneville research project. The goal is to identify the carrying capacity of the area.
On June 20, 2018, the Herriman City Council directed staff to prepare an estimate for professional services to analyze a proposed 937-acre mixed-use development known as “Olympia Hills,” which is located immediately north of the City boundary. The study intended to determine the carrying capacity — meaning the development density — of the subject property “that does not compromise the quality of life of adjacent residents.” While the project is outside Herriman City limits, and within unincorporated area of Salt Lake County, it is within Herriman’s annexation declaration, which was approved December 8, 2011. In response to the City Council’s request, the Council received a cost estimate from staff and on July 11, 2018, voted 5-0 to allocate $30,000 for the study. The Council also asked staff to contact South Jordan and Riverton to inform them of the study and extend an invitation to participate jointly.

Under the direction of the City Council, staff entered into a contract for professional services on July 27, 2018, with Bob Springmeyer, Chairman of Bonneville Research, an experienced and highly regarded business and economic development consultant, who had completed previous contracts for services with Herriman City. For those unfamiliar with Bonneville Research, Mr. Springmeyer offered the following statement: “Bonneville Research, located in Salt Lake City, Utah, was formed in 1976 as a multidiscipline consulting firm dedicated to providing quality services and solutions in two primary consulting areas—strategic planning and economic development/redevelopment. We counsel public sector clients at both the state and local levels on strategic and economic planning strategies, focusing on the design of innovative programs and mechanisms to achieve maximum leverage and efficiency in achieving community goals. We develop strategies for municipalities and economic development organizations to help steer efforts in strengthening the local economy, providing a seamless turnkey team to address all the competitive, analytical, strategic and marketing aspects for balanced economic growth.” To complete the study within the next 90 days, as specified within the contract, Bonneville Research retained the services of the following two individuals: Mr. Tom Burdett and Mr. James Taylor.

1.3 **Discussion of the update to the General Plan**

City Planner Michael Maloy mentioned that potential respondents have 30 days to submit a proposal. Once an individual has selected, the first task would be to compile a report on existing conditions. The City would then update the document as the City progresses. In order to help the public understand the General Plan, the Communications Department would like to reach out on social media and set up information booths at City events during next summer. Public hearings and the adoption are set to occur next fall. He continued that the City is not relying on a consultant for public outreach. Staff would be heavily involved in the process. Mayor Watts added that there should be no room for accusation for lack of transparency. City Planner Michael Maloy affirmed that there will be much more than a meeting at City Hall as there would be a push to meet as much as the public desired.

The City recently posted a Request for Proposals (RFP) to begin the process of updating the General Plan. The proposal deadline has been scheduled for September 24, 2018. A consultant would be selected and enter into a contract for services to begin the new General Plan. Staff would like to update the City Council and Planning Commission on the proposed timeline for the General Plan and solicit ideas or suggestions for things they would like to see included in the process or the final document.
1.4 Discussion of proposed amendments regarding Accessory Structures

City Planner Michael Maloy introduced the issues surrounding accessory structure as well as the best method for drafting an ordinance. He welcomed Planning Coordinator Craig Evans to continue the discussion.

Councilmember Henderson arrived at 6:29 p.m.

Planning Coordinator Craig Evans discussed the accessory building and the consolidate code contained in the zoning ordinance. The ordinance would be consolidated into one chapter in order to be found easily by both citizens and City personnel. He noted that this has been discussed with the Planning Commission numerous times, but not with the Council. Many residents have struggled with the ordinance when confronted with an odd-shaped lot as an accessory structure. Craig reviewed different options to handle the exceptions for the proposed amendments and offered a few examples.

The Council and Commission discussed the exceptions and offered direction to make the ordinance clear and predictable in addressing the majority of exceptions. They relayed their concern of unintended consequences.

Planning Coordinator Craig Evans continued with the current minimum setback being three-feet and questioned whether it made sense to reduce the set back to one-foot. Currently code mandates that the size of the structure cannot be larger than 25-percent of the rear yard. He questioned whether this should be changed or remain the same. The City could also make the caveat that the accessory building must be smaller than the footprint of the home. The Planning Commission voiced their approval of this change.

In December 2017, the City adopted a new Land Development Code. In the newly adopted code, the ordinances that governed accessory structures were fragmented across numerous chapters. This proposed chapter would significantly increase readability and code consistency, and make future amendments much easier to implement. While implementing this change staff has been approached by multiple residents experiencing issues with the code due to unusually shaped lots. The result was that they may be restricted in ways not intended by the ordinance, as it cannot take into account every manner and shape of lot. Aside from leaving the accessory building rules the same, there are two other possible options to address this issue. First, more comprehensive general regulations could be added into the ordinance to attempt to regulate all of the possible scenarios that can occur due to irregular lot shapes. Second, an exception process could be implemented. This exception process could allow certain residents to submit an application to be reviewed by the Planning Commission, or even be reviewed and possibly approved by planning staff, if appropriate. This would remove the burden of trying to regulate all possible scenarios in the ordinance. However, the code would still have to identify conditions that must be met for lots to be eligible for the exception process.

1.5 Discussion of proposed amendments to Alcohol Regulations

In order to promote economic development and provide a variety of uses in our City, staff recommended an amendment to the Land Development Code to add various alcohol licenses. The State Department of Alcohol Beverage Control (DABC) has several different types of alcohol licenses. (See Attachment A- DABC License Fee Schedule) Most of these uses are not currently listed in our ordinance, and are therefore not allowed. Staff
reviewed the different license types with the City Council and Planning Commission to determine if we would like to add any of them to the ordinance.

1.6 Discussion of landscaping requirements in the Technology Manufacturing (T-M) zone
Assistant City Manager Gordon Haight reviewed the annexation policy and the compatible zoning. The City adopted the T-M zone with the anticipation of annexing other property owned by Kennecott. The T-M zone was created to promote an Industrial/Business Park on the northwest side of the City. Since the zone was written, staff found some areas of the ordinance that need amending in order to create the proper type of industrial park. Staff recommended a few changes to the ordinance, specifically to the landscaping requirements.

1.7 Discussion of a proposed amendment to the Anthem Commercial Site plan
Assistant City Manager Gordon Haight affirmed that Walmart cancelled on building but another grocer would like to locate at the site. Currently the City maintains ownership of the property and in November, the developer can buy the property back with a contractual agreement and a full site plan. The developer would have to approach the City Council as part of an amendment to the site plan.

1.8 Discussion of prohibited fencing materials
The Fencing Chapter was adopted by the City Council on May 13, 2015. There have been a few minor changes to the ordinance since that time. Included in the ordinance is a list of allowed and prohibited fencing types. The prohibited fence types include chain link and wood fencing.

2. FUTURE MEETINGS:
   2.1 Planning Commission Meeting – Thursday, September 6, 2018 @ 7:00 PM
   2.2 City Council Meeting – Wednesday, September 12, 2018 @ 7:00 PM

3. ADJOURNMENT:
Commissioner Adam Jacobson moved to adjourn the Joint City Council/Planning Commission Meeting at 7:59 pm. Councilmember Henderson seconded the motion and all voted aye.

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on August 30, 2018. This document constitutes the official minutes for the Herriman Joint City Council/Planning Commission Meeting.

Jackie Nostrom, MMC
City Recorder