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## HERRIMAN CITY COUNCIL AND PLANNING COMMISSION JOINT WORK MEETING AGENDA Thursday, August 30, 2018

Notice is Hereby Given that the Herriman City Council and Planning Commission will hold a joint meeting in the Community Room of Herriman City Hall, located at 5355 West Herriman Main Street, Herriman, Utah 84096

5:30 PM

1. WORK MEETING:

- 1.1 Approval of Minutes for May 31, 2018, Joint Work Meeting
- 1.2 Update on proposed Olympia Hills development on approximately 900 acres located approximately at 6901 W 11800 South
- 1.3 Discussion of the update to the General Plan
- 1.4 Discussion of proposed amendments regarding Accessory Structures
- 1.5 Discussion of proposed amendments to Alcohol Regulations
- 1.6 Discussion of landscaping requirements in the Technology Manufacturing (T-M) zone
- 1.7 Discussion of a proposed amendment to the Anthem Commercial Site plan
- 1.8 Discussion of prohibited fencing materials

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:

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 or Planning Commission may participate electronically via telephone, Skype, or other electronic means during this meeting.

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. The agenda was also posted at the principal office of the public body, on the Utah State Website [www.utah.gov/pmn/index.html](http://www.utah.gov/pmn/index.html) and on Herriman City's website [www.herriman.org](http://www.herriman.org).

Posted and Dated this 23<sup>rd</sup> day of August, 2018

Jackie Nostrom, CMC  
Recorder



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

Thursday, May 31, 2018  
Awaiting Formal Approval

The following are the minutes of the Herriman City Council and Planning Commission Joint Work Meeting. The meeting was held on **Thursday, May 31, 2018 at 5:30 p.m.** in the Herriman City Community Room, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in City Hall, on the City's website, and delivered to members of the Council, media, and interested citizens.

**Presiding:** Chair Jessica Morton

**Council Present:** Jared Henderson Nicole Martin, Sherrie Ohrn, Clint Smith and David Watts

**Commissioners Present:** Chris Berbert, Adam Jacobson, Andrea Bradford, Brody Rypien

**Staff Present:** City Manager Brett Wood, Assistant City Manager Gordon Haight, Deputy Recorder Wendy Thorpe, City Attorney John Brems, Assistant Engineer Jonathan Bowers, Assistant City Planner Bryn McCarty, and Communications Specialist Mitch Davis, Planning Coordinator Craig Evans, Director of Administration and Communications Tami Moody

**5:30 PM Meeting called to order at 6:03 p.m.**

**1. WORK MEETING:**

**1.1 Approval of Minutes for January 4, 2018 and March 29, 2018 Joint Work Meeting**

*Councilmember Martin moved to approve the January 4, 2018 and March 29, 2018 minutes as written. Commissioner Bradford seconded the motion and all voted aye.*

**1.2 Discussion of amendments to the Planning Commission Rules and Procedures regarding meeting schedule and organization**

City Planner Maloy discussed the training that happened with the Commissioners at the work meetings. He went over the schedule for any upcoming meetings. Meetings had been scheduled for the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month with a work meeting at 6:00 p.m. followed by a business meeting at 7:00 p.m. He also mentioned a proposed possibility of field trips for the Commissioners to visit any areas to be discussed just before the work

meeting at 5:00 p.m. Any interested party would be able to meet the group on site. He relayed his hope to be able to provide dinner for the Commissioners. Commissioner Berbert mentioned that it would be beneficial to conduct the field trips.

City Planner Maloy also mentioned the possibility and benefits of switching meeting nights for Commission from Thursday to Tuesday. He also discussed possibly holding public briefings before the public hearing to help work through certain issues prior to the public hearing. Commissioner Jacobson stated that in the past these briefings have not proven to be helpful. Councilmember Ohrn mentioned that these could give the appearance of less transparency rather than more. Commissioner Berbert stated that the work meeting prior to the briefing may give the impression that the proposal does not need to be completed. Mayor David Watts proposed holding off for now to see how effective community meetings are first. The group further discussed the intent of the community meetings.

A statement was made with the possibility of outlining public comments by dividing them into groups. It was suggested to include more structure, such as organizing the comments into those in favor all speaking at a designated time and then all those opposed. It would only affect the order of comments. Councilmember Martin stated that some comments are more complex than just being in favor or opposed. However, she did like the expectations being explained. The commission also proposed setting a time limit for presenting developers, especially for rebuttals after comments and questions. Councilmember Martin mentioned that without a time limit, it could appear that the city favors the developers. The outreach program has also seen fewer people and the citizens should be encouraged to come to public hearings to share their opinions on city dealings. Commissioner Martin emphasized the need for copious notes on all feedback from the citizens. Assistant City Manager Haight mentioned that some people may just come to the first meeting where a project is discussed and not come back for the later meetings.

*Councilmember Jared Henderson arrived at 6:40 p.m.*

Commissioner Berbert and Councilmember Martin mentioned potentially providing an infographic for residents notifying them of who they would be addressing at different meetings. Commissioner Jacobson stated that he thought the impression with some residents is that neighborhood meetings have replaced the need to attend City Council and Planning Commission Meetings.

Meeting Template minutes were discussed.

City Planner Maloy discussed the proper language for draft motion. It was important that they reference any staff report and recommendations. He asked if commissioners would prefer that information to be included in their packets with proper wording for what needs to be said for both approval and denial motions. Commissioner Jacobson requested having staff recommendations on the screen so that the corresponding person making the motion can reference them. City Planner Maloy reminded the Commission that once a motion has started, the discussion is over and there is no more time for alternate interpretation. Commissioner Berbert stated that

specific guidelines should be clearly explained to the developers as they approach the Commission.

City Planner Maloy indicated he would attach minutes with proposals and legislative proposals should all have minutes attached. Councilmember Ohrn asked if a copy of the recording could be attached. City Attorney John Brems responded there could be an excerpt from meeting as long as clarification has been provided. He further explained the excerpt would not have to be the official minutes. City Planner Maloy agreed with the direction. Councilmember Martin stressed that decisions must be made based on completed approved minutes. Any excerpts discussed need to be completely designated.

*Councilmember Smith arrived at 6:59 p.m.*

Mayor David Watts asked for the definition of a quorum. He then discussed the mailing out notices and wondered if Home Owners Associations (HOA) had not been receiving the notices. It was clarified that the City does not track the HOA information. Chair Morton asked the Commission about members missing multiple meetings and suggested a standard process be created in order to curb the issue.

### **1.3 Training: Utah Demographic and Economic Projections video and discussion**

City Planner Maloy presented a Policy Institute Video from Kem C. Gardner of the University of Utah. State leaders see housing as a hurdle and new housing necessary for future growth. Planning is the key for success. Herriman hosted regional groups who have been amazed and impressed with the City's growth. Councilmember Martin discussed the need for infrastructure as the east and west corridors are currently insufficient. Proper infrastructure is necessary for proper quality of life. Councilmember Henderson touched on the topic of affordable housing. Councilmember Martin discussed the need for balance in different housing types. Mayor David Watts continued the discussion with other current housing plans and City Planner Maloy stated that affordable housing is all part of that plan.

### **1.4 Discussion of Legislative priorities for Planning Department**

City Planner Maloy asked for direction if the legislative bodies press the City for planning. He mentioned that this list could assist the City in setting priorities. He indicated Utah State law would outline certain small cell sites and if regulations are not appropriately proportioned, street lights, signs and other amenities would become noticeable. The priorities were discussed with an order based on importance. City Planner Maloy stated that the Commission may need to reconvene to discuss the order of priorities. Assistant City Manager Haight mentioned that the order would be used by the City Council to direct staff with what priorities need to be addressed first.

### **1.5 Discussion of pending General Plan process**

City Planner Maloy discussed public outreach possibilities. Commissioner Rypien discussed the interactive map for residents to put growth models on a map of the City as a table-top mapping exercise. Commissioner Jacobson suggested hiring a consultant to inform the City on feasibility. The City could work on finding the true density by number and defining it without a high range in any given area. City Planner Maloy stated that the General Plan should unify the community and help recognize diversity. The plan should be one that the City and

community would be willing to defend. He mentioned his hope to create unity and resolve differences. Mayor David Watts expressed his opinion that the City should be overly transparent so that the community can be included at every step in the process. Commissioner Bradford brought up that education should be one of the aspects stressed first. Perhaps a presentation could be set up for the residents to find out what is needed and what is wanted. In addition to all this, there is a huge need for housing in the valley. Councilmember Smith stated that a diversity of products is essential in the community. The community has the ability to easily understand so long as everything is presented in the correct format. City Planner Maloy mentioned a video for the citizens to watch to help communicate the City vision and values. Assistant City Manager Haight added that there would need to be certain budget considerations with all of this discussion. Councilmember Smith added his opinion that the City is improving on providing relevant and timely information to its residents. Director of Administration and Communications Tami Moody addressed the problem that the City can easily funnel information to the residents, but it can't make the people actually read it all. She asked the Council and Commissioners to please remind the residents of the wealth of information available to them.

### **1.6 Discussion of proposed Auto Mall Overlay Zone**

Assistant City Planner McCarty began by explaining the Auto Mall overlay zone. It would be adjacent to Mountain View Corridor and have quite limited uses. It will need to include amenities that make sense to the nearby dealerships. Landscaping, architectural design and specific materials will also play an important role in the development. The signage will play an important role in the success of the development and will need to be discussed. Certain access roads would be essential and the overall idea will shortly be presented to the Planning Commission.

### **1.7 Update on proposed Olympia development by Last Holdout LLC on approximately 900 acres located approximately at 6901 W 11800 South**

City Planner Maloy began the discussion on the Olympia Development by stating that it is not in Herriman City limits. His main point was that this area had previously been declared as a potential future annexation area. He discussed the current number of approved developments for the area. Councilmember Martin stressed that with the extensive density, now is the time for the City to publicly state its opposition while other options are still available. Assistant City Manager Haight stated the development was already approved by the County and would include 8,300 throughout a 900-acre project. The actual building plans would only take up roughly 600 of the acres and it would be about 50 to 60 residents per acre. The County would need to also annex the property from Kennecott. The development area could potentially turn into another City and the County would not need approval from Herriman. Councilmember Martin mentioned that Herriman also needs to shoulder growth that is coming. She stated that 50 people in one acre would be ridiculous and the development would need a commuter line to support it. As a result, she opined that Herriman should bargain with transit with the County.

Mayor David Watts stated that this development is absurd and the City already has more than enough apartments. He relayed his opinion of the unfairness for another organization to tell a jurisdiction there is not enough. Assistant City Manager Haight reminded everyone that the Olympia Development is only feasible with State or County funding. The right path for the City would be to tell them what Herriman believes to be the correct path of action. A study including water, roads and homes should be conducted. Herriman City needed a calculated planning process too, and hopefully will be allowed to process an additional independent study. The



City can recommend a plan that would be beneficial for all involved parties. Councilmember Martin affirmed that the County has only concepts at this time, not a formal plan, and that the City should jump at the opportunity to present them with a conceptual plan. Assistant City Manager Haight reiterated the entire project is not acceptable without water specifications in place. Councilmember Martin recommended the City to make a statement. It was discussed that the Council could request a statement. Councilmember Ohrn desired the record to show that she also opposed this development. Many things would be affected, including Herriman roads.

Assistant City Manager Haight affirmed that the main discussion should revolve around what the development should entail rather than just discussing opposition. He recommended having this reviewed by an outside consultant who could look at the area impartially. Councilmember Martin proposed to pay for half of a study with the County to research what is actually feasible in this area. Assistant Manager Gordon Haight stated that this could turn into quite a lengthy process. The governmental entities should come together for a new study, separate from the one completed by the developer. Attorney Brems mentioned that if the statute were changed, the City would not have any say at all. Mayor David Watts relayed his position to allow the County the opportunity to present the project to Herriman City to iterate their position. Councilmember Ohrn requested to know when it will be on their agenda and mentioned that it all must be publicly reported.

### **1.8 Discussion of the proposed update to the Engineering Standards and Specifications**

Assistant Engineer Bowers presented the Engineering Standards Update Review, Session 1 Training. He discussed the change in the structure of the outline. It was reduced from seven sections to six. Each section would be geared towards a developer, contractor, or owner. He described the engineering standards. The department created a manual for the developers to utilize throughout the process. Section One included a step-by-step list of the requirements and Section Two listed the developer submittal requirements. This section has been broken down by general, subdivision or site plan. Section Three included the Land Development Requirements. Section Four outlined the engineering requirements. The manual listed the design guidelines for any project. There are three separate flow charts that display subdivision, site plan or construction processes.

Assistant Engineer Bowers presented the key changes to the standards. The water model report is new to the standards. The City now clarifies at what stage developers need to receive permits. These are now required prior to engineering approval by the City. Other additional items were added to maintain consistency with new ordinance, such as improvement plants and an onsite requirement for standards. There will also be a stormwater management plan complete with a phasing plan. Other additions include a water model report, traffic impact study, and a completely outlined report.

### **2. NEW ITEMS OF SUBSEQUENT CONSIDERATION (OTHER):**

No specific comments offered.

### **3. FUTURE MEETINGS:**

- 3.1 City Council Meeting – Wednesday, June 6, 2018 @ 7:00 PM
- 3.2 Planning Commission Meeting – Thursday, June 7, 2018 @ 7:00 PM

**4. ADJOURNMENT:**

At 9:02 p.m., Mayor David Watts made a motion to adjourn. All in attendance voted aye. The meeting was adjourned.

*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 31, 2018. This document constitutes the official minutes for the Herriman Joint City Council / Planning Commission Meeting.*



Wendy Thorpe

Deputy City Recorder



## STAFF REPORT

**DATE:** August 23, 2018

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

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

**MEETING:** Joint Work Meeting August 30, 2018

**SUBJECT:** Update on Olympia Hills Development Study

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### **SUMMARY:**

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 (see Attachment A – Olympia Hills Land Use Plan Map). The study intends 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 an unincorporated area of Salt Lake County, it is within Herriman’s annexation declaration, which was approved December 8, 2011 (see Attachment B – Resolution 11.24 Annexation Declaration).

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.

### **DISCUSSION:**

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 has 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 multi-disciplined 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:

- **Tom Burdett, Principal Consultant at Burdett Planning and Development.**

A native of Utah, Mr. Burdett began his planning career in 1980 with the City of Colorado Springs, received his Certification with the American Institute of Certified Planners (AICP) in 1983 and has focused on comprehensive city planning. He completed a Bachelor's Degree in Psychology in 1977 from the University of Utah and a Master's degree in Community and Regional Planning in 1980 from Kansas State University. With experience in western states, Tom has served as a Senior Planner, Planning Director and Community Development Director in Colorado, Washington State and Utah with 36 years in municipal community development and planning. For the last twenty 26 years, he served in executive management (director) positions with Oak Harbor, WA, West Jordan, UT, and Bothell, WA. Over his 35-year career, Tom has focused on comprehensive planning and sustainable growth management strategies. Community Planning projects include preparation of comprehensive plans for Colorado Springs, CO Oak Harbor, WA and West Jordan, UT. Noteworthy annexations with adoption of concurrent master plans include Colorado Springs Ranch (1,336 acres), Stetson Hills (2,714 acres) and Banning Lewis Ranch (25,328 acres). These master planned subareas included a wide variety of mixed land use.

- **James Taylor, Principal Broker with Salt Lake Realty.**

Jim is a native of Salt Lake City, Mr. Taylor began his real estate career in 1979, received his Utah Brokerage license in 1982 and a Bachelor's Degree in Economics in 1985 from the University of Utah. Jim has worked both nationally and along the Wasatch Front real estate market and has learned from experience the need for localized focus and relationships coupled with a national perspective. Over the last 35 years, Jim has focused on long-term real estate economics to seek opportunities to create and enhance real estate values. Noteworthy projects include the 750-acre annexation of Teguayo, a 4,360 unit project that will serve the growing needs of the Utah County population and economic expansion. Jordan Landing, a 500-acre mixed-use development with over 2,000,000 square feet of retail, 500,000 square feet of office and 1350 mixed residential units. Cottonwood Corporate Center a one million square foot office project that has set the standard for quality suburban office development.

**RECOMMENDATION:**

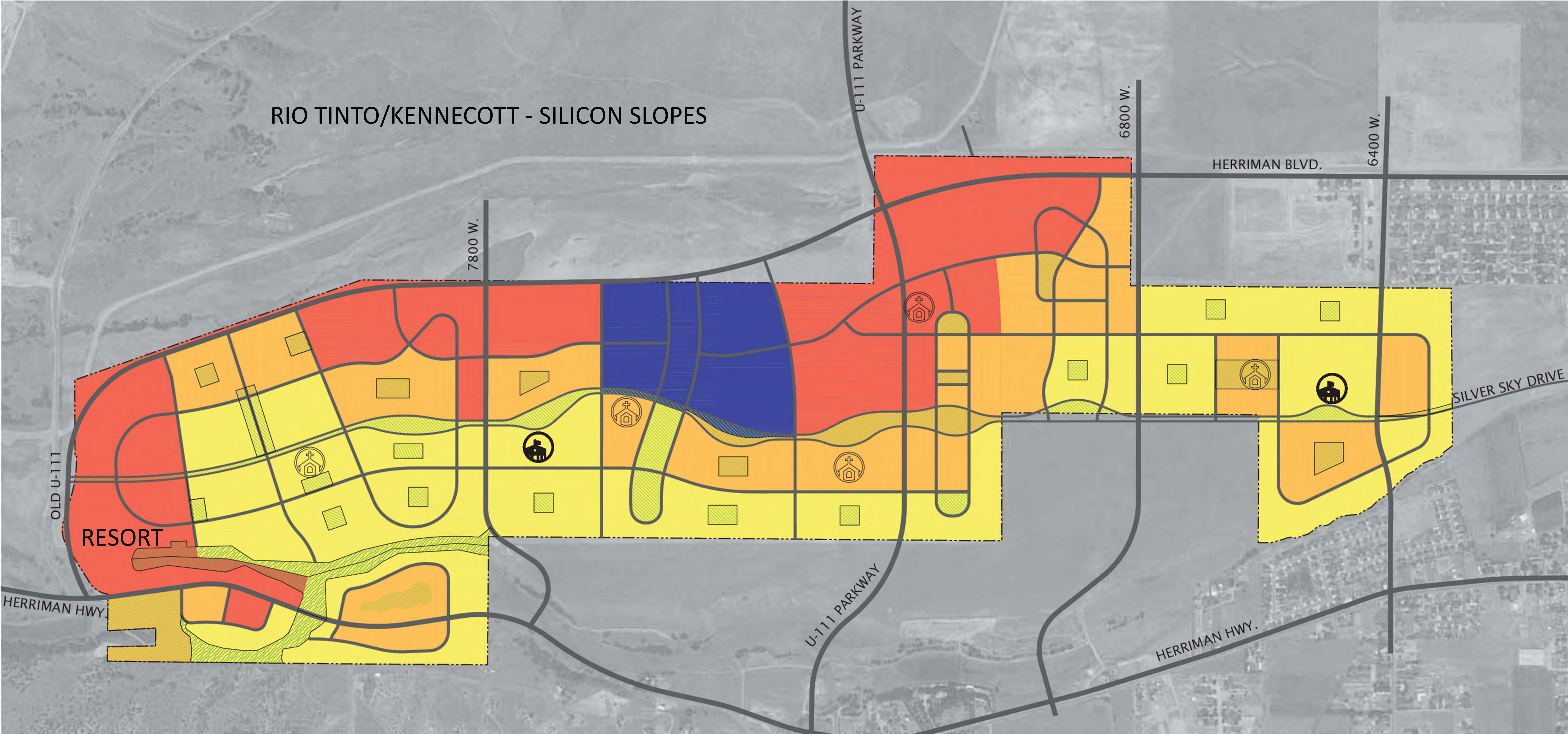
No action is required at this time.

**ATTACHMENTS:**

- A. Olympia Hills Land Use Plan Map
- B. Resolution 11.24

**Attachment A**  
Olympia Hills Land Use Plan Map





LAND USE TABLE					
LAND-USE DISTRICT	PLANNED PERMITTED USES	CONDITIONAL USES	NUMBER OF DWELLING UNITS	HEIGHT LIMITS	ACREAGE
NEIGHBORHOOD	RESIDENTIAL (0-8 DU/AC), PUBLIC, CHURCHES, COMMON AREAS, OPEN SPACE	NONE	1497 UNITS	35 FT	374.48 AC
VILLAGE	RESIDENTIAL (9-20 DU/AC), PUBLIC, CHURCHES, COMMON AREAS, OPEN SPACE	NONE	2485 UNITS	55 FT	248.46 AC
TOWN CENTER	RESIDENTIAL (21+ DU/AC), COMMERCIAL, MIXED, HEALTH-CARE, PUBLIC, CHURCHES, DAY-CARE, INDUSTRIAL, COMMON AREAS, OPEN SPACE	NONE	4783 UNITS	N/A	252.52 AC
INSTITUTIONAL BUSINESS, RESEARCH OR EDUCATIONAL CAMPUS	MIX OF USES, PUBLIC FACILITIES, COMMON AREAS, OPEN SPACE	NONE	N/A	N/A	62.09 AC
OPEN SPACE*	INDEPENDENT FROM OPEN SPACE PROVIDED WITHIN OTHER LAND USE DISTRICTS	NONE	N/A	N/A	24.62 + 86.55 AC* (67% OF REQUIRED)
TOTAL			8,765 UNITS		937.69 AC

\*CALCULATIONS FOR OPEN SPACE LAND-USE DISTRICT ARE INDEPENDENT FROM OPEN SPACE & COMMON AREAS INCLUDED WITHIN OTHER LAND-USE DISTRICTS. GRAND TOTAL OF OPEN SPACE AND COMMON AREAS FOR THE SITE SHALL BE A MINIMUM OF 20%.

OVERLAYS

SYMBOL	NOTES	ACRES
	NATURAL OPEN SPACE (OVERLAY)	24.62
	OPEN SPACE (OVERLAY)	86.55
	SCHOOL	
	CHURCH	

19.69.030 - PERMITTED USES.

THE FOLLOWING USES MAY BE CONDUCTED IN ALL AREAS WITHIN THE P-C ZONE:

- RESIDENTIAL USES OF ALL TYPES ON A RANGE OF LOT SIZES INCLUDING: SINGLE FAMILY DETACHED; SINGLE FAMILY ATTACHED; MULTIFAMILY RESIDENTIAL; TOWN HOMES; LOFT APARTMENTS; RESIDENTIAL UNITS ABOVE GROUND FLOOR RETAIL, COMMERCIAL, OR OFFICE USES; AND CONDOMINIUMS;
- RETAIL, SERVICE, OFFICE, HOTEL, RESTAURANT, ENTERTAINMENT, AND ALL OTHER COMMERCIAL USES OF ANY TYPE;
- MIX OF PERMITTED USES (INCLUDING OFFICE/COMMERCIAL, OFFICE/RESIDENTIAL, RETAIL/RESIDENTIAL) WITHIN INDIVIDUAL STRUCTURES;
- HOME-BASED BUSINESSES FOLLOWING THE PROVISIONS OF CHAPTER 19.85 OF THIS TITLE;
- HEALTH-CARE FACILITIES;
- PUBLIC FACILITIES, SUCH AS SCHOOLS, LIBRARIES, AND CIVIC BUILDINGS;
- COMMON AREAS, SUCH AS PLAZAS, PLAYGROUNDS, AND TRAILS
- CHURCHES;
- DAY-CARE FACILITIES;
- OPEN SPACE, INCLUDING LANDSCAPED AREAS AND AREAS IN NATURAL VEGETATION, GOLF COURSES, PARKS, RECREATIONAL

AREAS;

- AGRICULTURE;
- INDUSTRIAL AND MANUFACTURING USES; AND
- OTHER ACCESSORY USES WHICH ARE ANCILLARY TO, AND DESIGNED TO SERVE, ANY OF THE FOREGOING USES.

(ORD. NO. 1823, § I, 10-31-17)

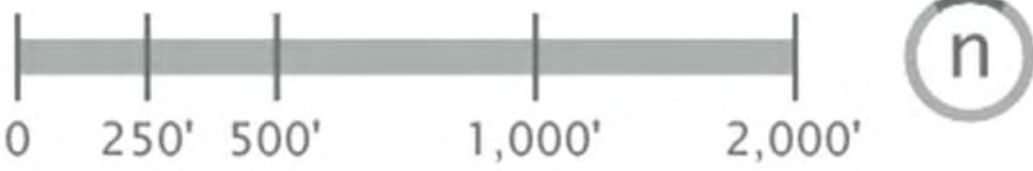
19.69.040 - CONDITIONAL USES.

THE APPROVED P-C ZONE PLAN OR COMMUNITY STRUCTURE PLAN MAY INCLUDE PROVISIONS FOR SPECIFIC LAND USES IDENTIFIED AS CONDITIONAL USES WITHIN A GIVEN DISTRICT, WHICH MAY INCLUDE USES LISTED UNDER SECTION 19.69.030 OR ADDITIONAL USES. THE ADDITION OF CONDITIONAL USES IN THE APPROVED P-C ZONE PLAN SHALL REQUIRE THE APPROVAL OF THE COUNTY COUNCIL, WHICH APPROVAL MAY BE ESTABLISHED BY DEVELOPMENT AGREEMENT. CONDITIONAL USES, IF ANY, ARE SUBJECT TO REVIEW AND APPROVAL AS SET FORTH IN CHAPTER 19.84 OF THIS TITLE. DESIGN STANDARDS FOR CONDITIONAL USES SHALL BE INCLUDED WITH THE APPLICABLE PROJECT SPECIFIC STANDARDS.

THE FOLLOWING USE MAY BE CONSIDERED CONDITIONAL:

- SHORT TERM NIGHTLY RENTAL

(ORD. NO. 1823, § I, 10-31-17)



REVISIONS	
No.	Description

Designed By:	-
Drawn By:	-
Date:	05/08/2018
Checked By:	-
Project No:	16-136

Drawing Title  
**LAND USE PLAN**



**Attachment B**  
**Resolution 11.24 Annexation Declaration**



**HERRIMAN, UTAH**  
**RESOLUTION NO. 11.24**

**A RESOLUTION OF HERRIMAN  
APPROVING THE ADOPTION OF AN ANNEXATION DECLARATION**

**WHEREAS**, the Herriman City Council ("Council") met in regular meeting on December 8, 2011, to consider, among other things, approving the adoption of an annexation declaration; and

**WHEREAS**, the Council has determined that it is advisable, but not necessary, to adopt an annexation declaration; and

**WHEREAS**, the Council has determined to declare its intent to consider for annexation the area described on the attached map.

**NOW THEREFORE, BE IT RESOLVED**, that the attached map indicate the intent of the Council with respect to future annexations and constitute an annexation declaration.


This Resolution, assigned No. 11-29, shall take effect immediately on passage and acceptance as provided herein.

**PASSED AND APPROVED** by the Council of Herriman, Utah, this eighth day of December 2011.

**HERRIMAN COUNCIL**

By:   
**Joshua E Mills, Mayor**

**ATTEST:**

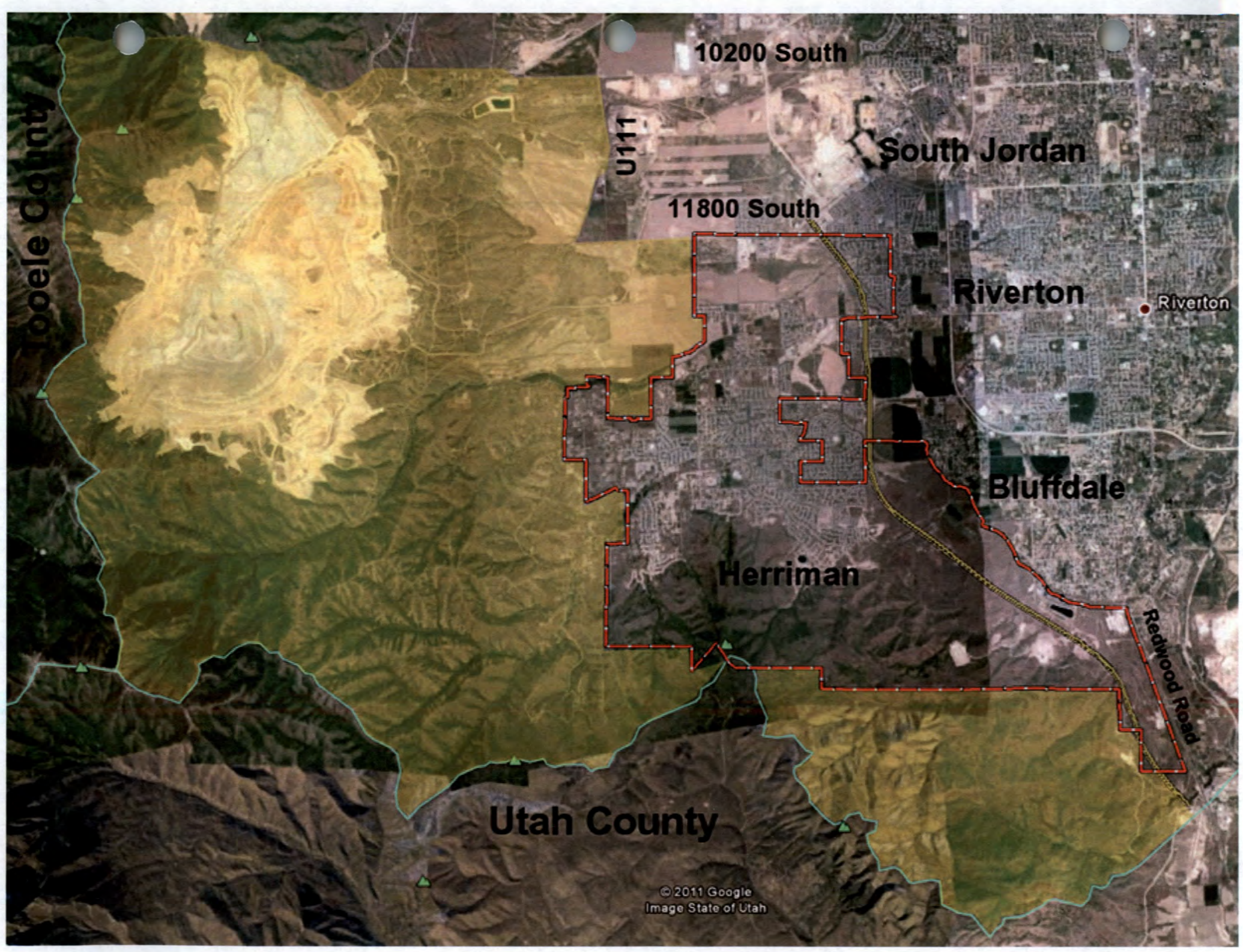
  
**Kristi Peterson, MMC**  
City Recorder



**VOTING:**

Joshua E Mills	Yea <u>X</u>	Nay <u>   </u>
Mike Day	Yea <u>X</u>	Nay <u>   </u>
Matt Robinson	Yea <u>X</u>	Nay <u>   </u>
Craig B. Tischner	Yea <u>X</u>	Nay <u>   </u>
Raquel DeLuca	Yea <u>X</u>	Nay <u>   </u>





10200 South

U111

South Jordan

11800 South

Riverton

Riverton

Bluffdale

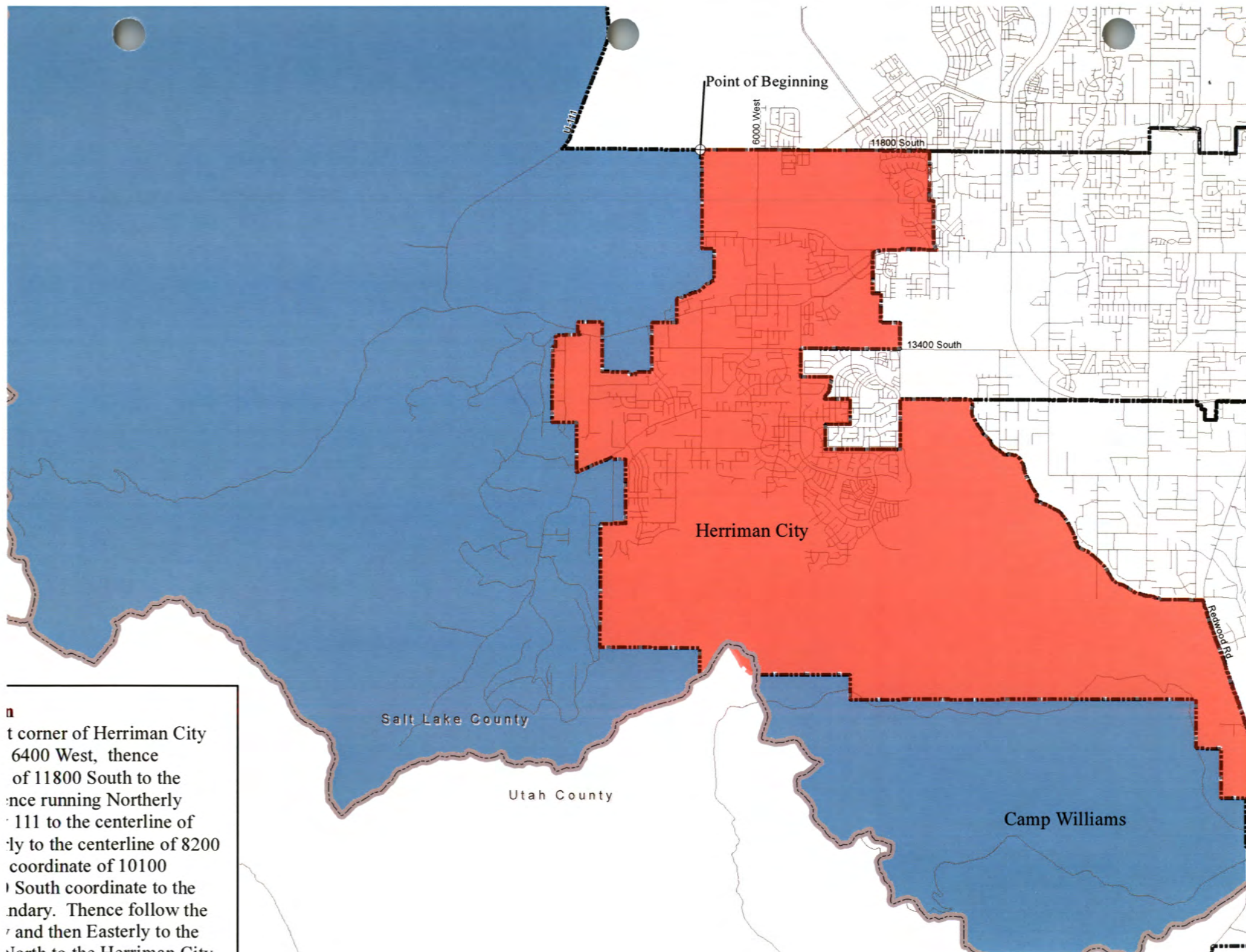
Herriman

Utah County

Redwood Road

© 2011 Google  
Image State of Utah





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6400 West, thence  
of 11800 South to the  
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111 to the centerline of  
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coordinate of 10100  
South coordinate to the  
ndary. Thence follow the  
' and then Easterly to the  
North to the Herriman City



## CERTIFICATE OF POSTING

STATE OF UTAH                                 )  
  ) SS:  
COUNTY OF SALT LAKE                 )

I, Cindy Quick, do hereby certify that I am the duly appointed, qualified and acting Deputy Recorder for Herriman, State of Utah, and do further certify that the foregoing is a true and correct copy of

### RESOLUTION NO. 11.24

#### **A RESOLUTION OF HERRIMAN APPROVING THE ADOPTION OF AN ANNEXATION DECLARATION**

Herriman City Council duly adopted this resolution at a meeting duly called and held in Herriman, Utah on December 8, 2011 at the hour of 7:30 o'clock P.M. of said day, and I certify that after its passage I caused to be posted a copy of the Ordinance in the following location:

1. Herriman Community Center bulletin board, main floor - 13011 S Pioneer Street (6000 West)
2. Herriman Smith's Marketplace located at 5560 West 13400 South
3. Herriman City Website: [www.Herriman.org](http://www.Herriman.org)

*Cindy Quick*

Cindy Quick  
Herriman City Deputy Recorder







Staff Memo

**DATE:** August 23, 2018

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

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

**MEETING:** City Council & Planning Commission Joint Work Meeting August 30, 2018

**SUBJECT:** Discussion of the Update to the General Plan

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**DISCUSSION:**

The City has recently posted a Request for Proposals (RFP) to begin the process of updating the General Plan. The proposals are due by September 24th, 2018. We will then select a consultant 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. We would also like to solicit ideas or suggestions for things you would like to see included in the process or the final document.

**RECOMMENDATION:**

No formal action is needed at this time. The Council and Commission may advise staff of any ideas on the desired process for the General Plan.

**ATTACHMENT:**

A. General Plan RFP





## REQUEST FOR PROPOSALS

General Plan Update

Due September 24, 2018, by 5:00 p.m.

Herriman is seeking proposals from qualified consultants to produce and deliver a new Herriman City General Plan (the Plan). It is the intent of this request for proposals to set forth the minimum acceptable requirements for responses to this request.

### **Background**

Herriman City is a flourishing community located 20 miles southwest of Salt Lake City. With easy access to local freeways and approximately 1,000 acres of open space, parks, and trails, Herriman offers convenient access and a high quality of life within the Salt Lake Metropolitan area.

Despite its small-town appeal, Herriman aggressively pursues economic development opportunities. Encompassing 23 square miles with seven miles of freeway frontage, Herriman boasts not only a rapidly growing population but, available land, lower business costs, shovel-ready sites, and a high median household income.

Herriman residents are served by an award-winning school district and premier medical facilities, which attract young families to the City. Growing at a rate of 52.9% over a five-year period, it is one of Utah's fastest growing cities.

Currently, Herriman's population is over 47,000 and will exceed 100,000 population at build out. The current growth rate is over 10% per year.

As we grow, Herriman is dedicated to creating a desirable community for residents and businesses through development of a wide range of housing options, focusing on job creation, attracting local retail services, access to higher education institutions, and providing recreational amenities. Our progressive planning approach, combined with proximity to downtown Salt Lake City, has proven to be a recipe for growth.

Herriman is dedicated to creating a community; not just building a city. This attitude is reflected in the development of a recreational system that includes over 155 acres of sports parks, 40 miles of interconnected trails, 1,900 acres of native open space, fishing and swimming reservoirs, and the largest recreational center in Salt Lake County. These "quality of life" amenities attract young, educated families, resulting in a City average of approximately four persons per household.

## **Project**

In general, this project will include (1) a review and analysis of the existing Herriman 2025 Plan, (2) development of an existing conditions report, (3) identification of existing community values, (4) updating the future land use plan, goals, and objectives, and (5) compliance with affordable and moderate-income housing requirements of State Code. The plan will also address (6) future land use, growth, and development areas outside City limits that may be annexed into the City in the foreseeable future (see attached map for the proposed annexation areas).

Approximately one-third of Herriman City is subject to various “master development agreements” (MDA) that have been approved since incorporation in 1999. Each MDA serves as a “small area plan” and has vested development rights within the City. The new General Plan should also address these agreements and identify goals and objectives to improve implementation.

Furthermore, the new general plan will serve as the foundation of all other adopted plans of the City, such as the City’s Transportation Master Plan, Water Master Plan, Parks Master Plan, Storm Drain Master Plan as well as other community plans. A current list of adopted plans may be found on the City’s website at [www.herriman.org/city-departments/engineering/master-plans-capital-facility-plans/](http://www.herriman.org/city-departments/engineering/master-plans-capital-facility-plans/)

Some of the master plans mentioned above are currently in the process of being updated, amended, or replaced. The selected consultant will work with staff and other various consultants to ensure consistency throughout all elements of the general plans.

The selected consultant will work closely with the Planning staff, Planning Commission, City Council and the public. The proposal should be limited to 15 pages not including resumes and other projects.

### **1.1 Scope of Work**

The Scope of Work will focus (at a minimum) on the following:

- I. Review the current Herriman City 2025 General Plan Amendment, and write a new General Plan. The new plan must comply with and satisfy all state statutes relating to the development and use of a general plan.
- II. Research and produce an existing conditions report, which may be published as a separate document from the General Plan.
- III. Coordinate data gathering from outside entities, including Utah Transit Authority, Wasatch Front Regional Council, Camp Williams Joint Land Use Study, adjacent cities and county plans, and other public planning agencies and documents.
- IV. Evaluate projected changes to Herriman City’s population and demographics.

- V. Review and evaluate all existing master development agreements within the City, which includes Rosecrest, Herriman Towne Center, Anthem, South Hills, Teton Ranch, and Miller Crossing, which function as small area plans within the City.
- VI. Propose and implement a public participation program to assess community values. Plan must reflect the vision of the community while respecting minority opinion. State within the proposal additional public outreach efforts that may be considered by the City.
- VII. Update the Moderate Income Housing Study to evaluate and maintain an appropriate level of affordable housing, and ensure compliance with state statutes.
- VIII. Update the Herriman City 2025 Land Use Plan map and land use categories (as needed).
- IX. Review and recommend land uses for areas proposed for annexation outside City limits.
- X. Create goals, objectives, policies and implementation strategies. This may include (1) transit-oriented development where appropriate, (2) recommendations for improving subdivision and architectural design for rural, suburban, mixed-use, and commercial developments, (3) strategies for increasing commercial development, and (4) goals for public lands and open space.
- XI. Prepare plan graphics and document layout. All documents will need to be submitted in an editable electronic format and PDF. All maps will be provided to the City in a GIS shapefile and PDF.
- XII. Update the structure and format of the General Plan. This should include a user-friendly format that can be easily updated by staff for future General Plan amendments.

## **1.2 Project Timetable**

The successful consultant will be able to demonstrate their ability to meet an aggressive timetable and produce an acceptable draft document within 12 months of the contract, and final adoption within 18 months. The consultant will provide a schedule that identifies major tasks and milestones.

## **1.3 Meetings and Presentations**

The consultant team must be available to participate in meetings with staff and in public forums. The proposal cost should include a minimum of the following:

- I. One Initial Scoping Meeting
- II. Bi-monthly Project Management Meetings
- III. Four City Council/Planning Commission Meetings or Open Houses

## **1.4 Products**

The consultant will provide:

- I. Periodic status reports to the City Staff.

- II. Public Open House facilitation and materials including graphic boards and computer presentations for the meetings.
- III. 20 printed copies of the final General Plan, an electronic copy in Microsoft Publisher or Adobe InDesign and one PDF copy. The General Plan is required to include a comprehensive executive summary.

### **1.5 Costs**

The proposed costs for services to complete the entire project should not exceed \$100,000. All costs should be itemized. A menu of optional, or recommended additional costs should also be included and itemized. For example, include a breakdown of various resident outreach options (open houses, survey, information booths, etc.), and what each option would cost. The prospective consultant will also provide a table that identifies staff hours and hourly rates.

### **1.6 Project Team**

The proposal will include the project team and will identify individuals with responsibilities for completing the Plan. Resumes of these individuals should be included in the proposals.

*Please submit the Request for Proposal to:*

*Herriman City  
Attention: Michael Maloy, Planning Director  
5355 W Herriman Main Street  
Herriman, UT 84096*

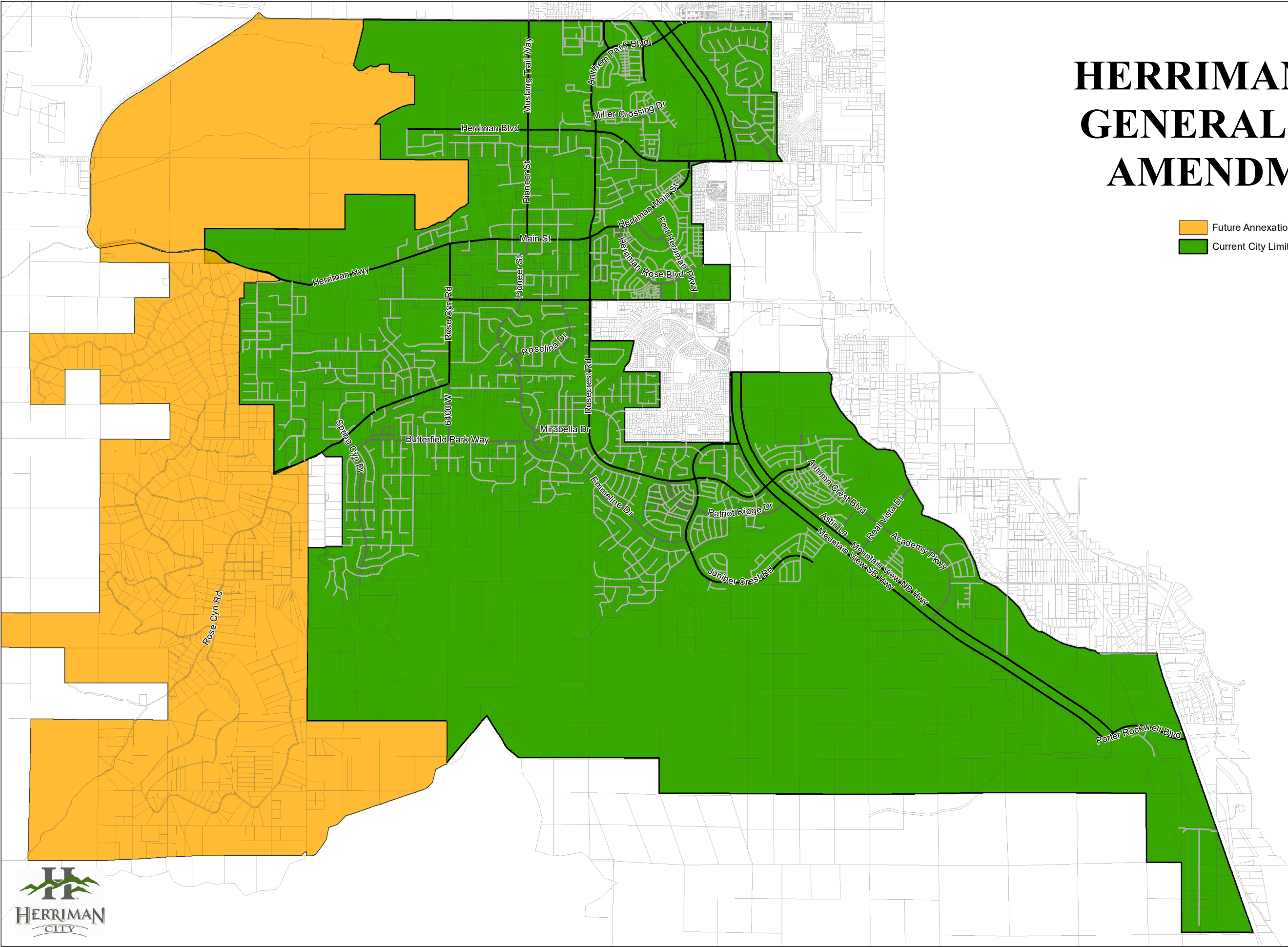
*The closing date for receipt of Proposals is **Monday, September 24, 2018, by 5:00 PM**. Please contact the City at 801-446-5323 or email inquiries to [mmaloy@herriman.org](mailto:mmaloy@herriman.org).*

*Herriman City will review the proposals based on the specifications and requirements, both specific and general, included in the proposal and will select the consultant it deems best qualified. Relevant experience will be a major consideration for awarding this project. Cost will also be a factor in the selection process. Herriman City reserves the right to negotiate with the selected consultant for future work on this project and reserves the right to alter any of the information contained in this request.*

*Herriman City reserves the right to reject any and all proposals and waive any irregularity, information or technicality in the proposals in the City's best interest, and is not obligated to award a contract based upon the lowest priced submission. If terms cannot be mutually agreed upon, the City reserves the right to enter into negotiations with one of the other qualified planning firms or individuals.*

# HERRIMAN CITY GENERAL PLAN AMENDMANT

- Future Annexation
- Current City Limit







## Staff Report

**DATE:** August 23, 2018

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

**FROM:** Craig Evans, Planner I

**MEETING:** City Council & Planning Commission Joint Work Meeting August 30, 2018

**SUBJECT:** Discussion of proposed amendments regarding Accessory Structures

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### **SUMMARY:**

Staff is creating an Accessory Buildings chapter in the Land Development Code, and a need has arisen to determine how best to account for unusually shaped lots.

### **DISCUSSION:**

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 will 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 is 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 can 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 can 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.

### **RECOMMENDATION:**

No formal action is needed at this time. The Council and Commission should advise staff on how to proceed with amendments to the ordinance regarding accessory buildings on unusual lots.



## Staff Report

**DATE:** August 23, 2018

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

**FROM:** Bryn McCarty, AICP, Assistant City Planner

**MEETING:** City Council & Planning Commission Joint Work Meeting August 30, 2018

**SUBJECT:** Discussion of proposed amendments to Alcohol Regulations

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### **SUMMARY:**

Staff would like to review the different types of alcohol licenses allowed by the state, and determine if we should amend our ordinance to permit some of these licenses in the City.

### **DISCUSSION:**

In order to promote economic development and provide a variety of uses in our City, staff is recommending that we amend our 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 will review the different license types with the City Council and Planning Commission to determine if we would like to add any of them to our ordinance.

### **RECOMMENDATION:**

No formal action is needed at this time. The Council and Commission should advise staff on how to proceed with amendments to the ordinance regarding alcohol.

### **ATTACHMENT:**

A. DABC License Fee Schedule



Staff Report

**Attachment A**  
**DABC License Fee Schedule**

## DABC LICENSE FEE SCHEDULE

License / Permit Type	Application Fee	Initial Fee	Renewal Fee
Full Service Restaurant / Sublicense	\$330	\$2,200	\$1,650
Master Full Service Restaurant	\$330	\$10,000 Plus licensing fees for each sublicense not already licensed	\$1,000 Plus renewal fees for each sublicense
Limited Service Restaurant / Sublicense	\$330	\$ 1,275	\$750
Master Limited Service Restaurant	\$330	\$ 5,000 Plus licensing fees for each sublicense not already licensed	\$500 Plus renewal fees for each sublicense
Bar Establishment	\$300	\$2,750	\$2,000
Airport Lounge	\$300	\$8,000	\$6,000
Banquet Catering	\$300	\$ 750	\$750
Tavern	\$300	\$1,500	\$1,250
On-premise Beer Recreational Amenity	\$300	\$ 300	\$350
Beer-only Restaurant	\$330	\$ 825	\$605
Reception Center	\$300	\$ 750	\$750
Resort	\$300	\$10,000 \$2000 for each additional sublicense; later addition of a sublicense is \$2,250	\$1,000 For each sublicense
Hotel - (includes at least three sublicenses)	\$500	\$5,000 \$2,000 for each additional license; later addition of a sublicense is \$2,250	\$1,000 For each sublicense
Manufacturer • Except winery production < 20,000 gallons	\$300	\$ 3,800	\$2,900 \$1,400
Liquor Warehouse	\$300	\$ 850	\$1,200
Beer Wholesaler • Under 500,000 case sales • 500,000 but less than 1 million case sales • Case sales 1 million or more	\$300	\$2,300	\$1,200 \$2,300 \$3,500
Local Industry Representative	\$ 75	\$ 125	\$125
Package Agency	\$ 125	N/A	N/A
Single Event Permit		\$ 125	N/A
Temporary Beer Event Permit		\$ 100	
Public Service Special Use	\$ 75	\$ 250	\$30 Per flight / ride etc.
Industrial/Manufacturing Special Use	\$ 75	\$ 250	N/A
Scientific/Educational Special Use		\$ 125	N/A
Religious Special Use		\$ 125	N/A
Certificate Approval		\$ 300	\$250



## Staff Report

**DATE:** August 23, 2018

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

**FROM:** Bryn McCarty, AICP, Assistant City Planner

**MEETING:** City Council & Planning Commission Joint Work Meeting August 30, 2018

**SUBJECT:** Discussion of landscaping requirements in the Technology Manufacturing (TM) zone

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### **SUMMARY:**

Staff would like to review the landscaping requirements in the Technology Manufacturing (TM) zone and discuss potential amendments to the ordinance.

### **DISCUSSION:**

The Technology Manufacturing (TM) zone was created to promote an industrial/business park on the northwest side of the City. Since the zone was written, staff has found some areas of the ordinance that we would like to amend in order to create the type of industrial park that we are planning. Staff will recommend a few changes to the ordinance, specifically to the landscaping requirements. (See Attachment A- Chapter 23 Landscaping and Screening)

### **RECOMMENDATION:**

No formal action is needed at this time.

### **ATTACHMENT:**

A. Chapter 23 Landscaping and Screening





Staff Report

**Attachment A**  
Chapter 23 Landscaping and Screening

## Chapter 23

# LANDSCAPING AND SCREENING

### 10-23-1: PURPOSE:

The purpose of this chapter is to promote public health, safety, and welfare by establishing minimum standards for the preservation, installation, and maintenance of landscaping and buffering materials. Such materials are intended to protect property values, improve the aesthetic appearance of development, promote water conservation, minimize stormwater runoff, and prevent soil erosion. (Ord. 2017-54, 12-13-2017)

### 10-23-2: SCOPE:

The provisions of this chapter apply to any development where landscaping is required under this title. (Ord. 2017-54, 12-13-2017)

### 10-23-3: DEFINITIONS:

Certain words and phrases in this chapter are defined in [chapter 3](#) of this title. (Ord. 2017-54, 12-13-2017)

### 10-23-4: LANDSCAPING REQUIRED:

- A. Generally: Landscaping shall be provided as required by this chapter when a lot is developed or redeveloped.
- B. Single-Family Dwellings: Landscaping for single family dwellings shall be provided in:
  - 1. Front yards, including any area in front of a dwelling;
  - 2. Interior side yards, to the back line of the dwelling, but not including areas utilized as approved parking or access for vehicles and trailers;

3. Corner lot side yards, in all areas between a public sidewalk and the side lot line of the dwelling between the front lot line and the rear lot line which are visible from a public right-of-way;
4. Rear yards, adjacent to a public right-of-way unless a privacy fence is installed prior to occupancy of the dwelling; and
5. All park strips adjacent to the lot where the dwelling is located.

C. New Multiple Residential And Commercial Development:

1. At least fifteen percent (15%) of a site located in the R-M, OP, C-1, C-2, M-1, MU, and MU-2 Zones shall be landscaped as required by this chapter.
2. At least twenty percent (20%) of a site located in the T-M Zone shall be landscaped as required by this chapter. Landscaping shall include amenities such as water features, sports courts, gazebos, connections to master planned trails, and additional landscaping plantings.

D. Front And Side Yards In C-1, C-2, M-1, And T-M Zones:

1. In addition to other applicable requirements of this chapter:
  - a. In a C-1, C-2, M-1, or T-M Zone, front yard and side yard areas on a lot which faces a street shall be landscaped for a minimum distance of twenty feet (20') behind lot lines abutting the street.
  - b. For any conditional use in the T-M Zone, a front yard or side yard abutting a street shall include a landscaped thirty inch (30") high berm measured from the grade of the adjacent sidewalk.
2. For any conditional use in a C-1, C-2, or M-1 Zone, the Planning Commission may reduce the required landscaped area to fifteen feet (15'), provided:
  - a. At least fifty percent (50%) of the landscaped area is planted with shrubs, flowers, and trees as provided in this chapter; and
  - b. The landscaped area includes a berm that is a minimum of two feet (2') high as measured from the grade of the sidewalk; and
  - c. The following portion of the total site is landscaped:
    - (1) Fifteen percent (15%), if the site is less than one acre.
    - (2) Ten percent (10%), if the site is equal to or greater than one acre, but less than five (5) acres.
    - (3) Five percent (5%), if the site is equal to or greater than five (5) acres.

- E. OP Zone: In addition to other applicable requirements of this chapter, landscaping in the OP Zone shall include the following:
1. Twenty five percent (25%) of a site shall be landscaped.
  2. Perimeter landscaping at least ten feet (10') wide shall be provided along any lot line adjacent to a residential area.
  3. Front and side yard areas on a corner lot which face a street shall be landscaped for a minimum distance of twenty feet (20') behind the lot lines abutting the street.
  4. One tree shall be planted for every one hundred twenty (120) square feet of landscaped area. Trees may be clustered.
  5. Five percent (5%) of parking lot areas shall be landscaped. (Ord. 2017-54, 12-13-2017)

#### **10-23-5: LANDSCAPING PLAN:**

- A. Landscaping Plan Required: When a provision of this title requires landscaping to be provided, a landscaping plan shall be submitted for the project which conforms to the requirements of this section and demonstrates compliance with the provisions of this chapter and applicable provisions of this title.
- B. Information Required: A landscaping plan shall show at least the following information:
1. Landscaping and plant materials;
  2. Location, spacing, and number of existing and proposed plantings;
  3. Mature tree canopy line;
  4. Tree and plant list, including sizes and totals;
  5. Treatment of ground surfaces;
  6. Irrigation or watering plan; and
  7. Such other information as may be needed to demonstrate compliance with the provisions of this chapter.
- C. Landscape Architect Approval: A landscape plan for a site of one acre or more shall be signed by and bear the seal of a Utah licensed landscape architect licensed under the Landscape

Architects Licensing Act, Utah Code section 58-53-101, et seq. (Ord. 2017-54, 12-13-2017)

### **10-23-6: WAIVER OF STRICT COMPLIANCE:**

- A. Waivers Authorized: Since site conditions and development constraints may vary among sites, the Planning Commission may approve landscape plans that deviate from strict compliance with the provisions of this chapter as provided in subsection C of this section.
- B. Application: A person desiring a waiver shall, in conjunction with an applicable development application, submit a written request which describes the proposed waiver, provides grounds justifying the waiver, and shows how the intent of this chapter will be met by the proposed waiver.
- C. Findings Required: The Planning Commission may authorize a waiver from the requirements of this chapter, to the extent authorized herein, only if it finds the waiver:
1. Preserves the purpose of this chapter and the provision for which a waiver is authorized;
  2. Will not result in an adverse impact on surrounding properties; and
  3. a. The strict application of the provision in question is unreasonable or unnecessary for the specific use, design, or site proposal given the nature of the proposal or alternate measures proposed by the applicant; or  
b. The property has extraordinary or exceptional physical conditions not generally existing on nearby property in the same zone and such conditions will not allow strict compliance with all of the provisions of this chapter. (Ord. 2017-54, 12-13-2017)

### **10-23-7: LANDSCAPING DESIGN STANDARDS:**

A. General Requirements:

1. Landscaped areas shall be located:
  - a. Adjacent to building elevations which form major public views of a project from adjacent streets and property, and to users of the project; and
  - b. In between buildings or portions of buildings; and in any plaza or courtyard.

2. Landscaped areas shall include trees, shrubs, vegetative, organic and inorganic ground cover, and other organic and inorganic materials identified in an approved landscaping plan. All required landscape areas shall be occupied by plant material or ground cover.
  - a. Required landscaping areas shall include live plant material at least to the following extent:
    - (1) Perimeter and internal landscaping: Seventy five percent (75%).
    - (2) Buffer landscaping between residential and non-residential development: Fifty percent (50%).
  - b. Non-live landscaping materials may consist of hard surface improvements such as pools, fountains, waterfalls, streams, decorative boulders and sculptures, or materials such as wood chips, bark, stone, or similar materials.
    - (1) Decorative paving materials may include bricks, pavers, flagstones, and textured concrete.
    - (2) Untextured concrete, gravel, or lava rocks shall not be used in a required landscaped area unless specifically permitted by an approved landscaping plan.
3. Irrigation systems shall be automatic and include rain sensors. Systems shall be checked regularly by the owner to assure proper maintenance and efficiency. City inspection at time of installation shall be required to assure the system is operational and water is not being wasted.
  - a. The sprinkler system shall be planned and implemented to prevent unnecessary runoff on sidewalks or other impervious surfaces.
  - b. Drip system irrigation shall be required around shrubs, trees and ground cover.
4. Deciduous trees are the preferred tree type. Coniferous trees are generally discouraged but shall be used for screening as required by this chapter.
5. At least one tree shall be planted for every five hundred (500) square feet of landscaped area, not including any requirement for plantings for buffers and architectural barriers.
6. Trees may be substituted by shrubs at a ratio of ten (10) shrubs to one tree.
  - a. Shrub size shall be a #5 container with a spread of eighteen inches (18") to twenty four inches (24") when installed.
  - b. Not more than twenty five percent (25%) of required trees may be substituted.
7. All landscaped areas shall be separated from the parking surface by at least a six inch (6") high curb.
8. Public property abutting a development project shall be appropriately landscaped and maintained.



- B. **Buffer Landscaping Between Residential And Non-Residential Development:** A landscaped buffer, at least fifteen feet (15') wide, shall be installed along side and rear lot lines which abut a residential zone.
1. Evergreen landscaping anticipated to grow to more than six feet (6') in height shall be provided at distances sufficient to provide a visual and noise reducing barrier. Such landscaping shall consist of at least one tree for every twenty feet (20') of fencing.
  2. A minimum of one tree shall be provided for every five hundred (500) square feet of landscaped area.
- C. **Foundation Landscaping:** Landscaping shall be provided adjacent to any building wall which fronts on a public street as follows:
1. At least fifty percent (50%) of the building frontage shall be landscaped; and
  2. The minimum width of the landscaped area shall be three feet (3'), excluding any vehicle overhang from an adjacent parking area.
- D. **Parking Lot Landscaping In C-1, MU-2, And T-M Zones:** In the C-1, MU-2, and T-M Zones, interior parking lot landscaping shall be provided for any vehicular use area of twelve (12) parking spaces or five thousand (5,000) square feet of pavement, whichever is greater.
1. a. In the C-1 and MU-2 Zones, the minimum amount of required landscaping shall be based on the total size of the parking lot as follows:
    - (1) If the total area of the parking lot is less than fifty thousand (50,000) square feet, five percent (5%) of the lot interior shall be landscaped.
    - (2) If the total area of the parking lot is fifty thousand (50,000) square feet or greater, eight percent (8%) of the lot interior shall be landscaped.
    - (3) For the purpose of computing the total interior area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including planting islands, curbed areas, corner areas, parking spaces, and all interior driveways and aisles, except those with no parking spaces located on either side.
  - b. In the T-M Zone, the minimum amount of required landscaping shall be five percent (5%) of the lot interior and shall count toward the overall requirement for site landscaping.
2. Deciduous shade trees shall be planted within all parking lots on the basis of one tree for each twelve (12) parking spaces. Required trees may be clustered in planter bays or islands, but shall be located throughout the parking area to divide and break up expanses of paving and long rows of parking spaces and to create a canopy effect.
  3. For every ten (10) required parking spaces, or portion thereof, a minimum of two (2) shrubs and one deciduous tree shall be provided within each internal parking island area.

- a. Internal landscaped islands shall contain a minimum planting area of twenty five (25) square feet and shall have a minimum width of five feet (5') measured from the back of the curb.
- b. Internal landscaped islands shall be located in the following priority:
  - (1) To define major drives and access ways;
  - (2) To delineate ends of parking rows;
  - (3) At aisle intersections; and
  - (4) Within parking rows.

E. Public Street Landscaping:

1. Except for approved driveways and pedestrian walkways, landscaping shall be provided along public streets as set forth below.
  - a. Within the area adjacent and parallel to the frontage of a public street or highway to the depth shown:
    - (1) Major or collector street: Fifteen feet (15').
    - (2) Minor street: Ten feet (10').
  - b. Within a parking strip:
    - (1) Solid concrete pavement shall only be placed in a parking strip after review and approval by the City Engineer to determine if it would interfere with the public use of the right-of-way or utilities. If allowed, concrete shall be decorative stamped concrete based on City approval and shall not be within twenty four inches (24") of the outer edge of any tree trunk at expected maturity.
    - (2) Asphalt and mulch/bark shall be prohibited in parking strips; except that mulch/bark may be placed around any tree base.
    - (3) Each lot shall have a minimum of one tree planted in the parking strip per every thirty feet (30') of frontage. Trees planted in the parking strip shall be selected from the City's approved tree list.
2. The slope of any earth berm adjacent and parallel to a public street right-of-way shall not exceed a vertical to horizontal ratio of 1:2 and shall be treated with suitable ground cover to prevent soil erosion.
3. A parking strip abutting private property shall be maintained by the property owner.

F. Drainage And Grading: Landscaped areas shall conform to the following requirements:

1. Installation of underground irrigation systems shall not alter grading and drainage on a lot as approved by the City Engineer and as shown on an approved subdivision plat or site plan.
2. Landscaping shall conform to Building Code requirements concerning drainage and grading.
3. The Community Development Director may require additional landscaping as reasonably necessary to control erosion or provide adequate drainage.
4. Excavated areas shall be properly compacted to prevent unreasonable settling of soil next to foundations and failure of the required finished grade.
5. Stormwater detention areas should not detract from the quality of landscape design.
  - a. Small water detention areas without aesthetic or secondary benefits shall be avoided.
  - b. Detention area side slopes shall not exceed a 1:3 vertical to horizontal slope unless fenced to prohibit public access.
  - c. Detention basins shall be designed as an integral part of the landscape theme and shall not appear as a ditch or pit. (Ord. 2017-54, 12-13-2017)

#### **10-23-8: PLANT MATERIAL STANDARDS:**

##### **A. Plant Characteristics: Plants used for landscaping shall:**

1. Be drought resistant;
2. Have non-invasive growth habits;
3. Have low-maintenance characteristics; and
4. Be commercially available.

##### **B. Plant Quality: Plants installed to meet the requirements of this chapter shall conform to or exceed plant quality standards set forth in the most recent edition of American Standard for Nursery Stock published by the American Nursery and Landscape Association.**

##### **C. Plant Spacing: Plants shall be installed to allow sufficient space for the growth characteristics of plants without adversely affecting maintenance of structures, walks, or driveways.**

##### **D. Artificial Plants: No artificial plants shall be used to meet any standard required by this chapter.**

E. Plant Size: The minimum size of trees and plants installed to meet the requirements to this chapter shall be as follows:

1. Deciduous trees: Two inch (2") caliper (diameter) measured at twelve inches (12") above the tree base.
2. Coniferous trees: Six feet (6') high.
3. Shrubs: Eighteen inches (18") high.

F. Tree Types: Selected tree types shall be as required in City standards and specifications. (Ord. 2017-54, 12-13-2017)

### **10-23-9: SUBSTITUTE PLANT MATERIALS:**

The Community Development Director may approve installation of comparable substitute plant materials to satisfy the requirements of an approved landscape plan when approved materials are unavailable or when other unforeseen conditions prevent the use of materials shown on the landscaping plan. The Community Development Director may not reduce the number of plants required. Any other change to an approved landscaping plan shall be approved by the Planning Commission in accordance with procedures and requirements applicable to the original approval. (Ord. 2017-54, 12-13-2017)

### **10-23-10: INSTALLATION OF LANDSCAPING:**

A. Installation: Required landscaping shall be installed as shown on an approved landscaping plan in accordance with accepted nursery practices.

B. Bond: An improvement completion assurance and warranty agreement shall be provided as required in section [10-20-17](#) of this title.

C. Certificate Of Occupancy: No certificate of occupancy for development requiring landscaping shall be issued until:

1. Improvements shown on the landscaping plan are inspected and accepted by the Community Development Director as complete; or

2. An extension agreement has been executed as provided in section [10-20-20](#) of this title.  
(Ord. 2017-54, 12-13-2017)

## **10-23-11: MAINTENANCE OF LANDSCAPING:**

- A. Responsible Persons: The owners, lessees, tenants, and occupants of a site shall be jointly and individually responsible for the maintenance of all landscaping, including all adjacent parking strips, in good condition and free from refuse and debris so as to present a healthy, neat, and orderly appearance.
1. Landscaping shall be mowed, groomed, trimmed, pruned and watered according to water wise conservation guidelines to maintain healthy growing conditions and not detract from the appearance of the immediate neighborhood.
  2. Landscaping shall be kept virtually free of insects and disease, and shall be kept free from weeds and other volunteer plants.
  3. Irrigation systems shall be maintained so as to eliminate water loss due to damaged, missing, or improperly operating sprinkler system components.
  4. Weeds may not exceed six inches (6") in height with the exception of common areas planted in native vegetation.
  5. All unhealthy or dead plant material shall be replaced within six (6) months, or the next planting period (spring or fall), whichever comes first; while other defective landscape features shall be removed, replaced, or repaired within three (3) months.
  6. Landscape structures, such as walls and fences, shall be repaired or replaced in a structurally sound condition consistent with original appearance.
- B. Water Wise Permitted: Nothing in this chapter shall be construed to prohibit the use of drought tolerant vegetation and nonvegetative materials. Provided, however, failure of an owner to install and maintain landscaping under the guise that the vegetation and bare ground that occur naturally on the site constitutes water wise landscaping shall not qualify as conforming with the provisions of this chapter. (Ord. 2017-54, 12-13-2017)

## **10-23-12: HAZARDOUS CONDITIONS PROHIBITED:**

Landscaping shall be maintained to minimize property damage and public safety hazards, including removal of low hanging branches and those obstructing street lighting, sidewalks, and traffic sight distance requirements. In the event a tree, shrub, or other plant causes damage to streets,

sidewalks, trails, or other public improvements, the Community Development Director or Public Works Director may order removal of the offending vegetation and other landscape features. (Ord. 2017-54, 12-13-2017)

## **12-23-13: SCREENING REQUIREMENTS:**



- A. Applicability: In R-M, C-1, C-2, OP, MU, MU-2, T-M, and M-1 Zones, the features described in the subsections below shall be screened as required.
- B. Trash Receptacles: Trash receptacles not located within a building shall be screened from view by a solid barrier fence or wall which:
1. Is at least six feet (6') high;
  2. Provides complete visual screening of the receptacle; and
  3. Is similar to the architecture, material, and color of the main building located on the lot.
- C. Outdoor Storage Areas: Outdoor storage areas permitted by this title shall be screened from view by an opaque fence or wall. Non-opaque fencing, such as powder or vinyl coated chain link, may be used to satisfy this requirement in manufacturing zones if vinyl slats are inserted into the fence.
- D. Service And Loading Areas: Service and loading shall be screened from public view. Loading areas and docks should be a minimum of one hundred feet (100') from residential zones or uses.
- E. Ground-Mounted Utility Boxes, Meters, And Mechanical Equipment: Ground-mounted utility boxes, meters, and mechanical equipment shall be screened from public view by landscaping or architectural elements similar to the architecture, material, and color of the main building located on the lot. This requirement shall not apply to:
1. Rear and rear side yard locations adjacent to other service or mechanical areas not adjacent to a public street or residential property; and
  2. Development in an agricultural zone.
- F. Utility Lines: Power lines and other utility lines shall be installed underground where possible.
- G. Roof-Mounted Mechanical Equipment: Roof-mounted mechanical equipment shall be concealed by material which is consistent with building design and is equal to or greater in height than the mechanical equipment. (Ord. 2017-54, 12-13-2017)



## Staff Report

**DATE:** August 23, 2018

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

**FROM:** Bryn McCarty, AICP, Assistant City Planner

**MEETING:** City Council & Planning Commission Joint Work Meeting August 30, 2018

**SUBJECT:** Discussion of proposed Amendments to the Anthem Commercial Site Plan

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### **SUMMARY:**

Staff would like to review upcoming amendments to the Anthem Commercial Site Plan.

### **RECOMMENDATION:**

No formal action is needed at this time.



## Staff Report

**DATE:** August 23, 2018

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

**FROM:** Bryn McCarty, AICP, Assistant City Planner

**MEETING:** City Council & Planning Commission Joint Work Meeting August 30, 2018

**SUBJECT:** Discussion of prohibited fencing materials

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### **SUMMARY:**

The City Council asked to have a discussion on the types of fencing materials that are allowed in the ordinance.

### **DISCUSSION:**

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. (See Attachment A – Chapter 21 Fencing)

Included in the ordinance is a list of allowed and a list of prohibited fence types. The prohibited fence types include chain link and wood fencing.

### **RECOMMENDATION:**

No formal action is needed at this time. The City Council and Planning Commission may direct staff to being a text change to the ordinance regarding fence types.

### **ATTACHMENTS:**

A. Chapter 21 Fencing



Staff Report

**Attachment A**  
Chapter 21 Fencing

# Chapter 21

## FENCING

### 10-21-1: PURPOSE:

The purpose of this chapter is to promote architectural compatibility, individual property safety, and vehicular and pedestrian safety through fence design, height, and placement. (Ord. 2017-54, 12-13-2017)

### 10-21-2: DEFINITIONS:

Certain words and phrases in this chapter are defined in [chapter 3](#) of this title. (Ord. 2017-54, 12-13-2017)

### 10-21-3: RESIDENTIAL FENCING:

A. Applicability: The requirements of this section shall apply to any fence located on a lot or parcel in a residential zone.

B. Front Yard Setback: Within a front yard setback or along a front lot line:

1. A solid fence shall not exceed three feet (3') in height, and
2. An open type fence, e.g., wrought iron, shall not exceed four feet (4') in height.

C. Side And/Or Rear Yard Setback: A fence which exceeds eight feet (8') in height shall not be constructed:

1. Within a side yard and/or rear yard, or
2. Along a side yard or rear yard lot line. (Ord. 2017-54, 12-13-2017)

### 10-21-4: BUILDING PERMIT REQUIRED:



A building permit is required for any fence or wall over six feet (6') high. (Ord. 2017-54, 12-13-2017)

### **10-21-5: FENCING MATERIALS:**

A. Fences and walls shall be made of high quality, durable materials that require minimal maintenance. The following fencing materials shall be allowed in all zones, except as otherwise provided in subsection A4 of this section or by a more restrictive provision in this chapter:

1. Decorative precast concrete or integrally colored and textured block, brick, stone, or other masonry materials;
2. Solid or private heavy gauge beige and white vinyl;
3. Composite materials; and
4. In agricultural zones, reinforced post and rail style fencing.

B. The following fencing materials shall be prohibited in all zones:

1. Plastic materials other than vinyl;
2. Materials not typically used or designated/manufactured for fencing such as metal roofing panels, corrugated or sheet metal, tarps or plywood;
3. Scrap materials such as scrap lumber and scrap metal;
4. Wood fencing of any type; and
5. Chain link fencing, except for recreational uses as provided in section [10-21-9](#) of this chapter. (Ord. 2017-54, 12-13-2017)

### **10-21-6: VISUAL OBSTRUCTIONS:**

A. Corner Lot Visual Obstruction: No obstruction to view which exceeds three feet (3') in height shall be placed on a corner lot within the triangular area formed by a right-of-way boundary line and the line connecting them at points thirty feet (30') from the intersection of the right-of-way boundary line. A fence on corner lot or parcel adjacent to a collector or arterial road shall be approved by the City Engineer.

- B. Right-Of-Way Visual Obstruction: No plant material, monument sign, or other obstruction shall be permitted above three feet (3') in height within the triangular area formed by a right-of-way boundary line and the line connecting them at points thirty feet (30') from the intersection of the right-of-way boundary line.
- C. Driveway Visual Obstruction: No obstruction to view in excess of three feet (3') in height shall be placed at any driveway or automobile accessway within the triangular area formed by connecting the points of intersection of the side driveway or accessway line and the property or side street line with points twelve feet (12') along the property line and twelve feet (12') along the driveway line. (Ord. 2017-54, 12-13-2017)

## **10-21-7: FENCING BETWEEN INCOMPATIBLE USES:**

Whenever a lot is developed with a use that is incompatible with a use located on an abutting lot or parcel, the new development shall include installation of a fence or wall along the property line between the incompatible uses as provided in this section.

- A. Residential And Agricultural Uses: A minimum six foot (6') high solid vinyl fence shall be installed between residential uses and existing agricultural uses.
- B. Residential And Commercial Uses: A minimum six foot (6') high decorative precast or integrally colored and textured block, brick, stone, or other masonry fence and/or wall shall be installed between residential uses and commercial uses.
- C. Commercial Or Office And Agricultural Or Residential Zones: A minimum six foot (6') high decorative masonry wall is required between commercial or office zones and agricultural or residential zones. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses.
- D. Warehousing Or Manufacturing And Residential, Commercial, Or Professional Office Uses: A minimum six foot (6') high solid vinyl, simulated wood, wrought iron or masonry fence is required between warehousing or manufacturing uses and residential, commercial, or professional office uses. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses.
- E. Higher Fence Or Wall: Notwithstanding the foregoing provisions, the Planning Commission may

require a higher fence or wall under the following circumstances:

1. Unusual topography.
2. For a major utility. (Ord. 2017-54, 12-13-2017)

## **10-21-8: WALLS ALONG COLLECTOR AND ARTERIAL STREETS:**

- A. Applicability: Whenever a lot or parcel is proposed to be developed which abuts a collector street, as identified in the Herriman Master Street Plan, a minimum six foot (6') high wall shall be installed along the street right-of-way line adjoining the lot or parcel as provided in this section. Whenever a lot or parcel is proposed to be developed which abuts an arterial street, as identified in the Herriman Master Street Plan, a minimum eight foot (8') high wall shall be installed along the street right-of-way line adjoining the lot or parcel as provided in this section.
- B. Materials: A wall located on the right-of-way line of an identified collector or arterial street shall be constructed of masonry or precast concrete in a style and color consistent with existing walls already installed along the length of the street. If no wall has been constructed along the street, the wall shall have a style and color consistent with other walls in the vicinity.
- C. Mountain View Corridor Noise Walls: Any development abutting the Mountain View Corridor shall include construction of a noise wall along the corridor right-of-way line if the Utah Department of Transportation determines such wall is necessary pursuant to an environmental study. (Ord. 2017-54, 12-13-2017)

## **10-21-9: FENCING ALONG TRAILS:**

- A. Permitted: A full privacy fence may be installed along a trail if the minimum distance, at any arc or angle, between any point on a property line to the closest private property line opposite a park, trail, or open space is fifty feet (50') or more.
- B. Prohibited: A full privacy fence is prohibited if the minimum distance, at any arc or angle, between any point on the property line to the closest private property line opposite a park, trail, or open space is less than fifty feet (50'). In such case a semi-private six foot (6') high fence with slats may be installed.

- C. Maintenance: Any vegetation on fencing along trails shall be maintained by the abutting property owner so that it does not interfere with the use or maintenance of the trail. (Ord. 2017-54, 12-13-2017)

## **10-21-10: FENCES FOR RECREATIONAL USE:**

On interior, side and rear lot lines, fences for uses such as tennis court enclosures, sport courts, covered jacuzzis, and ball diamond backstops, may be erected to a height greater than eight feet (8'), but shall not exceed a height of eighteen feet (18') and shall meet accessory building setback requirements for the zone in which the fence is located. (Ord. 2017-54, 12-13-2017)

## **10-21-11: DOUBLE FENCING:**

A. Double fences shall be prohibited except for the following:

1. When located adjacent to an existing agricultural or animal use. This exception means that owners who wish to construct a fence may need to tie their fence into an existing fence located on an adjacent lot or parcel unless the fence is not deemed a double fence as defined in [chapter 3](#) of this title.
2. Lots located directly adjacent to school district property. (Ord. 2017-54, 12-13-2017)

## **10-21-12: FENCE MAINTENANCE:**

Following release of any improvement completion assurance for a fence, the abutting property owner shall maintain the fence in good condition unless the City specifically agrees to maintain the fence. (Ord. 2017-54, 12-13-2017)

## **10-21-13: FENCE HEIGHT MEASUREMENT:**

When a difference in grade exists on either side of a fence or wall, the height of the fence or wall shall be measured from the average elevation of the finished grade of adjoining properties at the fence line. (Ord. 2017-54, 12-13-2017)