



STAFF REPORT

DATE: June 5, 2024

TO: The Planning Commission

FROM: Michael Maloy, AICP, Planning Director

SUBJECT: Discussion of draft recommendations to amend Chapter 10 of the Herriman City Land Development Code regarding Single Family Residential District standards for 5,000 to 8,000 square foot lots.
Applicant: Herriman City
File No: Z2024-015 Zoning Text Amendment

RECOMMENDATION:

Staff recommends the Planning Commission review the attached draft amendments and discuss potential revisions during the June 5, 2024 work meeting.

ISSUE BEFORE COMMISSION:

Should the City amend the Herriman City Land Development Code to include additional zoning districts and development standards for residential subdivision plats with buildable lots that range from 5,000 to 8,000 square feet?

BACKGROUND & SUMMARY:

Perry Homes recently acquired ± 2.00 acres of vacant property at 7234 W Herriman Main Street with the intent of extending a new public road from the Hidden Oaks Master Development Agreement area to the property for the development of (approximately) eight additional residential lots.

Due to changes in topography and the maturing of development plans adjacent or near the site, the Planning and Engineering Department staff met with the applicant and agreed that extending the Hidden Oaks residential development pattern on the subject property is a reasonable request and may be in the best interest of the City. However, amending the Hidden Oaks Master Development Agreement (MDA) for a relatively small amount of acreage seemed excessive and laborious relative to the nature of the proposal.

As an alternative, the applicant considered a proposal to amend the current General Plan, which Future Land Use Map does not align with the applicant’s conceptual development plan. However, if the General Plan were amended, the City does not have a zoning district that is consistent with the Hidden Oaks development pattern of single-family homes on various lot sizes, many of which contain less than 10,000 square feet, which the community seems to value and appreciate (based on sales and building permit data).

Concurrent with the applicant’s interest, Herriman is obligated by the State to facilitate the development of “Moderate Income Housing” where feasible and appropriate. While the City has accommodated the development of reduced residential lots for single-family housing within master development agreements or planned unit developments, these zoning tools have been used for large-scale projects, not “infill” projects like the subject property. Furthermore, these tools are a negotiated development tool without any assurance or legislative obligation of approval, which reduces predictability and increases costs. As such, the Moderate Income Housing Plan adopted by the City seeks opportunities to skillfully address this concern while protecting the broader public interest of health, safety, and welfare.

Upon discussing the applicant’s interest in developing the subject property, the Planning Department staff recognized an opportunity to propose additional zoning tools that could address the applicant’s proposal while satisfying the City’s obligation to implement portions of the Moderate Income Housing Plan and encourage better quality housing and neighborhood design within the City.

As such, in response to the applicant’s proposal—and the broader public interests of the City—the Planning Commission conducted public hearings on May 1, 2024, on the following legislative items:

- **Z2024-015 Zoning Text Amendment** to consider additional zoning districts with lot sizes that range from 5,000 to 8,000 square feet. The primary elements of the text amendment are:
 - The proposed zoning amendments include minimum and maximum front yard setbacks, more restrictive standards on drive approach and driveway widths, and development incentives for applicants to negotiate zoning standards, which allows the City to require additional design standards.
- **G2024-039 General Plan Amendment** to identify additional zoning districts that are consistent with the Neighborhood Residential Two land use designation and (2) amend the Future Land Use Map from Neighborhood Commercial to Neighborhood Residential Two for ±2.00 acres at 7234 W Herriman Main Street.
- **Z2024-040 Zoning Map Amendment** for ±2.00 acres at 7234 W Herriman Main Street from A-1-43 Agricultural Single Family Zone to a residential zone with a minimum lot area of 6,000 square feet equivalent to an R-1-6 Residential Single Family Zone (as requested by the applicant) or the proposed RA-1 Residential Avenue Zone (as drafted by the City staff).

Following the hearings, the Commission voted to table each item and requested staff to schedule a discussion on the zoning text amendment during the June 5, 2024, Planning Commission work meeting.

DISCUSSION:

Based on the Planning Commission’s discussion during the May 1, 2024, public meeting, the following items—*among others*—warrant review during the June 5, 2024, work meeting:

- **Design.** Whereas the problems or frustrations with development are often the product of poor design, should the City consider options to encourage or require better design?
- **Incentives.** What regulatory incentives should the City consider to encourage the development of desirable, attainable single-family housing to comply with the Moderate Income Housing Plan?
- **Options.** Should the City consider the use of (1) gross density calculations, (2) detached backyard cottages, (3) administrative modification of zoning standards, or (4) construction of privately maintained alleys as *optional development incentives* to enable the City to require design standards for development?
- **Lot Size.** What range of lot sizes should the City research and potentially regulate?
- **Simplify.** Should the City consider simple “infill development” zoning tools that reduce the minimum lot area without encouraging or increasing design standards?
- **Opportunity.** Where can or should these zoning tools be used within the City?
- **Ideas?** Given the nature of this topic, there is a wide range of potential concerns, questions, and suggestions that would be appropriate for discussion. As such, all Commission members are encouraged to share their ideas during the work meeting.

ALTERNATIVES:

Whereas this item has been scheduled for discussion only during the work meeting, no formal action or alternatives for consideration are necessary.

ATTACHMENTS:

- A. Draft Zoning Text Amendment