

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **November 9, 2010** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Vice Chairperson

6 Invocation: Christian Burton

7 Pledge of Allegiance: Sharon Call

8 **PRESENT**

ABSENT

10 Ron Anderson, Commissioner

12 Matt Bean, Commissioner/Vice Chairperson

Christian Burton, Commissioner

14 Sharon Call, Commissioner

Mark Johnson, Commissioner

16 Angie Neuwirth, Commissioner

Woodworth Mataele, Assistant Planner

18 Debra Cullimore, City Recorder

Gary Godfrey, Chairperson

Adam Cowie, Planning Director

20 The meeting was called to order at 7:00 p.m.

22 **APPROVAL OF MINUTES** – The minutes of the meeting of October 26, 2010 were
24 reviewed.

26 COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE
28 MEETING OF OCTOBER 26, 2010. COMMISSIONER JOHNSON SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 **PUBLIC COMMENT** –

32 Commissioner Bean called for comments from any audience member who wished
34 to address an issue not listed as an agenda item. There was no public comment. He
welcomed a number of Boy Scouts present in the audience.

36 **CURRENT BUSINESS** –

- 38 1. **Work Session** – *Subdivision Design Elements* – This is a City initiated Work
40 Session to discuss options for residential subdivision designs as may be applied to
future residential zones within Lindon. Subdivision types, layout and street
design elements, and other preferences will be discussed. No motions will be
made.

42 Mr. Mataele stated that proposed changes would revise subdivision requirements
44 found in Lindon City Code, Section 17.17. He noted that changes to this section are
being considered as part of long range planning associated with the General Plan review
46 which is currently under way.

2 Mr. Mataele reviewed the Zoning Map and aerial photographs for the west side of
the City. He noted that property west of Geneva Road is generally agricultural and
4 industrial. Responses to a community survey which has been available for approximately
4 months include a number of comments regarding additional residential development on
the west side of the City. Potential changes include modifications to open space,
6 streetscape and subdivision requirements.

8 Mr. Mataele went on to review various types of subdivision designs. He
explained that typical subdivisions are platted for private use and are typically based on
10 minimum lot size. PUD subdivisions are large parcels developed with a number of units
at one time which also typically provide other amenities, such as park space or swimming
12 pools. PUD subdivisions can be formed through either an ordinance or a development
agreement. Transit oriented development, which may be possible on the west side of
Lindon, is compact development built around permanent transit stops. Mr. Mataele noted
14 that a permanent transit stop is shown on UDOT plans in the area of 700 North and
Geneva Road. Clustering development uses transfer of development rights to cluster
16 homes and preserve open space allowing for higher density and other amenities such as
waterways. Mr. Mataele noted that an ordinance specific to the west side of the City can
18 be considered without affecting development in other areas of the City.

20 Commissioner Bean inquired as to zoning and requirements associated with the
Fieldstone Homes Creekside Meadows subdivision on the west side of the City. Mr.
Mataele stated that the Creekside Meadows Subdivision was built according to
22 requirements of a development agreement between the City and Fieldstone Homes. The
development agreement includes an average lot size of 10,000 square feet, with 20% of
24 the units meeting moderate income housing guidelines, with a specific area being
designated for senior citizen housing units. The development is a residential zone
26 overlay with underlying commercial and industrial zoning.

28 Commissioner Call noted that there has been some discussion regarding the
possibility of modifying the requirements of the senior citizens portion of the
development to allow single family housing. She inquired as to the City Council's
30 thoughts on this proposal. Councilmember Bayless was present in the audience, and
stated that the general feeling of the City Council is that due to existing infrastructure,
32 specifically road width, the senior portion of the development would not be conducive to
single family homes with multiple drivers.

34 Commissioner Bean explained to audience members that the majority of
residential areas in Lindon are zoned with half acre lots. He clarified that this discussion
36 is regarding the possibility of allowing smaller lots on the west side of the City near
commercial zones and freeway access. Commissioner Neuwirth noted that many
38 residents on the east side of the City have expressed an interest in larger park areas. She
observed that one way to achieve larger park areas would be through density bonuses and
40 clustering. Commissioner Call inquired as to typical lot sizes in developments which use
clustering. Mr. Mataele stated that 5,000 to 10,000 square foot lots would be expected in
42 clustered development in Lindon. He noted that the west side of the City is not currently
zoned for any type of residential development. Commissioner Neuwirth observed that
44 some higher density residential development may be beneficial near commercial areas to
encourage economic growth within the City. She felt that continuation of half acre lots in

2 most areas of the City would be appropriate, but that some clustering in specific areas
would allow for higher density, lower cost housing options.

4 Commissioner Johnson agreed that providing a variety of housing options within
the City would be beneficial for elderly residents and young families. He noted that
6 clustering would provide small private yard areas rather than common areas, along with
larger public park spaces. Commissioner Bean noted that the Green Valley development
8 is located in the R1-20 zone, and that residents there generally appreciate being part of a
diverse community.

10 An unidentified audience member asserted that there is not a need to attract senior
citizens or you families to Lindon, as it is not the look and feel Lindon has historically
12 tried to create. He felt that high density housing deteriorates over time, and would not
provide a long term benefit for the City. Commissioner Bean explained that providing
housing opportunities which allow existing residents of Lindon and their children to stay
14 in the community is a consideration in planning. Commissioner Anderson clarified that it
is not necessarily the intent of providing higher density housing options to attract new
16 residents, but to allow existing residents to stay in the community. He noted that his
grown children are finding it necessary to move to other communities to find affordable
18 housing, even though they would like to stay in Lindon. He observed that the only
significant residential development in recent years has been in the Fieldstone Homes
20 subdivision, which indicates a need and a demand for lower cost housing options.

22 Discussion regarding housing options and subdivision requirements will continue
as the General Plan review continues during the coming months.

- 24 2. **Training Item** – *LUDMA, Takings and Exactions – Annual Training*. This is a
City initiated training item. The City’s insurance carrier, Utah Risk Management
26 Mutual Association, requires that municipalities hold annual trainings for
members of the Planning Commission and City Council. This training will cover
28 LUDMA, and review case studies regarding takings and exactions.

30 The Commission viewed a video produced by Utah Risk Management Mutual
Association (URMMA), the City’s liability insurance provider. The video covered topics
32 of takings and exactions associated with land use. It explained that the City can ask for
certain concessions from developers, but that there must be rough proportionality
34 between the requirements and impact of the development. There must also be a nexus
between the requirements and the impact of the development. Failure to meet these
36 requirements could result in a compensable taking if pursued through the courts.

38 The Planning Commission was also instructed in requirements which do not
constitute a taking. Allowable requirements which may be imposed by municipalities
include zoning requirements, aesthetics (unless this is the sole reason for the denial), and
40 abating a nuisance.

42 Any claim against the City must exhaust all appeal authority options provided
through the City process. Once appeals through the City are exhausted, the decision can
be appealed to State courts, with final review by Federal courts once all other avenues
44 have been exhausted.

46 The Planning Commission went on to review due process requirements, including
both substantive and procedural due process. All applications must follow the

2 requirements of the Open and Public Meetings Act. Compliance with LUDMA
3 regulations is also required, as well as compliance with all City ordinances. Substantive
4 due process requires that all actions taken by the City are reasonable and fair based on the
5 “reasonably debatable” standard set by the courts.

6 The Commission then discussed procedures which could be followed in reviewing
7 applications to ensure that all legal requirements have been met. Staff will provide a
8 checklist of necessary findings for each application, as well as specific points which
9 should be included in any motion to approve or deny an application.

10 **NEW BUSINESS** – Reports by Commissioners

12 Commissioners gave no reports at this meeting.

14 **PLANNING DIRECTOR’S REPORT** –

16 Mr. Mataele invited Commissioners to attend the Mountainland Association of
17 Governments Transportation Open House, as well as the City General Plan Open House.
18 He noted that the next Planning Commission meeting is scheduled for December 14,
19 2010 due to the Thanksgiving Holiday.

20 **ADJOURN** –

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23 COMMISSIONER BURTON MOVED TO ADJOURN THE MEETING AT 8:55
24 P.M. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT
25 VOTED IN FAVOR. THE MOTION CARRIED.

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27 Approved – December 14, 2010

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33 Matt Bean, Vice Chairperson

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38 Adam Cowie, Planning Director