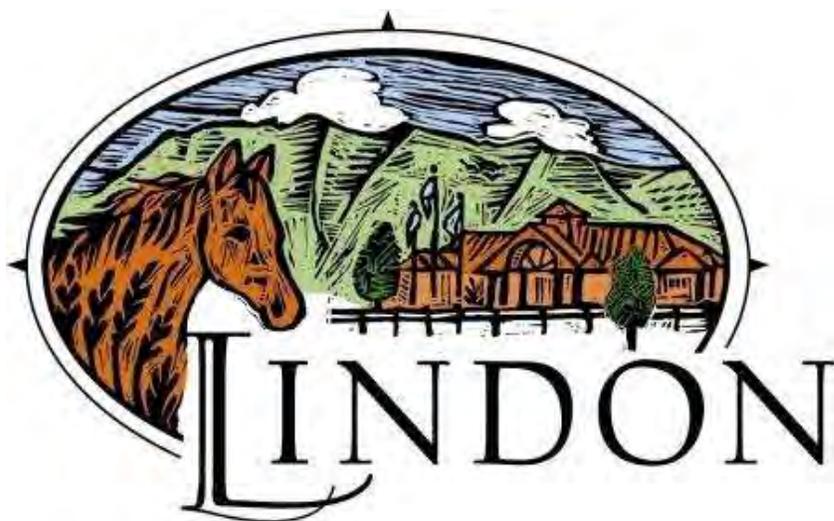


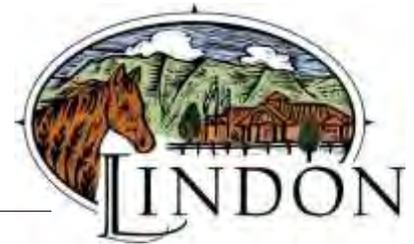
Lindon City Council Staff Report



Prepared by Lindon City
Administration

February 2, 2016

Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a regularly scheduled meeting beginning at **7:00 p.m.** on **Tuesday, February 2, 2016** in the Lindon City Center council chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

REGULAR SESSION – 7:00 P.M. - Conducting: Mayor Jeff Acerson

Pledge of Allegiance: By Invitation
Invocation: Jake Hoyt

Scan or click here for link to download agenda & staff report materials:



(Review times are estimates only)

1. **Call to Order / Roll Call**
2. **Presentations and Announcements**
 - a) Comments / Announcements from Mayor and Council members
3. **Approval of minutes: January 19, 2016**
4. **Consent Agenda – No Items**
5. **Open Session for Public Comment** *(For items not on the agenda)*
6. **Public Hearing—Street Master Plan Amendment, 700 N. 2800 W., Ord#2016-1-O**

Staff requests approval of a Street Master Plan Map amendment (Ordinance 2016-1-O) to remove a master planned road located at approximately 700 North 2800 West in Mixed Commercial and General Commercial zones. The road was planned to give access to an interior parcel, but recent development activity has shown adequate access is available from 600 North. The Planning Commission recommends approval of the change.
7. **Public Hearing—Zone Map Amendment, CG-A to CG; Ord#2016-4-O**

Lindon City Council requested a Zone Map amendment to reclassify the following parcels from General Commercial-Auto (CG-A) to General Commercial, to not allow used automobile sales on the lots with the following Utah County parcel ID numbers: 453710016, 453710018, 372370002, 140700310, 140700040, 140700041, 140700199, 140700257. The Planning Commission recommends approval of the change.
8. **Public Hearing—Zone Map Amendment, CG to CG-A, Utah Valley Auto Brokers, Ord#2016-5-O**

Jeff Peterson requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:068:0263, owned by Intermountain Fire Place Store, LLC from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot at 460 North State Street. The Planning Commission recommends approval of the change with conditions.
9. **Public Hearing—Zone Map Amendment, CG to CG-A, Dastrup Auto, Ord#2016-6-O**

Devin Dastrup requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:067:0052 from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot at 475 North State Street. The Planning Commission recommends approval of the change with conditions.
10. **Joint Work Session / Discussion — Ivory Homes; Anderson Farms Development**

The City Council and the Planning Commission will discuss aspects of the proposed Ivory Homes development west of Geneva Road and South of 700 North. Items of discussion may include proposed density, setbacks, overall plan design, area-wide impacts, etc. As this is a discussion item only no public comment will be taken. No formal action will be taken at this time.
11. **Continued Item: Review & Action — Support for Adoption of 2015 International Energy Conservation Code (IECC) for Utah, Res #2016-5-R**

This item was continued from the January 19, 2016 meeting. The City Council will review and consider a request by Mayor Acerson and the Mountainland Association of Governments Executive Council to approve Resolution 2016-5-R showing support for the State Legislature to adopt the 2015 International Energy Conservation Code (IECC) which contains more energy efficient building code requirements that will assist in reducing air pollution from homes and buildings.

I2. Council Reports:*(20 minutes)*

- A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, Budget Committee
- B) Public Works, Irrigation/water, City Buildings
- C) Planning, BD of Adjustments, General Plan, Budget Committee
- D) Parks & Recreation, Trails, Tree Board, Cemetery
- E) Public Safety, Court, IHC Outreach, Lindon Days
- F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee

- Jeff Acerson
- Van Broderick
- Matt Bean
- Carolyn Lundberg
- Randi Powell
- Jacob Hoyt

I3. Administrator's Report*(15 minutes)***Adjourn**

This meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

Posted By: Kathy Moosman**Date:** January 29, 2016**Time:** ~1:00 p.m.**Place:** Lindon City Center, Lindon Police Dept, Lindon Community Center

REGULAR SESSION – 7:00 P.M. - Conducting: Mayor Jeff Acerson

Pledge of Allegiance: By Invitation

Invocation: Jake Hoyt

Item 1 – Call to Order / Roll Call

February 2, 2016 Lindon City Council meeting.

Jeff Acerson
Matt Bean
Van Broderick
Jake Hoyt
Carolyn Lundberg
Randi Powell

Staff present: _____

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.

Item 3 – Approval of Minutes

- Review and approval of City Council minutes: **January 19, 2016**

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, January 19,**
4 **2016, beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100
North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Spencer Doxey
10 Invocation: Carolyn Lundberg

12 **PRESENT**

Jeff Acerson, Mayor
14 Randi Powell, Councilmember
Matt Bean, Councilmember
16 Van Broderick, Councilmember
Carolyn Lundberg, Councilmember
18 Adam Cowie, City Administrator
Cody Cullimore, Chief of Police
20 Kathryn Moosman, City Recorder

ABSENT

Jacob Hoyt, Councilmember

- 22 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
- 24 2. **Presentations/Announcements** –
- 26 a) **Mayor/Council Comments** – There were no announcements at this time.
- 28 b) **Presentation: Lindon Character Connection.** This item was cancelled as
the representative was not in attendance.
- 30 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
32 meeting of January 5, 2016 were reviewed.

34 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
OF THE CITY COUNCIL MEETING OF JANUARY 5, 2016 AS AMENDED OR
CORRECTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE
36 VOTE WAS RECORDED AS FOLLOWS:

38 COUNCILMEMBER POWELL	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER BRODERICK	AYE
40 COUNCILMEMBER LUNDBERG	AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

- 42 4. **Consent Agenda** – No items.
- 44 5. **Open Session for Public Comment** – Mayor Acerson called for any public
46 comment not listed as an agenda item.

2 There were several residents and boy scouts in attendance who addressed the
Council at this time as follows:

4 **Reed Paxman:** Are there any plans for a Lindon City community library?

6 Councilmember Lundberg stated there are currently no plans for a city library at this
time, however there is a resident reimbursement plan (50%) for Orem and Pleasant Grove
8 city libraries.

10 **Vernon Christensen:** Why was the library reimbursement decreased last year?

Councilmember Broderick stated the Council tries to maximize every tax dollar and
12 spend those funds in the appropriate places to try to make ends meet. Mr. Paxman asked
how much the reimbursement cost the city. Mr. Cowie stated that it saved the city
14 approximately \$10,000 a year; he will look up the exact number. Councilmember
Lundberg added the Council carefully looks at little “tweaks” to save money as the city
16 has a huge road deficit. When looking at the number of people who use the library
reimbursement they had to consider some changes to subsidize. Mayor Acerson
18 commented that it is a conceptual “tightening up” to generalize more funding of roads.
Councilmember Lundberg added that the Council didn’t want to eliminate the
20 reimbursement entirely but took a little from different areas. Mr. Cowie stated the
reimbursement expenditures were almost \$30,000 and with the amended budget it is
22 down to \$16,000 so it is quite a significant amount.

24 **Spencer Darcy:** Are there any plans for upgrading the fire house? Councilmember
Powell stated there are plans to put in a brand new fire station along with a police
26 department directly across the street from the City Center; the hope is it will go out to bid
in a week and a half. Councilmember Lundberg pointed out that the Council has been
28 prudent to do this as economically as possible as to not raise taxes. Mayor Acerson
encouraged the scouts to take a tour when the public safety building is completed;
30 hopefully by next December.

32 **Hezekiah Bowden:** Are there any plans to install lighted deer crossing signs? Mr. Cowie
stated there are currently no plans to install deer crossing signs. Councilmember Powell
34 asked if there have been problems with deer to facilitate a need for signs. Mr. Bowden
confirmed there has been problems with deer. Mayor Acerson commented that we have
36 developed in the deer habitat (foothills) so they will be in yards etc. He would suggest
keeping our eyes open and be watchful for them but they need a place to live as well.
38

40 **Drew Penrod:** Does the city receive enough support from the scouts for desired service
and are there certain Eagle projects with a higher demand? Mayor Acerson stated the
demand ebbs and flows depending on the time of year, but there may be more
42 opportunities to facilitate projects than in other times. Councilmember Lundberg
mentioned that the Parks and Recreation Director, Heath Batman would love to have
44 scout troops involved with the new adoption program, i.e., adopt a park, trail, and trees,
clean-up projects etc. She noted this would be a great way to get the scouts involved.
46

2 Councilmember Powell noted that she is impressed with the Scouts asking
important questions tonight and expressed that she is very proud of them. Mayor Acerson
4 thanked the scouts for their questions and called for any further public comment.
Hearing none he moved on to the next agenda item.

6 **CURRENT BUSINESS**

8
6. **Review & Action – Vehicle Lease Agreement, Resolution #2016-4-R.** The
10 City Council will review and consider a request by Chief Cody Cullimore to
approve Resolution #2016-4-R allowing the Mayor and Staff to execute a
12 future lease agreement for replacement of two (2) existing police vehicles.
Zions Bank requires a resolution to verify funding approval prior to
14 preparing final lease documents. Annual estimated cost of the lease for both
vehicles is approximately \$12,500 per year.

16
18 Adam Cowie, City Administrator, opened the discussion by explaining Zions
Bank requires a resolution prior to preparing final documents for the police vehicle lease
renewal and the lease on two police vehicles is near the end of its term. He noted that
20 staff is requesting that the Council approve this resolution and to also allow the Mayor to
sign the final lease documents once all the details from the dealership and Zions Bank are
22 received. He noted this will be a similar lease that has been done in previous years and is
standard procedure. He explained the funds for lease renewal on two new vehicles have
24 been budgeted for this fiscal year and the additional lease renewals for the remainder of
the other police vehicles are planned for next fiscal year.

26 Chief Cullimore mentioned this is the best approach to maintain the vehicles at
the best economical cost. Councilmember Lundberg asked if there is a warranty on the
28 vehicles with the leasing. Chief Cullimore confirmed there is a warranty which covers all
repairs other than tires, windshields etc. He noted there are now over 35 agencies that
30 lease as it is a cost effective way to maintain the vehicles. Chief Cullimore explained
they go through Ken Garff dealership and Zions Bank that limit the lease to 50 vehicles
32 and below to get the two year lease. He added that it includes the emergency equipment
(lights, sirens, etc.) and also the wraps on the vehicles.

34 Mr. Cowie stated that two years ago there was a change with the state auditor as
they are now requiring us to capitalize the full expense whenever we assume a new debt
36 obligation. It looks as if we are purchasing the vehicles in this current fiscal year, but the
only thing we are making is the lease payment. The full assumed debt obligation has to
38 be accounted for in the year we take on the lease, so the next fiscal year it will appear that
there is a significant debt increase on the public safety budget line item. He stated this
40 issue will be further discussed at the budget kickoff meeting.

42 Councilmember Lundberg asked about possibility of implementing a canine
program with the police department. Chief Cullimore confirmed they looked into a canine
44 program in 2013/14 and found the initial startup was over \$30,000, even with a donated
dog, so it is a substantial investment. He noted that neighboring agencies allow them to use
their services with no charge and noted it may be something to consider in the future.

46 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

2 COUNCILMEMBER POWELL MOVED TO APPROVE RESOLUTION
2016-4-R WITH NO CONDITIONS. COUNCILMEMBER BEAN SECONDED THE
4 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL AYE
6 COUNCILMEMBER BEAN AYE
COUNCILMEMBER BRODERICK AYE
8 COUNCILMEMBER LUNDBERG AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

10
12 7. **Review & Action – Support for Adoption of 2015 International Energy**
Conservation Code (IECC) and Other Air Quality Enhancements for Utah,
14 **Resolution #2016-5-R.** The City Council will review and consider a request by
Mayor Acerson and the Mountainland Association of Governments Executive
16 Council to approve Resolution #2016-5-R showing support for the State
Legislature to adopt the 2015 International Energy Conservation Code (IECC)
18 which contains more energy efficient building code requirements that will assist
in reducing air pollution from homes and buildings.

20 Mr. Cowie led this discussion by stating Mayor Acerson attended a Mountainland
Association of Governments (MAG) meeting in which the majority of the members
22 supported a request by Mayor Curtis of Provo to be more proactive in promoting air
quality improvements throughout the Wasatch Front by consideration of a resolution
24 (included in the staff report). MAG, Utah County, Utah County Health Department, and
some local businesses are members of the Utah Valley Clean Air Task Force. The task
26 force actively evaluates and implements solutions to reduce air pollution during the
inversion season. He noted over the last two years the task force has encouraged residents
28 of Utah Valley to reduce automobile emissions.

30 Mayor Acerson explained in his Council of Governments (COG) meeting Mayor
Curtis informed them that Provo City was deemed (through a recent poll) as having the
worst air in the country which can create or increase adverse health conditions. Mayor
32 Acerson stated Mayor Curtis presented this information to the Council of Governments
(within Utah County) in an effort to propose and support an initiative or pledge to move
34 forward as civic leaders to lead out in good practices and common sense to bring
awareness to be more sensitive to the air quality. He noted as a State we are also looking
36 at a Governor’s initiative to pledge support through a resolution that would encourage us
to seek out best practices which will bring awareness and sensitivity in making good
38 decisions to protect the air that we breathe.

40 Mr. Cowie noted the task force is also looking for solutions to reduce pollution
from homes and buildings, which studies show account for up to 39% of the pollutants in
the air. The task force has determined that one way to reduce potential pollutants from
42 homes and buildings is to adopt more energy-efficient building codes. The task force has
asked MAG member cities, including Lindon, to support adoption of the 2015
44 International Energy Conservation Code as part of a planned update to the state building
code by the Utah legislature in the upcoming legislative session. Mr. Cowie stated the
46 Chief Building Official from Lindon indicated this code update is being evaluated by
State building code committees and expects some version of it to be adopted this

2 summer. He noted the Chief Building Official did not oppose the resolution supporting
the building code changes.

4 Councilmember Lundberg asked if this will bring awareness to current and
existing development for adopting new standards. Mr. Cowie stated in talking with the
6 Lindon City Building official, Phil Brown, he indicated that the current code revision is
something the State is currently looking at. Mr. Cowie explained these are Utah specific
8 code updates based on recommendations that are being contemplated for adoption this
summer. He went on to say there are also anticipated reductions in additional
10 requirements for insulation and potential requirements for heating mechanisms for new
construction and costs associated that may be mandated. Mr. Cowie further explained that
12 Provo City indicated, in their estimation, the increased costs that may be imposed by the
code updates may be paid back to the consumer (homeowner) within 2 to 3 years. It is
14 anticipated that most of this will happen regardless and there may be higher energy
requirements that will come out as part of the new code update. He noted this action
16 doesn't bind the city in any way but encourages the State Legislature to adopt the code.

18 Councilmember Broderick stated these codes are updated every 3 years and they
do affect commercial and residential development. He agrees we all want clean air, but he
researched this issue today and from the numbers he has seen he believes it will increase
20 the cost of new homes and thinks it may take longer than a few years to pay back the
homeowner. Councilmember Broderick also noted there is some flexibility to builders on
22 how they achieve their energy rating index score. He stated it is anticipated, with the new
revisions, it will add \$1,700 to the cost of a typical new home and with the other method
24 it will add about \$3,000 to the cost of a new home.

26 Councilmember Powell expressed that she is also for clean air and good
stewardship but has concerns that this may be a gateway to government overreach. Mr.
Cowie pointed out these codes are updated regularly through the State and are brought to
28 the Council for adoption because the State has adopted them; it is a regularly updated
industry. There was then some general discussion regarding this issue. Councilmember
30 Broderick stated he is not against this action as he likes the idea of being energy efficient,
but he feels he needs more information and details at this point. He also questioned if the
32 market should drive mandated energy conservation. Councilmember Lundberg agrees she
also has questions regarding enforcement. Mayor Acerson stated this will just bring
34 greater awareness of how people can personally impact the community.

36 Councilmember Powell voiced her reservations and concerns regarding the
vagueness or impliedness, outside of the building aspect, that this may be a gateway.
Councilmember Broderick stated this is specifically building energy codes. Mayor
38 Acerson pointed out he brought this issue to the Council for discussion and to make a
decision one way or the other. He noted he appreciates Councilmember Broderick's
40 research efforts and it sounds like he may need more time to gather additional
information. Mayor Acerson expressed that the bottom line is that it is better for us to
42 govern ourselves and move in a good direction vs. having the State or Federal
Government mandate things. Councilmember Broderick asked Mr. Cowie if Mr. Brown
44 has looked at the increased inspection costs and how it would impact Lindon City. Mr.
Cowie replied that Mr. Brown has not done any in depth research on this but his general
46 feeling is that this will be adopted even though some of the details are still up in the air.
Councilmember Bean commented if this item is going to be continued he feels there

2 could be other concerns unless we read what the code says even though it might be
 4 difficult to understand as the language is related to the building industry. Councilmember
 6 Powell stated she is not opposed to this resolution but she has concerns with the
 8 vagueness in some of the language. Councilmember Lundberg stated she is very
 10 favorable to these types of conservation efforts as she has implemented things in her
 12 personal family, but she also has concerns about what comes from government
 14 requirements and if there is an economic impact; she would like to hear those arguments.
 16 Mr. Cowie stated he will have further discussion with Phil Brown and Gary Hoglund to
 18 gather more information and bring this issue back to the Council. Following some
 20 additional discussion Mayor Acerson called for a motion.

22 COUNCILMEMBER BRODERICK MOVED TO CONTINUE RESOLUTION
 24 2016-5-R FOR THE OPPORTUNITY TO GATHER MORE INFORMATION ON THE
 26 IECC 2015 CODE REQUIREMENTS. COUNCILMEMBER BEAN SECONDED THE
 28 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
 30 COUNCILMEMBER POWELL AYE
 32 COUNCILMEMBER BEAN AYE
 34 COUNCILMEMBER BRODERICK AYE
 36 COUNCILMEMBER LUNDBERG AYE
 38 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

40 **8. COUNCIL REPORTS:**

42 **Councilmember Bean** – Councilmember Bean mentioned since Rob Smith, with Alpine
 44 School District didn’t come to the Council meeting tonight, as scheduled, and if he
 46 doesn’t re-schedule within a couple of weeks he would suggest that the Council consider
 putting the discussion of the sale of the city owned homes back on the agenda. Mr. Cowie
 questioned if it is worth waiting on that issue until the new building is complete as to
 evaluate the parking situation. Councilmember Bean stated he does not have a lot of
 confidence in Alpine School Districts timeline and it is possible we may not see them for
 months. If we feel that we may need more parking then he doesn’t want to push it but he
 would like to wait and see after the bids come in to make a decision, but he is fine with
 that option. Mr. Cowie stated, realistically speaking, if we had the opportunity he would
 like to see the pool operate for a season to see how the flow works with parking etc.
 before selling; the parking situation will be chaotic during construction. Councilmember
 Bean stated he is fine with that option. There was then some additional discussion
 regarding this issue.

40 **Councilmember Powell** – Councilmember Powell reported she attended the Lindon City
 42 Youth Court swearing in last week noting that Officer Campbell will be a great with the
 44 kids this year. She mentioned this was her first time involved with the youth court and it
 46 appears it will be a very positive experience. She also reported that she attended and
 spoke at the Nova Graduation along with Chief Cullimore noting the kids have a great
 rapport with Officer Campbell. Councilmember Powell also reported she attended a
 Women’s Legislative Council meeting today with Councilmember Lundberg where
 Mayor Acerson spoke on the “State of Lindon” and did a great job representing the city.

2 She also mentioned she will be attending the North County Outreach meeting next week.
 4 She also reported that some residents reached out to her about glass recycling and if the
 6 city has considered it. Councilmember Lundberg commented that she has talked with
 8 Alissa Daley with Republic Services who indicated if glass recycling is implemented they
 10 would have to haul it quite far and the cost is \$300 per time haul (every 2 to 3 months);
 12 Pleasant Grove City offers the service. Councilmember Powell stated she would like to
 14 get some numbers together and look at the contract (annually) as to have some
 16 information available about the glass receptacle costs before they come back before the
 Council. Councilmember Powell stated another resident brought up the sale of the
 Geneva lake property (who is part of a Bird watching organization) noting the resident
 took her on a fieldtrip regarding the grassland birds and habitat at the property. She
 questioned if this would be a good opportunity for Lindon to use some PARC tax funds
 to help preserve the birds and habitat for the citizens to have the opportunity to visit that
 area; this is an intriguing thought to consider. Mayor Acerson mentioned the Commission
 is looking at putting in an educational center at the lake.

18 **Chief Cullimore** – Chief Cullimore reported as part of the Lindon City risk management
 20 program the police department held an emergency drill at the three main city facilities
 22 (city center, community center and public works). He then went through the report on
 24 the recent emergency drill noting that communication efforts and more practice will be
 forthcoming. He also reported that some of his officers will be attending recent fallen
 Officer Barney’s funeral on Monday.

26 **Mayor Acerson** – Mayor Acerson reported that he had a discussion today with former
 28 Mayor Jim Dain about the lake front property. Mayor Dain wanted the Council to know
 30 that he is an advocate of holding on to the property as to possibly make something good
 out of it in the future. There was then some general discussion regarding the lake front
 property.

32 **Councilmember Broderick** – Councilmember Broderick asked about Don Peterson’s
 34 upcoming retirement and interviews for his position. Mr. Cowie stated they will advertise
 36 for the position in late February and will run it through March and tentatively interview
 38 in May. Mr. Cowie added they will post the position starting in the low to mid \$80’s and
 will advertise that range to see what qualified applications are received. Councilmember
 Broderick also mentioned he would like to look at road funding at the upcoming Budget
 Kickoff Meeting because we now have the engineering information to prepare and come
 up with a plan to fill the need and direction on how to appropriate the funds to facilitate
 the road funding gap. Mr. Cowie mentioned that Pleasant Grove City had a recent
 40 discussion regarding the adoption of a transportation utility fee and noted he feels there
 will be a lot more cities considering going that direction.

42 **Councilmember Lundberg** – Councilmember Lundberg commented that Mayor
 44 Farnworth mentioned at their meeting today that they have a great benefit with the Rocky
 Mountain Power Plants and the franchise tax alone will bring in a total of 5 million. She
 46 questioned if Lindon receives any financial benefit from the North Point Solid Waste
 being located in the city and if there could be any sharing of the franchise tax. Mr. Cowie

2 stated that is not a possibility. She also mentioned that American Fork has adopted new
4 transparency and are now live streaming City Council and Commission meetings on their
website.

6 **Councilmember Hoyt** – Councilmember Hoyt was absent from the meeting.

8 **Administrator’s Report:**

Mr. Cowie reported on the following items followed by discussion.

10 **Misc. Updates:**

- 12 • January City newsletter
- 14 • March newsletter article: Councilmember Hoyt - Article due to Kathy Moosman last week in February
- 16 • 2016 Legislative updates
- 18 • Update on Realtor fees question on ‘For Sale by Owner’ listings
- Budget committee meeting: March 29th (working lunch meeting at noon)
- Update from the Planning Commission Ivory discussion followed by discussion
- Misc. Items

20 **Upcoming Meetings & Events:**

- 22 • January 18th – City offices closed for Martin Luther King day
- 24 • January 23rd – 8am to Noon. ULGT elected official training in Provo
- February 9th at noon – Engineering coordination meeting at Public Works, Councilmember Broderick and Mayor Acerson will attend
- 26 • February 11th at 6:00pm. – Budget kick-off meeting with a dinner/work session
- February 15th – City offices closed for Presidents Day
- 28 • March 5th at 6pm – Little Miss Lindon Pageant at Oak Canyon Jr High

30 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion to adjourn.

32 **Adjourn** –

34 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
36 AT 8:52 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – February 2, 2016

40
42 _____
Kathryn Moosman, City Recorder

44
46 _____
Jeff Acerson, Mayor

Item 4 – Consent Agenda – *(Consent agenda items are only those which have been discussed beforehand and do not require further discussion)*

- No Items.

Item 5 – Open Session for Public Comment *(For items not on the agenda)*

6. Public Hearing—Street Master Plan Amendment, 700 N. 2800 W., Ord#2016-1-O *(10 minutes)*

Staff requests approval of a Street Master Plan Map amendment (Ordinance 2016-1-O) to remove a master planned road located at approximately 700 North 2800 West in Mixed Commercial and General Commercial zones. The road was planned to give access to an interior parcel, but recent development activity has shown adequate access is available from 600 North. The Planning Commission recommends approval of the change.

See attached materials from the Planning Department.

Public Hearing — Street Master Plan Map Amendment Approx. 700 N. 2800 W.

Applicant: City Staff
Presenting Staff: Hugh Van Wagenen

General Plan: Mixed Commercial, General Commercial

Current Zone: Mixed Commercial, General Commercial A8 (CG-A8)

Property Owners: NPI International Inc; WICP West Orem LLC; Jacqueline A Dowdy et al

Address: ~700 North 2800 West

Parcel ID: 13:063:0085, 14:054:0127, 13:063:0095

Road Area: 1 acre

Type of Decision: Legislative

Planning Commission Motion: Recommend approval in a 6-0 vote.

SUMMARY OF KEY ITEMS

1. Whether to approve the removal of the identified street from the Street Master Plan.

Ordinance: # 2016-1-0

MOTION

I move to (*approve, deny, continue*) Ordinance # 2016-1-0 to remove the street identified at approximately 700 North 2800 West from the Street Master Plan with the following conditions (if any):

- 1.
- 2.
- 3.

OVERVIEW

Staff requests approval of a Street Master Plan Map amendment to remove a master planned road located at approximately 700 North 2800 West in Mixed Commercial and General Commercial zones. The road was planned to give access to an interior parcel (#14:054:0127), but recent development activity has shown adequate access is available from 600 North.

PLANNING COMMISSION RECOMMENDATION

With a 6-0 vote the Commission recommended approval of the amendment to the City Council. They acknowledged access to parcel #14:054:0127 is not ideal, but the property is developing without the street in question being available.

FINDINGS OF FACT

1. The street in question was added to the Street Master Plan after the Vineyard Connector alignment was announced by UDOT.
2. Construction of the Vineyard Connector will require the realignment of the Pleasant Grove/Lindon interchange as it heads west. That realignment may affect the access to parcel #14:054:0127.
3. The road in question was placed on the Plan in order to preserve access to parcel #14:054:0127.
4. Recent development activity on parcel #14:054:0127 has shown that the parcel can be accessed via 600 North.
5. The street in question traverses two other properties in order to serve parcel #14:054:0127; parcel #s 13:063:0085 and 13:063:0095.

6. Both parcel #13:063:0085 and #13:063:0095 have frontage on 2800 West and do not need the street in question to access their respective properties.
7. Parcel #13:063:0095 is developing and having a master planned road on the property does affect the design of the site.
8. The street in question is designated as a local street on the Plan.

ANALYSIS

1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
 - a. It is the “purpose of the transportation plan...to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development.”
 - b. The Street Plan states the “inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes.”
 - c. “The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles...”
 - d. “Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial...areas...”
2. If the road does stay on the Plan there is no timeline as to when it will be constructed to serve parcel #14:054:0127 even though the site is already developing. Access to the site is not ideal, but it is functional; Lindon, UDOT and the developer have worked to confirm this during that site’s approval process.
3. The street does not appear necessary for parcel #14:054:0127 to develop.
4. If the road is removed from the Plan, parcel #s 13:063:0085 and 13:063:0095 will not have the encumbrance of a road that was contemplated to serve only one parcel.
5. The Lindon City Engineer endorses removal of the street from the Master Plan.

MOTION

See above.

ATTACHMENTS

1. Aerial photo of the proposed area where the street is planned with affected properties identified
2. Traffic circulation for Parcel #14:054:0127
3. Ordinance 2016-1-O



Street to be removed from Plan

1300 SOUTH

Parcel #13:063:0095

Parcel #13:063:0085

Parcel #14:054:0127

600 North

PRICE PROSWOOD LLC
860 E 1300 SOUTH
AMERICAN FORK

VICTORY QUARRY COMPANY LLC
750 N 2600 WEST
LINDON

WICP WEST OREM LLC
2578 W 600 NORTH
LINDON

PROPERTY RESERVE INC
5600 W 6400 NORTH
LINDON

PLEASANT GROVE LLC
2171 W 900 SOUTH
PLEASANT GROVE

2800 West

I-15

I-15

I-15

I-15

PLEASANT GROVE



PRICE/PROVSWOOD LLC
860 E 1300 SOUTH
AMERICAN FORK

WICP WEST OREM LLC
2578 W 800 NORTH
LONDON

PROPERTY RESERVE INC
5600 W 6400 NORTH
LONDON

2800 West

I-15

PLAZA AT THE GROVE

I-15

I-15

I-15

Right turn out

Right turn in

East bound traffic pattern to enter the site

Median preventing left turns from the site

ORDINANCE NO. 2016-1-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY STREET MASTER PLAN THROUGH REMOVAL OF AN IDENTIFIED FUTURE STREET AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it is necessary to amend portions of the Lindon City Street Master Plan, specifically the future street located approximately at 700 North 2800 West (See map labeled as Exhibit A); and

WHEREAS, the City finds it is necessary to amend the Street Master Plan to reinforce surrounding land development patterns balance future demands generated by Land Use in the area; and

WHEREAS, inherent in a long range plan projection is the potential for variation due to unforeseen economic circumstances; and

WHEREAS, the street in question was considered necessary to access a single property identified by parcel #14:054:0127, which property is developing despite not having that access; and

WHEREAS, the street in question crosses two properties that do not required it for access and therefore encumbers those properties in order to serve a single parcel that does not need that access to function; and

WHEREAS, the Planning Commission recommended adoption of revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the creation of a balanced transportation system within the City; and

WHEREAS, the current Street Master Plan should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Street Master Plan is hereby amended as follows:

SECTION I:

See Exhibit A showing street to be removed from the Lindon City Street Master Plan.

Exhibit A



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2016.

 Jeff Acerson, Mayor

ATTEST:

 Kathryn A. Moosman,
 Lindon City Recorder

SEAL

7. Public Hearing—Zone Map Amendment, CG-A to CG; Ord#2016-4-O (20 minutes)

Lindon City Council requested a Zone Map amendment to reclassify the following parcels from General Commercial-Auto (CG-A) to General Commercial, to not allow used automobile sales on the lots with the following Utah County parcel ID numbers: 453710016, 453710018, 372370002, 140700310, 140700040, 140700041, 140700199, 140700257. The Planning Commission recommends approval of the change.

See attached materials from the Planning Department.

Public Hearing — Zone Map Amendment, CG-A to CG

Applicant: Lindon City
Presenting Staff: Hugh Van Wagenen

General Plan: Commercial
Current Zone: General Commercial Auto
Requested Zone: General Commercial

Parcel ID	Owner	Address	Size acres
45:371:0016	Juno Utah LLC	579 N State St	0.71
45:371:0018	DDO-Utah LLC	571 N State St	0.75
37:237:0002	Skip Dunn Investments LC	569 N State St	0.76
14:070:0310	AB Allen Investments LLC	146 S State St	0.38
14:070:0040	AB Allen Investments LLC	150 S State St	0.73
14:070:0041	Runnin' Ute Properties LLC	190 S State St	0.18
14:070:0199	Key West Properties LLC	195 S State St	0.27
14:070:0257	Skousen, Orval & Vonda	123 E 200 S	0.31

Type of Decision: Legislative
Planning Commission Vote: Recommend approval with the exception of parcels owned by Skip Dunn Investments LC and Key West Properties LLC.

SUMMARY OF KEY ISSUES

- Whether to approve a request to change the zoning designation of the subject lots from General Commercial (CG-A) to General Commercial (CG).

Ordinance: # 2016-4-O

MOTION

I move to (*approve, deny, continue*) Ordinance 2016-4-O to change the zoning designation of the subject lots from General Commercial (CG-A) to General Commercial (CG) with the following conditions (if any):

-
-
-

BACKGROUND

Over the last several months the Planning Commission and City Council have been discussing used vehicle sales along State Street. These discussions stemmed from concept reviews received from applicants looking to change zoning designations on specific lots to allow used vehicles sales. There were concerns that too many used vehicle dealerships were locating along State Street.

A request from the City Council that stemmed from those discussions was to consider rezoning existing CG-A lots that do not currently operate a used vehicle sales business. The eight lots identified here fit that description.

PLANNING COMMISSION RECOMMENDATION

In a 6-0 vote it was recommended to approve the zone change request with the exception of parcels owned by Skip Dunn Investments LC (37:237:0002) and Key West Properties LLC (14:070:0199). Both property owners expressed opposition to the proposal to staff. Mr. West was also in attendance at the Planning Commission Meeting and expressed his concern.

Additionally there was discussion among the Commission about not having a specific CG-A zone, but rather having specific site requirements for car lots. If a property/owner can meet those requirements then such property should be able to have a car lot without a zone restriction. The Planning Commission is currently considering an ordinance that addresses site specific requirements for car lots.

ANALYSIS

- There are currently seven used vehicle dealers on State Street in Lindon.
- Sixteen properties are currently zoned CG-A along State Street.
- Used vehicle sales business do create sales tax for Lindon. The following table summarizes those sales tax contributions to the City from seven dealerships during July 2014 to October 2015:

Total Auto Tax Rec'd	\$ 335,090.53
Total Sales Tax Rec'd	\$ 4,729,377.86
% from Auto	7.09%
Median per dealer per month	\$ 2,847.18
Average per dealer per month	\$ 4,528.88

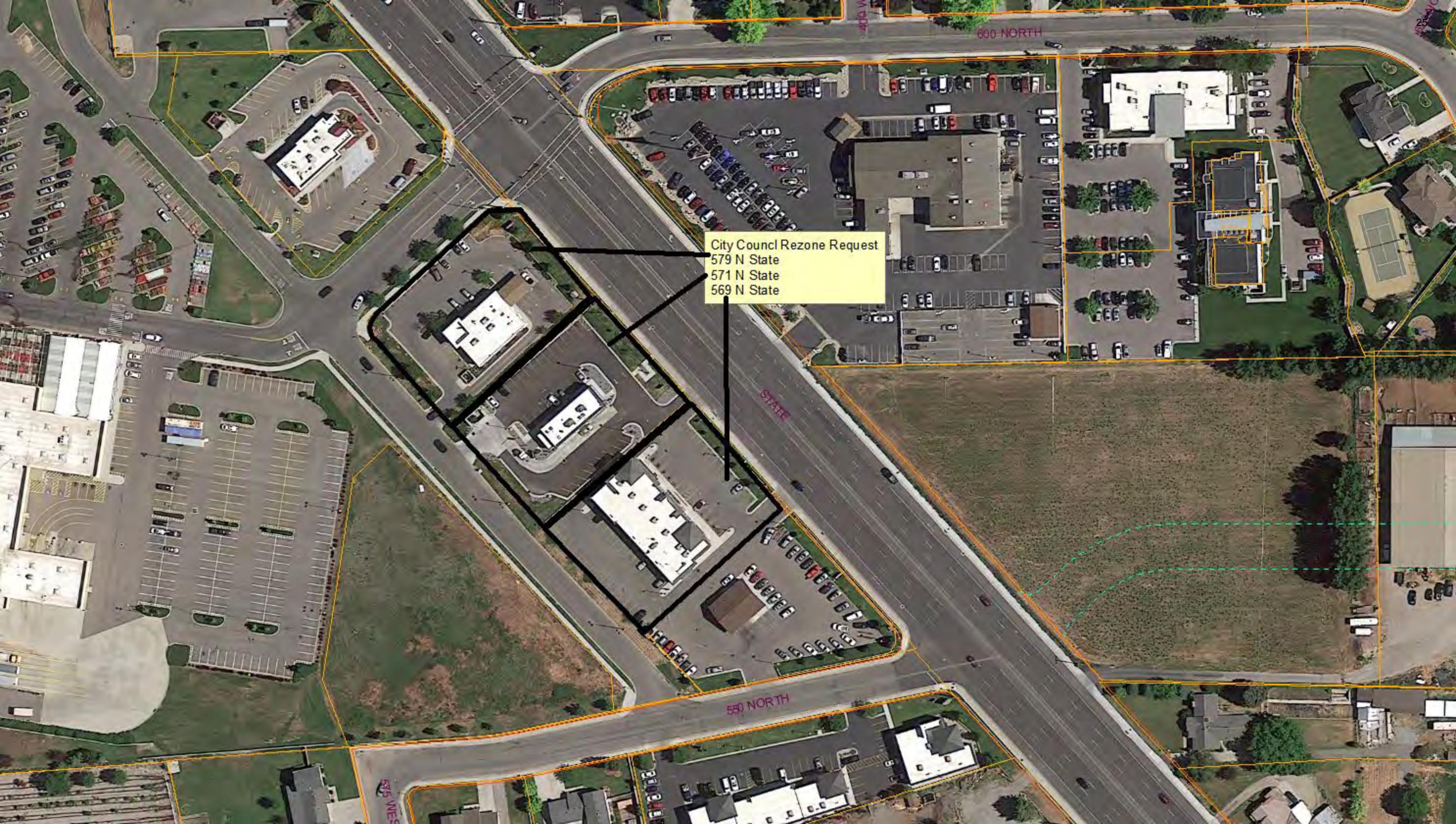
- Note the difference in the median and average monthly sales tax numbers. This indicates there are one or two dealers that are producing far more sales tax than the remaining dealerships.
- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the “planning commission shall recommend adoption of a proposed amendment only where the following findings are made:
 - The proposed amendment is in accord with the master plan of Lindon City;
 - Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”
- The stated purpose of the General Commercial Zone is to “promote commercial and service uses for general community shopping.” Further, the “objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

PUBLIC COMMENT

After receiving notification of the proposed zone change, two owners approached City staff to voice opposition to the idea. Skip Dunn and Royal West, owners of properties located at 569 N. State and 195 S. State respectively, are not in favor of the rezone. Although nothing in writing has been received from either owner, they were very clear in their positions. Both owners' lots are adjacent to existing car lots and it is feasible that their lots could be part of an expanded operation in the future.

ATTACHMENTS

1. Map of Properties under consideration of rezone
2. Current Zone Map
3. Ordinance 2016-4-0



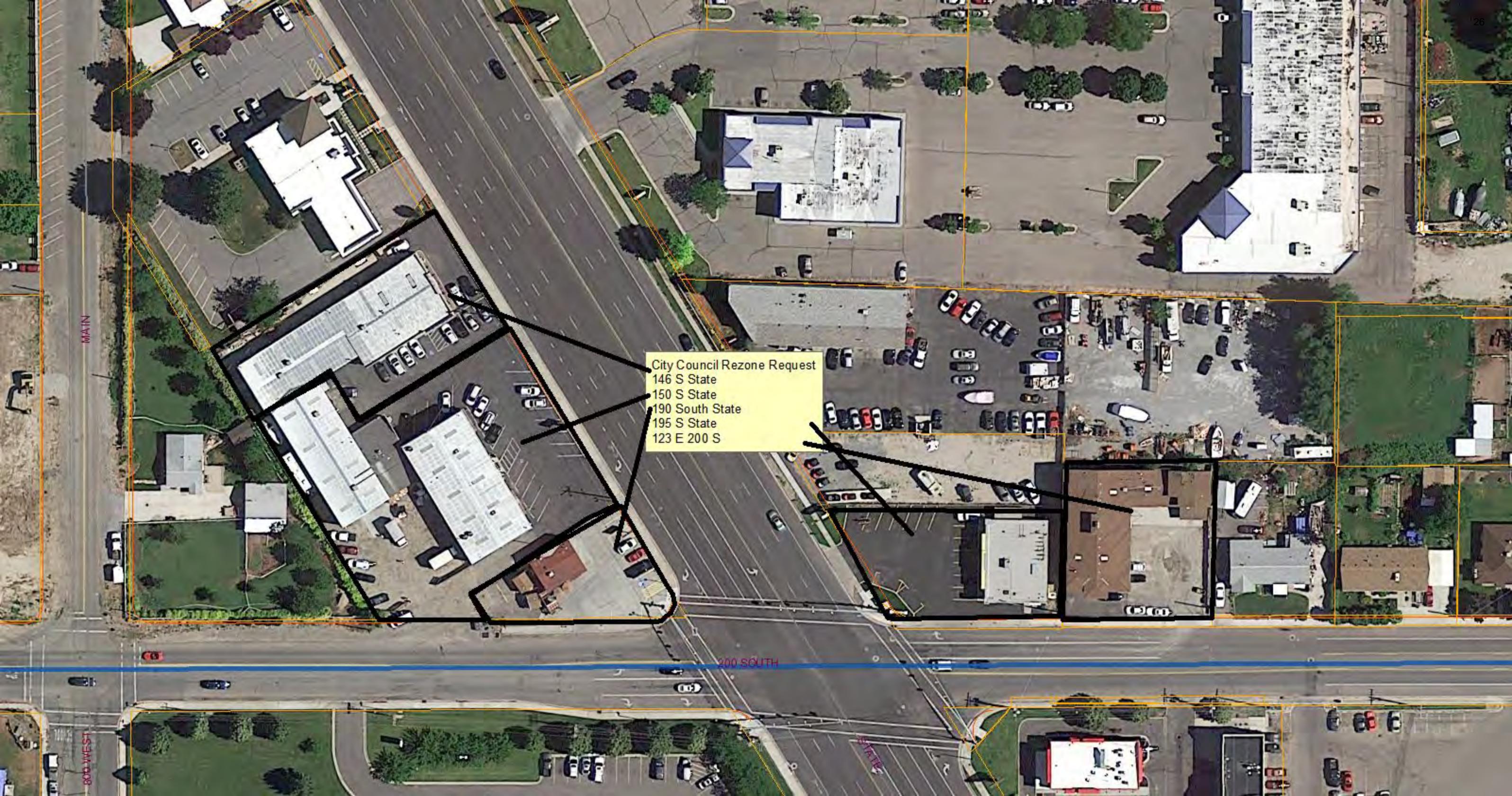
City Council Rezoning Request
579 N State
571 N State
569 N State

600 NORTH

550 NORTH

400 WEST

25



City Council Rezone Request
146 S State
150 S State
190 South State
195 S State
123 E 200 S

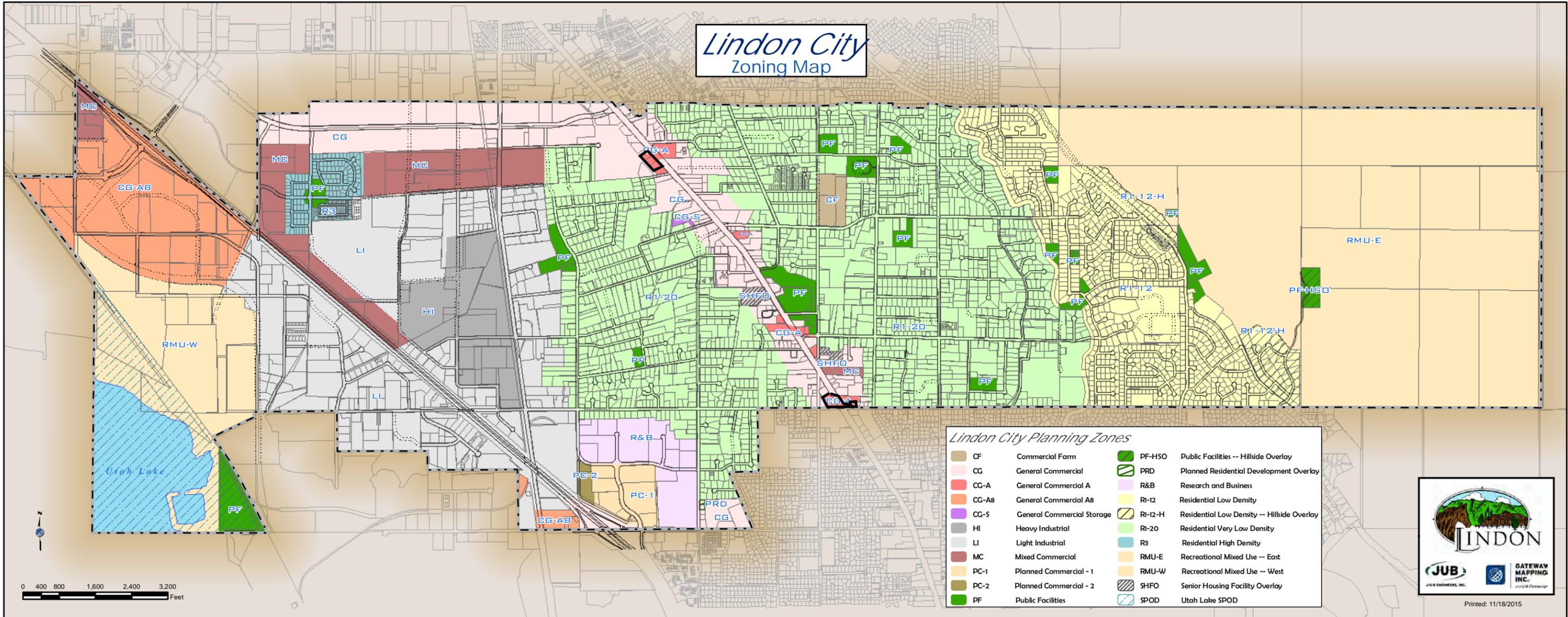
MAIN

200 SOUTH

800 WEST

STATES

Lindon City Zoning Map



Lindon City Planning Zones

CF	Commercial Farm	PF-HSO	Public Facilities -- Hillside Overlay
CG	General Commercial	PRD	Planned Residential Development Overlay
CG-A	General Commercial A	R&B	Research and Business
CG-A8	General Commercial A8	Ri-12	Residential Low Density
CG-S	General Commercial Storage	Ri-12-H	Residential Low Density -- Hillside Overlay
HI	Heavy Industrial	Ri-20	Residential Very Low Density
LI	Light Industrial	R3	Residential High Density
MC	Mixed Commercial	RMU-E	Recreational Mixed Use -- East
PC-1	Planned Commercial - 1	RMU-W	Recreational Mixed Use -- West
PC-2	Planned Commercial - 2	SHFO	Senior Housing Facility Overlay
PF	Public Facilities	SPOD	Utah Lake SPOD

0 400 800 1,600 2,400 3,200 Feet



Printed: 11/18/2015

ORDINANCE NO. 2016-4-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY ZONING MAP FROM GENERAL COMMERCIAL A (CG-A) TO GENERAL COMMERCIAL (CG) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it necessary to amend portions of the Lindon City Zoning Map, specifically the properties generally located at the following addresses from General Commercial A (CG-A) to General Commercial (CG):

Parcel ID	Address
45:371:0016	579 N State St
45:371:0018	571 N State St
14:070:0310	146 S State St
14:070:0040	150 S State St
14:070:0041	190 S State St
14:070:0257	123 E 200 S

(See map labeled as Exhibit A);and

WHEREAS, the City finds it is necessary to amend the Zoning Map to benefit the City;
and

WHEREAS, the Planning Commission recommended adoption of the revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the promotion of businesses and industry within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

WHEREAS, a public hearing was held on January 26, 2016 to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse effects were identified by the Commission during the hearing;
and

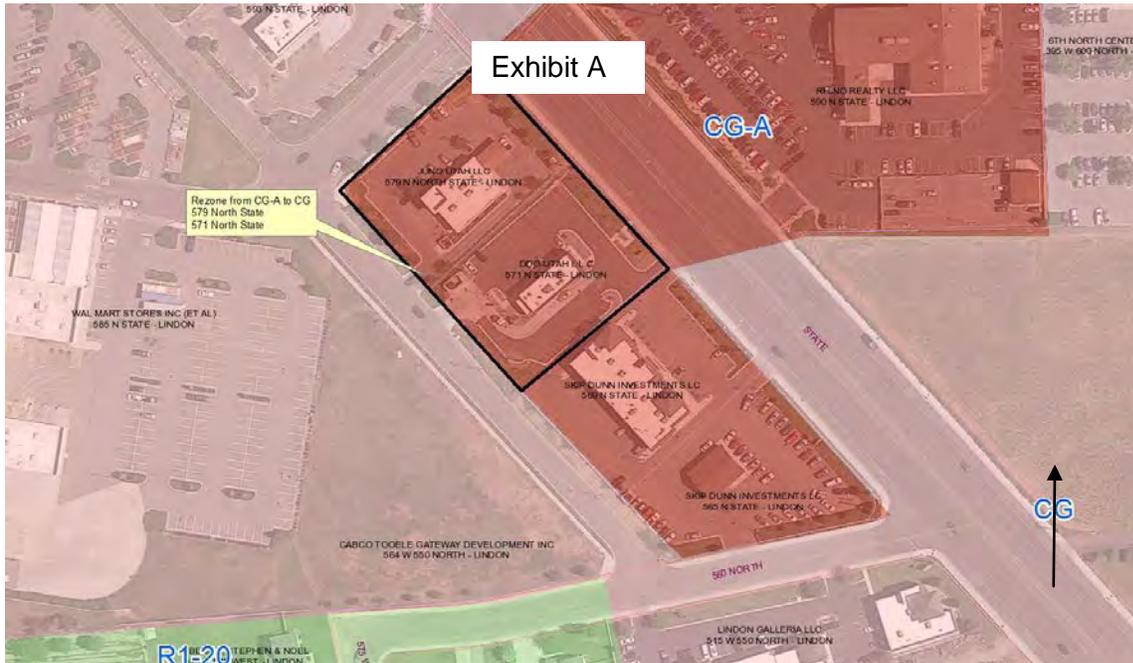
WHEREAS, the Council held a public hearing on February 2, 2016 to consider the recommendation and no adverse effects were identified; and

WHEREAS, the current Zoning Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Zoning Map is hereby amended and will read as follows:

SECTION I:

See *Exhibit A* showing parcel changing from General Commercial A (CG-A) to General Commercial (CG) on the Lindon City Zoning Map.



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2016.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

**8. Public Hearing—Zone Map Amendment, CG to CG-A, Utah Valley Auto Brokers,
Ord#2016-5-O**

(15 minutes)

Jeff Peterson requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:068:0263, owned by Intermountain Fire Place Store, LLC from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot at 460 North State Street. The Planning Commission recommends approval of the change.

See attached materials from the Planning Department.

Public Hearing — Zone Map Amendment 460 North State Street

<p>Applicant: Jeff Peterson Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: General Commercial (CG) Requested Zone: General Commercial Auto (CG-A)</p> <p>Property Owner(s): Intermountain Fire Place Store, LLC Address: 460 North State Street Parcel ID: 14:068:0263 Lot Size: 1.3 acres</p> <p>Type of Decision: Legislative Planning Commission Vote: 6-0 vote to recommend approval with the condition that any requirements that are approved under Ordinance 2016-3-O be applied to a car lot on this site.</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none"> Whether to approve a request to change the zoning designation of the subject lot from General Commercial (CG) to General Commercial A (CG-A). <p>Ordinance: # 2016-5-O</p> <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) Ordinance 2015-5-O with the following conditions (if any):</p> <ol style="list-style-type: none"> Any requirements that are approved under Ordinance 2016-3-O be applied to a car lot on this site.
--	--

BACKGROUND

The principle difference between the General Commercial (CG) and General Commercial A (CG-A) zones is that the CG does not allow used car sales, while the CG-A does. The property in question was home to Hearth and Home stone products until the business moved nearly two years ago. Since that time, the property has been unoccupied.

PLANNING COMMISSION RECOMMENDATION

The Commission felt this site is a good candidate for a used car lot based on frontage, acreage, and location. However, they are in the process of reviewing Ordinance 2016-3-O which governs car lot site requirements. They were very clear that any adopted standards under that ordinance are to be applied to an operating lot on this site. A draft copy of the ordinance is attached for your reference.

ANALYSIS

- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the “planning commission shall recommend adoption of a proposed amendment only where the following findings are made:
 - The proposed amendment is in accord with the master plan of Lindon City;
 - Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”

- The stated purpose of the General Commercial Zone is to “promote commercial and service uses for general community shopping.” Further, the “objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

ATTACHMENTS

1. Aerial photo of the proposed area to be re-classified.
2. Street View of the proposed area to be reclassified.
3. Current zoning of the area.
4. Ordinance 2016-3-O Car Lot Site Requirements Draft
5. Ordinance 2016-5-O



Utah Valley Auto Brokers
Zone Change Request
460 North State Street
1.35 acres

500 NORTH LINDON

OSTERGAARD, MACK R & IRENE W
550 N STATE
LINDON

HEALEY, SCOTT MELVIN
539 N STATE
LINDON

CORP PRES BISOP LDS CHURCH
320 W 500 NORTH
LINDON

314 N LOCUST AVE
LINDON

ATKINSON, JEFF DAVIES
506 N LOCUST AVE
LINDON

500 NORTH

480 NORTH

PLATT, VALERIE Y & EDWARD B
535 N STATE
LINDON

HOWING GREEN LLC
531 N STATE
LINDON

500 NORTH

450 NORTH

PLATT, EDWARD L & MCKAY L
477 N STATE ST
LINDON

PATCH, ROBERT ALLEN
475 N STATE ST
LINDON

460 NORTH

FRYER, CREIG VAN & MARY LUE
439 N STATE
LINDON

470 WEST

LOWESS, JONATHAN W & LINDSEY M
400 W GILLMAN L
LINDON

TOMLINSON, RICHARD D & MIRIAM N
445 N STATE
LINDON

350 W 400 NORTH
LINDON

350 W 400 NORTH
LINDON

HARPER, D & LISA B
218 W 400 NORTH
LINDON

GOMEZ, LUCRECIA C
200 W 400 NORTH
LINDON

ANDRUP, SHAWN
190 N LOCUST
LINDON

400 NORTH

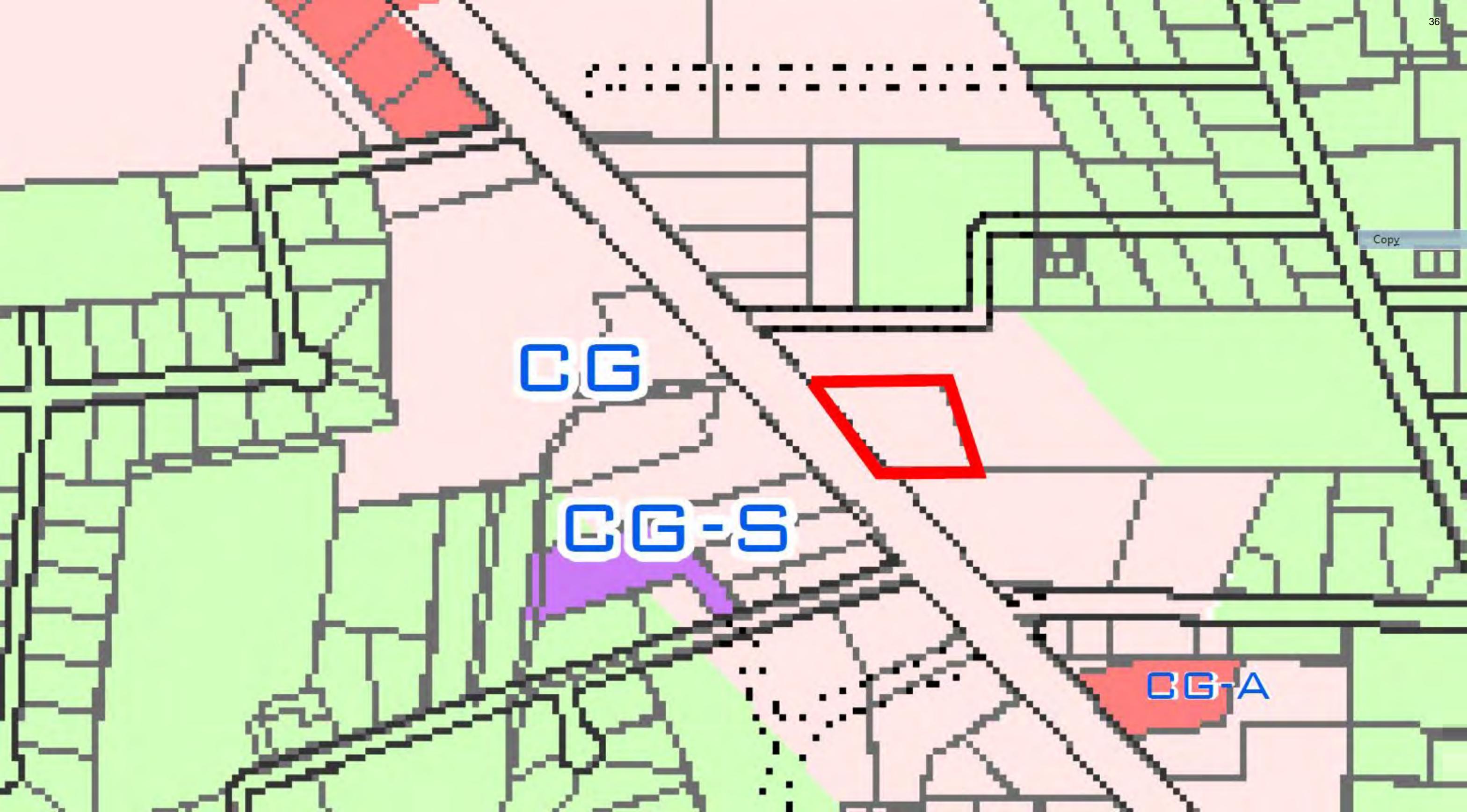
LOWESS BIBLE CHURCH
175 N STATE
LINDON

HAUN, STEWART B
340 N STATE
LINDON

735 WEST



Copy



CG

CG-S

CG-A

17.48.200 Vehicle Sales Lots

Sales lots for automobiles, RVs, boats, trailers, motorcycles, ATVs, and similar vehicles shall only be conducted in appropriate zones according to the Standard Land Use Table and shall be fully improved to comply with current city standards, including fully paved display area, permanent sales office built to the current building code, landscaping, streetlights and permanent signage. The following additional standards shall also apply:

1. Business License: Prior to the issuance of any business license, an applicant shall first obtain site plan approval from City Staff regarding the requirements in this Chapter and Section. Vehicle Sales Lot site plan applications are subject to an application fee as stated in the Lindon City Fee Schedule. Site plan submittals must meet the requirements contained in the Lindon City Land Development Policies, Standards, Specifications, and Drawings Manual.
2. Minimum Lot Size: One (1) acre
3. Minimum Frontage on a Public Street: Two hundred (200) feet; double frontage lots may count all frontage toward this requirement.
4. Parking Spaces:
 - a. See 17.18 Off-Street Parking for minimum number of stalls for employees and customers.
 - b. Dimensions shall meet requirements set forth in 17.18.020 Size of parking spaces and aisles.
 - c. Stalls must be clearly designated as "Customer" or "Employee" with an upright pole sign designating customer and employee parking spaces in order to differentiate from display stalls. These spaces shall not be used for parking vehicles which are for sale or for the display of any merchandise.
5. Parking Lot: See 17.18.080 Parking lot maintenance and design.
6. Display Spaces:
 - a. Dimensions shall meet requirements set forth in 17.18.020 Size of parking spaces and aisles.
 - b. All automobiles and other vehicles which are for sale at the auto lot shall be parked in the automobile showroom or in a parking space which is specifically designated for displaying merchandise for sale.
 - c. All vehicles for sale shall be parked and stored solely within the automobile lot.
7. Display Lot: See 17.18.080 Parking lot maintenance and design.
8. Display Area:
 - a. No merchandise shall be permitted to be stored on any required landscaped area, drive access, sidewalk or other public right of way or in any manner deemed a safety hazard to the general public.
 - b. No merchandise displayed shall exceed ten (10) feet in height as measured from the grade of the nearest public sidewalk.
9. ~~Interior Landscaping:~~

- ~~a. Landscaping within the interior of the parking/display lot shall be required at forty (40) square feet per required customer/employee parking stall and twenty (20) square feet per vehicle display space. See 17.18.085 for interior landscaping standards.~~
 - ~~b. One (1) tree for every ten (10) customer/employee parking stalls is required and one (1) tree for every twenty (20) vehicle display spaces.~~
10. Buildings:
- a. Minimum 1,000 square foot building is required
 - b. Existing buildings transitioning to a vehicle sales office must be brought up to current Commercial Design Standards.
11. Storage: All parts and material incidental to the operation of dealership must be stored in a designated area and concealed from public view.
12. Repair and maintenance: Repair and/or maintenance of any vehicle/merchandise shall take place in an enclosed building.
13. Lighting: See 17.48.070 Site lighting
14. Signs on Vehicles: Signs placed on vehicles may not exceed two (2) square feet in size.

ORDINANCE NO. 2016-5-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY ZONING MAP FROM GENERAL COMMERCIAL (CG-) TO GENERAL COMMERCIAL-A (CG-A) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it necessary to amend portions of the Lindon City Zoning Map, specifically the properties generally located at the following addresses from General Commercial (CG) to General Commercial A (CG-A):

460 North State Street (Utah County Parcel #14:068:0263)

(See map labeled as Exhibit A);and

WHEREAS, the City finds it is necessary to amend the Zoning Map to benefit the City; and

WHEREAS, the Planning Commission recommended adoption of the revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the promotion of businesses and industry within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

WHEREAS, a public hearing was held on January 26, 2016 to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse effects were identified by the Commission during the hearing; and

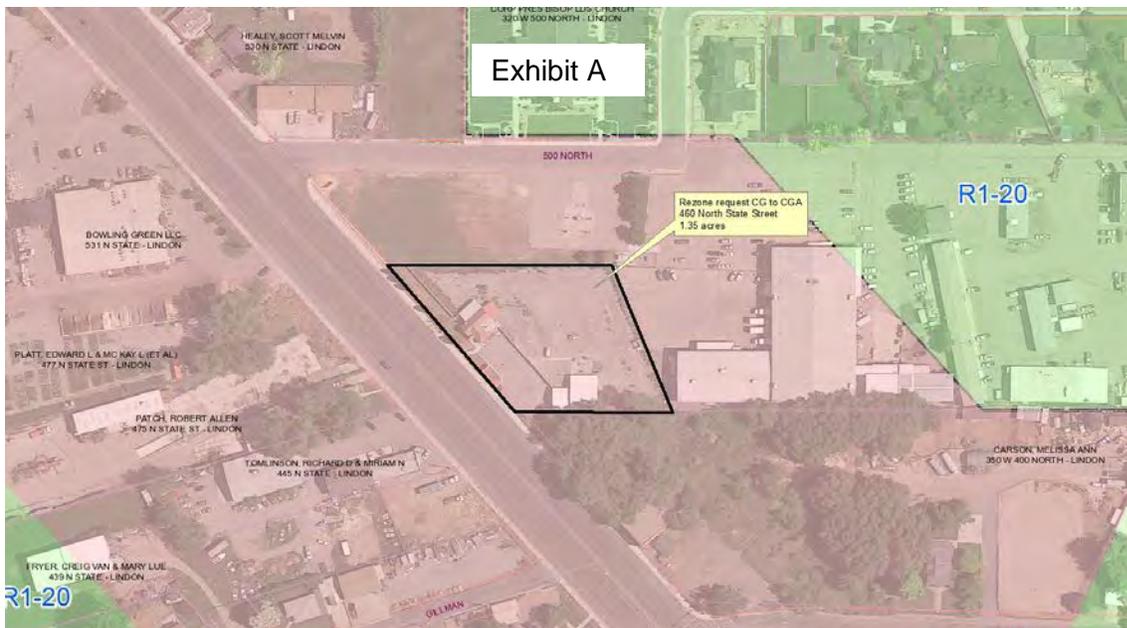
WHEREAS, the Council held a public hearing on February 2, 2016 to consider the recommendation and no adverse effects were identified; and

WHEREAS, the current Zoning Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Zoning Map is hereby amended and will read as follows:

SECTION I:

See Exhibit A showing parcel changing from General Commercial (CG) to General Commercial A (CG-A) on the Lindon City Zoning Map.



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2016.

 Jeff Acerson, Mayor

ATTEST:

 Kathryn A. Moosman,
 Lindon City Recorder

SEAL

9. Public Hearing—Zone Map Amendment, CG to CG-A, Dastrup Auto, Ord#2016-6-O
(15 minutes)

Devin Dastrup requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:067:0052 from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot at 475 North State Street. The Planning Commission recommends approval of the change.

See attached materials from the Planning Department.

Public Hearing — Zone Map Amendment 475 North State Street

<p>Applicant: Devin Dastrup Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: General Commercial (CG) Requested Zone: General Commercial Auto (CG-A)</p> <p>Property Owner(s): Dastrup Auto, Inc. Address: 475 North State Street Parcel ID: 14:067:0052 Lot Size: 2.3 acres</p> <p>Type of Decision: Legislative Planning Commission Vote: 6-0 vote to recommend approval with the condition that any requirements that are approved under Ordinance 2016-3-O be applied to a car lot on this site.</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none"> Whether to approve a request to change the zoning designation of the subject lot from General Commercial (CG) to General Commercial A (CG-A). <p>Ordinance: # 2016-6-O</p> <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) Ordinance 2015-6-O with the following conditions (if any):</p> <ol style="list-style-type: none"> Any requirements that are approved under Ordinance 2016-3-O be applied to a car lot on this site.
---	--

BACKGROUND

The principle difference between the General Commercial (CG) and General Commercial A (CG-A) zones is that the CG does not allow used car sales, while the CG-A does. The property in question was home to Patch's Majestic Metals before an unfortunate fire burned the building to the ground. Since that time there have been some business operations in the back, but nothing has happened along the frontage.

Dastrup Auto is currently located in Orem, but is looking to locate in Lindon at the location in question. The property was recently purchased and is now owned by Dastrup Auto, Inc. The applicant's proposed site plan is attached.

PLANNING COMMISSION RECOMMENDATION

The Commission felt this site is a good candidate for a used car lot based on frontage, acreage, and location. However, they are in the process of reviewing Ordinance 2016-3-O which governs car lot site requirements. They were very clear that any adopted standards under that ordinance are to be applied to an operating lot on this site. A draft copy of the ordinance is attached for your reference.

ANALYSIS

- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the "planning commission shall recommend adoption of a proposed amendment only where the following findings are made:

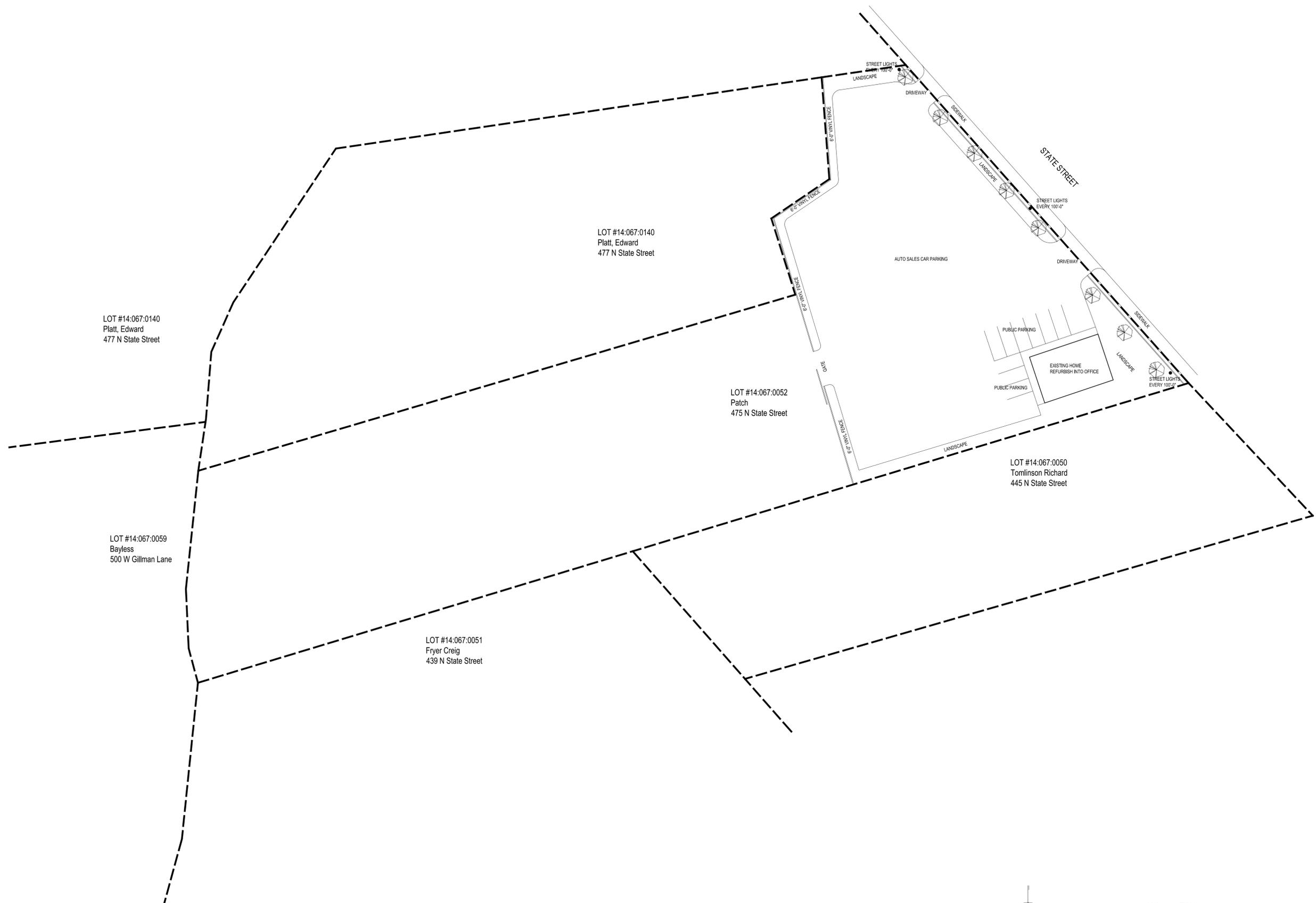
- The proposed amendment is in accord with the master plan of Lindon City;
- Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”
- The stated purpose of the General Commercial Zone is to “promote commercial and service uses for general community shopping.” Further, the “objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

ATTACHMENTS

1. Aerial photo of the proposed area to be re-classified.
2. Applicant’s proposed site plan
3. Current zoning of the area.
4. Ordinance 2016-3-O Car Lot Site Requirements Draft
5. Ordinance 2016-6-O



Dastrup Auto Inc
Zone Change Request
475 North State Street
2.29 acres



PROJECT NOTES

PROJECT TITLE

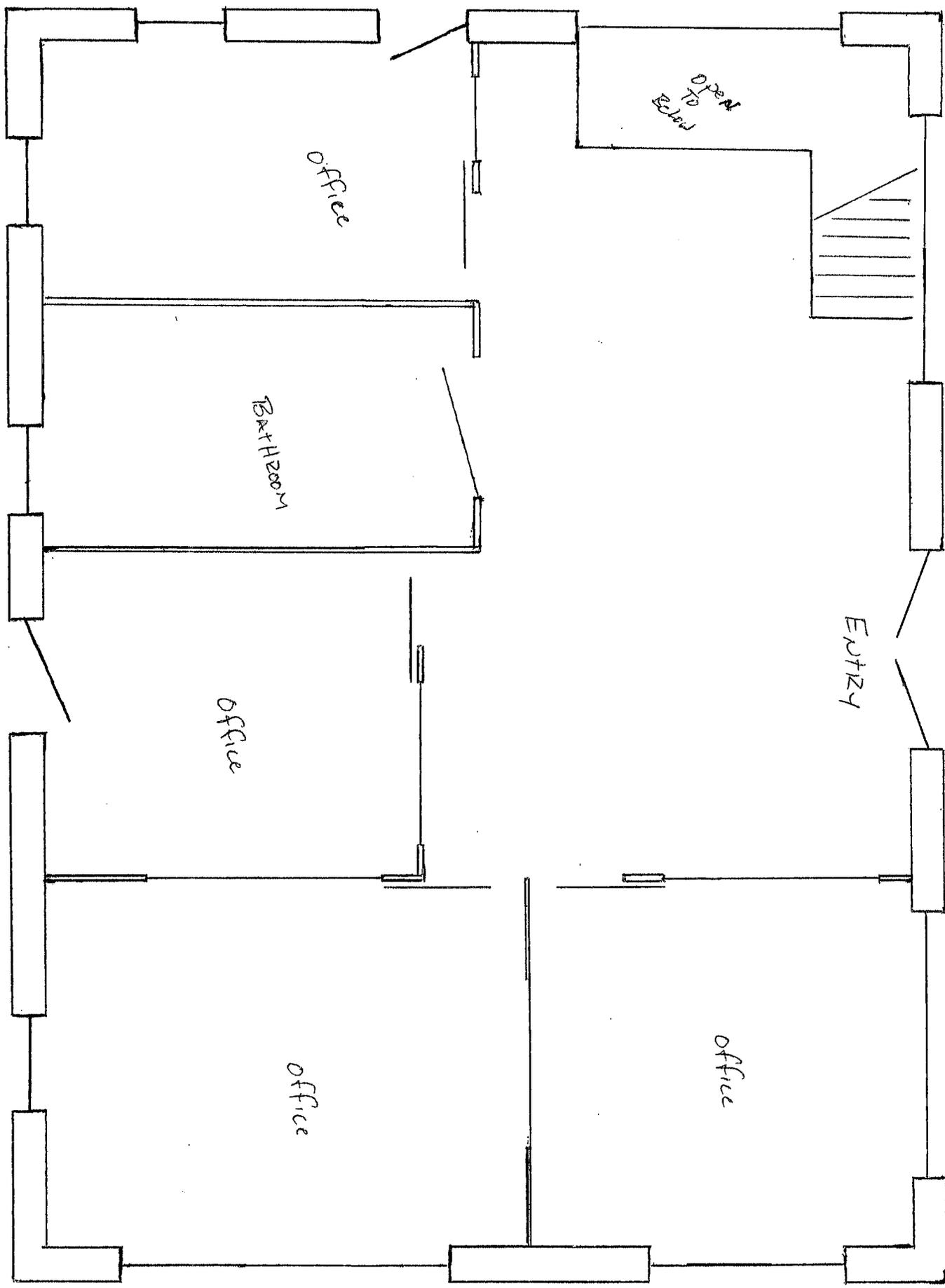


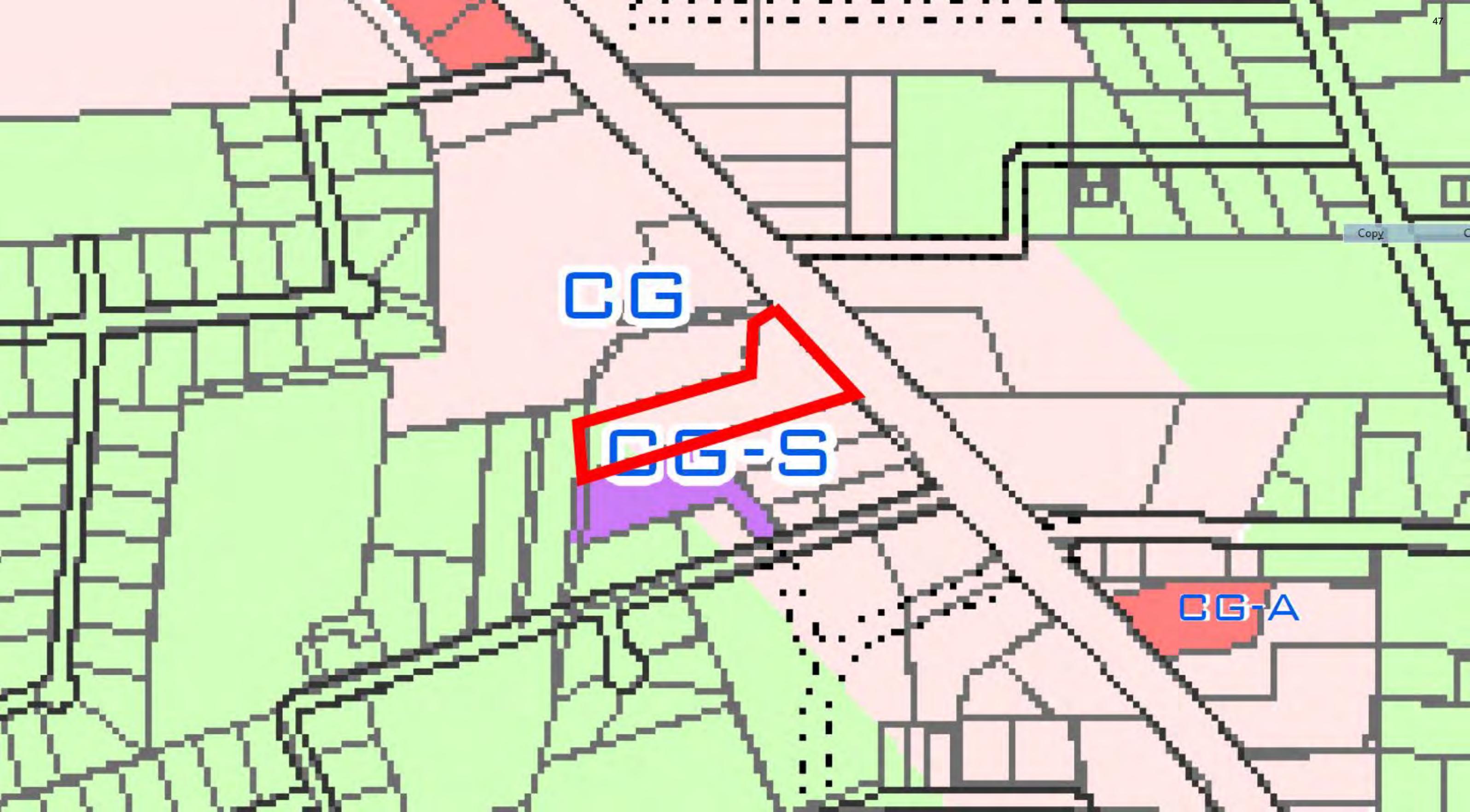
Preliminary Site Plan	
DATE:	November 2015
REVISIONS:	
A1.0	



Site Plan
SCALE 1" = 30'-0"

Proposed





CG

CG-S

CG-A

17.48.200 Vehicle Sales Lots

Sales lots for automobiles, RVs, boats, trailers, motorcycles, ATVs, and similar vehicles shall only be conducted in appropriate zones according to the Standard Land Use Table and shall be fully improved to comply with current city standards, including fully paved display area, permanent sales office built to the current building code, landscaping, streetlights and permanent signage. The following additional standards shall also apply:

1. Business License: Prior to the issuance of any business license, an applicant shall first obtain site plan approval from City Staff regarding the requirements in this Chapter and Section. Vehicle Sales Lot site plan applications are subject to an application fee as stated in the Lindon City Fee Schedule. Site plan submittals must meet the requirements contained in the Lindon City Land Development Policies, Standards, Specifications, and Drawings Manual.
2. Minimum Lot Size: One (1) acre
3. Minimum Frontage on a Public Street: Two hundred (200) feet; double frontage lots may count all frontage toward this requirement.
4. Parking Spaces:
 - a. See 17.18 Off-Street Parking for minimum number of stalls for employees and customers.
 - b. Dimensions shall meet requirements set forth in 17.18.020 Size of parking spaces and aisles.
 - c. Stalls must be clearly designated as "Customer" or "Employee" with an upright pole sign designating customer and employee parking spaces in order to differentiate from display stalls. These spaces shall not be used for parking vehicles which are for sale or for the display of any merchandise.
5. Parking Lot: See 17.18.080 Parking lot maintenance and design.
6. Display Spaces:
 - a. Dimensions shall meet requirements set forth in 17.18.020 Size of parking spaces and aisles.
 - b. All automobiles and other vehicles which are for sale at the auto lot shall be parked in the automobile showroom or in a parking space which is specifically designated for displaying merchandise for sale.
 - c. All vehicles for sale shall be parked and stored solely within the automobile lot.
7. Display Lot: See 17.18.080 Parking lot maintenance and design.
8. Display Area:
 - a. No merchandise shall be permitted to be stored on any required landscaped area, drive access, sidewalk or other public right of way or in any manner deemed a safety hazard to the general public.
 - b. No merchandise displayed shall exceed ten (10) feet in height as measured from the grade of the nearest public sidewalk.
9. Interior Landscaping:

- a. ~~Landscaping within the interior of the parking/display lot shall be required at forty (40) square feet per required customer/employee parking stall and twenty (20) square feet per vehicle display space. See 17.18.085 for interior landscaping standards.~~
 - b. ~~One (1) tree for every ten (10) customer/employee parking stalls is required and one (1) tree for every twenty (20) vehicle display spaces.~~
10. Buildings:
- a. Minimum 1,000 square foot building is required
 - b. Existing buildings transitioning to a vehicle sales office must be brought up to current Commercial Design Standards.
11. Storage: All parts and material incidental to the operation of dealership must be stored in a designated area and concealed from public view.
12. Repair and maintenance: Repair and/or maintenance of any vehicle/merchandise shall take place in an enclosed building.
13. Lighting: See 17.48.070 Site lighting
14. Signs on Vehicles: Signs placed on vehicles may not exceed two (2) square feet in size.

ORDINANCE NO. 2016-5-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY ZONING MAP FROM GENERAL COMMERCIAL (CG-) TO GENERAL COMMERCIAL-A (CG-A) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it necessary to amend portions of the Lindon City Zoning Map, specifically the properties generally located at the following addresses from General Commercial (CG) to General Commercial A (CG-A):

475 North State Street (Utah County Parcel #14:067:0052)

(See map labeled as Exhibit A);and

WHEREAS, the City finds it is necessary to amend the Zoning Map to benefit the City; and

WHEREAS, the Planning Commission recommended adoption of the revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the promotion of businesses and industry within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

WHEREAS, a public hearing was held on January 26, 2016 to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse effects were identified by the Commission during the hearing; and

WHEREAS, the Council held a public hearing on February 2, 2016 to consider the recommendation and no adverse effects were identified; and

WHEREAS, the current Zoning Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Zoning Map is hereby amended and will read as follows:

SECTION I:

See Exhibit A showing parcel changing from General Commercial (CG) to General Commercial A (CG-A) on the Lindon City Zoning Map.



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2016.

 Jeff Acerson, Mayor

ATTEST:

 Kathryn A. Moosman,
 Lindon City Recorder

SEAL

10. Joint Work Session / Discussion — Ivory Homes; Anderson Farms Development (60 minutes)

The City Council and the Planning Commission will discuss aspects of the proposed Ivory Homes development west of Geneva Road and South of 700 North. Items of discussion may include proposed density, setbacks, overall plan design, area-wide impacts, etc. As this is a discussion item only no public comment will be taken. No formal action will be taken at this time.

The Anderson Farms development proposal by Ivory Homes is scheduled to be heard in a public meeting with the Planning Commission on February 9th. Prior to that meeting the Council wanted to hold one last joint discussion item to review a few issues about the development with all decision makers together.

Staff will lead a discussion on various topics and possibly ask for straw poll votes on specific items in effort to see how comfortable Councilmembers and Commissioners feel with the specifics of the proposal. If possible, we would like to find common ground on several issues prior the proposal coming to a final vote.

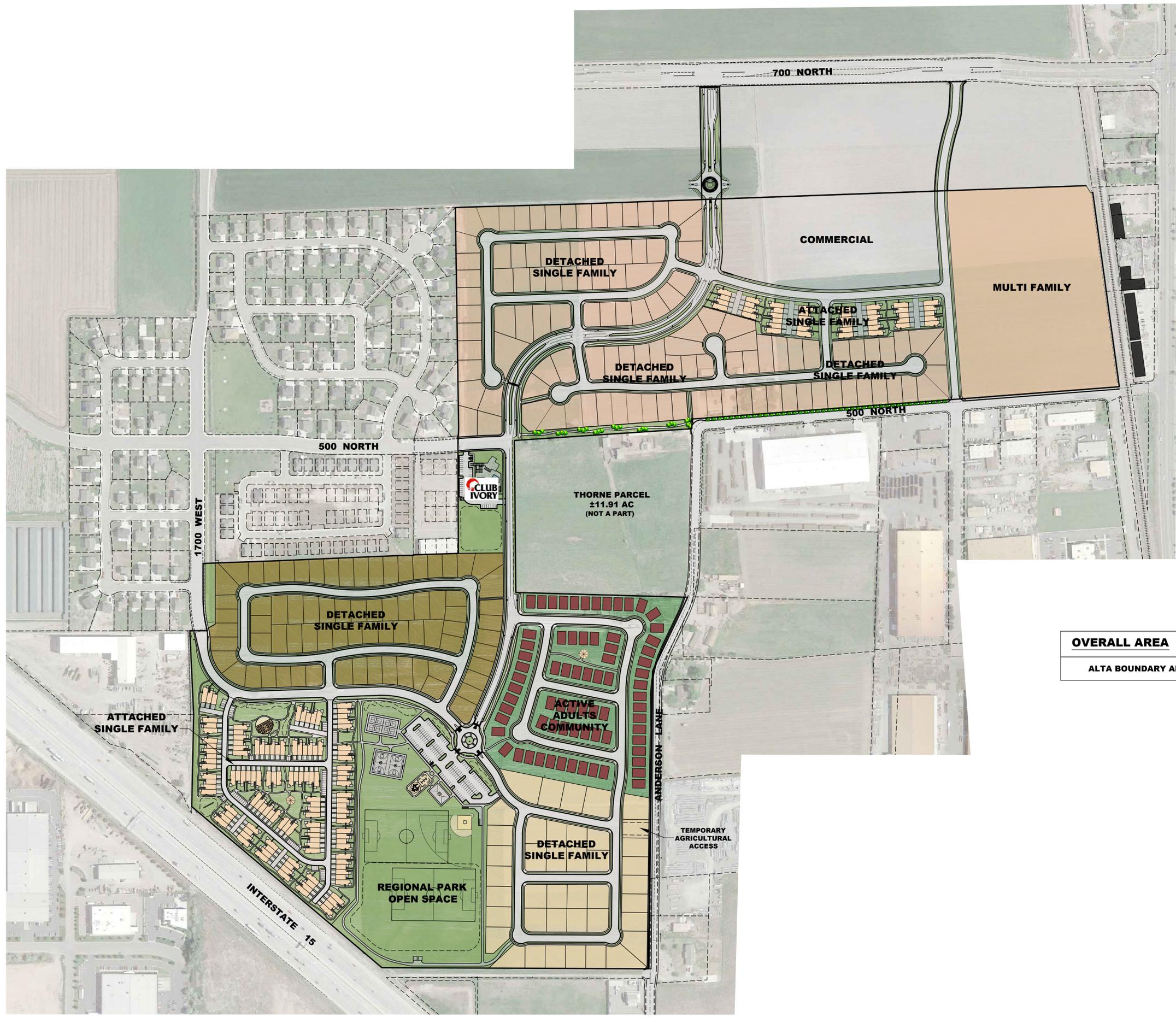
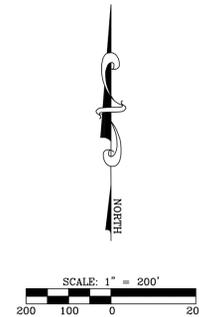
In the meeting Staff will provide a summary overview of the proposed Master Development Agreement, general impacts from the development, and review exhibits to the agreement.

Discussion may include the following:

- Number and density of housing units (apartments, townhomes, senior housing, single family)
- Apartment buildings configuration (height, bulk)
- Lots sizes
- Setbacks
- Compatibility with adjacent uses and zones
- Relationship to adjacent commercial development

This will be a discussion item only and no public comment will be taken. The Council and Planning Commission may choose to ask questions of Ivory's representatives if desired. No formal decisions will be made on these items. However, it is hopeful that clear direction and possible consensus on the development can be made for or against specific issues.

See attached updated exhibits for the development recently provided by Ivory.



OVERALL AREA	
ALTA BOUNDARY AREA	136.671

IVORY HOMES
 3340 NORTH CENTER STREET
 LEHI, UT. 84043
 (801) 407-6800

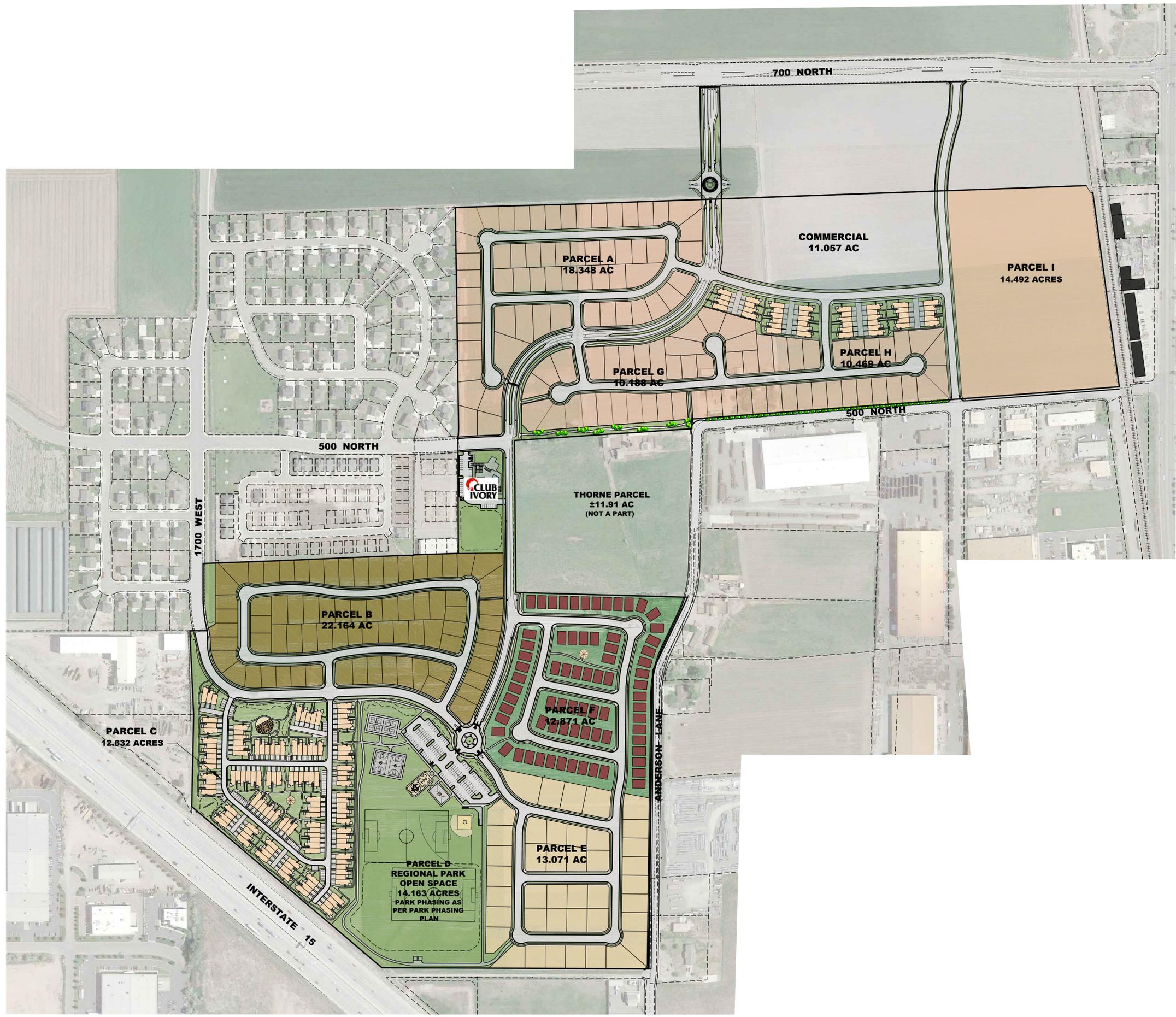
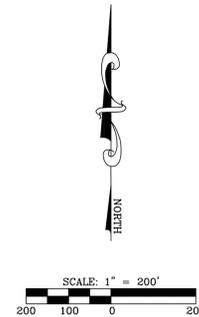
ANDERSON FARMS
 LONDON, UTAH
EXHIBIT B - PROPERTY CONCEPT PLAN

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 SCALE: 1" = 200'
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EXHIBIT
B

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ANDERSON FARMS
LONDON, UTAH

EXHIBIT C - PROPOSED LAYOUT OF PARCELS

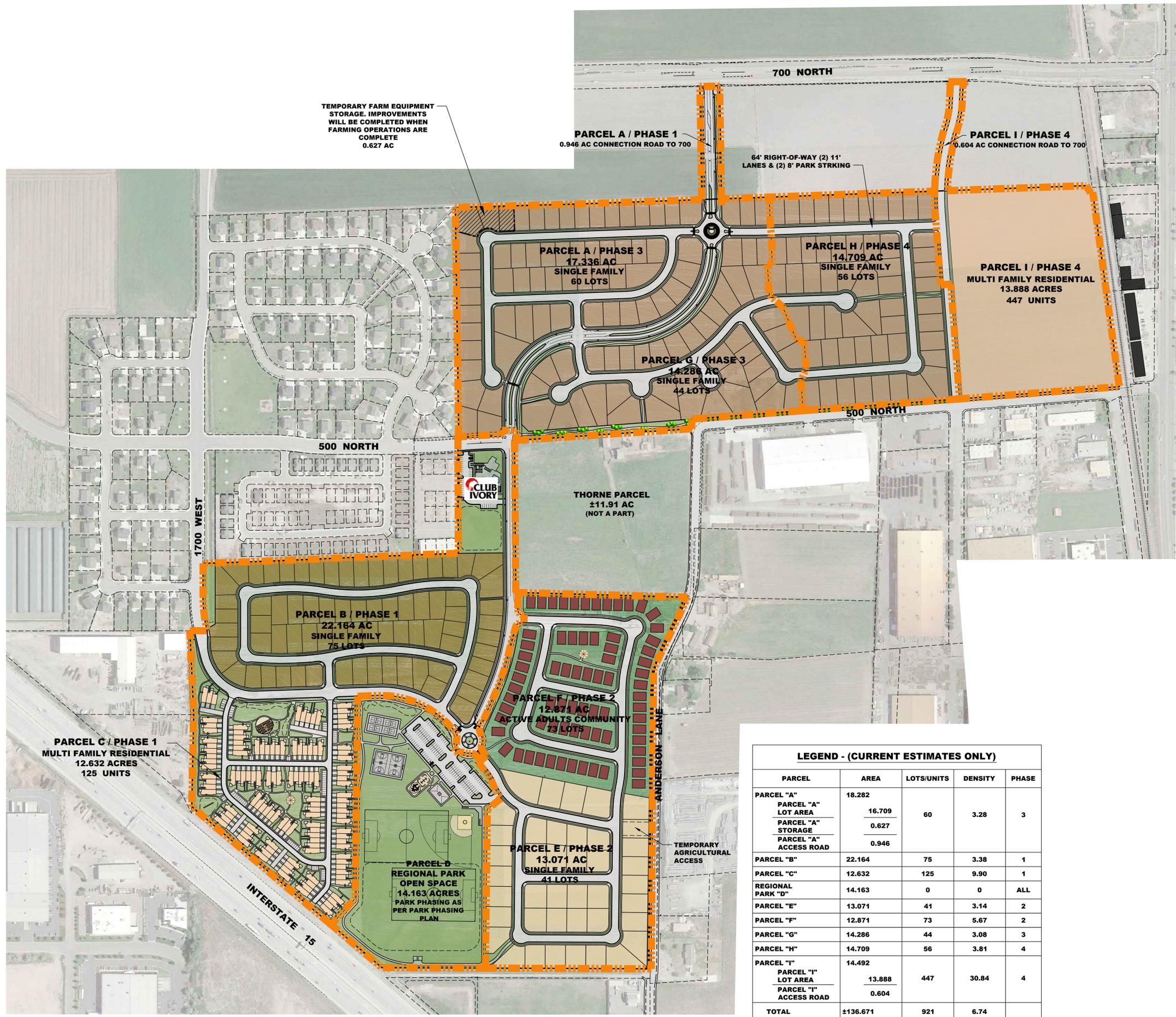
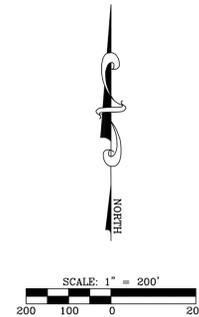
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3340 NORTH CENTER STREET
LEHI, UT. 84043
(801) 407-6800

EXHIBIT
C



LEGEND - (CURRENT ESTIMATES ONLY)

PARCEL	AREA	LOTS/UNITS	DENSITY	PHASE
PARCEL "A"	18.282			
PARCEL "A" LOT AREA	16.709	60	3.28	3
PARCEL "A" STORAGE	0.627			
PARCEL "A" ACCESS ROAD	0.946			
PARCEL "B"	22.164	75	3.38	1
PARCEL "C"	12.632	125	9.90	1
REGIONAL PARK "D"	14.163	0	0	ALL
PARCEL "E"	13.071	41	3.14	2
PARCEL "F"	12.871	73	5.67	2
PARCEL "G"	14.286	44	3.08	3
PARCEL "H"	14.709	56	3.81	4
PARCEL "I"	14.492			
PARCEL "I" LOT AREA	13.888	447	30.84	4
PARCEL "I" ACCESS ROAD	0.604			
TOTAL	±136.671	921	6.74	

IVORY HOMES

3340 NORTH CENTER STREET
LEHI, UT. 84043
(801) 407-6800

ANDERSON FARMS
LONDON, UTAH

EXHIBIT E - EXAMPLE OF MODIFIED CONCEPT PLAN

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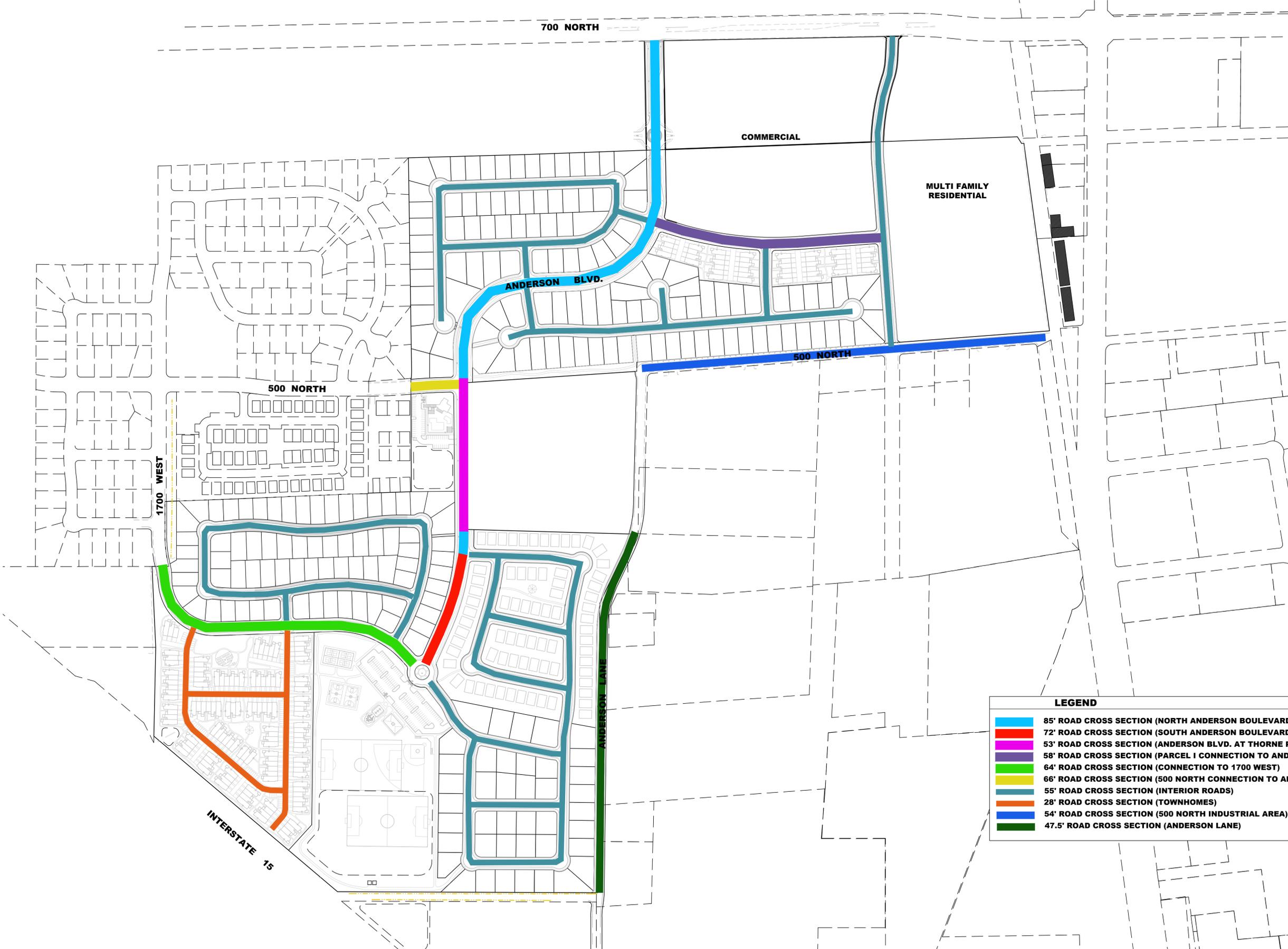
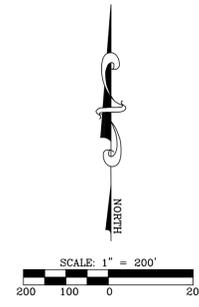
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A Utah Corporation
ENGINEERS
SURVEYORS
PLANNERS

3302 N. Main Street
 Spanish Fork, UT 84660
 Phone: 801.798.0555
 Fax: 801.798.9393
 office@lei-eng.com
 www.lei-eng.com



LEGEND

	85' ROAD CROSS SECTION (NORTH ANDERSON BOULEVARD)
	72' ROAD CROSS SECTION (SOUTH ANDERSON BOULEVARD)
	53' ROAD CROSS SECTION (ANDERSON BLVD. AT THORNE PROPERTY)
	58' ROAD CROSS SECTION (PARCEL I CONNECTION TO ANDERSON BLVD.)
	64' ROAD CROSS SECTION (CONNECTION TO 1700 WEST)
	66' ROAD CROSS SECTION (500 NORTH CONNECTION TO ANDERSON BLVD.)
	55' ROAD CROSS SECTION (INTERIOR ROADS)
	28' ROAD CROSS SECTION (TOWNHOMES)
	54' ROAD CROSS SECTION (500 NORTH INDUSTRIAL AREA)
	47.5' ROAD CROSS SECTION (ANDERSON LANE)

ANDERSON FARMS
 LONDON, UTAH
EXHIBIT J-1, STREET CROSS SECTIONS

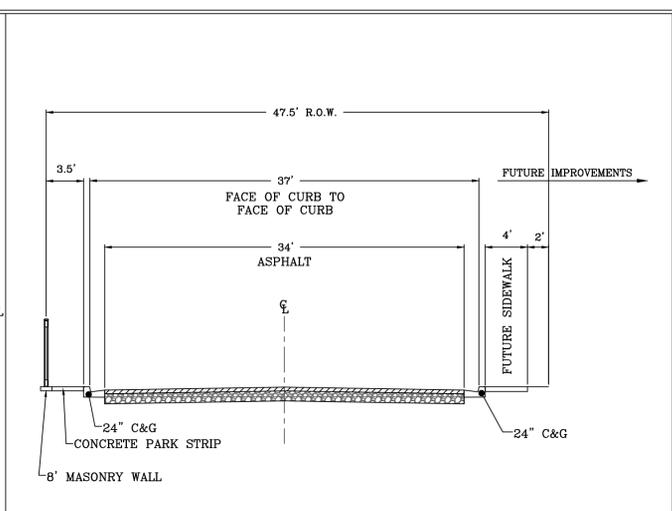
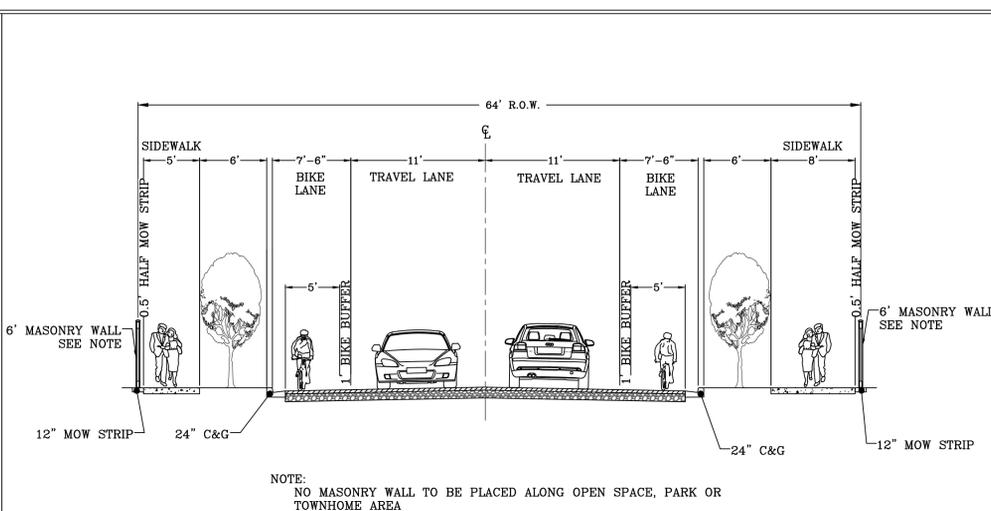
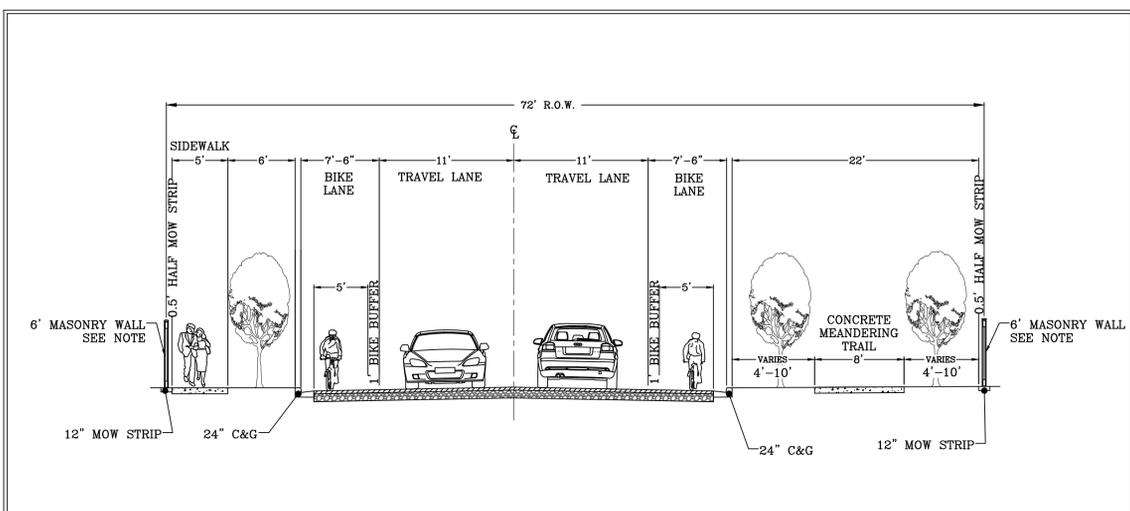
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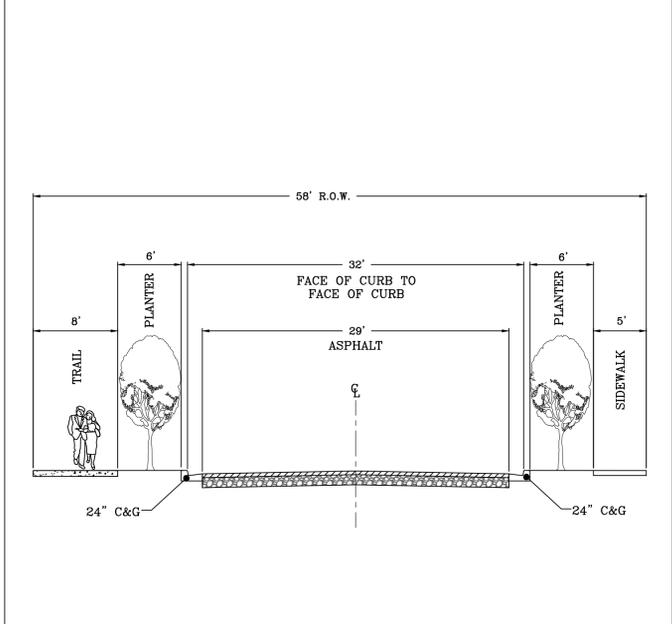
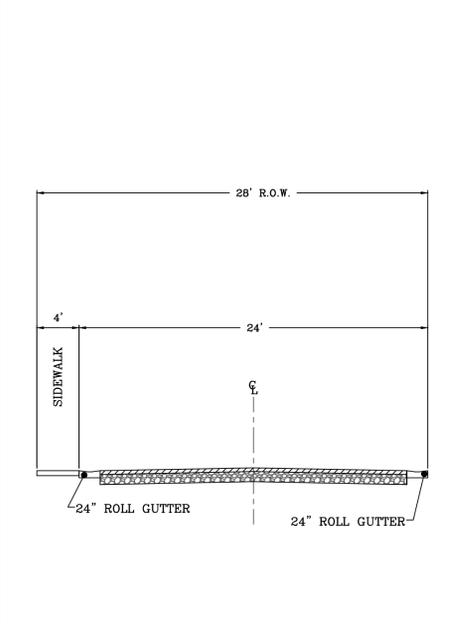
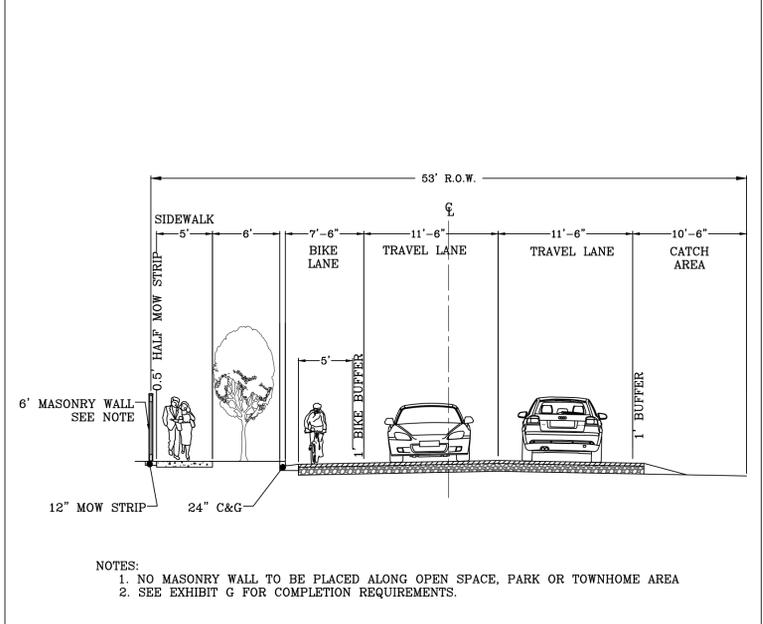
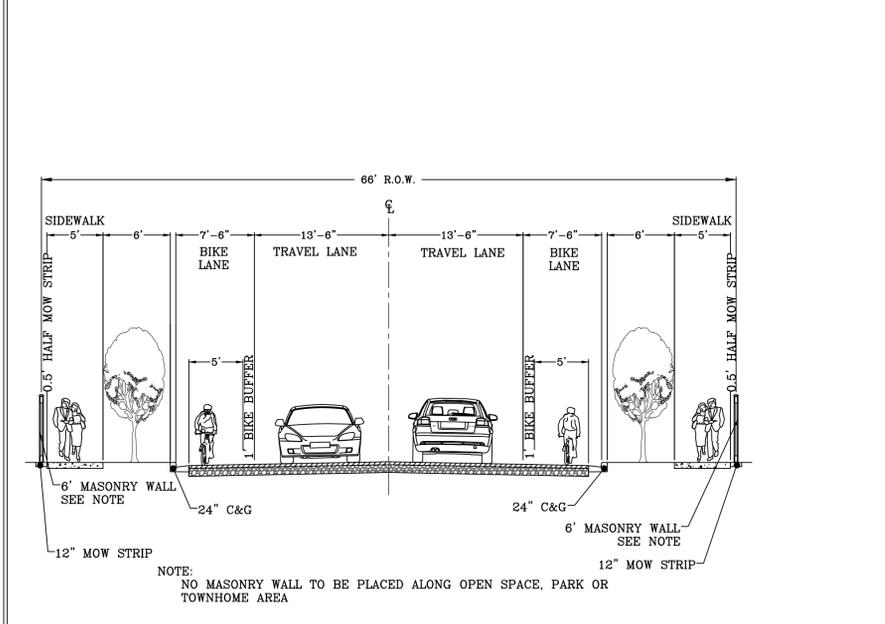
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1 72' ROAD CROSS SECTION SOUTH ANDERSON BOULEVARD

2 64' ROAD CROSS SECTION CONNECTION TO 1700 WEST

3 47.5' ROAD CROSS SECTION ANDERSON LANE

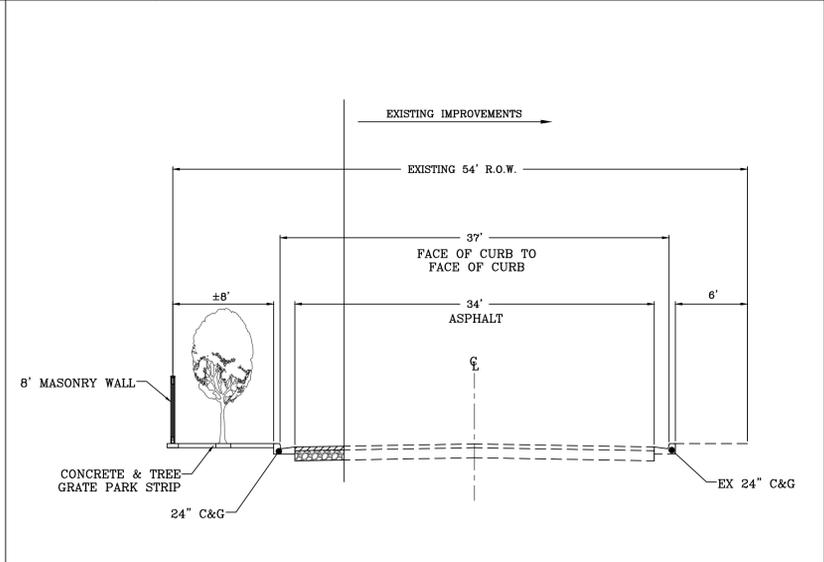
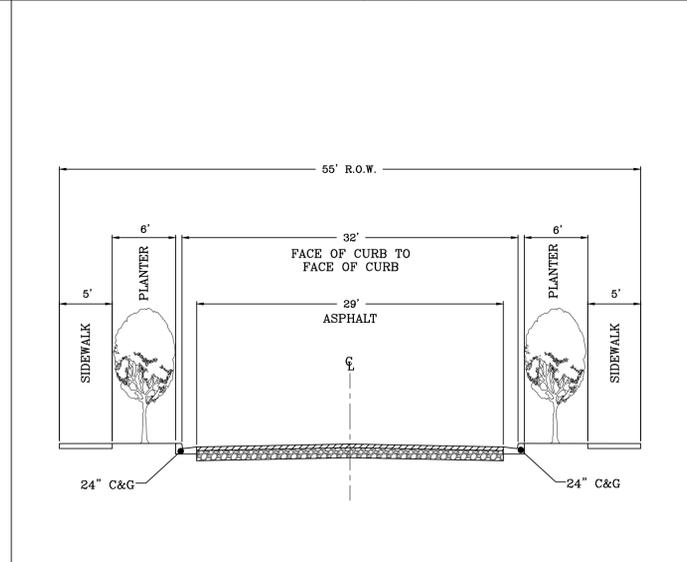
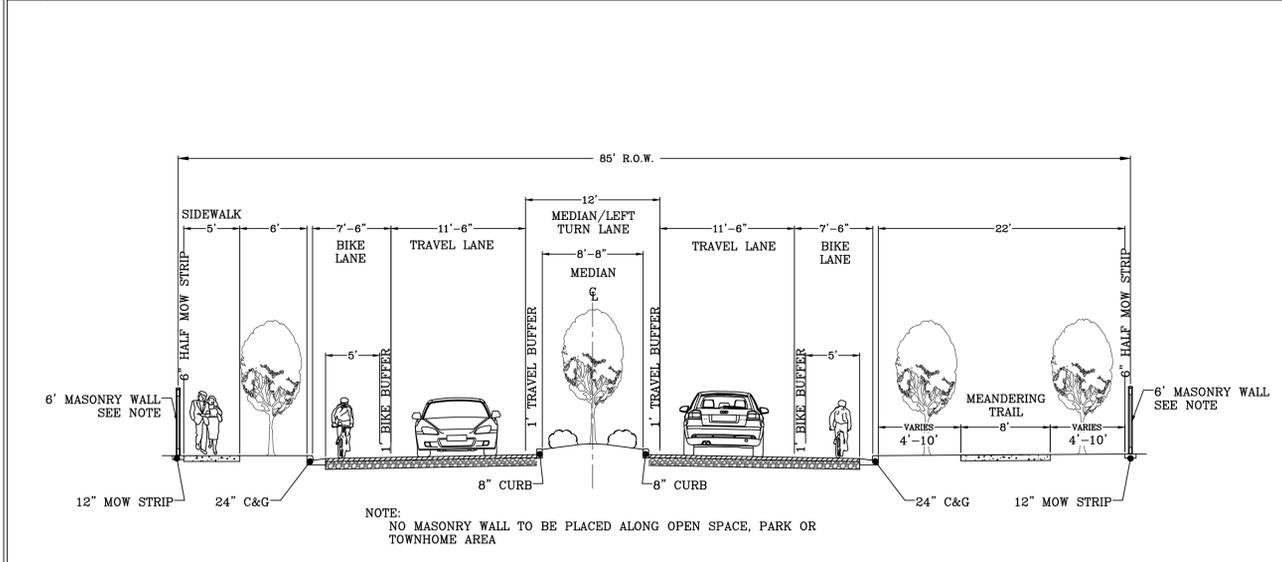


4 66' ROAD CROSS SECTION 500 NORTH CONNECTION TO ANDERSON BOULEVARD

5 53' ROAD CROSS SECTION ANDERSON BLVD AT THORNE PROPERTY

6 28' ROAD CROSS SECTION TOWNHOMES

8 58' ROAD CROSS SECTION PARCEL I CONNECTION TO ANDERSON BLVD



7 85' ROAD CROSS SECTION WITH MEDIAN NORTH ANDERSON BOULEVARD

8 55' ROAD CROSS SECTION INTERIOR ROADS

9 54' ROAD CROSS SECTION 500 NORTH INDUSTRIAL AREA

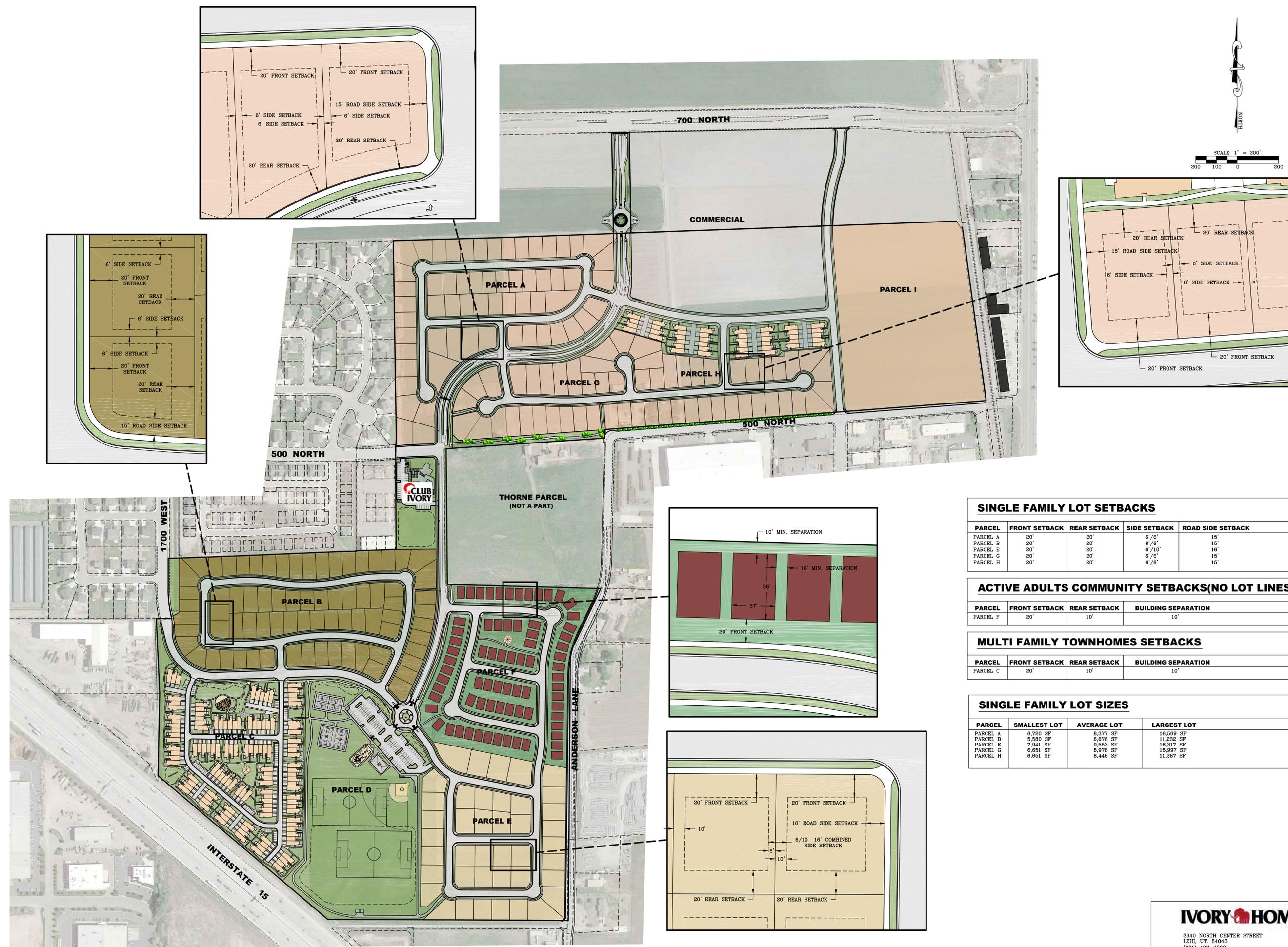
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SINGLE FAMILY LOT SETBACKS

PARCEL	FRONT SETBACK	REAR SETBACK	SIDE SETBACK	ROAD SIDE SETBACK
PARCEL A	20'	20'	6'/6'	15'
PARCEL B	20'	20'	6'/6'	15'
PARCEL E	20'	20'	6'/10'	16'
PARCEL G	20'	20'	6'/6'	15'
PARCEL H	20'	20'	6'/6'	15'

ACTIVE ADULTS COMMUNITY SETBACKS(NO LOT LINES)

PARCEL	FRONT SETBACK	REAR SETBACK	BUILDING SEPARATION
PARCEL F	20'	10'	10'

MULTI FAMILY TOWNHOMES SETBACKS

PARCEL	FRONT SETBACK	REAR SETBACK	BUILDING SEPARATION
PARCEL C	20'	10'	10'

SINGLE FAMILY LOT SIZES

PARCEL	SMALLEST LOT	AVERAGE LOT	LARGEST LOT
PARCEL A	6,720 SF	8,377 SF	16,569 SF
PARCEL B	5,580 SF	6,976 SF	11,232 SF
PARCEL E	7,941 SF	9,553 SF	18,317 SF
PARCEL G	6,651 SF	8,978 SF	15,997 SF
PARCEL H	6,651 SF	8,446 SF	11,287 SF

REVISIONS

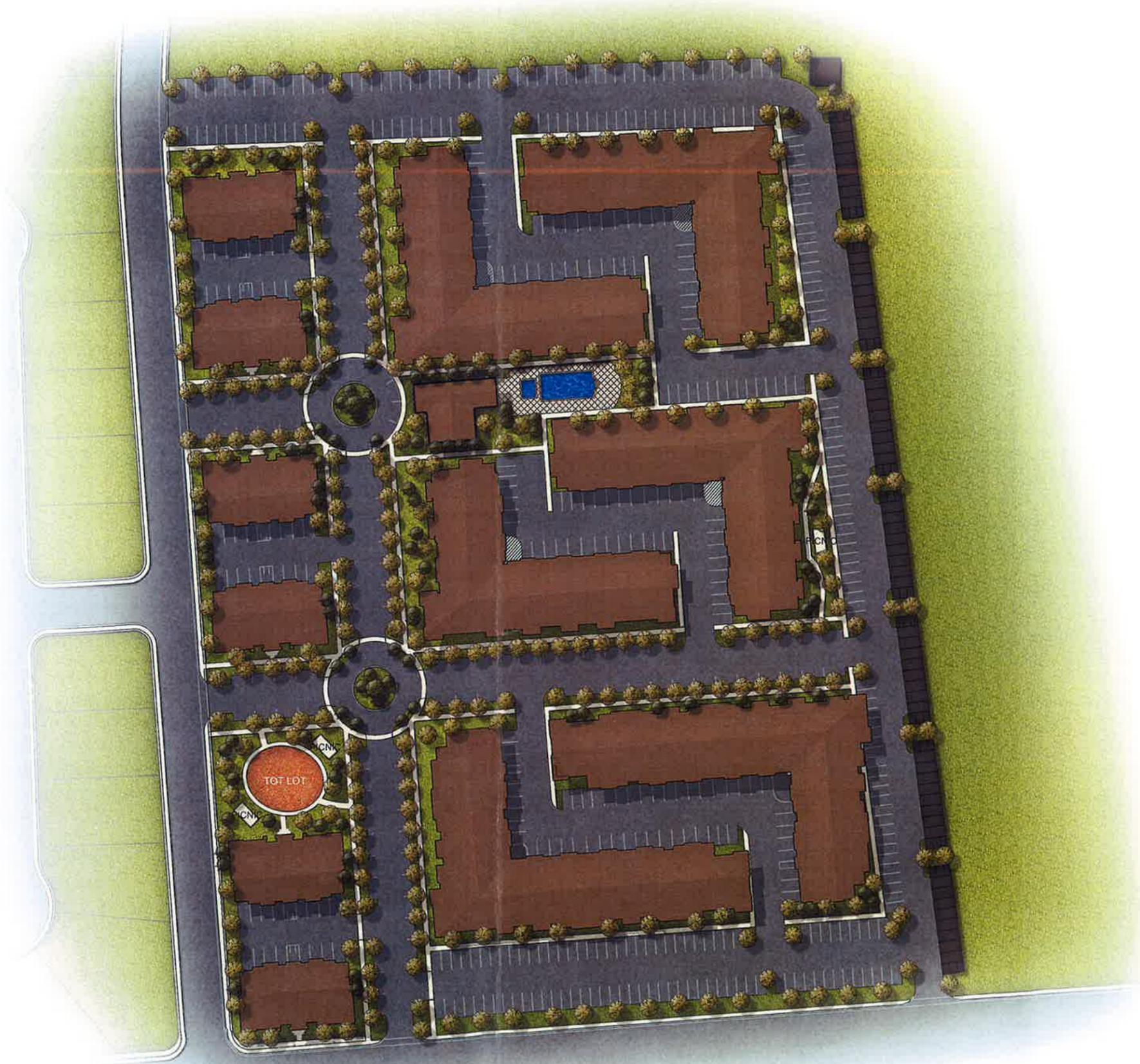
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IVORY HOMES
 3340 NORTH CENTER STREET
 LEHI, UT 84043
 (801) 407-6800

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ANDERSON FARMS - NORTH SITE PLAN



PARKING TABULATION:

apartments	447 units
1.8 / unit	= 805 stalls req'd.
PARKING PROVIDED:	
• surface:	570 stalls
• garages:	241 stalls
total parking:	811 stalls
ratio:	1.82 stalls / unit

DENSITY TABULATION:

site area	13.26 acres
no. of units:	447 units
density:	33.7 units / acre

SITE PLAN - NORTH PARCEL
 SCALE: 1" = 50'-0"
SCHEME 447

THIS DOCUMENT IS CONFIDENTIAL
 AND FOR ICO COMPANIES USE ONLY

SITE PLAN - NORTH PARCEL
SCHEME 447
 SCALE: 1" = 50'-0"

PROJECT/OWNER
 ANDERSEN FARM
 LINDON, UTAH
 LINDON, UT
 ICO DEVELOPMENT

ARCHITECT
 architecture

2033 dan drive
 layton, utah 84040
 (801) 593-9338 FAX
 (801) 593-9328



REVISION DATE
 XX

DATE
 18 MAR 2015

SHEET NUMBER
A1.2

II. Continued Item: Review & Action — Support for Adoption of 2015 International Energy Conservation Code (IECC) for Utah, Res #2016-5-R

(10 minutes)

This item was continued from the January 19, 2016 meeting. The City Council will review and consider a request by Mayor Acerson and the Mountainland Association of Governments Executive Council to approve Resolution 2016-5-R showing support for the State Legislature to adopt the 2015 International Energy Conservation Code (IECC) which contains more energy efficient building code requirements that will assist in reducing air pollution from homes and buildings.

Mayor Acerson attended a Mountainland Association of Governments (MAG) meeting in which the majority of members supported a request by Mayor Curtis of Provo to be more proactive in promoting air quality improvements throughout the Wasatch Front by consideration of the attached resolution.

MAG, Utah County, Utah County Health Department, and some local businesses are members of the Utah Valley Clean Air Task Force. The task force actively evaluates and implements solutions to reduce air pollution during the inversion season. Over the last two years the task force has encouraged residents of Utah Valley to reduce automobile emissions. The task force is also looking for solutions to reduce pollution from homes and buildings, which studies show account for up to 39% of the pollutants in the air.

The task force has determined that one way to reduce potential pollutants from homes and buildings is to adopt more energy-efficient building codes. The task force has asked MAG member cities, including Lindon, to support adoption of the 2015 International Energy Conservation Code as part of a planned update to the state building code by the Utah legislature in the upcoming legislative session.

The Chief Building Official from Lindon, Phil Brown, indicated this code update is being evaluated by State building code committees and expects some version of it to be adopted this summer. He did not oppose of the resolution supporting the building code changes and felt the proposed changes would be negligible to the City's inspection program.

Per the Council's prior request, references to supporting unspecified 'other air quality improvements' have been removed from the Resolution.

Here's some supplemental information on the IECC. This article has links to the Department of Energy's evaluations of the code updates and other helpful links.

http://www.builderonline.com/building/code/2015-iecc-what-you-need-to-know_o

http://www.builderonline.com/building/building-science/2015-iecc-what-else-you-need-to-know_o

Councilmember Broderick sent the following message to Staff after investigating the issue further. "I am in support of the resolution. The home builders association is working closely with the state, and still making a few adjustments, but they are supportive. This has been a good joint effort of business and government to come up with good solutions."

Sample Motion: I move to (approve, not approve, continue) Resolution #2016-4-R, with the following conditions:

Determinations

Commercial Determinations

Residential Determinations

2015 INTERNATIONAL ENERGY CONSERVATION CODE

On June 11, 2015, DOE issued a determination that the 2015 IECC would achieve greater energy efficiency in buildings subject to the code. DOE estimates national savings in residential buildings of approximately:

- 0.73% energy cost savings
- 0.87% source energy savings
- 0.98% site energy savings

Additional information related to this action, including the official Federal Register publication and docket containing public comments received, is available at [Regulations.gov](#) [4].

State Certification

Upon publication of an affirmative determination, States are required to certify that they have reviewed the provisions of their residential building code regarding energy efficiency, and made a determination as to whether it is appropriate for them to revise their code to meet or exceed the updated edition of the IECC. Additionally, DOE provides guidance to States on submitting certification statements and requests for deadline extensions. **State certifications for the 2015 IECC must be submitted by June 12, 2017.**

Supporting Analysis

DOE published a **technical analysis** [5] in support of its determination. This analysis assesses the updated IECC compared to the previous edition, and estimates the anticipated energy consumption of buildings that would be required to meet the code.

With each new edition of the IECC, DOE is required by statute to issue a determination as to whether the updated edition will improve energy efficiency in residential buildings. (42 U.S.C. 6833)

Residential Buildings

(5)(A) Whenever the CABO Model Energy Code*, 1992, (or any successor of such code) is revised, the [DOE] Secretary shall, not later than 12 months after such revision, determine whether such revision would improve energy efficiency in residential buildings. The [DOE] Secretary shall publish notice of such determination in the Federal Register.

(B) If the [DOE] Secretary makes an affirmative determination under subparagraph (A), each State shall, not later than 2 years after the date of the publication of such determination, certify that it has reviewed the provisions of its residential building code regarding energy efficiency and made a determination as to whether it is appropriate for such State to revise such residential building code provisions to meet

or exceed the revised code for which the [DOE] Secretary made such determination.

**As a predecessor to the ICC, the Council of American Building Officials (CABO) was responsible for development of the Model Energy Code (MEC). Contemporary energy codes are referred to and published as the International Energy Conservation Code (IECC)®.*

DOE typically performs a combination of qualitative analysis (i.e., comparison of individual code provisions) and quantitative analysis (i.e., whole-building simulation) in support of its determinations. The outcome of this analysis supports a determination as to whether new provisions improve building energy efficiency, as would be regulated by the updated code.

Previous DOE determinations [6] surrounding building energy codes are available for reference by states and local governments, as well as other interested stakeholders.

- **Contacts**
- **Web Site Policies**
- **U.S. Department of Energy**
- **USA.gov**

Source URL: <https://www.energycodes.gov/determinations>

Links:

[1] <http://www.regulations.gov/#!documentDetail;D=EERE-2014-BT-DET-0009-0006>

[2] https://www.energycodes.gov/sites/default/files/documents/901-2013_finalCommercialDeterminationQualitativeAnalysis_TSD.pdf

[3] https://www.energycodes.gov/sites/default/files/documents/901-2013_finalCommercialDeterminationQuantitativeAnalysis_TSD.pdf

[4] <http://www.regulations.gov/#!documentDetail;D=EERE-2014-BT-DET-0030-0007>

[5]

https://www.energycodes.gov/sites/default/files/documents/2015_IECC_FinalDeterminationAnalysis.pdf

[6] <https://www.energycodes.gov/regulations/determinations/previous>

RESOLUTION NO. 2016-5-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDON OUTLINING THEIR SUPPORT FOR ADOPTION OF THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) TO IMPROVE AIR QUALITY IN UTAH.

WHEREAS, the Utah Governor's Office of Energy Development reports that adoption of the 2015 International Energy Conservation Code (IECC) would save each new Utah homeowner \$297 per year; and

WHEREAS, analysis conducted by the Pacific Northwest National Laboratory finds that the 2015 IECC is cost-effective for new commercial buildings and homes, resulting in positive cash flow within two years for new home buyers; and

WHEREAS, air pollution gravely threatens the health of the people of Utah County as well as economic development; and

WHEREAS, homes and buildings now account for 39% of air pollution in Utah according to the Utah Division of Air Quality; and

WHEREAS, energy-efficient new homes and commercial buildings represent an important long-term air pollution reduction strategy by reducing energy consumption and resulting pollution emissions over the 100+ year life of building structures; and

WHEREAS, adoption of the 2015 IECC would reduce CO2 pollution in Utah by an estimated 5.06 million metric tons by 2040, the equivalent of taking over 84,000 cars off of the road every year; and

WHEREAS, adoption of the 2015 IECC would reduce by 1,502 tons Utah's emissions of direct pollution and precursors of PM2.5 and ozone, both grave health threats, by 2050; and

WHEREAS, improved energy efficiency will also buffer against spikes in utility rates by reducing demand for energy by 7.57 trillion BTU, consequently mitigating the need for utility companies to build new energy infrastructure and pass those costs on to consumers; and

WHEREAS, it is far more cost-effective to build-in energy efficient air pollution reduction technologies during construction, rather than retrofitting a home after it is constructed; and

WHEREAS, after considering the facts presented to the City Council of the City of Lindon, the Council finds that the City of Lindon should adopt a resolution stating its interest in state legislators adopting the 2015 IECC for Utah, and such action reasonably furthers the health, safety, and general welfare of the citizens of the City of Lindon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDON, UTAH, as follows:

1. The City Council is supportive of state legislators adopting the 2015 IECC for Utah.

2. The City Council instructs the City of Lindon Recorder to transmit duly authenticated copies of this resolution to the President of the Utah Senate, to the Speaker of the Utah House of Representatives, to the Clerk of the Legislature, and to the news media of Utah to include the Daily Herald, Salt Lake Tribune, and Deseret News.

Adopted and approved this 2nd day of February 2016.

By _____
Jeff Acerson, Mayor

Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

12. **Council Reports:**

(20 minutes)

- | | |
|---|--------------------|
| A) MAG, COG, UIA, Utah Lake, ULCT, NUVAS, Budget Committee | - Jeff Acerson |
| B) Public Works, Irrigation/water, City Buildings | - Van Broderick |
| C) Planning, BD of Adjustments, General Plan, Budget Committee | - Matt Bean |
| D) Parks & Recreation, Trails, Tree Board, Cemetery | - Carolyn Lundberg |
| E) Public Safety, Court, IHC Outreach, Lindon Days | - Randi Powell |
| F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee | - Jacob Hoyt |

13. Administrator's Report:

(15 minutes)

Misc Updates:

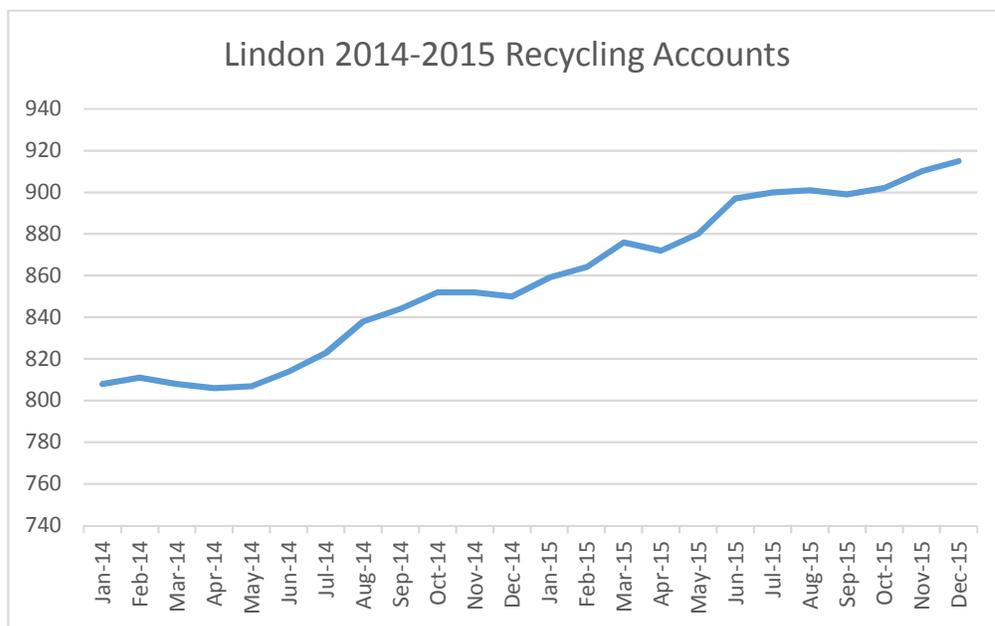
- January City newsletter: <http://siterepository.s3.amazonaws.com/442/january16final.pdf>
- March newsletter article: Jake Hoyt. Article due to Kathy Moosman last week in February.
- 2016 Legislative updates
- Public Safety Building: Pre-bid meeting held Jan 28th. Bids due Feb 11th
- PW Director vacancy after Don's retirement in April.
- Misc. Items:
Recycling accounts - see next page

Upcoming Meetings & Events:

- February 9th @ noon – Engineering coordination meeting at Public Works. **Van, Mayor, ??**
- February 9th – Planning Commission to review Ivory Development proposal in public hearing
- February 11th @ 6:00pm. – Budget kick-off meeting. Dinner/work session
- February 15th – City offices closed for Presidents Day
- March 5th @ 6pm – Little Miss Lindon Pageant at Oak Canyon Jr High
- March 29th @ noon. Budget Committee working lunch meeting

Adjourn

Jan-14	808
Feb-14	811
Mar-14	808
Apr-14	806
May-14	807
Jun-14	814
Jul-14	823
Aug-14	838
Sep-14	844
Oct-14	852
Nov-14	852
Dec-14	850
Jan-15	859
Feb-15	864
Mar-15	876
Apr-15	872
May-15	880
Jun-15	897
Jul-15	900
Aug-15	901
Sep-15	899
Oct-15	902
Nov-15	910
Dec-15	915



Glass Recycling: Republic Services does handle glass recycling, but not as part of the household garbage pick-up. It's collected in a large commercial retrofitted container. Cost to retrofit a container is about \$1,000. They would then pick up the container when full. Cost to empty is about \$325.00 each time. They said Pleasant Grove went 6 months before their first pick-up, then its increased to about once every 3 months.