

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
4 **January 28, 2014 at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100  
North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
Invocation: Del Ray Gunnell, Commissioner  
10 Pledge of Allegiance: Ron Anderson, Commissioner

12 **PRESENT** **ABSENT**

Sharon Call, Chairperson  
14 Ron Anderson, Commissioner  
Del Ray Gunnell, Commissioner  
16 Carolyn Lundberg, Commissioner  
Mike Marchbanks, Commissioner  
18 Rob Kallas, Commissioner  
Hugh Van Wagenen, Planning Director  
20 Jordan Cullimore, Associate Planner  
Kathryn Moosman, City Recorder

22

1. **CALL TO ORDER** – The meeting was called to order at 7:03 p.m.
- 24
2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of January 14,  
26 2014 were reviewed.

28 COMMISSIONER ANDERSON MOVED TO APPROVE THE MINUTES OF  
THE REGULAR MEETING OF JANUARY 14, 2014 AS AMENDED.  
30 COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

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34 3. **PUBLIC COMMENT** –

36

Chairperson Call called for comments from any audience member who wished to  
address any issue not listed as an agenda item. There were no public comments.

38 **CURRENT BUSINESS** –

- 40 4. **MAJOR SUBDIVISION:** *Long Orchard*. This is a request by Bryon Prince, on  
behalf of Ivory Development, for approval of an eleven (11) lot subdivision located at  
42 approximately 400 East and 170 South on approximately 6.7 acres in the Residential  
Single Family (R1-20) zone. Recommendations will be made to the City Council at  
44 the next available meeting.

46 Hugh Van Wagenen, Planning Director, opened the discussion by explaining this  
is a request by Ivory Development for approval of an eleven (11) lot subdivision named

2 Long Orchard on approximately 6.7 acres in the R1-20 zone. He noted that  
3 recommendations will be made to the City Council at their next available meeting.

4 Mr. Van Wagenen further explained that when a subdivision covers only a portion  
5 of a larger un-subdivided area, the applicant is required to submit a sketch proposing a  
6 future street system that demonstrates how the balance of un-subdivided land could be  
7 developed. He went on to say, in order to accomplish this, Ivory spoke with the home  
8 owner to the north, Miles Batty. Following discussion, it was conceived that a road could  
9 be stubbed to Mr. Batty's property, with a temporary turnaround, in order to facilitate  
10 future development. He noted that Mr. Batty hoped to gain two potential lots from the  
11 road passing through his property, however, when the conceptual layout was drawn, there  
12 was not enough acreage to facilitate two lots and the roadway on Mr. Batty's property; at  
13 that point Mr. Batty was not interested in a road being stubbed to his property.

14 Mr. Van Wagenen then presented photos showing the concept sketch. Mr. Van  
15 Wagenen stated that following the discussion with Mr. Batty, Ivory decided to keep the  
16 roadway entirely within the subdivision. He added that a standard cul-de-sac will service  
17 lots 105 and 106 as shown in the preliminary submittal. Mr. Van Wagenen then presented  
18 additional photos depicting the area in question.

19 Mr. Van Wagenen further discussed that the eleven lots proposed in the Long  
20 Orchard Subdivision meet minimum lot size and street frontage requirements. He added  
21 that there are no unusual or unique requests regarding this subdivision and it is pretty  
22 straightforward. He then turned the time over to the applicant.

23 Bryon Prince, representing Ivory Homes, addressed the Commission at this time.  
24 He noted that Ivory Homes is excited to build another great community here in Lindon.  
25 He added that the Community Development staff has been great to work with and very  
26 helpful. Mr. Prince commented that he has a catalog of the homes that will be offered for  
27 this subdivision. He noted they will be using a "mainline product" in this subdivision.  
28 Mr. Prince added that they do anticipate, because of the larger lots, the price point has not  
29 been dialed in as yet, but it will be in the 3,000 to 5,000 square foot homes. He added that  
30 the homes will be similar to the Orchard Park subdivision here in Lindon, which were 1/2  
31 acre lots.

32 Chairperson Call invited any residents in attendance to comment at this time.  
33 There were several residents in attendance who addressed the Commission as follows:

34 **Jay Ekstrom:** Mr. Ekstrom inquired what the drainage characteristics of the engineering  
35 will be. He stated that because of the way the flow is, all the drainage will come down.  
36 Mr. Prince stated that he had a meeting today with the City Engineer, Mark Christensen,  
37 regarding the storm drain and they have two (2) proposed ideas on how to accomplish  
38 this. He noted they will essentially bring the storm drain down and tie in from 170 south  
39 to connect to 300 east and then be piped to 200 south.

40 Mr. Ekstrom commented that the irrigation soaks in and if there is concrete and  
41 driveways etc., the water may run in to his backyard. Mr. Prince commented that they  
42 plan to make modifications for the stormdrain system to have it run through and along  
43 170 south to connect and pipe down to 200 south (per conversations with the City  
44 Engineer today) and added that they do need to do some fieldwork. Mr. Ekstrom stated  
45 that it could be a potential problem. Mr. Van Wagenen echoed Mr. Prince's comments  
46 stating that Mark Christensen, City Engineer, said it will be piped in some fashion so that  
47 it is all underground.

2 **Miles Batty:** Mr. Batty asked which way the stormdrain will run. Mr. Prince stated that it  
4 will run along 400 east and will be piped (ditch). He added they don't plan on any of the  
stormwater to flow from 400 east and they plan to discharge it into the piped ditch. He  
noted they are also working with the public works staff.

6 Commissioner Lundberg commented that it is safe to say, with this development,  
there will be no above ground irrigation anymore and the storm runoff is being handled.  
8 Chairperson Call asked for clarification that they will be working with the City Engineer  
so the drainage problems will be mitigated. Mr. Prince confirmed that they are working  
10 with the City Engineer and will bring back a detailed plan. Mr. Van Wagenen stated that  
this is a preliminary plat and staff will be working to solve these engineering details and  
12 issues. Commissioner Kallas commented that obviously there will be curb and gutter  
installed on the cul-de-sac on 170 south and asked if there will be sidewalks on 400 east.  
14 Mr. Prince confirmed that statement.

16 **Don Horton:** Mr. Horton stated that there is already a manhole within 5 ft. of the  
property to develop, so why would they have to dig up the newly paved road.  
18 Commissioner Marchbanks commented that is a sewer manhole not a stormdrain  
manhole. Mr. Van Wagenen stated that there will be some construction activity that will  
20 have to occur but they will mitigate any damage.

22 Following some additional general discussion regarding this agenda item  
Chairperson Call called for a motion.

24  
26 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE ELEVEN  
(11) LOT SUBDIVISION TO BE KNOWN AS LONG ORCHARD WITH THE  
CONDITION THAT THE DRAINAGE ISSUES GET WORKED OUT WITH STAFF  
28 AND THE CITY ENGINEER AND RECOMMEND APPROVAL TO THE CITY  
COUNCIL. COMMISSIONER ANDERSON SECONDED THE MOTION. THE VOTE  
30 WAS RECORDED AS FOLLOWS:

32 CHAIRPERSON CALL	AYE
COMMISSIONER ANDERSON	AYE
COMMISSIONER GUNNELL	AYE
34 COMMISSIONER LUNDBERG	AYE
COMMISSIONER MARCHBANKS	AYE
36 COMMISSIONER KALLAS	AYE

THE MOTION CARRIED UNANIMOUSLY.

38  
40 5. **PUBLIC HEARING:** *Ordinance Amendment, LCC 17.38 Completion Bonds.* This  
is a city initiated request to amend Lindon City Code 17.38 Bonds for Completion of  
42 Improvements to Real Property.

44 COMMISSIONER GUNNELL MOVED TO OPEN THE PUBLIC HEARING.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
46 VOTED IN FAVOR. THE MOTION CARRIED.

2 Mr. Van Wagenen, Planning Director, explained that this is a City initiated  
3 request to amend Lindon City Code 17.38 Bonds for Completion of Improvements to  
4 Real Property. He stated that this process will make things more standardized and protect  
5 the public and in some cases protect the developer. He added that some of the major  
6 changes will be when a warranty bond can be issued and also to add some line items into  
7 the development manual which will give some flexibility to the developer and will also  
8 follow state code. Mr. Van Wagenen noted that recommendations will be made to the  
9 City Council at their next available meeting.

10 Mr. Van Wagenen further explained that this is a draft only and is anticipated to  
11 change upon further staff review. Mr. Van Wagenen noted that staff will come back  
12 shortly with additional changes and the hope is to have it done by early March. Mr. Van  
13 Wagenen then directed the Commission to continue this item to the next Planning  
14 Commission meeting.

15 Chairperson Call asked if there were any public questions or comments from the  
16 Commission. Hearing none she called for a motion to continue this item.

17 COMMISSIONER KALLAS MOVED TO CONTINUE THE AMENDMENT  
18 TO LINDON CITY CODE 17.38 BONDS FOR COMPLETION OF IMPROVEMENTS  
19 TO REAL PROPERTY AS SHOWN FOR FURTHER REVIEW AND STUDY.  
20 COMMISSIONER GUNNELL SECONDED THE MOTION. THE VOTE WAS  
21 RECORDED AS FOLLOWS:

22 CHAIRPERSON CALL	AYE
23 COMMISSIONER ANDERSON	AYE
24 COMMISSIONER GUNNELL	AYE
25 COMMISSIONER LUNDBERG	AYE
26 COMMISSIONER MARCHBANKS	AYE
27 COMMISSIONER KALLAS	AYE

28 THE MOTION CARRIED UNANIMOUSLY.

29 6. **PUBLIC HEARING:** *Ordinance Amendment, LCC 17.48.100(4)(h) Fencing.* This  
30 is a city initiated request to amend fencing standards in Lindon City Code  
31 17.48100(4)(h) Commercial Zone, to remove the requirement that landscaping along  
32 street frontages in the PC-1 and PC-2 zones must contain white vinyl fencing.

33 Jordan Cullimore, Associate Planner, led the discussion by explaining this is a  
34 Planning Commission initiated request to amend fencing standards in Lindon City Code  
35 17.48.100(4)(h) Commercial Zone, to remove the requirement that landscaping along  
36 street frontages in the PC-1 and PC-2 zones must contain white vinyl fencing. Mr.  
37 Cullimore noted in the previous Planning Commission meeting held on January 14<sup>th</sup>, the  
38 Planning Commission recommended removal of the white vinyl fencing requirement in  
39 Commercial Zones in Lindon due to the fact that it can be difficult to maintain for  
40 property owners. He added that it was also recommended to “encourage the fencing  
41 instead of “requiring” the fencing. Mr. Cullimore stated this amendment will make that  
42 change consistent in the Code and recommendations will be made to the City Council at  
43 their next available meeting.

44 Mr. Cullimore then referenced Section 17.48.100 (4)(h) followed by discussion  
45 by the Commissioners:

17.48.100(4)(h)

2 h. ~~All required landscaping that abuts frontage on a dedicated street in the PC-1~~  
3 ~~and PC-2 zones shall contain a continuous white vinyl ranch style two (2) rail fence. The~~  
4 ~~fence shall be three (3) feet tall with post dimensions of five (5) inches by five (5) inches~~  
5 ~~with rail dimensions of two (2) inches by six (6) inches. The posts shall be installed eight~~  
6 ~~(8) feet on center with two (2) rails between posts. The fence shall be placed adjacent to~~  
7 ~~any dedicated streets so as to generally appear in a continuous fashion. Placement of the~~  
8 ~~fence shall typically be two (2) feet behind the sidewalk within the required landscaping~~  
9 ~~strip. Any variation to the location of this fence requirement may be granted by the~~  
10 ~~Planning Commission.~~

12 Mr. Cullimore noted after the discussion at the last meeting staff recommends  
13 striking the above mentioned section in the code.

14  
15 Chairperson Call asked if there were any public questions or comments from the  
16 Commission. Hearing none she called for a motion.

18 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE  
19 AMENDMENT TO LINDON CITY CODE 17.48.100 (4)(H) AS SHOWN WITH NO  
20 CONDITIONS. COMMISSIONER KALLAS SECONDED THE MOTION. THE  
21 VOTE WAS RECORDED AS FOLLOWS:

22 CHAIRPERSON CALL AYE  
23 COMMISSIONER ANDERSON AYE  
24 COMMISSIONER GUNNELL AYE  
25 COMMISSIONER LUNDBERG AYE  
26 COMMISSIONER MARCHBANKS AYE  
27 COMMISSIONER KALLAS AYE

28 THE MOTION CARRIED UNANIMOUSLY.

30 7. **PUBLIC HEARING:** *Amendment, Commercial Design Guidelines on Fencing.*

31 This is a city initiated request to amend the Lindon City Design Guidelines to  
32 encourage, instead of require, the installation of white vinyl fencing in commercial  
33 zones.

34  
35 Mr. Cullimore led the discussion by explaining this is a City initiated request to  
36 amend the Lindon City Commercial Design Guidelines to encourage, instead of require,  
37 the installation of white vinyl fencing in commercial zones. He noted that in the previous  
38 Planning Commission meeting held on January 14, 2014, the Planning Commission  
39 recommended removal of the white vinyl fence requirement in Commercial Zones. Mr.  
40 Cullimore stated this amendment will make that change consistent in the Commercial  
41 Design Guidelines. He added that recommendations will be made to the City Council at  
42 their next available meeting.

44 Mr. Cullimore then referenced the proposed amendments followed by some  
45 general discussion by the Commissioners:

46 **2.5.2 Fencing**

- A white two rail fence is required encouraged in all CG, MC, and PC-1-2 zones to enhance the character and consistency of the commercial area of Lindon City.
- Fences should not block access of pedestrians from the sidewalk to a commercial structure(s).
- Fencing height shall be 36 inches.

#### 4.2 Lindon Design Theme

The basis of the following guidelines is respect for Lindon’s historic building forms. Accordingly, the design of future development along State Street and 700 North should incorporate, as much as possible, these historic building forms. Craftsman and alpine style developments are similar to these historical buildings are also acceptable. Individual buildings with smaller footprints better fit this historic theme than larger buildings and “big box” retailers. The historic feel of Lindon can be further enhanced through site design. Streetscapes should include sidewalks, and street trees, and a white split-rail fence to create an attractive and safe environment for pedestrians. Locating most off-street parking on the sides and rear of buildings will help preserve the traditional, small-town feel of Lindon. As the Lindon City slogan “a little bit country” expresses, the community has a desire to preserve its rural heritage. The design of the State street and 700 North corridors should reinforce this desire.

Mr. Cullimore noted that the white vinyl fencing is also discussed in the Appendix to the Commercial Design Guidelines as follows:

#### VI. Appendices

**I. Preference List:** These architectural features are considered desirable and are suggested as “recurring themes” for buildings within the City.

- Cupolas
- Arched windows with muntins
- Exposed Timbers
- White two-rail fences along streets & walkways
- Pitched roofing styles
- Stone wainscot and other stone or brick accents
- “Country Accents” in line with the Lindon theme, “A Little Bit of Country.”

Mr. Cullimore noted this reference is already expressed as a preference, so no change is recommended. Commissioner Lundberg suggested including the specifications in the guidelines so there is not random fencing and which will enhance the character and consistency. Commissioner Kallas mentioned the possibility of removing paragraph “2.5.2 Fencing” altogether. Commissioner Lundberg stated if the paragraph is removed, along with bullet point “Fencing height shall be 36 inches” it may allow someone to install a very tall fence right on the sidewalk. Mr. Van Wagenen agreed that could open it up. There was then additional discussion regarding this issue.

Commissioner Kallas suggested striking the first bullet and leaving the other two in. Mr. Van Wagenen stated that option may work. Commissioner Anderson stated he feels it would be alright to leave the first bullet point in, because encouraging is a lot different than requiring, and people are going to love it or hate it and do it one way or the other regardless, but to give them the option.

2 Mr. Van Wagenen commented that the Commercial Design Guidelines are in  
place to just encourage and are not requirements. Commissioner Kallas stated that he sees  
4 so many instances of broken, sagging or unmaintained white vinyl fencing in the city and  
he just does not like to the look of it. Chairperson Call asked if there are any requirements  
6 by the city that the vinyl fencing should be maintained. Mr. Van Wagenen confirmed that  
statement. Commissioner Gunnell stated that a property owner may tear out the fence  
8 rather than be required to maintain it. Commissioner Marchbanks agreed that property  
owners would rather remove it than be required to maintain it, and commented that  
because of that reason, among others, he thinks this requirement may eventually go away.  
10 Commissioner Anderson pointed out that at least they would have that privilege of  
deciding. Chairperson Call commented that if they choose to keep the fence they must  
12 maintain it. Chairperson also suggested leaving the section as written with the language  
“encouraged” included and in the appendences, item d, where it references the white two-  
14 rail fences along streets & walkways, that the specifics be included.

Commissioner Lundberg mentioned bullet point number three in the section 2.5.2  
16 that references the fencing height shall be 36 inches. She inquired if there should be a  
height range included. Mr. Van Wagenen stated that the 36 inch requirement was  
18 specifically for the white two-rail fence so it would be uniform. Mr. Cullimore stated that  
36 inches is not an unusual standard, but they can look at the code to see if there are  
20 specific zoning requirements that are different from what the Design Guidelines state.  
Commissioner Anderson suggested adding the “fencing height shall not exceed 36  
22 inches” to the language. The Commissioners were in agreement to Commissioner  
Anderson’s suggestion.  
24

Chairperson Call asked if there were any public comments. Hearing none she  
26 called for a motion to close the public hearing.

28 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER ANDERSON SECONDED THE MOTION. ALL PRESENT  
30 VOTED IN FAVOR. THE MOTION CARRIED.

32 Chairperson Call asked if there were any further questions or comments from the  
Commission. Hearing none she called for a motion.  
34

COMMISSIONER LUNDBERG MOVED TO APPROVE THE AMENDMENT  
36 TO THE COMMERCIAL DESIGN GUIDELINES 2.5.2 AND 4.2 AS SHOWN WITH  
THE FOLLOWING CONDITIONS: 1. IN SECTION 2.5.2 BULLET POINT NUMBER  
38 THREE (3) FENCING HEIGHT LANGUAGE SHALL BE CHANGED TO “SHALL  
NOT EXCEED 36 INCHES” AND 2. THE WHITE 2 RAIL FENCE PREFERENCED  
40 ARCHITECTURAL ITEM SHALL PROVIDE A SPECIFICATION LIST INCLUDED  
IN THE APPENDICES PREFERENCE LIST OF HOW THE FENCING WILL BE  
42 CONSISTENT WITH THE PREVIOUS LANGUAGE IN AMENDMENT  
17.48.100(4)(H). COMMISSIONER GUNNELL SECONDED THE MOTION. THE  
44 VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
46 COMMISSIONER ANDERSON	AYE
COMMISSIONER KALLAS	NAY
48 COMMISSIONER LUNDBERG	AYE

COMMISSIONER GUNNELL AYE  
2 COMMISSIONER MARCHBANKS NAY  
THE MOTION CARRIED 4 to 2.

4  
6 *Commissioner Marchbanks noted his nay vote is given because he would like to see the requirement totally stricken.*

8 *Commissioner Kallas noted his nay vote is given because he feels this will make the process itself too cumbersome.*

10  
12 8. **DISCUSSION ITEM:** *Election of Planning Commission Chair and Vice-chair.* The Commission will hold elections for the positions of Chair and Vice-Chair for the upcoming year.

14  
16 Mr. Van Wagenen opened the discussion by noting that the current chair of the Planning Commission is Sharon Call and the current Vice-chair is Ron Anderson. He stated that the election for Chair and Vice-chair are held annually. He then referenced  
18 LCC 17.08.050 Planning Commission Policies and Procedures as follows:

20 1. Organization

22 i) Quorum - A quorum of at least four Planning Commission members must be present to hold a meeting and conduct business according to a legally prepared and posted agenda.

24 iii) Chairman and Vice Chairman - The annual election of the Chairman and Vice Chairman shall take place once each year. Nominations for each office shall be received from the voting Commission members. The Chairman and Vice Chairman shall serve for a term of one year. In the event of absence or disability of the Chairman, the Vice Chairman shall preside. In the absence of both, the members shall appoint a Chairman for the meeting. The Vice Chairman shall succeed the Chairman for the period of the unexpired term if he or she vacates office before the term is completed. A new Vice Chairman shall be elected at the next regular meeting.

32  
34 Following some general discussion regarding this agenda item Chairperson Call called for a motion.

36 COMMISSIONER ANDERSON MOVED TO APPOINT SHARON CALL AS  
38 THE PLANNING COMMISSION CHAIRPERSON AND CAROLYN LUNDBERG AS VICE CHAIR FOR 2014. COMMISSIONER KALLAS SECONDED THE MOTION.  
THE VOTE WAS RECORDED AS FOLLOWS:

40 CHAIRPERSON CALL AYE  
COMMISSIONER ANDERSON AYE  
42 COMMISSIONER GUNNELL AYE  
COMMISSIONER LUNDBERG AYE  
44 COMMISSIONER MARCHBANKS AYE  
COMMISSIONER KALLAS AYE  
46 THE MOTION CARRIED UNANIMOUSLY.

48 9. **NEW BUSINESS** – Reports by Commissioners.

2 Chairperson Call called for any new business or reports from the Commissioners.  
4 Chairperson Call mentioned a speed bump located near 140 North and about 980 East.  
6 Apparently the speed bump sign is shielded by a tree so motorists can't see the sign and  
8 consequently hit the speed bump at full force. She stated that the tree needs to be trimmed  
10 so the sign can be seen by motorists. Chairperson Call stated she will email Mr. Van  
12 Wagenen the exact address. Commissioner Gunnell mentioned an advertisement for new  
14 senior housing apartments in Orem (on Center Street). He noted the starting rent is  
16 \$1,900 dollars which is a lot higher than the proposed development in Lindon.  
18 Chairperson Call called for any further comments. Hearing none she moved on to the  
20 next agenda item.

12 **10. PLANNING DIRECTOR'S REPORT-**

14 Mr. Van Wagenen reported on the following City Council updates:

- 16 • Old Rail Estates
- 18 • Storage Definition
- 20 • Amended Site Plans
- 22 • Utopia/Macquarie Partnership
- 24 • Open Council Seat, Interviews on February 18<sup>th</sup>
  - North Utah County Transit Study
  - Bicycle/Pedestrian Master Plan Open House
    - February 12<sup>th</sup>, 5-7 p.m. at Community Center
    - Survey: <https://www.surveymonkey.com/s/lindonwalkbike>

26 Chairperson Call asked if there were any other comments or discussion from the  
28 Commissioners. Hearing none she called for a motion to adjourn.

28 **ADJOURN -**

30 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE  
32 MEETING AT 8:55 P.M. COMMISSIONER KALLAS SECONDED THE MOTION.  
34 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 Approved – February 11, 2014

38 \_\_\_\_\_  
39 Sharon Call, Chairperson

44 \_\_\_\_\_  
45 Hugh Van Wagenen, Planning Director