

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **May 26, 2015 at 7:30 p.m.** at the Lindon City Center, City Council Chambers, 100 North
State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:30 P.M.

8 Conducting: Sharon Call, Chairperson
Invocation: Andrew Skinner, Commissioner
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

12 **PRESENT** **ABSENT**

Sharon Call, Chairperson
14 Bob Wily, Commissioner
Mike Marchbanks, Commissioner
16 Rob Kallas, Commissioner
Matt McDonald, Commissioner
18 Andrew Skinner, Commissioner
Hugh Van Wagenen, Planning Director
20 Jordan Cullimore, Associate Planner
Kathy Moosman, City Recorder

22 **Special Attendee:**
24 Cody Cullimore, Chief of Police

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:30 p.m.
28 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of May 12, 2015
were reviewed.

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32 COMMISSIONER WILY MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF MAY 12, 2015 AS AMENDED. COMMISSIONER
34 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
THE MOTION CARRIED.

36 3. **PUBLIC COMMENT** –

38 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.

40 **CURRENT BUSINESS** –

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44 COMMISSIONER MCDONALD MOVED TO AMEND THE AGENDA
ORDER TO BEGIN WITH AGENDA ITEM NUMBER SIX (6). COMMISSIONER
46 SKINNER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
MOTION CARRIED.

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2 6. **Public Hearing - Continued** – *Ordinance Amendment #2015-14-O – 8.24 Pheasant*
4 *Hunting & 9.24 Weapons*. This item was continued from the May 12, 2015 Planning
6 Commission meeting. Lindon City requests approval of an Ordinance Amendment to
LCC 8.24 Pheasant Hunting and 9.24 Weapons to clarify legal hunting areas within
City Limits.

8 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
10 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

12 Hugh Van Wagenen, Planning Director, opened this agenda item by noting this
14 item was continued from the previous meeting so that questions regarding the slaughter
of livestock could be researched as well as the discharge of air soft guns, paintball guns,
16 etc. Mr. Van Wagenen noted that currently Section 9.24 addresses livestock slaughter and
similar activities; a valid permit from the Police Department will be required. He noted
18 that air soft and paintball guns are not considered weapons per the State code and
therefore this ordinance does not apply to such devices. He noted the action taken tonight
20 will update the map and ordinance. Mr. Van Wagenen then referenced the map depicting
the areas in question.

22 Mr. Van Wagenen then gave a brief history stating the existing Lindon City
Pheasant Hunting ordinance was adopted in 1985, when there was much more open space
24 in Lindon than currently exists. He mentioned the ordinance references a map from 1979
designating “No Hunting” areas. He explained that the map is extremely out dated and
requires updating with the amount of development that has occurred over the last 40
26 years. Mr. Van Wagenen added that with the map update, there are also small code
changes to align hunting and weapons discharge in the City. Police Chief Cullimore has
28 been consulted on these changes and supports them and is in attendance to answer any
additional questions regarding this issue.

30 Chief Cullimore addressed the Commission at this time. He explained that the use
of slaughter trucks for livestock has been allowed to occur in the City in the past and this
32 action will just include it in the code. Chief Cullimore also explained the use of air guns
is not allowed in the city limits but they are not considered a firearm under state code and
34 this also includes any “flipper” devices including bows and arrows. He noted the code
has worked very well for them regarding enforcement and they haven’t experienced any
36 problems. Chief Cullimore also explained the issue that instigated the reason for these
changes and the outdated map. There was then some discussion regarding urban deer
38 hunting.

40 Chief Cullimore stated the code could be amended if the Council and Commission
determined to allow those uses (urban hunting) to make an exception for City authorized
depredation hunts (in conjunction with the Utah Division of Wildlife Resources).
42 Commissioner Marchbanks suggested adding a provision to the Ordinance now to allow
depredation hunts in coordination with the DWR; as this is not a pressing issue. Mr.
44 Cullimore stated he will look further into urban hunting ordinances and bring it back to
the Commission.

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

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2 COMMISSIONER MCDONALD MOVED TO CLOSE THE PUBLIC
4 HEARING. COMMISSIONER SKINNER SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Following discussion Chairperson Call asked if there were any further questions
or comments. Hearing none she called for a motion.

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10 COMMISSIONER MARCHBANKS MOVED TO RECOMMEND
CONTINUATION OF ORDINANCE AMENDMENT 2015-14-O IN ORDER TO
12 RESEARCH URBAN HUNTING PROGRAMS AND OPTIONS. COMMISSIONER
KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

| | |
|--------------------------|-----|
| 14 CHAIRPERSON CALL | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| 16 COMMISSIONER KALLAS | AYE |
| COMMISSIONER WILY | AYE |
| 18 COMMISSIONER MCDONALD | AYE |
| COMMISSIONER SKINNER | AYE |

20 THE MOTION CARRIED UNANIMOUSLY.

22 7. ***Continued* Public Hearing:** *Ordinance Amendment – 17.57 Hillside Protection*
24 *District. This item has been continued to the next available Planning*
26 **Commission meeting.** Brandon Jones requests approval of an ordinance amendment
to LCC 17.57 Hillside Protection District to allow lots meeting certain conditions to
be exempted from the requirements of the Hillside Protection District.

28 Mr. Cullimore stated this item has been continued to the next Planning
Commission meeting in order to allow the City Engineer to gather more information
30 regarding the Hillside Protection District. He noted the City Engineer, Mark Christensen,
is working on developing appropriate criteria on preserving the hillside but still
32 exempting certain lots where appropriate; he is continuing that research and needs more
time to complete it.

34 Chairperson Call asked if there were any questions or comments. Hearing none
she called for a motion to continue this agenda item.

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38 COMMISSIONER KALLAS MOVED TO CONTINUE ORDINANCE
AMENDMENT 17.57 HILLSIDE PROTECTION DISTRICT TO THE NEXT
MEETING. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS
40 RECORDED AS FOLLOWS:

| | |
|----------------------------|-----|
| CHAIRPERSON CALL | AYE |
| 42 COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER KALLAS | AYE |
| 44 COMMISSIONER WILY | AYE |
| COMMISSIONER MCDONALD | AYE |
| 46 COMMISSIONER SKINNER | AYE |

THE MOTION CARRIED UNANIMOUSLY.

2 4. **Plat Amendment** – *Lindon View Subdivision, approx. 275 West 200 North*. Steven
4 Cherrington of Lindon View requests approval of a plat amendment involving lots at
approximately 275 West 200 South in the General Commercial (CG) zone.

6 Mr. Van Wagenen led this discussion by explaining the Tri-City Medical Building
8 has achieved full occupancy with several high parking demand and tenant use. The
owners of the building are requesting this plat amendment in order to enlarge the lot that
10 the building sits upon so that additional parking can be constructed on-site. He noted that
Lot 1 will be the enlarged lot with the new parking lot while Lot 2 will be left to develop
12 at a future date. Mr. Van Wagenen explained the minimum lot size in the CG zone is
20,000 square feet and both Lots 1 and 2 meet minimum requirements for lot size and
14 access (lot 1 is 132,307 s.f. and lot 2 is 22,449 s.f.). He then referenced for discussion the
existing Old Station Square Lots and the proposed Lindon View Plat A Subdivision.

16 Mr. Van Wagenen further explained that an existing pedestrian trail access
easement will be relocated with the plat amendment, but access to the trail will be
18 maintained. He noted an existing plat note prohibiting access from State Street to the
future Lot 2 has been removed, thus allowing future access; UDOT has given approval
20 for this change. He noted there are no concerns from staff and this is a pretty
straightforward subdivision request.

22 Mr. Van Wagenen stated that Kent Barney is in attendance representing this
agenda item and also the next item. Mr. Barney commented that they anticipate to have
sufficient parking with this change. He also noted that some of the professional
24 businesses have maxed out the parking (telemarketing business) and has put it over the
top. He added that he is working with Mark Christensen, City Engineer, to work out the
26 maximum square footages and numbers along with parking and landscaping issues.

28 Following some general discussion Chairperson Call called for any further
comments or questions from the Commissioners. Hearing none she called for a motion.

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
32 APPLICANT’S REQUEST FOR APPROVAL OF A PLAT AMENDMENT TO
VACATE LOT 4 OF OLD STATION SQUARE PLAT A AND LOT 11 OF OLD
34 STATION SQUARE PLAT B AND CREATE LINDON VIEW SUBDIVISION PLAT
A WITH THE NO CONDITIONS. COMMISSIONER MCDONALD SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL AYE
COMMISSIONER MARCHBANKS AYE
38 COMMISSIONER KALLAS AYE
COMMISSIONER WILY AYE
40 COMMISSIONER MCDONALD AYE
COMMISSIONER SKINNER AYE
42 THE MOTION CARRIED UNANIMOUSLY.

44 5. **Site Plan** – *Lindon View Parking Lot, approx. 275 West 200 North*. Steven
46 Cherrington of Lindon View requests site plan approval for a parking lot expansion
on lot 1 of the proposed Lindon View Subdivision, which is located at approximately
275 West 200 North in the General Commercial (CG) zone.

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2 Mr. Van Wagenen opened this agenda item by noting the applicant is proposing to
construct a new parking lot expansion on 0.5 acres consisting of 52 new parking spaces to
4 accommodate all the employees working in the building. He noted that parking lots are a
permitted use in the CG zone. Mr. Van Wagenen stated the new lot will bring the total
6 number of parking stalls for the building to 209. He noted that in the CG zone bicycle
stall are required at 8% of the total parking stalls required and additional bike stalls and
8 one ADA stall will be required to meet code.

10 Mr. Van Wagenen then referenced the Summary of Parking Requirements as follows:

- 12 • Vehicle Spaces Required: 176
- Vehicle Spaces Provided: 209
- 14 • ADA Spaces Required: 7
- ADA Spaces Provided: 6
- Bicycle Spaces Required: 14
- 16 • Bicycle Spaces Provided: 14

18 Mr. Van Wagenen further explained the General Commercial zone requires a 20'
landscaped strip along all street frontages with trees planted within the strip every 30' on
20 center and thirty percent of the frontage landscaping may be landscaped with non-living
materials other than grass. Mr. Van Wagenen stated the applicant is proposing grass and
22 shrubs in the parkstrip, with the ratios appearing to be within code parameters. He noted
the Code requires that interior landscaping must be provided for parking lots exceeding
24 10 stalls at 40 square feet per required stall and that at least 75% of the ground cover
must consist of living vegetation.

26 He further noted that the site proposes 52 new on-site parking stalls, which will
require at least 2,080 square feet of interior landscaping, exclusive of the required
28 landscaped strip along street frontage. He added the submitted landscaping plan proposes
2,644 square feet of interior landscaping with grass and shrubs. Also, one tree is required
30 for every 10 stalls; 5 are required and 12 are provided. Mr. Van Wagenen confirmed the
landscaping plan complies with the intent of the interior landscaping requirement.

32 Mr. Van Wagenen also mentioned a new 6' sidewalk will be constructed along
the new trail access easement that will connect 200 North to the Lindon Heritage Trail.
34 He commented that the City Engineer is working through the technical issues related to
the site and will ensure all engineering related issues are resolved before final approval is
36 granted. Mr. Barney mentioned that all of these issues will be worked out and all
requirements will be followed.

38 Following discussion Chairperson Call asked if there were any further questions
or comments. Hearing none she called for a motion.

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42 COMMISSIONER WILY MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS
44 1. LINDON VIEW PLAT A BE APPROVED AND RECORDED AND 2. PROVIDE 14
BIKE STALLS AND ONE ADA STALL. COMMISSIONER MARCHBANKS
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 CHAIRPERSON CALL AYE
COMMISSIONER MARCHBANKS AYE
48 COMMISSIONER KALLAS AYE

2 COMMISSIONER WILY AYE
COMMISSIONER MCDONALD AYE
4 COMMISSIONER SKINNER AYE
THE MOTION CARRIED UNANIMOUSLY.

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8. ***Continued*Site Plan** – *Olsen Properties, approx. 1200 West Center Street.* Buck
8 Robinson requests site plan approval for a 5,000 square foot industrial building at
approximately 1200 West Center Street in the High Industrial (HI) zone.

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12 Mr. Cullimore explained that this item has been continued to the next available
Planning Commission meeting. Chairperson Call asked if there were any questions or
comments. Hearing none she called for a motion to continue the item.

14
16 COMMISSIONER KALLAS MOVED TO RECOMMEND CONTINUATION
OF THE OLSEN PROPERTIES SITE PLAN TO A LATER MEETING.
COMMISSIONER SKINNER SECONDED THE MOTION. THE VOTE WAS
18 RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE
20 COMMISSIONER MARCHBANKS AYE
COMMISSIONER KALLAS AYE
22 COMMISSIONER WILY AYE
COMMISSIONER MCDONALD AYE
24 COMMISSIONER SKINNER AYE
THE MOTION CARRIED UNANIMOUSLY.

26
28 9. **New Business: Reports by Commissioners** –

Chairperson Call mentioned she was contacted by a neighbor about a dead deer
30 on State Street across from Walmart that has been there for three days. Mr. Van Wagenen
stated that is taken care of by the DWR but he will make sure they are contacted.
32 Commissioner Marchbanks commented that he was approached by a resident asking
about the policy of buying a cemetery plot at a resident rate while living elsewhere but
34 still being a landowner. Mr. Van Wagenen stated that he will check with Don Peterson,
City Sexton, about this issue and get back to him.

36 Chairperson Call also mentioned that she attended the Memorial Day service at
the Cemetery noting it was a very nice service. Commissioner Kallas asked for a status
38 on the traffic light on Center Street. Mr. Van Wagenen stated that it should be done this
construction season noting it has been designed but they are running into some easement
40 issues. Commissioner Kallas also mentioned a traffic light issue on 400 North State Street
that is confusing and noted he has seen some near collisions at the intersection. Mr. Van
42 Wagenen stated they have a quarterly meeting with UDOT and he will bring this issue up
at the meeting.

44 Commissioner Marchbanks asked for an update on the Heritage Trail to Utah
Lake. Mr. Van Wagenen stated there is a shortfall on funding and noted they have
46 contacted Vineyard Town and they are open to the idea of providing some funds but have
not committed as yet; they have also approached MAG. Commissioner Wily inquired if
48 MAG has tabulated the comments on the transportation plan (Vineyard Connector). Mr.

2 Van Wagenen stated they have a draft together that will go the Regional Planning
Committee. He noted that he saw a preview of the draft today but didn't see what the
4 Vineyard Connector status is or what the tabulations are.

6 Chairperson Call mentioned the townhomes on 400 west and if the Council
approved the application. Mr. Van Wagenen confirmed that the Council approved the
application so the site plan will be coming to the Commission soon. Chairperson Call
8 also asked for an update about the recent fire station open house. Mr. Van Wagenen
stated that staff has been directed to move forward by the City Council to get and
10 architectural bid on board and get an RFP (request for proposal) out which would include
a remodel of the police station and a standalone fire station. Mr. Van Wagenen also
12 mentioned the official budget hearing with the City Council will be held June 16th where
they will make an official motion on the final budget.

14 Chairperson Call called for any further comments or discussion. Hearing none she
moved on to the next agenda item.

16

18 **10. Planning Director Report**–

Mr. Van Wagenen reported on the following items followed by discussion:

- 20 • Lindon City Employee pool party will be held June 25th at 6:00 pm.
- 22 • Pool passes are available – either a family pass or a 30 punch pass.

22

24 Chairperson Call called for any further comments or discussion. Hearing none she
called for a motion to adjourn.

26 **ADJOURN** –

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

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Approved – June 9, 2015

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director