

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **August 14, 2012** beginning at 7:00 p.m. in the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Ron Anderson, Vice Chair  
6 Invocation: Rob Kallas, Commissioner  
7 Pledge of Allegiance: Mike Marchbanks, Commissioner

8 **PRESENT**

9 Ron Anderson, Commissioner  
10 Del Ray Gunnell, Commissioner  
11 Angie Neuwirth, Commissioner  
12 Mike Marchbanks, Commissioner  
13 Rob Kallas, Commissioner  
14 Adam Cowie, Planning Director  
15 Woodworth Mataele, Planner II  
16 Kathryn Moosman, City Recorder

8 **ABSENT**

9 Sharon Call, Chairperson  
10 Carolyn Lundberg, Commissioner

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

19 **APPROVAL OF MINUTES** – The minutes of the regular meeting of July 10, 2012  
20 were reviewed.

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23 COMMISSIONER MARCHBANKS MOVED TO CONTINUE THE MINUTES  
24 OF THE REGULAR MEETING OF JULY 10, 2012 FOR APPROVAL TO THE NEXT  
25 MEETING. COMMISSIONER KALLAS SECONDED THE MOTION. ALL  
26 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

27 **PUBLIC COMMENT** –

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29 Vice Chair Anderson called for comments from any audience member who  
30 wished to address any issue not listed as an agenda item. There were no public  
31 comments.

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33 **CURRENT BUSINESS** –

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37 1. **Conditional Use Permit:** *Rocky Mountain Recycle – 1460 West 200 South.*  
38 This is a request for issuance of a conditional use permit for Rocky Mountain  
39 Recycling, LLC to operate an indoor commercial recycling facility in an  
40 existing building within the Light Industrial zone. The facility will collect  
41 cardboard, plastic, and office paper materials which are separated, baled, and  
42 shipped to other processing facilities. Indoor recycling facilities require a  
43 conditional use within the LI zone.

44  
45 Woodworth Mataele, Planner II, opened the discussion by giving a brief overview  
46 the applicant's request for approval of a Conditional Use Permit to operate a recycling

2 facility located in the Light Industrial (LI) zone at 1460 West 200 South. Mr. Mataele  
3 further discussed that the proposed recycling facility would collect recyclables, i.e.,  
4 cardboard, paper, plastic etc. that would be separated in bins and shipped to other  
5 locations throughout the state for processing. Mr. Mataele stated this type of land use  
6 requires a conditional use approval from the Planning Commission to operate in Lindon  
7 City. He went on to say this business has been in operation for about 12 years with  
8 multiple facilities in Salt Lake City, Salt Lake County, St. George, Denver and Las  
9 Vegas. He added they are proposing to have indoor storage as indicated on the Standard  
10 Land Use Table. Mr. Mataele then presented photos provided by the applicant of current  
11 Rocky Mountain Recycling facilities. He also showed photos of the proposed Lindon site  
12 depicting fencing, storage, landscaping etc. Mr. Mataele then turned the time over to the  
13 applicant for his presentation to the Commission.

14 Larry Gibbons, Director of Business Development, was in attendance to represent  
15 Rocky Mountain Recycling. He stated that he has had the opportunity to be in business  
16 for 17 years in the recycling business in several positions, including site manager for  
17 Utah County and dealing with Lindon City, and he is looking forward to working with  
18 Lindon again. He then gave some background on Rocky Mountain Recycling. He noted  
19 they have been “Best in State” for the past 3 years in the category of environmental  
20 impact. He further noted that the State of Utah is the largest paper recycler. He added  
21 that Rocky Mountain Recycling process over 50,000 tons per month, company wide. He  
22 also noted that Rocky Mountain Recycling is the largest paper recycler in the Western  
23 United States.

24 Mr. Gibbons then presented photos and discussed the Rocky Mountain Recycling  
25 locations. He noted they have locations in Salt Lake City, Las Vegas, Nevada, and  
26 Denver and Colorado. Mr. Gibbons also discussed their methods of delivery; they  
27 operate roll off trucks, front load recycle trucks, and residential recycle trucks. He also  
28 showed photos of the Lindon Site and stated the majority of what the Lindon site will do  
29 is curbside recyclables, which will include an enclosed facility and fully contained trucks.  
30 He went on to say that their container types include roll off bins for recyclables and co-  
31 mingle recyclables, with the material being hauled from the site. Mr. Gibbons noted they  
32 have contracts and recycling partnerships with Salt Lake City, Salt Lake County, Provo  
33 City, Republic East and Ace Recycling. Mr. Gibbons asked if there were any questions.

34 Commissioner Marchbanks asked Mr. Gibbons if they had purchased the property  
35 or if they were going to lease the property. Mr. Gibbons confirmed they bought the  
36 property and closed last week. Commissioner Kallas asked what geographic area the  
37 recyclables will be brought in from to the Lindon location. Mr. Gibbons stated the  
38 majority is brought from Utah County. Commissioner Kallas also inquired what  
39 materials they will collect and compact. Mr. Gibbons confirmed they will collect paper,  
40 plastic and cardboard; they currently will not accept glass and they will compact the  
41 cardboard only; all other materials are loaded and taken to the 3100 south location in Salt  
42 Lake City for sorting.

43 Commissioner Kallas asked what their plans are for the building. Mr. Gibbons  
44 replied they will be doing landscaping and additional improvements on the site as  
45 required by the city. Vice Chair Anderson inquired if this facility will be considered a  
46 transfer station. Mr. Gibbons confirmed it will be viewed as a transfer station.

Commissioner Gunnell questioned if there will be enough room to pull in the large trucks. Mr. Gibbons confirmed there is sufficient room for the trucks.

Vice Chair Anderson asked what they are planning to use for the landscaping. Mr. Gibbons stated that they will put in around 8 trees with decorative rocks etc. on a berm; he noted they will comply with city requirements. Commissioner Neuwirth inquired if their plans meet the landscaping requirements. Mr. Cowie stated that their intent is to keep the existing distance to the fence, which isn't the full 20 ft. that is required on a new site plan, which would eliminate parking, so they are proposing to improve the landscaping on the frontage and match the width. Vice Chair Anderson noted that it will be a big improvement over what it is currently there. Mr. Gibbons stated they are confident they can make it look very good, and to have the landscapers in place in as little as 2 to 3 weeks.

Vice Chair Anderson asked about the possible impact on neighboring businesses with odors etc. Mr. Gibbons stated there is little or no odor, and they try to keep it as dry as possible. He added that they pride themselves in keeping their facilities clean to minimize any impacts on the neighbors.

Vice Chair Anderson asked if there were any public questions or comments.

Robert Schumacher, General Council for Olsen Beal, was in attendance representing Melody Olsen. Mr. Schumacher mentioned Ms. Olsen's concerns about the nature of the representations made by the applicant on the application. He noted the application letter indicated there would be paper, plastic and cardboard but they also listed ferrous and non-ferrous material on the report. He questioned whether this operation will be a full metal recycling process or paper processing, and also if the operation will require storage. Mr. Schumacher noted their reasons for asking is because the zoning requirements state that fencing is required for anything that exceeds the height of materials stored outside. He also mentioned another regulation that requires all solid waste storage facilities to have a site obscuring fence. Mr. Schumacher stated that as an adjoining landowner they have concerns with trash blowing out on the road and the need for a site obscuring fence. There is also a question on ownership, and they feel the applicant should have to provide proof that they have purchased the property.

Ms. Olsen stated she went to the Rocky Mountain Recycling site on 3100 South in Salt Lake City last week and took pictures. She voiced her concerns about the issues of trash on the fence and perimeter of the building, and is concerned these same issues will be a problem at the proposed facility next to her property. She then presented photos taken at other Rocky Mountain Recycling locations. Mr. Schumacher stated that their point is to make the Commission aware that there should be conditions and precautions imposed if this permit is to be approved. Mr. Schumacher then stated they are ready to answer any questions from the Commission or the applicants.

Mr. Gibbons addressed and clarified the ferrous and non-ferrous materials. He stated that some of the facilities do process non-ferrous materials but it is not their intention to do that at the Lindon site at this time. He noted that they pride themselves on the fact that the neighboring businesses have the facility manager's business card to contact them with any complaints, and they will guarantee to keep the area clean. He explained that they do not see any additional traffic on the road because of their business. Mr. Gibbons further explained that in the event of outdoor storage, the bundles would be staged no more than 5 ft. high and the fence is 6 ft. high now, so it would be site

2 obscuring. He added that the product has to be sent out as soon as it comes in; as the  
product is staged not stored. He went on to say the turnaround for shipping is less than a  
4 week because their product is a commodity. Vice Chair Anderson asked what the bales  
are comprised of and if they are wrapped. Mr. Gibbons stated they are not wrapped but  
6 have 6 straps on them and are around 600 to 900 lbs.; they also meet the Department of  
Transportation requirements, he added they are 95% cardboard.

8 There was then some general discussion between the Commission regarding  
conditions and limitations on the Conditional Use Permit. Vice Chair Anderson asked if  
there were any further questions or discussion. Hearing none he called for a motion.

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12 COMMISSIONER KALLAS MOVED TO APPROVE THE CONDITIONAL  
USE PERMIT FOR ROCKY MOUNTAIN RECYCLING WITH THE FOLLOWING  
14 CONDITIONS: 1. LANDSCAPING IS INSTALLED AS DEPICTED ON THE PLANS  
2. STORAGE AND HANDLING OF RECYCLABLE MATERIAL BE DONE ON THE  
16 INTERIOR 3. CONTINUALLY KEEP THE PERIMETER OF THE PROPERTY AND  
FENCE CLEAN OF DEBRIS AND 4. IF A DECISION IS MADE AND IT IS  
18 DETERMINED THAT EXTERNAL STORAGE IS NEEDED TO COME BACK TO  
THE PLANNING COMMISSION FOR APPROVAL. COMMISSIONER  
20 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
FOLLOWS:

22 COMMISSIONER ANDERSON AYE  
COMMISSIONER GUNNELL AYE  
24 COMMISSIONER NEUWIRTH AYE  
COMMISSIONER KALLAS AYE  
26 COMMISSIONER MARCHBANKS AYE  
THE MOTION CARRIED UNANIMOUSLY.

- 28 **2. Discussion Item: Fencing Requirements:** This is a discussion item to  
30 review fencing requirements between commercial/industrial developments  
and residential uses. Different standards apply between some zones and Staff  
32 is seeking direction from the Planning Commission whether or not to  
standardize the requirements across all zones. Future ordinance amendments  
34 may follow depending on the outcome of the discussion.

36 Mr. Mataele opened the discussion by explaining the reason for discussion on this  
item comes from recent applications regarding exceptions on fencing issues. This is also  
a discussion item for a future ordinance amendment, which may come in the future. Mr.  
38 Mataele noted staff is looking for direction from the Planning Commission about possibly  
standardizing the requirements as to make them uniform. He further explained that this  
40 review of fencing requirements for commercial and industrial developments. This action  
would mainly address specific zones and would be standardized in all zones and would  
42 allow the option of an exception. Mr. Mataele then referenced a table depicting the zones  
and also referenced the code. There was then some general discussion between the  
44 Commission and Mr. Cowie regarding standardizing fencing requirements across all  
zones. Mr. Cowie asked the Commission if there was a preference to standardize the  
46 fencing requirements with no exceptions except for churches or schools etc., or to keep

2 the format that shows the 7' masonry fence unless the Commission makes specific  
4 findings, or if the Commission prefers the exception option. Commissioner Kallas stated  
6 that he feels it is always good to have an exception option, but to have it fairly rigid so  
8 the applicant knows what is expected of them. Mr. Cowie then showed several photos of  
10 different areas in the city where the masonry wall requirement was enforced. After some  
12 discussion, the Commission was in agreement to standardize the fencing requirements in  
14 all zones and give the option of an exception.

16 Vice Chair Anderson asked if there were any questions or comments. Hearing  
18 none he moved on to the next agenda item.

- 20 **3. Public Hearing: Ordinance Amendment: LCC 17.47 Research and Business  
22 (R&B) Zone.** This is a public hearing to review an ordinance amendment to  
24 LCC 17.47 Research and Business (R&B) Zone. Proposed changes will  
26 remove uses listed within this ordinance since they are found within the  
28 Standard Land Use Table. Recommendations will be made to the City  
30 Council after review by the Planning Commission.

32 COMMISSIONER GUNNELL MOVED TO OPEN THE PUBLIC HEARING.  
34 COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED  
36 IN FAVOR. THE MOTION CARRIED.

38 Mr. Cowie opened the discussion by explaining the Research and Business (R&B)  
40 zone is an item that has been on the radar for some time. He noted there is a whole  
42 section in the code for several years that lists different types of permitted and conditional  
44 uses and secondary uses, all of which are referenced in the Standard Land Use Table.  
46 Staff wants to strike the section and so it doesn't conflict with the Standard Land Use  
Table, which is the source for all permitted uses. Mr. Cowie added that there are a couple  
of minor wording changes, and referenced the changes. Mr. Cowie also suggested that  
the Commission continue the item and bring it back at a later date.

Vice Chair Anderson asked if there were any public questions or comments.  
Hearing none he called for a motion.

COMMISSIONER KALLAS MOVED TO CONTINUE THE ORDINANCE  
AMENDMENT LCC TITLE 17.47 RESEARCH AND BUSINESS ZONE.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

COMMISSIONER ANDERSON AYE

COMMISSIONER GUNNELL AYE

COMMISSIONER NEUWIRTH AYE

COMMISSIONER KALLAS AYE

COMMISSIONER MARCHBANKS AYE

THE MOTION CARRIED UNANIMOUSLY.

COMMISSIONER NEUWIRTH MOVED TO CLOSE THE PUBLIC  
HEARING. COMMISSIONER GUNNELL SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 **NEW BUSINESS** – Reports by Commissioners.

4 Vice Chair Anderson called for any new business or reports from the Commissioners.  
6 Vice Chair Anderson brought up an incident about a new car dealership and if they are  
6 required to put in a 20’ landscaping strip. Mr. Cowie stated that if it is a permitted use  
there are not any triggers for the landscaping improvements.

8 Vice Chair Anderson asked if there were any other new business or discussion.  
Being none he moved on to the next agenda item.

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**PLANNING DIRECTOR’S REPORT** –

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Mr. Cowie reported on City Council updates as follows:

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- The Commission reviewed the Project Tracking List.
- 16 ● RDA Landscaping in Lindon Gateway area, around the Home Depot.
- Animal Ordinance – Next meeting on August 28th.
- 18 ● Population Projections: (MAG).
- Utah APA Fall Conference – October 4<sup>th</sup> and 5<sup>th</sup>.

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22 Vice Chair Anderson asked if there were any other comments or discussion. Being  
none he called for a motion to adjourn.

24 **ADJOURN** –

26 COMMISSIONER NEUWIRTH MADE A MOTION TO ADJOURN THE  
MEETING AT 9:20 P.M. COMMISSIONER GUNNELL SECONDED THE  
28 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – August 28, 2012

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Ron Anderson, Vice Chair

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42 Adam Cowie, Planning Director