

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
4 **August 26, 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: Matt McDonald, Commissioner  
10 Pledge of Allegiance: Bob Wily, Commissioner

12 **PRESENT**

**ABSENT**

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

24 Special Attendee:  
Councilmember Matt Bean.

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:10 p.m.  
28 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of August 12,  
2014 were reviewed.

30  
32 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE  
34 REGULAR MEETING OF AUGUST 12, 2014 AS WRITTEN. COMMISSIONER  
WILY 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

42 **CURRENT BUSINESS** –

- 44 4. **Training** – *General Plan Purpose and Policies.* The Commission will review and  
discuss the purpose and policies of the Lindon City General Plan. Specifically, the  
Commission will review the Introduction and Land Use sections of the Plan.

46

2 Hugh Van Wagenen, Planning Director, opened the discussion by giving a brief  
summary of this agenda item stating the Commission will review and discuss the purpose  
4 and policies of the Lindon City General Plan. He noted that specifically, the Introduction  
and Land Use sections of the Plan will be reviewed. Mr. Van Wagenen noted that with no  
6 official applications on the agenda tonight he thought it would be an appropriate time,  
considering the new composition, to review the General Plan which helps steer the land  
8 use decisions that the Commission makes in the bigger picture and the long-term. He then  
asked the Commission how they would like to proceed; to read and discuss the points or  
10 reference the document in their own time. Commissioner Kallas commented that he  
would prefer that Mr. Van Wagenen read the plan and reference the main points for  
discussion.

12 Mr. Van Wagenen then read excerpts (included in the staff report) from ULCT  
Land Use Training Handbook and also the excerpts from the General Plan (by David  
14 Church) followed by some lengthy general discussion by the Commission. Mr. Van  
Wagenen concluded the discussion by referencing the General Plan Map. He also asked  
16 the Commission if they would be in approval of reviewing other sections and elements.  
The Commission was in agreement that further reviews would be beneficial.

18 Chairperson Call called for any further discussion from the Commission regarding  
this agenda item. Hearing none she moved on to the next discussion item.

- 20
- 22 5. **Discussion** – Architectural Concrete & Concrete Tilt-up Buildings. The Commission  
will review examples of existing architectural concrete and concrete tilt-up buildings  
and discuss Lindon City’s current architectural standards for concrete buildings. A  
24 formal ordinance amendment will not be proposed.

26 Jordan Cullimore, Associate Planner, led the discussion by explaining the  
Commission will review examples of existing architectural concrete and concrete tilt-up  
28 buildings and discuss Lindon City’s current architectural standards for concrete  
buildings. He noted that this issue was briefly discussed at the last meeting and it was  
30 suggested to further review the standards. Mr. Cullimore noted that a formal ordinance  
amendment will not be proposed.

32 Mr. Cullimore then referenced LCC 17.49.070 – Architectural Design Standards  
for Industrial Zones, including photos, followed by discussion.

34 **Chapter 17.49 Industrial Zones**

36 Section 17.49.070 Architectural design.

38 All buildings in the LI and HI zone shall be aesthetically pleasing, well-proportioned  
buildings, which blend with the surrounding property and structures. The following  
40 criteria shall be applied to all buildings and/or structures constructed in the LI, HI and  
T-zones and any other construction requiring a building permit in the LI, HI and T zones  
42 as per the currently adopted building code for Lindon City:

- 44 1. Twenty-five percent (25%) minimum of the exterior of all buildings (except as  
permitted in 17.40.070(2)) shall be covered with brick, decorative block, stucco,  
46 wood, or other similar materials as approved by the Planning Commission.  
Colored pre-cast concrete or colored tilt-up buildings also meet the architectural  
48 treatment requirement. (These architectural treatment standards are not applicable  
in the HI zone). Thirty percent

- 2 a. With the consent of the property owner, the Planning Commission may  
allow some or all of the required architectural treatment on a proposed  
4 building or addition to be transferred to a pre-existing building or  
structure, or transferred to one or more sides of a proposed structure,  
6 which may be more visible from a public street. Said transfer of  
architectural treatment would need to improve the overall visual character  
8 of the area in a greater manner than if the treatment is only applied to the  
less visible building, addition, or side of the structure being considered.  
10 No net loss of treatment should occur. When considering a transfer of the  
architectural treatment, the Planning Commission should be conscious of  
12 visual site lines of adjacent buildings and properties to determine if they  
would be negatively impacted by a Planning Commission decision to  
allow transfer of the architectural treatment on the proposed structures.
- 14 b. All exterior building materials in the LI, HI and T zones shall be earth-  
tone colors. A sample color palette of acceptable earth-tone colors is found  
16 in the Appendix of the Lindon City Commercial Design Guidelines.
- 18 c. The Planning Commission may approve ribless, metal, flat-faced, stucco  
embossed, metal sandwich panel buildings when the Planning  
20 Commission finds that the building is aesthetically pleasing, adequately  
trimmed, contrasted with different colors, is well proportioned, blends in  
22 with surrounding property, and has a similar look to that achieved by  
17.49.070(1). The exterior appearance of such buildings shall primarily be  
24 of earth tone colors. Applicants desiring to apply for this type of  
construction may consider the Lindon City Public Works building located  
26 at 946 West Center Street and the building located at 375 North 700 West  
in Pleasant Grove as examples of structures in compliance with this  
architectural design standard.

28  
30 Mr. Cullimore then referenced LCC 17.50.070 – Architectural Design Standards  
for the Mixed Commercial Zone, including photos, as follows:

32 **Chapter 17.50 Mixed Commercial**

34 **Section 17.50.070 Architectural Design**

36 All structures in the MC zone shall be aesthetically pleasing, well-proportioned buildings  
that blend with the surrounding property and structures. All structures in the MC zone  
38 shall have finishes of brick, decorative block, stucco, wood, concrete tilt-up or other  
materials and designs approved within the Lindon City Commercial Design Guidelines,  
or as otherwise approved by the Planning Commission.

40 There was then some lengthy discussion by the Commission regarding this  
agenda item. Mr. Van Wagenen stated that staff will take the suggestions from the  
42 discussion and come back with some actual text changes for approval. Chairperson Call  
called for any further discussion from the Commission. Hearing none she moved on to  
44 the next discussion item.

- 46 6. **Discussion** – *Home Occupations*. The Commission will review Lindon City’s  
existing home occupation ordinance and discuss potential changes and /or additions.

2 Specifically, the Commission will consider whether to create a major/minor home  
3 occupation distinction. A formal ordinance amendment will not be proposed.

4 Mr. Cullimore led the discussion by explaining the Commission will review  
5 Lindon City's existing home occupation ordinance and discuss potential changes and /or  
6 additions following a recent home occupation application and also some complaints  
7 regarding an existing home occupation business. He noted that specifically, the  
8 Commission will consider whether to create a major/minor home occupation distinction.  
9 Mr. Cullimore noted that a formal ordinance amendment will not be proposed. He stated  
10 that he pulled together some standards from neighboring cities and cities throughout Utah  
11 with the similar demographics and population as Lindon. Mr. Cullimore noted the  
12 options are to leave the general standards in place, address specific unique uses or to  
13 incorporate a major/minor distinction. He added that the question is if there is a desire by  
14 the Commissioners to change the ordinance or to leave it as "status quo." There was then  
15 some lengthy general discussion regarding this issue.

16 Mr. Cullimore then referenced LCC 17.04.400 – Home Occupation Requirements  
17 as follows:

18 Section 17.04.400 Home occupation requirements:

- 19 1. The purpose and intent of this section of the Lindon City Code is to allow  
20 occupations, professions, activities, or uses that are clearly customary, incidental,  
21 and secondary to the residential use of the property and which do not alter the  
22 exterior of the property or affect the residential character of the neighborhood.
- 23 2. No home occupation shall be conducted without first obtaining a home  
24 occupation permit pursuant to this chapter and a business license pursuant to this  
25 chapter and the Lindon City Code chapter regulating businesses.
- 26 3. The Planning Director may grant a home occupation permit in the residential  
27 zones, provided the use applied for meets all of the standards set forth in this  
28 Section.
- 29 4. A home occupation permit shall be obtained from the Planning Director before  
30 such home occupation is established. The permit shall have a fee as established  
31 per the Lindon City Fee Schedule.
- 32 5. As a matter of public policy, the City believes that commercial and industrial  
33 activities should be conducted in zones where such activities are specifically  
34 permitted. However, limited business activities may be conducted within  
35 residences located in any zone in the City if the business activity strictly complies  
36 with all of the following requirements:
  - 37 a. Be clearly incidental to and secondary to the residential use of the  
38 dwelling unit and not occupy more than five hundred (500) square feet or  
39 twenty- five percent (25%) of the total floor space of such dwelling unit,  
40 whichever is less. This requirement does not apply to accessory buildings  
41 approved as part of a home occupation.
  - 42 b. Be carried on entirely within the dwelling unit or accessory structure  
43 solely by one (1) or more of the residents of the immediate family who  
44 reside in the dwelling unit or employees as permitted in 5(c). For the  
45 purposes of this section, a carport, patio, or breeze way is not considered  
46 to be part of the dwelling unit. (This provision shall not prohibit the Utah

State requirement for outside use by licensed day care/preschool facilities.)

- c. Home occupations may have up to one (1) employee or part time equivalent to one (1) employee who does not live in the dwelling unit work at the home. Only one (1) non- resident employee shall work from the home at any given time. Such employee working at the home or coming to the home and moving to another job site associated with the home occupation shall be provided an off street parking stall on the home occupation owner's property. This employee shall be provided and required to use such parking on the business owner's property and off of a public street.
- d. Not have any external evidence of the home occupation, (except as may be required by State law or City ordinance) nor any exterior displays, displays of goods, nor advertising signs (except as allowed by this section) visible from outside of the dwelling unit. It shall not be permitted to conduct any activity outside the dwelling unit or to store materials or products outside the dwelling unit unless it is within an accessory structure approved as part of the home occupation.
- e. Not have more than six (6) vehicles parked at the residence at any time, provided all of the vehicles can be parked legally, either in normal parking places on the lot occupied by the residence without parking in front of any other property. The six (6) vehicles specified above shall include the vehicles owned or operated by the residents, visitors or any other person using or visiting the home. Exceptions to this requirement may be granted by the Planning Director provided the applicant can clearly demonstrate that additional vehicles can be parked legally, either in Lindon City Code normal parking places on the lot occupied by the residence containing the home occupation or by the curb directly in front of the residence without parking in front of any other property. In addition to the foregoing, the home occupation must not generate more than five (5) vehicles of traffic to the residence during any hour. The home occupation shall not generate any traffic before 7:30 a.m. or after 6:00 p.m. nor shall any vehicle weighing in excess of twenty four thousand (24,000) pounds, gross weight, and travel to the residence for the purpose of servicing the home occupation.
- f. Not emit noise, odor, dust, fumes, vibration, smoke, electrical interference or other interference with the residential use of adjacent properties.
- g. Comply with all City building and fire codes.
- h. Obtain a home occupation permit and a business license from the City.
- i. Shall have no more than one (1) sign, not larger than two and one-half (2.5) square feet, attached to the main dwelling unit. The sign shall be aesthetically pleasing and made of similar materials and colors as the building to which it is attached. The sign shall not be directly lit.
- j. Home occupation owners shall be good neighbors and mindful of possible impacts their activities have on the residential character of the neighborhood. All Home Occupation permits are reviewable upon written complaint to the Planning Commission. The Planning Commission, in reviewing such complaints, shall have the authority to attach conditions to

2 a home occupation to make it compatible with the surrounding  
neighborhood. If the Planning Commission makes a finding that the home  
4 occupation is not compatible with the surrounding neighborhood they  
shall have the authority to revoke such permit.

6 Mr. Van Wagenen then took a straw poll vote by the Commissioners whether to  
leave the requirements as written or amend it. The straw poll vote was unanimous with  
8 all Commissioners voting to leave LCC 17.04.400 – Home Occupation Requirements as  
written at this time. Chairperson Call called for any further discussion from the  
10 Commission. Hearing none she moved on to the next agenda item.

12 7. **NEW BUSINESS** – Reports by Commissioners.

14 Chairperson Call called for any new business or reports from the Commissioners.  
Chairperson Call asked for an update on the “Julia’s Preschool” application. Mr. Van  
16 Wagenen stated that the application has been withdrawn as the applicant obtained other  
employment. Chairperson Call also mentioned that a resident asked about the Lindon  
18 earthquake (emergency) plan and if the city has a plan in place. Mr. Van Wagenen stated  
that the city does have emergency plans in place. He noted the yearly “Drill Down for  
20 Safety” emergency drill will be held on September 15<sup>th</sup> and all residents are encouraged  
to participate.

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

24 8. **PLANNING DIRECTOR’S REPORT**–

26 Mr. Van Wagenen reported on the following items followed by some general  
discussion by the Commission.

- 28 • Planning (APA) Memberships
- APA/Western Planner Conference
- 30 • O’Neal Aquatics Update

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

34 **ADJOURN** –

36 COMMISSIONER MCDONALD MADE A MOTION TO ADJOURN THE  
38 MEETING AT 9:55 P.M. COMMISSIONER SKINNER SECONDED THE MOTION.  
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40 Approved – September 9, 2014

42 \_\_\_\_\_  
44 Sharon Call, Chairperson

46 \_\_\_\_\_  
Hugh Van Wagenen, Planning Director