

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **September 11, 2012** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Sharon Call, Chairperson
6 Invocation: Mike Marchbanks, Commissioner
7 Pledge of Allegiance: Del Ray Gunnell, Commissioner

8 **PRESENT**

ABSENT

9 Sharon Call, Chairperson
10 Ron Anderson, Commissioner
11 Del Ray Gunnell, Commissioner
12 Carolyn Lundberg, Commissioner
13 Mike Marchbanks, Commissioner
14 Rob Kallas, Commissioner
15 Adam Cowie, Planning Director
16 Kathryn Moosman, City Recorder

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

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20 **APPROVAL OF MINUTES** – The minutes of the regular meeting of August 28, 2012
21 were reviewed.

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24 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
25 REGULAR MEETING OF AUGUST 28, 2012 AS AMENDED OR CORRECTED.
26 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
27 VOTED IN FAVOR. THE MOTION CARRIED.

28 **PUBLIC COMMENT** –

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

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34 **CURRENT BUSINESS** –

- 35
36 1. **Cont. Public Hearing:** *Ordinance Amendment: LCC Title 6 Animal*
37 *Ordinance.* This is a continued public hearing to review an ordinance
38 amendment to LCC Chapter 6 (Animal Ordinance). Extensive updates will
39 help clarify the current language within this ordinance. A review of the
40 current allotted amounts of animals permitted within the specific lot sizes in
41 Lindon will also occur. Recommendations will be made to the City Council
42 after final review by the Planning Commission.

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

2 Adam Cowie, Planning Director, opened the discussion by stating this item is a
continued public hearing to review an ordinance amendment to LCC Chapter 6, animal
4 ordinance. Mr. Cowie noted the proposed changes will help to clarify the current
language within the ordinance. He went on to say that a review of the current allotted
6 amounts of animals permitted within the specific lot sizes in Lindon will also occur.
Recommendations will be made to the City Council after final review by the Planning
8 Commission. Mr. Cowie then referenced the changes discussed at the last meeting. He
noted that the double-underlined sections are new wording added since the last review.
He noted page 17 line 90 and line 94, referencing setbacks and pre-existing structures.
10 Mr. Cowie also noted that page 18 lines 2-6 are basically stating that the rights to
referenced barns or corrals do not expire and that they are exempted from becoming a
12 non-conforming use, and once in place they are valid if they meet the ordinance
regardless of what development occurs next to the property.

14 Mr. Cowie also referenced a small change on page 18 line 15 that references the
change from a 60 ft. to a 50 ft. setback from a primary residence for animal enclosures
16 and corrals; and is essentially the same language on lines 28-40 referencing corrals and
pastures and other enclosures instead of barns and animal structures with similar
18 language where rights would not expire once established. There was then some lengthy
discussion regarding the added changes and language to the draft. Mr. Cowie also noted
20 that line 48 page 18 referencing the storage of feed will be stricken from the ordinance.
Mr. Cowie also referenced other sections that have been updated since the last review
22 includes page 20 and the number of beehives to allow. Mr. Cowie also referenced the
tables on page 21 and page 22. There was also some discussion regarding the number of
24 roosters to allow. Mr. Cowie noted that this issue can be revisited if the commission feels
it needs more discussion.

26 Chairperson Call asked for any public comments. Lori Kay Banks, Lindon
resident had several questions to address to the Planning Commission. She referenced
28 page 17 line 22, the “continuous use of the animals”, and the 72 hour rule. Mr. Cowie
stated that the rule applies to all animals, and noted that the intent was to clarify the
30 number of animals to be kept on a continuous basis; so they added in the time limit in the
30 day period. There was then some general discussion regarding this issue and the
32 allotted time frames. After some lengthy discussion the commission was in agreement to
add some additional language on line 24 and strike lines 25 – 27 “animals kept for less
34 than 72 continuous hours within a 30-day period are not regulated but by this chapter.”

36 Ms. Banks also asked for clarification on setbacks, and why they are being
changed from 60 ft. to 50 ft. (page 18, line 12). There was then some lengthy discussion
regarding setbacks of dog houses and dog kennels/runs. Mr. Cowie noted the recently
38 added section from the last meeting would grandfather in existing uses. Ms. Banks also
had a question on the chart on page 22 regarding enclosure areas and if it is permissible
40 to mix the large and small animals, and if so, does it reduce the amount of large animals
allowed. Mr. Cowie confirmed that large and small animals can be mixed and it will
42 reduce the percentage if there is a combination of more than one animal.

44 Ms. Banks commented that she appreciates the time the planning commission has
spent on the ordinance and commended them on their thoughts and consideration given to
the citizens of Lindon. She further noted that Mr. Cowie has done a great job on the
46 ordinance draft. Ms. Banks also inquired when the draft will be going to the City

2 Council. Mr. Cowie stated that there will be a public hearing within the next 2 meetings.
3 Chairperson Call asked for any further public comments. Hearing no further public
4 comments, she called for discussion from the commissioners.

5 There was then some general discussion between the commissioners regarding
6 setbacks for dog enclosures and dog runs. After some discussion it was determined by the
7 majority of commissioners to reduce the setbacks to 25 feet for dog, cat and small animal
8 enclosures on lots less than 20,000 square feet as defined in the chapter (reference Page
9 18 lines 15 – 16).

10 Chairperson Call asked if there were any further questions or comments from the
11 commissioners. After discussion, Chairperson Call observed three changes as follows: 1)
12 change language on the setback statement for small animal enclosures 2) language
13 changes on page 15 and page 17 line 24-28 3) strike line referencing the storage of feed
14 on page 18. Being no further comments she called for a motion.

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16 COMMISSIONER MARCHBANKS MOVED TO APPROVE ORDINANCE
17 AMENDMENT LCC TITLE 6, ANIMAL ORDINANCE WITH THE CHANGES AS
18 DISCUSSED AT THE DISCRETION OF THE PLANNING DIRECTOR AND
19 RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER KALLAS
20 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

21 COMMISSIONER ANDERSON AYE

22 COMMISSIONER GUNNELL AYE

23 COMMISSIONER KALLAS AYE

24 COMMISSIONER MARCHBANKS AYE

25 COMMISSIONER LUNDBERG AYE

26 THE MOTION CARRIED UNANIMOUSLY.

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28 **2. Cont. Public Hearing: Ordinance Amendment: LCC 17.47 Research and
29 Business (R&B) Zone.** This is a public hearing to review an ordinance
30 amendment to LCC 17.47 Research and Business (R&B) Zone. Proposed
31 changes will remove uses listed within this ordinance since they are found
32 within the Standard Land Use Table, and will standardize fencing
33 requirements. Recommendations will be made to the City Council after
34 review by the Planning Commission.

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36 Mr. Cowie opened the discussion by stating this item is a continuance of a
37 previous review of the Research and Business (R&B) Zone. He noted that staff is
38 proposing to strike out some listed uses in the ordinance since staff primarily refers to the
39 Standard Land Use Table so as not to have conflicting uses listed in the ordinance vs. the
40 Standard Land Use Table. He mentioned that the reason the item was continued was
41 because of the need to make all of the fencing requirements consistent between all zones.
42 He added that currently this zone requires the 7 ft. masonry wall be constructed between
43 any residential use and any R&B zone development. Mr. Cowie explained that some
44 language was added in that is very similar to the standards in the commercial zone that
allows some flexibility. He further explained language was added that states perimeter
fencing shall not exceed 8 ft. in height without approval by the planning commission.

2 Mr. Cowie further discussed that there was some previous discussion about
3 adding in an exemption for churches and temples. It was also discussed that churches
4 and temples next to residential zones were allowed with a 6 ft. site obscuring fence
5 instead of a required masonry fence. Mr. Cowie added that the intent was to make the
6 provisions the same in all of the ordinances, but not necessarily that the fencing be the
7 same. There was then some general discussion regarding fence heights and site
8 obscuring fencing for churches and temples. Mr. Cowie stated they are currently just
9 looking at the R&B zone; he added that the odds of a church or temple going into an
10 R&B zone are unlikely. Mr. Cowie then asked the commission if they were in agreement
11 to leave the ordinance as is with a case by case variance. After some discussion the
12 commission was in agreement to leave the ordinance as is with a case by case variance
13 approval by the planning commission.

14 Chairperson Call asked if there were any further questions or comments. Hearing
15 none she called for a motion.

16 COMMISSIONER LUNDBERG MOVED TO APPROVE THE ORDINANCE
17 AMENDMENT LCC TITLE 17.47 RESEARCH AND BUSINESS ZONE AS
18 WRITTEN AND RECOMMEND APPROVAL TO THE CITY COUNCIL.
19 COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS
20 RECORDED AS FOLLOWS:

21 COMMISSIONER ANDERSON AYE

22 COMMISSIONER GUNNELL AYE

23 COMMISSIONER KALLAS AYE

24 COMMISSIONER MARCHBANKS AYE

25 COMMISSIONER LUNDBERG AYE

26 THE MOTION CARRIED UNANIMOUSLY.

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

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

34 Chairperson Call called for any new business or reports from the Commissioners.
35 Commissioner Gunnell mentioned the road closures on 2000 West and when they will be
36 opened up. Mr. Cowie stated that it is controlled by UDOT, because it is state road, and
37 he is not certain of the completion date, but thought the estimated time frame was a
38 several weeks out. Commissioner Anderson inquired about the moving of the pavilion at
39 the City Center Park. Mr. Cowie noted that the pavilion has been surplus with only
40 one bid coming in at \$501.00. He noted the reason for not relocating the pavilion was
41 related to a conformity issue in trying to keep all of the park pavilions with the same style
42 and look.

43 Chairperson Call asked if there were any other new business or discussion. Being
44 none she moved on to the next agenda item.

46 **PLANNING DIRECTOR'S REPORT** –

2 Mr. Cowie reported on City Council updates as follows:

- 4 ● The Commission reviewed the Project Tracking List.
- The Billboard Ordinance was continued.
- 6 ● The Center Street Crossing at the Murdock Canal was approved including the north side curb, gutter and sidewalk to be installed.
- 8 ● The General Plan change has been advertised for street width modifications.
- 10 ● Associate Planner Position Update – 52 applications have been submitted, with 7 interviews scheduled and the top 2 candidates will be called back for a second interview and to give a presentation.

14 Chairperson Call asked if there were any other comments or discussion. Being none she called for a motion to adjourn.

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ADJOURN –

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20 COMMISSIONER ANDERSON MADE A MOTION TO ADJOURN THE MEETING AT 9:20 P.M. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – September 28, 2012

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Sharon Call, Chairperson

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Adam Cowie, Planning Director