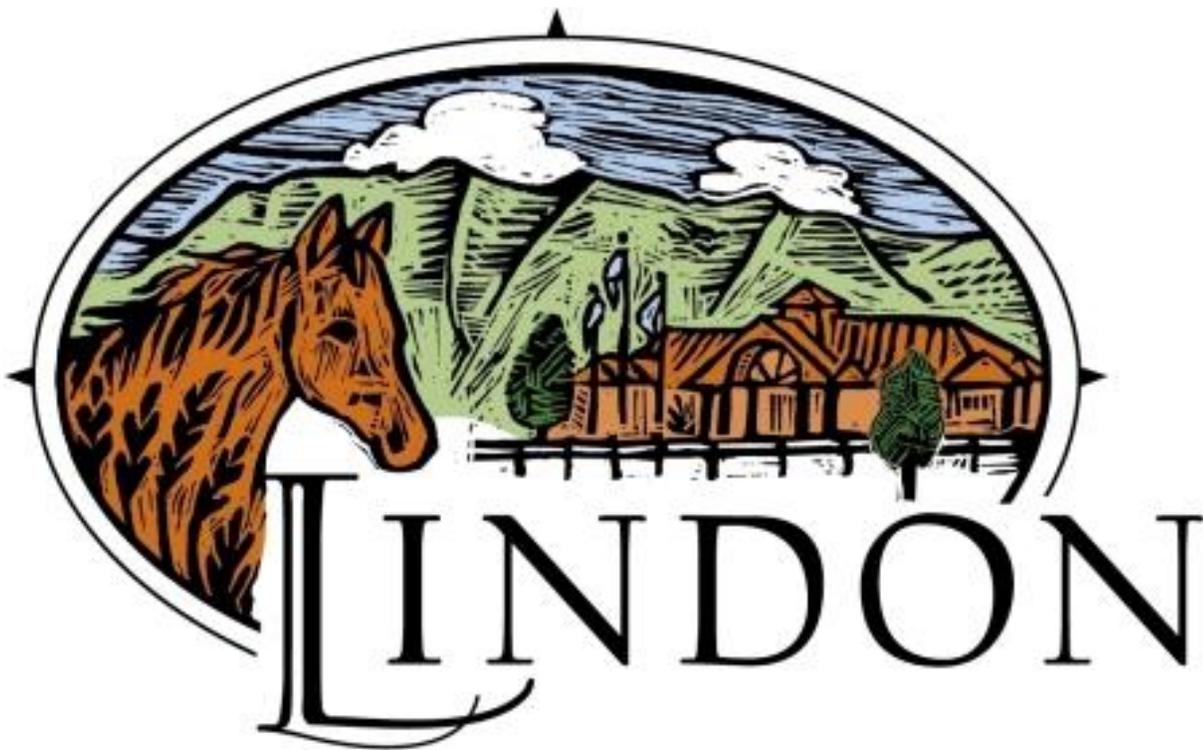


Lindon City Planning Commission Staff Report



January 14, 2013

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, January 14, 2014** in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **7:00 P.M.** This meeting may be held electronically to allow a commissioner to participate. The agenda will consist of the following:

AGENDA

Invocation: By Invitation
Pledge of Allegiance: By Invitation



Scan or click here for link to download agenda & staff report materials.

1. **Call to Order**
2. **Approval of minutes from December 10, 2013**
3. **Public Comment**

(Review times are estimates only.)

4. Major Subdivision — Old Rail Estates

(20 minutes)

This is a request by Scott Farrer for approval of a fourteen (14) lot subdivision located at approximately 290 West between 100 North and 40 South on 10.97 acres in the Residential Single Family (R1-20) zone. Recommendations will be made to the City Council at the next available meeting.

5. Public Hearing — Ordinance Amendment, LCC 17.02 Definitions

(10 minutes)

This is a City initiated request to define the term "vault security - mini storage" in Lindon City Code 17.02 Definitions. Recommendations will be made to the City Council at the next available meeting.

6. Public Hearing — Ordinance Amendment, LCC 17.17.130 Amended Site Plans

(15 minutes)

This is a City initiated request to allow for Staff to approve accessory buildings of one thousand (1,000) square feet or less on amended site plans when certain conditions are met.

7. Continued Public Hearing — Ordinance Amendment, LCC 17.48.040 Fencing

(30 minutes)

This is a City initiated request to omit the white vinyl ranch fencing requirements along public street frontages in commercial zones within the City. Recommendations will be made to the City Council at the next available meeting.

8. New Business (Reports by Commissioners)

9. Planning Director Report

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours notice.

Posted By: Hugh Van Wagenen
Time: ~2:00 pm

Date: January 10, 2014
Place: Lindon City Center, Lindon Public Works, Lindon Community Center

Item I – Call to Order

January 14, 2014 Planning Commission meeting.

Roll Call:

Ron Anderson
Sharon Call
DelRay Gunnell
Rob Kallas
Carolyn Lundberg
Mike Marchbanks

Item 2 – Approval of Minutes

Planning Commission – Tuesday, December 10, 2013.

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **December 10, 2013 at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

7 Conducting: Ron Anderson, Chairperson Pro Tem

8 Pledge of Allegiance: Del Ray Gunnell, Commissioner

9 Invocation: Carolyn Lundberg, Commissioner

10 **PRESENT**

11 Ron Anderson, Chairperson Pro Tem

12 Del Ray Gunnell, Commissioner

13 Carolyn Lundberg, Commissioner

14 Mike Marchbanks, Commissioner

15 Hugh Van Wagenen, Planning Director

16 Kathryn Moosman, City Recorder

17 Matt Bean, Councilmember

10 **ABSENT**

11 Sharon Call, Chairperson

12 Rob Kallas, Commissioner

- 20 1. **CALL TO ORDER** – The meeting was called to order at 7:03 p.m.
- 22 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of November
23 26, 2013 were reviewed.

24
25 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
26 OF THE REGULAR MEETING OF NOVEMBER 26, 2013. COMMISSIONER
27 LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
28 THE MOTION CARRIED.

30 3. **PUBLIC COMMENT** –

31 Chairperson Pro Tem Anderson called for comments from any audience member
32 who wished to address any issue not listed as an agenda item. There were no public
33 comments.

34
35 **CURRENT BUSINESS** –

- 36
37 4. **MINOR SUBDIVISION**: *Homesteads at Coulson Cove, Plat C*. This is a
38 request by Steve Phelon for approval of a three (3) lot subdivision located at
39 approximately 720 North Coulson Drive on 1.17 acres in the Residential Single
40 Family (R1-20) zone.

41
42 Hugh Van Wagenen, Planning Director, gave a brief summary of this agenda
43 item. He explained that this is a request by Steve Phelon (who was in attendance) for
44 approval of a three (3) lot subdivision to be known as Homesteads @ Coulson Cove Plat
45 C. Mr. Van Wagenen noted this new plat includes a vacation of Lot 17 Plat B. He added
46 that the subdivision meets City ordinances for subdivisions. Mr. Van Wagenen then
47 showed an aerial view of the property in question.

Mr. Van Wagenen further discussed that Lots 21 and 22 were not part of an earlier Homesteads @ Coulson Cove plat due to FEMA flood zone designations. However, due to construction and infrastructure improvements of the Highlands at Bald Mountain subdivision to the northeast, the flood zone (FEMA) designation on these lots has been mitigated and now can be platted as buildable lots. He stated that Lot 23 changes the existing Lot 17 Plat B through modifying a property line.

Mr. Van Wagenen went on to say that lots in the R1-12 zone require 12,000 square feet to meet minimum lot size. He noted that Lot 21 is 14,794 square feet and Lot 22 is 14,595 square feet, with Lot 23 being 18,038 square feet. Mr. Van Wagenen stated that lots in residential zones require 50 feet of street frontage and the proposed lots meet this standard. He further stated that additionally, all lots require 100 feet of width when measured 30 feet back from the property line and the proposed lots meet this standard. Mr. Van Wagenen mentioned due to recent approval minor subdivisions can now be approved by the Planning Commission without having to go before the City Council.

There was then some general discussion regarding this agenda item. Commissioner Marchbanks commented that this request looks pretty straightforward with the flood zone designation being mitigated. Chairperson Pro Tem Anderson asked if there were any further questions or comments. Hearing none he called for a motion.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE THREE (3) LOT SUBDIVISION TO BE KNOWN AS HOMESTEADS @ COULSON COVE PLAT C WITH NO CONDITIONS. COMMISSIONER GUNNELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

| | |
|-------------------------|-----|
| CHAIRPERSON ANDERSON | AYE |
| COMMISSIONER GUNNELL | AYE |
| COMMISSIONER LUNDBERG | AYE |
| COMMISSIONER MARCHBANKS | AYE |

THE MOTION CARRIED UNANIMOUSLY.

5. **MAJOR SUBDIVISION:** *Green Valley*. This is a request by Mark Stevenson for approval of a four (4) lot subdivision located at approximately 600 North Main Street on 2.96 acres in the Residential Single Family (R1-20) zone. Recommendations will be made to the City Council at the next available meeting.

Hugh Van Wagenen, Planning Director, opened the discussion by explaining the agenda item is a request by Mark Stevenson for a four (4) lot subdivision located in the Residential Single Family (R1-20) zone that will straddle either side of main street just south of 600 north. He noted that recommendations will be made to the City Council at the next available meeting. Mr. Van Wagenen further explained that lots in the R1-20 zone require 20,000 square feet to meet minimum lot size. He noted that Lot 1 is 20,000 square feet and Lot 2 is 20,000 square feet and Lot 3 is 34,009 square feet with Lot 4 being 21,781 square feet. Mr. Van Wagenen then referenced photos depicting the area of followed by some general discussion.

Mr. Van Wagenen stated that lots in residential zones require 50 feet of street frontage and the proposed lots meet this standard. Additionally, all lots require 100 feet of width when measured 30 feet back from the property line and the proposed lots meet this standard. Mr. Van Wagenen discussed that Lindon City has a master planned 10' wide trail along the east side Main Street that will be constructed with this development.

2 He noted that the existing half-street that was constructed with the Peters development
will be finished along the lots, but Main Street will not connect with 480 North.

4 Mr. Van Wagenen stated that here is a possibility that sidewalk will be
constructed to 480 North in order to further encourage pedestrian movement and access.
6 Mr. Van Wagenen went on to say that the latest set of plans show the pressure irrigation
line as existing beyond the constructed asphalt, however the line actually ends at the
8 current southern edge of asphalt. He added that the line will have to be extended to serve
Lots 1 and 2. Mr. Van Wagenen stated that the soils report has been provided to the City
10 Engineer. He noted that the data contained in the soils report may indicate the need for a
thicker pavement design than is shown on the preliminary plan. Mr. Van Wagenen also
12 suggested that approval should be conditioned upon the developer complying with
requests from the City Engineer that may result from the soils report.

14 At this time Chairperson Pro Tem Anderson invited the applicants to address the
Commission. Mark Stevenson, Alan College, and Coleman Woods were in attendance to
address this agenda item. Mr. College stated this four (4) lot subdivision will straddle
16 Main Street just south of 600 North. Mr. Stevenson commented that the original design
coming down off of Mr. College's property was built with a half improved road, and they
18 would like to do a half plus 10 ft. street and not continue the trail and encourage people
not to come down into his property. Mr. Van Wagenen commented that the city
20 ordinance states that there must be a justifiable reason for a half street to go in (they are
normally not permitted) and typically the way this is treated is if the adjoining property
22 owner is willing to participate and dedicate the road. Regarding this situation, staff's
viewpoint is that the property is controlled on either side by the same property owner and
24 this isn't a situation where we are waiting for future development to happen; this is why
staff encouraged Mr. Stevenson to have the road come all of the way down and to be the
26 full width adjacent to lots 1 & 2. Chairperson Pro Tem Anderson suggested that they
could do the road but maybe not the trail and just bond for it, if they have concerns about
28 pedestrian traffic. Mr. Van Wagenen stated that could be a possibility, as they have done
sidewalk bonds in the past.

30 Mr. Stevenson commented that there will be a deer and cattle fence in place for
privacy reasons. This will be a long term open space area that Mr. College would like to
32 preserve for generations to come and will never developed as long as he can foresee.
Commissioner Lundberg commented that to have a little leg of a trail there that connects
34 to nothing else does not make sense to require that as an improvement at this time
especially because the east side is zoned commercial farm zone now. She agreed with
36 Chairperson Anderson that bonding may be a possibility if the intent is to never develop
that area and to keep it as a historical open space property. Mr. Van Wagenen then read
38 the portion of the code that references partial width roads and the requirements.
Commissioner Lundberg asked for clarification if Mr. Stevenson is proposing to forgo
40 the 10 ft. wide trail and in addition minimize the road to a half width. Mr. Stevenson
confirmed they are proposing the half width plus 10 ft. and to eliminate curb and gutter
42 on the side of the trail and all of the asphalt. She also inquired if the upper portion
(where that would be fully widened), if the 10 ft. trail included in the 66 ft. width of the
44 street. Mr. Van Wagenen confirmed that it is part of it.

46 Chairperson Pro Tem Anderson then opened the meeting to public comment at
this time. There were several residents in attendance to address the commission as
follows:

2 **Roger Gillis:** Mr. Gillis stated that he lives in the Green Valley Condos. He asked if
4 there will possibly be a trail to connect so Green Valley residents can walk to Church
6 instead of having to go all the way around the property. Mr. Van Wagenen stated that
8 even if the road isn't punched through along the Kirby property, the City would be
10 interested in putting sidewalk (path) in for pedestrian access between 480 and Main
12 Street, not specifically a part of this specifically, but the City may look into having it be
14 done at the same time.

16 **Mr. Kirby:** Mr. Kirby asked about sidewalk elevations and if he would be responsible.
18 Mr. Van Wagenen stated that they will be looking at options for the sidewalk to tie it in
20 with this project (but not part of the project) and they are still evaluating it. He added that
22 the City owns a portion of the Main Street easement. Mr. Van Wagenen noted that it
24 would not be Mr. Kirby's responsibility.

26 **Jim Peters:** Mr. Peters voiced his concerns about drainage as far as the trail going
28 through lots 3 & 4. He noted that a lot of water comes down the half street on his
30 property and dumps at the end. He mentioned that there will be a lot of water coming
32 down the street on the one side where it extends down on the west side that doesn't go the
34 field and there is not a storm drain. Mr. Peters also requested a "dead end" sign be
36 installed. Mr. Van Wagenen stated that he will check with Public Works department on
38 that issue.

40 Mr. College re-iterated that they are proposing to put in a half street plus 10 ft.
42 which would give adequate access. Mr. College noted that the City would like to them to
44 put in a full street and curb and asphalt through the east section, but they would like to
46 maintain "green and open space" for future generations and they are not looking to
48 develop and feels that would be a waste of resources. Mr. College stated they will put a
50 berm in that takes the waste water down to a collection ditch and any exceeding storm
52 drainage will run down to the gardener ditch (which is piped). Mr. College also showed
54 photos of the area in question. Mr. Van Wagenen stated that staff has no real concerns
56 with this issue. He noted that Mr. College owns lots one and two at Wadley Farms and
58 added that the turnaround is on Mr. College's property.

60 Chairperson Pro Tem Anderson asked if there were any further questions or
62 comments. Hearing none he called for a motion.

64 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE FOUR (4)
66 LOT SUBDIVISION TO BE KNOWN AS GREEN VALLEY WITH THE
68 FOLLOWING CONDITIONS: 1. EXTEND THE PRESSURE IRRIGATION LINE TO
70 SERVE LOTS ONE (1) AND TWO (2) AND 2. THE DEVELOPER COMPLY WITH
72 REQUESTS FROM THE CITY ENGINEER THAT MAY RESULT FROM THE
74 SOILS REPORT AND 3. THEY PROVIDE THE APPROPRIATE CROSS SECTION
76 OF THE STREET TO THE CITY COUNCIL FOR REVIEW BASED ON THE HALF
78 STREET PLUS 10 FT. OF ASPHALT. COMMISSIONER LUNDBERG SECONDED
80 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

82 CHAIRPERSON PRO TEM ANDERSON AYE
84 COMMISSIONER GUNNELL AYE
86 COMMISSIONER LUNDBERG AYE
88 COMMISSIONER MARCHBANKS AYE

THE MOTION CARRIED UNANIMOUSLY.

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6. **PUBLIC HEARING:** *Alteration of Non-Conforming Use, Timpview RTC.* This is a request by Lynn Loftin of Heritage Youth Services to expand the Timpview Residential Treatment Center from 12 to 16 residents and build a 1,901 square foot addition to the existing facility. The Center is located at 200 North Anderson Lane in the Heavy Industrial (HI) zone.

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

Hugh Van Wagenen, Planning Director, opened the discussion by explaining that Lynn Loftin is requesting approval for the alteration of a nonconforming use of a group home located in the Heavy Industrial zone. Mr. Van Wagenen explained the expansion will include a remodel of the facility and an increase of residents from the current 12 residents and want to expand to 16 residents with one (1) additional staff. He added that Mr. Loftin came before the Commission previously with a concept review regarding this expansion and based on the feedback decided to move forward. Mr. Van Wagenen noted that Mr. Loftin has provided information regarding this request. Mr. Van Wagenen mentioned that he did speak with Commissioner Anderson about possible road improvements along 1400 west Anderson Lane. He noted that currently it is a private road not a city street, and staff feels that having any sort of improvements (master planned road) may be inappropriate for the situation as there are not other facilities in that area and it doesn't connect to any greater part of the city or its residents. Therefore, the city would not be asking for any road improvements in front of the home or dedication of road in the area from the applicants with this expansion. Mr. Van Wagenen then referenced the approval requirements in the code section as follows including photos of the home and the property in question:

Lindon City Code 17.16.030 which gives the Planning Commission authority to approve alterations of nonconforming uses:

2. The Planning Commission may authorize the expansion, alteration, or enlargement of a nonconforming use, structure, building, parcel, or lot, or movement of parcel lines, only after holding a public hearing and finding that:
 - a. the expansion, alteration or enlargement of the nonconforming building, structure, parcel, lot, or use will to reasonable extent bring the property, building, structure, parcel, lot or use as close as reasonably possible to conformance with requirements and regulations of the zone in which the nonconformity is located; and,
 - b. the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure or violate the development policies adopted in the Lindon City Master Plan; and,
 - c. the use, building, or structure, existing or proposed, will be brought into compliance, where possible, with design and architectural standards of the zone where proposed.

2 Mr. Van Wagenen further noted that Mr. Loftin has provided responses to the
3 three requirements above and, additionally, with regards to requirement 2.c., the Heavy
4 Industrial zone does not have any architectural standards. Mr. Van Wagenen explained
5 as noted that the septic tank needs replacing at this time and Mr. Loftin has been working
6 with Utah County to determine the proper upgrade of the system. Mr. Van Wagenen
7 stated that any approval of this expansion should be conditioned upon the septic tank
8 upgrade being able to handle the additional residents and staff that will be at the facility.

9 Mr. Loftin and his associates addressed the Commission at this time to present
10 their slideshow presentation. He gave a quick summary of the Heritage Youth Services,
11 noting that they have been in operation since the early 1970's. He added they have been
12 operating the residential treatment center for boys on 200 North Anderson Lane in
13 Lindon since 2006. Mr. Loftin stated the boys are placed by the Utah Division of Child
14 and Family Services and are mostly from the Utah County area; which allows the
15 opportunity for families to see their boys without putting a burden of additional travel
16 expenses and also allows them to participate in therapy. He noted that the scope of
17 service will stay the same. Mr. Loftin went on to say that after the initial purchase of the
18 property, they needed to remodel the home to make it a suitable treatment center. He
19 noted they spent thousands of dollars cleaning up mold, replacing sheet rock in the
20 basement, replacing doors, and painting the house. He stated that they also replaced all
21 of the carpet, shingles, new siding, and closed in the garage. Mr. Loftin commented that
22 the property went from unlivable to a nice place for the boys to temporarily live to get the
23 help they need.

24 Mr. Loftin then reviewed the "Current Issues" that require more than a basic
25 remodel as follows:

- 26 1. Install a new septic system that will accommodate the number of people in the
27 facility and the high water table.
- 28 2. Remove the basement bathroom, water softener, and water heater to the main
29 floor, eliminating the need to pump sewage from the basement. Since there is not
30 enough living space to accommodate moving the bathroom and bedrooms the
31 main floor, they will need to build an addition to the north end of the house for
32 new bedrooms and bathroom for the youth. The State of Utah requires that the
33 square footage be 60 sq. ft. for rooms with more than one person and 80 sq. ft. in
34 single rooms. One bathroom for every six youth. They would remodel the
35 basement in offices for staff instead of bedrooms. The addition would give
36 enough square footage to accommodate moving the youth to the main floor of the
37 house.
- 38 3. Replace the existing electric heating system with a propane forced air furnace
39 system.
- 40 4. Be allowed to increase the capacity from 12 to 16 youth allowing them to hire an
41 additional staff and a part-time therapist. The additional 4 youth will only
42 increase their capacity to 16 and keeping them in compliance with Utah
43 requirements for Medicaid of no more than 16 youth in a program. With the
44 addition of only 4 youth this will allow them to be over the required ratio of 1
45 staff to 6 youth.

46 Mr. Loftin stated that this is an opportunity for them to make needed
47 improvements to the building and property to make it a better place for the youth to live
48 and for the employees to work. He added without the increase in capacity to 16 youth it

is impossible for them to fund the addition to the building and pay for the additional staff. Mr. Loftin noted that the estimate of the cost of the improvements will be between \$200,000 and \$250,000. They would finance the construction expenses and pay the loan off over time. The additional four (4) youth are needed to pay for the on-going expenses of payroll for extra staff and the construction costs.

Mr. Loftin then reviewed the “Pro’s and Con’s” of the proposal as follows:

Pro’s

1. The additional capacity would provide an opportunity for four (4) more local kids and families to get help.
2. Allowing the resources to fix the continual plumbing, electrical, and heating problems making the building a nicer place to work and live.
3. Expanding the program creates a few new jobs for the community.
4. Since it is a small increase of 4 youth, the impact on the community will be less noticeable and the program has a proven track record of operating safely in the community since 2006.

Con’s

1. Traffic flow on Anderson Lane is a concern. They estimate that they will have 2.5 additional round trips per day due to staff. Since families usually visit on Saturday or Sunday, this should be less noticeable because the professional staff and school staff are not working. But most families don’t visit every weekend, so overall, this could account for 2 additional round trips over the weekend due to the additional youth. The traffic is a concern for the Anderson’s since they use tractors and are frequently crossing the road. They will continue to work with the staff to obey the 15 mph speed limit and use their employee corrective action plan if an employee violates the conditional use agreement.
2. Some people worry about having additional youth in the community. Their youth are well supervised and they have a proven track record of operation safely in the community since 2006 at the location on Anderson Lane.

Mr. Loftin then referenced Lindon City Code section 17.16.030: Amendments, additions, enlargements and moving of nonconforming parcels or uses followed by some general discussion.

He referenced section 17.16.020

2.a. The expansion, alteration or enlargement of the nonconforming building, structure, parcel, lot, or use will to a reasonable extent bring the property, building, structure, parcel, lot or use as close as reasonably possible to conformance with requirements and regulations of the zone in which the nonconformity is locate;

Mr. Loftin discussed that the non-conforming use permit is located in a heavy industrial area and most residential treatment centers located in residential areas are commercial areas of the city. He noted that although the program is in an isolated area of the city and surrounded by open fields, there is a natural buffer from the community. He went on to say that the isolation from neighborhoods or commercial areas has additional advantages in that other members of the community may be less impacted.

2.b. *The proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure or violate the development policies adopted in the Lindon City Master Plan;*

Mr. Loftin explained there are not any proposed changes to the programs purpose, operation, or functioning by the requested changes. With the additional four (4) youth and staff will require few more round trips than are currently occurring. They will continue to educate visitors and staff about obeying the speed limit on Anderson Lane. A separate issue about water drainage in front of the property has been a concern in the past. He noted they have spoken with the City Engineer regarding the impact the new addition would have on water drainage. He reported that he sees no obvious impact due to the addition. They also discussed the ditches currently surrounding the property and the drainage problems that have existed in the past. Mr. Loftin stated that although it is the responsibility of the owner of the property directly behind the facility they have maintained the ditch surrounding the house. If they had not, there would be issues in the spring with heavy runoff that would run through the yard and across the road into the Anderson's pasture. He noted that they cut a hole in the pip to allow the water to drain into the ditch on the north end of the driveway.

2.c. *The use, building, or structure, existing or proposed, will be brought into compliance, where possible, with design and architectural standards of the zone where proposed.*

Mr. Loftin stated that the addition on the north end of the house will be designed to blend in with the existing brick and siding. By design the exterior will look more homelike than institutional but designed to function as a residential treatment center. He noted the other homes are a similar rambler type construction. The proposed addition to the house will be hidden in the back and not visible from the street. There was then some general discussion with the Commission regarding this issue.

Chairperson Pro Tem Anderson asked if there were any public questions or comments. Hearing none he called for a motion to close the public hearing.

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

Following some additional general discussion the Commission was in agreement that there is a definite need for this type of facility in the City. Chairperson Pro Tem Anderson called for a motion.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE REQUEST FOR THE ALTERATION OF NONCONFORMING USE KNOWN AS TIMPVIEW RTC IN THE HEAVY INDUSTRIAL ZONE WITH THE FOLLOWING CONDITIONS: 1. THE SEPTIC TANK UPGRADE HAVE THE CAPACITY TO ACCOMMODATE THE ADDITIONAL RESIDENTS AND STAFF AS PROPOSED BY THE EXPANSION AND 2. PRIOR TO OCCUPANCY OF THE NEW ADDTION THE WATER ISSUE BE REMEDIATED THAT HAS BEEN FLOODING THE

2 ANDERSON PROPERTY. COMMISSIONER GUNNELL SECONDED THE
3 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
4 CHAIRPERSON PRO TEM ANDERSON AYE
5 COMMISSIONER GUNNELL AYE
6 COMMISSIONER LUNDBERG AYE
7 COMMISSIONER MARCHBANKS AYE
8 THE MOTION CARRIED UNANIMOUSLY.

9
10 3. **NEW BUSINESS** – Reports by Commissioners.

11 Chairperson Pro Tem Anderson called for any new business or reports from the
12 Commissioners. Hearing none he moved on to the next agenda item.

13
14 4. **PLANNING DIRECTOR'S REPORT** –

15 Mr. Van Wagenen reported on City Council updates as follows:

- 16 • City Council
 - 17 ○ CG-S zone was approved
 - 18 ○ Land Use Authority Table
 - 19 ○ Bed & Breakfast
- 20 • Jordan Cullimore is the new Planner II and will be starting in
- 21 January.
- 22 • Lindon Christmas Party December 24th @ noon. Commissioners
- 23 and their families are invited to attend.
- 24

25 Chairperson Pro Tem Anderson asked if there were any other comments or
26 discussion from the Commissioners. Hearing none he called for a motion to adjourn.

27
28 **ADJOURN** –

29
30 COMMISSIONER LUNDBERG MADE A MOTION TO ADJOURN THE
31 MEETING AT 9:05 P.M. COMMISSIONER GUNNELL SECONDED THE MOTION.
32 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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36 Approved – January 14, 2014

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39 Ron Anderson, Chairperson Pro Tem

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44 Hugh Van Wagenen, Planning Director

Item 3 – Public Comment

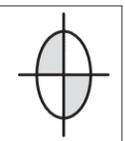
1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion



Old Rail Estates

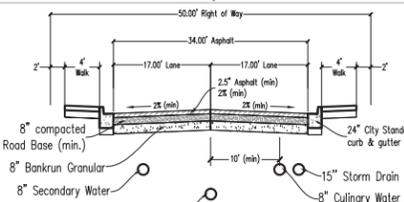
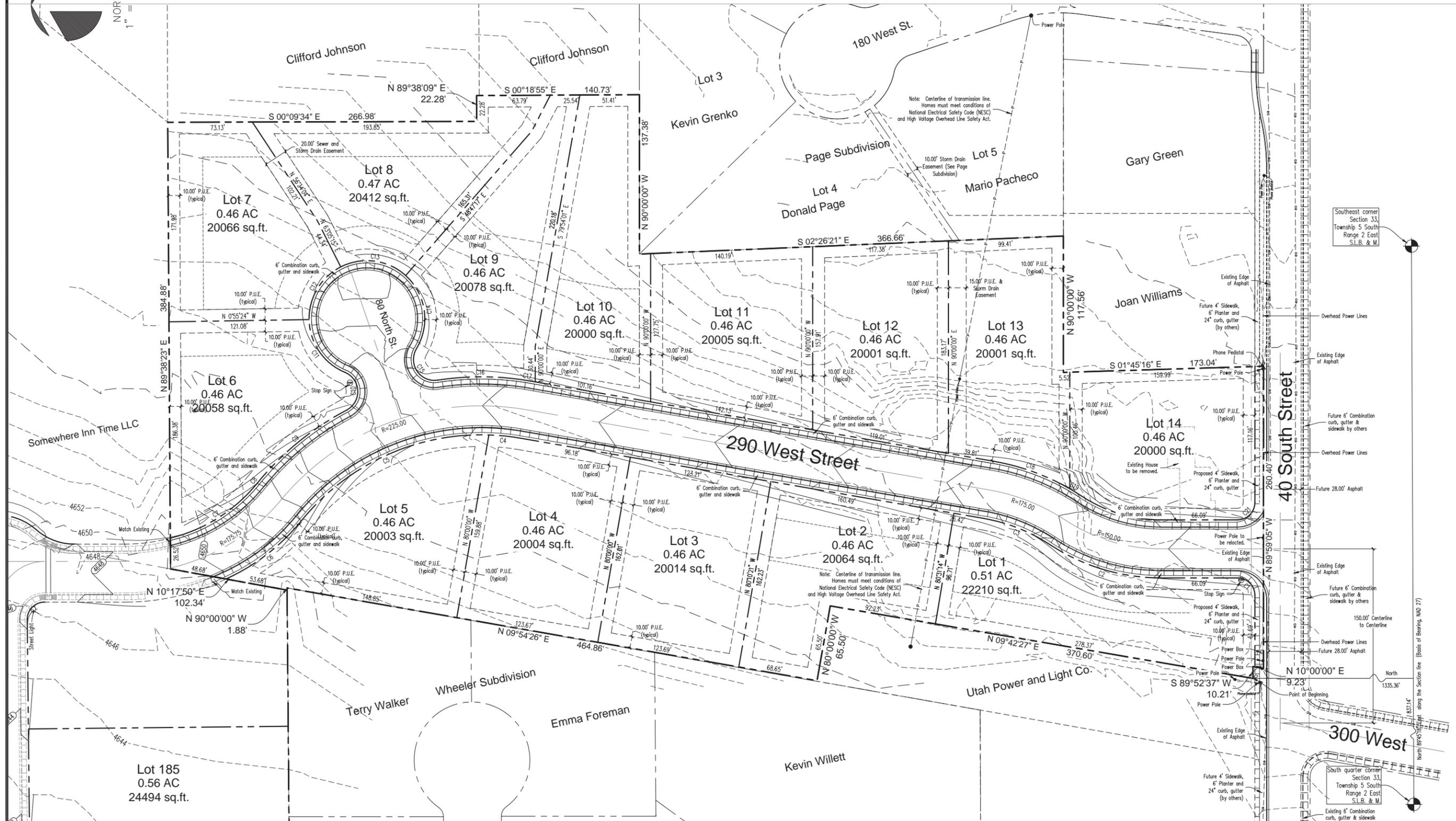


DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
365 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

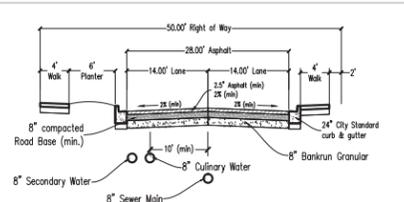
Preliminary Plat

Utah

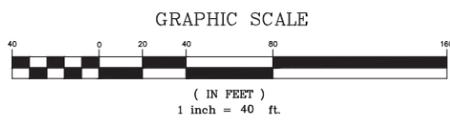
Lindon City



290 West Street Cross Section



40 South Street Cross Section



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

Know what's below. Call 811 before you dig.

BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

CAUTION!!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

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| Revisions |
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Date
5-14-2013
Scale
1" = 40'
By
TD
Tracing No.
L - 13847

Sheet No.
C-2.0

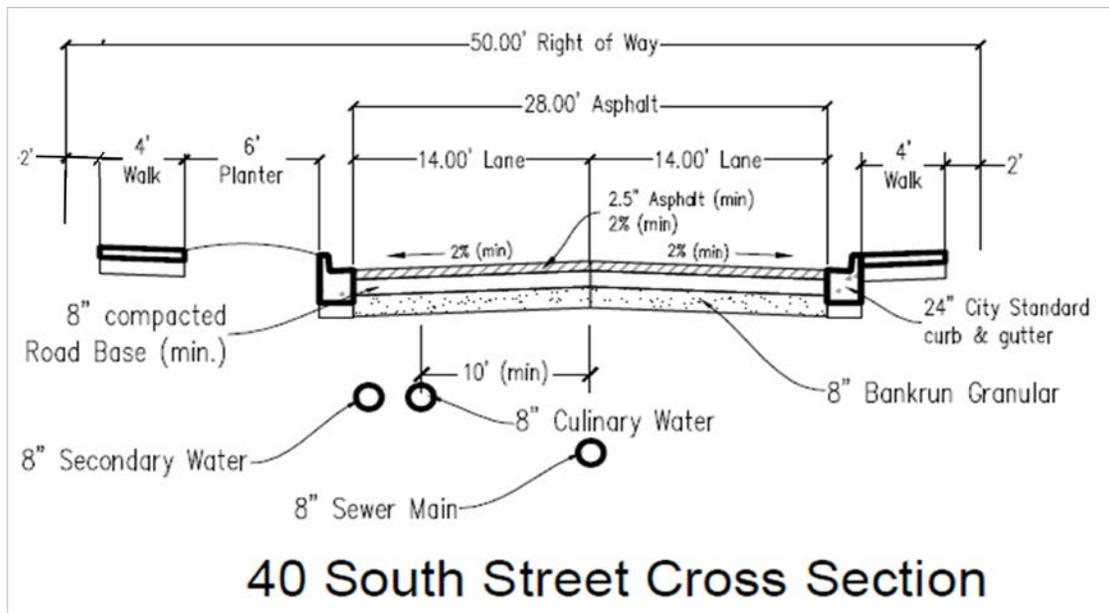
40 South Cross Section

The proposed 40 South cross section differs from the standard 50 foot cross section in two ways:

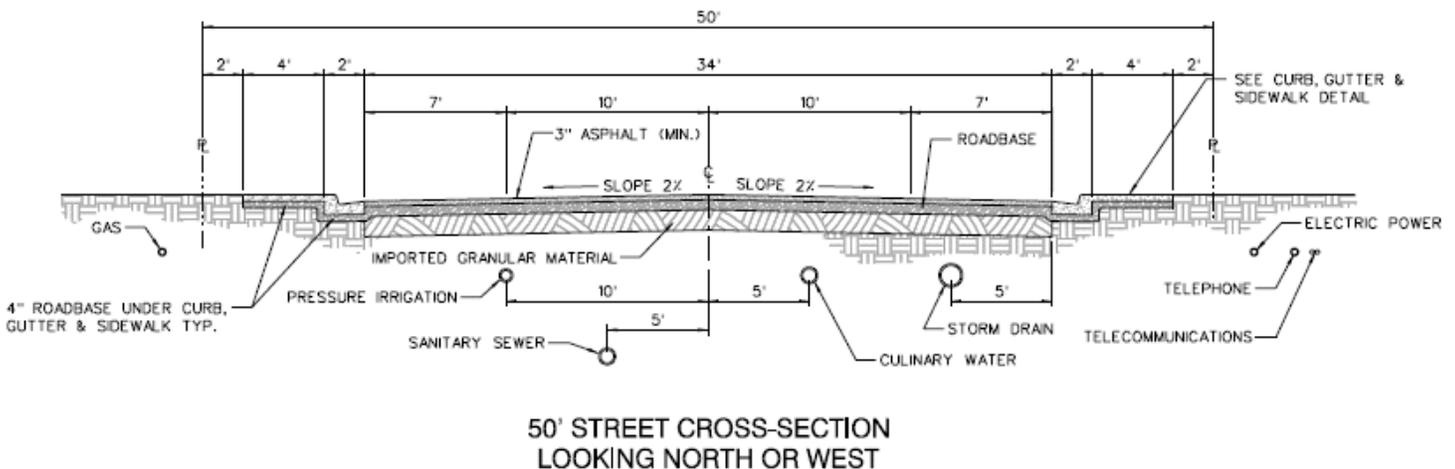
1. There is a six (6) foot planter strip on the north side of the road that will be used to accommodate power poles that exist in the current right of way.
2. Only 28 feet of asphalt will be used as opposed to the standard 34 feet. The six foot planter strip takes up the difference in asphalt width.

This cross section still provides for a sidewalk, thereby increasing pedestrian safety which was a primary concern of the neighborhood at previous public meetings. Staff recommends approval of the 40 South cross section as provided by the applicant. It is anticipated that the cross section will be adopted for all of 40 South.

Proposed

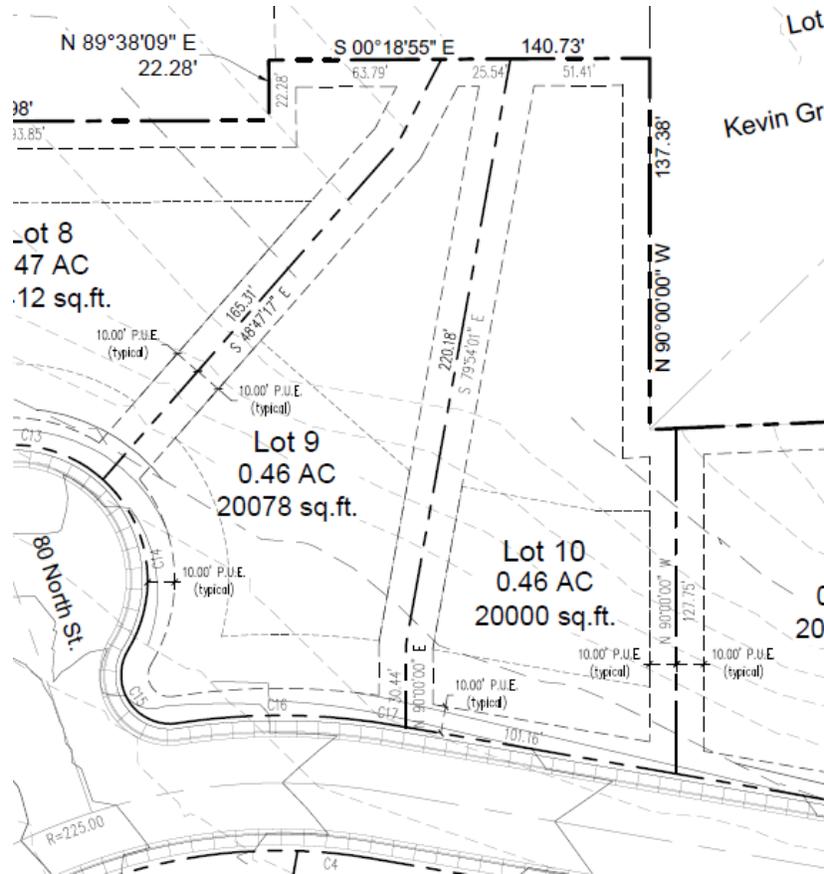


Standard



Lot Requirement Considerations

A review by the City Engineer determined that Lots 9 and 10 do not comply with LCC 17.32.100(3), which does not permit lots that have more than a 3 to 1 length to width ratio. The subsection does allow the Planning Commission and City Council to approve up to a 20% increase in the depth of a lot if it is determined that the proposed development is (1) the best use of the property, and (2) in the best interest of the City and surrounding properties. The City Engineer recommends such an approval to make the lots compliant with the City ordinance.



Motion: I move to (approve, continue, deny) the fourteen (14) lot subdivision to be known as Old Rail Estates with the following conditions (if any):

Item 5: Public Hearing — Ordinance Amendment, LCC 17.02 Definitions

Presenting Staff: *Hugh Van Wagenen*
Applicant: *City Initiated*

Summary

This is a City initiated request to define the term "vault security - mini storage" in Lindon City Code 17.02 Definitions. It was deemed prudent to define the above term which appears as an approved use in the newly created CG-S zone. Recommendations will be made to the City Council at their next available meeting. The proposed language is as follows:

17.02.010(187)

187. "Vault Security—Mini-Storage" means a storage facility that is characterized by individual separate spaces which are accessible by customers for the storing and retrieval of personal effects and household goods. In no case shall storage spaces be used for manufacturing, retail or wholesale selling, office or other business services, or human habitation.

Motion: I move to (approve, deny, continue) the amendment to LCC 17.02 Definitions, to include 17.02.010(187) "Vault Security - Mini Storage" as shown with the following conditions (if any):

Item 6: Public Hearing — Ordinance Amendment, LCC 17.17.130 Amended Site Plans

Presenting Staff: *Hugh Van Wagenen*
Applicant: *City Initiated*

Summary

This is a City initiated request to amend Lindon City Code 17.17.130 Amended Site Plans, to allow for Staff to approve accessory buildings of one thousand (1,000) square feet or less on amended site plans when certain conditions are met. In addition to being staff approved, this change allows applicants to have ancillary buildings approved on a site at a reduced review fee. There are also minor grammatical and sentence structure changes included in the amendment. Recommendations will be made to the City Council at the next available meeting. The proposed language is underlined below:

Section 17.17.130 Amended site plans.

1. Amended site plans shall be submitted when changes to the site and/or building are proposed.

Changes that require amended site plans to be approved by the Land Use Authority and brought into substantial compliance with current city codes are triggered by the following:

a. A change in intensity of land use of the property, defined as a change between agricultural, residential, commercial, ~~industrial~~, or public assembly uses (i.e., school or church changes to a retail business);

b. New buildings or structures are being added to the property, with the following exceptions:

i. At the discretion of the Planning Director, accessory buildings one thousand (1,000) square feet or less may be administratively approved without requiring Land Use Authority review when, upon the Planning Director's findings, the amended site plan meets the standards listed in paragraph 4 of this section; or

c. Exterior changes are proposed to the dimensions of any existing building or structure as follows:

i. 0 – 9% increase in building square footage. ~~The new addition shall meet current architectural design standards for the zone and, except for parking standards necessary to accommodate the increased square footage, no additional site or building improvements are required. At the discretion of the Planning Director this level of change may be approved by Staff - without requiring a site plan application, fee, or Land Use Authority review - when the alteration meets the standards listed in Section 17.17.130(4) paragraph 4 of this section.~~

ii. 10 – 19% increase in building square footage. The new addition, ~~and~~ including the entire

existing building being added to, shall meet current architectural design standards for the zone in which it is located. The Land Use Authority may work with the applicant to prioritize architectural features that are determined to have the greatest impact on appearance of the structure in meeting zone standards. Parking standards shall also be ~~met~~ complied with.

iii. 20 – 30% increase in building square footage; The new addition and existing building shall meet current architectural and parking standards, ~~(as listed above in section ii)~~ as referenced in 17.17.130(c)(ii). In addition, any landscaping requirements shall be met.

iv. Over 30% increase in building square footage. The site shall be brought into substantial compliance with all current city codes and ordinances - specifically as listed in ~~Section 3 below~~ 17.17.130(3).

v. Any action which, when combined with one or more previous expansions that have occurred over any period of time, causes the aggregate area of expansion to fall within one of the percentage categories listed above.

d. Cosmetic changes to the exterior of a building or structure (paint, windows, roof covering, etc.) are permitted without any approvals from the Land Use Authority. Any cosmetic changes shall meet current codes and/or shall bring the facilities closer to conformance with current codes and ordinances, ~~such as including~~ the Lindon City Commercial Design Guidelines.

2. Approval. The procedure for approval of an amended site plan shall be the same as the procedure of approval of an original site plan unless a waiver is granted according to 17.17.130(4).

3. Required Improvements. When a site plan is required to be brought into substantial compliance with all current city codes and ordinances the following issues shall receive specific review:

a. Landscaping ~~and white fencing (as applicable to zone)~~;

b. Storage and exterior displays;

c. Off-Street parking;

d. Vehicular access and circulation;

f. Off-street loading and unloading;

h. On-site surface water drainage (Other methods of surface water drainage may be approved for amended site plans if approved by the City Engineer);

i. Off-site curb, gutter and sidewalk;

j. Piping of irrigation ditches;

k. Solid waste containers (trash enclosures);

l. Street lights;

m. Fencing and/or screening;

n. Architectural standards applicable to the zone in which the site is located; and

o. Any other standards required under the submittal requirements as referenced in 17.17.115.

4. Waiver. The Planning Director shall have the authority to waive the requirements of Section 17.17.130(1)(c)(i), and shall have the authority to approve amended site plans, new accessory buildings one thousand (1,000) square feet or less, and/or building permits without further review by the Land Use Authority if he or she makes the following findings:

- a. The proposed amended site plan complies with all current City ordinances;
- b. The original site plan has not been materially altered, and has not changed in a way that detracts from the overall safety or aesthetics of the site; and
- c. The proposed amendments to the site plan will not have a material detrimental effect on other properties in the area.

Application fees for a Staff approved amended site plan shall follow the Lindon City Fee Schedule established at the time of the application. Any decision of the Planning Director to waive the requirements of section 17-17-130(2) will require notice of intent to approve the proposal to all surrounding property owners within three hundred feet (300') of the subject property. The decision may be appealed to the Appeal Authority ~~by any party of interest~~ within ten (10) days of the date of the mailed notice. If no appeal is received within the ten (10) day appeal period, the application and/or permit may be approved.

5. Modification of Requirements on amended site plans. The Land Use Authority may modify or adjust the requirements of section 17-17-130 if any of the following conditions are met:

- a. Strict compliance with the requirements of section 17-17-130 would cause an unusual and unnecessary hardship to the applicant and/or would create detrimental impacts upon the property (i.e., requiring landscaping would eliminate parking).
- b. The amended site plan provides for additions, deletions or improvements to the subject property that are beneficial to the public, improve the appearance of the site, bring the site closer to conformance with City code, or increase the safety or convenience of the site to the public.

The maximum allowable modification or adjustment shall be the exception rather than the rule, and shall include all other variances previously granted on the site.

6. Additional Standards. In granting any of the changes set forth in subsection 17-17-130(5), the Land Use Authority may impose additional standards or requirements that will substantially serve the objectives of the standards or requirements that are waived, adjusted or modified. Any authorized changes or additional requirements shall be entered in the minutes of the Land Use Authority with the circumstances justifying the changes or requirements. (Ord. 98-3, Amended, 10/03/2000)

Motion: I move to (approve, deny, continue) the amendment to Lindon City Code 17.17.130 Amended Site Plans, as shown with the following conditions (if any):

Item 7: Continued Public Hearing — Ordinance Amendment, LCC 17.48.040 Commercial Fencing

Presenting Staff: *Hugh Van Wagenen*
Applicant: *City Initiated*

Summary

This is a continued item for a Planning Commission initiated request to omit the white vinyl ranch fencing requirements along public street frontages in commercial zones. Recommendations will be made to the City Council at the next available meeting.

At the previous meeting in October, there was discussion on whether to strike the requirement completely or to keep the language in the ordinance as a recommendation only. At that meeting, the Commission moved to continue the item until the first of the year. As a starting point, the amendment as shown below shows the entire requirement being struck from the ordinance.

Lindon City Code 17.48.040 Fencing and Screening

~~2. All required landscaping that abuts frontage on a dedicated street in the CG, PC 1 and PC 2 zones shall contain a continuous white vinyl ranch style two (2) rail fence. The fence shall be three (3) feet tall with post dimensions of five (5) inches by five (5) inches with rail dimensions of two (2) inches by six (6) inches. The posts shall be installed eight (8) feet on center with two (2) rails between posts. The fence shall be placed adjacent to State Street and any other dedicated streets in the CG zone and PC 1 and PC 2 zones in a continuous fashion. Placement of the fence shall typically be two (2) feet behind the sidewalk within the required landscaping strip. Any variation to the location of this fence requirement, 17.48.040 (2), may be granted by the Planning Commission.~~

Motion: I move to (approve, deny, continue) the ordinance amendment to LCC 17.48.040 Fencing and Screening which amendment consists of the striking of paragraph 2, with the following conditions (if any):

Item 8: New Business (Planning Commissioners Reports)

Item 1 –Subject _____
Discussion

Item 2 - Subject _____
Discussion

Item 3 - Subject _____
Discussion

Item 9: Planning Director Report

- Green Valley Approval
- New Planner: Jordan Cullimore
- City council open position
 - Planning Commission open position
- North Utah County Transit Subcommittee
- Bicycle/Pedestrian Master Plan

Adjourn

| APPLICATION NAME | APPLICATION DATE | APPLICANT INFORMATION | PLANNING COMM. | CITY COUNCIL |
|---|--|--|-----------------------------------|---------------|
| | | | DATE | DATE |
| Ordinance changes: LCC 17.38 'Bonds for Completion of Improvements to Real Property' | Sept. 2009 | City Initiated | ? | ? |
| <i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i> | | | | |
| Zone Change: Old Town Square | Feb 1, 2012 | Scott Larsen | Feb. 14, continued | Pending |
| <i>Request for approval of a zone change for two parcels located at 873 West Center Street from R1-20 (Residential Low) to LI (Light Industrial).</i> | | | | |
| Property Line Adjustment: LBA Rentals | Mar 12, 2012 | Lois Bown-Atheling | N/A | N/A |
| <i>Request for approval of a property line adjustment to clean up existing parcels lines for five parcels in the CG zone at 162 & 140 South Main Street. This project is in conjunction with the Castle Park project.</i> | | | | |
| Ordinance changes: LCC 17.32, 17.58, 17.66.020 'Subdivisions' | Nov. 2012 | City Initiated | Nov. 13, Dec. 11, Jan. 8, Jan. 22 | Feb. 5 |
| <i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i> | | | | |
| Site Plan: Lindon Senior Apartments | Sept. 2013 | Matt Gneiting | TBD | TBD |
| <i>Request for site plan approval for senior housing apartments on State & Main</i> | | | | |
| Major Subdivision: Old Rail Estates | Nov. 2013 | Scott Farrer | Jan. 14, 2014 | TBD |
| <i>Request for a 14 lot subdivision at about 280 West 40 South.</i> | | | | |
| Ordinance Change: LCC 17.02 Definitions | Jan. 2014 | City Initiated | Jan. 14, 2014 | Jan. 21, 2014 |
| <i>City initiated ordinance change to define Vault Security-Mini-Storage Units.</i> | | | | |
| Ordinance Change: LCC 17.17.130 Amended Site Plans | Jan. 2014 | City Initiated | Jan. 14, 2014 | Jan. 21, 2014 |
| <i>City initiated change to allow staff approval of amended site plans for accessory buildings 1,000 square feet or less.</i> | | | | |
| Major Subdivision: Long Orchard | Jan. 2014 | Ivory Development | TBD | TBD |
| <i>Request for a 11 lot subdivision to be located at approximately 170 South 400 East.</i> | | | | |
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| | | | | |
| NOTE: This Project Tracking List is for reference purposes only. All application review dates are subject to change. | | | | |
| <u>PC / CC Approved Projects - Working through final staff & engineering reviews (site plans have not been finalized - or plat has not recorded yet):</u> | | | | |
| <i>Stableridge Plat D (Vaughn Heath)</i> | <i>Highlands at Bald Mountain</i> | <i>Tim Clyde – R2 Project</i> | | |
| <i>BMA / Old Station Sq – site plan Lots 11 & 12</i> | <i>AM Bank – site plan</i> | <i>Joyner Business Park, Lot 9 site plan</i> | | |
| <i>Double A Estates Subdivision</i> | <i>Old Station Square Plat D</i> | <i>Castle Park Amended Site Plan</i> | | |
| <i>Southcreek Subdivision</i> | <i>Olsen Industrial Park Sub., Plat A (Sunroc)</i> | <i>Homesteads at Coulson Cove Plats C</i> | | |
| <i>West Meadows Indus. Sub (Williamson Subdivision Plat A)</i> | <i>Keetch Estates, Plat A</i> | <i>Lindon Gateway II</i> | | |
| <i>Osmond Senior Subdivision</i> | <i>Lindon Harbor Industrial Park II</i> | <i>Meine Plat A</i> | | |
| <i>Freeway Business Park II</i> | <i>Questar Gas Site Plan/Subdivision</i> | <i>Craig Olsen Site Plan</i> | | |
| <i>Valdez Painting Site Plan</i> | <i>Murdock Hyundai Site Plan</i> | <i>Maverik Site Plan</i> | | |
| <i>Cullimore Court Subdivision</i> | <i>LCD Business Center</i> | <i>Sam White Office/Warehouse Site Plan</i> | | |
| <i>Eastlake at Geneva North Sub.</i> | <i>Lindon Business Park Plat C</i> | <i>Lindon Business Park Bldg 4 Site Plan</i> | | |
| <i>Avalon Senior Living Site Plan</i> | <i>Intermountain Turbine Site Plan</i> | <i>Murdock Hyundai Plat Amendment</i> | | |
| <i>Osmond Senior Living Site Plan</i> | <i>Timpview RTC Expansion</i> | <i>Maxine Meadows Subdivision</i> | | |
| <i>Homesteads @ Coulson Cove Plat C</i> | <i>Shelley Canberra Heights</i> | <i>Green Valley Subdivision</i> | | |

| Board of Adjustment | | |
|--|------------------|--|
| Applicant | Application Date | Meeting Date |
| Scott Farrer: Minimum Distance between offset roads | September 2013 | Oct. 30; continued and subsequently withdrawn. |
| Lindon City: Bishops Storehouse Variance to Lot Size | January 2014 | TBD |

| Annual Reviews | | | | |
|---|------------------|---|--------------------------------------|--------------|
| APPLICATION NAME | APPLICATION DATE | APPLICANT INFORMATION | PLANNING COMM. | CITY COUNCIL |
| | | | DATE | DATE |
| Annual review - Lindon Care Center 680 North State Street (File # 05.0383.8) administrator@lindoncare.com | Existing use. | Lindon Care Center Manager: Christine Christensen 801-372-1970. | February 2014 Last Reviewed: 3/13 | N/A |
| <i>Annual review of care center to ensure conformance with City Code. Care center is a pre-existing use in the CG zone.</i> | | | | |
| Annual review of CUP - Housing Authority of Utah County - Group home. 365 E. 400 N. (File # 03.0213.1) lsmith@housinguc.org | Existing CUP | Housing Auth. Of Utah County Director: Lynell Smith 801-373-8333. | February 2014 Last Reviewed: 3/13 | N/A |
| <i>Annual review of CUP to ensure conformance with City Code. Group home at entrance to Hollow Park was permitted for up to 3 disabled persons.</i> | | | | |
| Heritage Youth Services - Timpview Residential Treatment Center. 200 N. Anderson Ln. (File # 05.0345) info@heritageyouth.com info@birdseyvertc.com | Existing CUP | HYS: Corbin Linde, Lynn Loftin 801-798-8949 or 798-9077 | February 2014 Last Reviewed: 3/13 | N/A |
| <i>Annual review required by PC to ensure CUP conditions are being met. Juvenile group home is permitted for up to 12 youth not over the age of 18.</i> | | | | |

| Grant Applications | |
|---|---|
| Pending | Awarded |
| CDBG 2014 Grant – Senior Center Computer Lab | Heritage Trail Phase 2 – Trail construction grant. Awarded amount \$3,037,433 o Status – ▪ Construction beginning March 25, 2013 ▪ To be completed by June 12, 2013 |
| Bikes Belong - Trail construction grant. Requested amount: \$10,000 o Status: NOT SELECTED FOR 2010. WILL RE-APPLY IN 2014. | EPA STAG Grant – Lindon Hollow Creek Ditch relocation. Awarded \$500,000 • Van Con awarded bid. Construction has started. |
| Land and Water – Trail construction grant. Requested amount: \$200,000 o Status: NOT SELECTED. RE-APPLY IN 2014. | Utah State Parks 2011 – Non-motorized Trail grant: Awarded \$100,000 o Status – Environmental docs have been submitted to State o Pending property dedication by PacifiCorp • Intend to use funds towards completion of additional trail near power plant |
| Hazard Mitigation Grant / MAG Disaster Relief Funds- (pipe main ditch) | EDCUtah 2012 – Awarded \$2,000 matching grant for 700 North CDA consultant reimbursement. o Proposed study / CDA creation in fall 2012. Estimated costs ~\$20,000. |
| FEMA Hazard Mitigation Grant – (pipe Main Ditch) | State History Grant 2012 – New historical markers. Awarded \$800.00 (w/ 50% match from historical commission funds for total project cost of \$1,600). |
| | MAG Bicycle Master Plan Study Awarded funds to hire consultant to develop bicycle master plan to increase safety and ridership throughout the city. |
| | Utah Heritage Foundation — Lindon Senior Center Awarded 2013 Heritage Award in the Category of Adaptive Use Project. |
| | CDBG 2013 Grant – Senior Center Van (\$50,000). Funds dispersed July 2013 |

| Planning Dept - Projects and Committees | | | |
|---|---|----------------------------|---|
| On-going activities (2013 yearly totals) | Misc. projects | UDOT / MAG projects | Committees |
| Building permits Issued: 155 New residential units: 36 | 2010-15 General Plan implementation (zoning, Ag land inventory, etc.) | 700 North CDA | Utah Lake Commission Technical Committee: Bi-Monthly |
| New business licenses: 53 | Lindon Hollow Creek-Corps of Eng., ditch relocation | Lindon Bicycle Master Plan | MAG Technical Advisory Committee: Monthly |
| Land Use Applications: 67 Drug-free zone maps: 25 | Lindon Heritage Trail Phase 3 Gateway RDA improvements | | Lindon Historic Preservation Commission: Bimonthly North Utah County Transit Study Committee |