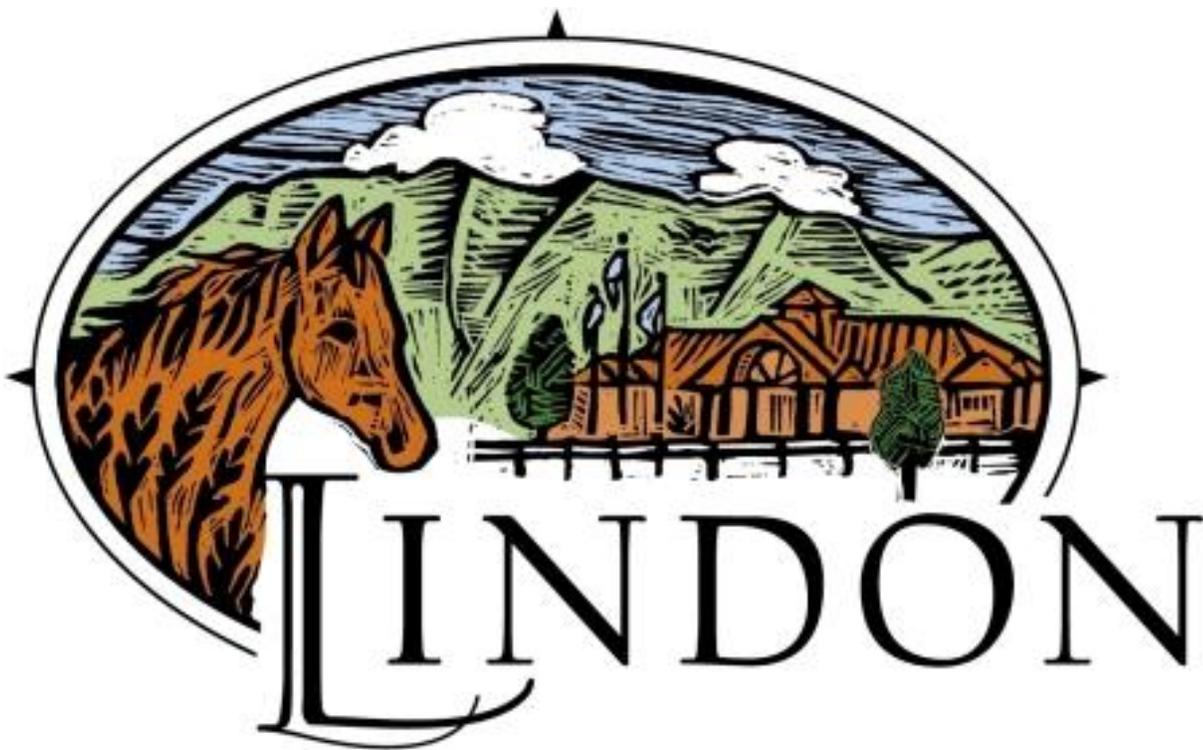


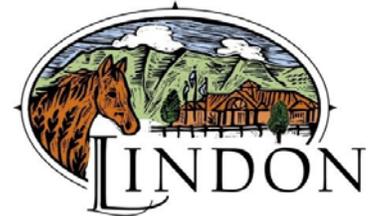
Lindon City Planning Commission Staff Report



March 25, 2014

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, March 25, 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 by video or teleconference. 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 March 11, 2014**
3. **Public Comment**

4. **Annual Review of Group Home Facility — Housing Authority of Utah County** (Review times are estimates only.) (15 minutes)
365 East 400 North

This is a required annual review of a group home owned by the Housing Authority of Utah County. The facility was approved to provide housing for up to three physically disabled adults. No changes are proposed to the facility as this is only a review of the current use to ensure conformance with City Code and conditions of approval.

5. **Annual Review of Group Home Facility — Lindon Care & Training Center** (15 minutes)
680 North State Street

This is a required annual review of a group home for disabled adults owned by RHA Community Services of Utah. The facility provides housing for multiple tenants. No changes are proposed to the facility as this is only a review of the current use to ensure conformance with City Code.

6. **Annual Review of Group Home Facility — Heritage Youth Services/ Timpview Residential Treatment Center** (15 minutes)
200 North Anderson Lane

This is a required annual review of a juvenile group home approved for up to 16 youth not over the age of 18. The facility provides housing and social activities for the youth and is located in the HI zone. In December of 2013, the Planning Commission authorized an expansion of the home, including a new addition, in order to accommodate 16 individuals (up from 12). This is a review of the current conditions of the facility to ensure conformance with City Code.

7. **Conditional Use Permit — Utah Valley Peterbilt, 870 West 410 North** (20 minutes)

Rob Green, on behalf of Utah Valley Peterbilt, requests approval to expand the present operation to include light motor vehicle repairs at the location indicated above in the Light Industrial (LI) zone. General vehicle repair is a conditionally permitted use in the LI zone.

8. **Training — Planning Commission Rules and Procedures** (15 minutes)

The Commission will review the Planning Commission's Rules and Procedures. No changes will be made to the rules.

9. **New Business (Reports by Commissioners)**

10. **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: Jordan Cullimore

Date: March 21, 2014

Time: ~2:00 pm

Place: Lindon City Center, Lindon Public Works, Lindon Community Center

Item I – Call to Order

March 25, 2014 Planning Commission meeting.

Roll Call:

Ron Anderson
Sharon Call
DelRay Gunnell
Rob Kallas
Mike Marchbanks
Bob Wily

Item 2 – Approval of Minutes

Planning Commission – Tuesday, March 11, 2014.

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **March 11, 2014 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.

8 Conducting: Ron Anderson, Vice Chair
9 Invocation: Bob Wily, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 **PRESENT**

14 Ron Anderson, Commissioner
15 Del Ray Gunnell, Commissioner
16 Rob Kallas, Commissioner
17 Bob Wily, Commissioner
18 Hugh Van Wagenen, Planning Director
19 Jordan Cullimore, Associate Planner

ABSENT

Sharon Call, Chairperson
Mike Marchbanks, Commissioner
Kathy Moosman, City Recorder

- 20
- 21 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
 - 22 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of February 25,
23 2014 were reviewed.

26 COMMISSIONER GUNNELL MOVED TO APPROVE THE MINUTES OF
27 THE REGULAR MEETING OF FEBRUARY 25, 2014. COMMISSIONER KALLAS
28 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
29 CARRIED.

30 3. **PUBLIC COMMENT** –

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

34 **CURRENT BUSINESS** –

- 35
- 36 4. **TRAINING**: *Planning Commission Rules and Procedures*. The Commission will
37 review the Planning Commission’s Rules and Procedures. No changes will be made
38 to the rules.

39 Vice Chair Anderson suggested continuing this agenda item to the next meeting in
40 order to have Chairperson Call and Commissioner Marchbanks in attendance for the
41 training. Hugh Van Wagenen, Planning Director, agreed that continuing the item would
42 be beneficial as to present the training to a full quorum.

COMMISSIONER KALLAS MOVED TO CONTINUE THE TRAINING
REGARDING THE PLANNING COMMISSION RULES AND PROCEDURES TO
THE NEXT PLANNING COMMISSION MEETING WHEN ALL COMMISSIONERS
ARE PRESENT. COMMISSIONER GUNNELL SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

COMMISSIONER ANDERSON	AYE
COMMISSIONER GUNNELL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

5. **TRAINING:** *Commercial Design Guidelines, Section V – Architectural Character.*
The Commission will review architectural design standards in the Commercial Design Guidelines. No changes to the Design Guidelines will be made.

Mr. Van Wagenen gave a brief summary of this agenda item. He explained that Lindon's Commercial Design Guidelines are intended to provide applicants, builders, developers, and designers with principle ideas and design standards to promote Lindon's "A Little Bit of Country" theme as applied to commercial development within the City. Commissioner Kallas asked for clarification on what vision the planning department has on how to implement that. Mr. Van Wagenen stated that historic architecture through out town has the historic feel and the building forms referenced in the guidelines, which gives a lot of leeway to incorporate different types of architecture. He noted that the goal of the guidelines is intended to generate the creative spirit and bring designs consistent with the general intent of the guidelines, which will ultimately enhance the aesthetics of the community.

Vice Chair Anderson also gave a brief history stating that in the past there were not any guidelines in place because of different ideas and opinions of the Commissioners. At that time it was agreed, and thought to be beneficial, to formulate a set of Design Guidelines, on paper, for a basis of architectural guidelines and requirements to maintain a traditional (timeless) look in the city, and to help guide not only the developers but the Commissioners and the Council as well in making decisions and recommendations.

Jordan Cullimore, Associate Planner, stated that the Planning Commission will be reviewing various sections of the Design Guidelines in the coming meetings to increase familiarity with the guidelines and standards of which section V of the Guidelines concerning architectural character will be discussed tonight. Mr. Cullimore directed the Commission to consider that broad discretion is given to the City for approval of architectural treatments and site design that will ensure consistency with the City's vision and goals. Mr. Cullimore then referenced the text of the section as stated below including various photos depicting architectural character for discussion.

V. Architectural Character

2 **5.1 General Intent** - The character of Lindon City should be positively conveyed
through the appropriate use of massing, form, and materials in new commercial
structures.

4
6 **5.2 General Guidelines**

8 **5.2.1 Massing and Orientation**

8 Utilizing appropriate massing and orientation can allow new development to complement
the heritage of Lindon. New structures should use massing and orientation similar to that
10 of historic structures. Building placement and orientation should also reinforce the
connection to primary and secondary streets, contributing in a positive manner to the
12 streetscape of the commercial area.

14 **5.2.2 Height**

14 Building heights shall comply with the limits as established in the city code for the
16 underlying zone. Building heights of one to three stories are considered desirable and
appropriate to the scale of Lindon City.

18 **5.2.3 Mixed Use Housing**

20 Since Lindon strives to create an attractive & vibrant shopping district along the 700
North Corridor, maintaining commercial uses on the ground floor is essential. The second
22 and third floors of commercial buildings can be used for office space, retail and in some
cases housing (if specific amenities are provided). Second and third story housing may be
24 feasible along the 700 North corridor if additional public pedestrian amenities are
provided such as open space, pocket parks, plazas, sitting areas, extra landscaping,
26 fountains, etc. A starting recommendation is that for every two square feet of amenities
that provide a public benefit, one square foot of livable housing may be added on upper
28 floors. This housing must be utilized as part of a mixed use development; therefore street
level commercial elements are required to be part of the project. The Planning
30 commission & City Council must approve any mixed use developments.

32 **5.2.4 Exterior Walls and Surfaces: Building Materials**

32 Materials for exterior walls and surfaces should be selected based on durability,
34 appearance, timelessness as well as compatibility with those used for the historic
structures found in Lindon.

36 **5.2.5 Texture, Colors, Finishes**

38 Design elements such as color and materials should reinforce the scale and character of
the Commercial District and the heritage of Lindon. Avoid large areas of the same color
40 and/or materials with no relief. Conversely, avoid the use of too many materials and/or
colors, which may create busy or incongruous facades. Use materials that have a modular
42 pattern closest to pedestrian ways to add scale, texture and visual interest.

44 **5.2.6 Windows and Doors/Fenestration**

44 Windows and doors make important contributions to the appearance of any building and
46 should be of a similar design and style to the general character of Lindon's historic
buildings.

5.2.7 Architectural Styles: Exterior Trim and Decorative Detailing

2 While building form is the primary identifying characteristic of a structure, architectural
3 style, represented by the use of exterior trim and detailing, is a secondary characteristic.
4 Different architectural styles can be used on the same basic building form. Many of the
5 historic structures are of a vernacular architecture - smaller residences that use a scaled-
6 down version of styles popular at the time. Thus, in general, most detail is simple in form
7 and application, while still being attractive. This simplified approach to trim and
8 detail should also be utilized for new construction.

5.2.8 Roofing

10 Roofing is a significant design feature. The form, height, color, pattern, materials,
11 configuration and massing of the roof contribute to the success of a structure. Roof mass
12 and form should be consistent with the scale and proportions of the building as well
13 as the architectural character. Use roof materials and patterns that are appropriate to the
14 overall character and form of the building.

5.2.9 Mechanical and Service Areas

18 Mechanical, electrical, and communications equipment such as heating and cooling units,
19 transformers, control boxes, and antennas should not be located on primary facades.

5.3 Specific Guidelines for Recommended Building Forms

22 The following recommended building forms for new commercial structures in Lindon are
23 based on those common and/or similar to historic structures in Lindon, as depicted in the
24 introduction. Some building forms have a residential basis, yet may be appropriately
25 adapted for commercial structures.

26 For each building form, guidelines are given for the following elements:

- 27 1. Massing and Form
- 28 2. Height and Scale/Size
- 29 3. Roofing
- 30 4. Exterior Walls and Surfaces (Building Materials)
- 31 5. Fenestration (Windows and Doors)
- 32 6. Exterior Trim and Decorative Detailing

5.3.1 Building guidelines: Massing & Form, Height & Scale, Roofing, Exterior Walls & Surfaces, Fenestration, and Exterior Trim & Detailing.

34
35
36
37
38 There was then some lengthy general discussion by the Commission of Section V
39 of the Guidelines regarding Architectural Character including the bullet points listed
40 above and the various photos presented. Mr. Van Wagenen re-iterated that the Design
41 Guidelines are not intended for use as city code but simply as guidelines for reference
42 and direction. Following discussion Vice Chair Anderson asked if there were any further
43 questions or comments. Hearing none he moved on to the next agenda item.

6. NEW BUSINESS – Reports by Commissioners.

46 Vice Chair Anderson called for any new business or reports from the
47 Commissioners. Vice Chair Anderson mentioned the bright billboard sign discussed at
48 the last meeting. Mr. Cullimore stated that he and Mr. Van Wagenen have been

2 following up with that issue and will be going to the location to measure and monitor the
lumens of the sign after the meeting. There was then some additional discussion
4 regarding projects coming through the “pipeline” in the Community Development
Department. Vice Chair Anderson asked if there were any other comments or discussion
6 from the Commissioners. Hearing none he moved on to the next agenda item.

8 **7. PLANNING DIRECTOR’S REPORT–**

10 Mr. Van Wagenen reported on the following items:

- 12 • Examples of 500 foot notice buffer for rezones
- City Council meeting for March 18th has been canceled
- Bicycle & Pedestrian Committee Meeting

14 Vice Chair Anderson called for any further comments. Hearing none he called for
a motion to adjourn.

16 **ADJOURN –**

18 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
20 MEETING AT 8:35 P.M. COMMISSIONER WILY SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Approved – March 25, 2014

24
26
28 _____
Ron Anderson, Vice Chair

30
32
34 _____
Hugh Van Wagenen, Planning Director

Item 3 – Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Annual Review of Group Home Facility:
Housing Authority of Utah County
365 East 400 North

Presenting Staff: *Hugh Van Wagenen*
Applicant: *Housing Authority of Utah County*
Zoning Designation: *R1-20*
Master Plan Land Use Designation: *Residential Low*

Summary: This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances regulating these types of facilities.

This facility is owned by the Housing Authority of Utah County and is located at the entrance to Hollow Park on 400 North. A CUP was approved for this facility in 2003 to allow permanent residence of up to 3 physically disabled adults and their care takers. The following conditions were imposed in 2003:

1. The occupancy of the home be limited to three adult persons with disabilities.
2. That the park access in front of the home be painted red and signed for no stopping or parking. *(It was determined in the 2006 review that this item had not been completed, but would not be required unless parking along the entrance road becomes a problem)*
3. That the number of parking spaces be reviewed upon complaint.

A copy of the minutes from the 2013 review has been included for your review.

*** Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.

Motion: No motion necessary unless there is a change in the conditions or additional conditions imposed.

Utah County Housing Authority





1 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, March**
2 **12, 2013** beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North
3 State Street, Lindon, Utah.

4
5 Conducting: Sharon Call, Chairperson
6 Invocation: Carolyn Lundberg, Commissioner
7 Pledge of Allegiance: Collin Andrew, Boy Scout

8
9 PRESENT

10 Sharon Call, Chairperson
11 Ron Anderson, Commissioner – arrived 7:05
12 Del Ray Gunnell, Commissioner
13 Carolyn Lundberg, Commissioner
14 Rob Kallas, Commissioner
15 Vaughan Austin, Commissioner
16 Hugh Van Wagenen, Planning Director

ABSENT

Mike Marchbanks, Commissioner
Kathryn Moosman, City Recorder

17
18 SPECIAL ATTENDEES

19 Matt Bean, Councilmember
20 Cody Cullimore, Chief of Police
21 Brian Haws, City Attorney

22
23 The meeting was called to order at 7:00 p.m.

24
25 APPROVAL OF MINUTES – The minutes of the regular meeting of February 26, 2013
26 were reviewed.

27
28 COMMISSIONER GUNNELL MOVED TO APPROVE THE MINUTES OF THE
29 REGULAR MEETING OF FEBRUARY 26, 2013. COMMISSIONER KALLAS
30 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
31 CARRIED.

32
33 PUBLIC COMMENT –

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

36
37 CURRENT BUSINESS –

- 38
39 **1. ANNUAL REVIEW OF GROUP HOME FACILITY — *Housing Authority***
40 ***of Utah County*** – 365 East 400 North. This is a required annual review of a
41 group home owned by the Housing Authority of Utah County. The facility was
42 approved to provide housing for up to three physically disabled adults. No
43 changes are proposed to the facility as this is only a review of the current use to
44 ensure conformance with City Code and conditions of approval.

45
46 Mr. Van Wagenen gave a brief overview of the facility. He noted that a
47 Conditional Use Permit for the Housing Authority of Utah County was approved in 2003
48 to allow permanent residency for three physically disabled residents. He further noted in
49 2003 the following conditions were imposed:

- 50
51 1. The occupancy limited to three adult persons with disabilities.

2. The park access in front of the home be painted red and signed for no stopping or parking. In 2006 it was determined this item had not been completed but would not be required unless parking along the entrance road becomes a problem
3. The number of parking spaces be reviewed upon complaint. No known complaints have come to staff during the past year. A copy of the 2012 review minutes was provided in the staff report and nothing substantial stood out in those minutes.

Ms. Smith, the director of the home, was in attendance to answer questions, as well as Chief Cullimore. Chairperson Call stated there are four items for review as follows:

- That the facility is only providing housing for people with disabilities. *Ms. Smith confirmed that statement and stated there are 3 wheelchair-bound, single ladies who are severely disabled that live at the home.*
- That the home has adequate insurance coverage. *Ms. Smith provided a copy of the liability insurance. Ms. Smith stated that the housing authority is named as a certificate holder. The building is rented to Danville Services, which locates the tenants and does the case management.*
- That the individuals currently housed in the facility do not pose any threat to others within the home or community. *Ms. Smith stated they do not. The facility is staffed 24/7. There are caretakers there at all times as long as the clients are there. The residents live in a 4 bedroom unit, 3 bedrooms are occupied by residents and the 4th is used as an office.*
- The next question was regarding staffing levels, which Ms. Smith had already answered.

Chairperson Call opened up the discussion to questions from Commissioners. Commissioner Kallas asked if occupants are usually local residents. Ms. Smith stated she is not sure if they are local residents as Danville Services screens them. Chairperson Call asked if they have all been the same that have lived there for a while, to which Ms. Smith replied that they have been the same three originally. Chairperson Call asked if they enjoy having groups come to entertain them. Ms. Smith stated that the residents enjoy having people come in and noted the groups are arranged by contacting Danville Services. Chairperson Call asked if there were any further discussion or comments from the Commissioners. Hearing none she moved on to the next agenda item.

2. **Annual Review of Group Home Facility — Lindon Care & Training Center** – 680 North State Street. This is a required annual review of a group home for disabled adults owned by RHA Community Services of Utah. The facility provides housing for multiple tenants. No changes are proposed to the facility as this is only a review of the current use to ensure conformance with City Code.

Mr. Van Wagenen noted that Christine Christensen, RHA Community Services Administrator, and Brandon Lindsey, Maintenance Director, were in attendance for the annual review of the Lindon Care & Training Center. Mr. Van Wagenen gave a brief overview of the center and noted that the home is located at 680 North State Street in a commercial zone, and has been in existence for quite some time. He went on to say that in 2006 it received final site plan approval for a new office building on the property, and at

**Item 5: Annual Review of Group Home Facility:
Lindon Care & Training Center
680 North State Street**

Presenting Staff: *Hugh Van Wagenen*
Applicant: *RHA Community Services of Utah*
Zoning Designation: *General Commercial*
Master Plan Land Use Designation: *Commercial*

Summary: This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances regulating these types of facilities.

This facility is owned by RHA Community Services of Utah and is located at 680 North State Street. The facility has been in existence for many years – we believe prior to any ordinance regulating such businesses in Lindon. In 2006 the facility received final site plan approval for a new office building on the property – and at that time they agreed to meet with the City on an annual basis for the yearly reviews as required by the current ordinance. The facility houses disabled adults and provides / coordinates job training opportunities for the tenants.

During the 2009 annual review meeting, there were some concerns about multiple emergency calls originating from the facility for various medical and police services (over 500 incidents since 2001). There were also concerns of other incidents that involved “missing person calls” that occur because of the ability of some tenants to leave the site on their own. The Commission felt that the nature of the severity of the issues warranted a follow-up review to make sure concerns were adequately addressed and that the facility was in compliance with ordinance requirement.

The facility manager returned for a follow-up review on June 10, 2009. During this meeting, Chief Cullimore reported that the emergency calls had dramatically decreased. The facility manager also addressed the changes that were implemented to resolve some of the concerns during the February annual review. Both the Police Chief and the Commission felt that the manager and her staff had gone above and beyond any expectation to resolve the concerns that were discussed.

Copies of the minutes from the 2013 annual review have been included for your review.

*** Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.

Motion: No motion necessary unless new conditions are imposed to bring the facility into compliance with City Code.

Lindon Care & Training Center





- 1 2. The park access in front of the home be painted red and signed for no
2 stopping or parking. In 2006 it was determined this item had not been
3 completed but would not be required unless parking along the entrance
4 road becomes a problem
5 3. The number of parking spaces be reviewed upon complaint. No known
6 complaints have come to staff during the past year. A copy of the 2012
7 review minutes was provided in the staff report and nothing substantial
8 stood out in those minutes.
9

10 Ms. Smith, the director of the home, was in attendance to answer questions, as well as
11 Chief Cullimore. Chairperson Call stated there are four items for review as follows:
12

- 13 • That the facility is only providing housing for people with disabilities.
14 *Ms. Smith confirmed that statement and stated there are 3 wheelchair-bound,*
15 *single ladies who are severely disabled that live at the home.*
16 • That the home has adequate insurance coverage.
17 *Ms. Smith provided a copy of the liability insurance. Ms. Smith stated that the*
18 *housing authority is named as a certificate holder. The building is rented to*
19 *Danville Services, which locates the tenants and does the case management.*
20 • That the individuals currently housed in the facility do not pose any threat to
21 others within the home or community.
22 *Ms. Smith stated they do not. The facility is staffed 24/7. There are caretakers*
23 *there at all times as long as the clients are there. The residents live in a 4*
24 *bedroom unit, 3 bedrooms are occupied by residents and the 4th is used as an*
25 *office.*
26 • The next question was regarding staffing levels, which Ms. Smith had already
27 answered.
28

29 Chairperson Call opened up the discussion to questions from Commissioners.
30 Commissioner Kallas asked if occupants are usually local residents. Ms. Smith stated she is not
31 sure if they are local residents as Danville Services screens them. Chairperson Call asked if they
32 have all been the same that have lived there for a while, to which Ms. Smith replied that they
33 have been the same three originally. Chairperson Call asked if they enjoy having groups come to
34 entertain them. Ms. Smith stated that the residents enjoy having people come in and noted the
35 groups are arranged by contacting Danville Services. Chairperson Call asked if there were
36 any further discussion or comments from the Commissioners. Hearing none she moved
37 on to the next agenda item.
38

- 39 **2. Annual Review of Group Home Facility — Lindon Care & Training Center**
40 *– 680 North State Street. This is a required annual review of a group home for*
41 *disabled adults owned by RHA Community Services of Utah. The facility*
42 *provides housing for multiple tenants. No changes are proposed to the facility as*
43 *this is only a review of the current use to ensure conformance with City Code.*
44

45 Mr. Van Wagenen noted that Christine Christensen, RHA Community Services
46 Administrator, and Brandon Lindsey, Maintenance Director, were in attendance for the
47 annual review of the Lindon Care & Training Center. Mr. Van Wagenen gave a brief
48 overview of the center and noted that the home is located at 680 North State Street in a
49 commercial zone, and has been in existence for quite some time. He went on to say that in
50 2006 it received final site plan approval for a new office building on the property, and at

1 that time agreed to meet with the city on a regular annual basis. The facility houses
2 disabled adults and provides and coordinates job training opportunities for the tenants. In
3 2009, staff report reviews showed concern with the number of emergency calls at the home.
4 But there have been fewer calls during this past year.

5 Ms. Christensen stated that when she started working at the home in March of
6 2012, there were a lot of unnecessary 911 calls, and she worked to make sure residents
7 were not calling dispatch but instead asking staff for help. She went on to say that residents
8 with severe behavioral problems that probably shouldn't have been living at the home, have
9 now been moved from the facility, which has helped to decrease the number of incidents
10 that were occurring.

11 Chief Cullimore commented that the home has shown a reduction in calls of about
12 17% between 2011-2012. He went on to say that about half of the calls responded to have
13 been for disorderly conduct and minor assaults, which would be expected, and there is
14 much better control than in the past under different management. He commented that the
15 home should be commended for job they've done in the last year.

16
17 The Commission then asked the following questions of Ms. Christensen:

- 18
19 • Is the facility only providing housing to those with disabilities and their caretakers?

20 Ms. Christensen confirmed that statement. Chairperson Call asked how they
21 determine which residents to remove from the home (as referred to above). Ms.
22 Christensen stated that the residents that were causing incidents where the police had to be
23 called, and who were causing injury to staff and other residents, who were higher
24 functioning and should have been at the State Mental Hospital, but because they have a
25 mental retardation diagnosis the State Mental Hospital does not take individuals like that.
26 The home worked with Medicaid program through the Utah Department of Health, the
27 Utah State Developmental Center, and DSP, the division of services for people with
28 disabilities, to move the aforementioned patients to a more appropriate setting for care.
29 She stated there are currently 61 residents at the home. All of them but seven have jobs and
30 work Monday through Friday. The other seven are currently in school.

- 31
32 • Does the facility have adequate insurance coverage?

33 Mr. Van Wagenen stated that a certificate of insurance was received by the city in
34 December 2012 that is good until December 2013.

35
36 Commissioner Lundberg stated that in last year's review there was mention of an
37 exposed pipe between the sidewalk and the street and it was uncertain how it would be
38 resolved. Ms. Christensen stated that she worked with UDOT and the State of Utah to get
39 it repaired and re-landscaped. Commissioner Gunnell asked the age of the residents and
40 Ms. Christensen replied that the ages range from 15-72 yrs. Some of the residents are in
41 the aging population but choose to stay living at the facility instead of going to a retirement
42 facility because they still want to maintain their jobs. Commissioner Anderson mentioned
43 that at one time some of the residents were shoplifting. Ms. Christensen stated that those
44 were some of the residents that were transferred to different facilities. Ms. Christensen
45 stated she doesn't believe they have had incidents of theft for quite a while. Chief
46 Cullimore agreed that it has been some time.

- 47
48 • What are the staffing levels at the facility?

49 Ms. Christensen stated that they staff one direct care staff per eight individuals.
50 They also have a nurse on the floor 16 hrs/day and on weekends. Other staff includes
51 UAPS that work in the nursing areas and help administer medication, three housekeepers,
52 and the maintenance director. Commissioner Lundberg asked if the staffing levels are

1 consistent throughout all shifts. Ms. Christensen stated that they have three different shifts:
2 an a.m. shift, a p.m. shift and a graveyard shift. The staffing levels are 1 to 8 on the a.m.
3 and p.m. shifts, and 1 to 16 on the graveyard shift. They also always have on-call staff.
4 Ms. Christensen, Mr. Lindsey and the Health Services director are on-call 24/7 and live
5 near the facility. Outside of the staff, included in the 1 to 8 ratio, other staff members
6 include Staff Developers, Secretaries, two Administrative Nurses, and a Home Manager.

7
8 **3. Annual Review of Group Home Facility — Heritage Youth**

9 *Services/Timpview Residential Treatment Center – 200 North Anderson Lane.*

10 This is a required annual review of a juvenile group home approved for up to 12
11 youth not over the age of 18. The facility provides housing and social activities
12 for the youth and is located in the HI zone. At the 2012 review there was
13 concern regarding the status of residents admitted to the facility. This review
14 will propose additional language to the current conditions in order to clarify the
15 type of individual to be served at the facility. Beyond clarification language, no
16 changes are proposed to the facility as this is only a review of the current use to
17 ensure conformance with City Code.

18
19 Mr. Van Wagenen noted that Mr. Lofton and Mr. Lindy were in attendance for the
20 review of the facility owned by Heritage Youth Services Juvenile Group Home at 200
21 North Anderson Lane. A conditional use permit was issued in 2005 for this home. It was
22 approved for housing of 12 youth not over the age of 18 yrs old. Mr. Van Wagenen stated
23 that in the staff report a list of the current conditions for the home was provided and he then
24 referenced the list:

- 25
26 1. Occupancy limited to 12 youth.
27 2. No sex offenders reside at the home.
28 3. No youth over the age of 18 reside at the home.
29 4. An alarm system on the windows and doors was to be installed, which was
30 completed and inspected in 2005.
31 5. Any onsite instruction must be an accessory use and not a primary function
32 of the facility, which was updated in 2009 from no onsite schooling.
33 6. 15 mph speed limit signs be posted on Anderson Lane, which was
34 completed in 2005
35 7. Signs directing traffic to the group home were to be installed so that
36 children are not dropped off at the Anderson residence, which was
37 completed in 2007.
38 8. Supervision ratio shall be no less than 1 staff member to 6 youth, 24
39 hrs/day, which was updated in 2011 to require 1 staff member to every 4
40 youth between the hours of 6 a.m. to 11 pm, and 1 staff member to every 6
41 youth from 11 p.m. to 6 a.m.
42 9. Site shall be open to visitation by the police and city officials without
43 notice.
44 10. Training shall be provided for employees and residents regarding speed
45 limit and illegal trespassing on neighboring private property.
46 11. CUP shall be reviewed annually or upon change of program directors.
47 12. All other requirements and limits as per city ordinance adhered to.

48
49 At last year's review there was some discussion regarding condition number two.
50 Mr. Lofton and Mr. Lindy have been in discussion with Mr. Haws, Lindon City's Attorney,
51 in drafting language that addresses confusion from the last review. Mr. Van Wagenen



Lindon Police Department

Law Incident Addr. History Report, by Date Reported

Lindon Care & Training, 2012

<u>Inc. No.</u>	<u>Reported</u>	<u>Nature</u>	<u>Address</u>	<u>Loctn Dsp</u>
12LI00980	20:15:30 03/25/12	WELFARE CHECK	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
12LI01023	15:55:59 03/29/12	THREATENING	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CAA
12LI01352	21:42:13 04/23/12	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI01588	15:43:53 05/14/12	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI01688	09:40:14 05/22/12	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
12LI01832	12:40:54 06/01/12	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
12LI01919	21:42:37 06/06/12	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI01955	16:47:38 06/09/12	HAZARDOUS COND	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 UNF
12LI02237	17:54:48 06/29/12	MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
12LI02489	17:21:21 07/17/12	MISSING PERSON	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI02556	12:02:54 07/22/12	CITIZEN DISPUTE	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
12LI02716	19:29:32 08/02/12	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
12LI02934	19:33:43 08/19/12	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 SUM
12LI02999	16:54:42 08/24/12	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CAA
12LI03039	17:51:09 08/27/12	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI03236	12:26:11 09/11/12	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 SUM
12LI03282	19:26:10 09/15/12	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 SUM
12LI03326	09:01:19 09/20/12	CRIM MISCHIEF	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INA
12LI03526	21:19:47 10/07/12	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI03710	22:00:21	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CAA

12LI04103	10/21/12 13:51:27 11/24/12	ASSAULT	TRAINING; N SR 89 HWY, Lindon, UT 680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CAA
12LI04206	12:05:55 12/04/12	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
12LI04477	16:20:49 12/28/12	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF

Total reported: 25

Report Includes:

All dates between `00:00:00 01/01/12` and `12:59:00 12/31/12`, All location codes, All cities, All addresses matching `*Lindon Care and Training*`, All agencies matching `LIPD`, All offenses observed, All offenses reported, All offense codes, All nature of incidents, All circumstance codes

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03/21/14



Lindon Police Department

Law Incident Addr. History Report, by Date Reported

Lindon Care & Training, 2013

<u>Inc. No.</u>	<u>Reported</u>	<u>Nature</u>	<u>Address</u>	<u>Loctn Dsp</u>
13LI00265	21:35:16 01/23/13	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
13LI00853	22:34:43 03/12/13	ABANDONED 911	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
13LI00901	23:16:32 03/15/13	ALARM	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
13LI01534	00:42:12 04/28/13	ABUSE-CHILD	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 SUM
13LI01607	13:08:28 05/02/13	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
13LI01641	11:05:37 05/04/13	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
13LI01672	12:56:03 05/06/13	SEX OFFENSE	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 ACT
13LI02077	13:24:22 06/05/13	CRIM MISCHIEF	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 SUM
13LI02109	21:41:30 06/07/13	HARASSMENT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
13LI02115	14:56:18 06/08/13	SEX OFFENSE	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 UNF
13LI02176	15:18:54 06/13/13	ASSAULT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 SUM
13LI02294	06:45:13 06/22/13	SUSPICIOUS	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
13LI02671	18:44:59 07/20/13	CITIZEN CONTACT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF
13LI02774	13:09:59 07/28/13	DISORDERLY	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CAA
13LI02805	08:45:06 07/30/13	OR MEDICAL	680 N STATE ST; Lindon Care and Training, Lindon, UT	LI300 INF
13LI02832	13:50:27 08/01/13	FRAUD	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INA
13LI03060	13:48:27 08/17/13	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
13LI03327	20:26:48 09/05/13	MENTAL SUBJECT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
13LI03478	17:14:07 09/17/13	THEFT	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 ASN
13LI03595	07:49:16	CRIM MISCHIEF	680 N STATE ST; LINDON CARE AND	LI300 ACT

	09/26/13		TRAINING; N SR 89 HWY, Lindon, UT	
13LI04114	19:45:17 11/01/13	SEX OFFENSE	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 CLO
13LI04541	18:25:38 12/06/13	OR MEDICAL	680 N STATE ST; LINDON CARE AND TRAINING; N SR 89 HWY, Lindon, UT	LI300 INF

Total reported: 22

Report Includes:

All dates between `00:00:00 01/01/13` and `12:59:00 12/31/13`, All location codes, All cities, All addresses matching `*Lindon Care and Training*`, All agencies matching `LIPD`, All offenses observed, All offenses reported, All offense codes, All nature of incidents, All circumstance codes

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03/21/14

Item 6: Annual Review of Group Home Facility: Timpview Residential Treatment Center 200 North Anderson Lane

Presenting Staff: *Hugh Van Wagenen*
Applicant: *Heritage Youth Services*
Zoning Designation: *HI*
Master Plan Land Use Designation: *R&D*

Summary: This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances regulating these types of facilities.

This facility is owned by Heritage Youth Services. The facility has had several past owners. In March 2005 the current owners were issued a CUP for a juvenile group home facility. It was approved for housing up to 12 youth that are not over the age of 18. Following is a list of revised conditions which were imposed during annual reviews:

1. Occupancy is limited to 12 youth.
- ~~2. No sex offenders reside at the home. (removed 2013)~~
3. No youth over the age of 18 reside at the home.
4. An alarm system on the windows and doors is installed. (completed & inspected in 2005)
5. ~~No on-site schooling.~~ Any on-site instruction must be an accessory use and not a primary function of the facility. (updated 2009)
6. 15 mph speed limit signs be posted on Anderson Lane. (completed 2005)
7. A sign directing traffic to the group home be installed (so kids aren't dropped off at the Anderson residence). (completed 2007).
- ~~8. Supervision ratio shall be no less than one staff to six youth 24 hours per day. (removed 2013)~~
9. The site shall be open to visitation by police and city officials without notice.
10. Training shall be provided for employees and residents regarding the speed limit requirements and illegal trespassing on the neighboring private property.
11. The CUP shall be reviewed annually or upon change of Program Directors.
12. That all other requirements and limits as per city ordinance are adhered to.
13. The Applicant shall not accept any residents into its facility who are in the custody of, or under the supervision of, the State's Juvenile Justice Services. (added 2013)
14. The Applicant shall accept no residents into its facility who are designated as needing a care continuum level higher than a Level Five as defined by the State's Protocols and Standards Manual (a.k.a NOJOS the Utah Network on Juveniles Offending Sexually). (added 2013)
15. The Applicant shall adopt and implement policies and procedures for 24-hour awake supervision of all residents. (added 2013)
16. The Applicant shall maintain a resident to staff ratio no greater than 6 to 1. (added 2013)
17. The Applicant shall adopt and implement policies and procedures for behavior management consistent with those required by the Utah Administrative Code, R501-2-7, so as to help ensure the safety of the residents and the protection of the community. (added 2013)
18. The Applicant shall adopt and implement policies and procedures to ensure that all potential residents, including referrals from the Utah Division of Family and Child Services, are screened by Mental Health Professionals to ensure that the potential resident's history, level of risk, and

treatment plans are consistent with a Level Five facility and that they do not pose or present an unreasonable risk to other residents or to the community. (added 2013)

19. That the Applicant shall adopt and implement policies and procedures to hold youth accountable for their behavior in the facility and while in the community and to provide a safe environment for the residents in which to get help. Such policies and procedures shall include provisions for the removal of a resident from the facility should their psychological condition worsen or should they become ungovernable in their current level of care. (added 2013)

In 2013, Heritage Youth Services worked with Brian Haws, Attorney for Lindon City, to clarify what type of youth is accepted into the facility. Based upon Mr. Haws' recommendation conditions 13 through 19 above were added to replace conditions 2 and 8.

Also, in December 2013, Heritage Youth Services applied for and received approval of an expansion of the nonconforming use of the Timpview RTC. The expansion consisted of a remodel/addition of the existing home and an increase in residents from 12 to 16, with one additional staff. There were two conditions of approval: 1. The septic tank upgrade have the capacity to accommodate the additional residents and staff as proposed by the expansion; 2. Prior to occupancy of the new addition, the water issue be remediated that has been flooding the Anderson Property. Plans for the remodel/addition are being finalized now.

No known citizen initiated complaints about the facility have been received during the previous year. A copy of the minutes from the 2013 review has been included for your review.

*** Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.

Motion: No motion is necessary if there are no changes to the conditions currently in place.

Timpview Residential Treatment Center





1 consistent throughout all shifts. Ms. Christensen stated that they have three different shifts:
2 an a.m. shift, a p.m. shift and a graveyard shift. The staffing levels are 1 to 8 on the a.m.
3 and p.m. shifts, and 1 to 16 on the graveyard shift. They also always have on-call staff.
4 Ms. Christensen, Mr. Lindsey and the Health Services director are on-call 24/7 and live
5 near the facility. Outside of the staff, included in the 1 to 8 ratio, other staff members
6 include Staff Developers, Secretaries, two Administrative Nurses, and a Home Manager.

7
8 **3. Annual Review of Group Home Facility — *Heritage Youth***

9 *Services/Timpview Residential Treatment Center – 200 North Anderson Lane.*

10 This is a required annual review of a juvenile group home approved for up to 12
11 youth not over the age of 18. The facility provides housing and social activities
12 for the youth and is located in the HI zone. At the 2012 review there was
13 concern regarding the status of residents admitted to the facility. This review
14 will propose additional language to the current conditions in order to clarify the
15 type of individual to be served at the facility. Beyond clarification language, no
16 changes are proposed to the facility as this is only a review of the current use to
17 ensure conformance with City Code.

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19 Mr. Van Wagenen noted that Mr. Lofton and Mr. Lindy were in attendance for the
20 review of the facility owned by Heritage Youth Services Juvenile Group Home at 200
21 North Anderson Lane. A conditional use permit was issued in 2005 for this home. It was
22 approved for housing of 12 youth not over the age of 18 yrs old. Mr. Van Wagenen stated
23 that in the staff report a list of the current conditions for the home was provided and he then
24 referenced the list:

- 25
26 1. Occupancy limited to 12 youth.
27 2. No sex offenders reside at the home.
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29 4. An alarm system on the windows and doors was to be installed, which was
30 completed and inspected in 2005.
31 5. Any onsite instruction must be an accessory use and not a primary function
32 of the facility, which was updated in 2009 from no onsite schooling.
33 6. 15 mph speed limit signs be posted on Anderson Lane, which was
34 completed in 2005
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36 children are not dropped off at the Anderson residence, which was
37 completed in 2007.
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39 hrs/day, which was updated in 2011 to require 1 staff member to every 4
40 youth between the hours of 6 a.m. to 11 pm, and 1 staff member to every 6
41 youth from 11 p.m. to 6 a.m.
42 9. Site shall be open to visitation by the police and city officials without
43 notice.
44 10. Training shall be provided for employees and residents regarding speed
45 limit and illegal trespassing on neighboring private property.
46 11. CUP shall be reviewed annually or upon change of program directors.
47 12. All other requirements and limits as per city ordinance adhered to.

48
49 At last year's review there was some discussion regarding condition number two.
50 Mr. Lofton and Mr. Lindy have been in discussion with Mr. Haws, Lindon City's Attorney,
51 in drafting language that addresses confusion from the last review. Mr. Van Wagenen

1 stated that Mr. Haws was in attendance to answer questions and also stated that new
2 conditions were proposed in the Staff Report, which Mr. Van Wagenen then referenced:

- 3
- 4 1. Applicants will not accept any residents into its facility who are in custody
5 of or supervision of the state's Juvenile Justice services
- 6 2. Applicants shall accept no residents into its facility who are designated as
7 needing a care continuum level higher than level 5 as defined by the state's
8 protocols and standards manual, also known as NOJOS.
- 9

10 Commissioner Kallas asked for clarification on the meaning of Level 5. Mr. Haws
11 provided the following clarification regarding the levels of youth offenders that the state
12 designates:

13 Level 1 – the youth needs education or counseling.

14 Up to level 3 the youth stays in their home and receives different levels of
15 schooling and therapy.

16 Level 4 – the youth goes to a foster home with 3 kids or less typically with
17 supervision by a mother and father.

18 There is not much distinction between Level 4 and 5, but the youth at

19 Level 5 – are minimal risk, but would do better in group home setting
20 where they learn social skills and interaction.

21 Level 6 – is much more intense and the levels continue up to incarceration.

22

23 Mr. Haws stated that there are two systems concerning youth offenders. More
24 serious youth offenders are taken into the Juvenile Justice System and the others are
25 supervised by the DCFS, Division of Child and Family Services, and although there are
26 some JJS offenders who could come into a Level 5 home, Heritage Group has agreed not to
27 take those offenders.

- 28
- 29 3. The applicants shall adopt and implement policies and procedures for 24 hr
30 supervision of all residents.
- 31 4. The applicant shall maintain resident to staff ratio no greater than 6 to 1.
- 32 5. The applicant shall adopt and implement policies and procedures for
33 behavior management consistent with those that are required by Utah
34 Administrative Code R501-2-7 to help ensure the safety of the residents
35 and protection of community
- 36

37 Mr. Haws stated that Heritage Youth Services has already adopted all of these
38 conditions that were asked to be put into place and would not need to do anything
39 additional to what they've already done. When Mr. Haws talked to DCFS to get a better
40 understanding of this type of facility, they recommended Heritage Schools as a good
41 example before they even knew which facility Mr. Haws was inquiring about.

- 42
- 43 6. The applicant shall adopt and implement policies and procedures to ensure
44 that all potential residents including referrals from Utah DCFS are screened
45 by mental health professionals to ensure that the potential resident's history
46 and level of risk in treatment plans are consistent with a level 5 facility and
47 that they do not pose or present an unreasonable risk to other residents or to
48 the community.
- 49
- 50 7. The applicant shall adopt and implement policies and procedures to hold
51 youth accountable for their behavior in the facility and to all in the
52 community and to provide a safe environment for the residents in which to

1 get help. Such policies and procedures shall include provisions for the
2 removal of a resident from the facility should their psychological
3 conditions worsen or should they become ungovernable in their current
4 level of care.
5

6 Mr. Van Wagenen reiterated Mr. Haw's statement that all of these conditions are
7 instituted and in place, but this review helps to clarify again the type of residents the facility
8 houses. Mr. Van Wagenen also stated that all original conditions of the facility would
9 apply, with the exception of condition number two [that no sex offenders reside at the
10 home], which shall be removed as a condition, and for clarification condition number eight
11 of the original conditions will be replaced by number three and four of the new proposed
12 conditions.
13

14 Chairperson Call stated the following items must also be confirmed:
15

- 16 • That no tenants are allowed to use alcohol or tobacco – the applicants replied that
17 that is true.
- 18 • That the applicants have adequate insurance coverage – Mr. Van Wagenen stated
19 that the certificate the city currently has expired in October, 2012. The applicants
20 stated they will provide a current certificate to the city.
- 21 • That no individuals housed in the facility pose a direct threat to others' safety –
22 Chairperson Call summarized that previous discussion already addressed this issue
23 and although there is the potential, it appears that the facility has provided adequate
24 protection.
25

26 Chief Cullimore stated that although there was an increase in the number of calls
27 from 2011 to 2012, it is still substantially down from 2010, and he thinks that they have
28 taken great strides in supervision. He stated that currently the level of calls is at a very
29 normal level. He also stated that in comparison of this home to others within the city, they
30 receive about a third as many calls. There were only 13 calls in 2012, the types of which
31 were runaways, assaults, thefts, and minor juvenile offenses. In 2011, there were several
32 instances of sex offenses in the home, but, when prosecuted, the facility cooperated well.
33 There were no recorded sex offenses in the last year.

34 Mr. Lofton indicated that they use different measures, including the court system
35 and police department, to hold the youth accountable and put safety foremost. They
36 include the families in their work as well. Mr. Lofton also stated that the instruction
37 provided at the home is an accessory use and not the primary use of the facility. He also
38 stated that he and Mr. Lindy are at the facility several times per week or more. He added
39 that the staff also includes a full-time therapist, program managers and supervisors and
40 residential staff. Mr. Lofton stated that all the youth in the home are young men.

41 Commissioner Anderson posed the question that if condition number two of the
42 original conditions is stricken, does it turn the facility into a sex offender home. Mr. Lofton
43 replied that they have always worked with kids that have had sexual problems and want
44 people to understand that there is a continuum vs. an absolute standard. Mr. Lindy stated
45 that the type of youth in the home has not changed, but the changes in the conditions are
46 intended to help with clarification. Mr. Haws stated that when he went to find the legal
47 definition of "sex offender" it was very broad. The more specific language in the new set
48 of proposed conditions, that the youth not be classified higher than Level 5, is to help
49 clarify. It was noted that the numbering system between the original conditions and the
50 new set of proposed conditions is not meant to match up.

51 Chairperson Call asked if there were any further comments. Being none, she called for a
52 motion.

1 COMMISSIONER KALLAS MOVED TO APPROVE THE PROPOSED
2 CONDITIONS AND REPLACE CONDITIONS NUMBER TWO AND NUMBER
3 EIGHT, ADD THE NEW CONDITIONS TO THE ORIGINAL CONDITIONS AND
4 APPROVAL OF THE OPERATION OF THE TIMPVIEW RESIDENTIAL
5 TREATMENT CENTER. COMMISSIONER GUNNELL SECONDED THE MOTION.
6 THE VOTE WAS RECORDED AS FOLLOWS:

7 CHAIRPERSON CALL AYE
8 COMMISSIONER ANDERSON AYE
9 COMMISSIONER GUNNELL AYE
10 COMMISSIONER KALLAS AYE
11 COMMISSIONER AUSTIN AYE
12 COMMISSIONER LUNDBERG AYE

13 THE MOTION CARRIED UNANIMOUSLY.

14
15 **4. Public Hearing — Ordinance Amendment: LCC Appendix A**

16 This is a continued item of a city initiated change. This ordinance is still under
17 revision and will be continued. The commission will consider revisions to LCC
18 Appendix A—Standard Land Use Table. Appendix A concerns permitted land
19 uses within the various zones of the city. The “Public Assemblies &
20 Amusements” and “Agriculture & Resource Extraction” portions of the Table
21 will be reviewed.

22
23 COMMISSIONER GUNNEL MOVED TO OPEN THE PUBLIC HEARING.
24 COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED
25 IN FAVOR. THE MOTION CARRIED.

26
27 Hugh Van Wagenen, Planning Director, stated that they would be addressing the
28 Public Assemblies and Amusements and Agriculture and Resource Extraction sections of
29 the Lindon City Code, Appendix A – Standard Land Use Table, line by line during this
30 meeting and will continue to review the sections in future meetings.

31
32 Clarification or changes to Appendix A – Standard Land Use Table were made as follows:

- 33
34 • (Sexually-Oriented Businesses addressed under different section of code) – **Not**
35 **addressed**
- 36 • Amphitheatres – Discussion was made regarding the definition of an amphitheatre.
37 It was determined that the table is referring to a commercially run, for-profit
38 amphitheatre and not those that are an amenity to a park. No modifications were
39 made to this category.
- 40 • Dance Clubs – It was determined that Music Venues where bands playing and
41 crowds are standing would be categorized in the Dance Clubs category.
- 42 • Golf Driving Ranges – It was determined that these are stand-alone Golf Driving
43 Ranges and not those that are amenities of Golf Courses. No changes were made
44 to this category.
- 45 • Golf Courses &/ or Country Clubs – Driving ranges that are amenities of a Golf
46 Course are considered part of this category. No changes were made to this
47 category.
- 48 • Tennis Courts – Private – It was determined that these are membership-based
49 tennis clubs. After discussion 7 of the 12 columns of the Standard Land Use Table
50 were changed for this category. Original code showed NNNNNNNPNCP and
51 was changed to NCCCCCPNCP.



Lindon Police Department

Law Incident Addr. History Report, by Date Reported

Lindon Boys Home, 2012

<u>Inc. No.</u>	<u>Reported</u>	<u>Nature</u>	<u>Address</u>	<u>Loctn Dsp</u>
12LI00609	18:27:45 02/24/12	RUNAWAY	200 N ANDERSON LN; timpview residential treatment center, Lindon, UT	LI100 CLO
12LI00836	22:00:32 03/15/12	RUNAWAY	200 N ANDERSON LN; N 1400 WE; Timpview Residential Treatment, Lindon, UT	LI100 INF
12LI01014	21:59:03 03/28/12	RUNAWAY	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI400 CLO
12LI01019	13:54:00 03/29/12	WARRANT SERVICE	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CJA
12LI01024	16:00:57 03/29/12	DCFS REPORT	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CLO
12LI01434	16:34:55 05/01/12	DISORDERLY	200 N ANDERSON LN; timp view boys home, Lindon, UT	LI100 CLO
12LI01451	17:58:26 05/02/12	ASSAULT	200 N ANDERSON LN; N 1400 WEST ST; timp view rtc, Lindon, UT	LI100 CJA
12LI01923	12:20:13 06/07/12	ABANDONED 911	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 INF
12LI02011	19:17:37 06/13/12	ASSAULT	200 N ANDERSON LN; Timp View Residential Home, Lindon, UT	LI100 CJA
12LI02224	15:00:56 06/28/12	THEFT	200 N ANDERSON LN; N 1400 WEST ST; heritage youth services, Lindon, UT	LI100 ASN
12LI02653	22:52:52 07/29/12	ASSAULT	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CJA
12LI02777	10:59:33 08/08/12	JUVENILE PROB	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 INF
12LI02936	19:52:18 08/19/12	ASSAULT	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CJA
12LI04149	09:01:21 11/29/12	THEFT	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CJA

Total reported: 14

Report Includes:

All dates between `00:00:00 01/01/12` and `12:59:00 12/31/12`, All location codes, All cities, All addresses matching `*200 N Anderson Ln*`, All agencies matching `LIPD`, All offenses observed, All offenses reported, All offense codes, All nature of incidents, All circumstance codes



Lindon Police Department

Law Incident Addr. History Report, by Date Reported

Lindon Boys Home, 2013

<u>Inc. No.</u>	<u>Reported</u>	<u>Nature</u>	<u>Address</u>	<u>Loctn Dsp</u>
13LI00493	12:46:57 02/12/13	VEH BURGLARY	200 N ANDERSON LN; Timpview RTC, Lindon, UT	LI100 CJA
13LI00966	00:26:50 03/21/13	RUNAWAY	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CLO
13LI01349	14:22:49 04/15/13	SEX OFFENSE	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CAA
13LI02003	18:02:36 05/30/13	JUVENILE PROB	200 N ANDERSON LN; Heritage youth svc, Lindon, UT	LI100 CJA
13LI02360	13:23:11 06/27/13	JUVENILE PROB	200 N ANDERSON LN; Timpview RTC, Lindon, UT	LI100 CJA
13LI02902	13:07:58 08/06/13	DISORDERLY	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CJA
13LI03507	17:40:05 09/20/13	ABANDONED 911	200 N ANDERSON LN; N 1400 WEST ST, Lindon, UT	LI100 CLO
13LI04300	14:38:54 11/18/13	LOST PROPERTY	200 N ANDERSON LN; N 1400 WEST ST; timpview rtc, Lindon, UT	LI100 CLO

Total reported: 8

Report Includes:

All dates between `00:00:00 01/01/13` and `12:59:00 12/31/13`, All location codes, All cities, All addresses matching `*200 N Anderson Ln*`, All agencies matching `LIPD`, All offenses observed, All offenses reported, All offense codes, All nature of incidents, All circumstance codes

rplwiahx1

03/21/14

Item 7: Conditional Use Permit - Utah Valley Peterbilt Vehicle Repair

Presenting Staff: *Jordan Cullimore*

Applicant: *Rob Green*

Location: *870 West 410 North*

Zone: *Light Industrial (LI)*

Acreage: *1.16 acres*

Summary

Rob Green, on behalf of Utah Valley Peterbilt, requests approval of a conditional use permit to expand the present operation to include light commercial truck repairs at the location indicated above in the Light Industrial (LI) zone. General vehicle repair is a conditionally permitted use in the LI zone.

Standard of Approval

The Utah State Code defines a conditional use as " a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts." Section 10-9a-507 of the State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Once granted, a conditional use permit runs with the land.

State Code provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah Code § 10-9a-507.

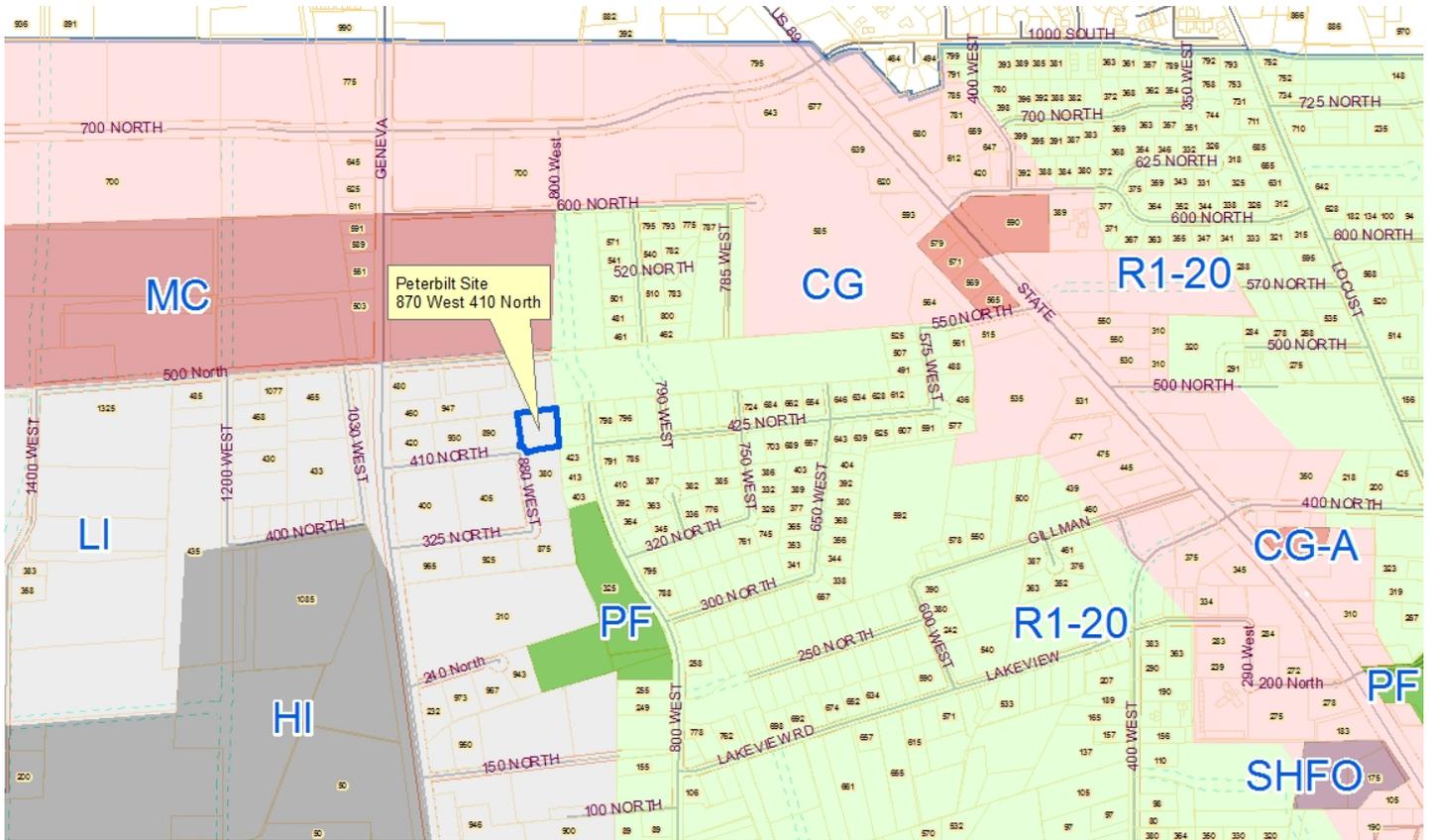
Lindon City Code further provides that a conditional use may be denied when "under circumstances of the particular case, the proposed use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and there is no practical means available to the applicant to effectively mitigate such detrimental effects;" or, "the applicant cannot or does not give the Planning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with."

Review

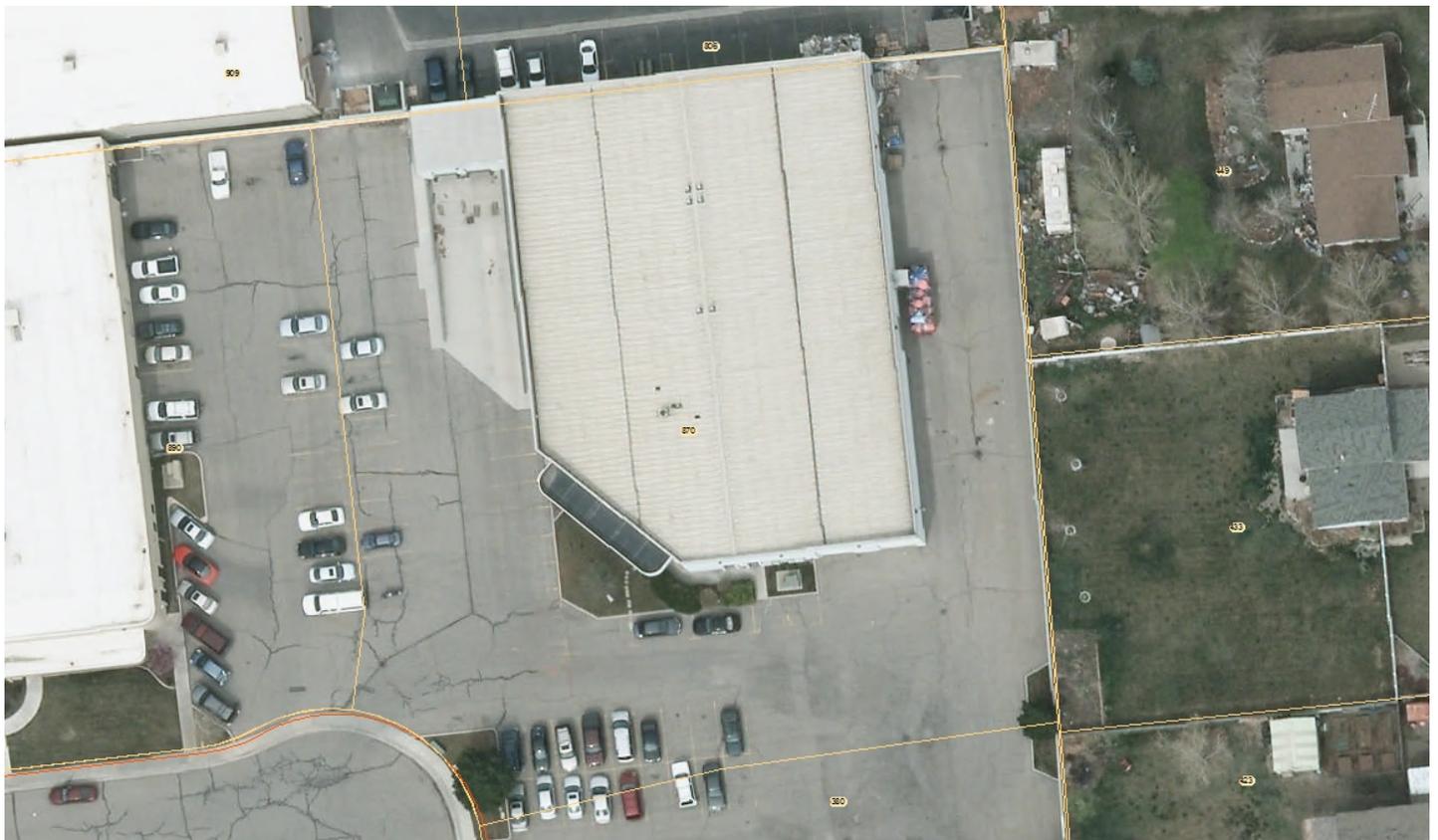
- The business description/proposal and proposed floor plan are provided on the following pages. The site is located in the Light Industrial (LI) Zone, and it is directly adjacent to the R1-20 Single Family Residential Zone.
- An aerial view of the property indicates that the site currently has approximately 32 parking spaces for customers and employees.
- The proposed use will bring in two additional employees and, according to the applicant, will have little impact on customer parking needs.
- Vehicles not being worked on will be stored in the alley east of the building (see photo below).

Motion: I move to (approve, deny, continue) the Conditional Use Permit to operate commercial truck repair service bays at 870 West 410 North, with the following conditions (if any):

General Area/Zoning



Aerial of Site





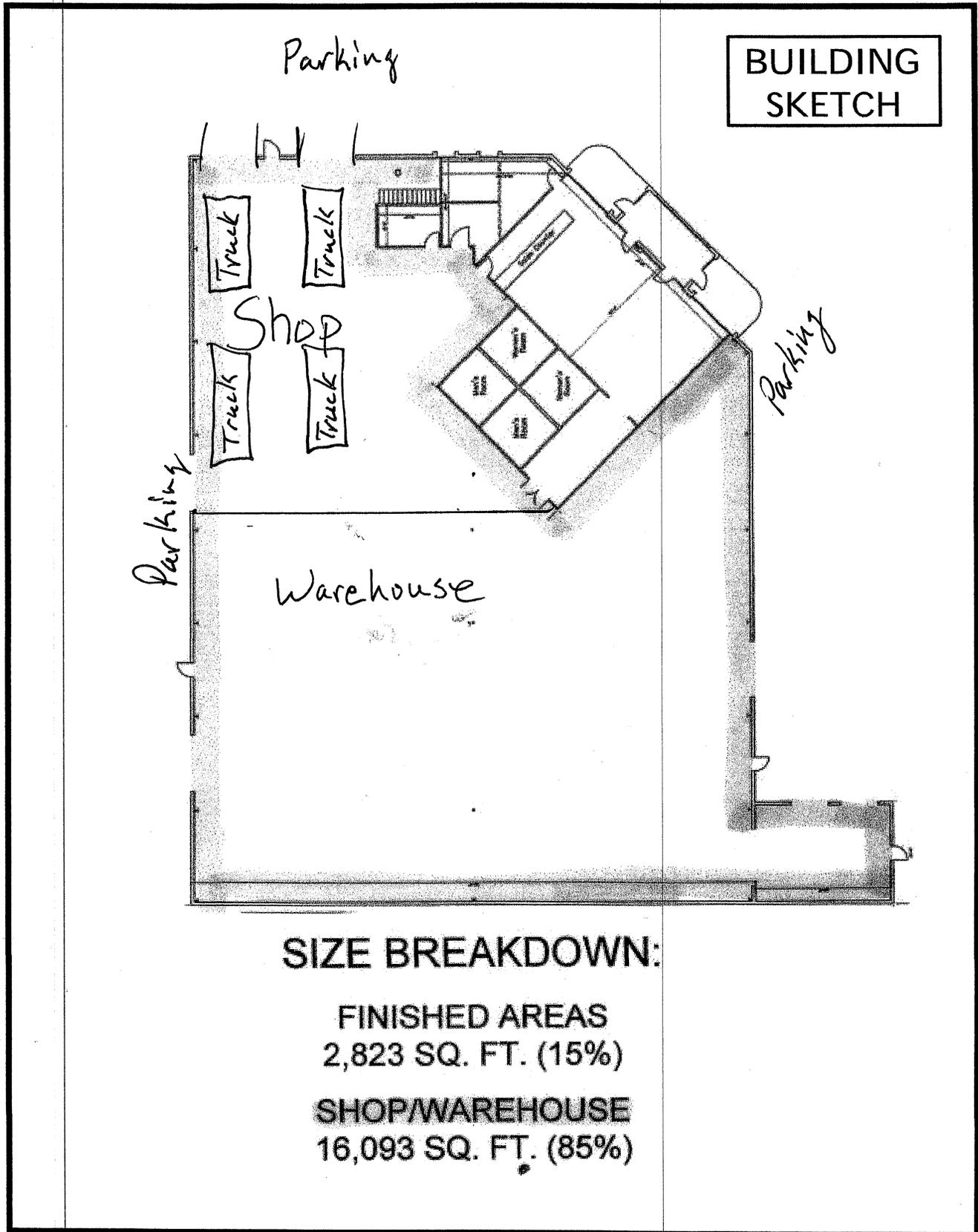
- 1- Our use is as a small/regional commercial truck parts and service supplier. We would have a supply of smaller, fast moving (mostly "consumable") parts on hand, as well as a (2) technician service area to provide diagnostics and small repairs to local customers. Larger, more time consuming repairs would be made at our main facility in Salt Lake City.

We would potentially employ 2 technicians, and 6 others to handle parts sales and warehousing duties. Our hours of operation would be 7:00 am to 6:00 pm Monday thru Friday. In addition to employee parking, we would have 2 – 4 trucks on the lot as customers brought / picked up their trucks for repair. Parts customers come and go in a few minutes, and parking needs are minimal.

- 2- This is a newer location for a mature, long established business. We have had a parts distribution outlet in this location for a year now. We are expanding to include light service work to meet the needs of our good Utah County customers. The parent company, Jackson Group / Peterbilt of Utah is headquartered in Salt Lake City, Utah, and operates Peterbilt franchise dealerships in 4 states with 13 locations.
- 3- There will be a small increase in traffic as additional customers visit our location for service work. This addition will be only a small increase in the traffic / customer activity we currently have.
- 4- There will be no "process water" discharged to the city sewer system from our activities at this location.



Utah Valley Peterbilt



Proposed Service Bays
View #1



View #2



Proposed Parking/Storage Alley



Item 8: Training — Planning Commission Rules and Procedures

Presenting Staff: *Hugh Van Wagenen*

Summary

The Commission will review the Planning Commission's Rules and Procedures. Please review the document below summarizing the procedures of a typical meeting.

Planning Commission – Typical Meeting Procedures

*Quorum of at least 4 members required to start meeting.

- Chair will ask someone to say prayer and pledge of allegiance.
 - Make sure recorder is turned on.
1. Welcome....state the meeting date
 2. Mention that meeting is recorded
 3. Announce opening prayer and pledge of allegiance
 4. Roll call – audible (Call to Order – Item 1)
 - a. State which commissioners are absent
 5. Recognize special visitors
 6. Approval of minutes (Item 2)
 - a. Call for motion and a second
 7. Public comment (item 3) – opportunity for the public to address any items that are *not on the agenda*.
 8. Agenda Items:
 - a. Announce agenda item and Invite applicant to come forward; write down contact information, use microphone
 - b. As required - Open a “Public Hearing” for ordinance changes, zoning and general plan changes – or as directed by staff
 - c. Ask Staff for presentation on the item
 - d. After staff presentation, ask applicant for any additional information
 - e. Ask for public comment on most items (public hearing=public comment required; other agenda items=public comment not required, but can be taken at discretion of chair)
 - f. After finishing public comment, allow applicant to rebut or address public comments received
 - g. Ask if commissioners have any questions of the applicant or on the item
 - h. *Close public hearing as required. (Motion & second to close public hearing)
 - i. Call for discussion among commissioners
 - j. Call for a motion when discussion is finished
 - k. Ask for any discussion on the motion
 - l. Ask for a ‘second’ on the motion
 - m. Call for the vote (...All in favor of the motion; any opposed)
 - i. At least 4 votes in favor required for motion to pass
 - ii. If motion fails, ask if there is another motion. If no other passing motion given, the item fails for lack of a motion and/or second on a motion (constitutes denial of application)
 - n. State the outcome of the vote (“The motion passes / fails”)
 - i. Allow commissioners who voted against motion to indicate reason for ‘no’ vote
 - o. Thank the applicant
 - p. *If not already done, close public hearing. (Motion & second to close public hearing)
 9. New Business (questions, comments by commissioners)
 10. Planning Director report
 11. Motion to Adjourn

Item 9: New Business (Planning Commissioners Reports)

Item 1 –Subject _____
Discussion

Item 2 - Subject _____
Discussion

Item 3 - Subject _____
Discussion

Item 10: Planning Director Report

- NUCTS
 - Tuesday, April 1, 11 am – 1:30 pm at MAG
- 700 North Work Session w/City Council
 - April 15
- Bike Tour of Salt Lake City
 - Date TBD, Late April
- Billboard Update
- CDA Alpine School District Update

Adjourn

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.	March 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.	March 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@birdseyertc.com	Existing CUP	HYS: Corbin Linde, Lynn Loftin 801-798-8949 or 798-9077	March 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 – ▪ Complete
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 (2014 yearly totals)	Misc. projects	UDOT / MAG projects	Committees
Building permits Issued: 27 New residential units: 7	2010-15 General Plan implementation (zoning, Ag land inventory, etc.)	700 North CDA	Utah Lake Commission Technical Committee: Bi-Monthly
New business licenses: 16	Lindon Hollow Creek-Corps of Eng., ditch relocation	Lindon Bicycle Master Plan	MAG Technical Advisory Committee: Monthly
Land Use Applications: 2	Lindon Heritage Trail Phase 3		Lindon Historic Preservation Commission: Bimonthly
Drug-free zone maps: 6	Gateway RDA improvements		North Utah County Transit Study Committee Monthly