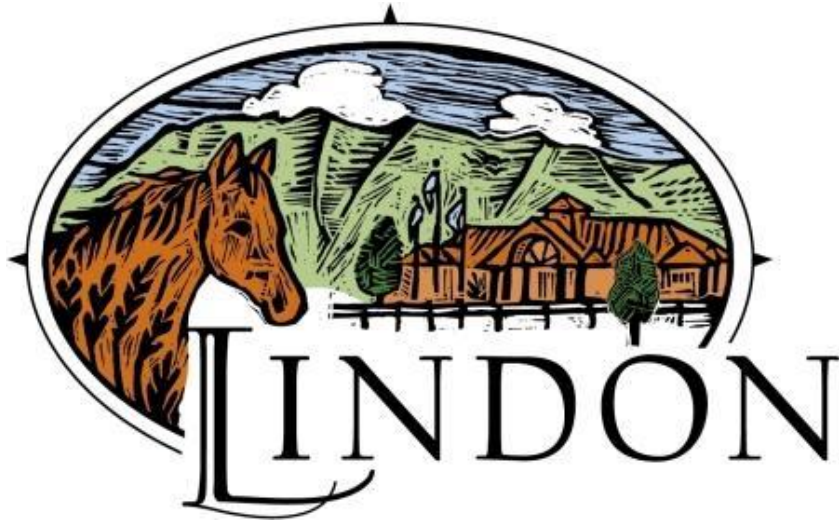


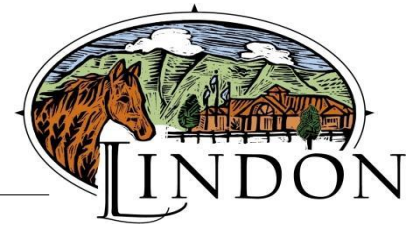
Lindon City Council Staff Report



Prepared by Lindon City
Administration

July 17, 2023

Notice of Meeting of the **Lindon City Council**



The Lindon City Council will hold a meeting at **5:15 pm on Monday, July 17, 2023** in the Lindon City Center Council Chambers, 100 North State Street, Lindon, Utah. Meetings are typically broadcast live at www.youtube.com/user/LindonCity. The agenda will consist of the following:

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



REGULAR SESSION – 5:15 P.M. - Conducting: Carolyn Lundberg, Mayor
Invocation: Randi Powell
Pledge of Allegiance: By invitation

(Review times are estimates only)

- 1. Call to Order / Roll Call** *(2 minutes)*
- 2. Presentations and Announcements** *(5 minutes)*
 - a) Employee Recognition Awards: McKindra Camp and Alicia Adams will be recognized.
 - b) Comments / Announcements from Mayor and Council members.
- 3. Open Session for Public Comment** *(For items not listed on the agenda)* *(10 minutes)*
- 4. Council Reports** *(20 minutes)*
- 5. Administrator’s Report** *(5 minutes)*
- 6. Approval of Minutes** — The minutes of the regular City Council meeting of July 3, 2023 will be reviewed. *(5 minutes)*
- 7. Consent Agenda** — *(Items do not require public comment or discussion and can all be approved by a single motion.* There were no consent agenda items presented for approval. *(5 minutes)*
- 8. Public Hearing — Ordinance #2023-11-O.** The Council will review a recommendation by the Lindon City Planning Commission to add a definition to Chapter 17.14 Pubic Noticing. Lindon City is proposing to add a definition for “Affected Area” into Chapter 17.14 of the LCC, in order to comply with recent changes in the Utah State Code. *(10 minutes)*

Adjourn

All or a portion of this meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. 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 Kathryn Moosman, City Recorder at 801-300-8437, giving at least 24 hours-notice.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in six public places within the Lindon City limits and on the State (<http://pmn.utah.gov>) and City (www.lindoncity.org) websites.

Posted by: /s/ Kathryn Moosman, City Recorder

Date: July 13, 2023; Time: 5:00 p.m.; Place: Lindon City Center, Lindon Police Dept., Lindon Community Development, Lindon Public Works, Lindon Community Center, Lindon Justice Court

Meetings are typically broadcast live at www.youtube.com/user/LindonCity

REGULAR SESSION – 5:15 P.M. - Conducting: Carolyn Lundberg, Mayor

Invocation: Randi Powell

Pledge: By invitation

Item 1 – Call to Order / Roll Call

July 17, 2023 Lindon City Council meeting.

Carolyn Lundberg
Jake Hoyt
Van Broderick
Mike Vanchiere
Randi Powell
Daril Magleby

Item 2 – Presentations and Announcements

- a) Employee Recognition Awards: McKindra Camp and Alicia Adams will be recognized.
- b) Comments / Announcements from Mayor and Council members.

Item 3 – Open Session for Public Comment *(For items not on the agenda - 10 minutes)*

Item 4 - COUNCIL REPORTS:

(20 minutes)

- A) MAG/MPO, COG, UIA, Utah Lake Commission, ULCT, Youth Council, Public Relations (media) – Carolyn Lundberg
- B) Public Works/Eng., Irrigation Co. Representative, Cemetery, Facilities/Building, Planning Commission - Van Broderick
- C) Emergency Management/CERT, Youth Council Lead Advisor, Senior Center, Education Grants - Randi Powell
- D) Lindon Days, Tree Advisory Board, UV Chamber, Historical Commission, 2024 Centennial Celebration - Daril Magleby
- E) Planning/Zoning, Gen. Plan, Economic Dev. PG/Lindon Chamber of Commerce, Transfer Station Board - Mike Vanchiere
- F) Parks, Trails, and Recreation, Police/Fire/EMS, Utah League of Cities & Towns Alternate - Jake Hoyt

Item 5 - ADMINISTRATOR'S REPORT

(10 minutes)

Misc. Updates:

- Next regular council meetings: August 21st & September 18th
- August 2023 newsletter assignment (due last week of July): Carolyn Lundberg
- Big-D Construction, Taco Tuesday. 11:30 to 1:30pm, free tacos w/Public safety personnel. 1788 W 200 N, Lindon.
- Engineering Coordination meeting, July 18th @ Noon at Public Works
- Orem Wastewater Treatment facility tour, Tues., July 18th @ 1:45pm. 1797 W 1000 S, Orem.
- Lindon employees summer pool party; Friday, July 21st; 6:30pm to 9:30pm. Lindon Aquatics Center.
- Lindon Days - July 29th through August 5th. Dates & times of events can be viewed here: <https://www.lindonrecreation.org/lindon-days>
- Citywide Drill & Food Drive - Monday, Sept 11th @ 6pm. City Council training.
- Lindon Life Skills 101 event; Nov 8th; 7pm @ Lindon Community Center
- General Election date: November 21st
- Misc. Items.

Item 6 – Approval of Minutes

- Review and approval of City Council minutes: **July 3, 2023 Regular City Council Minutes will be reviewed.**

2 The Lindon City Council regularly scheduled meeting on **Monday, July 3, 2023, at 5:15**
4 **pm** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon,
Utah.

6 **REGULAR SESSION – 5:15 P.M.**

8 Conducting: Carolyn Lundberg, Mayor
Invocation: Daril Magleby, Councilmember
10 Pledge of Allegiance: Alan Walker

12 **PRESENT**

Carolyn Lundberg, Mayor
14 Van Broderick, Councilmember
Randi Powell, Councilmember
16 Mike Vanchiere, Councilmember
Daril Magleby, Councilmember
18 Adam Cowie, City Administrator
Brian Haws, City Attorney
20 Mike Florence, Community Dev. Director
Mary Barnes, Associate Planner
22 Kathryn Moosman, City Recorder
Britni Laidler, Deputy Recorder

EXCUSED

Jake Hoyt, Councilmember

24
26 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

28 2. **Presentations and Announcements:**

30 a) Mike Stagg, with the Utah Local Governments Trust was in attendance to
32 recognize the Lindon City Aquatics Center for their exemplary work. Mr.
34 Stagg stated Lindon City is one of the largest outdoor water features and one
of the best in the state. He stated they perform a comprehensive assessment of
36 how these centers stack up against each other. He then presented the aquatics
safety award to Alan Walker and Caleb Aspell and commended them for their
38 leadership and thanked the city council and staff for their support. Mayor
Lundberg thanked Mr. Stagg for the presentation and recognition and thanked
Mr. Walker and Mr. Aspell for their hard work and dedication to the city.

40 b) Comments / Announcements from Mayor and Council members.

42 3. **Open Session for Public Comment** – Mayor Lundberg called for any public
comments. There were no public comments.

44 4. **COUNCIL REPORTS:**

2 **Councilmember Hoyt** – Councilmember Hoyt was absent.

4 **Councilmember Vanchiere** – Councilmember Vanchiere reported he had some citizens
6 reach out in regards to traffic and speeding near the Pheasant Brook Park subdivision
(800 North) and suggested that the police take a look at that area. Mr. Cowie stated he
will ask the city engineers to do a speed test and evaluate that particular location.

8 Councilmember Vanchiere said he also spoke with the LML Royalty who asked why the
we don't have a Miss Lindon Pageant. Mayor Lundberg pointed out that the Miss
10 Pleasant Grove Pageant is for all who attend the PG High School (of which most Lindon
students attend) and Lindon City helps to sponsor that program.

12 **Councilmember Magleby** – Councilmember Magleby reported he spent some time this
14 morning working with Alan Walker and Heath Bateman and staff on Lindon Days. He
noted the 5k run route will be altered and will now run through Wadley Farms as they are
16 sponsoring and will ensure it is safe. The car show will be held at Pheasant Brook Park
this year and they will make sure notices are put up to direct people to the new location.
18 The Ice cream social will have 5 or 6 flavors to choose from this year and the Lindon
Youth Council will be helping with this event. The Farmer's market will start July 6th and
20 we are encouraging food trucks. Friday is the grand parade with 89 entries; this will be
the largest parade to date and will be a fun parade. He also spoke on the Saturday
22 breakfast and the coordination of the grills. In regards to the Centennial Celebration, they
will be adding information on the city homepage of the website with a centennial button
24 with the logo.

26 **Councilmember Powell**– Councilmember Powell gave an update on CERT. She also
reported that the Youth Council is preparing for Lindon Days. She also reported on the
28 Senior Center stating registration is open for the BBQ to be held at Pioneer Park at 5 pm.
on July 12th which will be a fun event. She noted you can also call to register by Monday
30 at 801-769-8625. She noted this event is open to seniors and their families.

32 **Councilmember Broderick** – Councilmember Broderick had nothing to report.

34 **Mayor Lundberg** – Mayor Lundberg reported she had the opportunity to visit with
Speaker of the House, Brad Wilson, where she was able to share some concerns and
36 issues at the local level. She also met with Lindon business, Intermountain Casting, that
is a foundry that is doing amazing things; she took a tour of the facility. She noted they
38 hire engineers from BYU and UVU and they are doing a lot of automated things with
parts and components for large companies; it was very impressive. She also reported she
40 worked with Heath Bateman to put together a video for the PARC tax initiative to share
with the public; she noted this is a ubiquitous revenue source.

42 **Administrator's Report:** Mr. Cowie reported on the following items.

44

Misc. Updates:

- 2 • Next regular council meetings: July 17th & August 21st
3 • August 2023 newsletter assignment (due last week of July): Carolyn Lundberg
4 • Elections update
5 • Fireworks restrictions – on website
6 • Misc. Items.
- 8 **6. Approval of Minutes** – The minutes of the regular City Council meeting of June
9 19, 2023 will be reviewed.

10 COUNCILMEMBER MAGLEBY TO APPROVE THE MINUTES OF THE
11 REGULAR CITY COUNCIL MEETING OF JUNE 19, 2023 AS AMENDED.
12 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
13 RECORDED AS FOLLOWS:
14 COUNCILMEMBER BRODERICK AYE
15 COUNCILMEMBER POWELL AYE
16 COUNCILMEMBER VANCHIERE AYE
17 COUNCILMEMBER MAGLEBY AYE
18 THE MOTION CARRIED UNANIMOUSLY.

- 19 **7. Consent Agenda Items** – The following Consent Agenda item was presented for
20 approval.

- 21 a) **Surplus Equipment; Resolution #2023-11-R.** The Council will review
22 and consider Resolution #2023-11-R regarding disposal of surplus
23 equipment.

24 COUNCILMEMBER POWELL TO APPROVE THE CONSENT AGENDA
25 ITEM AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE
26 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
27 COUNCILMEMBER BRODERICK AYE
28 COUNCILMEMBER POWELL AYE
29 COUNCILMEMBER VANCHIERE AYE
30 COUNCILMEMBER MAGLEBY AYE
31 THE MOTION CARRIED UNANIMOUSLY.

32 **CURRENT BUSINESS**

- 33 **8. Public Hearing – Resolution #2023-12-R; Impact Fee Reduction to Foster**
34 **Moderate Income Housing.** The City Council will review and consider
35 Resolution #2023-12-R approving and authorizing a waiver of Police and Fire
36 Impact Fees for new moderate-income housing units. This waiver is in
37 compliance with goals established in the Lindon City Moderate Income Housing
38 element in the Lindon City General Plan.

2 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
3 COUNCILMEMBER MAGLEBY SECONDED THE MOTION. ALL PRESENT
4 VOTED IN FAVOR. THE MOTION CARRIED.

6 Adam Cowie, City Administrator opened this agenda item by stating tonight the
7 City Council will review and consider Resolution #2023-12-R approving and authorizing
8 a waiver of Police and Fire Impact Fees for new moderate-income housing units. He
9 noted this waiver is in compliance with goals established in the Lindon City Moderate
10 Income Housing element in the Lindon City General Plan. He then turned the time over
11 to the Community Development Director for comment.

12 Mr. Florence noted the Moderate-income Housing, under Utah State Code, means
13 housing occupied or reserved for occupancy by households with a gross household size in
14 with income equal to or less than 80% of the median gross income for households of the
15 same county in which the city is located.

16 Mr. Florence indicated that Lindon City amended its Moderate-Income Housing
17 Element of the General Plan on August 15, 2022 and adopted five moderate-income
18 housing strategies in compliance with Utah Code 10-9a-403. Lindon City also adopted
19 the moderate-income housing strategy to reduce, waive, or eliminate impact fees related
20 to moderate-income units in new developments.

21 Mr. Florence noted the city would like to increase the number of moderate-
22 income housing options in the city and for that reason they would like to waive police
23 and fire impact fees related to moderate-income units in new developments.

24 Following some general discussion, the Council was in agreement to approve
25 Resolution #2023-12-R; Impact Fee Reduction to Foster Moderate Income Housing as
26 presented by staff.

27 Mayor Lundberg called for any further public comments. Hearing none she called
28 for a motion to close the public hearing.

30 COUNCILMEMBER VANCHIERE MOVED TO OPEN THE PUBLIC
31 HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
32 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 Mayor Lundberg called for any further discussion or comments from the Council.
35 Hearing none she called for a motion.

36 COUNCILMEMBER VANCHIERE MOVED TO APPROVE RESOLUTION
37 #2023-12-R, AUTHORIZING A WAIVER OF POLICE AND FIRE IMPACT FEES
38 FOR NEW MODERATE-INCOME HOUSING UNITS AS PRESENTED.
39 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
40 RECORDED AS FOLLOWS:

42 COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER POWELL	AYE
44 COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER MAGLEBY	AYE

2 THE MOTION CARRIED UNANIMOUSLY

4 **9. Public Hearing — Ordinance #2023-10-O; Criminal Code Updates.** The City
6 Council will review and consider amending Chapter 9.04 of the Lindon City
Code, so as to amend and re-codify the Lindon City Criminal Code to be in
conformance with Utah Code.

8

10 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12

City Attorney, Brian Haws, was in attendance to present information on
14 Ordinance #2023-10-O updating the Lindon City Criminal Code as to be in conformance
with Utah Code. Mr. Haws pointed out that the last time this was updated was in 2000.

16

Mr. Haws stated the Council previously adopted Titles 76 and 77 of the Utah
Code as the City's criminal code. Since that time, the Utah Legislature has amended the
18 Utah Code multiple times and has enacted many new laws and designated numerous new
infractions and misdemeanor offenses, which can be found throughout the various titles
and chapters of the Utah Code.

20

He noted Staff has made updates to ensure that the Lindon City Criminal Code
22 reflects these various changes and modifications and to ensure that subsequent changes
are appropriately incorporated into its Criminal Code.

24

Following some general discussion, the Council was in agreement to approve
Ordinance #2023-10-O updating the Lindon City Criminal Code as to be in conformance
26 with Utah Code as presented by staff.

26

Mayor Lundberg called for any further public comments. Hearing none she called
28 for a motion to close the public hearing.

28

30 COUNCILMEMBER MAGLEBY MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32

34 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

36

COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
38 #2023-10-O, AMENDING CHAPTER 9.04 OF THE LINDON CITY CODE
UPDATING THE CRIMINAL CODE TO BE IN CONFORMANCE WITH UTAH
CODE WITH THE CORRECTION OF ONE TYPO AS PRESENTED.

40

COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

42

COUNCILMEMBER BRODERICK AYE

44

COUNCILMEMBER POWELL AYE

COUNCILMEMBER VANCHIERE AYE

2 COUNCILMEMBER MAGLEBY AYE
THE MOTION CARRIED UNANIMOUSLY.

4
6 **10. Public Hearing — Ordinance #2023-9-O; 2023 Lindon City General Plan**

6 **Comprehensive Update.** The City Council will review and consider adoption of
8 a comprehensive update to the Lindon City General Plan. The General Plan was
10 last comprehensively updated in 2011. The General Plan sets goals and guidelines
for the present and future needs of the municipality. The Planning Commission
recommends approval of the General Plan updates.

12 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
14 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

16 Mr. Florence led this agenda item by referencing the comprehensive update to the
18 Lindon City General Plan. He stated Lisa Benson with Landmark Design is in attendance
to give her presentation and to answer any questions.

20 Mr. Florence explained the general plan serves as an advisory document that
helps guide future growth and land use decisions. It indicates the location and type of
22 land uses and includes directions and guidelines for future development. Municipalities in
Utah are required to adopt a general plan that addresses existing needs and future growth
24 pressures. He noted the general plan not only helps guide future development, it also
indicates how to extend infrastructure, utilities, and public services in a cost-effective
manner.

26 Mr. Florence then gave an overview as follows:

- 28 • Lindon City last comprehensively updated its general plan in 2011.
- 30 • 2022, the city contracted with Landmark Design as its consultant to help the city
update its general plan.
- 32 • April 28, 2022 - the city held its general plan kick-off meeting with the mayor,
city council, planning commission, general plan committee and city staff.
- 34 • The general plan committee consisted of 8 community members that represented
different areas of the city, three planning commissioners, mayor, and two city
council members.
- 36 • Public outreach efforts included the following:
 - 38 ○ Social media campaign
 - Project website
 - City website
 - 40 ○ Social Pinpoint – online community engagement and interactive mapping
software
 - 42 ○ August 2022 - outreach and presentation at Mayors Public Safety breakfast
during Lindon Days.
 - 44 ○ Public open house on April 20, 2023. Meeting advertised by social media,
websites, email to past participants, and signs advertising the meeting.
Approximately 100 members of the public attended the open house.

- Two notices sent to each property owner where changes are proposed on the Future Land Use Map.

Mr. Florence then gave a summary of the key issues as follows:

- Utah Code § 10-9a-402 requires that at a minimum the general plan contain the following elements:
 - Land Use
 - Transportation and Circulation
 - Moderate-Income Housing
 - Water Use and Preservation (adoption prior to December 31, 2025)
 - State code also outlines that a city may also adopt the following other elements: Environmental, Public Services and Facilities, Rehabilitation/Redevelopment/Conservation, Economic, Implementation, and any other element the municipality feels is appropriate.
- Lindon's Proposed General Plan contains the following elements:
 - Land Use and Community Character
 - Transportation and Circulation
 - Moderate-Income Housing
 - Economic Development
 - Parks, Recreation, Trails, and Open Space
 - Environment and Sustainability
 - Implementation

Mr. Florence then presented the future Land Use Map of the draft general plan followed by discussion. He mentioned the link in the staff packet provides the draft future land use map, the currently adopted future land use map, and a map showing which properties are proposed to change. He noted each property owner was provided with two notices. The first notice was regarding the proposed change and an invitation to meet with city staff and discuss the changes. The second notice was for the June 13th public hearing.

Mr. Florence then referenced Exhibit 3 that includes a list of updates that need to go into the general plan. He pointed out that Landmark Design will make all final edits after review by the city council. He noted the list included in the staff packed includes changes city staff have identified since the last published draft of the plan.

Mayor Lundberg spoke on preservation and the BRT option at this time and about putting the city on their plan as it would be great to have it identified along with a Trax station. Mr. Florence pointed out they will follow where the major streetlights are.

Mayor Lundberg also addressed the 700 N. and Geneva area, and wanted to identify that area as a future TRAX station, so in the future it will be reserved for that use as a transit/commercial node. She updated the council at this time that TRAX is more of the discussion than BRT at this point, and that is why she wants to make sure that is clarified in the General Plan. Mr. Florence stated the nodes on state street on the future land use map are where the major streetlights are, and that is why they thought to spotlight those. Mayor Lundberg also requested that on pages 9-14 the word Vineyard

2 seems to stand out more, so she was hoping they could change it to make Lindon more prominent.

4 Councilmember Vanchiere wanted to address the maintaining of a “A Little Bit of Country” and the ½ acre lots that are no longer feasible in keeping that feeling. He
6 wanted to know what other options we have in place for keeping that “A Little Bit of Country” feeling in future development and keeping the rural feeling in Lindon. Mayor
8 Lundberg stated she sees it as the spirit of “A Little Bit of Lindon” not only falling with animal rights on properties, but can also be found with connectiveness and open spaces to
10 that can help keep that rural feeling.

12 Public in present, Lincoln Jacobs, voiced that he also sees it as the mayor does, with maintaining open spaces and how we can preserve those. Councilmember Vanchiere requested maybe having it worded in the General Plan that the vision to keep it a “A
14 Little Bit of Country” includes keeping it outdoor friendly through these potential plans we have set forth.

16 Councilmember Powell stated the characteristics of Lindon doesn’t have to do with animal rights on property, but how we can maintain that country feeling. She
18 referenced highly urban areas where there have been community gardens put it. She sees Lindon as keeping that focus as they move forward. She voiced that she holds that feeling
20 of “A Little Bit of Country” very dear to her heart.

22 Lincoln Jacobs stated that when he first started on the general plan committee they talked about “A Little Bit of Country”, and it was nice to get clarification of what that meant going forward. He requested in going forward that the council focuses on what
24 differentiates us from our sister cities. Mr. Florence stated that they heard from the community the way to minimize impacts of growth are through the formation of special
26 gathering and destination places. He stated the general plan focuses on a “sense of place” and ways to know when you arrive in Lindon to show you are in a special place.

28 Commissioner Broderick asked for clarification on flex commercial and where it is on the actual map and what defines flex commercial. He questioned if we are implying
30 that we want more residential with the use of this label. Mr. Florence stated they tried to describe flex commercial as best they could that captured office retail and office
32 warehouse. Commissioner Broderick also asked that the pictures of the corridors we have in the General Plan match the pictures with the water wise landscaping we just
34 passed. And to also show the changes on Center Street with the temple changes.

36 Lincoln Jacobs addressed the council during public comment to ask some additional questions. He stated he had been on the General Plan back with Bruce
38 Carpenter 20 or so years ago, and also with this most recent one. In comparison, he stated this general plan went much better. He voiced kudos to everyone who made this
40 happen. He asked about the feedback from citizens and if they felt the Lindon response showed they cared as much as compared to other cities, and did they find this feedback
42 successful. Mr. Florence stated when it came to the public open house in April, he expected 10 people and was very happy that there ended up being 100 people that
44 showed up which was great. He stated many citizens wrote comments and gave feedback, and people were so responsive. Mayor Lundberg stated Landmark Design has

2 done a great job. Ms. Benson from Landmark Design stated she thought there was a
good response considering there is nothing controversial.

4 Councilmember Vanchiere stated there was a lot of public input that was heard
through the outreach programs. Mayor Lundberg stated the city was represented by 3 or 4
6 individuals from the 4 different districts. Mr. Florence referenced the mayor's event and
the board that was presented where people could put dots on ideas they liked or didn't
8 like. There were a lot of dots on one image, and he asked them how they would feel about
it in the 700 N. Anderson Blvd. area, and many of those who didn't like it for their area,
10 liked the idea for that area, so this put it into perspective for them of where it would go.

Mr. Jacobs stated he feels like this general plan was very successful, however, he
12 asked what we could have done to make it even better in retrospect. Ms. Benson stated
that perhaps a survey that was more current, to help get a better geographic
14 representation.

Mr. Florence indicated that public outreach was an important part of this general
16 plan. He noted the Appendix link provides a summary of all public comments received
by the city. He added that city staff appreciates the response that we have received in
18 updating the general plan. The city also established a great general plan committee that
were involved and met for nearly an entire year to review each chapter of the general plan
20 and discuss future opportunities and needs. He stated elected and appointed officials were
equally important in helping to shape the vision of the plan. The city was also engaged in
22 a strong outreach effort to hear feedback from residents and property owners, but to also
educate the public on the importance of the general plan and future planning.

Mr. Florence stated Staff believes that this plan helps to maintain the strong
24 identity of the community. This was an important aspect brought up not only in the
committee meetings but also the general public. The plan helps to preserve existing
26 neighborhoods, animal rights, and helps to build upon the existing economic base that is
already established in the community. The plan encourages the further study of major
28 corridors to enhance the character and beautification of the city. The general plan
continues to support and encourage the development of parks, trails, and open space.
30

32 **Mr. Florence then referenced the remaining General Plan Updates as follows:**

- Add Karen Danielson as a Planning Commissioner

34 **Background & Introduction**

- Repetitive text

36 **Land Use & Community Character Element**

- Changing the name of the 700 N. Town Center on the Future Land Use Map and
38 land use description to Lindon Commercial Center

Transportation Element

- Adding any missing streets that didn't carry over from the current Transportation
40 Map to the New Transportation Map.
- Updating the mileage of existing streets.
- Minor paragraph and sentence restructuring and formatting
- Coordination between the Parks, Trails & Recreation Existing and Future Trails
44

2 map and the Alternative Transportation Map
3 **Parks, Recreation, Trails, and Open Space Element**

- 4 • Correcting the percentage of the Parc Tax.

5 **Environment and Sustainability Element**

- 6 • Adding a goal to continue educating residents on the secondary water meter
7 application for water conservation and leak detection

8 **Water Use and Preservation**

- 9 • Updating language that secondary water meters have now all been installed for
10 secondary connections
11 • Formatting and sentence restructuring
12 • Updating water usage percentages
13 • Correcting information about water sources
14 • Updating population and water usage numbers

15 Mr. Florence then presented the exhibits for discussion including the adopting
16 Ordinance, and the list of general plan updates. He noted Landmark Design will make all
17 final edits after review by the city council. He noted the updates are meant to be made to
18 the general plan, so that the consultant does not have to make these corrections and any
19 others that the city council may have and that staff has listed as the modifications.

20 In conclusion, Mr. Florence went over the following changes as discussed by the
21 council. He noted once all comments are made, the consultant will make all the final
22 corrections and provide the city with a final document for review and approval.

- 23 • Include a commercial/transit node at 700 North and Geneva Road
24 • Remove, make smaller or lighten the names of the surrounding communities on
25 the maps and highlight Lindon City better. Make the name Lindon the focus of
26 the maps
27 • The landscape pictures need to reflect actual adopted Lindon ordinances
28 • On page 149 replace the word stringent with incentivized
29 • Correct the sentence structure and wording on the Guiding Principles section
30 • Find an alternative name other than Town center

31 Following some additional discussion, the Council was in agreement to approve
32 Ordinance #2023-9-O approving the 2023 Lindon City General Plan Comprehensive
33 Update as presented with the changes as discussed.

34 Mayor Lundberg called for any public comments at this time. Hearing none she
35 called for motion to close the public hearing.

36
37
38 COUNCILMEMBER MAGLEBY MOVED TO CLOSE THE PUBLIC
39 HEARING. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL
40 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion

4
6 COUNCILMEMBER POWELL MOVED TO APPROVE ORDINANCE #2023-
9-O APPROVING THE 2023 LINDON CITY GENERAL PLAN COMPREHENSIVE
UPDATE AS PRESENTED WITH THE CHANGES AS DISCUSSED.

8 COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

10 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER POWELL AYE

12 COUNCILMEMBER VANCHIERE AYE

COUNCILMEMBER MAGLEBY AYE

14 THE MOTION CARRIED UNANIMOUSLY.

16 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion to adjourn.

18 **Adjourn –**

20 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
22 AT 7:20 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

24
26 Approved – July 17, 2023

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30

Kathryn A. Moosman, City Recorder

32
34

Carolyn O. Lundberg, Mayor

Item 7 – Consent Agenda – Consent agenda may contain items which have been discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion, or may discuss individual items as needed and act on them separately.

There were no consent agenda items presented for approval.

- 8. Public Hearing — Ordinance #2023-11-O.** The Council will review a recommendation by the Lindon City Planning Commission to add a definition to Chapter 17.14 Pubic Noticing. Lindon City is proposing to add a definition for “Affected Area” into Chapter 17.14 of the LCC, in order to comply with recent changes in the Utah State Code. *(10 minutes)*

Sample Motion: I move to (approve, reject) Ordinance #2023-11-O, adding a definition to Chapter 17.14 Pubic Noticing in order to comply with recent changes in the Utah State Code (as presented or amended).

Ordinance Amendment – Public Noticing

Date: July 17, 2023
Applicant: Lindon City
Presenting Staff: Mary Barnes

Type of Decision: Legislative

Council Action Required: Yes, the planning commission unanimously approved this application with a positive recommendation.

MOTION

I move to (*approve, deny, or continue*) of ordinance amendment 2023-11-O (*as presented, or with changes*).

Overview:

- In the 2023 the Utah Legislature passed Senate Bill 43. This new bill amends the public noticing requirements for municipalities. This ordinance amendment is a direct result of S.B.43.
- Essentially, this new law separates notices into two classes, Class A and Class B, and has requirements of what information needs to be in these notices and how notice is provided. For information purposes city staff have provided the below table that outlines which types of land use applications apply to specific notices. These are not being incorporated into the city code but city staff will need to follow them as we provide public noticing
- The new law also requires certain land use applications to notice an “Affected Area”. Chapter 17.14 of the Lindon City code already calls out notice parameters for nonresidential and residential noticing. However, the State has defined “Affected Area” to mean:
 - a. the area that is designated in statute, county ordinance, or municipal ordinance as the area for which public notice must be provided;
 - b. in relation to a statute, if no affected area is designated in the statute, the affected area is the state;
 - c. in relation to a county ordinance, if no affected area is designated in the county ordinance, the affected area is the county; or
 - d. in relation to a municipal ordinance, if no affected area is designated in the municipal ordinance, the affected area is the municipality.
- The city is proposing to define “Affected Area” as follows: “For purposes of this Chapter, “Affected Area” shall mean all parcels of real property which have at least one boundary line that lies within five hundred feet (500’) of at least one boundary line of a property that is the subject of a land use decision by Lindon City, if the subject property is within a residential or commercial farm zone or within eight hundred feet (800’) of a subject property that is within a non-residential zone.”
- The noticing parameters are already found in Lindon City Code 17.14.050(2)(a). This ordinance amendment will simply incorporate these existing noticing requirements into the definition of an affected area.
- Current Lindon City Code 17.14.050(2)(a): Not less than ten (10) calendar days before the first public meeting or public hearing required for land use applications listed in subsection (1) of this section, each notice shall:
 - a. Be mailed and addressed to the record owner of each parcel within five hundred feet (500’) of the subject property if said property is residential or eight hundred feet (800’) if said property is nonresidential;

Please see the table below for what land use applications are required to have Class A or Class B notices:

Type of Land Use Application	Class of Public Notice required	Extra Requirements?	Period of Time
Every public meeting	Must at least meet the Open Public Meetings Act		Minimum 24 hours
General Plan – Prepare	A		10 days
General Plan – hearings to adopt or amend	A		10 days
General Plan – meetings to discuss adoption or amendment	A		24 hours
Ordinance Amendments or Adoptions	B	Must notice the “area directly affected”	10 days
Ordinance Amendments or Adoptions – discussions	A		10 days
Zoning Map – hearings to adopt or amend	B	Must notice the “area directly affect”, and the owner of the affected property	10 days
Street Vacations	A		10 days

Class A notices must be published on the State Public Notice website, on the City website, and sent to the affected area. Class B notices must be published on the State Public Notice website, on the City website, sent to the affected area, and sent to the real property owner.

Chapter 17.14 in the LCC already has these requirements in place for legislative land use applications.

On July 11, 2023 the Lindon City Planning Commission unanimously recommended approval for this ordinance amendment after some discussion around noticing practices within the State of Utah.

Exhibit

1. Draft public noticing ordinance amendment

ORDINANCE NO 2023-11-O

AN ORDINANCE AMENDING CHAPTER 17.14 OF THE LINDON CITY CODE, SO AS TO BRING THIS SECTION INTO CONFORMANCE WITH RECENT CHANGES IN STATE CODE AS IT RELATES TO PUBLIC NOTICES.

WHEREAS, during the 2023 legislative session, the Utah legislature passed Senate Bill 43; and

WHEREAS, Senate Bill 43 modifies Public Notice requirements under Title 63G of the Utah Code so as to allow municipalities to set the parameters of what constitutes the “Affected Area” of a land use application, but also defaults to that area being the entire municipality if a city has failed to adopt a specific definition for that term; and

WHEREAS, under the Utah Code, notices for certain land use applications must be provided by first class mail to an Affected Area; and

WHEREAS, the Lindon City Council finds that in addition to being cost prohibitive, sending notice through first class mail to every property owner in the City, for every land use application, would in fact diminish the effect and impact of using mailed notices because regularly receiving notices of land use applications which have little to no impact on their properties, would soon lead to citizens paying little to no attention to such notices; and

WHEREAS, the Lindon City Council desires to establish a specific definition of “Affected Area” to ensure that mailed notification provides the most effective notices, in the most cost-efficient manner.

WHEREAS, on July 11, 2023, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance amendment and recommended that the City Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on July 17, 2023, to consider the recommendation and the Council received and considered all public comments that were made therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, as follows:

PART ONE: AMENDMENT OF CHAPTER 17.14 OF THE LINDON CITY CODE.

Chapter 17.14 of the Lindon City Code, is hereby amended as follows:

Chapter 17.14

NOTICING

17.14.010 Notice of public meeting.

17.14.013 Affected Area.

- 17.14.015 Applicant notice – Waiver of requirements.**
- 17.14.020 Notice of intent to prepare a general plan or comprehensive plan amendment.**
- 17.14.030 Notice of public hearing and public meetings to consider general plan or modifications.**
- 17.14.040 Notice of public hearing and public meetings on adoption or modification of land use ordinance.**
- 17.14.050 Third party notice.**
- 17.14.060 Notice for an amendment to a subdivision.**
- 17.14.070 Hearing and notice for proposal to vacate a public street, right-of-way, or easement.**
- 17.14.080 Notice challenge.**
- 17.14.090 Special notice requirements.**

17.14.010 Notice of public meeting.

1. Notice of meetings for a public body shall be in conformance with the “Open and Public Meetings Act” as found in [Title 54, Chapter 4 of the Utah Code 52-4](#). For use in this [eChapter](#) of the Lindon City Code, definitions as found in Utah Code 10-9a-103 and 52-4-103 are adopted by reference.
2. Unless otherwise specified in this [eChapter](#), for all meetings of a public body, an agenda of the meeting shall be posted not less than twenty-four (24) hours before the meeting.
3. The agenda shall be posted pursuant to Section 52-4-202 of the Utah Code, as may be amended.
4. The city may establish additional means of informing the public about city activities and events through citizen enrolled electronic communication or other methods of information distribution.

17.14.013 Affected Area

For purposes of this Chapter, “Affected Area” shall mean all parcels of real property which have at least one boundary line that lies within five hundred feet (500’) of at least one boundary line of a property that is the subject of a land use decision by Lindon City, if the subject property is within a residential or commercial farm zone or within eight hundred feet (800’) of a subject property that is within a non-residential zone.

17.14.015 Applicant notice – Waiver of requirements.

1. For each land use application, Lindon City shall:
 - a. Notify the applicant of the date, time, and place of each public hearing and public meeting to consider an application;
 - b. Provide to each applicant a copy of each staff report regarding the applicant or the pending application at least three (3) business days before the public hearing or public meeting; and
 - c. Notify the applicant of any final action on a pending application.
2. If Lindon City fails to comply with the requirements of subsection (1)(a) or (1)(b) of this Section or both, an applicant can waive the failure so that the application may stay on the public hearing or public meeting agenda and be considered as if the requirements had been met.

17.14.020 Notice of intent to prepare a general plan or comprehensive plan amendment.

1. Before preparing a proposed general plan or comprehensive general plan amendment, the city shall provide ten (10) calendar days' notice of its intent to prepare a proposed general plan or a comprehensive general plan amendment to: each affected entity within the city, Mountainland Association of Governments, the Utah State Automated Geographic Reference Center, and the State Planning Coordinator.
2. Each notice shall:
 - a. Indicate that the city intends to prepare a general plan or a comprehensive plan amendment, as the case may be;
 - b. Describe or provide a map of the geographic area that will be affected by the general plan or amendment;
 - c. Be sent by mail or e-mail;
 - d. Invite the affected entities to provide information for the municipality to consider in the process of preparing, adopting, and implementing a general plan or amendment concerning:
 - i. Impacts that the use of land proposed in the proposed general plan or amendment may have; and

- ii. Uses of the land within the city that the affected entity is considering that may conflict with the proposed general plan or amendment; and
- e. Include the city website address and a name and telephone number of a person where more information can be obtained concerning the city's proposed general plan or amendment.

17.14.030 Notice of public hearing and public meetings to consider general plan or modifications.

The city shall provide notice of public hearings and public meetings to consider the original adoption or any modification of the general plan pursuant to Section 10-9a-204 of the Utah Code, as may be amended.

17.14.040 Notice of public hearing and public meetings on adoption or modification of land use ordinance.

The city shall provide notice of public hearings and public meetings to consider the adoption or any modification of a land use regulation pursuant to Section 10-9a-205 of the Utah Code, as may be amended.

17.14.050 Third party notice.

1. Third party notice shall be required by the city for all new site plan, conditional uses, subdivisions, variances, alteration of nonconforming uses, zone map and general plan map changes, appeals heard by the board of adjustments, and for other land use applications that the planning director determines to have more than routine significance and for which the surrounding property owners should be notified in order to protect the public interest.
2. Not less than ten (10) calendar days before the first public meeting or public hearing required for land use applications listed in subsection (1) of this ~~S~~section, each notice shall:
 - a. Be mailed and addressed to the record owner of each parcel within an Affected Area ~~five hundred feet (500') of the subject property if said property is residential or eight hundred feet (800') if said property is nonresidential~~; or
 - b. Be posted on the subject property with a sign of sufficient size, durability, print quality, and location that it is reasonably calculated to give notice to passers-by.

3. If the city mails notice to third party property owners within subsection (2)(a) of this Ssection, it shall mail equivalent notice to property owners within an adjacent jurisdiction.

17.14.060 Notice for an amendment to a subdivision.

1. For an amendment to a subdivision, the city shall provide notice of the date, time, and place of at least one (1) public meeting that is:

a. Mailed not less than ten (10) calendar days before the public meeting and addressed to the record owner of each parcel within five hundred feet (500') of that property if said property is residential or eight hundred feet (800') if said property is nonresidential; or

b. Posted not less than ten (10) calendar days before the public meeting on the property proposed for subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that it is reasonably calculated to give notice to passers-by.

2. The city shall provide notice as required by Section 17.14.070 for a subdivision that involves a vacation of a street, right-of-way or easement.

17.14.070 Hearing and notice for proposal to vacate a public street, right-of-way, or easement.

For any proposal to vacate, alter, or amend a public street, right-of-way, or easement, the city council shall hold a public hearing in accordance with Section 10-9a-208 of the Utah Code, as may be amended.

17.14.080 Notice challenge.

If notice given under authority of this eChapter is not challenged under Utah Code 10-9a-801 within thirty (30) days after the meeting or action for which notice is given, the notice is considered adequate and proper.

17.14.090 Special notice requirements.

Group homes and care facilities have special notice requirements found in Chapters 17.70 and 17.72. Reimbursement Agreements have special notice requirements found in Sections 17.68.050 and 17.68.070.

PART TWO: Severability.

Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of

competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

PART THREE: Effective Date.

Ordinance No. _____ shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City,
Utah, this ____ day of _____ 2023.

CAROLYN LUNDBERG
Lindon City Mayor

ATTEST:

Kathryn Moosman
City Recorder

ADJOURN