

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, April**  
3 **25, 2023 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North  
4 State Street, Lindon, Utah.

**REGULAR SESSION – 6:00 P.M.**

6 Conducting: Sharon Call, Chairperson  
8 Invocation: Steven Johnson, Commissioner  
9 Pledge of Allegiance: Mike Marchbanks, Commissioner

10 **PRESENT**

**EXCUSED**

12 Sharon Call, Chairperson  
13 Rob Kallas, Commissioner  
14 Mike Marchbanks, Commissioner  
15 Scott Thompson, Commissioner  
16 Steven Johnson, Commissioner  
17 Jared Schauers, Commissioner  
18 Karen Danielson, Commissioner  
19 Mike Florence, Community Development Director  
20 Mary Barnes, Associate Planner  
21 Britni Laidler, Deputy Recorder

22 1. **CALL TO ORDER** – The meeting was called to order at 6:02 p.m.

24 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning  
Commission meeting of April 11, 2023 were reviewed.

26 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE  
REGULAR MEETING OF APRIL 11, 2023 AS PRESENTED. COMMISSIONER  
28 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE  
MOTION CARRIED.

30 3. **PUBLIC COMMENT** – Chairperson Call called for comments from any audience  
member who wishes to address any issue not listed as an agenda item.

32 Rex and Sharon Daley wanted to know if there were any plans for Center Street with the  
new temple going in. Mike Florence, Community Development Director explained the plans for  
34 that street. The Daley’s voiced excitement for those changes.

**CURRENT BUSINESS** –

36 4. **Conditional Use Permit – The Market at Walker Farms – 484 E Center St** The  
applicant is requesting conditional use permit approval for a boutique in connection with a  
38 Commercial Farm zone at 484 E Center St (Parcel ID #14:073:0028)

40 Mary Barnes, City Planner presented this item. Mike and Jill Jorgensen are the applicants  
on this item. This small home was originally built in 1900 as the homestead for the original  
owners of the farm, the Walker family. The Commercial Farm zone was created in 2017, with  
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[1]

2 the purpose to provide encouragement of agricultural production and associated commercial  
activities that are compatible with and/or promote agricultural uses within the city. Mike  
4 Jorgensen finished the main Walker Farms building in 2019, after getting Planning Commission  
and City Council approval for a zone map amendment to Commercial Farm and the original  
6 conditional use permit for the event center project. The Market was originally going to be a  
caretaker's residence, which is permitted in the Commercial Farm zone. The structure for the  
8 market was remodeled about two years ago, and has recently opened as a small boutique on  
Center St. The Commercial Farm zone allows a boutique as a conditional use, which is the  
10 purpose of this application.

The building is half historical home, and half remodeled exterior. The landscaping was  
12 put in as part of the 2017 overall site plan approval. It is still in compliance. There are 10  
available parking stalls for this boutique. In the parking code, 1 parking spot is required for every  
14 200 sq ft of general merchandise. This boutique is 1,379 sq ft, so 7 parking stalls are required.  
Ms. Barnes presented an aerial shot of the lot, showing the commission where the building is  
16 located along with the parking lot, and the overflow parking lot.

Currently, the hours of the boutique are Tuesday-Saturday, noon to 5 PM. Staff made the  
18 hours of operation in the conditional use permit to 8:00 pm in case the boutique stays open  
longer. Notices were mailed on April 14, 2023 to adjoining property owners in accordance with  
20 Lindon City Code Section 17.14.50 Third Party Notice. City staff have received no public  
comment at this time. Remaining conditions of the permit discussed. It was noted that if there is  
22 a special event, then the applicant would need to file for a special event permit with the police  
department. Conditional uses are subject to review by the planning commission if the conditions  
24 are not being followed, or if the boutique adversely affects the persons residing in the  
neighborhood. Based on the hours and conditions that are being placed on the boutique as part of  
26 this conditional use permit, it is expected that this business will have a minimal impact on  
surrounding properties.

28 Commissioner Johnson asked if it was necessary to have a noon opening, as to perhaps  
being open earlier would be good also and saw no impact on opening earlier than noon. Mike  
30 Jorgensen stated he would like a 10:00 am opening to allow for more time. Commissioner  
Johnson then asked for clarification on the noise complaints and how they would be interpreted.  
32 Mr. Jorgensen stated that he had thought that the business was working under the correct permit  
for the past 2 years, and in that time there have been no issues with parking. The Jorgensen's  
34 stated they would be happy to have a sign for parking letting customers know to use the parking  
lot or the overflow parking lot and to not park in front of residential homes. Commissioner  
36 Johnson wanted to make sure that the terms of this permit were clear enough to make sure that  
there wouldn't be issues later, perhaps altering the condition to alter item 4 of the permit to state  
38 a sign for parking being put in. Discussion followed regarding terms and process of a special  
event in terms of tent sells.

40 Chairperson Call asked for any public comment. Sharon Daley stated that they live across  
the street from the Boutique and says they have had no issues with traffic or parking in the time  
42 the business has been there.

2 Chairperson Call called for any further comments or discussion from the Commission.  
Hearing none she called for a motion.

4  
6 COMMISSIONER JOHNSON MADE A MOTION TO APPROVE THE APPLICANT'S  
REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE SMALL HOME LOCATED  
8 AT 484 E CENTER ST AS A BOUTIQUE IN CONNECTION WITH A COMMERCIAL  
FARM USE, WITH THE FOLLOWING CONDITIONS: 1. THE OPERATING HOURS OF  
10 THE BOUTIQUE CAN BE FROM 10:00 AM TO 8:00 PM; 2. ANY OUTSTANDING  
BUILDING CODE REQUIREMENTS WILL BE ADDRESSED WITH THE LINDON CITY  
12 BUILDING OFFICIAL AND BUILDING PERMITS OBTAINED; 3. OVERFLOW PARKING  
FOR THE BOUTIQUE MUST BE CONTAINED WITHIN THE MAIN SOUTHERN  
14 PARKING LOT; 4. A DIRECTIONAL SIGN WILL BE PLACED TO DIRECT BOUTIQUE  
PARKING TO THE SMALL PARKING LOT; AND 5. ALL ITEMS OF THE STAFF  
16 REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE  
WAS RECORDED AS FOLLOWS:

18	COMMISSIONER CALL	AYE
18	COMMISSIONER JOHNSON	AYE
18	COMMISSIONER SCHAUERS	AYE
20	COMMISSIONER MARCHBANKS	AYE
20	COMMISSIONER DANIELSON	AYE
22	COMMISSIONER KALLAS	AYE
22	COMMISSIONER THOMPSON	AYE
24	THE MOTION CARRIED.	

26 **5. Public Hearing for a recommendation to the Lindon City Council to amend**  
**ordinances 17.02, 17.18, 17.43, 17.45, 17.47, 17.48, 17.49, 17.50, 17.51, 17.54 pertaining to**  
28 **grass and sod landscaping requirements and create Title 17.19 – Waterwise Landscaping**  
**and Design.** Application is made by Lindon City. Central Utah Water Conservancy will also  
30 give a presentation at the hearing.

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

36 Mike Florence, Community Development Director led this item. This item was continued  
from the March 14, 2023 planning commission meeting. Lindon City is proposing to adopt a  
waterwise landscape ordinance applicable to residential, commercial, and industrial zones. The  
38 city is also proposing to amend those sections of the current city code where the call out for sod  
or grass only is required so that it complies with the proposed waterwise landscape code. Central  
40 Utah Water Conservancy District delivers a portion of the city's secondary water through the  
Alpine Aqueduct. The city has received information from Central Utah Water Conservancy  
42 District (CUWCD) that for the city and its residents to receive future grants or rebates then it  
must adopt a waterwise landscape ordinance. The city has received substantial grants in the past  
44 from the CUWCD to improve water delivery. In addition, the city is evaluating moving water  
from the North Union Canal to the Murdock Canal in order to improve efficiency and reduce

2 loss. Lindon residents are eligible for rebates such as smart controllers, flip your park strip,  
landscaping incentives, and toilet replacements. The CUWCD provided the city with expected  
4 landscape standards to conserve water which are to be adopted into a new landscape ordinance.

The city invited Rick Maloy from the Central Utah Water Conservancy District to present.  
6 Mr. Florence then turned the time over to Rick Maloy and Savannah Peterson. The presentation  
showed the commission past landscaping programs results and how those yards turned out. Mr.  
8 Maloy also explained the Landscape Leadership Grant that is available to business owners to  
reduce outdoor water use, along with the Smart Controller Rebate program they also have. He  
10 then presented the new programs launching May 1, 2023, and voiced the importance of the water  
conservation programs. He stated the cost of putting in a waterwise landscaping when building  
12 verses, the cost of flipping a current yard to waterwise is quite substantial.

Commissioner Thompson asked for clarification on the terms of this amendment. Mr.  
14 Maloy stated that this amendment would focus on only new residential and commercial property.  
After some general discussion Mr. Maloy went on to clarify the turf requirements, stating it shall  
16 not be installed on slopes greater than 25% or 4:1 grade, and areas of less than 8 feet wide at its  
narrowest point. He then stated the consideration for small lot states the small lots that have no  
18 back yard, which the total landscaped area is less than 250 square feet and has dimensions that  
cannot accommodate the minimum 8 ft wide lawn area requirement, are exempt from the 8 feet  
20 wide lawn requirement.

Commissioner Call voiced that it has come up previously the potential option to shift the  
22 35% requirement from front and side yards to the back yard. Mr. Maloy stated that right now it  
currently is for only the front and side yard due to State requirements. He stated the CUWCD can  
24 be flexible in some areas, but in that particular area, they cannot be due to the State requirement.  
However, there is no clarification on the definition of front and side yards, so it would be written  
26 into the city code to define what side yard is. Mr. Maloy then continued with the presentation  
clarifying the recommendations their programs have.

28 Commissioner Kallas asked if he knew the percentage of residences water usage that is for  
landscaping. Mr. Maloy stated it is usually around 60-80% of a family's water consumption is  
30 from landscaping. After some general discussion Commissioner Kallas voiced concern with how  
it feels like we are being forced into this. He voiced that he is worried about how these yard  
32 updates will look in a few years if homeowners fail to keep on the maintenance of it.  
Commissioner Danielson stated she sees neighbors that have attempted this and thinks if they  
34 could see some of the other ones done it would make it easier for them to envision and complete.  
Mr. Maloy let the commission know they do provide classes on landscaping maintenance for  
36 those that will now have a yard that isn't just grass.

Commissioner Call voiced concern that where Lindon doesn't have residential  
38 landscaping standards, she can see problems with people maintaining the appearance of the yard.  
Ms. Peterson clarified to the commission that there are only 4 points that are required, the other  
40 items discussed are merely recommendations and not requirements, such as mulch, drip systems  
and so forth. It was discussed that a lot of cities have or will be taking these requirements so it

2 wouldn't be new information for any landscapers, and that those landscapers will be aware of  
those standards. Commissioner Call voiced concern for those people who do the landscaping on  
4 their new property, and potentially not knowing the standards. General discussion followed and  
Mr. Florence let the commission know that there would be a notice and handbook given to new  
6 homeowners letting them know of those requirements, and City would follow up with them.

8 After general discussion, Chairperson Call called for any further comments or discussion  
from the public. Hearing none she called for a motion to close the public hearing.

10 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER DANIELSON SECONDED THE MOTION. ALL PRESENT VOTED IN  
12 FAVOR. THE MOTION CARRIED.

14 Commissioner Kallas voiced the potential of putting a time limit in the ordinance for  
homeowners to get landscaping put in within a certain time frame. Mr. Florence stated that is  
16 something that could be put in if decided upon. Discussion of a reasonable time this requirement  
would need to be done, and landing on a 1-year time frame with the ability for the homeowner  
18 having the ability to apply for 6 an extension. Mr. Florence reminded the commission that there  
will be a manual that will be given to new homeowners of the requirements and definitions.  
20 Following general discussion Commissioner Schauers voiced that he personally likes that Lindon  
doesn't currently have a landscaping requirement, so he isn't super excited about the topic of  
22 having that requirement. He then states that there are codes that are still in place, so there are  
rules in place currently that will help keep yards looking nice if homeowner is unable to put a  
24 yard in within the first year.

26 General discussion on potential rules stating front and side yards must be installed within  
the first year and extension period was clarified along with the side yard definition.  
28

Chairperson Call called for any further comments or discussion from the Commission.  
30 Hearing none she called for a motion.

32 COMMISSIONER KALLAS MADE A MOTION TO RECOMMEND APPROVAL OF  
ORDINANCE AMENDMENT 2023- 01-O AS PRESENTED WITH CHANGES  
34 RECOMMENDED AS FOLLOWS, 1. TIME LIMITATIONS FOR RESIDENTIAL TO  
INSTALL LANDSCAPING, 2. COMMERCIAL TREES ARE A 2" CALIPER, 3. SIDE YARD  
36 EXTENDS TO WHERE THE FENCE IS INSTALLED, AND 4. MULTI-FAMILY AS A  
SEPARATE NUMBERED SECTION IN THE CODE. COMMISSIONER SCHAUERS  
38 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

39	COMMISSIONER CALL	AYE
40	COMMISSIONER JOHNSON	NAY
	COMMISSIONER SCHAUERS	AYE
42	COMMISSIONER MARCHBANKS	AYE
	COMMISSIONER DANIELSON	AYE
44	COMMISSIONER KALLAS	AYE
	COMMISSIONER THOMPSON	AYE

2 THE MOTION CARRIED 6 TO 1. *COMMISSIONER JOHNSON STATED NAY VOTE DUE TO*  
4 *HE WOULD LIKE THE ORDINANCE MORE CLOSELY LOOKED AT.*

6 **6. NEW BUSINESS-**

8 Commissioner Thompson asked about an update on the Wadley Farms updates and a  
10 timeline on those changes. Mr. Florence stated there may be a presentation on those changes at  
12 the next Commission meeting. Commissioner Johnson stated he has had people ask about meter  
14 placement restoration on yards that had the new meters installed this winter. Mr. Florence stated  
that they will be going through now and restoring them to look back to how they were before the  
meter was installed. Mr. Florence let the commission know that Mr. Clyde had filed an  
application at the Ombudsman office arguing site improvements, and city is currently working  
on a legal response.

16 **7. Planning Director Report - General City updates.**

- 18 • Great general plan meeting with a lot of good feedback from citizens.
- 20 • Next meeting May 9<sup>th</sup>

22 After general discussion, Chairperson Call called for any further comments or discussion  
from the commission. Hearing none she called for a motion to adjourn.

24 **ADJOURN** –

26  
28 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE  
MEETING AT 8:03 PM. COMMISSIONER THOMPSON SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30  
32 Approved May 9, 2023

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Sharon Call, Chairperson

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Michael Florence, Planning Director