- The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday**, 2 November 28, 2023 beginning at 6:00 p.m. at the Lindon City Center, City Council Chambers,
- 4 100 North State Street, Lindon, Utah.

REGULAR SESSION - 6:00 P.M.

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Conducting: Sharon Call, Chairperson

Invocation: Mike Marchbanks, Commissioner 8 Pledge of Allegiance: Karen Danielson, Commissioner

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PRESENT EXCUSED

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

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1. CALL TO ORDER – The meeting was called to order at 6:00 p.m.

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2. <u>APPROVAL OF MINUTES</u> –The minutes of the regular meeting of the Planning Commission meeting of November 14, 2023 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE

- REGULAR MEETING OF NOVEMBER 14, 2023 AS PRESENTED. COMMISSIONER 28 THOMPSON 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. There were no public comments.

34 **CURRENT BUSINESS** -

- 4. Plat Amendment Approval Kirkland Estates Plat R 1040 E. 50 S. The applicant requests a plat amendment to combine two contiguous lots at 1040 E. 50 S.
- Mary Barnes, Associate Planner presented this item stating that the applicant Lance 38 Anderson owns the two lots located at 1040 E. 50 S., and is petitioning plat amendment approval
- to combine the two lots into one lot. Ms. Barnes noted that the current subdivision plat is 40 Kirkland Estates Plat K and the reason for the amendment is so that the applicant can add onto
- his house without having to worry about the current property line that runs through the middle of 42 both properties noting that the smaller northern lot used to be a part of the retention pond lot (lot

2 112 in the previous Plat K). In 2001, a quit-claim deed was recorded between Lindon City and the previous owners of 1040 E. 50 S., which effectively transferred ownership to the owners of 1040 E. 50 S. and it was determined in 2001 that the city did not need the entire area for the

1040 E. 50 S. and it was determined in 2001 that the city did not need the entire area for the retention pond so a portion of the property was sold.

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Following some general discussion, the commission was in agreement to approve this request as presented by staff. Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion.

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COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S REQUEST

- 12 FOR PLAT AMENDMENT APPROVAL OF THE KIRKLAND ESTATES PLAT R SUBDIVISION WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL
- 14 CONTINUE TO WORK WITH CITY STAFF TO MAKE ALL TECHNICAL CORRECTIONS AS NECESSARY TO THE PLAT BEFORE RECORDING; 2. BEFORE PLAT RECORDING,
- THE APPLICANT WILL UPDATE THE FINAL PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNERS' CONSENT TO DEDICATION; AND OBTAIN SIGNATURES
- 18 OF ALL ENTITIES INDICATED ON THE SUBDIVISION PLAT ATTACHED HERETO; AND 3. ALL ITEMS OF THE STAFF REPORT COMMISSIONER MARCHBANKS
- 20 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE
COMMISSIONER JOHNSON AYE
COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE

COMMISSIONER MARCHBANKS AYE

26 COMMISSIONER KALLAS AYE COMMISSIONER DANIELSON AYE

28 THE MOTION CARRIED UNANIMOUSLY.

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5. Public hearing for a recommendation to the Lindon City Council to amend the Lindon Standard Land Use Table. The applicant requests a recommendation to the Lindon City Council to make indoor gun ranges a conditional use in the Heavy Industrial zone.

Ms. Barnes presented this item noting that the applicant Justin Jacobson and Kyle Terry were present representing Utah Airguns. Ms. Barnes began by stating that the applicant is proposing an ordinance amendment to make gun ranges a conditional use in the Heavy Industrial (HI) zone where they are currently not permitted. She then explained that the 2023 general plan

- states the purpose of the Heavy industrial zone uses support intensive, high-impact industrial
- activities such as manufacturing, warehousing, assembly, and outdoor storage involving largescale machinery and structures. A single district is located in the city on the west side of Geneva
- Road. Ms. Barnes stated that uses should be designed and implemented to minimize impact on the community, taking into account the preservation of natural resources and viewsheds, and
- minimizing use-generated impacts such as pollution, noise, and traffic. The application of transitional land uses along the edges of this district and the application of physical buffering
- techniques, such as walls and landscape screens, will help offset the impacts of heavy industry to adjacent and nearby uses.

- Ms. Barnes stated that the majority of this concrete tilt building will be a warehouse, but there will also be a showroom and "shooting range" for their customers. It should also be noted
- 4 that the "shooting range" that Utah Airguns is proposing will not accommodate any actual firearms that use powder to send the projectile downrange. The Utah Airguns range will only
- accommodate air powered guns. She then noted that indoor gun ranges are conditional in almost every other zone in the city, except for the planned commercial, research and business, and
- 8 residential zones. In light industrial zones, which almost completely surrounds the Heavy Industrial zone, this is a conditional use. She stated that staff believes that allowing indoor gun
- ranges as a conditional use in the HI zone will have a minimal impact on the HI community. Staff believes that allowing gun ranges as a conditional use will help Lindon to diversify its
- business base, and provide a new, experiential business.
- The applicant gave insight on the business noting its goal is to move from their current location in Orem to the new Lindon location. Following some general discussion Chairperson Call asked for a motion to open the public hearing to allow for public comment.
- 18 COMMISSIONER THOMPSON MOVED TO OPEN THE PUBLIC HEARING.
 COMMISSIONER DANIELSON SECONDED THE MOTION. ALL PRESENT VOTED IN
 20 FAVOR. THE MOTION CARRIED.
- 22 Chairperson Call called for any public comments or discussion. Hearing none she called for a motion to close the public hearing.

COMMISSIONER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING.

26 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

- 32 COMMISSIONER THOMPSON MOVED TO RECOMMEND TO APPROVE ORDINANCE AMENDMENT 2023-23-O AS PRESENTED. COMMISSIONER
- 34 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
- 36 CHAIRPERSON CALL AYE COMMISSIONER JOHNSON AYE
- 38 COMMISSIONER THOMPSON AYE COMMISSIONER SCHAUERS AYE
- 40 COMMISSIONER MARCHBANKS AYE COMMISSIONER KALLAS AYE
- 42 COMMISSIONR DANIELSON AYE THE MOTION CARRIED UNANIMOUSLY.
 - **6.** Conditional Use Permit Approval Wheel Pro Customs 1279 W. 300 S., Suite 2&3. The applicant requests conditional use permit approval to operate an auto repair and powder coating business at 1279 W 300 S, Suite 2&3. (45:241:0026)

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- Ms. Barnes presented this item noting that the applicant Jordan Quinney was present. Ms. Barnes stated that the applicant originally applied for a conditional use permit for Wheel Pro
- 4 Customs at 1545 W 200 S, Unit 500 in 2020. His conditional use permit was approved at that time. Since that time Wheel Pro Customs recently moved to this new location, necessitating a
- 6 new conditional use permit. Ms. Barnes did note that at the previous location on 200 S, Wheel Pro did have a code enforcement case regarding the amount of parking, and the storage of
- 8 inoperable vehicles outside of the building. The new building will have more room for Wheel Pro to work on cars inside, and has 18 parking spots for 6 units. There are seven parking stalls
- available on the property that are allotted to this business unit. Ms. Barnes then let the commission know that the business will have 1-2 employees working at the property and
- customers will only come to the property to drop off and pick up vehicles.

Ms. Barnes then stated that this site was originally approved for three phases and four different office/warehouse buildings. Those three phases included the phased landscaping of the site. So far, only the front 20 ft landscaping strip, north of the first building, has been landscaped. This site has not completed its landscaping requirements. The remaining landscaping will be installed in phase 2. The requirements and what is currently existing is as follows:

Required	Existing
20-foot landscaping strip	20 ft landscaping strip with grass
1 tree in the existing landscaping strip (1 tree	0 trees
every 30 feet)	

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Ms. Barnes then presented the conditions of the conditional use permit. Commissioner Thompson asked for clarification on the business in which the applicant gave greater insight.

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

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COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE PROPERTY LOCATED AT 1279 W 300 S, SUITES 2&3, FOR AN AUTO REPAIR AND POWDER COATING

- 30 BUSINESS, WITH THE FOLLOWING CONDITIONS: 1. VEHICLES MAY NOT BE STORED OUTDOORS FOR LONGER THAN 72 HOURS UNLESS THE OWNER IS
- WAITING ON DELIVERY OF PARTS; 2. NO AUTOMOBILE PARTS WILL BE STORED OUTSIDE OF THE BUILDING; 3. THE APPLICANT WILL COMPLY WITH ALL OF THE
- 34 LIGHT INDUSTRIAL SPECIAL PROVISIONS REQUIREMENTS FOUND IN SECTION 17.49.090 OF THE LINDON CITY CODE; 4. THE APPLICANT WILL WORK WITH THE
- LINDON CITY BUILDING OFFICIAL TO ENSURE THAT THE PAINT/FILTERED POWDER SPRAY BOOTH MEETS BUILDING CODE REQUIREMENTS; 5. VEHICLE OR
- WHEEL REPAIRS WILL NOT BE DONE IN PARKING STALLS OR VEHICLE ACCESS LANES. ALL WORK WILL BE DONE WITHIN THE BUILDING; AND 6. ALL ITEMS OF
- 40 THE STAFF REPORT. COMMISSIONER DANIELSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
- 42 CHAIRPERSON CALL AYE COMMISSIONER JOHNSON AYE

2	COMMISSIONER THOMPSON	AYE
	COMMISSIONER SCHAUERS	AYE
4	COMMISSIONER MARCHBANKS	AYE
	COMMISSIONER KALLAS	AYE
6	COMMISSIONER DANIELSON	AYE
	THE MOTION CARRIED UNANIMO	USLY.

7. Conditional Use Permit Approval – UT Perma Coat – 1505 W. 500 N. The applicant is requesting conditional use permit approval to operate a powder coating business at 1505 W. 500 N. (47:283:0003)

Ms. Barnes presented this item. The applicant Dave Allison was present. Ms. Barnes gave an overview of the item stating that UT Perma Coat is a powder coating company that coats small metal parts with 2 part-time employees plus the owner, who works full-time. It was noted that the business 1505 W. 500 N. is within a unique Mixed Commercial development, which is located between the Creekside Retirement subdivision and Ivory Homes' Anderson Farms.

Ms. Barnes then presented the parking requirements for the conditional use permit stating that there are 4 parking stalls available on the property that are allotted to this business unit. The owner works full-time and has two part-time employees working at the property. The part-time employees are rarely around at the same time. The applicant has stated that they never use more than 4 parking spots at a time. It is noted that when deliveries come for UT Perma Coat, the delivery vehicle simply pulls into one of the parking spots and unloads, then leaves. Customers do not regularly come to the business because UT Perma Coat is a business-to-business company that delivers its products. UT Perma Coat does have a trailer that is used for their deliveries and this trailer is currently parked in the area where the future Unit 6 will be when it gets built. A condition of approval has been added stating that when the third and last building is built, UT Perma Coat must park the trailer either inside their unit or in one of their parking stalls.

Ms. Barnes then presented the Landscaping Standards stating that this site was originally approved for three office/warehouse buildings in the Light Industrial zone. In later years, the zoning was changed to MC. Therefore, the approved site plan meets most of the LI landscaping standards but does not meet the current MC landscaping requirements. Those standards and existing conditions are listed below:

Required	Existing
20-foot landscaping strip	17-24 ft landscaping strip with grass
5 trees in the existing landscaping strip (1 tree	2 trees
every 30 feet)	
15% of the lot must be in landscaped open	The final site plan showed 28% of the site in
space	landscaped open space. Currently,
	approximately 4% of the site is in maintained
	landscaping. Most of the designated
	landscaping area has not been maintained.
A 5' landscaping perimeter around each	This perimeter is not shown in the original
building	site plan. It was not required in 2007 when

	41.1241
	this site plan was approved because the zone
	at that time was LI, and the LI zone does not
	require a landscaping perimeter.
staff will ensure that the remaining landscaping building. Ms. Barnes then presented the conditi provided business description, the lack of comp conditions of approval, it is expected that this b	plaints over the years, and the associated business will have a minimal impact on with other uses in the Light Industrial Zone. UT
The city had sent out notices and receive reviewed that response. The applicant addresses the process and precautions the business takes.	ed one response of concern. The commission then d those concerns to the commission explaining
Chairparson Call called for any further	comments or discussion from the Commission.
Hearing none she called for a motion.	comments of discussion from the Commission.
rearing none she cance for a motion.	
COMMISSIONER SCHAUERS MOVI	ED TO APPROVE THE APPLICANT'S
REQUEST FOR A CONDITIONAL USE PER	MIT TO USE THE PROPERTY LOCATED AT
1505 W. 500 N., FOR A POWDER COATING	
CONDITIONS: 1. ALL PRODUCTS, MATER	IALS, AND EQUIPMENT WILL BE STORED
INSIDE OF THE BUILDING; 2. THE APPLIC	
MIXED COMMERCIAL MAINTENANCE O	F PREMISE REQUIREMENTS FOUND IN
SECTION 17.50.100 OF THE LINDON CITY	
WITH THE LINDON CITY BUILDING OFFI	
BOOTH MEETS BUILDING CODE REQUIR	EMENTS; 4. WHEN UNITS 4-9 ARE BUILT,
•	MUST BE PARKED EITHER WITHIN UNIT 3
THE THIRD ENGLISH SEED TERM THE MEETING	
	SIGNED TO UNIT 3; AND 5. ALL ITEMS OF

CHAIRPERSON CALL **AYE COMMISSIONER JOHNSON** AYE 32 COMMISSIONER THOMPSON **AYE COMMISSIONER SCHAUERS AYE** 34 **COMMISSIONER MARCHBANKS AYE COMMISSIONER KALLAS** AYE 36 **COMMISSIONER DANIELSON AYE** 38 THE MOTION CARRIED UNANIMOUSLY.

VOTE WAS RECORDED AS FOLLOWS:

8. Public hearing for a recommendation to the Lindon City Council to amend the Lindon Definitions, City Council Review, Subdivision, Land Use Authority, and Plat Amendment Code (17.02, 17.08, 17.32, 17.09, & 17.33). Lindon City requests a recommendation to the Lindon City Council to amend the definitions, city council

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review, subdivision, land use authority and plat amendment codes in the Lindon City Code to bring the Lindon City code into compliance with Utah State Code (SB 174).

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- Mike Florence, Community Development Director, presented this item stating that during the 2023 State of Utah legislative session, the legislature passed SB 174 which establishes a new process for subdivision review and approval. One of the main points of the legislation is that it prohibits a city council from reviewing and approving a subdivision for single-family homes, two-family dwellings, or townhomes. The deadline for SB 174 requiring municipalities to adopt the provisions is February 1, 2024. In addition, the Utah legislature also passed HB 406 which limits the pavement width for a local residential roadway to 32'. Lindon City currently has a minimum pavement width of 34' for a local residential street. After further review, the city council will be the only body reviewing the specifications of the development manual with a public hearing. The commission will not need to review these changes.
- Mr. Florence then presented the draft ordinance amendments with an overview as follows:

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17.02 – Definitions

- The proposal is to add the following State definitions to the city code:
 - o Administrative Land Use Authority
 - o Residential Roadway
 - o Review Cycle
 - o Subdivision Improvement Plan
 - Subdivision Ordinance Review
- Subdivision Plan Review

28 17.08.090 – City Council Review

• This section allows the city council to be the final land use authority for any land use application prior to the planning commission reviewing it. With the new State code prohibiting the city council from approving specific subdivision types, this only leaves site plan and conditional use permit reviews that the city council could give final approval on. Because of the State Legislature's focus on the planning commission and city staff approving administrative items, city staff is recommending the removal this section of the code so the city council can focus on legislative issues. The city council will still be the final land use authority on all zone change and ordinance amendment applications.

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17.09 – Land Use and Appeal Authority Table #1

- Amends which public bodies are the final land use and appeal authorities for Lindon City
- 42 17.32 Subdivision-Special Requirements
 - Outlines that the planning commission is the final land use authority for preliminary subdivision approvals.
 - Updates processing requirements for subdivisions.
 - Allows for agricultural exemptions from plat requirements.

- Allows the planning commission to approve street alignments that vary from the Street Master Plan Map but still accomplish street connectivity requirements.
- Updates the categories of streets.
 - Removes the requirement that the planning commission approves street names.
- Makes correct references to the General Plan and the Parks, Trails, and Recreation Master Plan.
 - Removes the requirement for a conditional use permit for subdivisions.
 - Makes a reference to the Flood Damage Prevention Ordinance found in 17.62 instead of design requirements in the subdivision code.
 - Adopts the State appeals language for engineering standards.

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17.33 – Amending a Recorded Plat

- Clarifies when an amended plat is required.
- Removes the requirement that if the city engineer and planning director have a "difficult question" about a lot line adjustment that the question goes to the planning commission.
- For Lot Line Adjustments, the appeal authority is changed to the board of adjustment.

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Following some general conversation, Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion to open the public hearing.

22 COMMISSIONER DANIELSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED IN

24 FAVOR. THE MOTION CARRIED.

26 Chairperson Call called for any public comments or discussion. Hearing none she called for a motion to close the public hearing.

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COMMISSIONER MARCHBANKS MOVED TO CLOSE THE PUBLIC HEARING.

COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Chairperson Call called for any further comments or discussion from the Commission.

34 Hearing none she called for a motion.

36 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF ORDINANCE 2023-22-O AS PRESENTED WITH CHANGES. COMMISSIONER

THOMPSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

40 COMMISSIONER JOHNSON AYE

COMMISSIONER THOMPSON AYE

42 COMMISSIONER SCHAUERS AYE

COMMISSIONER MARCHBANKS AYE

44 COMMISSIONER KALLAS AYE COMMISSIONER DANIELSON AYE

46 THE MOTION CARRIED UNANIMOUSLY.

Planning Commission Meeting November 28, 2023

9. Planning Director Updates
General City Updates
• Next meeting December 12 th
City Christmas Party
Kathy Moosman retirement party December 13 th
• Tree lighting December 4 th
ADJOURN –
COMMISSIONER JOHNSON MADE A MOTION TO ADJOURN THE MEETING AT
7:27 PM. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.
Approved, December 12, 2023
Sharon Call, Chairperson
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Michael Florence, Community Development Director