

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

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

10 **PRESENT**

EXCUSED

12 Sharon Call, Chairperson
13 Rob Kallas, Commissioner
14 Mike Marchbanks, Commissioner
15 Karen Danielson, Commissioner
16 Steven Johnson, Commissioner
17 Scott Thompson, Commissioner
18 Jared Schauers, Commissioner
19 Michael 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 6:00 p.m.
24 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning
26 Commission meeting of November 14, 2023 were reviewed.

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE
29 REGULAR MEETING OF NOVEMBER 14, 2023 AS PRESENTED. COMMISSIONER
30 THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
31 MOTION CARRIED.

- 32 3. **PUBLIC COMMENT** – Chairperson Call called for comments from any audience
33 member who wishes to address any issue not listed as an agenda item. There were no
34 public comments.

CURRENT BUSINESS –

- 36 4. **Plat Amendment Approval – Kirkland Estates Plat R – 1040 E. 50 S.** The applicant
37 requests a plat amendment to combine two contiguous lots at 1040 E. 50 S.

38 Mary Barnes, Associate Planner presented this item stating that the applicant Lance
39 Anderson owns the two lots located at 1040 E. 50 S., and is petitioning plat amendment approval
40 to combine the two lots into one lot. Ms. Barnes noted that the current subdivision plat is
41 Kirkland Estates Plat K and the reason for the amendment is so that the applicant can add onto
42 his house without having to worry about the current property line that runs through the middle of
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
4 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.

6
Following some general discussion, the commission was in agreement to approve this
8 request as presented by staff. Chairperson Call called for any further comments or discussion
from the Commission. Hearing none she called for a motion.

10
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,
16 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
22 COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
24 COMMISSIONER SCHAUERS	AYE
COMMISSIONER MARCHBANKS	AYE
26 COMMISSIONER KALLAS	AYE
COMMISSIONER DANIELSON	AYE

28 THE MOTION CARRIED UNANIMOUSLY.

30 **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
32 Lindon City Council to make indoor gun ranges a conditional use in the Heavy
Industrial zone.

34
Ms. Barnes presented this item noting that the applicant Justin Jacobson and Kyle Terry
36 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
38 (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
40 activities such as manufacturing, warehousing, assembly, and outdoor storage involving large-
scale machinery and structures. A single district is located in the city on the west side of Geneva
42 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
44 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
46 techniques, such as walls and landscape screens, will help offset the impacts of heavy industry to
adjacent and nearby uses.

2 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
6 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
10 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
12 business base, and provide a new, experiential business.

14 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
16 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.

24 COMMISSIONER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING.
26 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

28 Chairperson Call called for any further comments or discussion from the Commission.
30 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 COMMISSIONER DANIELSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

44
46 **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)

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

8
 10 **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)

12
 14 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.

18
 20 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.

30
 32 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 every 30 feet)	2 trees
15% of the lot must be in landscaped open space	The final site plan showed 28% of the site in 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 building	This perimeter is not shown in the original site plan. It was not required in 2007 when

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

6 Mike Florence, Community Development Director, presented this item stating that during
8 the 2023 State of Utah legislative session, the legislature passed SB 174 which establishes a new
10 process for subdivision review and approval. One of the main points of the legislation is that it
12 prohibits a city council from reviewing and approving a subdivision for single-family homes,
14 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.

16 Mr. Florence then presented the draft ordinance amendments with an overview as
18 follows:

17.02 – Definitions

- 20 • The proposal is to add the following State definitions to the city code:
 - 22 ○ Administrative Land Use Authority
 - 24 ○ Residential Roadway
 - 26 ○ Review Cycle
 - Subdivision Improvement Plan
 - Subdivision Ordinance Review
 - Subdivision Plan Review

17.08.090 – City Council Review

- 28 • This section allows the city council to be the final land use authority for any land use
30 application prior to the planning commission reviewing it. With the new State code
32 prohibiting the city council from approving specific subdivision types, this only leaves
34 site plan and conditional use permit reviews that the city council could give final
36 approval on. Because of the State Legislature's focus on the planning commission and
38 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.

17.09 – Land Use and Appeal Authority Table #1

- 40 • Amends which public bodies are the final land use and appeal authorities for Lindon City

17.32 Subdivision-Special Requirements

- 42 • Outlines that the planning commission is the final land use authority for preliminary
44 subdivision approvals.
- 46 • Updates processing requirements for subdivisions.
- Allows for agricultural exemptions from plat requirements.

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

17.33 – Amending a Recorded Plat

- 14 • Clarifies when an amended plat is required.
- 16 • 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.
- 18 • For Lot Line Adjustments, the appeal authority is changed to the board of adjustment.

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.

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

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

COMMISSIONER MARCHBANKS MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER THOMPSON 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.

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
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER DANIELSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

