

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, June**
3 **13, 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: Rob Kallas, Commissioner

10 **PRESENT**

EXCUSED

11 Sharon Call, Chairperson
12 Rob Kallas, Commissioner
13 Mike Marchbanks, Commissioner - arrived 6:36 p.m.
14 Scott Thompson, Commissioner
15 Steven Johnson, Commissioner
16 Jared Schauers, Commissioner
17 Karen Danielson, Commissioner
18 Michael Florence, Community Development Director
19 Mary Barnes, Associate Planner
20 Britni Laidler, Deputy Recorder

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

22 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning
23 Commission meeting of May 23, 2023 were reviewed.

24 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
25 REGULAR MEETING OF MAY 23, 2023 AS PRESENTED. COMMISSIONER SCHAUERS
26 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

30 **CURRENT BUSINESS** –

31 4. **Public Hearing for a Recommendation to the Lindon City Council to Adopt the**
32 **2023 General Plan Comprehensive Update.** Lindon City is proposing to adopt a
33 comprehensive update to the General Plan. The General Plan was last comprehensively
34 updated in 2011. The General Plan is adopted to present and future needs of the
35 municipality and growth and development of all or any part of the land within the

36 COMMISSIONER JOHNSON MOVED TO OPEN THE PUBLIC HEARING.
37 COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN
38 FAVOR. THE MOTION CARRIED.

2 Mike Florence, Community Development Director presented this item. He stated that the
city held its general plan kick-off meeting with the mayor, city council, planning commission,
4 general plan committee, and city staff on April 28, 2022. He noted the city has done a number of
outreaches for the General Plan. The city also set up a general plan committee with residents that
6 represent different areas of the city, along with mailers and events for public outreach. He noted
the purpose of the General Plan is an advisory document. The State Legislature requires every
8 city to have a general plan, with major focus on land use, transportation, moderate income
housing efforts and future conservation concepts. Cities can also do other focuses within the
10 general plan—that the presentation will show. Links for the general plan have been posted on the
city website and have been kept updated for residents to-review.

12
14 Mr. Florence then turned the time over to Lisa Benson from Landmark Design to present
the General Plan elements in a summary slideshow. Topics presented for discussion were as
follows:

- 16 • Public Engagement Process which consisted of public survey, public meetings, social
18 pinpoint, project website and committees.
 - 20 ○ Key takeaways from those public engagements were:
 - 22 ▪ Preserve the qualities that create rural, small town feel of Lindon “A Little
Bit Country.”
 - 24 ▪ Provide a variety of housing options.
 - 26 ▪ Continue to expand the commercial diversity within the city, particularly
with more restaurants.
 - 28 ▪ Enhance the parks, trails, and open space system.
 - 30 ▪ Improve the aesthetics of the community.
 - 32 ○ Plan guiding principles to guide the previous are:
 - 34 ▪ Preserve & enhance our unique historical attributes and “sense of place.”
 - 36 ▪ Encourage economic development and leverage the community’s strong
regional position & the advantages that provides.
 - 38 ▪ Preserve & protect our neighborhoods as diverse and attractive places.
 - 40 ▪ Enhance the quality of life for current & future residents by providing
access to parks & trails, and animal rights.
 - 42 ▪ Continue to proactivity plan for future growth and changes.
- 44 • Future Land Use
 - 46 ○ Maps were presented and explained for better understanding.
 - Goal of Land Use & Community Character
 - Establish a clear and realistic land use vision to guide future decision-
making.
 - Ensure the Lindon small town feeling is maintained and enhanced.
 - Make Lindon city distinct and identifiable from surrounding
municipalities.
 - Create places for the community to gather and events to draw residents to
these places.
 - Ensure that land uses are compatible and utilize adequate buffers to
enhance harmony.

- 2 • Parks, Recreation, Trails & Open Space
 - 4 ○ Maps were presented and explained for better understanding.
 - 6 ○ Goals of Parks, Recreation, Trails & Open Space
 - 8 ▪ Utilize an inclusive approach to parks, recreation, trails and open space that supports improved health and well-being for residents of all abilities.
 - 10 ▪ Provide unique park, facility, recreation, trail, and open space opportunities.
 - 12 ▪ Incorporate the Pak, Recreation and Trails Master Plan goals and recommendation into the city park, recreation, trail, and open space system.
 - 14 ▪ Ensure the prudent use of community resources in realizing the vision for parks, facilities, recreation, trails and open space in Lindon City.
- 16 • Environment & Sustainability
 - 18 ○ Maps were presented and explained for better understanding.
 - 20 ○ Goals of Environment and Sustainability
 - 22 ▪ Protect natural resources to preserve the quality of life for residents, visitors, and wildlife.
 - 24 ▪ Mitigate natural hazards to protect life and property in Lindon City
 - 26 ▪ Ensure that Lindon is a sustainable and resilient community as it continues to grow and evolve.
- 28 • Water Use & Preservation
 - 30 ○ Projected growth and water demand graph presented.
 - 32 ○ Providing education materials to residents about efficient indoor and outdoor water use
 - 34 ○ Regularly adjusting water rates
 - 36 ○ Installing secondary water meters
 - 38 ○ Managing water shortages in the culinary system, such as during emergency events such as losing a well
 - 40 ○ Reducing water demand through forward thinking waterwise landscapes ordinances
 - 42 ○ Encouraging residents to take advantage of rebate funds for converting yards to waterwise landscape.
 - 44 ○ Goals of Water Use and Preservation
 - 46 ▪ Establish a clear and realistic vision for existing and future water resources, rights, and systems in Lindon.
 - 48 ▪ Adopt water use targets that meet local needs while reducing unnecessary consumption of water resources.
 - 50 ▪ Support concepts and ideas contained in Lindon Water Conservation Plan 2019
 - 52 ▪ Support collaborative regional water use and preservation practices.
- 54 • Action & Implementation
 - 56 ○ Catalytic Projects prioritized.

Mr. Florence stated he is grateful to have been able to go through this process and has learned a lot about the city in the past year. He voiced appreciation for Landmark Designs and their work with the general plan committee and helping walk the city through this process.

2 Chairperson Call also voiced appreciation for Landmark design and their
professionalism. She then thanked Ms. Benson for her time and presentation.

4 Chairperson Call called for any public comment at this time. Several residents in
attendance addressed the commission as follows:

6
8 **Public Comment:**

10 **Gary Thornton:** Mr. Thornton voiced frustration with the Commission and city on property
issues.

12 **DeAnn Terry:** Ms. Terry stated she and her husband moved to Lindon around 1997 and they
14 have 2 homes on Lakeview Road. She stated the property behind her is a 3-acre lot that used to
be a landlocked area behind her, but now has road access. She moved here for the “little bit of
16 country” and they have appreciated that. She voiced that she believes the mayor has a plan for
Lindon and she also appreciates that. She then stated that there are storage containers being
18 placed on the parcel behind her and stated she doesn’t believe the commission understands what
is going on there. She asked each commission member to come see her home and what she is
dealing with. This is the first complaint she has made to the city and has loved living here. She
20 stated it has been great working with Mr. Florence and Code Enforcement and wants more done
to prevent this from happening in the future.

22 **Michael Cooley:** Mr. Cooley represents owners of the future town center on 700 North. He
24 stated the vision the city has and the vision they have are the same. He then voiced concern with a
bad reputation for the area, and frustration with the lack of movement due to the city standards
26 and believes he has a dilemma on his hands. He wants to know what the city will do to help him
get the future town center moving forward to accomplish this goal. He stated all past interested
28 parties have backed out due to a lot of ‘no’s” instead of compromise to help get these ideas going
so something can go into that area; Mr. Cooley asked the commission to open their minds.
30 Commissioner Kallas asked Mr. Cooley what he meant by that. Mr. Cooley stated he wants open
discussion on things and not constantly being told no. Chairperson Call thanked him for his
32 statements. Mr. Florence let the commission know the city has been working with Mr. Cooley,
and stated the city needs more things brought to them that are a good project and that fit within
34 the plan.

36 Mr. Florence let the Commission know that there has been discussion on changing the
name for the 700 N development future town center to avoid confusion of thinking that is where
38 Lindon City offices are. He also informed them more information on this issue will be coming to
the commission soon.

40
42 **Bill Fairbanks:** Mr. Fairbanks addressed the commission asking for clarification on a few items.
He stated he was wondering if there were any plans for Utah Lake like Provo and the Lake
Commission have done. He stated he would like more emphasis on developing it, stating there
44 used to be a nice park down there way back in the day and he would like to see something nice
go in there. He stated he would like to see more emphasis on letting density drive the parks
46 instead of development. He loves the parks, the pool and the city building. He stated that he
loves living here and thanked the commission for all they do.

2 **Paul Ercanbrack:** Mr. Ercanbrack stated he has a question about the light residential area in the
4 Anderson Park area. He voiced concern that there are more and more people coming out of that
6 park area into the city right of way and wants to know if the city is planning to finish the asphalt
8 near the pump station. Mr. Ercanbrack stated he is afraid someone will get hurt on that road if
10 someone gets lost and drives down that road and hits a pedestrian. He also stated the flooding
12 area was so intense this year that his 10-acre property was a lake. He would like to know what is
going on with the pump station. He then spoke about a 2 ft pipe that was previously installed to
drain, and he doesn't understand why the city moved to a 16" smaller pipe, which is now causing
flooding. Mr. Florence let Mr. Ercanbrack know he would get the Public Works Director to reach
out to him regarding the flooding in that area. He then stated that the road in discussion
previously wouldn't be finished until the other side of that row is developed at a future time.

14 **Landon Harsh:** Mr. Harsh lives on the northeast side of Lindon. He wanted clarification on
16 traffic flow standards on 700 north. He stated that he would like to see what the city has planned
18 for that. He thinks that with the 700 North development, he sees that area becoming a big
20 bottleneck area. Mr. Florence stated that road is a UDOT road, so they are the ones that manage t
and public.

22
24 Chairperson Call called for any further comments or discussion from the public, hearing
none she thanked the public for their comments and called for a motion to close the public
hearing.

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28 COMMISSIONER MARCHBANKS MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER DANIELSON SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

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32 Commissioner Kallas stated he would like more clarification on the section of the general
34 plan on affordable housing. He wanted to know if those five (5) strategies are mandated by the
36 State or picked up from what surrounding cities may be doing. Mr. Florence stated that the
38 strategies presented were picked from a list of 24, and the city was able to pick which ones they
40 wanted to implement. He then let the commission know that there was flexibility in what the city
42 was able to decide to do. Mr. Florence stated that he is speaking with the City Council about
strategy 4 which is to reduce or eliminate impact fees related to moderate incoming housing and
potential ways to reduce it by a percent instead of eliminating it altogether. Commissioner Kallas
asked for clarification on item 3 which is utilization of modern income housing. Mr. Florence
explained how that was implemented through the RDA and how funds are set aside from there to
be put towards affordable income housing. He noted further discussion on this issue will be
coming to the city council to decide how to implement these funds.

44
46 Commissioner Schauers stated he thinks the city did an amazing job of bringing in the
community to help with this general plan. Commissioner Johnson asked if there were any
concerns Mr. Florence had heard about changing land use. Mr. Florence confirmed that
statement and presented those concerns. He stated letters were sent out, noting residents and the

2 people who reached out were more confused about the land use in the general plan verses zoning
changes. Commissioner Johnson then asked about the transit commercial zoning and what that
4 looked like. Mr. Florence stated there are 3 location areas within the city that are transit nodes
for potential future bus transit. Major intersections were looked at to see what could be done to
6 improve the commercial zone.

8 Mary Barnes, Associate Planner clarified the color coding on the zoning map, and
explained what the code is now verses what it could be changed to in the general plan. Many of
10 the commercial and residential areas that are currently split would be changed to commercial to
clean it up. Commissioner Johnson thanked Ms. Barnes for the clarification so he can understand
12 where some of the frustration may come from.

14 Commissioner Thompson said he has talked with residents who have looked through the
General Plan, and have said “it’s a little less country, but they can see why, and it is a good
16 plan”. Mr. Florence stated they worked on preserving the historical agriculture land, such as
Wadley Farms, Walker Farms, Martel Orchards, and Elk Farm. Commissioner Schauers asked
18 about the shipping container situation addressed in the public comment section. Mr. Florence
presented the property and the situation at hand.

20
22 Chairperson Call called for any further comments or discussion from the commission.
Hearing none she called for a motion.

24 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL, OF
ORDINANCE 2023-9-O AS PRESENTED WITH ANY TECHNICAL CHANGES.
26 COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

28 COMMISSIONER CALL AYE
COMMISSIONER MARCHBANKS AYE
30 COMMISSIONER KALLAS AYE
COMMISSIONER JOHNSON AYE
32 COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE
34 COMMISSIONER DANIELSON AYE
THE MOTION CARRIED UNANIMOUSLY

36
38 **5. Ordinance Presentation and Discussion – Portable Shipping Containers** Lindon
City proposes a pending ordinance to adopt a definition (17.02) and standards
(17.04.420) for placing shipping containers in residential, commercial, and Industrial
40 zones. No action will be taken at this time by the planning commission, but city staff
will present the ordinance and schedule the date for a future public hearing. Lindon City
42 made an application for this ordinance adoption on May 17, 2023.

44 Mr. Florence also presented this item. He noted the purpose of the ordinance is to establish
standards for placing shipping containers in residential, commercial, and industrial zones. This is
46 a pending ordinance that will be scheduled for a public hearing at a future meeting. Mr. Florence
stated this is a presentation regarding the ordinance for discussion purposes and for feedback in

2 order to move forward with a public hearing. He noted that Lindon City is currently working on
a code enforcement case where a property owner has brought at least 11 shipping containers onto
4 a residential parcel. Surrounding neighbors have provided a lot of feedback and complaints to
both city staff and the city council.

6 Mr. Florence presented ordinances from other municipalities around Lindon. He then
presented a draft ordinance based on those surrounding areas. He is hoping for feedback from the
8 commission so he can work on the draft ordinance and bring it back before the commission.

10 Mr. Florence then presented the draft ordinance and the guidelines as follows:

- 12 a. Only one portable storage container shall be permitted per parcel in all residential zoning
14 districts where a residential dwelling is located. All development and building code
16 requirements shall be met. The exterior of the container shall be clad in a material
comparable to the onsite single-family dwelling. Accessory Building requirements of
Title 17.44.140 shall be met.
- 18 b. Portable storage containers are not permitted on vacant property except where allowed as
part of an ongoing agricultural operation. Such agricultural operation shall be limited to
one container.
- 20 c. Placement of the storage container shall meet all setback requirements for the zone in
22 which it will be located. Storage containers shall not be located in any front yard area on
a lot or parcel.
- 24 d. Portable storage containers may be used in commercial and industrial zones where these
units are being used for shipping or receiving merchandise for a period not to exceed one
26 hundred eighty (180) days. Containers used longer than one hundred eighty (180) days
are considered permanent and a building permit shall be obtained and meet all
development and building code requirements.
- 28 e. Vertical stacking of portable storage containers and stacking of any other materials on top
of any portable storage container shall be prohibited in all zones.
- 30 f. No temporary portable storage container shall be placed or located in a circulation
32 aisle/lane, parking space, fire access lane, public utility easement or public right-of-way,
including streets and sidewalks.
- 34 g. Temporary portable storage containers may not be used as a dwelling or living quarters,
nor for camping, cooking, or recreation purposes for any amount of time in any zone.
- 36 h. If a building permit has been issued for the construction or remodeling of a residence,
then the container must be removed within ten days of final building inspection.
- 38 i. One (1) portable storage container may be placed on property located in any zone for an
emergency, such as the need for storage following a house fire or flood, or for the
purpose of moving, and shall be removed within one hundred and eight (180) days.
- 40 j. Portable shipping containers shall not be used for retaining walls.
- 42 k. Portable shipping containers are permitted for temporary site plan uses and follow
location and time limits as found in Section 17.17.140.

44 Resident in attendance, Deanne Terry asked for clarification on the setback requirements
with shipping containers, and what the setback requirements are. Mr. Florence stated that due to
46 it being a separate lot it would need a 10' setback. Discussion on setbacks followed, with
clarification on the lot in question and what is defined as front and side setback requirements.

2 Commissioner Thompson asked if there have been other complaints that have led to this
potential ordinance. Mr. Florence let the commission know there have not been other complaints,
4 however the city has received applications for building permits using storage containers and they
have followed the correct route on that. Chairperson call asked how this ordinance would affect
6 the property discussed. Mr. Florence explained due to previous contact and notice of needing to
get a building permit, and the owner’s failure to do so, there is nothing that would keep this new
8 ordinance from pertaining to that property.

10 Mr. Florence stated that the city doesn’t want to be too restrictive with this ordinance and
stated if any commission member sees anything overreaching to please reach out so he can have
12 some guidance when molding this ordinance.

14 Commissioner Kallas stated people should have a right to do things, but they shouldn’t
infringe on other people’s rights; infringing on another person’s aesthetic view infringes on other
16 people’s rights.

18 After some general discussion, Chairperson Call called for any further comments or
discussion from the Commission. Hearing none she moved on to the next agenda item.
20

6. Planning Director Report

- 22 • OZ development under construction 200 N State Street.
- 24 • Alpine homes bought single family portion of Songbird development on State
Street
- 26 • Sharon Call was reappointed by City Council on June 5th.
- Pay increase approved by City Council.
- 28 • Thank you to the Commission for their help with The General Plan.

NEW BUSINESS BY COMMISSIONERS:

30 Chairperson Call asked about the 400 N State Street clean up, and the corner of Locust
32 400 N. stating that property has a lot of vehicles and weeds. She then asked if the time guidelines
still pertain to the Tim Clyde property even though it has been referred to the ombudsman. Mr.
34 Florence confirmed that statement. Commissioner Kallas asked if there could be a discussion in
the future on ordinances that can help beautify Lindon for residential properties. Commissioner
36 Schauers commented on the Wadley Farm tour stating he liked being able to see it in person as to
put certain public comment into perspective.
38

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

ADJOURN –

44 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
MEETING AT 8:15 PM. COMMISSIONER THOMPSON SECONDED THE MOTION. ALL
46 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved, July 11, 2023

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Sharon Call, Chairperson

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Michael Florence, Community Development Director

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