

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, July 11,**
3 **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: Mike Marchbanks, Commissioner
9 Pledge of Allegiance: Rob Kallas, Commissioner

PRESENT

EXCUSED

12 Sharon Call, Chairperson Karen Danielson, Commissioner
13 Rob Kallas, Commissioner
14 Mike Marchbanks, Commissioner
15 Scott Thompson, Commissioner
16 Steven Johnson, Commissioner
17 Jared Schauers, Commissioner
18 Michael Florence, Community Dev. Director
19 Mary Barnes, Associate Planner
20 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
25 Commission meeting of June 13, 2023 were reviewed.

26 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE
27 REGULAR MEETING OF JUNE 13, 2023 AS PRESENTED. COMMISSIONER THOMPSON
28 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

34 4. **Public Hearing for a recommendation to the Lindon City Council to add a**
35 **definition to Chapter 17.14 Public Noticing.** Lindon City is proposing to add a
36 definition for “Affected Area” into Chapter 17.14 of the LCC, in order to comply with
37 recent changes in the Utah State Code

38 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
39 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED IN
40 FAVOR. THE MOTION CARRIED.

42 Mary Barnes, Associate Planner presented this item stating that in the 2023 the Utah
Legislature passed Senate Bill 43. She noted this new bill amends the public noticing

2 requirements for municipalities. She stated this ordinance amendment is a direct result of Senate
Bill 43. Essentially, this new law separates notices into two classes, Class A and Class B, and
4 has requirements of what information needs to be in these notices and how notice is provided.
She then referenced a table that outlines which types of land use applications apply to specific
6 notices. She noted these are not being incorporated into the city code but city staff will need to
follow them as we provide public noticing.

8 Ms. Barnes explained 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
10 nonresidential and residential noticing. However, the State has defined “Affected Area” to mean:

- 12 a. The area that is designated in statute, county ordinance, or municipal ordinance as
the area for which public notice must be provided;
- 14 b. In relation to a statute, if no affected area is designated in the statute, the affected
area is the state;
- 16 c. In relation to a county ordinance, if no affected area is designated in the county
ordinance, the affected area is the county; or
- 18 d. In relation to a municipal ordinance, if no affected area is designated in the
municipal ordinance, the affected area is the municipality.

20 Ms. Barnes further explained 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
22 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
24 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
26 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.

28 Ms. Barnes went on to say the current Lindon City Code 17.14.050(2)(a): Not less than
30 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
32 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. Class A
34 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
36 website, sent to the affected area, and sent to the real property owner. She noted Chapter 17.14 in
the LCC already has these requirements in place for legislative land use applications.

38 Mike Florence, Development Director let the commission know of the minor corrections
and changes the City Attorney made to the ordinance amendment and pointed out the main
40 change was the labeling of the parameter distances.

Ms. Barnes then presented the table of when land use applications are required to have
42 Class A or Class B notices followed by some general discussion.

44 COMMISSIONER MARCHBANKS MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN
46 FAVOR. THE MOTION CARRIED.

2 Commissioner Schauers asked for clarification on absentee owners and if the notice goes to
the property address or the mailing address. Mr. Florence stated those notices would be sent to
4 the mailing address in those instances.

6 Commissioner Kallas questioned if it is the city's standard to follow the state requirements
in these instances. Mr. Florence clarified that the state doesn't set the parameters, so the city is
8 able to be the one to set those parameters. He added this is what the ordinance amendment is
doing, in clarifying the 500' and 800 'noticing parameters. He also noted that all notifications are
10 posted on the state public notice website, the city's website, and posted in locations around the
city.

12 COMMISSIONR MARCHBANKS MOVED TO RECOMMEND APPROVAL OF
ORDINANCE AMENDMENT 2023- 11-O AS PRESENTED. COMMISSIONR THOMPSON
14 SECONDED. THE VOTE WAS RECORDED AS FOLLOWS:

16 COMMISSIONER CALL	AYE
16 COMMISSIONER MARCHBANKS	AYE
18 COMMISSIONER KALLAS	AYE
18 COMMISSIONER JOHNSON	AYE
18 COMMISSIONER THOMPSON	AYE
20 COMMISSIONER SCHAUERS	AYE

22 THE MOTION CARRIED UNANIMOUSLY

24 **5. Planning Director Report**

- 24 • General Plan passed at City Council meeting on July 3,2023
- 26 • Next meeting August 22, 2023
- Updates on future agenda items

28 **NEW BUSINESS BY COMMISSIONERS:**

30 Commissioner Thompson stated he recently watched the June 19th City Council meeting
regarding the Wadley Farms updates. He let the commission know all the recommendations they
32 made on this issue were approved.

34 Commissioner Call stated she watched the July 3rd City Council meeting and updated the
commission on the Lindon Aquatics Center being awarded at that meeting. Commissioner
Thompson stated he recently attended the Aquatics Center and voiced that he has seen the great
36 job the pool does.

38 Commissioner Kallas expressed his concerns about the speed bumps on Main Street near
400 North. He stated he has witnessed a few incidents with the speed bumps being an issue for
people on bicycles in regards to their safety. Commissioner Kallas questioned if it is worth
40 having those or if a simple striping of the area would be better. He then voiced condolences to
Don Peterson's family on his recent passing. The commission had nice words to say about Mr.
42 Peterson, and the good works he did for Lindon City.

44 Commissioner Schauers asked for some highlights of the affordable housing information
that was sent out earlier this week to the commission. Mr. Florence let the commission know the
information sent out showed that all of the 95 cities that were required to report have reported.
46 The report showed what strategies other cities, along with Lindon City, adopted to comply with

2 the moderate-income housing state requirements. The information also showed what strategies
3 were most popular in adoption amongst all the cities.

4 Mr. Florence also let the commission know in the last 2 years the city has approved 42
5 accessory apartments, noting the city on average would approve around 7 a year. He stated in the
6 last 2 years the city has seen a big increase in accessory apartment applications, with approving
7 21 just since August. He also stated that at the recent city council meeting the city council
8 waived police and fire impact fees for moderate income housing units. The other areas the city
9 needs to meet requirements on are RDA areas and zoning incentives for moderate income
10 developments and spoke on ideas they are working on for those requirements.

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

14 **ADJOURN** –

16 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT
17 6:43 PM. COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT
18 VOTED IN FAVOR. THE MOTION CARRIED.

20 Approved, August 22, 2023

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23 Sharon Call, Chairperson

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26 _____
27 Michael Florence, Community Development Director
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