

2 The Lindon City Council held a regularly scheduled meeting on **Monday, August 17,**
4 **2020, at 5:15 pm** in the Lindon City Center, City Council Chambers, 100 North State
Street, Lindon, Utah.

6 **REGULAR SESSION – 5:15 P.M.**

8 Conducting: Jeff Acerson, Mayor
Invocation: Carolyn Lundberg
10 Pledge of Allegiance: Mayor Acerson

12 **PRESENT** **EXCUSED**

Jeff Acerson, Mayor
14 Carolyn Lundberg, Councilmember
Jacob Hoyt, Councilmember
16 Van Broderick, Councilmember
Randi Powell, Councilmember
18 Mike Vanchiere, Councilmember
Adam Cowie, City Administrator
20 Mike Florence, Planning Director
Brian Haws, City Attorney
22 Kathryn Moosman, City Recorder

24 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

26 2. **Approval of Minutes** – The minutes of the regular meeting of the City Council
meeting of July 20, 2020 were reviewed.

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COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
30 OF THE REGULAR CITY COUNCIL MEETING OF JULY 20, 2020 AS AMENDED.
COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS
32 RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
34 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
36 COUNCILMEMBER POWELL AYE
COUNCILMEMBER VANCHIERE AYE
38 THE MOTION CARRIED UNANIMOUSLY.

40 **3. COUNCIL REPORTS:**

42 **Councilmember Hoyt** – Councilmember Hoyt reported Lindon Days was so great this
year with great events. He also expressed his appreciation to everyone involved. He
44 noted he has heard from many citizens who also expressed that it was a wonderful
Lindon Days despite things going on with Covid-19 and thanked everyone for doing it in
46 a safe manner.

2 **Councilmember Vanchiere** – Councilmember Vanchiere reported they are in the
4 process of interviewing and screening for a new Director at the North Pointe Transfer
6 Station as the current Director Roger Harper will be retiring at the end of the year. They
8 have narrowed it down to 15 applicants noting there has been a lot of interest in the
position. He was also privileged to participate in several meetings relative to 700 North
that were very positive and upbeat. He reported there is a lot going on in the planning
and zoning department and he appreciates staff and their hard work and expertise.

10 **Mayor Acerson** – Mayor Acerson commented that he really liked the Lindon Days
12 candy parade and suggested we continue it along with the regular parade. He also
expressed that Lindon Days was great and thanked all who helped and participated.

14 **Councilmember Broderick** – Councilmember Broderick echoed the sentiments on
16 Lindon Days noting the parade format was great, but it may have to start earlier as it got
very dark. He also asked Mr. Cowie for an update on the street lighting issue. Mr. Cowie
said he did follow up with an email and he will resend it.

18 **Councilmember Lundberg** – Councilmember Lundberg also commended staff for a
20 great Lindon Days. She expressed that the Concert in the park and the fireworks were
outstanding and well attended. She also reported she attended the interim meetings on
22 700 North with some developers that went very well.

24 **Councilmember Powell** – Councilmember Powell reported Lindon Days was
26 phenomenal and the fireworks were great with a wonderful turnout. She agreed the candy
parade was very fun and she also thanked staff for the opportunity and on behalf of the
28 citizens for doing such a great job. She also expressed her thanks for all the work that was
accomplished with the meeting with the planning commission last week. She also
30 mentioned the hydroseeding at Oak Canyon Jr. High School is not taking and thinks it
should be looked at. She noted the groundkeepers (elite grounds) take care of the weeds
32 at the location by the ditch. Mr. Cowie stated he will follow up on the issue. She also
reported she spoke with Mike Florence and Anders Bake about an issue on how we
34 interact with Airbnb's. She noted there is one in her neighborhood that is now a full-time
Airbnb. She questioned if there is anything that can be done to have some oversight as
36 she has concerns on this issue. Mr. Cowie stated he will talk with Mr. Florence noting we
would have to adopt something to change the policy as these are not currently regulated.
He added they will do some research and have more discussion at a future meeting.

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40 **4. Administrator's Report:** Mr. Cowie reported on the following items followed by
discussion.

42 **Misc. Updates:**

- 44
- Next council meetings: September 21st and October 5th
 - September newsletter assignment: Chief Adams
 - 8/02 - Residential building fire that burned a shed at 640 East Center and
46 extended into a neighboring home on 630 East. Extensive damage to the home
and a total loss to the shed. 8/16 Fire on Timpanogos – currently 30% contained.

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- Misc. Items
- 5. Presentations and Announcements:**
 - a) Comments/Announcements from Mayor and Council members.
 - b) **Department Head Quarterly Reports** — The Lindon City Department Heads were in attendance and presented their Department Quarterly Reports and updates to the council. Juan Garrido, Phil Brown, Mike Florence, Kristen Colson, Brian Haws, Chief Josh Adams and Heath Bateman gave their quarterly reports.
 - c) **Presentation — Envision Utah, Valley Visioning Project.** The City Council heard a presentation from Envision Utah regarding the Valley Visioning Project followed by discussion.
- 6. Open Session for Public Comment** – Mayor Acerson called for any public comment not listed as an agenda item. There were no public comments.
- 7. Consent Agenda Items** – The following consent agenda items were presented for approval.
 - a. Continued Action Item: Ordinance #2020-13-O, Government Records Access Management.** This item was continued from the July 20, 2020 meeting in order to receive any additional public comment on the item. No further public comments have been received. The Council will review and consider city-initiated updates to LCC Title 4, Government Records Access Management. Updates to the Lindon City Policy and Procedures Manual, Section 9, related to government records retention will also be considered for approval.
 - b. Updated Officer Involved Critical Incident Protocol agreement with Utah County and other law enforcement agencies within the County.** This agreement was adopted earlier this year by Utah County and its cities, including Lindon. This amendment updates the structure of the investigation team but does not change the actual protocol. The Chiefs of Police in the County voted to have the agreement reapproved by each municipality in order to avoid any conflicts with the County when an actual event takes place.

COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
 COUNCILMEMBER HOYT AYE
 COUNCILMEMBER BRODERICK AYE
 COUNCILMEMBER POWELL AYE
 COUNCILMEMBER VANCHIERE AYE
 THE MOTION CARRIED UNANIMOUSLY.

2 **CURRENT BUSINESS**

4 **8. Review & Action — Major Subdivision, Coco Development Commercial**
6 **Condominium Project; 1350 W. 200 S.** Coco Development is requesting Major
8 Subdivision approval to divide an existing building into twenty commercial
condominium units at 1350 W. 200 S in the Light Industrial (LI) zone.

10 Mike Florence, Planning Director led this item by explaining the applicants are
12 seeking preliminary major subdivision approval for a 20-unit commercial condominium
14 development. He noted the planning commission recommended approval to the council at
their last meeting. The units range in size from 1,149 square feet to 3,825 square feet
with a total square footage of 37,700 square feet; the building is existing. The applicant is
proposing to create the individual units and make improvements to those units.

16 Mr. Florence indicated condominium developments follow Utah Code Title 57
Chapter 8 for dividing property as well as Lindon City major subdivision requirements
and processes. He pointed out the applicant received approval from the planning
18 commission to amend the original Jacobson Commercial Subdivision for the business
park; the Plat didn't accurately reflect the site. In addition, the applicant has worked with
20 the other property owners in the business park to adopt and easement agreement for
parking and maintenance of the business park.

22 Mr. Florence went on to say the applicant has also provided letters from both an
architect and an attorney stating the application follows the Utah Condominium Code
24 Title 57 Chapter 8. The proposed development meets the one-acre minimum lot size
requirement for the LI zone. He noted the applicant has also provided a Condominium
26 Declaration as well as Covenants, Conditions and Restrictions (CC&R's) for the
development; a condominium plat includes sheets identifying both the internal floor area
28 and vertical space.

30 Mr. Florence stated the City Engineer is working through any technical issues
related to the plat and civil engineering plans and will ensure all engineering related
issues are resolved before final approval is granted. Mr. Florence then presented an
32 Aerial photo, Condominium plat, Site improvement plan, Existing parking analysis,
Proposed parking plan and Compliance letters followed by some general discussion.

34 Following some additional discussion the council was in agreement to approve
this request as presented.

36 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

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40 COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR PRELIMINARY APPROVAL OF THE BRIXTON
HEIGHTS CONDOMINIUM PLAT WITH THE FOLLOWING CONDITIONS: 1.
42 THE APPLICANT WILL CONTINUE TO WORK WITH CITY STAFF TO MAKE
ALL FINAL CORRECTIONS TO THE PLAT FOR RECORDING; 2. PRIOR TO PLAT
44 RECORDING THE APPLICANT WILL PROVIDE STAFF WITH A FINAL PLAT
MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNER'S CONSENT TO
46 DEDICATION AND OBTAIN SIGNATURES OF ALL ENTITIES INDICATED ON
THE ATTACHED SUBDIVISION PLAT; 3. THE PLANS AND PLAT WILL MEET

2 AND BE CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND
IN THE LINDON CITY DEVELOPMENT MANUAL; 4. FINAL EASEMENT
4 AGREEMENTS FOR THE BUSINESS PARK WILL BE RECORDED WITH THE
SUBDIVISION PLAT; 5. ALL ITEMS OF THE STAFF REPORT.

6 COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

8 COUNCILMEMBER LUNDBERG AYE

COUNCILMEMBER BRODERICK AYE

10 COUNCILMEMBER HOYT AYE

COUNCILMEMBER POWELL AYE

12 COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

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16 **9. Review & Action — Major Subdivision, Lindon Hollow Estates; 122 South**

Main. Marc and Jessica McCann are requesting Major subdivision approval from
the city council to subdivide the property located at 122 South Main Street into a
18 five (5) lot single family development.

20 Mr. Florence led this item by stating Marc and Jessica McCann are seeking
preliminary major subdivision approval for a 5-lot single family home subdivision. He
22 noted on June 1, 2020 the City Council, with a recommendation from the planning
commission, adopted a new public road cross section and amendment to the “hammer
24 head” turnaround that applies only to the “Hollow” area. The property owners and city
have signed an easement for a detention area at the bottom of the “hollow” for future City
26 water detention needs. He added the planning commission recommended approval of this
subdivision to the city council in their last meeting.

28 Mr. Florence stated the Lindon City Streets Master Plan map identifies connecting
130 South as well as a future north/south road connecting 130 South to 40 South. The
30 applicant, will only be installing a portion of the new north/south road and future
development will connect to this partially installed road.

32 Mr. Florence indicated that Lindon City and the applicants have been working for
quite some time on this subdivision application and the City believes that the current
34 proposal is the best option after working through many iterations of development
proposals. He pointed out the proposed subdivision maintains the character of the
36 “Hollow” while also providing sufficient access to future homeowners, and meeting a
water detention need of the City.

38 Mr. Florence commented in analyzing Lot 1, the City believes that the proposal
meets the non-conforming use requirements of Title 17.16.030. The applicants are
40 proposing to combine two non-conforming lots and bring Lot 1 into compliance as much
as reasonably possible due to hillside site constraints, and the City’s need for a detention
42 area. Mr. Florence noted the City Engineer is working through technical issues related to
the plat and civil engineering plans and will ensure all engineering related issues are
44 resolved before final approval is granted.

46 Mr. Florence then presented an Aerial photo, Plat #3, Site improvement map and
applicable road profiles followed by discussion.

2 Following some additional discussion, the council was in agreement to approve
this major subdivision request as presented with the conditions as listed.

4 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

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8 COUNCILMEMBER HOYT MOVED TO APPROVE THE APPLICANT’S
REQUEST FOR PRELIMINARY APPROVAL OF THE HOLLOW SUBDIVISION
10 WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE
TO WORK WITH THE CITY STAFF TO MAKE ALL FINAL CORRECTIONS TO
12 THE ENGINEERING DOCUMENTS AND PLAT; 2. PRIOR TO PLAT RECORDING
THE APPLICANT WILL PROVIDE STAFF WITH A FINAL PLAT MYLAR TO
INCLUDE NOTARIZED SIGNATURES OF OWNER’S CONSENT TO
14 DEDICATION, OBTAIN SIGNATURE OF ALL ENTITIES INDICATED ON THE
ATTACHED SUBDIVISION PLAT; 3. COMPLETE (OR POST AN ADEQUATE
16 IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND POST
REQUIRED WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC
18 INFRASTRUCTURE IMPROVEMENTS; 4. THE PLANS AND PLAT WILL MEET
AND BE CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND
20 IN THE LINDON CITY DEVELOPMENT MANUAL; 5. THE PLANNING
COMMISSION APPROVES LOT 1 OF THE HOLLOW SUBDIVISION AS A NON-
22 CONFORMING LOT AND MEETS THE REQUIREMENTS FOUND IN LINDON
CITY CODE 17.16.030(2)(B). 6. PRIOR TO FINAL APPROVAL THE APPLICANT
24 SHALL PLACE PERMANENT SURVEY MONUMENTS IN THE SUBDIVISION; 7.
ALL ITEMS OF THE STAFF REPORT. COUNCILMEMBER BRODERICK
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER LUNDBERG AYE
28 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
30 COUNCILMEMBER POWELL AYE
COUNCILMEMBER VANCHIERE AYE
32 THE MOTION CARRIED UNANIMOUSLY.

34 **10. Continued Action Item — Ordinance #2020-8-O, LCC Title 17.76; Planned**
Residential Development Overlay. This item was continued from the July 20,
36 2020 meeting to allow for some modifications to the previously reviewed
ordinance. The City Council will consider the proposed Ordinance 2020-8-O,
38 Planned Residential Development Overlay.

40 *Council member Hoyt recused himself at this time due to a conflict of interest.*

42 Mr. Florence explained since the last City Council meeting staff has made a
number of updates that are either highlighted in “red” for updated language or “strike
44 through” for those proposed sections to be removed in the ordinance. The “underlined”
sections highlight all changed to the existing Planned Residential Development code/
46 City staff received written comments from a few interested parties and a majority of their
comments are included in the staff report.

2 Mr. Florence then referenced a list of proposed changes to the ordinance as follows:

- 4 • 17.76.080 (2) – changes the maximum density of 10 units to the acre to an
6 average density of 10 units to the acre. Development phases with a density above
8 ten (10) units to the acre shall be located adjacent to commercial uses. Densities
10 shall be ten (10) units or less as a transition to low density single family
12 residential.
- 14 • 17.76.080(6) – clarified building type requirements • 17.76.080(7)(b) – clarified
16 side yard setback requirements for detached single family as 6 feet and a
18 combined total of 12 feet. This is the same requirement as approved for the
20 Anderson Farms development.
- 22 • 17.76.080(10)(b)
 - 24 ○ allows for a setback to be counted toward the 20% common open space if the
26 setback is a usable size segment and a common development amenity is
28 provided within the setback area.
 - 30 ○ Allows the land use authority to review alternative or innovative common
32 open space options over the primary central open space.
- 34 • 17.76.080(15) –
 - 36 ○ Increases the front stucco limitation to 30% ○ Allows for 100% stucco if a
38 building elevation is not fronting a public or private street, development
40 entrance or common open space.
 - 42 ○ Removes the requirement that identical buildings with only alternating color
44 scheme be minimized. The ordinance still requires a variety of materials and
46 architectural elements.
 - Removes the 5:12 roof pitch requirement but still requires a pitched roof
- 17.76.080(22)
 - After reviewing the Anderson Farms development for street widths, utility
access, and fire code requirements city staff recommends the follow language
for street widths.
 - The minimum width for private streets shall be twenty-four (24) feet if
residential buildings are less than thirty (30) feet in height. For residential
buildings thirty (30) feet or greater in height, the minimum private street
width is twenty-six (26) feet. Where a street includes public utilities, the
minimum street width shall be twenty-nine (29) feet, constructed to a public
street standard as found in the Lindon City Development Manual, and
dedicated to Lindon City. Hard surfacing for both private and public streets
shall not include the gutter when determining minimum street widths.

Following the presentation there was some general discussion regarding the proposed ordinance changes presented. Councilmember Powell commented she would like to see a way to eliminate the rear loading option. Mr. Florence commented they try their best to provide the best planning principles. Councilmember Lundberg mentioned door entrances on the side with grass and landscaping looks nice and would offer a neighborhood look and community feel. Mr. Florence pointed out that building orientation is important and staff is trying to mimic the transition from commercial to single family and to make it as compatible as possible yet also have a good design standard. Councilmember Vanchiere commented he feels there should be flexibility but

2 he would not want to have to continue this item further and feels most residents and
4 developers are satisfied. Mr. Florence stated he is not prepared to make that change
tonight as he would have to go through the ordinance and make those changes.

6 There was then some additional discussion regarding street/building orientation,
door position, architectural standards and facades.

8 Councilmember Powell spoke on unintended consequences noting she appreciates
the planning department's efforts, but she is trying to be as thorough as possible. It is not
her intention to prolong this, but she would like to make sure this is site specific. She
10 would like to tweak the language as to separate it.

12 Mayor Acerson pointed out the ordinance is crafted to deal with the deep lot
commercial zone and to also give owners the options to do something with their property.
He asked if there are other areas this will apply to. Mr. Florence said he has only looked
14 at vacant properties noting there are a small portion that would apply.

16 Mayor Acerson called for any public comments at this time. There were several
in attendance who addressed the council as follows:

18 **Angie Neuwirth:** Ms. Neuwirth commented as far as zoning, if approved, it will be
allowed in the general commercial zone and it can apply there (only for two properties).
20 She is concerned with the 300 ft. commercial being changed to residential. What is to
stop the new commercial to becoming residential and getting rid of our commercial
22 zoning in the future and keeping the commercial zoning for tax base purposes. She also
expressed her concerns with the fencing verbiage in allowing alternative material that can
24 leave it to the discretion of the planning commission or council to change that. She also
expressed her concerns with parking and to make sure it stays at 2.5 for future residents.
26 She also expressed her concerns with the maximum height language and that it needs to
be restricted to 2 stories with a maximum height of 35 ft.

28 **Amy Johnson:** Ms. Johnson stated they are orienting their doors to the front and they can
30 work with it to make a beautiful design. She feels Mr. Florence has done a great job on
the ordinance and feels it should be approved as written.

32 **LaDawn Edwards:** Ms. Edwards stated she has been coming to all of the meetings since
34 February. She noted she is not opposed to have the ordinance passed and believes they
have worked out what is needed. She pointed out she is not as familiar with the Norton
36 property as she is with the Linden Nursery property. She noted two things that have come
up over and over again is the perimeter fencing which is the biggest thing the residents
38 want. She has concerns that it states that the planning commission may allow alternative
materials, placement and location so it could change; that is a concern. There have been
40 other ordinances written with loopholes that they, as residents, have had experiences with
so she feels we need to be very careful with the wording in the ordinance; she then read
42 the language on page 8; #4 of the draft ordinance. She would encourage that the council
look at the language very carefully.

44 **Steve Johnson:** Mr. Johnson spoke on the potential traffic issues in the residential areas,
46 especially with the Norton property with the deep lots. Councilmember Vanchiere stated

2 that would require a traffic study before anything is built or finalized to minimize the
4 impact and would happen before any approval.

6 **Jeff Southard:** Mr. Southard commented, as a developer, that it doesn't matter if the
8 council delays this for them, as they will look at storage units or some other option. He
10 also pointed out if significant changes are made and someone makes an application they
12 may be grandfathered in; he would caution on that issue. Mr. Florence stated they would
14 not, unless the public notice is done first.

16 **Krisel Travis:** Ms. Travis echoed Mr. Southard's previous comments. As a resident and
18 developer, she would suggest not putting a broken tool in a toolbox, but take the time to
20 do it correctly.

22 Following discussion, Mr. Florence stated he is hearing the council is in agreement to
24 make the following language changes:

- 26 1. Changed the building height language to read "two stories with a maximum
28 height of thirty-five feet
- 30 2. Clarified that residential developments less than one acre must be setback 300'
32 from State Street
- 34 3. Reduced the front setback from 30' to 25'
- 36 4. Removed the provision that the planning commission can approve alternative
38 fencing materials for perimeter fences
- 40 5. Changed the window requirement to require two window features and added that
42 window trim or molding has to be a different color from the primary building
44 color.

46 Mayor Acerson asked if the council wants to move forward with the changes as
discussed. The council was in agreement to move forward with the changes.

Mayor Acerson then called for any further comments or discussion from the
Council. Hearing none he called for a motion.

COUNCILMEMBER VANCHIERE MOVED TO APPROVE ORDINANCE
#2020-8-O THE PLANNED RESIDENTIAL DEVELOPMENT OVERLAY WITH THE
REDLINED CHANGES AND LANGUAGE CHANGES AS DISCUSSED TO BE
INCLUDED IN THE ORDINANCE. COUNCILMEMBER LUNDBERG SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

**11. Public Hearing — Ordinance #2020-6-O. LCC 11.05 Parks, Recreation &
Trails Facilities Impact Fees; Parks, Trails and Recreation Impact Fee
Studies (IFA, IFFP).** The City Council will accept public comment and review
and consider for adoption the Parks, Trails and Recreation Impact Fee Analysis

2 (IFA) and Impact Fee Facilities Plan (IFFP) prepared by Zions Bank and based
4 off of the recently updated Parks, Trails and Recreation Master Plan and will also
6 consider amendments to Lindon City Code (LCC) 11.05 Parks, Recreation &
8 Trails Facilities Impact Fees.

10 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
12 HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
14 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

16 Mr. Cowie stated the City has been working with Suzie Becker at Zions Bank
18 financial consultants to update the Impact Fee Facilities Plan (IFFP) and Impact Fee
20 Analysis (IFA) in conjunction with the updated Parks, Trails and Recreation Master Plan.
22 He noted this public hearing is intended for the Council to evaluate the methodology in
the impact fee studies and review the potential fee that may be adopted to cover costs of
maintaining the current level of Parks, Trails and Recreation services and amenities
within Lindon.

18 Mr. Cowie indicated that Lindon City Code 11.05 dealing with Parks, Trails &
20 Recreation Facilities Impact Fees will also be updated according to the studies and new
22 fees as directed by the Council. Mr. Cowie stated tonight the Council will need to
determine what Parks, Trails and Recreation impact fee amounts are acceptable to be
adopted.

24 Mr. Cowie noted based on the updated IFA the maximum gross impact fees that can be
assessed are as follows:

- 26 • Single-Family Residential units = \$5,097.13
- 28 • Multi-Family Residential units = \$4,927.23

28 Mr. Cowie noted the current park impact fees are as follows:

30 Current FY 2020-21 Parks, Trails & Recreation Impact Fee (per dwelling unit)

- 32 • Single-Family, detached = \$4,500.00
- 34 • All other residential = \$1,500.00

34 Mr. Cowie then turned the time over to Ms. Becker who gave her presentation to
the Council followed by discussion.

36 Mr. Cowie reminded the council that impact fees don't go into effect until 90 days
38 after adoption and are collected at the time of a building permit issued for new residential
40 construction. Mayor Acerson then called for any public comments. There were several
in attendance who commented as follows:

40 **Jeff Southard:** Mr. Southard stated as part of the ordinance passed tonight, developers
42 will be required to put amenities in and would developers receive a credit for that as he
feels they shouldn't be penalized. He added it has to be affordable and that doesn't mean
44 low income.

46 **Deann Huish:** Ms. Huish commented she is with the Utah Valley Home Builders Assoc.
She thanked the council and staff for their hard work on the master plan which is so much

2 better adding the level of service, trails and everything is great. She noted she is here
4 tonight to talk about the multi-family in Utah County where Lindon ranks 5th. This hurts
6 affordability. The \$5,000 amount would be huge if it goes into effect; this is a large
amount for a multi-family. She would encourage the council to consider these things in
determining the fees.

8 **Chris Gamvroulas (via electronic):** Mr. Gamvroulas mentioned he had a pre-
10 construction meeting with staff last week for the park at Anderson Farms. He added
12 whatever is decided tonight he would encourage the council to keep housing affordability
in mind. He noted Lindon has done a great job with parks and trails that adds value, but
to also keep the larger picture in mind. He also thanked everyone who has done a great
job.

14
16 Following some additional discussion, the council was in agreement to set the
parks, trails & recreation impact fees at \$4,500 for single-family, detached units and
\$1,500 for all other residential units.

18 Mr. Cowie clarified the reason we are re-looking at these impact fee studies is
20 because the old study is about 11 years old, noting it should be reviewed every 3 to 5
years to ensure the fees are justified and legitimate and that we are not changing things
and charging too much; this was not intended to be a revenue generating action. He also
22 clarified we have a large amount of amenities per capita in Lindon.

24 Mayor Acerson called for any further public comments. Hearing none he called
for a motion to close the public hearing.

26 COUNCILMEMBER HOYT MOVED TO CLOSE THE PUBLIC HEARING.
28 COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

30 Mayor Acerson called for any comments or discussion from the Council. Hearing
none he called for a motion.

32
34 COUNCILMEMBER HOYT MOVED APPROVE ORDINANCE #2020-6-O
ADOPTING THE PARKS, TRAILS AND RECREATION IFFP AND IFA AND
36 UPDATING LINDON CITY CODE 11.05 AND SETTING THE PARKS, TRAILS &
RECREATION IMPACT FEES AT \$4,500 FOR SINGLE-FAMILY, DETACHED
38 UNITS AND \$1,500 FOR ALL OTHER RESIDENTIAL UNITS. COUNCILMEMBER
VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

40 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
42 COUNCILMEMBER HOYT AYE
COUNCILMEMBER POWELL AYE
44 COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

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