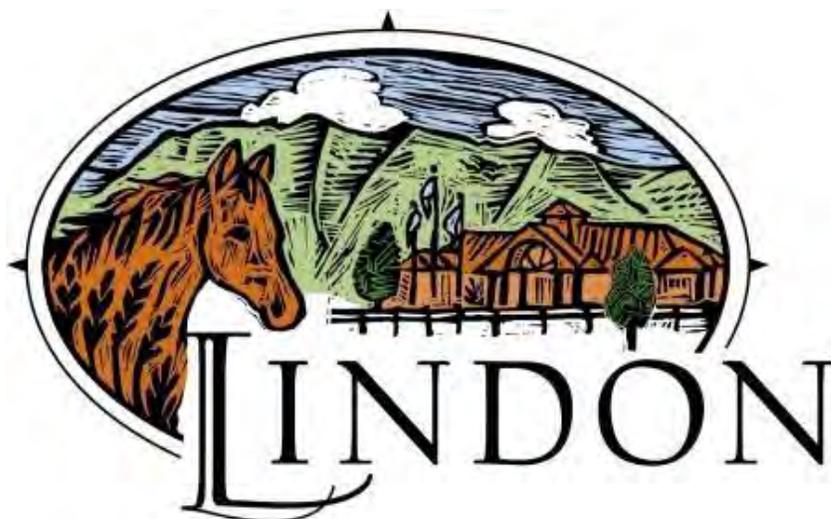


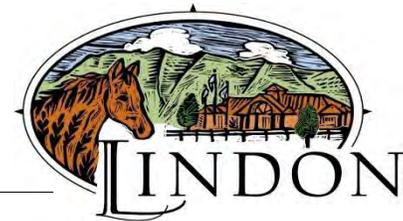
Lindon City Council Staff Report



Prepared by Lindon City
Administration

December 19, 2017

Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a meeting beginning at 7:00 p.m. on Tuesday, December 19, 2017 in the Lindon City Center council chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

Scan or click here for link to download agenda & staff report materials:



(Review times are estimates only)

REGULAR SESSION – 7:00 P.M. - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation

Invocation: Van Broderick

- 1. Call to Order / Roll Call**
- 2. Presentations and Announcements**
 - a) Comments / Announcements from Mayor and Council members
 - b) Recognition of Dustin Sweeten for service as a City Council member from July 2016 to Dec 2017.
- 3. Approval of minutes: December 5, 2017** (5 minutes)
- 4. Consent Agenda – No Items**
- 5. Open Session for Public Comment** (For items not on the agenda) (10 minutes)
- 6. Continued Action Item — Emission Testing for Diesel Vehicles; Res. #2017-22-R** (20 minutes)
This item was continued from the Dec. 5, 2017 Council meeting. The Council will review and consider a request by Jessica Reimer and Michael Shea with HEAL Utah to support proposed legislation requiring diesel vehicle emission testing to improve air quality in Utah County.
- 7. Public Hearing — Street Master Plan Amendment, ~480 N. 2500 W.; Ord.#2017-18-O** (35 minutes)
Lindon City Planning Staff requests approval of Ordinance #2017-18-O consisting of an amendment to the Lindon City Street Master Plan Map to remove a master planned road located at approximately 480 North 2500 West. The proposal is west of I-15 Exit 275 on properties identified by parcel numbers: 13:063:0104, 13:079:0016, 14:059:0040, 14:059:0026, and 14:059:0048.
- 8. Public Hearing — Ordinance Amendment, Lindon City Code 17.48.025; Ord#2017-13-O** (35 mins)
The Lindon City Council has requested an amendment to LCC 17.48.025, as presented in Ordinance #2017-13-O, regulating the Lindon Village Commercial zone regarding the maximum acreage any given land use can occupy within the zone.
- 9. Review & Action — Declaration of Surplus Items; Resolution #2017-23-R** (10 minutes)
The City Council will review and consider Resolution #2017-23-R to declare various items and equipment as surplus to be sold at auction per adopted city policies.
- 10. Council Reports:** (20 minutes)

<ol style="list-style-type: none"> A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee B) Public Works, Irrigation/water, City Buildings C) Planning, BD of Adjustments, General Plan, Budget Committee D) Parks & Recreation, Trails, Tree Board, Cemetery E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste F) Admin., Community Center, Historic Comm., PG/Lindon Chamber, Budget Committee 	<ul style="list-style-type: none"> - Jeff Acerson - Van Broderick - Matt Bean - Carolyn Lundberg - Dustin Sweeten - Jacob Hoyt
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- 11. Administrator's Report** (10 minutes)

Adjourn

All or a portion of this meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in three public places within the Lindon City limits and on the State (<http://pmn.utah.gov>) and City (www.lindoncity.org) websites.

Posted by: /s/ Kathryn A. Moosman, City Recorder

Date: December 15, 2017

Time: 2:00 p.m.

Place: Lindon City Center, Lindon Police Dept., Lindon Community Center

REGULAR SESSION – 7:00 P.M. - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation

Invocation: Van Broderick

Item 1 – Call to Order / Roll Call

December 19, 2017 Lindon City Council meeting.

Jeff Acerson
Matt Bean
Van Broderick
Jake Hoyt
Carolyn Lundberg
Dustin Sweeten

Staff present: _____

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.

Item 3 – Approval of Minutes

- Review and approval of City Council minutes: **December 5, 2017**

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, November 21,**
4 **2017, beginning with a Mobile Work Session Tour at 6:00 p.m.** in the Lindon City
Center, City Council Chambers, 100 North State Street, Lindon, Utah.

6 **MOBILE TOUR** – 6:00 P.M.

8 Conducting: Mayor Jeff Acerson

10 **PRESENT**

Jeff Acerson, Mayor
12 Matt Bean, Councilmember
Van Broderick, Councilmember
14 Dustin Sweeten, Councilmember
Daril Magleby, Councilmember elect
16 Adam Cowie, City Administrator
Heath Bateman, Parks & Recreation Director
18 Alex Roylance, Facilities & Fleet Manager
Hannah Silvey, Parks & Recreation Supervisor

ABSENT

Carolyn Lundberg, Councilmember
Jacob Hoyt, Councilmember

- 20
1. **Tour of Community Center & Veterans Hall.** The Lindon City Council met
22 and toured the Lindon City Community Center at 25 N. Main Street and then
24 toured the Veterans Hall at 200 N. 135 W. in the City Center Park. No motions
were made at this meeting as this tour was for informational purposed only.

26 The City Council and staff met at the Lindon Community Center and where they
were informed the intent of this tour is to discuss some of the programming and activities
28 occurring in these two facilities and to show the issues in the buildings that need
maintenance and attention. Being more familiar with the facilities will help to make
30 informed decisions on maintenance spending and remodeling/upgrades requests that may
be proposed on these facilities. The group toured the community center computer lab and
32 boiler room. Ms. Silvey gave an overview of programs and activities offered at the
community center.

34 The group then toured the interior and exterior of the Veterans Hall (Ms. Silvey
did not attend the tour of the Veterans Hall). Following the tour, the consensus from the
36 Council was that investing money back into the facilities on a project by project basis
was the best way to do the maintenance spending and remodeling/upgrades requests that
38 may be proposed on these facilities.

40 Following the work session tour, the Council returned to the city building for the
regularly scheduled City Council meeting.

42 **REGULAR SESSION** – 7:00 P.M.

44 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Mike Jorgensen
46 Invocation: Dustin Sweeten, Councilmember

2 **PRESENT**

ABSENT

- 3 Jeff Acerson, Mayor
- 4 Matt Bean, Councilmember
- 5 Carolyn Lundberg, Councilmember
- 6 Van Broderick, Councilmember
- 7 Jacob Hoyt, Councilmember – arrive 9:10 pm
- 8 Dustin Sweeten, Councilmember
- 9 Adam Cowie, City Administrator
- 10 Hugh Van Wagenen, Planning Director
- 11 Kristen Colson, Finance Director
- 12 Kathryn Moosman, City Recorder

- 14 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.
- 16 2. **Presentations/Announcements** –
 - 17 a) **Mayor/Council Comments** – There were no announcements at this time.
- 18 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
- 20 meeting of November 21, 2017 were reviewed.

22 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
 24 OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 21, 2017 AS
 26 PRESENTED. COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE
 28 VOTE WAS RECORDED AS FOLLOWS:

- 26 COUNCILMEMBER BEAN AYE
- 27 COUNCILMEMBER LUNDBERG AYE
- 28 COUNCILMEMBER BRODERICK AYE
- 29 COUNCILMEMBER SWEETEN AYE

30 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

- 32 4. **Consent Agenda** – No items.
- 34 5. **Open Session for Public Comment** – Mayor Acerson called for any public
- 36 comment not listed as an agenda item. There were no public comments.

38 **CURRENT BUSINESS**

- 40 6. **Action Item — Financial Audit Report for Fiscal Year 2016-17.**
- 42 Representatives from Keddington & Christensen, LLP and Lindon City Finance
- 44 Director, Kristen Colson, will present for the Mayor and Council’s acceptance the
- 46 city’s annual financial audit report, included as part of the Comprehensive Annual
- Financial Report (CAFR), for fiscal year ended June 30, 2017.

Adam Cowie, City Administrator, led this agenda item by explaining in
 accordance with State Law, the City is required to annually have a complete financial
 audit performed by an independent auditing firm, Keddington & Christensen, LLP

2 (K&C) has performed the audit for the 2016-17 fiscal year ending June 30, 2017. He
 4 noted over the past several weeks their firm has been reviewing the City's financial
 records, policies, and procedures. He mentioned there are two findings from the audit that
 will be reviewed and explained tonight. Mr. Cowie stated staff recommends that the City
 6 Council accept the FY 2016-17 audit as presented. He then turned the time over to Angie
 Broadhead, and Tyson Davenport representing K&C and Kristen Colson, Lindon City
 8 Finance Director, to present the audit report and to answer any questions.

10 Kristen Colson, Lindon City Finance Director, and Angie Broadhead, and Tyson
 Davenport representing Keddington & Christensen, LLP, addressed the Council at this
 time. Ms. Broadhead noted this is the fifth year that Keddington & Christensen has
 12 performed the audit for the city and they appreciate having Lindon City as a client. She
 noted as part of the audit they are required to report certain items concerning the audit to
 14 those who are in charge of city governance; whom they consider as the City Council who
 is over the City and they are responsible for the financial statements. Ms. Broadhead
 16 stated it is their responsibility to perform tests and procedures to obtain reasonable
 assurance of whether or not there is a fair presentation of the financial position of Lindon.
 18 She stated that the audit went well and she is happy to report that they gave a clean
 opinion and they believe the financial statements are a fair representation of the financial
 20 position of Lindon City dated June 30, 2017. She noted their job is not to speculate on the
 future of the city or if they believe the city is healthy financially or operating effectively;
 22 that is outside the scope of their engagement.

24 Ms. Broadhead then gave a summary of what an audit entails. She explained that
 whenever they perform an audit they always look at the internal controls over the
 financial reporting that are the mechanisms or processes that are put in place that protect
 26 employees and help keep them honest and protect accounting records from error or fraud;
 they sometimes test them to plan the audit and zero in on the riskier areas that are more
 28 prone to error or fraud to give a better audit. They also look at the controls over cash
 disbursements, controls over cash receipting, controls over payroll, controls over journal
 30 entries etc. She noted while looking at these areas if they see a weak or deficient area in
 the controls they would report that to the Council and give a recommendation on how to
 32 fix that as it is a changing environment and important to keep an eye on those things. Ms.
 Broadhead stated when they do an audit there is more to it than just the numbers, there
 34 are also qualitative aspects as well and they look to see if management accounting
 policies are sound and if there is a reliable accounting system to produce the financial
 36 data and that the financial disclosures are consistent and clear.

38 Ms. Broadhead stated they believe management has done a good job with those
 things and it went really smoothly and they had open access which is very important as
 they take fraud very seriously and re-iterated if they had found something the Council
 40 would already know about it, although fraud is rare (3%) and usually is found by a tip.
 Ms. Broadhead then went over the State compliance audit guide. She noted that every
 42 year the state auditor revamps and re-issues the state compliance guide as there are new
 laws and old laws to test for compliance etc. She noted this year there are two findings as
 44 follows:

- 46 1. Minutes on the Public notice website should be posted within 3 days after
 approval.
2. Regarding public hearings for budget amendments. When a budget amendment

2 or adoption there must be a public hearing posted 7 days before the public
4 hearing. 2017 and one was not made.

6 Ms. Broadhead concluded by stating, in their opinion, the financial statements
8 referred to above present a fair and respective financial position of the governmental
10 activities of Lindon City. Ms. Broadhead summarized that all in all the audit went very
12 well and smoothly with no difficulties and she believes there are no large errors in the
14 financial statements. She noted there was open access and staff was timely with their
16 responses and very helpful.

18 Ms. Broadhead also complemented Ms. Colson and Mr. Cowie and staff for their
20 diligent efforts and for being forthright with open access and ensuring that the audit went
22 very smooth this year. Ms. Broadhead emphasized that they work for the City Council
24 and if they ever have any questions or concerns to please let them know. Councilmember
26 Broderick asked what the state auditors do. Ms. Broadhead stated if they are audited a
28 second time they have to do a written corrective action plan. Ms. Colson commented the
30 auditors are always good to work with and it is always good to have another set of eyes to
32 find any discrepancies that need correcting and ways to improve.

34 Mayor Acerson thanked them for their hard work on the audit and for the valuable
36 information presented. He then called for any further comments or discussion from the
38 Council. Hearing none he called for a motion.

40 COUNCILMEMBER BRODERICK MOVED TO ACCEPT THE AUDIT
42 REPORT AS PRESENTED FOR FISCAL YEAR ENDING JUNE 30, 2017.
44 COUNCILMEMBER SWEETEN SECONDED THE MOTION. THE VOTE WAS
46 RECORDED AS FOLLOWS:

- 48 COUNCILMEMBER BEAN AYE
- 50 COUNCILMEMBER LUNDBERG AYE
- 52 COUNCILMEMBER BRODERICK AYE
- 54 COUNCILMEMBER SWEETEN AYE

56 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

58 **7. Review & Action — Emission Testing for Diesel Vehicles; Res. #2017-22-R.**

60 The Council will review and consider a request by Jessica Reimer and Michael
62 Shea with HEAL Utah to support proposed legislation requiring diesel vehicle
64 emission testing to improve air quality in Utah County. Both Orem and Provo
66 cities have passed similar resolutions supporting the proposed legislation.

68 Mr. Cowie introduced Jessica Reimer and Tom Metcalf representing HEAL Utah.
70 Ms. Reimer gave an overview explaining HEAL Utah is an organization that supports air
72 quality improvements by requiring diesel vehicle emission testing. She then referenced
74 the materials provided from HEAL Utah. She explained HEAL Utah’s Background
76 including Utah’s Air Quality Challenges, Diesels in Utah County, Why Test the Diesels,
78 and the Diesel Emissions Testing Bill. She also explained HEAL’s Campaign that
80 includes Clean Air, Renewable Energy, and Nuclear issues. She also went over Utah’s
82 Air Quality and why it is one of the worst in the Country noting 48% comes from motor
84 vehicles and 39% from small pollution sources (i.e., dry cleaners, gas stations, fireplaces

2 etc.) and 13% from point source such as a factory, mine, or refinery. She explained
 4 where Utah’s air pollution come from and particulate matter. She noted Utah County is
 at PM2.5 Emissions Sources (tons/year) Utah County NOx Emissions Sources
 (tons/year). This poses unique challenges that require unique solutions. Lindon Diesels
 6 = 241 with a 38,470 Annual Average Daily Traffic (AADT) for Highway 89 (2015).

8 Mr. Metcalf then presented the health impacts of diesel smoke. He noted short-
 term exposure leads to:

- Headaches
- Dizziness
- Ear, nose, and throat irritation “Severe enough to ... [temporarily] disable” those
 12 who are exposed (OSHA)

14 Mr. Metcalf also spoke on the long-term exposure increases risks of:

- Cardiovascular, Cardiopulmonary and Respiratory disease
- Lung cancer
- International Agency for Cancer Research classified diesel exhaust & PM as a
 18 known human carcinogen in 2012

20 Ms. Raimer addressed the need to test diesels. She pointed out that failing diesel
 vehicles equals 4x the PM2.5 pollution of a compliant diesel vehicle and 7-8 times an
 average gasoline vehicle (Davis County/University of Utah). Nearly 5% of new diesel
 22 vehicles (ages 2011-2016) fail to meet emissions standards (Salt Lake County data). Utah
 County is the ONLY county in PM2.5 non-attainment zone without diesel emissions
 24 testing. Ms. Raimer stated the Diesel Emissions Testing Bill applies to vehicles 14,000
 lbs. or less (light/medium duty). Agricultural and Construction vehicles are exempt and
 26 only require an upgrade in existing software at current emissions testing locations. This
 will require NO NEW infrastructure and NO COST to taxpayers or the county. This
 28 action would cut 170 tons/year of air pollution from Utah County. Utah County Diesel
 Testing Implementation will have testing available at 221 existing Utah County test
 30 stations with the test using OBD connector (same as gasoline cars) with the cost at \$20-
 35 per vehicle.

32 Ms. Raimer noted this bill passed unanimously last year through a house
 committee and passed the house floor but ran out of time before it could get a senate vote.
 34 She noted it has had bipartisan support at the legislature last year, so they are hoping to
 have the same bipartisan support at the legislature this year. They felt it was really
 36 important to come to the cities that would be potentially impacted and to let them know
 all the pieces to the legislation; they feel it is important to have support in the local
 38 communities because that is where the implementation will occur. She noted that Provo
 and Orem are both on board as well as Salem City; there is growing support in Utah
 40 County. Ultimately air quality is a big issue and there are not a lot of “silver bullets”
 when it comes to reducing our air pollution and they think it is really important that
 42 anywhere we try to make a difference as it is a unique problem in Utah with the
 mountains that can cause an inversion problem. We need to look at our behaviors and the
 44 way we live and try to make a difference.

46 Mayor Acerson pointed out following review the council needs to either take
 action if they in support of this initiative to make sure Utah County has a check and

2 balance system where emissions are checked on diesel vehicles or continue it to a future
meeting.

4 Councilmember Bean expressed that he appreciates the information presented
tonight and he would be completely in support of this bill. He noted Utah County is
6 sensitive to air pollution and we should try to do something about it even if it is done
incrementally.

8 Councilmember Lundberg commented she also appreciates the information given
noting the reality is we no longer have safety inspections. She expressed if it doesn't
10 become a prohibitive cost to the operators who are doing the emissions testing so all
vehicles are held to the same standard as to level the playing field she would be in
12 support with learning more about it; she is a proponent of wise stewardship of both our
and air and water.

14 Councilmember Broderick stated he would like to make sure the data is correct
and accurate as to get the big picture (un-skewed) then he would be in support.

16 Councilmember Sweeten stated he hates government regulation and this sounds
like more regulation, so he would have to see more data from other counties (Weber, Salt
18 Lake, Davis and Cache) that have implemented this before making a decision. He would
also like to see the safety inspection re-instituted.

20 Mayor Acerson stated part of the challenge is that we are so out of compliance
(per the DEQ) that there is pushback with the regulations they are trying to mandate that
22 don't fit Utah. There needs to be a better way to slide into this and take a realistic
approach to make a difference; but he agrees that something needs to be done. Following
24 some additional discussion, the Council was in agreement to continue this item in order
to gather more information and data to base their decision on before approving the
26 resolution.

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

30 COUNCILMEMBER SWEETEN MOVED TO CONTINUE RESOLUTION
#2017-22-R SUPPORTING PROPOSED LEGISLATION REQUIRING DIESEL
32 VEHICLE EMISSION TESTING TO IMPROVE AIR QUALITY IN UTAH COUNTY
TO THE DECEMBER 19th COUNCIL MEETING IN ORDER TO GATHER MORE
34 DATA. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

36 COUNCILMEMBER BEAN NAY
COUNCILMEMBER LUNDBERG AYE
38 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER SWEETEN AYE

40 THE MOTION CARRIED THREE TO ONE WITH ONE ABSENT.

42 8. **Public Hearing — Ordinance Change; Lindon City Code 17.51; Ord. 2017-**
16-O. This item was continued from the November 21, 2017 Council meeting.
44 Per request by the Lindon City Council, the Planning Commission has reviewed
and recommends amendments to LCC 17.51 'Commercial Farm Zone' with
46 updates to setbacks, minimum acreage, permitted uses, etc.

2 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

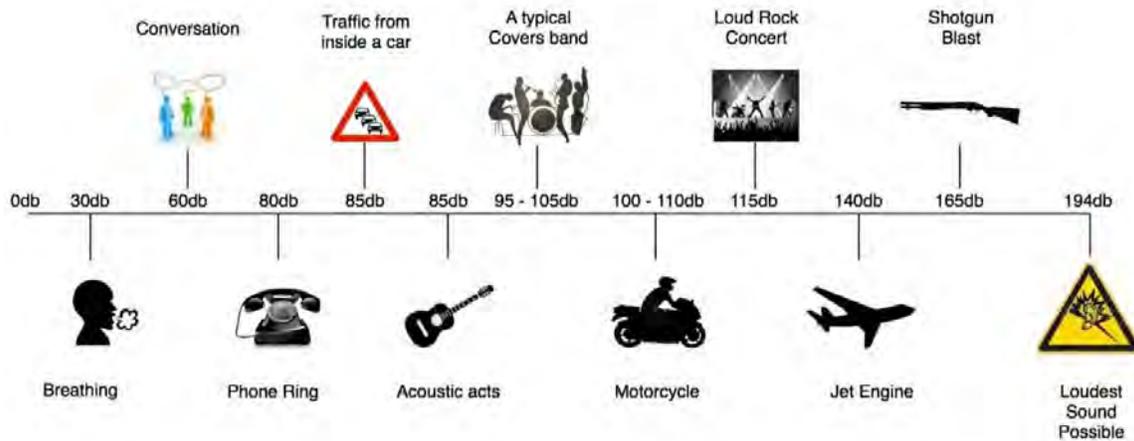
6 Hugh Van Wagenen, Planning Director, stated this request was continued from the
November 21, 2017 Council meeting and per request by the City Council, the Planning
8 Commission has reviewed this over several sessions and has recommended some
amendments to LCC 17.51 ‘Commercial Farm Zone’ with updates to setbacks, minimum
10 acreage, and permitted uses.

12 Mr. Van Wagenen explained upon review, the Planning Commission
recommended the following changes:

- 14 1. Requirement for a residence on-site that is owner occupied.
- 16 2. Increased setback distances to either the property line or to the nearest residential
structure for commercial buildings
- 18 3. Additional parking lot buffering and screening
- 4. Specific noise limits for daytime and nighttime activity

20 Mr. Van Wagenen then referenced the following Decibel level chart for noise limit
reference and the redlined items in Ordinance Draft 2017-16-O. He noted the Planning
Commission had a lot of discussion on the agricultural production requirement and the lot
22 area requirement and noise decibels. The 40% agricultural requirement and the lot
area requirement of 5 acre minimum were not changed as they felt 5 acres was a sufficient
24 amount of ground. Mr. Van Wagenen stated Mr. Mike Jorgensen and Mr. Alan Colledge
have attended most of the meetings and have had the opportunity to provide feedback.

26



28 Mayor Acerson called for any public comment at this time. Mr. Mike Jorgensen
questioned if this zone amendment will apply to them as they are already approved for
30 the zone. Mr. Van Wagenen confirmed this will apply to his conditional use permit and
stated anything moving forward will have to meet the new standards (any project in a
32 Commercial Farm Zone). Mr. Jorgensen also spoke on the items he has issues with
including the owner-occupied requirement and the setbacks. He pointed out his
34 application was in before these changes took place and he feels these changes should be

2 applied fairly to all. Mayor Acerson called for any further public comments. Hearing
 none he called for a motion to close the public hearing.

4
 6 COUNCILMEMBER SWEETEN MOVED TO CLOSE THE PUBLIC
 HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8
 10 There was then some general discussion regarding the recommended changes
 from the Planning Commission. Councilmember Bean commented regarding the
 12 questions on setbacks, to ensure this is looked at in a way to make sure there are not any
 unintended consequences, he would suggest changing the language to say “not owned by
 the owner of the commercial building” so they could build closer and still be within the
 14 5-acre requirement.

16 Councilmember Broderick commented that part of the reason of approval was that
 the applicants were planning to live on site. Councilmember Lundberg re-iterated that she
 18 feels the owner needs to have a vested interest in the property. She also feels this is a
 good thing if they are acquiring additional properties to extend the buffer, essentially,
 between neighbors, and is something to encourage. The whole point of “tweaking” some
 20 of these things is recognizing those who had concerns with the potential conditional uses
 and has nothing to do with the animals or farm uses but the event centers that will draw
 22 cars and people; we need to be careful to minimize the impact to the adjoining residential
 properties.

24 Councilmember Sweeten stated he has issues with changing things knowing Mr.
 Jorgensen’s application was already submitted noting he spent a lot of money to comply;
 26 however, he doesn’t object for future applicants. He also asked if the owner residency
 requirement will be applied to any existing commercial farm too. Mr. Van Wagenen
 28 confirmed that statement noting this ensures, going forward, that the owner of the facility
 will live on the property (depends on the owner of the property). Mr. Colledge expressed
 30 that he feels the owner-occupied requirement is good but the acreage issue may present
 future problems.

32 There was then some discussion regarding acreage amounts, annexing, and
 number of permitted dwellings. Mr. Van Wagenen gave staff’s opinion stating with the
 34 purposes of buying surrounding properties/land (in order to not have an angry neighbor, it
 doesn’t need to be included in the CFZ) or changing the acreage and the current number
 36 of permitted dwellings and where they can go, noting he is not aware yet how to write
 that into code that would make it just for properties that are acquired.

38 Councilmember Bean commented, regarding the 5-acre minimum, the Planning
 Commission didn’t seem to have strong opinions about needing to make it larger. He
 40 feels it gets to a point where any number is arbitrary and at what point do you feel there is
 enough buffer; it hard to know what that number ought to be. He added if we take action
 42 on this tonight we should be open to changing that number in the future. Councilmember
 Lundberg stated for her it is an issue of identifying the boundary and the distance buffer
 44 to the next property owner. Mayor Acerson commented that the hope is that we are all
 good stewards and we understand the intent of what we are hoping to accomplish.

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

2 COUNCILMEMBER SWEETEN MOVED TO APPROVE ORDINANCE
AMENDMENT 2017-16-O AS PRESENTED. COUNCILMEMBER BRODERICK
4 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
6 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
8 COUNCILMEMBER SWEETEN AYE

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

10 *Councilmember Hoyt arrived to the meeting at 9:10 pm*

12 **9. Discussion Item — Transportation / Road Maintenance Utility Fee Options.**

14 City Engineer, Noah Gordon, Public Works Director, Brad Jorgensen, and
contract engineer Mark Christensen with JUB Engineers will review sample codes
16 and options for implementation of a transportation utility fee for the Council to
consider to help generate dedicated funds for city-wide road maintenance.

18 Adam Cowie, City Administrator gave an overview stating for several years the
20 City Council has been discussing ways to fund road maintenance projects with
sustainable revenue sources. He noted the annual road maintenance funding has
22 fluctuated widely year-to-year and has not been consistent or sufficient enough to handle
all road maintenance needs. In 2014-15 the Council directed the city engineer to prepare
24 a Pavement Management Plan to inventory roadway conditions and identify total dollar
amounts needed to adequately maintain roads in Lindon. The plan was adopted by the
26 Council in November of 2015. Additional discussions through 2016 occurred on possible
transportation funding and review of transportation utility fees that had been adopted by
28 other cities.

30 Mr. Cowie explained the Council also discussed other road maintenance funding
options (property tax, sales tax, bonding, budget re-allocation, etc.) finding that the
Transportation Utility Fee appeared to be the most sustainable and transparent funding
32 opportunity for the City. In February 2017 the City Council had a formal discussion item
to review a possible Transportation Utility Fee. The Council requested that staff bring
34 back more detailed information on a proposed ordinance or policy including possible fee
amounts. He noted the City Engineer has now compiled this information to present to the
36 Council including an overview of possible funding options for road maintenance and
basis for consideration of the Transportation Utility Fee option.

38 Mr. Cowie further explained if the Council wants to move forward after that point
the city will schedule public open houses in early 2018 to present the proposed fees and
40 background information to the public and receive comments. The Council will then
evaluate public comments and determine if a fee (and what rate) should be adopted by
42 formal action in late spring/early summer 2018. He noted staff is looking for direction
only tonight with no motions required as this item is for discussion only.

44 Mr. Noah Gordon, City Engineer, then gave his presentation including some
background information on TUFs (Transportation Utility Fees), including the following
46 bullet items:

- What is a Transportation Utility Fee

- 2 • Who can implement a TUF
- What are the keys to success and potential pitfalls
- 4 • Where has this strategy been applied
- Case studies
- 6 • Where to get more information
- Comparison with other funding sources
- 8 • Legal Challenges

10 Mr. Gordon also noted other Utah cities using or considering TUFs as follows:

- Provo • Adopted 11/2013
- 12 Pleasant Grove • Considered a TUF a couple of years ago, but has *not* adopted
- Mapleton • Adopted 7/2016
- 14 Highland • Adopted 5/2017
- South Weber City • Adopted 6/2017
- 16 Vineyard • City Code
- Salt Lake City • Considering adopting a TUF

18 Mr. Gordon then referenced for discussion Lindon City’s road funding situation
20 and the Pavement Management Program. He also presented the Historical Funding
Sources including Class C Road Funds and General Fund Transfers and the simplified
22 breakdown for road funding followed by discussion.

24 Mr. Gordon noted anything remaining goes toward road maintenance with a very
minimal amount annually from Class C funds being put towards actual surface treatments
other than crack sealing. The City has therefore traditionally supplemented the Road
26 Fund with General Funds (sales tax, property tax, franchise taxes) to whatever affordable
amount the Council approves. During the recession it was hardly anything and over the
28 last few years it has been in the hundreds of thousands of dollars. He also referenced the
amounts the City Council approved to supplement roads from the General Fund in past
30 years as follows:

- FY2015-16 - \$66,000
- 32 • FY2016-17 - \$800,000
- FY2017-18 - \$500,000

34 Mr. Gordon noted that RDA areas have also used funding for road improvements
but those are limited to those specific RDA districts (Home Depot business park area;
36 East side of State Street; 700 North) and can’t be used for city-wide projects. There was
then some general discussion following Mr. Gordon’s presentation including discussion
38 on transportation utility fees and options on how to help generate dedicated funds for
city-wide road maintenance.

40 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he moved on to the next agenda item.

42
44 **10. Closed Session — Closed Session to Discuss the Sale of Real Property.** The
City Council will enter into a closed executive session to discuss the potential sale
of real property per Utah Code 52-4-205. This session is closed to the general
46 public.

2 COUNCILMEMBER HOYT MADE A MOTION TO MOVE INTO A CLOSED
SESSION FOR THE PURPOSE OF DISCUSSING THE POTENTIAL SALE OF REAL
4 PROPERTY PER UTAH CODE 52-4-205. COUNCILMEMBER SWEETEN
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- 6 COUNCILMEMBER BEAN AYE
 - COUNCILMEMBER LUNDBERG AYE
 - 8 COUNCILMEMBER BRODERICK AYE
 - COUNCILMEMBER HOYT AYE
 - 10 COUNCILMEMBER SWEETEN AYE
- THE MOTION CARRIED UNANIMOUSLY.

12
14 COUNCILMEMBER LUNDBERG MADE A MOTION TO CLOSE THE
CLOSED EXECUTIVE SESSION AND MOVE INTO THE REGULAR SESSION.
16 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

18 **11. Action Item — Job Reclassification; Recreation Supervisor.** The Council will
review and consider a request by the City Administrator and Parks & Recreation
20 Director to restructure the Parks & Recreation Department by creating a new job
classification titled ‘Recreation Supervisor’ for Hannah Silvey (current Recreation
22 Coordinator) who will assume supervisory responsibilities within the Department
and an adjusted pay range.

24
26 Mr. Cowie explained the Parks & Recreation Department currently has limited
supervisory positions with Heath Bateman, Parks & Recreation Director, performing
direct supervisory functions over nine employees and additional teachers, coaches, and
28 volunteers. He noted a restructuring of leadership within the department is needed to
spread supervisory responsibilities and grow leadership opportunities within the city
30 staff.

32 Mr. Cowie explained for the past six years Hannah Silvey has functioned in the
role of ‘Recreation Coordinator’ at the Parks & Recreation Department. After a couple
years in a part-time position she was moved into a full-time role. Over the last several
34 years she has essentially been the ‘go-to individual’ for most recreation and community
center programing and, with the assistance of another part-time Recreation Coordinator,
36 she organizes all coaching and teaching staff for all recreation and community center
programing.

38 Mr. Cowie went on to say she also has a key role in the planning and execution of
many city events and senior center functions and has been very successful in her assigned
40 duties and has helped to grow the uses and programming at the Community Center and
increased involvement of citizens in city activities. He noted that management staff has
42 discussed this new leadership role with Ms. Silvey and she is willing to take on
supervisory responsibilities within the Department as a ‘Recreation Supervisor’ with a
44 new job description, wage reclassification and adjustment with pay comparable to similar
positions in other cities throughout Utah. He then presented an updated department
46 hierarchy chart followed by some general discussion.

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

4
6 COUNCILMEMBER HOYT MOVED TO APPROVE THE PROPOSED JOB
RECLASSIFICATION AND PAY ADJUSTMENT FOR HANNAH SILVEY AS THE
NEW RECREATION SUPERVISOR. COUNCILMEMBER LUNDBERG
8 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COUNCILMEMBER BEAN AYE
10 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
12 COUNCILMEMBER HOYT AYE
COUNCILMEMBER SWEETEN AYE
14 THE MOTION CARRIED UNANIMOUSLY.

16 **12. Action Item — Merit Increases.** The City Council previously approved and
budgeted for a performance based 3% employee merit increase effective January
18 1, 2018. Per past practice the City evaluates mid-fiscal year budget constraints
and economic indicators to determine if recommended merit increases are still
20 financially practical. Given a healthy

22 Mr. Cowie stated the City Administration recommends that the Council authorize
employee merit pay per the previously approved FY2018 budget. He then referenced the
24 memo from Kristen Colson, Finance Director. He noted the 2017-2018 Lindon City
Budget included funding a 1.5% Cost of Living Allowance (COLA) increase effective
26 July 1, 2017 and a 3.0% merit increase effective January 1, 2018. The City Council asked
that the merit increase be reevaluated upon the completion of the 2016-2017 fiscal year
28 audit when we could evaluate our June 30, 2017 financial situation and ascertain if
economic trends would continue as anticipated. Mr. Cowie explained the 2016-2017
30 fiscal year audited financial statements shows revenue exceeding expenses by \$103,721
in the General Fund and the General Fund reserves are healthy with a fund balance of
32 \$2,516,327.

34 Mr. Cowie stated that indications show that the economy is stable and Lindon
City’s sales tax revenue is expected to meet our projections. He also pointed out,
according to the U.S. Department of Labor, the Consumer Price Index (CPI) has
36 increased 2.0% from October 2016 to October 2017. The Utah Department of Workforce
Services (DWS) reported a 2.7% increase in employment statewide and 4.4% in Utah
38 County. The statewide unemployment rate is 3.3% and the unemployment rate in Utah
County is 2.8%.

40 Mr. Cowie concluded in light of these financial indicators, staff recommends that
the City Council approve a merit increase for city employees. He noted the merit increase
42 would only be for employees who qualify through their performance evaluations and
would be a maximum of a one-step increase on the wage schedule or 3.0% for employees
44 that are not a step, but in the mid-high range. The increase would be effective January 1,
2018. He then referenced the maximum fiscal impact of the merit increase on both wages
46 and benefits followed by some general discussion.

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

4
6 COUNCILMEMBER SWEETEN MOVED TO AUTHORIZE EMPLOYEE
MERIT PAY PER THE APPROVED FY2018 BUDGET. COUNCILMEMBER
LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS
8 FOLLOWS:

COUNCILMEMBER BEAN AYE
10 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER BRODERICK AYE
12 COUNCILMEMBER HOYT AYE
COUNCILMEMBER SWEETEN AYE
14 THE MOTION CARRIED UNANIMOUSLY.

16 13. COUNCIL REPORTS:

18 **Councilmember Hoyt** – Councilmember Hoyt reported he did the walk thru of the
facilities (community center and vet hall) yesterday with Heath Bateman. He also
20 reported that the Historic Preservation Commission worked hard and did a great job on
the Tree Lighting Ceremony which was a great event and Lindon tradition and well
22 attended. The upcoming Chamber of Commerce luncheon will be held on December 7th
where they will meet for lunch at the Pizza Factory in Lindon.

24 **Councilmember Broderick** – Councilmember Broderick reported on the Tree Lighting
26 Ceremony commenting that it brings the community together and it is a good tradition to
continue. He also mentioned the tour of the facilities tonight showed we can invest some
28 money now to keep things from deteriorating further.

30 **Councilmember Bean** – Councilmember Bean reported the Planning Commission
discussed the interchange future alignment with UDOT and what it may or may not be.
32 He noted there are some issues with some developers and they are watching it carefully.

34 **Councilmember Lundberg** – Councilmember Lundberg reported on the North County
Summit she recently attended. They mentioned Pleasant Grove and recognized the
36 synergy going on between Lindon and PG. She noted they are focused on partnering
with business to help thrive the economic base.

38 **Councilmember Sweeten** – Councilmember Sweeten reported nothing to report.

40 **Mayor Acerson** – Mayor Acerson reported the Thanksgiving Dinner was a big success
42 with approximately 500 people in attendance and over 100 volunteers.

44 14. **Administrator’s Report:** Mr. Cowie reported on the following items followed by
discussion.

46 **Misc. Updates:**

- December newsletter
- January newsletter article: Carolyn Lundberg - Article due to Kathy Moosman last week in December
- Elected officials training – January 6th at ULGT office in North Salt Lake
- Sewer lift station #7 bond update (\$1.267 Million = Lindon’s approximate share of lift station and off-site utility improvement costs). We’ll tour the new lift station on January 16th.
- FT Employee updates: Two Water Division vacancies - new employees offered positions; Final interviews for Admin. Secretary at Police Department
- Misc. Items

Upcoming Meetings & Events:

- December 4th at 6:30 pm – Tree Lighting Ceremony at Community Center
- December 5th at 6:00 pm – Council tour of Community Center & Veterans Hall (prior to regular council meeting)
- December 22nd at Noon – Employee Christmas party at Community Center
- December 25th-26th – City offices closed for Christmas Holiday
- January 1st – City offices closed for New Years
- January 2nd at 7:00 pm – Swearing-in of elected officials at regularly scheduled Council meeting
- January 16th at 6:00 pm – tour of new sewer lift station (prior to Council meeting)

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

Adjourn –

COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING AT 11:10 PM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – December 19, 2017

Kathryn Moosman, City Recorder

Jeff Acerson, Mayor

Item 4 – Consent Agenda – *(Consent agenda items are only those which have been discussed beforehand and do not require further discussion)*

- No Items.

Item 5 – Open Session for Public Comment *(For items not on the agenda - 10 minutes)*

6. Continued Action Item — Emission Testing for Diesel Vehicles; Res. #2017-22-R (20 minutes)

This item was continued from the Dec. 5, 2017 Council meeting. The Council will review and consider a request by Jessica Reimer and Michael Shea with HEAL Utah to support proposed legislation requiring diesel vehicle emission testing to improve air quality in Utah County.

The City was contacted by the HEAL Utah organization who is requesting support of air quality legislation that will require diesel vehicle emission testing within Utah County.

This item was continued so Councilmembers could gather additional information and evaluate any other materials that may be obtained by HEAL Utah from the Utah Division of Air Quality. *(Jessica from HEAL Utah will be providing supplemental materials to the Council as soon as they are received from the Air Quality Division.)*

Additional information regarding private air quality monitoring stations was also forwarded to the Council with data & maps available for viewing at this link: <https://www.purpleair.com/>

Additional information on air quality in Utah can be found at the Utah Clean Air Partnership website <https://www.ucair.org/> or through the Utah Department of Environmental Quality, Division of Air Quality website found here: <https://deq.utah.gov/Divisions/daq/index.htm>

See attached materials from HEAL Utah.

Sample Motion: I move to (approve, continued, deny) Resolution #2017-22-R supporting proposed legislation requiring diesel vehicle emission testing to improve air quality in Utah County.

RESOLUTION NO. 2017-22-R

A JOINT RESOLUTION OF THE LINDON CITY COUNCIL OUTLINING THEIR SUPPORT FOR EMISSION TESTING OF LIGHTDUTY DIESEL VEHICLES IN UTAH COUNTY.

WHEREAS the safety, health, and well-being of Lindon residents is profoundly affected by air quality of Utah County, and Lindon City policies, including the general plan, give specific attention to the achievement of clean air; and

WHEREAS Utah County still remains out of attainment with National Ambient Air Quality Standards for PM2.5, and vehicles are the main contributor to that pollution; and

WHEREAS the 20,266 light-duty diesel vehicles registered in Utah County— representing 5.6% of all vehicles in the County--are not currently subject to any emissions testing requirement, unlike such vehicles in all other populous counties along the Wasatch Front; and

WHEREAS pollution from a failing diesel vehicle is four times that of a compliant diesel vehicle and seven or eight times that of an average gasoline vehicle, according to a recent Davis County/University of Utah study; and

WHEREAS light-duty diesel vehicles tested in Davis County are eight to nine times more likely to fail emissions testing than comparable gas vehicles, and nearly six percent of new vehicles in Salt Lake County fail to meet emissions standards; and

WHEREAS diesel vehicles built in 2008 or later, unlike those built earlier, have computerized on-board diagnostics that allow easy, inexpensive testing with minimal software upgrades at present vehicle testing facilities, and such testing is effective in reducing NOx and PM emissions; and

WHEREAS all owners of gasoline-powered vehicles in the state pay for emissions testing to help reduce pollution, but Utah County owners of diesel vehicles are exempted from this cost, yet contribute more pollution per vehicle than do gasoline vehicles in NOx and PM2.5.

NOW, THEREFORE, be it resolved that we, the members of the Lindon City Council support expansion of the current vehicle inspection/maintenance (I/M) program of Utah County to include testing for diesel vehicles under 14,000 lbs. built in 2008 or later, together with simple visual inspection of light-duty diesel vehicles built before that date.

BE IT FURTHER RESOLVED, that the Clerk of Lindon City transmit duly authenticated copies of this resolution to the Utah County Commission, the President of the Utah Senate, to the Speaker of the Utah House of Representatives, and to the Clerk of the Legislature.

Adopted and approved this ____ day of _____, 2017.

By _____
Jeff Acerson, Mayor

Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

Diesel Emissions Testing Bill

This bill would require all counties within the PM2.5 non-attainment area to implement diesel emissions testing programs. Testing would be restricted to light and medium duty on-road vehicles (under 14,000 lbs). Agricultural and construction vehicles would be exempt. Counties will still be allowed to have more stringent standards.

Diesel exhaust contains pollutants such as NO_x, VOCs, and PM2.5. Vehicles contribute nearly 50% of Utah's air pollution, and the state remains in serious violation of federal health standards.

Overview

- Diesel emission testing is currently implemented in all counties that require gasoline emissions testing except for Utah County.
- This legislation would **only apply to most light and medium duty vehicles, 14,000 lbs. or less**. Current exemptions for agricultural and vintage vehicles remain unchanged. Additional exemptions mirror the regulations of counties currently implementing diesel emissions testing.
- **This policy would have net positive benefits for air quality, which impacts public health and economic development.**



HEALTH CONCERNS

Short and long-term exposure to PM2.5 can:

- Decrease lung function
- Decrease immune system efficiency
- Cause cardiovascular & respiratory problems
- Increase cancer rates
- Increase mortality rates

Why Test Diesel Vehicles?

Light & medium-duty diesels are **approximately 8-9x more likely to fail emissions testing** than comparable gas vehicles.

The total PM2.5 emissions from a failing diesel vehicle are **quadruple** the PM2.5 pollution of a compliant diesels

In Jan 2017, Weber County instituted testing of light & medium-duty diesel vehicles. During the first month of testing, **14.2% of diesel vehicles failed, and 34% of these vehicles were 2008 and newer.**

Salt Lake County reported **nearly 6% of new diesel vehicles (2011-2016 model years) failed** to meet emissions standards.

SUPPORTED BY: Orem City Council, Provo Mayor, and Provo Municipal Council

FISCAL NOTE: Owners of diesel vehicles covered by the bill would be required to pay the emissions inspection fee currently paid by owners of gasoline vehicles, which averages \$25 per inspection. There could be a slight increase in revenue to inspection stations and counties.

Diesel Emissions Testing Bill

Effects of Diesel Emissions Testing in UTAH COUNTY:

(Data from Utah Division of Air Quality in Feb 2017)

- **Over 16,570 diesel vehicles are registered in Utah County**, representing 4.5% of daily miles driven
- Diesel emissions testing would **reduce air pollution by 170 tons/year**, representing the third largest source of avoided emissions in Utah County
- Current inspection and maintenance programs in Utah County have the capacity to implement diesel emissions testing (called OBDII testing) – they would **only require an update to existing software**
- **Cost of program is \$3000-\$3500 per ton of emissions reduced** – in comparison to other emission reduction programs, this is inexpensive and within acceptable cost per ton ranges. The average cost for point sources (industry) is \$25,000 per ton.

Diesel Vehicles in Utah Non-attainment Areas:

- All vehicles are responsible for **nearly 50% of air pollution emissions** in the seven-county non-attainment area (Utah, Salt Lake, Davis, Weber, Cache, Box Elder and Tooele)
- Together, **heavy- and light-duty DIESEL vehicles account for 64% of on-road fine particulate matter emissions (PM2.5)** and 47% of on-road nitrogen oxide emissions (NOx)
- **Light-duty DIESEL truck use** in the non-attainment area is **twice the national average**
- **Utah County is the only county within the non-attainment area that does not have a diesel emissions testing program.**

Questions? Please don't hesitate to contact us!

Jessica Reimer, Policy Associate, HEAL Utah

Jessica@healutah.org

801-502-3883

Michael Shea, Senior Policy Associate, HEAL Utah

Michael@healutah.org

801-706-1885

7. Public Hearing — Street Master Plan Amendment, ~480 N. 2500 W.; Ord.#2017-18-O*(35 minutes)*

Lindon City Planning Staff requests approval of Ordinance #2017-18-O consisting of an amendment to the Lindon City Street Master Plan Map to remove a master planned road located at approximately 480 North 2500 West. The proposal is west of I-15 Exit 275 on properties identified by parcel numbers: 13:063:0104, 13:079:0016, 14:059:0040, 14:059:0026, and 14:059:0048.

See attached materials from the Planning Department.

Public Hearing — Street Master Plan Map Amendment Approx. 600 N. 2800 W.

<p>Applicant: City Staff Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: General Commercial Current Zone: Regional Commercial (RC), General Commercial A8 (CG-A8)</p> <p>Property Owners: WICP West Orem #3 LLC, WICP West Mountain Tech South, Property Reserve Inc., Velay Jeppson Revocable Trust, Valley Properties LLC, Parcel IDs: 13:063:0104, 13:079:0016, 14:059:0040, 14:059:0026, 14:059:0048, 14:059:0035</p> <p>Type of Decision: Legislative Planning Commission Recommendation: Approval with 7-0 vote with recommendation to remove future connection shown between 2800 West and 400 North.</p>	<p>SUMMARY OF KEY ITEMS</p> <p>1. Whether or not it is the public interest and furtherment of the General Plan to approve the removal and addition of the identified streets in the Street Master Plan.</p> <p>Ordinance: # 2017-18-0</p> <p>MOTION I move to (<i>approve, deny, continue</i>) Ordinance # 2017-18-0 to remove/add the streets identified in the staff report in the Street Master Plan with the following conditions (if any):</p> <ol style="list-style-type: none"> 1. 2. 3.
--	--

OVERVIEW

Staff requests approval of a Street Master Plan Map amendment to remove master planned roads located at approximately between 400 and 600 North near 2800 West in Regional Commercial and General Commercial zones. The future roadways were identified based on the original concept alignment of the Vineyard Connector and its connection to I-15. A recent study identifies an alternative alignment that would have less impact on developable land in the area and provide cost savings by preserving existing infrastructure.

Additionally, WICP Commercial Properties and doTERRA own parcels 14:059:0040 and 14:059:0048, respectively, and prefer not to have 480 North on the map, as demonstrated by recent development concepts.

PLANNING COMMISSION REVIEW

The Planning Commission reviewed the item on November 28, 2017 and recommended removal of the highlighted roadways in attachment #3. However, they only recommended adding the road connection from 600 N/PG Boulevard between I-15 and the future Vineyard Connector (attachment #4). They did not recommend adding the street connection between 2800 West and 400 North (attachment #5) based on a property owner's comments citing impacts to his property. This was not in line with Staff's request.

Meeting minutes from that discussion can be found in attachment #9.

STAFF RECOMMENDATION

As shown in the 2000 Street Master Plan (attachment #10) and 2006 Street Master Plan (attachment #11) has had local roadways planned in this area for 17 years, ever since the freeway interchange was completed. The 2011 (current, attachment #2) plan reflects necessary modifications to the area based on the Vineyard Connector UDOT facility, but most roads were left unchanged.

Staff *strongly* recommends that the new local connection proposed between 2800 West and 400 North be included on the new map. It would accomplish two primary goals:

1. Establish limits of development so that when the connection is required there are no structures needing to be removed, relocated or demolished. This has huge costs savings for the public.
2. Placing the road on the map allows the City to pursue regional corridor preservation funding for the connection if the land cannot be acquired through other means.

The fact that the City is pursuing changing the Master Plan of its own accord, and changing it in the suggested manner, is of huge benefit to land owners in the area, even with the recommended additions. Please compare attachments 2, 10, and 11 to see how the proposed roads have changed over time.

ANALYSIS

1. Horrocks Engineering recently produced a study of the future Vineyard Connector facility as sponsored by Utah Department of Transportation Region 3. The study had input from UDOT, Mountainland Association of Governments, Vineyard Town, Lindon City, and American Fork City.
2. For the Lindon portion of the Vineyard Connector, a new connection between I-15 and the Vineyard Connector was proposed and studied (see attachment #4).
 - a. Following the study recommendations, the new alignment was principally agreed to by UDOT and Lindon City.
 - b. The new alignment utilizes the existing I-15 Exit 275 off-ramp infrastructure, saving potentially millions of dollars in not having to realign the off-ramp per the previous plan.
 - c. The new alignment removes the necessity of future local road connections by utilizing existing roadways (see attachment #3).
 - d. The new alignment also frees up acres of land for development, increasing the tax base for Lindon City.
 - e. The new alignment does affect parcel 13:079:0016, owned by Property Reserve Inc., by adding roadway across the property to make the new connection.
 - f. The new alignment does necessitate a new local road connection from 2800 West to 400 North, but still has significantly less impact than the current plan (see attachment #5).
3. Parcels that have roadways being recommended for removal still have existing road frontage available to enable development of the property. All parcels affected retain development possibilities.

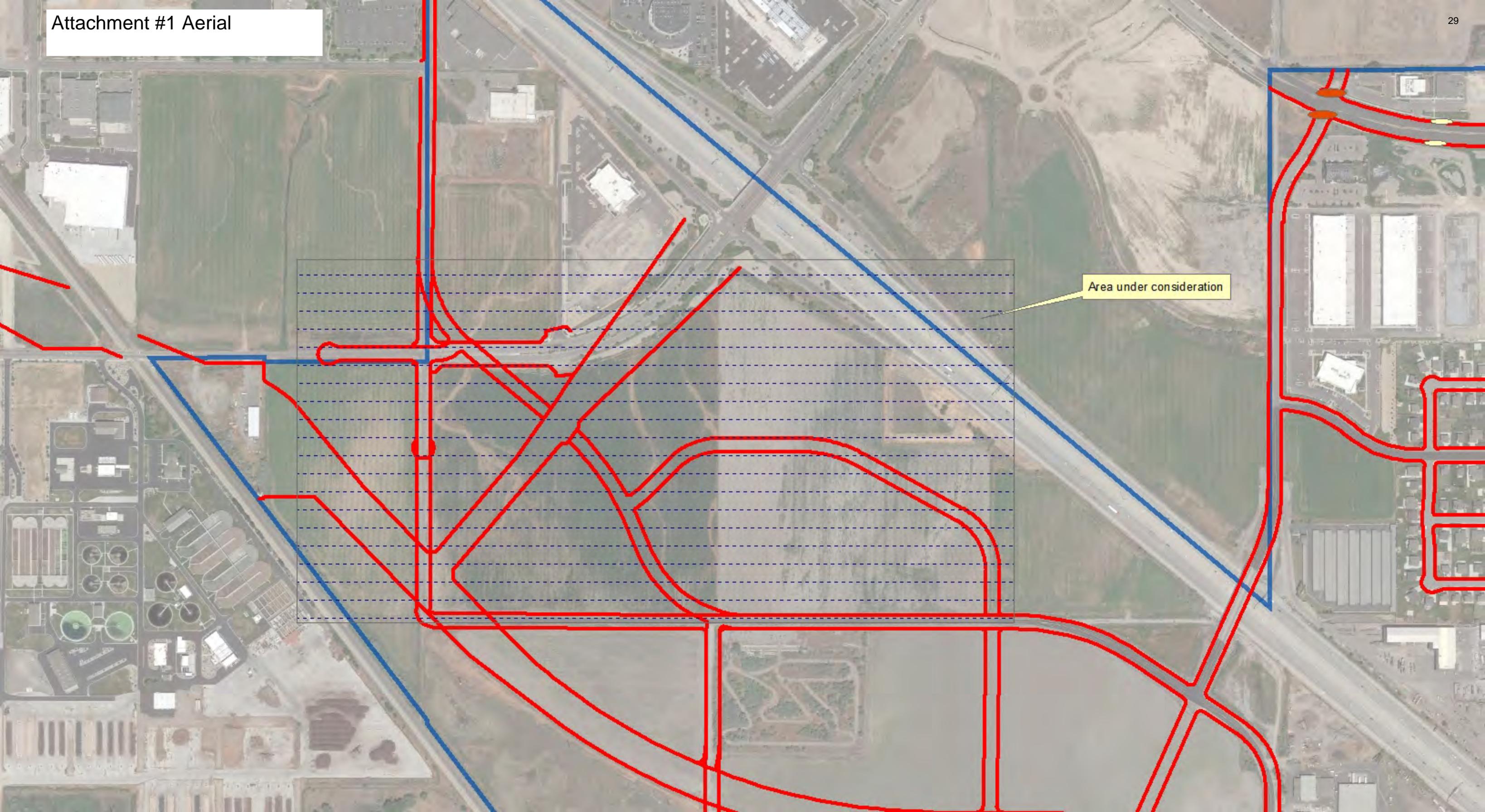
4. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
 - a. It is the "purpose of the transportation plan...to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development."
 - b. The Street Plan states the "inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes."
 - c. "The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles..."
 - d. "Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial...areas..."

MOTION

See above.

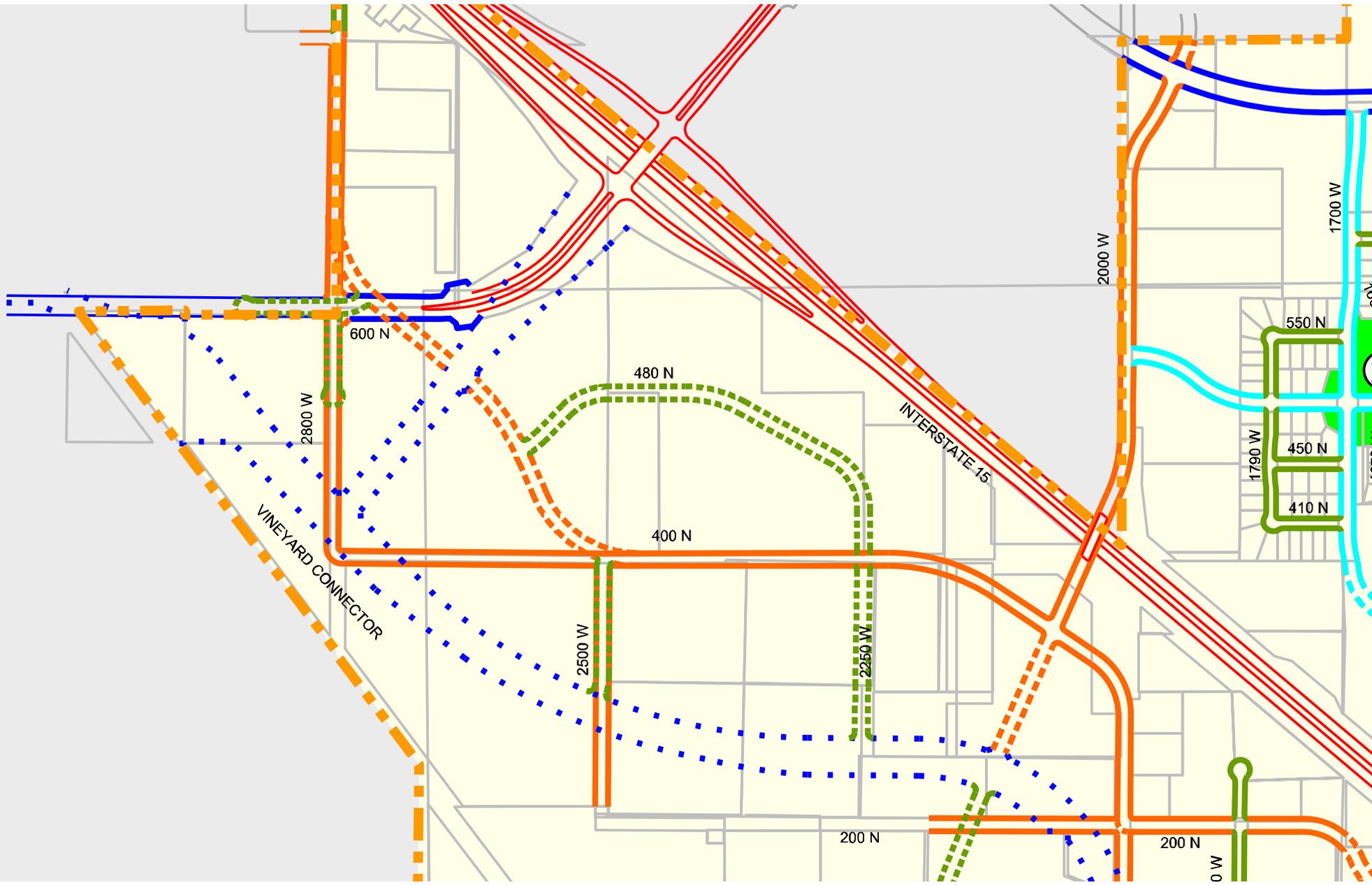
ATTACHMENTS

1. Aerial photo showing existing Street Master Plan
2. Current Street Master Plan for identified area off Exit 275
3. Roads being recommended for removal from plan
4. Proposed connection between I-15 and future Vineyard Connector
5. Proposed Street Master Plan for area identified
6. doTERRA concept plan
7. WICP Commercial Properties concept plan
8. Ordinance 2017-18-O
9. Planning Commission Minutes from November 28, 2017
10. 2000 Street Master Plan for area
11. 2006 Street Master Plan for area

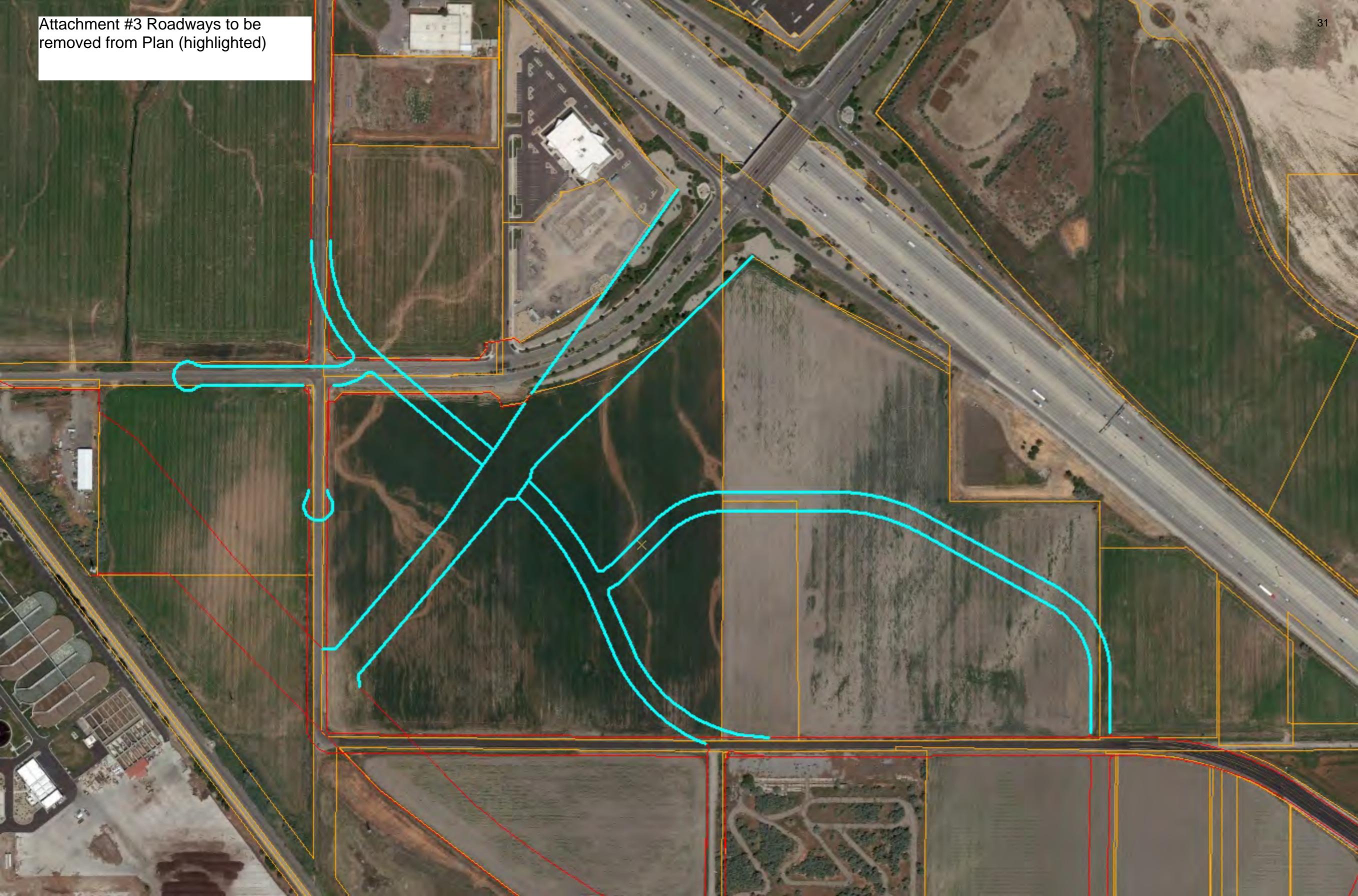


Area under consideration

Attachment #2 Current Street Master Plan for area



Attachment #3 Roadways to be removed from Plan (highlighted)



Attachment #4 New connection between I-15 and future Vineyard Connector



Linda

5600

2800 W

Pleasant Grove Blvd

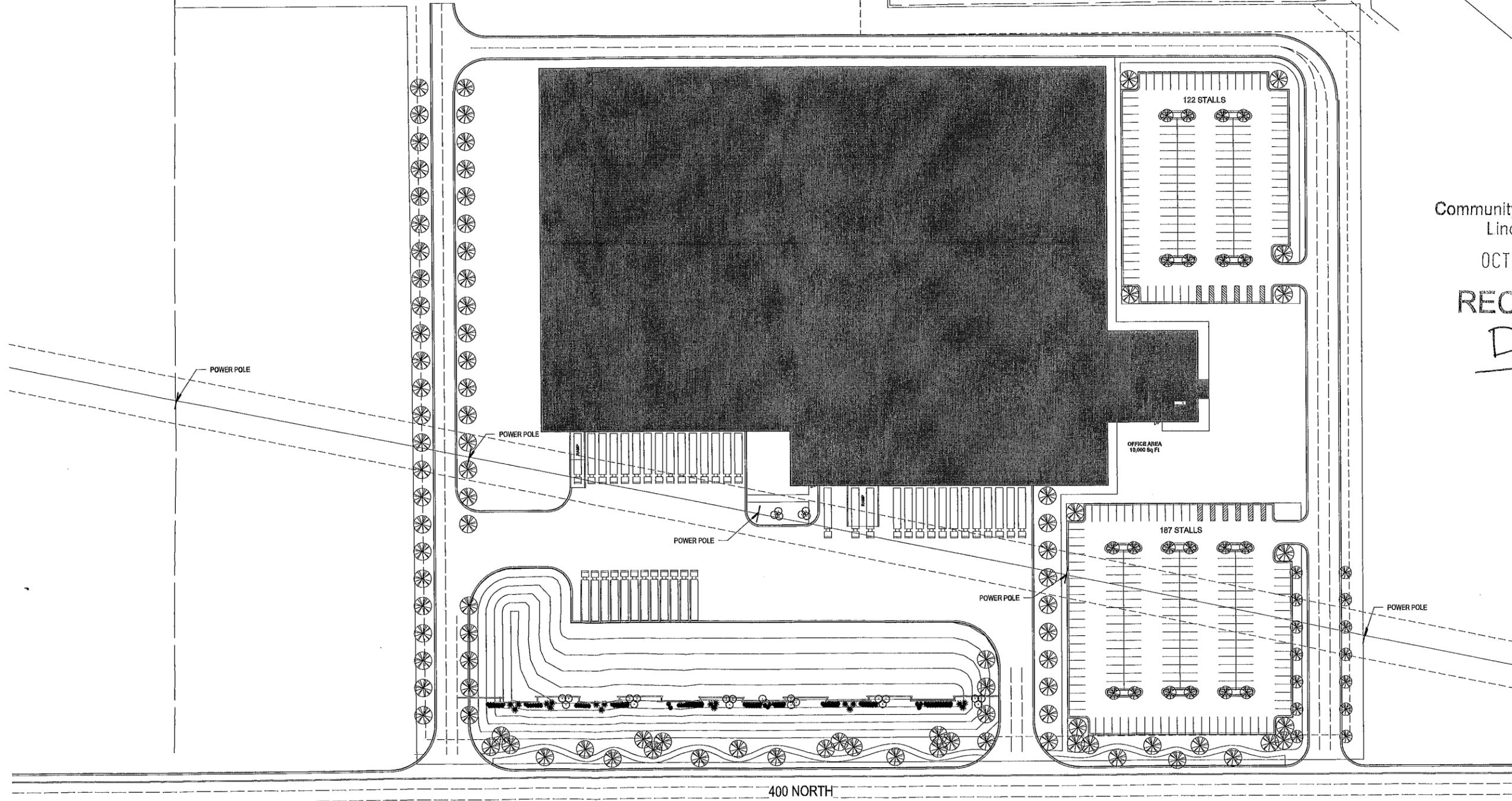
2995

32

mile

Attachment #5 Proposed Street Master Plan for area





REV	DATE	DESCRIPTION

VCBO NUMBER: 17200
 CLIENT NUMBER: 00000
 DATE: 20## XXX##

Community Development
 Lindon City
 OCT 24 2017

RECEIVED
 DRC

DOTERRA DISTRIBUTION CENTER

OWNER NAME
 PROJECT ADDRESS; CITY, STATE
 PROJECT PHASE

OVERALL SITE PLAN FA

AS101.1



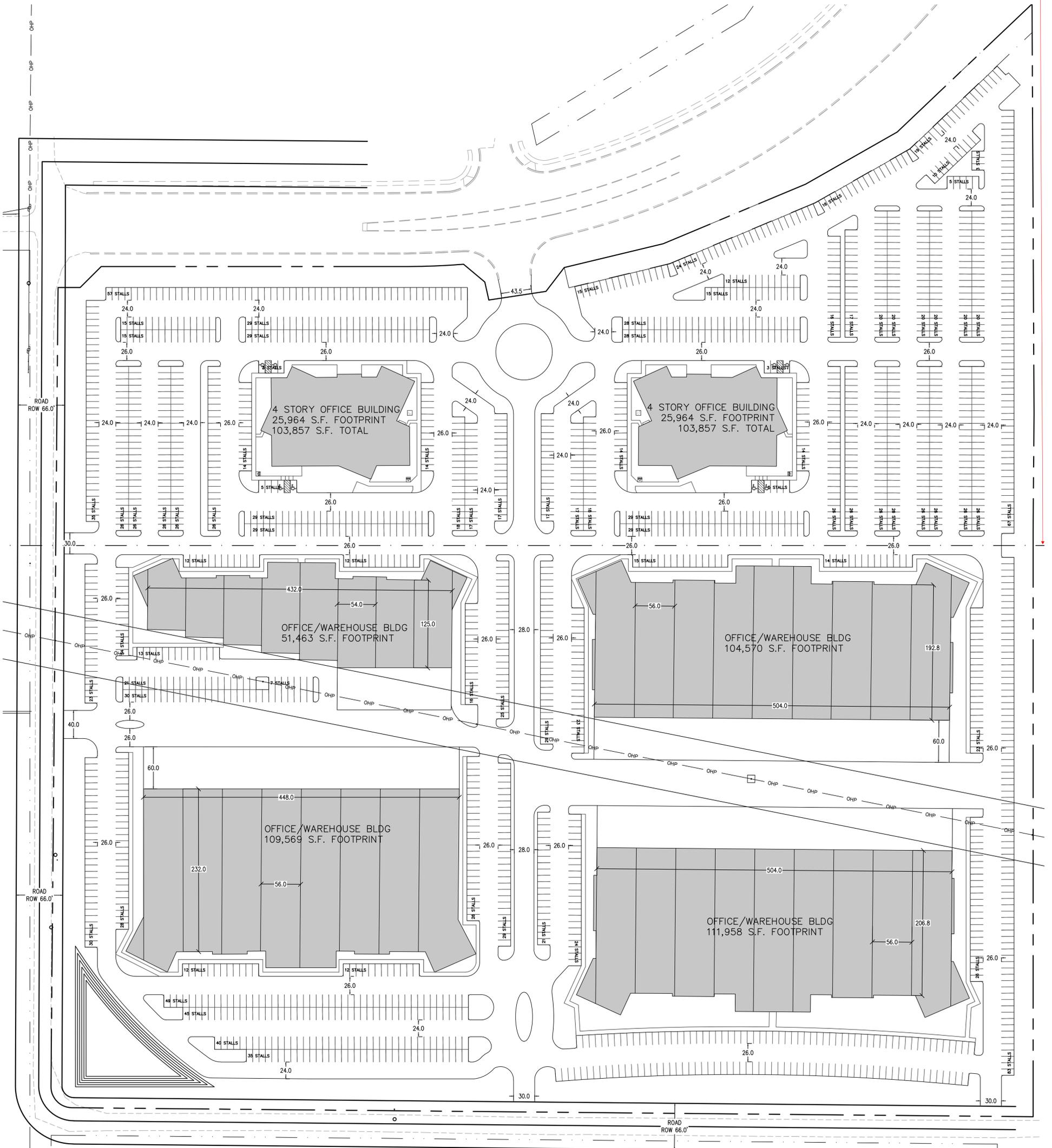
2 3 4 6 6

Attachment #7 WICP Commercial Properties concept

PARKING COUNT: (SITE IS SPLIT INTO TWO SECTIONS, SEPARATED BY THE DASH-DOT LINE)

NORTHERN SECTION = 1,205 STALLS
SOUTHERN SECTION = 865 STALLS

TOTAL PARKING PROVIDED = 2,070 STALLS



ORDINANCE NO. 2017-18-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY STREET MASTER PLAN THROUGH REMOVAL OF AN IDENTIFIED FUTURE STREET AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it is necessary to amend portions of the Lindon City Street Master Plan, specifically the areas identified in Exhibit A and Exhibit B; and

WHEREAS, the City finds it is necessary to amend the Street Master Plan to reinforce surrounding land development patterns and balance future demands generated by Land Use in the area; and

WHEREAS, a Vineyard Connector transportation study completed in 2017 with input from Utah Department of Transportation, Mountainland Association of Governments, Vineyard Town, American Fork City and Lindon City recommended changes to the planned street network in the area; and

WHEREAS, the Lindon City Council promotes fiscal responsibility in undertaking both local and State roadway construction projects; and

WHEREAS, the proposed changes still allow for property development; and

WHEREAS, the Planning Commission recommended adoption of revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the creation of a balanced transportation system within the City; and

WHEREAS, a public hearing was held on November 28, 2017 and no adverse comments were received and the City Council held a public meeting to consider the amendments on December 5, 2017; and

WHEREAS, the current Street Master Plan should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Street Master Plan is hereby amended as follows:

SECTION I:

See Exhibit A showing streets to be removed from the Lindon City Street Master Plan and Exhibit B showing streets to be added to the Plan.

Exhibit A—Highlighted roads to be removed from Street Master Plan



Exhibit B—Approved Map showing new roads on Street Master Plan



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2017.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

2 COMMISSIONER KALLAS AYE
 COMMISSIONER MARCHBANKS AYE
 4 COMMISSIONER WILY AYE
 COMMISSIONER KELLER AYE
 6 COMMISSIONER JOHNSON AYE
 COMMISSIONER VANCHIERE AYE
 8 THE MOTION CARRIED UNANIMOUSLY

10 **5. Public Hearing—Street Master Plan Amendment, 480 North 2500 West**

Lindon City Planning Staff requests approval of an amendment to the Lindon City Street Master Plan Map to remove a master planned road located at approximately 480 North 2500 West. The proposal is west of I-15 Exit 275 on properties identified by parcel numbers: 13:063:0104, 13:079:0016, 14:059:0040, 14:059:0026, and 14:059:0048. Recommendations will be forwarded to the City Council.

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

22 Mr. Snyder gave an overview of this agenda item explaining staff is requesting approval of a Street Master Plan Map amendment to remove master planned roads located at approximately between 400 and 600 North near 2800 West in Regional Commercial and General Commercial zones. He noted the future roadways were identified based on the original concept alignment of the Vineyard Connector and its connection to I-15. A recent study identifies an alternative alignment that would have less impact on developable land in the area and provide cost savings by preserving existing infrastructure. Additionally, WICP Commercial Properties and doTERRA own parcels and prefer not to have 480 North on the map, as demonstrated by recent development concepts.

32 Mr. Snyder went on to explain Horrocks Engineering recently produced a study of the future Vineyard Connector facility as sponsored by Utah Department of Transportation Region 3. The study had input from UDOT, Mountainland Association of Governments, Vineyard Town, Lindon City, and American Fork City. For the Lindon portion of the Vineyard Connector, a new connection between I-15 and the Vineyard Connector was proposed and studied. Following the study recommendations, the new alignment was principally agreed to by UDOT and Lindon City. The new alignment utilizes the existing I-15 Exit 275 off-ramp infrastructure, saving potentially millions of dollars in not having to realign the off-ramp per the previous plan.

42 Mr. Snyder stated the new alignment removes the necessity of future local road connections by utilizing existing roadways. The new alignment also frees up acres of land for development, increasing the tax base for Lindon City. The new alignment does affect a parcel owned by Property Reserve Inc., by adding roadway across the property to make the new connection. The new alignment does necessitate a new local road connection from 2800 West to 400 North, but still has significantly less impact than the current plan. Parcels that have roadways being recommended for removal still have existing road

2 frontage available to enable development of the property and all parcels affected retain
development possibilities.

4 Mr. Snyder then referenced an aerial photo showing the existing Street Master
Plan, the Current Street Master Plan for identified area off Exit 275, the roads being
6 recommended for removal from plan, the proposed connection between I-15 and future
Vineyard Connector, the proposed Street Master Plan for area identified, the doTERRA
8 concept plan, the WICP Commercial Properties concept plan, and Ordinance 2017-18-O
followed by discussion. Chairperson Call called for any public comment at this time.

10 Mr. Mark Weldon spoke on behalf of this item. He also presented a visual map of
his campus and mentioned his investments. He noted that Lindon City sent a letter UDOT
12 with a 30-day response time as a development is pending. He also pointed out they
recently paid \$50,000 for impact fees to Lindon City for the Mtn. Tech development. He
14 mentioned in consideration of investing this kind of money, with a sewer plant to the
west, he met with the UDOT State Representative and his argument was, if they are
16 going to do this, and if it is cheaper and costs less to shift it (if they go with the
interconnector) to ruin one piece of property which they will have to take as opposed to
18 their other plan. He stated this could be shifted to run parallel to the railroad tracks and
then make a slightly larger bridge over as opposed to going through their property.

20 Mr. Weldon voiced their frustration that after making these investments, that
UDOT has ignored their own self-imposed deadline (30 days) and they are holding them
22 back. His point to them was to either use eminent domain (buy/condemn the property) or
give approval or there will be legal consequences. They do not want to be held up and
24 they never would have bought the property if they were going to ignore them. There
have been no answers and they have been harmed economically as they have spent an
26 awful lot of money. They have designed a beautiful new building that competes with the
Pleasant Grove developments, and they have worked hard together to bring in Jive
28 Communications.

Mr. Weldon stated they are appealing that everyone will do the right thing and
30 move on or to buy their property and they will pick another site. Every day is costing
them \$1,800; for them to wait it is time consuming and costly. UDOT has not answered
32 the Lindon Planning Director, Hugh Van Wagenen, and is ignoring the city. At some
point they have to protect their legal rights. Normally they would go with any city
34 recommendations but UDOT is ignoring the city. Mr. Weldon pointed out when they
developed Lindon Tech (west side) they did the road improvements that were supposed
36 to be \$125,000 and the costs ended up being \$475,000 because of moving the high
tensions power lines etc.; everything has been costing more and he is losing money.

38 Mr. Weldon clarified that everyone is using the road and they haven't asked for
any help. They paid Lindon City \$80,000 for street lights and there are still no street
40 lights. He is out of money to buy land to just give it away that makes it very difficult; at
some point when does that end. They know when they develop they will have to fix the
42 side roads to a degree, and they are not disputing that, but the other section has an overall
impact on the overall costs and makes the economics even tighter.

44 Commissioner Keller asked Mr. Weldon at this time if he is opposed/against the
removal of these street roads from the general plan (as pertains to what is being addressed
46 tonight). Mr. Weldon stated what he was told at the UDOT meeting (where the City of
Lindon was in attendance) that they want to remove those roads, but with removing them
48 they still want to adopt the new plan. He agreed they want to remove the interconnector

2 (non-funded) with no plan or land purchased to do it and they are in support of that but
they don't agree that they will donate more land.

4 At this time Mr. Snyder referenced the exhibit showing the deletions and added
roads outlined on the map. Mr. Weldon stated they are ready to execute on the plan they
6 have all been working on. As it sits today, UDOT has no funding and no money and they
don't want to buy or condemn the property, they just want to hold the property; he wants
8 them to either buy the property or not have it on the map, one way or the other.

10 Mr. Weldon commented they will pay a penalty for the other plan and they would
expect to be compensated for the property purchased at fair market value. He questioned
12 if the yellow portion is truly needed as they gave them an interconnector, PG Blvd. and
the access roads that run parallel to I-15. Why would they want to approve this plan today
if they don't know what is really happening? For the planning commission and city
14 council to go ahead and approve this he questions if the city would have the money to
buy the property from him?

16 Commissioner Kallas questioned if the Commission were to recommend to the city
council approval of the removal of the roads on the upper area, and they didn't address
18 the yellow portion right now, would he be bringing in a development plan that would
include the corner. Mr. Weldon stated they have cut out that corner for right now, but
20 there is an economic impact as now you don't have the square footage and how rentable
will it be or if it could be retainage property and give the right to Lindon City.

22 Mr. Weldon stated they are anxious to get going and they need to break ground on
Mtn. Tech 3 & 4. He pointed out the city wants tax revenue and there will be restaurants
24 for all the jobs and employees that will be coming to occupy these buildings.

Chairperson Call confirmed that the Commission is only considering in the motion
26 the removal of the roads. Mr. Snyder read the motion and clarified it contains the option
to either approve, deny or continue. He added the ordinance itself contains the additions
28 or subtractions and the commission can amend the motion to remove the second part of
the sentence and give the recommendation specific to the ordinance listed or to the
30 changes and modifications identified in the staff report instead of removal.

32 Chairperson Call asked if there were any further comments or discussion. Hearing
none she called for a motion to close the public hearing.

34 COMMISSIONER VANCHIERE MOVED TO CLOSE THE PUBLIC
HEARING. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL
36 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 At this time Chairperson Call asked the Commission if they want to amend the
motion or continue it. Commissioner Vanchiere commented that he doesn't see the
40 benefit of continuing if it can be corrected to what they want it to say. Commissioner
Kallas stated he would like a little more clarification as it is all more complicated due to
42 the fact that UDOT hasn't responded. There was then some general discussion regarding
this issue and what to include in the motion.

44 Chairperson Call stated she would like to hear what the Planning Director has to
say about this matter and to discuss this issue with him. Mr. Snyder agreed the
46 Commission has the option to continue to gather more information or if it would be
helpful to have Mr. Van Wagenen reach out to UDOT one more time to get a response or
48 have the City Engineer weigh in on any concerns.

2 Commissioner Wily questioned why would the city have to decide that now
because undoubtedly there will be alternatives with the frontage road. Even when
4 looking at the ordinance it doesn't mention the additions only as exhibit b.

6 There was then some additional general discussion regarding the options.
Chairperson Call re-iterated that she would like to hear Mr. Van Wagenen's opinion on
what he has researched and put together regarding this issue.

8 Mr. Weldon stated it is premature to make any decisions to the future other than
for them to say either buy, condemn or get off of their property because they want to start
10 to develop Mtn. Tech 3 & 4 and Mtn. Tech south immediately; he re-iterated they will
litigate if they don't get an answer.

12 Commissioner Vanchiere pointed out we are all in agreement to remove the
proposed roads and questioned why we would hold that up tonight as the alignment of the
14 other street is altogether another issue that will have to be addressed when the research is
done, and that is not ready and will that decision be made at a later date. Commissioner
16 Johnson pointed out the concern is once it is there and Mr. Weldon starts building we
can't change the master plan.

18 Commissioner Kallas commented the state could attend a site plan meeting and he
feels it is precipitous to bring the state to the table. Commissioner Marchbanks asked the
20 Commission what they think about taking off the yellow piece and eliminating everything
in the way of development and let UDOT deal with the modification with retention in the
22 future, however long that may be. Commissioner Kallas stated we don't want to back
ourselves in corner where the city may have to buy the property; he is not sure the city is
24 prepared to do that. Mr. Snyder then pointed out the options on the map.

Chairperson Call reiterated that she would like to hear the Planning Director's
26 input as to why these decisions were made and what his thoughts are behind it; therefore,
she would recommend continuing the item as this group would hear the information
28 before the city council.

Commissioner Marchbanks would suggest, at the least, (as UDOT is not willing to
30 respond) to approve the elimination so the City and Mr. Weldon can take that back to
UDOT to show we are serious about moving forward.

32 Chairperson Call asked if there were any further comments or discussion. Hearing
none she called for a motion.

34

COMMISSIONER WILY MOVED TO RECOMMEND APPROVAL OF
36 ORDINANCE # 2017-18-O TO REMOVE THE STREETS IDENTIFIED IN THE
STAFF REPORT FROM THE STREET MASTER PLAN WITH THE ADDITIONAL
38 REMOVAL OF THE YELLOW PORTION SPECIFICALLY AS REFERENCED IN
EXHIBIT B AS DISCUSSED. COMMISSIONER MARCHBANKS SECONDED THE
40 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- CHAIRPERSON CALL AYE
- 42 COMMISSIONER KALLAS AYE
- COMMISSIONER MARCHBANKS AYE
- 44 COMMISSIONER WILY AYE
- COMMISSIONER KELLER AYE
- 46 COMMISSIONER JOHNSON AYE
- COMMISSIONER VANCHIERE AYE

48 THE MOTION CARRIED UNANIMOUSLY





8. Public Hearing — Ordinance Amendment, Lindon City Code 17.48.025; Ord#2017-13-O*(35 mins)*

The Lindon City Council has requested an amendment to LCC 17.48.025, as presented in Ordinance #2017-13-O, regulating the Lindon Village Commercial zone regarding the maximum acreage any given land use can occupy within the zone.

See attached materials from the Planning Department.

Item 8: Ordinance Amendment, Lindon City Code 17.48 Commercial Zones, Lindon Village Zone

<p>Applicant: Lindon City Council Presenting Staff: Hugh Van Wagenen</p> <p>Type of Decision: Legislative Planning Commission Recommendation: Recommended approval with a 6-0 vote.</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether it is in the public interest to require sales tax production in certain areas within the LVC zone.</p> <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) ordinance amendment 2017-13-O (<i>as presented, with changes</i>).</p>
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BACKGROUND

The City Council has expressed concern that the Lindon Village Commercial zone will fill up before any substantial retail development is located on the corridor. This ordinance will require certain areas along 700 North to have a sales tax producing business.

PLANNING COMMISSION RECOMMENDATION

This amendment was discussed in the following 2017 Planning Commission meetings: [August 22](#), [September 12](#), [September 26](#), [October 10](#), [October 24](#). Each date is hyperlinked to the minutes from the respective meeting.

Staff researched two commercial areas in preparation for this request: Cottonwood Corporate Center in Holladay/Cottonwood Heights and a portion of the Thanksgiving Pointe corporate area. Land uses were looked at to ascertain what ratios existed between office, retail, and other land uses. Looking at these areas informed some of the decisions made by the Commission. Please see attachment 3 for those results.

The Commission ultimately voted in a 6-0 vote (one member excused) to recommend amending the Lindon Village Commercial District Map by both creating new districts and identifying "retail corners" conducive to sales tax production. Chapter 17.48 of the Lindon City Code reflects the regulations for the retail corners and districts.

ANALYSIS

With direction from the Planning Commission, staff has identified additional Districts in the LVC zone east of Geneva Road. Each district needs to be developed in a comprehensive manner. Also, street corners at full movement intersections have been identified as prime locations for sales tax producing businesses. Therefore, any project within the identified corners must produce sales tax that is collected and of benefit to Lindon. The City Council is able to make exceptions if it is in the best interest of the public.

Both the Districts and Sales Tax Producing Corners are identified in Figure 1 of the ordinance (the map itself is Attachment 1 below). Please see the draft of Ordinance 2017-13-O in Attachment 2 below.

ATTACHMENTS

1. LVC District and Sales Tax Producing Corners Map
2. Draft Ordinance 2017-13-O
3. Land Use Analysis: Cottonwood Corporate Center and Thanksgiving Pointe

-LVC area: 175 acres
-Undeveloped area: 121acres
-Development Districts: 23
-Sales Tax Corners: 21
-Percent of undeveloped LVC
with sales tax requirement: 17%



ORDINANCE NO. 2017-13-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING CHAPTER 17.48.025 OF THE LINDON CITY CODE TO MODIFY THE LINDON VILLAGE COMMERCIAL ZONE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to ensure that new development is of high quality and to promote Lindon as a regional center for commercial facilities; and

WHEREAS, the Lindon Village Commercial zone was created to facilitate sales tax generation as such taxes contribute to high quality services for citizens of the great city of Lindon; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to section 17.48.025 of the Lindon City Code; and

WHEREAS, a public hearing was held on August 22, September 12, September 26, October 10, and October 24, 2017, to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse comments were received during the hearing; and

WHEREAS, the Council held a public hearing on November 21, 2017 to consider the recommendation and no adverse comments were received.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: LCC section 17.48.025 of the Lindon City Code are hereby amended to read as follows:

17.48.025 Lindon Village Commercial (LVC) Zone.

1. Purpose. The purpose of this section is to ensure that the Lindon Village Commercial Zone is developed cohesively. In addition to the planning requirements identified below for individual districts, it is intended that each district will develop in context and with consideration of adjacent districts to create a consistent and coherent development corridor. To accomplish this goal, the following principles are encouraged:

- a. Transportation networks should be interconnected within and between districts. Networks should provide multiple routes to and from destinations, and should consider pedestrian, bicycle, and vehicle users.
- b. Development should include high quality architectural treatments and amenities that create a desirable, comfortable, and consistent experience. Development design should include gathering places and thoroughfares that include continuous tree cover, ample sidewalks, appropriate street furniture and lighting, and supportive building frontages.
- c. The general plan identifies district 15 and the surrounding area, which includes districts 11 through 1620, as a future transit node. These districts should be designed and developed to be transit-ready by placing a special emphasis on pedestrian orientation. Design and amenities in these districts should create a pleasant pedestrian experience.
- d. All development in the Lindon Village Commercial Zone shall comply with the Lindon City commercial design standards. For further guidance on implementing the principles identified above, consult Section II on streetscape considerations, Section III on site design, and Section V on architectural character.

2. Permitted Land Uses. Permitted, conditional, and nonpermitted uses in the LVC Zone mirror those uses as reflected in the standard land use table for the General Commercial (CG) Zone with the exception of the following uses which are *not permitted* in the LVC Zone:

- a. Motor vehicles/trucks/marine – New vehicle dealership;
- b. Used cars/trucks – Used vehicle sales lots;
- c. Auto lube and tune-up;
- d. Auto tire shops/tire sales/tire services;
- e. Light equipment rental and leasing – Automobile and light-truck rental;
- f. Indoor gun ranges;
- g. Assisted living facilities – Large or small as defined by Chapter 17.72.

3. Sales Tax Production Required. On corners at full movement intersections Figure 1 identifies general areas approximately one acre in size (identified by letters a through u).

- a. Any project or business utilizing these identified areas shall have a sales tax producing component, wherein said sales tax is collected in and of benefit to Lindon City.
- b. These areas can be developed as stand-alone pad sites or in conjunction with a larger project within a development district (outlined in paragraph 4 below).
- c. Verification of sales tax production shall be required prior to any final site plan approval and subsequent business license approval.
- d. Upon recommendation from the Planning Commission, the City Council may allow these identified areas to move within a district or between districts in a multi-district development or grant exceptions to this requirement altogether after finding that a project is of more benefit to the public than sales tax production.

b.—

43. District Plans. The following applies to the areas identified in Figure 1 (~~2000 West to railroad tracks within LVC Zone~~) at the end of this chapter:

a. Figure 1 divides the 700 North Commercial Corridor into ~~sixteen~~~~twenty-three~~ (1623) development districts. An applicant proposing to develop any portion of a 700 North Commercial Corridor development district must either develop the entire district as a single, coherently planned site, or, if the proposed site involves only a part of the district in which it is located, the following shall be submitted:

i. A district plan showing:

A. The location of the proposed site as it forms part of the entire district; and

B. A future street system, lot configurations, and building orientations that demonstrate how the balance of the undeveloped area could be developed in a way that will preserve access and corridor visibility for the remaining undeveloped part of the district.

b. The land use authority shall approve a district plan with each site plan approved on the 700 North Commercial Corridor (see Figure 1). The approved district plan shall become a basis or standard for future development within the applicable district. It is anticipated that a district plan may evolve in response to subsequent development. An applicant may propose modifications to an existing district plan, and the land use authority may approve requested modifications, that promote quality and orderly development.

54. Standards for landscaping, fencing and screening, storage and merchandise, maintenance of premises, site lighting, and special provisions in the LVC Zone shall be the same as the CG Zones. (Ord. 2016-23 §1, amended, 2016; Ord. 2015-5, amended, 2015)

Figure 1. LVC Districts (1-23) and Sales Tax Production Corners (a through u) Map





—(Ord. 2016-23 §1, amended, 2016; Ord. 2016-3, amended, 2016; Ord. 2017-13, amended 2017)

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2017.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder
SEAL

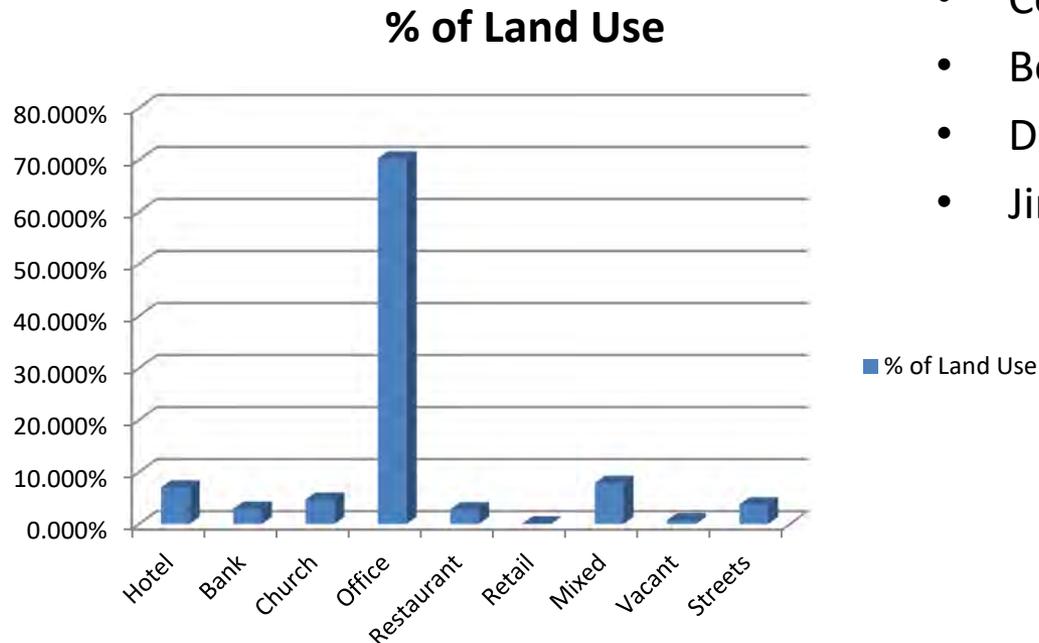
Old Mill/Cottonwood Corporate Center– Cottonwood Heights/Holladay



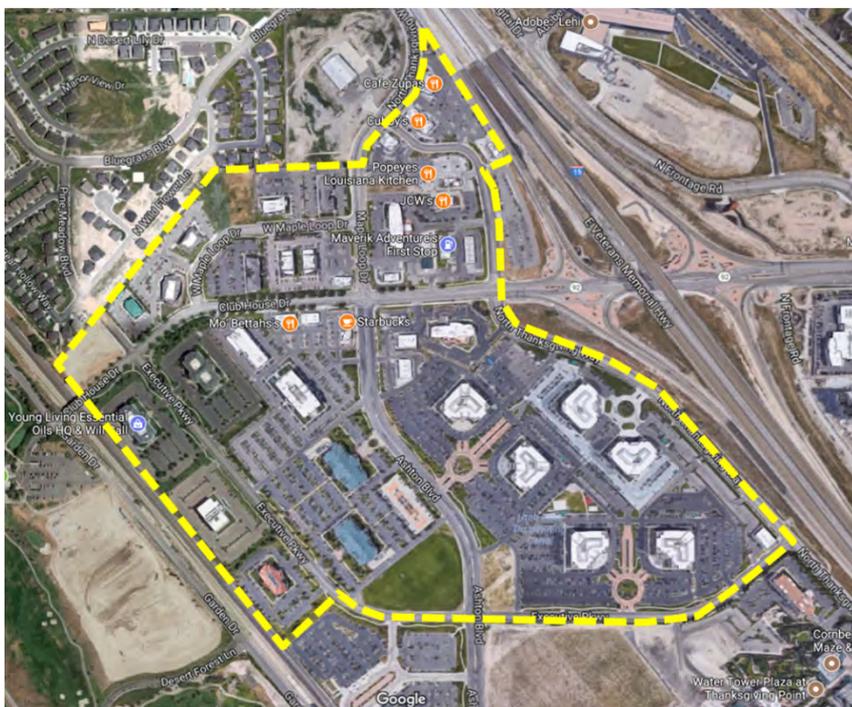
- Total Area 123 Acres
 - Office 70% (86.41 acres)
 - Road (interior public r-o-w) 4% (4.6 acres)
 - Restaurants 3% (3.43 acres)
 - Hotel 7% (8.59 acres)
 - Bank 3% (3.56 acres)
 - Retail 0.1% (0.1 acres)
 - Mix (office, service, restaurants) 7.9% (9.7 acres)

- Hotels
 - Marriott Residence Inn
 - Hyatt Place
 - Hampton Inn
- Banks
 - Mountain America Credit Union
 - Zions Bank
- Retail
 - Powder House

- Restaurants
 - Knickerbockers Deli
 - Spitz
 - Bandits' Grill and Bar
 - Café Trio
 - Market Street Grill
 - Café Zupas
 - Thai Basil
 - Happy Sumo
 - Coffee and Cocoa
 - Bout Time Pub & Grub
 - Dasks
 - Jimmy John's



Thanksgiving Point Exit – Lehi



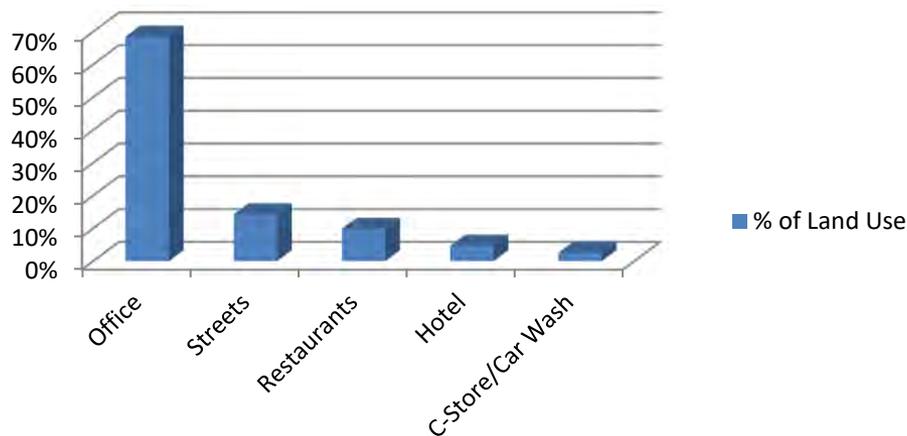
- Total Area 130 Acres
 - Office 68.5% (89 acres)
 - Road (interior public r-o-w) 14.3% (18.6 acres)
 - Restaurants 9.9% (12.9 acres)
 - Hotel 4.7% (6.1 acres)
 - C-Store/Car Wash 2.6% (3.4 acres)

Details

- Hotels
 - Hampton
 - Hilton
 - Marriott
- C-Store/Car Wash
 - Maverik
 - 7-11
 - Wash Barn

- Restaurants:
 - Zupas
 - Cubby's
 - Arby's
 - Costa Vida
 - JDawgs
 - Smashburger
 - Del Taco
 - JCW's
 - Popeye's
 - Pizza Studio
 - Potbelly Sandwich
 - Carl's Jr.
 - Zaxby's
 - Slab Pizza
 - Daylight Donuts
 - Starbucks
 - Dickey's BBQ
 - Firehouse Subs
 - Riced
 - Mo Bettah's
 - Greek Souvlaki

% of Land Use



2 two parcels. Mr. Snyder suggested including a condition that the owner design the site
4 plan to discourage a short cut through the parking lot. He also clarified the site plan
rendering is just a draft at this point.

6 Chairperson Call asked if there were any comments or discussion. Hearing none
she called for a motion.

8 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT’S
10 REQUEST FOR PRELIMINARY PLAN APPROVAL OF A TWO-LOT SUBDIVISION
TO BE KNOWN AS THE OLD STATION SQUARE SUBDIVISIOIN, PLAT D WITH
12 THE CONDITION THAT THE OWNER DESIGN THE SITE PLAN TO
DISCOURAGE A SHORT CUT THROUGH THEIR PROPERTY TO LAKEVIEW
14 ROAD. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

16	CHAIRPERSON CALL	AYE
16	COMMISSIONER KALLAS	AYE
16	COMMISSIONER MARCHBANKS	AYE
18	COMMISSIONER WILY	AYE
18	COMMISSIONER JOHNSON	AYE
20	COMMISSIONER VANCHIERE	AYE

22 THE MOTION CARRIED UNANIMOUSLY.

24 **6. Public Hearing — Ordinance Amendment, Lindon City Code (LCC)**

24 **17.48.025 (Continued from Planning Commission meeting(s): 08/22, 09/12,**
26 **09/26, and 10/10/2017)** The Lindon City Council has requested an amendment to
LCC 17.48.025, regulating the Lindon Village Commercial zone, regarding the
28 maximum acreage any given land use can occupy within the zone.

30 COMMISSIONER WILY MOVED TO OPEN THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
32 VOTED IN FAVOR. THE MOTION CARRIED.

34 Hugh Van Wagenen, Planning Director, gave some background of this item
stating the City Council has expressed concern that the Lindon Village Commercial zone
36 will fill up before any substantial retail development is located on the corridor. He noted
this ordinance will require certain areas along 700 North to have a sales tax producing
38 business. He noted this ordinance amendment has been discussed in several prior
Planning Commission meetings.

40 Mr. Van Wagenen then explained with the direction from the Planning
Commission, staff has identified additional Districts in the LVC zone east of Geneva
42 Road. He pointed out that each district needs to be developed in a comprehensive
manner. Also, street corners at full movement intersections have been identified as prime
44 locations for sales tax producing businesses and therefore, any project within the
identified corners must produce sales tax.

46 Mr. Van Wagenen clarified the City Council is able to make exceptions if it is in
the best interest of the public. He noted that both the Districts and Sales Tax Producing
48 Corners are identified in the ordinance. Mr. Van Wagenen then referenced the LVC
District and Sales Tax Producing Corners Map and the Draft Ordinance 2017-13-O

2 followed by some general discussion with the Commission including the redline changes,
 4 ordinance language and percentages. Following discussion, the Commission was in
 6 agreement this is a good starting point and a good percentage to start with. Mr. Van
 8 Wagenen reminded the Commission this is a recommendation from the Commission to
 the City Council where they will hear it and review it as well.

Chairperson Call called for any public comment at this time. There were several
 in attendance who addressed the Commission as follows:

10 **Scott Thompson:** Mr. Thompson stated he agrees this area should not be all
 12 warehouses/office and he is glad the city is taking the time to plan to ensure the corridor
 has mixed uses as this is a great opportunity and a gold mine for the city.

14 **Michael Coutlee:** Mr. Coutlee pointed out this will take flexibility to make this work
 16 with the corners. He also stated that currently there is not a lot of desire for retailers to
 18 move into the area because it just doesn't have the traffic for what they need; he feels it
 needs a traffic count. We need to inspire people to locate their business there in the first
 place. He would like to know what kind of leniency he will see there (with percentages).
 He agrees this is a great retail avenue but feels it will need the flexibility.

20 Chairperson Call pointed out there needs to be a certain percentage of retail and we
 22 are at 14% of total acreage and we just don't want it to fill up with office/warehouse
 development. She added the City Council is able to make exceptions if it is in the best
 24 interest of the public so the flexibility is there. Councilmember Bean agreed some traffic
 counts on 700 North would be beneficial (in both directions).

26 Chairperson Call agreed that there needs to be flexibility based on the retail noting
 the ordinance lays out the plan but also provides some flexibility. Commissioner Wily
 28 commented he feels the language could be made a little clearer. Commissioner Vanchiere
 agreed with that statement. Following some additional discussion, the Commission was
 30 in agreement to allow staff to amend the language to allow the acreage to float within a
 multi-district (upon approval). Mr. Van Wagenen stated he will forward the new wording
 32 on to the Commission when complete. Chairperson Call pointed out this is a working
 document and will go on to the City Council.

34 Chairperson Call asked if there were any further public comments or discussion.
 Hearing none she called for a motion to close the public hearing.

36

38 COMMISSIONER VANCHIERE MOVED TO CLOSE THE PUBLIC
 HEARING. COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT
 VOTED IN FAVOR. THE MOTION CARRIED.

40

42 Chairperson Call asked if there were any further comments or discussion. Hearing
 none she called for a motion.

44 COMMISSIONER WILY MOVED TO RECOMMEND APPROVAL OF
 ORDINANCE AMENDMENT 2017-13-O WITH THE FOLLOWING CHANGE: 1.
 46 THE PROVISION BE MADE THAT A DEVELOPER CAN MOVE THE SITE OF
 THE RETAIL DEVELOPMENT WITHIN THE DISTRICT OR BETWEEN
 48 DISTRICTS IN A MULTI-DISTRICT DEVELOPMENT AND 2. INSTRUCT STAFF

2 TO ADD ADDITIONAL LANGUAGE AS DETERMINED. COMMISSIONER
 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
 4 FOLLOWS:

CHAIRPERSON CALL	AYE
6 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
8 COMMISSIONER WILY	AYE
COMMISSIONER JOHNSON	AYE
10 COMMISSIONER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

12
 14 **7. Public Hearing — Ordinance Amendment, Lindon City Code (LCC) 17.51**

The Lindon City Council has requested an amendment to LCC 17.51 Commercial Farm zone, regarding setbacks, minimum acreage, and uses (etc.)

16
 18 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
 IN FAVOR. THE MOTION CARRIED.

20
 22 Mr. Van Wagenen gave some background explaining of this item stating due to a
 recent request to rezone Single-Family Residential property to Commercial Farm (CF)
 24 and the divisive nature of this request and the concerns, as evidenced by the differing
 opinions and attitudes of the surrounding community, the City Council has requested a
 review of requirements in the CF zone. He pointed out the Council is not requesting
 26 review to prevent the Jorgensen's from developing and is not the intent for the newly
 rezoned property from developing. He then referenced the specific items the Council
 28 would like the Planning Commission to make a recommendation as follows:

1. Requirement for a residence on-site that is owner occupied.
- 30 2. Minimum acreage greater than five; perhaps require five acres to be in Green Belt
 status as identified by Utah County; perhaps require differing acreages dependent
 32 on what uses will take place.
3. Uses that may not be compatible or may need specific increased setbacks
- 34 4. Increased setback distances to either the property line or to the nearest residential
 structure
- 36 5. Buffering and screening additions to prevent ill effects on surrounding properties
6. Not allowing outdoor entertainment/music at venues

38
 40 Mr. Van Wagenen then referenced the ordinance Draft 2017-16-O followed by
 some general discussion including acreage amounts, green belt requirements, setbacks,
 conditionally permitted uses (commercial), and parking requirements.

42 Chairperson Call called for any public comment at this time. There were several
 in attendance who addressed the Commission as follows:

44
 46 **Gary Brodeur:** Mr. Brodeur, Osmond Real Estate, stated as far as the set distance
 between residential and commercial structures, it may work better to set it from the
 property line instead of structure to structure as it may impact the residential neighbor's
 48 ability to develop on their property.

9. Review & Action — Declaration of Surplus Items; Resolution #2017-23-R (10 minutes)

The City Council will review and consider Resolution #2017-23-R to declare various items and equipment as surplus to be sold at auction per adopted city policies.

See attached Resolution #2017-23-R and exhibit showing surplus items.

Sample Motion: I move to (approve, continue, deny) Resolution #2017-23-R declaring the listed items as surplus property and authorizing disposal per city policy.

RESOLUTION NO. 2017-23-R

A RESOLUTION DECLARING CERTAIN PROPERTY (EQUIPMENT) OWNED BY LINDON CITY TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF THE LISTED PROPERTY.

WHEREAS, the Municipal Council of Lindon City has adopted policies and procedures for the disposal of surplus property, with said policy found in Section 3 of the Lindon City Policies and Procedures Manual; and

WHEREAS, the policy requires that a public meeting be held concerning the declaration of any property deemed to be surplus by the City and which has an estimated valued over \$100; and

WHEREAS, the identified property is no longer needed and/or has exceeded its useful life and needs to be disposed of.

THEREFORE, BE IT RESOLVED by the Lindon City Council as follows:

- Section 1. That the items described on the attached listing be declared as surplus property of the City; and
- Section 2. That these items be offered for sale to the public through their listing on www.publicsurplus.com or other comparable on-line auction site. These properties will be offered for minimum bids when appropriate. If the minimum bid is not realized, administrative staff may dispose of the properties at their discretion including selling for less than the minimum bid; and
- Section 3. This resolution shall take effect immediately upon passage.

Adopted and approved this ____ day of _____, 20 ____.

By _____
Jeff Acerson, Mayor

Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

Item Estimated Value

John Deere 25A Flail Mover \$500



Bomford Ditch Mower \$1,000

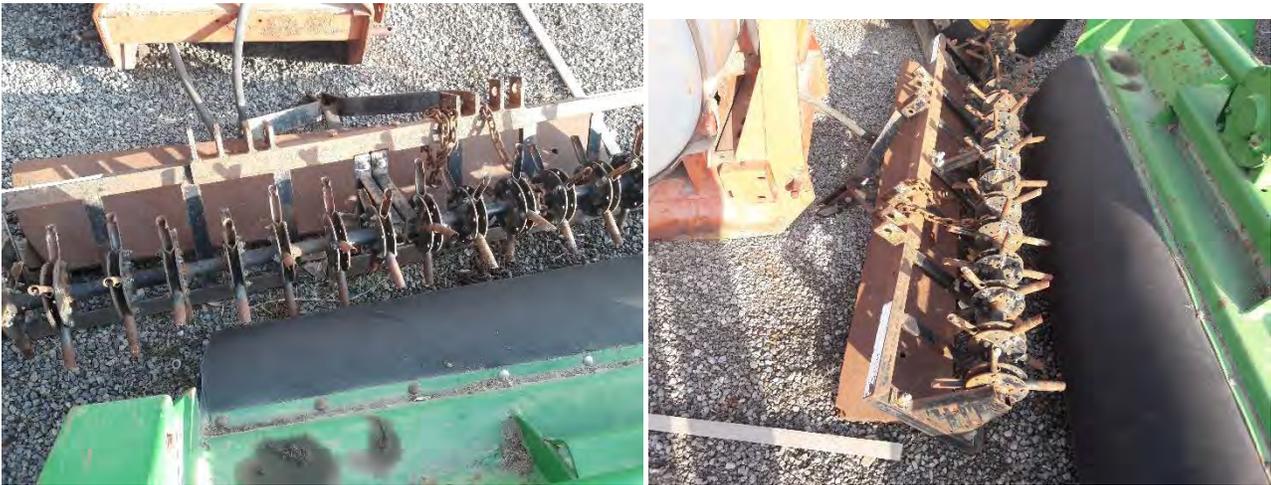


John Deere Hole Auger \$100



Feldman Aerator

\$100



Gardner Denver Air Compressor on trailer

\$1,000



125 Gallon Sprayer

\$200



Cybex Row Machine

\$100



Hoist CL2601 Ab Machine

\$100



10. Council Reports:

- A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee
- B) Public Works, Irrigation/water, City Buildings
- C) Planning, BD of Adjustments, General Plan, Budget Committee
- D) Parks & Recreation, Trails, Tree Board, Cemetery
- E) Public Safety, Court, Lindon Days, Transfer Station/Solid Waste
- F) Admin., Community Center, Historic Comm., PG/Lindon Chamber, Budget Committee

(20 minutes)

- Jeff Acerson
- Van Broderick
- Matt Bean
- Carolyn Lundberg
- Dustin Sweeten
- Jacob Hoyt

I I. Administrator's Report

(10 minutes)

Misc Updates:

- December newsletter: https://siterepository.s3.amazonaws.com/442/december17final_20171130122657.pdf
- January newsletter article: **Carolyn Lundberg** - Article due to Kathy last week in December
- Elected officials training – Jan 6th at ULGT office in North Salt Lake (sign up [HERE](#))
- Park property sale – counter offer delivered; waiting to hear back.
- UTOPIA update - \$11 bond going to market. Fits within original bonding capacity parameters. Financial report for year showed %15 increase in revenues over prior year.
- \$400 bi-annual tech allowance will paid in January 2018 to Daril, Carolyn, Jake, and Van. Mayor & Matt will receive their next allowance in Jan 2019.
- Misc. Items:

Upcoming Meetings & Events:

- Dec 22nd @ Noon – Employee Christmas party at Community Center
- Dec 25th-26th – City offices closed for Christmas Holiday
- Jan 1st – City offices closed for New Years
- Jan 2nd 7:00pm – Swearing-in of elected officials at regularly scheduled Council meeting
- Jan 16th @ 6:00pm – tour of new sewer lift station (prior to Council meeting)

Adjourn