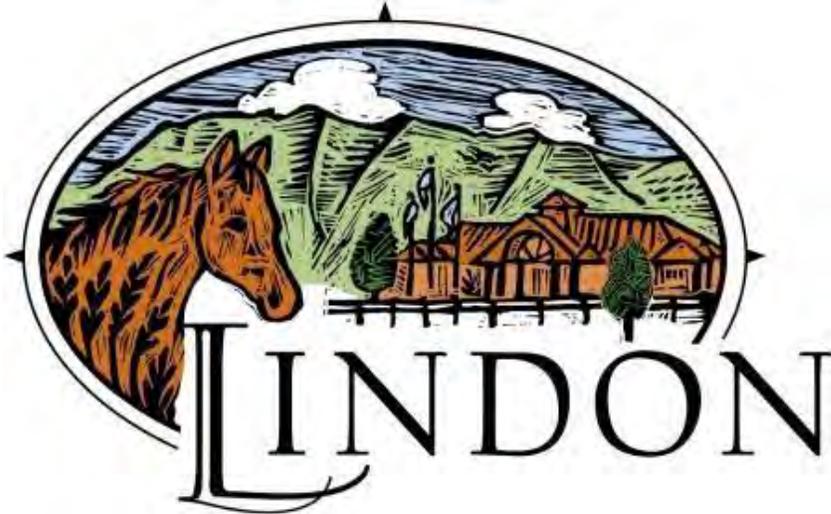


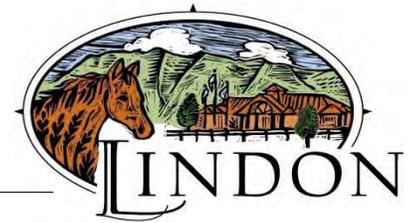
# Lindon City Council Staff Report



Prepared by Lindon City  
Administration

November 19, 2019

# Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a meeting beginning with at work session at **6:00 p.m.** on **Tuesday, November 19, 2019** 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:



## **WORK SESSION – 6:00 P.M.** - Conducting: Jeff Acerson, Mayor

1. **Discussion Item: Employee Compensation.** (60 minutes)  
The Lindon City Staff will review and discuss with the council various aspects of employee compensation.

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

Pledge of Allegiance: By Invitation

Invocation: Carolyn Lundberg

(Review times are estimates only)

1. **Call to Order / Roll Call** (2 minutes)
2. **Presentations and Announcements** (5 minutes)
  - a) Comments / Announcements from Mayor and Council members.
3. **Approval of minutes:** The regular City Council meeting of October 15, 2019, will be reviewed. (5 minutes)
4. **Open Session for Public Comment** (For items not on the agenda) (10 minutes)
5. **Consent Agenda** — (Items do not require public comment or discussion and can all be approved by a single motion.) (5 minutes)
  - a) **Resolution #2019-25-R;** The City Council will review and adopt the 2020 Lindon City Meeting Schedule.
  - b) **Resolution #2019-26-R;** The City Council will review for adoption the voter participation area map as presented by the Utah County Elections Office in order to meet the requirements in HBI 19 related to initiatives, referenda and other political activities.
6. **Review & Action — Interviews and appointment to fill City Council Vacancy.** The Mayor and City Council will interview individuals who have submitted an application to be considered for appointment to fill a vacant City Council seat. After completion of the interviews one individual will be selected and appointed by motion of the Council to fill the vacancy until the first Monday in January 2020, whereupon the position will then be filled by individuals elected in the 2019 municipal election. (10 minutes)
7. **Oath of Office for Newly Appointed City Councilmember** — The Oath of Office will be administered by City Recorder, Kathryn Moosman. The appointed Councilmember will fill the Council vacancy for the remainder of the open term ending the first Monday in 2020. (10 minutes)
8. **Review & Action — Mayor pro tem & Councilmember assignments; Resolution #2019-27-R.** This is a request by Mayor Acerson for the Council's consent to update the 2019 Mayor pro tem and other Councilmember liaison duties and appointments as assigned by the Mayor, including appointment of all Council members as Board members of the Lindon City Redevelopment Agency (RDA). (10 minutes)
9. **Public Hearing — Amendment to the Lindon City Development Manual for a new public street cross-section; Ordinance #2019-19-O.** Lynn Walker requests Ordinance Amendment approval to amend the Lindon City Development Manual to create a new public street cross section option for Lindon's local streets. (20 minutes)
10. **Public Hearing — Amendment to City Code 17.48 to increase the allowable building height limit for the Planned Commercial-I zone; Ordinance #2019-20-O.** Miller Family Real Estate, LLC requests Ordinance Amendment approval to increase the allowable building height in the Planned commercial-I zone from 48 feet to 60 feet and related technical amendments. (20 minutes)

- 11. Public Hearing — Amendment to the Lindon City Standard Land Use Table and other relative zoning codes; Ordinance #2019-17-O.** Amendments to include Medicinal Cannabis production establishments thus, allowing the city to determine the most appropriate location for this use. (10 minutes)
- 12. Public Hearing — Amendment to the Lindon City Zoning Map to create the Light Industrial West Overlay zone; Ordinance #2019-18-O.** Lindon City requests approval for a zoning Map Amendment to apply the Light Industrial West Overlay zone to all properties currently zoned Light Industrial which are located West of I-15. (10 minutes)
- 13. Discussion Item — Ivory Homes/Anderson Farms Development Concept Plans.** The City Council will review and discuss the Anderson Farms Development concept plan with Ivory Homes. (20 minutes)
- 14. Review & Action — Canvass & Certification of 2019 General Election Results.** The City Council, acting as the Board of Canvassers, will canvass the results from the November 5, 2019 General Election and then, by motion, officially certify the results of the Canvass. (20 minutes)
- 15. Closed Session — Closed Executive Session.** The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to enter into a closed executive session for the purpose of discussion of pending or reasonably imminent litigation. This session is closed to the general public. (30 minutes)

#### Council Reports:

- |   |                    |
|---|--------------------|
| A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee | - Jeff Acerson     |
| B) Public Works, Irrigation water/canal company boards, City Buildings              | - Van Broderick    |
| C) Planning Commission, Board of Adjustments, General Plan, Budget Committee        | - TBD              |
| D) Public Safety, Emergency Management, Economic Development, Tree Board            | - Carolyn Lundberg |
| E) Parks & Recreation, Lindon Days, Transfer Station/Solid Waste, Cemetery          | - Mike Vanchiere   |
| F) Admin., Historic Commission, PG/Lindon Chamber, Budget Committee                 | - Jake Hoyt        |

#### 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](http://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](http://www.lindoncity.org)) websites.

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

Date: November 14, 2019; Time: 1:30 p.m.; Place: Lindon City Center, Lindon Police Dept., Lindon Community Center

**WORK SESSION – 6:00 P.M.** - Conducting: Jeff Acerson, Mayor

- a) **Discussion Item: Employee Compensation.** *(60 minutes)*  
The Lindon City Staff will review and discuss with the council various aspects of employee compensation.

No motion is necessary.

## Typical Employee Benefits & Perks for Regular Full-time Employees at Lindon City

### FY 2019-20

- Competitive Salary Ranges
- Utah State Retirement (URS) pension plan
  - Retire with annual pension until death (amounts based on salary and years of service); Vested after 4 years in system.
  - Death benefit (URS pays 75% of annual salary in lump sum)
  - Survivor/spouse pension benefit after 15 years
- 401k contribution = 1.5% of current wage. If employee contributes additional 1.5% the City will match that contribution (total of 3% from city)
- Health insurance premiums 100% paid by City. No current employee participation on monthly premiums. Choice of traditional PPO or HSA through PEHP / Mountain Star hospital networks.
- Dental = 50% premium paid by City for family coverage.
- Annual life insurance = \$50,000 for employee. Additional insurance options available at employee expense.
- 12 paid holidays per year (11 holidays + one personal day)
- 96 hours sick leave accrued per year
- 80 hrs vacation accrued annually years 1-10; 120 hrs accrued in yrs 11-20; 160 hours in yrs 21+
- Sick leave buy-back program: sell back up to 24 hours of sick leave after accruing minimum 288 hours of sick time (about 3 yrs of sick leave). Makes for a nice Christmas bonus as it's paid the end of November.
- One-time merit bonus pay for those maxed-out on salary range: If an employee has topped out on their pay scale this program allows the employee to receive a merit increase lump bonus at the end of the calendar year. It's not added as a salary increase.
- Differential Pay for specific professional certifications
- Long-term disability coverage paid by City
- Eye coverage available at employee expense
- Cafeteria Plan available for tax-exempt health/medical expenses
- Workers compensation coverage paid by City
- FICA/Social Security contributions
- \$150 per year uniform allowance for specific positions
- Annual Aquatics Center 30 punch pass. Additional passes discounted for employees
- Access to cardio/weight room at Community Center
- Up to 4 free facility rentals per year (pavilions, community center, etc.)
- As needed: Assigned work vehicles for specific positions (not take-home)
- As needed: City-paid cell phone, tablet/laptop, and other computer equipment
- Well maintained facilities/offices
- Good work relationships. Supportive elected officials. Great political climate with citizens (very rare community/political turmoil).
- Challenging projects of growing city.

Ideas for possible consideration to attract and retain employees:

- Continue to monitor pay amounts and pay ranges to stay above average compared to similar positions in other cities/counties. We've attempted to keep pay ranges a little above market average – but not leading the market in wage compensation.
  - Many positions appear to be falling below average compensation and will likely need adjustments in pay ranges this coming budget year (FY2020-2021)
    - Lifeguards, public works operators, seasonal laborers, etc.
  - An updated salary study will be prepared spring of 2020
- Continue offering high quality benefit package
- Apprentice program: hire senior high school and/or tech college or university students as PT employees, and if certain benchmarks achieved they'll be offered FT employment once graduated and/or trained.
  - Incentivize with tuition payment and/or reimbursement programs
  - Must commit to certain number of years on the job
- Tuition reimbursement (post graduation) / scholarship (pre graduation)
- Lump sum bonuses for years-on-the job. Incent to stay until a certain date in order to get bonus.
- Referral bonus / finder's fee: offer cash for any employee who refers an applicant that gets hired and works for min amount of time.
- Employee recognition or misc perks: food, gift cards, bonuses, awards, time off, social activities

LINDON CITY PAY RANGES FY 2012-2013

Range	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Range
1	8.32	8.54	8.78	9.02	9.27	9.51	9.78	10.05	10.32	10.60	10.89	11.19	11.49	11.81	12.13	12.46	1
2	8.78	9.02	9.27	9.51	9.78	10.05	10.32	10.60	10.89	11.19	11.49	11.81	12.13	12.46	12.80	13.15	2
3	9.27	9.51	9.78	10.05	10.32	10.60	10.89	11.19	11.49	11.81	12.13	12.46	12.80	13.15	13.51	13.88	3
4	9.78	10.05	10.32	10.60	10.89	11.19	11.49	11.81	12.13	12.46	12.80	13.15	13.51	13.88	14.26	14.65	4
5	10.32	10.60	10.89	11.19	11.49	11.81	12.13	12.46	12.80	13.15	13.51	13.88	14.26	14.65	15.05	15.46	5
6	10.89	11.19	11.49	11.81	12.13	12.46	12.80	13.15	13.51	13.88	14.26	14.65	15.05	15.46	15.88	16.32	6
7	11.49	11.81	12.13	12.46	12.80	13.15	13.51	13.88	14.26	14.65	15.05	15.46	15.88	16.32	16.76	17.22	7
8	12.13	12.46	12.80	13.15	13.51	13.88	14.26	14.65	15.05	15.46	15.88	16.32	16.76	17.22	17.69	18.17	8
9	12.80	13.15	13.51	13.88	14.26	14.65	15.05	15.46	15.88	16.32	16.76	17.22	17.69	18.17	18.66	19.17	9
10	13.51	13.88	14.26	14.65	15.05	15.46	15.88	16.32	16.76	17.22	17.69	18.17	18.66	19.17	19.69	20.23	10
11	14.26	14.65	15.05	15.46	15.88	16.32	16.76	17.22	17.69	18.17	18.66	19.17	19.69	20.23	20.79	21.35	11
12	15.05	15.46	15.88	16.32	16.76	17.22	17.69	18.17	18.66	19.17	19.69	20.23	20.79	21.35	21.93	22.54	12
13	15.88	16.32	16.76	17.22	17.69	18.17	18.66	19.17	19.69	20.23	20.79	21.35	21.93	22.54	23.15	23.78	13
14	16.76	17.22	17.69	18.17	18.66	19.17	19.69	20.23	20.79	21.35	21.93	22.54	23.15	23.78	24.43	25.09	14
15	17.69	18.17	18.66	19.17	19.69	20.23	20.79	21.35	21.93	22.54	23.15	23.78	24.43	25.09	25.78	26.49	15
16	18.66	19.17	19.69	20.23	20.79	21.35	21.93	22.54	23.15	23.78	24.43	25.09	25.78	26.49	27.21	27.96	16
17	19.69	20.23	20.79	21.35	21.93	22.54	23.15	23.78	24.43	25.09	25.78	26.49	27.21	27.96	28.72	29.50	17
18	20.79	21.35	21.93	22.54	23.15	23.78	24.43	25.09	25.78	26.49	27.21	27.96	28.72	29.50	30.31	31.13	18
19	21.93	22.54	23.15	23.78	24.43	25.09	25.78	26.49	27.21	27.96	28.72	29.50	30.31	31.13	31.98	32.86	19
20	23.15	23.78	24.43	25.09	25.78	26.49	27.21	27.96	28.72	29.50	30.31	31.13	31.98	32.86	33.76	34.68	20
21	24.43	25.09	25.78	26.49	27.21	27.96	28.72	29.50	30.31	31.13	31.98	32.86	33.76	34.68	35.62	36.59	21
22	25.78	26.49	27.21	27.96	28.72	29.50	30.31	31.13	31.98	32.86	33.76	34.68	35.62	36.59	37.60	38.62	22
23	27.21	27.96	28.72	29.50	30.31	31.13	31.98	32.86	33.76	34.68	35.62	36.59	37.60	38.62	39.67	40.76	23
24	28.72	29.50	30.31	31.13	31.98	32.86	33.76	34.68	35.62	36.59	37.60	38.62	39.67	40.76	41.87	43.02	24
25	30.31	31.13	31.98	32.86	33.76	34.68	35.62	36.59	37.60	38.62	39.67	40.76	41.87	43.02	44.18	45.39	25
26	31.98	32.86	33.76	34.68	35.62	36.59	37.60	38.62	39.67	40.76	41.87	43.02	44.18	45.39	46.63	47.91	26
27	33.76	34.68	35.62	36.59	37.60	38.62	39.67	40.76	41.87	43.02	44.18	45.39	46.63	47.91	49.22	50.56	27
28	35.62	36.59	37.60	38.62	39.67	40.76	41.87	43.02	44.18	45.39	46.63	47.91	49.22	50.56	51.94	53.36	28
29	37.60	38.62	39.67	40.76	41.87	43.02	44.18	45.39	46.63	47.91	49.22	50.56	51.94	53.36	54.81	56.31	29
30	39.67	40.76	41.87	43.02	44.18	45.39	46.63	47.91	49.22	50.56	51.94	53.36	54.81	56.31	57.85	59.43	30
31	41.87	43.02	44.18	45.39	46.63	47.91	49.22	50.56	51.94	53.36	54.81	56.31	57.85	59.43	61.05	62.71	31
32	44.18	45.39	46.63	47.91	49.22	50.56	51.94	53.36	54.81	56.31	57.85	59.43	61.05	62.71	64.43	66.19	32
33	46.63	47.91	49.22	50.56	51.94	53.36	54.81	56.31	57.85	59.43	61.05	62.71	64.43	66.19	67.99	69.85	33
34	49.22	50.56	51.94	53.36	54.81	56.31	57.85	59.43	61.05	62.71	64.43	66.19	67.99	69.85	71.75	73.72	34
35	51.94	53.36	54.81	56.31	57.85	59.43	61.05	62.71	64.43	66.19	67.99	69.85	71.75	73.72	75.72	77.79	35
Range	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Range



**Example: PD Officer, Range 17, \$21.43 to \$32.13**

step (year)						
1	21.43					
2	22.65					
3	23.89					
4	25.20					
5	26.79	26.79	26.79	26.79	26.79	26.79
(merit %)	3%	2.50%	2%	1.50%	1%	0.50%
6	27.59	27.46	27.33	27.19	27.06	26.92
7	28.42	28.15	27.87	27.60	27.33	27.06
8	29.27	28.85	28.43	28.01	27.60	27.19
9	30.15	29.57	29.00	28.43	27.88	27.33
10	31.06	30.31	29.58	28.86	28.16	27.47
11	31.99	31.07	30.17	29.29	28.44	27.60
12	32.95	31.84	30.77	29.73	28.72	27.74
13		32.64	31.39	30.18	29.01	27.88
14			32.02	30.63	29.30	28.02
15			32.66	31.09	29.59	28.16
16				31.56	29.89	28.30
17				32.03	30.19	28.44
18				32.51	30.49	28.58
19					30.79	28.73
PD 1: 20					31.10	28.87
21					31.41	29.02
22					31.73	29.16
23					32.04	29.31
24					32.37	29.45
PD 2: 25						29.60
26						29.75
27						29.90
28						30.05
29						30.20
Pre-2011: 30						30.35
31						30.50
32						30.65
33						30.81
34						30.96
Post-2011: 35						31.11
36						31.27
37						31.43
38						31.58
39						31.74
40						31.90
41						32.06
42						32.22

## FINAL BUDGET COMPENSATION PROGRAMS

### Lindon City Pay Ranges FY 2019-2020

Range	Step 1	Step 2	Step 3	Step 4	Step 5
A	7.25	7.62	8.01	8.42	8.85

Range	Step 1	Step 2	Step 3	Step 4	Mid	High	Range
1	9.21	9.72	10.25	10.81	11.48	13.78	1
2	9.72	10.25	10.81	11.41	12.12	14.53	2
3	10.25	10.81	11.41	12.04	12.80	15.34	3
4	10.81	11.41	12.04	12.71	13.50	16.20	4
5	11.41	12.04	12.71	13.41	14.25	17.08	5
6	12.04	12.71	13.41	14.15	15.03	18.05	6
7	12.71	13.41	14.15	14.93	15.87	19.04	7
8	13.41	14.15	14.93	15.75	16.75	20.10	8
9	14.15	14.93	15.75	16.65	17.66	21.18	9
10	14.93	15.75	16.65	17.56	18.65	22.35	10
11	15.75	16.65	17.56	18.52	19.68	23.61	11
12	16.65	17.56	18.52	19.57	20.78	24.93	12
13	17.56	18.52	19.57	20.62	21.91	26.27	13
14	18.52	19.57	20.62	21.75	23.14	27.74	14
15	19.57	20.62	21.75	22.99	24.41	29.27	15
16	20.62	21.75	22.99	24.25	25.76	30.91	16
17	21.75	22.99	24.25	25.58	27.19	32.61	17
18	22.99	24.25	25.58	27.01	28.69	34.41	18
19	24.25	25.58	27.01	28.50	30.28	36.33	19
20	25.58	27.01	28.50	30.08	31.96	38.34	20
21	27.01	28.50	30.08	31.75	33.73	40.46	21
22	28.50	30.08	31.75	33.52	35.60	42.68	22
23	30.08	31.75	33.52	35.35	37.58	45.05	23
24	31.75	33.52	35.35	37.32	39.65	47.55	24
25	33.52	35.35	37.32	39.38	41.85	50.18	25
26	35.35	37.32	39.38	41.55	44.15	52.95	26
27	37.32	39.38	41.55	43.85	46.59	55.89	27
28	39.38	41.55	43.85	46.29	49.18	58.98	28
29	41.55	43.85	46.29	48.84	51.90	62.24	29
30	43.85	46.29	48.84	51.55	54.78	65.70	30
31	46.29	48.84	51.55	54.40	57.79	69.31	31
32	48.84	51.55	54.40	57.41	61.00	73.16	32
33	51.55	54.40	57.41	60.58	64.38	77.21	33
34	54.40	57.41	60.58	63.96	67.94	81.48	34
35	57.41	60.58	63.96	67.48	71.69	85.99	35
Range	Step 1	Step 2	Step 3	Step 4	Mid	High	Range

2019-2020

## FINAL BUDGET

LINDON

## COMPENSATION PROGRAMS

## Lindon City Position Schedule

Department	Position	FLSA	Range	Status	# Emp.
Administration & Finance	Accounts Payable Clerk	Non-Ex	11	FT	1
Administration & Finance	Assistant Treasurer	Non-Ex	14	FT	0
Administration & Finance	City Administrator	Exempt	31	FT	1
Administration & Finance	Clerk I	Non-Ex	8	PT	1
Administration & Finance	Facilities Manager	Non-Ex	16	FT	1
Administration & Finance	Finance Director	Exempt	26	FT	1
Administration & Finance	Management Intern	Non-Ex	5	Temp	1
Administration & Finance	Recorder	Non-Ex	21	FT	1
Administration & Finance	Treasurer	Non-Ex	20	FT	1
Administration & Finance	Utilities Clerk	Non-Ex	11	FT	1
Building	Building Inspector	Non-Ex	17	FT	1
Building	Building Insp/Code Enforcement	Non-Ex	17	FT	0
Building	Chief Building Official	Exempt	21	FT	1
Court & Legal	City Attorney	Exempt	30	FT	1
Court & Legal	Clerk I	Non-Ex	8	PT	1
Court & Legal	Court Clerk	Non-Ex	13	FT	1
Court & Legal	Legal Secretary	Non-Ex	9	PT	1
Court & Legal	Municipal Court Judge	Non-Ex	26	PT	1
Parks & Recreation	Aquatics Center Assistant Manager	Non-Ex	3	Temp	1
Parks & Recreation	Aquatics Center Cashier	Non-Ex	A	Temp	12
Parks & Recreation	Aquatics Center Lifeguard	Non-Ex	A	Temp	130
Parks & Recreation	Aquatics Center Manager	Non-Ex	5	Temp	1
Parks & Recreation	Aquatics Center Supervisor	Non-Ex	1	Temp	6
Parks & Recreation	Aquatics Center Swim Team Coach	Non-Ex	5	Temp	1
Parks & Recreation	Aquatics Center Swim Instructor	Non-Ex	1	Temp	30
Parks & Recreation	Aquatics Center Water Safety Instr.	Non-Ex	5	Temp	1
Parks & Recreation	Comm. Ctr. Front Desk Attendant	Non-Ex	1	PT	3
Parks & Recreation	Comm. Ctr. Instructor	Non-Ex	*	PT	1
Parks & Recreation	Kitchen Aide	Non-Ex	A	PT	1
Parks & Recreation	Parks & Recreation Director	Exempt	25	FT	1
Parks & Recreation	Parks Superintendent	Non-Ex	17	FT	1
Parks & Recreation	Parks Maintenance Tech.	Non-Ex	13	FT	1
Parks & Recreation	Program Coordinator	Non-Ex	13	FT	1
Parks & Recreation	Program Coordinator	Non-Ex	9	PT	2
Parks & Recreation	Seasonal Laborer	Non-Ex	1	Temp	2
Parks & Recreation	Youth Sports Referee	Non-Ex	1	Temp	4
Parks & Recreation	Youth Sports Site Supervisor	Non-Ex	1	Temp	1
Planning	Assistant Planner	Non-Ex	16	FT	0
Planning	Associate Planner	Non-Ex	17	FT	1
Planning	Comm. Development Clerk II	Non-Ex	11	FT	1
Planning	Comm. Development Clerk I	Non-Ex	8	PT	1
Planning	Planning & Economic Dev. Director	Exempt	26	FT	1
Planning	Planning Intern	Non-Ex	5	Temp	1

## FINAL BUDGET COMPENSATION PROGRAMS

Department	Position	FLSA	Range	Status	# Emp.
Police	Administrative Professional	Non-Ex	14	FT	1
Police	Corporal	Non-Ex	18	FT	2
Police	Crossing Guard	Non-Ex	1	PT	3
Police	Lieutenant	Non-Ex	23	FT	1
Police	Officer	Non-Ex	17	FT	9
Police	Police Chief	Exempt	27	FT	1
Police	Police Sergeant	Non-Ex	21	FT	2
Police	Police Secretary	Non-Ex	9	FT	1
Public Works	Administrative Secretary	Non-Ex	11	FT	1
Public Works	Clerk I	Non-Ex	8	PT	1
Public Works	Director of Public Works	Exempt	27	FT	1
Public Works	Engineer	Exempt	26	FT	1
Public Works	Engineer in Training (EIT)	Non-Ex	18	FT	0
Public Works	Equipment Operator	Non-Ex	12	FT	1
Public Works	Public Works Inspector	Non-Ex	17	FT	2
Public Works	Seasonal Laborer	Non-Ex	1	Temp	3
Public Works	Staff Engineer	Non-Ex	21	FT	1
Public Works	Storm Water Superintendent	Non-Ex	18	FT	1
Public Works	Storm Water Maintenance Tech.	Non-Ex	13	FT	1
Public Works	Streets Superintendent	Non-Ex	20	FT	1
Public Works	Utilities Technician	Non-Ex	13	PT	0
Public Works	Waste Water Superintendent	Non-Ex	20	FT	1
Public Works	Waste Water Maintenance Tech.	Non-Ex	13	FT	2
Public Works	Water Superintendent	Non-Ex	20	FT	1
Public Works	Water System Maintenance Tech.	Non-Ex	13	FT	3

The Police Lieutenant position has been proposed in this FY 2019-2020 Budget. However, it is not an additional employee, but will be filled by existing personnel.

### Cost of Living Allowance

Cost of Living Allowance (COLA) increases may be considered each year when it is determined from an appropriate index that such an increase is warranted, and after considering the impact of such an increase on the City's budget. Seasonal and temporary positions which are filled prior to a COLA increase will not receive the increase until the next season.

### Merit Increase

Employees may qualify for a merit increase as described in the Policies and Procedures Manual.

For employees who are between Steps 1 through 4 on the pay scale: if they score a 6.0 average or better on their performance evaluations they will be moved to the next step in the pay scale. For employees who are between Mid and High steps on the pay scale: they will be eligible to receive the full merit percentage increase approved by the City Council if they score an average of 8.0 or higher on their performance evaluation. Scoring less than 8.0 allows them to obtain a percentage of the merit increase as follows in the table below:

Table of Evaluation Scores and Merit Percent	
Final Score	Merit Percent
8 or higher	100%
7 - 7.9	90%
*6 - 6.9	70%
4 - 5.9	No Merit
1 - 3.9	Probation
*Range steps 1-5 must score 6.0 or higher for full merit.	

As an **EXAMPLE** of how the merit increase will apply for those above the Mid-point, but below the High-point in their range, the following will occur:

Range	Step 1	Step 2	Step 3	Step 4	Mid	High	Range
10	13.96	14.73	15.55	16.41	17.43	20.90	10

Example employee job position is in Range 10, and who's current pay is \$18.28 (between Mid-point and High-point), and who scored 7.6 on their performance evaluation. Based on the table above this score will enable the employee to be eligible for 90% of the merit increase approved by the City Council (example assumes a 1.6% merit increase). This is calculated as follows:

City Council Approved Merit Percentage multiplied by Merit Percent Evaluation Score, equals Merit Performance Increase Percentage:

$$1.6 \times 90\% = 1.44$$

Current hourly wage multiplied by Merit Performance Increase Percentage, equals amount of hourly increase to wage:

$$\$18.28 \times 1.44\% = \$0.26$$

Current hourly wage plus hourly increase to wage, equals new hourly wage:

$$\$18.28 + \$0.26 = \$18.54$$

With the new hourly wage of \$18.54 the employee will continue to be eligible for future merit performance increases until reaching the top of Range 10 (\$20.90). Once at the top of the range the employee will be eligible only for one-time merit pay bonuses based upon the same formulas above, but the hourly increase will be calculated for the entire year and paid in one lump sum. This one-time merit pay bonus is not added to the future annual salary for the employee and must be earned each year. The bonus pay is also subject to annual City Council approval based on budget constraints.

**Annual Performance Evaluation Scores - Dept & Total City Average Scores**

DEPARTMENT	2014	2015	2016	2017	2018	2019	2020	2021
Admin	9.03	8.97	8.68	8.64	8.71			
Parks and Rec	6.72	7.64	7.98	8.08	8.14			
Police	8.57	8.11	8.54	8.78	8.70			
Public Works	8.18	8.27	8.19	8.44	8.29			
Comm. Dev.	8.28	8.38	8.72	8.78	9.37			
<b>City Average</b>	<b>8.25</b>	<b>8.23</b>	<b>8.37</b>	<b>8.53</b>	<b>8.52</b>			

2017 = 18 different supervisors scoring subordinate employees. 57 total FT/perm PT

2018 = 21 supervisors scoring subordinate employees. 64 total FT/perm PT (excluding judge)

FY 2013-14 the City started using General Fund balance as a guide/reference point to what merit pay amount *may* be considered each budget year.

# Merit Increases

How should we determine the merit increase percentage?

*Indicator of Overall Financial Health = General Fund reserves*

Merit increase recommendation: depends on unreserved General Fund balance as a percentage of revenue.

GF Balance	10.0-11.9%	12.0-13.9%	14.0-15.9%	16.0-17.9%	18.0-19.9%	Over 19.9%
Merit increase	0.5%	1.0%	1.5%	2.0%	2.5%	3.0%

If the GF Balance is less than 10.0% then there will not be a recommended Merit Increase nor a COLA increase.

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

Pledge of Allegiance: By Invitation

Invocation: Carolyn Lundberg

### **Item 1 – Call to Order / Roll Call**

November 19, 2019 Lindon City Council meeting.

Jeff Acerson  
Van Broderick  
Jake Hoyt  
Carolyn Lundberg  
Mike Vanchiere

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: **October 15, 2019**

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, October 15,**  
 4 **2019, beginning with a work session at 6:00 pm** in the Lindon City Center, City  
 Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION – 6:00 P.M.** - Conducting: Jeff Acerson, Mayor

8 1. **Discussion Item: Quarterly Department Reports.**

10 The Lindon City Department Heads will review and discuss with the council  
 various aspects of their prospective department functions and  
 12 responsibilities.

14 Adam Cowie, City Administrator, led this discussion item by stating the  
 Department Heads are in attendance to review and discuss with the council various  
 aspects of their prospective department functions and responsibilities.

16 **Brad Jorgensen, Public Works Director**, began by going over the public works staff  
 18 changes as follows:

- Retirement: Dennis Kendall
- Promotions/Position Changes:
  - Matt Winward, Water Superintendent
  - Zack Dalley, Inspector
  - New Secretary, Jennifer Brown
  - New Position - Trent Andrus as Staff Engineer.

26 Mr. Jorgensen also gave an update on the cemetery stating things are going well and  
 moving forward there.

28 Mr. Jorgensen then mentioned streets and the Maintenance Projects as follows:

- 200 South Mill and Fill
- West Side Mill and Overlays
- Crack Sealing – City Wide
- Sidewalk Grinding –Target Areas

34 Mr. Jorgensen stated with water they have Chlorination Finalization on Well #1 and Well  
 36 #2 (showed photos and also photos of the 835 East Booster Station). He also showed a  
 graph showing the water meters that have been GPS surveyed to date.

38 Regarding wastewater they have:

- Sewer Trouble Spot/Belly in Pipe Removal
  - Belly Removed at CUWCD Crossing
    - ▶ Lift Station #4 Site Improvements

42 Regarding Stormwater they have:

- ▶ Met 3-year Curb Inlet Cleaning Goal
- ▶ Removal of Illicit Discharge

46

- 2       ▶ Regular maintenance
  - 4           ◦ Street Sweeping
  - 4           ◦ Fall Leaf Clean-up
  - 6           ◦ Ditch Maintenance
  - 6           ◦ Sandbag Inventory
  - 6           ◦ Public Awareness

8       Engineering Department:

- 10       ▶ On-going GPS Data Collection
- 10       ▶ Traffic Collection and Speed Studies
- 12       ▶ In-house Site Plan Review/Protection of Infrastructure
- 12       ▶ Completion of New Engineering Office Expansion

14       Mr. Jorgensen concluded by thanking the council for their time and continued support of the public works department and staff.

16

**Kristen Colson, Finance Director** stated she is over Department Personnel as follows:

- 18       • Kristen Colson - Finance Director (Has been at Lindon City for 18 years)
- 18       • Dona Haacke - Treasurer (Has been at Lindon City for 15 years)
- 20       • Kathy Bird - Accounts Payable Clerk (Has been at Lindon City for 18 years)
- 20       • Sherrie Laidler - Utilities Clerk (Has been at Lindon City for 15 years)
- 22       • Shelly Church - part-time receptionist (has been at Lindon city for 4 years)

24       Ms. Colson also went over duties and responsibilities as follows:

- 26       • Customer Service
- 26       • City Budget
- 28       • City Comprehensive Annual Financial Report (CAFR)
- 28       • Track revenues, expenditures, investments
- 30       • Monthly financial reports distributed to
  - 30           ◦ Department Heads via email
  - 30           ◦ City Council via Google Drive
- 32       • Assist with annual audit
- 32       • Utilities Management
  - 34           ◦ Customer sign-ups and terminations
  - 34           ◦ Monthly Billing and collections
    - 36           ➤ Culinary Water
    - 36           ➤ Secondary Water
    - 38           ➤ Sewer
    - 38           ➤ Storm Drain
    - 40           ➤ Garbage
    - 40           ➤ Recycling
    - 42           ➤ UTOPIA
- 44       • Accounts Payable
- 44       • Human Resources
- 46       • Payroll & Benefits
- 46       • Business Licensing
- 48       • Process customer payments for
  - 48           ◦ Utilities

- 2       ◦ Business licenses
- Other services offered by the City
- 4     • Reconcile all cashier deposits
- Billing & collection for miscellaneous receivables
- 6     • Animal licensing
- Water rights
- 8     • Fixed asset management

**Achievements:**

- 10    • Employee of the Quarter
  - Dona Haacke - 2<sup>nd</sup> Quarter 2016
  - 12    ◦ Sherrie Laidler - 3<sup>rd</sup> Quarter 2017
  - Kathy Bird has been nominated numerous times
- 14    • Distinguished Budget Presentation Award - 14 times
  - Certificate of Achievement for Excellence in Financial Reporting - 10 times

16                   Ms. Colson concluded by thanking the council for the opportunity to meet tonight  
18 and for all they do for her department and for their support.

20    **Josh Adams, Chief of Police** stated their department has 15 sworn police officers with 2  
22 full-time office staff, and one part-time and one part-time emergency manager.

**Chief Adams stated in the 2018-2019 Fiscal Year they had:**

- 24       • 7,494 cases, 20.5 per day
- 2,417 traffic stops
- 26       • 353 traffic accidents
- 634 arrested individuals
- 28       • \$447,063 gross value of property loss by theft

**Targeted Enforcement:**

- 30       ➤ Data-driven analysis in response to community-based traffic complaints
- 32       ➤ Enforcement based on traffic-accident data
- 34       ➤ Officers are focused on highest hazard rather than highest yield.

36                   Chief Adams also showed a traffic summary graph and non-injury accidents and total  
percentage of non-enforceable violations. Chief Adams also expressed his appreciation to the  
38 council for their continued support of his officers and his department.

40    **Phil Brown, Chief Building Official and Mike Florence, Planning Director** in the  
42 Community Development Department addressed the Council at this time.

44                   They began with the 2019 completed commercial projects in the city and also  
those under construction and those entitled and showed photos of the projects.

2 They also presented the Development numbers as shown below:

July 1, 2018 – June 30, 2019	Since July 2019
▪ 306 building permits	▪ 105 building permits
▪ \$144,530, 234 – value of building projects	▪ \$14,228,583 value of building projects
▪ 48 land use applications	▪ 16 land use permits
▪ 13 new commercial/industrial developments	▪ 1 new commercial/industrial development

4

And Upcoming projects as well:

- General Plan Amendments – land use and transportation
- Development Manual/Ordinance Amendments –
  - Road Cross-section Changes
  - Medical Cannabis
- Ivory Home Subdivision Approval
- Applied for a UDOT grant for additional master planning for 700 N.

6

8 Following the presentation Mr. Brown and Mr. Florence thanked the council for  
10 their time and continued support of the Community Development Department.

12 **Brian Haws, City Attorney**, pointed out he is here each week with the council and tries  
14 to keep them updated. He then updated them on a couple of things that has happened with  
16 the group home lawsuit. They filed a motion for summary judgement and our attorney is  
18 working with the homeowner’s attorney, Dan McDonald, which he believes prepared an  
20 excellent motion for summary judgement and has some real merit to it.

22 Mr. Harper did not respond to that motion in a timely manner. The court set it for  
24 a motion to dismiss the case and when that date arrived Mr. Harper appeared by himself  
26 and indicated he had been left high and dry by his attorney. So, the judge gave Mr.  
28 Harper 45 days to hire a new attorney; that 45 days ends next week.

30 If a new council is hired and makes an appearance before the court next week the  
32 court has given them another 28 days to respond to that motion. Mr. Haws stated he is  
34 hoping that we will see an end to that litigation fairly soon. He concluded by stating he  
does his best to support the council and to also support the department heads.

26 **Heath Batmen, Parks & Recreation Director** began his presentation to the council by  
referencing the Aquatics Center Financial Report and items of note as follows:

- The 2019 season was the Aquatic Center’s 11th season
- Financial information in this report is presented for the calendar year rather than by fiscal year
- In addition to the 2019 calendar year, 4 historical years are also presented
- Numbers since July 2018 are not audited
- Expenses are still coming as staff works to close the pool for the winter
- Debt service is not represented in this financial report, but some information is noted below.

- 2 • Improvements which were funded by PARC Tax:
  - 3 ○ \$9,799 for commercial refrigerator/freezer
  - 4 ○ \$33,165 for flow rider resurfacing
- 5 • Revenue decreased 5.6% before PARC tax contributions:
  - 6 ○ Daily admission revenue decreased 2.7%
  - 7 ○ Pool punch passes increased 3.2%
  - 8 ○ Concession revenue increased 5.8%
  - 9 ○ Pool rental revenue decreased 3.9%
- 10 • Expenses decreased 1.7%, but there are still 3 more months of utilities and winterization costs

12 **Debt Service**

- 13 • Not presented in financial report
- 14 • Annual debt service payments are about \$636,000
  - 15 ○ funded by General Fund
  - 16 ○ with PARC tax contributions:
    - 17 - \$50,000/year 2016FY - 2018FY
    - 18 - \$86,900 in 2019FY
    - 19 - \$85,000 is budgeted for 2020FY
- 20 • 2008 bond for \$9.5M was refunded in 2015, but not called until July 2018
- 21 • Principal outstanding on the 2015 Refunding Bond as of 7/31/2019 is \$6,840,000
- 22 • The interest rate on the 2015 Refunding Bond is
  - 23 ○ 3% until July 2023
  - 24 ○ 4% for the remaining term
- 25 • The 2015 Refunding Bond will be paid off July 2033

26 **Upcoming Maintenance & Improvements**

- 27 • Ongoing Maintenance
  - 28 ○ Alex, Lindon’s Facilities Manager, will seal concrete in sections, completing the entire Aquatics Center in about 4 years and then start over.
  - 29 ○ Replace all grates over 4 years at 12 grates per year. The grates cost about \$300 each.
  - 30 ○ Re-caulk all of the large concrete joints at the Aquatics Center. This is the 3rd year of this 3-year process at an estimated cost of \$7,500/year.
  - 31 ○ Annual pump maintenance with this year’s estimated cost at \$25,000. This will be a continuous process.
- 32 • 2019-2020 Fiscal Year
  - 33 ○ \$10,000 painting
  - 34 ○ \$10,000 flow rider grating
  - 35 ○ \$25,000 new netting and ropes
  - 36 ○ \$25,000 strainer replacement
  - 37 ○ \$150,000 for new slide (using RDA funds)
- 38 • Looking into the Future
  - 39 ○ The blue and yellow shades are being repaired as needed, but will need to be replaced in the future. There are 6 shades that would cost about \$2,500 each.

2 Mr. Bateman also referenced the Aquatics Center Financial Report as of  
4 10/8/2019 with the calendar year totals. He also spoke on punch passes and would ask the  
6 council to consider that as a community pool they should be able to use them until they  
8 are gone and to discontinue family passes. Following discussion, the council was in  
agreement to that recommendation. He also spoke briefly on the new slide and marketing  
and ad sales. He concluded by thanking the council for their continued support of his  
department.

10 Mayor Acerson called for any further comments or discussion from the Council.  
Hearing none he moved on to the regular session.

12 **REGULAR SESSION** – 7:15 P.M.

14 Conducting: Jeff Acerson, Mayor  
15 Pledge of Allegiance: Kristen Colson  
16 Invocation: Jake Hoyt

18 **PRESENT** Jeff Acerson, Mayor  
20 Carolyn Lundberg, Councilmember  
21 Jacob Hoyt, Councilmember  
22 Van Broderick, Councilmember  
23 Adam Cowie, City Administrator  
24 Brian Haws, City Attorney  
25 Kristen Colson, Finance Director  
26 Mike Florence, Planning Director  
27 Heath Bateman, Parks Director  
28 Kathryn Moosman, City Recorder

**EXCUSED**  
Mike Vanchiere, Councilmember

- 30 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.  
32 2. **Presentations/Announcements** –  
33 a) **Comments/Announcements from Mayor and Council** – There were no  
34 announcements at this time.  
36 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council  
37 meeting of October 1, 2019 were reviewed.

38 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES  
40 OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 1, 2019 AS  
41 PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE  
42 VOTE WAS RECORDED AS FOLLOWS:  
43 COUNCILMEMBER LUNDBERG AYE  
44 COUNCILMEMBER HOYT AYE  
45 COUNCILMEMBER BRODERICK AYE  
46 THE MOTION CARRIED UNANIMOUSLY.

2 **4. Open Session for Public Comment** – Mayor Acerson called for any public  
comment not listed as an agenda item. There were no public comments.

4

6 **5. Consent Agenda Items** – The following consent agenda item was presented for  
approval.

8 a) **Resolution #2019-24-R;** Lindon City Court Recertification. The State of Utah  
Requires that all justice courts must be recertified every four years. Passage  
10 of this resolution affirms that the City Council is willing to meet all  
12 requirements of the State to continue operation of the Lindon City Municipal  
Justice Court.

14 COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT  
AGENDA ITEM AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED  
16 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 COUNCILMEMBER LUNDBERG AYE  
COUNCILMEMBER HOYT AYE  
COUNCILMEMBER BRODERICK AYE  
20 THE MOTION CARRIED UNANIMOUSLY.

22 **CURRENT BUSINESS**

24 6. **Public Hearing — FY2020 Budget & Fee Schedule Amendment; Resolution**  
26 **#2019-23-R.** The City Council will review and consider various budget and fee  
schedule amendments.

28 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC  
HEARING. COUNCILMEMBER LUNBERG SECONDED THE MOTION. ALL  
30 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 Kristen Colson, Finance Director, led this discussion by presenting her budget  
amendment notes and highlights as follows:

- 34 1. The Lindon Days Car Show raises money for Lindon Police to use for emergency  
preparation. We do not budget for it, so when we receive it, we adjust the budget  
36 for the revenue received and the increased expenses. This year they raised and  
donated \$8,150.
- 38 2. The Administration department is replacing 4 old desk chairs which are about 20  
years old for \$3,300.
- 40 3. Lindon City contracts with Executech for I.T. services. Executech upgraded the  
City’s virtual servers for \$4,575.
- 42 4. This is a carryover from 2018-2019 fiscal year to finish up the elevator and City  
Center remodel. \$1,750 is for work tables for the work area and a tv for the  
44 conference room. \$15,000 is to finish construction.
- 46 5. The remodel at the Public Works building for the Engineers’ office was budgeted  
for \$20,000 for last fiscal year and \$30,000 for this fiscal year. \$15,000 is being

- 2 carried forward from last fiscal year and the \$45,000 is being moved to PW  
Administration budget so the cost can be shared with the Water, Sewer, and  
4 Storm Water funds. Additionally, \$30,000 which was budgeted for carpet,  
flooring, and paint upgrades for the Public Works building is also being moved to  
6 the PW Administration budget.
6. This is the budget amendment for the Police Chief pay increase which was  
8 approved in August.
  7. This is the budget amendment for the Urban Deer Management costs for  
10 Humphries Archery.
  8. The Streets division is purchasing 12 solar stop signs with lights and 3 radar speed  
12 signs. The Parks division is purchasing 5 solar stop signs with lights for bikers on  
the Murdock Trail.
  9. The expense for weekly on-call pay was not budgeted.
  10. There are 3 retaining walls in park areas around the City that need to be excavated  
16 and rebuilt. They are located on 835 East, by the Dry Canyon Trailhead, and  
behind the Veteran's Memorial Hall in City Center Park.
  - 18 11. This is a carryover from the 2018-2019 budget for a sewer lateral and easement at  
the cemetery.
  - 20 12. This budget amendment is moving \$100,000 within the Road Fund from Capital  
Improvements to Crack Sealing.
  - 22 13. All of the chairs and tables were replaced at the Vet Hall instead of doing half of  
the tables this year and half next year.
  - 24 14. This is a carryover from the 2018-2019 budget for dumpster enclosures at  
Pioneer, Hollow, and City Center parks.
  - 26 15. The Water Superintendent wages were increased in for retention purposes.

28 Ms. Colson then went over the summary of changes in fund balance spreadsheet  
and the proposed fee schedule changes (included in the staff packet) followed by some  
30 general discussion.

32 Mr. Cowie discussed the Weekly 'on-call' pay. He noted this is compensation  
paid to individuals in Public Works and Parks that are designated to be available on-call  
during a full week period. The on-call staff must be skilled in various aspects of the city  
34 utilities or parks/rec in order to appropriately respond to multiple scenarios. The  
employee is required to stay within 30-minutes response time of Lindon City for the  
36 entire week, including on holidays, and may not consume alcohol or use performance  
inhibiting drugs that limit their ability to operate machinery.

38 Mr. Cowie noted current compensation is \$140.03 per week. An amount was set  
many years ago with the rate being increased annually by whatever COLA was approved  
40 each year. After concern from some on-call staff that the rate is low and a recent  
comparison of 19 other cities on-call rates, the Public Works Director and Parks &  
42 Recreation Director recommend the rate be increased to \$200/week. This is a little above  
average on-call pay compared to the other cities that provided this data to us. Staff  
44 recommends the change to \$200 per week *with no annual COLA change*. The rate will be  
periodically evaluated for needed adjustment.

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

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

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

12 COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION  
 #2019-23-R APPROVING FY2020 BUDGET AND FEE SCHEDULE AMENDMENTS  
 14 WITH THE REMOVAL OF PROMOTION OF PRIVATE SPORTS/ACTIVITIES  
 FROM THE FEE SCHEDULE. COUNCILMEMBER HOYT SECONDED THE  
 16 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE  
 18 COUNCILMEMBER HOYT AYE  
 COUNCILMEMBER BRODERICK AYE

20 THE MOTION CARRIED UNANIMOUSLY.

22 **7. Presentation & Discussion Item — Mountainland Association of  
 Governments (MAG) Presentation; Regional Transportation Plan.**

24 Mountainland Association of Governments (MAG) will be in attendance to  
 present the updated Regional Transportation Plan and answer any questions.

26 Mr. Cowie opened this discussion by introducing Bob Allen, Senior Planner,  
 28 representing Mountainland Association of Governments for his presentation on the updated  
 Regional Transportation Plan TransPlan50 which is the regional transportation plan for  
 30 urbanized Utah County. The proposed projects and programs are a coordinated system of  
 capital-intensive roadway projects, transit improvements, and pedestrian/bicycle facilities  
 32 needed over the next thirty years. The plan attempts to minimize impacts on society and  
 the environment while providing for enough capacity and transportation choices to  
 34 ensure the region's economy continues to grow.

36 Mr. Allen began by explaining Mountainland Association of Governments  
 (MAG) serves the governments and citizens of Summit, Utah, and Wasatch Counties. As  
 38 part of this association, Mountainland Metropolitan Planning Organization (MPO) has  
 the task of planning for the urban Utah County regional transportation needs. Located at  
 40 the southern end of the Wasatch Front region of Utah, the MPO encompasses the rapidly  
 growing Provo/Orem Urbanized Area and includes all 25 Utah County municipalities and  
 42 contiguous unincorporated areas. Urbanization and the locations of major  
 transportation facilities are constrained by physical boundaries including steep  
 mountain terrain to the east and west and by the large, centrally located Utah Lake.  
 44 The urban area is roughly bisected by I-15, the only freeway currently within Utah  
 County.

2 Mr. Allen went on to say the MPO creates the forum bringing together urban  
 4 leaders with state and federal transportation officials, opening dialogue, and providing a  
 6 process for all to be involved in planning and funding the transportation needs of the area.  
 MAG has a strong history of working together with stakeholders and accomplishing  
 results.

8 Mr. Allen added that the TransPlan50 follows the guidelines of the last federal  
 transportation bill – Fixing America’s Surface Transportation Act (FAST Act) - and  
 10 embodies them philosophically as well as technically. The Federal Highway  
 Administration (FHWA) requires each MPO to address ten specific planning factors.  
 12 FAST Act states that the metropolitan planning process shall be continuous, cooperative,  
 and comprehensive. The process will also provide consideration and implementation of  
 projects, strategies, and services to address many factors

14 Mr. Allen also presented information on metropolitan planning, growing regions  
 (west, north, south and central areas), regional growth trends, travel demands, funding and  
 16 costs, total revenue, constrained costs and needs, and regional goals.

18 Mr. Allen also spoke on exploring additional freeways, capacity, creating a robust  
 regional transit network, building a regionally connected active transportation system,  
 20 needed highway, transit, and active transportation projects and how to preserve what we  
 have. Following the presentation there was some general discussion regarding the  
 information presented.

22 Lyle Lamoreaux, resident in attendance asked where the growth and data comes  
 from. Mr. Allen stated the data comes from growth projections and demographers, growth  
 24 of families, and building permit data and buildable ground in the county; there is a lot of  
 science that goes into the data.

26 Mr. Allen concluded by expressing his appreciation for Mayor Acerson noting he is  
 a stalwart on our board and we appreciate his efforts.

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

- 30  
 32 8. **Review & Action — Transferring 600 South (Orem 1600 North) to UDOT;  
 Resolution #2019-22-R.** The City Council will review and consider whether to  
 34 approve a jurisdictional transfer of 600 South Lindon (1600 North Orem) to  
 UDOT.

36 Mr. Cowie opened this discussion by giving a brief overview stating staff has been  
 working with UDOT and Orem City to transfer 1600 North/Lindon 600 South to a  
 38 maintained road. Mr. Cowie then showed a map of the location in question.

40 He noted the intent is that Lindon City the City of Orem want to transfer  
 ownership and full jurisdiction of 1600 North, Orem and 600 South, Lindon beginning at  
 42 SR-241 mile post 0.416 (I-15 NB off-ramp) and ending at the junction of US-89 (State  
 Street), approximately 1.15 +/- miles to UDOT (“1600 North Corridor”).

44 Lindon and Orem currently share a common boundary along the centerline of the  
 1600 North Corridor and UDOT will maintain a portion of the 1600 North Corridor,  
 identified as State Route 241 (SR-241), between Geneva Road and Lindon Park Drive,  
 46 and east of the SR-241 section of the roadway Lindon and Orem currently share

2 maintenance responsibilities along the 1600 North Corridor length of approximately 1.15  
4 miles, with Orem being responsible for 0.65 miles (56.5%) and LINDON responsible for  
the remaining 0.5 miles (43.5%).

6 The traffic along the 1600 North Corridor between Geneva Road and I-15 and  
continuing to State Street (US-89), thereby connecting two State roads, is of regional and  
8 State significance and not primarily used for local traffic. Transfer of the 1600 North  
Corridor to UDOT will provide for consistent maintenance responsibility of the roadway,  
10 instead of relying upon three different jurisdictions to maintain various segments of the  
road, thus improving the efficient movement of goods and services, enabling coordinated  
12 traffic signal efforts along the corridor, and improving safety of the traveling public. Mr.  
Cowie stated before the Council tonight for approval is the resolution and agreement to  
make this official.

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

16  
18 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2019-  
22-R APPROVING THE TRANSFER OF LINDON’S 600 SOUTH TO UDOT AS  
PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE  
20 VOTE WAS RECORDED AS FOLLOWS:

- 22 COUNCILMEMBER LUNDBERG AYE
  - 22 COUNCILMEMBER HOYT AYE
  - 24 COUNCILMEMBER BRODERICK AYE
- 24 THE MOTION CARRIED UNANIMOUSLY.

26 9. **Public Hearing — Amend the Lindon City Zoning Map from R1-20 to CG at**  
28 **approximately 229 W 400 N; Ordinance #2019-16-O.** Colts Neck Investments,  
LLC requests approval for a Zoning Map Amendment to change the zoning of the  
30 property at approximately 229 W. 400 N. from Residential (R1-20) to  
Commercial General (CG) Parcel #14:068:0163.

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

36 Anders Bake, Associate Planner, led this discussion by stating the applicant Tim  
Clyde is in attendance to request a rezone on the subject parcel from residential (R1-20)  
38 to Commercial (CG). The purpose of the request is to allow vehicle deliveries to travel  
through the property from State Street to egress to 400 North. He noted Mr. Clyde would  
40 also like to expand his current business operation onto the subject property. The applicant  
owns the strip center building on State Street where Fence Specialist operates a retail  
42 store and then uses the back building and yard area for manufacturing and inventory  
storage. He indicated that trucks coming in and out of the property have had issues in the  
44 past backing onto State Street but the applicant has since started using the subject  
residential property for truck egress onto 400 N.

2 Mr. Bake explained in order for the applicant to legally use the subject property  
4 for egress and business expansion it must be rezoned to commercial. If the City Council  
6 votes to approve the rezone request then staff recommends that the approval be  
8 conditioned on curb, gutter, and sidewalk and related infrastructure improvements being  
10 installed along 400 N. as well as the landscaping meet city code requirements. The  
12 applicant would also be required to meet any fencing regulations. If approved by the City  
14 Council, the applicant will need to return for site plan approval with the Planning  
16 Commission.

10 Mr. Bake stated city staff has recently been working with Mr. Clyde to bring the  
12 subject property into code compliance with outdoor storage and cutting the weeds on the  
14 property. This item was brought before the Planning Commission and City Council in  
16 2007 for a zone change request but was denied at that time. The City felt at that time that  
18 the property should remain residential. Attached are the meeting minutes from August  
20 and September, 2007. On October 8th 2019 the Planning Commission unanimously  
22 voted in favor of recommending approval for the requested zone change. The motion  
24 included the condition that the applicant be required to install curb, gutter and sidewalk  
26 along 400 N. and that the property meet all Lindon City landscaping requirements.

20 Mr. Bake stated the subject parcel at approximately 229 West 400 North is  
22 currently designated in Lindon's General Plan as Residential Low. The General Plan  
24 states that the purpose of this category is to provide areas of low-density residential  
26 neighborhoods of essentially spacious and uncrowded character to promote the benefits  
28 of an open, rural atmosphere, and to provide for areas where large animals are permitted.  
30 Includes area typically zoned as R1-20. The property is currently zoned R1-20.

26 Mr. Bake went on to say Lindon City Code states that the single family residential  
28 zones (R1) are established to provide areas for the encouragement and promotion of an  
30 environment for family life by providing for the establishment of one (1) family detached  
32 dwellings on individual lots that are separate and sheltered from non-residential uses  
34 found to be inconsistent with traditional residential lifestyles customarily found within  
36 Lindon City's single-family neighborhoods.

32 Mr. Bake explained the proposed zone map amendment would change the zoning  
34 of this parcel to General Commercial. The Lindon City code states that the Commercial  
36 Ordinance is established to promote commercial and service uses for general community  
38 shopping. The objective in establishing commercial zones is to provide areas within the  
40 City where commercial and service uses may be located. These zones include the General  
42 Commercial Zones (CG, CG-A, CG-A8, CG-S), Lindon Village Commercial Zone and  
44 the Planned Commercial (PC-1 and PC-2) Zones. The General Commercial Zone  
46 requires a minimum lot size of 20,000 square feet. The subject parcel meets this  
requirement with 24,180 square feet.

40 Mr. Bake also mentioned that Public Hearing Notices, required per Lindon City  
42 Code section 17.14, were mailed to each affected entity and property owner. They were  
44 also published on the City and State Websites and in the Daily Herald on September 26,  
46 2019. There were a number of public comments at the October 8th Planning Commission  
meeting. Those comments mainly dealt with increased truck traffic onto 400 North and  
safety concerns with those trucks. Other comments had to deal with vehicle speeds on  
400 North and truck delivery routes when vehicles leave the subject property.

2 Mr. Bake then presented the Concept Site Plan, Aerial Photo, Surrounding Area,  
4 Zoning Map, Surrounding Area General Plan Land Use Map, August 22, 2007 Planning  
Commission Minutes, September 28, 2007 City Council Minutes followed by some  
general discussion. He then turned the time over to the applicant for comment.

6 Tim Clyde was in attendance to address the Council at this time. Mr. Clyde stated  
they will be coming back with a site plan to the commission for approval noting they will  
8 have an 8 ft fence to obscure materials etc. and they will make sure it meets all  
landscaping requirements and curb, gutter and sidewalk etc. Mr. Clyde stated as soon as  
10 he has the zone change, they will continue to work with the city on the site plan and they  
want to get through this process. Mr. Clyde stated this is just a zone change right now  
12 from residential to general commercial. Mr. Bake stated it will require a 7ft fence and 20  
ft of landscaping and to ensure that there is a clear view. Mr. Haws stated there will be no  
14 stacking above the fence. Mr. Bake pointed out there will be a concrete wall on the east  
side. Following some general discussion, the Council was in agreement this change will  
16 be accommodating for safety reasons.

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

20 COUNCILMEMBER HOYT MOVED TO CLOSE PUBLIC HEARING.  
22 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

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

26 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2019-16-  
28 O TO AMEND THE LINDON CITY ZONING MAP FROM R1-20 TO COMMERCIAL  
GENERAL AT APPROXIMATELY 229 W. 400 N. PARCEL NUMBER 14:068:0163  
30 WITH THE FOLLOWING CONDITION(S): 1. THE APPLICANT BE REQUIRED TO  
INSTALL CURB, GUTTER, SIDEWALK AND RELATED PUBLIC  
32 INFRASTRUCTURE IMPROVEMENTS ALONG 400 N. AND THAT THE  
PROPERTY MEET ALL LINDON CITY LANDSCAPING REQUIREMENTS; 2. ALL  
34 ITEMS OF THE STAFF REPORT. COUNCILMEMBER BRODERICK SECONDED  
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

40  
42 10. **Discussion Item — Anderson Farms Development Options with Ivory  
Homes.** The City Council will review and discuss the Anderson Farms  
Development Options with Ivory Homes.  
44

2 Mr. Florence led this discussion by stating we discussed at the last meeting about  
the main topics of observing the commercial and park areas and the density being towards  
4 the apartments and these four items need to be nailed down a little more.

6 He noted Chris Gamvroulas with Ivory Homes is in attendance to present the  
updated concept plan. Mr. Gamvroulas stated as discussed, they are coming back with  
some real solutions in several ways. Relative to the park area they are moving forward with  
8 parcel E and it is under construction (8 lots). Based on the last meeting, he has instructed  
the team to move forward with the first phase. After speaking with Mr. Florence, we are  
10 here to get input as to what may work.

12 He noted Dr. Thorne has a deep appreciation for his property and a good  
relationship with the Andersons. Given that the access to the property is along Anderson  
Blvd. it makes more sense that it's a residential area. It appears Dr. Thorne is going to hang  
14 onto their property for a while longer.

16 He indicated they dropped 11 units and Ken Watson has been working with the  
engineer to do the 60 phases. The road will be built next spring off of 700 north and will  
relieve a lot of pressure and it may precipitate a traffic signal through UDOT. He feels  
18 there wasn't a strong dislike with deed restrictions etc., but there are ways to do that to get  
some comfort. Multifamily is an easy way to pick up density. But it won't increase the  
20 park size. He would encourage to set aside a number of units for AMI (18-20) he just  
doesn't know and how much resources to employ to come back with a definitive number.  
22 He understands you want a bargaining chip and he is not being crass, but maybe the answer  
is a redesign with small lot single family and add some apartments with a play on  
24 commercial.

26 He doesn't want to end up with the commercial property in perpetuity and not be  
able to dispose of it. They want to be cooperative and maybe a mixed use would be very  
exciting and he would love to see that happen here as it adds value to the community. This  
28 could be a good halo effect. He would like to know if these are things that you're interested  
in talking about. An active adult facility will be paved next week with 63 units coming on  
30 line with multiple product types to sell; it has all accelerated a bit.

32 We have worked to have large scale mass supply communities with attainable  
housing in Provo, Lindon and Eagle Mtn; we have something other builders don't. We  
plan to build the park next year (4 years early) that will be a regional draw for Lindon  
34 residents and others. It will be a neat facility with great amenities.

36 Councilmember Hoyt expressed his concerns with the commercial piece and is  
something he wants to preserve. This would bring him to the bargaining table. If there is a  
location where we add density it would be in the single family. The other pieces are fine  
38 but for him it's the commercial piece as it is important piece and we need to preserve for  
future players down the road. He is confident in the corridor and Utah County. Ten years  
40 from now sounds great and would really bring him to the table.

42 Councilmember Lundberg stated we need to preserve something that can be an  
identifiable downtown Lindon. This community would benefit from a gathering place  
maker with those amenities. Mr. Gamvroulas stated they have recently concluded another  
44 take down that included a piece of commercial they now have title to, with one more  
takedown to go. Now the amenities are entrainment and food, and they will come in for

2 that experience. He does not see a big box store here, as amazon is taking over. He sees  
3 more of a theater and restaurant feel; it is morphing and we know that.

4 Councilmember Broderick stated he has issues with the density. If the density is in  
5 the apartments, he is willing to look at things, but tighter in the single-family homes he is  
6 just not there. The density in the housing he is still a no, but is open in the apartment  
7 depending on what is gained back and specific on the commercial.

8 Councilmember Lundberg questioned the four-story designs. Mr. Gamvroulas said  
9 this would require opening up the development agreement; the four-story apartments are by  
10 the railroad tracks. She also mentioned the executive lots and that it may make sense to  
11 make some bigger lots that would be a nice offset to create that in the heart of the project.  
12 She would be open to some of the changes discussed but we should still look at the deed  
13 restricted topic. As there are first responders and employees who would like to live in  
14 lindon. She questioned if this is worth pursuing as there are potential caveats that come  
15 with that. But she would like to see that happen for a lot of reasons.

16 Mr. Gamvroulas stated he has to keep some at market rate to offset that but there is  
17 an interest. Mayor Acerson pointed out the challenge is if you build it, they will come. Say  
18 we have deed restrictions first responders, teachers, veterans etc. and they choose not to go  
19 there what do we do then? Mr. Gamvroulas stated you can open it up because it is still deed  
20 restrictions and tiered; you can do it however you like.

21 There was then some general discussion. There are essentially the same number of  
22 lots, there are no new lots they are just shifted around. Mr. Gamvroulas stated there is some  
23 language in the development agreement that gives some limited flexibility to shift them  
24 around within some parameters. Mr. Gamvroulas stated he will take these comments into  
25 account and work something out and come back; they will meet with the planners with  
26 some new ideas.

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

### 30 **COUNCIL REPORTS:**

32 **Councilmember Hoyt** – Councilmember Hoyt mentioned Lyle Lamoreaux is here and  
33 he would like to hear from him on anything else he would like to mention from the  
34 Historic Preservation Committee. Mr. Lamoreaux stated they are grateful for the invite  
35 from Parks & Recreation to help with the Spike 150 as it was such a great opportunity.  
36 They would be interested in how we as a community evaluate the activity from both cost  
37 and attendance and effect. He is intrigued by that.

38 **Councilmember Broderick** – Councilmember Broderick reported he will be attending  
39 the North Union Canal meeting tomorrow to talk about raising the assessment.

42 **Councilmember Lundberg** – Councilmember Lundberg reported she attended the APA  
43 Conference with Mike Florence and Anders Bake. Planning Commission Chair, Sharon  
44 Call and Commissioner Marchbanks and Commissioner Thompson also attended. There  
45 were a lot of great classes and it was a very beneficial conference. She also mentioned

2 they saw former Planning Director, Hugh Van Wagenen. They also attended a break out  
3 session for “Wasatch Choice” for the state vision which was very informative.

4  
5 **Councilmember Vanchiere** – Councilmember Vanchiere was absent.

6  
7 **Mayor Acerson** – Mayor Acerson reported he attended UIA meetings where the bonding  
8 capacity is increasing and revenues and projections are up so there is enough headroom  
9 which great.

10  
11 **Administrator’s Report:** Mr. Cowie reported on the following items followed by  
12 discussion.

13 **Misc. Updates:**

- 14 • Vote by Mail Ballots will be mailed the week of Oct. 14th
- 15 • Sewer back up claim on 200 East
- 16 • PG/Lindon Chamber – business recognition
- 17 • Misc. Items

18  
19 **Upcoming Meetings & Events:**

- 20 • October 25th – Halloween Carnival at Community Center
- 21 • November 5th – General Election
- 22 • November 8-18th – fall clean-up w/dumpsters available to the public

23  
24 Mayor Acerson called for any further comments or discussion from the Council.  
25 Hearing none he called for a motion to adjourn.

26  
27 **Adjourn** –

28  
29 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING  
30 AT 9:55 PM. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL  
31 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32  
33 Approved – October 29, 2019

34  
35  
36 \_\_\_\_\_  
37 Kathryn Moosman, City Recorder

38  
39  
40 \_\_\_\_\_  
Jeff Acerson, Mayor

**Item 4 – Open Session for Public Comment** *(For items not on the agenda - 10 minutes)*

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**Item 5 – Consent Agenda** – *Consent agenda may contain items which have been discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion, or may discuss individual items as needed and act on them separately.*

- a) **Resolution #2019-25-R;** The City Council will review and adopt the 2020 Lindon City Meeting Schedule.
- b) **Resolution #2019-26-R;** The City Council will review for adoption the voter participation area map as presented by the Utah County Elections Office in order to meet the requirements in HBI 19 related to initiatives, referenda and other political activities.

**Sample Motion:** *I move to (approve, deny, continue) the consent agenda items as (as presented, or with changes).*

**RESOLUTION NO. 2019-25-R**

**A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, ADOPTING THE 2020 LINDON CITY PUBLIC MEETING SCHEDULE FOR THE CITY COUNCIL, PLANNING COMMISSION, AND BOARD OF ADJUSTMENT, AND CITY OBSERVED HOLIDAYS AND OFFICE CLOSURE DATES, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Municipal Council of Lindon City finds it necessary for conformance with State Code to adopt and publish an annual public meeting calendar for the City Council, Planning Commission, and Board of Adjustment; and

WHEREAS, the City desires to declare City observed holidays and to announce when the City facilities will be closed to the public; and

WHEREAS, the Municipal Council has discussed dates for the proposed meeting and holiday schedule and desires to adopt the 2020 Lindon City Public Meeting Schedule.

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

SECTION I. The 2020 Lindon City Public Meeting Schedule is adopted as shown on the attached 'Exhibit A'.

SECTION II. This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Lindon City Council on this 19<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

ATTEST:

\_\_\_\_\_  
Kathryn A. Moosman, City Recorder

SEAL:

## LINDON CITY PUBLIC MEETING SCHEDULE 2020

ALL MEETINGS TO BE HELD AT THE LINDON CITY CENTER, 100 NORTH STATE STREET, LINDON UNLESS POSTED OTHERWISE

The following chart should be used as a guide when submitting applications for City Council, Planning Commission, and Board of Adjustment review. The City assumes no liability for a missed meeting. “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 the City Recorder, Kathy Moosman, at 801-785-5043, giving at least 24 hours-notice.” **Lindon City Public Meeting Schedule adopted by Resolution 2020-25 -R, dated 11.19.19.**

**Applications can be filed at any time. The application will be reviewed for completeness and conformance with City standards. When the application is considered complete and major issues have been addressed, it will then be scheduled for the next available meeting. Typical time frame for processing applications is 6 to 8 weeks. It is the applicant’s responsibility to contact the City and inquire as to the status of the application and when it will be scheduled for a particular meeting.**

Business requiring Planning Commission, City Council and/or Board of Adjustment review will be heard on the dates listed below.

CITY COUNCIL	PLANNING COMMISSION	BOARD OF ADJUSTMENT	CITY OBSERVED HOLIDAYS
7:00 P.M. 1 <sup>st</sup> & 3 <sup>rd</sup> Tuesday	7:00 P.M. 2 <sup>nd</sup> & 4 <sup>th</sup> Tuesday		<i>City Offices Closed</i>
JANUARY 7, 2020 JANUARY 21, 2020 FEBRUARY 4, 2020 FEBRUARY 18, 2020 MARCH 17, 2020 APRIL 7, 2020* APRIL 21, 2020* MAY 5, 2020 MAY 19, 2020 JUNE 2, 2020 JUNE 16, 2020 JULY 21, 2020 AUGUST 18, 2020 SEPTEMBER 1, 2020 SEPTEMBER 15, 2020 OCTOBER 6, 2020 OCTOBER 20, 2020 NOVEMBER 17, 2020 DECEMBER 1, 2020 DECEMBER 15, 2020	JANUARY 14, 2020 JANUARY 28, 2020 FEBRUARY 11, 2020 FEBRUARY 25, 2020 MARCH 10, 2020 MARCH 24, 2020 APRIL 14, 2020 APRIL 28, 2020 MAY 12, 2020 MAY 26, 2020 JUNE 9, 2020 JUNE 23, 2020 JULY 28, 2020 AUGUST 25, 2020 SEPTEMBER 8, 2020 SEPTEMBER 22, 2020 OCTOBER 13, 2020 OCTOBER 27, 2020 NOVEMBER 10, 2020 NOVEMBER 24, 2020 DECEMBER 8, 2020	Board of Adjustment meets on an as needed basis.	JANUARY 1 <sup>st</sup> – New Year’s Day  JANUARY 20 <sup>th</sup> – Martin Luther King Jr. Day  FEBRUARY 17 <sup>th</sup> – President’s Day  MAY 25 <sup>th</sup> – Memorial Day  JULY 3 <sup>rd</sup> – Independence Day (observed)  JULY 24 <sup>th</sup> – Pioneer Day  SEPTEMBER 7 <sup>th</sup> – Labor Day  NOVEMBER 26 <sup>th</sup> – 27 <sup>th</sup> – Thanksgiving Holiday  DECEMBER 23 <sup>rd</sup> – City Offices closed at noon  DECEMBER 24 <sup>th</sup> – 25 <sup>th</sup> – Christmas Holiday

The City Council will meet as the Redevelopment Agency on an as needed basis on the same date as its regularly scheduled meetings.

**NOTE:** The Board of Adjustment will meet on an as needed basis. Meeting times and dates are subject to change.

**NOTE:** Meeting dates may be canceled at the discretion of the City Council and Planning Commission due to holidays, municipal elections, or other unforeseen conflicts.

**NOTE:** Special meetings, as needed to serve the public needs, may be added throughout the year for any of the above groups - with a minimum 24 hours public notice.

**NOTE:** Party caucus dates are not confirmed as yet and if they fall on a meeting date it may be subject to cancellation.

\*Meeting is subject to cancellation

**RESOLUTION NO. 2019-26-R**

**A RESOLUTION ADOPTING THE VOTER PARTICIPATION AREA MAP AS PREPARED BY THE UTAH COUNTY ELECTIONS OFFICE.**

**WHEREAS**, during the 2019 Legislative General Session HB 119 was adopted relating to Initiatives, Referenda, and other Political Activities; and

**WHEREAS**, HB 119 included the requirement for municipalities to establish "Voter Participation Areas"; and

**WHEREAS**, in accordance with State Code §20A-7-401.3, the city shall, no later than January 1, 2020, again on January 1, 2022, and January 1, each 10 years after 2022, divide the city into four contiguous and compact voter participation areas of substantially equal population for the purpose of obtaining signatures for initiatives and referenda; and

**WHEREAS**, the Utah County Elections Office has prepared the Voter Participation Area Maps for each municipality, including Lindon City.

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

**Section 1.**

- I. The Voter Participation Area Map (Exhibit A) prepared by Utah County Elections Office is hereby adopted.

**Section 2.**

The provisions of this Resolution shall take effect immediately.

PASSED by the Lindon City Council this 19<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

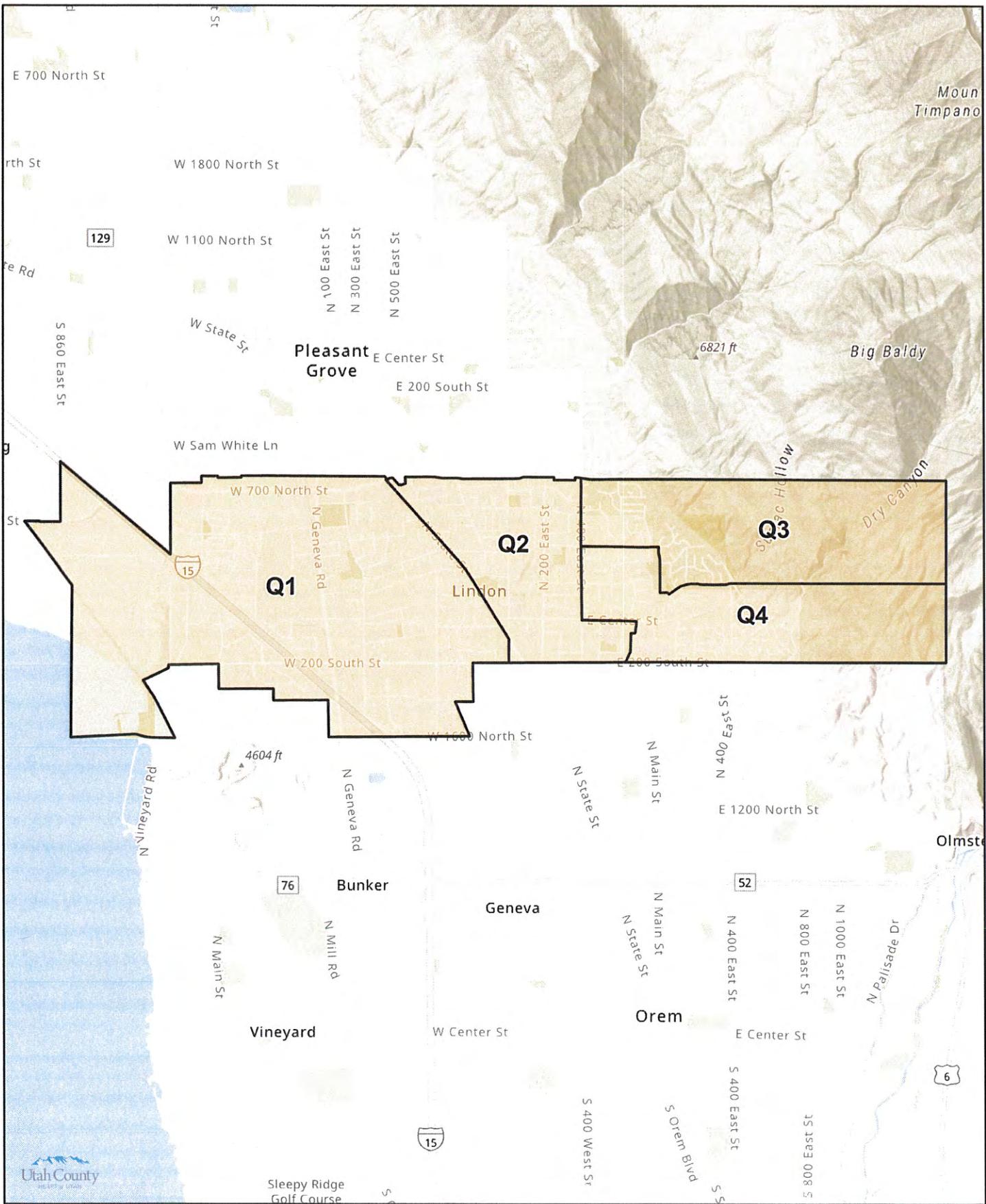
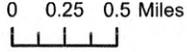
ATTEST:

\_\_\_\_\_  
Kathryn Moosman, City Recorder

# Lindon Quadrants

Utah County GIS Department

- Q1**  
LI01
- Q2**  
LI02  
LI05
- Q3**  
LI06
- Q4**  
LI03  
LI04



*Effective 5/14/2019*

**20A-7-401.3 Voter participation areas.**

(1)

(a) Except as provided in Subsection (2):

- (i) a metro township with a population of 65,000 or more, a city of the first or second class, or a county of the first or second class shall, no later than January 1, 2020, again on January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or county into eight contiguous and compact voter participation areas of substantially equal population; and
- (ii) a metro township with a population of 10,000 or more, a city of the third or fourth class, or a county of the third or fourth class shall, no later than January 1, 2020, again on January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or county into four contiguous and compact voter participation areas of substantially equal population.

(b) A metro township, city, or county shall use the voter participation areas described in Subsection (1)(a) or (2)(b) for the purpose described in Sections 20A-7-501 and 20A-7-601.

(2)

(a) This section does not apply to a metro township with a population of less than 10,000, a county of the fifth or sixth class, a city of the fifth class, or a town.

(b) A metro township, city, or county that has established council districts that are not at-large districts may, regardless of the number of council districts that are not at-large districts, use the council districts as voter participation areas under this section.

Enacted by Chapter 203, 2019 General Session

- 6. Review & Action — Interviews and appointment to fill City Council Vacancy.** The Mayor and City Council will interview individuals who have submitted an application to be considered for appointment to fill a vacant City Council seat. After completion of the interviews one individual will be selection and appointed by motion of the Council to fill the vacancy until the first Monday in January 2020, whereupon the position will then be filled by individuals elected in the 2019 municipal election.

Randi Powell was the only person that submitted an application for appointment to fill the vacancy. Her application materials are attached below.

**Sample Motion:** *I move to (approve, deny, continue) the appointment of \_\_\_\_\_ to fill the city council vacancy until the first Monday in January 2020 whereupon the position will then be filled by the individual elected in the 2019 municipal election (as presented, or with changes).*



**Lindon City**  
100 North State Street  
Lindon, UT 84042  
801-785-5043  
[www.lindoncity.org](http://www.lindoncity.org)

The Lindon City Mayor and Council are accepting applications to fill an at-large vacancy on the City Council. The term of office for this appointment will only last about 1 ½ months until 12:00 noon on the first Monday in January 2020, whereupon the position will then be filled by whomever is elected in the 2019 municipal election for this Council seat. It is anticipated that the selected individual will participate in approximately three regularly scheduled City Council meetings during this appointment. Those interested in being appointed to fill the vacancy must meet the *Requirements for Office* outlined below, and shall submit a completed application signed in the presence of the Lindon City Recorder\* no later than **Wednesday, November 13, 2019 at 5:00pm**.

Applicants for office will be interviewed by the Mayor and City Council in a regularly scheduled City Council meeting to be held at 7:00pm on November 19, 2019 at the Lindon City Center, 100 N. State Street, Lindon, UT. The Mayor and Council will then select an applicant to fill the vacancy.

### City Council Member Appointment Application

Name: Randi Powell

Address: 130 South 350 East Lindon, Utah 84042

Phone: 801-362-5988 Email: Randi.LindonCityCouncil@gmail.com

Number of years as a Lindon resident: 25 U.S. Citizen (Y/N)  Registered voter? (Y/N)

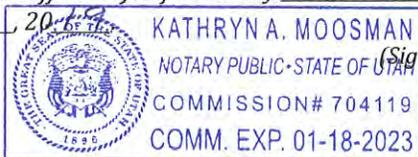
#### Requirements for Office:

1. Must be at least 18 years of age, a United States citizen and a registered voter of Lindon City;
2. Must have resided within the boundaries of Lindon City for at least twelve (12) consecutive months immediately preceding the date of appointment;
3. Must not be a convicted felon; must not have been convicted of treason or of an election crime; must not have been declared mentally incompetent; and must not have had the right to hold public office restricted pursuant to Article IV, Section 6, of the Utah Constitution and U.C.A. 20A-2-101.5.

I, Randi Powell, certify that I have read and understand the Requirements for Office listed above to file as a potential City Council member in Lindon City, Utah, and verify that I meet said requirements and understand the legal qualifications for office.

[Signature]  
Signature

Subscribed and sworn to (or affirmed) before me by Randi Powell on this 4<sup>th</sup> day of November, 2019



(Signed) [Signature]  
Kathryn A. Moosman,  
Lindon City Recorder/Clerk

**\*Contact Kathy Moosman, City Recorder, at 801-785-5043 or [kmoosman@lindoncity.org](mailto:kmoosman@lindoncity.org) to set up an appointment to have this application notarized.**

Please provide answers to the following questions: (see pg 2-4)

1) Please provide information about your background in Lindon City and your interest in serving on the Lindon City Council. How will you be an asset to the Council? Include any professional or civic experience you may have had. (NOTE: Professional or civic experience is not a requirement to be appointed to the Council). Attach additional pages or info as needed.

---

I served our wonderful city from January 2012-April 2016 as a City Councilmember. During that time my responsibilities and assignments from both Mayors Jim Dain and Jeff Acerson included liaison for: City Administration and staff, Historical Commission, Community Center Advisory Board, Lindon Days, Public Safety and IHC Outreach Board. Additionally, I participated in our annual Lindon City Fiscal Budget process where we successfully balanced the budget in a fiscally conservative way.

Prior to serving on City Council I was a committee member of the Healthy Lindon Board and a pro bono aerobic and fitness instructor at the Lindon Community Center. Additionally, I have served on various local PTAs and as a volunteer for the Star Reading program.

My husband and I have owned a successful local business for many years and I am keenly aware of the demands, concerns and importance of these entities in our community.

As a current candidate for the 2019 municipal elections for Lindon City Council I would be honored to be appointed to fill the remainder of Mr. Matt Bean's term of office. I feel that with my recent first hand experiences that I am qualified to serve and work well with the current sitting Councilmembers for the good of the residents of Lindon.

2) What do you perceive as the three best things about Lindon City that set it apart from other cities?

---

While not every resident subscribes to our city's ascribed motto of "A Little Bit of Country" that simple slogan has helped set standards for many of our city's core values and beliefs. Those important and lasting beliefs influence many citizens to stay in our city and now significantly more people to move here to be new citizens.

I believe that simple little phrase frames very well what I've chosen as three of Lindon City's best things: it's people, our animals right and responsible and conservative budgeting practices by city leaders

This all accumulates into a great quality of life that is the responsibility of Lindon City's leaders to maintain, nurture and to flourish.

3) Please share an issue in the community that you are passionate about and how you feel your appointment as a City Council member can impact that issue.

---

I am passionate about Lindon's history and well versed in both the written and oral forms of it. I believe by tapping into the core values and legacy of our city's founding principles that our wonderful way of community life will continue for generations to come.

Lindon is at a significant apex of growth and it is crucial that our community identity be well maintained and protected. I know that my passion for this subject would be beneficial in helping Lindon's identity to not only continue to be distinctive but highly dynamic.

- 7. Oath of Office for Newly Appointed City Councilmember** — The Oath of Office will be administered by City Recorder, Kathryn Moosman. The appointed Councilmember will fill the Council vacancy for the remainder of the open term ending the first Monday in 2020.

**No motion is necessary.**

- 8. Review & Action — Mayor pro tem & Councilmember assignments; Resolution #2019-27-R).** This action is updating the 2019 Mayor and Council Liaison Assignments, Mayor pro tem and RDA Board appointments, and other staff appointments. (20 minutes)

See attachment. Mayor Acerson is recommending some changes in liaison assignments as presented.

**Sample Motion:** *I move to (approve, deny, continue) Resolution #2019-27-R updating the 2019 Mayor pro tem, RDA Board appointments and councilmember liaison assignments (as presented, or with changes).*

**RESOLUTION NO. 2019-27-R**

**A RESOLUTION APPROVING UPDATED 2019 LINDON CITY MAYOR PRO TEM APPOINTMENTS, COUNCILMEMBER LIAISON ASSIGNMENTS AND APPOINTMENTS, AND REDEVELOPMENT AGENCY BOARD APPOINTMENTS, AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the Municipal Council of Lindon City has need of appointing a Mayor pro tem to fill in for the Mayor when the Mayor is absent or otherwise unavailable; and

WHEREAS, the City Council and Mayor find it is appropriate to rotate the appointment of Mayor pro tem on a quarterly basis and that it is prudent to appoint such positions by resolution at the beginning of each calendar year; and

WHEREAS, Mayor Jeff Acerson recommends assignment and appointment of the Councilmembers to serve in various positions, boards, and committees, and to be a Council liaison for various aspects of the City as outlined in Exhibit A; and

WHEREAS, Secondary Councilmembers have been assigned to assist or fill in for a Councilmember who is absent or needs assistance with his or her assignments; and

WHEREAS, per this Resolution, the City Council members shall all be appointed as Lindon City Redevelopment Agency (RDA) Board members; and

WHEREAS, other Mayoral appointments and assignments to citizens at large and/or staff members are also identified on Exhibit A; and

WHEREAS, Mayor Jeff Acerson recommends appointment of the Council members and other individuals as listed in Exhibit A to serve in the positions of Mayor pro tem, on the RDA Board, and other assignments and appointments as therein listed.

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

1. That the identified individuals as outlined in the attached Exhibit A are appointed to fill the position of Mayor pro tem, fill various Councilmember assignments and/or other appointments as listed, and to be appointed as RDA Board members.
2. That the appointments and assignments contained herein are effective immediately upon passage.

Adopted and approved this 19<sup>th</sup> day of November, 2019.

By \_\_\_\_\_  
Jeff Acerson, Mayor

Attest:

By \_\_\_\_\_  
Kathryn A. Moosman, City Recorder

SEAL:

(Exhibit A)  
**2019 LINDON CITY MAYOR AND COUNCIL LIAISON ASSIGNMENTS  
RESOLUTION #2019-27-R**

**MAYOR JEFF ACERSON**

1. Mountainland Association of Governments (MAG) / Metropolitan Planning Organization (MPO)
2. Utah County Council of Governments (COG)
3. Utah Lake Commission Governing Board
4. Utah Infrastructure Agency (UIA) Board Member
5. Utah League of Cities and Towns Representative
6. Utah County Board of Health
7. IHC Outreach Committee
8. Lindon City Thanksgiving Dinner
9. North Utah Valley Animal Shelter Board (NUVAS)
10. Public Relations – (media contact as needed)

**COUNCILMEMBER JAKE HOYT (Secondary – [REDACTED])**

1. Parks, Trails, and Recreation
2. Cemetery
3. Tree Advisory Board
4. Other Duties as assigned

**COUNCILMEMBER CAROLYN LUNDBERG (Secondary – Mike Vanchiere)**

1. Pleasant Grove - Lindon Chamber of Commerce
2. Economic Development
3. Lindon Days
4. Other Duties as assigned

**COUNCILMEMBER [REDACTED] (Secondary – Van Broderick)**

1. Public Works / Engineering
2. Historic Preservation Commission
3. Administration
4. Building Construction and Inspection
5. Other Duties as assigned

**COUNCILMEMBER MIKE VANCHIERE (Secondary – Carolyn Lundberg)**

1. Planning Commission / Board of Adjustment
2. Planning and Zoning
3. General Plan
4. Transfer Station and Solid Waste Board
5. Other Duties as assigned

**COUNCILMEMBER VAN BRODERICK (Secondary – Jake Hoyt)**

1. Police/Fire/EMS
2. Emergency Management
3. Irrigation Companies Representative / Board member
4. Facilities / Public Buildings
5. Other Duties as assigned

<b>MAYOR PRO-TEM – 2019</b>	
Jan. – March	Carolyn Lundberg
April – June	Matt Bean
July – Sept.	Jake Hoyt
Oct. – Dec.	Van Broderick
<i>Secondary fills in if Mayor Pro-Tem is unavailable.</i>	

<b>Newsletter Articles – 2019</b>	
Jan. –	Carolyn Lundberg
Feb. –	Phil Brown
March –	Matt Bean
April –	Kristen Colson
May –	Jake Hoyt
June –	Brad Jorgensen
July –	Van Broderick
Aug. –	Jeff Acerson
Sept. –	Josh Adams
Oct. –	Adam Cowie
Nov. –	Heath Bateman
Dec. –	Mike Vanchiere
Jan 2020 –	Mike Florence

Staff appointments to boards and/or committees as follows:

- Adam Cowie, Lindon City Administrator: UTOPIA Board Member; Utah League of Cities and Towns Representative;
- Brad Jorgensen, Lindon Public Works Director: City representative on various canal and irrigation company boards;
- Michael Florence, Lindon Planning & Econ. Development Director: PG-Lindon Chamber of Commerce Board; MAG Technical Advisory Committee; Utah Lake Commission Technical Advisory Committee (or Mike’s appointee)
- Noah Gordon, Lindon City Engineer: MAG Technical Advisory Committee

9. **Public Hearing — Amendment to the Lindon City Development Manual for a new public street cross-section; Ordinance #2019-19-O.** Lynn Walker requests Ordinance Amendment approval to amend the Lindon City Development Manual to create a new public street cross section option for Lindon’s local streets. (20 minutes)

**See attached materials from the planning department.**

**Sample Motion:** *I move to (approve, deny, continue) Ordinance #2019-19-O amending the Lindon City Development Manual regarding street cross sections for Lindon’s local streets (as presented, or with changes).*

# Development Manual Amendment

## Proposed Residential Cross-Section Amendment

Date: November 19, 2019  
 Applicant: Lynn Walker  
 Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission unanimously recommended approval of the new cross-section

**MOTION**  
 I move to (approve, deny, or continue) ordinance amendment 2019-19-O (as presented, or with changes).

**Overview:**

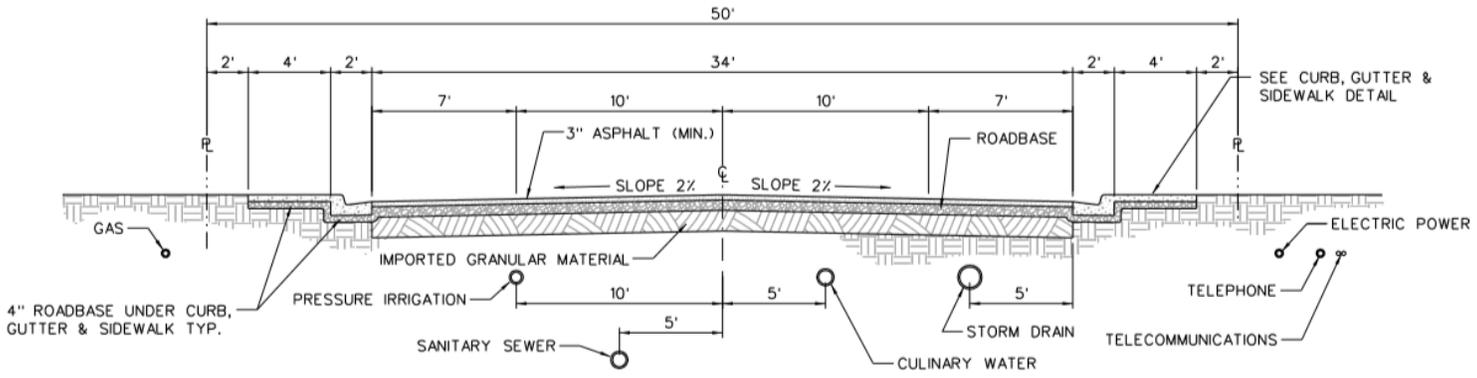
- Lynn Walker is proposing to amend the Lindon City Development Manual and proposes an alternative public street cross-section that would be available for all new local streets.
- Mr. Walker owns the property at approximately 850 E. Center Street and would like to use the proposed cross-section for a future residential subdivision.
- The proposed cross-section design includes an 8-foot park strip between the back of the street curb and the sidewalk.
- In the proposed cross-section, the private property line will be two feet behind the back of the curb. The remaining six feet of park strip and the 5-foot sidewalk will be within a sidewalk and limited easement. The limited easement is for minor utilities that won't have an impact on trees that will be planted. A number of cities in Utah County have adopted this cross-section as a development option. The public still has the same access rights as if the sidewalk were in the public right-of-way.

**Cross-Section Comparison**

The following table compares the city's current street standards with the proposed cross-section requirements.

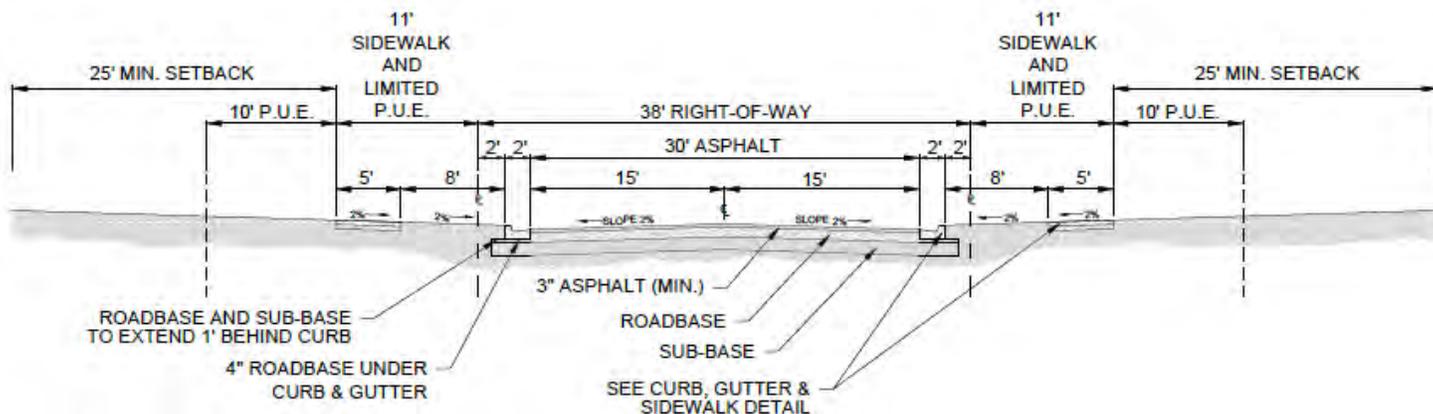
Width Requirements	Current Street Standards	Proposed Cross-Section Standards
Asphalt	34'	30'
Curb and Gutter	2'	2'
Planter Strip	0'	8'
Sidewalk	4'	5'
Building setback from back of curb	36'	38'

**Current Street Standards**



50' STREET CROSS-SECTION  
 LOOKING NORTH OR WEST

## Proposed Street Cross Section Renderings



### **LOCAL STREET WITH PARKSTRIP - 38' RIGHT-OF-WAY**

#### Analysis

Mr. Walker's application proposal gave staff an opportunity to evaluate a number of factors regarding street widths. First was the ability of the public to be able to safely travel on Lindon roads and to provide for sufficient emergency service access. Currently, Lindon City has approximately 55 miles of public roads that service both commercial and residential uses. For local residential streets, Lindon's typical pavement widths vary from 28-34 feet for typical sub local neighborhood residential streets and 50 feet for local residential neighborhoods collector streets. Attached is a map that staff put together that shows where those street cross-sections are located throughout the community. Staff also provided a number of photos included in the attachment section that show asphalt widths throughout the community and how traffic access functions. When evaluating the applicant's proposal, it would provide sufficient two-way access with parking for personal vehicles and access for public safety vehicles.

A second factor to consider is long-term road and asphalt maintenance. While reviewing this proposal, city staff wanted to better understand the budgetary effects that the difference in four-feet of street road width over a one block length (660 ft) would have on long-term city maintenance and construction costs. Factoring in crack seal, seal coat, pothole repair, mill and overlay over a 40-year period it was determined that the difference in four feet of asphalt width over a one block length costs between \$120,000 - \$180,000 in maintenance and construction costs every 40 years.

The proposed cross-section amendment to the Development Manual would provide future developments in Lindon the opportunity to implement alternative street requirements. A slightly narrower road and larger sidewalks, that are separated from the road, do increase pedestrian comfort and safety in neighborhoods that implement the proposed cross-section. From an aesthetics perspective, the neighborhood using this profile would also have a tree lined street on both sides. However, the proposed cross-section would have to be evaluated with each new development to determine how future right-of-way infrastructure coordinates together. In some cases, the City would decide that the standard 50-foot right-of-way with 34 feet of asphalt is better to meet city infrastructure requirements.

#### Exhibits

Proposed Development Manual Cross-Section Amendments

Proposed development location

Pictures of varying residential roadway asphalt widths and road width map

Currently adopted development manual cross-sections

Ordinance

Planning Commission meeting minutes

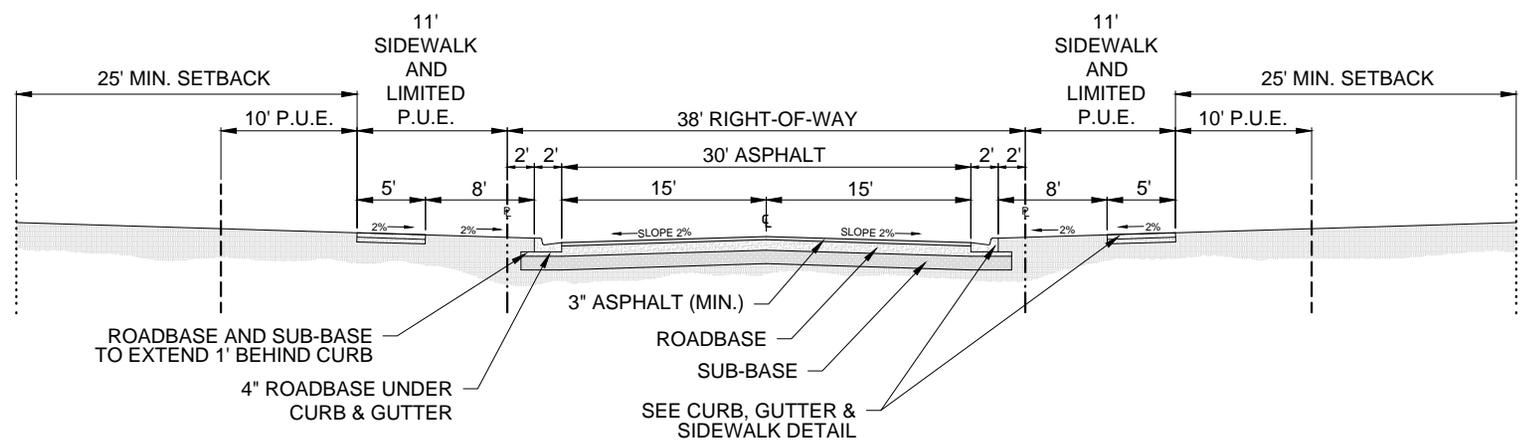
LONDON

100 NORTH STATE  
(801) 785-7687

LOCAL STREET WITH PARKSTRIP  
CROSS SECTION

DESIGNED:	NDG
REVISION:	NDG
ADOPTED:	

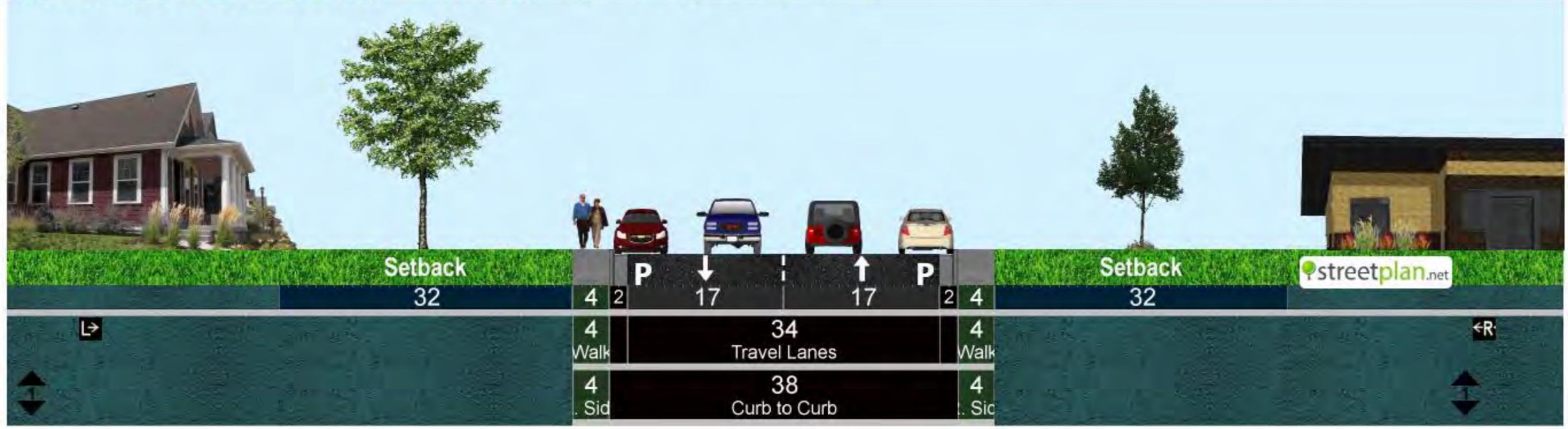
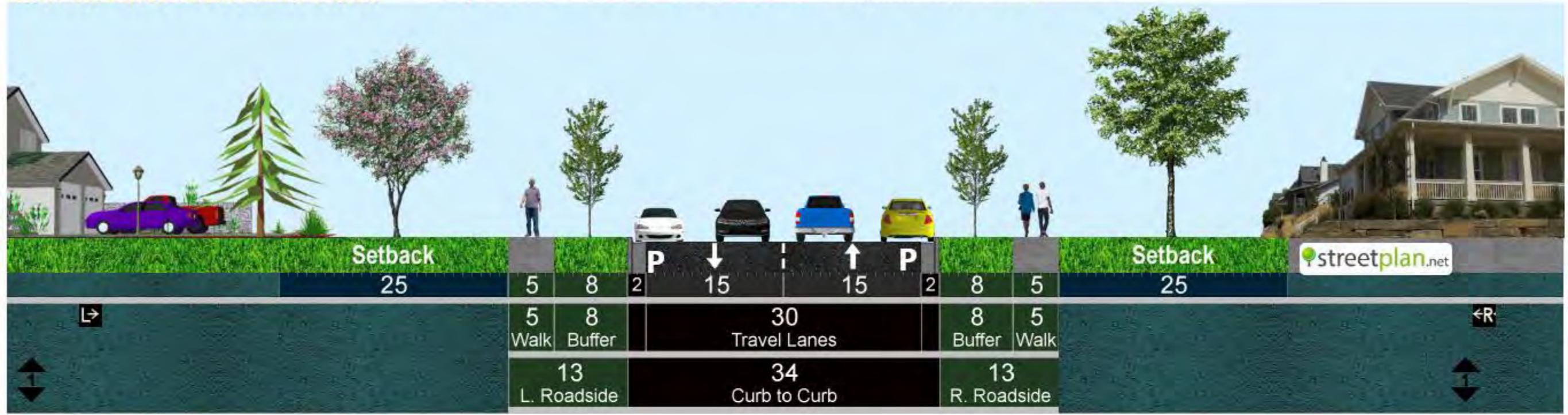
2f



LOCAL STREET WITH PARKSTRIP - 38' RIGHT-OF-WAY

NOTES:

1. UTILITY LOCATIONS AND NOTES APPLY AS SHOWN ON THE "STANDARD STREET CROSS SECTIONS AND UTILITY LOCATIONS" STANDARD DRAWING (STD DWG #2a).
2. IMPORTED GRANULAR MATERIAL (I.E. SUB-BASE), ROADBASE, AND, WHERE NECESSARY, ASPHALT THICKNESS, WILL BE DETERMINED BY SOILS REPORT / PAVEMENT DESIGN.
3. MINIMUM OF 4" UNTREATED BASE COURSE (ROADBASE) UNDER CURB & GUTTER AND 8" UNDER STREET PAVEMENT UNLESS MORE REQUIRED BY SOILS REPORT / PAVEMENT DESIGN.
4. ROADBASE AND SUB-BASE SHALL EXTEND 1' MIN. BEHIND CURB AND GUTTER DUE TO LACK OF SIDEWALK ADJACENT TO CURB.
5. THE LIMITED P.U.E. ONLY ALLOWS BURIED UTILITY LINES TO CROSS PERPENDICULAR TO THE STREET, AND DOES NOT ALLOW UTILITY LINES OR STRUCTURES THAT RUN PARALLEL TO THE STREET. (USE P.U.E. FOR THOSE RUNNING PARALLEL TO THE STREET.)





Center Street

900 E

200 S

Oak Canyon  
Junior High



14-074-002

14-073-0160

14-074-0060

14-073-0217

104274 ft  
1282.86 ft  
1285 ft

14-073-0179

45-670-0017

45-678-0018

45-353-0000

45-353-0008

45-353-0002

45-353-0009

45-353-0001

45-353-0010

45-353-0005

45-353-0006

45-353-0007

44-073-0000

44-073-0010

44-073-0011

44-082-0001

44-082-0002

53

44-082-0040

45-080-0500

45-079-0500

36-689-0004

36-689-0005

36-392-0002

14-073-0200

14-073-0134

39-215-0001

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52-381-0006

52-380-0005

66-309-0013

66-309-0014

350

352

351

355

354

373

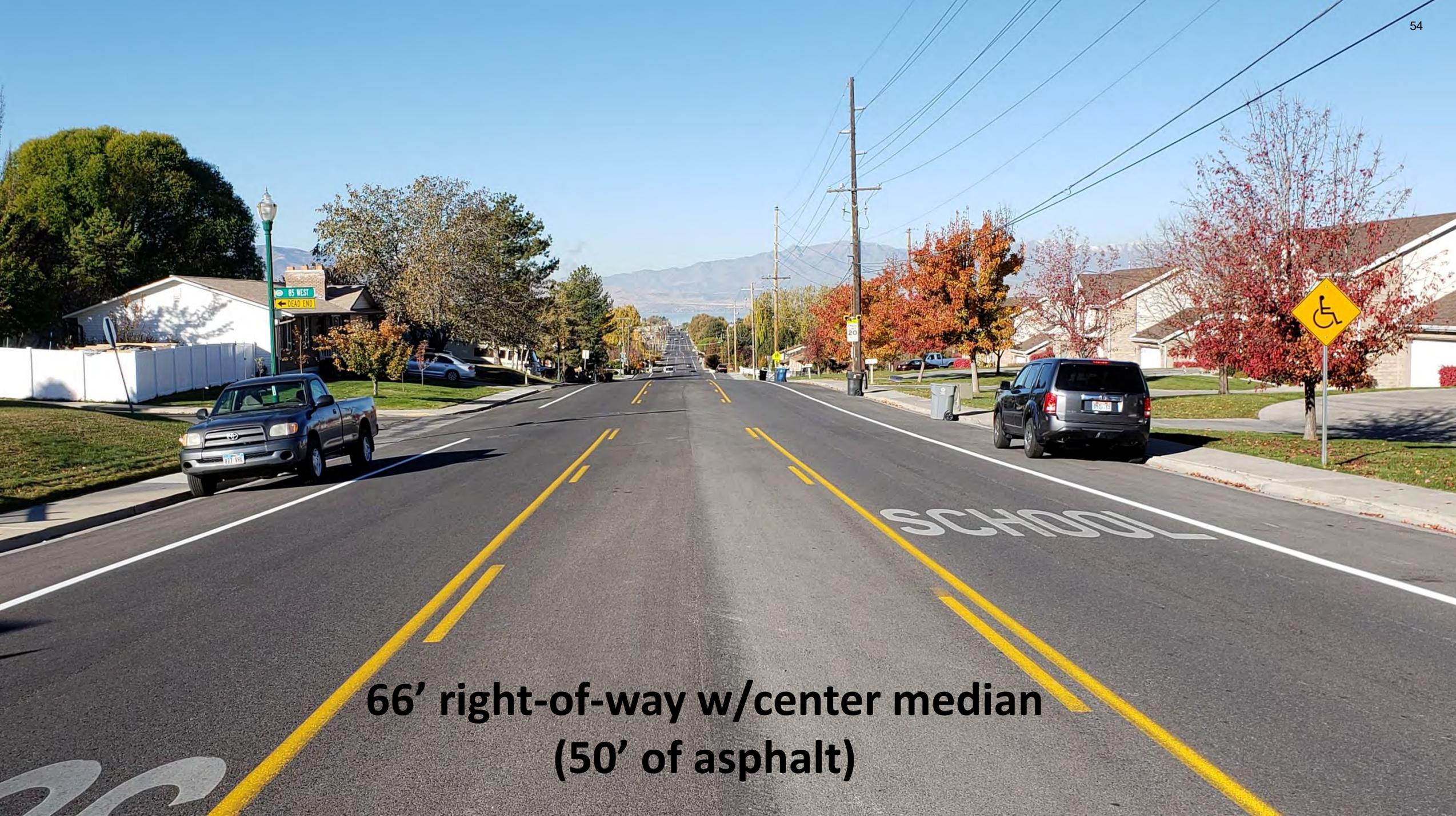
358

357

351

45-181-0002

1305 ft



**66' right-of-way w/center median  
(50' of asphalt)**



**66' right-of-way w/bike lanes  
(50' of asphalt)**

A wide, unstriped asphalt road in a suburban neighborhood. The road is 66 feet wide, with 50 feet of asphalt. The road is flanked by houses and fences. In the background, there are mountains with snow. A silver pickup truck is parked on the right side of the road. A car is driving in the distance.

**66' right-of-way w/no stripes  
(50' of asphalt)**



**50' right-of-way with striping  
(34' of asphalt)**



**50' right-of-way w/out striping  
(34' of asphalt)**



**50' right-of-way w/ 6' planter strip & sidewalk easements  
(34' of asphalt)**



**64' right-of-way w/planter strip  
(34' of asphalt)**



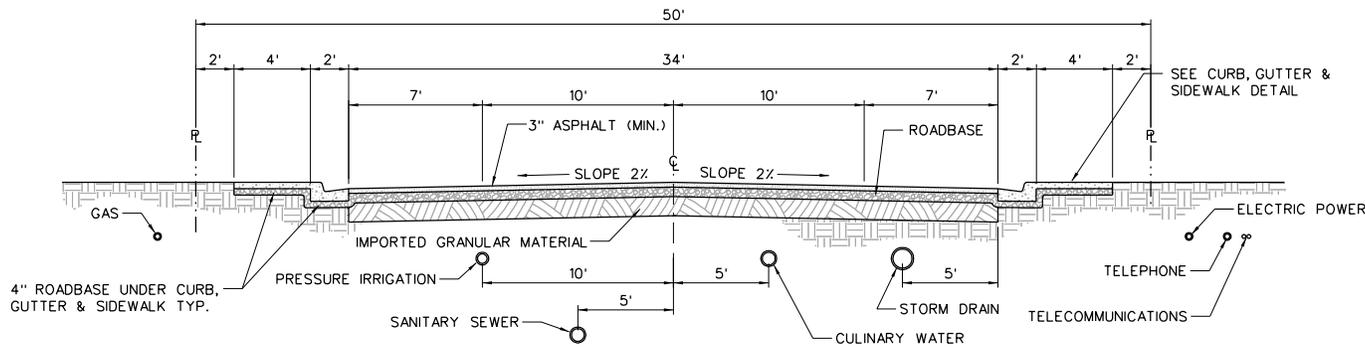
**55' right-of-way w/ 6' planter strip  
(29' of asphalt)**



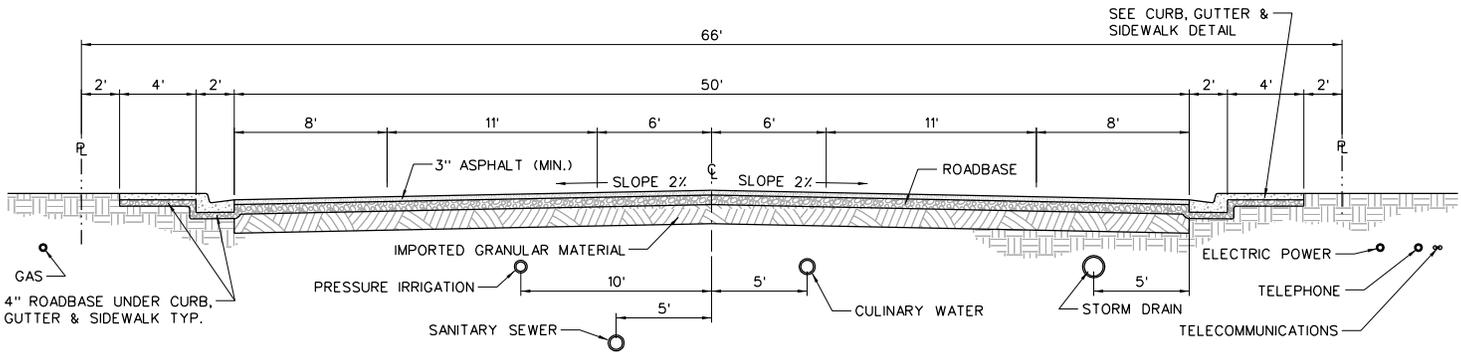
**50' right-of-way w/ 4' planter strip  
(28' of asphalt)**



**50' right-of-way w/ trail/sidewalk combo  
(28' of asphalt)**



50' STREET CROSS-SECTION  
LOOKING NORTH OR WEST



66' STREET CROSS-SECTION  
LOOKING NORTH OR WEST

- NOTES:
1. WHEREVER POSSIBLE, CULINARY WATER LINES SHALL BE INSTALLED ON THE NORTH AND EAST SIDE OF THE STREET
  2. FIRE HYDRANTS SHALL BE LOCATED EVERY 400 FEET AND ON THE SAME SIDE AS THE CULINARY WATER LINES OR AS APPROVED BY THE CITY.
  3. WATER VALVES SHALL BE ALIGNED WITH PROPERTY LINES WHERE POSSIBLE.
  4. NO CULINARY WATER LINE SMALLER THAN 8" DIA. SHALL BE INSTALLED WITHOUT APPROVAL OF PUBLIC WORKS.
  5. NO PRESSURE IRRIGATION LINE SMALLER THAN 4" DIA. SHALL BE INSTALLED WITHOUT APPROVAL OF PUBLIC WORKS.
  6. IMPORTED GRANULAR MATERIAL, ROADBASE AND WHERE NECESSARY ASPHALT THICKNESS WILL BE DETERMINED BY PAVEMENT DESIGN.
  7. TELECOMMUNICATIONS CONDUIT SHALL BE LAID WHERE TELEPHONE CONDUIT IS LAID.
  8. REQUIRED COVER OVER UTILITY LINES ARE AS FOLLOWS:  
 CULINARY WATER - 48" MINIMUM  
 PRESSURE IRRIGATION - 24" MINIMUM  
 SANITARY SEWER - PER DESIGN  
 STORM DRAIN - PER DESIGN  
 TELECOMMUNICATIONS - 24" MINIMUM  
 ALL OTHERS - PER UTILITY REQUIREMENTS
  9. SIDEWALK NOT REQUIRED IN INDUSTRIAL ZONES WEST OF GENEVA ROAD.



STATEMENT OF USE

THIS DOCUMENT AND ANY ILLUSTRATIONS HEREON ARE PROVIDED AS STANDARD CONSTRUCTION DETAILS WITHIN LINDON CITY. DEVIATION FROM THIS DOCUMENT REQUIRES APPROVAL OF LINDON CITY, LINDON CITY CORPORATION AND J-U-B ENGINEERS CAN NOT BE HELD LIABLE FOR MISUSE OR CHANGES REGARDING THIS DOCUMENT.

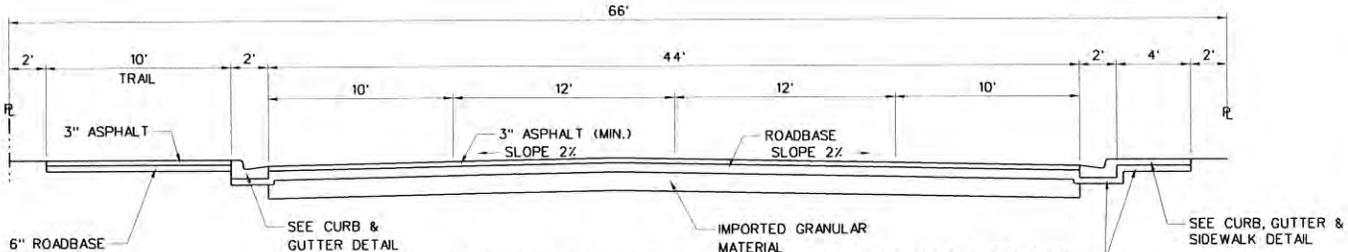
REVISION		CAF	M.C.	DATE
2	REVISE 100' STREET CROSS SECTION	CAF	M.C.	1/22/04
3	ADDED TELECOMMUNICATION CONDUIT	EEA	M.C.	1/11/05
4	REVISED 100' STREET CROSS SECTION	CJE	M.C.	12/15/06
5	ADDED NOTE 3	TRG	M.C.	1/09/08
	DESCRIPTION	BY	APPR	DATE



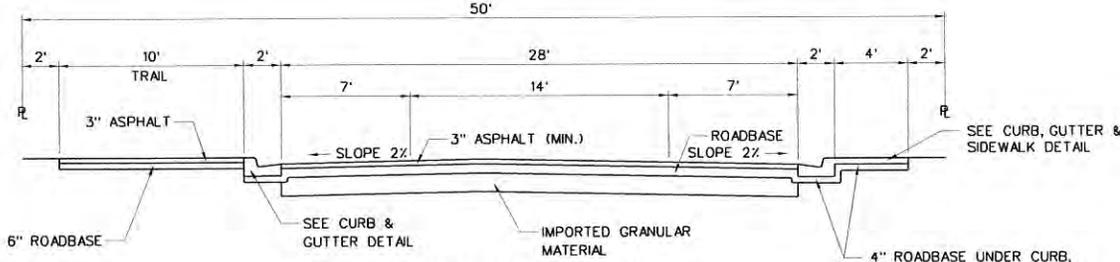
STANDARD STREET CROSS SECTIONS  
AND UTILITY LOCATIONS

LINDON CITY  
100 NORTH STATE

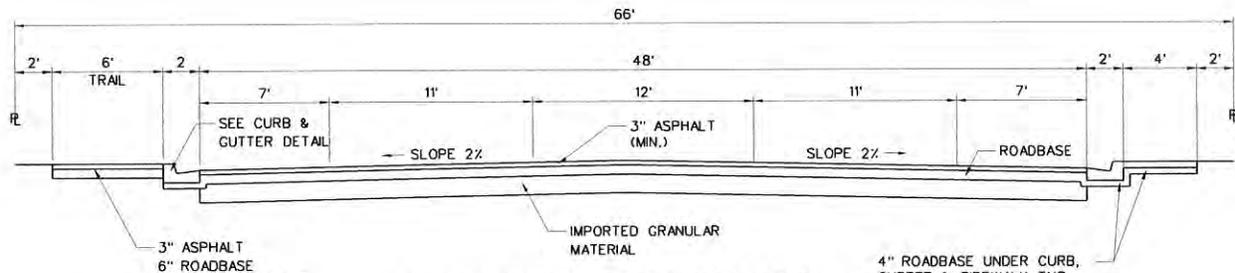
STANDARD DRAWING NUMBER:	2a
CAD DWG: LC StdDwg.dgn	
PLOT SCALE:	1:000
DRAWN BY:	MJ
DESIGN BY:	DCI
CHECKED BY:	MLC
ADOPTED DATE:	15 JAN 08



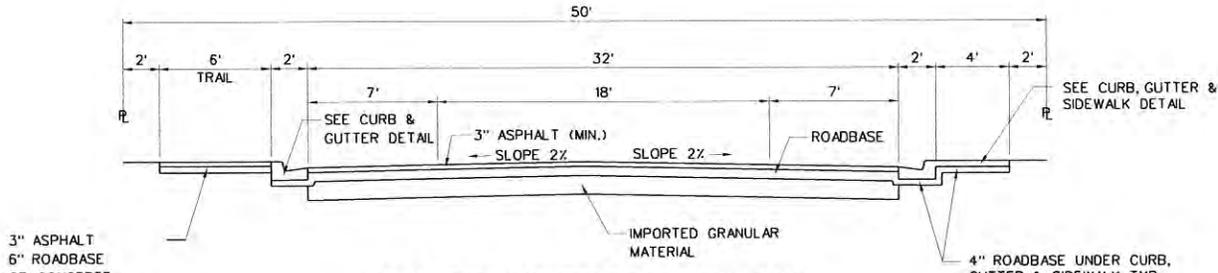
**TRAIL-TYPE STREET CROSS-SECTION  
10' TRAIL IN 66' R/W**



**TRAIL-TYPE STREET CROSS-SECTION  
10' TRAIL IN 50' R/W**



**TRAIL-TYPE STREET CROSS-SECTION  
6' TRAIL IN 66' R/W**



**TRAIL-TYPE STREET CROSS-SECTION  
6' TRAIL IN 50' R/W**

- NOTES:**
1. UTILITY LOCATIONS AND NOTES APPLY AS SHOWN ON THE STANDARD STREET CROSS SECTIONS AND UTILITY LOCATIONS STANDARD DRAWING (STANDARD DRAWING NUMBER 2A).
  2. IMPORTED GRANULAR MATERIAL, ROADBASE AND WHERE NECESSARY ASPHALT THICKNESS WILL BE DETERMINED BY PAVEMENT DESIGN.
  3. STREETS WITH 4" CONCRETE TRAILS HAVE THE SAME CROSS SECTIONS AS THE STANDARD STREET CROSS SECTIONS.
  4. WHERE CURB AND GUTTER EXISTS, OR FOR OTHER REASONS, 6' TRAIL MAY BE PLACED AGAINST THE RIGHT-OF-WAY-LINE.
  5. SIDEWALK NOT REQUIRED IN INDUSTRIAL ZONES WEST OF GENEVA ROAD.



**STATEMENT OF USE**

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REVISION		DATE	BY	DATE
1	ISSUE DRAWING TITLE	M.C.	APL	1/27/09
2	CREATE TRAIL-TYPE STREET CROSS SECTIONS	M.C.	APL	12/14/08
3	ADDED NOTE 5	M.C.	APL	1/29/09



**TRAIL-TYPE STREET CROSS SECTIONS  
AND UTILITY LOCATIONS**

LINDON CITY  
100 NORTH STATE

STANDARD DRAWING NUMBER	<b>2b</b>
CAD DWG: LC Std0493.dwg	
PLOT SCALE	1:000
DRAWN BY	CJC
DESIGN BY	M.C.
CHECKED BY	M.C.
ADOPTED DATE	15 JAN 09

## ORDINANCE NO. 2019-19-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING THE LINDON CITY DEVELOPMENT MANUAL FOR A NEW LOCAL STREET CROSS-SECTION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goals of the Lindon City General Plan that street classification should be determined by projected traffic volumes, desired operation speeds, projected traffic types, projected construction phasing and location; and

WHEREAS, the proposed amendment is consistent with the goals of the Lindon City General Plan that the City should establish goals to improve the overall design and appearance of roadways within the community and to ensure that circulation facilities are designed and developed in harmony with adjacent land uses (e.g., treescapes along streets, park strips); and

WHEREAS, on October 22, 2019, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on November 19, 2019, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

**SECTION I:** Amendment. Amend Lindon City Development Manual as follows:

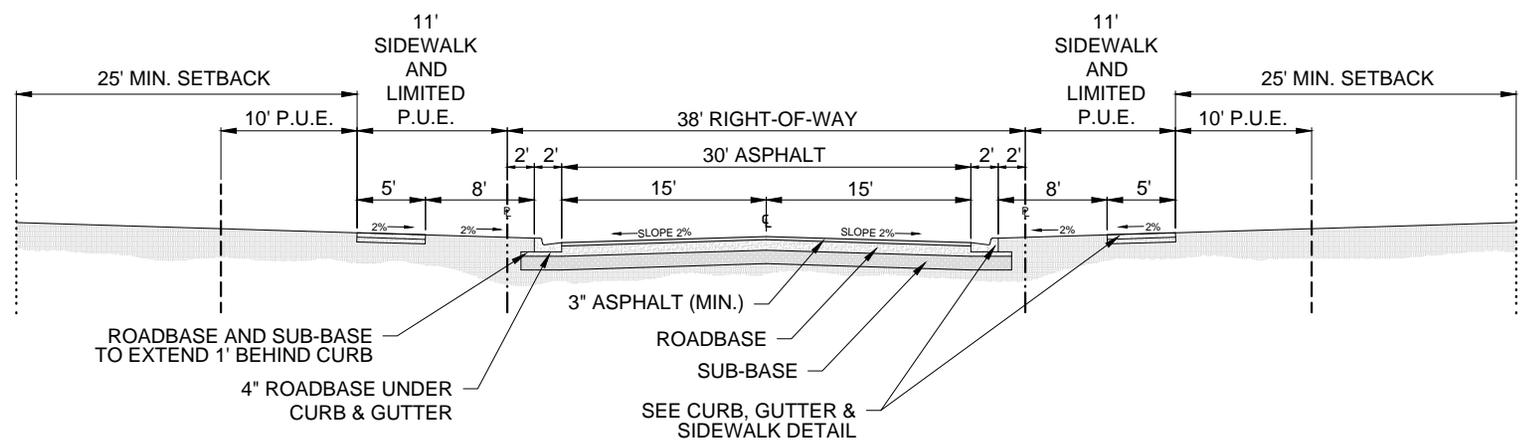
LONDON

100 NORTH STATE  
(801) 785-7687

LOCAL STREET WITH PARKSTRIP  
CROSS SECTION

DESIGNED:	NDG
REVISION:	NDG
ADOPTED:	

2f



LOCAL STREET WITH PARKSTRIP - 38' RIGHT-OF-WAY

NOTES:

1. UTILITY LOCATIONS AND NOTES APPLY AS SHOWN ON THE "STANDARD STREET CROSS SECTIONS AND UTILITY LOCATIONS" STANDARD DRAWING (STD DWG #2a).
2. IMPORTED GRANULAR MATERIAL (I.E. SUB-BASE), ROADBASE, AND, WHERE NECESSARY, ASPHALT THICKNESS, WILL BE DETERMINED BY SOILS REPORT / PAVEMENT DESIGN.
3. MINIMUM OF 4" UNTREATED BASE COURSE (ROADBASE) UNDER CURB & GUTTER AND 8" UNDER STREET PAVEMENT UNLESS MORE REQUIRED BY SOILS REPORT / PAVEMENT DESIGN.
4. ROADBASE AND SUB-BASE SHALL EXTEND 1' MIN. BEHIND CURB AND GUTTER DUE TO LACK OF SIDEWALK ADJACENT TO CURB.
5. THE LIMITED P.U.E. ONLY ALLOWS BURIED UTILITY LINES TO CROSS PERPENDICULAR TO THE STREET, AND DOES NOT ALLOW UTILITY LINES OR STRUCTURES THAT RUN PARALLEL TO THE STREET. (USE P.U.E. FOR THOSE RUNNING PARALLEL TO THE STREET.)

**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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

ATTEST:

\_\_\_\_\_  
Kathryn A. Moosman,  
Lindon City Recorder

SEAL

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
 4 **October 22, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson  
 Invocation: Rob Kallas, Commissioner  
 10 Pledge of Allegiance: Scott Thompson, Commissioner

12	<b><u>PRESENT</u></b>	<b><u>EXCUSED</u></b>
	Sharon Call, Chairperson	Renee Tribe, Commissioner
14	Mike Marchbanks, Commissioner	
	Rob Kallas, Commissioner	
16	Steven Johnson, Commissioner	
	Scott Thompson, Commissioner	
18	Jared Schauers, Commissioner	
	Mike Florence, Planning Director	
20	Anders Bake, Associate Planner	
	Brian Haws, City Attorney	
22	Kathy Moosman, City Recorder	

24 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

26 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the  
 28 Planning Commission meeting of October 8, 2019 were reviewed.

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES  
 OF THE REGULAR MEETING OF OCTOBER 8, 2019 AS PRESENTED.  
 32 COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT  
 VOTED IN FAVOR. THE MOTION CARRIED.

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

38 **CURRENT BUSINESS** –

40 4. **Public Hearing – A recommendation to the Lindon City Council to amend**  
**the Lindon City Development Manual for a new public street cross-section.**  
 42 Lynn Walker requests Ordinance Amendment approval to amend the Lindon City  
 Development Manual to create a new public street cross section option for  
 44 Lindon’s local streets.

46 COMMISSIONER THOMPSON MOVED TO OPEN THE PUBLIC HEARING.  
 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
 48 VOTED IN FAVOR. THE MOTION CARRIED.

2 Anders Bake, Associate Planner, led this discussion by stating Mr. Todd Dudley  
 is in attendance representing the applicant tonight. He noted the applicant is requesting an  
 4 Ordinance Amendment approval to amend the Lindon City Development Manual to  
 create a new public street cross section that would be available for all new local streets.  
 6 He added the commission will make a recommendation to the city council.

8 Mr. Bake stated the applicant is planning to apply for subdivision approval at a  
 future day for his property at approximately 850 East Center street and would like to use  
 the proposed cross-section for this subdivision. The proposed cross-section design  
 10 includes an 8-foot park strip between the back of the street curb and the sidewalk which  
 is similar to approved cross-sections in nearby cities. In the proposed cross-section the  
 12 private property line will be 2 feet behind the back of the curb. The remaining 6 feet of  
 park strip and the 5-foot sidewalk will be within a public sidewalk easement and not be  
 14 part of the public right of way. He noted a number of cities in Utah County have gone to  
 this cross-section as a development option and pointed out the public still has the same  
 16 access rights as if the sidewalk were in the public right-of-way.

18 Mr. Bake then referenced a Cross-Section Comparison and table comparing the  
 city's current street standards with the proposed cross-section requirements  
 He also presented the Current Street Standards and Proposed Street Cross Section  
 20 Renderings. He noted the proposed cross-section amendment to the Development Manual  
 will give future developments in Lindon the opportunity to implement alternative street  
 22 requirements. He pointed out the decrease in asphalt width from 34 feet to 30 feet will  
 continue to give personal vehicles and emergency vehicles adequate traveling space with  
 24 parking permitted on both sides the of the street. He indicated a slightly narrower road  
 and larger sidewalks, that are separated from the road, will increase pedestrian comfort  
 26 and safety in neighborhoods that implement the proposed cross-section.

28 Mr. Bake then referenced the Cross-Section Comparison Renderings, Proposed  
 Development Manual Cross-Section Amendment and Future Walker Farms Subdivision  
 Property followed by some general discussion including who maintains the park strips.  
 30 Mr. Florence stated we currently don't have standards for maintenance of park strips and  
 that may be something we should discuss at a future date. He then turned the time over to  
 32 Mr. Dudley for comment.

34 Mr. Dudley stated they are going to do some CC&R's in this development for  
 specific types of roof pitches etc., and they will also do some landscaping. He  
 commented that it does seem like when everything is new everyone takes care of it, but it  
 36 can change as time goes on; this is a really nice, attractive street and well taken care of.  
 He pointed out the amount they will be paying for these lots he can't imagine that they  
 38 won't take care of the park strip. Following discussion, the commission was in  
 agreement with CC&R's in place that will help to ensure the park strip will be nice and  
 40 well taken care of as there is a lot of investment made and they will be very nice high-end  
 homes. Mr. Dudley also mentioned how surrounding cites handle park strips and cross  
 42 sections requirements. Commissioner Kallas said he likes this proposal but he worries  
 about the maintenance and enforcement of the park strip.

44 Commissioner Kallas also asked if there is any way to make this when a  
 developer comes in to develop a subdivision that they are required to put the city streets  
 46 in the way they are now. In other words, would they all default to the way they are now,  
 but if the developer could show that this would be a benefit to the subdivision, would we  
 48 approve it. Mr. Haws stated from a legal perspective they would need some type of

2 parameters to qualify it or dis-qualify it so it's not just hit and miss on how this is  
 applied. Mr. Florence stated they could make a recommendation that it is added to the  
 4 ordinance in the motion. Mr. Haws confirmed that statement. Commissioner Marchbanks  
 suggested sending this on to the city council with a recommendation that we clarify and  
 6 define "local street" so there are no ambiguities. Mr. Florence explained we would need  
 to do an ordinance amendment and it would have to come back to the commission. He  
 8 noted with a recommendation we could start working on the definitions before the site  
 plan comes before the commission. Mr. Dudley stated what he is hearing the cross  
 10 section is good it's just the definition we are trying to establish, so would he be safe in  
 preparing his drawings with this cross section. The commission confirmed that  
 12 statement.

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

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

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

22

COMMISSIONER KALLAS MADE A MOTION TO RECOMMEND TO THE  
 24 CITY COUNCIL APPROVAL OF ORDINANCE AMENDMENT 2019-19-O AS  
 PRESENTED WITH ONE RECOMMENDATION THAT STATES "LOCAL STREET  
 26 AS DEFINED BY CITY ORDINANCE." COMMISSIONER MARCHBANKS  
 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

**10. Public Hearing — Ordinance Amendment: Height Amendment for the PC-I zone**

**Ordinance #2019-20-O.** The City Council will review and consider a request by Miller Family Real Estate, LLC for Ordinance Amendment approval to increase the allowable building height in the Planned commercial-I zone from 48 feet to 60 feet and related technical amendments. (20 minutes)

**See attached materials from the planning department.**

**Sample Motion:** I move to recommend (*approval, denial, to continue*) of ordinance amendment 2019-20-O (*as presented, or with changes*).

## Ordinance Amendment Height Amendment for the PC-I Zone

**Date:** November 19, 2019

**Applicant:** Miller Family Real Estate, LLC

**Presenting Staff:** Michael Florence

**Type of Decision:** Legislative

**Council Action Required:** Yes, the planning commission gave a unanimous recommendation to this request

### Motion

I move to (*approval, denial, to continue*) (of) ordinance amendment 2019-20-O (*as presented, or with changes*).

### Overview:

Miller Family Real Estate, LLC is proposing a new 51,112 square foot office building at 424 S. Lindon Park Drive. The applicant is petitioning the planning commission for a recommendation to increase the allowable height in the PC-1 zone from 48 feet to 60 feet and to remove the requirement that mechanical appurtenances be included in the overall height measurement of the building.

### Purpose of Request

- The purpose of the request is that the applicant has a tenant that is requiring a specific amount of parking stalls for the site. Due to the size of the site and building square footage, the applicant is proposing to meet the potential tenant's parking requirement by constructing parking at ground level under the building with three stories of office above.
- The concept plan that the applicant provided to staff is close to meeting city parking standards. The applicant is proposing a parking plan that shows approximately 270 stalls. For high density office uses the city parking code allows 4 stalls per 1,000 square feet of office space (204 stalls). The City parking code also allows an applicant to go up 130% (city code 17.18.078) of the minimum which would be 5.2 stalls per 1,000 square feet or 265 stalls.
- Under the current code, the PC-1 and PC-2 development standards are grouped together. The proposed amendment would separate the development standards for PC-1 and PC-2 zones in relationship to height requirements. The PC-2 zone would remain at the existing 48' height requirement.
- Currently, the surrounding zoning and areas have a combination of 1, 2 and 3 story buildings.
- The PC-1 and PC-2 zones require that mechanical appurtenances be included in measuring the overall height of the building. The PC-1 and PC-2 zones are the only two zones in the city where this development standard is required. All other zones call out a maximum height and then code section 17.04.230 applies:
  - *17.04.230 - Height limitations – Exceptions.*  
*Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and attached structures such as fire or parapet walls, skylights, towers, steeples, chimneys, wireless or television masts, theater lofts, or similar structures may be erected 10 (10) feet above the zone height limits, but no space above the height limit shall be allowed for purposes of providing additional floor space, nor shall such increased height be in violation of any other ordinance or regulation of Lindon City. A church may have architectural features, similar to those listed above, erected up to 50% of the building height or 20' above the zone height limit, whichever is greater.*

### **Height Comparison Table Per Zone**

<b>Zone</b>	<b>Height Requirement</b>
Research and Business	No building shall be constructed to a height exceeding three (3) stories with a maximum height of forty-eight (48) feet.
Commercial General	48'
Commercial General – A	48'
Commercial General – A8	80'
Commercial General - S	48'
PC-1 and PC-2	No building or structure shall be higher than forty-eight feet (48') including mechanical appurtenances, which shall be properly screened, above the average grade of the street/sidewalks adjacent to the property within the PC-1 Zone.
Lindon Village	48'
Mixed Commercial	48'
Regional Commercial	No building shall be constructed to a height exceeding eighty feet (80').

### **Analysis**

The adjacent Canopy Business Park has been a very successful office development for Lindon City. The City is happy to see a proposal for this site that will bring new jobs and development to the area. Staff feels like the increased height itself should not have a significant impact on the area. The PC-1 zone is not adjacent to residential zones and the increased height may be acceptable when closer to the 1600 S. interchange. The PC-1 zone has some recent history with proposed ordinance and zone amendment proposals. In 2015, the City initiated a proposal to increase the allowable height in the PC-1 zone from 48 feet to 110 feet which did not move forward from the planning commission. In 2017, Miller Family Real Estate, LLC made application to rezone the subject parcel to PC-2 to allow a used car dealership but the item was continued at the request of the applicant and it did not move forward from the planning commission.

One of the main considerations that the council should deliberate is what effect the proposed amendment will have on the building meeting the requirements of the commercial design standards. There are a number of constraints with the size of the property, tenant parking demand, and building size. With the exception of the southeast corner lobby and the northeast mechanical room, the rest of the building is open to parking and parking entrances under the building. The Commercial Design Standards particularly emphasis the ground level architecture. If the ordinance amendment is approved, the project will be reviewed for site plan approval from the planning commission. While the city council will not be providing site plan approval, the ordinance amendment plays into future site plan review. The applicant has been made aware of the below listed commercial design standard requirements (not an exhaustive list) and is willing to address those before site plan approval.

#### 5.2.1 – Massing and Orientation

- Give the greatest consideration in terms of design emphasis and detailing to the street facing façade.
- Buildings on corner sites shall orient to both streets, these buildings are encouraged to have an entrance situated at or near the corner.

#### 5.2.4 – Exterior Walls and Surfaces – Building Materials

- Scale, texture, detailing, and fenestration should be greatest at the ground floor, where the level of visibility and adjacency to pedestrian activity is greatest.

#### 5.2.6 – Windows and Doors/Fenestration

- Avoid blank facades with no fenestration.
- The ground floor of the primary façade shall be 60% fenestration at the pedestrian level.

- A significant amount of the primary ground story façade facing public streets, easements and other right-of-way corridors should be transparent glazing, to enhance the pedestrian environment, to connect the building interior to the outside, and to provide ambient lighting at night.

In regards to removing the requirement that mechanical appurtenances be included in the overall height, staff feels that it would be best to be consistent throughout the code with the same requirements. However, any rooftop mechanical equipment will still need to be screened, meet the requirement of 17.04.230, and be architecturally compatible with the design of the building. The proposed ordinance language is very similar to current ordinance requirements in the Commercial Design Standards and Regional Commercial zone.

*Commercial Design Standards: Rooftop mechanical units are desirable where possible, and should be screened from view with integrated architectural elements (walls, parapets, etc.).*

*Regional Commercial Zone: All mechanical equipment incidental to any building, including roof mounted mechanical equipment, shall be screened so as to be an integral part of the architectural design of the building to which it is attached or related. 17.54.030*

### **Exhibits**

- Zoning map of PC-1 and PC-2 districts
- Aerial photo
- Pictures of the site and area
- Proposed ordinance language
- Proposed building renderings



Existing Site



Existing Site and Surrounding Area



ORDINANCE NO. 2019-20-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.48 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goals of the Lindon City General Plan that commercial and industrial uses should be highly accessible, and developed compatibility with the uses and character of the surrounding districts; and

WHEREAS, on November 12, 2019, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on November 19, 2019, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

**SECTION I:** Amendment. Amend Lindon City Code Section 17.48 as follows:

**CHAPTER 17.48**

**COMMERCIAL ZONES**

Sections:

- 17.48.010 General provisions.
- 17.48.020 Zone area and dimensional standards.
- 17.48.025 Lindon Village commercial (LVC) zone.
- 17.48.030 Landscaping within the general commercial zones (CG, CG-A, CG-A8, CG-S).
- 17.48.040 Fencing and screening.
- 17.48.050 Storage and merchandise.
- 17.48.060 Maintenance of premise.
- 17.48.070 Site lighting.
- 17.48.080 Architectural design.
- 17.48.090 Special provisions.
- 17.48.100 Planned commercial zone.
- 17.48.200 Vehicle sales lots.

**17.48.010 General Provisions**

The Commercial Ordinance is established to promote commercial and service uses for general community shopping.

The objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located. These zones include the General Commercial Zones (CG, CG-A, CG-A8, CG-S), Lindon Village Commercial Zone and the Planned Commercial (PC-1 and PC-2) Zones. For a full list of permitted uses in these zones, refer to the Standard Land Use Table in Appendix A.

**17.48.020 Zone Area and Dimensional Standards**

Refer to Table 17.48.020 below for general area and dimensional standards in the various CG zones.

	CG	CG-A	CG-A8	CG-S	<u>PC-1</u>	<del>PC-1</del> , PC-2	LVC
Min lot size	20,000 sq/ft	20,000 sq/ft	20,000 sq/ft	20,000 sq/ft	<u>1 acre</u>	1 acre	20,000 sq/ft
Front setback	20'	20'	20'	20	<u>30'</u>	30'	20'
Side or rear yard setback when adjacent to a nonresidential zone	0'	0'	0'	0'	<u>0'</u>	0'	0'
Side or rear yard setback when adjacent to a residential use or a residential zone	40'	40'	40'	40'	<u>50'</u>	50'	40'
Street side yard setback (corner lot)	20'	20'	20'	20'	<u>30'</u>	30'	20'
Minimum structure height	10'	10'	10'	10'	<u>14'</u>	14'	10'
Maximum structure height	48'	48'	80'	48'	<u>60'</u>	48'	48'

**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 20, 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 (1) 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 standalone pad sites or in conjunction with a larger project within a development district (outlined in Subsection 4 of this section).
- 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.

4. *District Plans.* The following applies to the areas identified in Figure 1 at the end of this section:

a. Figure 1 divides the 700 North Commercial Corridor into twenty-three (23) 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.

5. 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.

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



#### **17.48.030 Landscaping within the General Commercial Zones (CG, CG-A, CG-A8, CG-S)**

1. Landscaping Objectives. Landscaping plans shall be prepared with a view toward accomplishing the following design objectives (plans will be approved or denied based on how well these objectives are satisfied).

- a. Enhance the visual environment by:
  - i. Adding visual interest through texture, color, size, shape, etc., and
  - ii. Enhancing perspective by framing views, complementing architecture, screening and creating points of interest and activity.
- b. Ensure public safety by:
  - i. Guiding the circulation of cars and people,
  - ii. Controlling access to parking lots,
  - iii. Making traffic diverters prominent, and
  - iv. Creating street identification by varying the species, height, and location of landscaping.
- c. Minimize noise and glare.
- d. Conserve energy.

e. Complement architecture by landscaping around buildings.

f. Screen areas of low visual interest.

2. *Overall Landscaping Plan.* With the application for site plan approval, an overall landscaping plan shall be submitted. Landscaping plans shall show details on specific types and locations of trees and shall also identify areas to be sod or other types of vegetation or ground cover. Additional interior parking lot landscaping may be required per Chapter 17.18.

3. *Open Space.* A minimum of twenty percent (20%) of each lot shall be maintained in permanent landscaped open space.

4. *Landscaping Strip.* Unless otherwise approved by the planning commission, a landscaped berm at least three feet (3') high and twenty feet (20') wide shall be planted with grass and maintained in a living, growing condition along all public street frontages.

a. The measurement of the twenty feet (20') in landscaping will be measured from the back of walk, or back curb if no sidewalk exists. Areas with meandering sidewalks will have the twenty feet (20') measured from back of curb but may not count sidewalk width as part of the twenty feet (20') in landscaping requirement unless otherwise approved in a subdivision cross section. A minimum width of five feet (5') of the landscaping shall be on private property adjacent to the street right-of-way.

b. Thirty percent (30%) of the landscaping strip may consist of decorative rock, bark, mulch, and/or other ground covers other than grass. A planting/landscaping plan detailing types of ground covers, weed barriers, sprinklers, etc., in the nongrass areas shall be submitted and approved by the planning director.

c. Trees shall be planted thirty feet (30') on center, centered ten feet (10') from the edges of the strip in all required landscaped and bermed areas.

d. Landscaping requirements concerning berming, trees, and landscape materials can be changed and/or altered (with regard to location and design) upon approval of the planning commission at the site plan review stage of an application. No net loss of landscaping should occur with any approved alterations. Other landscaping layouts consistent with the Lindon commercial design standards may also be considered by the planning commission.

5. *Trees.* Recommended trees may be found in the list of tree species located in the Lindon City tree planting guide and, unless otherwise specified, shall be at least two-inch (2") caliper, measured one foot (1') above the ground and shall be at least six feet (6') in height when planted.

6. *Sprinkling and Irrigation.* All plantings shall be serviced by an acceptable underground automatic irrigation or sprinkler system, and maintained in a healthful living condition. Dead plant materials shall be replaced as necessary within the first year of planting.

7. Concrete curbing shall be provided between landscaped areas and off-street parking areas that is at least six inches (6") higher than the parking areas.

#### **17.48.040 Fencing and Screening**

1. A masonry or concrete fence seven feet (7') high shall be constructed and maintained along any property line between a nonresidential development and a residential use or a residential zone. The fence shall be constructed and maintained by the owner of the nonresidential development. Perimeter fencing shall not exceed eight feet (8') in height without approval by the planning commission. In all commercial zones the planning commission may approve a landscaping screen in lieu of a fence, a fence other than a masonry fence or approve a fence height greater than eight feet (8') if it makes the following findings:

- a. The proposed fence/landscape screen provides an adequate buffer for the adjoining residential use.
- b. The appearance of the fence/landscape screen will not detract from the residential use and/or nonresidential use of the property.
- c. The proposed fence/landscape screen will shield the residential use from noise, storage, traffic or any other characteristic of the nonresidential use that is incompatible with residential uses. The Planning Commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent residential uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.

**17.48.050 Storage and Merchandise**

1. The storage of merchandise outside an approved building shall be in an area approved as a part of the site plan and shall be within an area enclosed with a sight obscuring fence of at least six feet (6') in height. However, promotional displays, vehicle sales lots, and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed adjacent to a building wherein the business displays the bulk of its goods for sale.
2. This subsection shall not apply to temporary site plans under Chapter 17.17.
3. Landscaped areas and parking lots shall not be used for the displaying of merchandise.
4. Stacking of merchandise or materials of any kind shall not be allowed to protrude above required walls or fence lines unless approved by a temporary use permit.
5. No outdoor storage can be placed without any required fencing first being installed.
6. For outdoor storage areas required to be visually obscured, the planning commission may approve a landscaping screen in lieu of a fence, a fence other than a sight obscuring fence or approve a fence height greater than six feet (6') if it makes the following findings:
  - a. The proposed fence/landscape screen provides an adequate buffer for the adjoining uses.
  - b. The appearance of the fence/landscape screen will not detract from adjoining uses and/or use of the property.
  - c. The proposed fence/landscape screen will shield the adjoining uses from noise, storage, traffic or any other characteristic of the storage use that is incompatible with adjoining uses.
  - d. The planning commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.

**17.48.060 Maintenance of Premise**

1. No excessive or offensive noise, dust, odor, smoke, or light shall be emitted which is discernible beyond the site or parcel boundary lines in question, except that which emanates from the movement of motor vehicles. Premises shall be maintained in such a manner so as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.
2. No person shall store junk, unlicensed and/or inoperable vehicles, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building.

3. All solid waste storage facilities shall be enclosed with a masonry wall and constructed as per adopted city standards. The minimum access width to a solid waste storage facility shall be fifteen feet (15').
4. No trash, rubbish, or weeds shall be allowed to accumulate on any lot in the CG, PC-1 or PC-2 zones. The space around buildings and structures in these zones shall be kept free from refuse, debris, and weeds. All waste shall be concealed from view from adjacent property.
5. The architecture, appearance, and aesthetics of all buildings, structures, and edifices in all commercial zones shall be maintained to reasonable upkeep and maintenance standards.

#### **17.48.070 Site Lighting**

1. On-site lighting shall be designed to discourage the occurrence of graffiti and enhance a crime prevention environment and shall not glare into adjacent residential areas. Lighting in parking areas shall not glare into adjacent residential areas.
2. Street lights shall be installed on all public roads according to standards established in the land development policies, standard specification and drawings manual.

#### **17.48.080 Architectural Design**

1. Architectural character, streetscape, site design and other amenities in the CG, CG-A, CG-A8, or CG-S zones shall be consistent with the Lindon City commercial design standards as presently constituted and as may be amended from time to time.
2. All sides of the buildings shall receive design consideration consistent with the commercial design guidelines, particularly where exposed to vehicular traffic or adjoining properties.

#### **17.48.090 Special Provisions**

1. The requirements of this section shall run with the land and be binding on successors, owners and tenants so long as the buildings are occupied or the use exists.
2. The owners of a commercial development which contains more than one (1) parcel of record or which has more than one (1) owner may be required by the approving authority to submit documents to the city for approval which assure unified control of the development.
3. Any person who desires to occupy vacant floor space, or to change the use of the floor space shall be required to first obtain a certificate of occupancy from the city. Any person constructing or altering a building in the commercial zones shall first obtain a building permit from the city for such construction or alteration and then shall obtain a certificate of occupancy from the city before the building being constructed or altered is occupied.
4. If the city determines that the developer, tenant, manager, owner or any other interested person, firm or corporation has failed to maintain the premises consistent with all applicable zoning, health, safety, and building codes and ordinances, the city shall so notify said persons, firms or corporation by written notice specifying the deficiency complained of, and unless such failure is corrected to the satisfaction of the city within thirty (30) days, such failure or deficiency shall be deemed to constitute a "public nuisance" which may be abated in any lawful manner including but not limited to the manner set forth in Title 10, Chapter 8, Utah Code Annotated 1953, as amended.

#### **17.48.100 Planned Commercial Zone**

Approximately between 600 South and 200 South, and 400 West and I-15.

1. *Purpose.* The purposes of the PC Zones are:

- a. To provide for development of regional commercial centers that can accommodate retail, office, and service uses in areas that are convenient to the traveling public while protecting the character and quality of adjacent residential areas and the overall community of Lindon.
- b. To provide aesthetic controls for building architecture and site development.
- c. To provide development guidelines to ensure effective and safe traffic control and movement while creating an aesthetically pleasing traffic environment.

2. Uses within the PC-1 and PC-2 Zones shall be allowed as outlined in Appendix A, Standard Land Use Table of the Lindon City Code as presently constituted and as may be amended from time to time.

3. *Site Development Standards.*

a. *Building and Fence Setback.* The building setback and fence setback from any dedicated street shall be thirty feet (30').

b. *Building Heights.* No building or structure for the PC-1 Zone shall be higher than sixty feet (60'), and for the PC-2 Zone forty-eight feet (48') ~~including mechanical appurtenances, which shall be properly screened,~~ above the average grade of the street/sidewalks adjacent to the property within the PC-1 Zone. All mechanical equipment incidental to any building, including roof mounted mechanical equipment, shall be screened so as to be an integral part of the architectural design of the building to which it is attached or related.

c. *Building Design and Materials.* The architecture, design theme, and construction materials of the building's front elevation shall be applied to all exterior walls of the building. The rear of the building and any portion of the building that traditionally gets less attention to aesthetics shall be enhanced by the same architecture and design theme as those portions of the building that get high visibility from the public, except exterior building striping or similar decor shall not be installed on the rear or side exterior building walls directly adjacent to residential areas. Building exterior materials shall be eighty-five percent (85%) brick, decorative stone, fluted block, colored textured block, concrete tilt-up that meets the specific architectural theme for the development, glass and wood. Sheet metal and corrugated metal shall be prohibited, except for trim, soffits, fascia, mansards and similar architectural features. Other materials may be used if approved by the planning commission.

d. *Building Orientation.* No building front shall face toward an adjacent residential zone. The only building accesses permitted with orientation toward adjacent residential zones shall be emergency accesses only as required by the currently adopted building and fire codes.

4. *Landscaping.*

a. *Landscaping Objectives.* Landscaping plans shall be prepared with a view toward accomplishing the following design objectives (plans will be approved or denied based on how well these objectives are satisfied):

i. Enhance the visual environment by:

1. Adding visual interest through texture, color, size, shape, etc., and
2. Enhancing perspective by framing views, complementing architecture, screening and creating points of interest and activity.

ii. Ensure public safety by:

1. Guiding the circulation of cars and people,
2. Controlling access to parking lots,
3. Making traffic diverters prominent, and
4. Creating street identification by varying the species, height, and location of landscaping.

iii. Minimize noise and glare.

iv. Conserve energy.

v. Complement architecture by landscaping around buildings.

vi. Screen areas of low visual interest.

b. *Overall Landscaping Plan.* With the application for site plan approval, an overall landscaping plan shall be submitted. Landscaping plans shall show details on specific types and location of trees and shall also identify areas to be sod or other types of vegetation or ground cover. Additional 'interior parking lot landscaping' may be required per Chapter 17.18.

c. *Open Space.* A minimum of twenty percent (20%) of each lot shall be maintained in permanent landscaped open space.

d. *Landscaping Strip.* Unless otherwise approved by the planning commission, a landscaped berm at least three feet (3') high and twenty feet (20') in width shall be planted with grass and maintained in a living, growing condition along all public street frontages.

i. The measurement of the twenty feet (20') in landscaping will be measured from the back of walk, or back curb if no sidewalk exists. Areas with meandering sidewalks will have the twenty feet (20') measured from back of curb but may not count sidewalk width as part of the twenty feet (20') in landscaping requirement.

ii. Thirty percent (30%) of the landscaping strip may consist of decorative rock, bark, mulch, and/or other ground covers other than grass. A planting/landscaping plan detailing types of ground covers, weed barriers, sprinklers, etc., in the nongrass areas shall be submitted and approved by the planning director.

iii. Trees shall be planted thirty feet (30') on center, centered ten feet (10') from the edges of the strip in all required landscaped and bermed areas.

iv. Landscaping requirements concerning berming, trees, and landscape materials can be changed and/or altered (with regard to location and design) upon approval of the planning commission at the site plan review stage of an application. No net loss of landscaping should occur with any approved alterations. Other landscaping layouts consistent with the Lindon City commercial design standards may also be considered by the planning commission.

e. *Trees.* Recommended trees may be found in the list of tree species located in the Lindon City Tree Planting Guide and, unless otherwise specified, must be at least two-inch (2") caliper, measured one foot (1') above the ground and shall be at least six feet (6') in height when planted.

f. *Sprinkling and Irrigation.* All plantings shall be serviced by an acceptable underground automatic irrigation or sprinkler system, and maintained in a healthful living condition. Dead plant materials shall be replaced as necessary within the first year of planting.

g. Concrete curbing shall be provided between landscaped areas and off-street parking areas that is at least six inches (6") higher than the parking areas.

5. *Screening and Lighting.*

a. A masonry or concrete fence seven feet (7') high, shall be constructed and maintained along any property line between a nonresidential development and a residential use or a residential zone. The fence shall be constructed and maintained by the owner of the nonresidential development. Perimeter fencing shall not exceed eight feet (8') in height without approval by the planning commission. In all commercial zones the planning commission may approve a landscaping screen in lieu of a fence, a fence other than a masonry fence or approve a fence height greater than eight feet (8') if it makes the following findings:

- i. The proposed fence/landscape screen provides an adequate buffer for the adjoining residential use;
- ii. The appearance of the fence/landscape screen will not detract from the residential use and/or nonresidential use of the property;
- iii. The proposed fence/landscape screen will shield the residential use from noise storage, traffic or any other characteristic of the nonresidential use that is incompatible with residential uses;
- iv. The planning commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent residential uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.

b. *Lighting.* Freestanding lighting fixtures of at least eight feet (8') in height and not to exceed twenty feet (20') in height and producing at least one (1) foot-candle of illumination shall be installed and maintained along the street right-of-way lines and designed to shine away from residential developments. The lighting shall be designed to discourage the occurrence of graffiti and enhance a crime prevention environment and shall not glare into adjacent residential areas. Lighting in parking areas shall not glare into adjacent residential areas.

6. *Special Provisions.*

a. *Outside Storage and Display Areas.* The storage of merchandise or other material outside an approved building is prohibited. Outside display areas shall be approved as a part of the site plan. Landscaped areas shall not be used for the display of merchandise nor storage of materials unless approved by a temporary use permit.

b. *Receiving Areas (Docks).* Receiving areas located within one hundred fifty feet (150') of a residential zone shall be located inside an approved building or in an area enclosed on three (3) sides and covered with a roof. Access to receiving docks shall be from the front of the building or from the side of the building, provided the side of the building is not oriented toward an adjacent residential zone. Receiving areas shall be signed to indicate the hours the receiving area is operational and shall be signed to prohibit engine idling when the receiving area is closed. Receiving areas adjacent to a residential zone shall not operate between the hours of 10:00 p.m. and 6:00 a.m. unless provisions can be made to bring merchandise into the store through the front or side of the store not oriented toward a residential area. Materials, such as pallets, store fixtures, and other similar items shall not be stored in the receiving area. Any and all venting of the receiving areas shall be to the interior.

c. *Solid Waste Areas.* Solid waste dumpsters located within one hundred fifty feet (150') from any adjacent residential zone shall be located in an enclosure, the materials of which shall be approved by the city as a part of the site plan. Pick up of solid waste shall not occur between the hours of 10:00 p.m. and 6:00 a.m.

d. *Site Maintenance.* Except for snow removal, all common area maintenance of the site shall be between the hours of 6:00 a.m. and 10:00 p.m. Snow removal may be conducted on the site any time as necessary.

e. *Certificate of Occupancy.* No certificate of occupancy shall be issued for any building on any portion of a development until the landscaping is in place or a bond, cash deposit, or equivalent is deposited with the city conditioned on and guaranteeing the installation of all landscaping shown on the approved site plan. All landscaped areas shall be maintained in a neat, clean, orderly and sightly condition. This shall include proper pruning, lawn mowing, weeding, removal of litter, fertilizing, replacing of dead plants and the regular watering of all plants. Failure to maintain the landscaping as provided herein shall be a violation of this chapter and enforceable as provided by law.

#### **17.48.200 Vehicle Sale Lots**

Sales lots for automobiles, RVs, boats, trailers, motorcycles, ATVs, and similar vehicles shall only be conducted in appropriate zones according to the standard land use table and shall be fully improved to comply with current city standards, including fully paved display area, permanent sales office built to the current building code, landscaping, streetlights and permanent signage. Sales lots must be located on property that is zoned for such use. The following additional standards shall also apply:

1. Minimum Lot Size: One (1) acre.
2. Minimum Frontage on a Public Street: Two hundred feet (200'); double frontage lots may count all frontage toward this requirement.
3. Parking Spaces:
  - a. See Chapter 17.18, Off-Street Parking, for minimum number of stalls for employees and customers.
  - b. Dimensions shall meet requirements set forth in Section 17.18.020, Size of parking spaces and aisles.
  - c. Stalls must be clearly designated as "Customer" or "Employee" with an upright pole sign designating customer and employee parking spaces in order to differentiate from display stalls. These spaces shall not be used for parking vehicles which are for sale or for the display of any merchandise.
4. Parking Lot: See Section 17.18.080, Parking lot maintenance and design.
5. Display Spaces:
  - a. Dimensions shall meet requirements set forth in Section 17.18.020, Size of parking spaces and aisles, and be striped.
  - b. All automobiles and other vehicles which are for sale at the auto lot shall be parked in the automobile showroom or in a parking space which is specifically designated for displaying merchandise for sale.
  - c. All vehicles for sale shall be parked and stored solely within the automobile lot.
6. Display Lot: See Section 17.18.080, Parking lot maintenance and design.
7. Display Area:
  - a. No merchandise shall be permitted to be stored on any required landscaped area, drive access, sidewalk or other public right-of-way or in any manner deemed a safety hazard to the general public.
  - b. No merchandise displayed shall exceed ten feet (10') in height as measured from the grade of the nearest

public sidewalk.

8. Buildings:

- a. Minimum one thousand (1,000) square foot building is required.
- b. Existing buildings transitioning to a vehicle sales office must be brought up to current commercial design standards.

9. Storage: All parts and material incidental to the operation of dealership must be stored in a designated area and concealed from public view.

**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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

ATTEST:

\_\_\_\_\_  
Kathryn A. Moosman,  
Lindon City Recorder

SEAL

East Elevation



South and East Elevations



West and North Elevation



North Elevation



# SITE/BUILDING ANALYSIS:

Zoning: PC-1

## Building Setbacks:

The building setback from any dedicated street shall be 30 feet

Maximum Height: 48'-0"  
Building Height: 56'-0"

Parking Required: 1 stall per 350

## Landscape:

Minimum 20% of parking lot area is required to be landscaped

## New 4-Story Building:

Total Floor Area:	51,112 SF
Level 1 Floor Area:	3,212 SF
Level 2 Floor Area:	14,830 SF
Level 3 Floor Area:	16,200 SF
Level 4 Floor Area:	16,200 SF

Total Parking Shown: 263 Stalls  
7 ADA Stalls

## Parking Ratio shown:

5.30 stalls per 1000 SF



**II. Public Hearing — Amendment to the Lindon City Standard Land Use Table and other relative zoning codes; Ordinance #2019-17-O.** Amendments to include Medicinal Cannabis production establishments thus, allowing the city to determine the most appropriate location for this use.  
(20 minutes)

*Lindon City requests an amendment to the Standard Land Use Table and relative zoning codes to include Medicinal Cannabis production establishments thus, allowing the city to determine the most appropriate location for this use, as required by State law.*

**Sample Motion:** *I move to (approve, deny, continue) Ordinance #2019-17-O amending the Lindon City Standard Land Use Table and other relative zoning codes (as presented, or with changes).*

## Ordinance Amendment – Medical Cannabis

<p>Date: November 19, 2019          Applicant: Lindon City          Presenting Staff: Brian Haws and Michael Florence</p> <p>Type of Decision: Legislative</p> <p>Council Action Required: Yes</p>	<p><u>MOTION</u>          I move to (<i>approval, denial, or continuation</i>) of ordinance amendment 2019-17-O (or as <i>presented, with changes</i>).</p>
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### Summary

The Planning Commission gave a unanimous recommendation to approve the proposed ordinance

### Overview:

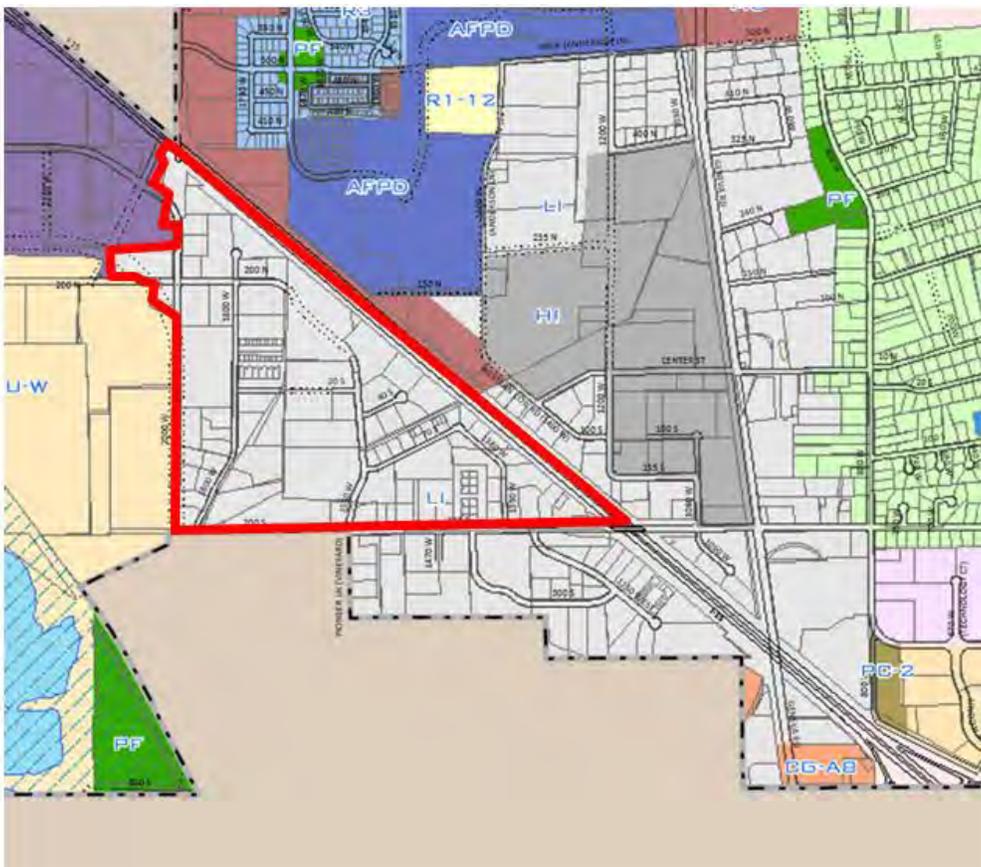
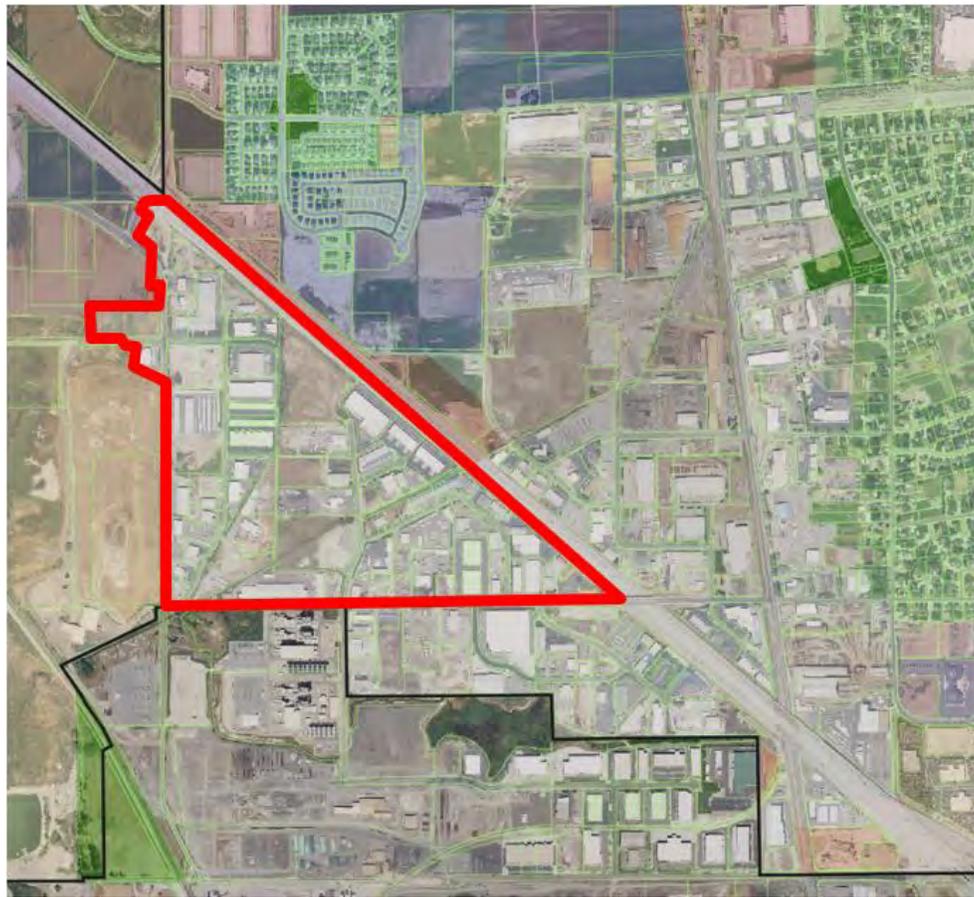
- The Utah State Legislature has enacted Chapter 41a of Title 4 of the Utah Code, allowing for the establishment of Cannabis Production Establishments and requiring municipalities to allow Cannabis Production Establishment to be maintained as a permitted use in at least one agricultural or industrial zone and has set specific requirements associated with such a use.
- The Utah State Legislature has enacted Chapter 61a of Title 26 of the Utah Code, requiring municipalities to allow Medical Cannabis Pharmacies to be maintained as a permitted use in any zone not established primarily for residential use and has set specific requirements associated with such use.
- Chapter 41a of Title 4 and Chapter 61a of Title 26 of the Utah Code allows Lindon City to enact regulations and conditions upon Cannabis Production Establishments and Cannabis Pharmacies and to specify which zoning district will be designated for Cannabis Production Facilities as a permitted use.
- The City is proposing to create a new overlay zone titled Light Industrial – West Overlay, and is proposing that Cannabis Production Establishments will be permitted within this overlay.
- If the City does not adopt an ordinance designating at least one zone where Cannabis Production Facilities are permitted uses, then, by default under the state law, Cannabis Productions Facilities are deemed to be permitted uses in all industrial and agricultural zones within the city.
- City staff are proposing amendment to the Standard Land Use Table, and Chapters 17.18, 17.40, 17.49, 17.25, 17.79 establishing the Light Industrial West zoning district.
- State code allows municipalities to regulate or limit outdoor cultivation of cannabis in industrial zones and city staff are proposing that outdoor cultivation be prohibited in the Light Industrial - West overlay.
- The City sent notices to all property owners within this proposed zoning overlay designation area

### Exhibits

Aerial Photo of the proposed Light Industrial West Overlay area

Current Zoning Map

Proposed zoning map change with the Light Industrial West Overlay





Ordinance No. 2019-17-O

AN ORDINANCE AMENDING CHAPTER 17 OF THE LINDON CITY CODE AMENDING THE STANDARD LAND USE TABLE TO CLASSIFY CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES AS PERMITTED USES IN SPECIFIED ZONING DISTRICTS, ENACTING CHAPTER 79 OF TITLE 17 GOVERNING CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES, AND ENACTING/AMENDING SECTIONS 17.49.025, 17.40.010, AND 17.18.070, TO COMFORM TO STATE REQUIREMENTS AND TO ESTABLISH THE LIGHT INDUSTRIAL - WEST ZONING DISTRICT (OVERLAY).

WHEREAS, The Utah State Legislature has enacted Chapter 41a of Title 4 of the Utah Code, allowing for the establishment of Cannabis Production Establishments and requiring municipalities to allow Cannabis Production Establishment to be maintained as a permitted use in at least one agricultural or industrial zone and has set specific requirements associated with such use; and

WHEREAS, The Utah State Legislature has enacted Chapter 61a of Title 26 of the Utah Code, requiring municipalities to allow Medical Cannabis Pharmacies to be maintained as a permitted use in any zone not established primarily for residential use and has set specific requirements associated with such a use; and

WHEREAS, Chapter 41a of Title 4 and Chapter 61a of Title 26 of the Utah Code allows Lindon City to enact regulations and conditions upon Cannabis Production Establishments and Cannabis Pharmacies and to specify which zoning district will be designated for Cannabis Production Facilities as a permitted use; and

WHEREAS, The Lindon City Council finds that it is in the public's best interest to take advantage of existing physical division that I-15 creates between residential uses on the eastside of the freeway and light industrial uses on the west to allow for Cannabis Production Facilities as a permitted use in light industrial areas west of I-15; and

WHEREAS, The Lindon City Council finds that it is in the public's best interest to establish regulations and conditions on Cannabis Production Facilities and Medical Cannabis Pharmacies relating to cultivation, parking, signage, and business operations and licensing and that such regulations do not conflict with the state code.

WHEREAS, on October 8 and 22, 2019, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed zoning amendment and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on November 19, 2019, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

**PART ONE:           Amendment of the Lindon City Standard Land Use Table**

The following uses are hereby added to the Lindon City Land Use Table:

**Under Manufacturing**

Parking Group	Permitted Primary Use	Residential	Mix Rec.		Commercial							Industrial			R/B	
		R1-12,R1-20, R)	RMU -W	RUM -E	PC -1	PC -2	CG	CG -A	CG A8	CG -S	MC	HI	LI	<u>LI</u> <u>W</u>		
<u>2000</u>	<u>Cannabis Production Establishment</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>

**And under Retail Trade**

Parking Group	Permitted Primary Use	Residential	Mix Rec.		Commercial							Industrial			R/B	
		R1-12,R1-20, R)	RMU -W	RUM -E	PC -1	PC -2	CG	CG -A	CG A8	CG -S	MC	HI	LI	<u>LI</u> <u>W</u>		
<u>5300</u>	<u>Medical Cannabis Pharmacy</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

**PART TWO:           Enactment of Chapter 17.79, Cannabis Production Establishments and Medical Cannabis Pharmacies**

Title 17 of the Lindon City Code is hereby amended to include Chapter 17.79, which Chapter is adopted and enacted to read as follows:

**CHAPTER 17.79 CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES**

- 17.79.010 Definitions
- 17.79.020 Permitted Use - Permit Required
- 17.79.030 Standards
- 17.79.040 Proximity to Community Locations and Residential Zones
- 17.79.050 Outdoor Cultivation
- 17.79.060 Business License

17.79.010 Definitions  
Community Locations means all public or private schools, licensed childcare facilities, preschools, churches, public libraries, and all public playgrounds and parks.

Cannabis Production Establishment means a Cannabis Cultivation Facility, a Cannabis Processing Facility, or an Independent Cannabis Testing Laboratory as defined by Section 4-41a-101 of the Utah Code, as may be amended.

Medical Cannabis Pharmacy means the same as that term is defined in Section 26-61a-102 of the Utah Code, as may be amended.

Zones Established Primarily for Residential Use, for purposes of this Chapter and any applicable state law means the following zoning districts in Lindon City.

R1-12 zone  
R1-20 zone,  
R3 overlay zone,  
R2 overlay zone,  
Residential/Business District overlay zone,  
Senior Housing overlay zone, and  
Anderson Farms Planned Development Zone.

The Definitions in Title 26, Chapter 61a, the Utah Medical Cannabis Act, and Title 4, Chapter 41a, Cannabis Production Establishments, of the Utah Code, as may be amended, are hereby adopted and incorporated into this Chapter.

17.79.020 Permit Required

1. Operation of a Cannabis Production Establishment shall be a permitted use in the Light Industrial-West overlay zone (LI-W).

2. Operation of a Medical Cannabis Pharmacy shall be a permitted use in all zones except those zones established primarily for residential use.

3. A Cannabis Production Establishment or Medical Cannabis Pharmacy must obtain a land use permit from Lindon City, which the City shall issue in writing upon a showing that the proposed Establishment or Pharmacy and the corresponding facilities and operations comply with the provisions of this Chapter and with Title 4, Chapter 41a or Title 26, Chapter 61a of the Utah Code, as may be applicable to the proposed use.

a. A Cannabis Production Establishment or Medical Cannabis Pharmacy seeking a land use permit shall provide the Lindon City Chief of Police a copy of its state approved security plan for securing the operations so as to prevent the theft, embezzlement or illegal use and/or distribution of cannabis from the Establishment or Pharmacy

17.79.030. Standards

1. The following Standards apply to all Cannabis Production Establishments:

a. All facilities which grow, process, test, or store cannabis shall be constructed and operated so as to prevent dust, fumes, vapors, odors or waste from escaping the facility and entering the environment next to or surrounding the Cannabis Production Establishment.

b. Cannabis Production Establishments shall comply with all other land use restrictions, regulations, requirements, and development standards for the zone in which it is located.

c. Cannabis Production Establishments shall provide parking as required in Chapter 18 of Title 17 of the Lindon City Code.

d. Signage for Cannabis Production Establishments shall comply with Title 18 of the Lindon City Code. If any conflict exists between Title 18 of the Lindon City Code and the signage requirements of Title 4, Chapter 41a of the Utah Code, Utah Code shall control.

2. The following Standards apply to all Medical Cannabis Pharmacies:
  - a. No Medical Cannabis Pharmacies shall allow products distributed at the pharmacy to be visible outside of the Medical Cannabis Pharmacy.
  - b. A Medical Cannabis Pharmacy shall comply with all other land use restrictions, regulations, requirements, and development standards for the zone in which it is located
  - c. Medical Cannabis Pharmacies shall provide parking as required in Chapter 18 of Title 17 of the Lindon City Code.
  - d. Signage for Medical Cannabis Pharmacies shall comply with Title 4 Chapter 41a of the Utah Code as well as with Title 18 of the Lindon City Code. If any conflict exists between Title 18 of the Lindon City Code and the signage requirements of Title 4, Chapter 41a of the Utah Code, the Utah Code shall control.

#### 17.79.040 Proximity to Community Locations and Residential Zones

1. A Cannabis Production Establishment may not be located within 1000 feet of a Community Location or within 600 feet of zones established primarily for residential use.
2. Medical Cannabis Pharmacies may not be located within 200 feet of a Community Location or within 600 feet of zones established primarily for residential use.
3. The proximity requirements set forth in this Section shall be measured from the nearest entrance to a Cannabis Production Establishment or Medical Cannabis Pharmacy by following the shortest route of ordinary pedestrian travel to the boundary of Community Location or residential zone.
4. The proximity requirements set forth in this Section are subject to modification by the state as set forth in Title 4, Chapter 41a and Title 26, Chapter 61a of the Utah Code, as may be amended.

#### 17.79.050 Outdoor Cultivation

Cannabis may not be cultivated outdoors in the Light Industrial-West overlay zone. All indoor cultivation of cannabis shall comply with the provisions for indoor cultivation established under Title 4, Chapter 41a of the Utah Code, as may be amended.

#### 17.79.060 Business License

1. Each Cannabis Production Establishment and Medical Cannabis Pharmacy shall obtain a City business license before conducting business within Lindon City

### **PART THREE      **Amendment of Section 17.40.010 of the Lindon City Code to establish the Light Industrial - West overlay zoning district****

Section 17.40.010 of the Lindon City Code is hereby amended to read as follows:

#### **17.40.010 Establishment**

For the purposes of this division the territory of Lindon City to which this division applies is divided into one or more of the following listed zoning districts as shown on the officially adopted Lindon City Zoning map:

- 1. Residential district, R1-20;
- 2. Residential district, R1-12
- 3. R2 Overlay;
- 4. General Commercial district, C-G
- 5. Mixed Commercial, MC;
- 6. Planned Commercial, PC-1;
- 7. Research and Business, R&B;
- 8. Heavy Industrial, HI;
- 9. Light Industrial, LI;
- 10. Light Industrial – West (overlay), LI-W
- ~~11~~11. Transportation Influence Zone, T;
- ~~12~~12. Recreation Mixed Use (East and West), RMU-E, RMU-W;
- ~~13~~13. Public Facilities, PF;
- ~~14~~14. Sensitive Lands District (overlay), SA;
- ~~15~~15. Hillside Protection District (overlay), HP.

**PART FOUR                    Amendment of Chapter 17.49 of the Lindon City Code to adopt and enact Section 17.49.025**

Chapter 17.49 of the Lindon City Code is hereby amended to adopt and enact Section 17.49.025, LI-W Manufacturing and Distribution District Overlay, which section shall read as follows:

**17.49.025      LI-West Overlay- Purpose**

The purpose of the LI-West overlay district shall be the same as for the Light Industrial (LI) district, with only the addition being that of providing a reasonable area within Lindon City for the location and operation of Cannabis Production Facilities.

**PART FIVE                    Amendment of Section 17.18.070**

Section 17.18.070 of the Lindon City Code is hereby amended to include the following parking requirements for Cannabis Production Establishments and Medical Cannabis Pharmacies:

<u>2000</u>	<u>Cannabis Production Establishment</u>	<u>One (1) per 750 square feet of floor area.</u>
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And

5300	Medical Cannabis Pharmacy	One (1) per 200 square feet of floor area
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**PART SIX: Effective Date**

This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
JEFF ACERSON,  
Lindon City Mayor

ATTEST:

\_\_\_\_\_  
Kathy Moosman  
City Recorder

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
4 **October 22, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson  
Invocation: Rob Kallas, Commissioner  
10 Pledge of Allegiance: Scott Thompson, Commissioner

12	<b><u>PRESENT</u></b>	<b><u>EXCUSED</u></b>
	Sharon Call, Chairperson	Renee Tribe, Commissioner
14	Mike Marchbanks, Commissioner	
	Rob Kallas, Commissioner	
16	Steven Johnson, Commissioner	
	Scott Thompson, Commissioner	
18	Jared Schauers, Commissioner	
	Mike Florence, Planning Director	
20	Anders Bake, Associate Planner	
	Brian Haws, City Attorney	
22	Kathy Moosman, City Recorder	

24 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

26 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the  
28 Planning Commission meeting of October 8, 2019 were reviewed.

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES  
OF THE REGULAR MEETING OF OCTOBER 8, 2019 AS PRESENTED.  
32 COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

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

2 THE MOTION CARRIED UNANIMOUSLY.

4 6. **Continued Public Hearing – A recommendation to the Lindon City Council**  
6 **to amend the Lindon City Zoning Code to create regulations for medical**  
8 **cannabis production establishments and pharmacies and to establish the**  
10 **Light Industrial West Overlay Zone.** An amendment to the Lindon City zoning  
code enacting 17.79 Cannabis Production Establishments and Medical Cannabis  
Pharmacies and establishing the Light Industrial West Overlay zoning district and  
amending related sections of the Standard Land Use Table, 17.40.010, 17.49, and  
17.18.

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

16 Mr. Florence led this discussion by giving a brief overview of this item explaining  
18 this item was continued from the October 8, 2019 planning commission meeting to give  
time for city staff to notice the property owners in the proposed Light Industrial West  
20 Overlay area of the zone change. He noted the Utah State Legislature has enacted  
Chapter 41a of Title 4 of the Utah Code, allowing for the establishment of Cannabis  
22 Production Establishments and requiring municipalities to allow Cannabis Production  
Establishment to be maintained as a permitted use in at least one agricultural or industrial  
24 zone and has set specific requirements associated with such a use.

Mr. Florence explained the Utah State Legislature has enacted Chapter 61a of  
26 Title 26 of the Utah Code, requiring municipalities to allow Medical Cannabis  
Pharmacies to be maintained as a permitted use in any zone not established primarily for  
28 residential use and has set specific requirements associated with such use.

Mr. Florence further explained Chapter 41a of Title 4 and Chapter 61a of Title 26  
30 of the Utah Code allows Lindon City to enact regulations and conditions upon Cannabis  
Production Establishments and Cannabis Pharmacies and to specify which zoning district  
32 will be designated for Cannabis Production Facilities as a permitted use. He noted the  
City is proposing to create a new overlay zone titled Light Industrial – West Overlay, and  
34 is proposing that Cannabis Production Establishments will be permitted within this  
overlay. If the City does not adopt an ordinance designating at least one zone where  
36 Cannabis Production Facilities are permitted uses, then, by default under the state law,  
Cannabis Productions Facilities are deemed to be permitted uses in all industrial and  
38 agricultural zones within the city.

Mr. Florence went on to say City staff are proposing amendment to the Standard  
40 Land Use Table, and Chapters 17.18, 17.40, 17.49, 17.25, 17.79 establishing the Light  
Industrial West zoning district. He indicated State code allows municipalities to regulate  
42 or limit outdoor cultivation of cannabis in industrial zones and city staff are proposing  
that outdoor cultivation be prohibited in the Light Industrial - West overlay. The City will  
44 also be noticing all property owners within this proposed zoning overlay designation area  
of the proposed zone changes. Chairperson Call called for any public comment at this  
46 time.

Todd Fugal, attendee, asked if there will be restrictions near residential areas so  
48 these facilities can't be close to schools etc. Brian Haws, City Attorney stated it can't be

2 within 600 ft. of a residential zone or within 1,000 ft. of those community locations  
4 (schools, parks, churches etc.); they measure that by a pedestrian route (walking  
distance). He indicated the zone they are creating on the west side of I15 won't come  
anywhere near the 1,000 or 600 ft. to any of those types of locations.

6 Mr. Fugal stated he understands this situation in that these need to be allowed  
8 somewhere, so an overlay needs to be created so it is not concentrated as much as it  
would be, but he doesn't see the point of creating an overlay as it seems to concentrate it  
10 more than necessary. Mr. Haws explained the State is only giving out eight licenses.  
12 There are seven regional districts and the goal is to get one dispensary in each of those  
seven districts. They are trying to disburse them and if there is more than one in the city  
14 you can go and talk to the State and they will take that into consideration in the licensing.  
There is no guarantee, but there are provisions that allows the municipality to get zoning  
16 approval to address that; frankly getting one in is probably what we will see and if there  
is an issue, we can enforce it. There was then some general discussion on the boundaries.  
18 Following some general discussion, the commission was in agreement to make  
adjustment to the boundary to reduce the south boundary to 200 South. Chairperson Call  
asked if there were any further public comments or discussion. Hearing none she called  
for a motion to close the public hearing.

20  
22 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

24  
26 Chairperson Call called for any comments or discussion from the Commission.  
Hearing none she called for a motion with condition number one added back in.

28 COMMISSIONER THOMPSON MOVED TO RECOMMEND APPROVAL OF  
ORDINANCE 2019-17-O AS PRESENTED. COMMISSIONER MARCHBANKS  
30 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE  
32 COMMISSIONER KALLAS AYE  
COMMISSIONER JOHNSON AYE  
34 COMMISSIONER MARCHBANKS AYE  
COMMISSIONER THOMPSON AYE  
36 COMMISSIONER SCHAUERS AYE  
THE MOTION CARRIED UNANIMOUSLY.

38  
40 **7. Public Hearing – A recommendation to the Lindon City Council to amend  
the Lindon City Zoning Map to create the Light Industrial West Overlay  
zone.** Lindon City requests approval for a zoning Map Amendment to apply the  
42 Light Industrial West Overlay zone to all properties currently zoned Light  
Industrial which are located West of I-15.

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

48

2 Mr. Florence noted everything was covered in the previous presentation item and  
he doesn't feel the need to discuss it further. However, there was some brief additional  
4 discussion regarding easily defined boundaries. Mr. Haws suggested making the  
recommendation to the city council that the boundary be west of the I15 corridor and  
6 North of 200 South. Following some brief discussion, the commission was in agreement  
it makes a much cleaner boundary and to make the boundary change recommendation to  
8 the city council noting the council will make the final determination.

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

12 COMMISSIONER THOMPSON MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED  
14 IN FAVOR. THE MOTION CARRIED.

16 Chairperson Call called for any comments or discussion from the Commission.  
Hearing none she called for a motion.

18  
COMMISSIONER MARCHBANKS MADE A MOTION TO RECOMMEND  
20 APPROVAL OF ORDINANCE 2019-18-O TO AMEND THE LINDON CITY  
ZONING MAP AND APPLY THE LIGHT INDUSTRIAL WEST OVERLAY ZONING  
22 DISTRICT TO ALL LIGHT INDUSTRIAL ZONED PROPERTIES WEST OF  
INTERSTATE 15 AND NORTH OF 200 SOUTH. COMMISSIONER JOHNSON  
24 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- CHAIRPERSON CALL AYE
- 26 COMMISSIONER KALLAS AYE
- COMMISSIONER JOHNSON AYE
- 28 COMMISSIONER MARCHBANKS AYE
- COMMISSIONER THOMPSON AYE
- 30 COMMISSIONER SCHAUERS AYE

32 THE MOTION CARRIED UNANIMOUSLY.

**12. Public Hearing — Amendment to the Lindon City Zoning Map to create the Light Industrial West Overlay zone; Ordinance #2019-18-O.** Lindon City requests approval for a zoning Map Amendment to apply the Light Industrial West Overlay zone to all properties currently zoned Light Industrial which are located West of I-15.

See materials from the planning department.

**Sample Motion:** *I move to (approve, deny, continue) Ordinance #2019-18-O amending the Lindon City Zoning Map to create the Light Industrial West Overlay Zone (as presented, or with changes).*

# Zoning map amendment for Light Industrial West Overlay

Date: Nov. 19, 2019

Project Address:  
Designated Light Industrial zoned properties west of Interstate 15

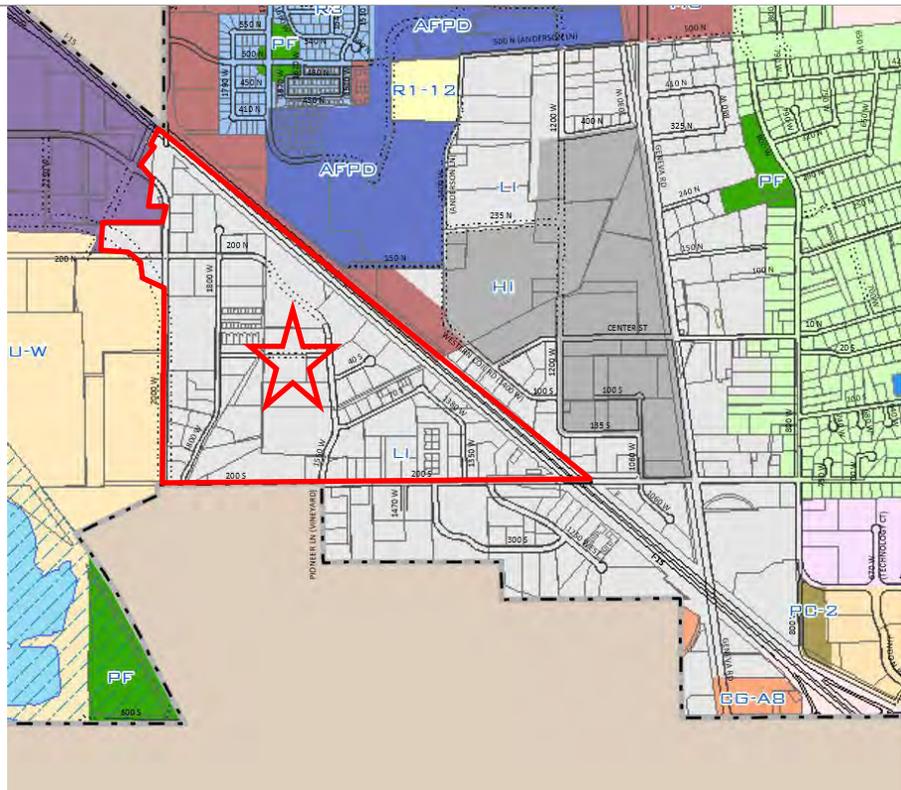
Applicant: Lindon City

Presenting Staff:  
Michael Florence

General Plan: Light Industrial  
Current Zone: Light Industrial

Type of Decision:  
Legislative

Council Action Required: Yes



## Motion

I move to (approval, denial, or continuation) of ordinance 2019-18-O to amend the Lindon City zoning map and apply the Light Industrial West Overlay zoning district to all Light Industrial zoned properties west of Interstate 15.

## Summary

1. The planning commission unanimously recommended that the City Council adopted the Light Industrial West Overlay zone.

## Overview

1. During the 2019 Utah State Legislative Session, the Utah legislature enacted Title 4-41a of Utah Code, allowing for the establishment of Cannabis Production Establishments. While the state controls the licensing and operation of such facilities, the legislation does allow a city to restrict such facilities to either one agricultural zone or one industrial zone. If a municipality does not adopt a local land use ordinance imposing such a restriction, then Cannabis Production Establishments are deemed to be permitted uses in all agricultural or industrial zone within the City.
2. Lindon City proposes to create a Light Industrial West Overlay zoning district as a zone where Cannabis Production Establishments will be permitted uses.
3. This overlay district is proposed to encompass all properties currently zoned Light Industrial and which are located West of Interstate 15.
4. All existing uses, conditions, and regulations currently provided for in Light Industrial zone will remain the same and will be unaltered, with the only effect of the overlay being that the operation of a Cannabis Production Establishment will be a permitted use in the overlay zone.

5. Staff had originally proposed that the entire Light Industrial areas west of I-15 would be rezoned with the Light Industrial West Overlay. However, the commission felt that 200 S. was an easier southern boundary to identify so the commission recommended that the area be reduced. Staff feels like this is still sufficient area for Medical Cannabis Production establishments which consists of approximately 190 acres.

### Surrounding Zoning

West of Interstate 15 the Light Industrial zone borders the Regional Commercial and Recreational Mixed-Use West

### Zoning

The purpose of the LI-West overlay district shall be the same as for the Light Industrial (LI) district, with only the addition being that of providing a reasonable area within Lindon City for the location and operation of Cannabis Production Facilities.

17.49.020. The purpose of the LI district to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

### Staff Analysis

State code requires that cities permit Cannabis Production Establishments in either an agricultural or industrial zone. Since the City does not have an agricultural zoning district it would be best to designate one of **the city's** industrial zones to permit Cannabis Production Establishments. Staff feels that there is sufficient area and building options for such establishments to locate in the proposed Light Industrial West Overlay. In addition, I-15 acts as a good buffer between the industrial zone and residential uses north and east of I-15.

### Exhibits

1. Aerial Photo
2. Current Zoning Map
3. Proposed zoning map change with the Light Industrial West Overlay

Exhibit 1

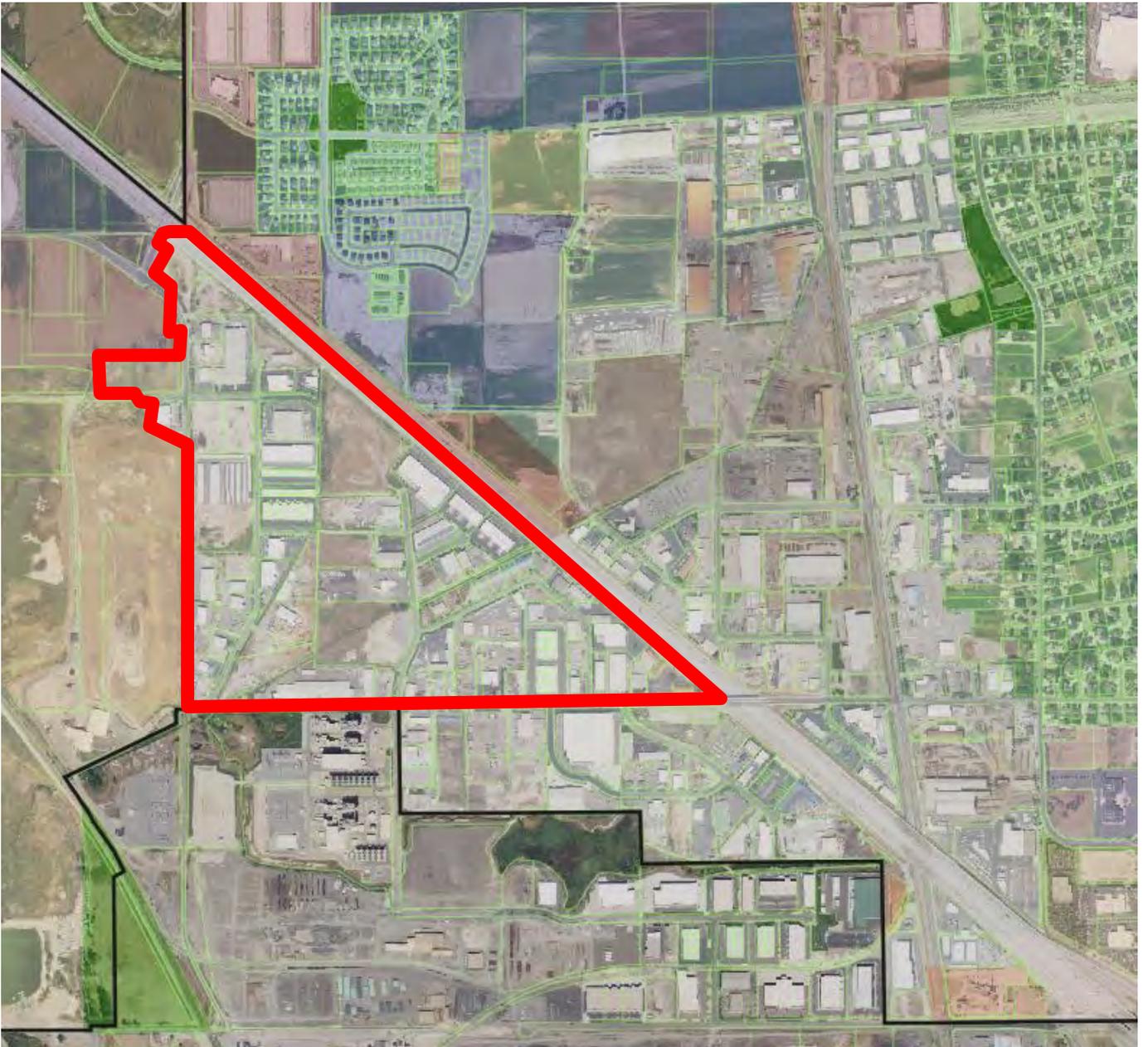


Exhibit 2

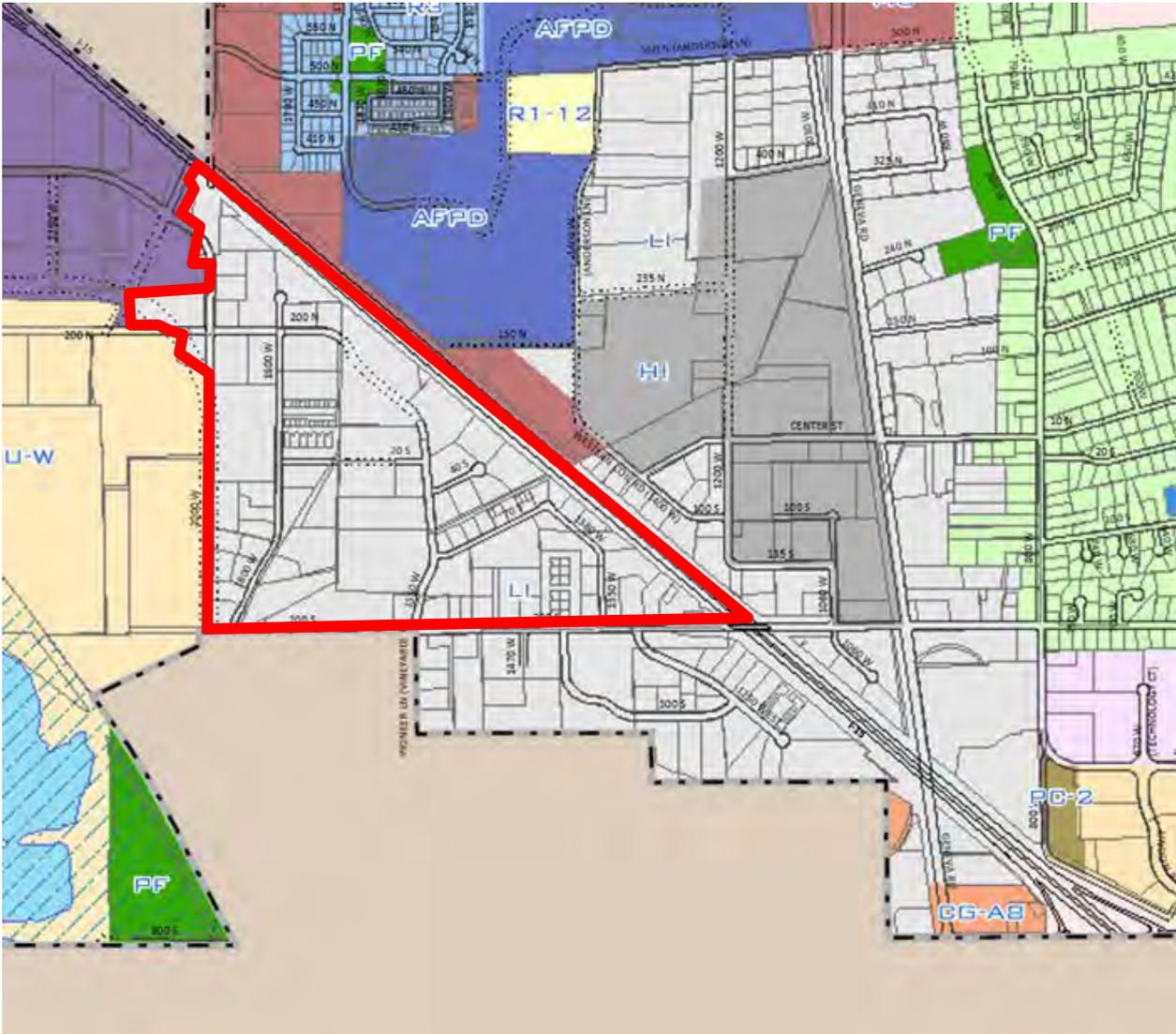
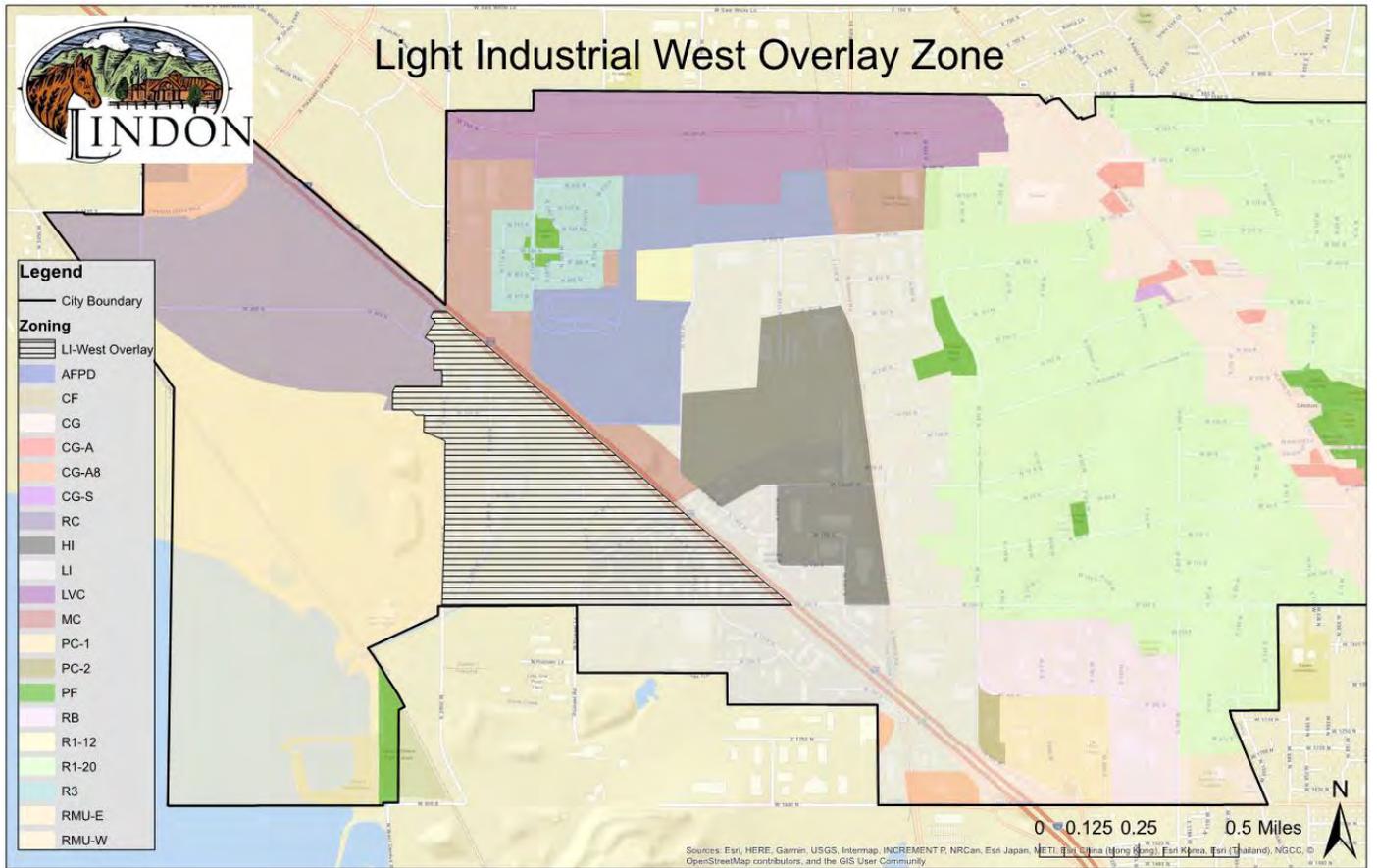


Exhibit 3



ORDINANCE NO. 2019-18-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING THE ZONING MAP TO INCLUDE THE NEWLY ESTABLISHED LIGHT INDUSTRIAL WEST OVERLAY DISTRICT ON PROPERTY IDENTIFIED BELOW AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to amend the Lindon City zoning map; and

WHEREAS, the Utah State Legislature has enacted Chapter 41a of Title 4 of the Utah Code, allowing for the establishment of Cannabis Production Establishments and requiring municipalities to allow Cannabis Production Establishment to be maintained as a permitted use; and

WHEREAS, Chapter 41a of Title 4 and Chapter 61a of Title 26 of the Utah Code allows Lindon City to enact regulations and conditions upon Cannabis Production Establishments and Cannabis Pharmacies and to specify which zoning district will be designated for Cannabis Production Facilities as a permitted use, and

WHEREAS, The Lindon City Council finds that it is in the public's best interest to take advantage of existing physical division that I-15 creates between residential uses on the eastside of the freeway and light industrial uses on the west to allow for Cannabis Production Facilities as a permitted use in light industrial areas west of I-15; and

WHEREAS, the City proposes to create a new overlay zone titled Light Industrial – West Overlay, and is proposing that Cannabis Production Establishments will be permitted within this overlay; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goal that commercial and industrial uses should be highly accessible, and developed compatibly with the uses and character of the surround districts; and

WHEREAS, on October 22, 2019, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

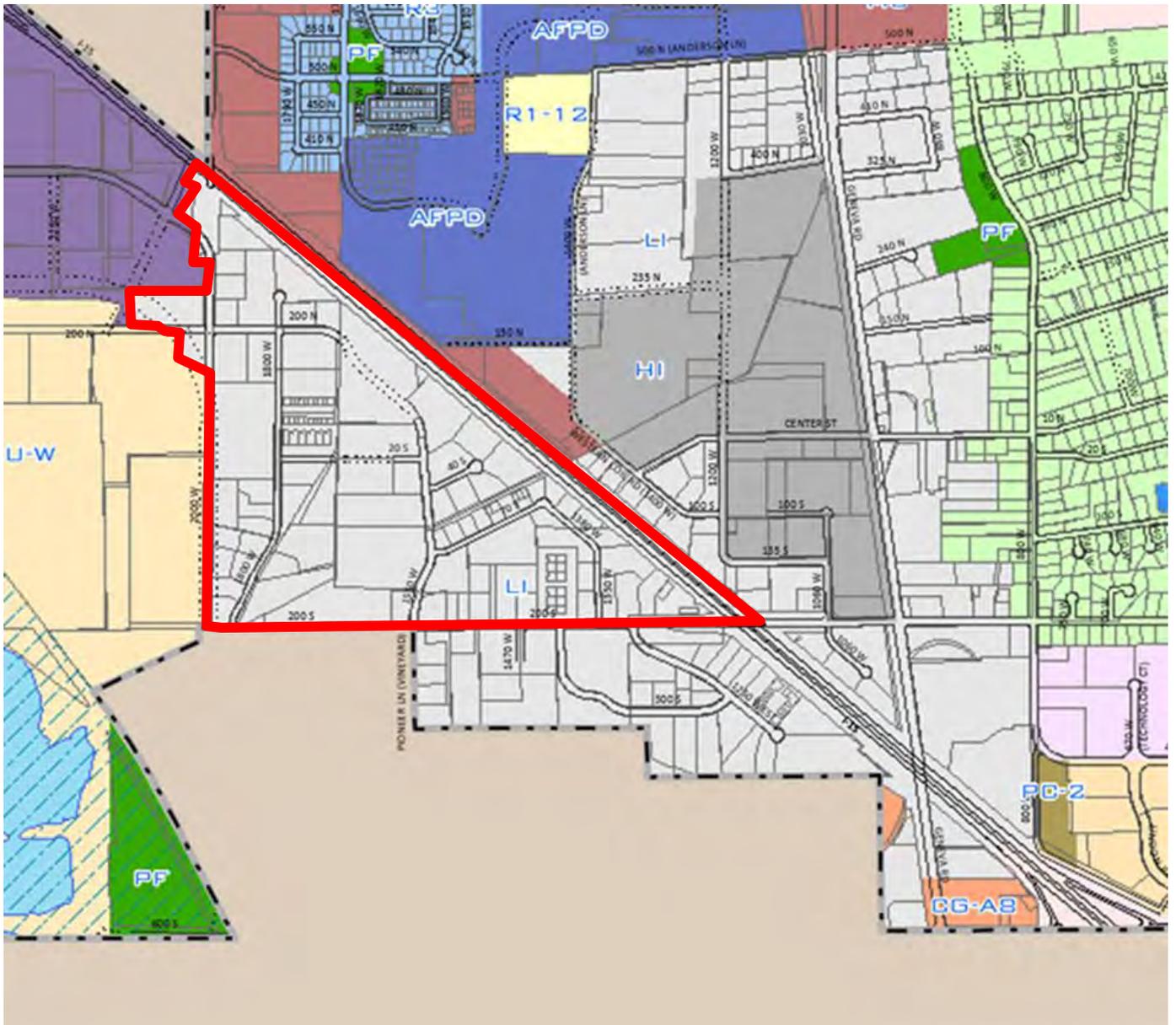
WHEREAS, after the public hearing, the Planning Commission further considered the proposed zoning amendment and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on November 19, 2019, to consider the recommendation and the Council received and considered all public comments that were made therein.

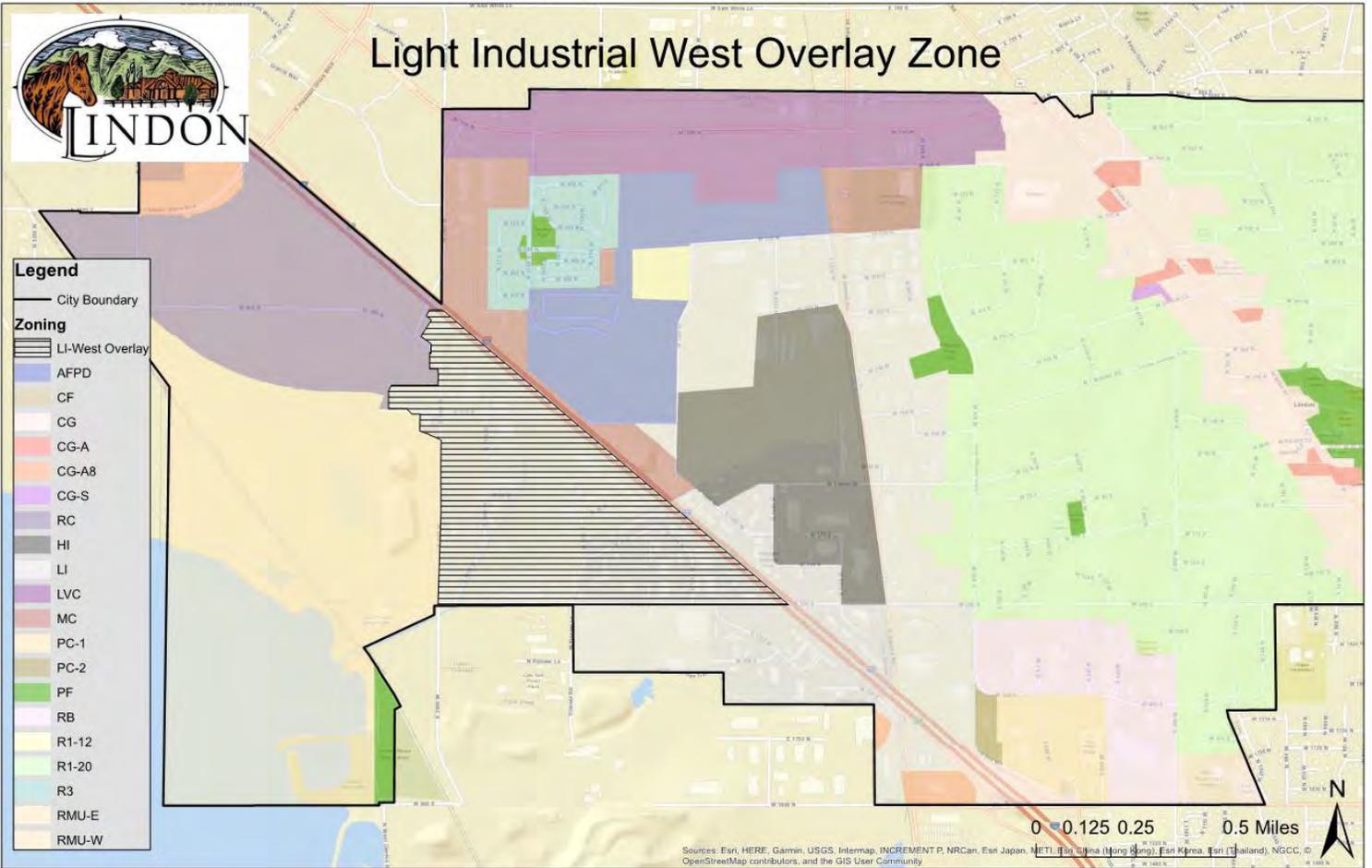
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

**SECTION I:** The Lindon City Zoning Map is hereby amended as follows:

### Current Zoning Map



# Amended Light Industrial West Overlay



**Aerial Photo of the Light Industrial West Overlay**



**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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

ATTEST:

\_\_\_\_\_  
Kathryn A. Moosman,  
Lindon City Recorder

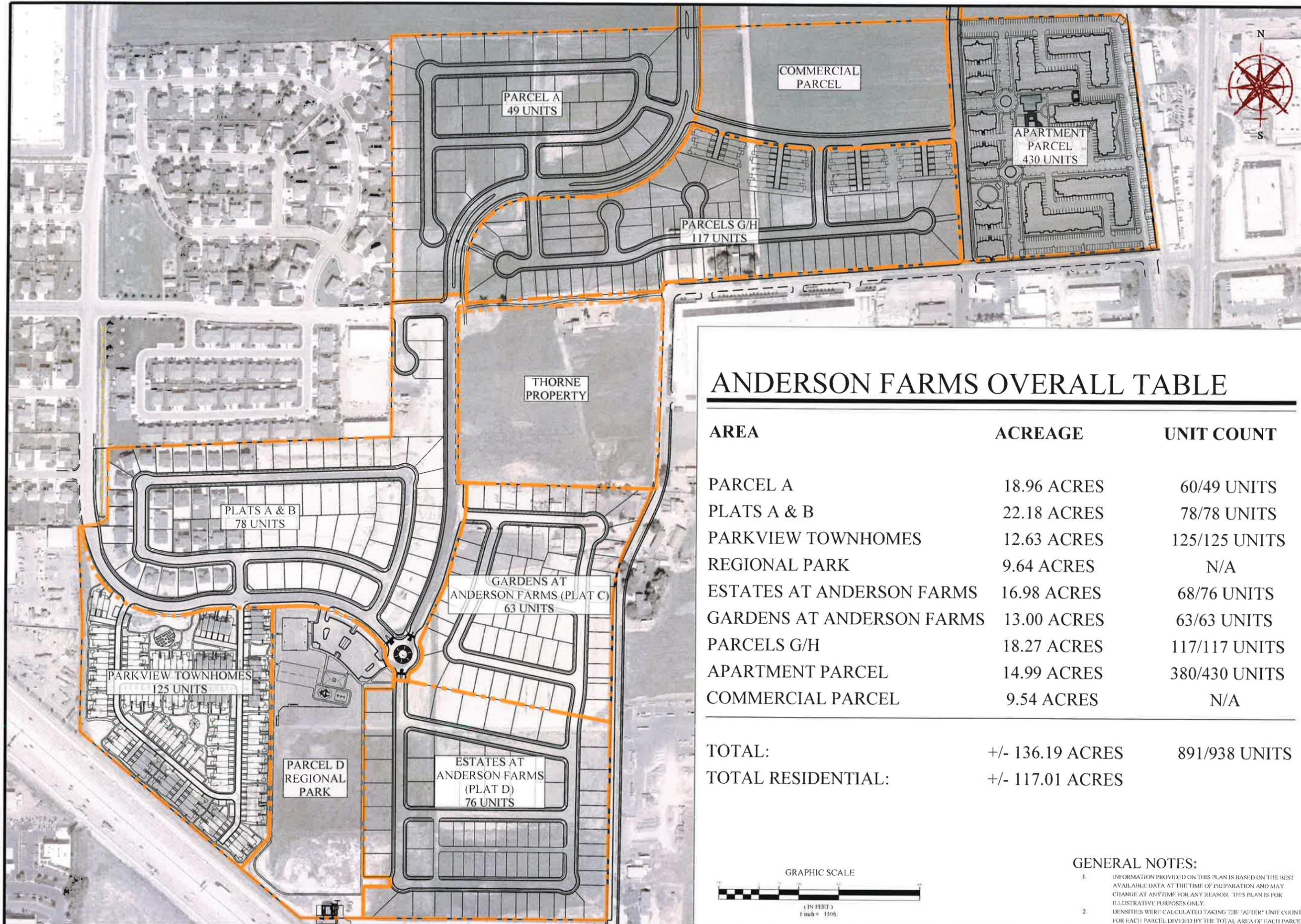
SEAL

- 13. Discussion Item — Ivory Homes/Anderson Farms Development concept plans.** The City Council will review and discuss the Anderson Farms Development concept plan with Ivory Homes.  
*(20 minutes)*

See attached materials.

This item is a continuation of prior discussions on possible changes to the Anderson Farms residential development with consideration for possible increases in moderate income housing and extended reservation of possible commercial property on the north end of the development.

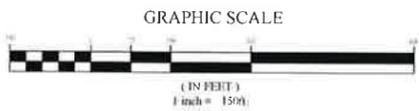
No motion necessary.



## ANDERSON FARMS OVERALL TABLE

AREA	ACREAGE	UNIT COUNT
PARCEL A	18.96 ACRES	60/49 UNITS
PLATS A & B	22.18 ACRES	78/78 UNITS
PARKVIEW TOWNHOMES	12.63 ACRES	125/125 UNITS
REGIONAL PARK	9.64 ACRES	N/A
ESTATES AT ANDERSON FARMS	16.98 ACRES	68/76 UNITS
GARDENS AT ANDERSON FARMS	13.00 ACRES	63/63 UNITS
PARCELS G/H	18.27 ACRES	117/117 UNITS
APARTMENT PARCEL	14.99 ACRES	380/430 UNITS
COMMERCIAL PARCEL	9.54 ACRES	N/A

**TOTAL:** +/- 136.19 ACRES 891/938 UNITS  
**TOTAL RESIDENTIAL:** +/- 117.01 ACRES



**GENERAL NOTES:**

1. INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. DENSITIES WERE CALCULATED TAKING THE "AFTER" UNIT COUNTS FOR EACH PARCEL, DIVIDED BY THE TOTAL AREA OF EACH PARCEL.



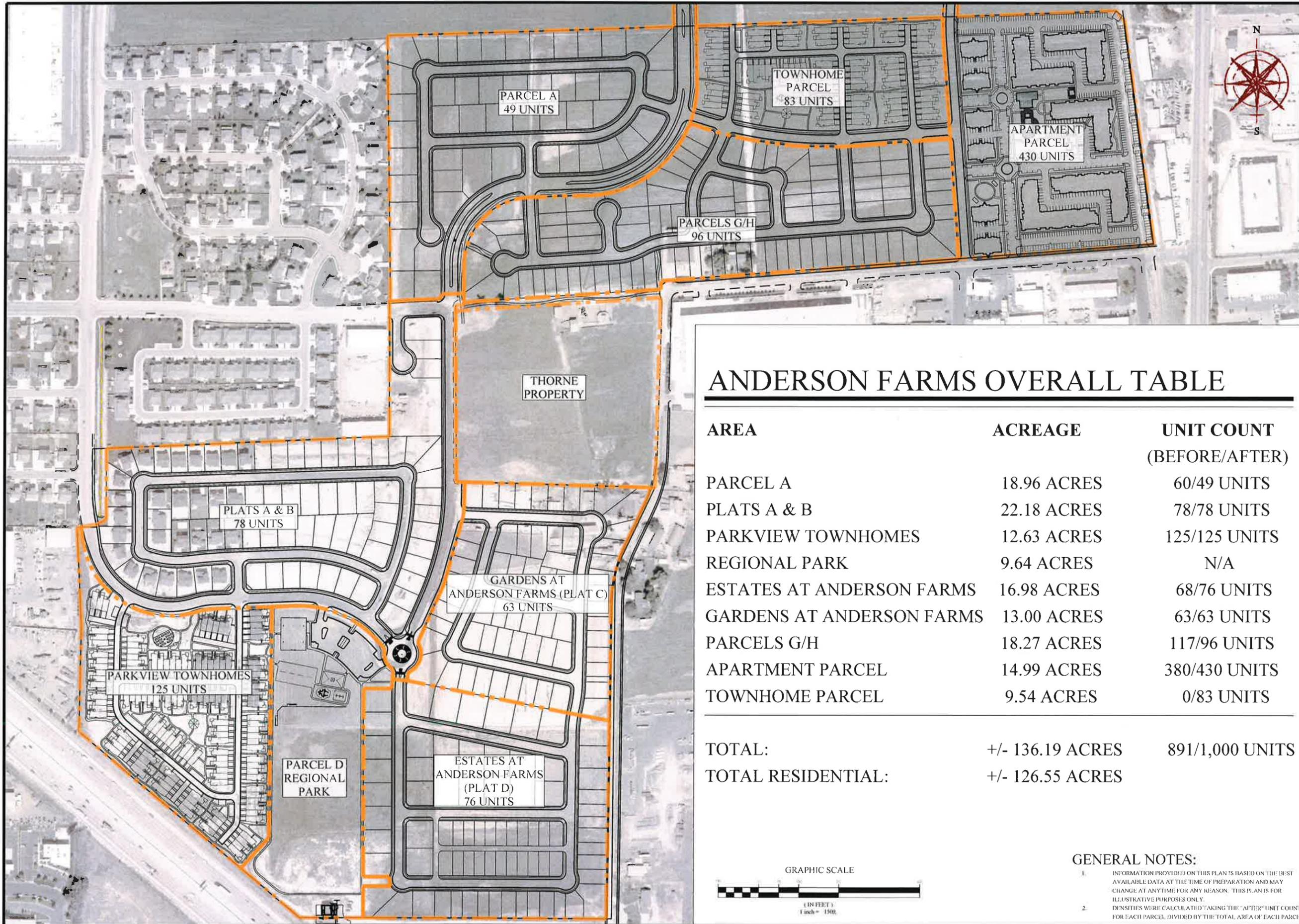
**ANDERSON FARMS**  
 LINDON, UTAH  
**OVERALL PLAN**

REVISION BLOCK	
#	DESCRIPTION

**OVERALL PLAN**

Scale: 1"=150' Drawn: C/JG  
 Date: 10/24/19 Sub #: 19-0231  
 Sheet: **OPTION 1**

© 2019 Anderson Farms North/Utah, 11/2021 Update/Anderson/A/19-0231 Concept A Option 1.rvt



## ANDERSON FARMS OVERALL TABLE

AREA	ACREAGE	UNIT COUNT (BEFORE/AFTER)
PARCEL A	18.96 ACRES	60/49 UNITS
PLATS A & B	22.18 ACRES	78/78 UNITS
PARKVIEW TOWNHOMES	12.63 ACRES	125/125 UNITS
REGIONAL PARK	9.64 ACRES	N/A
ESTATES AT ANDERSON FARMS	16.98 ACRES	68/76 UNITS
GARDENS AT ANDERSON FARMS	13.00 ACRES	63/63 UNITS
PARCELS G/H	18.27 ACRES	117/96 UNITS
APARTMENT PARCEL	14.99 ACRES	380/430 UNITS
TOWNHOME PARCEL	9.54 ACRES	0/83 UNITS
<b>TOTAL:</b>	<b>+/- 136.19 ACRES</b>	<b>891/1,000 UNITS</b>
<b>TOTAL RESIDENTIAL:</b>	<b>+/- 126.55 ACRES</b>	

**GENERAL NOTES:**

- INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.
- DENSITIES WERE CALCULATED TAKING THE "AFTER" UNIT COUNTS FOR EACH PARCEL DIVIDED BY THE TOTAL AREA OF EACH PARCEL.



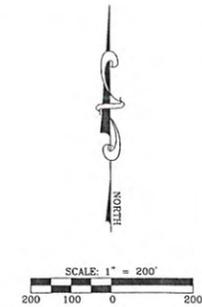
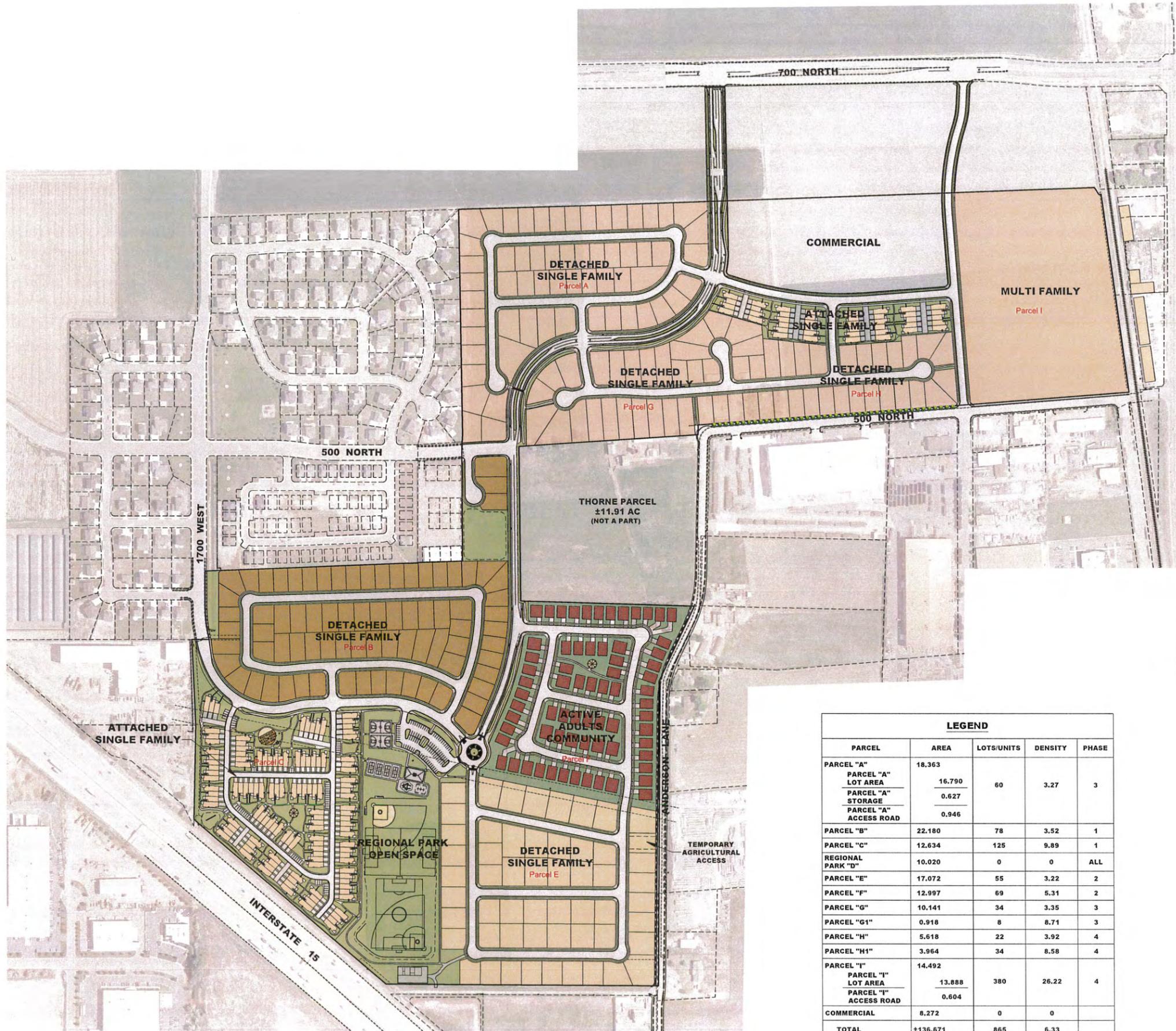
### ANDERSON FARMS LINDON, UTAH OVERALL PLAN

NO.	DATE	DESCRIPTION

**OVERALL PLAN**

Scale: 1" = 150'    Drawn: CIG  
 Date: 10/24/19    Job #: 19-0231  
 Sheet:                      **OPTION 2**

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**LEI**  
 - A Utah Corporation -  
**ENGINEERS**  
**SURVEYORS**  
**PLANNERS**  
 3302 N. Main Street  
 Spanish Fork, UT 84660  
 Phone: 801.798.0555  
 Fax: 801.798.9393  
 office@lei-eng.com  
 www.lei-eng.com

*w/commercial  
 (original from  
 Dev. Agreement)*

**ANDERSON FARMS**  
 LINDON, UTAH  
**EXHIBIT B - PROPERTY CONCEPT PLAN**

LEGEND				
PARCEL	AREA	LOTS/UNITS	DENSITY	PHASE
PARCEL "A"	18,363			
PARCEL "A" LOT AREA	16,790	60	3.27	3
PARCEL "A" STORAGE	0,627			
PARCEL "A" ACCESS ROAD	0,946			
PARCEL "B"	22,180	78	3.52	1
PARCEL "C"	12,634	125	9.89	1
REGIONAL PARK "D"	10,020	0	0	ALL
PARCEL "E"	17,072	55	3.22	2
PARCEL "F"	12,997	69	5.31	2
PARCEL "G"	10,141	34	3.35	3
PARCEL "G1"	0,918	8	8.71	3
PARCEL "H"	5,618	22	3.92	4
PARCEL "H1"	3,964	34	8.58	4
PARCEL "I"	14,492			
PARCEL "I" LOT AREA	13,888	380	26.22	4
PARCEL "I" ACCESS ROAD	0,604			
COMMERCIAL	8,272	0	0	
<b>TOTAL</b>	<b>±136,671</b>	<b>865</b>	<b>6.33</b>	

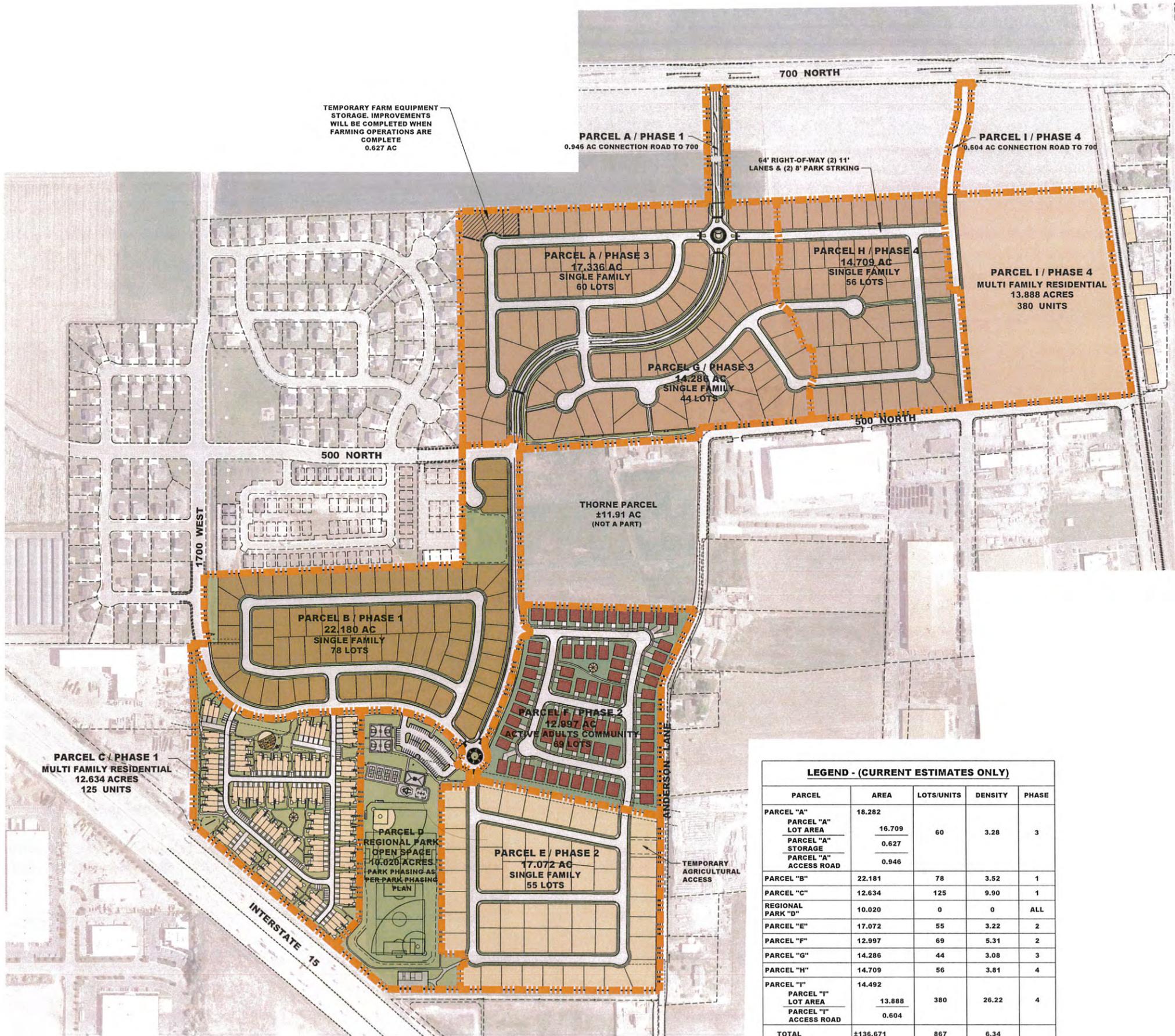
**IVORY HOMES**  
 3340 NORTH CENTER STREET  
 LEHI, UT 84043  
 (801) 407-8600

REVISIONS	
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5	

LEI PROJECT #:  
**2013-1845**  
 DRAWN BY:  
**BLS**  
 CHECKED BY:  
**GDM**  
 SCALE:  
**1" = 200'**  
 DATE:  
**5/2/2016**

EXHIBIT  
**B**

U:\LAND DESKTOP PROJECTS\13-1845 ANDERSON FARMS\DWG\SUBSET\13-1845 EXHIBIT B-FOR DEV AGREEMENT.dwg 4/25/2016 12:40 PM



**LEI**  
A Utah Corporation  
**ENGINEERS SURVEYORS PLANNERS**  
3302 N. Main Street  
Spanish Fork, UT 84660  
Phone: 801.798.0555  
Fax: 801.798.9393  
office@lei-eng.com  
www.lei-eng.com

*Modified option w/out Commercial - from Dev. Agreement*

**ANDERSON FARMS**  
LINDON, UTAH  
**EXHIBIT E - EXAMPLE OF MODIFIED CONCEPT PLAN**

**LEGEND - (CURRENT ESTIMATES ONLY)**

PARCEL	AREA	LOTS/UNITS	DENSITY	PHASE
PARCEL "A"	18.282			
PARCEL "A" LOT AREA	16.709	60	3.28	3
PARCEL "A" STORAGE	0.627			
PARCEL "A" ACCESS ROAD	0.946			
PARCEL "B"	22.181	78	3.52	1
PARCEL "C"	12.634	125	9.90	1
REGIONAL PARK "D"	10.020	0	0	ALL
PARCEL "E"	17.072	55	3.22	2
PARCEL "F"	12.997	69	5.31	2
PARCEL "G"	14.286	44	3.08	3
PARCEL "H"	14.709	56	3.81	4
PARCEL "I"	14.492			
PARCEL "I" LOT AREA	13.888	380	26.22	4
PARCEL "I" ACCESS ROAD	0.604			
<b>TOTAL</b>	<b>±136,671</b>	<b>867</b>	<b>6.34</b>	

**IVORY HOMES**  
3340 NORTH CENTER STREET  
LEHI, UT 84043  
(801) 407-6900

REVISIONS  
1 -  
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LEI PROJECT #: 2013-1845  
DRAWN BY: BLS  
CHECKED BY: GDM  
SCALE: 1" = 200'  
DATE: 5/2/2016

EXHIBIT  
**E**

U:\LAND DESKTOP PROJECTS\13-1845 ANDERSON FARMS\DWG\CONCEPTS\13-1845 EXHIBIT E FOR DEV AGREEMENTS 4/22/2016 12:58 PM



**TABULATIONS**

- APPROVED FOR 380 UNITS
- 1.8 STALLS / UNIT



*Example of possible layout - from Dev. Agreement*

**LEI**  
 - A Utah Corporation -  
**ENGINEERS**  
**SURVEYORS**  
**PLANNERS**  
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 Spanish Fork, UT 84660  
 Phone: 801.798.0555  
 Fax: 801.798.9393  
 office@lei-eng.com  
 www.lei-eng.com

**ANDERSON FARMS**  
 LINDON, UTAH  
**EXHIBIT F - MULTI FAMILY SITE PLAN**

REVISIONS

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LEI PROJECT #: 2013-1845  
 DRAWN BY: BLS  
 CHECKED BY: GDM  
 SCALE: N.T.S.  
 DATE: 5/3/2016

EXHIBIT  
**F**

**IVORY HOMES**  
 3340 NORTH CENTER STREET  
 LEHI, UT 84043  
 (801) 407-6600

**KCB** architecture

**14. Review & Action — Canvass & Certification of 2019 General Election Results; Resolution 2019-28-R.** The City Council, acting as the Board of Canvassers, will canvass the results from the November 5, 2019 General Election and then, by motion, officially certify the results of the Canvass. (20 minutes)

The City Recorder recommends that the City Council complete the canvass and, by motion, certify the November 5, 2019 Municipal General Election results.

**BACKGROUND:**

Pursuant to State law, the General Election Canvass must be conducted between seven and fourteen days after completion of the ballot. However, it cannot be held prior to thirteen days if there are outstanding military/overseas ballots.

Lindon City contracted with Utah County to have the County administer a vote-by-mail election as was done in the 2017 election. The hope was to increase ease of voting and thus increase voter turn-out.

**Lindon's preliminary voter turn-out** thus far is a 35.19%, the second highest voter turn-out in the last six municipal elections. Vote-by-mail appears to significantly increase voter participation in Lindon.

Lindon voter turnout by percentage:

2019 –35.19% (preliminary) as of 11.8.19

2017 –40.69%

2015– 21.5%

2013 –27%

2011 –27%

2009–24%

**Sample Motion:** I move to (approve, deny, continue) Resolution 2019-28-R certifying the canvass of the 2019 municipal general election presented by the City Recorder in coordination with Utah County Elections office (as presented, or with changes).

**RESOLUTION NO. 2019-28-R**

**A RESOLUTION OF THE MAYOR AND MUNICIPAL LINDON CITY COUNCIL SITTING AS THE BOARD OF CANVASSERS ACCEPTING THE ELECTION RETURNS, DECLARING AND CERTIFYING THE RESULTS OF THE MUNICIPAL GENERAL ELECTION HELD ON NOVEMBER 5, 2019 AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Municipal General Election was held on November 5, 2019; and

**WHEREAS**, pursuant to Section 20A-4-301 et seq. of the Utah State Code, the Municipal Council and Mayor constitute the Board of Municipal Canvassers for Lindon City and do hereby canvass the returns of the General Election; and

**WHEREAS**, on November 19, 2019, the Board held a duly noticed meeting to canvass the results of the General Election as required by State Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Lindon City, Utah, acting as the Board of Municipal Canvassers for Lindon City as follows:

**SECTION 1:**

The Board hereby certifies the results as shown by the Tabulation of Election Returns as supplied by the Utah County Elections Office and the City Recorder as shown in Exhibit "A."

**SECTION 2:**

1. The Board hereby certifies that Candidates Carolyn Lundberg, Mike Vanchiere and Randi Powell had the highest number of votes and declares them Elected to the office of City Council for a four-year term.

**SECTION 4:**

A certified report of the election results shall be prepared. Each nominated candidate shall receive a certificate of nomination. A report of the canvass will be published in a newspaper of general circulation and posted in a conspicuous place. A copy of the Canvass will be filed with the Office of Lieutenant Governor for the State of Utah, all in conformance with State Law.

**SECTION 5:**

This Resolution shall take effect immediately upon its passage.

**APPROVED AND ADOPTED BY THE** Board of Canvassers of Lindon City, Utah  
County, Utah this 19<sup>th</sup> day of November, 2019.

\_\_\_\_\_  
Jeff Acerson, Mayor

ATTEST:

\_\_\_\_\_  
Kathryn A. Moosman, City Recorder, MMC

(SEAL)



AFFIDAVIT OF ELECTION RESULTS CERTIFICATION

(Non-Partisan)

STATE OF UTAH

COUNTY OF UTAH

We the undersigned of the Lindon City Board of Canvassers do hereby certify the Tabulation of Election Returns sheet, hereby attached, to be the official results of the Lindon City General Municipal Election held on **November 5, 2019**.

Subscribed and sworn (or affirmed) by me the undersigned Board of Canvassers on this 19<sup>th</sup> day of November, 2019.

(Signed) \_\_\_\_\_  
City Recorder

Board of Canvassers:

\_\_\_\_\_  
Mayor Jeff Acerson

\_\_\_\_\_  
Councilmember Carolyn Lundberg

\_\_\_\_\_  
Councilmember Van Broderick

\_\_\_\_\_  
Councilmember Jake Hoyt

\_\_\_\_\_  
Councilmember Mike Vanchiere

(Seal)

Vote totals as of November 12, 2019:

<b>Lindon City Council</b>		
Vote For 3		
	<b>TOTAL</b>	<b>VOTE %</b>
CAROLYN LUNDBERG	1,645	28.65%
MIKE VANCHIERE	1,340	23.34%
RANDI POWELL	1,294	22.54%
DENY A FARNWORTH	1,061	18.48%
DESIREE GREEN	402	7.00%
<b>Total Votes Cast</b>	<b>5,742</b>	<b>100.00%</b>

As of 11/8/2019; 10:27PM			
Precinct	Ballots Returned	Current Active Voter Total	Current Turnout %
LI01	619	1912	32.37%
LI02	283	658	43.01%
LI03	213	628	33.92%
LI04	331	1070	30.93%
LI05	397	1074	36.96%
LI06	360	1060	33.96%

**15. Closed Session — Closed Executive Session.** The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to enter into a closed executive session for the purpose of discussing pending or reasonably imminent litigation. This session is closed to the general public. (30 minutes)

**The Council may vote to enter into this closed session by motion.**

**Sample Motion:** *I move to enter into a closed session for the purpose of discussing pending or reasonably imminent litigation. (Roll-Call vote needed)*

**Council Reports:****(20 minutes)**

- A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee - Jeff Acerson
- B) Public Works, Irrigation water/canal company boards, City Buildings - Van Broderick
- C) Planning Commission, Board of Adjustments, General Plan, Budget Committee - TBD
- D) Public Safety, Emergency Management, Economic Development, Tree Board - Carolyn Lundberg
- E) Parks & Recreation, Lindon Days, Transfer Station/Solid Waste, Cemetery - Mike Vanchiere
- F) Admin., Historic Commission, PG/Lindon Chamber, Budget Committee - Jake Hoyt

**Administrator's Report***(10 minutes)***Misc. Updates:**

- December newsletter article: **Mike Vanchiere** - Article due to Kathy Moosman by end of November
- 2800 West 600 N (west of PG interchange) traffic signal under design; construction in Summer 2020
- 2000 West 700 N traffic signal warrant study to be conducted by UDOT within the next few Weeks
- Misc. Items

**Upcoming Meetings & Events:**

- November 28<sup>th</sup> – Mayor's Thanksgiving Day Dinner
- November 28<sup>th</sup> & 29<sup>th</sup> – Thanksgiving Holiday - City offices closed
- December 2<sup>nd</sup> – Annual Christmas Tree Lighting
- December 12<sup>th</sup> – Employee Christmas Party
- December 23<sup>rd</sup> – City offices close at noon
- December 24<sup>th</sup> -25<sup>th</sup> – Christmas Holiday – City offices closed

**ADJOURN**