The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, January 8, 2019, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at 7:00 p.m. This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following:

**AGENDA**

Invocation: By Invitation
Pledge of Allegiance: By Invitation

1. **Call to Order**

2. **Approval of minutes**
   Planning Commission 12/11/2018

3. **Public Comment**

4. **Subdivision Plat Amendment Approval—Tom Gardner, (15 minutes)**
   37 N. 800 E. and 775 E. Center Street.
   Tom Gardner, requests Subdivision Plat Amendment Approval of the Lindon Hidden Meadows Subdivision to consolidate three existing parcels into two lots located in the R1-20 zone. (Parcel #’s 14:073:0240, 14:073:0239, 45:6511:0015)

5. **Open Public Meeting Presentation** - City Attorney, Brian Haws

6. **Proposed ordinance amendment to Title 17.44.090 regarding allowed projections into required corner side yard setbacks. This item is for information and discuss only and will be presented at the planning commission meeting.**

7. **New Business from Commissioners**

8. **Planning Director Report**

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours notice.

The above notice/agenda was posted in three public places within Lindon City limits and on the State http://www.utah.gov/pmn/index.html and City www.lindoncity.org websites.

**Posted By:**
**Date:** January 4, 2019
**Time:** 9:30 a.m.
**Place:** Lindon City Center, Lindon Police Station, Lindon Community Center
**Item 4: Lindon Hidden Meadows Subdivision Plat Amendment — Tom Gardner – 37 N. 800 E.**

<table>
<thead>
<tr>
<th>Date: 8 January 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant:</strong> Tom Gardner</td>
</tr>
<tr>
<td><strong>Presenting Staff:</strong> Michael Florence</td>
</tr>
<tr>
<td><strong>General Plan:</strong> Residential Low</td>
</tr>
<tr>
<td><strong>Current Zone:</strong> Residential R1-20</td>
</tr>
<tr>
<td><strong>Property Owner:</strong> Tom Gardner</td>
</tr>
<tr>
<td><strong>Address:</strong> 37 N. 800 E.</td>
</tr>
<tr>
<td><strong>Parcel ID:</strong> 14:073:0240, 14:073:0239, 45:6511:0015</td>
</tr>
<tr>
<td><strong>Existing Parcel Sizes:</strong> .71, .16, 1.2 acres</td>
</tr>
<tr>
<td><strong>Proposed Lot Sizes:</strong> .70, 1.36 acres</td>
</tr>
<tr>
<td><strong>Type of Decision:</strong> Administrative</td>
</tr>
<tr>
<td><strong>Council Action Required:</strong> No</td>
</tr>
</tbody>
</table>

**OVERVIEW**

1. Mr. Gardner is petitioning to consolidate three parcels he owns into two lots. This approval is amending a portion of the Lindon Hidden Meadows Subdivision Plat B that was approved in 2016.
2. The property is zoned Residential R1-20
3. Both buildable lots have single family homes constructed on the property

**Surrounding Zoning and Land Use**

North: R1-20 – Single Family Residence  
South: R1-20 – Single Family Residence  
East: R1-20 – Single Family Residence  
West: R1-20 – Single Family Residence/church

**Subdivision Standards**

Lindon City Code 17.32.00 references Utah Code for requirements amending a subdivision plat. Under Utah Code 10-9a-608, an applicant may petition the Land Use Authority (Planning Commission) to join two or more of the petitioner fee owner’s contiguous lots.

**10-9a-608. Vacating, altering, or amending a subdivision plat.**

(2) Unless a local ordinance provides otherwise, the public hearing requirement of Subsection (1)(c) does not apply and a land use authority may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if:
(a) the petition seeks to:
   (i) join two or more of the petitioner fee owner's contiguous lots;
   (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
   (iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;
   (iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or
   (v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:
       (A) owned by the petitioner; or
       (B) designated as a common area; and

(b) notice has been given to adjacent property owners in accordance with any applicable local ordinance.

Engineering Requirements
The City Engineer is working through technical issues related to the plat and will conduct a final review if the planning commission approves the plat amendment.

Findings of Fact
- The applicant, Tom Gardner, owns all three parcels which will be amended as part of the application for two lots;
- No new building lots will be created from the subdivision amendment;
- The proposed subdivision amendment is located in the R1-20 zone and meets the minimum lot size and frontage requirements;
- Lindon Hidden Meadows Subdivision Plat B was approved in 2016.

MOTION
I move to (approve, deny, continue) the applicant’s request for preliminary approval of an amendment to the Lindon Hidden Meadows Subdivision Plat with the following condition:
1. The applicant will continue to work with City staff to make all technical corrections as necessary to the plat prior to recording;
2. Prior to plat recording and occupancy of any new development within this plat, the applicant must update the final plat Mylar to include notarized signatures of owners’ consent to dedication consistent with item one above; and obtain signatures of all entities indicated on the subdivision plat attached hereto;
3. All items of the staff report.

Exhibits
1. Utah County Parcel Map
2. Proposed subdivision plat
Exhibit 1

Existing Parcel 3

45.911:0015
GARDNER, MALISALEE and THOMAS L...
37 N 800 EAST - LINDON
Value: $880,900 -- 1.2 acres
Entry# 03911 2018 (MORE)

Existing Parcel 2

Existing Parcel 1

14:073:0240
GARDNER, THOMAS L...
Value: $0 -- 0.71 acres
Entry# 32269-2018

45.611:0016
JEPPSON, KODI
725 E CENTER ST - LINDON
Value: $19,400 -- 0.52 acres
Entry# 44559-2018

45:353:0001
BILLS, SHERI
11 N 850 EAS
Value: $544
Entry# 12375
Item 5:  Proposed Ordinance Amendment to Title 17.44.090

Date: 8 January 2019  
**Applicant:** Lindon City  
**Presenting Staff:** Michael Florence

Lindon City is proposing to make a general amendment to Title 17.44.090 regarding deck projections into a residential corner side yard setback. This item will be for discussion and feedback only with no action taken by the planning commission.
17.44.090 Projections into Yards.

1. The following structures may be erected on or project into any required yard setback:
   a. Fences and walls in conformance with the Lindon City Code and other City codes or ordinances;
   b. Necessary appurtenances for utility service.

2. The structures listed below may project into a minimum front, side, or rear yard not more than the following distances:
   a. The following may project into a minimum front, side or rear yard not more than twenty-four (24) inches: Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features; fireplace structures and bays (provided that they are not wider than eight (8) feet, measured generally parallel to the wall of which they are a part), awnings and planting boxes or masonry planters.
   b. The structures listed below may project into a rear yard not more than twelve (12) feet: A shade structure or uncovered deck (which does not support a roof structure, including associated stairs and landings) extending from the main floor level and/or ground level first story of a building, provided such structure is open on at least three (3) sides, except for necessary supporting columns and customary architectural features.
   c. The following may project into a front, side or rear yard (above or below grade) not more than four feet as long as they are uncovered (not supporting a roof structure): unenclosed stairways, balconies, landings, and fire escapes. (Ord. 2009-3, amended, 2009; Ord. 2003-15, amended, 2003; Ord. 111 §1, amended, 1985; Prior code §12-111-8)
   
   d. Properties with a corner street side yard setback of at least thirty (30) feet, an uncovered deck located at and accessible from the first story or below the first story, inclusive of stairs, may project not more than twelve (12) feet into a required street side yard setback.
Amend and add the following definitions

“Basement” means a floor level below the first story in a building which floor is more than twelve inches (12") below the average level of the adjoining ground, but where no more than one-half (½) of its floor-to-ceiling height is below the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement and as a half-story for the purpose of side yard determination.

First Story – The ground floor level and lowest Story, not including basement, in a building provided the floor level is not more than four feet (4’) below Final Grade for more than fifty percent (50%) of the perimeter.

Story - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Ground Floor – The first story of a building other than the basement