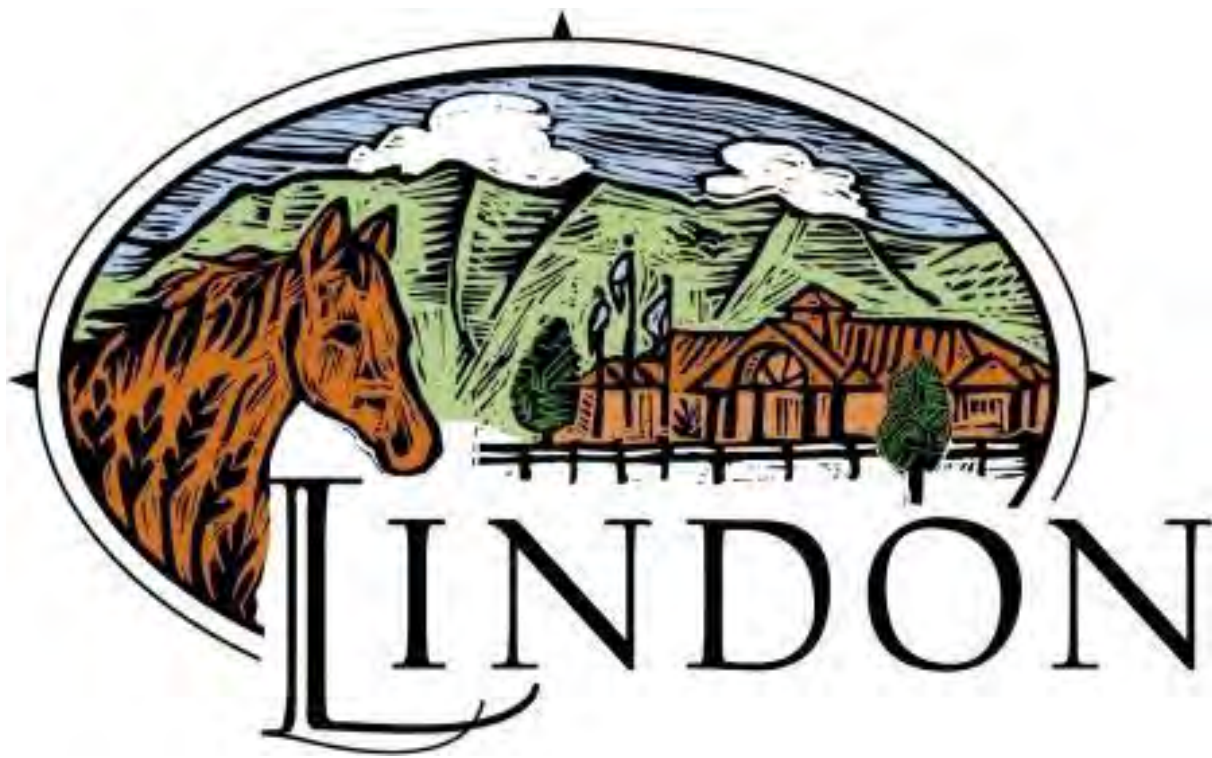


Lindon City Planning Commission Staff Report



August 22, 2017

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, August 22, 2017**, 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 July 25, 2017

3. Public Comment

(30 minutes)

4. Public Hearing — Ordinance Amendment, Lindon City Code (LCC) 17.04.400

Marc Udall, Dry Canyon Ranch, requests an amendment to LCC 17.04.400, regulating Home Occupation requirements, to allow for Summer Physical Education lessons to have more vehicular traffic than what is currently allowed by ordinance.

(30 minutes)

5. Alteration of a non-conforming use (LCC 17.16.030) — Priddis Music, 790 North 200 East

Richard Priddis, Priddis Music, requests approval of an alteration of a nonconforming use (music recording studio in a single-family residential zone) to allow other commercial business activities at 790 North 200 East, in the Residential Single Family (R1-20) zone.

(20 minutes)

6. Public Hearing — Zone Map Amendment & Ordinance Adoption ~400 North 2800 West, LCC 17.54 Regional Commercial (RC) Zone (Continued from PC meeting 07/25/2017)

Lindon City requests review and approval of a Zone Map Amendment from General Commercial Auto (CG-A8) to Regional Commercial (RC), on multiple parcels located at approximately ~400 North 2800 West. Lindon City also requests approval of an amendment to Lindon City Code by way of adopting 17.54 Regional Commercial Zoning Ordinance, to address development regulations, activities and uses in the RC zone. These items may be continued for further review. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2017-#___-O).

(15 minutes)

7. Public Hearing — Ordinance Amendment, Lindon City Code (LCC) 17.48.025

The Lindon City Council requests approval of an amendment to LCC 17.48.025, regulating the Lindon Village Commercial zone, regarding the maximum acreage any given land use can occupy within the zone.

(15 minutes)

8. General Discussion — Lindon City General Plan (chapter review)

Staff will present information regarding the Lindon City General Plan update and review the Land Use section. No formal action will be taken at this time.

9. New Business from Commissioners

10. Planning Director Report

Adjourn



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

Notice of Meeting

Lindon City Planning Commission



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: Brandon Snyder, Associate Planner

Date: August 17, 2017

Time: 9:00 a.m.

Place: Lindon City Center, Lindon Police Station, Lindon Community Center

Item I: Call to Order

August 22, 2017 Lindon City Planning Commission Meeting

Roll Call:

Sharon Call
Steve Johnson
Rob Kallas
Charlie Keller
Mike Marchbanks
Mike Vanchiere
Bob Wily

Item 2: Approval of Minutes

July 11, 2017 Joint Meeting Minutes

July 25, 2017 Planning Commission Minutes

August 1, 2017 Joint Meeting Minutes

The Lindon City Council and Lindon City Planning Commission held a Joint Work session on **Tuesday, July 11, 2017 at 6:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

WORK SESSION – 6:00 P.M.

Conducting: Mayor Jeff Acerson

PRESENT

Jeff Acerson, Mayor
Matt Bean, Councilmember
Van Broderick, Councilmember
Carolyn Lundberg, Councilmember
Jacob Hoyt, Councilmember
Mike Marchbanks, Commissioner
Rob Kallas, Commissioner
Bob Wily, Commissioner
Steven Johnson, Commissioner
Mike Vanchiere, Commissioner

ABSENT

Sharon Call, Chairperson
Charlie Keller, Commissioner
Dustin Sweeten, Councilmember

Staff Present

Adam Cowie, City Administrator
Hugh Van Wagenen, Planning Director
Brandon Snyder, Associate Planner
Kathy Moosman, City Recorder

1. **Call to Order** – The meeting was called to order at 6:00 p.m.
2. **Discussion**—700 North Corridor & 1-15 Exit 275: The City Council and the Planning Commission will discuss permitted uses and a possible small area plan for 700 North. Also, the area around I-15 Exit 275 will be discussed for a possible creation of a new zone focusing on architectural and landscaping standards. No formal action will be taken at this time.

Hugh Van Wagenen, Planning Director, opened the discussion by explaining the purpose of the meeting tonight is to discuss permitted uses and a possible small area plan for 700 North. He noted the area around the I-15 Exit 275 will also be discussed for a possible creation of a new zone focusing on architectural and landscaping standards. He noted that no formal action will be taken at this time so no motions will be necessary. He then referenced the maps for both areas in question and also presented some landscaping and parking examples. There was then some general discussion regarding the landscaping example sites provided, interchange traffic expectancy and the possible use of development agreements. He also gave an update on the Vineyard Connector per conversations with UDOT and the existing and future alignments and future map updates.

Mr. Van Wagenen discussed the interchange quadrant first. He noted one thing that has been discussed is the DoTerra concept coming in and also Mr. Mark Weldon's

vision for the 40 acres to the west. They also discussed development agreements with prospective developers and a rezone coming to the Planning Commission with the talk of a new zone to govern both DoTerra and what Mr. Weldon is proposing. Mr. Van Wagenen pointed out that a new zone may be more permissible and may allow more entitlements than the existing zone.

Mr. Van Wagenen stated staff also discussed things outside of the architectural standards of what makes a development look nice regarding landscaping and how it breaks it up. He then showed photos of very high standards of landscaping followed by discussion including 4th South and West temple in SLC where he pointed out significant aspects including pedestrian isles and end caps that are broken up with a landscaping strip in the middle. He also referenced the EBay Development pointing out it doesn't have as much grass and noted how it is broken up with a landscaping strips and zero scape. He added depending who the landscaper is you talk to will determine the caliper of the trees.

Councilmember Lundberg stated she would like to discuss sod, trees and being water wise etc. Mr. Van Wagenen agreed that trees are important as they provide a canopy and shade as well as provide the visual aspect. He noted the Planning Commission has indicated they would like to make some revisions to grass zones as there is a general interest to require less grass as to be water wise. Councilmember Lundberg pointed out she has seen berms along street scapes with grass on the exterior; it visually breaks it up on the street side with a berm. Mr. Van Wagenen pointed out there is no such thing as non maintenance whether grass or xeroscape, but the focus should be water wise. Commissioner Marchbanks agreed it is important to look at less watering and be water conservative with the growth in the state as we live in a desert and need to be respectful of that. He asked about drafting something specific for this area.

There was then some general discussion regarding the examples/images and maps presented. Mr. Van Wagenen stated there is over 100 acres left and his concern is if we leave some other properties alone and they get changed how well it would function as a general commercial zone; it needs to be looked at it comprehensively.

Mr. Van Wagenen stated he is hearing the general direction from the group is to come up with a new zoning ordinance. Councilmember Lundberg stated there is new economy emerging so let's not give this area away to be unattractive with only warehouses but with some high-end quality, attractive products with permitted uses.

Mayor Acerson stated there are a lot of things changing and we need to be aware of these changes. Mr. Van Wagenen stated with the recent zone change (Mr. Weldon) has been working on their warehouse design. He then showed the renderings noting they are not official.

Mr. Van Wagenen then went over the permitted uses and guiding principles and discussed the consideration of a utilizing a planning process on the corridor specifically. He asked the group if they want to pursue an RFP for a plan rather than waiting for the U of U who they are engaged to work with next year. He then went over land uses on the corridor. He mentioned there is the concern of what the market will produce here and how it will look and feel and what features are wanted. He also questioned if it is more important to identify the market through a market feasibility study. Following discussion the Council was in agreement to get some resources behind this and to move forward in pursuing and RFP for a plan and budget accordingly. Mr. Van Wagenen stated they will also pursue grant options. Mayor Acerson stated he will try to coordinate to get Val Hale

from the Governor's office of Economic Development to come and visit with the Council to help set a tone for what could potentially fit on the corridor and to encourage and facilitate and what can potentially happen in the area and to get an idea as to what direction the trends are moving. The Council agreed that would be very beneficial.

Mayor Acerson called for any further comments or discussion from the Council or Commission. Hearing none he adjourned the meeting.

Adjourn – The meeting was adjourned at 7:05

Approved – August 22, 2017

Kathryn Moosman, City Recorder

Jeff Acerson, Mayor

Mike Marchbanks, Vice Chair

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **July 25, 2017 beginning at 7:00 p.m.** at the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chair
9 Invocation: Mike Vanchiere, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12	<u>PRESENT</u>	<u>EXCUSED</u>
	Sharon Call, Chairperson	Bob Wily, Commissioner
14	Rob Kallas, Commissioner	
	Mike Marchbanks, Commissioner	
16	Charlie Keller, Commissioner	
	Steven Johnson, Commissioner	
18	Mike Vanchiere, Commissioner	
	Hugh Van Wagenen, Planning Director	
20	Brandon Snyder, Associate Planner	
	Kathy Moosman, City Recorder	

22
23 **Special Attendee:**
24 Matt Bean, Councilmember

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

28 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning
29 Commission meeting of July 11, 2017 were reviewed.

30
31 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
32 OF THE REGULAR MEETING OF JULY 11, 2017 AS PRESENTED.
33 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
34 IN FAVOR. THE MOTION CARRIED.

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

40 **CURRENT BUSINESS** –

42 4. **Site Plan — Silverado Storage, 100 North 1800 West.** Joe Brown,
43 Silverado Storage Group LLC, requests site plan approval for Silverado
44 Storage (Vault Security Storage - Mini-Storage), to be located at
45 approximately 100 North 1800 West (Identified by Utah County Parcel
46 #14:061:0113, 9.95 acres), in the Light Industrial (LI) zone.

2 Brandon Snyder, Planning Director, gave a brief background of this agenda item
noting the applicant Joe Brown is in attendance along with Mike Harvey representing this
4 item. Mr. Snyder stated Mr. Brown is proposing to construct a new storage unit facility
with associated office space, which is permitted in the LI zone subject to site plan
6 approval. He noted the site will be managed by Extra Space Storage once completed. Mr.
Brown has indicated that there will be no outdoor storage/RV parking or an on-site
8 caretaker dwelling (those uses would have required a conditional use permit.) Mr. Snyder
pointed out due to the future Vineyard Connector, no access is permitted from 2000
10 West. Also, the proposal does not have buildings adjacent to 2000 West due to the
Central Utah Water Easement (pipeline).

12 Mr. Snyder pointed out that Mr. Brown will be developing the site in phases that
will be subject to the timing and other restrictions of Lindon City Code Section 17.17.125
14 Site Plan – Phased development. He noted the required curb and gutter are already
installed along 1800 West (no sidewalks are required in the LI zone west of Geneva
16 Road.) He added that the 2000 West storm water ditch has a unique cross section for
improvement of the ditch including grading and sloping. He added that no asphalt
18 widening is required along the ditch as the road will be replaced by the Vineyard
Connector in the future. Mr. Snyder stated third party notices were provided to the
20 adjoining property owners in accordance with city code and staff has received no public
comments back at this time. He then referenced the property information (Light Industrial
22 zone LCC Chapter 17.49) and the minimum requirements on the proposed site.

24 Mr. Snyder commented that the planning and engineering staff and the applicant
are working through the technical issues related to the site and will ensure all issues are
resolved before final approval of the plans is granted. He also noted that the Fire
26 Inspector has indicated that the submitted plans do meet fire code.

28 Mr. Snyder went on to explain that the LI zone requires that a landscaped strip
twenty (20) feet in width shall be planted with grass and trees (every 30' on center) along
all public street frontages. There is also no minimum landscaping requirement in the LI
30 zone and there are not enough parking stalls to initiate parking lot landscaping. The 2000
West storm water ditch has a unique cross section for improvement of the ditch including
32 landscaping, grading and sloping and staff feels all these requirements are met. He added
that no fencing regulations apply as the site is not adjacent to a residential use or
34 residential zone and Mr. Brown has opted to install an eight' wall around the perimeter of
the site (the storage units are to be adjacent to the eight (8') foot wall but are not
36 connected) and the Lindon City dumpster enclosure requirements are met.

38 Mr. Snyder stated city code requires that all buildings in the Light Industrial Zone
must be "aesthetically pleasing, well proportioned buildings which blend with the
surrounding property and structures." He noted that Mr. Brown is proposing to construct
40 the exterior of the buildings out of concrete masonry unit block, with a small (stucco)
office. The Code also requires buildings in the LI zone to be earth-tone colors and Mr.
42 Brown is proposing the main exterior walls to be grey block. Mr. Snyder indicated that
Mr. Brown is requesting that the small office stucco area be white (highlight) and the
44 frame canopy black. The green doors to the storage units will all face inward and not be
visible from adjoining streets. He pointed out the doors shown through the office
46 windows are set back inside the office building and are for display and branding. Mr.
Snyder then referenced the Earth-tone Color Palette followed by discussion. He then
48 turned the time over to the applicant for comment.

2 Mr. Brown and Mr. Harvey addressed the Commission at this time. Mr. Brown
indicated they are having two (2) phases and the second phase will be based on how fast
4 they lease them. They understand there is a time limit (2 year) on phase two but they are
hoping to start within the next year. Mr. Brown stated they also did a feasibility study
6 noting there are a lot of rooftops coming in that will help to facilitate filling up the units
and feels it is a growth play; they feel this will be a good project. He noted they are
8 planning on having 430 units with two buildings being climate/temperature controlled
(55 units).

10 Following discussion there were some concerns by the Commission regarding the
white stucco in that it doesn't match the earth tone color palette. Following some
12 additional discussion the Commission was in agreement to require the color to match the
color palette and to have staff follow up with this issue to ensure the requirement is met.
14 Mr. Brown stated they will ensure the color will meet the color palette requirement.

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

18 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR SITE PLAN APPROVAL FOR SILVERADO
20 STORAGE TO BE LOCATED AT APPROXIMATELY 100 NORTH 1800 WEST, IN
THE LIGHT INDUSTRIAL ZONE, WITH THE FOLLOWING CONDITIONS: 1.
22 PRIOR TO CONSTRUCTION OF PHASE 2 THE APPLICANT ADDRESS THE
CURRENT FLOODPLAIN VIA A FEMA MAP REVISION TO THE SATISFACTION
24 OF THE PLANNING DIRECTOR AND CITY ENGINEER AND 2. COMPLETE AND
RECORD ROAD DEDICATION (PORTION OF R-O-W) TO LINDON CITY AND 3.
26 COMPLETE AND RECORD PUE'S AND 4. ALL EXTERIOR COLORS BE IN LINE
WITH THE COLOR PALETTE AND 5. WATER SHARES BE TURNED OVER TO
28 THE CITY PRIOR TO OBTAINING A BUILDING PERMIT. COMMISSIONER
KELLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS
30 FOLLOWS:

32 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KELLER	AYE
34 COMMISSIONER JOHNSON	AYE
COMMISSIONER VANCHIERE	AYE
36 THE MOTION CARRIED UNANIMOUSLY.	

- 38 **5. Public Hearing — Zone Map Amendment & Ordinance Adoption, 400**
North 2800 West, LCC 17.54 Regional Commercial (RC) Zone. Lindon
40 City requests review and approval of a Zone Map Amendment from General
Commercial Auto (CG-A8) to Regional Commercial (RC), on multiple
42 parcels located at approximately 400 North 2800 West. Lindon City also
requests approval of an amendment to Lindon City Code by way of adopting
44 17.54 Regional Commercial Zoning Ordinance, to address development
regulations, activities and uses in the RC zone. These items may be
46 continued for further review. Recommendations will be forwarded to the
City Council for final approval. (Pending Ordinance 2017-#__-O).

2 COMMISSIONER KELLER MOVED TO OPEN THE PUBLIC HEARING.
3 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
4 IN FAVOR. THE MOTION CARRIED.

6 Hugh Van Wagenen, Planning Director, explained that Lindon City is requesting
7 review and approval from the Commission of a Zone Map Amendment from General
8 Commercial Auto (CG-A8) to Regional Commercial (RC), on multiple parcels located at
9 approximately 400 North 2800 West. He noted Lindon City is also requesting approval of
10 an amendment to Lindon City Code by way of adopting 17.54 Regional Commercial
11 Zoning Ordinance, to address development regulations, activities and uses in the RC
12 zone. He pointed out these items most likely will be continued for further review and
13 recommendations will be forwarded to the City Council for final approval.

14 Mr. Van Wagenen explained the Regional Commercial zone will have design
15 standards similar to commercial zones, but may also allow warehouse and distribution
16 uses. He then referenced the map included in the staff report. He clarified that this is a
17 rough draft and staff is looking for feedback only. He noted Roger Harper, General
18 Manager of the North Point Solid Waste Transfer Station, is in attendance tonight to
19 answer any questions the Commission may have.

20 Mr. Van Wagenen then presented the draft ordinance for discussion. Mr. Snyder
21 spoke on the purpose statement re-iterating this is a rough draft. He pointed out this is a
22 high traffic visibility area and mentioned the theme as well as the landscaping aspect. He
23 noted the purpose statement gives an understanding of why the requirements are in place.
24 Mr. Van Wagenen also spoke on uses noting there are no conditional uses included. He
25 pointed out they used the same format as the Standard Land Use Table to help categorize.
26 He noted the big changes are uses, development standards, architectural design,
27 landscaping and screening, which are the key items discussed in the last work session.

28 Mr. Van Wagenen then went over the draft ordinance with the Commission and
29 made changes on the draft as the discussion moved forward with feedback and
30 suggestions from the Commissioners including distribution and fulfillment centers under
31 the Packing & Crating section and Wholesale Trade. Mr. Van Wagenen referenced the
32 map and re-emphasized the area in question. He pointed out when contemplating these
33 things in the draft staff considered the concept and were somewhat reasonable and were
34 open to a variety of uses.

35 Chairperson Call called for any public comment at this time. Roger Harper
36 addressed the Commission at this time. Mr. Harper noted the transfer station is just south
37 of the property in question and they own several acres in the zone change area. He
38 brought up their biggest concern is that they serve all of northern Utah County citizens
39 and the acquisition of the property gave a buffer zone. They would like to see some
40 wording in the ordinance to give them some leeway as to protect and serve the public in
41 their district. He noted the transfer station was built in 1993 and designed to transfer 400
42 tons a day they are now transferring over 800 tons a day. Their District (Orem, Lindon,
43 Vineyard, Lehi, Cedar Hills, Pleasant Grove, Highland, American Fork, Saratoga
44 Springs) is growing and translates into more waste and they need to find a way to handle
45 it. They would like to have the potential to build a bigger transfer station and to expand
46 so they would like the consideration to not be zoned out of their future possibilities; this
47 is a real possibility and it needs to be planned for. Mr. Van Wagenen pointed out this is a
48 larger conversation that needs to be had including issues with UDOT and the Vineyard

Connector. Mr. Van Wagenen pointed out there is nothing in the Standard Land Use Table that would allow for an expansion of the current operation, and from a city perspective (although it is a needed public service) it is staff's understanding that the city is not interested in the day to day operations at the transfer station to expand at this time.

There was then some additional discussion regarding the ordinance draft uses, proposed language, building heights, landscaping etc., with the Commission concluding staff has done a great job on the first draft of the ordinance and understands there will be more changes made but they are on the right track. Mr. Van Wagenen stated they will take this feedback and make adjustments and bring a refined draft back before the Commission for review. He noted the Commission will then make their recommendations to the City Council.

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

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

COMMISSIONER KELLER MOVED TO CONTINUE AGENDA ITEM NUMBER FIVE FOR FURTHER DISCUSSION. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KELLER	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

6. **New Business: Reports by Commissioners** – Chairperson Call called for any new business or reports from the Commissioners. Chairperson Call asked for an update of the MECCA Holdings application and what the Council decided following their discussion. Mr. Van Wagenen stated the Council felt it was not the right piece of property for their request for multi-family housing and they did not want to encourage them to pursue it any further; he does not anticipate an application moving forward. Commissioner Kallas asked if displaying advertising flags below flags on large flagpoles is allowed in city code. Mr. Van Wagenen stated he will check into this issue and get back with him.

7. **Planning Director Report** – Mr. Van Wagenen reported on the following items followed by discussion.

- Lindon Days – August 7-12
- APA-Utah Fall Conference at Park City October 5 & 6, 2017
- General Plan Survey

Chairperson Call called for any further comments or discussion. Hearing none she called for a motion to adjourn.

The Lindon City Council and Lindon City Planning Commission held a Joint Work Session on **Tuesday, August 1, 2017 at 10:00 a.m.** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

WORK SESSION – 10:00 A.M.

Conducting: Mayor Jeff Acerson

PRESENT

Jeff Acerson, Mayor
Matt Bean, Councilmember
Van Broderick, Councilmember
Carolyn Lundberg, Councilmember
Sharon Call, Chairperson
Rob Kallas, Commissioner
Mike Vanchiere, Commissioner

ABSENT

Jacob Hoyt, Councilmember
Dustin Sweeten, Councilmember
Mike Marchbanks, Commissioner
Charlie Keller, Commissioner
Steven Johnson, Commissioner
Bob Wily, Commissioner

Staff Present

Adam Cowie, City Administrator
Hugh Van Wagenen, Planning Director
Brandon Snyder, Associate Planner
Kathy Moosman, City Recorder

Governor's Office of Economic Development

Val Hale

EDC Utah Representatives

Russ Fotheringham
Theresa Foxley

1. **Call to Order** – The meeting was called to order at 10:00 a.m.

2. **Discussion**—700 North Corridor & I-15: The City Council and the Planning Commission will discuss the economic development opportunities along the 700 North & I-15 Corridors. No formal action will be taken at this time.

Hugh Van Wagenen, Planning Director, opened the discussion by explaining the purpose of the meeting today is to discuss the economic development opportunities along the 700 North & I-15 Corridors. He noted that no formal action will be taken at this meeting as this is for discussion only. Mr. Van Wagenen then turned the time over to the representatives in attendance for comment.

Val Hale, from the Governor's Office of Economic Development began by speaking on topics related to the economic development issues in the state and more particularly in areas directly affected near the 700 North Corridor and the I-15 interchange. He also spoke on job projections and wages over the next 20 years and incentives. He gave an example (Adobe) noting the state will only allow maximum

incentives and it is based on post performance. He pointed out they use incentives to get the businesses here and then to keep the jobs here which is new money coming back into the state; there has to be competition. He noted they have done a great job coming out of the recession in getting companies to stay here and now we are in the middle of the road when it comes to incentives. He pointed out the state as well as the cities can leverage their dollars.

Ms. Teresa Foxley, EDCUtah Representative, spoke on job creation and utilizing competitive advantages to help the state diversify the economy; they also look at what other states have to offer with tax structures and incentives and modify accordingly.

Mayor Acerson pointed out that cities used to compete but now states compete too. He asked what Lindon has to potentially offer to their clients and to take an objective view and counsel them as a city on the reality of what they can work towards to facilitate the right types of growth. Ms. Foxley explained they believe in rounding out the retail profile and then they try to sit down with local community members to see what the economic objectives are and if they have a retail base or commercial base etc. and have a two way conversation to see what the strengths are and move forward from there.

Mayor Acerson questioned as they interact with clients that come in does Lindon ever cross their mind as a location they should consider or come into the conversation?

Mr. Russ Fotheringham, EDCUtah Representative confirmed that statement adding the first step is to identify the developable property/land in Lindon. Mr. Van Wagenen stated as of today there are four developable parcels. Mr. Fotheringham pointed out they are discerning a slight movement away from Lehi City to this direction; movement is coming in this direction (to Lindon).

Councilmember Lundberg mentioned their concern is that they don't want to fill up the corridor with just office and how do they get the diversity. She also asked what cities can do to be competitive and strategic like the state and what the parameters are; Lindon has a great workforce and great synergy.

Mr. Hale pointed out that the new Salt Lake City Mayor (Jackie Biskupski) has brought economic development to the top and changed the focus and now downtown Salt Lake City is becoming a hot place for businesses. This is the change of mindset that we want for economic development and to be a player and partner to make it easier.

Ms. Foxley stated that tactically the Mayor's office implemented several things. They elevated economic development from a division to a department and they moved the RDA under economic development and put a moratorium on impact fees and did a planning process for the master plan. The master plan was a huge play and shows what they want to see in the area. They also identified the impediments i.e., homelessness, air quality and things they have no control over and they have developed a strategic plan around it in an urban setting. She added the talk from the Mayor is great but she has also set up a structure plan to where they can deliver on their promises and they are creating jobs; Amazon has brought in 1,500 jobs with pathways to entry and education.

Councilmember Broderick stated an issue he wanted to address is the dynamics of how companies change and asked what they see in the future as to what types of brick and mortar businesses may come to Lindon. Ms. Foxley stated 30% of the general fund is sales tax and the State needs to help the locals. In terms of industry for the future is manufacturing, aerospace, etc., there will be no such thing as a non tax based business moving forward with technical fluency and technology based manufacturing.

Ms. Foxley gave an example in Eagle Mountain City that wants to attract big brand tenants in their city even if they give a rich incentive for light industrial base where residents have a long commute; they have offered no delays on grading permits.

Mr. Hale asked about the Geneva Park property in Vineyard. He noted he took a tour down there and noticed the north end of the property is building out now and it may be competitive for a while but eventually it will help the neighborhood and is positive. Mayor Acerson pointed out Lindon's industrial zone abuts to Vineyard and is 75% developed.

Mr. Fotheringham asked to see the map to view the developable areas in the city. Mr. Van Wagenen showed the map of the Pleasant Grove/Lindon interchange and the developable portions. He explained 700 North is Lindon's high hope for retail. He also showed the potential Trax line noting it could be a transit destination and hub. He also pointed out the Ivory Development portion and the businesses in the industrial and the heavy manufacturing zone. He also pointed out the wetland bank and the capped landfill followed by discussion. He also mentioned the other land available for development noting there are 15 acres in the pipeline to be developed with pockets of land that has filled in over the last five years. He also referenced the businesses in the existing business park (Canopy).

Councilmember Lundberg asked how Lindon can get in a position to get a Trax Station. Mr. Hale pointed out that Utah County will be as big as Salt Lake County within 30 years with twice the traffic and there will not be enough roads, so the idea of mass transit will be very important; having a stop in Lindon will be vital in moving forward as there is a young workforce that is looking for a mass transit stop. There are criteria that will play into those decisions. Mr. Cowie questioned if an economic development study would be beneficial.

Mr. Hale mentioned Provo did an economic development study (Avalanche) on how to position/market themselves economically. He noted it may have helped them somewhat but Provo is out of land and they are an entrepreneurial hotbed, but they do not have any place to grow so many of the businesses end up leaving. He did say that one of the advantages that Lindon has is that there is some "Lehi weariness" and until they get the transportation situation figured out companies are questioning if they want to locate there.

Ms. Foxley stated Lindon is fortunate that there is still land available and in a great position given their proximity to have big markets with a small town feel; she feels we are doing it in a thoughtful manner with a good plan in process. Mayor Acerson commented that he would like to see the state come up with a master plan to bring businesses to the state. With the impact of transportation and traffic it would be good to spread it out to alleviate some of these issues and localize it.

Councilmember Bean asked to what extent Lehi City is involved with Adobe and others as far as incentives go and how the state was involved. Ms. Foxley stated Lehi, under the original deal, offered a lucrative incentive based on Adobe building 3 phases. Mr. Hale explained by statute the state cannot offer incentives unless the local community does too. He noted communities come in with varying levels of support and his political philosophy is the state government should stay out of the way of the municipal government; the state doesn't tell the cities what to do. There was then some discussion regarding Alpine School District and trying to get consideration and

2 participation on the 700 North CDA project. Ms. Foxley stated in her opinion from
3 school districts standpoint, they really look at their burden and it is deal dependent. Mr.
4 Hale stated he would be happy to come and meet with the ASD.

5 Chairperson Call expressed her concerns with the amount of office/warehouse
6 requests and feels there should be a percentage mix. Mr. Van Wagenen commented
7 percentages and mixes can be tricky but they are sensitive to it. He added that Councils
8 and Mayors change as do study plans and 15 years from now the study plan doesn't
9 always happen. Mr. Fotheringham stated he has had discussion with Mr. Van Wagenen
10 about doing a retail study to determine what kind of retail they want to go after; this
11 would help in the planning process.

12 Mr. Cowie stated as a city we have talked about the 700 North Corridor
13 specifically, and are potentially considering hiring a consultant to help with an Economic
14 Master Plan (30-50,000) to help make it a comparatively smooth development process.
15 He questioned if these studies are beneficial and worth the expense. Mr. Fotheringham
16 stated they are sometimes worthless and sometimes they can be really valuable if they are
17 used as an active part of the plan and if used as a tool they can be beneficial.

18 There was then some discussion on what types of restaurants would be a good fit
19 in the city. Ms. Foxley stated they can do a community profile to help determine which
20 would be best. Mr. Hale made an observation, stating if you think about our society,
21 autonomous vehicles will change the culture and will take the human factor out and will
22 disrupt what we do and will impact lives and our community; there are many things to
23 factor in.

24 Ms. Foxley stated she appreciates the opportunity to be here for this discussion.
25 Mr. Hale stated if he can help with any issues with the Alpine School District etc, he
26 would be happy to come to a City Council meeting for further discussion. Mr. Hale
27 stated this is a great community and Lindon has a lot to brand themselves with and the
28 quality of life here is amazing.

29 Mayor Acerson called for any further comments or discussion from the Council or
30 Commission. Hearing none he adjourned the meeting.

31 **Adjourn** – The meeting was adjourned at 11:17 am

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33 Approved – September 5, 2017

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Kathryn Moosman, City Recorder

Jeff Acerson, Mayor

Sharon Call, Chairperson

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Ordinance Amendment — 17.04.400
Home Occupation Summer Swim Lessons
44 South 400 East

Applicant: Marc Udall Presenting Staff: Hugh Van Wagenen Zone: Single Family Residential (R1-20) Property Owner: Marc & Ruth Udall Parcel ID: 14:070:0080 Parcel Address: 44 South 400 East Type of Decision: Legislative Council Action Required: Yes	<u>SUMMARY OF KEY ISSUES</u> 1. Whether to allow increased parking and vehicular traffic allowances for home occupations that provide summer physical education lessons. <u>MOTION</u> I move to (approve, deny, continue) the applicant's request for ordinance 2017-12-O with the following conditions (if any): 1. 2. 3.
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BACKGROUND

1. Ms. Udall has been operating a successful swim lesson business under a valid business license from the dwelling located at 44 South 400 East for many years during the summer months. In 2014, Lindon City has received complaints that the business has become too big for the residential setting in which it operates. Staff confirmed that the Home Occupation was not complying with the maximum number of parked vehicles allowed (6) nor the maximum amount of vehicular traffic being generated to the residence (5 per hour).
2. In February 2015, the Planning Commission reviewed the Udall Swim Lesson home occupation permit based on the business not complying with existing regulations. Upon review, the Commission approved the continuation of the home occupation permit with two conditions: (1) conduct no more than 1 class per hour with no more than 5 vehicles of traffic per hour; (2) park no more than 14 vehicles total at the residence at any time (either on the property or on the street frontage associated with the property.)
3. In 2017 staff received additional complaints that the business was again operating out of compliance with the conditions imposed by the Planning Commission. Staff verified that the business was generating more than 5 vehicles to the residence per hour and patrons were parking on the far side of 400 East. Staff notified the business of the violation and asked that the business come into compliance with the conditions.
4. Upon receiving notification of the violation, the business indicated that they are unable to operate under the current conditions and home occupation ordinance in a way that works for their business model. Therefore, the business has applied for an amendment to LCC 17.04.400 Home Occupations.

BUSINESS DESCRIPTION

The applicant feels that the proposed code amendment would allow the business to continue to operate in a manner in which it has operated for many years but would no longer be in violation of City ordinances, as described below:

- operate seasonally between June 1 and August 30
- up to 14 individuals on-site for a lesson inclusive of staff
- conduct only one lesson per hour
- not begin before 7:30 am nor terminate after 6:00 pm
- may generate up to 13 vehicles of traffic per lesson (a vehicle dropping off and picking up the same student counts as one vehicle)
- may have up to 14 non-farm vehicles parked at the residence

The applicant has provided a parking diagram showing where vehicles have traditionally parked in front of the home along 400 East and along Center Street adjacent to the owners' property. The 400 East parking is unique in that it is perpendicular parking rather than parallel parking.

It has been suggested that a parking lot be created for the patrons of the lessons. The applicant has indicated unwillingness to create a parking lot for patrons.

ATTACHMENTS

1. Aerial photo of the site
2. Parking diagram
3. Photographs of the site
4. Ordinance 2017-12-O Home Occupation Requirements (LCC 17.04.400)



Parking



102, 201
58, 200
16, 201

Utah County Parcel Map

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 7/26/2017





Looking west to home from 400 East.



Looking south at parking from west side of 400 East.



Looking north at parking in front of home on 400 East.

17.04.400 Home occupation requirements.

1. The purpose and intent of this section of the Lindon City Code is to allow gainful occupations, professions, activities, or uses that are clearly customary, incidental, and secondary to the residential use of the property and which do not alter the exterior of the property or affect the residential character of the neighborhood.
2. No home occupation shall be conducted without first obtaining a home occupation permit pursuant to this chapter and a business license pursuant to this chapter and the Lindon City Code chapter regulating businesses.
3. The Planning Director may grant a home occupation permit in the residential zones, provided the use applied for meets all of the standards set forth in this Section.
4. A home occupation permit shall be obtained from the Planning Director before such home occupation is established. The permit shall have a fee as established per the Lindon City Fee Schedule.
5. As a matter of public policy, the City believes that commercial and industrial activities should be conducted in zones where such activities are specifically permitted. However, limited business activities may be conducted within residences located in any zone in the City if the business activity strictly complies with all of the following requirements:
 - a. Be clearly incidental to and secondary to the residential use of the dwelling unit and not occupy more than five hundred (500) square feet or twenty- five percent (25%) of the total floor space of such dwelling unit, whichever is less. This requirement does not apply to accessory buildings approved as part of a home occupation.
 - b. Be carried on entirely within the dwelling unit or accessory structure solely by one (1) or more of the residents of the immediate family who reside in the dwelling unit or employees as permitted in 5(c). For the purposes of this section, a carport, patio, or breeze way is not considered to be part of the dwelling unit. (This provision shall not prohibit the Utah State requirement for outside use by licensed day care/preschool facilities.)
 - c. Home occupations may have up to one (1) employee or part time equivalent to one (1) employee who does not live in the dwelling unit work at the home. Only one (1) non- resident employee shall work from the home at any given time. Such employee working at the home or coming to the home and moving to another job site associated with the home occupation shall be provided an off street parking stall on the home occupation owner's property. This employee shall be provided and required to use such parking on the business owner's property and off of a public street.
 - d. Not have any external evidence of the home occupation, (except as may be required by State law or City ordinance) nor any exterior displays, displays of goods, nor advertising signs (except as allowed by this section) visible from outside of the dwelling unit. It shall not be permitted to conduct any activity outside the dwelling unit or to store materials or products outside the dwelling unit unless it is within an accessory structure approved as part of the home occupation.
 - e. For any home occupation that is not summer physical education lessons as described in paragraph 6 below, Not have no more than six (6) motorized non-farm vehicles shall be parked at the residence at any time, provided all of the vehicles can be parked legally, either in normal parking places on the lot occupied by the residence without parking in front of any other property. The six (6) vehicles specified above shall include the vehicles owned or operated by the residents, visitors or any other person using or visiting the home. Exceptions to this requirement may be granted by the Planning Director provided the applicant can clearly demonstrate that additional vehicles can be parked legally, either in normal parking places on

the lot occupied by the residence containing the home occupation or by the curb directly in front of the residence without parking in front of any other property. In addition to the foregoing, the home occupation must not generate more than five (5) vehicles of traffic to the residence during any hour. The home occupation shall not generate any traffic before 7:30 a.m. or after 6:00 p.m. nor shall any vehicle weighing in excess of twenty four thousand (24,000) pounds, gross weight, travel to the residence for the purpose of servicing the home occupation.

~~e.f.~~ Not emit noise, odor, dust, fumes, vibration, smoke, electrical interference or other interference with the residential use of adjacent properties.

~~f.g.~~ Comply with all City building and fire codes.

~~g.h.~~ Obtain a home occupation permit and a business license from the City.

~~h.i.~~ Shall have no more than one (1) sign, not larger than two and one-half (2.5) square feet, attached to the main dwelling unit. The sign shall be aesthetically pleasing and made of similar materials and colors as the building to which it is attached. The sign shall not be directly lit.

~~i.j.~~ Home occupation owners shall be good neighbors and mindful of possible impacts their activities have on the residential character of the neighborhood. All Home Occupation permits are reviewable upon written complaint to the Planning Commission. The Planning Commission, in reviewing such complaints, shall have the authority to attach conditions to a home occupation to make it compatible with the surrounding neighborhood. If the Planning Commission makes a finding that the home occupation is not compatible with the surrounding neighborhood they shall have the authority to revoke such permit. (Ord. 2002-23, amended, 2002; Ord. 99-23, adopted, 2000)

6. Summer physical education lessons

a. shall only operate on a seasonal basis between June 1 and August 30 and;

b. may have up to fourteen (14) individuals on-site for a lesson inclusive of staff and students (e.g. one (1) employee and thirteen (13) students) and;

c. shall only conduct one lesson per hour and;

d. shall not begin before 7:30 am nor terminate after 6:00 pm and;

e. may generate up to thirteen (13) vehicles of traffic to the residence per lesson (a vehicle dropping off at the beginning of a lesson and picking up at the end of a lesson counts as one vehicle) and;

f. may have up to fourteen (14) motorized non-farm vehicles parked at the residence provided that additional vehicles can be parked legally, either in normal parking places on the lot occupied by the residence containing the home occupation or by the curb directly in front of the residence without parking in front of any other property.

g. If lessons are conducted outside the seasonal dates outlined in paragraph 6(a), the business must comply with paragraph 5(e) with regards to parking and vehicles of traffic per hour.

Item 5: Alteration of a non-conforming use (LCC 17.16.030) Priddis Music, 790 North 200 East

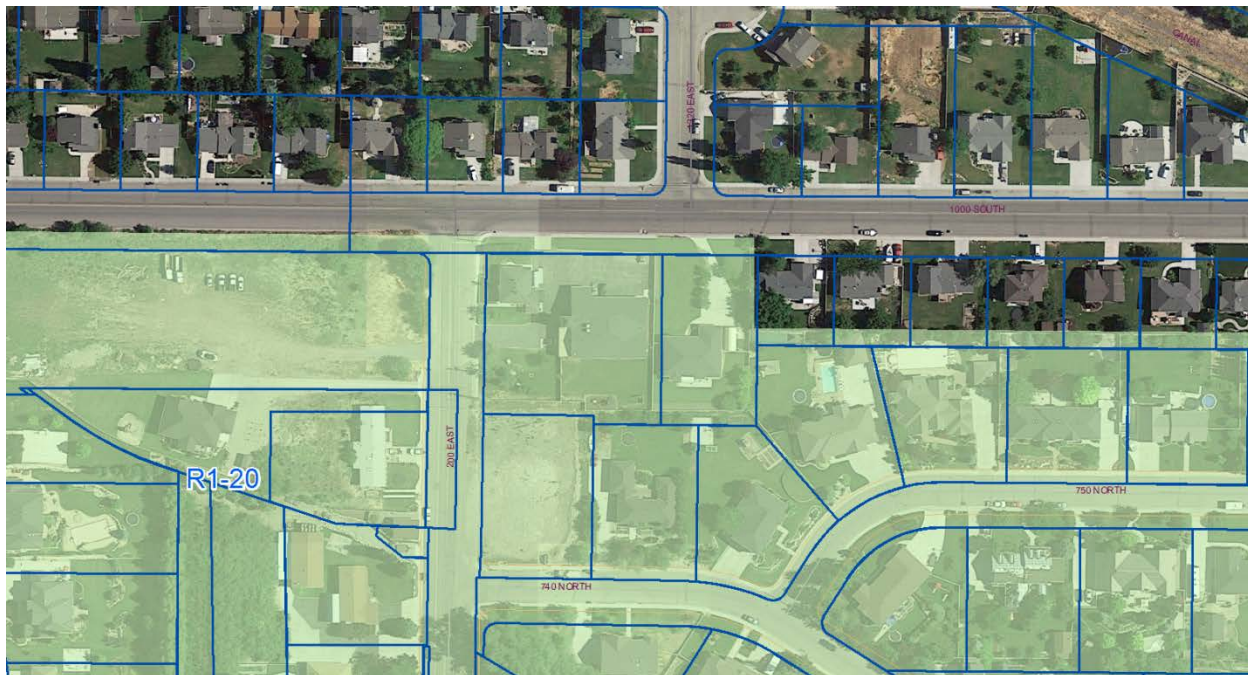
Richard Priddis, Priddis Music, requests approval of an alteration of a nonconforming use (music recording studio in a single-family residential zone) to allow other commercial business activities at 790 North 200 East, in the Residential Single Family (R1-20) zone.

<p>Applicant: Richard Priddis Presenting Staff: Brandon Snyder</p> <p>General Plan: Residential Low Zone: Residential (R1-20)</p> <p>Property Owner: Richard L. Priddis Address: 790 North 200 East Parcel ID: 52:782:0001 (Lot 1, Plat A, STX2 Subdivision) Lot Size: 0.826 acre</p> <p>Type of Decision: Administrative Council Action Required: No</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none">1. Whether to approve a request to alter an existing nonconforming use on the property identified pursuant to Lindon City Code 17.16.030(2). <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request to alter the existing nonconforming use with the following conditions (if any):</p> <ol style="list-style-type: none">1.2.3.
---	--

BACKGROUND

1. The applicant has expressed interest in selling the property. It is unclear to potential buyers which uses the City may consider allowing at the site other than residential and a music recording studio.
2. The applicant received approval of a conditional use permit by the Lindon City Planning Commission for Priddis Music on October 13, 1999 (refer to file 00-097-1). The Lindon City ordinances in effect at that time (October 1998), allowed Professional Offices (when harmonious with the general character of the district where located), in the residential zones by way of a conditional use permit.
3. Presently Lindon City Codes no longer allow professional offices in the residential zones. Business activities are regulated by Lindon City Code 17.04.400 Home Occupations. The applicant and staff have discussed the concern that the proposal would not comply with the current home occupation regulations. Concerns include: number of employees, hours of operation, number of vehicular trips/traffic generated, and parking.
4. The Lindon City Standard Land Use Table provides for the regulation and administration of land uses in the various zones in the City. Section II of the Land Use Table describes the purpose and intent of the R1-20 as follows: R1-20 (Residential-Low). It is the purpose of this zone to provide areas of low density, residential neighborhoods of essentially spacious and un-crowded character to promote the benefits of open, rural atmosphere, and to provide for areas where larger animals are permitted.
5. The applicant has provided a list of potential uses for consideration. Staff does not support the consideration of car maintenance or a wood shop. Church, day care, and school uses are already listed as conditional uses in the residential zone.

6. Because one business plan or specific use is not under consideration it is difficult to anticipate potential restrictions or conditions to address nuisances or impacts on the residential neighborhood. (I.e. hours of operation, limiting noise, activities limited to indoors, occupancy, parking, odors/noxious emanations, and restricting outdoor storage). It is also unclear at this time if the applicant or future owners will utilize the existing residence as a dwelling unit or an office.
7. These concerns were discussed with the City Attorney, who has provided the following response, *“With that being said, I believe that it is clear that the new proposed use of the property (as a chiropractic clinic) is sufficiently different and distinct from the current use that it could not be reasonably designated as a continuation of the existing nonconforming use. As such, there is not an absolute right to the proposed (clinic) use as there would be if a new owner were seeking to continue to use the property as a recording studio. While there is no “per se” right to the proposed use, as mentioned above, §17.16.030 of the City code does grant some discretion to the Planning Commission to allow a nonconforming use to be altered. This language can be interpreted as providing an avenue for a non-conforming use to be changed from one use to another, but again, this exercise of this authority is completely discretionary, (as indicated by the use of the term “may” in place of “shall”) and no applicant can force the Planning Commission to exercise that authority on their behalf. Furthermore, this discretion is limited in that the Planning Commission may only exercise this right upon making findings that the specific conditions set forth in subparts a to c. have been met. Therefore, even if the Commission is inclined to allow an alteration to the existing nonconforming use, they may only do so after these requirements have been satisfied.”*



DISCUSSION & ANALYSIS

State law defines a nonconforming use as a use of land that “legally existed before [the] current land use designation...that has been maintained continuously since the time the land use ordinance governing the land changed” that “does not conform to the regulations that now govern the use of the land.”

Generally speaking, the presumption is that nonconforming uses should be eventually eliminated, however, State law allows municipalities to provide for “the establishment, restoration, reconstruction, extension, alteration, expansion, or substitution of nonconforming uses” according to standards identified in the municipal code. (See Utah Code Ann. §10-9a-511(2)(a).) Accordingly, Lindon City Code subsection 17.16.030(2) allows the Planning Commission to “authorize the expansion, alteration, or enlargement of a nonconforming use...only after holding a public hearing and finding” the following:

- a. the expansion, alteration or enlargement of the nonconforming...use will to reasonable extent bring the ...use as close as reasonably possible to conformance with requirements and regulations of the zone in which [the] nonconformity is located; and,
- b. the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use...or violate the development policies adopted in the Lindon City Master Plan; and,
- c. the use, building, or structure, existing or proposed, will be brought into compliance, where possible, with design and architectural standards of the zone where proposed.

The Lindon City General Plan indicates the following:

Community Vision

It is Lindon City's community vision to provide for a strong, positive civic image and identity within a clean and attractive physical setting which seeks to preserve a high quality, open, rural living atmosphere which is also receptive to compatible services and amenities provided by some elements of urban living.

The Objectives of this Community Vision are to:

1. Recognize and promote Lindon as a dynamic Utah County community with a distinctive rural environment consistent with its traditional, family-oriented values...
5. Maintain the quality of existing and future neighborhoods and land use areas within the City through preservation of animal rights, community beautification, improved parks & trails, and other pursuits relating to provident living, recognizing all segments of our community (age, economic status, etc.).

Residential Land Uses include a range of residential classifications including low, medium, and high density. Density is expressed in dwelling units per acre (DU/AC) for single or multiple family dwellings. Zoning regulations may allow in residential areas a limited number of non-residential uses, such as places of worship, neighborhood parks, schools, etc. The goal of housing and residential areas in Lindon

City is to provide a housing and living environment that supports and complements the unique rural quality and character of Lindon City. Objectives of this goal are as follows:

1. Maintain and enhance the pleasing appearance and environmental quality of existing residential neighborhoods by avoiding encroachment of land uses which would adversely impact residential areas (i.e. increased traffic, noise, visual disharmony, etc.) and by providing adequate screening and buffering of any adjacent commercial or industrial development including parking and service areas.

These considerations yield three residential categories.

Residential-Low (2 or less DU/AC): It is the purpose of this category to provide areas of low density residential neighborhoods of essentially spacious and uncrowded character to promote the benefits of an open, rural atmosphere, and to provide for areas where large animals are permitted. Includes area typically zoned as R1-20.

Lindon City Codes:

17.16.030 Amendments, additions, enlargements and moving of nonconforming parcels or uses.

1. All nonconforming parcels, lots, buildings, structures, or uses shall not be added to, enlarged in any manner, moved to another location on the lot, or have parcel lines moved, changed, or adjusted, except as provided by subsection 2 of this section.
2. The Planning Commission may authorize the expansion, alteration, or enlargement of a nonconforming use, structure, building, parcel, or lot, or movement of parcel lines, only after holding a public hearing and finding that:
 - a. the expansion, alteration or enlargement of the nonconforming building, structure, parcel, lot, or use will to reasonable extent bring the property, building, structure, parcel, lot or use as close as reasonably possible to conformance with requirements and regulations of the zone in which the nonconformity is located; and
 - b. the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure or violate the development policies adopted in the Lindon City Master Plan; and
 - c. the use, building, or structure, existing or proposed, will be brought into compliance, where possible, with design and architectural standards of the zone where proposed.
3. Additions, enlargements, alterations, or expansions of nonconforming uses, upon compliance with 17.16.030, shall be permitted on neighboring properties of the existing nonconforming use. Such parcels or lots shall be adjoining and share a common parcel boundary line and shall not be divided by a city street.

17.44.010 Purposes and Objectives.

The Single Family Residential Zones (R1) are established to provide areas for the encouragement and promotion of an environment for family life by providing for the establishment of one (1) family detached dwellings on individual lots that are separate and sheltered from non-residential uses found to be inconsistent with traditional residential lifestyles customarily found within Lindon City's single-family neighborhoods.

ATTACHMENTS

1. Applicant's Proposal.
2. Lindon City Code 17.04.400 Home Occupations
3. Priddis Music Site Plan
4. Priddis Music Staff Report and Minutes (1999)



17.04.400 Home occupation requirements.

1. The purpose and intent of this section of the Lindon City Code is to allow occupations, professions, activities, or uses that are clearly customary, incidental, and secondary to the residential use of the property and which do not alter the exterior of the property or affect the residential character of the neighborhood.
2. No [home occupation](#) shall be conducted without first obtaining a [home occupation](#) permit pursuant to this chapter and a business license pursuant to this chapter and the Lindon City Code chapter regulating businesses.
3. The Planning Director may grant a [home occupation](#) permit in the residential [zones](#), provided the use applied for meets all of the standards set forth in this Section.
4. A [home occupation](#) permit shall be obtained from the Planning Director before such [home occupation](#) is established. The permit shall have a fee as established per the Lindon City Fee Schedule.
5. As a matter of public policy, the City believes that commercial and industrial activities should be conducted in [zones](#) where such activities are specifically permitted. However, limited business activities may be conducted within residences located in any [zone](#) in the City if the business activity strictly complies with all of the following requirements:
 - a. Be clearly incidental to and secondary to the residential use of the [dwelling unit](#) and not occupy more than five hundred (500) square feet or twenty-five percent (25%) of the total floor space of such [dwelling unit](#), whichever is less. This requirement does not apply to accessory [buildings](#) approved as part of a [home occupation](#).
 - b. Be carried on entirely within the [dwelling unit](#) or accessory [structure](#) solely by one (1) or more of the residents of the immediate [family](#) who reside in the [dwelling unit](#) or employees as permitted in 5(c). For the purposes of this section, a [carport](#), patio, or breeze way is not considered to be part of the [dwelling unit](#). (This provision shall not prohibit the Utah State requirement for outside use by licensed day care/preschool facilities.)
 - c. [Home occupations](#) may have up to one (1) employee or part time equivalent to one (1) employee who does not live in the [dwelling unit](#) work at the home. Only one (1) non-resident employee shall work from the home at any given time. Such employee working at the home or coming to the home and moving to another job [site](#) associated with the [home occupation](#) shall be provided an off [street](#) parking stall on the [home occupation](#) owner's property. This employee shall be provided and required to use such parking on the business owner's property and off of a public [street](#).
 - d. Not have any external evidence of the [home occupation](#), (except as may be required by State law or City ordinance) nor any exterior displays, displays of goods, nor advertising signs (except as allowed by this section) visible from outside of the [dwelling unit](#). It shall not be permitted to conduct any activity outside the [dwelling unit](#) or to store materials or products outside the [dwelling unit](#) unless it is within an accessory [structure](#) approved as part of the [home occupation](#).

- e. Not have more than six (6) vehicles parked at the residence at any time, provided all of the vehicles can be parked legally, either in normal parking places on the [lot](#) occupied by the residence without parking in front of any other property. The six (6) vehicles specified above shall include the vehicles owned or operated by the residents, visitors or any other person using or visiting the home. Exceptions to this requirement may be granted by the Planning Director provided the applicant can clearly demonstrate that additional vehicles can be parked legally, either in normal parking places on the [lot](#) occupied by the residence containing the [home occupation](#) or by the curb directly in front of the residence without parking in front of any other property. In addition to the foregoing, the [home occupation](#) must not generate more than five (5) vehicles of traffic to the residence during any hour. The [home occupation](#) shall not generate any traffic before 7:30 a.m. or after 6:00 p.m. nor shall any vehicle weighing in excess of twenty four thousand (24,000) pounds, gross weight, travel to the residence for the purpose of servicing the [home occupation](#).
- f. Not emit noise, odor, dust, fumes, vibration, smoke, electrical interference or other interference with the residential use of adjacent properties.
- g. Comply with all City [building](#) and fire codes.
- h. Obtain a [home occupation](#) permit and a business license from the City.
- i. Shall have no more than one (1) sign, not larger than two and one-half (2.5) square feet, attached to the main [dwelling unit](#). The sign shall be aesthetically pleasing and made of similar materials and colors as the [building](#) to which it is attached. The sign shall not be directly lit.
- j. [Home occupation](#) owners shall be good neighbors and mindful of possible impacts their activities have on the residential character of the neighborhood. All [Home Occupation](#) permits are reviewable upon written complaint to the [Planning Commission](#). The [Planning Commission](#), in reviewing such complaints, shall have the authority to attach conditions to a [home occupation](#) to make it compatible with the surrounding neighborhood. If the [Planning Commission](#) makes a finding that the [home occupation](#) is not compatible with the surrounding neighborhood they shall have the authority to revoke such permit. (Ord. 2002-23, amended, 2002; Ord. 99-23, adopted, 2000)

ALTERATION of NON-CONFORMING USE

**Richard Priddis
Priddis Music
790 N 200 E
Lindon, UT 84042**

Please indicate which of these uses are approved for non-conforming use for this property.

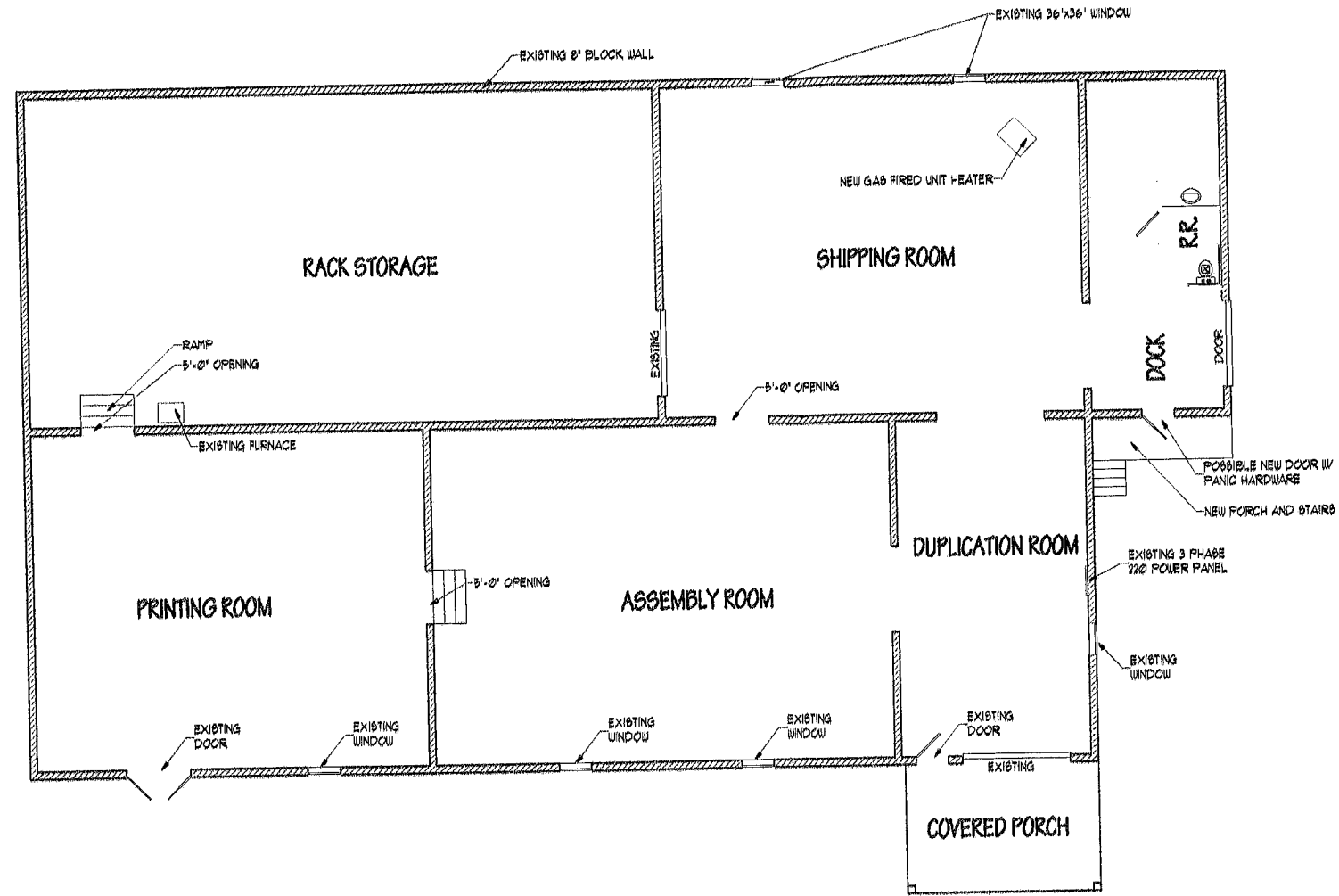
Beauty Salon
Car Maintenance
Catering Business
Church / Temple
Crafts
Dance Instruction
Day Care
Office Space Rental
Pre-School

Professional Office
- Architect
- Chiropractor
- Computer Software / Internet Business
- Counseling / Therapy
- Law Office
- Massage Therapy
- Music Lessons
- Photography
- Tax
- Wellness Center

Reception Center
Recording Studio
School
Wood Shop



RECEIVED
SEP 27 1999
LINDON CITY
COMMUNITY DEVELOPMENT



MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

project title	
REMODEL FOR RICK PRID	
PLANS PREPARED BY	
JAMES A. DAIN	
ARCHITECT	
382 EAST 400 NORTH 801-785-5650	
LINDON, UT	
DATE	SHEET NUMBER
SEPT. 1999	A2
REVISIONS	



Item 4 - Priddis Music 278 East 750 North Conditional Use Permit

APPLICANT: Rick Priddis

APPLICATION DATE: September 27, 1999

MASTER PLAN LAND USE DESIGNATION: Very Low Density Residential

ZONING DESIGNATION: R1-20

SUMMARY: This is a request for approval to operate a music recording business in an existing warehouse on a residential lot at the end of 200 E. 800 N.

BACKGROUND: The site in questions is currently owned by Terry Tomlinson and traditionally has been used as an apple warehouse for the orchards that used to be in the area. There is a small home on one side of the property that would be used as the office, and the warehouse will be used to manufacture and distribute product. They would provide off street parking for employees. Relatively few costumers visit the site. Staff is somewhat concerned that the warehouse part of the request conflicts with the residential ordinance. The ordinance provides for approval of professional offices when harmonious with the residential character of the neighborhood. Does the warehouse fit into this requirement? We have indicated to the applicant that he needs to notify all the neighbors around the project and include the Pleasant Grove side of the street.

MOTION: I move to (approve, deny, continue) the request by Rick Priddis for a conditional use permit to operate a music recording business on a residential lot with the following conditions (list if any):

- Lighting be compatible with neighborhood
- Existing warehouse
- sits below grade
- Has been made smaller then orgnally
- Bordered by Valley Center
- Light truck traffic one UPS + Delivery truck normally a week
- No outside storage

Motion by:

No. voting aye:

Jim Peter
6

Second by:

No. voting nay:

Absent:

Beth Maresca
0

2 development. The Commission agreed a tour of the site would be most convenient November 1,
1999. The Commission discussed the noticing requirement. Since no business or decision is to be
4 made on the trip, noticing is not required.

6 4. Priddis Music - 278 East 750 North - Conditional Use Permit

8 This site in question is currently owned by Terry Tomlinson and traditionally has been
used as an apple warehouse for the orchards that used to be in the area. There is a small
10 home on one side of the property that would be used as the office, and the warehouse will
be used to manufacture and distribute products. They would provide off street parking for
employees. Relatively few customers visit the site. Staff is concerned that the warehouse
12 part of the request conflicts with the residential ordinance and the character of the
neighborhood. The ordinance provides for approval of professional offices when
14 harmonious with the residential character of the neighborhood.

16 Rick Priddis, of Priddis Music, addressed the Commission during a Public Comment
section of a previous Commission meeting. He is requesting approval to operate a music
18 recording business in an existing warehouse on a residential lot at the end of 200 E. 800 N. There
is a home and warehouse on the property currently. The home will be used as an office.

20 The ordinance was reviewed with the Commission by the Planning Director. A
professional office is allowed if it is harmonious with the neighborhood character. The warehouse
22 was originally used for fruit collection. Mr. Priddis and the owner, Mr. Tomlinson, have been
making renovations to the property.

24 The Commission asked about the nature of work to be preformed at the site. Mr. Priddis
explained that the warehouse would contract approximately twelve, mostly part time, employees
26 for tape assembly and CD production. The Commission inquired into necessary parking. The
property was reviewed and adequate parking is available.

28 The effect on the neighbors was questioned. The proposed business will not produce any
noise. Margie Luke, 1000 South 97 East, is an adjacent resident and acknowledged that the
30 business operations thus far have not been disruptive. She asked the Commission if the
conditional use permit would stay with the property even if the business moved. She was
32 apprehensive that another business may move into the same area and not be as neighbor-friendly
as Mr. Priddis' business will be. The Commission explained that the conditional use permit
34 must be reapplied for by the new occupants if Mr. Priddis' business moved if they are changing
the use. This is not a zone change, it only allows for this situation specifically. The Commission
36 noted the only reason this permit is being considered is because the building is already there. This
decision does not grandfather in any other pre-existing buildings in Lindon. The residents were
38 told that they may make complaints to the city if Mr. Priddis' business becomes disruptive.

The Commission wanted to know the extent of business operations planned for the site.
40 Mr. Priddis listed that the business will use one fork lift, be frequented daily by a UPS delivery
truck, and weekly by a delivery service truck. The Commission reminded Mr. Priddis that no
42 signs are permitted for the site. Mr. Priddis's business does not rely on retail sales, therefore the
sign restriction will not affect sales.

44 Mr. Priddis noted that improvements will be made to the interior and the exterior of the

2 warehouse. The adjacent residents present were supportive of the improvements already in
4 progress at the site. They did not want a fence installed between the homes and the business. The
Commission and the public agreed, such a fence would create less of a harmonious atmosphere in
the neighborhood.

6 The Commission wanted the reasons for the approving Mr. Priddis' permit clearly asserted
8 so not to create a precedence for other such requests: (1) the building is already existing (2) the
building is below the grade of the neighborhood (3) the building is being made smaller (4) there
will only be light truck traffic (5) the business will not create any noise (6) there will be no outside
10 storage.

12 After further discussion COMMISSIONER PETERS MOVED TO APPROVE THE
REQUEST BY RICK PRIDDIS FOR A CONDITIONAL USE PERMIT TO OPERATE A
14 MUSIC RECORDING BUSINESS ON A RESIDENTIAL LOT WITH THE FOLLOWING
CONDITION: LIGHTING AROUND THE BUILDING WILL BE SHIELDED.
16 COMMISSIONER PETERSON SECONDED THE MOTION. VOTING WAS UNANIMOUS
IN THE AFFIRMATIVE. THE MOTION CARRIED.

18 5. Rae Jeanne Memmott - 322 North 1130 East - Conditional Use Permit

20 This is a request for approval for an accessory apartment in an existing residential home.
Staff has no concerns with this request.

22 Kevin Smith, Planning Director, displayed the plans for Rae Jeanne Memmott's home.
24 She is requesting the Commission approve a third parking space for an accessory apartment. The
parking stall is proposed for the back side of the home, near the apartment entrance.

26 The Commission asked about the positioning of Mrs. Memmott's home. She answered
that the home is positioned in such a way to keep within setback requirements and the contouring
of the property. The general floor plan cannot be changed because of grading issues.

28 The proposed plans suggest an extended driveway around the side of the home to allow
for the apartment's additional parking. The Commission discussed the possibility of two separate
30 driveways opposed to one large concrete slab. Another possible solution to Mrs. Memmott's
parking situation is to expand the garage size from two to three cars. Mrs. Memmott explained
32 that she would need to talk to her builder before deciding. The Commission discussed the need
for a walkway to the apartment if the garage were expanded.

34 The Commission also discussed the possible need to revise the current ordinance to clarify
the intent for accessory apartment restrictions.

36 Mrs. Memmott has given notice to the required residents in the area. There has been no
response to her proposed accessory apartment.

38 After further discussion COMMISSIONER PETERS MOVED TO APPROVE THE
REQUEST BY RAE JEANNE MEMMOTT FOR A CONDITIONAL USE PERMIT FOR AN
40 ACCESSORY APARTMENT AT 722 EAST 550 NORTH WITH THE FOLLOWING
CONDITION: A THIRD PARKING SPACE BE SERVICED BY EITHER A SEPARATE
42 DRIVEWAY OFF 800 EAST OR THE CURRENT TWO CAR GARAGE BE EXPANDED TO
A THREE-CAR GARAGE WITH A WALKWAY ACCESS TO THE APARTMENT.
44 COMMISSIONER SOUTHARD SECONDED THE MOTION. VOTING WAS UNANIMOUS

Item 6: Public Hearing — Zone Map Amendment & Ordinance Adoption
~400 North 2800 West, LCC 17.54 Regional Commercial (RC) Zone

Lindon City requests review and approval of a Zone Map Amendment from General Commercial Auto (CG-A8) to Regional Commercial (RC), on multiple parcels located at approximately ~400 North 2800 West. Lindon City also requests approval of an amendment to Lindon City Code by way of adopting 17.54 Regional Commercial Zoning Ordinance, to address development regulations, activities and uses in the RC zone. These items may be continued for further review. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2017-11-O).

Applicant: Lindon City
Presenting Staff: Hugh Van Wageningen

General Plan: Commercial
Current Zone: General Commercial CG-A8

Property Owner: multiple
Address: ~400 North 2800 West
Parcel ID: multiple
Area Size: ~175+ acres

Type of Decision: Legislative
Council Action Required: Yes

SUMMARY OF KEY ITEMS

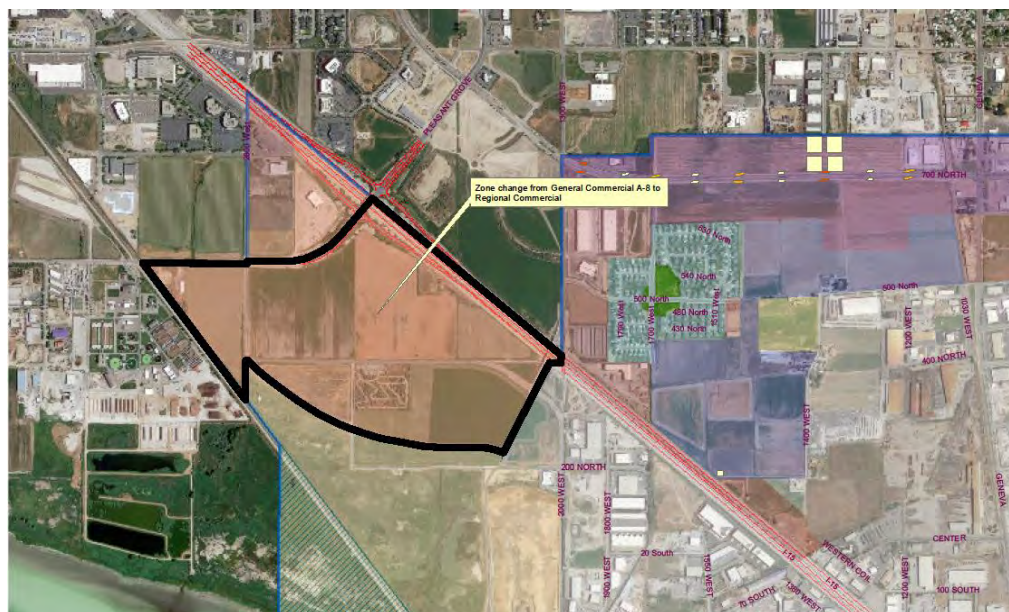
1. Whether to recommend approval of a request to change the zoning map of the subject parcels and adopt associated land use ordinances and regulations.

MOTION

I move to recommend (approval, denial, to continue) Ordinance 2017-11-O with the following conditions (if any):

1.

The Regional Commercial zone will have design standards similar to commercial zones, but may also allow warehouse and distribution uses.



Lindon City requests approval of a **Zone Map amendment** to reclassify the following parcels from General Commercial-Auto (CG-A8) to Regional Commercial:

Parcel ID	Owner	Address
140590050	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	84042
140600073	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	84042
140600067	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	84042
140590051	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	84042
140600075	UTAH DEPARTMENT OF TRANSPORTATION	84042
140590049	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	84042
140600064	UTAH DEPARTMENT OF TRANSPORTATION	84042
661350001	UTAH DEPARTMENT OF TRANSPORTATION	2995 W 600 NORTH, LINDON, UT
140590048	VESAM INC	84042
140600012	PROPERTY RESERVE INC	4600 W 7200 NORTH, LINDON, UT 84042
140590001	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	6000 N 4250 WEST, LINDON, UT
140590035	PROPERTY RESERVE INC	84042
140590026	JEPPSON, VELOY (ET AL)	84042
140590040	HAMMONS, JOHN Q	84042
140590036	BIG IRON PROPERTIES LLC	84042
140590042	LINDON CITY	84042
140600014	PROPERTY RESERVE INC	4600 W 7200 NORTH, LINDON, UT
130790035	PROPERTY RESERVE INC	
140590053	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	
140600082	UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT	
130790016	PROPERTY RESERVE INC	5600 W 6400 NORTH, LINDON, UT
130790016	PROPERTY RESERVE INC	5600 W 6400 NORTH, LINDON, UT
140590058	STARLINE PROPERTIES LLC	

This item was reviewed and continued from the July 25, 2017 Planning Commission meeting.

DISCUSSION

Ordinance items that need discussion:

- Overall landscaping; is 30% too high?
- Water wise landscaping in the parkstrips; 70% plant coverage or less?; grass not required.
- Street cross section, right of way, sidewalk easements.
- Dock doors able to face public streets if screened properly?

ATTACHMENTS

LCC 17.54 Regional Commercial Zone draft

Chapter 17.54 Regional Commercial (RC) Zone

Sections:

17.54.010 Purpose.

17.54.020 Uses.

17.54.030 Site design and maintenance.

17.54.040 Development standards.

17.054.050 Architectural design.

17.054.060 Parking requirements.

17.054.070 Landscaping and screening

17.54.010 Purpose.

1. The objective in establishing the Regional Commercial (RC) Zone is to promote opportunities and areas for commercial, service, professional and business uses.
2. The purpose of the Regional Commercial (RC) Zone is to provide areas along the interstate freeway for uses that are both compatible with and dependent on freeway visibility and access.
3. Developments should be generally upscale with attention given to landscaping, architecture, coordination of traffic circulation and building placement. Developments should provide a pleasing and functional environment that represents the quality of life in the city and also enhances employment opportunities and the retail tax base of the city.
4. The zone is to be characterized by attractively designed buildings and off-street parking lots situated among lawns, shrubs, trees, and plantings, which give a more pleasing appearance than other commercial and business zones.
5. Refer to the following Chapters and subsections for additional regulations:
 - a. 17.04 General and Supplemental Provisions
 - b. 17.18 Off-Street Parking
 - c. Title 18, Lindon City Sign Ordinance

17.54.020 Uses.

The Standard Land Use Table shall not be used to establish permitted, conditional, and non-permitted uses in the RC zone. Rather, the following primary uses, and no others, shall be permitted in the RC zone:

Residential

- Hotels, Motels
- Caretaker Facilities – accessory to main uses only

Manufacturing

- General Food Mfg. – under 20,000 s.f.
- Candy & Other Confectionary Products
- Brewery (Liquor & Spirits) max. 1,000 s.f. and must be in conjunction with a restaurant
- All General Apparel
- Publishing, Printing, & Misc. Related Work
- Professional, Scientific, Photographic, Optical Instruments, Etc.
- Motion Picture production (permanent studios)
- High-Tech manufacturing; indoor production and storage only; may not produce objectionable noises, odors, or other externalities to the detriment of surrounding properties

Transportation & Utilities

- Auto Parking Facilities – private (does not include storage of vehicles)
- Telephone Utility Lines – underground
- Television Broadcasting Studios
- Television Transmitting Stations & Relay Tower (height of tower may not exceed maximum height of zone)
- Electric Utility Lines – above ground 35 kV or greater
- Electric Utility Lines – underground
- Gas Utilities – underground
- Water Storage
- Water Pressure Control Stations
- Sewage Pressure Control Stations
- Freight Forwarding Services (no outdoor transloading or transfer of truck trailers)
- Packing & Crating Services

Wholesale Trade

- Drugs, Chemicals, & Allied Products – indoor storage only
- Drugs, Drug Proprietaries & Druggists' Sundries – indoor storage only

- Dry Goods, Piece Goods, & Notions – indoor storage only
- Apparel & Accessories – indoor storage only
- Groceries & Food Stuffs – indoor storage only

Retail Trade

- Building Material, Equipment Supplies & Hardware – indoor storage only
- Home Improvement Centers
- Direct Selling Organizations – Call Centers
- Arts, Crafts, & Hobbies
- Musical Instruments/Supplies
- Groceries &/or Food
- Candy & Other Confectionery Products
- Motorcycles, Personal ATV, Personal Water Craft, & Snowmobile Sales & Service
- Motor Vehicles/Trucks/Marine – New Vehicle Dealership only (must meet site requirements found in LCC 17.48.200)
- Gasoline Service Station with Convenience Store
- Marine Craft & Accessories
- Clothing, Apparel, & Accessories
- Furniture & Home Furnishings – indoor storage only
- Restaurants/Fast Food
- Pharmacy
- Books/Newspaper/Magazines
- Office Supplies
- Cameras & Photographic Supplies
- Gifts, Toys, Novelties, Souvenirs, & Antiques
- Florists
- Sporting Goods & Equipment
- Computer Goods & Services
- Optical Goods

Services

- Professional Office Uses
- Chartered Banks, Credit Unions, and other similar financial institutions
- Security & Commodity Brokers, Dealers, & Exchanges
- Laundering and Dry Cleaning Services
- Custom Tailoring
- Commercial Janitorial
- Photographic Services
- Beauty & Barber Shops
- Massage Therapy/Personal Care Health Spa

- Child Day Care – 5 to 16 children
- Commercial Preschool
- Catering Services
- Blueprinting & Photocopying
- Research, Development, & Testing Services
- Photo-Finishing
- Motion Picture Distribution & Services
- Watch, Clock, & Jewelry Repair
- Medical, Dental, & Health Clinic Services/small outpatient type services
- Hospital Services
- Medical & Dental Laboratories
- Veterinarian Services, Animal Hospitals – small animals only
- Private Primary & Secondary Schools
- Universities & Colleges
- Professional & Vocational Schools
- Art, Music, Dancing, Tumbling, Martial Arts, & Gymnastics Schools
- Driving Schools
- Civic, Social, & Fraternal Associations

Public Assemblies

- Museums/Art Galleries
- Motion Picture and Stage Theaters
- Dance Club/Music Venue
- Exhibit Halls
- Convention Centers
- Amusement Parks
- Arcades & Miniature Golf
- Golf Driving Range
- Recreation Center/Bowling Lanes/Roller Skating Rink
- Water Slides

Secondary or ancillary uses to the primary uses listed above may be allowed when such use does not detract from the primary use and does not occupy more than 20% of the site or constitute more than 20% of the business revenue.

17.54.030 Site design and maintenance.

1. External Storage and Activities. With the exception of the following paragraph below, all uses except surface parking shall be conducted within a completely enclosed building. All storage of product and material used shall be in a completely enclosed building constructed with the same exterior finish as the main building.

a. Promotional displays may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. Vehicles sales lots may display vehicles for sale outside of a building in accordance with the requirements found in 17.48.200.

i. This subsection shall not apply to temporary site plans under 17.17.

ii. Landscaped areas and parking lots shall not be used for the displaying of merchandise.

iii. 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.

2. Solid waste. Any solid waste receptacle shall be placed in an entirely sight-obscuring enclosure that is at least one (1) foot higher than the receptacle with a minimum height of six (6) feet and constructed on three (3) sides of masonry with a similar exterior finish as the main building, and gated on the fourth side with a minimum access width of fourteen (14) feet. Solid waste receptacles shall be located to the rear.

3. Mechanical Equipment. 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.

4. Loading. Loading operations shall either be conducted within the building or be screened so as to not be totally visible from a public street, and conducted in such a way that in the process of loading or unloading, no vehicle will block the passage of other vehicles on the service drive or extend into any other public or private drive or street used for traffic circulation.

17.054.040 Development standards.

1. Lot area. The minimum size of any lot shall be 20,000 sq. ft.

2. Building setbacks. All buildings and structures shall be set back a minimum of thirty (30') feet from all property lines.

3. Building height. No building shall be constructed to a height exceeding eighty (80') feet. (See LCC Section 17.02.010(26)).

4. Frontage. The minimum frontage along a public street shall be one-hundred (100') feet.

5. Landscaping; see LCC 17.054.070.

6. Street Cross Section.

a. The city owned right of way is 66 feet.

b. The street cross section for public roads in the RC zone shall consist of 50 feet of asphalt, 2 foot curb and gutter on each side of the street, 8 foot parkstrips on each side of the street, 5 foot sidewalks on each side of the street, and a 17 foot planter strip behind the sidewalk on each side of the street.

- g. Avoid flat looking walls/facades and large, boxy buildings. Break up the flat front effect by introducing projecting elements such as wings, porticos, bay windows, trellises, pergolas, port-cocheres, awnings, recessed balconies and/or alcoves, cornices, or other offsets, changes in plane, and changes in height. Staggered bays will also contribute to a greater definition of a façade.
- h. Loading facilities/dock doors shall not be located on any side of a building facing a public street.

2. Exterior Walls and Surfaces: Building Materials

- a. Masonry building materials, such as brick, stone, and colored decorative concrete block, are highly preferred for use as the primary building material (60% or greater) of commercial development. Fenestration can also be used to count toward the 60% of the recommended building materials. Many varieties and colors of brick or stone are available and acceptable for use. Other materials may be considered for use as a primary building material, based on review by the Planning Commission.
- b. Secondary building materials may include brick, stone, colored decorative concrete block, stucco, wood/cement fiber siding & timbers and other materials as approved by the Planning Commission.
- c. Concrete tilt up construction is permitted when stamped, stained, or textured panels are used to add character and appeal to the building; wainscot is also recommended to break up the façade; use change of color or change of material to break up large walls of cement; plain cement panels without decorative features are not permitted; windows can also be used to add character and break up the wall area.
- d. No buildings shall have blank, flat walls.
- e. Use primary building materials for facades that front onto public ways. Secondary building materials may be used as accents on these facades or on less visible facades.
- f. All roof drains, conduit and piping for any mechanical system shall be located in the interior of the building.

3. Texture, Colors, Finishes

- a. Avoid large areas of the same color and/or materials with no relief. Conversely, avoid the use of too many materials and/or colors, which may create busy or incongruous facades.
- b. Earth tones are generally preferred over harsh or loud colors, except where more vibrant colors are used as accents to the primary colors. *A color palette of Utah earth tones as found in the Lindon City Commercial Design Standards is to be used as a reference guide to color selections in developments.*
- c. Simplicity is encouraged regarding color. Excessive amounts of different colors should not be used. Brighter colors are recommended for use as accents only.
- d. Vary colors and materials to break up the monotony in larger developments.

4. Windows and Doors/Fenestration

- a. Building entries shall have one or more of the following treatments: canopy, overhang, awning or arch; recesses or projections in the building façade including display windows surrounding the entrance; peaked roof or raised parapet structures over the door.
- b. Windows at the ground level should generally be of clear glass, and placed at a height that relates visual connection of indoor and outdoor environments.
- c. Avoid blank facades with no fenestration.
- d. Avoid the use of dark-tinted or reflective glass windows. Where possible, awnings, balconies, eaves, arbors, landscaping, and other shading devices are effective, and can be far more visually interesting.
- e. Materials for framing windows shall be compatible to the primary exterior material. Aluminum or similar framing materials that do not match are discouraged.
- f. Consider the use of canopies or awnings on windows that directly abut pedestrian walkways to provide protection from the elements.
- g. The ground floor of the primary façade shall be 60% fenestration at the pedestrian level.
- h. 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.
- i. Dark and obscure glazing should not be used at the ground level, except where harsh solar conditions cannot be controlled with other devices.

5. Architectural Styles: Exterior Trim and Decorative Detailing

- a. Materials for trim and details shall be compatible with the primary exterior material. Detailing should be authentic with the characteristics and capabilities of the materials.
- b. Excessive ornamentation is not recommended.
- c. Avoid use of pasted on details that do not reflect internal pattern of building or are not proper use of materials.
- d. Exterior materials, massing, modulation, etc., should relate to the indoor function and use of the structure.
- e. Some form of detailing or fenestration should be used every 15 to 25 feet along each side of small building (every 30' to 40' for large buildings). Windows, doors, art or architectural detailing at the first floor level are all options for a blank wall.
- f. Enhance buildings with usable details and accents, such as a covered porch or walkway.
- g. Utilize colors, textures, and changes in building material to give definition to the façade.

6. Roofing

- a. Use no more than two roof types in a single structure i.e. a primary and secondary roof type.
- b. Variations in rooflines through dormer windows, overhangs, arches, stepped roofs, gables or other similar devices promote visual interest.
- c. Parapets require cornice treatments.
- d. Roof materials visible from the street (i.e. sloped roofs), should be harmonious in texture, color, and material with other building materials.

Sloped roofs should be carefully designed to shed snow away from all pedestrian ways.

7. Mechanical and Service Areas

- a. Mechanical, electrical, and communications equipment such as heating and cooling units, transformers, control boxes, and antennas should not be located on primary facades.
- b. Rooftop mechanical units are desirable where possible, and should be screened from view with integrated architectural elements (walls, parapets, etc.).
- c. Ground mechanical units must be screened from view with wing wall, landscaping, or a combination of both.
- d. Appropriate vegetative buffers shall be placed to screen and buffer all utility boxes and pedestals.
- e. Meters, stacks, and service pipes should be located conveniently for service and use, but not on primary façades.
- f. Loading docks should be located near parking facilities, in alley ways or private drive aisles, and designed or screened in a way that minimizes their visual impact.

17.054.060 Parking requirements.

- 1. All parking spaces, parking areas and driveways shall be constructed in accordance with standards established in LCC 17.18 - Off-Street Parking and the Lindon City Development Manual, titled "Land Development Policies, Standard Specifications, and Drawings." Off street parking shall also be subject to the following standards in the Regional Commercial (RC) Zone:
- 2. Parking setbacks. All parking areas shall be set back a minimum of thirty (30) feet from all dedicated public streets, as measured from back of curb, and ten (10) feet from exterior boundaries of the zone.
- 3. Structured parking. Any parking structure above the finished ground elevation shall have the same setback requirements as outlined for buildings, and shall be architecturally integrated through use of the same or similar materials, colors, rhythm, landscaping, etc.
- 4. Parking structure height. Freestanding parking structures shall not be taller than four stories.

5. For parking areas with 28 or more total parking spaces in a double-loaded aisle, landscaping shall include at least a 5' x 36' landscape area with two trees at each end of the aisle and incorporate one of the three options below:
 - a. a 5' x 36' landscape areas with two trees placed 10 Parking Spaces apart;
 - b. a 5' landscaped median with trees planted 40' apart; or
 - c. Other similar designs that disperse Landscaping throughout the parking area and are acceptable to City staff.
 6. Where a parking area on a site is more than 120,000 square feet, the parking area must contain the following elements (Parking areas in structures are not included):
 - a. Internal access ways shall divide the parking area into smaller areas that are no greater than 60,000 square feet;
 - b. These access ways are intended to direct business traffic to and from the adjacent street or between individual sections of the parking lot and provide safe pedestrian routes from parking areas to the building or use; and
 - c. Each internal access way shall have at least one auto travel lane, curbs, landscaping, and unobstructed sidewalks on both sides that provide pedestrian access to the building on the site, and shall be designed in the following method:
 - d. The sidewalks must be at least 6 feet wide. There must be a planting strip at least 4 feet wide adjacent to the access way. The planting strip must be between the curb and the sidewalk, and be landscaped and irrigated with grass or other living vegetation with 2" caliper trees at least 6' tall planted every 20' and centered within the planting strip.
 - ~~a-e.~~ The internal access ways and associated landscaping are excluded from the portion of the parking and loading area used to calculate required interior landscaping.
- ~~5-7.~~ Interior access roads require a minimum landscape strip of 5 feet on both sides of the roadway.

17.054.070 Landscaping and screening

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 complimenting 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 and water.
 - 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 LCC 17.18.
3. Open space. A minimum of thirty percent (30%) of each lot shall be maintained in permanent landscaped open space. Any areas of the site plan not covered by building, parking, etc. shall be landscaped. Developments approved in phases are required to install landscaping for each respective phase at the time of development.
4. Landscaping Strip (landscaping behind sidewalk). Unless otherwise approved by the Planning Commission, a landscaped berm at least two (2') feet high and twenty (20') feetseventeen (17) feet in width shall be planted with living plant material and maintained in a living, growing condition along all public street frontages.
- a. The measurement of the seventeen (17) feet in landscaping will be measured from the back of the sidewalk.
 - b. Thirty (30%) percent of the landscaping strip may consist of decorative rock, bark, mulch, and/or other ground covers other than live plant material. A planting/landscaping plan detailing types of ground covers, weed barriers, sprinklers, etc., i.e. the non-grass areas shall be submitted and approved by the Planning Director.
 - ~~b-c.~~ Gravel, Rocks, And Boulders: Because rock, gravel and other hard surface materials as a ground cover retain and emit heat during the summer months when water is scarce, they may not be used within a thirty six inch (36") radius (72 inch diameter) of any landscape strip tree. Otherwise, gravel, rocks, and boulders, may be used on portions of the landscape strip. Rocks used as groundcover must be between one and one-half inches (1.5") and four inches (4") in size or over one foot (1') in size. Rocks of over one foot (1') in size must be located at least one and one-half feet (1.5') from the back of curb and the edge of the sidewalk.
 - ~~c-d.~~ Trees shall be planted thirty (30) feet on center, centered from the edges of the strip in all required landscaped and bermed areas. Where street trees are required for park strips and street frontage landscape strips, trees may be alternated every thirty (30') feet on center between the park strip and street frontage landscape strip. At least 30% of the landscape strip trees shall be evergreens.
 - ~~d-e.~~ Landscaped Berms. Where possible, landscaped berms shall be constructed within required landscaped strips along public street frontages according to the following standards:
 - i. Berms shall vary in height and shall be sculptured with enclaves, protrusion, etc. Berms shall be at least from one and one- half (1½') to three (3') feet in height with an average height of two (2') feet.
 - ii. The maximum allowable cut or fill slope is three feet (3') horizontal distance for one foot (1') of rise. Slopes steeper than (3:1) will require retaining walls or

other types of approved slope stabilization methods on the interior-facing side of the lot. The slope of the berm shall be such as to be mowable with a standard rider mower.

- iii. Berms are not required where slopes within the required landscaped strip are excessive and would not reasonably accommodate berms, as determined by Planning Commission.

4.5. Park Strip (the landscaping between the curb and the sidewalk).

~~f.~~—The property owners shall be responsible for the installation and maintenance of landscaping and fencing on private property and in the abutting public right-of-way, unless otherwise determined by Lindon City. The installation and maintenance of park strip improvements shall be the responsibility of the abutting property owner in all areas of the City, unless otherwise determined by the City.

~~g-a.~~ Park strips shall be a minimum of eight (8) feet ~~and with 70% be~~ landscaped with ~~grass~~ living plant material and City-approved shade trees, located every thirty feet (30') on center.

b. Gravel, Rocks, And Boulders: Because rock, gravel and other hard surface materials as a ground cover retain and emit heat during the summer months when water is scarce, they may not be used within a thirty six inch (36") radius (72 inch diameter) of any landscape strip tree. Otherwise, gravel, rocks, and boulders, may be used on portions of the landscape strip. Rocks used as groundcover must be between one and one-half inches (1.5") and four inches (4") in size or over one foot (1') in size. Rocks of over one foot (1') in size must be located at least one and one-half feet (1.5') from the back of curb and the edge of the sidewalk.

~~5-6.~~ 6. 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 2 inch caliper, measured one (1) foot above the ground and shall be at least six (6) feet in height when planted.

~~6-7.~~ 7. 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.

~~7-8.~~ 8. Landscaping around buildings. A perimeter landscape strip at least ten (10') feet wide shall be placed around all buildings.

~~8-9.~~ 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. Landscaped areas on the site must be delineated with raised curbing to protect plant materials from vehicular damage.

~~9-10.~~ Paving materials (not rock), water features and sculpture may be included as landscape design materials, provided such create useful open space, add color and texture to the design and create visual interest. Such materials may not cover more than ten percent (10%) of the required landscaped area.

~~10-11.~~ 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.

Item 7: Ordinance Amendment, Lindon City Code 17.48 Commercial Zones, Lindon Village Zone

Applicant: Lindon City
Presenting Staff: Hugh Van Wagenen

Type of Decision: Legislative
Council Action Required: Yes

SUMMARY OF KEY ISSUES

1. Whether it is in the public interest to recommend approval of the proposed amendment to the City Council which would limit the amount of service/office related uses in the zone.

MOTION

I move to recommend (*approval, denial, continuation*) of ordinance amendment 2017-13-O (*as presented, with changes*).

BACKGROUND

The City Council has expressed concern that the Lindon Village Commercial zone will fill up before any substantial retail development is located on the corridor. This ordinance will restrict the land use make up in the zone to limit the amount of service/office related uses that can locate in the zone.

ANALYSIS

Different options for implementing this request will be presented at the Planning Commission meeting.

Item 8: General Discussion — Lindon City General Plan Residential Land Use

BACKGROUND

In preparation for updating the General Plan, City Staff will present a number of review sessions based on the existing Plan. This is intended as a review only and no updates, amendments, or changes are being presented. It is hoped that this review will lay the groundwork for discussing the General Plan update that is forthcoming.

DISCUSSION & ANALYSIS

In order to become familiar with the purpose and goals of the different non-residential land use designations in the City, please read the excerpts from the current General Plan in attachment one.

ATTACHMENTS

1. Residential Land Use

LAND USE

INTRODUCTION

When Lindon City was settled in the late 1800's, it was settled under a different settlement policy than the other cities in Utah County. Instead of being located on a natural stream, the City of Lindon was established on table land away from natural streams. Water had to be diverted from its natural channels onto the land. Also, instead of building houses in a central cluster, houses in Lindon have been built individually and in small subdivision clusters throughout the entire municipality. This has resulted in a rather evenly but sparsely built community having relatively long utility and service lines in comparison to the number of buildings.

LAND USE TODAY

Today there are approximately 5,488 acres of land within the City limits, of which approximately 1,950 acres are zoned for residential purposes; ~1,080 acres are zoned for commercial uses; ~820 acres are zoned for the purpose of industrial activities; ~85 acres are zoned research & business; ~100 acres are zoned for public facilities; and ~1,525 acres are zoned for recreational mixed use (open space). Out of the 3,960 acres zoned for development, approximately 2,780 acres (70%), has been built on for residential, commercial, or industrial uses.



View looking west over Lindon and Utah Lake from the Mt. Timpanogos foothills. (2008)

POPULATION FORECASTS

Population forecasts indicate that the number of people in Lindon will be approximately 13,100 by the year 2020. Total-build-out population estimates for Lindon City show a maximum population of about 15,000 to 17,000. Lindon City's

future growth is restricted by the mountains, the lake, and the boundaries of adjoining cities. Lindon's estimated 2010 Census population is 10,070.

LAND USE CATEGORIES

The Land Use element of the Lindon General Plan encourages the orderly and efficient distribution of land uses in the City. A full range and mix of land uses are provided within the city: including residential, commercial, industrial, and open space.

Residential Land Uses include a range of residential classifications including low, medium, and high density. Density is expressed in dwelling units per acre (DU/AC) for single or multiple family dwellings. Zoning regulations may allow in residential areas a limited number of non-residential uses, such as places of worship, neighborhood parks, schools, etc.

The goal of housing and residential areas in Lindon City is to provide a housing and living environment that supports and complements the unique rural quality and character of Lindon City.

Objectives of this goal are as follows:



R1-20 residential zone provides for single-family uses on ½ acre lots. (2010)

1. Maintain and enhance the pleasing appearance and environmental quality of existing residential neighborhoods by avoiding encroachment of land uses which would adversely impact residential areas (i.e. increased traffic, noise, visual disharmony, etc.) and by providing adequate screening and buffering of any adjacent commercial or industrial development including parking and service areas.
2. Consider flexibility in housing development design and density in the R3 zone.
3. Encourage creative approaches to housing development which will maintain and protect natural resources and environmental features.

4. Ensure that new developments in residential areas (including non-residential uses) provide adequate off-street parking.
5. Provide for the unique community needs of the elderly, disabled, and children.

These considerations yield three residential categories. (Colors refer to General Plan Land Use Map)

- *Residential-Low* (buff) 2 or less DU/AC: It is the purpose of this category to provide areas of low density residential neighborhoods of essentially spacious and uncrowded character to promote the benefits of an open, rural atmosphere, and to provide for areas where large animals are permitted. Includes area typically zoned as R1-20.
- *Residential-Medium* (yellow) 3.6 or less but greater than 2 DU/AC: It is the purpose of this category to provide areas of medium density, residential neighborhoods of medium sized lots. Includes area typically zoned R1-12.
- *Residential-High* (tan) greater than 3.6 DU/AC: It is the purpose of this category to provide modest amounts of high density, residential development. Includes area typically zoned R3 or R2-Overlay as further described below:
 - *R2 Overlay (no color – affects all residential zones)*: This higher density residential development is to be spread throughout the entire community. The residential zones are divided into separate districts, with a specific number of multi-family units being allowed in each district based on a percentage of the land area in the district multiplied by the number of units allowed per acre. Accessory apartments are also regulated through this overlay zone. See Chapter 17.46 of the Lindon City Code for more details regarding high density in the City.
 - *R3 (tan)*: To allow for more affordable housing, as well as lower density housing traditional to Lindon, a higher density area is provided in the R3 zone. A major consideration of this development is to consider densities that make a portion of the development more affordable or more appropriate for the elderly, while maintaining as much of the character of Lindon as possible, including some larger lots, open space, rural character, compatibility with surrounding development/zones, and modest impact on city infrastructure. To enhance open space, while still allowing for somewhat greater densities, there should be allowance for some clustering and variable lot sizes.

Item 9: New Business (Planning Commissioner Reports)

Item 1 – Subject _____
Discussion

Item 2 – Subject _____
Discussion

Item 3 – Subject _____
Discussion

Item 10: Planning Director Report

- APA-Utah Fall Conference @ Park City Oct. 5 & 6, 2017

Adjourn