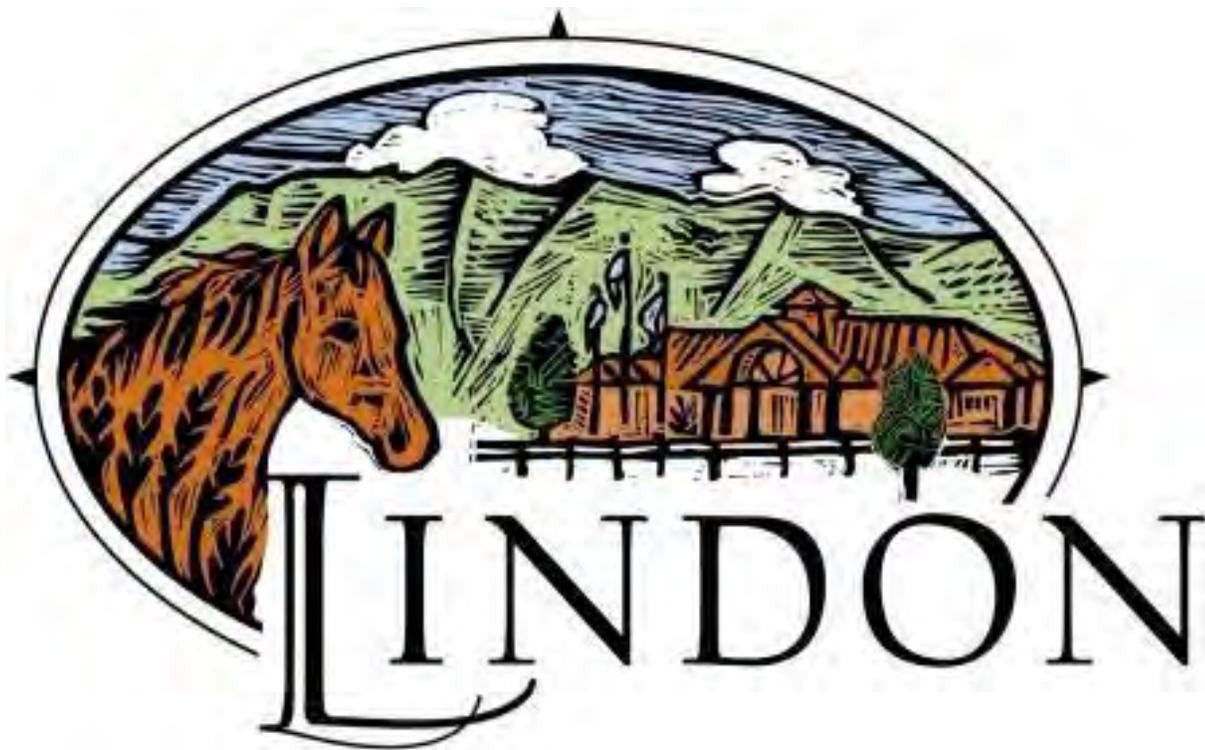


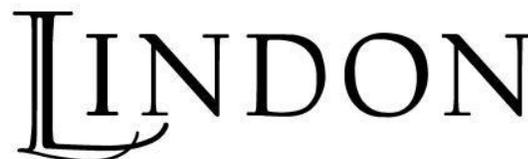
Lindon City Planning Commission Staff Report



September 12, 2017

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, September 12, 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 August 22, 2017

3. Public Comment

(20 minutes)

- #### 4. Public Hearing — Zone Map Amendment & Ordinance Adoption ~400 North 2800 West, LCC 17.54 Regional Commercial (RC) Zone (Continued from Planning Commission meetings: 07/25/2017 and 08/22/2017)
- 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)

5. Site Plan — CR&T Office Building, 681 North 2000 West

Heidi Gosar, CR&T, on behalf of Tim Aguilar, Omega 8 Holdings LLC, requests site plan approval for a 9,700 square foot office building to be located at approximately 681 North 2000 West (Utah County Parcel #47:254:0004, Lot 4, Plat A, Noah's Center Subdivision) in the Lindon Village Commercial zone.

(20 minutes)

6. Public Hearing — Zone Map Amendment, Request: Commercial Farm Zone Walker Farms of Lindon ~55 South 400-500 East

Mike Jorgensen requests approval of a Zone Map Amendment to reclassify multiple parcels from Residential Single Family (R1-20) to the Commercial Farm (CF) zone on the following parcels: 47:184:0002 (Michael B & Jill Jorgensen 55 South 400 East), 14:073:0201 (Michael & Jill Jorgensen 85 South 400 East), 47:184:0003 (Michael B & Jill Jorgensen 53 South 500 East), and 14:073:0028 (Michael B Jorgensen on behalf of MJ Real Estate Holdings LLC 484 East Center Street). Total land area of ~5.19 acres. Recommendation(s) will be forwarded to the City Council. (Pending Ordinance 2017-____-O).

(15 minutes)

7. Conditional Use Permit — Geo Automotive and Tire, 973 West 240 North, Unit "B"

Herber G. Cordova, Geo Automotive and Tire, requests conditional use permit (CUP) approval for general auto/vehicle repair services to be located at 973 West 240 North, Unit "B", in the Light Industrial (LI) zone.

(15 minutes)

8. Public Hearing — Ordinance Amendment, Lindon City Code (LCC) 17.48.025 (Continued from Planning Commission meeting: August 22, 2017)

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)

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



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

Notice of Meeting

Lindon City Planning Commission



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.

10. New Business from Commissioners

11. Planning Director Report

Adjourn

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

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

Posted By: Brandon Snyder, Associate Planner

Date: September 8, 2017

Time: 10:00 a.m.

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

Item I: Call to Order

September 12, 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

August 22, 2017 Planning Commission Minutes

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **August 22, 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: Bob Wily, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 **PRESENT** **EXCUSED**

13 Sharon Call, Chairperson
14 Bob Wily, Commissioner
15 Rob Kallas, Commissioner
16 Mike Marchbanks, Commissioner
17 Charlie Keller, Commissioner
18 Steven Johnson, Commissioner
19 Mike Vanchiere, Commissioner
20 Hugh Van Wagenen, Planning Director
21 Brandon Snyder, Associate Planner
22 Kathy Moosman, City Recorder

24 **Special Attendee:**
25 Matt Bean, Councilmember

- 26
- 27 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 25, 2017 and the joint work sessions from July 11,
30 2017 and August 1, 2017 were reviewed.

31

32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
33 OF THE REGULAR MEETING OF JULY 25, 2017 AND THE JOINT WORK
34 SESSIONS FROM JULY 11, 2017 AND AUGUST 1, 2017 AS AMENDED OR
35 CORRECTED. COMMISSIONER WILY SECONDED THE MOTION. ALL
36 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

41 **CURRENT BUSINESS** –

- 42
- 43 4. **Public Hearing — Ordinance Amendment, Lindon City Code (LCC)**
44 **17.04.400.** Marc Udall, Dry Canyon Ranch, requests an amendment to LCC
45 17.04.400, regulating Home Occupation requirements, to allow for Summer
46

2 Physical Education lessons to have more vehicular traffic than what is currently
4 allowed by ordinance.

6 COMMISSIONER VANCHIERE MOVED TO OPEN THE PUBLIC HEARING.
8 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
10 VOTED IN FAVOR. THE MOTION CARRIED.

12 Hugh Van Wagenen, Planning Director, gave a brief background of this agenda
14 item noting the applicant, Marc Udall, is in attendance representing this request. Mr. Van
16 Wagenen stated this is an ordinance amendment and could be applicable city wide but is
18 for a particular property and for their circumstance and is located at 440 South 400 East.

20 He then gave a brief background noting in 2014 the city received reports that the
22 swim business occupation was operating out of the parameters of the conditions imposed
24 (traffic and parking). In February of 2015 the Planning Commission reviewed this issue
26 again based on reports that came in and the conditions place on this home occupation. In
28 that 2015 meeting there were two (2) conditions placed as follows: 1. no more than one
30 class conducted per hour and no more than 5 vehicles of traffic per hour and 2. with the
32 number of residents they could have 14 vehicles overall total at any given time. In 2016
34 and 2017 staff received additional reports that the number of vehicles was exceeding that
36 number per hour (5) and they notified the Udall's and since that time have had
38 discussions about what the code allows and doesn't allow. This has led to their request of
40 this ordinance amendment (seasonal physical education). Mr. Van Wagenen then
42 referenced the bullet points of changes to the actual code and gave an overview of the
44 draft. He also showed an aerial view of the property in question and the applicants
46 submitted parking rendering (perpendicular parking). He then turned the time over to Mr.
48 Udall for comment.

Mr. Udall stated they have been conducting swimming lessons for almost 30
years and they are pleased to provide instruction to young people. He noted his wife has
had the opportunity to work with his daughter Sarah and he has provided the venue for
the lessons. He brought up the issue of installing a parking lot in his pasture noting they
do have the property that they could build a parking lot, but the pool has leaked and the
past year they had to put in a new pool, so they are strapped financially for money right
now. He also pointed out they currently have enough legal parking and that is where they
are at and hope to continue.

Chairperson Call stated the biggest concern is from the neighbors feeling the
parking is causing congestion in the neighborhood, particularly on the other side of 400
East. Mr. Udall stated they can park 23 cars on their property with 14 cars out front
(including the driveway) and they have encouraged people to park on Center Street while
waiting. He pointed out they have adjusted their lesson times and if they extended the
lessons longer than an hour that would alleviate part of the congestion problem but the
smaller kids get fatigued if lessons are longer than an hour.

Commissioner Vanchiere commented that he drove to the site twice now and
when granted permission to do certain things they have violated the conditions placed at
that time (not intentionally). He mentioned another issue is that it is so close to the
intersection as to pose a concern and it seems congested with more vehicles.

Chairperson Call called for any public comment at this time. Several in
attendance addressed the Commission as follows:

2 **Boyd Walker:** Mr. Walker stated this has been an ongoing issue with the amount of cars
4 coming and going. He noted they have had letters from the postal service that they can't
6 deliver the mail because it is blocked. There are cars parked in his driveway and this
poses a safety hazard in a residential area. He would suggest that Mr. Udall have their
client's park in their vacant property and to open the gate and let them park in his pasture.

8 Mr. Udall brought up another home business in the city and how much traffic they
10 generate.

12 **Mike Jorgensen:** Mr. Jorgensen stated he lives across from the Udall's. He noted they
14 would be willing to let the Udall's patron's park in front of their pasture as they have 400
feet on 400 East where they can park. They are in favor of seeing the lessons continue.

16 **Joshua Udall:** Mr. Udall stated he understands there is a congestion/parking issue here
18 but there has never been any traffic accidents or safety evidence documented over this
period of time. He pointed out the safest option is to keep the kids on their side of the
street for pick up.

20 **Emily Miller:** Ms. Miller stated her kids take lessons at the Udall's and they usually
22 walk to swimming lessons. She hopes this can be worked out as to continue with the
24 lessons because the Udall's have been a great benefit to the community. She pointed out
her son's preschool in town has the same issue with traffic and everyone just deals with
it.

26 Mrs. Udall stated the day in question (a Saturday on the 4th of July weekend)
28 when the police came. She noted there was a garage sale the same day across the street
and they had hay delivered, so this was a particularly bad day for traffic and a lot of that
they didn't have control over. Mr. Udall stated they learned from that day. He also spoke
30 on the pasture issue noting city code says it needs to be at least be gravel and have a
sidewalk and that is not financially feasible for them right now. Mrs. Udall stated they
32 didn't have a problem but only on that one particular makeup day. She pointed out that
sometimes there is only 3 to 5 cars and most people park on Center Street (12 parking
34 places) and they are also done by 2 or 3 in the afternoon.

36 Mr. Van Wagenen clarified there is a distinction between problem days and days
that are out of violation with the existing conditions and ordinances.

38 Mr. Udall commented the first time the complaints came in they were on an LDS
mission and out of the state and now they are here to address these compliance
40 complaints.

42 **Tom Robinson:** Mr. Robinson stated he knows of a number of people in Lindon who
44 give voice lessons (every ½ hour until 6:30 pm) with cars pulling in and out on canal
drive and 400 east and he doesn't understand why this is a problem (with the Udall's)
when there are just as many cars at the voice lessons as there are at the Udall's.

46 **John Roylance:** Mr. Roylance stated if parking is the issue here, he also told the Udall's
48 they are welcome to have their patron's park in front of their house also as it is available.

2 **Kathleen Gunderson:** Ms. Gunderson commented they have four parking stalls that the
Udall's can use. She noted the good the Udall's have done for the community in teaching
4 these kids is phenomenal. She also questioned if the parking allowance can be changed
depending on how much property you have; she feels these issues can and should be
6 mitigated.

8 **Mary Canseda:** Ms. Canseda pointed out that over the years the traffic on 400 East has
gotten worse and the traffic is not all the Udall's. She doesn't see that it's a big problem.
10 She teaches music lessons and has to work out the parking. She feels if we work together
and be patient with one another these issues can be worked through. The parking isn't
12 significant and not any different than what you would see with a family gathering or
another function.

14 **Shelley Savage:** Ms. Savage asked for clarification that the ordinance currently states
16 they can have five cars per hour and if they are proposing to change it to 13 cars per hour.
Mr. Van Wagenen clarified a home occupation can generate up to five vehicles per hour
18 for the business and this amendment would change it to 13 per lesson (per hour) as many
as 14 vehicles to be parked on site (physical education requests); dealing with both
20 parking and dropping off and this would only be from June 1 to August 30. She is just
trying to understand these issues pointing out there are other home occupations that are
22 busier and generate more traffic and parking issues than the Udall's.

24 Mr. Udall pointed out that this is just seasonal. The issue of congestion is that the
road has gotten busier but the stop sign provides a fair amount of protection. The amount
26 of congestion and traffic they add to the street is negligible and there's is just a small
amount that is spread out over the whole year. They also encourage people who are
28 willing to park on Center Street. There is no other way to do it as they have permission of
14 cars already. They are asking for this change as to have it a little more consistent with
30 the way people pick up and drop off. He concluded by stating they would like to
continue providing lessons but they are not sure how many more years they will be able
32 to do it.

34 Chairperson Call reminded them that this is not just about that particular day. She
added that she has also driven to the area in question.

36 **Beverly Udall:** Ms. Udall stated she is hearing this is about safety and parking issues. In
30 years of providing lessons there have not been any safety issues or an accident in 30
38 years and that should be considered. The parking sounds like it is not an issue either in
terms of keeping the lessons going with neighbors offering parking spaces. In all the
40 time she lived there she never saw anyone parked where they shouldn't be.

42 Mr. Udall stated when they had a complaint and didn't have lessons for one year in
order to address the issues and come into compliance, they weren't trying to circumvent
44 the rules; they changed things and thought they were in compliance.

46 Mr. Van Wagenen pointed out that even if the neighbors are willing to let parking
happen on their street frontage in front of their homes it would still have to be written
48 into code if this is something the Commission wants to take into consideration.

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

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

8
10 Commissioner Kallas agrees the Udall's providing lessons is a good service to the
community, but pointed out that people live in residential neighborhoods for a reason and
12 as a Planning Commission they have to be aware of that. He added when a non
conforming use is put into a neighborhood that causes a lack of quiet enjoyment for the
14 neighbors they have to consider that. He noted whatever the Commission does now with
this ordinance change will apply throughout the city. He feels we need to look at this
16 closely and find a way to mitigate, in some degree, the parking issue because the more
people parking on the street the more the neighbors lose that quiet enjoyment. He
commented that it appears this may be resolved by making a parking lot in the pasture; he
18 can see both sides of this issue.

20 Commissioner Johnson observed that the bigger issues with traffic would not be
changed by having a parking lot. He noted he had a similar issue with his home
22 occupation tax business (seasonal) and at times they may have been out of compliance
that he was conscious of, and that is one reason they built their business. He stated he is
24 torn as a Commissioner as he knows what it is like to be in this situation and to have your
livelihood based on it with no other place to go, but there is the concern of the traffic
26 comings and goings more that the actual parking issue and he would like to look at ways
to mitigate those concerns.

28
30 Chairperson Call stated she has the same issues with the traffic more than the
parking issue. Commissioner Kallas stated he is more concerned with the parking and
allowing it in a residential zone.

32
34 Mr. Udall pointed out they tried to craft the ordinance so these concerns would be
addressed noting this is seasonal swim lessons under summer physical education. They
36 have permission to have 14 cars and they have the frontage and most homes don't have
the frontage (as far as the ordinance being city wide).

38 Commissioner Vanchiere asked Mr. Udall if he is at capacity with the number of
lessons. Mr. Udall stated they are at instructor capacity.

40
42 Commissioner Johnson commented if they pick up and drop off at different times
that would help mitigate his concerns and to utilize a buffer; as far as the ordinance goes
they have plenty of parking. He would like to find a way to make it a smoother transition.

44
46 Chairperson Call stated she would like to figure out how to mitigate these issues as
to allow them to continue with their home occupation. She pointed out this is city wide so
we need to be careful when considering this issue. Mr. Van Wagenen then referenced

2 the redlined items of the draft ordinance and asked for any items that generate concerns
as follows:

- 4 a. Shall only operate on a seasonal basis between Jun 1 and August 30
- 6 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)
- 8 c. Shall only conduct one lesson per hour
- 10 d. Shall not begin before 7:30 am nor terminate after 6:00 pm
- 12 e. May generate up to thirteen (13) vehicles of traffic to the resident per lesson (a
vehicles dropping off and picking up the same student counts as one vehicle)
- 14 f. May have up to fourteen (14) motorized non-farm vehicles parked at the
resident 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.
- 16 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
18 vehicles of traffic per hour.

20 There was then some general discussion by the Commission on ways to mitigate
these issues.

22

24 Mr. Udall pointed out they crafted a policy statement and included the parking
diagram to give to the patrons to show them where the parking is and they do direct them
to park in these allotted areas. He also pointed out if these cannot be mitigated they will
26 be forced to close.

28 Mr. Van Wagenen pointed out this is the ordinance being proposed before the
Commission tonight and asked if there are any modifications.

30

32 Mr. Udall stated they will be happy to adjust the lesson times if that will help
mitigate any issues and help spread it out.

34 Commissioner Wily observed that the Commission is really trying to bend over
backwards to make this ordinance amendment work as this is really a lifesaving service
36 and it would be a shame to see it close. He also pointed out the ordinance is crafted to
preserve the residential nature of neighborhoods. He noted because they have been so
38 successful and have so many loyal followers and grown, he would suggest (as a home
occupation grows) to either scale back the operation or would advise to relocate to a
40 commercial location that is designed for commercial traffic flow; he feels this can't be
narrowly crafted just for this particular situation but there may be some wiggle room on
42 the way the trips are counted with drop off and pick up.

44 Mr. Udall stated this can be crafted differently if need be with some more thought
and suggestions considered to make it work as to be in compliance. Mr. Van Wagenen
46 clarified the vehicle trips generated by the home occupation is what's in question.
Chairperson Call stated this motion will be a recommendation to the City Council.

2 Following some additional discussion the majority of the Commissioners felt the
proposed changes would alter the residential feel of the neighborhood.

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

6
8 COMMISSIONER VANCHIERE MOVED TO RECOMMEND DENIAL TO
THE CITY COUNCIL THE APPLICANT'S REQUEST FOR ORDINANCE
AMENDMENT #2017-12-O. COMMISSIONER WILY SECONDED THE MOTION.
10 THE VOTE WAS RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL	AYE
12 COMMISSIONER KALLAS	AYE
14 COMMISSIONER MARCHBANKS	AYE
14 COMMISSIONER WILY	AYE
16 COMMISSIONER KELLER	AYE
16 COMMISSIONER JOHNSON	NAY
16 COMMISSIONER VANCHIERE	AYE

18 THE MOTION CARRIED SIX TO ONE.

- 20 5. **Alteration of a non-conforming use (LCC 17.16.030) — Priddis Music, 790**
22 **North 200 East.** Richard Priddis, Priddis Music, requests approval of an
alteration of a nonconforming use (music recording studio in a single-family
24 residential zone) to allow other commercial business activities at 790 North 200
East, in the Residential Single Family (R1-20) zone.

26 Brandon Snyder, Associate Planner, explained the applicant, Mr. Rick Priddis
(who is in attendance) has expressed interest in selling his property which is a unique
28 parcel. He gave a brief overview noting it is unclear to potential buyers on which uses the
City may consider allowing at the site other than residential and a music recording studio.
30 Mr. Priddis received approval of a conditional use permit by the Lindon City Planning
Commission for Priddis Music on October 13, 1999. The Lindon City ordinances in
32 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
34 conditional use permit. Presently Lindon City Codes no longer allow professional offices
in the residential zones.

36 Mr. Snyder stated Mr. Priddis and staff have discussed the concern that the
proposal would not comply with the current home occupation regulations. Concerns
38 include the following: number of employees, hours of operation, and number of vehicular
trips/traffic generated, and parking. He noted the Lindon City Standard Land Use Table
40 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
42 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
44 promote the benefits of open, rural atmosphere, and to provide for areas where larger
animals are permitted. He noted the final decision is with the Planning Commission and
46 does not need to go to the Council. He also referenced letters received by staff regarding
this issue. He mentioned things to consider are hours of operation, limiting noise, limiting

2 activities to indoors, considering occupancy restrictions, parking, odors, and if necessary
restricting outdoor storage.

4 Mr. Snyder stated Mr. Priddis has provided a list of potential uses for
consideration as directed by the Council pointing out that staff does not support the
6 consideration of car maintenance or a wood shop. He noted that church, day care, and
school uses are already listed as conditional uses in the residential zone. He also
8 mentioned that 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
10 on the residential neighborhood, (i.e. hours of operation, limiting noise, activities limited
to indoors, occupancy, parking, odors/noxious emanations, and restricting outdoor
12 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. These concerns were discussed with the
14 City Attorney, who has provided the following response,

16 *“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.
18 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
20 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
22 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
24 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
26 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
28 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
30 after these requirements have been satisfied.”*

32 Mr. Snyder further explained State law defines a nonconforming use as a use of
land that “legally existed before current land use designation that has been maintained
continuously since the time the land use ordinance governing the land changed” that
34 “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,
36 however, State law allows municipalities to provide for “the establishment, restoration,
reconstruction, extension, alteration, expansion, or substitution of nonconforming uses”
38 according to standards identified in the municipal code. Accordingly, Lindon City Code
subsection 17.16.030(2) allows the Planning Commission to “authorize the expansion,
40 alteration, or enlargement of a nonconforming use only after holding a public hearing and
finding” the following:

- 42 a. the expansion, alteration or enlargement of the nonconforming use will to
reasonable extent bring the use as close as reasonably possible to conformance
44 with requirements and regulations of the zone in nonconformity is located; and,
b. the proposed change does not impose any unreasonable burden upon the lands
46 located in the vicinity of the nonconforming use or violate the development
policies adopted in the Lindon City Master Plan; and,

2 c. the use, building, or structure, existing or proposed, will be brought into
4 compliance, where possible, with design and architectural standards of the zone
where proposed.

6 Mr. Snyder also pointed out the Lindon City General Plan indicates it is Lindon
City's community vision to provide for a strong, positive civic image and identity within
8 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
10 by some elements of urban living.

12 He further stated that Lindon City Codes also states 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
14 provided by subsection 2 of this section. The Planning Commission may authorize the
expansion, alteration, or enlargement of a nonconforming use, structure, building, parcel,
16 or lot, or movement of parcel lines, only after holding a public hearing and finding that:

- 18 a) the expansion, alteration or enlargement of the nonconforming building. structure,
parcel, lot, or use will to reasonable extent bring the property, building, structure,
20 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
- 22 b) 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
24 development policies adopted in the Lindon City Master Plan; and
the use, building, or structure, existing or proposed, will be brought into
26 compliance, where possible, with design and architectural standards of the zone
where proposed.

28 He then referenced the applicant's Proposal, Lindon City Code 17.04.400 Home
30 occupations, the Priddis Music Site Plan, and the Priddis Music Staff Report and Minutes
(1999). Mr. Snyder then went over LCC section 17.04.400 Home occupation
32 requirements followed by discussion. He then turned the time over to the Mr. Priddis for
comment.

34 Mr. Priddis gave a background of the property stating he owns property on the end
of 200 East (an old orchard warehouse). He noted he purchased it when it was a real "eye
36 sore" and he spent a lot of time and money fixing it up. He also bought the Valley Center
Playhouse property next door and now regrets it as it is making it more difficult to sell it
38 now. He has been trying to sell the property (as the music industry has changed since
then) and it is zoned residential and since he has been there the restrictions are tighter and
40 prospective buyers can't get around the regulations. Mr. Priddis explained they have a
parking lot and a tiny house that was built in 1945 (600 ft. footprint) with a big
42 warehouse behind it; the value is \$755,000 dollars (per county records). The only buyers
who will consider purchasing it will need it for commercial as the house is so small. He
44 is feeling frustrated and he hasn't been given much hope on how to move things along.
He explained a Chiropractor came along several months ago and tried to buy it and now
46 he is backing out because it is taking so long and he is just looking for a solution. He has
worked hard to fix it up and he can't go month after month with buyers trying to get to
48 the city and in the meantime he needs to sell the his property; he would like this

2 streamlined to speed up the process. He is not asking to reverse everything but he is asking
4 for help and hopes the neighbors will understand and hopes there is a use that may apply

6 There was then some discussion regarding uses that may be compatible at the area
8 in question. Chairperson Call then called for any public comment at this time even though
this is not a public hearing. There were several in attendance who addressed the
Commission as follows:

10 **Steve Peck:** Mr. Peck, neighboring resident, stated Mr. Priddis' property is beautiful and
12 looks nice and is not unseemly. Their concerns are when it starts to take on a commercial
14 feel and looks like a retail property (with signs etc.) their values diminish and they lose
the neighborhood feel. Something that has a commercial flavor may be a problem, but he
did commend Mr. Priddis on the beautiful property and what they have done with it.

16 **Angela Hendricks:** Ms. Hendricks stated she lives next door to the property in question.
18 She has concerns that the city took a commercial lot and turned it into a residential lot.
20 The city has approved to start changing it to more residential by allowing homes to be
22 built. She pointed out they worked closely with city to meet city requirements to build
24 their home to make it residential and went through a lot to turn their commercial lot into a
residential lot to appease the city. It is her understanding that the city has encouraged that
the area be more residential. She has concerns with privacy if it turns more commercial
and also with the traffic on 200 east with the speeding in that area. These things should be
taken into consideration and to not change things for one person.

26 **Bill Henegar:** Mr. Henegar pointed out that this is zoned residential. He then read the
28 city code section regarding the single family residential zone. By allowing commercial
30 activity in this area violates the code and setting a precedent is not good and will
32 proliferate commercial businesses in residential zones. It is not the city's role to solve or
resolve or protect businesses from their own decisions. They want to be allowed their
quality of life in their residential neighborhood.

34 **Scott Larsen:** Mr. Larsen stated he is curious about what it would take to convert Mr.
36 Priddis' property back to a residential property. Hannah Priddis stated it would cost about
38 \$150,000 to \$200,000. She noted that Mr. Priddis has been there longer than most of the
neighbors who are commenting. He shouldn't be restricted from selling his property and
the city can make requirements to still allow another business to operate in the same
manner as Mr. Priddis has been operating for all these years.

40 **Tammy Northrop:** Ms. Northrop stated they built their house in 1991. Mr. Priddis
42 started the business in his home and expanded they have been good neighbors and have
44 done a beautiful job but the difference is they have lived on the property and maintained
46 it to the standard it is and before that it was residential. And now with him leaving they
would like to see it go back to residential. She also pointed out that whatever business
comes in will most likely not live at the home and not be a neighbor but a business. The
neighbors want to keep the standard as residential and want it to continue as residential.

2 **Michael Jones:** Mr. Jones asked if the Planning Commission can revoke a non
4 conforming use license. Chairperson Call pointed out there are some conditional uses that
6 are allowed as far as residential zones and conditional use permits continue with the
property.

8 **Don De St. Jeor:** Mr. De St. Jeor stated even though Mr. Priddis has been an exemplary
10 neighbor, a new commercial business may not be. He feels the concerned neighbors don't
have a voice and feels the city should listen to their concerns and give them their due
process.

12 **Suzanne Henegar:** Ms. Henegar expressed her concerns when the owner is not living on
14 site it may be open to anyone and could elicit vandalism etc. She also asked with the next
16 proposal if the neighbors will be notified. Mr. Snyder confirmed anyone within 300 ft.
will be notified.

18 Mr. Van Wagenen pointed out that this has been a situation that has worked for 20
20 years with him living on site and Mr. Priddis has been part of the community. The
22 question to ask is why this has worked and been compatible these past years. He
24 suggested putting together a list of things that fit into this envelope to distill why it works
and if these conditions be implied to anyone who buys the property and how it has been
operated. Mr. Priddis stated certain adjustments can be made based on what the city
attorney says and based on the uses, so this may be enough for right now and opens it up
a little more; this has been established so if someone comes along the process will all go
smoother. Chairperson Call then read the current conditions placed on the property.

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

28
30 COMMISSIONER WILY MOVED TO DENY THE APPLICANT'S REQUEST
TO ALTER THE EXISTING NONCONFORMING USE. COMMISSIONER KALLAS
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

32 CHAIRPERSON CALL AYE
34 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
COMMISSIONER WILY AYE
36 COMMISSIONER KELLER AYE
COMMISSIONER JOHNSON AYE
38 COMMISSIONER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

40
42 **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
44 Amendment from General Commercial Auto (CG-A8) to Regional Commercial
(RC), on multiple parcels located at approximately 400 North 2800 West. Lindon
46 City also requests approval of an amendment to Lindon City Code by way of
adopting 17.54 Regional Commercial Zoning Ordinance, to address development
48 regulations, activities and uses in the RC zone. These items may be continued for

2 further review. Recommendations will be forwarded to the City Council for final
approval. (Pending Ordinance 2017-#__-O).

4

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

8

Hugh Van Wagenen explained this item noting the Regional Commercial zone will
10 have design standards similar to commercial zones, but may also allow warehouse and
distribution uses. So the City is requesting approval of a Zone Map amendment to
12 reclassify the following parcels from General Commercial-Auto (CG-A8) to Regional
Commercial. He noted this item was reviewed and continued from the July 25, 2017
14 Planning Commission meeting. Overall intent is to allow uses in the mixed commercial
or light industrial zone but with higher landscaping requirements. He then referenced the
16 changes (in red) on the ordinance amendment since the last discussion. He also presented
photos of different landscaping options.

18 There was then some lengthy discussion on the Ordinance items including the
overall landscaping (is 30% too high) the use of water wise landscaping in the park strips
20 (70% plant coverage or less) grass not required, street cross section, right of way,
sidewalk easements and the dock doors able to face public streets if screened properly.
22 There was then some additional discussion with Mr. Mark Weldon and Doterra
representative, Phil Hadderlie, concluding with several suggested changes as follows:

- 24 • Doterra - questions on dock doors
- 26 • Mr.Weldon - overall site percentage of open space and landscaping and
minimum landscaping percentages

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

30

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

34

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

38 COMMISSIONER KALLAS MOVED TO CONTINUE ORDINANCE 2017-11-
O FOR FURTHER DISCUSSION. COMMISSIONER VANCHIERE SECONDED THE
40 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COMMISSIONER KALLAS	AYE
42 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KELLER	AYE
44 COMMISSIONER JOHNSON	AYE
COMMISSIONER VANCHIERE	AYE
46 THE MOTION CARRIED UNANIMOUSLY.	

2 7. **Public Hearing — Ordinance Amendment, Lindon City Code (LCC)**
3 **17.48.025.** The Lindon City Council requests approval of an amendment to LCC
4 17.48.025, regulating the Lindon Village Commercial zone, regarding the
5 maximum acreage any given land use can occupy within the zone.

6
7 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC
8 HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL
9 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

10
11 Mr. Van Wagenen gave some background of this item stating the City Council has
12 expressed concern that the Lindon Village Commercial zone will fill up before any
13 substantial retail development is located on the corridor. He noted this ordinance will
14 restrict the land use make up in the zone to limit the amount of service/office related uses
15 that can locate in the zone. He noted there are different options for implementing this
16 request. There was then some lengthy general discussion regarding this ordinance
17 amendment regarding the Lindon Village Commercial zone. Following discussion the
18 Commission was in agreement to continue the item for further discussion.

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

21 COMMISSIONER KELLER MOVED TO CLOSE THE PUBLIC HEARING.
22 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN
23 FAVOR. THE MOTION CARRIED.

24
25 Chairperson Call asked if there were any comments or discussion. Hearing none
26 she called for a motion.

27
28 COMMISSIONER KALLAS MOVED TO CONTINUE ORDINANCE
29 AMENDMENT 2017-13-O FOR FURTHER DISCUSSION. COMMISSIONER
30 VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
31 FOLLOWS:

32 CHAIRPERSON CALL	AYE
33 COMMISSIONER KALLAS	AYE
34 COMMISSIONER MARCHBANKS	AYE
35 COMMISSIONER WILY	AYE
36 COMMISSIONER KELLER	AYE
37 COMMISSIONER JOHNSON	AYE
38 COMMISSIONER VANCHIERE	AYE

39 THE MOTION CARRIED UNANIMOUSLY.

40
41 8. **General Discussion — Lindon City General Plan (chapter review).** Staff will
42 present information regarding the Lindon City General Plan update and review
43 the Land Use section. No formal action will be taken at this time.

44
45 Mr. Van Wagenen stated in preparation for updating the General Plan, City Staff
46 will be presenting a number of review sessions based on the existing plan. This
47 discussion tonight is intended as a review only with no updates, amendments, or changes
48

2 being presented. He noted it is hoped that this review will lay the groundwork for
4 discussing the General Plan update that is coming forward. He then read the excerpts
6 from the current General Plan so the Commission will become familiar with the purpose
8 and goals of the different non-residential land use designations in the City. There was
10 then some general discussion by the Commission regarding this section review of the
12 General Plan.

14 Chairperson Call called for any further comments. Hearing none she moved on to
16 the next agenda item.

18 9. **New Business: Reports by Commissioners** – Chairperson Call called for any
20 new business or reports from the Commissioners. She questioned air bed and
22 breakfasts and if they are allowed in the city in residential areas and if there is a
24 special zoning. Mr. Van Wagenen stated there is nothing specific on the books but
if they want to rent out their home or apt. there is a permit to do that. There is not
an ordinance regulating it outside of the accessory apt. ordinance regulation short
term rentals.

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

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

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

28 **ADJOURN** –

30 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
32 MEETING AT 11:05 PM. COMMISSIONER KELLER SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 Approved – September 12, 2017

36
38 _____
Sharon Call, Chairperson

40
42 _____
Hugh Van Wagenen, Planning Director

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

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 and August 22, 2017 Planning Commission meetings.

DISCUSSION

- All changes from the previous draft are in red. Please review.

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. a. 17.04 General and Supplemental Provisions
 - b. b. 17.18 Off-Street Parking
 - c. c. Title 18, Lindon City Sign Ordinance
6. In case of conflict between provisions of this chapter and other provisions of the Lindon City Code, this chapter shall apply.

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 — indoor storage only

- ~~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~~
- Electrical Apparatus & Equipment, Wiring Supplies & Construction Material
- Hardware
- Plumbing & Heating Supplies
- Professional Equipment & Supplies
- Air Conditioning, Refrigeration Equipment & Supplies
- Paper & Paper Products
- Furniture & Home Furnishings

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.

It is recognized that new types of land uses will develop and various forms of land uses not anticipated may seek to locate in the RC zone. The Planning Commission and City Council shall review unlisted land uses based on specific criteria established in the Compatibility Standard in Appendix A Standard Land Use Table of the City Code after a complete application is received by the City.

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 fifteen (15) 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.
5. Lighting. On-site lighting shall be designed to discourage the occurrence of graffiti and enhance a crime prevention environment and shall not glare into adjacent residential areas.
6. Maintenance of Premises.
 - a. No excessive or offensive noises, dust, odor, smoke or light shall be emitted which is discernible beyond the site or parcel boundary lines in question, except that which emanates from the movement of motor vehicles. Premises shall be maintained in such a

manner so as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.

b. No person shall store junk, unlicensed and/or inoperable vehicles, partially dismantled vehicles, or salvaged materials outside a building.

c. No trash, rubbish, or weeds shall be allowed to accumulate on any lot in the RC zone. The space around buildings and structures shall be kept free from refuse, debris, and weeds. All waste shall be concealed from view from adjacent property.

a.d. The architecture, appearance, and aesthetics of all buildings, structures and edifices in all commercial zones shall be maintained to reasonable upkeep and maintenance standards.

17.054.040 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 and fifty (50) feet if located along or adjacent to a UDOT right of way.
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.

~~4-5.~~ Landscaping; see LCC 17.054.070.

~~5-6.~~ Street Cross Section.

a. The city right of way is 66 feet.

b. The street cross section for public roads in the RC zone shall consist of:

i. 50 feet of asphalt; and

ii. 2 foot curb and gutter on each side of the street; and

iii. 8-12 foot meandering parkstrips on each side of the street; and

iv. 5 foot arrhythmically meandering sidewalks on each side of the street; and

i-v. a 16-20 foot planter strip behind the sidewalk on each side of the street.

~~b-c.~~ Property lines begin six (6) feet back of curb.

d. A public sidewalk and street light easement of 5-11 feet is required on private property per the cross section.

e. For additional landscaping requirements see LCC 17.54.070 below.



7. Street Lights.

- a. City street lights shall be placed at 100 foot intervals two (2) feet in front of sidewalk along public roads; and
 - b. shall be Washington Postlite LED street lights along street frontage and Esplanade LED street lights at intersections per the specifications in the Lindon City Land Development, Policies, Standard Specifications and Drawings manual.
 - c. Street light installation occurs when land is subdivided or when sites are improved (in the absence of a subdivision) which contain frontage where lights would be placed if the land were being subdivided.
8. Site Plan applications must meet requirements found in LCC 17.17 and in the Lindon City Land Development, Policies, Standard Specifications and Drawings manual.

17.054.050 Architectural design

The RC zone has specific design standards as outlined below, and, unless otherwise referenced, *does not* fall under requirements of the Lindon City Commercial Standards.

1. Massing and Orientation

- a. Breaking up large buildings (over 20,000 square feet) with multiple bays is required, and each façade should provide a meaningful purpose such as individual entrances to the larger building. On large buildings the façade should be broken up every 30' to 40' 50 feet with color, change of building materials, depth, height, or other architectural characteristics. On smaller buildings, the break in façade should be every 15' to 25' 30 feet. Appropriate detailing, scale, and proportion area elements that can be addressed through facade design.
- b. Orient buildings to the main street. If a building is on a corner lot, it may have a corner orientation.
- c. All building elevations shall be architecturally detailed, including non-street facing elevations.
- d. Differentiate between the ground floor and upper floors by providing for depth and variation in a façade through the use of different colors, materials, and other details.
- e. Building articulation is important to visually engage the populace. This can be accomplished through façade modulation, use of engaged columns or other expressions of the structural system, horizontal and vertical divisions through differing textures and materials.
- f. Variation in rooflines is appropriate through the use of dormer windows, overhangs, arches, stepped roofs, gables or similar devices.
- 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-twenty-seven (2730)~~ feet from all dedicated public streets, as measured from property lines 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.
 - 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.
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~~ twenty-five percent (25%) 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 strip and sixteen (16) to twenty (20) feet~~ in width (based on meandering location of sidewalk) shall be planted with living plant material and maintained in a living, growing condition along all public street frontages.
 - a. The measurement of the sixteen (16) to twenty (20) feet in landscaping will be measured from the back of the meandering 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.
5. Park Strip (the landscaping between the curb and the sidewalk).

- a. 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.
- ~~b-a.~~ Park strips shall be a minimum of eight (8) feet and maximum of twelve (12) 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.
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.
 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.
 8. Landscaping around buildings. A perimeter landscape strip at least ten (10') feet wide shall be placed around all buildings.
 9. Concrete curbing shall be provided between landscaped areas and off-street parking areas that is as 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.
 10. Paving materials, 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.
 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.

17.054.080 Special Provisions

1. The requirements of this section shall run with the land and be binding on successors, owners and tenants so long as the buildings are occupied or the use exists.
2. The owners of a commercial development which contains more than one (1) parcel of record or which has more than one (1) owner may be required by the approving authority to submit documents to the city for approval which assure unified control of the development.

3. Any person who desires to occupy vacant floor space, or to change the use of the floor space shall be required to first obtain a certificate of occupancy from the city. Any person constructing or altering a building in the RC zone shall first obtain a building permit from the city for such construction or alteration and then shall obtain a certificate of occupancy from the city before the building being constructed or altered is occupied.
4. If the city determines that the developer, tenant, manager, owner or any other interested person, firm or corporation has failed to maintain the premises consistent with all applicable zoning, health, safety, and building codes and ordinances, the city shall so notify said persons, firms or corporation by written notice specifying the deficiency complained of, and unless such failure is corrected to the satisfaction of the city within thirty (30) days, such failure or deficiency shall be deemed to constitute a “public nuisance” which may be abated in any lawful manner including but not limited to the manner set forth in Title 10, Chapter 8, Utah Code Annotated 1953, as amended.

Item 5: Site Plan — CR&T Commercial Office Building 681 North 2000 West

<p>Applicant: CR&T Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: General Commercial Current Zone: Lindon Village Commercial</p> <p>Property Owner: Omega 8 Holdings LLC Address: 681 North 2000 West Parcel ID: 47:254:0004 Lot Size: 1.1 acres</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 the request for site plan approval of 9,700 square foot office in the Lindon Village Commercial zone. <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for site plan approval with the following conditions (if any):</p> <ol style="list-style-type: none">1. landscaping requirements must be met;2. mechanical units must be visually screened;3. parapet must have a cornice treatment.
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BACKGROUND

1. The applicant proposes to construct a 9,700 square foot office building on 1.1 acres.
2. The lot is located in the Lindon Village Commercial (LVC) zone.
3. The site is on Lot 4, Plat A, Noahs Center Subdivision with some existing improvements.
4. The site will require some additional sidewalk extensions to property lines.

DISCUSSION & ANALYSIS

Parking Standards

Requirements:

- Technology Centers require 1 space for every 250 square feet.
- Warehousing in commercial zones requires 1 space for every 500 square feet.
- Bike parking in the MC zone requires an 8% ratio to required vehicular stalls up to 16 bike stalls.

Provided:

- Total provided vehicle spaces is **38** which meets what is required for a 9,700 s.f. building with 8,700 s.f. of office (35) and 1,000 s.f. of warehouse (2).
- Bike parking: **3** stalls are being provided at the west side of the building which is adequate.

Landscaping Standards

Landscaped Strip Along Frontage

The required 20 foot landscape strip along 2000 West is being provided with the requisite trees; *however, the applicant would like to cluster the trees rather than have them every 30 feet on center in order to protect the Mt. Timpanogos view shed to the east.* Please see the attached landscape plan.

700 North has a specific tree planting schedule that must be followed. The latest plan is close, but not exact on tree types. At the time of writing this staff report, an updated landscape plan was being prepared. It will be available at the time of the meeting.

Interior Landscaping

Interior landscaping must be provided at 40 square feet per required stall with one tree per 10 stalls. With the proposed 38 stalls, that equates to 1,520 square feet and 4 trees required. *There is 1,797 s.f. of landscaping and 4 trees provided.*

Required Open Space

The LVC zone requires a minimum of 20% open space on the site. *This site requires 9,322 s.f. of open space and 23,655 s.f. is provided.*

Architectural Standards

All building in the LVC zone must meet Lindon City Design Standards. The building materials proposed are brick and concrete fiberboard for the primary materials and stucco and woodgrain siding as secondary materials with black metal trim for the doors and windows. Please see the materials board and colored elevations. The colors appear to meet the color palette requirements.

Staff is unsure of placement of mechanical equipment and screening of said equipment. Also, there does not appear to be a cornice treatment on the parapet wall/roof, as required. These items need to be addressed.

Does the Planning Commission feel there is appropriate differentiation between the ground floor and upper floors through “depth and variation in the façade through the use of different colors, materials, and other details”?

The building is within the 48 foot height limit in the LVC zone, the highest point of the parapet wall being 30 feet.

Engineering Standards

There are some engineering issues that will need to be resolved before the plans are finalized and staff will ensure all requirements are met.

ATTACHMENTS

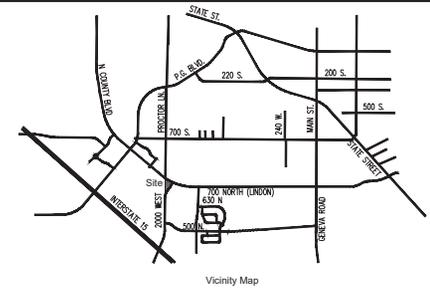
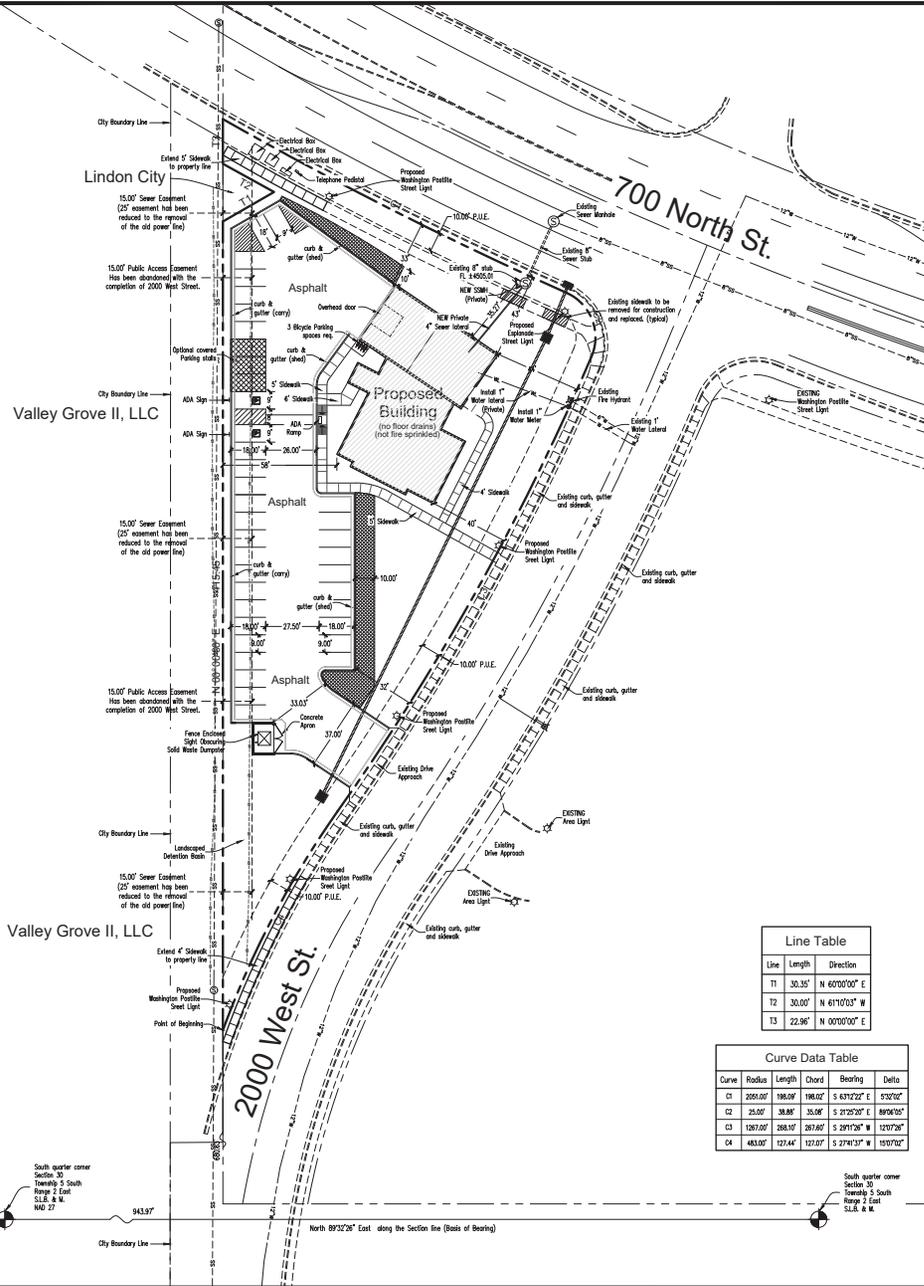
1. Aerial photo of the site and surrounding area.
2. Site Plan
3. Landscaping Plan
4. Architectural Elevations
5. Color Palette



CR&T Office Building
9,700 s.f. building on 1 acre
681 N 2000 W



NORTH
1" = 30'



Developer/Property owner:
Omega 8
116 South Mountain Way Drive
Orem, Utah 84058
801-222-0930
heidl@cr-t.com

Civil Engineer/Land Surveyor:
Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
801-224-1252
t-dudley@qwestoffice.net

Site Data:
Zone = Commercial Zone
Total Area = 46,610 sq.ft. or 1.07 Acres

Building Area:
Office Area = 8,700 sq.ft
Warehouse Area = 1,000 sq.ft
Building IBC Occupancy type B
IFC Constuction type VB

Parking Requirements:
Office Area = 1 space for 250 sq.ft. = 35 spaces
Warehouse Area = 1 space for 1000 sq.ft. = 1 space
Spaces required = 36 spaces
Spaces provided = 38 spaces
2 ADA Stalls (one VAN accessible) shown.
3 Covered parking stalls shown.

Parking Lot Landscaping:
Required 40 sq.ft. per stall = 1,520 sq.ft.
Provided = 1,797 sq.ft.

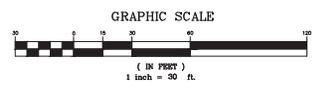
Line	Length	Direction
T1	30.35'	N 60°00'00" E
T2	30.00'	N 61°10'03" W
T3	22.96'	N 00°00'00" E

Curve	Radius	Length	Chord	Bearing	Delta
C1	2059.00'	198.00'	198.00'	S 63°12'22" E	53°02'00"
C2	25.00'	38.88'	35.08'	S 27°25'20" E	89°08'00"
C3	1267.00'	268.10'	267.60'	S 29°17'26" W	127°07'20"
C4	483.00'	127.44'	127.07'	S 27°41'37" W	150°07'00"

	Square Footage	Acreage	Percent of total
Total Area	46,610	1.07	100
Total Building / Pad Area	4,850	0.11	10
Total Hard Surface Area	18,105	0.42	39
Total Impervious Area	22,955	0.53	49
Total Landscaped Area	23,655	0.54	51

Tabulation Table

Area used for Parking lot Landscaping



CAUTION! Notice to contractors
The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

Know what's below. 811
Call 811 before you dig.
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1.800.662.4111

DUDLEY AND ASSOCIATES
ENGINEERS/PLANNERS/SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

CR&T Commercial
Site Plan

Revisions
9-5-2017 (City corrections)

Date:
8-21-2017
Scale:
1" = 30'
By:
TD
Tracing No.
L-14260

Sheet No.
C-2.0





Calculated Research & Technology



A
Woodgrain Siding



B
Doors & Windows



C
Stucco

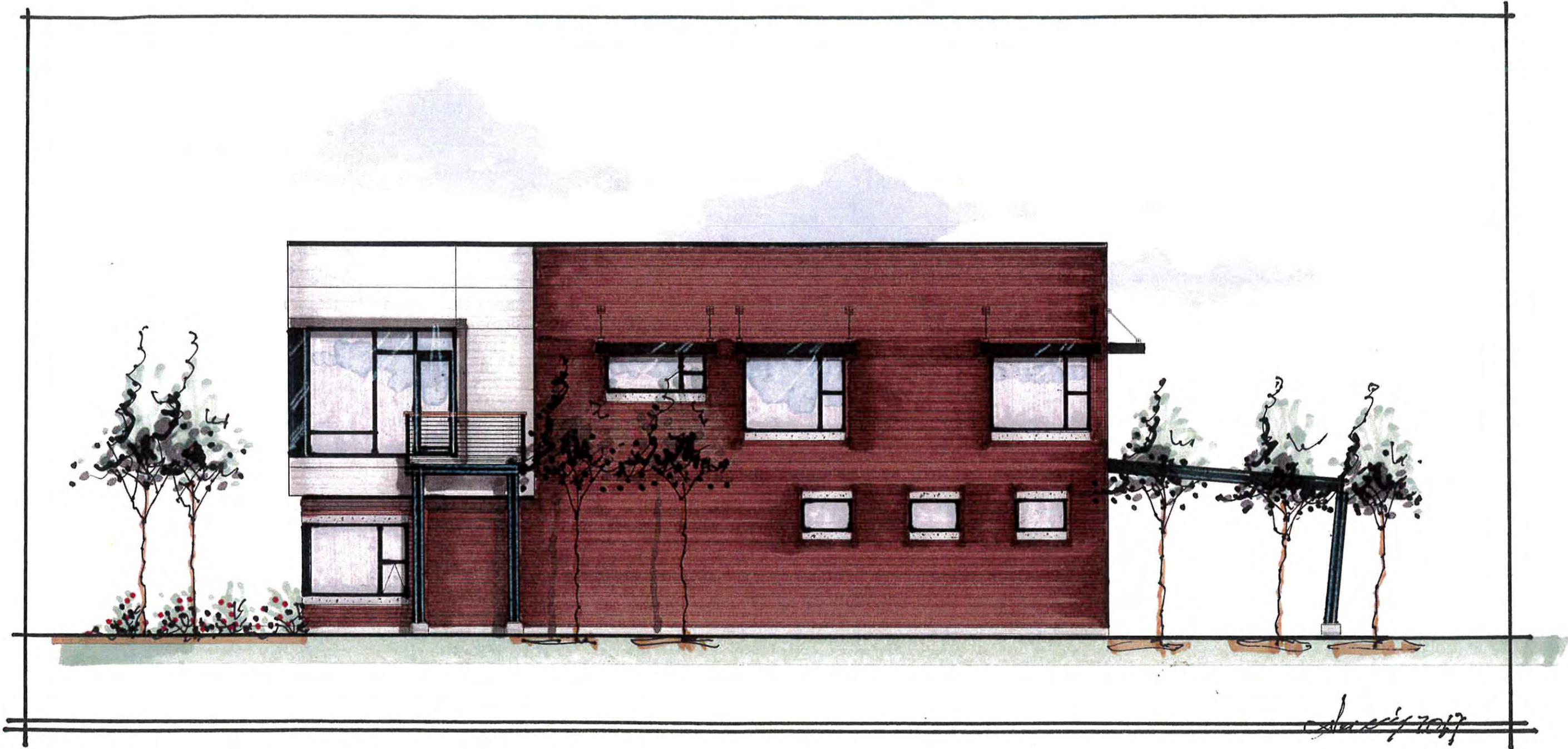


D
Brick

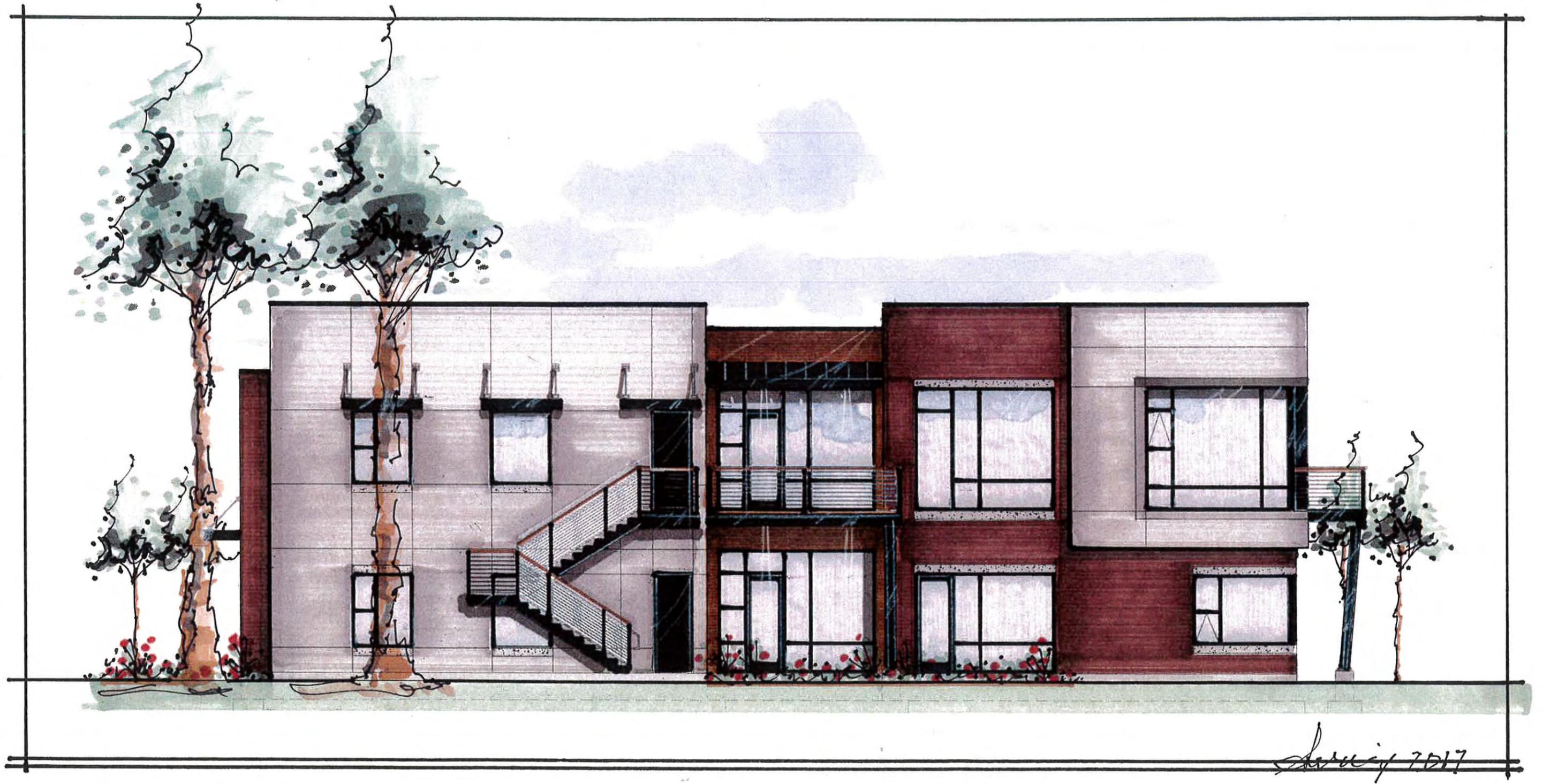


E
Concrete Fiber Board









Item 6: Public Hearing — Zone Map Amendment Walker Farms of Lindon, ~55 South 400-500 East

Applicant: Mike Jorgensen
Presenting Staff: Hugh Van Wagenen

General Plan: Residential Very Low Density
Current Zone: Residential Single Family (R1-20)

Property Owner(s): Michael B & Jill Jorgensen, MJ Real Estate Holdings LLC
Address: ~55 South 400-500 East
Parcel IDs: 47:184:0002, 14:073:0201, 47:184:0003, 14:073:0028
Area Size: ~5 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 property from R1-20 to Commercial Farm.

MOTION

I move to recommend (approval, denial, continue) of the applicant's request with the following conditions (if any):

1. All parcels be under the same ownership as reflected on the deeds.



OVERVIEW

The Commercial Farm (CF) zone was created in 2011 to “provide encouragement of agricultural production and associated commercial activities that are compatible with and/or promote agricultural uses within the city...Although the intent of the zone is to promote agricultural uses within the city, the zone may be utilized as ‘holding zone’ to allow reasonable options for income

from agricultural and/or commercial uses for a period of time before developing the land in conformance with the General Plan Land Use Map.”

The applicant is requesting a rezone of the subject properties in order to build a reception/event center while raising and breeding alpacas and selling alpaca wool.

FINDINGS OF FACT

The applicant has provided a brief business plan and concept site plan for the property (see attached).

- Business Plan for the Commercial Farm
 - “We will have 14 alpacas. Our intent is to sell the offspring as breeding pairs, or what’s called a starter pack. This will consist of a pregnant female and an unrelated male. We can also sell the wool which can be quite expensive and highly sought after.”
 - The reception/event center will be an additional revenue source for the alpaca operation. This is a conditionally permitted use in the CF zone.

One of the main requirements for CF zone consideration is listed in LCC 17.51.015 and states:

- Agricultural Production Required
 - 1. At least 40% of the property must be maintained in active agricultural production and be managed in such a way that there is a reasonable expectation of profit. Land used in connection with a farmhouse, such as landscaping, driveways, etc., cannot be included in the area calculation for agricultural production eligibility.
 - 2. **For the purposes of this chapter, “agricultural production” shall be defined as** the production of food for human or animal consumption through the raising of crops and/or breeding and raising of domestic animals and fowl (except household pets) in such a manner that there is a reasonable expectation of profit.

The application does meet the requirements for lot area, lot width, lot depth, and lot frontage. However, the parcels presented are not currently under identical ownership as required in LCC 17.51.020. This should be a requirement if an approval is recommended.

The concept site plan does show the existing single family home in addition to a caretaker dwelling that is currently being restored (Center and 500 East). The caretaker dwelling being restored has nonconforming setbacks due to the age of the original construction.

ANALYSIS & CONCLUSIONS

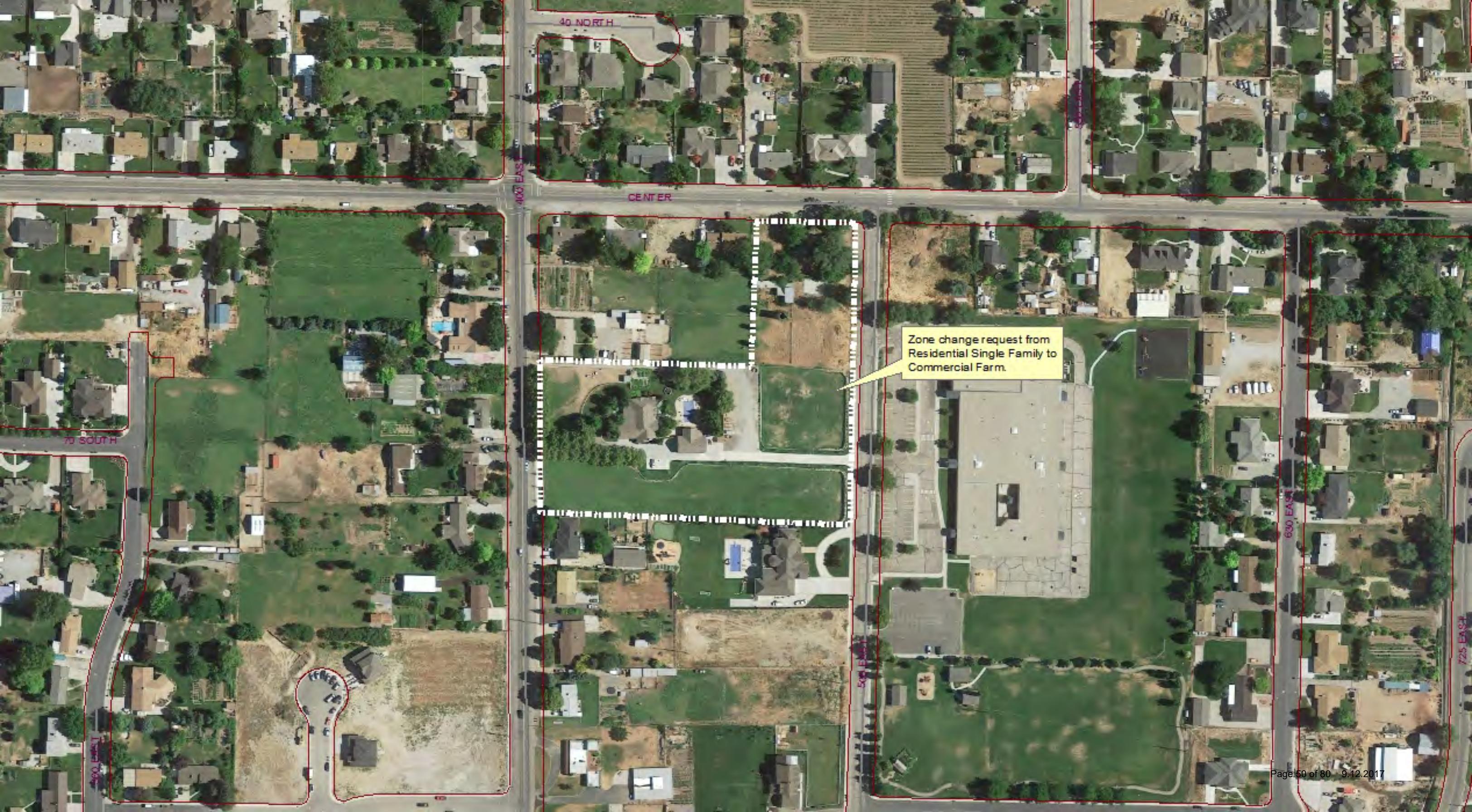
Although the application appears to meet the requirements for the properties in question to be rezoned, this is a legislative action. Therefore, the Planning Commission is not obligated to recommend approval if the Commission decides the request is not in the best interest of the public and Lindon City.

In looking to the future, the home on this site will have to be associated with the proposed reception/event center because of the minimum size requirements of the Commercial Farm zone. As we have recently seen with other properties, this can be problematic when the current owner moves on and the property is sold to future operators.

If the applicant's request is granted, a separate site plan application will need to be submitted to ensure all site requirements are met regarding parking, landscaping, fencing, building height, etc.

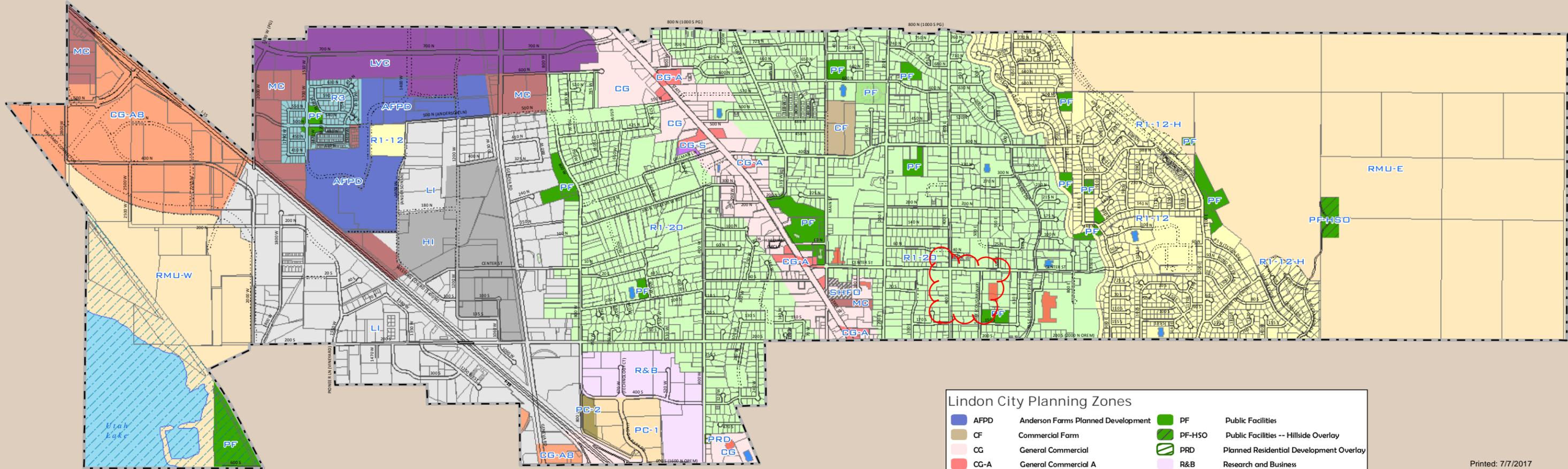
ATTACHMENTS

1. Aerial photo of the proposed area to be rezoned
2. Current Zoning Map
3. Conceptual Site Plan
4. Applicant provided information on alpaca farming
5. LCC 17.51 Commercial Farm Zone



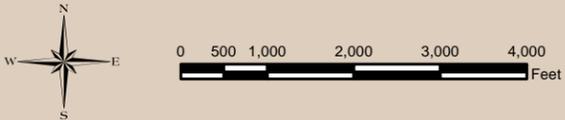
Zone change request from Residential Single Family to Commercial Farm.

Lindon City Zoning Map



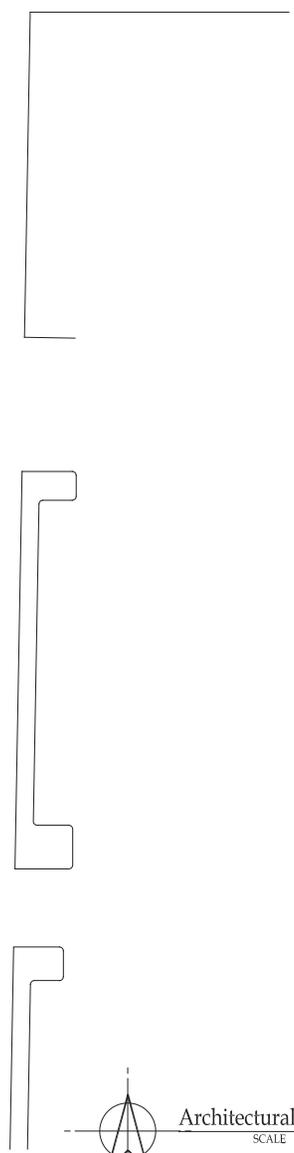
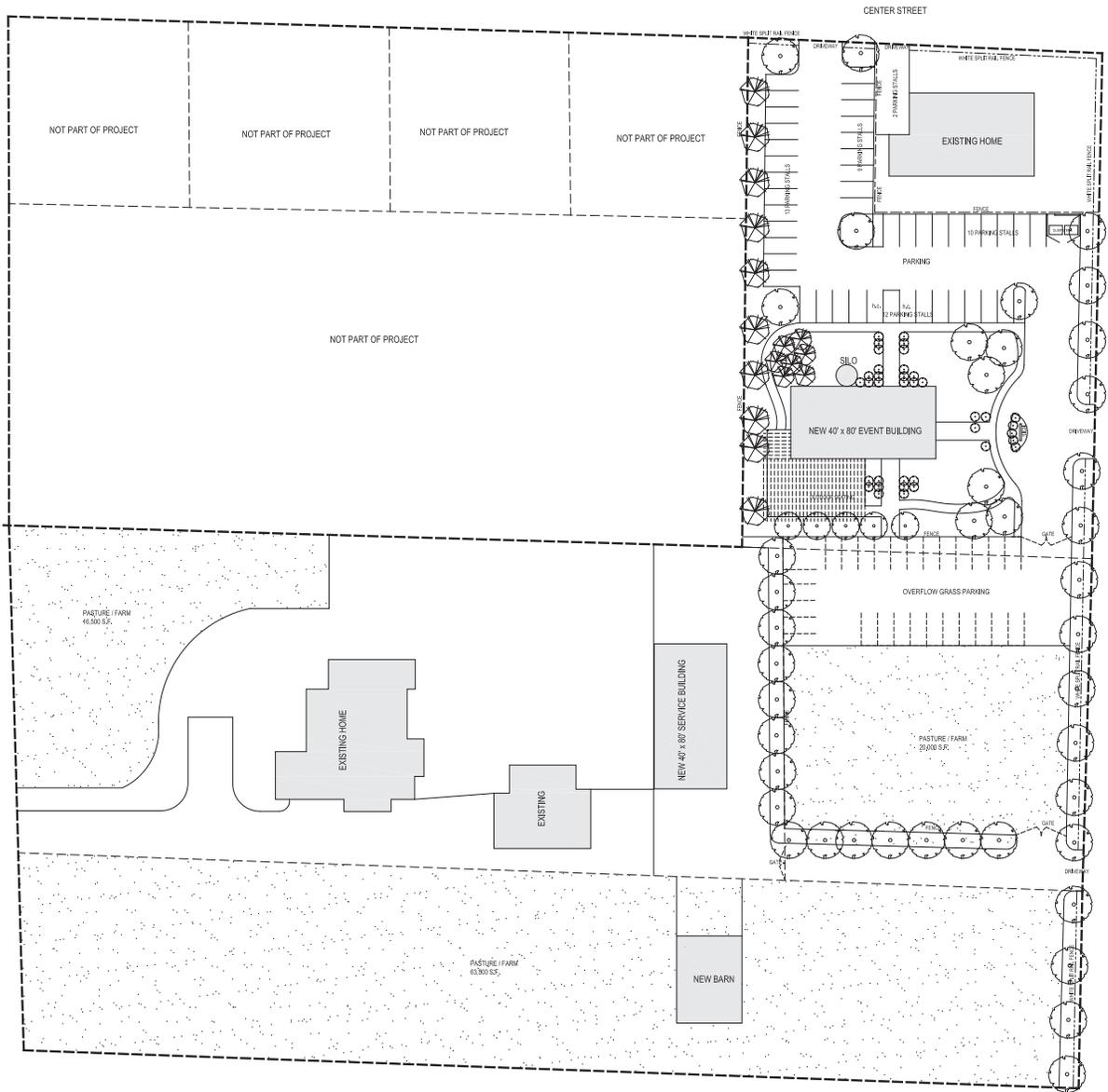
Lindon City Planning Zones

AFPD	Anderson Farms Planned Development	PF	Public Facilities
CF	Commercial Farm	PF-HSO	Public Facilities -- Hillside Overlay
CG	General Commercial	PRD	Planned Residential Development Overlay
CG-A	General Commercial A	R&B	Research and Business
CG-A8	General Commercial A8	R1-12	Residential Low Density
CG-S	General Commercial Storage	R1-12-H	Residential Low Density -- Hillside Overlay
HI	Heavy Industrial	R1-20	Residential Very Low Density
LI	Light Industrial	R3	Residential High Density
LVC	Lindon Village Commercial	RMU-E	Recreational Mixed Use -- East
MC	Mixed Commercial	RMU-W	Recreational Mixed Use -- West
PC-1	Planned Commercial - 1	SHFO	Senior Housing Facility Overlay
PC-2	Planned Commercial - 2	SPOD	Utah Lake SPOD



Printed: 7/7/2017





Architectural Site Plan opt #1
SCALE 1/16" = 1'-0"

PROJECT NOTES
Site Plan Information (total project)
 Total Site Approximately 226,197 s.f.
 40% Min. to remain as pasture / farming
 100,000 or 44% has been shown to remain as pasture / farming
 A white split rail fence has been shown around the property along all roads fence must meet Lindon City requirements

Event Building (estimated)
 Event Building Size 5,000 s.f.
 Occupancy A2
 Occupant Load 302
 3,000 s.f. @ 1 per 15 = 200
 2,000 s.f. @ 1 per 100 = 20

Parking Requirements
 1 parking space per every 3.5 occupants
 Total Occupants = 220
 Parking Space required 220 / 3.5 = 63

Parking Stalls Provided
 Parking Stalls 46 Permanent
 Parking Stalls 26 Overflow
 72 total stalls provided

PROJECT TITLE

DAIN & ASSOCIATES
 ARCHITECTURE DESIGN PROJECT MANAGEMENT
1000 S. GATE AVENUE SUITE 1000
 PROVO, UT 84601

Architectural Site Plan
 DATE: November 2016
 REVISIONS:
 A1.0

About Alpacas

 www.alpacainfo.com/academy/about-alpacas

The Alpaca (vicugna pacos) is a domesticated species of South American camelid.

What is an alpaca?

Alpacas are members of the camelid family. The camels that most people are familiar with are the ones with humps; the dromedary of Northern Africa, the Middle East, and Southern Asia, and the Bactrian camel of China and Tibet. However, there are four other camelids (without humps) that are indigenous to South America: two of them, llamas and alpacas, have been domesticated for thousands of years; whereas the other two varieties, guanacos and vicunas, continue to roam in wild herds today.

The alpaca comes in two breed-types: huacaya (pronounced wah-KI-ah) and suri (SOO-ree). Huacayas, the more common type, account for about 90% of all alpacas, and have fluffy, crimped fleece that gives the animals a teddy bear-like appearance. Suris, on the other hand, grow silky, lustrous fleece that drapes gracefully in beautiful pencil-locks

How long do alpacas live?

Generally, around 15 to 20 years. The longest documented lifespan of an alpaca is 27 years.

How are alpacas different from llamas?

People often confuse alpacas with llamas. While closely related, llamas and alpacas are distinctly different animals. First, llamas are much larger, about twice the size of an alpaca, with an average weight of about 250 to 450 pounds, compared to an alpaca whose weight averages 100 to 200 pounds. Llamas are primarily used for packing or for guarding herds of sheep or alpacas, whereas alpacas are primarily raised for their soft and luxurious fleece.

Are alpacas an "exotic species," or are they considered simply "livestock?"

Alpacas have been raised as domestic livestock for thousands of years and since the end-product of alpacas is their fleece, like sheep, they are classified as livestock by both the United States and Canadian federal governments.

Do alpacas spit?

All members of the camel family use spitting as a means of negative communication. They do get possessive around food, and thus may express annoyance by spitting at other alpacas that they perceive are encroaching on "their" food. Also, they often spit at one another during squabbles within the herd (usually involving two or more males). From time to time alpacas do spit at people on purpose, but it is more common that humans get caught in the cross-fire between alpacas, so it's best to study their behavior and learn to avoid the most vulnerable situations.

Do alpacas make noise?

Alpacas are very quiet, docile animals that generally make a minimal amount of sound. They generally make only a pleasant humming sound as a means of communication or to express concern or stress. Occasionally you will hear a shrill sound, called an "alarm call," which usually means they are frightened or angry with another alpaca. Male alpacas also "serenade" females during breeding with a guttural, throaty sound called "orgling."

Are alpacas dangerous?

No — they are safe and pleasant to be around. They do not bite or butt and do not have sharp teeth, horns, hooves, or claws as other types of livestock do. They move gracefully and adroitly about the field and are therefore unlikely to run into or over anyone, even small children. Occasionally, an alpaca will reflexively kick with its hind legs, especially if touched from the rear, but the soft padded feet usually do little more than just "get your attention."

Is it OK to have just one alpaca?

As a general rule, the answer is no. Alpacas have very strong herding instincts and need the companionship of other alpacas to thrive. Gender-appropriate (or neutered) llamas sometimes will successfully bond with an alpaca. Otherwise, it is best to provide each alpaca with a companion alpaca of the same gender.

Are alpacas easy to care for?

They are a small and relatively easy livestock to maintain. They stand about 36' high at the withers (where the neck and spine come together); weigh between 100 to 200 pounds; and establish easy-to-manage, communal dung piles. The alpacas need basic shelter and protection from heat and foul weather, just like other types of livestock, and they also require certain vaccinations and anti-parasitic medicines. Their fleece is sheared once a year to keep them cool in summer. Additionally, their toenails need to be trimmed on an as-needed basis to ensure proper foot alignment and comfort. Interestingly, alpacas do not have hooves — instead, they have two toes, with hard toenails on top and a soft pad on the bottom of their feet, which minimizes their effect on pastures and makes them an "environmentally friendly" animal.

How much space does it take to raise an alpaca?

Because these animals are environmentally friendly and require so little pasture and food, you can usually raise from two to eight alpacas on an acre of land, depending on terrain, rain/snowfall amounts, availability of pasture, access to fresh water, etc. They can also be raised on a dry lot and fed grass hay. Consult with your local USDA office for specific local recommendations.

Are alpacas clean animals?

Yes, they are much cleaner than most livestock. Alpacas have minimal aroma and tend to attract less flies in the summertime than other forms of livestock. Furthermore, alpacas often defecate in communal dung piles. There may be three or four of these areas in a pasture, spread throughout about 10% to 20% of the pasture. This makes for easy clean-up, reduced opportunity for parasites, and better overall hygiene in the herd.

What do I need by way of shelter and fencing?

While the shelter requirements vary depending on weather and predators, as a general rule alpacas need at least a three-sided, open shelter, where they can escape from the heat of the sun in summer and from icy wind and snow in winter. If predators (dogs, coyotes, bears, etc.) are present in your neighborhood, then a minimum of five-foot-high, 2' x 4' no-climb fencing is strongly recommended. Traditional horse fencing with 6' x 6' openings is not recommended, as curious alpacas have been harmed by putting their heads or legs through the openings.

What do alpacas eat?

Alpacas mainly eat grass or hay, and not much—approximately two pounds per 125 pounds of body weight per day. The general rule of thumb is 1.5% of the animal's body weight daily in hay or fresh pasture. A single, 60 pound bale of hay can generally feed a group of about 20 alpacas for one day. Grass hay is recommended, while alfalfa should be fed sparingly, due to its overly rich protein content. Alpacas are pseudo-ruminants, with a single stomach divided into three compartments. They produce rumen and chew cud, thus they are able to process this modest amount of food very efficiently. Many alpacas (especially pregnant and lactating females) will benefit from nutritional and mineral supplements, depending on local conditions. There are several manufactured alpaca and llama feeds and mineral mixes readily available; consult with your local veterinarian to ensure you are feeding the appropriate diet for your area. Alpacas also require access to plenty of fresh water to drink.

Alpacas have two sets of teeth for processing food. They have molars in the back of the jaw for chewing cud. But in the front, the alpaca has teeth only on the bottom and a hard gum (known as a dental pad) on the top for crushing grain, grass, or hay. Unlike goats and sheep that have long tongues which they sometimes use to rip plants out of the ground, alpacas have short tongues and nibble only the tops of grasses and other plants, resulting in less disturbance of the vegetation. However, alpacas are also browsers and will often eat shrubs or the leaves from trees if given the opportunity. This requires monitoring to ensure they do not consume harmful products.

Can alpacas thrive in locations with very hot or very cold climates?

Generally, yes. Alpacas are amazingly resilient animals and have adapted successfully to the extremes of both very hot and very cold climates. In hot, humid climates, alpaca owners need to take extra precautions to make sure that the alpacas do not suffer from heat stress. These include: shearing fleeces early in the year, providing fans and ventilation in the barn, offering cool fresh water for drinking, and hosing off their bellies (where heat is dissipated) on very hot days.

Does the birthing require human assistance?

In most cases, cria are born without intervention, and usually during daylight hours. A cria normally weighs between 15 and 19 pounds and is usually standing and nursing within 90 minutes of birth. The cria continues to nurse for about six months until it is weaned.

Are alpacas easy to train?

Alpacas are very smart animals and are fairly easy to train. It is best to start training them when they are young so that they will accept a halter and learn to follow on a lead. Many owners also enjoy training them to walk through obstacles; some even compete with their alpacas at shows where they walk over, through, and around objects and also jump over small hurdles. Also, it is helpful to train alpacas to ride in a trailer or van if they ever need to be

transported to a show or another farm. Alpacas are easy to transport, as they normally crouch (lay down with their legs folded under them) when traveling.

So what do you DO with these animals?

Alpacas are raised for their soft and luxurious fleece (sometimes called fiber). Each shearing produces roughly five to ten pounds of fleece per animal, per year. This fleece, often compared to cashmere, can be turned into a wide array of products from yarn and apparel to tapestries and blankets. The fleece itself is recognized globally for its fineness, softness, light-weight, durability, excellent thermal qualities, and luster.

In addition to selling the fleece and the animals, many alpaca owners operate a retail store selling alpaca end-products—either on or off their farms. Products are sold directly to consumers at their store or over the Internet. Many also sell alpaca products through craft fairs, farmers markets, and retail sites. Sales of these end-products can provide considerable supplemental income to alpaca owners.

What about the fleece?

Let's start by comparing alpaca fleece with wool from most breeds of sheep. In general, alpaca fleece is stronger, lighter, warmer, and more resilient. Finer grades of alpaca fleece (known commercially as "Baby Alpaca") are believed to be hypo-allergenic, meaning it does not irritate your skin as sheep's wool sometimes does. Unlike sheep's wool, alpaca fleece contains no lanolin and is therefore ready to spin after only nominal cleaning. Prized for its unique silky feel and superb "handle," alpaca fleece is highly sought-after by both cottage-industry artists (hand spinners, knitters, weavers, etc.) as well as the commercial fashion industry.

Alpaca fleece has a great variety of natural colors, making it very much in vogue: 16 official colors (white; beige; and shades of fawn, brown, black, and grey) with many other subtle shades and hues. White, light fawn, and light grey can be readily dyed, thus offering a rainbow of colors for the fiber artist. Alpaca fleece can also be combined with other fine fibers such as merino wool, cashmere, mohair, silk, and angora to attain incredibly interesting blends.

Do I need to purchase a registered alpaca?

Simple answer—yes. Anytime you are investing money, you need to take all the necessary steps to help assure that your investment maintains its value and registered alpacas do just that.

Alpaca Owners Association, Inc. (AOA) is the largest alpaca pedigree registry in the world. While AOA provides services to alpaca owners all over the world, they primarily provide pedigree registration and member services to the United States and Canada. AOA is one of the few livestock registries of any kind that requires that every animal be DNA tested back to its parents before being registered. As a result, AOA registered alpacas are highly desired.

Are there organized exhibitions and competitions for alpacas?

Yes, there are many alpaca shows (both show ring and fleece judging competitions) held throughout North America where owners can showcase their animals and fleeces. Alpaca Owners Association, Inc. (AOA) certifies regional shows and fairs all over the United States. AOA administers the show rules, trains the judges, and offers other assistance to these certified shows. AOA also hosts the National Alpaca Show & Auction and National Fleece Show each year.

South American Alpacas

Alpacas are kept in herds that graze on the level heights of the Andes of Ecuador, southern Peru, northern Bolivia, and northern Chile. Alpacas are considerably smaller than llamas, and unlike llamas, alpacas are not used as beasts of burden but are valued only for their fiber. Alpaca fiber is used for making knitted and woven items, much as sheep's wool is. These items include blankets, sweaters, hats, gloves, scarves, a wide variety of textiles and ponchos in South America, and sweaters, socks, coats and bedding in other parts of the world. The fiber comes in more than 52 natural colors as classified in Peru, 12 as classified in Australia and 16 as classified in the United States. Alpacas and llamas differ in that alpacas have straight ears and llamas have banana-shaped ears. Aside from these differences, llamas are on average 1–2 feet taller and proportionally bigger than alpacas.

Alpacas have been domesticated for thousands of years. In fact, the Moche people of Northern Peru often used Alpaca images in their art. There are no wild alpacas. The closest living species are the wild Vicuña, also native to South America. Along with Camels and Llamas, the Alpaca are classified as camelids. The Alpaca is larger than the Vicuña but smaller than the other camelid species.

Of the various camelid species, the Alpaca and Vicuña are the most valuable fiber-bearing animals: the alpaca because of the quality and quantity of its fiber, and the vicuña because of the softness, fineness and quality of its coat. Alpacas are too small to be used as pack animals. Instead, they were bred exclusively for their fiber and meat.

Alpacas are social herd animals that live in family groups consisting of a territorial alpha male, females and their young. They are gentle, elegant, inquisitive, intelligent and observant. As they are a prey animal, they are cautious and nervous if they feel threatened. They like having their own space and may not like an unfamiliar alpaca or human getting close, especially from behind. They warn the herd about intruders by making sharp, noisy inhalations that sound like a high pitch burro bray. The herd may attack smaller predators with their front feet, and can spit and kick. Due to the soft pads on their feet, the impact of a kick is not as dangerous as that of a hooved animal, yet it still can give quite a bruise, and the pointed nails can inflict cuts.

In the United State and Canada alpaca herds range in size from just a few alpacas all the way up to a few thousand.



magical farms alpacas

Livestock Investment

Alpacas are the World's Finest Livestock Investment



Looking to add some fiber to your investment diet?

Alpacas produce a premium fiber in 22 vibrant colors, the demand for which is ever increasing. Annual fiber yields vary from about five pounds from a single female to a reported thirteen pounds from a larger male. Breeding and selling in this ever increasingly popular industry is another easy way to add to your investment dollars!

Not to be overlooked as a very important aspect of raising alpacas are the great tax benefits provided to both farms and any small business. An alpaca can typically be depreciated over a five-year span or 20% per year. In addition, Section 179 of the tax code allows for the deduction of a capital asset.

Here are the new and substantial positive impacts on Section 179 for the 2013 Tax Year (and 2012 retroactive) - below is quoted from "section179.org":

- **2013 Deduction Limit - \$500,000**
- **2013 Limit on Capital Purchases - \$2,000,000**
- **2013 Bonus Depreciation - extended the 50% bonus**



Capital gains can be available on the sale of breeding animals and their offspring. Current expenses are deductible.

Consult a tax advisor for specifics as they relate to you.

Add to all of this that alpacas are 100% insurable. Can stocks do all of this?

All You Need Is Love Alpacas are easy to raise- they eat very little and therefore require only a small amount of acreage per animal. Veterinary costs are minimal. Besides their endearing qualities of warmth, friendliness, and trainability, they have an enduring quality of strength and toughness. That means you'll have a friend for a long time to come. Coming from the rugged Andes makes life on the farm a piece of cake... for your alpaca and for you!

The Many Benefits Of Breeding As your alpaca herd breeds and grows, the

return on your initial investment multiplies at a strong and steady rate. Along the way, you'll receive numerous tax benefits and incentives that make your investment even more attractive! Deductible expenses, capital gains benefits, and insurable, depreciable investments are just a few of the many ways you can save money while also taking part in one of the most exciting industries in the world.



Litchfield, Ohio, USA | (330) 667-3233
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Chapter 17.51 COMMERCIAL FARM ZONE

Sections:

- [17.51.010 Purpose and Objectives.](#)
- [17.51.012 Permitted Uses.](#)
- [17.51.015 Agricultural Production Required.](#)
- [17.51.020 Lot Area.](#)
- [17.51.030 Lot Width.](#)
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- [17.51.050 Lot Frontage.](#)
- [17.51.070 Number of Dwellings per Lot.](#)
- [17.51.080 Yard Setback Requirements.](#)
- [17.51.090 Projections into Yards.](#)
- [17.51.100 Building Height.](#)
- [17.51.110 Distance Between Buildings.](#)
- [17.51.120 Permissible Lot Coverage.](#)
- [17.51.125 Screening and Fencing.](#)
- [17.51.130 Parking.](#)
- [17.51.140 Residential and Agricultural Accessory Buildings.](#)
- [17.51.150 Other Requirements.](#)

17.51.010 Purpose and Objectives.

Commercial Farm [Zones](#) (CF) are established to provide encouragement of agricultural production and associated commercial activities that are compatible with and/or promote agricultural uses within the city. Objectives of the [zone](#) include promoting and preserving agricultural production, promoting agricultural [open space](#) throughout the city, and allowing associated commercial activities which could be used as additional revenue sources to help sustain and support [agricultural industry](#) within Lindon. Although the intent of the [zone](#) is to promote agricultural uses within the city, the [zone](#) may be utilized as a 'holding [zone](#)' to allow reasonable options for income from agricultural and/or commercial uses for a period of time before developing the land in conformance with the [General Plan](#) Land Use Map.

17.51.012 Permitted Uses.

The following is a list of permitted, conditional, and non-[permitted uses](#) in the CF [zone](#):

1. *Permitted Uses.* Single-[family](#) residence; accessory [buildings](#) to a [single-family dwelling](#); agricultural production and related accessory [buildings](#); other [permitted uses](#) in the R1 residential [zones](#).
2. *Conditional Uses.* Caretakers or farm-help accessory [dwelling unit](#); commercial horse stables; farmers market; greenhouses; plant or garden nursery; garden center; bed and breakfast facility; educational programs and associated facilities; amphitheater; reception center; conference center; boutique; café; restaurant; veterinary clinic; and

food manufacturing (not to exceed 2,000 sq/ft of processing and production area).

17.51.015 Agricultural Production Required.

1. At least 40% of the property must be maintained in active agricultural production and be managed in such a way that there is a reasonable expectation of profit. Land used in connection with a farmhouse, such as landscaping, [driveways](#), etc., cannot be included in the area calculation for agricultural production eligibility.
2. For the purposes of this chapter, “agricultural production” shall be defined as the production of food for human or animal consumption through the raising of crops and/or breeding and raising of domestic animals and fowl (except [household pets](#)) in such a manner that there is a reasonable expectation of profit.

17.51.020 Lot Area.

The minimum area of any [lot](#) or [parcel](#) of land in the CF [zone](#) shall be five (5) acres. Multiple [parcels](#) that total five acres or more may qualify as meeting the minimum [lot area](#) without combining the [parcels](#) only when they are under identical legal ownership and are contiguous. A deed restriction prohibiting the separation of [parcels](#) may be required in order to maintain the minimum five contiguous acres.

17.51.030 Lot Width.

Each [lot](#) or [parcel](#) of land in the CF [zone](#), or conglomeration of [parcels](#) as defined in Section [17.51.020](#) above, shall have a width of not less one hundred (100) feet (measured at [front yard](#) setback).

17.51.040 Lot Depth.

Each [lot](#) or [parcel](#) of land in the CF [zone](#), or conglomeration of [parcels](#) as defined in Section [17.51.020](#) above, shall have a minimum [lot depth](#) of one hundred (100) feet.

17.51.050 Lot Frontage.

Each [lot](#) or [parcel](#) of land in the CF [zone](#), or conglomeration of [parcels](#) as defined in Section [17.51.020](#) above, shall abut a public [street](#) for a minimum distance of fifty (50) feet, on a line parallel to the centerline of the [street](#) or along the circumference of a [cul-de-sac](#) improved to City standards. [Frontage](#) on a [street](#) end which does not have a [cul-de-sac](#) improved to City standards shall not be counted in meeting this requirement.

17.51.070 Number of Dwellings per Lot.

Not more than one (1) [single-family dwelling](#) with an accessory apartment, and one (1) caretakers or farm-help [dwelling](#) may be placed on a [lot](#) or [parcel](#) of land in the CF [zone](#) (or conglomeration of [parcels](#) necessary to meet minimum acreage requirements). In no case may the care takers or farm-help [dwelling](#) be sold as a separate, subdivided [lot](#) unless it meets all requirements of the underlying [zone](#). Owner occupancy of a primary residence on the property is required to maintain a caretakers or farm-help [dwelling unit](#).

17.51.080 Yard Setback Requirements.

1. The following minimum [yard](#) requirements shall apply in the CF [zone](#): (Note: All setbacks are measured from the property line, or for property lines adjacent to a [street](#) the setback shall be measured from the [street right-of-way](#) line.

[Front yard](#) setback: thirty (30) Feet

[Rear yard](#) setback: thirty (30) Feet

[Side yard](#) setback: ten (10) Feet

2. *Street Side yard - Corner Lots.* On [corner lots](#), the [side yard](#) contiguous to the [street](#) shall not be less than thirty (30) feet and shall not be used for vehicle parking, except such portion as is devoted to [driveway](#) use. Of the remaining rear and [side yards](#) on a [corner lot](#), one [rear yard](#) setback of thirty (30) feet and one [side yard](#) setback of ten (10) feet shall be required on the remaining non-[street](#) facing sides of the [lot](#).

17.51.090 Projections into Yards.

1. The following [structures](#) may be erected on or project into any required [yard](#) setback:

a. Fences and retaining walls in conformance with the Lindon City Code and other City codes or ordinances;

b. Necessary appurtenances for utility service.

2. The [structures](#) listed below may project into a minimum front, side, or [rear yard](#) not more than the following distances:

a. The following may project into a minimum front, side or [rear yard](#) not more than twenty-four (24) inches: Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features; fireplace [structures](#) and bays (provided that they are not wider than eight (8) feet, measured generally parallel to the wall of which they are a part), awnings and planting boxes or masonry planters.

b. The [structures](#) listed below may project into a [rear yard](#) not more than twelve (12) feet: A shade [structure](#) or uncovered deck (which does not support a roof [structure](#), including associated stairs and landings) extending from the main-floor level and/or ground level of a [building](#), provided such [structure](#) is open on at least three (3) sides, except for necessary supporting columns and customary architectural features.

c. The following may project into a front, side or [rear yard](#) (above or below [grade](#)) not more than four feet as long as they are uncovered (not supporting a roof [structure](#)): unenclosed stairways, balconies, landings, and fire escapes.

17.51.100 Building Height.

No [lot](#) or [parcel](#) of land in the CF [zone](#) shall have a [building](#) or [structure](#) which exceeds a maximum average height of thirty-five (35) feet, measuring the four (4) corners of the [structure](#) from [finished grade](#) to the highest point of the roof [structure](#). In all [zones](#), the Planning Director and Chief [Building Official](#) shall be responsible for designating and identifying the four corners of a [structure](#). Non-habitable architectural features or

[structures](#) not wider than ten (10) feet such as silos, steeples, cupolas, or other similar [structures](#) may exceed the [building](#) height up to forty-five (45) feet. No [dwelling](#) shall be erected to a height less than one (1) story above [grade](#).

17.51.110 Distance Between Buildings.

The separation distance between any accessory [buildings](#) and a [dwelling](#), or the distance between multiple detached accessory [buildings](#), shall not be less than ten (10) feet.

17.51.120 Permissible Lot Coverage.

1. In a CF [zone](#), all [buildings](#), including accessory [buildings](#) and [structures](#), shall not cover more than forty (40) percent of the area of the [lot](#) or [parcel](#) of land, or the conglomeration of [parcels](#) as defined in Section [17.51.020](#).
2. At least forty (40) percent of the [front yard](#) setback area of any [lot](#) shall be landscaped. On any [lot](#), concrete, asphaltic, gravel, or other [driveway](#) surfaces shall not cover more than fifty (50) percent of a [front yard](#).

17.51.125 Screening and Fencing.

1. The following screening and fencing requirements are required in the CF [zone](#):
 - a. A six (6) foot high [site](#) obscuring fence shall be constructed and maintained along any property line between a residential use or residential [zone](#) and a commercial [building](#) in the CF [zone](#) when the commercial [building](#) is closer than 30' from the property line. The fence shall be placed along the property line at an area parallel to the commercial [building](#) and shall extend a minimum of 50' along the property line from both directions from the ends of the [building](#).
 - b. Any commercial [structure](#) closer than 30' to a residential use or residential [zone](#) shall provide a minimum 10' wide tree-lined buffer from the commercial [building](#) to the adjacent residential use or [zone](#). Trees shall be planted at least every 10' along the buffer area adjacent to the residential use or residential [zone](#). Trees must be a minimum of 2" caliper measured one foot off the ground and at least 6' tall when planted. In addition to any required fencing, trees shall be of a variety that will mature to a height of at least 20' tall in order to provide an increased visual barrier between the commercial use and the residential use.
2. For purposes of this chapter, residential [dwelling units](#) and agricultural accessory [buildings](#) in the CF [zone](#) are not considered commercial [structures](#).
3. The [Planning Commission](#) may waive or modify the fencing and/or landscape screening requirement upon findings that the fence and/or landscaping is not needed to protect adjacent residential uses from adverse impacts, or that such impacts can be mitigated in another appropriate manner.

17.51.130 Parking.

1. Each use in the CF [zone](#) shall have, on the same [lot](#) or conglomeration of [parcels](#) as defined in Section [17.51.020](#) above, off-[street](#) parking sufficient to comply with the number of spaces required by Chapter [17.18](#) of the Lindon City Code.

2. Parking spaces in a CF [zone](#) are exempted from the surfacing, striping, and interior landscaping requirements as found in Chapter [17.18](#), but shall be provided with a dustless, hard surface material such as compacted gravel, asphalt, or concrete and shall be provided with a similar hard surfaced access from a public [street](#).
3. No required parking spaces shall be within thirty (30) feet of a front property line.
4. All required ADA parking stalls shall be provided with smooth, hard surface asphalt or concrete paving with a similar surface provided as an ADA accessible pedestrian route between the parking spaces and any public [buildings](#) being accessed from the spaces.

17.51.140 Residential and Agricultural Accessory Buildings.

1. *Accessory Building within the Buildable Area (non-commercial).* Accessory [buildings](#) meeting all setback requirements (within the [buildable area](#)) for the main [dwelling](#) are permitted when in compliance with the following requirements:
 - a. Have a [building](#) height not taller than thirty-five (35) feet. Height to be calculated as per § [17.51.100](#).
 - b. Comply with all [lot](#) coverage requirements.
2. *Accessory Building outside the Buildable Area (non-commercial).* Accessory [buildings](#) that do not meet the setback requirements (outside the [buildable area](#)) for the main [dwelling](#) shall comply with [lot](#) coverage requirements and meet the following:
 - a. Be set back a minimum of thirty (30) feet from the front property line and five feet from any other property line.
 - b. Be set back a minimum of ten (10) feet from property line when located between the main [dwelling](#) and the side property line.
 - c. Not be located within a recorded public utility [easement](#), unless a release can be secured from all public utilities.
 - d. Have an average [building](#) height of no more than twenty (20) feet in height measured at the four corners of the [structure](#) from [finished grade](#) to the highest point of the roof [structure](#).
 - e. Comply with distance between [buildings](#) requirements
3. Accessory [buildings](#) larger than two-hundred (200) square feet shall be required to obtain a [building](#) permit.
4. Construction of an accessory [building](#) may precede the construction of the primary residence.

17.51.150 Other Requirements.

1. Except as otherwise stated within this chapter regarding animal uses in the CF [zone](#), all applicable sections of Title [6](#) of the Lindon City Code (animal regulations) pertains to the CF [zone](#), including setbacks to agricultural [buildings](#) and [corrals](#).
2. *Signage.* Signs allowed within the CF [zone](#) are limited to monument signs, wall signs,

banner signs, flags, directional signs, and temporary display signs (balloons, banners, and pennant flags) as more fully described in Title [18](#) of Lindon City Code. (Ord. 2011-6, amended, 2011)

Item 7: Conditional Use Permit — Geo Automotive and Tire 973 West 240 North, Unit “B”

Herber G. Cordova, Geo Automotive and Tire, requests conditional use permit (CUP) approval for general auto/vehicle repair services to be located at 973 West 240 North, Unit “B”, in the Light Industrial (LI) zone.

<p>Applicant: Herber G. Cordova Presenting Staff: Brandon Snyder</p> <p>General Plan: Mixed Commercial Zone: Light Industrial (LI)</p> <p>Property Owner: John Reid Investment Company (Agent: John A. Reid) Address: 973 West 240 North Parcel ID: 46:615:0002 (Lot 2, Plat A, Mountainview Industrial Park L.C. Subdivision) Lot Size: 1.02 acre(s)</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"> Whether to approve the applicant’s request for a conditional use permit. Whether to impose reasonable conditions to mitigate potential detrimental impacts. <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant’s request for a conditional use permit for general auto/vehicle repair, to be located at 973 West 240 North, Unit “B”, in the Light Industrial (LI) zone, with the following conditions (if any):</p> <ol style="list-style-type: none"> Provide written consent from the property owner granting Geo Auto customers and employees access to and use of the interior restroom; No more than ten (10) inoperable vehicles or those being parked for repairs for longer than seventy-two hours shall be kept on the property, and shall be kept only in the rear gravel storage area per Lindon City Code (LCC) 17.06.040. (This excludes any vehicles that are stored within the building); Install view-obscuring slats in the chain link fence of the rear gravel storage area to obscure the storage of such vehicles from the adjacent public street per LCC 17-06-040; No outdoor storage in the very SW corner of the site (currently fenced off) where the SD catch basin is located, and Provide written consent from the property owner granting Geo Auto (customers and employees) access to and use of six (6) parking stalls in the asphalted and striped parking lot.
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OVERVIEW

- The applicant has requested approval for general auto/vehicle repairs. The Lindon City Land Use Table indicates that “General auto/vehicle repair” is a conditional use in the LI zone.
- The applicant provides vehicular repair services mainly for used car dealerships. The applicant has been operating without a business license or CUP since around March of this year. The applicant’s business plan is attached.

- City records (as of 08/29/2017) indicate two open/active business licenses for this location: Auto City Deals (Used Vehicle Sales Lot and office only. No approval for general auto/vehicle repair.), and Taylor Products (Bathroom accessories supply warehouse, i.e. shower doors and mirrors). Car Finder (Used Vehicle Sales Lot) and Fine Line Footings and Forms (Construction) were previously located on the site.
- The property is part of the Mountainview Industrial Park L.C. Subdivision, which was recorded 06/13/2003 (file 00-076-0 Mountainview). The plat indicates there are two easements: front (north) public utility **easement (PUE) of ten (10') feet, and a rear (south) 25' drainage easement.**
- The applicant is not proposing any changes to the site. The existing site plan was approved 08/25/2004 (Wasatch Building Supply 04-287-2). The approved site plan indicates the south area as a gravel storage yard and detention area. The site plan also shows the SW corner as being the location of a storm drain catch basin inlet. (This is the low point of the property. There should be no storage or dumping.)
- The existing building was constructed in 2005 (BP #a4695-2005).
- A conditional use permit (CUP) was previously granted on 06/14/2006, for Fine Line Footings & Forms and Taylor Products (file 06-424-1). The approval included the condition that the site plan improvements be finalized and approved by City Staff prior to final occupancy. The discussion included the requirement that any junk, waste or scrap to be stored in the storage area would require site obscuring fencing.
- The minimum parking requirements for Geo Automotive are six (6) stalls (1/300 sq. ft. office and 5/service bay). The stalls must be asphalt or concrete per LCC 17.18.080.
- Per LCC 17.06.040, the Planning Commission may approve specific conditions allowing vehicle storage, of operable or inoperable vehicles beyond ten vehicles and for longer than seventy two hours when approved as part of a Conditional Use Permit.

Third Party Public Notices required per LCC section 17.14.50 were mailed on September 1, 2017. No public comments have been received at this time.

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



ANALYSIS

Applicable laws and standards of review

- State Code defines a conditional use as "a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts."
- Section 10-9a-507 of the State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Once granted, a conditional use permit runs with the land.
- State Code further provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah Code § 10-9a-507.
- LCC Section 17.20.060 provides that a conditional use may be denied when:
 - "[U]nder circumstances of the particular case, the proposed use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and there is no practical means available to the applicant to effectively mitigate such detrimental effects;" or,
 - "[T]he applicant cannot or does not give the Planning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with."





RE: **Written Description of Proposed Use** for Geo Automotive Repair and Tire located at: 973 W 240 N, "B" Linton Utah, 84042-1740

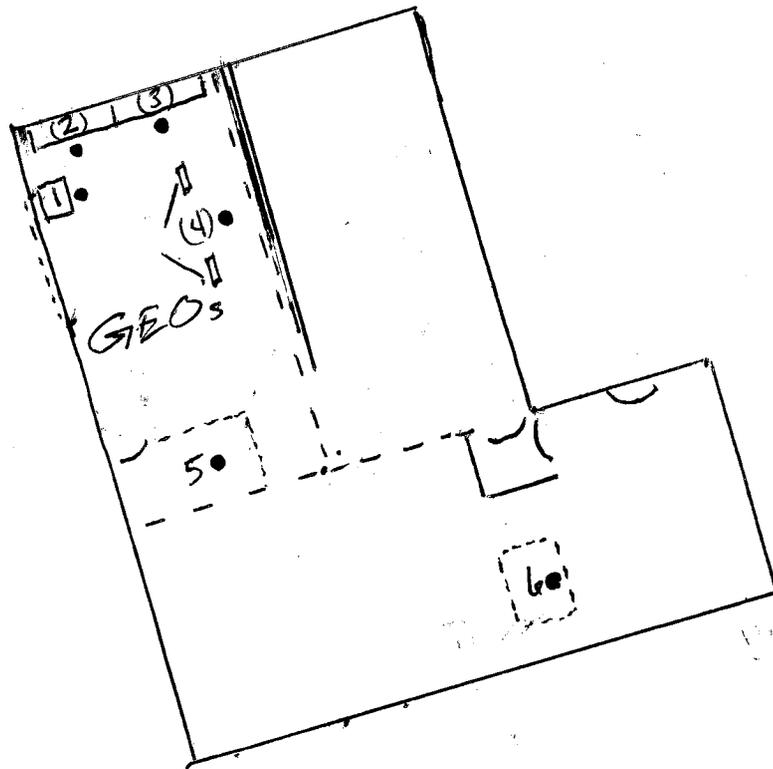
1. Geo Automotive Repair and Tire offers the following services which are characteristic of the daily activity and operations: New Tire Sales, Transmission repair, Timing Belt/Tune Ups, Water Pump repair, Engine Repair and Rebuilds, A/C, Brakes, Shocks and Struts, Oil Changes and Electrical. Hours of operation/occupancy 9:00 a.m. - 6:00 Monday through Saturday, closed Sunday. Herber G. Cordova is the owner and sole employee. It currently shares usage with Auto City Deals and occupies space and access as indicated in the attached Site Plan this location. (See Site Plan and Usage Space)
2. This is a new business and is fully operational at above listed address. It has a operated previously as an extension of another used car dealership, which former location is now occupied solely by Enterprise Rental Car.
3. There will NOT be increases in traffic, light, noise, odor, dust, or pollution generated by the proposed use. Any increase would be due to operations involving Auto City Deals, who currently occupy 75% of the space allotted for business usage. (See Site Plan and Usage Space)
4. "Process Water" is limited to shared Auto City Deals and GEO Automotive Repair and Tire employee/customer bathroom usage. There is sufficient water and sewer capacity to serve the intended land use. (See Site Plan and Usage Space)

Google Maps



Imagery ©2017 Google, Map data ©2017 Google United States 20 ft

1. TIRE REPAIR MACHINE
2. Oil supply
3. Oil Dispense
4. Hydraulic Lift
5. office
6. Bathroom - Shared
7. CUSTOMER Parking
8. TIRE STORAGE
9. Access 240 N.
10. CARS Parking under Repair



9-5-17

To whom it may concern,

Geo Tire company is authorized to use the upstairs office bathroom for his business and customers at the address of 973 W. 400 No. Lindon, UT.

Thank you.

Rob and Shelley Taylor

Taylor Products

A handwritten signature in black ink, appearing to read "Rob Taylor". The signature is fluid and cursive, with the first name "Rob" being more prominent than the last name "Taylor".

Community Development
Lindon City

SEP 08 2017

RECEIVED

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

<p>Applicant: Lindon City Presenting Staff: Hugh Van Wagenen</p> <p>Type of Decision: Legislative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none">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. <p><u>MOTION</u> I move to recommend (<i>approval, denial, continuation</i>) of ordinance amendment 2017-13-O (<i>as presented, with changes</i>).</p>
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BACKGROUND

The City Council has expressed concern that the Lindon Village Commercial zone will fill up before any substantial retail development is located on the corridor. This ordinance will 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. City Staff will present different land use mix examples from the cities of Cottonwood Heights and Lehi. Also, ordinance language recently adopted by Pleasant Grove City to ensure retail development will be reviewed.

Item - : 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 10: New Business (Planning Commissioner Reports)

Item 1 – Subject _____

Discussion

Item 2 – Subject _____

Discussion

Item 3 – Subject _____

Discussion

Item II: Planning Director Report

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