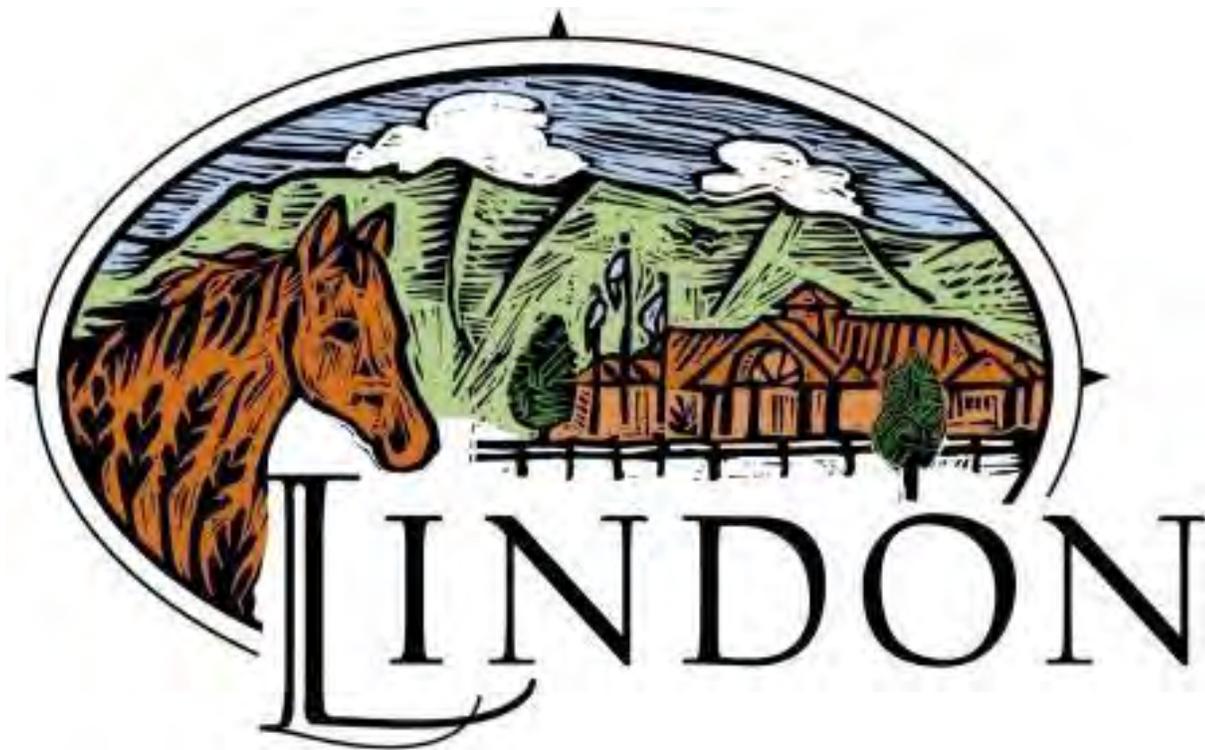


Lindon City Planning Commission Staff Report



June 12, 2018

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, June 12, 2018, 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 04/24/2018 (5/8 and 5/22 were cancelled)

3. Public Comment

(15 minutes)

4. Discussion Item — Lindon City General Plan, Streets and Transportation

Noah Gordon, Lindon City Engineer, and Hugh Van Wagenen, Lindon City Planning & Economic Development Director, will review the Streets and Transportation section with the Planning Commission. This is an informative discussion item only. No motions will be made.

(15 minutes)

5. Plat Amendment — Kirkland Estates Subdivision, Plat P, ~1124 E. 20 S.

Lee Chestnut requests plat amendment approval of the proposed seven (7) lot Kirkland Estates Subdivision, Plat P (Including a vacation of lot 52 of Plat M, lots 50-51 of Plat K, and lots 46-49 of Plat L, in the Kirkland Estates Subdivision.) The proposed plat amendment will add additional acreage to the rear of the existing lots. The subject properties are located at approximately 1124 E. 20 S. - Lindon in the Single-Family Residential (R1-12) zone.

(15 minutes)

6. Public Hearing — Ordinance Amendment, Lindon City Code Title 17 Zoning

Lani Podzikowski requests approval of an amendment to Lindon City Code Title 17 Zoning, to adopt a Residential Business District Overlay zone. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2018-___-O)

(15 minutes)

7. Plat Amendment — Murdock Cars of Lindon Subdivision, Plat C, 530 S. Lindon Parkway

Kevin Hunt, Murdock Auto Group, requests plat amendment approval of the proposed one (1) lot Murdock Cars of Lindon Subdivision, Plat C. The proposal will vacate and combine lots 201 and 202 of the Murdock Cars of Lindon Subdivision, Plat B. The subject property is located at 530 South Lindon Parkway - Lindon in the Planned Commercial (PC-1 and PC-2) zones.

(15 minutes)

8. Public Hearing — Ordinance Amendment, Lindon City Standard Land Use Table

Jacob McHargue, Vineyard City, requests approval of an amendment to the Lindon City Standard Land Use Table to allow overhead power poles/lines (less than 35K) to be permitted west of the commuter railroad tracks. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2018-___-O)

(15 minutes)

9. Conditional Use Permit — G&N Custom Auto Body and Paint, 225 (215) South 800 West

Gary Groves, G&N Custom Auto Body and Paint, requests conditional use permit (CUP) approval for general auto/vehicle repair services to be located at 225 (215) South 800 West, in the Light Industrial (LI) zone.

(15 minutes)

10. Public Hearing — Ordinance Amendment, Lindon City Code 8.20 Public Nuisances

Lindon City requests approval of an amendment to Lindon City Code Section 8.20.030 Nuisance – Definition subsection (2)(cc) Inappropriate Noise. The proposal would be to add hours (10 pm



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

Notice of Meeting

Lindon City Planning Commission



to 7 am) during which Inappropriate Noises are not allowed. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2018-___-O)

11. New Business from Commissioners

12. 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: June 4, 2018

Time: 3:30 p.m.

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

Item I: Call to Order

Lindon City Planning Commission Meeting June 12, 2018

Roll Call:

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

Item 2: Approval of Minutes

Lindon City Planning Commission Meeting April 24, 2018 (May 8 and May 22 Cancelled)

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **April 24, 2018 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: Rob Kallas, Vice Chair
9 Invocation: Mike Vanchiere, Commissioner
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

12 **PRESENT** **EXCUSED**
13 Rob Kallas, Vice Chair Sharon Call, Chairperson
14 Mike Marchbanks, Commissioner
15 Charlie Keller, Commissioner
16 Steven Johnson, Commissioner
17 Mike Vanchiere, Commissioner
18 Hugh Van Wagenen, Planning Director
19 Brandon Snyder, Associate Planner
20 Kathy Moosman, Recorder

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
24 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
25 Planning Commission meeting of April 10, 2018 were reviewed.

26 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
28 OF THE REGULAR MEETING OF APRIL 10, 2018 AS PRESENTED.
29 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN
30 FAVOR. THE MOTION CARRIED.

- 32 3. **PUBLIC COMMENT** – Vice Chair Kallas called for comments from any
33 audience member who wished to address any issue not listed as an agenda item.
34 There were no public comments.

36 **CURRENT BUSINESS** –

- 38 4. **Site Plan — Elite Energy Solutions (EES) Addition, 162 South 1900 (1800)**
39 **West.** Elite Energy Solutions (EES) requests site plan approval for a 7,000 sq. ft.
40 building addition to the existing facility. The property at 162 South 1900 (1800)
41 West, is in the Light Industrial (LI) zone.

42 Vice Chair Kallas invited the applicants, Chet Stevens and Brandon Robbins
44 forward. Brandon Snyder, Associate Planner, gave a brief background of this item
45 stating the applicant is proposing to construct an addition to the south of their existing
46 warehouse. The addition will include office/warehouse space, which is permitted subject
to site plan review. He noted that amended site plans with over a 30% increase in

2 building square footage are required to be brought into substantial compliance with all
current city codes.

4 Mr. Snyder explained the existing site was approved by the Planning Commission
on December 9, 1998. The proposal will be adding additional parking and a new drive
6 approach along the south property line with no sidewalks being required in the LI zone
west of Geneva Road. Third party notices were provided to the adjoining property owners
8 and Staff has received no public comment back at this time. He then referenced the
following property information followed by discussion:

10 *Table Property Information (LCC 17.49)*

	Minimum Requirement	Site
Lot area	1 acre	1 acre
Lot frontage	100 feet	195 feet
Building height	Max: 48 feet	27 feet
Onsite parking stalls and bicycle stalls	22 stalls 2 bicycle stalls	22 stalls 2 bicycle stalls
Building setbacks		
Front	20 feet	36 feet
Rear	0 feet (& no PUE or easement)	22 feet
Side (interior)	0' (20' if without 1-hour firewall)	37 feet

12 Mr. Snyder stated City Staff (Planning, Engineering, and Fire) and the applicant
are working through the technical issues related to the site and will ensure all issues are
14 resolved before final approval of the plans is granted. He noted the Fire Inspector is also
currently reviewing the submitted plans.

16 Mr. Snyder explained the LI zone requires that a landscaped strip twenty (20) feet
in width shall be planted with grass and trees (every 30' on center) along all public street
18 frontages. There is no minimum percentage of landscaping requirement in the LI zone.
The five stalls being added to the south do not trigger any additional interior parking lot
20 landscaping and these requirements are met. No fencing regulations apply as the site is
not adjacent to a residential use or residential zone and the existing chain link fencing to
22 side and rear of the building will remain. Site obscuring gates are being added to the
existing dumpster enclosure.

24 Mr. Snyder further explained that City Code requires that all buildings in the LI
Zone must be "aesthetically pleasing, well-proportioned buildings which blend with the
26 surrounding property and structures." The applicant is proposing to construct the exterior
of the buildings out of metal siding with EIFS (stucco) treatment. All buildings in the LI
28 zone are subject to the following standards:

- Twenty-five percent (25%) minimum of the exterior of all buildings shall be
30 covered with brick decorative block, stucco, wood, or other similar materials as
approved by the Planning commission.

32 Mr. Snyder indicated the applicant has shifted the EIFS (stucco) to the more
34 visible south and east elevations; no net loss of treatment occurs and these requirements
are met. Mr. Snyder stated the applicant is proposing the EIFS to be dark tan and the
36 metal roof and siding will also be tan. He then turned the time over to the applicant for
comment.

2 Mr. Stevens explained their business noting they do retrofit residential insulation
 4 and work through the Dominion Energy Thermwise program. He also explained where
 the stucco and brick will be on the building noting they will meet all requirements. He
 6 added they have been at this site since 2014 and the additional building will be used as a
 rental. Commissioner Keller stated it appears this application meets all standards and the
 requirements are met and staff will ensure all remaining issues are addressed with the
 8 City Engineer. Following discussion, the Commission agreed this looks like it will be a
 nice addition to the area.

10 Vice Chair Kallas asked if there were any further comments or discussion.
 Hearing none he called for a motion.

12
 14 COMMISSIONER KELLER MOVED TO APPROVE THE APPLICANT'S
 REQUEST FOR SITE PLAN APPROVAL FOR ELITE ENERGY SOLUTIONS TO BE
 16 LOCATED AT 162 SOUTH 1900 (1800) WEST, IN THE LIGHT INDUSTRIAL
 ZONE, WITH THE CONDITION THAT THE APPLICANT ADDRESS REMAINING
 PLANNING, FIRE, AND ENGINEERING REVIEW COMMENTS. COMMISSIONER
 18 VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
 FOLLOWS:

20 VICE CHAIR KALLAS AYE
 COMMISSIONER MARCHBANKS AYE
 22 COMMISSIONER KELLER AYE
 COMMISSIONER JOHNSON AYE
 24 COMMISSIONER VANCHIERE AYE
 THE MOTION CARRIED UNANIMOUSLY.

26
 28 5. **Site Plan — RAM Exteriors, 1925 West 200 North.** RAM Exteriors requests
 site plan approval for a 9,000 square foot office/warehouse in the Light Industrial
 (LI) zone. The subject property is located at 1925 West 200 North.

30
 32 Hugh Van Wagenen, Planning Director, led this discussion by giving some
 background of this item noting the applicant, Christopher McCoy, who is in attendance,
 is proposing to construct a 9,100 s.f. building, primarily warehouse with some office
 34 space. The majority of the 2.9 acres will be a gravel storage yard for the construction
 company; the lot is located in the Light Industrial zone.

36 Mr. Van Wagenen stated the parking standards are based on the zone and the
 different uses in the building and their respective square footage as follows:

<i>Required</i>	<i>Provided</i>
Warehouse, 1 stall per 1,000 s.f. (7,529/1000=8	8 spaces
Office, 1 stall per 350 s.f. (2,575/350=8 spaces)	8 spaces
ADA stalls, 1 to 25 spaces require 1 ADA stall	1 ADA
2 per first 50 spaces (2)	2 bike stalls

38
 40 Mr. Van Wagenen explained the Light Industrial zone requires a 20' landscaped
 strip along all street frontages with trees planted within the strip every 30' on center. He
 42 noted this lot is a corner lot and requires a landscape strip along both frontages; however,
 only 400 North is shown with the landscape strip on the plans.

2 Mr. Van Wagenen further explained the submittal that the landscape plan meets
the requirements is a recommended condition of approval. He pointed out that 2000 West
4 does have a unique landscaping requirement due to the ditch along the roadway.

6 Mr. Van Wagenen reminded the Commission that City Code requires that all
buildings in the Light Industrial Zone must be “aesthetically pleasing, well-proportioned
8 buildings which blend with the surrounding property and structures.” He stated Mr.
McCoy is proposing to use a split-faced block wainscoting of four feet with stucco
10 finishes for the remainder of the walls; elevations meet the code requirement. He also
pointed out that twenty-five percent (25%) minimum of the exterior of all buildings shall
12 be covered with brick decorative block, stucco, wood, or other similar materials as
approved by the Planning Commission.

14 Mr. Van Wagenen stated the Code also requires buildings in the LI zone to be
earth-tone colors. The new building will be a light gray stucco with metallic blue
banding with the split faced block being grey. The proposed structure also satisfies
16 setback (20 feet front and 0 feet all others) and height requirements (48 feet) in the LI
zone. Mr. Van Wagenen noted the City Engineer is working through technical issues
18 related to the site and will ensure all engineering related issues are resolved before final
approval is granted.

20 Mr. Van Wagenen then referenced an aerial photo of the site and surrounding
area, Site Plan, Landscape Plan, Elevations of the Proposed Building Addition, and the
22 2000 West profile (with ditch) followed by discussion. He then turned the time over to
the applicant for comment.

24 Mr. McCoy addressed the Commission at this time. He noted they have currently
outgrown their one-acre parcel in Lindon and need to expand to a bigger building. He
26 also explained their business noting they cater to problem stucco and roofing repair
(mostly residential). Mr. McCoy commented they will ensure that all requirements are
28 met and that the building looks very nice. He added they plan to break ground as soon as
the permits are approved.

30 Vice Chair Kallas asked if there were any further comments or discussion.
Hearing none he called for a motion.

32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
34 APPLICANT’S REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION
THAT THE APPLICANT PROVIDE REQUIRED STREET TREES AND
36 LANDSCAPE STRIP ALONG 2000 WEST AS DIRECTED BY STAFF.
COMMISSIONER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
38 RECORDED AS FOLLOWS:

40 VICE CHAIR KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
42 COMMISSIONER KELLER	AYE
COMMISSIONER JOHNSON	AYE
44 COMMISSIONER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 46
48 **6. Concept Review — Norton Retail and Self-Storage, 570 N. State Street -**
Steve Tobias and Patrea Marolf request concept review of the proposed Norton

2 Retail and Self- Storage and associated rezoning, to be located at 570 N. State St.
(identified by Utah County Parcel ID #'s 14-067-0123 and 14-068-0001),
4 currently in the General Commercial (CG) zone.

6 Mr. Snyder opened this agenda item by giving an overview noting this property is
located at approximately 570 North State Street and is currently in the General
8 Commercial (CG) zone (the General Plan Land Use Map identifies this area as
Commercial). He noted the property is currently used for agricultural purposes and the
10 keeping of animals and livestock.

The applicants, Steve Tobias and Patrea Marolf (who are in attendance) are
12 requesting feedback on a proposal to rezone the property from the CG to the General
Commercial Storage (CG-S) zone for storage units. He noted the Lindon City Land Use
14 Table indicates that storage units (Vault Security Storage – Mini-Storage (outdoor
storage by Conditional Use only and is limited to 15% of total storage space and limited
16 to personal recreational vehicles) are only permitted in the Light Industrial (LI), Mixed
Commercial (MC), and General Commercial Storage (CG-S) zones. This concept also
18 indicates the potential for retail/restaurant along State Street.

Mr. Snyder further explained that 570 North currently dead ends into the east side
20 of the property and according to the Street Master Plan Map, 570 North is planned to
continue out to State Street and this proposal would prohibit 570 North directly
22 connecting to State Street. He noted the City Council and Planning Commission
previously heard a request for residential units on this property in 2016 (DR Horton). At
24 that time, it was recognized that this property is important as it is zoned commercially
and has State Street frontage and also has a very deep lot.

Mr. Snyder stated the public works department has previously indicated that there
26 is currently a temporary storm water basin at the end of 570 North (street). He also
questioned if 570 North should continue to either State Street or to 500 North. He noted
28 another option would be to develop 570 North into a cul-de-sac with an improved
turnaround. He added that additional residential lots may or may not be appropriate to
30 plan for at the end of the cul-de-sac and regardless, the temporary storm basin will need
to be addressed. He pointed out an item to consider is how to best reserve or restrict the
32 area along State Street for more desirable commercial uses such as the proposed
retail/restaurant. If the proposal and associated rezoning/master plan changes are
34 considered, the following City Codes (17.48 Commercial Zones) are important for future
design consideration.

- 36 • Landscaping and setbacks in the commercial zones will need to be addressed.
38 Setbacks required from residential: Side or rear yard setback when adjacent to a
residential use or a residential zone = 40'.
- 40 • The site would also be required to have a minimum of twenty percent (20%) of
42 each lot maintained in permanent landscaped open space (in addition to the
landscaping strip along State St.).
- 44 • A masonry or concrete fence, seven feet (7') high shall also be constructed and
maintained along any property line between a nonresidential development and a
residential use or a residential zone.
- 46 • Architectural design standards would also apply. Those codes would help in
48 addressing how to be good neighbors to and transition into the existing
residential.

2 Mr. Snyder then referenced the Lindon City General Plan that indicates the following:

- Methods of protecting residential areas by providing transitions and buffers between residential and commercial areas include increased setbacks, landscaping, restricted land uses, diversion of traffic, controlled noise or light, height limitations, and transitional land uses such as research and development office uses.
- Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available.

12 Mr. Snyder then turned the time over to the applicants for comment. Mr. Tobias addressed the Commission at this time noting he represents the Norton family who has owned the property for many years. The current use is an equestrian center with part agricultural use. Mr. Tobias explained essentially, with this concept plan they are proposing that the road (570 N.) would remain as is and the private roadway would be used for the self-storage facility; he noted it would also meet the required setbacks. Mr. Tobias also spoke on the proposed landscaping and trees they would use every 30 ft. (Hackberry trees) that would provide a lot of coverage and they would also have a masonry fence to provide a good buffer. He noted this would be all around the perimeter and would be very neighborhood friendly.

22 Mr. Tobias pointed out this proposed concept would also lend itself to not taxing Police and Fire resources and would allow frontal commercial use on State Street. He then gave a background of the changing evolution/nature of self-storage units (including two-stories, climate control, elevators, gated entry, 24 hr. security etc.). He noted there would be approximately 600 units (100,000 sq. ft. of storage).

28 At this time Vice Chair Kallas asked the Commissioners to give their thoughts on the presented concept review as follows:

30 Commissioner Johnson commented that the city is struggling with what to do with the small parcels left on State Street. He noted he has a particular interest with this concept as this is in his neighborhood. He stated the concept looks nice but is this where we want it. He pointed out this is a very difficult piece of land and zoned commercially. He is not sure what will happen there but he doesn't have strong feelings either way. The question is how to mitigate the concerns as there are some really nice homes in the area and the neighbors may be impacted.

38 Commissioner Marchbanks stated he doesn't think it's a stretch to compare this to the applicant's existing Ogden facility with the residential component next to it and the street frontage. He thinks this proposed project will look nice with pads for potential other retail on the front. He would also suggest that the applicants do their due diligence with a feasibility study etc. His only concern is with the street drainage issue and the need for a proper turnaround for emergency.

46 Commissioner Keller commented that he personally agrees with a lot of what has been said but pointed out a lot of storage units have been recently approved in the city and questioned if another storage complex located on State Street is warranted. He also has concerns with a two-story building at that location. He does agree it appears to be a

2 nice project but he would hope for commercial use on State Street; he would not be
opposed but feels there are a lot of storage units in the city as well.

4
6 Commissioner Vanchiere commented he has mixed feelings about this concept but
added he looks at projects on their merit. He believes there are two council members that
may resist storage units in this particular area on State Street; the harder sell is the rezone.
8 He has concerns about screening and outdoor RV storage. He would rather see other uses
there, but he does like the retail in front concept and feels it would push it more to
10 favorability; he would consider this proposal after seeing some good concept plans and
renderings and hearing the advice of staff.

12
14 Commissioner Kallas pointed out this is just a rough layout. He also likes
Commissioner Johnson's comment that this is a difficult piece of property because it is
16 deep and narrow and regardless it would need a mixed use to make it work; he also has
concerns with a rezone. He also feels it should be a finished cul-de-sac. He does not like
18 the design of this and feels it should be deeper for him to feel good about it. He pointed
out that Lindon doesn't have much commercial property available and to put storage
units on this piece is unsettling and he would suggest reducing the size. He also has
20 concerns about the west end and what type of commercial development could locate
there. He suggested a redesign would be conducive for him to consider this concept.

22
24 Vice Chair Kallas suggested that the applicant take this concept to the City
Council. Mr. Tobias stated they will make some changes and bring it before the Council.
They also thanked the Commission for their time and valuable input.

26 Vice Chair Kallas asked if there were any further comments or discussion.
Hearing none he moved on to the next agenda item.

28
30 **7. Discussion Item — Lindon City General Plan, Parks and Trails.** Heath
Bateman, Parks & Recreation Director, and Hugh Van Wagenen, Planning &
32 Economic Development Director, will review the Parks and Trails section with
the Planning Commission. This is an informative discussion item only. No
motions will be made.

34
36 Mr. Van Wagenen led this discussion by explaining Heath Bateman, Parks &
Recreation Director, is in attendance to present information regarding the Lindon City
38 General Plan update by reviewing the Parks and Trails section. He noted no formal action
will be taken as this is an informational discussion only. He went on to explain that parks
should be provided to allow for a variety of recreational opportunities to meet the needs
40 of all areas of the community. He pointed out that the planned park locations shown on
the Lindon City Parks & Trails Master Plan Map (provided in the staff report) are
42 generalized and will require additional consideration for final site determination. He then
turned the time over to Mr. Bateman for comment.

44 Mr. Bateman then gave his presentation to the Commission. He noted the parks
in the community are separated into three main classifications as follows:

46 **Community Parks:** Concentrate a broad range of recreational activities for

2 major portions of the City. Community parks typically contain destination amenities such
4 as pavilions, ball fields, rodeo arenas, tennis courts, etc. and are usually 4 acres or larger
6 in size. Community Parks should be located so as to promote accessibility from the entire
community but should be designed so as to not have adverse impacts to residential areas
(i.e., lighting, noise, etc.)

8 **Neighborhood Parks:** Provide basic recreational opportunities, such as grassy areas,
picnic, and playground facilities that are easily accessible to local residents.

10

Trail Head Facilities: Should provide year-round water and trail access for trail
12 users. Some parking locations at trail heads should be considered. Also, after considering
the surroundings and proposed use of the facilities, amenities such as benches, location
14 markers, drinking fountains, or a small restroom may be provided.

16 Mr. Bateman also referenced the future Park Property and Park Property Under
Development including Future Community Parks, Future Neighborhood Parks, and
18 Future Trailhead Facilities. Mr. Bateman then went over the Park and Recreation
Guidelines noting the City should be proactive in expanding, developing, and
20 maintaining its park system. He noted the City should plan for four (4) acres of parks and
trails for every 1000 residents. Mr. Bateman also covered the Trails System Plan
22 Guidelines followed by some general discussion.

24 Following discussion, Mr. Van Wagenen thanked Mr. Bateman for addressing the
Commission with this good information pertinent to the general plan update. Vice Chair
Kallas asked if there were any further comments or discussion. Hearing none he moved
26 on to the next agenda item.

28 8. **New Business: Reports by Commissioners** – Vice Chair Kallas called for any
new business or reports from the Commissioners. There was no new business or
30 reports at this time.

32 9. **Planning Director Report** – Mr. Van Wagenen reported on the following item
followed by discussion.

34

- May is National Bike Month. Bike to Work!

36

Vice Chair Kallas called for any further comments or discussion. Hearing none he
38 called for a motion to adjourn.

40 **ADJOURN** –

42 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
MEETING AT 8:45 PM. COMMISSIONER KELLER SECONDED THE MOTION.
44 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

46

Approved – June 12, 2018

2

Rob Kallas, Vice Chairperson

4

6

Hugh Van Wageningen, Planning Director

DRAFT

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Discussion Item — Lindon City General Plan, Streets and Transportation

Noah Gordon, Lindon City Engineer, and Hugh Van Wagenen, Lindon City Planning & Economic Development Director, will review the Streets and Transportation section with the Planning Commission. This is an informative discussion item only. No motions will be made.

Applicant: Lindon City Presenting Staff: Noah Gordon Type of Decision: N/A Council Action Required: Discussion	SUMMARY OF KEY ISSUES Staff will present information regarding the Lindon City General Plan update by reviewing the Streets and Transportation section. No formal action will be taken at this time.
---	--

STREETS AND TRANSPORTATION

STREETS AND TRANSPORTATION

The Streets and Transportation section of the Lindon City General Plan (Transportation Plan) is designed to provide the goals and guidelines necessary for the planning of safe and efficient movement of people and goods in the City.

Transportation policies impact current and future land use and transportation planning. Through implementation of the Lindon City Street Master Plan Map, the Alternative Transportation Master Plan Map and applicable capital facilities plans, the City can ensure comprehensive and coordinated transportation planning efforts.



The current I-15 freeway expansion project through Utah County is projected to handle traffic demands through 2030.

STREET PLAN GUIDELINES

The primary purpose of the transportation plan is to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development.

The recommendations included in this plan represent street capital improvements that could ultimately be needed if Lindon's entire planning area is fully developed according to the General Plan Land Use Map. It is important to emphasize that the results do not necessarily suggest all needs in the next five, ten, or even twenty

years. Also inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes.

Appropriate use of Lindon's long-range transportation plan should be to:

1. Secure rights-of-way prior to or concurrent with land development.
2. Determine if outlying potential development could degrade existing streets, and consider actions to limit or concentrate future land use densities, if required.
3. Anticipate long-range financial demands and search for additional methods of street improvement funding.

Thus, recommendations of the long-range transportation plan should be noted, but most actual improvements would be tied to future growth.

The street system should accommodate through and local traffic as designed on the Lindon City Street Master Plan Map. The following road classifications are found on the Street Master Plan Map:

- *Freeways* will be designed to safely handle very large volumes of through traffic. Direct access will be limited to widely spaced interchanges. Design, construction, and operations shall be provided by Utah Department of Transportation (UDOT).
- *Arterial Streets* act as main thoroughfares for traffic moving through the City. Full access to adjacent commercial and industrial land uses should be limited.
- *Collector Streets* provide for traffic movement between arterial and local streets, and are identified as Major or Minor collectors. Center left-turn lanes may be provided to allow for greater access and safety. Driveway access should be evenly spaced.
- *Local Streets, Private Streets, and other Public Roads* provide for direct access to adjoining land uses and for local traffic movement.

Alternative modes of transportation, such as mass transit and bicycle routes, should be accommodated as shown on the Alternative Transportation Master Plan Map. The Alternative Transportation Master Plan Map shows anticipated mass transit and bike routes that should be preserved and encouraged. Additionally, 'transit nodes' have been identified at intersecting transit routes where high levels of transit oriented activities are likely to occur. Ordinances should be adopted to protect and encourage future transit oriented opportunities (transit stops, transit parking, expanded transit services, bicycle and pedestrian accommodations/uses, etc.) within these transit nodes.

The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles and pedestrians, reinforces surrounding land development patterns and other City priorities, and enhances regional circulation facilities. Thus, the plan not only promotes and ensures adequate traffic flow and pedestrian safety, but also geometric aesthetics, landscaping enhancements, storm water management, adequate off-street parking, rural charm, and etc., especially in new development areas. Where possible, and within reason, these improvements in existing local roadway areas are encouraged as well. Specific objectives for the circulation system include the following:

1. Planning and design:

- a. The City shall coordinate land use and circulation planning to:
 - provide for the land development opportunities created by major transportation routes and interchanges within and around Lindon;
 - ensure that decisions regarding future land development and roadway construction are closely coordinated and mutually supportive; and
 - ensure that the City retains overall control over the design and location of the major street system within future growth areas.
- b. Planning shall include design of an adequate thoroughfare system within future growth areas and designate sufficient rights-of-way prior to land development or through the plan approval process. Lindon coordinates with Mountainland Association of Governments (MAG) on regional transportation planning.
- c. Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial and industrial areas, public facilities, and other activity centers. Streets in developing areas should provide for the free flow of traffic when the construction is complete.
- d. The City shall establish goals to improve the overall design and appearance of roadways within the community and to ensure that circulation facilities are designed and developed in harmony with adjacent land uses (e.g., treescapes along streets, park strips).
- e. Planning shall minimize non-local and commercial traffic within residential neighborhoods and shall provide for the safe and efficient movement of trucks and service vehicles within the community in a manner that does not adversely affect nearby land-uses.

- f. Planning shall ensure the provision of adequate off-street parking facilities for all settings.
- g. The City shall cooperate appropriately with other public and private agencies in the provision of convenient public transportation services within Lindon, and between Lindon and other destinations and may promote the development of such services, such as light rail or bus rapid transit, park and ride lots, bus stops, van share, etc.. Expanded services should be in general accordance with the Alternative Transportation Master Plan Map.
- h. Road alignments as shown on the Lindon City Street Master Plan Map are shown in approximate locations. Not all roadways required to access and/or develop all lands within the city are shown.

2. Street standards:

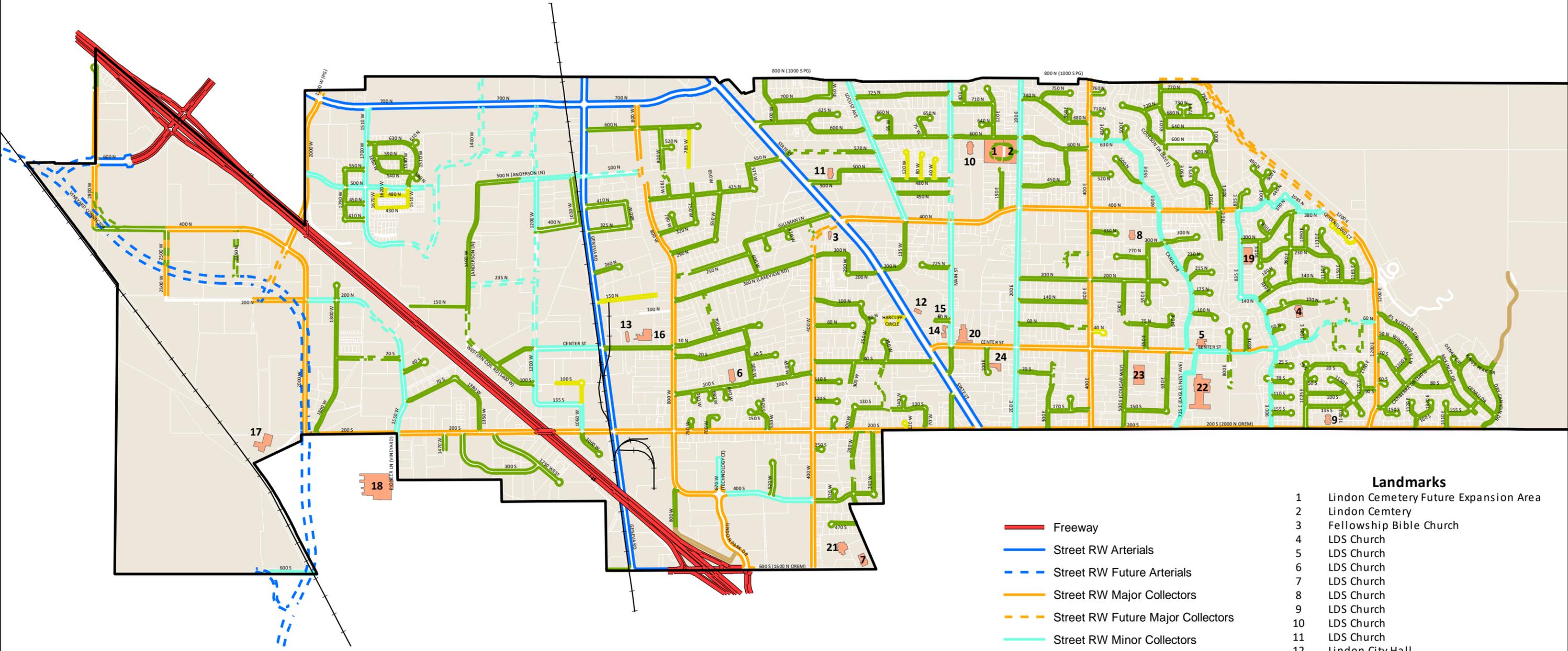
- a. All roadways in the community should have properly designed surfaces with drainage facilities which are in adequate condition.
- b. Through streets are encouraged.
- c. Existing streets should be upgraded (e.g., resurfaced, rebuilt, widened) to minimize congestion. Impact fees should account for upgrades that are required by new development. Private development participates in major street system improvements through street impact fees, dedication of land, and construction of facilities.
- d. Street classification should be determined by projected traffic volumes, desired operation speeds, projected traffic types, projected construction phasing, and location.
- e. Intersections should be located at intervals which maximize street capacities and provide necessary access. Warranted traffic signals should be installed as needed.
- f. Traffic calming should be designed into new development projects and the City should consider possible ordinance amendments to reflect preferred traffic calming measures, such as street trees, throating (chokers), additional striping, landscaped medians, etc. The City will provide for an on-going program to consider implementation of traffic calming improvements onto existing City Streets when deemed necessary.

3. Pedestrian, bicycle, and other standards:

- a. Street lighting shall be consistent with the intensity of adjacent land uses, aesthetics, and the need for public safety. Based on issues such as public safety & neighborhood concerns, the City should bring street lighting in existing developments closer to standards for new development.
- b. The City should provide safe for and convenient bicycle, pedestrian, and equestrian movement on designated sidewalks, trails, and striped road-side shoulders.
- c. Future studies for increased bicycle use and bike route designations should be conducted with specific implementation plans and policies adopted by the city.
- d. In areas with high pedestrian use or where safety is a significant concern (e.g., by schools) the City may promote sidewalks or trails beyond that provided by new development. Pedestrian signals shall be provided only at vehicular signal locations. Crosswalks are generally restricted to intersections. The City may utilize various methods, such as special improvement districts or City funded improvements in undeveloped areas with later assessment at the time of development.
- e. Policies concerning parking facilities are included in the City's Zoning Ordinance

Lindon City Street Master Plan

March 2018



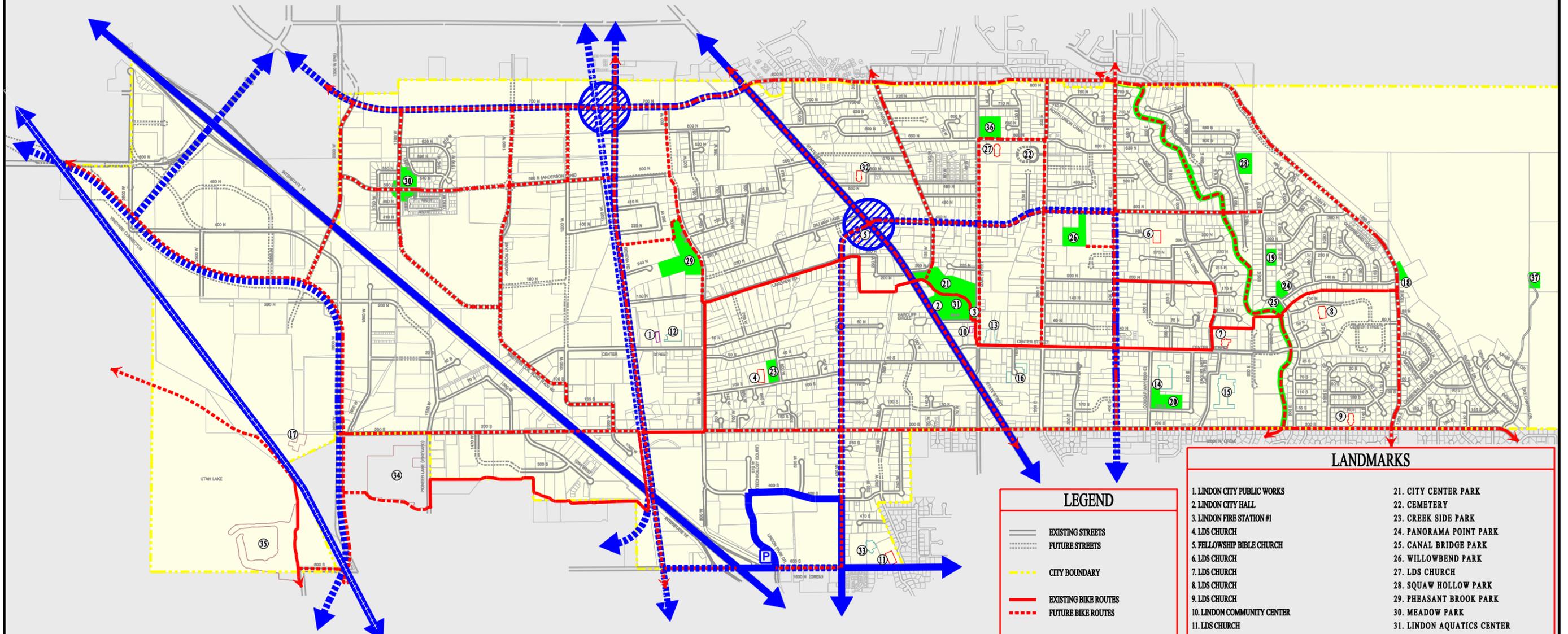
- | | |
|---|--|
| <ul style="list-style-type: none"> — Freeway — Street RW Arterials - - - Street RW Future Arterials — Street RW Major Collectors - - - Street RW Future Major Collectors — Street RW Minor Collectors - - - Street RW Future Minor Collectors — Street RW Local - - - Street RW Future Local — Street RW Private — Street RW Public Other ■ Landmarks | <p style="text-align: center;">Landmarks</p> <ul style="list-style-type: none"> 1 Lindon Cemetery Future Expansion Area 2 Lindon Cemetery 3 Fellowship Bible Church 4 LDS Church 5 LDS Church 6 LDS Church 7 LDS Church 8 LDS Church 9 LDS Church 10 LDS Church 11 LDS Church 12 Lindon City Hall 13 Lindon City Public Works 14 Lindon Community Center 15 Lindon Firestation #1 16 LDS Church Cannery 17 North Point Waste Transfer Station 18 Power Plant 19 Water Tanks 20 Lindon Elementary School 21 Maeser Academy 22 Oak Canyon Jr. High School 23 Rocky Mountain Elementary School 24 Timpanogos Academy |
|---|--|



LINDON CITY ALTERNATIVE TRANSPORTATION MASTER PLAN MAP

NOVEMBER 2011

SCALE 1" = 2000'



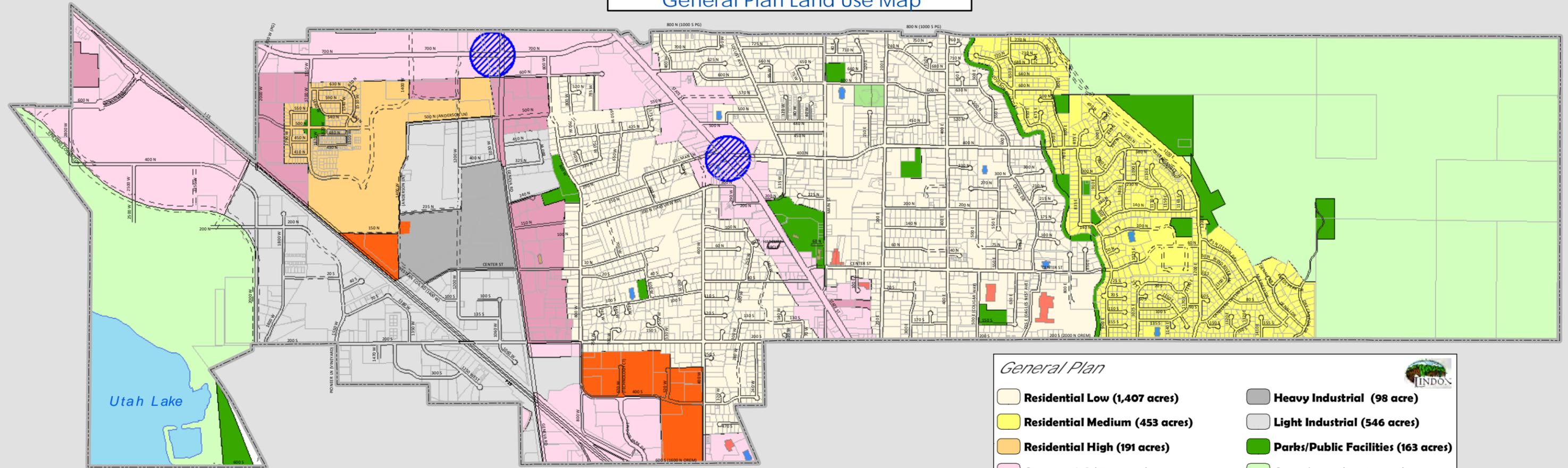
LEGEND

- EXISTING STREETS
- FUTURE STREETS
- CITY BOUNDARY
- EXISTING BIKE ROUTES
- FUTURE BIKE ROUTES
- EXISTING TRANSIT CORRIDOR
- FUTURE TRANSIT CORRIDOR
- COMMUTER RAIL
- FUTURE LIGHT RAIL
- FUTURE TRANSIT NODE
- EXISTING PARK-N-RIDE LOT

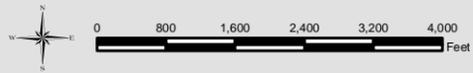
LANDMARKS

1. LINDON CITY PUBLIC WORKS	21. CITY CENTER PARK
2. LINDON CITY HALL	22. CEMETERY
3. LINDON FIRE STATION #1	23. CREEK SIDE PARK
4. LDS CHURCH	24. PANORAMA POINT PARK
5. FELLOWSHIP BIBLE CHURCH	25. CANAL BRIDGE PARK
6. LDS CHURCH	26. WILLOWBEND PARK
7. LDS CHURCH	27. LDS CHURCH
8. LDS CHURCH	28. SQUAW HOLLOW PARK
9. LDS CHURCH	29. PHEASANT BROOK PARK
10. LINDON COMMUNITY CENTER	30. MEADOW PARK
11. LDS CHURCH	31. LINDON AQUATICS CENTER
12. LDS CHURCH CANNERY	32. LDS CHURCH
13. LINDON ELEMENTARY	33. KARL MAESER ACADEMY
14. ROCKY MOUNTAIN ELEMENTARY	34. LAKESIDE POWER PLANT (VINEYARD)
15. OAK CANYON JR. HIGH	35. LINDON MARINA
16. TIMPANOGOS ACADEMY	36. FRYER PARK
17. NORTH POINT WASTE TRANSFER STATION	37. DRY CANYON TRAILHEAD
18. EQUESTRIAN STAGING AREA	
19. WATER TANK PARK	
20. PIONEER PARK	

Lindon City General Plan Land Use Map



Utah Lake



General Plan

- | | |
|--------------------------------------|-------------------------------------|
| Residential Low (1,407 acres) | Heavy Industrial (98 acres) |
| Residential Medium (453 acres) | Light Industrial (546 acres) |
| Residential High (191 acres) | Parks/Public Facilities (163 acres) |
| Commercial (726 acres) | Open Space (1,608 acres) |
| Mixed Commercial (183 acres) | Transit Node (33 acres) |
| Research and Development (102 acres) | |



Printed: March 2018

Item 5: Plat Amendment — Kirkland Estates Subdivision, Plat P, ~1124 E. 20 S.

Lee Chestnut requests plat amendment approval of the proposed seven (7) lot Kirkland Estates Subdivision, Plat P (Including a vacation of lot 52 of Plat M, lots 50-51 of Plat K, and lots 46-49 of Plat L, in the Kirkland Estates Subdivision.) The proposed plat amendment will add additional acreage to the rear of the existing lots. The subject properties are located at approximately 1124 E. 20 S. - Lindon in the Single-Family Residential (R1-12) zone.

<p>Applicant: Lee Chestnut Presenting Staff: Brandon Snyder</p> <p>General Plan: Residential Medium Current Zone: Residential Low Density (R1-12)</p> <p>Property Owners: Croft, Glassford, Kodel, Brown, Hess, Chestnut, and Harrington. Addresses: 1054 E, 1068 E, 1084 E, 1100 E, 1116 E, 1124 E, and 1140 E (20 South) Parcel ID(s): 44:077:0052, 44:072:0051, 44:072:0050, 44:076:0049, 44:076:0048, 44:076:0047, and 44:076:0046. Proposed Lot Size(s): 3.24 acres (total)</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 proposed plat amendment complies with applicable land use regulations. <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for approval of a seven (7) lot subdivision, to be known as the Kirkland Estates Subdivision, Plat P, with the following conditions (if any):</p> <ol style="list-style-type: none">1.2.
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BACKGROUND

1. The proposed plat amendment creates a seven (7) lot subdivision by way of amending/vacating lot 52 of Plat M, lots 50-51 of Plat K, and lots 46-49 of Plat L, in the Kirkland Estates Subdivision. The proposed plat amendment will add additional acreage to the rear of the existing lots. The proposal is not creating any new lots.
2. The recording dates of the previous plats are as follows: Plat K 4/1992, Plat L 7/1992, and Plat M 7/1992.

DISCUSSION & ANALYSIS

Lot Requirements

- Minimum lot size in the R1-12 zone is 12,000 sq. ft. (lots range from 15,800 to 30,200 sq. ft.)
- Minimum lot frontage requirement is 50 feet (measured along public street). (all lots comply)
- Minimum lot width is 100 feet (measured at front yard setback). (all lots comply)

Other Requirements

- The City Engineer is currently addressing engineering standards. All engineering issues will be resolved before final plat approval is granted. The applicant is also addressing water standards.

ATTACHMENTS

1. Proposed subdivision.
2. Aerial photo (existing property lines).

Item 6: Ordinance Creation

17.43 Residential Business Overlay Zone

<p>Applicant: Lani Podzikowski, Island Style Dance Company 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"> Whether to recommend approval of a new ordinance allowing greater business activity from residential properties that are within or near commercial zones and on collector streets. <p><u>MOTION</u></p> <p>I move to recommend (approval, denial, continuance) of the applicant's request for ordinance 2018-7-O with the following conditions (if any):</p> <ol style="list-style-type: none">
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BACKGROUND

This is a request for a new section of code to be added to Title 17 called Residential Business Overlay (RBO) zone. The ordinance gives greater allowances than current home occupation standards in regards to parking, hours of operation, and clients. Unlike the home occupation ordinance, however, only certain properties will be eligible for the overlay based on frontage, size, and proximity to collector roads and commercial zones. Additionally, any property desiring to use the RBO zone would need to apply for a Zone Map change to apply the overlay to a specific property.

Although this request only deals with the zoning text and not the zoning map, it is important to understand why the applicant is making the request and how it pertains to her property.

In 2016, Ms. Podzikowski purchased the property on the corner of Main Street and 200 South (172 South Main). At the time, the property had an old home on it and the property was split zoned with a small corner residential and the majority commercial. With plans to build a new home and operate her existing dance company from the home, Ms. Podzikowski felt the property was a good fit with its proximity to commercial operations.

Ms. Podzikowski was able to demolish the old home and build a new home under City ordinances allowing such, in addition to the small corner of the property being residential. At the time, new construction of a home after demolition of an existing home did not require any public improvements. Upon completion of the home, Ms. Podzikowski obtained a home occupation license and began operating her dance company.

Not long after operations began, City Staff became aware that the number of students and contracted staff was well beyond the home occupation allowances. After many discussions with City Staff on potential solutions to the situation, Ms. Podzikowski decided to apply for a new ordinance, a draft of which is before you.

ANALYSIS

The creation of a new zoning ordinance is always met conservatively as unintended consequences are feared. To alleviate the concern about proliferation of this zone, parameters for property to even be eligible are included in the text. These are:

1. Site requirements for zone eligibility:

- a. Property must have a minimum of fifty (50) feet of street frontage along a major collector road as identified by the Lindon City Street Master Plan Map.*
- b. Property must be a minimum of 30,000 square feet.*
- c. Property must be adjacent to or across the street from a non-residential zone or within a non-residential zone.*

Please see the map in attachment 2 showing which properties within the City would be eligible to apply the zone. Even with eligibility established, an applicant would need approval from the City before the overlay would be in place.

Highlights of the ordinance are:

1. Public improvement requirements can be waived by the City Council.
2. All building and fire codes must be met based on desired occupancy (this can require significant upgrades if using a residence for certain commercial purposes).
3. Business owner must live on-site as primary resident
4. Permitted Uses are:
 - a. Barbers, cosmetologists, manicurists.
 - b. Culinary, Bakery, Food Preparation.
 - c. Consultant or Professional Services with additional employees or contractors.
 - d. Contractor, "handyperson", and landscape or yard maintenance contractor; subject to the special conditions that no construction materials or equipment will be stored on the premises outside of an approved structure.
 - e. Pre-School
 - f. Home instruction including, but not limited to, in-home lessons such as: musical instruments, voice, dance, acting, graphic arts, art, and educational subjects, swimming, tennis, and other athletic instruction.
 - g. Other permitted uses include any land use permissions in the underlying zone.
5. Rear Yard Setbacks are 20 feet to residential zones and 10 feet to non-residential zones.
6. Minimum of eight feet of landscaping is required adjacent to public rights of way.
7. Operating hours are from 7:30 am to 9:00 pm.
8. Ten patrons are allowed per hour for most businesses with preschool and home instruction patrons allowed based on occupancy of the structure as determined by building and fire code.
9. Up to five employees not residing on the property are allowed.
10. Off-street parking requirements are based on type of use
11. Only one permanent sign allowed with parameters for temporary signs

ATTACHMENTS

1. Ordinance 2018-8-O Residential Business Overlay Zone draft
2. Map of properties that meet parameters to request the overlay (will be sent shortly)
3. Current Zoning Map of 172 South Main

ORDINANCE NO. 2018-7-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, CREATING SECTION 17.43 RESIDENTIAL BUSINESS OVERLAY ZONE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to recognize and promote Lindon as a dynamic Utah County community with a distinctive rural environment consistent with its traditional, family-oriented values; and

WHEREAS, the proposed ordinance creation will allow Lindon residents in proximity to collector streets and commercial zones to maximize the use of their property in relation to creating income while providing needed and appreciated services to members of the community; and

WHEREAS, the Lindon City Planning Commission has recommended approval of creation of the Residential Business Overlay zone; and

WHEREAS, a public hearing was held on June 12, 2018, to receive public input and comment regarding the proposed amendment; and

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

WHEREAS, the Council held a public hearing on June 19, 2018, to consider the recommendation and no adverse comments were received.

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

SECTION I: Lindon City Code Section 17.43 is hereby created to read as follows:

17.43

RB RESIDENTIAL/BUSINESS DISTRICT OVERLAY ZONE (RBO):

Purpose Statement: The purpose of the RBO residential/business district overlay is to allow small scale instruction, service, and office uses oriented to the local area within residential neighborhoods along higher volume streets and/or within or adjacent to non-residential zones. Development is intended to be pedestrian oriented while acknowledging the need for automobile access and parking. The standards for the district are intended to promote appropriate scaled building and site design that focuses on compatibility with existing uses. The RBO is not intended to replace home occupation permits available in residential zones throughout the city as outlined in LCC 17.04.400.

1. Site requirements for zone eligibility:
 - a. Property must have a minimum of fifty (50) feet of street frontage along a major collector road as identified by the Lindon City Street Master Plan Map.
 - b. Property must be a minimum of 30,000 square feet.
 - c. Property must be adjacent to or across the street from a non-residential zone or within a non-residential zone.

2 d. Property may be required to have street improvements including curb, gutter, and
sidewalk along all street frontage; however, an exception may be granted for any or all
of these improvements by city council at the time of zoning approval.

4 i. When such improvements are required to be constructed, the final
improvement design shall be reviewed by the City Engineer who has the
6 authority to approve such plans.

8 1. Prior to commencement of business activities, required improvements
shall be completed or, alternatively bonded for according to Chapter
17.38 of the Lindon City Code.

10 2. Prior to final acceptance by the city of any public improvements a
warranty bond in the amount of 10% of the total cost of those
12 improvements shall be posted by the applicant to warrant workmanship
of those improvements.

14 3. Failure to meet the obligations described above will, at minimum, result
in the denial and/or revocation of any business license associated with
16 the property in question.

18 ii. If any exception for construction of public improvements is granted by the city
council, including postponement of such improvements to a future date, a
development agreement shall be required which outlines those exceptions,
20 unless, in such cases a waiver of the obligation for all public improvements is
granted.

22
24 2. No business activity shall be conducted without first obtaining a business license pursuant to
this chapter and LCC 5.04.

26 a. Additional business license application requirements in the RBO zone include:

28 i. Floor plan of all rooms within buildings in which business activities will be
conducted.

30 1. As determined by the Chief Building Official, a life safety plan showing
emergency egress as prepared by a design professional may be required
depending on the occupant load where the business activity is
32 conducted. All interior layouts and uses shall be provided to the Chief
Building Official for review and approval.

34 ii. Site plan of property drawn to scale, identifying parking areas, building
dimensions and distances between buildings and to property lines.

36 iii. Written documentation that the property is the primary residence of the
applicant.

38 3. The City Administrator, or his/her appointed designee, may grant a business license in the RBO
zone, provided the use applied for meets all of the standards set forth in this Section.

40 4. Permitted Uses

42 The following business activities, which either require a client to come to the home or which
may result in neighborhood impacts if not properly managed, are authorized within an RBO
44 upon receipt of a business license and pursuant to the standards specified in this section:

46 a. Barbers, cosmetologists, manicurists.

b. Culinary, Bakery, Food Preparation.

-
- c. Consultant or Professional Services with additional employees or contractors.
 - d. Contractor, “handyperson”, and landscape or yard maintenance contractor; subject to the special conditions that no construction materials or equipment will be stored on the premises outside of an approved structure.
 - e. Pre-School
 - f. Home instruction including, but not limited to, in-home lessons such as: musical instruments, voice, dance, acting, graphic arts, art, and educational subjects, swimming, tennis, and other athletic instruction.
 - g. Other permitted uses include any land use permissions in the underlying zone.

5. Site and Building Requirements

- a. Any business activity occupying more than 500 square feet or more than 25% of the total space of a residence must comply with current building code requirements as determined by the Chief Building Official as determined by use, occupancy and type of construction.
- b. Maximum Building Height in an RBO in a primarily residential area is thirty-five (35) feet. In cases where the RBO is in a non-residential area the city council may allow up to ten (10) additional feet or a height equal to the building in the surrounding area.
- c. Minimum Yard/Setback Requirements shall be the same as the underlying zone with the following exceptions:
 - i. Rear Yard Setback: Twenty (20’) when abutting residential zones. For properties which abut non-residential zones the setback shall be ten (10) feet.
 - ii. Accessory Buildings and Structures in Yards: Accessory buildings and structures may be located in a required side or rear yard area so long as they are setback from all property a minimum of five (5) feet and do not encroach into any easement unless proper approvals are obtained from the easement holder.
- d. Required Landscape Yards: All front and corner side yards shall be maintained in landscaping with vegetation in a living, healthy condition. A minimum of eight (8) feet of landscaping is required adjacent to all public rights of way. A minimum of twenty-five (25) percent of the lot must be maintained in landscape area.
 - i. If parking areas are within twenty-four (24) feet of the property line additional landscape buffering or fencing shall be required to shield the parking area.
- e. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed sixty (60) percent of the lot area.
- f. Design Standards: All principal buildings within residential zones constructed or remodeled after {insert date of adoption}, shall conform to the following design standards:
 - i. The remodeling of residential buildings or new construction within the overlay for business use shall be allowed only if the residential character of the exterior is maintained;
 - ii. Building orientation shall be to the street or side street on corner lots; and
 - iii. Building additions shall consist of materials, color and exterior building design consistent with the existing structure, unless the entire structure is resurfaced.

-
- 2 6. There shall be no external evidence of the business activity, (except as may be required by State
4 law or City ordinance) nor any exterior displays, displays of goods, nor advertising signs (except
6 as allowed by this section) visible from outside of the building. It shall not be permitted to
8 conduct any activity outside the primary structure with the following exceptions: instruction for
10 athletics, e.g. swimming and tennis. It shall not be permitted to store materials or products,
12 including vehicles and equipment for business use, outside the primary structure unless it is
14 within an accessory structure approved as part of the business or obscured from view by a
16 fencing or other means of screening.
- 17 7. Properties within the overlay that are located within a residential neighborhood shall not
18 generate business traffic between the hours of nine o'clock (9:00) P.M. and seven-thirty (7:30)
20 A.M.
- 21 8. Businesses should not create the demand for more than ten (10) patrons per hour, with the
22 exception of Preschool and Home Instruction. In the case of Preschool and Home Instruction the
24 number of participants shall be determined by maximum occupancy load as determined by the
26 Fire Inspector and Chief Building Official based on the prevailing International Building Code and
International Fire Code. Small businesses of this nature are encouraged to stagger
classes/sessions/start-time so as to minimize the impact of vehicle trips and parking
requirement.
- 27 9. Business activities with additional employees or contractors as is necessary or practical, may
28 have up to five (5) employees or contractors not residing on the premises, during appropriate
29 business hours to work at the location, if required off-street parking is provided for the
30 employee(s) per paragraph 10.

31 10. Parking and Vehicular Traffic

- 32 a. Parking spaces in a RBO zone are exempted from the surfacing, striping, and interior
33 landscaping requirements as found in Chapter [17.18](#), but shall be provided with a
34 dustless, hard surface material such as compacted gravel, asphalt, or concrete and shall
35 be provided with a similar hard surfaced access from a public street.
- 36 b. Parking stalls shall be nine (9) feet wide by eighteen (18) feet long.
- 37 c. Parking areas shall comply with current ADA standards and section 5(d)(i) above.
- 38 d. An ADA accessible route shall be required per the applicable ADA building standards.
- 39 e. Customer off-street parking shall be provided based on the business activity as follows:
- 40 i. Barbers, cosmetologists, manicurists: one (1) stall for every customer chair
- 41 ii. Culinary, Bakery, Food Prep: one (1) stall per 350 square feet of service area
- 42 iii. Consultant or Professional Services with additional employees or contractors:
one (1) stall per 350 square feet of office area
- iv. Contractor, "handyperson", and landscape or yard maintenance contractor: one
(1) stall per 350 square feet of office area
- v. Pre-School: one (1) per ten (10) children
- vi. Home instruction: one (1) per six (6) students on-site at peak operational hours.

-
- f. Employee/contractor parking shall be provided off-street at the rate of one (1) stall per employee on the premises at peak operational hours.
 - g. All residents, visitors, and employees/contractors who arrive at the property shall be legally parked on the lot occupied by the residence/business or on that part of the street that immediately abuts the lot.
 - h. For Home Instruction a plan showing pick up and drop off zones with the associated traffic patterns requires City Engineer review and approval.

11. No excessive or offensive noise, dust, odor, smoke, or light, shall be emitted which is discernable 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.

12. Shall have no more than one (1) permanent sign, not larger than six and one-half (6.5) square feet, attached to the building. The sign shall be aesthetically pleasing and made of similar materials and colors as the building to which it is attached. The sign shall not be directly lit. One temporary sign shall also be allowed up to four (4) square feet and not to exceed eight (8) square feet combine, if double sided, to be displayed during operating hours.

- a. Temporary signs for the purposes of advertising events, sales or promotions may be allowed with the approval of the Planning Director. Such signs shall not be larger than thirty-two (32) square feet and must be supported horizontally to prevent sagging.
- b. Temporary signs cannot be displayed for more than a continuous two-week period of time and no more than eight (8) weeks in a calendar year.
- c. No wind socks, inflatable, flags or fence signs will be allowed in residential areas.

13. Comply with all applicable Building Code, Occupancy Requirements and Fire Codes as adopted by the City.

14. Businesses within the overlay shall be good neighbors and mindful of possible impacts their activities have on the residential character of the neighborhood. All business licenses within the RBO are reviewable upon written complaint to the Planning Commission. The Planning Commission, in reviewing such complaints, shall have the authority to attach conditions to a home occupation to make it compatible with the surrounding neighborhood. If the Planning Commission makes a finding that the home occupation is not compatible with the surrounding neighborhood they shall have the authority to revoke such permit.

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

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



130 SOUTH

70 WEST

MAIN

STATE

172 South Main Street

200 SOUTH

520 WEST

860 WEST

800 WEST

STATE

Item 7: Plat Amendment — Murdock Cars of Lindon Subdivision, Plat C, 530 S. Lindon Parkway

Kevin Hunt, Murdock Auto Group, requests plat amendment approval of the proposed one (1) lot Murdock Cars of Lindon Subdivision, Plat C. The proposal will vacate and combine lots 201 and 202 of the Murdock Cars of Lindon Subdivision, Plat B. The subject property is located at 530 South Lindon Parkway - Lindon in the Planned Commercial (PC-1 and PC-2) zones.

<p>Applicant: Kevin Hunt, Murdock Auto Group Presenting Staff: Brandon Snyder</p> <p>General Plan: Commercial Current Zone(s): PC-1 and PC-2</p> <p>Property Owners: Murdock Hyundai – Real Estate LLC Addresses: 530 South Lindon Parkway and 452 South Lindon Park Dr. Parcel ID(s): 46:937:0202 and 46:937:0201 Proposed Lot Size(s): 9.29 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"> Whether the proposed plat amendment complies with applicable land use regulations. <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant’s request for approval of a one (1) lot subdivision, to be known as the Murdock Cars of Lindon Subdivision, Plat C, with the following conditions (if any):</p> <ol style="list-style-type: none"> Prior to the plat being recorded that the parent parcels be rezoned to the same zoning designation or that the zoning text (City Code) be amended doing away with the split zoning prohibition, and Verify address.
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BACKGROUND

- The proposed plat amendment will combine two lots to create a one (1) lot subdivision. The proposal is not creating any new lots.
- The previous plat was recorded 12/2015.
- The application follows the recent change (Ordinance No. 2018-6-O) to the Lindon City Standard Land Use Table that permits vehicle service centers in conjunction with a new vehicle dealership.
- Lot 202 is currently in the PC-1 zone. Lot 201 is currently in the PC-2 zone. Lindon City Code (LCC) 17.33.040(1)(e), requires that “*the plat amendment will not result in a property that is in more than one zone (split zoning), unless that property was already in more than one zone.*” Please note the requested condition listed to address this code requirement. With direction from the Planning Commission, staff can begin the process to address the condition.



Differences between the PC-1 and PC-2 zones:

	PC-1	PC-2
LAND USE TABLE: USED CARS/TRUCKS – USED VEHICLE SALES LOTS (<i>NEW VEHICLE DEALERSHIPS ARE A CONDITIONAL USE IN BOTH ZONES</i>)	NOT PERMITTED	CONDITIONAL USE
LAND USE TABLE: AUTO TIRE SHOPS / TIRE SALES / TIRE SERVICES (<i>AUTO LUBE & TUNE-UP AND GENERAL AUTO / VEHICLE REPAIR ARE NOT PERMITTED IN EITHER ZONE</i>)	CONDITIONAL USE	NOT PERMITTED
LAND USE TABLE: LEGAL SERVICES, ENGINEERING AND ARCHITECTURAL, EDUCATION AND SCIENTIFIC RESEARCH, ACCOUNTING, AUDITING AND BOOKKEEPING, URBAN PLANNING,	PERMITTED	NOT PERMITTED
LCC 18.03.030 BALLOON SIGNS	PERMITTED	NOT PERMITTED
LCC 18.03.030 CHANGEABLE COPY SIGNS - MANUAL	PERMITTED	NOT PERMITTED
LCC 18.03.030 WALL SIGNS	PERMITTED	NOT PERMITTED

DISCUSSION & ANALYSIS

Lot Requirements

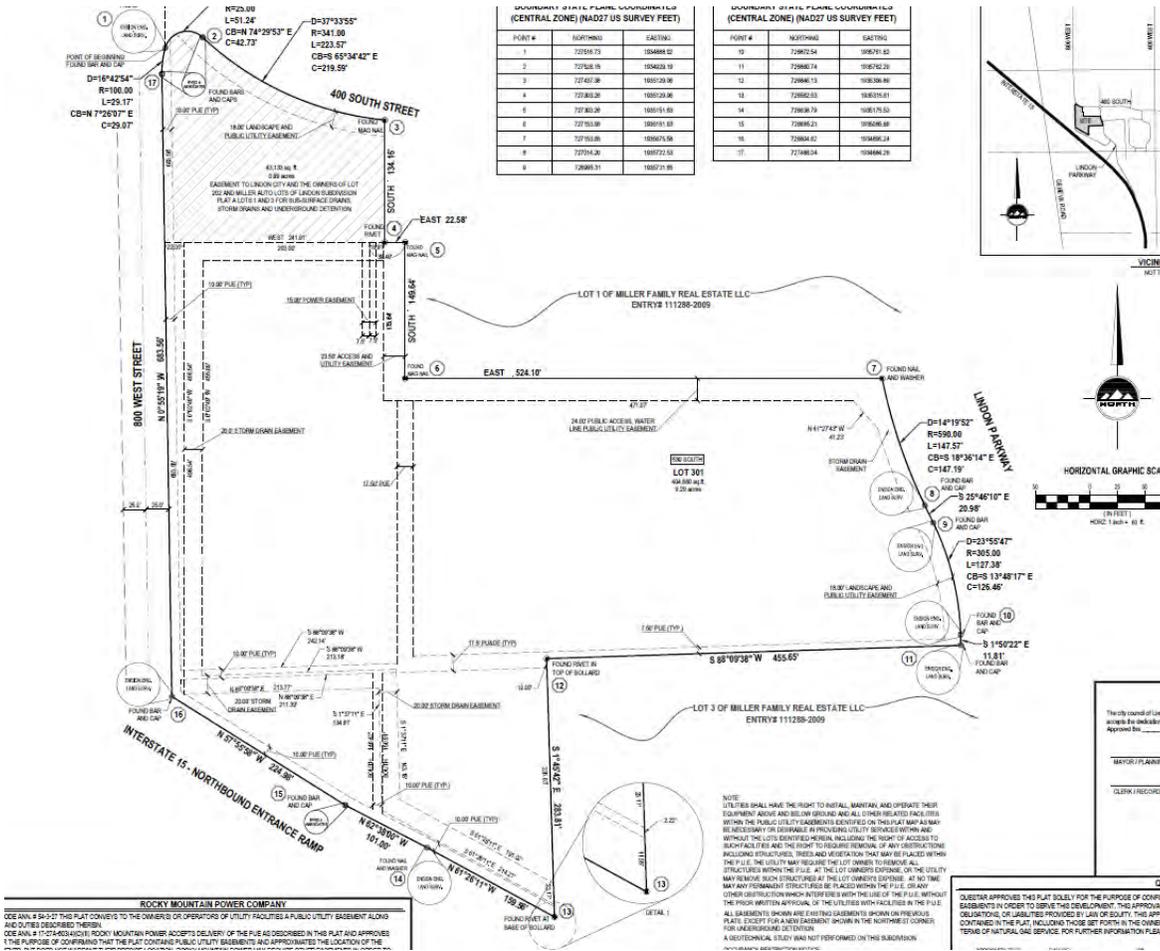
- Minimum lot size in both the PC-1 and PC-2 zones is 1 acre (lot is 9.29 acres)

Other Requirements

- The City Engineer is currently addressing engineering standards. All engineering issues will be resolved before final plat approval is granted.

ATTACHMENTS

1. Proposed subdivision.
2. Aerial photo (existing property lines).





Item 8: Ordinance Amendment, Lindon City Code Standard Land Use Table, Overhead Powerlines

<p>Applicant: Vineyard 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"> Whether it is in the public interest to allow above ground Electric Utility Lines less than 35 kV west of the commuter railroad lines. <p><u>MOTION</u></p> <p>I move to recommend (<i>approval, denial, continuation</i>) of ordinance amendment 2018-8-O (<i>as presented, with changes</i>).</p>
--	---

BACKGROUND

The explosive growth of Vineyard City requires additional Rocky Mountain power lines from a local substation to service the area. This service is designed to cross Lindon City property at the Geneva Park property near the boat harbor. Please see the attached map showing proposed power line run (attachment 1). Due to the demands of growth, time is of the essence to build the new line.

Lindon’s Standard Land Use Table does not permit above ground electrical utility lines that are less than 35 kilovolts (think typical distribution lines to residential homes; see graphic in attachment 4). The line requested is 12.5 kV. In order to facilitate the construction of the needed lines, Vineyard City is requesting a change to the Standard Land Use Table to allow such lines west of the commuter railroad tracks (see attachment 2) that are less than 35kV.

ANALYSIS

The requested change to the Standard Land Use Table reads as follows:

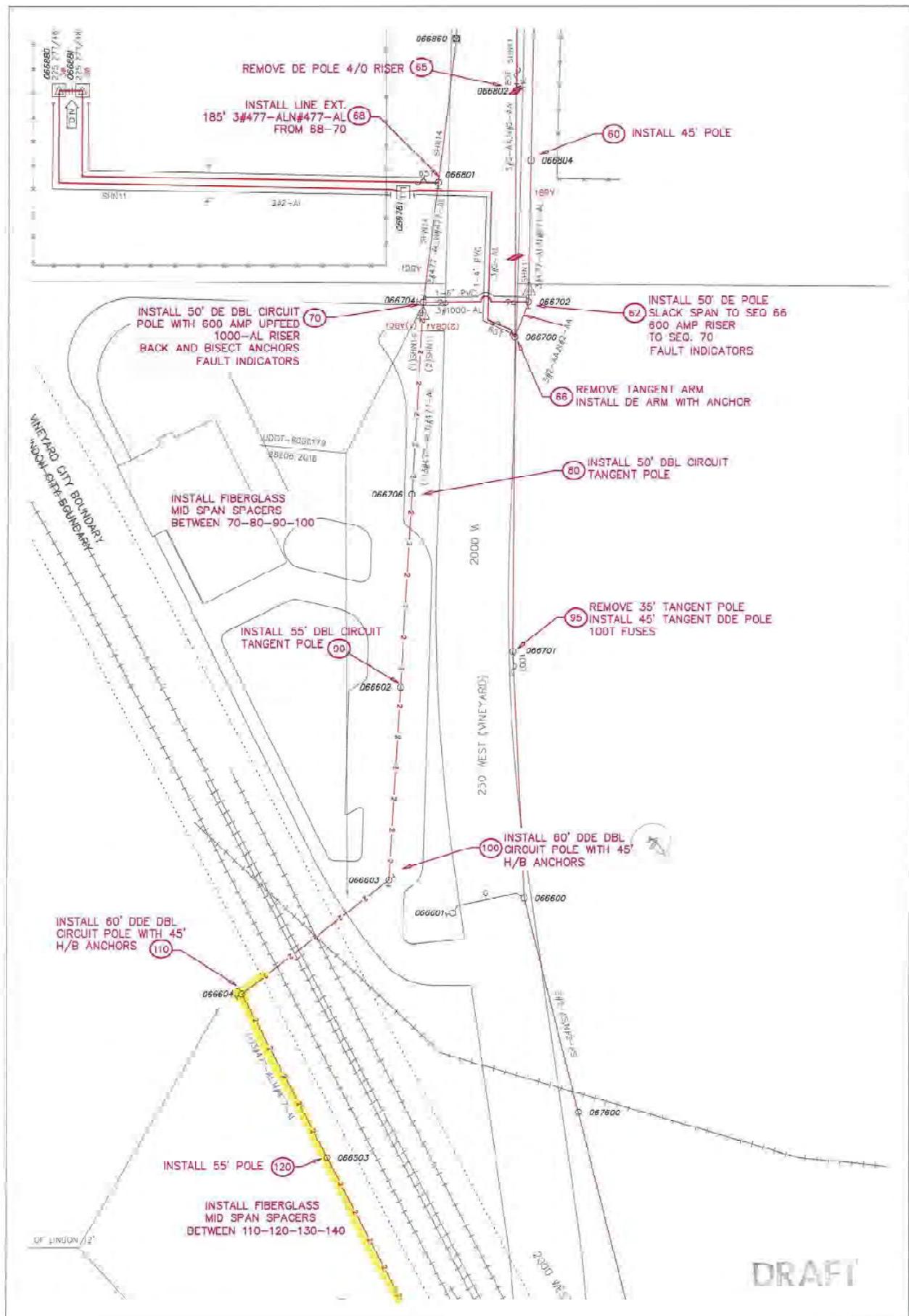
Lindon City Appendix A

STANDARD LAND USE TABLE BY ZONE														
Parking Group	Permitted Primary Uses	Residential	Mixed Rec.		Commercial*							Industrial		R&B
		(R1-12, R1-20, R3)	RMU-W	RMU-E	PC-1	PC-2	CG	CG-A	CG-A8	CG-S	MC	HI	LI	
4000	Electric Utility Lines - above ground and less than 35 kV (<i>lines located west of commuter railroad tracks are permitted</i>)	N	N	N	N	N	N	N	N	N	N	N	N	N

Staff is comfortable with this request because of its limited area of impact and the fact that Lindon has initiated a boundary change with Vineyard City to place this property in Vineyard (see attachment 3). This boundary change stems from Lindon’s sale of city owned property to Vineyard for their public works yard. The ordinance request is based on timing, as the power line needs to get constructed as soon as possible, but the Lindon/Vineyard border change may take months to take effect.

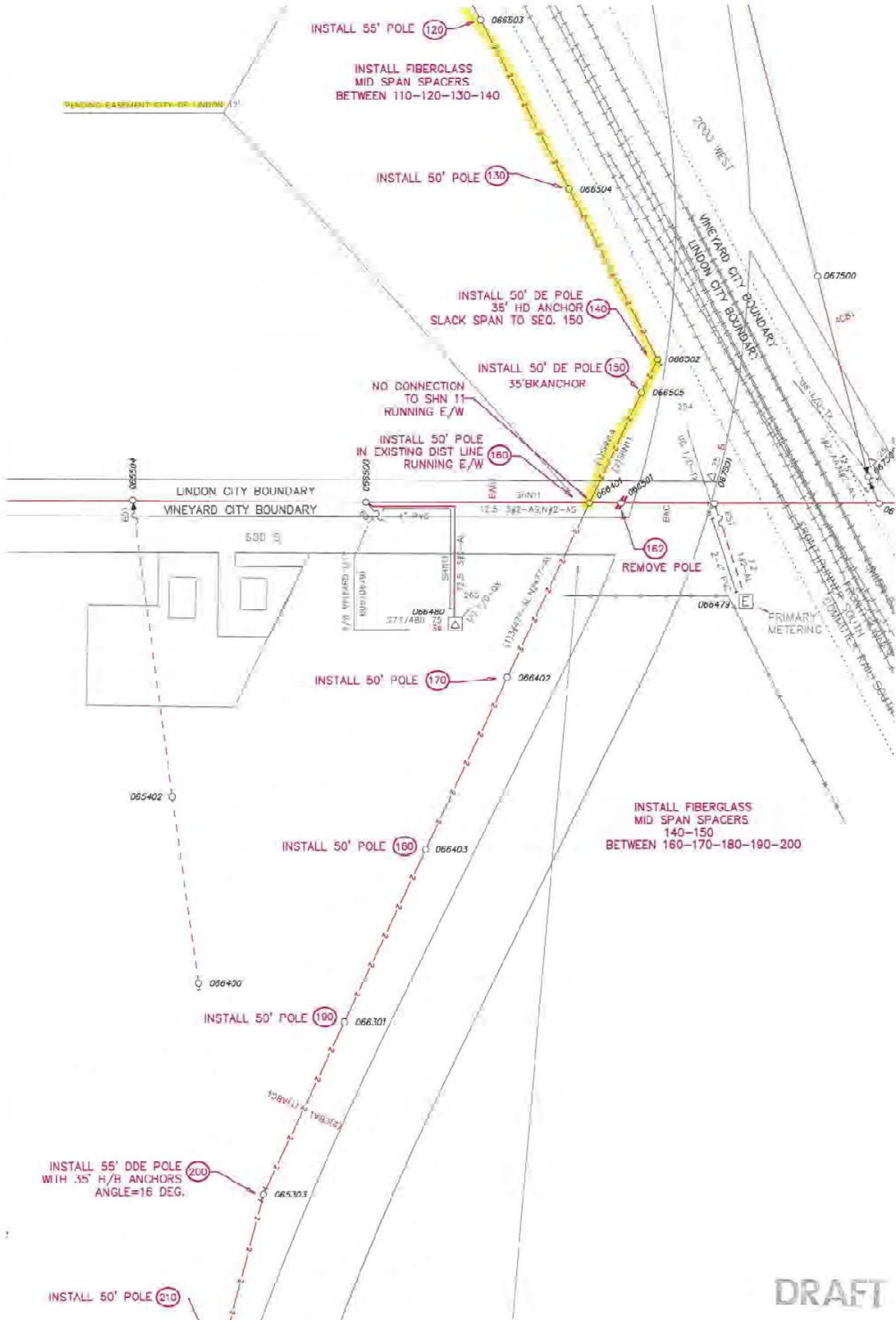
ATTACHMENTS

- Proposed power line alignment
- Location of commuter railroad tracks
- Lindon/Vineyard Boundary Adjustment
- Types of power lines graphic
- Street View of existing area where new lines are proposed
- 2018-8-O



DRAFT

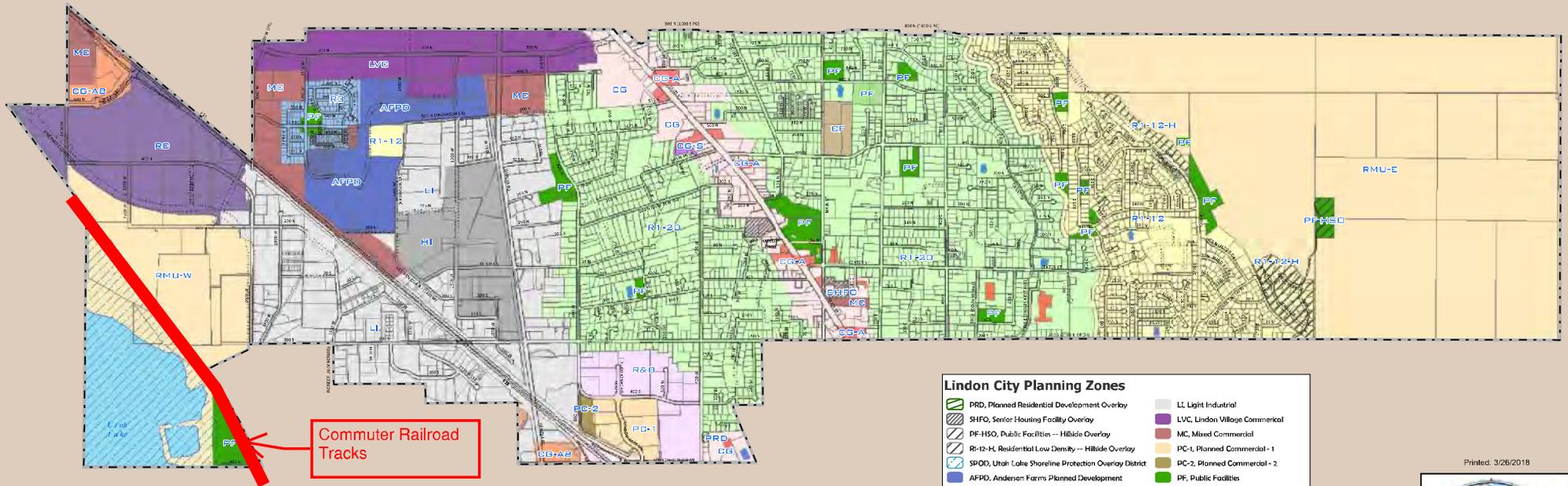
Foreman		Emp #		Job Start Date		 PACIFICORP <small>A BENSHEE HATHAWAY ENERGY COMPANY</small>
CCC#	WO# / REQ#	Map Sheet	Job Complete Date			
11421	006068179	11408002.0				2 of 10
CUSTOMER: VINEYARD CITY ADDRESS: 200 S 2000 W LONDON (AKERSIDE PLAN)-000-400 W Vineyard			Sheet	Drawn	Checked	EST ID# 11280
			SH111	WJH	WJH	Print Date 04/16/18
						Scale 1"=100'



DRAFT

Foreman		Emp. #	Job Start Date	<p>PACIFICORP A REPUBLIC ENERGY COMPANY</p> <p>3 = 10</p>
Job #	W# / W#W	Map String	Job Complete Date	
11421	006068179	11406002.0		<p>Scale: 1"=100'</p> <p>Print Date: 04/16/18</p> <p>EST ID#: 11280</p>
CUSTOMER: VINEYARD CITY ADDRESS: 200 S 2000 W LONDON LAKESIDE PLANT-800-400 N Vineyard		Sheet	Sheet Size	
		SHN11	1100	

Lindon City Zoning Map



Commuter Railroad Tracks

Lindon City Planning Zones

PRD, Planned Residential Development Overlay	LI, Light Industrial
SHFO, Senior Housing Facility Overlay	LVC, Lindon Village Commercial
PF-HSO, Public Facilities - Hillside Overlay	MC, Mixed Commercial
R1-12-H, Residential Low Density - Hillside Overlay	PC-1, Planned Commercial - 1
SPOD, Utah Lake Shoreline Protection Overlay District	PC-2, Planned Commercial - 2
APPD, Anderson Farms Planned Development	PF, Public Facilities
CF, Commercial Farm	RB, Research & Business
CG, General Commercial	R1-12, Residential Low Density
CG-A, General Commercial A	R1-20, Residential Very Low Density
CG-AB, General Commercial AB	R3, Residential High Density
CG-5, General Commercial Storage	RMU-E, Recreational Mixed Use - East
RC, Regional Commercial	RMU-W, Recreational Mixed Use - West
HI, Heavy Industrial	

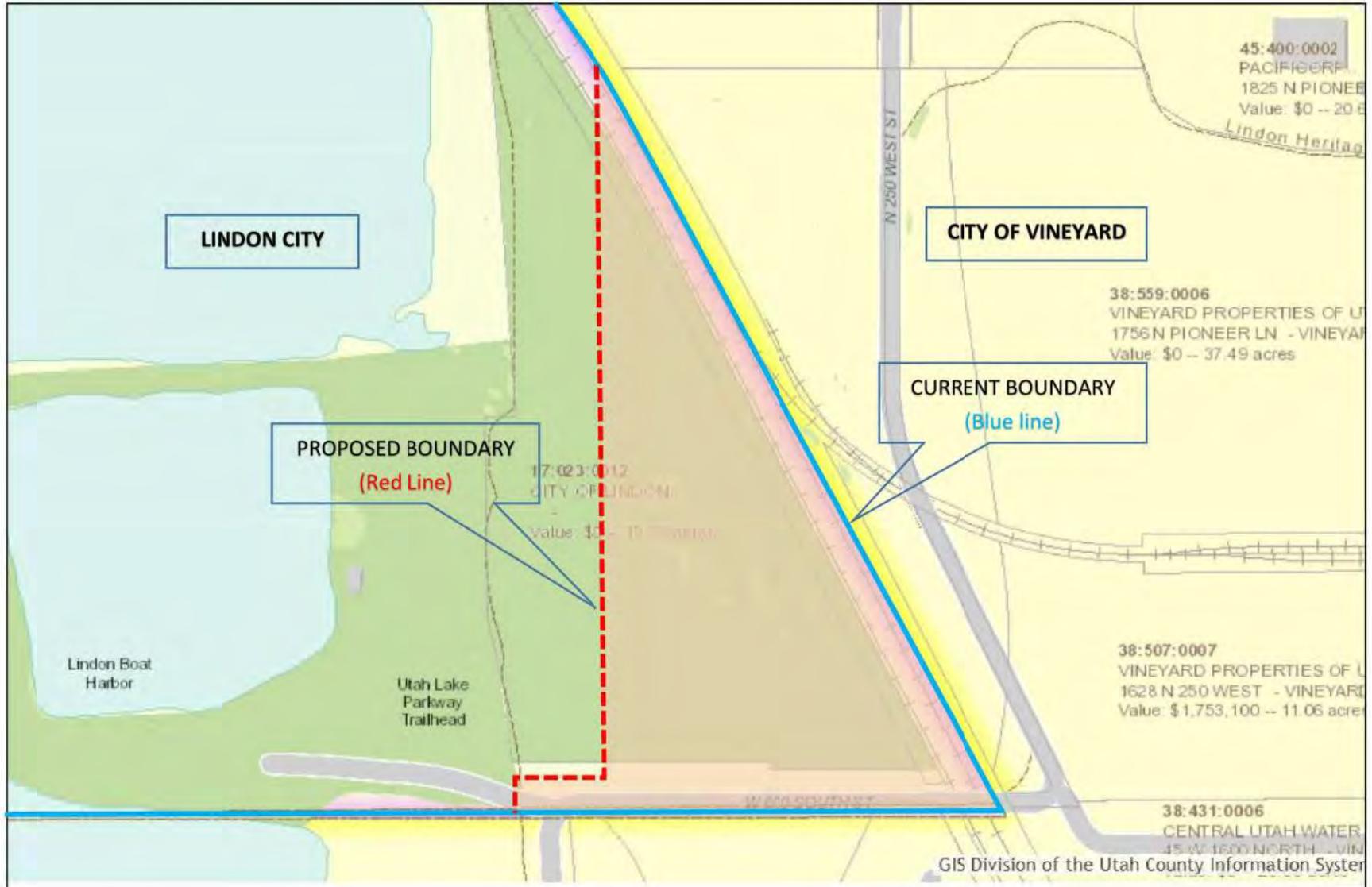


Printed: 3/26/2018



Exhibit A

Approximate location of **current** vs **proposed** boundary change between Lindon and Vineyard.



Types of power lines

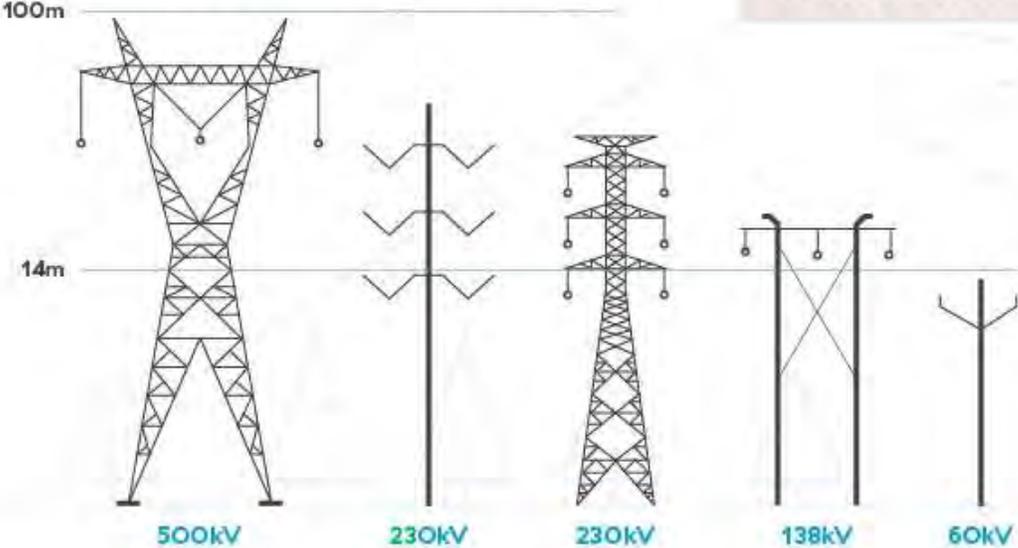
We rely on a system of transmission towers and power lines to carry the electricity produced at our generating stations to the homes and businesses in B.C.

Transmission lines

Transmission lines are the big, high voltage power lines that bring electricity from where it's made at our generating stations to substations near communities across B.C.

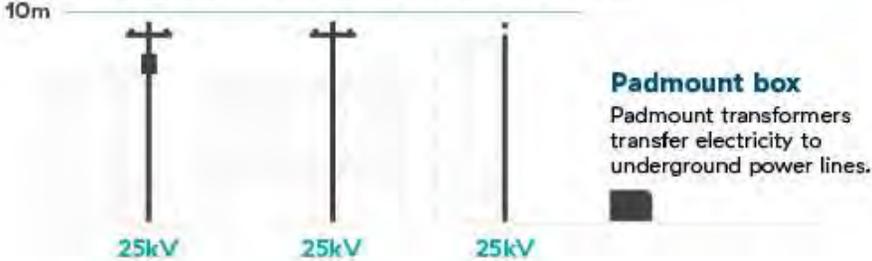
What's a kV?

kV stands for kilovolt, which is a unit of potential energy. One kV is equal to 1,000 volts.



Distribution lines

Distribution lines are the smaller, lower voltage lines that carry electricity from the substation to your home or business.



Padmount box

Padmount transformers transfer electricity to underground power lines.

815-910

Source: <https://www.bchydro.com/content/dam/BCHydro/customer-portal/graphics/info-charts-graphs/types-of-lines-infographic.jpg>

4280 W Vineyard Rd
Lindon, Utah

Attachment 5

Google, Inc.

Street View - Aug 2012



LINDON CITY CODE

ORDINANCE NO. 2018-8-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING THE STANDARD LAND USE TABLE OF THE LINDON CITY CODE TO AMEND USE PERMISSIONS FOR LOCATIONS OF ABOVE GROUND ELECTRIC UTILITY LINES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to promote intergovernmental cooperation and communication regarding issues of future development within and around Lindon City; and

WHEREAS, Lindon City is in the process of granting an easement to Rocky Mountain Power for installation of a new power line; and

WHEREAS, Lindon City is under contract with the Town of Vineyard to sell the land for said power line easement and is in the process of amending the mutual city boundary to encompass the land sale; and

WHEREAS, time is of the essence to the Town of Vineyard to have Rocky Mountain Power construct the needed power line; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to the Standard Land Use Table of Lindon City Code; and

WHEREAS, a public hearing was held on June 12, 2018, to receive public input and comment regarding the proposed amendment; and

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

WHEREAS, the Council held a public hearing on June 19, 2018, to consider the recommendation and no adverse comments were received.

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

SECTION I: The *Electric Utility Lines – above ground and less than 35 kV* line item in the Standard Land Use Table of the Lindon City Code is hereby amended to read as follows

Lindon City **STANDARD LAND USE TABLE BY ZONE** Appendix A

Parking Group	Permitted Primary Uses	Residential	Mixed Rec.		Commercial*							Industrial		R&B
		(R1-12, R1-20, R3)	RMU-W	RMU-E	PC-1	PC-2	CG	CG-A	CG-AB	CG-S	MC	HI	LI	
4000	Electric Utility Lines - above ground and less than 35 kV (lines located west of commuter railroad tracks are permitted)	N	N	N	N	N	N	N	N	N	N	N	N	N

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

LINDON CITY CODE

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

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

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2018.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

Item 9: Conditional Use Permit — G&N Custom Auto Body and Paint, 225 (215) South 800 West

Gary Groves, G&N Custom Auto Body and Paint, requests conditional use permit (CUP) approval for general auto/vehicle repair services to be located at 225 South 800 West, in the Light Industrial (LI) zone.

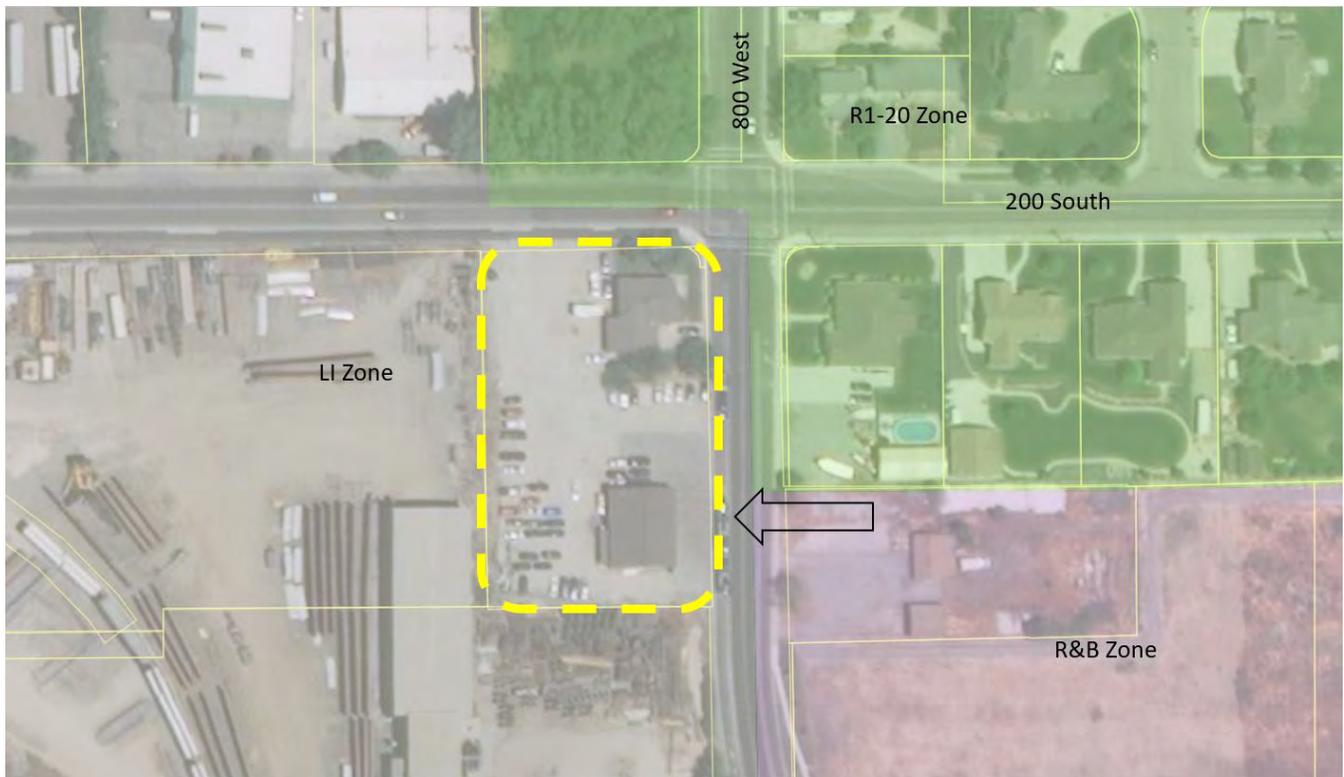
<p>Applicant: Gary Groves Presenting Staff: Brandon Snyder</p> <p>General Plan: Commercial Zone: Light Industrial (LI)</p> <p>Property Owner: Mountain States Steel Inc. (J. Chris Olsen) Address: 225 S. 800 W. Parcel ID: 17:021:0058 Lot Size: 1.11 acre(s)</p> <p>Type of Decision: Administrative Council Action Required: No</p> <p><u>ALTERNATIVE MOTION</u> This item may be continued to request additional information from the applicant and property owner to verify compliance with parking and other land use regulations.</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> 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 225 South 800 West, in the Light Industrial (LI) zone, with the following conditions (if any):</p> <ol style="list-style-type: none"> No outdoor storage of parts or vehicles being serviced/under repair to the south, east, and north of the building; 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 they shall be kept only in a rear gravel storage area per Lindon City Code (LCC) 17.06.040. (This excludes any vehicles that are stored within the building); Submit an Industrial Waste Questionnaire and coordinate with Public Works regarding SWPPP compliance; Limit hours to ____ (i.e. 7 am to 10 pm). Bay doors to remain closed after 8 pm. Install view-obscuring fence no less than 6' in height around the rear gravel storage area (west of building) to obscure the storage of such vehicles from the adjacent public street per LCC 17-06-040, and Provide adequate parking stalls for customers and employees.
--	--

OVERVIEW

- The applicant has requested approval for a body shop. The applicant has pending business license and building permit applications. The services to be provided would include body and panel repair, custom body work, paint, restorations, and repairing wrecked cars back to normal. (Additional information from the applicant is attached.)

- The Planning Director has indicated that these uses would fall under “**General auto/vehicle repair.**” The **Lindon City Land Use Table indicates that “General auto/vehicle repair” is a conditional use** in the LI zone.
- 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.
- City records indicate three open/active business licenses for this location: Revved Auto Sales (Used Vehicle Sales Lot and office only.), R&R Foodservices (Food Truck Commissary Kitchen), and Action Auto Sales (Used Vehicle storage only. Off-site sales lot). See map below outlining business locations on the property.
- The site has an existing structure (home) on the corner used in association with the used car sales and the food truck commissary. The existing south storage/maintenance building to be used by the applicant was constructed in 1992 (BP #1456-92). The building was used for storage and equipment maintenance by Mitchell Excavation. The building is ~3,000 sq. ft.
- The minimum parking requirements for Auto Repair is (1/300 sq. ft. office and 5/service bay). New parking lots 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 June 1, 2018. No public comments have been received at this time.



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."





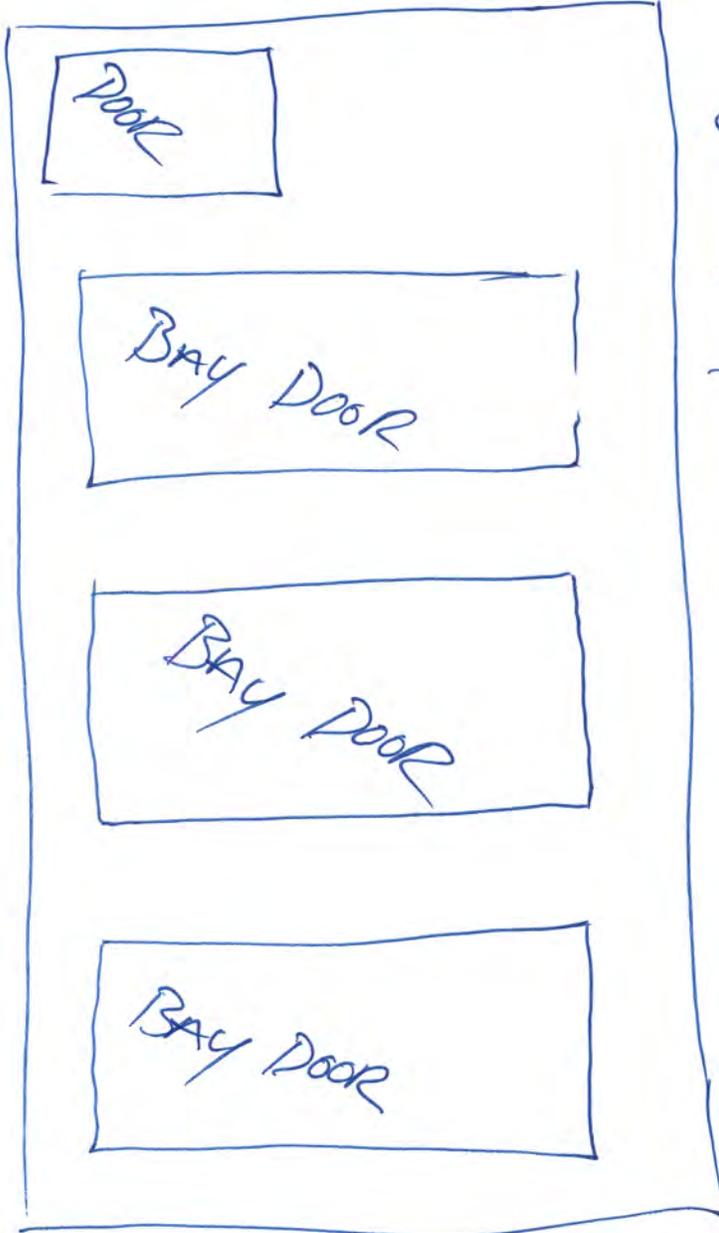


PARKING

PARKING

PARKING

PARKING



Storage

Parking

CARS will be stored
 inside building for
 most part; North
 outside other right

PARKING

PARKING

PARKING

PARKING

RECEIVED

MAY 31 2018

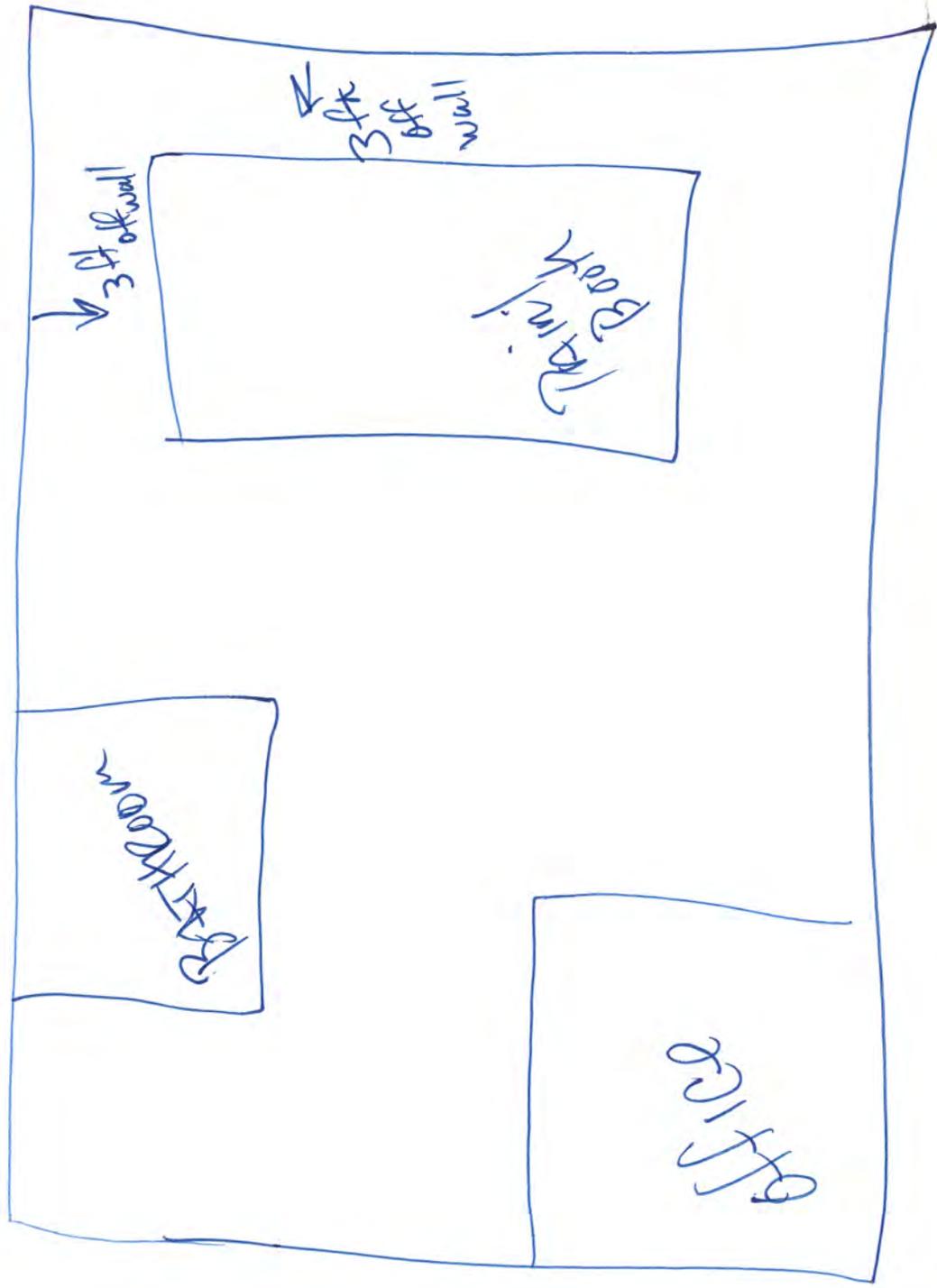
COMMUNITY DEVELOPMENT
LINDON CITY

N



MAY 3 1 2018

RECEIVED



Handwritten signature or mark

1. CARS will Be Stored inside over night,
2. No Scrap will Be Left outside or garbudge
3. Shop & Surrounding AREA will be kept very clean,
4. will not work work past 8:00 pm with Bay Doors OPEN for People Around me to Keep Noise Down to a low

I Strive to Keep a clean apperance & shop
If Shop & Building is not clean, you cannot
Attract Customer's!!!

COMMUNITY DEVELOPMENT
LINDON CITY

MAY 31 2018

RECEIVED

Item 10: Ordinance Amendment Lindon City Code 8.20 Public Nuisances

<p>Applicant: Lindon City Staff Presenting Staff: Hugh Van Wagenen</p> <p>Type of Decision: Legislative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether it is in the public interest to institute city wide quiet hours from 10:30 pm to 7:00 am with exceptions possible with approval from the City.</p> <p><u>MOTION</u></p> <p>I move to recommend (<i>approval, denial, continuation</i>) of ordinance amendment 2018-9-O (<i>as presented, with changes</i>).</p>
--	---

BACKGROUND

Noise complaints are not uncommon but are not particularly frequent either. However, the existing nuisance code regarding *Inappropriate Noise* does not have any defined quiet hours, but rather leaves the time frame open to interpretation based on "noise that is substantially incompatible with the time and location where created..."

City staff prefers to have defined hours from 10:30 pm to 7:00 am where it is very clear that inappropriate noise is not permitted. This helps not only with enforcement, but also with public education.

ANALYSIS

The requested change allows staff to give clear information to the public and a clear timeframe to enforce quiet hours. The added language does not take away the ability of the City to enforce other noise disturbances outside of those hours if such a situation should develop. The suggested language is shown in red below:

8.20.030(2)

cc. *Inappropriate Noise*. It shall be unlawful for any person to make, permit, continue, or cause to be made, or to create any unreasonable loud and disturbing noise in the City. Any noise which is substantially incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace and good order of persons of ordinary sensibilities shall be prohibited. Quiet hours shall be between 10:30 pm and 7:00 am for construction projects, public and private events, and any other activity with the propensity to create noise that may impact others. Exceptions to quiet hours may be obtained upon approval from the City Administrator, or his/her designee.

ATTACHMENTS

1. 2018-9-O

ORDINANCE NO. 2018-9-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING SECTION 8.20.030(2)(CC) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment is consistent with the goal of the General Plan maintain the quality of existing and future neighborhoods; and

WHEREAS, it is in the Public Interest to provide clearly defined quiet hours within the City limits; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to the Standard Land Use Table of Lindon City Code; and

WHEREAS, a public hearing was held on June 12, 2018, to receive public input and comment regarding the proposed amendment; and

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

WHEREAS, the Council held a public hearing on June 19, 2018, to consider the recommendation and no adverse comments were received.

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

SECTION I: Lindon City Code Section 8.20.030(2)(cc) is hereby amended to read as follows:

8.20.030(2)

cc. *Inappropriate Noise.* It shall be unlawful for any person to make, permit, continue, or cause to be made, or to create any unreasonable loud and disturbing noise in the City. Any noise which is substantially incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace and good order of persons of ordinary sensibilities shall be prohibited. Quiet hours shall be between 10:30 pm and 7:00 am for construction projects, public and private events, and any other activity with the propensity to create noise that may impact others. Exceptions to quiet hours may be obtained upon approval from the City Administrator, or his/her designee.

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

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

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

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day
of _____, 2018.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

Item 1 I: New Business (Planning Commissioner Reports)

Item 1 – Subject _____

Discussion

Item 2 – Subject _____

Discussion

Item 3 – Subject _____

Discussion

Item 12: Planning Director Report

- Intern
- Pool Passes
- Movies in the Park
-

Adjourn