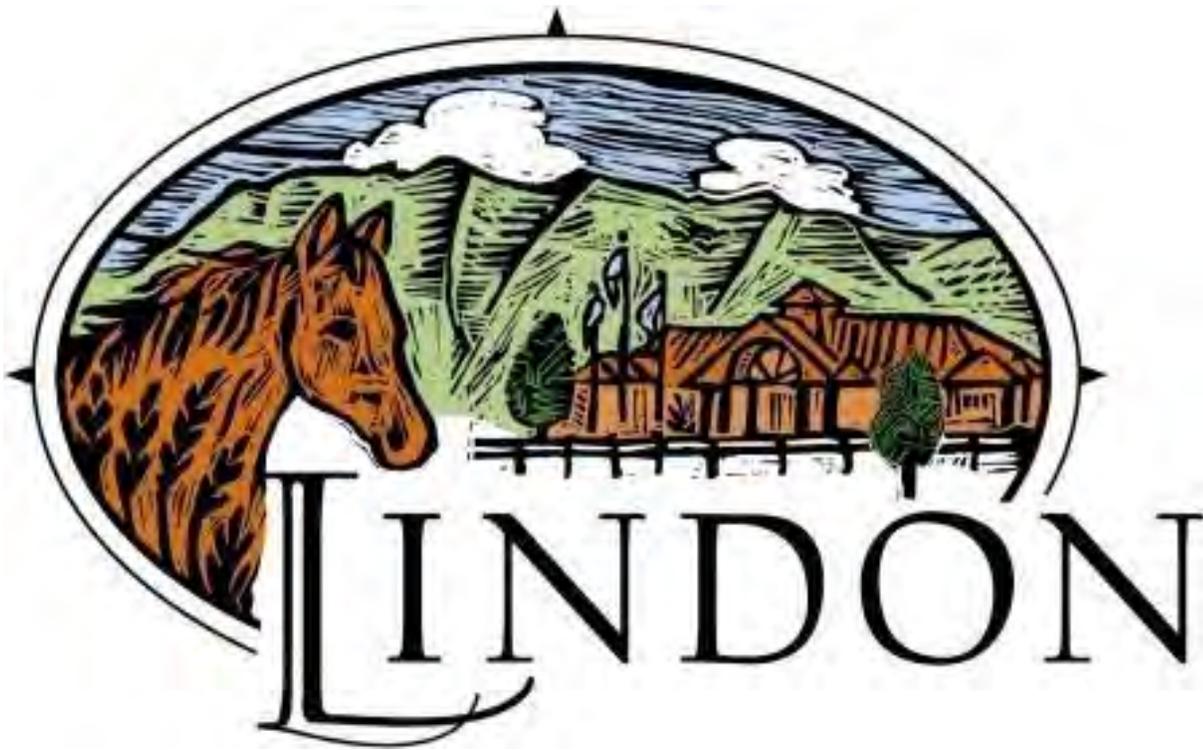


Lindon City Planning Commission Staff Report



August 14, 2018

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, August 14, 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 07/10/2018

3. Public Comment

(20 minutes)

4. Public Hearing — Residential Business Overlay Ordinance

Lani Podzikowski requests approval of an amendment to Lindon City Code Title 17 Zoning, to adopt a Residential Business District Overlay zone. Recommendation(s) will be forwarded to the City Council for final approval. (Pending Ordinance 2018-7-O) *(Item continued from 6/12/18)*

(20 minutes)

5. Site Plan — doTERRA Call Center

doTERRA International requests approval for a 203,108 s.f. call center on 13.5 acres located in the Regional Commercial zone at 2320 West 400 North.

(15 minutes)

6. Major Subdivision — Estates @ Anderson Farms

Ken Watson, on behalf of Ivory Development LLC, request major subdivision approval for a 51-lot subdivision on 17.5 acres in the Anderson Farms Planned Development Zone. Recommendations will be forwarded to the City Council for final approval.

(15 minutes)

7. Major Subdivision — Gardens @ Anderson Farms

Ken Watson, on behalf of Ivory Development LLC, request major subdivision approval for a 65-lot subdivision on 12.7 acres in the Anderson Farms Planned Development Zone. Recommendations will be forwarded to the City Council for final approval.

(15 minutes)

8. 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 address potential hours during which Inappropriate Noises are not allowed. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2018-9-O) *(Item continued from 6/12/18)*

9. New Business from Commissioners

10. 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.



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

Notice of Meeting

Lindon City Planning Commission



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: Hugh Van Wagenen, Employee

Date: August 8, 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 August 14, 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 July 10, 2018

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Ordinance Creation

17.43 Residential Business Overlay Zone

<p>Applicant: Lani Podzikowski, Island Style Dance Company Representative: Krisel Travis</p> <p>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 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> <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"> 1. 2. 3.
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PREVIOUS PLANNING COMMISSION MEETING

This item was last discussed at the June 12, 2018, Planning Commission Meeting. The Commission requested that the Commercial Farm zone not be considered non-residential in determining parameters for location of the Residential Business Overlay. That requested change has been made to the proposed ordinance.

The Commission also requested that the City Attorney, Brian Haws, review the ordinance language allowing exemptions to public infrastructure improvements. New language from the Mr. Haws has been added to the ordinance language addressing the Commission's request. Mr. Haws explains his suggestion as follows:

"It is clearly within the City Council's authority to grant waivers, but as pointed out to avoid situations where there might be a claim bias or favoritism it is advisable to lay out conditions upon which a waiver can be granted. I have inserted some conditions for you to consider. These come from some other cities from around the country I found that had sidewalk waivers and I which think provide reasonable factors for the council to consider. The 4th condition is a catch all that is based on the same kind of standards used when the board of adjustments granting a variance."

Mr. Haws suggested language is below and has been added to the draft ordinance:

- a. 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.
 - i. The city council may grant a waiver of the street improvements only if it makes a written finding that one of the following conditions exist on the proposed property:
 1. Potential pedestrian traffic in area is so minimal that improvements are not warranted or needed to ensure public health and safety;

2. Properties surrounding the proposed property are without curb, gutter, and sidewalks and requiring street improvements would result in disconnected or isolated improvements;
 - a. A waiver under this condition may only be granted upon the execution of a development agreement to install the improvements at a later date as required in this Section.
3. The natural topography or vegetation preexisting in the area are desirable to maintain and can be done without creating unreasonable risks to pedestrians; or
4. The requirement to construct the improvements would cause an unreasonable hardship for the applicant that is not necessary to carry out the purpose this Chapter.
 - a. To grant a waiver under this condition the city council must further find that;
 - i. There are special circumstances unique to the proposed property which do not generally apply to other similar properties;
 - ii. The asserted hardship was not self-imposed and
 - iii. Granting the waiver is within the spirit of this Chapter, will not be contrary to the public interest, and substantial justice will be done.

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:

2. *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. For purposes of this ordinance, the Commercial Farm zone is not considered 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 with Attorney edits
2. Updated Map of properties that meet parameters to request the overlay
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

2 RB RESIDENTIAL/BUSINESS DISTRICT OVERLAY ZONE (RBO):

4 **Purpose Statement: The purpose of the RBO residential/business district overlay is to allow small**
6 **scale instruction, service, and office uses oriented to the local area within residential**
8 **neighborhoods along higher volume streets and/or within or adjacent to non-residential zones.**
10 **Development is intended to be pedestrian oriented while acknowledging the need for automobile**
12 **access and parking. The standards for the district are intended to promote appropriate scaled**
14 **building and site design that focuses on compatibility with existing uses. The RBO is not intended**
16 **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.

2 c. Property must be adjacent to or across the street from a non-residential zone or within
a non-residential zone. For purposes of this chapter, the Commercial Farm zone is not
3 considered a non-residential zone.

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

7 i. The city council may grant a waiver of the street improvements only if it makes
8 a written finding that one of the following conditions exist on the proposed
9 property:

10 1. Potential pedestrian traffic in area is so minimal that improvements are
not warranted or needed to ensure public health and safety;

12 2. Properties surrounding the proposed property are without curb, gutter,
and sidewalks and requiring street improvements would result in
14 disconnected or isolated improvements;

16 a. A waiver under this condition may only be granted upon the
execution of a development agreement to install the
18 improvements at a later date as required in this Section.

20 3. The natural topography or vegetation preexisting in the area are
desirable to maintain and can be done without creating unreasonable
22 risks to pedestrians; or

24 4. The requirement to construct the improvements would cause an
unreasonable hardship for the applicant that is not necessary to carry
26 out the purpose this Chapter.

28 a. To grant a waiver under this condition the city council must
further find that;

30 i. There are special circumstances unique to the proposed
property which do not generally apply to other similar
32 properties;

34 ii. The asserted hardship was not self-imposed and

36 iii. Granting the waiver is within the spirit of this Chapter,
will not be contrary to the public interest, and
38 substantial justice will be done.

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

46 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.

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
improvements shall be posted by the applicant to warrant workmanship
of those improvements.

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

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

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

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

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

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

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

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

21 3. The City Administrator, or his/her appointed designee, may grant a business license in the RBO
22 zone, provided the use applied for meets all of the standards set forth in this Section.
23 24

25 4. Permitted Uses

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

29 a. Barbers, cosmetologists, manicurists.

30 b. Culinary, Bakery, Food Preparation.

31 c. Consultant or Professional Services with additional employees or contractors.

32 d. Contractor, "handyperson", and landscape or yard maintenance contractor; subject to
33 the special conditions that no construction materials or equipment will be stored on the
34 premises outside of an approved structure.

35 e. Pre-School

36 f. Home instruction including, but not limited to, in-home lessons such as: musical
37 instruments, voice, dance, acting, graphic arts, art, and educational subjects, swimming,
38 tennis, and other athletic instruction.

39 g. Other permitted uses include any land use permissions in the underlying zone.
40

41 5. Site and Building Requirements

42 a. Any business activity occupying more than 500 square feet or more than 25% of the
43 total space of a residence must comply with current building code requirements as
44 determined by the Chief Building Official as determined by use, occupancy and type of
45 construction.
46

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- 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.
6. There shall be no external evidence of the business activity, (except as may be required by State law or City ordinance) nor any exterior displays, displays of goods, nor advertising signs (except as allowed by this section) visible from outside of the building. It shall not be permitted to conduct any activity outside the primary structure with the following exceptions: instruction for athletics, e.g. swimming and tennis. It shall not be permitted to store materials or products, including vehicles and equipment for business use, outside the primary structure unless it is within an accessory structure approved as part of the business or obscured from view by a fencing or other means of screening.
 7. Properties within the overlay that are located within a residential neighborhood shall not generate business traffic between the hours of nine o'clock (9:00) P.M. and seven-thirty (7:30) A.M.
 8. Businesses should not create the demand for more than ten (10) patrons per hour, with the exception of Preschool and Home Instruction. In the case of Preschool and Home Instruction the number of participants shall be determined by maximum occupancy load as determined by the

2 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
4 classes/sessions/start-time so as to minimize the impact of vehicle trips and parking
requirement.

- 6 9. Business activities with additional employees or contractors as is necessary or practical, may
7 have up to five (5) employees or contractors not residing on the premises, during appropriate
8 business hours to work at the location, if required off-street parking is provided for the
employee(s) per paragraph 10.

10 10. Parking and Vehicular Traffic

- 12 a. Parking spaces in a RBO zone are exempted from the surfacing, striping, and interior
13 landscaping requirements as found in Chapter 17.18, but shall be provided with a
14 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.
- 16 b. Parking stalls shall be nine (9) feet wide by eighteen (18) feet long.
- c. Parking areas shall comply with current ADA standards and section 5(d)(i) above.
- 18 d. An ADA accessible route shall be required per the applicable ADA building standards.
- 20 e. Customer off-street parking shall be provided based on the business activity as follows:
- 22 i. Barbers, cosmetologists, manicurists: one (1) stall for every customer chair
- 24 ii. Culinary, Bakery, Food Prep: one (1) stall per 350 square feet of service area
- 26 iii. Consultant or Professional Services with additional employees or contractors:
one (1) stall per 350 square feet of office area
- 28 iv. Contractor, "handyperson", and landscape or yard maintenance contractor: one
(1) stall per 350 square feet of office area
- 30 v. Pre-School: one (1) per ten (10) children
- 32 vi. Home instruction: one (1) per six (6) students on-site at peak operational hours.
- 34 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.

- 36 11. No excessive or offensive noise, dust, odor, smoke, or light, shall be emitted which is discernable
37 beyond the site or parcel boundary lines in question, except that which emanates from the
38 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.

- 40 12. Shall have no more than one (1) permanent sign, not larger than six and one-half (6.5) square
42 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.

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:

2

4 Kathryn A. Moosman,
Lindon City Recorder

6

SEAL

8

Item 5: Site Plan — doTERRA Call Center 2320 West 400 North

<p>Applicant: doTERRA International Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: Regional Commercial (RC)</p> <p>Property Owner: Valley Properties LLC Address: 2320 West 400 North Parcel ID: 14:059:0048 Lot Size: 13.5 acres of 32 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 a site plan for a 203,000 s.f. call center complies with applicable land use requirements. 2. Does the building meet architectural standards? <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) the applicant's request for site plan approval with the following conditions:</p> <ol style="list-style-type: none"> 1. Street dedication and sidewalk/street light and storm water easements be executed. 2. Vehicle and bike parking requirement be met. 3. Comply with all engineering requirements as determined by the City Engineer based upon City Standards.
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OVERVIEW

1. The applicant proposes to construct a 203,000 s.f. call center, adjacent to the recently approved distribution center.
2. The facility will house up to 2,300 employees across different shifts.
3. There is still remaining acreage on the overall site for a future building and parking.

DISCUSSION & ANALYSIS

Traffic Impacts

The applicant has completed a traffic impact study regarding both the doTERRA Call Center and Distribution Center. The study shows that upon opening, the street intersection at 2800 West 600 North (attachment 6) will have an "F" level of service for anyone going to and leaving the doTERRA site in the am and pm hours, meaning vehicles will have to wait longer than 50 seconds to get through the intersection.

The report states a signal will be warranted when doTERRA begins operations. Until a signal is installed, a four-way stop may be beneficial, but has its drawbacks for traffic existing the freeway. Also, it was suggested that a round-about option deserved further study.

Additionally, the report recommended the City promote services that could benefit the employees in the area, reducing the need to drive during the daytime hours.

Lindon staff has already begun working with UDOT to identify solutions to the forthcoming problem.

Parking Standards

Parking standards are based on the zone and the different uses in the building and their respective square footage.

<i>Required</i>	<i>Provided</i>
Call Center Office, 1 stall per 250 s.f. (203,108/250=812 spaces)	799 spaces, *Deficient*
ADA stalls, up to 1,000 stalls requires 2% of total stalls (812*.02=17; rounded up)	16 ADA, *Deficient*
Bike stalls: 8% of vehicular spaces up to 16 bike stalls (16)	14 bike stalls, *Deficient*

Landscaping Standards

Landscape Strip Behind Sidewalk

The RC zone requires a 16-20 foot landscape strip behind the meandering five (5) foot sidewalk along street frontages. Trees are to be planted every 30 feet in the landscape strip with 30% to be evergreens. Please see landscaping plan in attachment three. The plan has a mix of evergreen and deciduous trees.

Parkstrip In Front of Sidewalk

The RC zone requires an 8-12 foot parkstrip between the curb and the meandering sidewalk along street frontages with trees every 30 feet. However, due to a conflict with a storm drain line, all the trees have been pushed behind the sidewalk. The parkstrip is called out as sod on the plans.

Interior Landscaping

<i>Required</i>	<i>Provided</i>
40 s.f. per parking stall (812*40=32,480)	Well over 34,000 s.f. of interior parking lot landscaping provided
1 tree per 10 parking stalls (812/10=82)	Over 100 interior parking lot trees
75% living material in landscaping	Over 75%

Overall Landscaped Open Space

<i>Required</i>	<i>Provided</i>
25% of 589,939 s.f. or 147,485 s.f.	147,792 s.f.

Architectural Standards

Building Massing

- The Code requires that all buildings in the RC zone provide appropriate articulation, variation in rooflines, and avoid flat looking wall/facades and large, boxy buildings.
- *The building footprint is 63,088 square feet and is generally one big rectangle with little articulation and little variation in rooflines. Please discuss this with the applicant.*

Building Materials

- Code requires primary building materials (60% or greater), unless otherwise approved by the Planning Commission, to be masonry materials such as brick, stone, or decorative concrete block. Fenestration (windows and doors) can be counted toward the 60% primary building materials.
- Currently, 56% of the primary entrance elevation is glass windows/doors.
- The remaining 44% of the building is a *metal faced composite wall panel*. Metal is not a listed primary or secondary building material but may be approved upon Planning Commission review. *Please discuss this with the applicant.*

Building Color

The 44% of the front building elevation that is metal is a champagne color. Champagne could be considered an earth tone color due to its similarity to beige.

Dimensional Standards

The proposed structure satisfies setback (30 feet from all property lines and 50 feet from UDOT rights of way) and height requirements (80 feet) in the RC zone.

Engineering Requirements

The City Engineer is working through technical issues related to the site and will ensure all engineering related issues are resolved before final approval is granted.

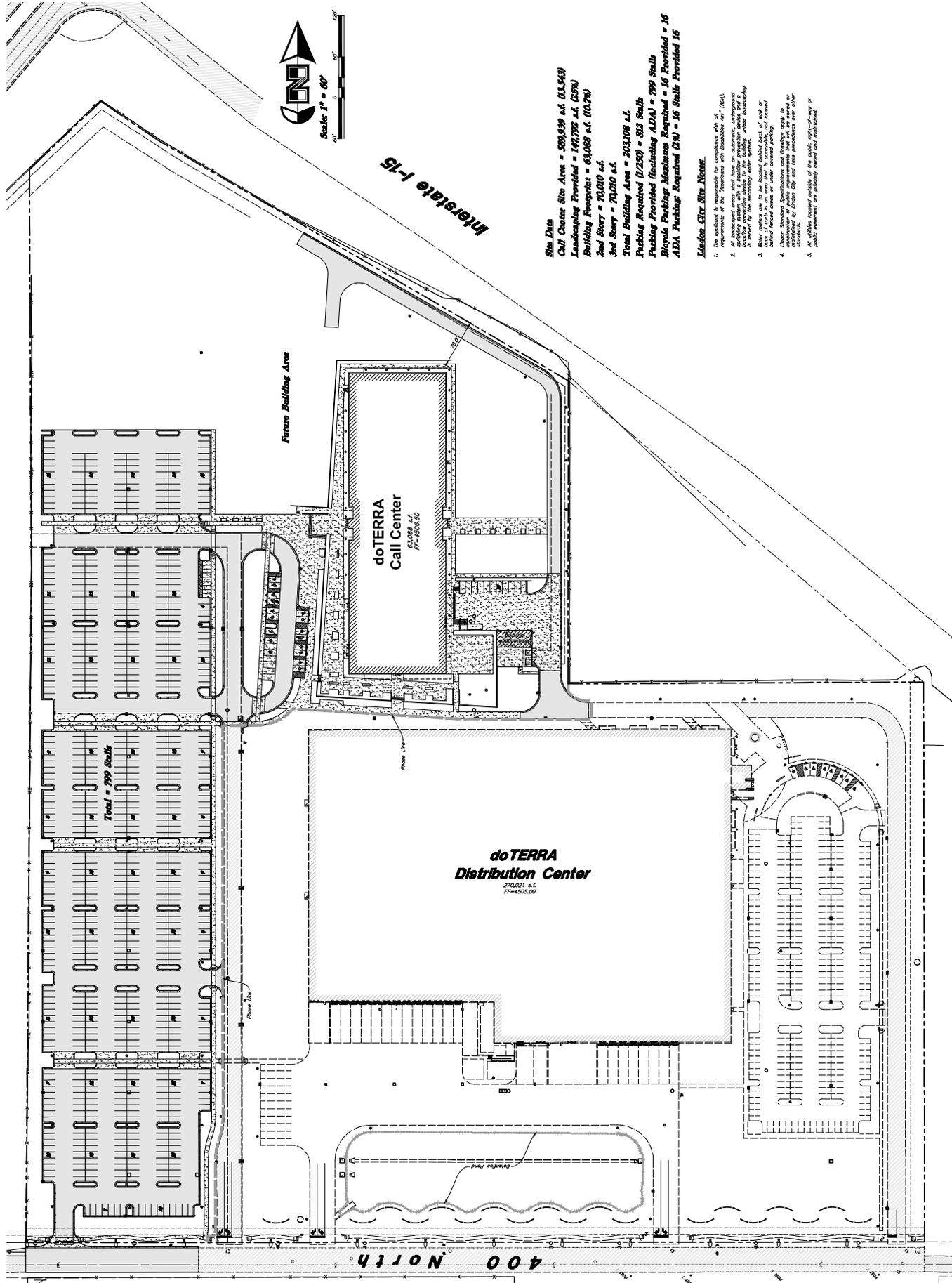
ATTACHMENTS

1. Aerial photo of the site and surrounding area
2. Site Plan
3. Landscaping
4. Proposed Building Elevations
5. Architectural Renderings
6. 2800 West 600 North intersection



REV	DATE	DESCRIPTION
1	07/20/18	ISSUE FOR PERMIT
2	08/14/18	ISSUE FOR PERMIT

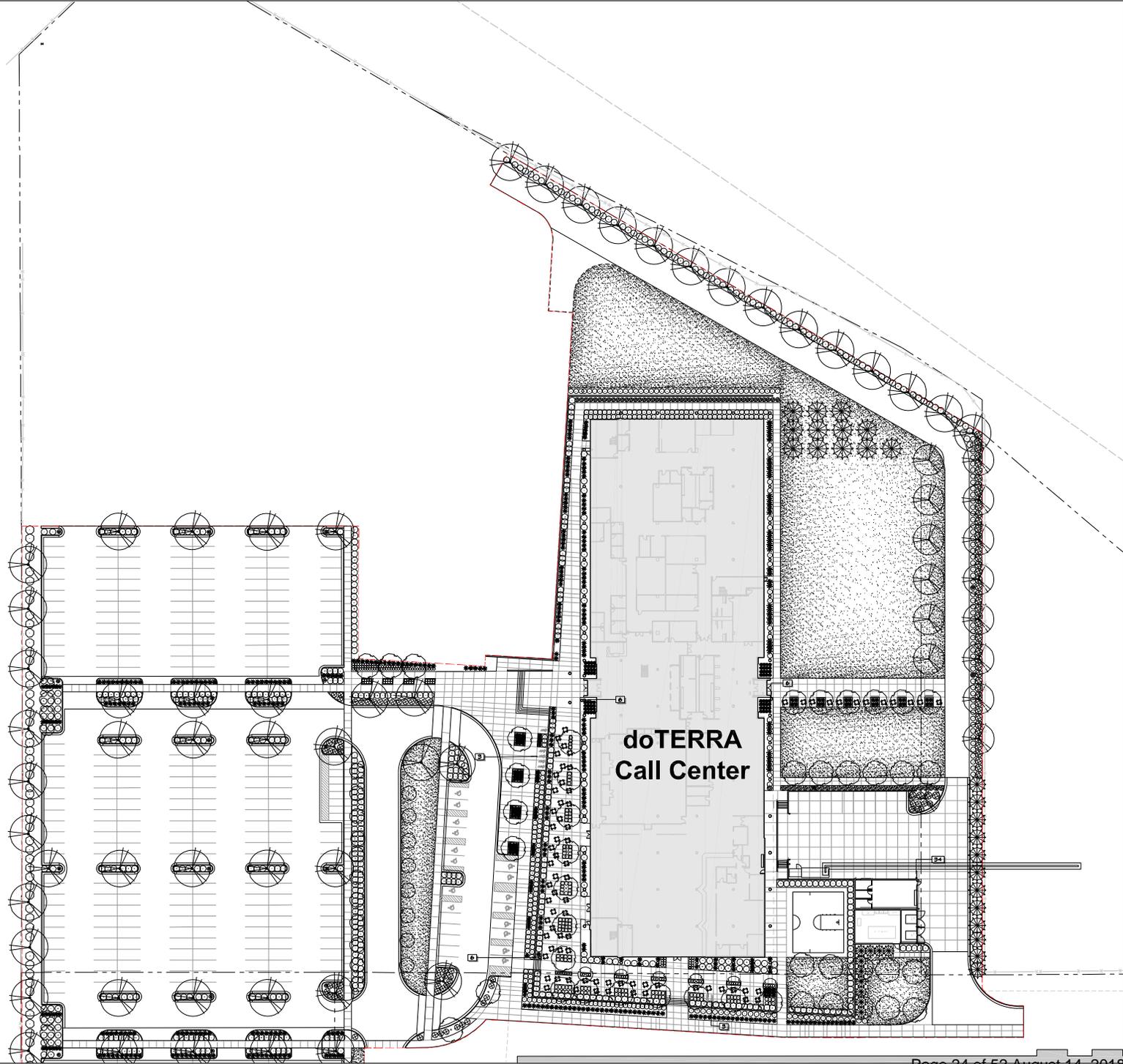
VCBO NUMBER: 17200
CLIENT NUMBER: 10000
DATE: 21.JULY.2018



Site Data
 Call Center Site Area = 599,939 s.f. (13.543)
 Landscaping Provided = 147,792 s.f. (2.9%)
 Building Footprints = 63,088 s.f. (0.7%)
 2nd Story = 70,010 s.f.
 3rd Story = 70,010 s.f.
 Total Building Area = 203,020 s.f.
 Parking Required (0.250) = 823 Stalls
 Parking Provided (Including ADA) = 799 Stalls
 Bicycle Parking Maximums Required = 16 Provided = 16
 ADA Parking Required (2%) = 16 Stalls Provided 16

- Lindon City Site Notes:**
1. Review all site plans with the City of Lindon, Utah (City) and the Utah Department of Transportation (UDOT) for compliance with all applicable laws and regulations.
 2. All landscaped areas shall have an automatic, underground irrigation system with a rain sensor. The irrigation system shall be installed and tested prior to the start of construction. The irrigation system shall be installed and tested prior to the start of construction.
 3. The site shall be designed to meet all applicable codes and regulations. The site shall be designed to meet all applicable codes and regulations.
 4. The site shall be designed to meet all applicable codes and regulations. The site shall be designed to meet all applicable codes and regulations.
 5. All utilities located outside of the public right-of-way or public easement are the property owner's responsibility.

File : E:\17000_doTerra Distribution\Code\LC-CC-BDC_Site_Landscape.dwg Jul 12, 2018 - 1:02pm



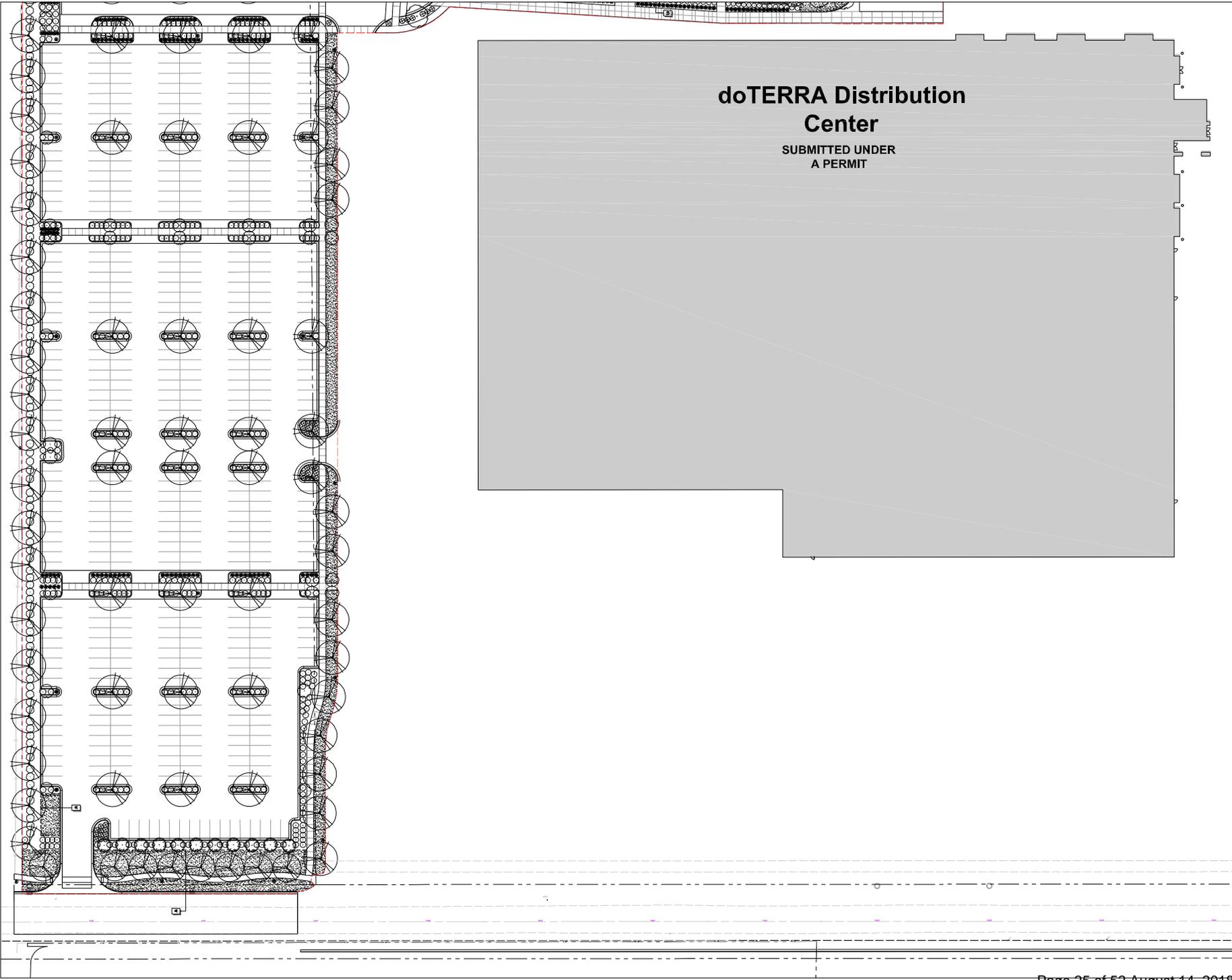
Sitio Design, Inc
 Landscape Architecture &
 Architectural Site Design
 10658 east 21000 south
 Littleton, CO 80120
 303.744.2000
 www.sitiodesign.com

REV	DATE	DESCRIPTION

VCBO NUMBER: 17000
 CLIENT NUMBER: 00010
 DATE: 07/12/2018



doTERRA CALL CENTER
 doTERRA CORPORATE
 LINDON, UT 84042
 CITY SUBMITTAL
 LANDSCAPE PLAN
L-1-101



doTERRA Distribution Center

SUBMITTED UNDER
A PERMIT



Sitio Design, Inc
Landscape Architecture &
Architectural Site Design
10658 east 2100 south
light house city, utah 84119
office: 801.462.2222 fax: 801.462.2222
www.sitiodesign.com

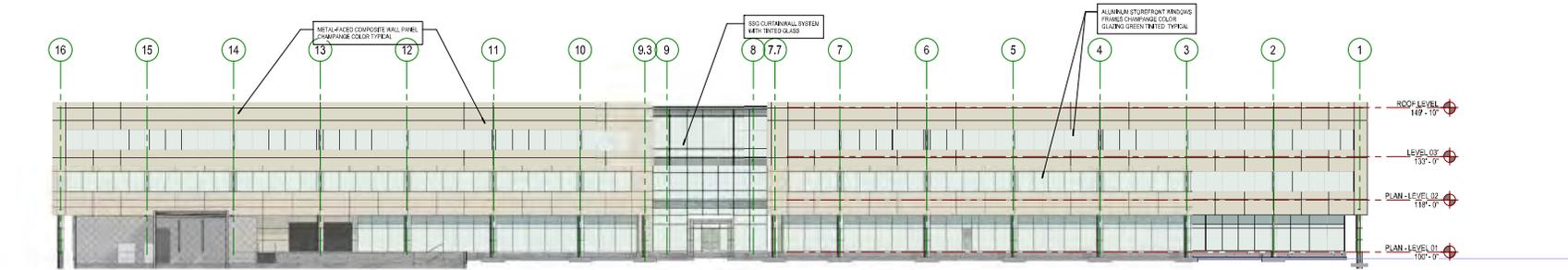
REV	DATE	DESCRIPTION

VCBO NUMBER:	17020
CLIENT NUMBER:	00010
DATE:	07/12/2018



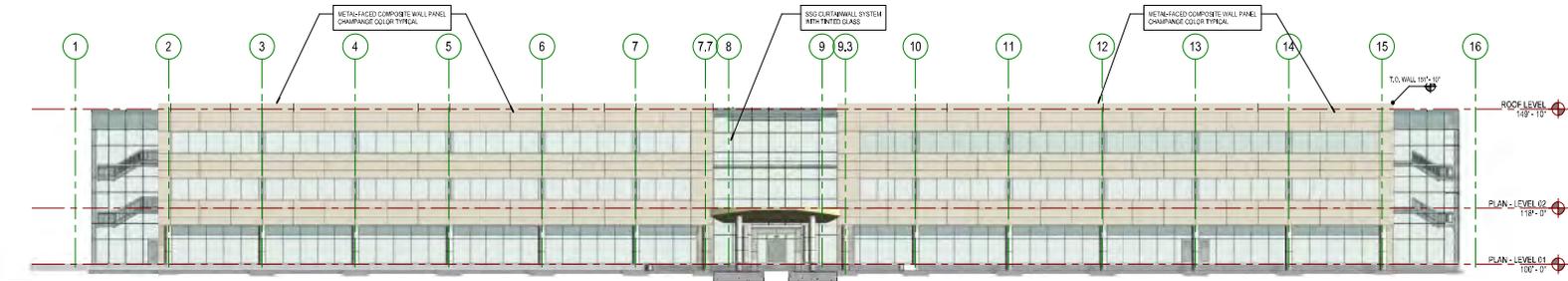
doTERRA CALL CENTER
doTERRA CORPORATE
LONDON UT 84042
CITY SUBMITTAL

LANDSCAPE PLAN
L-1-102



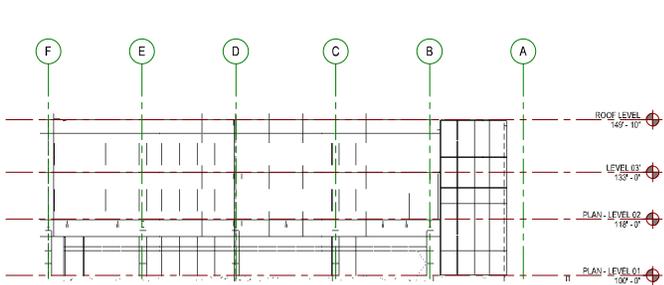
1 ELEVATION - EAST - PRESENTATION

SCALE: 1/8" = 1'-0"



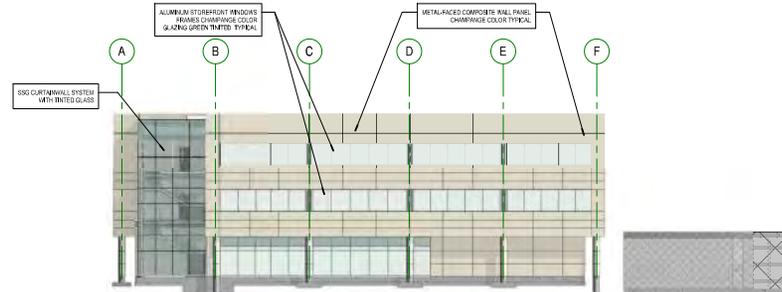
2 ELEVATION - WEST - PRESENTATION

SCALE: 1/8" = 1'-0"



3 ELEVATION - NORTH - PRESENTATION

SCALE: 1/8" = 1'-0"



4 ELEVATION - SOUTH - PRESENTATION

SCALE: 1/8" = 1'-0"

REV	DATE	DESCRIPTION

Y200 NUMBER: 18005
CLIENT NUMBER: 00010
DATE: NOV 1, 2018



2 3D VIEW FROM NORTHWEST
SCALE: 1/2" = 1'-0"



1 3D VIEW FROM NORTHEAST
SCALE: 1/2" = 1'-0"

REV	DATE	DESCRIPTION
-----	------	-------------

VCBO NUMBER: 18055
 CLIENT NUMBER: 00010
 DATE: MAY 1, 2018

Hugh's Map



©2013 Esri | Source: FEMA, Esri | Utah County Recorders, Assessor and Information System Departments | Lindon City, Gateway Mapping Inc., JUB Engineering Inc.

Item 6: Major Subdivision — Estates at Anderson Farms approx. 210 North 1450 West

<p>Applicant: Ivory Development, LLC Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Residential High Current Zone: Anderson Farms Planned Development zone</p> <p>Property Owners: Ivory Development, LLC Address: ~210 North 1450 West Parcel IDs: portion of 14:063:0072 Subdivision Acreage: 17.5 acres</p> <p>Type of Decision: Administrative 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 56-lot residential subdivision in the Anderson Farms Planned Development zone. <p><u>MOTION</u></p> <p>I move to recommend (<i>approval, denial, continuance</i>) of the applicant's request for approval of a 56-lot residential subdivision to be known as Estates at Anderson Farms with the following conditions (if any):</p> <ol style="list-style-type: none"> Comply with aspects of Development Agreement as listed in the staff report. Rename the streets listed as Brookview in order to avoid confusion with Plats A and B.
--	---

BACKGROUND

- This is the seventh plat of the Anderson Farms Planned Development which was approved by Development Agreement between Lindon City and Ivory Development, LLC in June of 2016. Estates consists of 56 units in what is considered Parcel E of the Anderson Farms concept plan.

DISCUSSION & ANALYSIS

Development of Anderson Farms is governed by the Anderson Farms Master Development Agreement. All standards are referred to here are a part of that Agreement.

Lot Requirements

- The largest lot is 14,864 s.f. and the smallest is 8,290 s.f. These lots are consistent with the concept plan.
- Parcel A is an access road to the sewer lift station and regional park.
- Setbacks are: 20-foot front, 20-foot rear, 6/10-foot side yards for a total of 16 feet between homes. This is consistent with the concept plan.
- 56 lots is one more lot than what is shown on the concept plan for Parcel E (55). However, Gardens at Anderson Farms (Parcel F), which has also been applied for, has four fewer lots than the concept plan. Staff will ensure the overall units (865) for the project do not exceed approvals per paragraph 3.1 of the Development Agreement.

Street Improvements

- New roads will be built to serve the subdivision. Curb, gutter and five-foot sidewalks will be installed along the new local streets in addition to six-foot planter strips. Please refer to the attached cross section for details.

- The eastern edge of the subdivision border Anderson Lane (not to be confused with Anderson Boulevard). The Development Agreement requires certain improvements to Anderson Lane in conjunction with this plat: "It will include grading and slag/asphalt improvements along Anderson Lane."

Development Agreement Requirements

7.4.5. Parcel E, as shown on Exhibit C:

- (a) Recording of the first plat will require the following concurrent improvements:
 - (i) Anderson Blvd. right-of-way improvements from 500 North to the southern round-about including (1) all curb and gutter, (2) all improvements and Landscaping within the right of way identified as the "Initial Anderson Blvd Improvements" on Exhibit G, as well as the round-about itself; and (3) Landscaping located on the west side of Anderson Blvd.; (under construction with Plat B)
 - (ii) The landscaping and sidewalk on the south side of the southern-most curb on the 1700 West connector will be constructed to and from the southern round-about to 1700 West; (under construction with Townhomes Plats A and B)
 - (iii) The Sewer/Ground Water Lift Station, with the associated Off-Site Improvements, will be substantially completed and functional; (station complete; off-site ongoing)
 - (iv) Full storm water basin detention improvements, including landscaping, will be completed for the basin that will serve this Parcel; and (detention basin not constructed)
 - (v) Pressurized irrigation system including source for the Project and a connection to the existing City pressurized irrigation system, will be completed, subject to Section 9.8. (PI system under construction)
- (b) It will include the masonry wall dividing the project from the industrial area to the east and south.
- (c) It will include curb and gutter on the west side of Anderson Lane.
- (d) It will include grading and slag/asphalt improvements along Anderson Lane.
- (e) Sewer stub and easement to Anderson Lane.
- (f) Storm water stub and easement to Anderson Lane.

(g) This Phase will include an eight foot (8') tall masonry wall/fence along the rear yard of any Residential Dwelling Unit located on the east side of this Parcel adjacent to Anderson Lane right-of-way.

(h) For all Residential Dwelling Units which back onto the Anderson Lane right-of-way, all windows facing the Anderson Lane right-of-way shall be installed with triple pane glass.

Other Requirements

- Park amenities are associated with building permits issued, not lots recorded.

ATTACHMENTS

1. Aerial photo of the proposed subdivision.
2. Overall Anderson Farms Concept Plan
3. Estates Concept Plan
4. Preliminary Estates at Anderson Farms Plat A
5. 55-foot Right of Way Local Street Cross Sections



*Future Site:
Anderson Farms
Estates and Gardens*



LEI
- A Utah Corporation -
ENGINEERS
SURVEYORS
PLANNERS

2302 N. Main Street
Spanish Fork, UT 84600
Phone: 801.798.0550
Fax: 801.798.9262
office@lei.co.gd
www.lei-eng.com

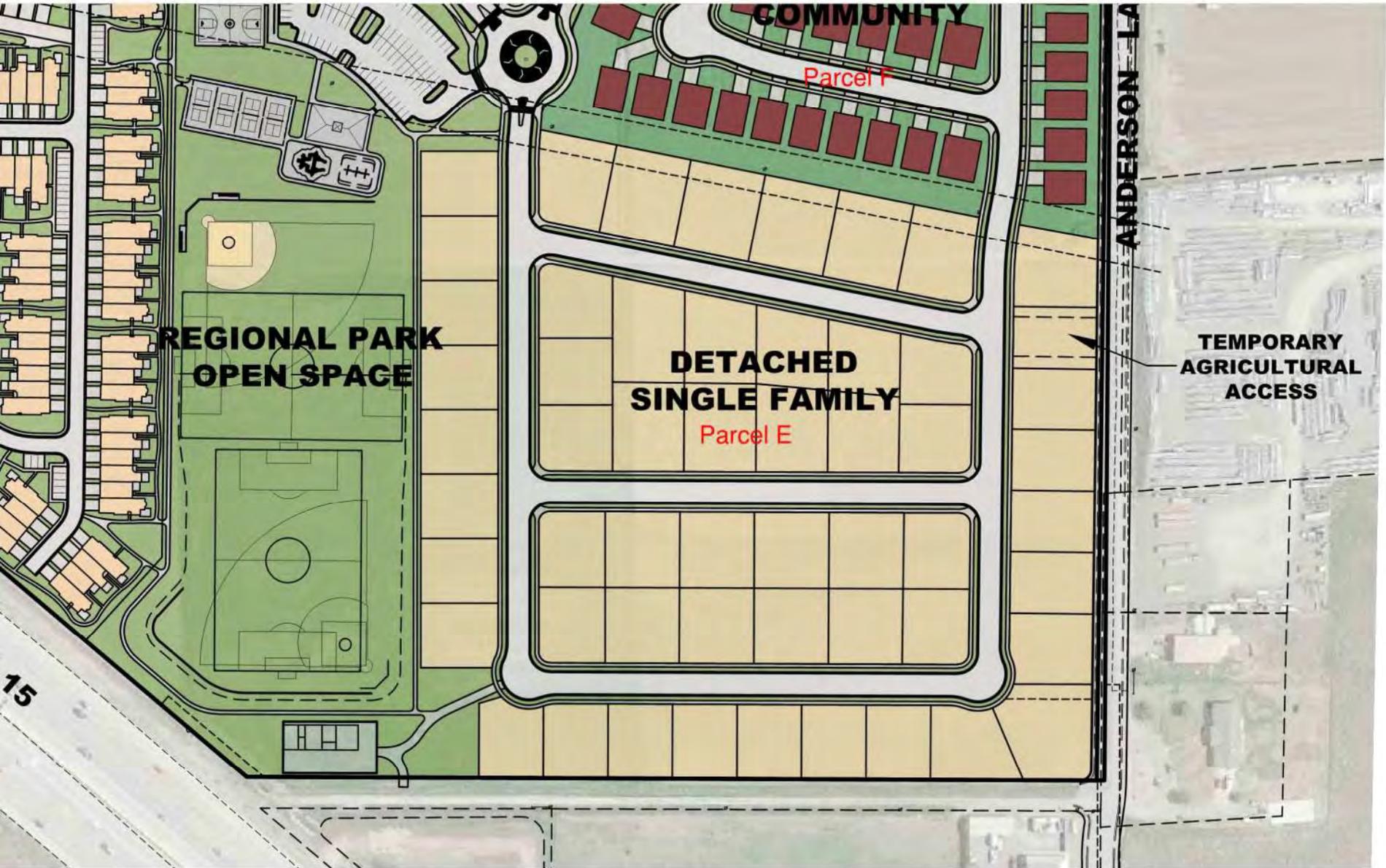


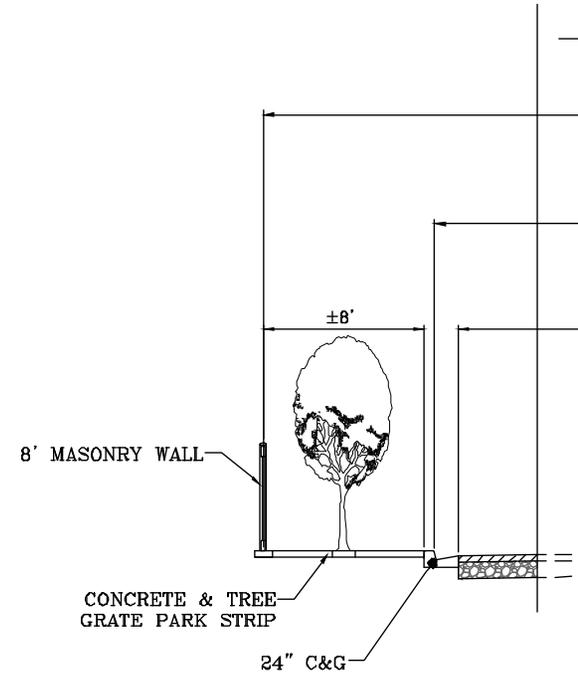
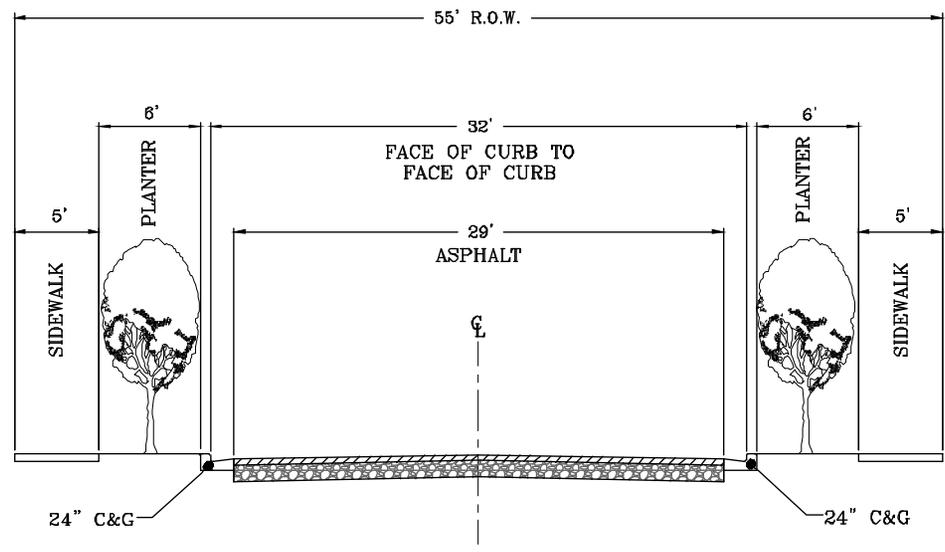
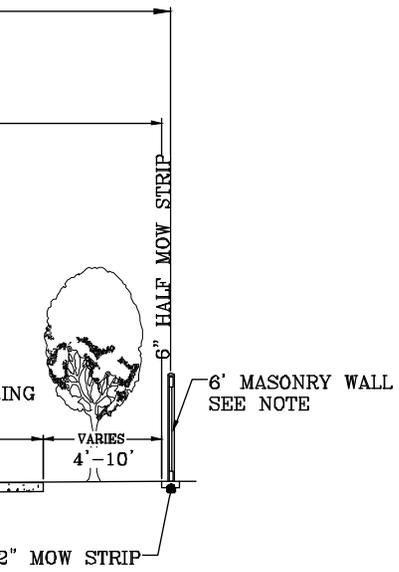
LEGEND				
PARCEL	AREA	LOTS/UNITS	DENSITY	PHASE
PARCEL "A"	18.353			
PARCEL "A" LOT AREA	16.730	60	3.27	1
PARCEL "A" STORAGE	0.627			
PARCEL "A" ACCESS ROAD	0.946			
PARCEL "B"	22.180	78	3.52	1
PARCEL "C"	12.634	125	9.89	1
REGIONAL PARK "D"	10.020	0	0	ALL
PARCEL "E"	17.072	55	3.22	2
PARCEL "F"	12.997	69	5.31	2
PARCEL "G"	10.141	34	3.35	3
PARCEL "G1"	0.918	8	8.71	3
PARCEL "H"	5.618	22	3.92	4
PARCEL "H1"	3.064	34	8.58	4
PARCEL "I"	14.492			
PARCEL "I" LOT AREA	13.886	380	26.22	4
PARCEL "I" ACCESS ROAD	0.604			
COMMERCIAL	8.272	0	0	
TOTAL	1136.671	865	6.33	

IVORY HOMES
3346 NORTH CENTER STREET
LEHI, UT 84043
(801) 407-8800

ANDERSON FARMS
LINDON, UTAH
EXHIBIT B - PROPERTY CONCEPT PLAN

REVISIONS	LD PROJECT #
1	2013-1845
2	DRAWN BY:
3	GIS
4	CHECKED BY:
5	GDM
6	SCALE:
7	1" = 200'
8	DATE:
9	5/2/2016
10	DRAWN
	B





**8 55' ROAD CROSS SECTION
INTERIOR ROADS**

**9 54' ROAD CROSS SECTION
500 NORTH INDUSTRIAL**

Item 7: Major Subdivision — Gardens at Anderson Farms approx. 310 North 1440 West

<p>Applicant: Ivory Development, LLC Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Residential High Current Zone: Anderson Farms Planned Development zone</p> <p>Property Owners: Ivory Development, LLC Address: ~310 North 1440 West Parcel IDs: portion of 14:063:0072 Subdivision Acreage: 12.7 acres</p> <p>Type of Decision: Administrative 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 62-lot senior living residential subdivision in the Anderson Farms Planned Development zone. <p><u>MOTION</u></p> <p>I move to recommend (<i>approval, denial, continuance</i>) of the applicant's request for approval of a 62-lot senior living residential subdivision to be known as Gardens at Anderson Farms Plat A with the following conditions (if any):</p> <ol style="list-style-type: none"> Provide conditions, covenants, and restrictions verifying this is a 55+ senior living community. Comply with aspects of Development Agreement as listed in the staff report. Provide a 6-foot pedestrian access way between lots 131 and 132 from Orchard Lane to Anderson Boulevard.
--	--

BACKGROUND

- This is the sixth plat of the Anderson Farms Planned Development which was approved by Development Agreement between Lindon City and Ivory Development, LLC in June of 2016. Gardens at Anderson Farms consists of 62 units in what is considered Parcel F of the Anderson Farms concept plan. Parcel F is identified as an "Active Adults Community."

DISCUSSION & ANALYSIS

Development of Anderson Farms is governed by the Anderson Farms Master Development Agreement. All standards are referred to here are a part of that Agreement.

Pedestrian access to the Regional Park

- Although not required by the Development Agreement, a 6-foot pedestrian access way in the southwest corner (Lots 131/132) of the development would provide more direct access to the surrounding area and regional park. Staff recommends this be discussed with the applicant.

Lot Requirements

- In the concept plan, this parcel shows individually owned pad sites, like a townhome or condo, with common space in between each pad. However, this application has privately owned lots *without the common space*.
- The concept plan shows 69 units. Current application has 62 lots, a 7-unit reduction. Home site configuration has been slightly adjusted.
- The largest lot is 14,579 s.f. and the smallest is 4,860 s.f.

Street Improvements

- New roads will be built to serve the subdivision. Curb, gutter and five-foot sidewalks will be installed along the new local streets in addition to six-foot planter strips. Please refer to the attached cross section for details.
- The eastern edge of the subdivision border Anderson Lane (not to be confused with Anderson Boulevard). The Development Agreement requires certain improvements to Anderson Lane in conjunction with this plat: "It will include at least grading and asphalt improvements sufficient to accommodate future industrial traffic along Anderson Lane as shown in Exhibit J."

Development Agreement Requirements

7.4.4. Parcel E, as shown on Exhibit C:

(a) Recording of the first plat will require the following concurrent improvements:

(i) Anderson Blvd. right-of-way improvements from 500 North to the southern round-about including (1) all curb and gutter, (2) all improvements and Landscaping within the right of way identified as the "Initial Anderson Blvd Improvements" on Exhibit G, as well as the round-about itself; and (3) Landscaping located on the west side of Anderson Blvd.; **(under construction with Plat B)**

(ii) Sewer/Ground Water Lift Station, with the associated Off-Site Improvements, will be substantially completed and functional; **(station complete; off-site ongoing)**

(iii) Full storm water basin detention improvements, including landscaping, will be completed for the basin that serves this Parcel; and **(detention basin not constructed)**

(iv) Pressurized irrigation system including source for the Project and a connection to the existing City pressurized irrigation system, will be completed, subject to Section 9.8. **(PI system under construction)**

(b) It will include the masonry wall dividing the project from the industrial area to the East.

(c) Development of more than fifty percent (50%) of this Parcel will require the 1700 West connector be completed from the southern round-about to 1700 West. **(partially completed; under construction with Plat B)**

(d) It will include curb and gutter on the west side of Anderson Lane.

(e) It will include at least grading and asphalt improvements sufficient to accommodate future industrial traffic along Anderson Lane as shown in Exhibit J.

(f) This Phase will include an eight foot (8') tall masonry wall/fence along the rear yard of any Residential Dwelling Unit located on the east side of this Parcel adjacent to Anderson Lane right-of-way.

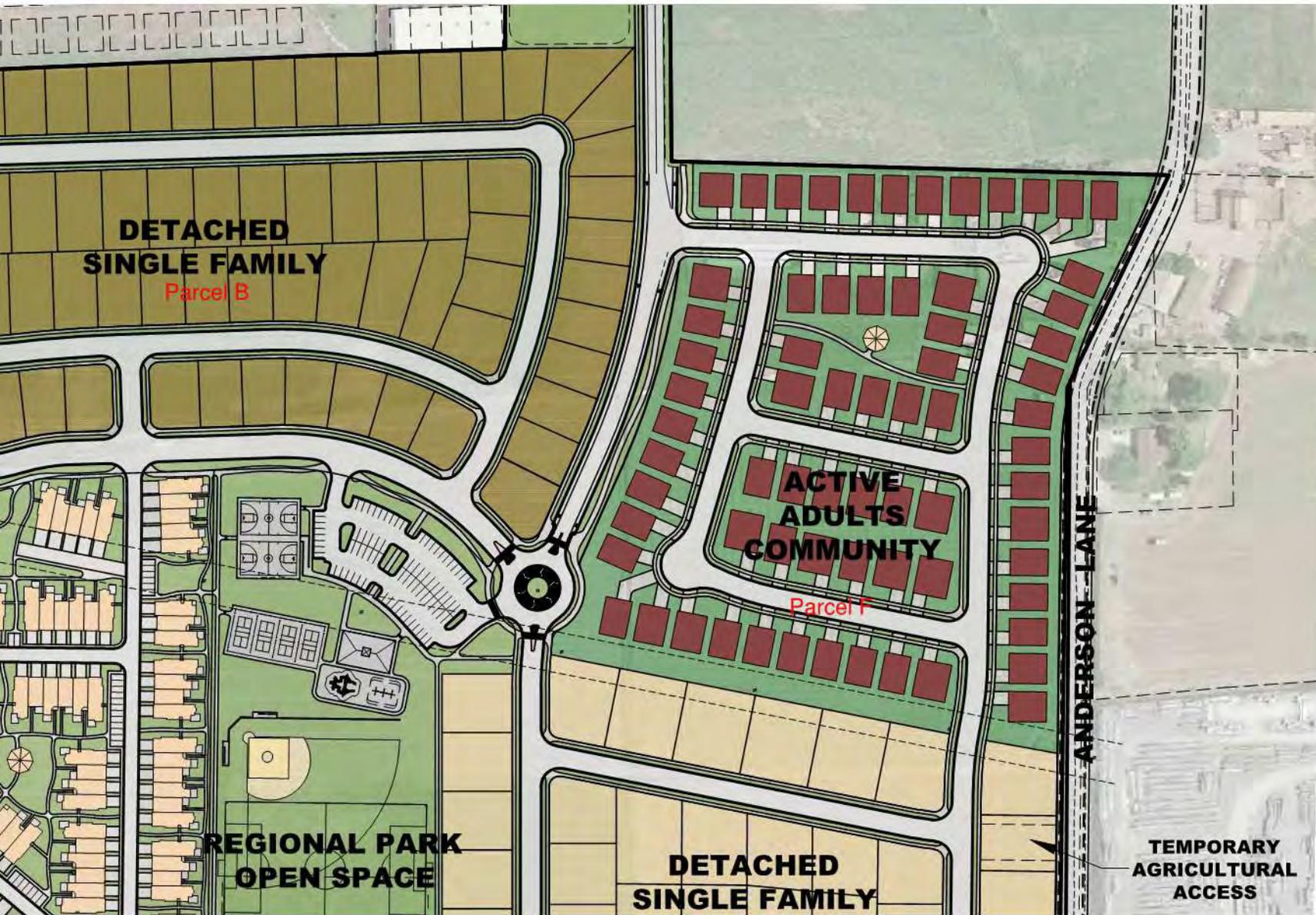
(h) For all Residential Dwelling Units which back onto the Anderson Lane right-of-way, all windows facing the Anderson Lane right-of-way shall be installed with triple pane glass.

ATTACHMENTS

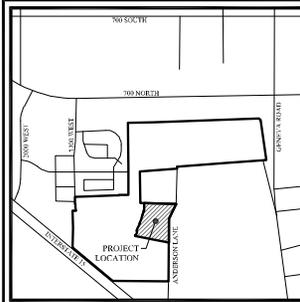
1. Aerial photo of the proposed subdivision.
2. Overall Anderson Farms Concept Plan
3. Active Adult Concept Plan
4. Preliminary Gardens at Anderson Farms Plat A
5. 55-foot Right of Way Local Street Cross Section
6. Exhibit J for Anderson Lane
7. 47.5-foot Right of Way Anderson Lane Cross Section



*Future Site:
Anderson Farms
Estates and Gardens*



PARCEL
P
L
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REGION
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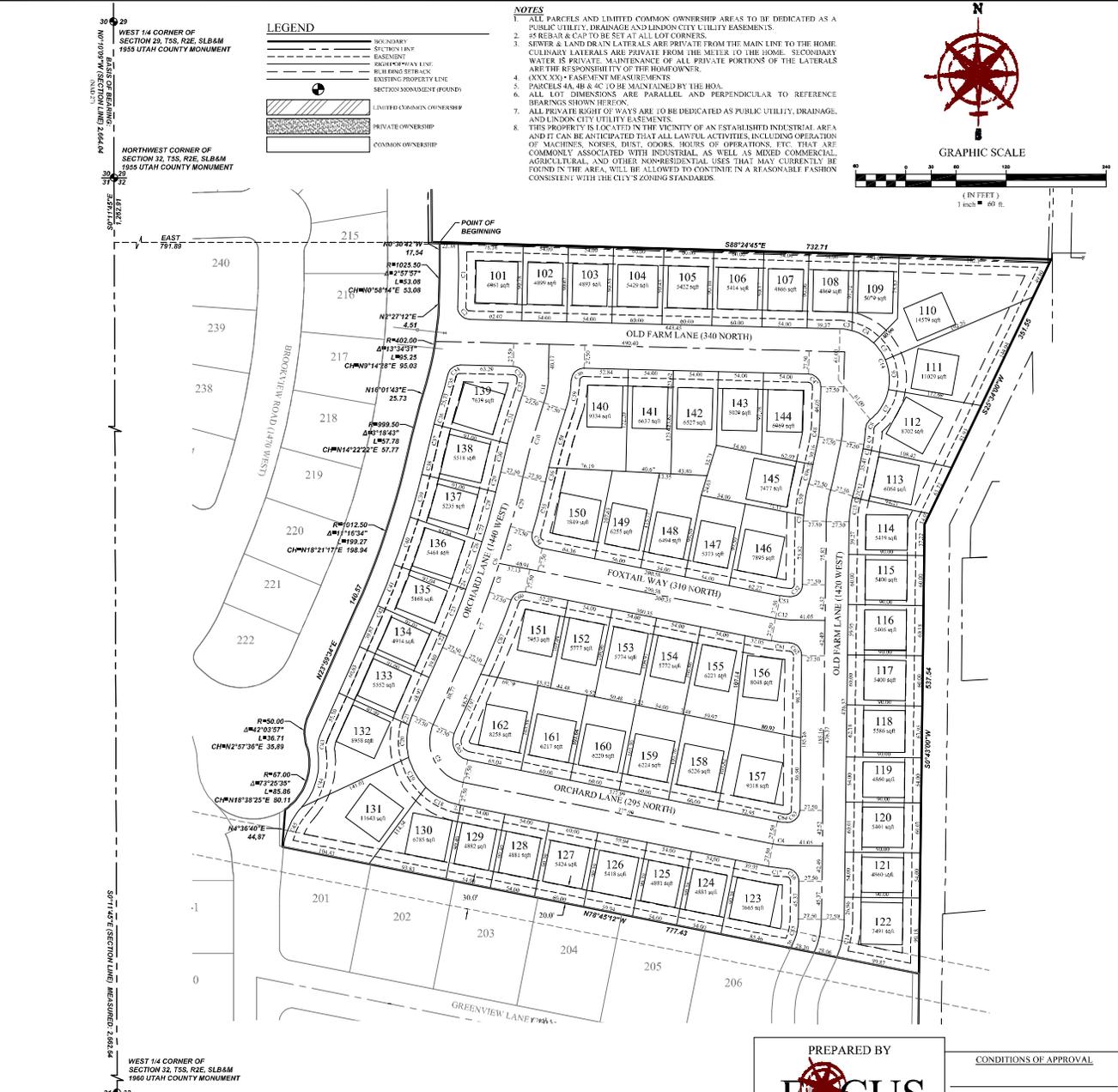


VICINITY MAP

CURVE	RAADIUS	DELTA	LENGTH	CHORD	CHORD DIRECTION	CHORD LENGTH
C1	1048.00	4799.99'	75.63	569.1830'	75.63	75.63
C2	15.00	8147.86'	33.89	842.7444'	31.44	31.44
C3	81.00	13522.21'	14.77	581.3594'	14.73	14.73
C4	1160.00	22729.36'	6.00	512.7735'	49.89	49.89
C5	45.00	20729.36'	33.43	569.2220'	30.12	30.12
C6	100.00	10733.01'	18.38	584.9059'	18.36	18.36
C7	50.00	10743.87'	36.66	537.2742'	19.42	19.42
C8	81.00	34932.07'	30.22	590.9512'	35.89	35.89
C9	1165.00	11116.54'	32.02	518.3117'	22.65	22.65
C10	81.00	40723.97'	43.39	531.1408'	42.20	42.20
C11	1155.00	49816.67'	83.36	523.5527'	83.28	83.28
C12	15.00	48949.14'	13.81	527.9070'	13.43	13.43
C13	1155.00	7480.11'	36.67	518.8197'	36.47	36.47
C14	155.00	1164.27'	23.05	566.5427'	23.62	23.62
C15	1155.00	21271.87'	46.07	518.9379'	46.07	46.07
C16	155.00	10243.87'	1.12	513.2903'	1.12	1.12
C17	88.00	47697.30'	82.30	512.4748'	92.38	92.38
C18	215.00	47396.41'	21.78	519.6149'	21.71	21.71
C19	1180.00	17243.87'	30.38	519.1917'	30.21	30.21
C20	122.50	10474.87'	1.76	514.3248'	1.76	1.76
C21	1180.00	10715.87'	18.38	507.9070'	18.33	18.33
C22	122.50	13444.87'	29.61	507.9070'	29.38	29.38
C23	122.50	10715.87'	43.97	513.9221'	43.71	43.71
C24	81.00	146969.29'	146.66	589.9347'	134.64	134.64
C25	75.00	24715.07'	30.69	512.9393'	30.46	30.46
C26	15.00	49239.07'	23.41	543.5921'	21.11	21.11
C27	121.50	10715.87'	23.14	589.9347'	23.43	23.43
C28	75.00	13464.87'	43.49	581.3138'	42.82	42.82
C29	75.00	10715.87'	41.39	629.6971'	40.90	40.90
C30	75.00	24715.07'	34.49	589.1380'	34.06	34.06

CURVE	RAADIUS	DELTA	LENGTH	CHORD	CHORD DIRECTION	CHORD LENGTH
C31	75.00	37499.87'	42.80	587.9397'	42.80	42.80
C32	1124.00	19422.17'	42.80	587.9397'	42.80	42.80
C33	1124.00	7366.17'	61.00	527.4379'	61.00	61.00
C34	1124.00	19422.17'	42.80	587.9397'	42.80	42.80
C35	1124.00	14484.17'	35.60	587.9397'	35.60	35.60
C36	1124.00	19422.17'	42.80	587.9397'	42.80	42.80
C37	1124.00	17121.29'	36.67	587.9397'	36.66	36.66
C38	1124.00	14484.17'	34.97	587.9397'	34.97	34.97
C39	1124.00	17121.29'	36.67	587.9397'	36.66	36.66
C40	1124.00	14484.17'	34.97	587.9397'	34.97	34.97
C41	15.00	82190.03'	34.17	542.2339'	31.64	31.64
C42	15.00	77468.11'	30.37	552.0147'	18.84	18.84
C43	434.50	27221.46'	17.57	514.5633'	17.57	17.57
C44	977.00	17640.37'	16.20	515.2942'	16.20	16.20
C45	977.00	2144.67'	38.21	515.2942'	38.21	38.21
C46	1160.00	11787.17'	23.23	517.9279'	23.29	23.29
C47	1160.00	21271.87'	33.43	517.9279'	33.42	33.42
C48	1155.00	17194.87'	60.81	518.9379'	60.60	60.60
C49	103.50	21434.38'	52.58	517.4319'	52.57	52.57
C50	103.50	1946.54'	14.13	523.6699'	14.13	14.13
C51	38.00	12472.21'	22.32	607.1553'	22.62	22.62
C52	74.00	58473.17'	69.00	516.1348'	66.82	66.82
C53	89.00	34322.11'	53.63	526.3911'	52.84	52.84
C54	15.00	49493.54'	23.32	549.5697'	23.64	23.64
C55	15.00	44969.00'	23.66	549.5697'	23.21	23.21
C56	100.00	10712.29'	17.85	589.2438'	17.82	17.82
C57	22.50	47687.17'	17.87	607.9397'	17.87	17.87

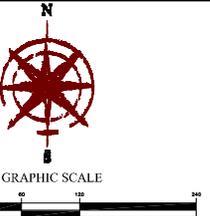
OCCUPANCY RESTRICTION NOTICE
IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE CITY.



WEST 1/4 CORNER OF SECTION 32, T5S, R2E, S1B&M 1955 UTAH COUNTY MONUMENT

WEST 1/4 CORNER OF SECTION 32, T5S, R2E, S1B&M 1966 UTAH COUNTY MONUMENT

- NOTES**
- ALL PARCELS AND LIMITED COMMON OWNERSHIP AREAS TO BE DEDICATED AS A PUBLIC UTILITY, DRAINAGE AND LINDON CITY UTILITY EASEMENTS.
 - SEWER & GATE TO BE SET AT ALL LOT CORNERS.
 - SEWER & LAND DRAIN LATERALS ARE PRIVATE FROM THE MAIN LINE TO THE HOME. CULINARY LATERALS ARE PRIVATE FROM THE METER TO THE HOME. SECONDARY WATER IS PRIVATE. MAINTENANCE OF ALL PRIVATE PORTIONS OF THE LATERALS ARE THE RESPONSIBILITY OF THE HOMEOWNER.
 - EXISTING EASEMENT MEASUREMENTS ARE AS SHOWN ON THIS PLAN.
 - PARCELS 4A, 4B & 4C TO BE MAINTAINED BY THE HOA.
 - ALL LOT DIMENSIONS ARE PARALLEL AND PERPENDICULAR TO REFERENCE DRAINAGE SHOWN HEREON.
 - ALL PRIVATE RIGHT OF WAYS ARE TO BE DEDICATED AS PUBLIC UTILITY, DRAINAGE AND LINDON CITY UTILITY EASEMENTS.
 - THIS PROPERTY IS LOCATED IN THE VICINITY OF AN ESTABLISHED INDUSTRIAL AREA AND IT CAN BE ANTICIPATED THAT ALL LAWFUL ACTIVITIES, INCLUDING OPERATION OF MACHINES, NOISE, DUST, ODORS, MODES OF OPERATIONS, ETC. THAT ARE COMMONLY ASSOCIATED WITH INDUSTRIAL, AS WELL AS MIXED COMMERCIAL, AGRICULTURAL, AND OTHER NON-RESIDENTIAL USES THAT MAY CURRENTLY BE FOUND IN THE AREA, WILL BE ALLOWED TO CONTINUE IN A REASONABLE MANNER CONSISTENT WITH THE CITY'S ZONING STANDARDS.



SURVEYOR'S CERTIFICATE
I, SPENCER W. LLEWELYN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 1051650 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAN IN ACCORDANCE WITH SECTION 1702(4)(7) OF SAID CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS, AND THE SAME HAS, OR WILL BE, CORRECTLY SURVEYED, STARTED, AND THE MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAN, AND THAT THIS PLAN IS TRUE AND CORRECT.

SPENCER W. LLEWELYN
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 1051650

DATE _____

BOUNDARY DESCRIPTION

A portion of the NW1/4 of Section 32, Township 5 South, Range 2 East, Salt Lake Base & Meridian, located in Lindon, Utah, more particularly described as follows:
Beginning at a point on a fence line located S81°14'58"E along the Section line 1,262.91 feet and East 791.89 feet from the Northwest Corner of Section 32, T5S, R2E, S1B&M, thence S88°24'48"E along said fence 332.71 feet; thence S75°34'00"W along the Easement line of that Real Property described in Deed Entry No. 25833-1986 of the Official Records of Utah County 351.25 feet; thence S00°45'00"W along said deed 537.54 feet; thence N08°42'12"W 177.45 feet; thence N06°20'07"E 44.87 feet; thence North along the arc of a non-curve to the left having a radius of 67.00 feet (radius bears N34°38'48"W) a distance of 35.96 feet through a central angle of 72°25'37" Chord: N02°57'36"E 35.89 feet; thence N23°59'34"E 140.57 feet; thence along the arc of a curve to the left having a radius of 1,012.50 feet a distance of 199.27 feet through a central angle of 11°16'54" Chord: N18°21'17"E 198.94 feet, to a point of reverse curvature; thence along the arc of a curve to the right having a radius of 50.00 feet a distance of 36.71 feet through a central angle of 42°03'57" Chord: N02°57'36"E 35.89 feet; thence N23°59'34"E 140.57 feet; thence along the arc of a curve to the left with a radius of 1,012.50 feet a distance of 199.27 feet through a central angle of 11°16'54" Chord: N18°21'17"E 198.94 feet, to a point of reverse curvature; thence along the arc of a curve to the right having a radius of 699.50 feet a distance of 57.25 feet through a central angle of 10°19'49" Chord: N14°22'27"E 57.27 feet; thence N16°01'41"E 25.73 feet; thence along the arc of a curve to the left with a radius of 402.00 feet a distance of 95.25 feet through a central angle of 13°41'17" Chord: N09°42'07"E 95.03 feet; thence N02°27'12"E 4.51 feet; thence along the arc of a curve to the left with a radius of 1,025.50 feet a distance of 53.08 feet through a central angle of 07°57'37" Chord: N09°58'14"E 53.08 feet; thence N09°10'47"E 17.24 feet to the point of beginning.

Containing: 12.74 acres ±

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PARCELS, AND STREETS TO BE HEREINAFTER KNOWN AS:

GARDENS AT ANDERSON FARMS

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC USE, THE UNDERSIGNED OWNER(S) AS SO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAN, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, _____ HAVE HEREIN SET _____ HAND THIS _____ DAY OF _____ A.D. 20____

CHRISTOPHER P. GAMVROULAS
PRESIDENT, IVORY DEVELOPMENT LLC

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
SS: _____
COUNTY OF _____

ON THE _____ DAY OF _____ A.D. 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AN ENVIRONMENT FOR THE COUNTY OF UTAH, IN SAID STATE OF UTAH, CHRISTOPHER P. GAMVROULAS, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC, A UTAH LLC, AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN _____ UTAH RESIDING IN _____ COUNTY

MY COMMISSION NO. _____ PRINTED FULL NAME OF NOTARY _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF LINDON CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____ 20____

APPROVED BY MAYOR _____ APPROVED BY CITY ATTORNEY _____

APPROVED BY CITY ENGINEER _____ ATTEST BY CITY RECORDER _____
(SEE SEAL BELOW) (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE LINDON CITY PLANNING COMMISSION

DIRECTOR - SECRETARY _____ CHAIRMAN, PLANNING COMMISSION _____

GARDENS AT ANDERSON FARMS SUBDIVISION
LINDON CITY, UTAH COUNTY, UTAH

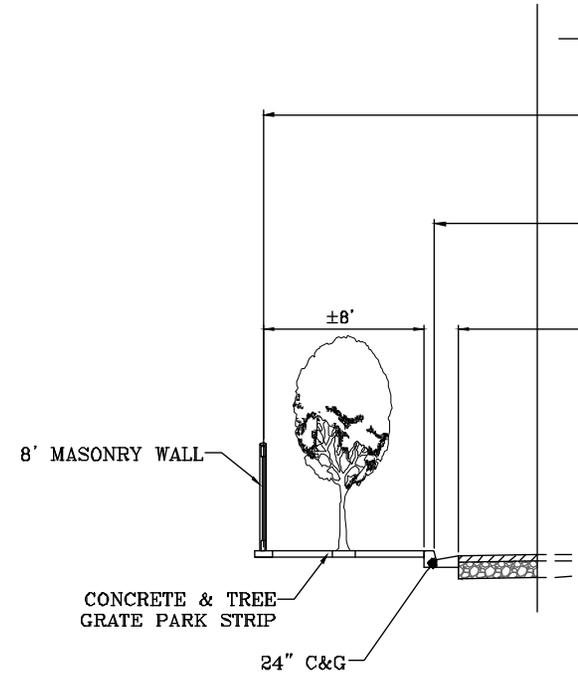
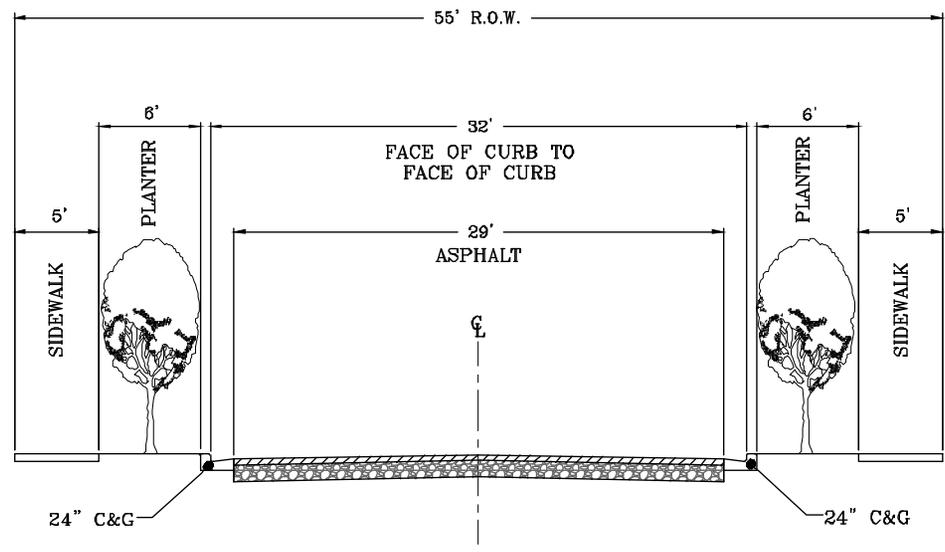
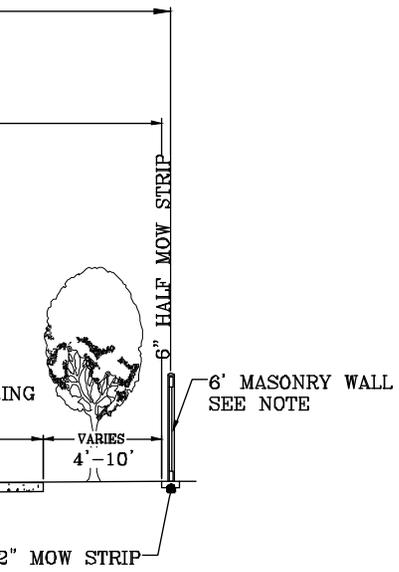
SCALE: 1"=60'

CONDITIONS OF APPROVAL _____

SURVEYOR'S SEAL _____ NOTARY PUBLIC SEAL _____ CITY/COUNTY ENGINEER SEAL _____ COUNTY RECORDER SEAL _____

PREPARED BY

FOCUS
ENGINEERING AND SURVEYING, LLC
12 WEST COVER STREET
MIDVALE, UTAH 84047 P.O. BOX 15240075
www.focusutah.com

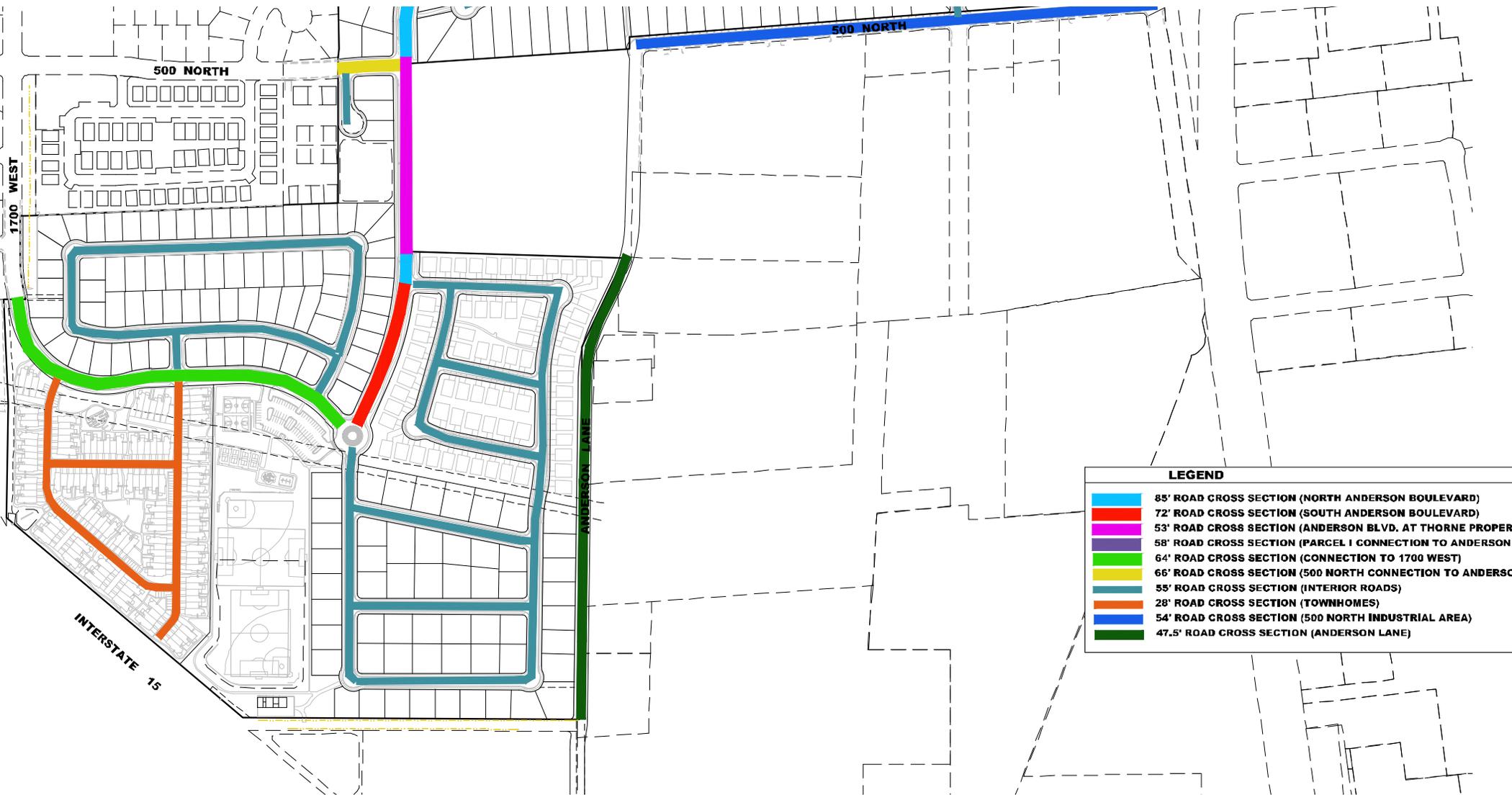


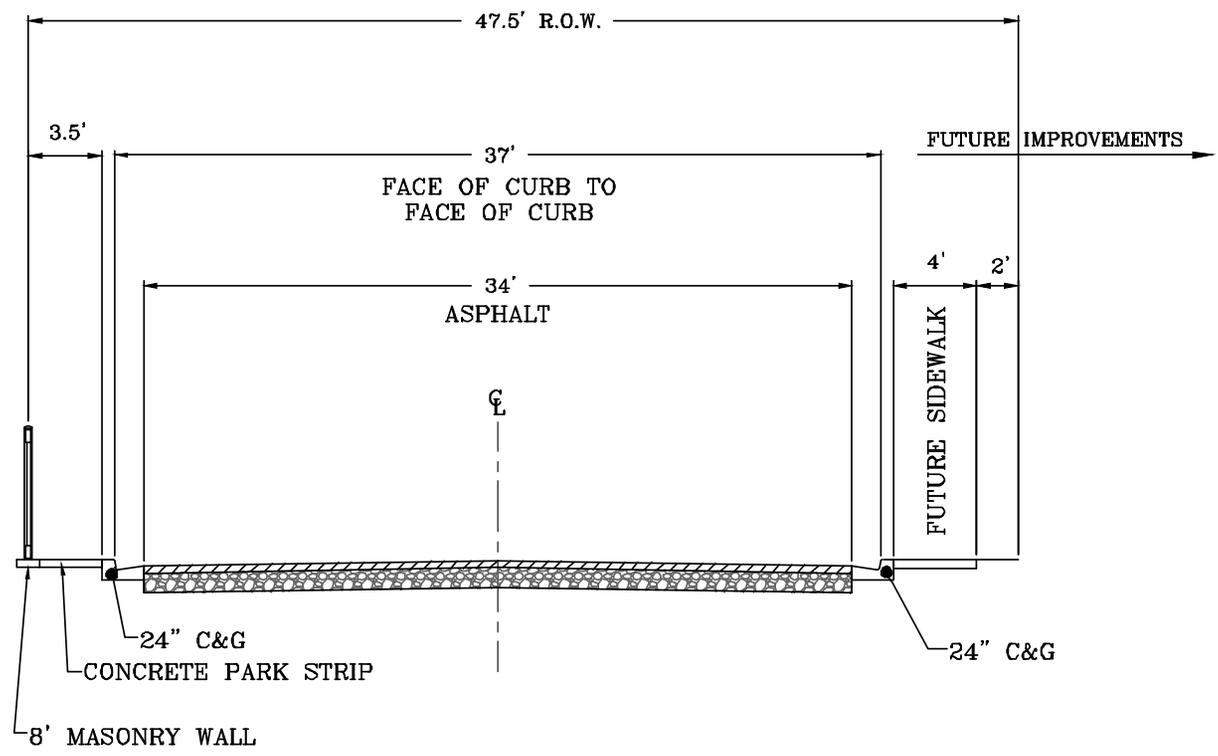
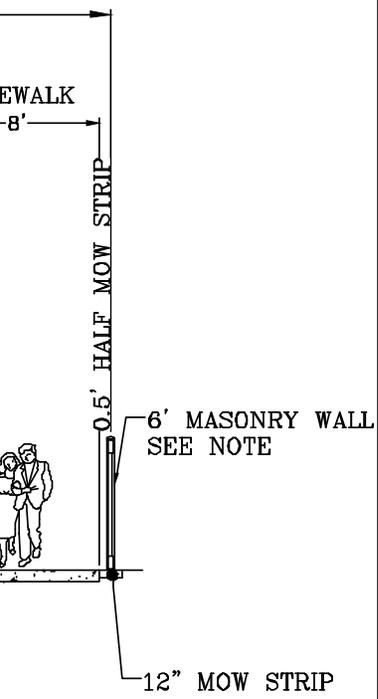
8

**55' ROAD CROSS SECTION
INTERIOR ROADS**

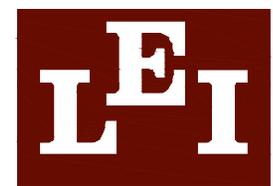
9

**54' ROAD CROSS SECTION
500 NORTH INDUSTRIAL**





3
47.5' ROAD CROSS SECTION
ANDERSON LANE



- A Utah Corporation -

ENGINEERS
SURVEYORS
PLANNERS

3302 N. Main Street
 Spanish Fork, UT 84660
 Phone: 801.798.0555
 Fax: 801.798.9393
 office@lei-eng.com
 www.lei-eng.com

Item 8: 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>
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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.

PREVIOUS PLANNING COMMISSION MEETING

Concern was expressed by Commissioner Keller that these restrictions would be unfavorable to businesses with 24-hour production shifts, especially those far away from residential areas. The Commission agreed to continue the item so that staff could do additional research into the concern.

ANALYSIS

Staff’s initial effort to modify the ordinance was to add relatively little text but have defined quiet hours. Several other cities, however, have a much more specific and lengthier code dealing with noise issues. Additionally, several sections of the Lindon City Code deal with noise and quiet hours for specific uses such as:

- a) 17.30.070: All grading and excavation in or contiguous to residential neighborhoods shall be carried on between the hours of seven a.m. to five-thirty p.m. The zoning administrator may waive this requirement if it is shown that restricting the hours of operation would unduly interfere with the development of the property and it is shown that other properties or neighborhood values would not be adversely affected. (Ord. 111 §1, amended, 1985; Prior code §12-107-6(F)(2))
- b) 17.48.100(6)b: *Receiving Areas (Docks)*. Receiving areas located within one hundred fifty feet (150’) of a residential zone shall be located inside an approved building or in an area enclosed on three (3) sides and covered with a roof. Access to receiving docks shall be from the front of the building or from the side of the building, provided the side of the building is not oriented toward an adjacent residential zone. Receiving areas shall be signed to indicate the hours the receiving area is operational and shall be signed to prohibit engine idling when the receiving area is closed. Receiving areas adjacent to a residential zone shall not operate between the hours of 10:00 p.m. and 6:00 a.m. unless provisions can be made to bring merchandise into the store through the front or side of the store not oriented toward a residential area. Materials, such as pallets, store fixtures, and other similar items shall not be stored in the receiving area. Any and

- all venting of the receiving areas shall be to the interior.
- c) 17.51.145 Noise Limits:
1. Noise levels, as measured in decibels, from any commercial event/activity shall be limited to the following levels:
 - a. Eighty-five (85) dBA between 7:00 a.m. and 10:00 p.m.
 - b. Fifty-five (55) dBA between 10:00 p.m. and 7:00 a.m.
 2. Devices used to measure noise levels shall:
 - a. Be set to the "A" frequency weighting and "slow" response characteristic; and
 - b. Be placed at any point on the property line.
 3. Any noise level greater than the approved levels above may be allowed through the issuance of a special event permit as approved by Lindon City. (Ord. 2017-16 §1, adopted, 2017)

With this in mind, staff has added language that considers noise in and adjacent to residential zones and a line dealing with other sections of code that may differ from this noise regulation.

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 for residential zones and properties adjacent to residential zones 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 in an adverse manner. Exceptions to quiet hours may be obtained upon approval from the City Administrator, or his/her designee. If this section is in conflict with another section of City Code, the more restrictive section shall apply.

ATTACHMENTS

1. 2018-9-0

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 and August 14, 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 August 21, 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 for residential zones and properties adjacent to residential zones 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 in an adverse manner. Exceptions to quiet hours may be obtained upon approval from the City Administrator, or his/her designee. If this section is in conflict with another section of City Code, the more restrictive section shall apply.

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 9: New Business (Planning Commissioner Reports)

Item 1 – Subject _____

Discussion

Item 2 – Subject _____

Discussion

Item 3 – Subject _____

Discussion

Item 10: Planning Director Report

- American Planning Association Utah Chapter Fall Conference, Sandy, Oct. 4-5
- Mt. Tech IV Grand Opening, RSVP needed. September 13, 3-5pm
- Treatment Center Hearing (staff only) August 16

Adjourn