Notice of Meeting  
Lindon City Planning Commission

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

AGENDA  
Invocation: By Invitation  
Pledge of Allegiance: By Invitation

1. Call to Order

2. Approval of minutes  
Planning Commission 9/24/2019

3. Public Comment

4. Public hearing for a recommendation to the Lindon City Council to amend the Lindon City development manual regarding street cross sections.  
Kirk Williamson requests Ordinance Amendment approval to amend the Lindon City Development Manual to create a new public street cross section for Lindon’s Sensitive Area District 3. (20 minutes)

5. Public hearing for a recommendation to amend the Lindon City zoning map from R1-20 to CG at approximately 229 W 400 N.  
Colts Neck Investments, LLC requests approval for a Zoning Map Amendment to change the zoning of the property at approximately 229 W. 400 N. from Residential (R1-20) to Commercial General (CG). Parcel #14:068:0163. (20 minutes)

6. Public meeting for an amendment to an existing Conditional Use Permit for T-Mobile at approximately 775 E 200 S.  
T-Mobile requests conditional use permit approval to amend the current conditional use permit for three cell towers that are located at approximately 775 E. 200 S. The amendment would allow an increase in the height of the poles and an increased width of the extended portions. Parcel #14:073:0217. (20 minutes)

5. Public hearing for a recommendation to the Lindon City Council to amend the Lindon City Standard Land Use Table and other relative zoning codes to include medical cannabis production establishments.  
Lindon City requests an amendment to the Standard Land Use Table and relative zoning codes to include Medicinal Cannabis production establishments thus, allowing the city to determine the most appropriate location for this use. (20 minutes)

7. New Business from Commissioners

8. Planning Director Report  
- General City updates

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.
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

*The duration of each agenda item is approximate only*

Posted By: Kathryn Moosman, City Recorder
Date: 10/4/2019
Time: 5:00 pm
Place: Lindon City Center, Lindon Police Station, Lindon Community Center
Notice of Meeting
Lindon City Planning Commission

Item 1 – Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Renee Tribe
The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, September 24, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**REGULAR SESSION – 7:00 P.M.**

Conducting: Sharon Call, Chairperson

Invocation: Mike Marchbanks, Commissioner

Pledge of Allegiance: Boy Scout

**PRESENT**

Sharon Call, Chairperson

Rob Kallas, Commissioner

Mike Marchbanks, Commissioner

Steven Johnson, Commissioner

Jared Schauers, Commissioner

Renee Tribe, Commissioner

Mike Florence, Planning Director

Anders Bake, Associate Planner

**EXCUSED**

Kathy Moosman, City Recorder

Scott Thompson, Commissioner

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

**2. APPROVAL OF MINUTES** – The minutes of the regular meeting of the Planning Commission meeting of September 10, 2019 were reviewed.

**COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 10, 2019 AS AMENDED OR CORRECTED. COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.**

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

**CURRENT BUSINESS** –

**4. Site Plan – 7th at Geneva Road— 775 N. Geneva Rd.** Axley-Way Investments, LLC requests site plan approval for a 31,000 square foot commercial building in the Lindon Village zone. Parcel # 14:053:0161. This item was continued from the September 10, 2019 Planning Commission Meeting.

Anders Bake, Associate Planner led this discussion by stating this item was continued from the previous Planning Commission meeting, held on September 10th. The applicant was given the opportunity to address issues with the building materials shown on the elevation renderings and provide city staff more time to review the site’s landscaping plan. He noted updated building renderings and landscaping plans have been submitted and are ready for Planning Commission review tonight.

Planning Commission  
September 24, 2019
Mr. Bake explained an updated landscaping plan has been submitted by the Steve Davies, the applicant. He noted Mr. Davies has also worked with city staff to include a park strip between Geneva road and a five-foot-wide sidewalk. The trees that are normally required to be ten feet behind the sidewalk have been placed in this landscaping strip in front of the sidewalk to provide a buffer for pedestrians on Geneva road. Commercial landscaping standards require a 20-foot-wide and 3-foot-high landscaping strip along public street frontages unless otherwise approved by the Planning Commission. Mr. Davies is proposing a 26-foot-wide landscaping strip along Geneva road that slopes downhill from the sidewalk to the parking area due to the building sitting below the street and sidewalk grade. Additional landscaping has also been added next to the east side of the building and the landscaping area at the north end of the property has been changed from gravel to grass; all landscaping standards provided are in compliance.

Mr. Bake further explained that Mr. Davies updated landscaping plan includes a sidewalk with stairs that goes through the landscaping strip along Geneva road creating a pedestrian connection from the building to the sidewalk on Geneva road. This will enhance pedestrian connectivity in the district helping it meet the standards for the Lindon Village Commercial Zone.

Mr. Bake indicated Mr. Davies has also provided updated building elevation renderings showing building materials and the colors that will be used. The renderings include additional entry doors in the center of the east side of the building with a canopy over them. A cornice treatment has also been added to the parapet walls of the building. Day and night building elevation renderings have also been provided which show additional lighting on the east side of the building; the lighting will be a decorative sconce type lighting.

Mr. Bake went on to say the Commercial Design Standards require that the primary building material be 85% brick, stone, or colored decorative block but also allow an applicant to propose the use of innovative materials to be considered by the commission as long as the principles of the design standards are followed. Mr. Davies is proposing to use brick and concrete board form as primary materials and the secondary material would be painted concrete at the top of the building.

Mr. Bake commented at the September 10th meeting, the commission seemed supportive of the design with suggested architectural updates and changes. The Commercial Design Standards also require that “the ground floor of the primary façade shall be 60% glass fenestration at the pedestrian level.” The updated elevation renderings meet this requirement and the architectural materials such as canopies and lighting comply with Lindon’s Commercial Design Standards. Mr. Bake noted the City Engineer is working through technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval tonight.

Mr. Bake pointed out this proposed site plan and district plan will be an important step in the creation of a future commercial and transit center in this area. Updates to the building materials and landscaping plans demonstrate how this project will meet commercial design standards and city code requirements. He noted Mr. Davies has also worked with city staff to make improvements to pedestrian safety and connectivity on this site.

Mr. Bake then presented an aerial photo, district plan, landscaping plan, building elevations, day and night building renderings and a 3D building model followed by discussion. He then turned the time over to the applicant for comment.

Planning Commission
September 24, 2019
Mr. Davies commented they are sensitive to the location, the concerns and desires the commission has of this location. They have tried to respond to the commission’s requests and requirements as best as possible. Chairperson Call stated the commission appreciates what they have done and they have made a great effort in addressing the concerns and it appears to be a nice building.

Chairperson Call called for any comments or discussion from the Commission.

Hearing none she called for a motion.

COMMISSIONER KALLAS MADE A MOTION TO APPROVE THE APPLICANT’S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL MEET OTHER RELEVANT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 3. FINAL DESIGN WILL MEET THE COMMERCIAL DESIGN STANDARDS; 4. THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS; 5. THE LANDSCAPE BERM BE ALLOWED TO BE REMOVED ALONG GENEVA ROAD DUE TO THE SITE’S TOPOGRAPHICAL CONSTRAINTS; 6. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL
COMMISSIONER KALLAS
COMMISSIONER JOHNSON
COMMISSIONER MARCHBANKS
COMMISSIONER SCHAUERS
COMMISSIONER TRIBE
THE MOTION CARRIED UNANIMOUSLY.

5. Site Plan - Lindon Harbor Plat Building 3 – 1226 W 200 S and 282 S 1250 W.

Deny Farnworth requests site plan approval for the construction of two buildings intended for light industrial uses. The property is in Lindon’s Light Industrial zone. Parcel #s 45:269:0016 and 45:269:0017.

Michael Florence, Planning Director, led this discussion by stating the applicant, Deny Farnworth is in attendance for this agenda item. He then gave a brief overview explaining for site plan approval, the planning commission will be evaluating whether the site plan and building meet Title 17 development regulations.

Mr. Florence explained this property was subdivided into four lots in 1998 with one building being constructed on the site. Mr. Farnworth now wants to construct two additional buildings; the buildings will be divided into separate tenant spaces. He indicated Mr. Farnworth received conditional use permit approval from the city council for the development. He pointed out that conditional use permit approval expires after one year if not implemented and the previous entitlements for this development have expired. Since 1998 the City has changed its land development process, so for this reason the Mr. Farnworth has now applied for site plan approval. Most of the public improvements such as curb and gutter were installed with the first building. The buildings
will be constructed for uses allowed it the Light Industrial zone which include office, warehouse, manufacturing, and sales.

Mr. Florence then went over the site development standards noting the required parking is provided and in compliance. Mr. Florence indicated the site provides adequate traffic circulation for customers and trucks through the site. The Light Industrial zone requires 20% of the site be installed as landscaping and the developers plan shows 23%. The applicants plan shows the 20-foot landscape strip with three planted every 30 feet on center. He noted Mr. Farnworth will need to provide a design that shows the interior landscape parking capped with landscape curbing.

Mr. Florence stated the site provides adequate traffic circulation for customers and trucks through the site. The Light Industrial zone requires 20% of the site be installed as landscaping and the developers plan shows 23%. Mr. Farnworth’s plan shows the 20-foot landscape strip with three planted every 30 feet on center. Mr. Farnworth will also need to provide a design that shows the interior landscape parking capped with landscape curbing; the landscaping standards provided are in compliance.

Mr. Florence explained the buildings in the Light Industrial zone are required to have 25% of the exterior of all buildings covered with brick, decorative block, stucco. The building entrances are internal to this development and this is how the project was originally approved and the site designed. Mr. Farnworth is proposing to have a block building similar in style to the existing building with sections of decorative split faced block to add architectural detail. Mr. Farnworth is also proposing to install canopies over each entryway and has also placed well-proportioned windows to increase the attractiveness of the building that will enhance the back of the buildings with the same decorative rock.

Mr. Florence explained the minimum development size for the Light Industrial zone is one acre. The lots that the applicant is proposing to develop are less than the one acre with Lot 16 being .72 acres and Lot 17 being .46 acres. The research that staff conducted it appears that when these lots were approved by the City there was not a minimum lot size requirement.

Mr. Florence noted the City Engineer is working through technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval. He added for nearly 20 years the proposed lots have been used for varying types of storage. Mr. Florence indicated this project will help to clean up a prominent corner in the Light Industrial zone and will help to bring new businesses to the City. There are some prior restraints with how this project was originally approved and subdivided and staff feels Mr. Farnworth has done a great job in trying to make an attractive development for the area. Mr. Florence then presented an aerial photo, building elevations, site plan, and landscape plan followed by some general discussion. He then turned the time over to Mr. Farnworth for comment.

Mr. Farnworth commented they tried to add more curb appeal in the past and will basically follow the same layout as the buildings across the street that have already been approved. Chairperson Call mentioned the 25% requirement and if that requirement is met. Mr. Farnworth stated it will be all block with some split face in it so he believes it meets or exceeds the requirement. Mr. Florence stated they will confirm the requirement is met when the plans are submitted. Chairperson Call mentioned the lot size approval. Mr. Florence stated the code requires a minimum of one acre to develop but this property was subdivided in 1998, so the lots are considered legal non-conforming, so Mr.
Farnworth has the right to develop on those lots. He then went over the conditions of approval. Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion.

COMMISSIONER MARCHBANKS MADE A MOTION TO APPROVE THE APPLICANT’S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 3. THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS IF NECESSARY; 4. FINAL DESIGN WILL MEET THE TITLE 17 STANDARDS FOR INDUSTRIAL BUILDINGS; 5. A FINAL LANDSCAPING PLAN WILL BE SUBMITTED THAT MEETS LANDSCAPING STANDARDS OF THE LIGHT INDUSTRIAL ZONE AND INTERNAL LANDSCAPE REQUIREMENTS; 6. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER TRIBE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
COMMISSIONER JOHNSON AYE
COMMISSIONER MARCHBANKS AYE
COMMISSIONER SCHAUERS AYE
COMMISSIONER TRIBE AYE

THE MOTION CARRIED UNANIMOUSLY.

6. A recommendation to the Lindon City Council to amend the Moderate-Income Housing Element of the Lindon City General Plan. Application is made by Lindon City. This item was continued from the August 27, 2019 Planning Commission Public Hearing.

Mr. Florence led this discussion by giving a brief overview of this item explaining the Lindon City Moderate Income Housing Plan provides a picture into current demographic trends and provides estimates into future housing needs as provided by the Utah Department of Workforce Services.

Mr. Florence stated in 2019, the Utah Legislature passed Senate Bill 34 which made changes to Utah Code 10-9a. He noted these changes required municipalities of the first, second, third and fourth classes to develop a “plan for moderate-income housing” to be adopted by December 1, 2019. As part of a general plan amendment cities are required to select 3 strategies to develop moderate-income housing.

Mr. Florence noted since the draft that was sent to the Commission on August 27th staff has made the following changes to the document:

- Staff modified the goals section of the plan that referred to discussing the inclusion of moderate-income housing and mortgage assistance particularly for city employees or other qualifying individuals. The goals are now more general to discuss future housing options that would be targeted for any individual who qualifies for such assistance. It appeared that the planning commission and city
council had concerns about calling out specific groups for housing assistance so staff felt it would be better to modify this goal.

- The update to Utah Code 10-9a-403 also requires that municipalities coordinate their General Plan Land Use and Transportation sections with expected growth outlined in the Moderate-income housing element. Staff will be working to update these two sections of the Lindon General Plan.

There was then some general discussion regarding the strategies to develop moderate-income housing including the R2 overlay zone, accessory apartments, demographics and things done in the past to improve moderate-income housing in the city and future goals. Chairperson Call thanked Mr. Florence for his hard work on the plan noting it is very well done and informative.

Chairperson Call called for any comments or discussion from the Commission. Hearing none she called for a motion.

**COMMISSIONER JOHNSON MADE A MOTION TO RECOMMEND**
**APPROVAL TO THE CITY COUNCIL TO AMEND THE GENERAL PLAN TO ADOPT THE MODERATE-INCOME HOUSING PLAN. COMMISSIONER**
**MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:**

**CHAIRPERSON CALL**  **AYE**  
**COMMISSIONER KALLAS**  **AYE**  
**COMMISSIONER JOHNSON**  **AYE**  
**COMMISSIONER MARCHBANKS**  **AYE**  
**COMMISSIONER SCHAUERS**  **AYE**  
**COMMISSIONER TRIBE**  **AYE**

**THE MOTION CARRIED UNANIMOUSLY.**

5. **New Business: Reports by Commissioners** – Chairperson Call called for any new business or reports from the Commissioners.

Chairperson Call asked for an update on the Wild Oak Reception Center. Mr. Florence stated the civil engineering plans have been approved to do site work. He noted the applicant installed a fence without permit and the Building Official is working with them and the applicant has hired a contractor to remedy the situation. The building plans have not been approved yet but should be done within a month. Mr. Florence said staff has also been working with UDOT and they are monitoring the access for safety reasons to try to rectify the situation.

Commissioner Schauers asked about the storage unit issue on State Street that was before the Commission last month. Mr. Florence stated the ball is in the applicant’s court and he will need to make application noting there is a lot of entitlement to get through before approval will be granted.

6. **Planning Director Report** –
   - General City Updates
Chairperson Call called for any further comments or discussion. Hearing none she called for a motion to adjourn.

**ADJOURN** –

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 8:13 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – October 8, 2019

Sharon Call, Chairperson

Michael Florence, Planning Director
### Item: 4 - Ordinance Amendment
Lindon City Development Manual

<table>
<thead>
<tr>
<th>Date:</th>
<th>October 8, 2019</th>
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<tbody>
<tr>
<td>Applicant:</td>
<td>Kirk Williamson</td>
</tr>
<tr>
<td>Presenting Staff:</td>
<td>Michael Florence</td>
</tr>
<tr>
<td>Type of Decision:</td>
<td>Legislative</td>
</tr>
</tbody>
</table>

**Council Action Required:** Yes, the planning commission is the recommending body on this application.

**Motion:**
I move to (approve, deny, continue) ordinance amendment 2019-15-O (or as presented, with changes).

### Overview:
- Kirk Williamson is proposing to amend the Lindon City Development Manual and proposes an alternative public street cross-section that would only apply to the Sensitive Area District 3 which is better known as “The Hollow” area.
- Mr. Williamson’s son-in-law recently constructed a home on this property and Mr. Williamson would like to add additional lots including a home for himself.
- Mr. Williamson and staff feel that as much land should be protected in the Hollow as possible. Therefore, an alternative road design is being proposed and an amendment to the hammerhead turnaround specifications to accomplish this petition.
- Mr. Williamson presented this item to the planning commission as a concept plan on August 27, 2019

**Sensitive Area District 3**

![Lindon's Sensitive Area District 3](image-url)}
Current Street Standards

50' STREET CROSS-SECTION
LOOKING NORTH OR WEST

Proposed Street Cross Section Rendering
NOTES:

1. THIS CROSS SECTION ONLY APPLIES, AND IS ALLOWED ONLY WITHIN, SENSITIVE AREA DISTRICT 3 (AKA "THE HOLLOW").
2. PARKING IS RESTRICTED ON AT LEAST ONE SIDE OF THE SUB-LOCAL STREET.
3. UTILITY LOCATIONS AND NOTES APPLY AS SHOWN ON THE "STANDARD STREET CROSS SECTIONS AND UTILITY LOCATIONS" STANDARD DRAWING (STD DWG #2a).
4. IMPORTED GRANULAR MATERIAL (I.E. SUB-BASE), ROADBASE, AND, WHERE NECESSARY, ASPHALT THICKNESS, WILL BE DETERMINED BY SOILS REPORT / PAVEMENT DESIGN.
5. MINIMUM OF 4" UNTREATED BASE COURSE (ROADBASE) UNDER CURB & GUTTER AND 8" UNDER STREET PAVEMENT UNLESS MORE REQUIRED BY SOILS REPORT / PAVEMENT DESIGN.
6. ROADBASE AND SUB-BASE SHALL EXTEND 1' MIN. BEHIND CURB AND GUTTER DUE TO LACK OF SIDEWALK ADJACENT TO CURB.
HAMMERHEAD TURNAROUNDS ARE INTENDED TO BE USED ONLY IN EXCEPTIONAL CIRCUMSTANCES AND ONLY IN RESIDENTIAL LAND USE ZONES. THE FOLLOWING RESTRICTIONS APPLY TO THEIR USE:

1. HAMMERHEAD TURNAROUNDS MAY NOT BE USED IF A STANDARD CUL-DE-SAC IS FEASIBLE WHILE STILL PERMITTING CREATION OF AND ACCESS TO AT LEAST TWO LOTS THAT MEET ALL CODE CONDITIONS (LOT SIZE, FRONTAGE, ETC).
2. NO MORE THAN TWO LOTS MAY HAVE ACCESS FROM A HAMMERHEAD TURNAROUND OR FRONTAGE FROM THE HAMMERHEAD TURNAROUND.
3. NO MORE THAN FOUR LOTS MAY ACCESS A SUB STREET WITH A HAMMERHEAD TURNAROUND AS MEASURED FROM THE CENTER OF THE NEAREST INTERSECTION.
4. LOTS HAVING ACCESS TO THE HAMMERHEAD TURNAROUND MUST PROVIDE A MINIMUM OF 3 OFF-STREET PARKING SPACES PER DWELLING UNIT.
5. NO ON-STREET PARKING IS PERMITTED WITHIN A HAMMERHEAD TURNAROUND.
6. ONLY THOSE HAMMERHEAD TURNAROUNDS SHOWN IN THE LINDON STANDARD DETAILS MAY BE USED. THEY MUST ALSO MEET THE MINIMUM REQUIREMENTS OF THE A TURNAROUND IN APPENDIX A OF THE INTERNATIONAL FIRE CODE.
7. SIDEWALK IS OPTIONAL AROUND THE HAMMERHEAD TURNAROUND.

ACCEPTABLE ALTERNATIVE TO 120' HAMMERHEAD DETAIL
**Analysis**

Mr. Williamson and the City have worked for some time on a road cross-section that would meet public standards but also help to preserve property within the “Hollow” area. By making the proposed changes to the cross-section and hammerhead, Mr. Williamson will be able to “cluster” his development to preserve open areas within this sensitive land area. The City is also working with Mr. Williamson on preserving property in the bottom of the Hollow for run-off detention and this amendment would help preserve land for this purpose. If the planning commission and city council approve the new cross-section, then Mr. Williamson will return for subdivision approval.

**Exhibits**

Future Subdivision Proposal  
Concept Staff Report from August 27, 2019  
Planning Commission Meeting Minutes from August 27, 2019

Date: August 27, 2019

Applicant: Marc McCann and Kirk Williamson
Presenting Staff: Anders Bake

Type of Decision: None
Council Action Required: No

Summary of Key Issues
1. The applicant is requesting feedback before applying for an amendment to the Lindon City Development Manual. The Development Manual Amendment will include a new street cross section for property in the Sensitive Area District and an amendment to the Hammerhead Turn Around requirements.
2. The City does not allow for private streets so the developer and City worked on a proposed public road cross-section that reduces the right-of-way requirements of a typically public street. The proposed amendment will allow the applicant to build a public road that will serve three lots in a new subdivision and may be more compatible with the Sensitive Area.

Overview
1. The applicant would like to subdivide their property at approximately 122 N Main street to reconfigure four lots into six. Lindon City Code requires that residential lots in subdivisions front on a public street. In the proposed plans, three of the new lots will have frontage on Main Street and three will have frontage on a new public street. (see exhibit 1)
2. The applicant is proposing modifications to the city’s public street requirements for property in the Sensitive Area District to better preserve their property. The property is located in the “Lindon Hollow” area.
3. The applicant is seeking concept review to discuss an amendment to the approved street cross sections in the Lindon City Development Manual. This amendment would add a new street cross section that can only be used in designated Sensitive Area Districts. It includes two fourteen-foot travel lanes with two feet of curb and gutter on both sides of the street. The curb to curb width of the street will be thirty-two feet. Sidewalks are not included and property lines will be two feet behind the curb. Parking will be permitted on one side of the street unless restricted by the City. (see exhibit 4)
4. The applicant is also seeking to discuss an amendment to the Hammerhead Turn Around regulations in the Lindon City Development Manual. Currently the use of a Hammerhead Turn Around must have a minimum length of 200 feet from the centerline of the intersection to the center of the hammerhead. The proposed amendment would increase the minimum length when used in the Sensitive Area District. The exact length will be determined when the applicant applies for an ordinance amendment to the Development Manual.
5. The city Fire Inspector has given approval for both of these concepts.
**Sensitive Area District**
1. The Sensitive Area District “designates and describes those areas within the city that possess physical or environmental characteristics that require special public consideration.”
2. The Lindon City Code places regulations on properties in the Sensitive Area District that are intended to “permit a reasonable latitude in the use of property, while at the same time requiring design solutions which will avoid detrimental impacts on sensitive natural areas, as well as provide protection from adverse natural forces and hazards.” One of the General Provisions for this district is to “encouraging retention of natural landmarks, prominent natural features, wildlife habitation, and open space.”
3. Lindon City Code (17.56.050) establishes three Sensitive Area Districts in the city. Sensitive Area District 3 includes “all property in the area commonly referred to as ‘the Hollow’.” The applicant’s property lies almost completely within the Sensitive Area District 3.

**Exhibits**
1. Proposed Lot configuration and street location
2. Lindon City Environmental Features Map
3. Proposed Sensitive Area District street cross section
4. Hammerhead Turn Around requirements with proposed changes

Proposed Lot configuration and street location
The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, August 27, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**REGULAR SESSION – 7:00 P.M.**

**Conducting:** Sharon Call, Chairperson  
**Invocation:** Renee Tribe, Commissioner  
**Pledge of Allegiance:** Levi Nuttall, Scout Troop 1211

**PRESENT**  
Sharon Call, Chairperson  
Mike Marchbanks, Commissioner  
Rob Kallas, Commissioner  
Steven Johnson, Commissioner  
Jared Schauers, Commissioner  
Renee Tribe, Commissioner  
Mike Florence, Planning Director  
Anders Bake, Associate Planner  
Kathryn Moosman, Recorder

**EXCUSED**  
Scott Thompson, Commissioner

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

2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of the Planning Commission meeting of June 25, 2019 were reviewed.

   COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JUNE 25, 2019 AS PRESENTED.  
   COMMISSIONER JOHNSON SECONDED THE MOTION.  ALL PRESENT VOTED IN FAVOR.  THE MOTION CARRIED.

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

**CURRENT BUSINESS** –

4. **Blackhurst Minor Subdivision approval – Davies Design Build. 775 North Geneva Road.** Application for two-lot minor subdivision approval at 775 N Geneva Road in the Lindon Village Commercial zone. (parcel #14:053:0161)

   Anders Bake, Associate Planner, led this discussion by giving a brief overview of this item explaining the applicant is seeking minor subdivision approval to split one lot into two. The applicant recently purchased the property and will be returning to the planning commission at a later meeting for commercial site plan approval. Mr. Bake noted the proposed subdivision is located on a property that was formally used as a dairy farm and residence.

Planning Commission  
August 27, 2019
Following discussion, Mr. Watson indicated what he is hearing is that their plan is somewhat acceptable with questions on the number of apartments.

Chairperson Call called for any further comments or discussion from the Commission. Hearing none she moved on to the next agenda item.

6. Concept Review – Kirk Williamson, 114-122 N Main St, Kirk Williamson requests concept review to amend the Lindon City Development Manual to allow for an alternative street cross-section for the Sensitive Land Overlay Zone. A Concept Review allows applicants to receive Planning Commission feedback and comments on proposed projects. No formal approvals or motions are given, but general suggestions or recommendations are typically provided.

Chairperson Call invited the applicants, Kirk Williamson and Mark McCann forward. Anders Bake led the discussion by giving a summary stating the applicant is requesting feedback before applying for an amendment to the Lindon City Development Manual. The Development Manual Amendment will include a new street cross section for property in the Sensitive Area District and an amendment to the Hammerhead Turn Around requirements. He noted the City does not allow for private streets so the developer and City worked on a proposed public road cross-section that reduces the right-of-way requirements of a typically public street. The proposed amendment will allow the applicant to build a public road that will serve three lots in a new subdivision and may be more compatible with the Sensitive Area.

Mr. Bake stated the applicant would like to subdivide their property at approximately 122 N Main street to reconfigure four lots into six. Lindon City Code requires that residential lots in subdivisions front on a public street. In the proposed plans, three of the new lots will have frontage on Main Street and three will have frontage on a new public street. The applicant is proposing modifications to the city’s public street requirements for property in the Sensitive Area District to better preserve their property. The property is located in the “Lindon Hollow” area.

Mr. Bake further explained the applicant is seeking concept review to discuss an amendment to the approved street cross sections in the Lindon City Development Manual. This amendment would add a new street cross section that can only be used in designated Sensitive Area Districts. It includes two fourteen-foot travel lanes with two feet of curb and gutter on both sides of the street. The curb to curb width of the street will be thirty-two feet. He pointed out that sidewalks are not included and property lines will be two feet behind the curb and parking will be permitted on one side of the street unless restricted by the City.

Mr. Bake further stated the applicant is also seeking to discuss an amendment to the Hammerhead Turn Around regulations in the Lindon City Development Manual. Currently the use of a Hammerhead Turn Around must have a minimum length of 200 feet from the centerline of the intersection to the center of the hammerhead. The proposed amendment would increase the minimum length when used in the Sensitive Area District. The exact length will be determined when the applicant applies for an ordinance amendment to the Development Manual. He added the city Fire Inspector has given approval for both of these concepts.

Mr. Bake went on to say the Sensitive Area District “designates and describes those areas within the city that possess physical or environmental characteristics that
require special public consideration.” The Lindon City Code places regulations on properties in the Sensitive Area District that are intended to “permit a reasonable latitude in the use of property, while at the same time requiring design solutions which will avoid detrimental impacts on sensitive natural areas, as well as provide protection from adverse natural forces and hazards.” One of the General Provisions for this district is to “encouraging retention of natural landmarks, prominent natural features, wildlife habitation, and open space.” Lindon City Code (17.56.050) establishes three Sensitive Area Districts in the city. Sensitive Area District 3 includes “all property in the area commonly referred to as ‘the Hollow’.” The applicant’s property lies almost completely within the Sensitive Area District 3.

Mr. Bake then referenced the Proposed Lot configuration and street location, Lindon City Environmental Features Map, Proposed Sensitive Area District street cross section and Hammerhead Turn Around requirements with proposed changes followed by discussion.

Mr. Williamson gave a brief history noting they have spent three years discussing this issue with the city. Their desire has been to have a private lane which most cities offer. They have high ground and elevation change (sensitive areas) and their desire is to cluster with four homes. With a typical road profile, it is so wide that the homes are pushed down the hill; they have struggled with this and believe this concept is finding the “middle road”. He added they believe this is a good compromise for them and also a good thing for the city and neighboring properties.

Commissioner Marchbanks commented that the “hollow” has unique circumstances, adding this accomplishes future goals as far as a storm drain management program as the water flow should be maintained. He pointed out there are reasons to move forward with something like this proposal and there is value in creating a cross section that could be used for more than one spot in the city that would solve these issues and also be built to the city’s specs and standards yet have the feel of a private lane.

Following some additional discussion regarding the concept plan, Chairperson Call stated she is hearing the Planning Commission is not opposed to this and it could work out may turn out to be a positive thing. She also suggested they go before the City Council for review and consideration of this concept plan.

Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion.


Dynamic City Capital requests concept review to propose an amendment to decrease the setback requirements from a residential zone or use for storage units in the Commercial Storage Zone as well as modifications to landscaping requirements. A Concept Review allows applicants to receive Planning Commission feedback and comments on proposed projects. No formal approvals or motions are given, but general suggestions or recommendations are typically provided.

Mike Florence, Planning Director, led this discussion by explaining the applicant is requesting concept review feedback before applying to develop the property at 570 N. State as a mixed commercial site for retail, office and storage units. With the 2018 concept plan the real estate agents for the property held a neighborhood meeting
Item: 5 Public Hearing – Zoning Map Amendment
~ 229 W 400 N

Date: October 8, 2019

Project Address: approximately 229 W 400 N
Applicant: Tim Clyde, Colts Neck Investments
Property Owner: Colts Neck Investments LLC
Presenting Staff: Anders Bake

General Plan: Residential Low
Current Zone: R1-20
Parcel ID: 14:068:0163
Size: 0.55 Acres
Type of Decision: Legislative
Council Action Required: Yes
Presenting Staff: Anders Bake

Summary of Key Issues
1. Whether to recommend approval of a request to change the Zoning Map designation of the subject property from R1-20 to General Commercial.

Overview
1. The applicant is requesting to rezone the subject parcel from residential (R1-20) to Commercial (CG). The purpose of the request is to allow egress of vehicle deliveries from State Street through to 400 N. The applicant owns the property directly south of the subject property that he uses to store materials for his business, Fence Specialist. Trucks coming in and out of the south property are currently required to back out of the property on to State Street which is difficult and hazardous. In order for the applicant to use the 400 N. property the subject property must be rezoned to commercial.
2. If the planning commission and city council vote to approve the rezone request then staff recommends that the approval be conditioned on curb, gutter, and sidewalk being installed along 400 N. as well as the landscaping meet city code requirements.
3. If the planning commission and city council vote to approve the rezone request the applicant will be required to come back for site plan approval from the planning commission.
4. This item was brought before the planning commission and city council in 2007 for a zone change request but was denied at that time. The City felt at that time that the property should remain residential. Attached are the meeting minutes from August and September, 2007.

Motion
I move to recommend (approval, denial, continue) of ordinance 2019-16-O to amend the Lindon City zoning map from R1-20 to Commercial General at approximate 229 W. 400 N. parcel number 14:068:0163 with the following condition(s):
   1. The applicant be required to install curb, gutter and sidewalk along 400 N. and that the property meet all Lindon City landscaping requirements;
   2. All items of the staff report
Surrounding Zoning and Land Use

North: R1-20 – residential
East: R1-20 - residential
South: CG – Fence Specialist
West: CG – Commercial building

Zoning

1. The subject parcel at approximately 229 W 400 N is currently designated in Lindon’s General Plan as Residential Low. The General Plan states that the purpose of this category is to provide areas of low-density residential neighborhoods of essentially spacious and uncrowded character to promote the benefits of an open, rural atmosphere, and to provide for areas where large animals are permitted. Includes area typically zoned as R1-20.

2. The property is currently zoned R1-20. The Lindon City Code states that the single family residential zones (R1) are established to provide areas for the encouragement and promotion of an environment for family life by providing for the establishment of one (1) family detached dwellings on individual lots that are separate and sheltered from non-residential uses found to be inconsistent with traditional residential lifestyles customarily found within Lindon City’s single-family neighborhoods.

3. The proposed zone map amendment would change the zoning of this parcel to General Commercial. The Lindon City code states that the Commercial Ordinance is established to promote commercial and service uses for general community shopping. The objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located. These zones include the General Commercial Zones (CG, CG-A, CG-A8, CG-S), Lindon Village Commercial Zone and the Planned Commercial (PC-1 and PC-2) Zones. For a full list of permitted uses in these zones, refer to the Standard Land Use Table in Appendix A.

Lot Requirements (General Commercial)

1. The General Commercial Zone requires a minimum lot size of 20,000 square feet. The subject parcel meets this requirement with 24,180 square feet.

Public Hearing Notices, required per Lindon City Code section 17.14, were mailed to each affected entity and published in the Daily Herald on September 26, 2019. No public comments have been received at this time.

Exhibits

1. Aerial Photo
2. Surrounding Area Zoning Map
3. Surrounding Area General Plan Land Use Map
4. August 22, 2007 Planning Commission Minutes
5. September 28, 2007 City Council Minutes
2. **Public Hearing – Zoning Map Change & General Plan Amendment –**

2. **Approximately 240 West 400 North.** This is a request by Tim Clyde for a Zoning Map change & General Plan amendment of property located at approximately 240 West 400 North from R1-20 (Residential Low) to CG (Commercial).

Recommendations made by the Planning Commission will be forwarded to the City Council for a final decision.

COMMISSIONER GODFREY MOVED TO OPEN THE PUBLIC HEARING TO CONSIDER A PROPOSED ZONE CHANGE FROM R1-20 TO CG ON THE PROPERTY LOCATED AT APPROXIMATELY 240 WEST 400 NORTH. COMMISSIONER MILLER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Tim Clyde was present as the representative for this application. Mr. Cowie explained that this is a request for a zone change, and an associated change in the General Plan Land Use Map from residential to commercial. Mr. Cowie stated that in recent months, Mr. Clyde has installed slag and landscaped berms on the subject property. There is some evidence that area was being used by the neighboring vinyl fence business owned by Mr. Clyde as a turnaround and drop off area for trucks delivering fencing materials. The City has asked that Mr. Clyde discontinue that use of the property until a zone change is approved which will allow that use of the site. Mr. Cowie noted that if a zone change is approved, Mr. Clyde will be required to submit a site plan for review and approval before the use will be permitted.

Mr. Cowie went on to review current and historical zoning of the subject property. He noted that it appears that the property has been partially zoned commercial at times in the past, but that the entire parcel is shown as residential property on the 2000 and 2006 General Plan maps. Chairperson Peters noted that meeting minutes in 2002 show that a zone change to commercial use was recommended for approval by the Planning Commission and forwarded to the City Council. The City Council sent the request back to the Planning Commission for further review. It appears that a final decision was never made regarding zoning of the property. Mr. Clyde explained that there was some confusion regarding zoning of the property at the time, and that he made a decision to not pursue the rezoning request, but completed the purchase of the property under the current residential zoning designation.

Commissioner Bryner inquired as to the reason for pursuing the zone change at this time. Mr. Clyde stated that access to the current commercial site for delivery trucks is challenging, and that there may be safety concerns associated with delivery trucks accessing State Street. He also noted that there was an elevation change between the east and west end of his commercial site. A significant amount of dirt was removed to eliminate the grade change, and the berms were installed using the dirt which was removed to avoid the expense of hauling the dirt to a different location. He felt that the
landscaped berms provided some screening from neighboring property. He stated that the requested zone change will allow easier and safer access by delivery trucks to the commercial site which fronts onto State Street. Mr. Clyde noted that the 400 North access will also provide additional emergency access to the site. He stated that he intends to use the 400 North parcel only to access the current commercial site, and that he has no plans to construct a building on the 400 North parcel. Mr. Clyde stated that he anticipates moving the existing fence to north approximately 50 feet at some time in the future.

Chairperson Peters inquired as to whether the proposed use would be allowed in a commercial zone under the Standard Land Use Table. Mr. Cowie stated that the primary use is retail, and that delivery and manufacturing functions are allowed as an ancillary use if it constitutes 10% or less of the overall business. Commissioner Godfrey asked the applicant to discuss the manufacturing component of the business. Mr. Clyde explained that most materials are prefabricated panels, but that some components, such as gates are assembled on site. He stated that the manufacturing component constitutes 10% or less of the overall operation of the business.

Mr. Cowie clarified that this request is for approval of a zone change, and is not related to the specific use proposed by the applicant. He explained that any permitted commercial use could locate on the site if the zone change is approved.

There were several neighboring residents present in the audience to address this request. Chairperson Peters invited comments from residents. Mike Harper stated that he is life-long resident of Lindon, and that his family has lived in this area of Lindon for over 100 years. Mr. Harper expressed concern regarding the impact of past development on his family. He asserted that past and future commercial development is degrading the quality of life for residents of Lindon. He asserted that Mr. Clyde purchased the commercial site with the knowledge that access for delivery trucks would be difficult. Mr. Harper felt that while the requested zone change may be beneficial for Mr. Clyde, it would have a detrimental effect on neighboring residential properties.

Several other residents were also present at the meeting. Extensive comments were heard in which each of them expressed similar concerns to those expressed by Mr. Harper relative to the impact of commercial development on residents of Lindon. They specifically noted that an increase in traffic as a result of the zone change may create safety issues for residential neighbors. In addition, residents expressed concern regarding noise generated by the business, as well as storage on the commercial site and personal conflicts they have experienced with Mr. Clyde on various occasions. Mr. Clyde stated that he was unaware that noise was affecting neighbors, and that he would take appropriate action to mitigate the problem. Chairperson Peters noted that any violations regarding noise or storage can be addressed, and that if the business is in violation of any code requirements the City has the ability to bring it into compliance. Mr. Cowie commented that the City has not received any noise complaints that he is aware of.

Ben Nolte encouraged the Commission to consider possible options which would meet the needs of all parties. He also commented that Mr. Clyde was his neighbor until recently, and that he was a good neighbor. He noted that requested zone change will not increase current problems relative to storage and noise at the existing commercial business, and that any zoning violations can be dealt with appropriately.

The Commission discussed current zoning on this property and other parcels in immediate area. Several Commissioners noted that the commercial zone may extend to
Locust Avenue at some time in the future. Commissioner Godfrey observed that it would be very unlikely that a single family residence would be built on the subject property due to the size of the parcel. He noted that an R2-Overlay multi family project would be more likely, and may produce an equal amount of traffic to that of the proposed commercial use.

Chairperson Peters called for further public comment or additional information from residents. There was no additional comment. He called for a motion to close the public hearing.

COMMISSIONER BRYNER MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER A PROPOSED ZONE CHANGE FROM R1-20 TO CG ON THE PROPERTY LOCATED AT APPROXIMATELY 240 WEST 400 NORTH. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

The Commission discussed zoning of properties in the area, and the potential for additional commercial properties which may extend to Locust Avenue at some time in the future. Commissioner Bean noted that appropriate barriers, such as streets or fences, should separate residential and commercial zones. He also clarified that if the zone change is approved, the proposed use would require site plan approval, and would have to meet the requirements of the commercial zone relative to noise, storage, landscaping and traffic patterns.

Commissioner Godfrey asked if the Planning Commission would have the authority to deny the site plan for the parcel if they felt 400 North was not designed to accommodate semi truck traffic. Mr. Cowie stated that a permitted use can not be denied based on opinion, and that if Mr. Clyde could demonstrate that appropriate traffic patterns were established the use would be allowed.

Commissioner Bryner noted that there are valid concerns on both sides of this issue, and that a solution that will be acceptable to all parties is unlikely. Commissioner Godfrey observed that the subject property, as well as other residential properties in the area will most likely be zoned for commercial use at sometime in the future. He felt that the request to rezone the property is a matter of timing, and that rezoning the property for commercial use at this time may be premature. Commissioner Miller noted that neighboring residents had presented valid concerns. He agreed that this would not be the appropriate time to approve the boundary change.

Commissioner Johnson noted that Lindon is “not what it used to be,” and that growth in the community is inevitable. He felt that any concerns expressed by residents regarding the proposed use could be addressed during site plan approval.

Chairperson Peters called for further comments or discussion. Hearing none, he called for a motion.

COMMISSIONER GODFREY MOVED TO DENY THE 400 NORTH ZONE CHANGE FROM R1-20 TO CG AND GENERAL PLAN CHANGE TO CG AND RECOMMEND DENIAL TO THE CITY COUNCIL. COMMISSIONER MILLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON PETERS AYE
COMMISSIONER ANDERSON  NAY
COMMISSIONER BEAN  NAY
COMMISSIONER BRYNER  NAY
COMMISSIONER GODFREY  AYE
COMMISSIONER JOHNSON  NAY
COMMISSIONER MILLER  AYE
THE MOTION FAILED (3-4).

COMMISSIONER BEAN MOVED TO CONTINUE THE 400 NORTH ZONE
CHANGE FROM R1-20 TO CG AND GENERAL PLAN CHANGE TO CG TO
ALLOW FURTHER DISCUSSION AND INVESTIGATION BY THE PLANNING
COMMISSION OF PROPERTY SURROUNDING THE SUBJECT AREA, AND
FURTHER TIME TO DETERMINE LONG RANGE ZONING PLANS FOR THE
CITY.
THE MOTION FAILED DUE TO LACK OF A SECOND.

COMMISSIONER GODFREY AGAIN SUBMITTED THE MOTION TO
DENY THE 400 NORTH ZONE CHANGE FROM R1-20 TO CG AND GENERAL
PLAN CHANGE TO CG AND RECOMMEND DENIAL TO THE CITY COUNCIL.
COMMISSIONER MILLER SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:
CHAIRPERSON PETERS  AYE
COMMISSIONER ANDERSON  NAY
COMMISSIONER BEAN  AYE
COMMISSIONER BRYNER  NAY
COMMISSIONER GODFREY  AYE
COMMISSIONER JOHNSON  NAY
COMMISSIONER MILLER  AYE
THE MOTION CARRIED (4-3).

This application will be forwarded to the City Council for review and a final
decision.

3. Concept Review – Crestview Creek Subdivision – 270 North 200 East. This is a
request by Eric Allen for review of two alternatives for a new subdivision in the
R1-20 zone on the old ‘Peacock’ property near the ‘hollow’ in Lindon. The
applicant desires a flag-lot alternative with 3 lots, but may also be able to remove
the existing dwelling and install a standard cul-de-sac subdivision with 4-lots. No
official motion will be made on this item.

Eric Allen was present as the representative for this Concept Review. Mr. Cowie
explained that this is a request for a concept review of a possible subdivision in the R1-20
zone on the former Peacock property on 200 East. He noted that the proposed
subdivision includes one existing home, and a small wetlands area within the ditch
boundaries. Mr. Cowie stated that Mr. Allen has submitted three design alternatives for
the subdivision. The first alternative includes a full width cul-de-sac street and four total
2. **Public Hearing – Zoning Map and General Plan Amendment.** The City Council will hear public comment and will consider approval or denial of a request to amend the zoning map and the General Plan. This request made by Tim Clyde is for consideration of a change for the property located at approximately 240 West 400 North. The requested amendment is to change the zoning map and the General Plan for this property from residential to commercial. The Planning Commission denied the request.

COUNCILMEMBER BATH MOVED TO OPEN THE PUBLIC HEARING TO CONSIDER A ZONING MAP CHANGE AND GENERAL PLAN AMENDMENT. COUNCILMEMBER BAYLESS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Tim Clyde was present as the representative for this application. Mr. Cowie reviewed this item for the Council. He stated that this is a request for a zoning and General Plan map change from residential to commercial on the subject property. He stated that Mr. Clyde’s intent is to use the property as a component of the neighboring vinyl fence business to allow access to the rear of the existing site for semi truck deliveries. Mr. Cowie explained that this review is to consider the rezoning request only, and that any permitted use in the Commercial Zone could locate on the site in the future if the zoning is changed. Site plan approval will be required for use of the site to accommodate delivery trucks.

Mr. Cowie went on to review past General Plan and zoning maps. He noted that it appears that this property has been partially zoned commercial at times in the past, but that the current residential zoning has been in effect since 2000.

During Planning Commission review of this item, the Planning Commission did not reach a consensus to change the zoning or retain the current residential zoning.

During discussion, some members of the Planning Commission expressed that they felt it may be reasonable to extend the commercial boundary east to Locust Avenue at some time in the future. The Planning Commission made one motion to continue the item for further review at the Planning Commission level, and one motion to deny the request and forward it to the City Council because of an inability of the Planning Commission to reach a majority vote. The Planning Commission ultimately voted to deny the request and forward it to the City Council with a vote of 4-3.

Mr. Cowie presented photographs of the site. He noted that the property to the west is under separate ownership, and that a small office building recently approved by the Planning Commission is currently under construction on that site. Mr. Cowie stated that staff is taking neutral position on this application. He explained that while rezoning the property for commercial use may be problematic in some respects, there may also be potential concerns if the property maintains residential zoning. He noted that this R2 district is not full, and that a potential R2 project on the site may create a traffic impact to surrounding residential properties. He noted that the property is approximately .59 acres.

Councilmember Anthony asked Mr. Cowie to review possible uses on the site if it is rezoned for commercial use. Mr. Cowie reiterated that any permitted commercial use shown in the Standard Land Use Table could legally locate on the site. Permitted uses
would include virtually any retail facility, many office type uses, medical facilities, or restaurants.

Councilmember Bayless noted that minutes from City Council and Planning Commission meetings from 2002 indicate that a rezoning request was considered at that time, but minutes do not show any action being taken to approve or deny the rezoning request. Mr. Cowie stated that the final disposition of that request is not documented, but that it is assumed that the application was withdrawn.

Mr. Cowie presented an overhead map which reviewed the zoning history of the site from 1968 until the present. He noted that the site was zoned almost entirely commercial on the 1995 General Plan maps. Councilmember Carpenter noted that the property to the south and the west of this site is currently zoned commercial. He inquired as to whether there are any plans for other neighboring residential properties to be zoned for commercial use. Mr. Cowie reviewed neighboring uses, including the Alpine School District property located to the north of this site, a riding arena, and several vacant lots. He stated that adjacent properties to the north and the east are generally residential uses.

Councilmember Hatch invited comments from residents present at the meeting to address the Council regarding this application. Mike Harper commented that he lives across 400 North to the north of this site. Mr. Harper stated that he has lived in that location for 28 years, and that his family has lived in Lindon for 100 years. Mr. Harper observed that when he built his home in that location, the residential zone extended to State Street, but that over time commercial properties have encroached into residential areas. He expressed concern regarding the impact of commercial development on residential properties in Lindon. He asserted that commercial development adjacent to residential properties may negatively impact the value of the residential property.

Mr. Harper stated that Mr. Clyde initially intended to purchase and develop the subject property as part of the vinyl fence business located on State Street, but decided not to include this parcel when it was determined at that time that the property was zoned for residential use. He asserted that Mr. Clyde bought the property for the existing vinyl fence business with the knowledge that access to the site would be difficult, and that Mr. Clyde later purchased the subject property with the knowledge that it was zoned for residential use.

Mr. Harper observed that the existing vinyl fence business was approved by the City with the stipulation that the use would not be a manufacturing use. He asserted that manufacturing is being done on the site. He also expressed concern regarding other apparent code violations, including stacking of stored materials above the fence line. Mr. Harper commented that violations have been reported to the City by neighboring property owners, and that it appears that no action has been taken by the City to bring the site into compliance with code requirements. Mr. Cowie explained that neighbors filed complaints with the City by e-mail on approximately September 5th, but that the e-mails were not received by the City due to a malfunction in the City e-mail service at that time.

Mr. Harper stated that he recognizes that the area will likely be rezoned for commercial use at some time in the future. He commented that ongoing zone changes have made him feel that he is “fighting to keep a place to live,” and that he can not replace his home anywhere else in Lindon. He felt that if the requested rezoning is allowed, the value and use of his property will be negatively impacted. Mr. Harper commented on fencing requirements between commercial and residential properties. He
asserted that Mr. Clyde indicated to him during initial development of the vinyl fence
business that he would install some type of barrier fence, but that only minimal fencing
was installed.

Neighboring property owner, Alejandro Gomez approached the Council. Mr.
Gomez presented his comments using a Power Point presentation. He stated that he was
present at the meeting to express his views on this request, and to persuade the Council to
deny the request or to approve the request with specific conditions to protect neighboring
property owners. He stated that it is not his intent to imply that Mr. Clyde is not a good
person, nor is it his intent to fight against progress in the community or make the City
unfriendly to businesses.

Mr. Gomez stated that he has lived in his current home on 400 North for
approximately three months. He presented photographs of his previous home, which was
located in a cul-de-sac in Orem. The photographs showed a commercial building which
was constructed adjacent to the back yard of the Orem home. Mr. Gomez asserted that he
has been unable to sell the property due to the location of the large commercial structure
which is visible from the backyard.

Mr. Gomez explained that prior to purchasing his current home in Lindon, he
inquired as to the zoning of the property across the street, and was informed that the
property was zoned for residential use. He explained that he moved from his home in
Orem to escape the situation of living next to commercial development, and that this
requested zone change will open the door to other commercial uses.

Mr. Gomez went on to show photographs of views from residential properties in
Lindon which are not located adjacent to commercial properties, as well as photographs
of the view from his residential property. He suggested that Mr. Clyde should be
required to install additional fencing as a barrier between the existing commercial use and
neighboring residential properties.

Mr. Gomez observed that during Planning Commission review of this request,
Mr. Clyde was made aware of code violations, such as stacking of materials above the
fence line and noise related to manufacturing on the site, and that no action has been
taken to address those violations or complaints.

Mr. Gomez reviewed his reasoning for requesting that the rezoning application be
denied. He stated that Mr. Clyde has shown disregard for City Code requirements
relative to storage and landscaping. He asserted that Mr. Clyde has not complied with
promises documented in previous minutes regarding storage, noise and manufacturing on
the site. He stated that he is concerned about future compliance with zoning
requirements and conditions of approval based on Mr. Clyde’s past pattern of behavior.
Mr. Gomez stated that he respectfully requests that the rezoning application be denied.

Betty Clark, owner of the neighboring residential property to the east, approached
the Council. Ms. Clark read a letter which she submitted to the Council which expressed
concerns regarding the negative impact of the requested zone change on surrounding
residential properties. She requested that if the zone change is approved by the Council,
that the approval be contingent upon installation of a sound barrier on the commercial
property to protect residential neighbors. Ms. Clark also asserted that Mr. Clyde has not
followed through on past promises.

The Council invited Mr. Clyde to address the Council regarding this application.
Mr. Clyde observed that neighboring property have made allegations which are not
relevant to this request, but are instead related to the existing vinyl fence company. Mr. Clyde noted that approximately 90% of the subject property was zoned for commercial use at one time, and that when the zoning was changed to residential in 2000 the property owners were not aware that the property was no longer commercially zoned. Mr. Clyde noted that the property does not meet the requirements for a residential property. He explained that current City code requires a 100 foot depth for residential properties, and that the subject property is 87 feet deep.

Councilmember Hatch inquired as to whether manufacturing is being conducted on the site. Mr. Clyde stated that gates are assembled on site, but that the manufacturing component represents 10% or less of the total business. He explained that gates are assembled in the warehouse, and that doors have been left open for ventilation, but that doors can be closed if necessary.

Councilmember Anthony asked Mr. Clyde to explain his intent in rezoning the property for commercial use. Mr. Clyde stated that the purpose would be to allow access to the existing vinyl fence business site for delivery trucks. He noted that some delivery drivers will not drive to the rear of the site, and that access to State Street may cause safety concerns. He explained that there was a grade change at the rear of the site which would not allow access for some types of semi trucks. A portion of the site was excavated to level the grade, and a large amount of dirt was removed during the process. The dirt which was removed during the excavation process was used to construct the existing berms on the 400 North residential property frontage. Mr. Clyde explained that the berms and landscaping were installed in an effort to improve the appearance of the site. He noted that an old barn structure was also removed from the site.

Mr. Cowie clarified that this application does not address the proposed use, and is a request to rezone the property. He explained that any permitted use for the commercial zone could potentially locate on the site if the rezone request is approved. Councilmember Anthony inquired as to whether the proposed access use would be permitted if the zoning remains residential. Mr. Cowie stated that commercial access is not permitted through residential properties.

Councilmember Anthony inquired as to whether residential development would be allowed on this parcel based on current code requirements. Mr. Cowie stated that this lot existed prior to the 100 foot minimum depth requirement, and that residential development would be allowed. Councilmember Bath noted that an R2 project could be allowed on the site. Mr. Cowie explained that this R2 district is not full, and that the site could accommodate an R2 project.

The Council discussed possible reasoning for zoning the property for residential use in 2000. Mr. Dameron thought he could recall that the committee felt that residential zoning would be more appropriate due to the fact that it is located across from a residential zone with residential uses. Mr. Clyde asserted that the zone change was not initiated by the property owner at the time. Councilmember Bayless explained that the change was made based on the consensus of the General Plan Committee, the Planning Commission and the City Council.

Councilmember Carpenter inquired as to standard requirements for buffers between commercial properties and residential uses. Mr. Cowie stated that commercial structures must maintain a 40 foot setback from residential uses, and a seven foot masonry fence is required on the boundary between the two properties to be installed by
the commercial property owner. Mr. Cowie noted that the existing fence bordering the commercial property is a six foot vinyl fence. Mr. Clyde stated that the six foot vinyl fence was approved as part of his site plan.

Mr. Clyde commented that during Planning Commission discussion of this application, two Commissioners felt that the property would likely be rezoned for commercial use at some time in the future, but did not provide an explanation as to why it could not be rezoned at this time. He noted that any use will be required to complete the approval process and meet all zoning requirements. He stated that it is his intention to maintain his existing business on State Street, and that he has no plans to relocate or sell the property.

Councilmember Carpenter commented that interactions he has had with Mr. Clyde have been positive, and that he appears to run a positive and productive business. He asked Mr. Clyde if he had any sense of why neighboring property owners were so negative towards Mr. Clyde. Mr. Clyde stated that it is his impression that the neighbors do not want any type of development on the property. He also explained that initial interactions with Ms. Clark and her daughter occurred as a result of his property being flooded by irrigation water from the Clark property, and that their first contact was not positive.

Mr. Gomez commented that he does not have any animosity toward Mr. Clyde, and that he is unaware of the history of this property or Mr. Clyde’s relationship with his neighbors. He stated that his arguments are based on his observations during the past three months.

Councilmember Hatch called for further public comment. There was no additional public comment. He called for a motion to close the Public Hearing.

COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER THE PROPOSED ZONE CHANGE AND GENERAL PLAN AMENDMENT. COUNCILMEMBER CARPENTER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Councilmember Bayless observed that fencing requirements would only be applicable to the east boundary, and that property owners to the north may be negatively impacted if the subject property is rezoned for commercial use. She felt that although there may be only limited concerns with the present intended use for the property, she is uncomfortable with other types of permitted commercial uses which could locate on the site in the future. She observed that the lot is viable residential property with adjacent residential properties to the north and the east. She felt that the decision should be based on potential impact to the surrounding residential neighborhood.

Councilmember Carpenter noted that other residential properties, such as the neighboring properties to the north, may want to rezone their property for commercial use at some time in the future. He observed that there are concerns about protecting residential properties, and that there may come a time when some but not all of the neighboring property owners are prepared to request rezoning, which may create a more difficult situation for the remaining residential properties. Councilmember Bayless noted that this decision should not be based on possible future changes to zoning in the area.
She felt that a decision should be made on this application based on what would be most beneficial for the community.

Councilmember Anthony observed that future development in the area is an unknown factor. He noted that there may be additional residential development in the pasture area to the east of the subject property. He felt that the Council should establish a philosophy for future commercial development which may encroach into existing residential areas, not only on 400 North but in other areas of the City as well.

Councilmember Bath observed that rezoning some residential property for commercial use is workable. He felt that due to the potential negative impact on neighboring residential properties, this requested zone change may not be viable.

Mr. Cowie noted that there may be an option to enter into a development agreement with Mr. Clyde to rezone the property and allow his intended use for access to the neighboring vinyl fence business, but restrict other less compatible uses. He explained that there are three options before the Council. The Council could choose to leave the existing residential zoning in place, rezone only the subject property for commercial use, or extend the commercial zone from State Street up to Locust Avenue. Councilmember Carpenter noted that there may be a financial benefit to property owners if property is commercially zoned when sold, but that in the mean time there may be some risk to neighboring residents.

Councilmember Bayless noted that major commercial corridors, such as 700 North are currently under development in the City. She felt that commercial development should be encouraged to locate on established commercial corridors in order to minimize the risk to established residential areas.

Councilmember Hatch felt that the City should facilitate growth of established businesses. Councilmember Anthony agreed that thriving businesses should be allowed to grow. He noted that as State Street becomes busier, access to the existing site will become more difficult. Councilmember Carpenter noted that many businesses outgrow their site. He observed that this is a unique situation due to the fact that Mr. Clyde also owns the adjoining parcel. Councilmember Anthony observed the concern is not for the current proposed use of the subject property, but the long term use and possible impact on the residential neighborhood.

Councilmember Hatch called for further comments or discussion. Hearing none, he called for a motion.

**COUNCILMEMBER BAYLESS MOVED TO DENY THE APPLICATION FOR A ZONING MAP AMENDMENT AND GENERAL PLAN AMENDMENT FOR THE PROPERTY LOCATED AT 240 WEST 400 NORTH, FINDING THAT IT IS MORE APPROPRIATE FOR THE FORESEEABLE FUTURE TO MAINTAIN THE CURRENT RESIDENTIAL ZONING. COUNCILMEMBER CARPENTER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:**

- COUNCILMEMBER ANTHONY: AYE
- COUNCILMEMBER BATH: NAY
- COUNCILMEMBER BAYLESS: AYE
- COUNCILMEMBER CARPENTER: AYE
- COUNCILMEMBER HATCH: NAY

The motion carried (3-2).
**Item 6: Conditional Use Permit Amendment for T-Mobile**

**Date:** October 8, 2019  
**Applicant:** T-Mobile  
**Presenting Staff:** Michael Florence

**General Plan:** Residential  
**Current Zone:** Residential R1-20

**Property Owner:** Alpine School District  
**Address:** Approx. 775 E. 200 S.

**Parcel ID:** 14:073:0217  
**Lot Size:** .92

**Type of Decision:** Administrative  
**Council Action Required:** No

<table>
<thead>
<tr>
<th>SUMMARY OF KEY ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-Mobile is requesting to amend a conditional use permit that was approved in 2001 by the City Council by increasing the allowable height from 79'9&quot; to 92'9&quot; and to increase the outside diameter of the proposed increased height portion of the tower.</td>
</tr>
</tbody>
</table>

**MOTION**  
I move to *(approve, deny, continue)* the applicant’s request to amend the approved 2001 conditional use permit with the following conditions:

1. The site will be located north of the turn-around at 200 S. and about 800 E. and the equipment enclosure will be located near the southwest corner of the Oak Canyon Junior High school fields. The towers will be placed as close as possible to 200 S. and closer than the setback allowance requires to the homes to the west of the structure;

2. The site will consist of a three-flagpole configuration, with a maximum height of 92’9” or less. The color will be environmentally compatible and blend with the skyline. The landscaping will incorporate a raised planter, accent lighting, a pole lanyard and a lock box;

3. As per city code 5.07.070 the increase height extension is allowed only once per tower and may not be extended further for the three cells towers;

4. The applicant will submit full structural engineering plans to be approved by the city as part of the building permit approval;

5. The equipment enclosure will be located in the southwest corner of the Oak Canyon Junior High Field area. It will be landscaped and bound by a block wall. The block wall will consist of a combination of textures and match the junior high building in architecture and color. The enclosure will be topped by a sloped cover of fencing material that will not be visible from the ground, but is designed to funnel playground balls back to the ground;

6. Any prior agreements signed for this application will remain in affected unless amended by the parties;

7. All items of the staff report.
OVERVIEW

1. T-Mobile has made application to amend their previously approved 2001 conditional use permit;
2. T-Mobile proposes to increase the height of the existing structure from 79'9” to 92'9”;
3. The purpose of the request is to allow T-Mobile to co-locate a new cell antenna on top of the existing structure. Currently Sprint also uses the existing cell towers;
4. Due to equipment overheating, the applicant also proposed to increase the width of the T-Mobile section with will also be perforated for ventilation. The existing diameter is 36” and the proposed increased height portion will be 42”. Due to overheating the applicant is also proposing the perforated metal for the lower Spring sections;
5. In 2001, the City Council was the land use authority for conditional use permits. The planning commission is now the land use authority;
6. The 2001 meeting minutes are attached to this report. The City Council at that time approved the conditional use permit with the following conditions:
   a. The site will be located north of the turn-around at 200 S. and about 800 E. and the equipment enclosure will be located near the southwest corner of the Oak Canyon Junior High school fields. Because the towers will be designed to collapse within themselves they will be placed as close as possible to 200 S. and closer than the setback allowance requires to the homes to the west of the structure.
   b. Aesthetics of the poles: the site will consist of a three flagpole configuration, 80 feet high or less. The color will be environmentally compatible and blend with the skyline. The landscaping will incorporate a raised planter, accent lighting, a pole lanyard and a lock box, and flags provided by the junior high school of the proper scale.
   c. Aesthetics of the enclosure: the equipment enclosure will be located in the southwest corner of the Oak Canyon Junior High Field area. It will be landscaped and bound by a block wall. The block wall will consist of a combination of textures and match the junior high building in architecture and color. The enclosure will be topped by a sloped cover of fencing material that will not be visible from the ground, but is designed to funnel playground balls back to the ground.
   d. Fees: the city council strongly encourages the district to leave the lease fees collected with Oak Canyon Junior High School. In the case of a second locator, the lease fees shall go to the Lindon and Rocky Mountain Elementary Schools.
   e. Agreement with the City: The final agreement shall be substantially the form as submitted and as agreed to by the parties. The mayor is given the authority to review and sign the agreement for the city after modifications are made.
7. City code 5.07 governs telecommunication facilities in Lindon City;
8. City code 5.07 encourages the co-location of antennas over adding new antennas within the City;
9. Cells towers must be of a stealth design unless approved by the City Council;
10. Notices were mailed on September 27, 2019 to adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment(s) at this time.

SURROUNDING ZONING AND LAND USE
North: R1-20 – Oak Canyon Elementary play field
South: R1-8 – Orem City, Single Family Residential
East: R1-20 – Oak Canyon Elementary play field
West: R1-20 – residential twin-homes
<table>
<thead>
<tr>
<th>Code Requirements</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setback: setback from all property lines a distance equal to 300% of tower height as measure from ground level</td>
<td>In 2001, the City Council allowed the placement of the towers to be as close as possible to 200 S.</td>
</tr>
<tr>
<td>Color: matching surroundings or background</td>
<td>In 2001 the City Council required that the color be environmentally compatible and blend with the skyline. The current colors of the poles are white.</td>
</tr>
<tr>
<td>Lights, Signals &amp; Signs. No signals, lights, or signs shall be permitted on towers unless required by the FCC or FAA.</td>
<td>The existing poles do not have lights, signals or signs and none are proposed</td>
</tr>
<tr>
<td>Equipment Structures. Ground level equipment and buildings and the tower base shall be screened from public streets and residentially zoned properties.</td>
<td>The equipment enclosure and tower bases are screened with a block wall and landscaping</td>
</tr>
<tr>
<td>• The maximum floor area is three hundred (300) feet and the maximum height is twelve (12) feet.</td>
<td>• The existing equipment enclosure area is 672 square feet. This enclosure is existing was approved by the City Council in 2001 and is not proposed to be enlarged</td>
</tr>
<tr>
<td>• Ground level buildings shall be screened from adjacent properties by landscape plantings, fencing or other appropriate means, as specified herein or in the City Code.</td>
<td>• All structures are within the enclosure area</td>
</tr>
<tr>
<td>Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas.</td>
<td>T-mobile has received FCC approval. A copy of their certificates are attached. It is staffs understanding that FAA approval is not required unless the tower exceeds 100’ in height</td>
</tr>
<tr>
<td>Building Code; Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards in applicable City building codes and the applicable standards for towers that are published by the Electronics Industries Association (“EIA”), as amended from time to time.</td>
<td>T-mobile will be required to submit for a building permit if the conditional use permit amendment is approved by the commission.</td>
</tr>
<tr>
<td>Structural Design. Towers shall be constructed to the EIA Standards, which may be amended from time to time, and all applicable construction or building codes.</td>
<td>T-mobile has submitted a structural analysis report provided by a licensed engineer. The engineer has determined the tower stress level for the structure and foundation, under the proposed loads to be sufficient. No structural engineering on how the structure will be constructed has been provided. This will be required as part of the building permit approval.</td>
</tr>
</tbody>
</table>
### Fencing

A well-constructed masonry or stone wall, or chain link fence in all zones, not less than eight (8) feet in height from finished grade shall be provided around each tower. The existing towers were not originally required to have fencing around each tower. This is something that the planning commission can now require due to the request to modify the conditional use permit. However, the commission may also leave the tower how they are without the fencing since the towers are existing.

### Antenna height

The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. T-mobile has provided an analysis for the height extension. See attached documentation.

### Required parking

If the cell site is fully automated, adequate parking shall be required for maintenance workers. The site has on-street parking available adjacent to the equipment enclosure and towers.

### 5.07.070 - To provide further incentive for co-location as a primary option

An existing tower may be modified or reconstructed to accommodate the co-location of a single additional antenna provided the additional antenna shall be of the same type as that on the existing tower. This is permitted by right for existing towers in all zoning districts, subject to the following criteria being met:

- An existing tower may be modified or rebuilt to a taller height, not to exceed twenty (20) feet over the tower’s existing height, to accommodate the co-location of an additional antenna. The height change may occur only once per tower.

City Code 5.07.070 allows an applicant, by right, to increase one time the height of the tower up to 20 feet. The applicant is proposing to increase the height of the structure by 13 feet.

---

**STAFF ANALYSIS**

T-mobile has provided an analysis that shows that due to lack of coverage, addition service coverage in this area is needed and the applicant is requesting to co-locate on three existing towers. Staff has requested that T-mobile file for a conditional use permit amendment because the 2001 conditional use permit specifically called out that the tower could not be taller than 80’. City ordinance 5.07.070 allows by right for co-location purposes that a cell tower height may be extended one time up to 20’. With this ordinance allowance, the planning commission is basically memorializing the new height in the amended conditional use permit.

Due to overheating problems with the existing tower, the applicant is proposing that the increased height portion be wider in diameter than the existing tower and the outer shell be perforated. The diameter of the new section will be 42”. The existing width is 36”. The applicant is also proposing to replace the outer 36” shell covering the lower Sprint antennas with the same perforated metal but the diameter will remain the same 36” diameter. The applicant is proposing to keep the flag pole stealth design. The planning commission needs to evaluate whether this new design meets the intent of the stealth design.
Staff is proposing to modify a few of the existing conditions.

- **Existing condition 1** reads: “Because the towers will be designed to collapse within themselves they will be placed as close as possible to 200 S. and closer than the setback allowance requires to the homes to the west of the structure.”
  - The problem with this condition is that the poles are not telescopic and are not designed to collapse within themselves. Staff is unsure why there was a change in design from what the City Council originally approved and the poles were not designed as discussed. Staff proposes that the condition be updated as follows: “The towers will be placed as close as possible to 200 S. and closer than the setback allowance requires to the homes to the west of the structure.”

- **Existing condition 4** reads: “the city council strongly encourages the district to leave the lease fees collected with Oak Canyon Junior High School. In the case of a second locator, the lease fees shall go to the Lindon and Rocky Mountain Elementary Schools.”
  - Staff has removed this condition. The City feels that this is a good recommendation but should not be required as a condition. If the planning commission feels like this should be addressed then a recommendation could still be made outside of the approved conditions. This recommendation can be forwarded on to Alpine School District.

- **Existing condition 5** reads: “The final agreement shall be substantially the form as submitted and as agreed to by the parties. The mayor is given the authority to review and sign the agreement for the city after modifications are made.”
  - Staff has amended this condition to read: “Any prior agreements signed for this application will remain in effect unless amended by the parties”

**EXHIBITS**

1. Aerial photo of the site and surrounding area
2. Applicant Letter
3. Simulated renderings
4. Coverage Analysis
5. Construction Plans
6. Structural Report
7. Crown Castle Authorization
8. Agreement with Alpine School District
9. FCC Authorizations
10. 2001 Lindon City Council Meeting Minutes
August 15, 2019

CITY OF LINDON, UT
100 NORTH STATE STREET,
LINDON, UT 84042

RE: Eligible Facilities Request to modify equipment on a communications tower located at:
111 725 E, Lindon, UT, 84042
Crown Site Number: 880630 / Crown Site Name: OAK CANYON JR HIGH
Customer Site Number: SL08057A / Application Number: 450443

Crown Castle USA Inc. ("Crown Castle") on behalf of T-Mobile West LLC ("T-Mobile") is submitting the attached Eligible Facilities Request application to add transmission equipment on a telecommunications tower located at 111 725 E, Lindon, UT 84042 in CITY OF LINDON, UT (the "OAK CANYON JR HIGH Tower").

Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, commonly known as the "Spectrum Act" (Pub. Law No. 112-96, 126 Stat 156), mandates that state and local governments "may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." Additionally, if "the reviewing State or local government determines that the application is incomplete" [they] "must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information." Under federal law, an Eligible Facilities Request is deemed granted with written notification in sixty (60) days after an application is filed with a local jurisdiction, excluding tolling. Based on the submittal date of August 15, 2019, 30 days will expire on September 14, 2019; 60 days will expire on October 14, 2019.

T-Mobile proposes to modify the "OAK CANYON JR HIGH Tower" as follows:

- Install (6) Panel Antennas
- Install (6) Remote Radio Units
- Install (3) New Hybrid Cables
- Install (3) New Vented Concealment Tower Sections
- Install New 8' x 15' Equipment Pad within Existing Fenced Compound
- Install new 200Amp Meter on H-Frame
- Install New Cabinet, Telco Cabinet, Generator, and GPS Antenna on Pad

Itemized list of submittal documents:
- Land Use Application
- Submittal Fee
- Eligible Facility Request Letter
- Land Owner Consent Letter
- Construction Drawings, Site Plan, Elevations, Equipment Detail

The Foundation for a Wireless World.
CrownCastle.com
T-Mobile is committed to working cooperatively with all jurisdictions around the country to secure expeditious approval of requests to modify existing personal wireless service facilities. If you should require more information regarding the Spectrum Act, please do not hesitate to contact me with your questions.

Sincerely,

Craig Chagnon

Craig Chagnon
Craig.Chagnon@crowncastle.com
(801) 979-9077
New Antenna Canisters Mounted on Monopole

View from the South (After)
View from the East (Before)
New Antenna Canisters Mounted on Monopole

View from the East (After)
New Antenna Canisters Mounted on Monopole
RF Documentation for proposed site at  
1 W 2000 N. Lindon, UT

Overview:
T-Mobile Wireless strives to provide excellent wireless service for our users with a network of telecommunications facilities that allows our users to reliably place and receive mobile-phone calls and utilize data services. T-Mobile is working to improve its network in the Lindon area near 1 W 2000 N.

The performance of a network consists mainly of two factors: coverage and capacity. Coverage can be thought of as the strength of a wireless signal in a given area. Capacity can be thought of as the ability of the wireless network to handle the amount of voice and data demands placed upon it. Neither the in-building coverage nor the capacity of the network surrounding the proposed location meet T-Mobile’s performance goals or user expectations. Increasing in-building coverage and capacity in the area requires the development of a new telecommunications facility that can house multiple antennas and is near users with line-of-sight to much of the surrounding area.

Line-of-Sight Requirements:
In order to provide excellent service, which T-Mobile Wireless defines as –90 dBm, the telecommunications facility needs to have a line-of-sight to the roads, offices, and homes where users work and reside. One of the challenges of providing excellent coverage is providing strong in-building coverage to users. Strong in-building coverage is often difficult to attain because of the degradation of the Radio Frequency (RF) signal when it travels through solid obstacles such as tree foliage or buildings. A tower height that is greater than much of the existing tree and building clutter increases in-building coverage because it decreases the number of solid objects, such as trees and buildings, that a cellular signal must pass through in order to reach a user.

Because the topography of the area surrounding the existing communications facility slops up-hill towards the Northeast and the proposed facility would be taller than the surrounding buildings and trees, the line-of-sight from the proposed facility would provide effective coverage to the surrounding residential area. With a proposed facility, T-Mobile could install its antennas at 87’ and could have line-of-sight coverage to most of the users that T-Mobile seeks to serve with the proposed facility.

The Existing T-Mobile Network:
With only Two Existing sites, T-Mobile’s current network in Lindon is currently not meeting T-Mobile’s goals for excellent performance, or user expectations due to large site spacing >1.5 miles. In Lindon there are issues of both coverage and capacity. T-Mobile has been working with vendors for over a year to install our equipment on the existing telecommunications facility.

This proposed site location will improve in-building coverage in the area as well as off-load some of the traffic (capacity) currently served from a site in Pleasant Grove, ~1.9 miles away. There is a closer site in Orem that doesn’t cover as well due to the 40’ lower in terrain which this proposed location would improve the coverage.

The location was chosen due to it being a co-location on an existing wireless facility nearest to the coverage/capacity need for our network improvement. Co-location on suitable structures is T-Mobile’s preferred choice for new sites instead of constructing a new communications facility.
Future Need:
The existing infrastructure surrounding the proposed facility is not currently meeting T-Mobile’s goals for excellent coverage, especially in-building user expectations. The network performance will continue to decrease as time goes on unless the network is expanded. If the network is not improved, the network could reach a point of non-functionality in the next few years. As was mentioned above, an increasing percentage of the population is using cell phones and cell-phone users are demanding increasing amounts of data and faster data speeds.

Safety:
Do to the ubiquity of cell phone use, an unreliable network can be a safety risk. Because an increasing number of people are getting rid of their landlines, it is becoming increasingly common for emergency calls to be made on cell phones. If cell-phone calls are severely degraded, it can be difficult or impossible for a user to make a call in the case of an emergency, which poses severe safety risks.

Network Capacity:

Chart Showing Capacity Issues (45 users per 5 MHz of spectrum) of Neighboring site:

Coverage Maps:
The propagation map below is a computer simulation of T-Mobile’s Current coverage and future coverage with the proposed height of 87’ by extending the existing communication facility. The height is necessary due to the 100’ terrain elevation increase over the 1-mile expected coverage area to the North and 300’ terrain elevation increase towards the East.
Conclusion:
T-Mobile needs to increase both its network in-building coverage and capacity in Lindon, UT for both current and future use. The proposed site at 1 W 2000 N, Lindon, UT is situated to provide effective coverage to both the residential and commercial users it is intended to serve. The topography of the proposed location allows line-of-site coverage to much of the surrounding area and its location places it among the customers it is intended to serve. All the neighbor sites will be more than a mile from this candidate and the east side is uphill. South side is also slightly uphill. To meet our coverage objectives and due to the rising terrain, we need 87’ Antenna Height. Locating on the existing telecommunications facility would greatly improve T-Mobile’s network performance in the Lindon area.

Thank you,

Best Regards,

Tim Heine
T-Mobile RF Engineer
**T-MOBILE SITE NUMBER:**
SL0057A

**T-MOBILE SITE NAME:**
CROWN - OAK CANYON COLO

**CCI SITE#:**
889630

**SITE ADDRESS:**
111 SOUTH 715 EAST
LINDON, UT 84042

**APPROVAL SIGNATURE BLOCK**
The following parties have reviewed these documents.

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<th>Site Acquisition Specialist</th>
<th>Approved: ☐</th>
<th>Rejected: ☐</th>
<th>Date:</th>
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<td>Approved: ☐</td>
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<td>Construction Manager:</td>
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<tr>
<td>Project Manager:</td>
<td>Approved: ☐</td>
<td>Rejected: ☐</td>
<td>Date:</td>
</tr>
</tbody>
</table>

*Drawings are no longer to be "approved with comments" - if you have any redlines to these drawings then you must select rejected.*
T-MOBILE SITE NUMBER: SL08057A
CROWN CASTLE BU #: 880630
SITE ADDRESS: 111 SOUTH 715 EAST
LINDON, UT 84042
CROWN CASTLE
UTAH
MONOPOLE
79.8 FT
CITY OF LINDON, UT
MONOPOLE 79.8 FT

T-MOBILE 2018 NSD

SITE INFORMATION
SITE NAME: OAK CANYON JR HIGH
SITE ADDRESS: 111 SOUTH 715 EAST
CITY OF LINDON, UT 84042
COUNTY: UTAH
MAP/PARCEL #: N/A
AREA OF CONSTRUCTION: EXISTING
LATTITUDE: 40°43’09” N
LONGITUDE: 111°32’08” W
GROUND ELEVATION: 4,640 FT
CURRENT ZONING: —
JURISDICTION: CITY OF LINDON, UT
OCCUPANCY CLASSIFICATION: T1
TYPE OF CONSTRUCTION: VB
A.D.A. COMPLIANCE: FACILITY IS UNATTACHED AND NOT FOR HUMAN INHABITATION
PROPERTY OWNER: —
TOWER OPERATOR: CROWN CASTLE, USA
CROWN CASTLE APPLICATION #: 40443
CROWN CASTLE ELECTRIC APPLICATION #: 585, 476,543
TELEPROVIDER: UTO皮

PROJECT TEAM
DESIGN FIRM: T-MOBILE SERVICES, INC.
1400 FELLOWS PLACE CIRCLE
FALLS CHURCH, VA 22045
PHONE: 571-400-5800
ENGINEER FIRM: JACOB GORALSKI, PLLC
1106 ENTERPRISE DR
LEONARDO, NJ 07737
PHONE: 732-453-5202
PROJECT CONTACT: JACOB GORALSKI, PLLC
CROWN CASTLE CONTACTS: JACOB GORALSKI, PLLC
1106 ENTERPRISE DR, SUITE 100
LEONARDO, NJ 07737
 PHONE: 732-453-5200
 T-MOBILE CONTACTS: DAVE KAIZER
DAVE KAIZER@T-MOBILE.COM

DRAWING INDEX
SHEET #
1 GENERAL NOTES
2 GENERAL NOTES
3 FINAL SITE PLAN
4 EQUIPMENT PLAN
5 TOWER ELEVATION & ANTENNA PLAN
6 EQUIPMENT DETAIL
7 EQUIPMENT DETAIL
8 ELECTRICAL SPECIFICATIONS
9 EQUIPMENT & ANTENNA GROUNDING PLAN
10 GROUNDING DETAIL
11 GROUNDING DETAIL

LOCATION MAP

APPLICABLE CODES/REFERENCE DOCUMENTS

PROJECT DESCRIPTION
THE PURPOSE OF THIS PROJECT IS TO PROPOSE AN ANTENNA MODIFICATION ON AN EXISTING WIRELESS SITE.

DESCRIPTION OF WORK:
• INSTALL 6 PANEL ANTENNAS
• INSTALL 2 KLYS
• INSTALL 2 HYBRID CABLE LINES
• INSTALL NEW CONGLOMIDAL TOWER SECTION

GROUND SCOPE OF WORK:
• INSTALLATION OF NEW 6’ X 17’ OF CONCRETE EQUIPMENT PAD IN A NEWLY 40’ X 48’ LEASE AREA WITHIN THE EXISTING TENANT COMPOUND

DESIGN PACKAGE BASED ON THE REVISED
REVISED 51
DATE: 7/3/2019 9:39 PM
DESIGN PACKAGE BASED ON THE APPLICATION
ID: 48442
REVISED 3
ID: 48442
REVISED 5

ISSUED TO:

SETUP TO: 

DATE 

REVISIONS

RC 1971-04-25 

T-1 1

SITE PHOTO
Date: March 21, 2019

Crown Castle
2000 Corporate Drive
Canonsburg, PA 15317
(724) 416-2000

Subject: Structural Analysis Report

Carrier Designation: T-Mobile Co-locate
  Carrier Site Number: SL08057A
  Carrier Site Name: OAK CANYON

Crown Castle Designation: Crown Castle BU Number: 880630
  Crown Castle Site Name: OAK CANYON JR HIGH
  Crown Castle JDE Job Number: 519021
  Crown Castle Work Order Number: 1699960
  Crown Castle Order Number: 450443 Rev. 7

Engineering Firm Designation: Crown Castle Project Number: 1699960

Site Data: 111 725 E, Lindon, Utah County, UT
  Latitude 40° 20' 2.68", Longitude -111° 41' 47.6"
  80.67 Foot - Concealment Tower with Proposed Canister Extension

Dear Lynn Ori,

Crown Castle is pleased to submit this "Structural Analysis Report" to determine the structural integrity of the above mentioned tower.

The purpose of the analysis is to determine acceptability of the tower stress level. Based on our analysis we have determined the tower stress level for the structure and foundation, under the following load case, to be:

LC6: Proposed Equipment with Proposed Canister Extension
  Sufficient Capacity

This analysis is for informational use only and is not intended to provide engineering services to the public, nor should the analysis be relied upon for jurisdictional submittals or approval.

This analysis utilizes an ultimate 3-second gust wind speed of 115 mph as required by the 2015 International Building Code. Applicable Standard references and design criteria are listed in Section 2 - Analysis Criteria.

Structural analysis prepared by: Steven Hu / KBS / SM

Respectfully submitted by:

Maribel Dentinger
Maribel Dentinger, P.E.
Senior Project Engineer

Mar 22 2019 11:28 AM
Date: March 22, 2019

Lynn Ori
Crown Castle
2055 S. Stearman Drive
Chandler, AZ 85226

Subject: Structural Analysis Report

Carrier Designation: T-Mobile Co- Locate
Carrier Site Number: SL08057A
Carrier Site Name: OAK CANYON

Crown Castle Designation: Crown Castle BU Number: 880630
Crown Castle Site Name: OAK CANYON JR HIGH
Crown Castle JDE Job Number: 519020
Crown Castle Work Order Number: 1699974
Crown Castle Order Number: 450444 Rev. 8

Engineering Firm Designation: Crown Castle Project Number: 1699974

Site Data: 111 725 E, Lindon, Utah County, UT
Latitude 40° 20' 2.68", Longitude -111° 41' 47.6"
80.67 Foot - Concealment Tower with Proposed Canister Extension

Dear Lynn Ori,

Crown Castle is pleased to submit this "Structural Analysis Report" to determine the structural integrity of the above mentioned tower.

The purpose of the analysis is to determine acceptability of the tower stress level. Based on our analysis we have determined the tower stress level for the structure and foundation, under the following load case, to be:

| LC8: Proposed Equipment with Proposed Canister Extension | Sufficient Capacity |

This analysis is for informational use only and is not intended to provide engineering services to the public, nor should the analysis be relied upon for jurisdictional submittals or approval.

This analysis utilizes an ultimate 3-second gust wind speed of 115 mph as required by the 2015 International Building Code. Applicable Standard references and design criteria are listed in Section 2 - Analysis Criteria

Structural analysis prepared by: Steven Hu / KBS

Respectfully submitted by:

Maribel Dentinger
Maribel Dentinger, P.E.
Senior Project Engineer

Mar 22 2019 11:18 AM
Date: March 21, 2019

Lynn Ori
Crown Castle
2055 S. Stearman Drive
Chandler, AZ 85226

Subject: Structural Analysis Report

Carrier Designation: T-Mobile Co-locate
Carrier Site Number: SL08057A.
Carrier Site Name: OAK CANYON

Crown Castle Designation: Crown Castle BU Number: 880630
Crown Castle Site Name: OAK CANYON JR HIGH
Crown Castle JDE Job Number: 519019
Crown Castle Work Order Number: 1699218
Crown Castle Order Number: 450442 Rev. 7

Engineering Firm Designation: Crown Castle Project Number: 1699218

Site Data:
111 725 E, Lindon, Utah County, UT
Latitude 40° 26' 2.68", Longitude -111° 41' 47.6"
80.67 Foot - Concealment Tower with Proposed Canister Extension

Dear Lynn Ori,

Crown Castle is pleased to submit this “Structural Analysis Report” to determine the structural integrity of the above mentioned tower.

The purpose of the analysis is to determine acceptability of the tower stress level. Based on our analysis we have determined the tower stress level for the structure and foundation, under the following load case, to be:

LC5: Proposed Equipment with Proposed Canister Extension Sufficient Capacity

This analysis is for informational use only and is not intended to provide engineering services to the public, nor should the analysis be relied upon for jurisdictional submittals or approval.

This analysis utilizes an ultimate 3-second gust wind speed of 115 mph as required by the 2015 International Building Code. Applicable Standard references and design criteria are listed in Section 2 - Analysis Criteria

Structural analysis prepared by: Steven Hu / KBS / SM

Respectfully submitted by:

Maribel Dentinger
Maribel Dentinger, P.E.
Senior Project Engineer

Mar 22 2019 2:28 PM
Crown Castle Letter of Authorization

CITY OF LINDON, UT
Planning Department
100 NORTH STATE STREET
LINDON, UT 84042

Re: Application for Zoning/Building Permit
Crown Castle telecommunications site at: 111 725 E, LINDON, UT 84042

GLOBAL SIGNAL ACQUISITIONS II LLC ("Crown Castle") hereby authorizes T-MOBILE, including their Agent, to act as our Agent in the processing of all zoning applications, building permits and approvals through the CITY OF LINDON, UT for the existing wireless communications site described below:

Crown Site ID/Name: 880630/OAK CANYON JR HIGH
Customer Site ID: SL08057A/OAK CANYON
Site Address: 111 725 E, Lindon, UT 84042
APN:

Crown Castle

By: ____________________________ Date: 09.30.19
Craig Chagnon
Real Estate Specialist
June 3, 2019

Via Overnight Mail and Email

Board of Education of the Alpine School District
Attn: Dana Harman – Administration Assistant
575 North 100 East
American Fork, UT 84003

Re: Business Unit # 880630 / OAK CANYON JR HIGH; 111 725 E, Lindon, UT 84042 ("Tower Site")
Site Agreement with Option dated March 30, 2001, as amended ("Lease")

Dear Dana Harman,

This binding letter agreement ("Letter Agreement") sets forth the agreement between The Board of Education of the Alpine School District ("Landlord") and STC FIVE LLC, by and through Global Signal Acquisitions II LLC, its attorney in fact ("Tenant") allowing T-Mobile ("Customer") to collocate at the Tower Site.

The parties agree as follows:

1. Per Section 2 of the Third Amendment to the Lease, Tenant and Landlord agree that Tenant will pay to Landlord $300.00 per month ("Additional Rent") per subtenant beginning on the date of commencement of the sublease. The Additional Rent will escalate in the same manner and at the same time as described in the lease between Tenant and Landlord for the Tower Site.

2. Tenant agrees to pay an additional $100.00 per month as consideration plus the Additional Rent (totaling $400.00 per month) in exchange for Landlord’s consent to sublease a portion of the Tower Site to Customer and for Customer to install, operate, maintain and remove communication equipment at the Tower Site. The Landlord’s consent is effective as of the date of Landlord’s signature on this Letter Agreement and must be executed by June 12th, 2019 to receive the full amount of $400.00 as noted above.

The pathway to possible.
CrownCastle.com
3. Landlord represents and warrants as of the date of this Letter Agreement that Landlord is duly authorized and has the full power, right and authority to enter into this Letter Agreement and to perform all of its obligations under this Letter Agreement.

If this Letter Agreement accurately reflects the understanding regarding the Customer and the Tower Site, please so indicate by signing and returning to the undersigned the enclosed copy of this letter.

TENANT:
STC Five LLC, a Delaware limited liability company

By: Global Signal Acquisitions II LLC, a Delaware limited liability company, Its Attorney-In-Fact

By: ______________________________

Name: Matthew Rohrbach, Real Estate Manager
Date: 06/03/19

LANDLORD:
The Board of Education of the Alpine School District

By: ______________________________

Name: ROGER W SMITH - CFO
Date: 1 JULY 2019

The pathway to possible.
CrownCastle.com
**RADIO STATION AUTHORIZATION**

**LICENSEE:** T-MOBILE LICENSE LLC

T-MOBILE LICENSE LLC  
12920 SE 38TH STREET  
BELLEVUE, WA 98006

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**FCC Registration Number (FRN):** 0001565449

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**Waivers/Conditions:**

NONE

**Conditions:**

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select “License Search”. Follow the instructions on how to search for license information.
Federal Communications Commission  
Wireless Telecommunications Bureau  
RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

Call Sign  
WQGA732

File Number  
0007753482

Radio Service  
AW - AWS (1710-1755 MHz and 2110-2155 MHz)

FCC Registration Number (FRN): 0001565449

Grant Date  
11-29-2006

Effective Date  
09-05-2017

Expiration Date  
11-29-2021

Print Date  
09-28-2017

Market Number  
REA006

Channel Block  
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Sub-Market Designator  
37

Market Name  
West

1st Build-out Date

2nd Build-out Date

3rd Build-out Date

4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

AWS operations must not cause harmful interference across the Canadian or Mexican Border. The authority granted herein is subject to future international agreements with Canada or Mexico, as applicable.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC
ATTN: FCC REGULATORY COMPLIANCE
T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

FCC Registration Number (FRN): 0001565449

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Waivers/Conditions:
If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

Conditions:
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REG COMP CONTACT
T-MOBILE LICENSE LLC
12920 SE 38TH ST.
BELLEVUE, WA 98006

Call Sign
KNLF271

File Number
0006751877

Radio Service
CW - PCS Broadband

FCC Registration Number (FRN): 0001565449

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Waivers/Conditions:
License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Conditions:
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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FCC 601-MB
April 2009
This also was to allow review of each use before implementation into the zone.

Mayor Ellertson asked if the proposed business facility would meet the required architectural standards of the zone. Mr. Smith verified that the standards of the Light Industrial zone would apply. He observed that the Planning Commission expressed concern that if the business was not successful and the building was sold, that it could be retrofitted to conform to light industrial use. Mr. Dameron confirmed the “C” designation in the land use table to be “conditional use” and the “P” as “permitted use.” Mayor Ellertson suggested that the indoor soccer use be limited to “C” in the CG zone also. Discussion of current recreational uses within the city was held. It was the consensus of the City Council that indoor soccer be a conditional use rather than a permitted use in the CG zone.

Mr. Gregory requested access from 2000 West across the drainage canal to this proposed location of the business. He noted that the Planning Commission and the City Engineer had requested no access across this canal because of possible obstruction of the drainage flow. He stated that if no access was allowed across the canal, they would move their building to an interior lot of Ostler Industrial Park and then there may be conflict with the definition of “periphery” of the zone. The Councilmembers discussed the definition of the word “periphery” as being within 500 feet of the edge of the zone. They discussed the canal and its use for “linear detention.” Councilmember Dain suggested the crossing be a bridge rather than a culvert. A culvert would more likely restrict the flow and disturb the open waterway effect. He observed that 2000 West was a potential access road to the new interchange on I-15 and as such should be “user-friendly.”

COUNCILMEMBER DAIN MOVED TO APPROVE THE ADDITION OF INDOOR SOCCER AS A CONDITIONAL USE TO THE LAND USE TABLE IN THE MU, CG, AND MD ZONES WITH THE ADDENDUM THAT IT BE ALLOWED ONLY ON THE PERIPHERY OF THE MD ZONE. COUNCILMEMBER HATCH SECONDED THE MOTION. THE ROLL CALL OF THE VOTE IS AS FOLLOWS:

- COUNCILMEMBER ACERSON  AYE
- COUNCILMEMBER BATH  AYE
- COUNCILMEMBER BAYLESS  AYE
- COUNCILMEMBER DAIN  AYE
- COUNCILMEMBER HATCH  AYE

THE VOTE WAS UNANIMOUS. THE MOTION CARRIED.

COUNCILMEMBER BAYLESS MOVED TO CLOSE THE PUBLIC HEARING ON THE ZONING AMENDMENT ORDINANCE. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
Murdock Canal.

Mr. Smith pointed out the location requested by Sprint PCS for their proposed pole/tower with pictures and a map. He listed the 3 conditions recommended by the Planning Commission as 1) the cell site be moved a minimum of 200 feet to the West of this requested site, 2) the tower be placed as close to 200 South as possible, and 3) the twenty nearest homes be hand-delivered notices of this City Council conditional use permit hearing. Mr. Smith observed that the ordinance requires the City Council to review the application for appearance and distances that would make it obtrusive to the neighbors. He noted that the noticing requirement is not mandatory by ordinance, but the Planning Commissioners felt the neighborhood should have their chance to comment.

Councilmember Bath asked how far north of the fence the facility would need to be to clear easements and overhead power transmission lines. Mr. Smith asked the Sprint representatives, Lin Alderman, Mike Ditterick, and Attorney Steve King to come forward and explain their application. Ms. Alderman had compiled some packets of information that she passed out among the Councilmembers. She explained that the facility had been placed 30 feet inside the fence to allow junior high students a direct pathway to the school through the gate. She clarified that this site had been chosen by the principal of Oak Canyon Jr. High as his preferred site to minimize the impact on the use of the fields and also to allow access to services needed to operate the site. Ms. Alderman disclosed that she had delivered notices to the nearest 35 homes within Lindon. None had been delivered to Orem. She described the height of the pole/tower as similar to the 70 foot power poles along the street since this tower site was approximately 10 feet lower because of the drop in the terrain between the fence and the field.

Councilmember Bayless asked for the dimensions of the proposed pole/tower. Ms. Alderman described it as 26-28 inches diameter at the top and the bottom dimension would be determined when it was decided if the pole would need to be telescoping or if it would be allowed to be straight. She also mentioned that if the 3-pole configuration was required, each pole would be 16-18 inches in diameter. Mr. Ditterick recommended the City Council consider the telescoping design that would collapse inside itself in an emergency. Councilmember Bath asked the dimensions of the power poles along that 200 South to compare the diameters. Mayor Ellerton replied estimated that the power poles were 15-18 inches in diameter.

Ms. Alderman observed that Sprint would use more land if the 3-pole configuration rather than the 1-pole configuration was decided on. She told the Councilmembers that a 20 X 30 plot would be needed for the equipment enclosure and the pole would be inside the enclosure in the 1-pole configuration. If the 3-pole configuration was used, the poles would be set outside the equipment enclosure to allow access to the poles for putting flags on them. Mr. Ditterick explained that the closest distance the poles could be placed to 200 South is 40 feet from the curb or 30 feet from the fence. This was because of utility easements along the street.

Councilmember Acerson expressed favor to the 3-pole configuration proposed for an alternative site by the turn-around on 200 South at about 800 East.

Oak Canyon Jr. High Principal Paul Olsen observed that he had seen increased community use of the fields to the east of the Junior High School. He was concerned that the field remain as open as possible to allow for this multiple use. He disclosed the potential income
of about $500,000 over the next 25 years for the direct benefit of the Junior High School and possible revenue to Rocky Mountain Elementary and Lindon Elementary if a secondary user contracted to use this site also. He mentioned that outside revenue of this kind was “difficult to come by.”

Mayor Ellertson inquired how near the pole the equipment enclosure needed to be. Ms. Alderman told him no further than 100 feet away. Mayor Ellertson observed that the equipment enclosure could be moved out of the open area. Ms. Alderman clarified that the contract with Alpine School District was $900 per month with built in inflation increases over the next 25 years. It would amount to approximately $400,000 with only one carrier on this site. Mr. Dameron noted that the contract was with Alpine School District and inquired if the Junior High had a commitment from the District that the money would be funneled back in full. Principal Olsen answered that the school did not have a written agreement, but that standard practice of the District was to funnel the money back to the individual school. He noted that several schools in the district were being alternatively-funded with cell tower site lease fees. Mr. King noted that the lessor in the agreement was the District.

Councilmember Acerson asked Principal Olsen if he had any objection to the alternative site proposed by the City near the turn-around at 200 South and about 800 East and putting flags on the poles. Principal Olsen explained that he was not opposed to anything. He wanted to help make the neighbors happy with the cell site and keep the integrity of the field. Councilmember Acerson observed that the alternative site was not used for anything other than passage to the school. Principal Olsen expressed his acceptance and wanted to be sensitive to neighborhood opinion. Councilmember Bayless promoted a site that would be as pleasing as possible. Councilmember Dain observed that these poles would not look like normal flag poles; they would be larger than normal. He recommended that the flag company be consulted on the scale of the flags to be purchased for the site. He also asked which entity would be responsible for the maintenance of the flags. The Junior High School was determined to be responsible for maintenance of the flags. Sprint was determined to be responsible for the landscaping.

Mr. Ditterick submitted photographs of other installations. His recommendation to the Council was a 7 foot high enclosure near the east fence around the duplexes on the Junior High’s south border. He also recommended a locked lanyard on each pole to allow changing the flags. Ms. Alderman asked if the City Council would prefer that Sprint design the poles to allow for a second carrier. Councilmember Acerson inquired if there was a design limitation on the amount of co-locators. Ms. Alderman disclosed that with the present technology and the limitation of the antennas placed inside the poles, only 2 providers could locate on this site. Councilmember Acerson clarified that when technology improves, more than one other co-locator could use this site and improve the revenue stream to the school by the same potential amount as this present lease. Ms. Alderman confirmed that Sprint would absorb the cost of installation of this site and allow co-locators to affix their antennas within the poles as technology allows. Any further ground leases would accrue payments to the District. Mayor Ellertson observed that with additional co-locators Orem children may also benefit eventually through co-location revenue being distributed to the Rocky Mountain and Lindon Elementary Schools.

Councilmember Dain asked Ms. Alderman if the installation would be a painted steel pole. Ms. Alderman confirmed that the pole would be mostly steel, all but the top which would
be a material conducive to radio transmissions. She offered to have the City pick the color to blend with the skyline and surrounding structures. Councilmember Dain asked about the maintenance of the pole to minimize the rust. Ms. Alderman disclosed that Sprint would be maintaining the pole. She directed the Councilmembers' attention to the remaining contents of the packet which included a copy of a notarized letter from Sprint declaring compliance with all applicable EIA standards, applicable federal and state laws and regulations, and with the Lindon City Code, declaring the proposed site will accommodate use by additional co-locators, declaring the use of the site will not interfere with transmission or reception of legally operating frequencies, and submitting evidence of their radio station authorization. A copy of the radio station authorization was enclosed in the packet and evidence of insurance.

Mayor Ellerton opened the discussion to members of the audience. Representatives of the neighborhood present at this discussion were Steve Browne of 118 South 900 East, Christian Bradford of 185 South 900 East, Kevin Cartwright of 168 South 900 East, Glen Westbrook of 928 East 155 South, Brad Palmer of 154 South 900 East, and John & Marie Domingo of 104 South 900 East. Mr. Palmer asked Sprint about the safety of the tower and its transmissions. He wondered if any research had concluded that radio transmissions were not detrimental to the health of residents in close proximity. Councilmember Bath mentioned that a study had been announced in the Deseret News that day. Mr. Ditterick cited the example of the University of Utah hospital which had towers on the roof. He asserted that if the transmissions were dangerous, the hospital would not have allowed the towers to be built there. Mr. Westbrook introduced himself as a teacher whose son had introduced him to HAM radio. He claimed that the HAM radio training included information about the deleterious effects of radio waves on the human system. He proclaimed that a transmitter/repeater such as Sprint would need to operate their system at 900 MHz, which, he asserted, is in the unsafe range. He also claimed that any low power transmission is additive to the total amount of unsafe radiation. Mayor Ellerton confirmed that it was additive, observing that EMF in certain configurations had a canceling off-setting effect. Mr. Palmer asserted that areas parallel to a tower were exposed to radio frequencies more than areas underneath a tower because the antennas were pointed to broadcast out rather than up or down. He claimed that was why the University of Utah hospital was not averse to having towers on their roof. Mayor Ellerton asked what effect radio frequencies had on the human body. Mr. Westbrook observed that microwave, a form of radio frequency, can blind. Mr. Palmer stated that the strength of the power broadcast was linked to various diseases. Mr. Ditterick stated that he could not produce research that would prove the transmissions safe. Mr. King asserted that the Federal Government has declared that questions of radio frequency safety could not be used as a basis to deny a cell tower permit. The Council discussed possible safety issues of radio transmissions. Mr. King claimed that the Federal Government considered the risk of radio transmission hazard so low that they declared it could not be used as an issue.

Mr. Palmer asked what guarantee parents would have that the money would continue to go to Oak Canyon Jr. High School. Mayor Ellerton observed that it was totally at the discretion of the Alpine School District at present. Principal Olsen stated that he would ask Mr. Seastrand at the District office for some confirmation on the disposition of funds.

Mr. Bradford questioned property and resale values if this site were constructed. He expressed opposition to construction on the Sprint preferred site near the Murdock Canal. Mayor
Ellerton observed that studies have shown that power poles do not devalue property. Mr.
Bradford asked for comparable sales before and after installation of a cell site. He questioned
whether TV and radio would be affected. Mr. King claimed that the site would not interfere with
any use operating within their authorized band.

Mr. Bradford expressed favor to the Junior High School receiving money and wondered if
it was standard practice to encourage 2nd users. Mayor Ellerton stated that city ordinance
required co-location as a first priority for new users within the city. Mr. King claimed that it was
cheaper to co-locate so providers would look there first. Mr. Bradford expressed favor to the 2nd
proposed location near the turn-around as his preferred location. Mr. Palmer also expressed
favor to the 2nd location.

Mr. Browne questioned the attractive nuisances of the equipment enclosure. He
wondered what steps would be taken to discourage scaling of the wall, and what lights and noises
would emanate therefrom. Ms. Alderman explained that the equipment would be enclosed in
locked metal cabinets about 2 X 2 X 4 feet in size and that no noise would emanate from the
enclosure. Mr. Ditterick discussed the design of the wall. Mr. Bradford asked about liability
insurance and Mr. King said that would be part of the cost of the site.

Councilmember Acerson suggested that the wall be graffiti-proofed. Mr. Bradford
suggested that the enclosure be as close to the duplex fence as possible. Mayor Ellerton asked
Sprint if their enclosures experience a history of vandalism. Mr. Ditterick disclosed that Sprint
had 7 sites placed at schools and that vandalism tended to be comparable with neighborhood
problems. Mr. Bradford expressed an interest in receiving a list of the schools that had cell sites.

Mrs. Domingo expressed concern about noise. She claimed that other sites she had
visited "buzzed and hummed." Ms. Alderman asserted that the site would not have noise.

Principal Olsen addressed the question of vandalism by stating that since the installation
of surveillance cameras the vandalism had dropped to almost zero. He considered the building
more of a target than the Sprint enclosure and commented that the building was being installed
with an alarm. Mr. Ditterick pointed out that the flagpole/towers would be lighted 24 hours a day
and that would contribute to less vandalism.

Mr. Browne confirmed that Sprint would pay all costs associated with construction and
maintenance. Mr. Palmer asked about the construction materials in the enclosure wall. MS.
Alderman said that was determined by City ordinance and could be chain link, wood or block.
All Sprint required is that the area be enclosed. She noted that landscaping would also screen the
site. Mrs. Domingo asked if the enclosure would be of CMU or decorative block. Mr. Bradford
asked that the enclosure be aesthetically pleasing. Councilmember Dain told the neighborhood
representatives that a landscaping and architectural plan would be submitted to the city
subsequent to this hearing. Mr. Dameron observed that most requirements were outlined in the
ordinance. Councilmember Dain suggested that the enclosure match the construction of the
school. He mentioned that the plans would be approved in the Development Review Committee
process. Mr. Cartwright suggested that the poles be constructed as close to 200 South as
possible. Mr. Domingo asked about access to the site from the turn-around. Ms. Alderman
explained that a gate would be installed in the chain link fence. Mr. Ditterick said that the curb
would be cut and a driveway installed and a 8 - 12 foot chain link gate installed.

Mayor Ellerton observed that a site plan would have to be brought to the city. Mr.
Palmer promoted the site by the turn-around. Mr. Dameron questioned the setback requirements of the ordinance since this site was so close to the duplexes. The setbacks outlined in the ordinance were disclosed to be 3 times the height of the pole. The Council questioned the source of the setback requirement. City Attorney Gordon Duval explained that it had been incorporated from the model ordinance promoted through the Leagues of Cities and Towns. He added that the setbacks can be set at the Council’s discretion. Ms. Alderman observed that the setback was outdated and the new poles were designed to collapse within themselves.

Ms. Domingo asked why the school had been chosen as a site for a cell tower. Mayor Ellerton explained the RF studies and how a “hole” in the coverage would be filled. Councilmember Dain suggested a raised planter for the flagpole/towers to be installed on. Mayor Ellerton wondered about the safety issues of a raised planter in a playground. It was discussed briefly. Councilmember Acerson asked if the poles would be climbable. Mr. Ditterick explained that they would be no more climbable than a regular flagpole, but that the diameter made climbing more difficult.

City Attorney Gordon Duval observed that there still was a financial issue with the City to solve. He noted that article 3.1 of the agreement provided for in the resolution had been challenged by Sprint. He observed that the challenge is a valid argument and recommended to take article 3.1 out of the agreement. Councilmember Acerson clarified that Mr. Duval did not wish to test the challenge. Mr. King observed that the City Council could give approval as to form and take out the parts not applicable to Sprint. This would not change the ordinance as it is passed and adopted.

Mayor Ellerton summarized the discussions of the City Council as: 1) the Radio Frequency health/safety issues cannot be used to deny a permit, 2) the location is on the west end of the field near the duplexes and 200 South, 3) the site will be as close to 200 South as possible according to the Uniform Building Code, 4) the array will consist of 3 flagpoles, 5) the site will be aesthetically pleasing and harmonize with the setting, 5) article 3.1 of the agreement will be deleted to solve the financial issue with the city, 6) a business license fee will be due to the City, and 7) a formal agreement between the school and the school district is encouraged. Mr. Westbrook added reminded that the tower will be a collapsible structure and, after discussion, the Council decided that the setback of 3 times the height is should be waived. Mayor Ellerton asked for a motion.

COUNCILMEMBER DAIN MOVED TO APPROVE THE REQUEST FOR A CONDITIONAL USE PERMIT BY SPRINT PCS WITH THE FOLLOWING CONDITIONS IN FIVE CATEGORIES:

CATEGORY 1, LOCATION: THE SITE WILL BE LOCATED NORTH OF THE TURN-AROUND AT 200 SOUTH AND ABOUT 800 EAST AND THE EQUIPMENT ENCLOSURE WILL BE LOCATED NEAR THE SOUTHWEST CORNER OF THE OAK CANYON JUNIOR HIGH SCHOOL FIELDS. BECAUSE THE TOWERS WILL BE DESIGNED TO COLLAPSE WITHIN THEMSELVES THEY WILL BE PLACED AS CLOSE AS POSSIBLE TO 200 SOUTH AND CLOSER THAN THE SETBACK ALLOWANCE REQUIRES TO THE HOMES TO THE WEST OF THE STRUCTURE.

CATEGORY 2, AESTHETICS OF THE POLES: THE SITE WILL CONSIST OF A THREE FLAGPOLE CONFIGURATION, 80 FEET HIGH OR LESS. THE COLOR WILL BE
ENVIRONMENTALLY COMPATIBLE AND BLEND WITH THE SKYLINE. THE LANDSCAPING WILL INCORPORATE A RAISED PLANTER, ACCENT LIGHTING, A POLE LANYARD AND A LOCK BOX, AND FLAGS PROVIDED BY THE JUNIOR HIGH SCHOOL OF THE PROPER SCALE.

CATEGORY 3, AESTHETICS OF THE ENCLOSURE: THE EQUIPMENT ENCLOSURE WILL BE LOCATED IN THE SOUTHWEST CORNER OF THE OAK CANYON JR HIGH FIELD AREA. IT WILL BE LANDSCAPED AND BOUND BY A BLOCK WALL. THE BLOCK WALL WILL CONSIST OF A COMBINATION OF TEXTURES AND MATCH THE JUNIOR HIGH BUILDING IN ARCHITECTURE AND COLOR. THE ENCLOSURE WILL BE TOPPED BY A SLOPED COVER OF FENCING MATERIAL THAT WILL NOT BE VISIBLE FROM THE GROUND, BUT IS DESIGNED TO FUNNEL PLAYGROUND BALLS BACK TO THE GROUND.

CATEGORY 4, FEES: THE CITY COUNCIL STRONGLY ENCOURAGES THE DISTRICT TO LEAVE THE LEASE FEES COLLECTED WITH OAK CANYON JR. HIGH SCHOOL. IN THE CASE OF A SECOND LOCATOR, THE LEASE FEES SHALL GO TO THE LINDON AND ROCKY MOUNTAIN ELEMENTARY SCHOOLS.

CATEGORY 5, AGREEMENT WITH CITY: THE FINAL AGREEMENT SHALL BE IN SUBSTANTIALLY THE FORM AS SUBMITTED AND AS AGREED TO BY THE PARTIES. THE MAYOR IS GIVEN THE AUTHORITY TO REVIEW AND SIGN THE AGREEMENT FOR THE CITY AFTER MODIFICATIONS ARE MADE.

THE COUNCIL FINDS REASONABLE EVIDENCE TO WAIVE THE REQUIREMENTS OF SECTION 5.07.060(B) IN FAVOR OF ALPINE SCHOOL DISTRICT. COUNCILMEMBER ACERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4. **Agreement - Utah County Bookmobile Services.** The City Council will consider an agreement between the Utah County Bookmobile Library Board and Lindon City to provide bookmobile services to the city for the next calendar year. This item was continued from the January 16, 2001 meeting. The Director of Bookmobile Services, Mr. Edwin Walker, has been invited to attend.

Mayor Ellertson invited Mr. Edwin Walker, the Director of Bookmobile Services to address the Council. Mr. Walker asked the population of Lindon and was told about 8300. Mr. Walker compared the population of Lindon to that of Alpine as similar in number. He said that there were misconceptions concerning Bookmobile service and use. The misconceptions are that the Bookmobile’s purpose is to serve rural areas, mostly children, and to augment or replace a school library. He told the Council that he had been bringing reading to neighborhoods for 24 years. He listed the various stops of the Bookmobile in Lindon in the past as Lindon Elementary, Aspen Elementary, and Rocky Mountain Elementary. He observed that the best hours for the Bookmobile are after school hours. He stated that he would like to build the clientele in Lindon and asked for suggestions on where to stop and help in advertising the hours and locations.

Mr. Walker informed the Council that he could get any book a patron ordered either on
Overview:

- The Utah State Legislature has enacted Chapter 41a of Title 4 of the Utah Code, allowing for the establishment of Cannabis Production Establishments and requiring municipalities to allow Cannabis Production Establishment to be maintained as a permitted use in at least one agricultural or industrial zone and has set specific requirements associated with such a use.
- The Utah State Legislature has enacted Chapter 61a of Title 26 of the Utah Code, requiring municipalities to allow Medical Cannabis Pharmacies to be maintained as a permitted use in any zone not established primarily for residential use and has set specific requirements associated with such use.
- Chapter 41a of Title 4 and Chapter 61a of Title 26 of the Utah Code allows Lindon City to enact regulations and conditions upon Cannabis Production Establishments and Cannabis Pharmacies and to specify which zoning district will be designated for Cannabis Production Facilities as a permitted use.
- The City is proposing to create a new overlay zone titled Light Industrial – West Overlay, and is proposing that Cannabis Production Establishments will be permitted within this overlay.
- If the City does not adopt an ordinance designating at lease one zone where Cannabis Production Facilities are permitted uses, then, by default under the state law, Cannabis Productions Facilities are deemed to be permitted uses in all industrial and agricultural zones within the city.
- City staff are proposing amendment to the Standard Land Use Table, and Chapters 17.18, 17.40, 17.49, 17.25, 17.79 establishing the Light Industrial West zoning district.
- State code allows municipalities to regulate or limit outdoor cultivation of cannabis in industrial zones and city staff are proposing that outdoor cultivation be prohibited in the Light Industrial - West overlay.
- The City will be noticing all property owners within this proposed zoning overlay designation area of the proposed zone changes.
Proposed Light Industrial West Zoning District
AN ORDINANCE AMENDING CHAPTER 17 OF THE LINDON CITY CODE AMENDING THE STANDARD LAND USE TABLE TO CLASSIFY CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES AS PERMITTED USES IN SPECIFIED ZONING DISTRICTS, ENACTING CHAPTER 79 OF TITLE 17 GOVERNING CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES, AND ENACTING/AMENDING SECTIONS 17.49.025, 17.40.010, AND 17.18.070, TO COMFORM TO STATE REQUIREMENTS AND TO ESTABLISH THE LIGHT INDUSTRIAL - WEST OVERLAY ZONING DISTRICT.

WHEREAS, The Utah State Legislature has enacted Chapter 41a of Title 4 of the Utah Code, allowing for the establishment of Cannabis Production Establishments and requiring municipalities to allow Cannabis Production Establishment to be maintained as a permitted use in at least one agricultural or industrial zone and has set specific requirements associated with such use; and

WHEREAS, The Utah State Legislature has enacted Chapter 61a of Title 26 of the Utah Code, requiring municipalities to allow Medical Cannabis Pharmacies to be maintained as a permitted use in any zone not established primarily for residential use and has set specific requirements associated with such use; and

WHEREAS, Chapter 41a of Title 4 and Chapter 61a of Title 26 of the Utah Code allows Lindon City to enact regulations and conditions upon Cannabis Production Establishments and Cannabis Pharmacies and to specify which zoning district will be designated for Cannabis Production Facilities as a permitted use; and

WHEREAS, The Lindon City Council finds that it is in the public’s best interest to take advantage of existing physical division that I-15 creates between residential uses on the eastside of the freeway and light industrial uses on the west to allow for Cannabis Production Facilities as a permitted use in light industrial areas west of I-15; and

WHEREAS, The Lindon City Council finds that it is in the public’s best interest to establish regulations and conditions on Cannabis Production Facilities and Medical Cannabis Pharmacies relating to cultivation, parking, signage, and business operations and licensing and that such regulations do not conflict with the state code.

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

PART ONE: Amendment of the Lindon City Standard Land Use Table

The following uses are hereby added to the Lindon City Land Use Table:

Ordinance No. 2019-17-O
Under Manufacturing

<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Use</th>
<th>Residential</th>
<th>Mix Rec.</th>
<th>Commercial</th>
<th>Industrial</th>
<th>R/B</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>Cannabis Production Establishment</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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</table>

And under Retail Trade

<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Use</th>
<th>Residential</th>
<th>Mix Rec.</th>
<th>Commercial</th>
<th>Industrial</th>
<th>R/B</th>
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</thead>
<tbody>
<tr>
<td>5300</td>
<td>Medical Cannabis Pharmacy</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

PART TWO: Enactment of Chapter 17.79, Cannabis Production Establishments and Medical Cannabis Pharmacies

Title 17 of the Lindon City Code is hereby amended to include Chapter 17.79, which Chapter is adopted and enacted to read as follows:

**CHAPTER 17.79 CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACIES**

17.79.010 Definitions
17.79.020 Permitted Use - Permit Required
17.79.030 Standards
17.79.040 Proximity to Community Locations and Residential Zones
17.79.050 Outdoor Cultivation
17.79.060 Business License

17.79.010 Definitions
Community Locations means all public or private schools, licensed childcare facilities, preschools, churches, public libraries, and all public playgrounds and parks.

Cannabis Production Establishment means a Cannabis Cultivation Facility, a Cannabis Processing Facility, or an Independent Cannabis Testing Laboratory as defined by Section 4-41a-101 of the Utah Code, as may be amended.

Medical Cannabis Pharmacy means the same as that term is defined in Section 26-61a-102 of the Utah Code, as may be amended.

Zones Established Primarily for Residential Use, for purposes of this Chapter and any applicable state law means the following zoning districts in Lindon City.
R1-12 zone
R1-20 zone,
R3 overlay zone,
R2 overlay zone,
Residential/Business District overlay zone,
Senior Housing overlay zone, and
Anderson Farms Planned Development Zone.

The Definitions in Title 26, Chapter 61a, the Utah Medical Cannabis Act, and Title 4, Chapter 41a, Cannabis Production Establishments, of the Utah Code, as may be amended, are hereby adopted and incorporated into this Chapter.

17.79.020 Permit Required

1. Operation of a Cannabis Production Establishment shall be a permitted use in the Light Industrial-West overlay zone (LI-W).

2. Operation of a Medical Cannabis Pharmacy shall be a permitted use in all zones except those zones established primarily for residential use.

3. A Cannabis Production Establishment or Medical Cannabis Pharmacy must obtain a land use permit from Lindon City, which the City shall issue in writing upon a showing that the proposed Establishment or Pharmacy and the corresponding facilities and operations comply with the provisions of this Chapter and with Title 4, Chapter 41a or Title 26, Chapter 61a of the Utah Code, as may be applicable to the proposed use.
   a. A Cannabis Production Establishment or Medical Cannabis Pharmacy seeking a land use permit shall provide the Lindon City Chief of Police a copy of its state approved security plan for securing the operations so as to prevent the theft, embezzlement or illegal use and/or distribution of cannabis from the Establishment or Pharmacy

17.79.030 Standards

1. The following Standards apply to all Cannabis Production Establishments:
   a. All facilities which grow, process, test, or store cannabis shall be constructed and operated so as to prevent dust, fumes, vapors, odors or waste from escaping the facility and entering the environment next to or surrounding the Cannabis Production Establishment.
   b. Cannabis Production Establishments shall comply with all other land use restrictions, regulations, requirements, and development standards for the zone in which it is located.
   c. Cannabis Production Establishments shall provide parking as required in Chapter 18 of Title 17 of the Lindon City Code.
   d. Signage for Cannabis Production Establishments shall comply with Title 18 of the Lindon City Code. If any conflict exists between Title 18 of the Lindon City Code and the signage requirements of Title 4, Chapter 41a of the Utah Code, Utah Code shall control.
2. The following Standards apply to all Medical Cannabis Pharmacies:
   a. No Medical Cannabis Pharmacies shall allow products distributed at the pharmacy to be visible outside of the Medical Cannabis Pharmacy.
   b. A Medical Cannabis Pharmacy shall comply with all other land use restrictions, regulations, requirements, and development standards for the zone in which it is located.
   c. Medical Cannabis Pharmacies shall provide parking as required in Chapter 18 of Title 17 of the Lindon City Code.
   d. Signage for Medical Cannabis Pharmacies shall comply with Title 4 Chapter 41a of the Utah Code as well as with Title 18 of the Lindon City Code. If any conflict exists between Title 18 of the Lindon City Code and the signage requirements of Title 4, Chapter 41a of the Utah Code, the Utah Code shall control.

17.79.040 Proximity to Community Locations and Residential Zones
1. A Cannabis Production Establishment may not be located within 1000 feet of a Community Location or within 600 feet of zones established primarily for residential use.

2. Medical Cannabis Pharmacies may not be located within 200 feet of a Community Location or within 600 feet of zones established primarily for residential use.

3. The proximity requirements set forth in this Section shall be measured from the nearest entrance to a Cannabis Production Establishment or Medical Cannabis Pharmacy by following the shortest route of ordinary pedestrian travel to the boundary of Community Location or residential zone.

4. The proximity requirements set forth in this Section are subject to modification by the state as set forth in Title 4, Chapter 41a and Title 26, Chapter 61a of the Utah Code, as may be amended.

17.79.050 Outdoor Cultivation
Cannabis may not be cultivated outdoors in the Light Industrial-West overlay zone. All indoor cultivation of cannabis shall comply with the provisions for indoor cultivation established under Title 4, Chapter 41a of the Utah Code, as may be amended.

17.79.060 Business License
1. Each Cannabis Production Establishment and Medical Cannabis Pharmacy shall obtain a City business license before conducting business within Lindon City.

PART THREE Amendment of Section 17.40.010 of the Lindon City Code to establish the Light Industrial - West overlay zoning district

Section 17.40.010 of the Lindon City Code is hereby amended to read as follows:

17.40.010 Establishment
For the purposes of this division the territory of Lindon City to which this division applies is divided into one or more of the following listed zoning districts as shown on the officially adopted Lindon City Zoning map:

1. Residential district, R1-20;
2. Residential district, R1-12
3. R2 Overlay;
4. General Commercial district, C-G
5. Mixed Commercial, MC;
6. Planned Commercial, PC-1;
7. Research and Business, R&B;
8. Heavy Industrial, HI;
9. Light Industrial, LI;
10. Light Industrial – West (overlay), LI-W
11. Transportation Influence Zone, T;
12. Recreation Mixed Use (East and West), RMU-E, RMU-W;
13. Public Facilities, PF;
14. Sensitive Lands District (overlay), SA;
15. Hillside Protection District (overlay), HP.

PART FOUR Amendment of Chapter 17.49 of the Lindon City Code to adopt and enact Section 17.49.025

Chapter 17.49 of the Lindon City Code is hereby amended to adopt and enact Section 17.49.025, LI-W Manufacturing and Distribution District Overlay, which section shall read as follows:

17.49.025 LI-West Overlay- Purpose
The purpose of the LI-West overlay district shall be the same as for the Light Industrial (LI) district, with only the addition being that of providing a reasonable area within Lindon City for the location and operation of Cannabis Production Facilities.

PART FIVE Amendment of Section 17.18.070
Section 17.18.070 of the Lindon City Code is hereby amended to include the following parking requirements for Cannabis Production Establishments and Medical Cannabis Pharmacies:

| 2000 | Cannabis Production Establishment | One (1) per 750 square feet of floor area |

And

| 5300 | Medical Cannabis Pharmacy | One (1) per 200 square feet of floor area |

**PART SIX: Effective Date**

This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City, Utah, this ___ day of ____________, 2019.

______________________________,
JEFF ACERSON,
Lindon City Mayor

ATTEST:

______________________________,
Kathy Moosman
City Recorder
## STANDARD LAND USE TABLE BY ZONE

### Appendix A

<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Uses</th>
<th>Residential (R1-12, R1-20, R3)</th>
<th>Mixed Rec.</th>
<th>Commercial*</th>
<th>Industrial</th>
<th>R&amp;B</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Solicitors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N/A</td>
<td>Itinerant Merchants</td>
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<td></td>
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<tr>
<td>7100</td>
<td>Fireworks Stands</td>
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</tr>
<tr>
<td>7100</td>
<td>Christmas Tree Sales</td>
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<tr>
<td>7100</td>
<td>Mechanical Amusement</td>
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<td>C</td>
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<td>N/A</td>
<td>Individual Containers for Recyclable Materials - commercial storage</td>
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<td>C</td>
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<tr>
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<td>Apartments</td>
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<td>1200</td>
<td>Rooming &amp; Boarding Houses</td>
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<tr>
<td>1233</td>
<td>Fraternity &amp; Sorority Houses</td>
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<td>N</td>
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</tr>
<tr>
<td>1500</td>
<td>Membership Lodging</td>
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<td>C</td>
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<tr>
<td>1233</td>
<td>Student Housing</td>
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<tr>
<td>1241</td>
<td>Youth Rehabilitation</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1241</td>
<td>Assisted Living Facilities - small</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>1241</td>
<td>Assisted Living Facilities - large</td>
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<td></td>
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</tr>
<tr>
<td>1200</td>
<td>Transitional Treatment Home - sm.</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1200</td>
<td>Transitional Treatment Home - lg.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1400</td>
<td>Subdivided Manufactured Mobile Homes Parks</td>
<td></td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>1300</td>
<td>Hotels, Tourist Courts, Bed &amp; Breakfast and Motels</td>
<td></td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>1300</td>
<td>Residential Bed &amp; Breakfast Facility - 3 rooms or less</td>
<td></td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>N/A</td>
<td>Caretaker Facilities - accessory to main uses only</td>
<td></td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

### MISCELLANEOUS

See LCC 5.40 - Solicitors Ordinance

See LCC 17.17.140 - Temporary Site Plans

See 8.28 - Fireworks Ordinance

### RESIDENTIAL

See 17.46 - R2 Overlay

### MANUFACTURING

**NOTE:** Any listed "indoor only" manufacturing business proposing "outdoor storage" in the HI or LI zones is required to obtain a Conditional Use Permit.

### C = Conditional Use, N = Not Permitted, N/A = Not Applicable, P=Permitted

*Lindon Village Commercial Zone use permissions are found in LCC 17.48.025*
<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Uses</th>
<th>Residential (R1-12, R1-20, R3)</th>
<th>Mixed Rec. (RMU-W, RMU-E)</th>
<th>Commercial*</th>
<th>Industrial</th>
<th>R&amp;B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>PC-1</td>
<td>PC-2</td>
<td>CG</td>
<td>CG-A</td>
<td>CG-A8</td>
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<tr>
<td>2000</td>
<td>Candy &amp; Other Confectionary Products</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
</tr>
<tr>
<td>2000</td>
<td>Preparing Feeds for Animals &amp; Fowl</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Brewery (Liquors &amp; Spirits) max. 1,000 sq. ft. and must be in conjunction with a restaurant</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Ice Manufacturing</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>2000</td>
<td>Textile Mill Products</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>2000</td>
<td>All General Apparel</td>
<td>N</td>
<td>N</td>
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<td>N</td>
</tr>
<tr>
<td>2000</td>
<td>Lumber &amp; Wood Products</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Cabinets and Similar furniture &amp; Fixtures - indoor storage and production only</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Pulp Products</td>
<td>N</td>
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<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Publishing, Printing, &amp; Misc. Related Work</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Industrial Chemical</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<td>2000</td>
<td>Explosives</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Petroleum &amp; Coal Products</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>2000</td>
<td>Other Gas Productions</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<td>2000</td>
<td>Candle and wax products manufacturing</td>
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<td>N</td>
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<td>Rubber and Misc. Plastics</td>
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<td>N</td>
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<td>Stone, Clay, Glass, &amp; Associated Products - indoor storage &amp; production only</td>
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<td>N</td>
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<td>Motion Picture production (permanent studios)</td>
<td>N</td>
<td>N</td>
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<tbody>
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<td>Bus Passenger Terminals</td>
<td>N</td>
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<td>Bus Garaging &amp; Equipment Maintenance</td>
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<td>N</td>
<td>P P P P</td>
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<td>Motor Freight Terminals</td>
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<td>N</td>
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<td>N</td>
<td>P C C N</td>
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<td>Auto Parking Facilities - private</td>
<td>N</td>
<td>N</td>
<td>P P P P</td>
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<tr>
<td>4000</td>
<td>Telephone Utility Lines - above ground</td>
<td>N</td>
<td>N</td>
<td>N N N N</td>
</tr>
<tr>
<td>4000</td>
<td>Telephone Utility Lines - underground</td>
<td>P</td>
<td>P</td>
<td>P P P P</td>
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<td>4000</td>
<td>Cellular Communication Towers</td>
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<td>Television Broadcasting Studios - only</td>
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<td>Television Transmiting Stations &amp; Relay Tower</td>
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<td>C</td>
<td>C C C N</td>
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<td>Radio &amp; Television Broadcasting Studios (height</td>
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<td>N</td>
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<tr>
<td>4000</td>
<td>of any antenna or tower may not exceed height</td>
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<td>C</td>
<td>C C C N</td>
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<tr>
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<td>P</td>
<td>P P P P</td>
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<td>Electric Utility Lines - above ground and less</td>
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<td>N</td>
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<td>P</td>
<td>C C C N</td>
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<td>Natural or Manufactured Gasoline Storage &amp;</td>
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<td>C N N N</td>
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<tr>
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<td>Distribution Points</td>
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<td>C C C N</td>
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<td>Gas Pressure Control Stations</td>
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<td>N</td>
<td>C C C N</td>
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<tr>
<td>4000</td>
<td>Culinary Water Treatment Plants - Purification</td>
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<tr>
<td>4000</td>
<td>Water Storage</td>
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October 2019
### STANDARD LAND USE TABLE BY ZONE

#### Residential (R1-12, R1-20, R3) vs. Mixed Rec. (RMU-W, RMU-E) vs. Commercial* (PC-1, PC-2, CG, CG-A, CG-A8, CG-S, MC) vs. Industrial (HI, LI, LI-W) vs. R&B Group 4000

<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Uses</th>
<th>Residential</th>
<th>Mixed Rec.</th>
<th>Commercial*</th>
<th>Industrial</th>
<th>R&amp;B</th>
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<tbody>
<tr>
<td>4000</td>
<td>Water Pressure Control Stations</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>Sewage Treatment Plants</td>
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<td>C</td>
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<td>N</td>
<td>N</td>
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<tr>
<td>4000</td>
<td>Sewage Pressure Control Stations</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>4000</td>
<td>Solid Waste Disposal &amp; Incineration</td>
<td>N</td>
<td>N</td>
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<td>N</td>
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<tr>
<td>4000</td>
<td>Freight Forwarding Services</td>
<td>N</td>
<td>N</td>
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<td>N</td>
<td>N</td>
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<tr>
<td>4000</td>
<td>Parking &amp; Crating Services</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>4000</td>
<td>Waste Transfer Stations</td>
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#### WHOLESALE TRADE (Sell for Resale)

Note: Any permitted (P) wholesale business proposing "outdoor storage" in the HI and LI zones is required to obtain a Conditional Use Permit.

<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Uses</th>
<th>Residential</th>
<th>Mixed Rec.</th>
<th>Commercial*</th>
<th>Industrial</th>
<th>R&amp;B</th>
</tr>
</thead>
<tbody>
<tr>
<td>5100</td>
<td>Automobiles, Motor Vehicle, &amp; Other Automotive Equipment (outdoor storage of vehicles is permitted)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>5100</td>
<td>Tires &amp; Tubes - indoor storage only</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>5100</td>
<td>Drugs, Chemicals &amp; Allied Products - indoor storage only</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>5100</td>
<td>Drugs, Drug Proprietaries &amp; Druggists’ Sundries - indoor storage only</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>5100</td>
<td>Paints &amp; Varnishes - indoor storage only</td>
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<tr>
<td>5100</td>
<td>Dry Goods, Piece Goods, &amp; Notions - indoor storage only</td>
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<tr>
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<td>Apparel &amp; Accessories - indoor storage only</td>
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<td>N</td>
<td>N</td>
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<td>N</td>
</tr>
<tr>
<td>5100</td>
<td>Groceries &amp; Food Stuffs - indoor storage only</td>
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<td>N</td>
<td>N</td>
</tr>
<tr>
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<td>Agricultural Commodities (outdoor storage is permitted)</td>
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<td>N</td>
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<tr>
<td>5100</td>
<td>Electrical Apparatus &amp; Equipment, Wiring Supplies, &amp; Construction Materials - indoor storage only</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>5100</td>
<td>Hardware - indoor storage only</td>
<td>N</td>
<td>N</td>
<td>N</td>
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</tr>
<tr>
<td>5100</td>
<td>Plumbing &amp; Heating Equipment &amp; Supplies - indoor storage only</td>
<td>N</td>
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<tr>
<td>5100</td>
<td>Air Conditioning, Refrigeration Equipment &amp; Supplies - indoor storage only</td>
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<tr>
<td>5100</td>
<td>Commercial, Industrial, &amp; Agricultural Machine Equipment &amp; supplies (outdoor storage is permitted)</td>
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</tbody>
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<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Uses</th>
<th>Residential (R1-12, R1-20, R3)</th>
<th>Mixed Rec.</th>
<th>Commercial*</th>
<th>Industrial</th>
<th>R&amp;B</th>
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<td>Metal &amp; Minerals - includes Rock Products, Concrete, Asphalt - excludes liquid petroleum products &amp; scrap</td>
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<td>Petroleum Bulk Stations &amp; Terminals</td>
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<td>Scrap &amp; Waste Materials</td>
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<td>Tobacco &amp; Tobacco Products - indoor storage only</td>
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<td>Beer, Wine, &amp; Distilled Alcoholic Beverages - indoor storage only</td>
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<td>Paper &amp; Paper Products - indoor storage only</td>
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<td>Furniture &amp; Home furnishings - indoor storage only</td>
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<tr>
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<td>Lumber &amp; Construction Materials (outdoor storage is permitted)</td>
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<td>Arts, Crafts &amp; Hobbies</td>
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<td>Musical Instruments</td>
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<td>Groceries &amp;/or Food</td>
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<th>Industrial</th>
<th>R&amp;B</th>
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<tbody>
<tr>
<td>5500</td>
<td>Motorcycles, Personal ATV, Personal Water Craft, &amp; Snowmobile, Sales &amp; Service</td>
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<td>C</td>
<td>P</td>
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<tr>
<td>5500</td>
<td>Motor Vehicles/Trucks/Marine - New Vehicle Dealership only</td>
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<td>P</td>
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C = Conditional Use, N = Not Permitted, N/A = Not Applicable, P=Permitted

*Lindon Village Commercial Zone use permissions are found in LCC 17.48.025
### STANDARD LAND USE TABLE BY ZONE

<table>
<thead>
<tr>
<th>Parking Group</th>
<th>Permitted Primary Uses</th>
<th>Residential (R1-12, R1-20, R1-3)</th>
<th>Mixed Rec.</th>
<th>Commercial*</th>
<th>Industrial</th>
<th>R&amp;B</th>
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<tbody>
<tr>
<td>5900</td>
<td>Hay, Grains, &amp; Feed</td>
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### SERVICES

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<th>Residential (R1-12, R1-20, R1-3)</th>
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<th>Commercial*</th>
<th>Industrial</th>
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<td>Professional Office Uses</td>
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<td>Chartered Banks, Credit Unions and Other Similar Financial Institutions</td>
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<td>Security &amp; Commodity Brokers, Dealers, &amp; Exchanges</td>
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*Lindon Village Commercial Zone use permissions are found in LCC 17.48.025*

See Section 17.70 and 17.72
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*Lindon Village Commercial Zone use permissions are found in LCC 17.48.025

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## STANDARD LAND USE TABLE BY ZONE

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### See Section III - Appendix A

- C = Conditional Use, N = Not Permitted, N/A = Not Applicable, P=Permitted
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### STANDARD LAND USE TABLE BY ZONE

#### Appendix A

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<tr>
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<th>Industrial</th>
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<td>PC-2</td>
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</tr>
<tr>
<td>7100</td>
<td>Indoor Soccer Facilities</td>
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<tr>
<td>7100</td>
<td>Indoor Gun Ranges</td>
<td>N</td>
<td>C</td>
<td>C</td>
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<tr>
<td>7100</td>
<td>Water Slides</td>
<td>N</td>
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<tr>
<td>7100</td>
<td>Campgrounds</td>
<td>N</td>
<td>C</td>
<td>C</td>
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<tr>
<td>7100</td>
<td>Recreational Vehicle Park</td>
<td>N</td>
<td>C</td>
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</tbody>
</table>

#### AGRICULTURE & RESOURCE EXTRACTION

| N/A | Commercial Farms & Ranches producing Pigs, Turkeys, Mink, or Chickens products | N | N | N | N | N | N | N | N | N | N | N | N | N |
| N/A | Agricultural Related Activities: Commercial Production - large scale | N | C | C | N | N | C | C | C | C | C | C | C | C | N |
| N/A | Horticultural Services | N | C | C | N | N | C | C | C | C | C | C | C | C | N |
| N/A | Forestry & Timber Production | N | C | C | N | N | N | N | N | N | C | N | N | N |
| N/A | All Fisheries & Fish Hatcheries | N | C | N | N | N | N | N | N | N | C | C | C | N |
| N/A | All Mining & Related Services | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| N/A | All Resource Production & Extraction | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| N/A | Peat Extraction | N | C | N | N | N | N | N | N | C | C | C | N | N | N |

**See LCC 17.18**

CF zone (Commercial Farm) uses - See LCC 17.51

#### UNCLASSIFIED

<table>
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<tr>
<th>N/A</th>
<th>All unclassified items</th>
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C = Conditional Use, N = Not Permitted, N/A = Not Applicable, P=Permitted

*Lindon Village Commercial Zone use permissions are found in LCC 17.48.025*