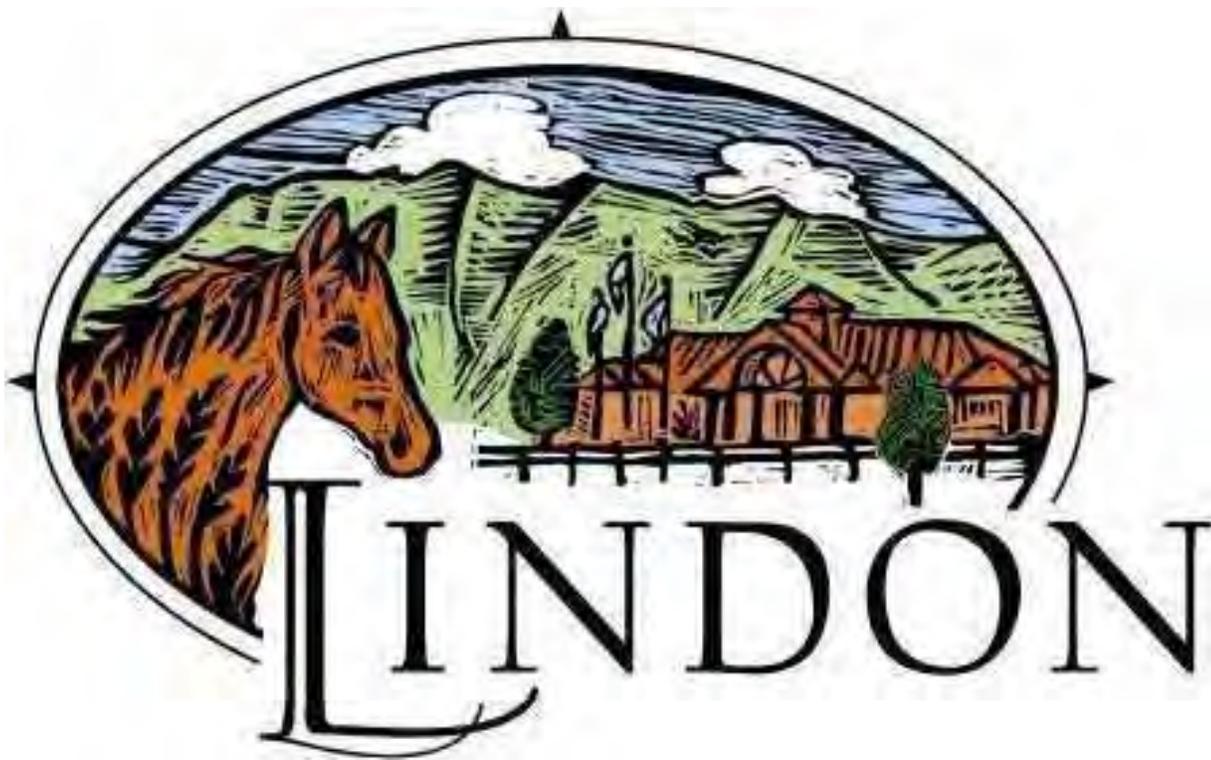


Lindon City Planning Commission Staff Report



January 14th, 2020

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, January 14, 2020, 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



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

1. Call to Order
2. Approval of minutes
Planning Commission 12/10/2019
3. Public Comment
4. Public Hearing for a recommendation to the Lindon City Council to amend Lindon City Code Chapter 17.78.060 regarding the requirement that recreational vehicle parks provide a sanitary dump station. Application made by Madson HAVN, LLC on behalf of the Lindon Marina. (10 minutes)
5. Conditional Use Permit Approval – Lindon Marina recreational vehicle park – 4400 W Vineyard Rd.
Madson HAVN, L.L.C. is requesting conditional use permit approval to operate a recreational vehicle park at the Lindon Marina and install necessary site improvements. (15 minutes)
6. Review & Action – 2020 Chair and Vice-chair elections
The Planning Commission will hold elections for the positions of Chair and Vice-chair for 2020. (5 minutes)
7. Closed Session – Closed Executive Session. Pursuant to Utah Code 52-4-205 the Planning Commission may vote to enter into a closed executive session for the purpose of discussion of pending or reasonably imminent litigation. This session is closed to the general public. (10 minutes)
8. New Business from Commissioners
9. 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.

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

**The duration of each agenda item is approximate only*

Notice of Meeting
Lindon City Planning Commission



Posted By: Kathryn Moosman, City Recorder

Date: 1/10/2020

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

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **December 10, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:05 P.M.**

8 Conducting: Sharon Call, Chairperson
Invocation: Rob Kallas, Commissioner
10 Pledge of Allegiance: Carter Walker

12 <u>PRESENT</u>	<u>EXCUSED</u>
Sharon Call, Chairperson	Scott Thompson, Commissioner
14 Mike Marchbanks, Commissioner	Renee Tribe, Commissioner
Rob Kallas, Commissioner	
16 Steven Johnson, Commissioner	
Jared Schauers, Commissioner	
18 Mike Florence, Planning Director	
Anders Bake, Associate Planner	
20 Kathy Moosman, City Recorder	

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
- 24 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
26 Planning Commission meeting of November 26, 2019 were reviewed.

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF NOVEMBER 26, 2019 AS PRESENTED.
30 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

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

36 **CURRENT BUSINESS** –

- 38 4. **Conditional Use Permit – MD Automotive, 1274 West 300 South.** Mike Davis
40 on behalf of MD Automotive is requesting conditional use permit approval to
operate an auto repair business.

42 Anders Bake, Associate Planner, led this agenda item by stating the applicant,
44 Mike Davis is requesting a conditional use permit to lease a portion of a building located
at 1274 West 300 South for an auto repair shop to perform general auto repairs. The
46 proposal requires a conditional use permit in the Light Industrial zone. He noted the
proposed business, MC Automotive, will be using the south half an existing building on
the property; the north half of the building is currently used by D & M Construction.

2 Notices were mailed on November 27, 2019 to adjoining property owners in accordance
with city code and Staff has received no public comments at this time.

4 Mr. Bake stated there are seven dedicated customer parking stalls available for
Mr. Davis's business plus space for about 10 vehicles on the west side of the building for
6 vehicles waiting to be repaired; this meets the city code parking requirements for auto
repair business. This site currently meets landscaping standards for the LI zone with 20
8 feet of landscaping along 300 South that includes trees and a well-maintained lawn. The
business will use an existing cement block building that is on the site. He noted that Mr.
10 Davis does not propose any changes to the existing building at this time. Mr. Bake
indicated with the proposed conditions, it is expected that this business will have a
12 minimal impact on surrounding properties and is similar to other uses in the Light
Industrial Zone.

14 Mr. Bake then presented the business description, aerial photo of the site and
surrounding area, street view photos, site plan and waste management plan followed by
16 discussion. He then turned the time over to the applicant for comment.

18 Mr. Davis stated Mr. Bake presented the information very well and this is pretty
straightforward. He noted he does not have a problem complying with all required
20 conditions. Mr. Davis then explained his business stating he will be repairing cars in
automotive drivability needs, like transmissions, engines, engine diagnostics, electrical
22 repair, suspension, brakes and tires etc. The hours of operation will be 8 am to 6 pm
Monday through Saturday. He explained his business has been in operation for the past
24 year and he has just outgrown his current facility. He noted all waste oil and fluids are to
be kept in waste tanks until the time to have them removed by appropriate recyclers. He
26 does not expect a great deal of additional traffic because his business is not a revolving
business such as a restaurant.

28 Mr. Davis indicated this is an industrial park and he does not expect there will be
any increase in noise due to his operations. There will be no need for water processing as
30 all fluids are to be kept in storage containers until the time for proper disposal as per state
and federal law. There was then some general discussion regarding this application.
32 Chairperson Call agreed it appears all requirements have been met and is a pretty
straightforward request.

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

36

38 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO USE A
PORTION OF THE PROPERTY LOCATED AT 1274 WEST 300 SOUTH FOR AN
40 AUTO REPAIR BUSINESS, WITH THE FOLLOWING CONDITIONS: 1. ALL
VEHICLES MUST BE STORED WITHIN THE BUILDING OR BEHIND A VIEW-
42 OBSCURING FENCE; 2. NO AUTOMOBILE PARTS WILL BE STORED OUTSIDE
OF THE BUILDING; 3. VEHICLES MAY ONLY BE STORED OUTDOORS FOR
44 LONGER THAN 72 HOURS WHEN WAITING ON DELIVERY OF PARTS; 4. THE
APPLICANT WILL COMPLY WITH THE PROPOSED WASTE MANAGEMENT
46 PLAN; 5. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER JOHNSON
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

48 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE

2 COMMISSIONER MARCHBANKS AYE
COMMISSIONER JOHNSON AYE
4 COMMISSIONER SCHAUERS AYE
HE MOTION CARRIED UNANIMOUSLY.

6

4. **Conditional Use Permit – JSR Inc., 106 South 300 East.** Jeremy and Kara
8 Stone are requesting conditional use permit approval to operate a snake raising
and breeding business as a home occupation.

10

12 Mike Florence, Planning Director, led this agenda item by stating on September 5,
2019 city planning staff and the building official conducted an inspection of the property
in question. He explained that the applicant, Mr. Stone, is using an existing 30'x48' metal
14 building to house the reptiles; the building is approximately 1,400 square feet. Mr.
Florence explained the main concern from this inspection is that there were a number of
16 building code violations related to electrical and fire code regulations. He noted Mr.
Stone has since submitted a building permit application to correct those violations.
18 However, the City has not inspected the work associated with the permit. Staff
recommends a condition to be included in the motion that all building code violations be
20 corrected and final inspections completed within the next six months or the business
license and conditional use permit may be temporarily suspended until the work receives
22 final approval by the building official. Mr. Florence stated during the inspection staff did
not perceive any noxious smells coming from the facility and it appeared quite clean.

24

Mr. Florence further explained during the inspection Mr. Stone told staff that he
had also been using his former accessory building on the adjoining lot for office and
26 storage space. Mr. Florence stated Home Occupations and conditional use permits are
only valid for the property where the applicant resides and Staff let Mr. Stone know at
28 that time that this would not be allowed. A condition of approval was added that all
business activity be conducted from the current property only. Mr. Florence indicated
30 according to Mr. Stones letter, (included in the staff report), his federal license allows
him to raise up to 4,000 snakes per year. Mr. Stone also provided that he does not have
32 more than 1,400 at any one time. Staff recommends this maximum number as a condition
of approval. He noted Mr. Stone does have a valid federal license. Mr. Florence then read
34 the conditions of approval to include in the motion.

36

Mr. Florence went on to say in order for Mr. Stone to ship any reptiles
internationally he has to have a health certificate from a local veterinarian. Dr. Dobson,
owner of Riverwoods Pet Hospital, appeared before the city in 2004 to discuss Mr.
38 Stone's business. As part of this application staff reached out to Dr. Dobson to see if she
had any recent concerns. Dr. Dobson said that she visits Mr. Stones business location
40 periodically to recommend improvements to the facility so that it can pass United States
Department of Agriculture inspections. Dr. Dobson does not feel that there are any
42 mishandling, mismanagement, health or reptile cleanliness issues with the business. In
Mr. Stones letter, he states that the facility is cleaned three to four times a week and spot
44 cleaned as needed.

46

Mr. Florence then referenced City Regulations as follows:

6.16.010 - Wild and exotic animals.

2 It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor,
4 or purchase any wild or exotic animal, as defined by this Title, except for governmental
agencies or otherwise as provided for by state or federal regulations or as permitted by
issuance of a conditional use permit as allowed for within this chapter.

6 **6.16.015 Conditional use required.**

8 1. Wild and exotic animals, as defined in this title, shall only be authorized in Lindon
City by issuance of a conditional use from the Planning Commission. Conditional uses
shall be regulated according to Chapters 17.20 through 17.24 of Lindon City Code.

10 2. The potential allowance of wild and/or exotic animal species and the quantities of said
species are subject to approval on a case-by-case basis. Conditions of approval may be
12 imposed by the Planning Commission as deemed necessary to protect the public health,
safety, and welfare including, but not limited to, increased setbacks, fencing, size and
14 type of enclosure or structure, etc.

Mr. Florence then presented the following items followed by discussion:

- 16 • Aerial Photo
- Picture of the building
- 18 • Applicant Letter
- Resident letters from 2018
- 20 • 2004 Meeting Minutes
- 2018 meeting minutes
- 22 • Copy of Federal License

24 Mr. Stone indicated since the change in the city Planning Staff, they have tried to
work with the city to be in compliance and have been working with Mr. Florence and
26 staff since August. Mr. Stone noted they do volunteer work and teach scouts with merit
badges etc. He also has security cameras for fear of theft issues and monitors his
28 operation every step of the way. He also has signatures from all of his neighbors
(included in the staff report). They have deliveries made from time to time, but nothing
30 unusual or that would impact the neighbors in any way so traffic is not an issue. Mr.
Stone stated they also keep all federal and state licenses up to date and pay all state and
32 federal taxes.

There was then some discussion of shortening the time period from six to three
34 months to resolve all building code requirements and receive final inspection approval of
the conditional use permit or the business license and conditional use permit may be
36 temporarily suspended until final approval. Mr. Stone stated they are willing and ready to
comply with all requests and requirements; they have submitted everything and have
38 filled out all forms as to be in compliance with the building department.

Chairperson Call commented as long as the listed conditions are met and
40 especially with a shortened time period and if everything can be worked through staff,
she is comfortable with the listed conditions. Commissioner Kallas pointed out the
42 commission has the responsibility to protect our residents and this is a very unique and
unusual operation and he has concerns of protecting the neighbors; we need to make sure
44 the conditions are followed very closely and Mr. Stone needs to understand this. Mr.
Stone commented he has been operating here for many years and he has good
46 relationships with his neighbors and his business doesn't impact them. There was also
discussion on the maximum number of reptiles at any one time. The commission agreed

2 to add the condition in the motion to limit the number of reptiles to 1,700 at any one time
and to not exceed 4,000 in a year.

4 Commissioner Kallas expressed his concerns that this business operates in a
residential neighborhood and also that they have operated so long without being in
6 compliance. Commissioner Kallas also asked staff if the neighbors have complaints about
this use if enforcement will be used. Mr. Florence confirmed if there are complaints, we
8 would use enforcement to ensure these conditions are being met and if not, it would come
back before the commission for review and to modify the conditions or pull the permit if
10 necessary. Mr. Stone stated he understands the conditions and will comply with all
requests.

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

14
16 COMMISSIONER JOHNSON MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR A CONDITIONAL USE PERMIT TO BREED AND SELL EXOTIC
REPTILES (BOA CONSTRICTORS AND BALL PYTHONS) AT 106 SOUTH 300
18 EAST, IN THE RESIDENTIAL SINGLE-FAMILY (R1-20) ZONE, WITH THE
FOLLOWING CONDITIONS: 1. AN ACTIVE LINDON CITY HOME OCCUPATION
20 BUSINESS LICENSE IS MAINTAINED AND ALL HOME OCCUPATION
REGULATIONS WILL BE CONTINUAL MET; 2. CONTINUALLY MAINTAIN ALL
22 APPLICABLE FEDERAL AND STATE LICENSES; 3. THE APPLICANT WILL
RESOLVE ALL BUILDING CODE REQUIREMENTS AND RECEIVE FINAL
24 INSPECTION APPROVAL WITHIN THREE MONTHS OF APPROVAL OF THE
CONDITIONAL USE PERMIT OR THE BUSINESS LICENSE AND CONDITIONAL
26 USE PERMIT WILL BE TEMPORARILY SUSPENDED UNTIL FINAL APPROVAL;
4. THE BUILDING WILL CONTINUALLY MEET ALL APPLICABLE BUILDING
28 AND FIRE CODES AND REGULATIONS; 5. THE APPLICANT WILL MAINTAIN
A SAFE AND SECURE FACILITY TO PREVENT ANIMALS ESCAPING AND TO
30 DISCOURAGE UNLAWFUL ENTRY; 6. TO REDUCE ODOR COMPLAINTS AND
TO MAINTAIN A CLEAN FACILITY THE BUILDING WILL BE CLEANED AT A
32 MINIMUM OF THREE TIMES PER WEEK WITH SPOT CLEANING AS NEEDED
AND EXHAUST AND VENTING SYSTEMS WILL BE REGULARLY
34 MAINTAINED TO REDUCE ANY ODORS; 7. NO ONSITE RAISING, STORAGE
OR BREEDING OF LIVE RODENTS, MICE, RABBITS OR OTHER REPTILE FOOD
36 SOURCES; 8. THE HOME OCCUPATION BUSINESS OPERATION WILL BE
CONDUCTED ENTIRELY ON THE PROPERTY AT 106 SOUTH 300 EAST NO
38 OTHER RESIDENCES OR RESIDENTIAL PROPERTIES WILL BE USED FOR THE
BUSINESS OPERATION; 9. THE MAXIMUM NUMBER OF REPTILES AT ANY
40 ONE TIME AT 1,700 AND TO NOT EXCEED 4,000 IN A YEAR 10. ALL ITEMS OF
THE STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE
42 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

44 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	NAY
COMMISSIONER MARCHBANKS	AYE
46 COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE
48 THE MOTION CARRIED FOUR TO ONE	

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

6 Chairperson Call asked Councilmember Vanchiere for an update on the Lindon
8 Nursery concept discussion with the city council. Councilmember Vanchiere stated
10 everyone on the council was not comfortable with the 99 units especially in the
12 configuration presented. The overall consensus was, if and when approved, that the
14 applicant would agree that it would be all tri-plexes and be no higher than two stories and
not visually obstructive from the road and with a setback of at least a minimum of 300 ft
but could be as much as 400 ft. with a traffic study required. The council agreed the price
point was affordable and it would be a quality development with nice landscaping, but it
seemed everyone was leaning towards a scaled down version. Following some general
discussion, Mr. Florence indicated he will get a joint session with the council and
commission together in the next few months.

16 Chairperson Call called for any further comments or discussion from the
18 commission, hearing none she moved on to the next agenda item.

20 6. **Planning Director Report** –

- General City Updates
- Nominating Chair and Vice Chair for 2020 – it was agreed to nominate the
22 Chair and Vice Chair at the next meeting with a full quorum present.

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

28 **ADJOURN** –

30 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
32 MEETING AT 8:30 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 Approved – January 14, 2020

36 _____
38 Sharon Call, Chairperson

40 _____
Michael Florence, Planning Director

Item: 4 - Ordinance Amendment
R.V. park amendment regarding sanitary dump stations

<p>Date: January 14th 2020 Applicant: Madson HAVN, LLC Presenting Staff: Michael Florence</p> <p>Type of Decision: Legislative</p> <p>Council Action Required: Yes, the planning commission is the recommending body on this application.</p>	<p><u>Motion</u> I move to recommend (<i>approval, denial, to continue</i>) (of) ordinance amendment 2020-1-O (<i>as presented, or with changes</i>).</p>
--	---

Overview

Mr. Madson is petitioning the Planning Commission for a recommendation to amend section 17.78.060(5) of the city code in order to remove the requirement that recreational vehicle parks provide a sanitary dump station for holding tank disposal. Vineyard City will be providing the sewer utility to the site and they do not allow RV dump stations. The proposed amendment will allow the Linton Marina to operate an R.V. park that will comply with Vineyard City regulations **and Linton City's R.V. Park Ordinance. In order for Mr. Madson to meet Vineyard's requirements and comply with Linton City Code, the dump station requirement must be amended.**

Analysis

Although city staff and Mr. Madson feel that a dump station would be a benefit to the RV park and its customers, Vineyard's requirements need to be met.

Exhibits

- Proposed ordinance language

CHAPTER 17.78

Recreational Vehicle Parks

17.78.060 On-Site Common Facilities

1. *Recreational Vehicle Park Office.* Every Recreation Vehicle Park shall include a permanent building for office use. Daily hours of operation will be established and set forth in the conditional use permit.
2. *On-site Management.* Each Recreational Vehicle Park shall have full-time on-site management. On-site operators/managers may occupy a portion of the park office as living quarters or management may occupy a designated recreational vehicle. Signage shall be installed clearly identifying the management residence.
3. *Laundry Rooms.* Recreational Vehicle Parks may provide laundry room facilities. Laundry drying lines shall not be permitted on any pad sites.
4. *Restrooms and Shower Facilities.* Restrooms, including toilets, shall be provided within a recreational vehicle park, in accordance with Utah State Code and Administrative Rule 392-301, to conveniently and adequately serve the recreational vehicle sites within said park. A Recreational Vehicle Park may provide interior shower facilities or outdoor shower/rinse off areas within the park.
5. *Disposal and Water Stations.* Unless otherwise approved by the land use authority, ~~All~~ recreational vehicle parks shall provide a sanitary dump station to receive the discharge of wastewater from any holding tank or similar device installed in any recreational vehicle, and also a source of potable water for filling recreational vehicle water tanks.

ORDINANCE NO. 2020-1-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.78 RECREATION VEHICLE PARKS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to work with the property owners of the Lindon Marina to encourage upgrades to a full-service facility; and

WHEREAS, Title 17.78.060 requires Recreational Vehicle Parks to install a wastewater dump station;

WHEREAS, Vineyard City will provide the sewer utility to the Lindon Marina and does not allow for Recreational Vehicle wastewater dump stations.

WHEREAS, on January 14, 2020, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on _____, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

SECTION I: Amendment. Amend Lindon City Code Section 17.78.060 as follows:

1. **Recreational Vehicle Park Office.** Every Recreation Vehicle Park shall include a permanent building for office use. Daily hours of operation will be established and set forth in the conditional use permit.
2. **On-site Management.** Each Recreational Vehicle Park shall have full-time on-site management. On-site operators/managers may occupy a portion of the park office as living quarters or management may occupy a designated recreational vehicle. Signage shall be installed clearly identifying the management residence.
3. **Laundry Rooms.** Recreational Vehicle Parks may provide laundry room facilities. Laundry drying lines shall not be permitted on any pad sites.
4. **Restrooms and Shower Facilities.** Restrooms, including toilets, shall be provided within a recreational vehicle park, in accordance with Utah State Code and Administrative Rule 392-301, to conveniently and adequately serve the recreational vehicle sites within said park. A Recreational Vehicle Park may provide interior shower facilities or outdoor shower/rinse off areas within the park.
5. **Disposal and Water Stations.** Unless otherwise approved by the land use authority, ~~All~~ recreational vehicle parks shall provide a sanitary dump station to receive the discharge of wastewater from any holding tank or similar device installed in any recreational vehicle, and also a source of potable water for filling recreational vehicle water tanks.

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

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

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

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2020.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

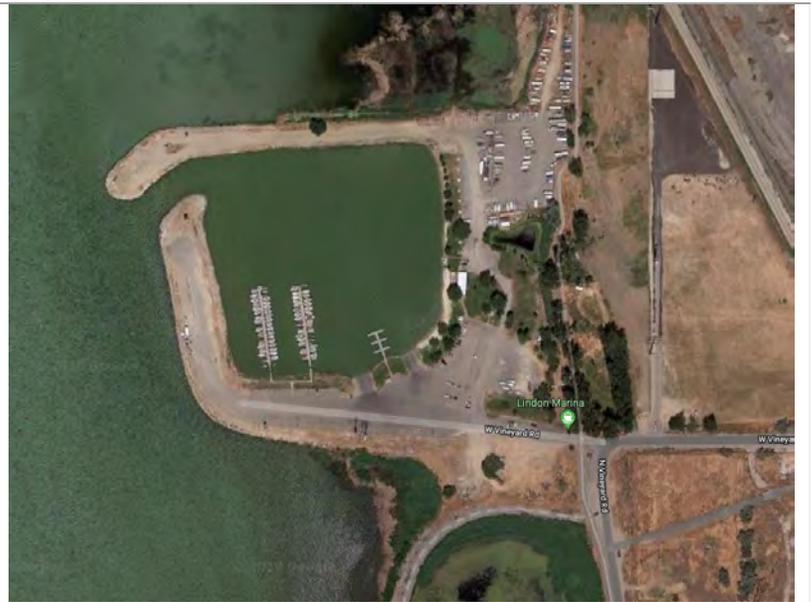
Item 5: Conditional Use Permit – Lindon Marina

Date: 1/14/2020
Applicant: Madson HAVN LLC
Presenting Staff: Michael
Florence

General Plan: Open Space
Current Zone: Recreational Mixed
Use-West/Utah Lake Shoreline
Protection Overlay District

Property Owner: State of Utah.
Managed by Madson Havn, LLC.
Address: 4400 W. Vineyard Road

Type of Decision: Administrative
Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for Lindon Marina and conditions to mitigate the impacts of a proposed use.

MOTION

I move to (*approve, deny, continue*) **the applicant's request for** a conditional use permit to use a portion of the property located at the Lindon Marina for a recreational vehicle park with the following conditions:

1. Park Model Recreational Vehicle rentals will be limited to pad sites 1-14. No more than fourteen (14) Park Model Recreational Vehicles will be allowed to be placed on pad sites 1-14 and rented;
2. All Park Model Recreational Vehicles will be owned by the park operator and will meet the requirements of Title 17.78.
3. The applicant will follow the proposed management plan which was developed by the applicant. If there is a need for changes to the plan then staff will address those changes with the applicant and the plan will be updated;
4. An agreement between Lindon City and Vineyard City for utility services will be approved prior to any utility services being provided to the site;
5. All work will follow the approved engineering plans;
6. The applicant will obtain a Lindon City business license;
7. A yearly inspection for the first three years will be scheduled yearly by the applicant with city staff to ensure that the site meets the requirements of Title 17.78;
8. The requirement of the wastewater discharge station will be subject to final approval by the City Council;
9. The applicant will meet the requirements of Utah Administrative Code R392-301 or as periodically amended for Recreational Vehicle Parks;
10. All items of the staff report.

OVERVIEW

1. The applicant leases the Lindon Marina property from the State of Utah Division of Forestry, Fire and State Lands;
2. Recreational Vehicle Parks are designated as a conditional use in the Recreation Mixed Use West Zone;
3. The applicant has provided full engineering drawings for City review. Lindon City does not have utility services in the area. Vineyard City will be providing water and sewer to the Marina. Lindon and Vineyard will be entering into an agreement to provide the services;
4. Pad sites 1-14 will have full electrical, water and sewer hook-ups. Pad sites 15-32 will have electrical hook-ups only;
5. All campers will be required to camp in the designated pad sites and dispersed camping will no longer be allowed;
6. The applicant will be widening and repaving the service road which will now meet fire access requirements of 26 feet;
7. As part of the conditional use permit, the applicant provided a management plan that will govern the management of the recreational vehicle park. The planning commission should review this to see if other items should be addressed.

SURROUNDING ZONING AND LAND USE

North: Recreational Mixed Use – West (RMU-W) – Utah Lake Shore

East: Public Facilities (PF) – Future Lindon City Park

South: Utah Lake Shore – Vineyard City

West: Utah Lake

PROPERTY DEVELOPMENT STANDARDS

Lindon City Code Requirement 17.78.040, .070	Compliance
Minimum park size of 3 acres	Compliant. Recreational Vehicle Park area is over 4 acres
Pad site identification	Compliant. Each pad site will be numbered
Each pad is a minimum 1,000 square feet	Compliant. Pad site range in size from 1,000 square feet to 1,609 square feet.
Pad site frontage	Compliant. The ordinance requires that all pad sites abut a park roadway. Pad site 1-14 are on a semi-circle that abuts the roadway. The rest of the pad sites have direct access to the internal roadway.
Pad site setback 30’ from public street	Compliant. All pad sites are internal to the marina site
Only one RV per pad site	Compliant. Identified on the site plan

RV's and accessory structures shall not cover more than 75% of the park	Compliant. Well less than 75%
<p>Parking:</p> <ul style="list-style-type: none"> a. Paved area for automobile parking b. Sufficient parking and maneuvering space and no use of public street c. Guest parking at a ratio of 1 space per 5 pad sites 	<ul style="list-style-type: none"> a. Compliant for guest, marina users and pad users b. Compliant. No use of public street and sufficient maneuvering areas c. Guest can park in front of the pad site as well as the marina parking areas
Walls and fences for individual pad sites not to exceed 2' in height	Compliant. No walls or fences proposed
<p>Adequate site circulation</p> <ul style="list-style-type: none"> a. Internal roadways of 26' b. Constructed and paved to engineering standards 	<ul style="list-style-type: none"> a. Compliant. Road width being increased to 26' b. Compliant. Lindon Engineering has reviewed for compliance
RV park access from a dedicated public street	Compliant. The RV park is accessed from 4400 W. Vineyard Road
<p>Landscaping and lighting</p> <ul style="list-style-type: none"> a. Open areas except driveways, parking areas, pad sites and walkways shall be landscaped b. Trees planted along street frontages and roadways c. One tree per pad site. The planning commission may waive this requirement where existing trees provide sufficient coverage d. Lighting to be evaluated as part of the conditional use permit 	<ul style="list-style-type: none"> a. Compliant. Applicant will be further enhancing and maintaining existing landscaped areas b. Compliant. Trees will be added at the entrance of the park c. Compliant. Some of the pad sites have existing mature trees. Where those aren't located additional trees will be planted d. At this time staff is not recommending any additional lighting
A gate will be installed at the entrance of the park and closed during non-business hours	Complaint. There is an existing gate installed. As per the applicant's management plan , the gate will be closed during non-business hours and locked when the park is closed for entrance. Emergency personnel will be provided access when locked through a provided Knoxbox
Each pad site equipped with a picnic table, benches or equivalent and cooking facilities (grill)	Complaint. A picnic table and grill will be provided for each pad site

On-Site Common Facilities

Lindon City Code Requirement 17.78.050, .060	Compliance
Central recreational area of 10% of gross park area	Compliant. There is a center recreational area as well as a sandy beach area along the shore by pad sites 23-32
RV park office	Compliant. Existing office will be used

On-site management	Compliant. The manager will live in pad site one. The managers contact information has been provided as part of the management plan
Laundry rooms may be provided	Compliant. The applicant is not providing such facilities
Restroom and shower facilities	Complaint. Currently existing but the applicant may upgrade to flushable toilets instead of pit toilets
Disposal and water stations	Compliant. See ordinance amendment. Potable water location will be provided

Recreational Vehicle Rental

Initially the applicant is proposing to install two “tiny home” rv rentals within the pad site area 1-14. If successful, then the applicant would increase the number of “tiny homes” to a maximum of 14.

STAFF ANALYSIS

Many of the improvements that the applicant is proposing, the planning commission reviewed when the RV Park ordinance was adopted. Staff feels like the applicant has done a good job putting a plan together that meets the ordinance requirements. The changes will help to better organize the RV park and require campers to camp in designated areas. The upgraded changes to the park should help to clean up the marina so it is more attractive.

The police department recommended a few changes to the management plan that have been addressed and are listed below.

- The applicant holds a number of special events each year at the marina, as part of the management plan future campers will be notified at the time of their reservation of any special events so there are not conflicts between the general public who attend the events and the campers.
- In order to discourage large gatherings at each pad site, there is an occupancy limit of seven individuals at each pad site. Anymore than seven and an additional pad site will need to be **rented. This doesn't mean people cannot** congregate for family reunions or other events but it helps to spread out parking and individuals.
- Special events will still apply to events that use the camping areas. Parking will be ensured for camping guests.
- A KnoxBox, which is a secure box with a key inside, will be fastened to the entry gate so that emergency personnel can access the site when it is locked in case of an emergency.

EXHIBITS

1. Business description
2. Management plan
3. Existing site map
4. Proposed site plan
5. Tiny home examples

LINDON MARINA RECREATIONAL VEHICLE PARK

Lindon Marina is located on Utah Lake. The marina provides boat launching, watercraft rentals, fishing, boat slips, general store, camping and boat/RV storage. The current leaseholder is Madson Havn, LLC which is a family run business operating under the direction of lessor, "Forestry, Fire and State Lands."

This Conditional Use Permit Application and Plan is being submitted pursuant to city ordinance 17.78.020 (Recreational Vehicle Parks) as follows:

1. A description of the Proposed Use

Our proposed plan is to create 32 recreational park spaces as depicted in the RB&G Engineering Plan submitted herewith. We will be bringing into the marina sewer and water through Vineyard City that will be available individually to the 14 park spaces in the semi-circle area just to the north of the entrance to the marina. Space #1 will be the location of the on-site manager's residence. Those spaces will also, of course, be provided individual electrical pedestals. The remaining 18 park spaces will be provided electrical pedestals but not initially water/sewer connections.

Each of these parcels will be a minimum of 1,000 square feet in size and have individually a picnic table and a free-standing grill. Each parcel will have at least one tree for shade. The RVs will park on leveled/graveled or slag material and all the rest of the designated area will be landscaped grass with sprinkler system or possible dry landscaping.

It is our intention to initially place two tiny homes in two of the full utility pads located in the semi-circle area. These will be owned by this applicant and rented out to the general public. It is anticipated that if market demands are such we intend to increase the number of tiny home rentals in pads where there are full hookups (water/sewer and electricity) with a maximum of 14 tiny homes.

The Office for RV Park patrons will be just inside the general store which will have signage showing office hours. Signage showing business and non-business hours will be posted at the entrance of the marina.

2. **A dimensional site plan and supporting materials:**

See submitted RB&G Plan submitted herewith.

3. **Size and character of each service and recreation buildings:**

As shown in drawing C100 plans from RB&G, there is a general store which is 30 by 60 feet in size and at the entrance has an office which is approximately 15 by 15 feet in size. There is also a pitch toilet (one for men and one for women) that may be converted to flush toilets with sinks.

4. **Identified open space areas:**

Drawing C200 in the RB&G plans show open space between pads 1 through 22 and the eastern boundary of the Lindon Marina RV park. There is also a large open space between the general store and pads 14 through 22. Finally, the entire marina is open space available for patrons in the RV park which includes 260 yards of picnic area and sand beach as well as the peninsulas bordering the lake.

5. **Proposed landscape planting plan:**

Per Lindon City ordinance every RV pad will require a tree. All of the pads 23-32 have individual trees already planted for each pad as well as 5 through 14 (or large enough trees to fulfill the requirement for a tree(s)). However, pads 2 through 4 and 15 through 22 will require a tree to be planted for the RV pad. Trees will also be added along entrance area as indicated in Engineering plan.

6. **Location of existing and proposed utility lines and easements, water and sewer line, fire hydrants and other improvement:**

See submitted RB&G engineering plans submitted herewith.

7. **The topography represented by contours shown at no greater than two feet when required by city engineers:**

See submitted RB&G engineering plans submitted herewith

8. Vehicle and pedestrian site circulation plan and roadway widths:

See submitted RB&G engineering plans submitted herewith. The roadway adjacent to pads 15 through 22 will be widened from 15 feet wide to 26 feet wide.

9. Location and amount of off-street parking:

The marina has approximately 100 parking spaces for general public that will be available to RV patrons in addition to their individual parking space by their pad.

10. Trash receptacles:

Existing large dumpster available for entire marina. There are many small trash receptacles throughout the marina that more than enough accommodates everyone that could fit into the park.

11. Signs and lighting:

The marina has a large sign at the entrance and the entrance booth. There will be a sign showing business and non-business hours There is a large lamp post at the entrance of the marina, the existing bathroom has lights as well as lamp post by general store.

12. Proposed fencing, screening, and landscaping to separate the use from adjoining property and uses.

This marina is bordered by Utah Lake on the west, south and north side. The east side borders property owned by Lindon City but there is already a substantial natural barrier of a large hill, vegetation and a city walking path.

13. Phasing Plan:

Phase One:

The first phase is to have the water/sewer lines brought into the marina to service the first 14 pads in the semi-circle area. The lines will also go to the existing bathroom as indicated for purpose of potentially converting existing bathrooms to flush toilets and possible additions of shower facility. Once the sewer and water are brought to all 14 pads in the semi-circle area then grading will take place for the entire area and materials brought in to provide parking for the RVs (gravel/slag), picnic tables and grill and then the rest of the area will be either grass with sprinkler system or desert landscaping. Then the parking area with rotomilling asphalt or suitable firm and yet permeable materials will be used for parking for vehicles accessing the individual RV and Tiny Home pads.

Phase Two:

Electric lines and then pedestals for hookups taken to each of the pads 15-22. Once installed then grade parking for RVs and put in gravel/slag or suitable materials with picnic tables and grills for each pad. Rest of the area will be grass with sprinklers and/or suitable dry landscaping. Then the road will be widened by ten feet with additional 18 feet of suitable materials (slag/rotomilling asphalt for parking).

Phase Three:

Electric lines and then pedestals for hookups to each of the pads 23-32. This area parking, cement pads, picnic tables are already completed and existing. Just need to add grills to the existing cement pads. The landscaping which is grass with sprinkler system is already completed and each pad already has an existing tree. This existing camp area is done except for running electric lines. This area already has had for years RVs camping there.

Note: If the demand for full hookups are evident then the plan is to run water/sewer to pads 15-22 at some point.

LINDON MARINA RV RECREATIONAL PARK

MANAGEMENT PLAN

Personnel:

There will be a permanent on-site manager residing in a tiny house owned by the marina. He will be residing in Space #1 of the RV Park Plan. Sign on Tiny Home indicating it is the Manager's residence. Contact information is Caleb Madson (801) 400-2949 and Ron Madson (801) 358-5074.

Office hours:

Office hours with either a manager or employee will be a minimum of:

1. From May through September from Noon to 6PM
2. From October through April noon to 4PM
3. The Office is located in the General Store and there will be a sign at the entrance designating that the Office is located just inside the store.

RV Park Rules:

- Camping in only designated camp/RV sites.
- Camping/R.V. stay is limited to no more than 14 consecutive days with a seven day intervening period
- No dogs/pets allowed that are not restrained
- Camp site must be kept clean and tidy/ no clotheslines
- No open pit fires outside of provided grills or designated fire pits
- Camping fees must be paid in advance
- No music loud enough to disturb other patrons and quiet time from 10PM to 8am
- No fishing off docks, marina channel and sand beach
- Abandoned trailers/RVS/tents will be towed after one week
- Speed limit 10 mph in park
- Check in time is no sooner than 2PM and checkout is noon each day
- Visitors to RV park patrons welcomed. Must leave by 10PM each day.

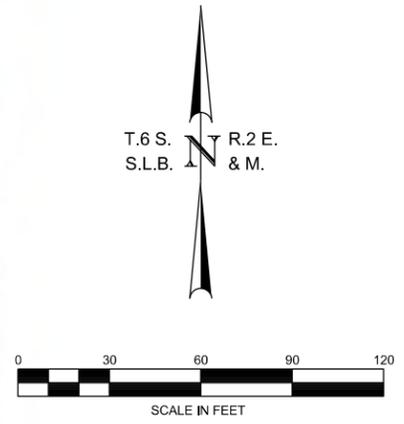
- We reserve the right to refuse service to any recreational vehicle per our discretion.
- Pad sites shall be limited to seven individuals. Any number past that would require renting/securing an additional pad site.
- Campers will be notified of any Special Events occurring at same time prior to renting their space.
- The entrance gate will be closed during non-business hours. Seasonal gate closing will occur and be posted at the entrance. A KnoxBox will be installed at the gate so emergency personnel will have access when the gate is locked.
- Special events in the past and now in the future will not interfere with any RV camp sites and all RV campers will be notified in advance of any special events.

Signage and Hours Posted:

- A sign will be made and posted at entrance to park stating business hours and when the park will be closed during non-business hours
- Signage indicating the location of the Office will be posted at the entrance of the general store
- Park rules will be given to each visiting RV park patron. Attached is the current one that has been used this year. Additional rule along with office hours, etc. will be added once park is completed.
- Signage for manager's residence will be installed
- Each pad site will be numbered.

HORIZONTAL AND VERTICAL CONTROL SUMMARY

SURVEY COORDINATES ARE BASED ON THE NAD 83 UTAH COUNTY STATE PLANE COORDINATES. HORIZONTAL CONTROL WAS ESTABLISHED USING THE COORDINATES FROM THE MONUMENT MARKING THE NORTHEAST CORNER OF SECTION 6, AND THE MONUMENT MARKING THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN WHICH BEARS SOUTH 00°10'59" EAST. VERTICAL CONTROL WAS ESTABLISHED FROM UTAH COUNTY SURVEYOR'S SECTION TIE FOR THE NORTHEAST CORNER OF SECTION 6, NGVD29.

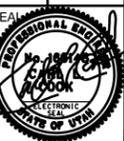


NO.	AUTHORIZED BY	REVISION	MADE BY	DATE

DESIGNED BY: C.L. COOK
 DRAWN BY: E. COLLINS
 CHECKED BY: C.L. COOK
 PROJECT NO.: 201901_001
 DATE: 04/28/2020

1435 WEST 800 NORTH
 SALT LAKE CITY, UT 84119-1543
 801.274.2771
 801.251.5771
RB&G
 ENGINEERING, INC.

LINDON MARINA, LINDON, UTAH
EXISTING SITE PLAN AND SURVEY CONTROL



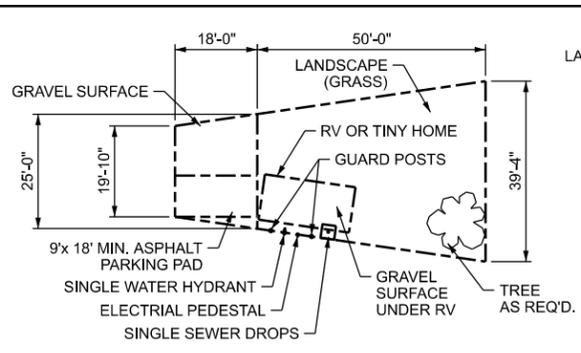
DRAWING NO. **C100**
 SHEET 02 OF 12



NORTHEAST CORNER SEC 6
 N 7290291.79
 E 1569738.34
 EL 4500.86

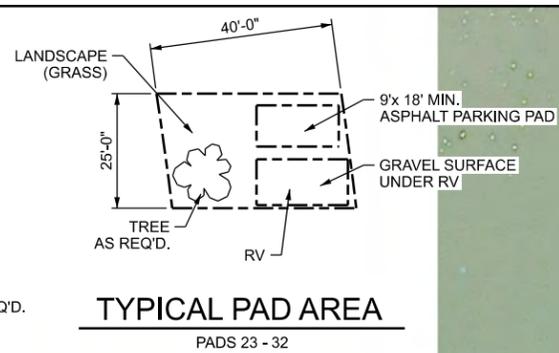
SOUTHEAST CORNER SEC 7
 N 7279647.06
 E 1569772.34
 EL 4520.78

6-JAN-2020 DGN File: J:\2019\001_Lindon Marina Water and Sewer Design\CivilSheet_Plan\201901_001_C100_Ext.dwg.dgn



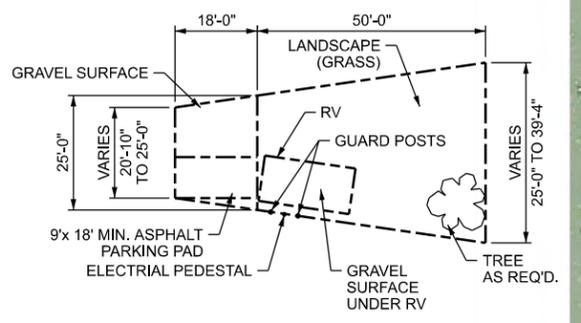
TYPICAL PAD AREA

PADS 1 - 14



TYPICAL PAD AREA

PADS 23 - 32



TYPICAL PAD AREA

PADS 15 - 22

LEGEND

- 1 ASPHALT PAVEMENT
SEE DETAIL, SHEET C500
- 2 2" CRUSHED CONCRETE GRAVEL
(MATERIAL TO BE COMPACTIBLE, LOWDUST
AND REASONABLY PERMEABLE)



NO.	REVISION	DATE	MADE BY

DESIGNED BY: J. BRIBBY
 DRAWN BY: J. BRIBBY
 CHECKED BY: C.L. COOK
 PROJECT NO: 201901.001
 DATE: 04/24/2020

RB&G
 ENGINEERING, INC.

LINDON MARINA, LINDON, UTAH
SITE PLAN
 01/09/2020
 DRAWING NO. **C200**
 SHEET 03 OF 12

6-JAN-2020 DGN File: J:\2019\001_Lindon Marina Water and Sewer Design\CadSheet_files\201903_001_C200_Site Plan.dgn

Legal Examples of Tiny House Rentals

Provided by
Applicant



Shooting Star RV Resort



Mt Hood Tiny House Village



Tiny Digs Hotel



Tuxbury Tiny House Village

UNIQUE RV'S FOR RENT IN RV PARKS, ETC.:

[Shooting Star RV Resort](#) - Escalante, UT

[Mystic Hot Springs Resort](#) - Monroe, UT

[The Vintages](#) - Dayton, OR

[Lakedale Resort's Vintage Airstream Trailer](#)

[Hotel](#) - Friday Harbor, WA

[The Sou'Wester](#) - Seaview, WA

[Dolores River Campground](#) - Dolores, CO

[Kate's Lazy Desert Airstream Mtl.](#) - Landers, CA

[AutoCamp Santa Barbara](#) - Santa Barbara, CA

[AutoCamp Russian River](#) - Guerneville, CA

[Hicksville Trailer Palace](#) - Joshua Tree, CA

[Metro Hotel & Cafe](#) - Petaluma, CA

[The Shady Dell](#) - Bisbee, AZ

[El Cosmico](#) - Marfa, TX

ONE-OFF TINY HOUSE VACATION RENTALS:

[AirBNB Tiny Home](#) - Draper, UT

[AirBNB Modern Blue Tiny House](#) - Draper, UT

[Zion's Tiny Getaway](#) - La Verkin, UT

[HomeAway, Garden Caravan](#) - Sand Point, ID

[AirBNB Seattle Tiny House](#) - Seattle, WA

[VRBO Lewis/Clark's Tiny House](#) - Hamilton, MT

TINY HOUSE HOTELS

[Tiny House Hotel](#) - Portland, OR

[Tiny Digs Hotel](#) - Portland, OR

[Leavenworth Tiny House Village](#) - Leavenworth, WA

[Mt. Hood Tiny House Village](#) - Welches, OR

[WeeCasa Tiny House Resort](#) - Lyons, CO

[Verde Valley RV Resort](#) - Sedona, AZ

[Austin's Original Tiny Home Hotel](#) -

Austin, TX

[Tuxbury Tiny House Village](#) -

South Hampton, NH

[Getaway Tiny Homes](#) - New York and Boston

6. Review & Action – Election of Chair and Vice-Chair for 2020.

The Commission will vote to elect both a chair and vice-chair for the 2020 calendar year. The current chair is Sharon Call. The current vice-chair is Rob Kallas.

Candidates:

Sharon Call

Mike Marchbanks

Rob Kallas

Steve Johnson

Scott Thompson

Jared Schauers

Renee Tribe

7. Closed Session – Closed Executive Session. Pursuant to Utah Code 52-4-205 the Planning Commission may vote to enter into a closed executive session for the purpose of discussion of pending or reasonably imminent litigation. This session is closed to the general public.

The Commission may vote to enter into this closed session by motion.

Sample Motion: *I move to enter into a closed session for the purpose of discussing pending or reasonably imminent litigation. (Roll-Call vote needed)*