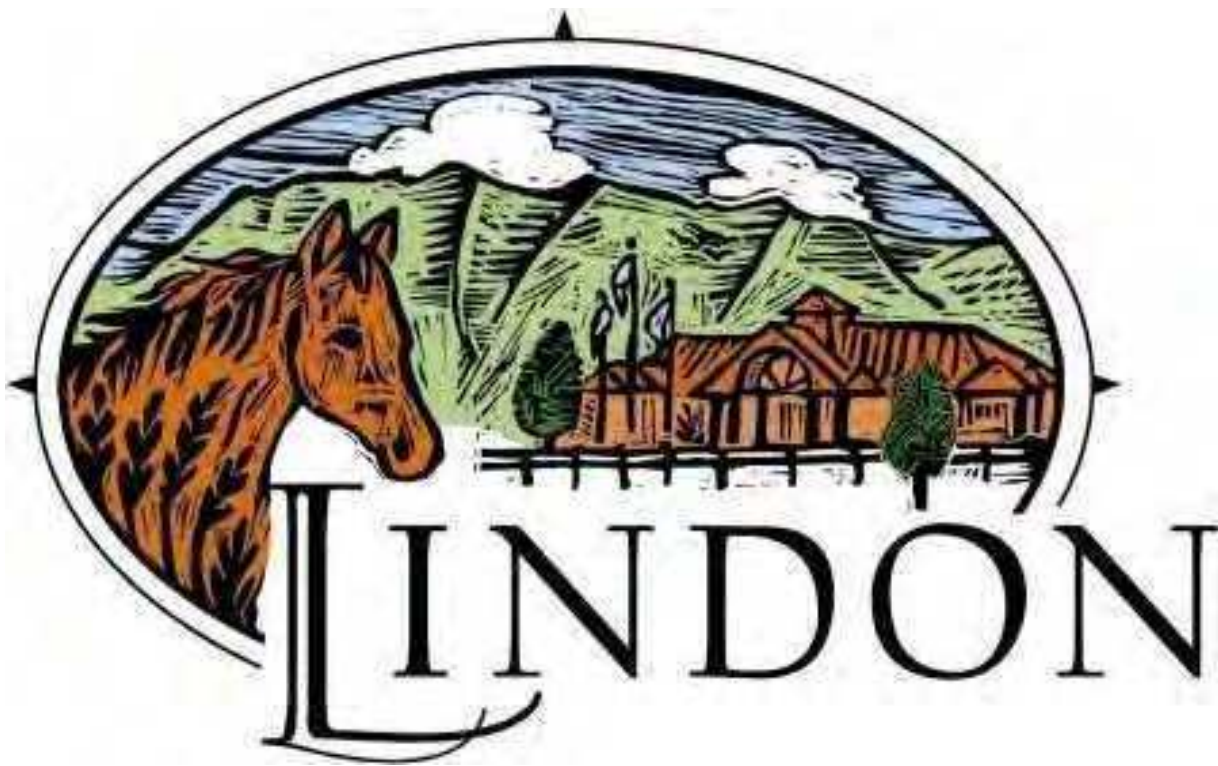


Lindon City Planning Commission Staff Report



October 10, 2023

Notice of Meeting
Lindon City Planning Commission



Item 1 – Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Karen Danielson

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, October 10, 2023**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **6:00 p.m.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. Meetings are broadcast live at www.youtube.com/LindonCity. The agenda will consist of the following items:

Agenda

Invocation: By Invitation

Pledge of Allegiance: By Invitation



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1. Call to Order

2. Approval of minutes

Planning Commission 9/26/2023

3. Public Comment

4. Plat Amendment Approval – Vigoren Consolidation – 51 W. and 63 W. 600 N.

The applicant requests a plat amendment to combine two contiguous lots at 51 W. and 63 W. 600 N. (10 minutes)

5. Public hearing for a recommendation to the Lindon City Council to amend the clear view code (17.04.290).

Lindon City requests a recommendation to the Lindon City Council to add requirements for driveway clear view areas. (10 minutes)

6. Public hearing for a recommendation to the Lindon City Council for an amendment to Lindon City Code 17.02, 17.80, and the Standard Land Use Table to allow and adopt regulations for short-term rentals.

Lindon City requests a recommendation to the Lindon City Council to define, allow, and adopt regulations for short-term rentals within Lindon City. (20 minutes)

7. 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 website 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*

Posted By: Kathryn Moosman, City Recorder

Date: 10/6/2023 **Time:** 5:30 pm

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

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, September 26, 2023 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Sharon Call, Chairperson
Invocation: Scott Thompson, Commissioner
Pledge of Allegiance: Jared Schauers, Commissioner

PRESENT

Sharon Call, Chairperson
Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
Steven Johnson, Commissioner
Scott Thompson, Commissioner
Jared Schauers, Commissioner
Karen Danielson, Commissioner – arrived at 6:45 p.m.
Brian Haws, City Attorney
Mary Barnes, Associate Planner
Britni Laidler, Deputy Recorder

EXCUSED

Michael Florence, Community Development Director

1. **CALL TO ORDER** – The meeting was called to order at 6:00 p.m.

2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning Commission meeting of September 12, 2023 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTMEBER 12, 2023 AS PRESENTED WITH NOTED CHANGES. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **PUBLIC COMMENT** – Chairperson Call called for comments from any audience member who wishes to address any issue not listed as an agenda item.

Shauna Bagley addressed the commission at this time, letting them know of a business happening in her neighborhood. The neighbor has been bringing in box storage containers and having diesel trucks come in and out of the cul-de-sac. Ms. Barnes, let the resident know she has previously reached out to the resident in discussion, and asked Ms. Bagley if anything has changed, she stated it has not changed. Ms. Bagley voiced her concern that there is a lot more going on than the city may know. Brian Haws, City Attorney let the resident know he is happy to talk with her about the process that can be taken to help with this issue. Ms. Bagley then asked for clarification on home businesses, and what is and is not permitted.

CURRENT BUSINESS –

2 **4. Miscellaneous Application Approval – Dorner Sports Court Setback Modification**
4 **– 946 E. 25 S.** The applicant requests a sports court setback modification from the
planning commission, pursuant to Lindon City Code 17.44.150.

6 Mary Barnes, Associate Planner presented this item. She noted the applicant Rob Dorner is
present. Ms. Barnes began with presenting an aerial shot of the property stating the applicant has
8 started to build a pickleball court in the southeast corner of his property. She notes that city code
17.44.150 states when sports court fencing is taller than 7ft must maintain minimum of a 10 ft
10 setback from rear and side property lines, however, the Planning Commission has the authority
to modify that requirement when specific requirements are met. The applicant, Mr. Dorner is
12 requesting a modification to the requirement to allow the sports court and a 10' fence to be
placed along the rear property line of 946 E 25 S. He has provided a document that outlines the
14 opinion of adjacent neighbors and states these neighbors have indicated that they are in favor of
the sports court.

16 Ms. Barnes let the commission know the sports court fencing posts have already been
18 installed and are 10 ft tall. This fencing is only along the south side/rear property line. She did
note that this is because the property slopes down in the backyard. She stated the applicant has
20 said that if he sees issued with sport equipment going into other yards, he will continue the
fencing around the perimeter of the sport court. She then went over the terms of the code and
22 noted they are in compliance on all terms.

Code Compliance

Requirement	Explanation	Compliant?
The proposed height and/or setback modification is necessary to provide privacy and protection of private property interests.	This court will be approximately 30 ft from the closest dwelling (961 E 70 S), approximately 40 ft from the closest dwelling to the south (957 E 70 S), and approximately 53 ft from the closest dwelling to the north (954 E 25 S). With the 10' fence on the south side, this sports court will protect the neighboring properties to the south from any stray sports equipment. The applicant will install fencing on the east, west, and north sides if needed in the future. At this time, the slope should be able to take care of any issues. A complaint was filed regarding the possibility of too much noise. The applicant will have to follow the noise ordinance.	Yes
The appearance and/or setback of the fence will not detract or cause aesthetic damage to neighboring property owners.	At this time, adjacent neighbors have expressed that they are in favor of this sports court.	Yes
The proposed height and/or setback modification will not cause a public safety hazard.	None identified	Yes
The proposed additional height is necessary to provide an adequate buffer for the adjoining land owners' use.	The 10' fence is intended to help to protect the southern neighbors from stray sports balls, frisbees, etc.	Yes

Ms. Barnes then let the commission know a neighbor had called staff on 9/21/23 to state that they are worried about this sports court and the possible noise that could become a nuisance during the night. She noted that the current noise ordinance states that it is unlawful for a person to make unreasonably loud or disturbing noises in the city, specifically noises that are substantially incompatible with the time where said noise is created, between the hours of 10:30 PM and 7 AM. This has been added as a condition of approval for this noise ordinance and to work with the neighbors to ensure noise ordinance is upheld has been added.

Ms. Barnes noted that staff believes that this modification will not significantly affect the neighborhood, and it will not damage the image of the neighborhood as long as the noise ordinance is followed. Permitting this modification will allow Mr. Dorner to use his private property as he sees fit, and the conditions of approval will help to protect other private property interests. She also let the commission know that all 5 adjacent property owners have been sent notices.

Commissioner Kallas asked Mr. Dorner about screening. Mr. Dorner stated he has no plans of doing screening at this moment. Commissioner Kallas requested to add the condition that no restrictive netting being placed above 7 ft to avoid sight obstruction for neighbors.

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

COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANTS REQUEST TO MODIFY THE SPORTS COURT SETBACK REQUIREMENT FOUND IN 17.44.150 FOR THE PROPERTY LOCATED AT 946 E. 25 S. WITH THE FOLLOWING CONDITIONS: A) THE APPLICANT WILL APPLY FOR A BUILDING PERMIT FOR ANY ADDITIONAL FENCING OR THE SPORTS COURT ABOVE 7 FT; B) THE SPORT COURT LIGHTING WILL NOT SHINE INTO ANOTHER'S PROPERTY; C) THE APPLICANT WILL CONTINUE TO WORK WITH NEIGHBORS, AND ENSURE THAT THE NOISE ORDINANCE IS UPHELD. THIS INCLUDES REDUCED SPORTS ACTIVITIES AND NO NOISE BETWEEN THE HOURS OF 10:30 PM TO 7 AM; D) NO SIGHT OBSCURING SCREENING ABOVE 7 FT LEVEL AND E) ALL ITEMS OF THE STAFF REPORT. COMMISSIONER JOHNSON SECONDED THE VOTE. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

5. Conditional Use Permit – Collier Estates Duplex (R2 Overlay – 750 W 100 S. The applicant requests conditional use permit approval for an R2 Overlay project for a duplex to be located at 750 W. 100 S. in the Residential R1-20 zone.

Ms. Barnes also presented this item. She noted the applicant Lucas Collier was present. Ms. Barnes began with giving some background on this property stating this lot has a nonconforming depth, however a variance was granted for the depth in 1997. On November 29th, 2022 the planning commission approved the Collier Estates Minor Subdivision and on May 17th, 2023 the board of adjustments approved a variance for the rear setback, reducing the rear setback from 30' to 20'.

Ms. Barnes went on to state the R2 overlay only permits multifamily units if there is room within a "District", as outlined in the R2 overlay map. She then presented the district breakdowns to the commission. Additionally noting that any new projects must be at least 750' away from an existing project. She let the commission know this project would be within District 15, which currently allows 17 units, but currently only has 15. Ms. Barnes stated that if this is approved it would close the entire district for anymore R2 overlay projects. This Overlay zone establishes a place where limited multifamily dwelling units can be constructed. The purpose of this ordinance is also to establish a means whereby multi-family housing can be distributed throughout the City and throughout the individual R2 Overlay planning districts. Ms. Barnes presented the project requirements of this potential permit.

Requirement	Provided	Compliant?
Setbacks: The setbacks are the same as the R1-20 zone, with the exception of the rear yard setback variance. Front: 30 ft Side: 10 ft Rear: 20 ft	Front: 30' West side: 35' East side: 70' Rear: 20'	Yes.
Fences: A 6' high sight obscuring fence shall be erected on the perimeter, except for the front yard setback	A 6' chain link fence is existing. The applicant is proposing to add slats.	Please see discussion below.
Security Lighting: All R2 overlay projects must include a security lighting system.	A note has been added to the front page of the plans stating "Security lighting system to be installed as per 17.46.060 (8)"	Yes, this project will include security lighting.
Parking: At least 2 off-street parking stalls each, not within the front yard.	Both units have two-car garages.	Yes.
Storage Areas: Exterior storage for boats, RVs or other misc. items must be enclosed with at 6' sight obscuring fence, and are only permitted on the side or rear of the duplex.	No storage area has been designated. This is a requirement that will need to be followed if this type of storage is needed in the future.	N/A
Architectural Style: The intent is to maintain the single-family appearance. The building colors shall be earth tones, and the building shall have only 1 front door and garage facing the street. The materials used must be traditional residential architectural materials.	The exterior materials are going to be Hardie board, with a stone chimney feature. The color will be "Apple Peel", which is a slightly creamy color. The front door and garage for Unit 1 will be facing west, and the front door and garage for Unit 2 will be facing the road.	Yes.

2 Ms. Barnes stated this project meets the requirements for an R2 overlay project within
District 15. Additionally, this project will provide much needed moderate-income housing within
4 Lindon. With this project, two new families will be able to locate with Lindon City and
experience the friendliness and country values that Lindon is known for. Ms. Barnes let the
6 commission know Mr. Collier has already signed and notarized the moderate-income home
agreement.

8
Following some general discussion Ms. Barnes went on to address the commission on
10 terms of fencing on this property noting staff believes that with their direction on the fencing
matter, this project could be a great use for this property. Current code does require a 6ft high
12 sight obscuring fence on property perimeter, noting that the applicant is planning a chain-link
fence with slats, however at a prior meeting on another property this was found to not fulfill the
14 sight obscuring requirement. Ms. Barnes then presented and went over terms of fencing
requirements and then presented recent R2 overlay properties along with the fences they have
16 installed on those properties. She then reminded the commission to be careful what they decided
because it may set a precedence for future and other properties. General discussion followed.

18
Commissioner Thompson voiced concern of not sticking to the code requirements stating
20 they have set a precedence of what a sight obscuring fence is; changing things could be a
slippery slope. Mr. Haws, City Attorney stated that in these terms it would only be for R2
22 overlay and would not be setting a precedent for other areas that are not within the R2 overlays
in this particular case. Commissioner Johnson stated that he is fine making an exception for this
24 property because it matches what this property needs.

26
Commissioner Kallas voiced his concern with this property and putting a duplex in a
residential area. He let the commission know that he has heard from neighbors in that area with
28 concerns with having a duplex in that area. Mr. Haws stated this project has met all requirements
to allow for this duplex in that location. Chairperson Call stated she thinks this project would be
30 an improvement to the property. She then stated she is not opposed to putting slats in the fencing
that is already there. However, she thinks slats on the property should all be the same color to
32 keep the appearance nice for the neighborhood. Commissioner Thompson stated he feels
comfortable with allowing a chain-link fence with slats of the same color.

34
Shauna Bagley, a resident in the area voiced her concern with the project due to traffic flow
36 in the area and the potential impact this could have on property value. She stated however, she
thinks the project looks nice, and just wants to make sure the impact on traffic wouldn't be too
38 high.

40
After some general discussion, chairperson Call called for any further comments or
discussion from the Commission. Hearing none she called for a motion.

42
COMMISSIONER JOHNSON MOVED TO APPROVE THE APPLICANT'S
44 REQUEST FOR A CONDITIONAL USE PERMIT FOR THE COLLIER ESTATES DUPLEX
R2 OVERLAY PROJECT LOCATED AT 750 W 100 S WITH THE FOLLOWING
46 CONDITIONS : 1. THIS PROPERTY WILL BE IN COMPLIANCE WITH CHAPTER 17.46;
2. A WATERWISE LANDSCAPING PLAN PURSUANT TO CHAPTER 17.19 WILL BE

2 PROVIDED AND APPROVED BY STAFF BEFORE A BUILDING PERMIT IS RELEASED;
3. THAT A MODIFICATION TO THE FENCING REQUIREMENT OF BEING SIGHT
4 OBSCURING WILL BE ALLOWED, AND ALL SLATS SHALL BE THE SAME COLOR IN
A CHAIN-LINK FENCE AND 4. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER
6 DANIELSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

8 COMMISSIONER JOHNSON AYE

COMMISSIONER THOMPSON AYE

10 COMMISSIONER SCHAUERS AYE

COMMISSIONER MARCHBANKS AYE

12 COMMISSIONER KALLAS NAY

COMMISSIONER DANIELSON AYE

14 THE MOTION CARRIED 6 TO 1

16 *Commissioner Kallas noted the reason for his nay vote is that he believes there are other areas*
that the R2 overlay could be put.

18
20 **6. Amended Site Plan Approval – Lindon Tilt Addition – 730 N. 2800 W.** The applicant
requests amended site plan approval to construct a 24,072 sq ft addition to the existing
22 building at 730 N. 2800 W. The lot will also be brought into substantial compliance with
City Code.

24 Mary Barnes presented this item nothing that the applicant Scott Dee is present. Ms.
Barnes stated the applicant is seeking amended site plan approval for a new 24,072 square foot
26 addition to the existing building. The current area is a vacant dirt lot. On the site there is
currently a 36,156 sq ft warehouse building which is occupied by a furniture company. This
28 building received site plan approval from the planning commission on February 9, 2016.
According to city records, the original site plan approved by the planning commission 2016 had
30 a 58,000 square foot building with storage units along the east property line. However, the
building was later reduced to 36,156 square feet and the storage units were never constructed.
32 The applicant, Mr. Dee is now proposing to construct a 24,072 square foot addition on the east
side of the existing building that would a warehouse.

34
36 Ms. Barnes noted Lindon City Code 17.17.130 Amended Site Plans states that when an
addition results in a 30% increase in building square footage, it will trigger the requirement for
the property to come into substantial compliance with City Code. This addition is a 66.5%
38 increase in square footage. Ms. Barnes then went over the requirements for the amended site
plan.

Code Issue/Requirement	Compliant with an amended site plan?
Landscaping;	Mostly. Please see the landscaping section below.
Storage and exterior displays;	Yes. This accessory building will improve the storage situation for this property. There are no existing code issues with exterior displays on this lot.
Off-Street Parking;	Yes. Please see the parking section below.
Vehicular access and circulation;	Yes. Please see the traffic circulation section below.
Off-street loading and unloading;	Yes. The engineers have not found any issues with the current loading and unloading situation.
On-site surface water drainage;	The engineers have requested an updated Stormwater Maintenance Agreement from the applicant, which is required to be signed before a building permit is issued.
Off-site curb, gutter, and sidewalk;	Yes. All public improvements on the road were installed in 2016, when the existing warehouse was built.
Piping of irrigation ditches;	N/A. This code requirement does not apply to this project, there are no open irrigation ditches in this area.
Solid waste containers (trash enclosures);	Yes.
Street Lights;	Yes. Street lighting was installed in phase 1.
Fencing and/or screening;	N/A. This property does not border residential; therefore, it does not have a fencing/screening requirement.
Architectural standards applicable to the zone in which the site is located;	Yes. Please see the design standards section below.

Ms. Barnes went on to discuss parking requirements. She noted when phase 1 was approved the City Code required 136 stalls. The applicant provided a parking study and city staff and planning commission approved phase 1 with only 93 total stalls. However, after planning commission approval the applicant further reduced the size of the building in phase one the final reduced parking stalls was 58 stalls. The new addition would require an additional 48 parking stalls, she pointed out the applicant has put 49 stalls bringing total on that property if approved to 107 on the total property.

Landscaping requirements were presented to the commission and discussed as follows:

Required Site Landscaping	Provided	Compliant?
15% of the entire lot must be maintained in permanent landscaping.	15.2% of the entire lot is will be landscaped with this amended site plan.	Yes
20' landscape berm along the street, with street trees planted every 30'	Yes, the landscape strip and street trees were installed with phase 1.	Yes
A perimeter landscape strip at least 5' wide shall be placed around all buildings	Yes, the site plan shows 5' dedicated for landscaping but the landscape plan only show rock in this area. This will need to be corrected before final approval	No, see conditional of approval.
For every parking spot, 40 sq ft of parking lot landscaping is required. 40*49=1,960 sq ft.	Due to the nature of this site, most of the landscaping is parking lot landscaping. 4,126 sq ft has been provided	Yes.
1 tree is required in the parking lot per 10 parking spaces. 49/10=4.9 or 5 trees required	5 trees have been provided.	Yes.

Ms. Barnes noted that on the landscaping plan, it shows no plants or trees in the north landscaped area. Staff will ensure that this area is properly landscaped before final approval is given and noted the applicant will be required to add a landscaped end island on the west side of the most southwest parking stall.

Ms. Barnes then presented to the commission the Building and Architectural standards as follows:

Design Element	Applicants Proposal
Building Height: Max 48 ft	37 ft
All structures in the MC zone shall have finishes of brick, decorative block, stucco, wood, concrete tilt-up, or other materials and designs approved within the Lindon City Commercial Design Guidelines, or as otherwise approved by the Planning Commission	This building will be a concrete tilt up to match the existing phase 1 building.
Concrete tilt-up buildings shall comply with the following standards: a. Painted or colored concrete exteriors are permitted. The shade of each color must be consistent. b. Bare concrete exteriors are not permitted. c. The exterior of a concrete tilt-up building shall be finished with additional architectural details such as entrance canopies, wrought iron railings and finishes, shutters, multi-level porches, metal shades, and metal awnings.	a. The concrete exterior will be painted to match the existing phase 1 building which is a gray color. b. No bare concrete exterior is proposed. c. The applicant proposes steel canopies over each overhead door. In addition, the applicant is proposing decorative windows on the corner and main eastern front façade. There is also building articulation on the two eastern corners.

Commissioner Schauers asked for clarification on the landscaping standards and where it needs to be changed to be in compliance with the vegetation requirements. Ms. Barnes then presented more in depth the areas in question.

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

COMMISSIONER MARCHBANKS MOVED 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; 2800 WEST 3. IF REQUIRED, COMPLETE (OR POST AN ADEQUATE IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND POST REQUIRED WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC INFRASTRUCTURE IMPROVEMENTS; 4. FINAL BUILDING AND SITE DESIGN WILL MEET THE MIXED COMMERCIAL ORDINANCE AND LANDSCAPE REQUIREMENTS; 5. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER THOMPSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE
COMMISSIONER JOHNSON AYE

2 COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE
4 COMMISSIONER MARCHBANKS AYE
COMMISSIONER KALLAS AYE
6 COMMISSIONER DANIELSON AYE
THE MOTION CARRIED UNANIMOUSLY.

8
7. **Public hearing for a recommendation to the Lindon City Council to amend the Nuisance, Building, Zoning Violation Fines (8.02.090, 15.04.050, 17.04.410, 17.62.170).** Lindon City requests a recommendation to the Lindon City Council bring the penalties imposed by the city for nuisance, building, and zoning violations into harmony with State standards for the imposition of fines and fees.

14 COMMISSIONER JOHNSON MOVED TO OPEN THE PUBLIC HEARING.
16 COMMISSIONER DANIELSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18
20 Mary Barnes presented this item noting that Utah State Code section 10-3-703 imposes limits and conditions on the fines and penalties that a municipality can impose for violations on city ordinances. It also states that a municipality may not impose a criminal penalty greater than an infraction for a violation pertaining to an individual's use of the individual's residence. It also states that a governing body may prescribe a civil penalty for the violation of any municipal ordinance by a fine not to exceed the maximum Class B misdemeanor fine, and a municipality may not issue more than one infraction within a 14-day period for a violation that is ongoing.

26
28 She explained this ordinance amendment would change the code violation fines from the current \$200 or \$400 a day to \$1000 per violation for every 14 days that the violation continues in non-residential areas, and \$500 per violation for every 14 days that the violation continues in residential areas. This ordinance amendment will clean up the violation fines language to ensure that the City Code matches the code enforcement process. This ordinance amendment would amend everywhere in the code where it mentions the \$200/\$400 a day fine which is in 4 areas: 1) 8.20.090, or the nuisance code; 2) 15.04.050, of the building code; 3) 17.04.410, or the zoning violation code and 4) 17.62.170, or the floodplain code within the zoning chapter.

36 Ms. Barnes stated this is an ordinance amendment that has been needed for a while. Code enforcement is already a delicate process, so ensuring that the code matches with the process and state code is of utmost importance. The city attorney was able to lend help with the draft ordinance to ensure it covers all of our bases. With this ordinance amendment, there will be a little more direction for code enforcement in the city, and it will help to eliminate confusion for any Lindon residents or staff.

42
44 Following some general discussion, Chairperson Call called for any public comments or discussion. Hearing none she called for a motion to close the public hearing.

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

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

COMMISSIONER DANIELSON MOVED TO RECOMMEND APPROVAL OF
ORDINANCE 2023-20-O AS PRESENTED. COMMISSIONER MARCHBANKS
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER DANIELSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

8. Planning Director Updates – General city updates

- Training with Cedar Hills Planning Commission on October 24 potentially
- Next meeting October 10th - outlook of agenda items

NEW BUSINESS

Commissioner Johnson asked for an update on the Tim Clyde property. Mr. Haws gave
update in regards to the ombudsman advisory process. Chairperson Call then asked about the
property at 400 N and State Street. Mr. Haws let the commission know that Code Enforcement
has been working on that particular property. Chairperson Call then asked Ms. Barnes to update
the commission on how the city council voted on the Weldon Property of Mountain Tech 3 and
Mike Coutlee's permit. Ms. Barnes gave the commission an update on those items.

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

ADJOURN –

COMMISSIONER JOHNSON MADE A MOTION TO ADJOURN THE MEETING AT
8:21 PM. COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

Approved, October 10, 2023

Sharon Call, Chairperson

Michael Florence, Community Development Director

- (i) join two or more of the petitioner fee owner's contiguous lots;
- (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
- (iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;

(iv) On a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

(A) owned by the petitioner; or

(B) designated as a common area; and

(b) notice has been given to adjacent property owners in accordance with any applicable local ordinance.

Findings of Fact

- Ron and Elizabeth Vigoren own both lots located at 51 W. and 63. N 600 N., parcel numbers 49:835:0005 and 49:835:0006
- The plat amendment creates one lot that meets the Lindon City minimum lot size, frontage, and area requirements.
- The proposed plat amendment is located in the Residential R1-20 zone. The following table reviews the subdivision and lot requirements for a residential lot in the R1-20 zone:

Required	Compliant
No single lot shall be divided by municipal or county boundary lines, roads, alleys, or other lots	Yes
All residential lots shall front a public street	Yes
Side lot lines shall be at right angles or radial to street lines, except where justified by the subdivider and approved by the Planning Commission	Yes
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of ten feet (10'), apportioned equally in abutting properties.	The current plat for these lots, Peters Plat D, does not show any public utility easements on the rear lot line or the eastern side lot line. Therefore, staff did not require PUE's to be added. An existing irrigation easement on the western lot line remains, as well as the required 10' PUE along the front lot line.
No lot shall be created which is more than three times as long	Yes
Minimum lot size: 20,000 square feet	Yes, the combined lot will be 43,127 sq ft.

Engineering Requirements

The City Engineer has reviewed the plat and is working on any final technical changes.

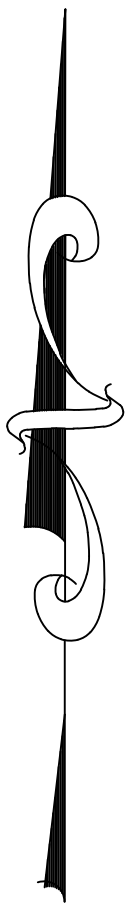
Staff Analysis

The city supports this subdivision and plat amendment. The proposed plat amendment meets the city subdivision and zoning requirements.

Exhibits

1. Aerial image
2. Subdivision Plat
3. Previous subdivision plat (Peters Plat D)

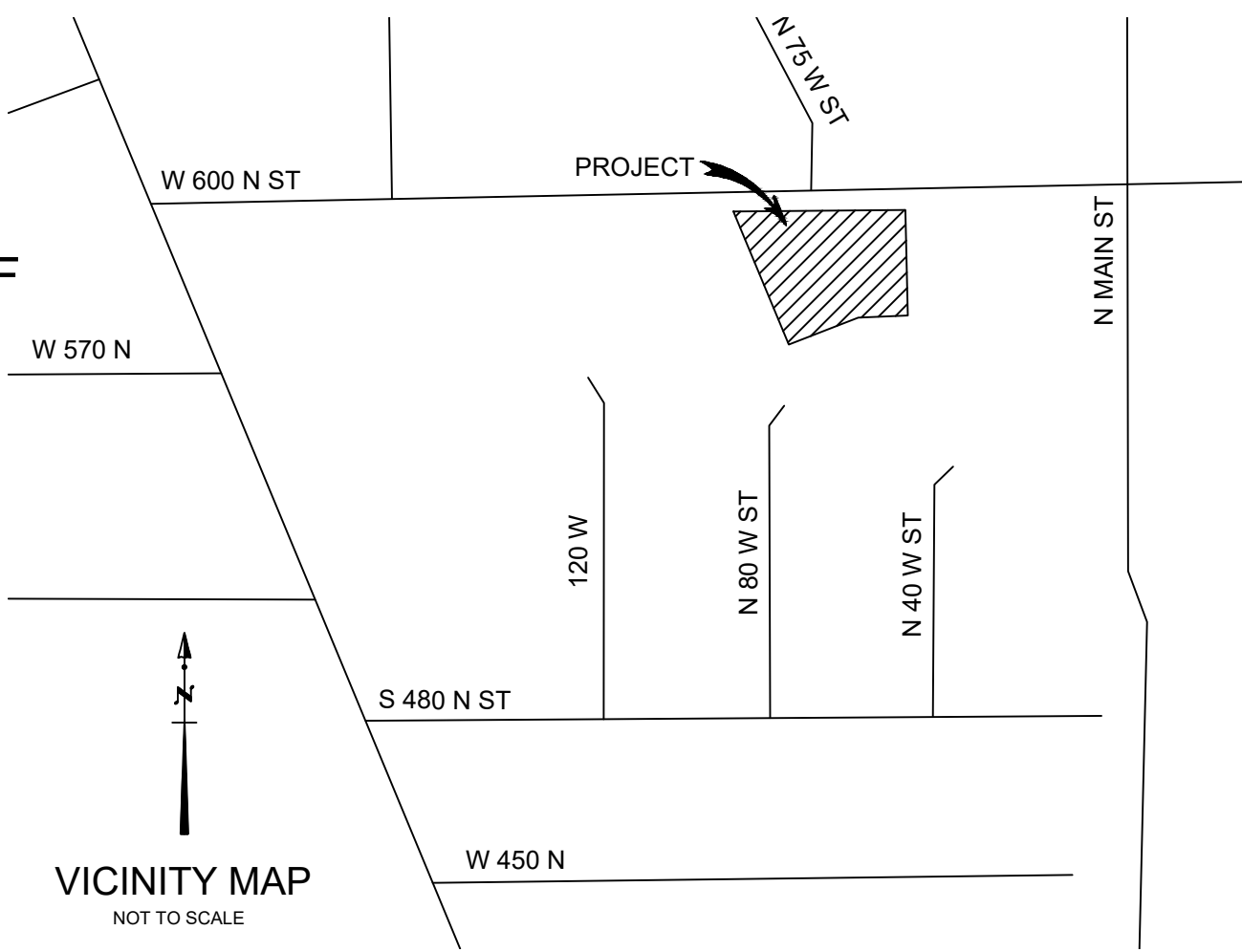
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VIGOREN CONSOLIDATION

LOCATED IN THE EAST ONE-HALF OF THE SOUTHEAST QUARTER OF
SECTION 28, TOWNSHIP 5 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN
CITY OF LINDON, UTAH COUNTY, UTAH

EAST 1/4 CORNER SECTION
28, TOWNSHIP 5 SOUTH,
RANGE 2 EAST, SLB#M



SURVEYOR'S CERTIFICATE

I, SHAWN CHRISTENSEN, DO HEREBY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 354373 IN ACCORDANCE WITH UTAH CODE, TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT AT THE REQUEST OF THE OWNER OF THE BELOW-DESCRIBED LAND, I PERFORMED A SURVEY OF SAID LAND IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE: THAT THE BOUNDARY DESCRIPTION BELOW CORRECTLY DESCRIBES THE LAND SURFACE UP ON WHICH WILL BE CONSTRUCTED VIGOREN CONSOLIDATION, THAT I HAVE VERIFIED ALL MEASUREMENTS, AND THAT THE REFERENCE MARKERS SHOWN ON SAID PLAT ARE LOCATED AND ARE SUFFICIENT TO READILY RETRACE THIS SURVEY.

BOUNDARY DESCRIPTION

COMMENCING AT A POINT LOCATED NORTH 00°19'56" WEST ALONG THE EAST SECTION LINE 69.33 FEET AND WEST 355.87 FEET FROM THE SOUTHEAST CORNER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 88°28'03" WEST ALONG PETERS SUBDIVISION PLAT "D" 73.67 FEET; THENCE SOUTH 75°13'26" WEST ALONG GREEN VALLEY CONDOMINIUMS PHASE IV 118.71 FEET; THENCE NORTH 22°00'05" WEST 223.82 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 600 NORTH STREET; THENCE NORTH 89°36'36" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 262.97 FEET; THENCE SOUTH 01°24'15" EAST ALONG PETERS SUBDIVISION PLAT "D" LOT 7 110.31 FEET; THENCE NORTH 88°35'45" EAST ALONG PETERS SUBDIVISION PLAT "D" LOT 7 6.28 FEET; THENCE SOUTH 0°16'49" EAST ALONG PETERS SUBDIVISION PLAT "D" LOT 7 66.94 TO THE POINT OF BEGINNING. CONTAINING 43,138 SQUARE FEET.

ACCEPTANCE BY LEGISLATIVE BODY

The City of Lindon, County of Utah, approves this Subdivision subject to the Conditions and Restrictions stated hereon, and hereby accepts the dedication of all streets, easements and other parcels of land intended for perpetual use of the public this ____ day of _____, A.D. 2023.

Mayor _____	Planning Commission Chair _____
Community Development Director _____	City Engineer _____
City Attorney _____	City Recorder _____

OWNERS DEDICATION

THE UNDERSIGNED OWNERS ("OWNER" WITHOUT REGARD TO NUMBER OR GENDER) OF THE ABOVE DESCRIBED LAND HEREBY CERTIFIES THAT: OWNER HAS CAUSED A SURVEY TO BE MADE OF SAID LAND AND HAVE CAUSED THIS PLAT TO BE PREPARED FOR THE

VIGOREN CONSOLIDATION

IN WITNESS WHEREOF, WE HAVE HERETO SET ASIDE OUR HAND THIS ____ DAY OF _____, A.D. 20__.

RONALD VIGOREN

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF SALT LAKE } S.S.

ON THE ____ DAY OF _____, A.D. 20__, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF SALT LAKE IN THE STATE OF UTAH, _____, WHO AFTER BEING DULY SOWN, ACKNOWLEDGED TO ME THAT DULY ACKNOWLEDGED BEFORE ME THAT HE/ SHE DID EXECUTE THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSED THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____	A NOTARY PUBLIC COMMISSION UN UTAH RESIDING IN SALT LAKE COUNTY
MY COMMISSION NO: _____	PRINTED FULL NAME OF NOTARY

VIGOREN CONSOLIDATION

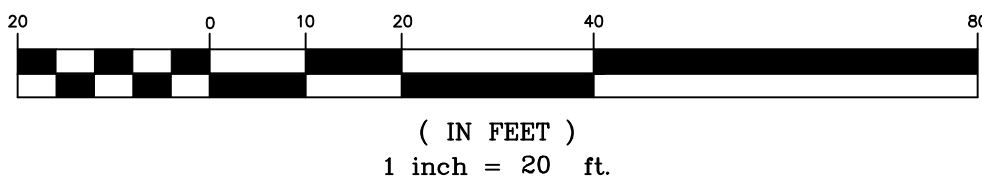
BEING A CONSOLIDATION OF LOTS 5 & 6 OF THE PETERS SUBDIVISION, PLAT "D" LOCATED IN THE EAST ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 2 EAST.
SALT LAKE BASE AND MERIDIAN; BEING A VACATION AND CONSOLIDATION OF LOTS 5 & 6 OF THE PETERS SUBDIVISION, PLAT "D"

CITY OF LINDON, UTAH COUNTY, UTAH

SCALE: 1" = 20 FEET

A GEOTECHNICAL STUDY WAS NOT
PERFORMED FOR THIS SUBDIVISION

GRAPHIC SCALE



NOTICE OF LINDON CITY HOUSING ORDINANCE

ALL POTENTIAL BUYERS OF LOTS WITHIN THIS PLAT ARE HEREBY NOTICED OF THE LINDON CITY R2 OVERLAY ORDINANCE. UNDER THIS ORDINANCE THERE IS POTENTIAL FOR SMALL, LOCALIZED MULTIFAMILY HOUSING PROJECTS IN THIS NEIGHBORHOOD CONSISTING OF SINGLE FAMILY PLANNED UNIT DEVELOPMENTS, DUPLEXES, TRIPLEXES AND ACCESSORY APARTMENTS. CONDITIONS COVENANTS AND RESTRICTIONS (C.C.&R's) WHICH PROHIBIT THIS TYPE OF HOUSING IN SPECIFIC SUBDIVISIONS ARE CONSIDERED ILLEGAL AND IN VIOLATION OF LINDON CITY CODE. PLEASE CONTACT THE LINDON CITY PLANNING DEPARTMENT AT (801) 785 - 7687 FOR DETAILS REGARDING THIS ORDINANCE.

W 600 NORTH STREET

63 W 600 NORTH STREET

TOTAL AREA:
43,127 SQ. FT.
0.990 AC

LOT 7
PETERS SUBDIVISION PLAT "D"

SECTION LINE (BASIS OF BEARING)

SOUTHEAST CORNER
SECTION 28, TOWNSHIP 5
SOUTH, RANGE 2 EAST,
SLB#M

OCCUPANCY RESTRICTION NOTICE

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

PREPARED BY:

CHRISTENSEN & PLOUFF
LAND SURVEYING

380 E MAIN STREET, SUITE 201
MIDWAY, UT 84604
435-654-3945
www.cpsurveying.com



Item 5 - Ordinance Amendment – 17.04.290 Clear View for Driveways

Date: October 10, 2023

Applicant: Lindon City

Presenting Staff: Mary Barnes

Type of Decision: Legislative

City File Number: 23-029-8

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

MOTION

I move to recommend (*approval, denial, or continuance*) of ordinance 2023-21-O (*as presented, or with changes*).

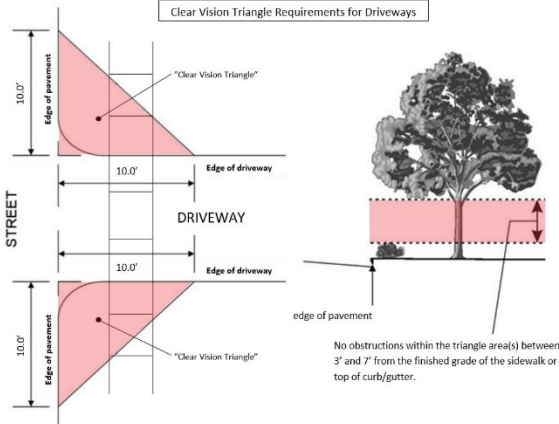
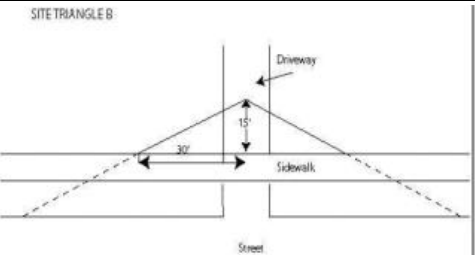
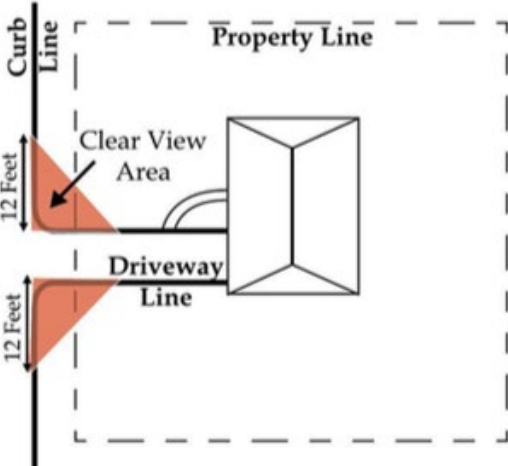
Overview:

- The clear view or vision area is the area that needs to be clear of obstructions on a corner to preserve a safe sight distance for automobile drivers that enter intersections.
- Currently, our code has a 40' clear view triangle requirement for corner lots, meaning that corner lots are not permitted to have sight-obstructing materials, like fences or dense landscaping, on the corner of their lot. When drivers enter an intersection, they must be able to see past or through the corner to avoid any accidents with oncoming traffic.
 - Please see attached Figure 17.04.310 for an example of the 40' clear view. It's the red triangle on the corner of the street.
 - Most cities in Utah have this required 40' clear view triangle.
- Another important clear view area on a property surrounds the driveway. As homeowners back out of their driveway, they need to have adequate time to see pedestrians on the street. This is also a safety measure for any active transportation vehicles or motor vehicles that use the sidewalk, such as bikes, e-bikes, skateboards, etc. Ensuring the automobile drivers have a clear view area would help to increase the safety of pedestrians, and decrease the likelihood of an accident.
- The city engineers have worked closely with the planning staff on what the clear view distance should be. After looking at the length of a suburban (about 18.7 ft) and a sprinter van (the longest possible is 22 ft), the engineers determined that a 15' triangle would cover most bases for clear view.
- Commercial or industrial driveways would typically see larger vehicles, like semis or box trucks, other delivery vehicles, and normal customer cars. Generally, commercial and industrial lots and buildings have been configured to allow adequate traffic circulation, to specifically allow larger vehicles to turn around inside the lot. This is intended to ensure that these larger vehicles can leave a lot without having to back out. If a larger vehicle does have to back out, there would hopefully be a spotter to help avoid collisions or accidents. The height of large vehicles would also help the driver to be able to see over obstructions that are outside of the 15' clear view triangles. Therefore, city staff is also proposing a 15' clear view triangle for commercial and industrial zones.
- Staff has been using this 15' clear view for driveways for a while, as a best practice when confronted with questions with sight-obscuring fencing next to driveways. This ordinance amendment would codify the requirement.

Research on Other Cities

Many other cities have similar requirements, although there does not seem to be a consensus on the clear view distance for driveways, or where the clear view is measured from. Please see the table below:

City	Clear view distance	Where clear view is measured from	Example graphic from the city codes.
Holladay	15'	Property line	
Millcreek	10'/20'	Edge of curb	
Herriman	12'	Edge of curb	

Clearfield	10'	Edge of pavement	
Bountiful	10'	Property line	No available graphic
Springville	15'/30'	Edge of pavement	
Ogden	10'	Property line	No available graphic
Eagle Mountain	15'	Property line	No available graphic
Draper	12'	Property line	No available graphic
Vineyard	12'	Edge of curb	

Although some other cities measure their clear view triangle from the edge of pavement or curb, city staff believes that Lindon's driveway clear view areas should be measured from the property line/street right-of-way line. This will ensure a larger clear view area on the property, which will increase the likelihood of seeing a pedestrian on the sidewalk. Sidewalks are within the right-of-way.

Staff Analysis:

This ordinance amendment will help to ensure that any fences, landscaping, or other view-obstructing materials or objects will not obstruct the view from a driveway. Many other cities do have this requirement, although there isn't a clear consensus on what the clear view area should be, or where it should be measured from. Staff believes that the proposed driveway clear view area would help to

increase the chance of a driver seeing pedestrians or other vehicles on the road, as the driver is pulling out of his driveway. This ordinance amendment will work to improve safety and caution on Lindon's roads and driveways.

Exhibits

1. Draft ordinance
2. Figure 17.04.310 with example cars

ORDINANCE NO. 2023-21-O

AN ORDINANCE AMENDING SECTION 17.04.290 OF THE LINDON CITY CODE, SO AS TO ADD REQUIREMENTS REGARDING THE CLEAR VIEW OF DRIVEWAYS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lindon City General Plan recommends improving bicycle and pedestrian safety; and

WHEREAS, this ordinance amendment is necessary to ensure the increased pedestrian and motorist safety in establishing driveway clear view standards; and

WHEREAS, on October 10, 2023, 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 amendment and recommended that the City Council adopt the attached ordinance; and

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:

PART ONE: AMENDMENT OF SECTION 17.04.290 OF THE LINDON CITY CODE

Subsection 17.04.290 of the Lindon City Code is amended as follows:

17.04.290 Clear view ~~of intersecting streets required~~ requirements.

In all districts, no obstruction to view in excess of three feet in height shall be placed on any corner lot within a triangular area formed creating a starting point at the intersection of two streets, then moving out from the starting point 40 feet in both directions along the right-of-way lines, then connecting the endpoints to form the triangular clear vision area. See Figure 17.04.310. Exceptions can be made for a reasonable number of trees and/or other vegetation pruned so as to permit unobstructed vision to automobile drivers as determined by City code enforcement staff.

All driveways entering onto a street, or right of way, shall have a clear view for drivers entering onto the street. In all districts, no obstruction to view in excess of three feet in height shall be placed within a triangular area measured at a point where the edge of the driveway and right-of-way meet. At this point, measurements shall be made fifteen feet (15') into the property along the driveway edge and fifteen feet (15') along the right-of-way. The endpoints of these measurements shall be connected to form the triangular clear vision area. See Figure 17.04.310. Exceptions can be made for a reasonable number of trees and/or other vegetation pruned so as to permit unobstructed vision to automobiles as determined by City code enforcement staff.

PART FIVE: Severability.

Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

PART SIX: Effective Date.

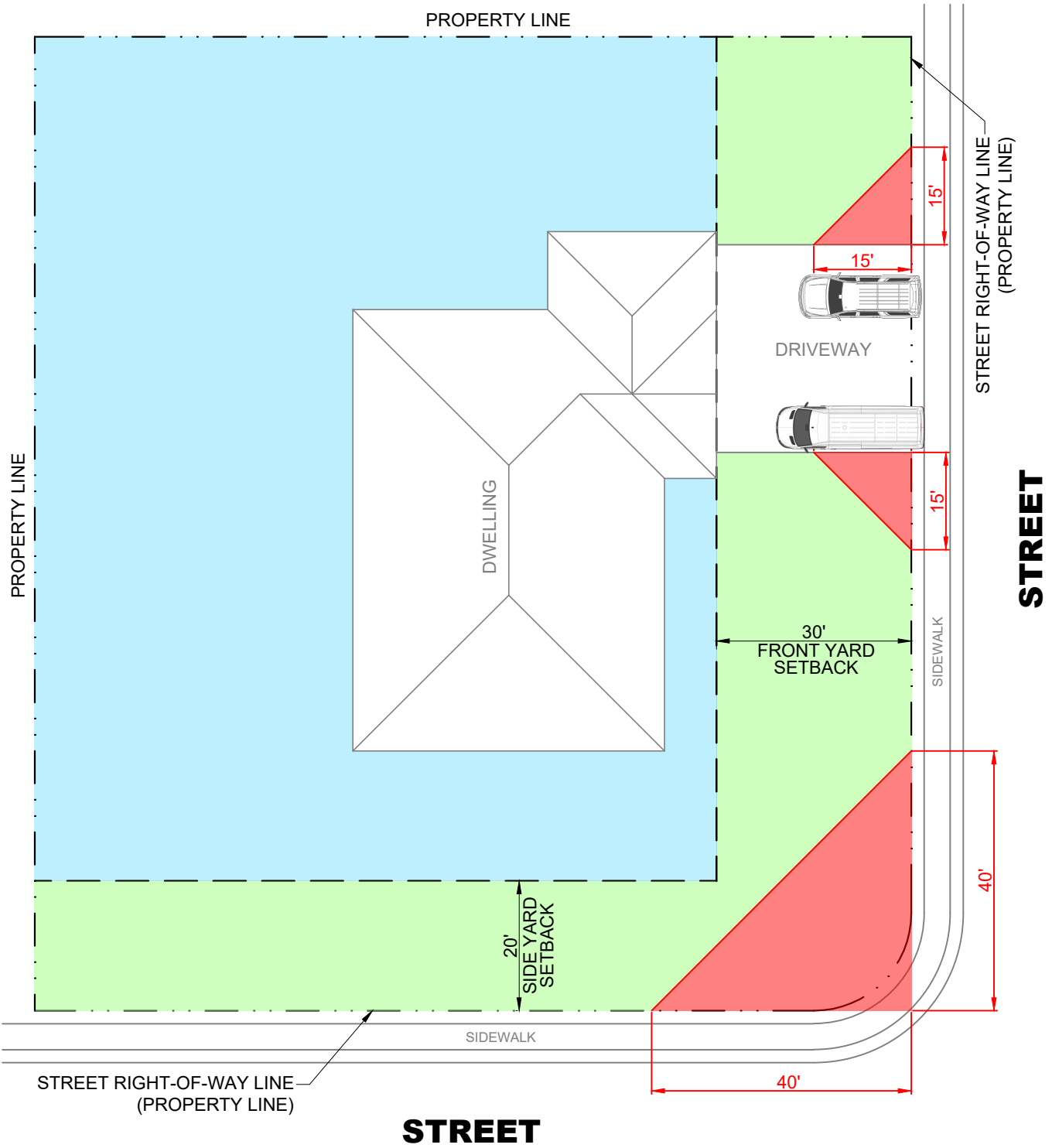
Ordinance No. _____ shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City,
Utah, this ____ day of _____ 2023.

_____,
CAROLYN LUNDBERG
Lindon City Mayor

ATTEST:

_____,
Kathryn Moosman
City Recorder



LEGEND

- Clear View Area - 3' max. height for anything that obstructs view (LCC 17.04.290)
- Setback Area - 3' max. height for view-obscuring fence, wall, or hedge (LCC 17.04.310.3)
- Interior Yard Area - 8' max. height for view-obscuring fence, wall, or hedge (LCC 17.04.310.2)

LINDON

100 NORTH STATE
(801) 785-7687

FENCE HEIGHT REQUIREMENTS (FIGURE 17.04.310)

DRAWN:	NDG
DESIGN:	NDG
REVISION:	
ADOPTED:	

FH

Item 6 - Ordinance Amendment – 17.80 – Short-Term Rentals

Date: October 10, 2023
Applicant: Lindon City
Presenting Staff: Michael Florence

Type of Decision: Legislative
City File Number: 23-034-8

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

MOTION

I move to recommend (*approval, denial, or continuance*) of ordinance 2023-17-O (as presented, or with changes).

Overview:

- This short-term rental ordinance was presented at the September 12th planning commission. The following items were requested that staff evaluate:
 - The allowable occupancy
 - Parking requirements
 - Review of the ordinance by the chief of police
 - Only allow one short-term rental per cul-de-sac
 - Notice to surrounding property owners

Staff Analysis:

Staff researched and evaluated the following items. Some will need additional discussion at the planning commission meeting.

Allowable Occupancy

This has been one of the more difficult items to address. The original proposed capped the amount at 12 individuals. Planning staff met with the building official and the building code does provide for a residential building occupancy of 1 person per 200 square feet. This calculation is probably too high for a zoning regulation. For example, the new homes being constructed in the Songbird Cove development off State Street have about 3,200 square feet of livable floor area which has a building occupancy for 16 individuals.

Options:

- Not include an occupancy regulation in the ordinance.
- Include an occupancy regulation of 1 person per 500 square feet of livable floor area (everything except the garage). On a 3,000 square foot home this would allow an occupancy of 6, or
- Include an occupancy restriction of 1 person per 100 square feet of bedroom area. For example, the single-family homes in the Songbird Cove development have 4 bedrooms that equal 833 square feet. This calculation would allow 8 individuals.

Parking

The proposed ordinance would require a minimum of 2 parking spaces for up to 6 individuals. For every overnight guest occupant over 6 one additional parking space per 4 overnight guests would be required.

Chief of Police Review

The planning commission requested that city staff review with the chief of police the ordinance and any unenforceable items in the ordinance. Restricting on-street parking was really the only non-enforceable item in the ordinance. This would require the police department to check with neighbors and the guests to sort out vehicles. It is probably better to ensure in the ordinance that

appropriate off-street parking is available.

Location Restrictions

The draft ordinance includes a provision that would allow only one short-term rental per cul-de-sac.

Notice

To help reduce public safety calls, the draft ordinance includes a provision that the city will mail notices to the abutting properties of the short-term rental. The notice will include the contact information for either the property owner or responsible party.

Exhibits

1. Draft ordinance

ORDINANCE NO. 2023-17-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING 17.02 – DEFINITIONS AND ESTABLISHING TITLES 17.80 – SHORT-TERM RENTALS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lindon 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 Lindon City General Plan to preserve and protect neighborhoods as diverse and attractive places; and

WHEREAS, the Lindon City Council finds that it is necessary to adopt an ordinance regulating Short-Term Rentals which provides operational standards for Short-Term Rentals that protects the health, safety, welfare and quality of life of residents and visitors of Lindon City; and

WHEREAS, on September 12, 2023, 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 amendment and recommended that the City Council adopt the attached ordinance; and

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: Amend Lindon City Code section as follows:

17.02 – Definitions

"Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days. A short-term rental does not include a bed and breakfast use, bed and breakfast dwelling, bed and breakfast farm retreat dwelling or Bed and Breakfast guest room as defined 17.02 and found in the 17.51 – Commercial Farm zone.

17.80 –Short-Term Rental

17.80.010 – Purpose

1. This section is established to provide regulations for Short-Term Rentals (STRs) in residential zones. Regulations and restrictions imposed by this section are in recognition of the premise that a short-term rental provides commercial lodging in residential zones for a transient population. The residential Short-term rental regulations are provided to protect the safety and general welfare of Lindon City residents and preserve the residential character of city neighborhoods.

17.80.020 – Licensing

1. Prior to operating as a residential Short-term Rental, each residential dwelling shall obtain a business license from Lindon City and pay applicable licensing fee as outlined in the Lindon City Consolidated Fee Schedule.

17.80.030 – General Regulations for Short-term Rentals

1. The residential dwelling shall not be rented to more than one party of guests at any given time, and the property owner shall not divide and rent out portions of the dwelling to multiple parties.
2. A short-term rental application shall contain all the following information:
 - a. Name, address, telephone number and email address of the property owner.
 - b. Responsible party name, address, telephone number and email address who can respond to the property within one (1) hour of a complaint from Lindon City.
 - c. Floor plan of the home identifying the number of bedrooms.
 - d. The maximum number of overnight guest occupants.
 - e. Site plan that identifies all designated parking areas.
 - f. Copy of current tax registrations or registration with a short-term rental company to collect accommodation and transient room taxes.
3. The maximum occupancy shall be determined by the livable areas of the dwellings. Residential occupancy shall be based off one (1) occupant per () square feet of livable floor area.
4. Only one Short-Term Rental per cul-de-sac is permitted. For this short-term rental ordinance, the cul-de-sac shall be determined as the bulb area of the dead-end turnaround which begins at the return radius on both sides of the street. Any properties abutting the bulb area of the turnaround shall be counted as part of the cul-de-sac.
5. Off-street parking shall be provided on the same property as the residential dwelling which is licensed as a Short-Term Rental. Parking shall be located on a driveway or designated parking areas. The number of vehicles allowed by the occupants of the short-term rental for overnight parking shall be restricted to the number of off-street parking spaces provided by the owner. At a minimum two (2) parking spaces shall be provided for up to six (6) overnight guest occupants. For every overnight guest occupant over six (6) one additional parking space per four (4) overnight guest occupants shall be provided. If a property owner lives on-site and uses an accessory apartment as a Short-term Rental, the parking requirement shall be in addition to the required parking for the single-family dwelling.
6. The property owner shall designate a responsible party who is a local individual or property management company within the State of Utah. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day and must be available to respond to the property within one (1) hour of receipt of a complaint from Lindon City.
7. When a business license is issued, the City shall mail to each abutting property owner of the short-term rental the name and contact information of the property owner or responsible party of the short-term rental so neighboring property owners can contact the property owner or responsible person in case of emergency or nuisance violations.
8. One nameplate sign that includes the name, address, and the contact information for the responsible party of the short-term rental shall be posted on the exterior side of the main entrance. A Short-Term Rental shall include an informational packet posted in a highly visible place within the Short-Term Rental and shall include, at a minimum, the following:
 - a. Contact information for the responsible party.
 - b. Parking requirements.
 - c. Garbage pickup dates and a written description of where the garbage receptacle must be placed for pick-up if required of the Short-Term renter.
 - d. Non-emergency contact information for the Lindon City Police Department.
 - e. Maximum Occupancy for the dwelling
9. A Short-term rental shall only be used for lodging accommodations and not rented or leased for events or other similar activities or operations. Recreational Vehicles shall not be brought to or parked on the property which would allow for additional overnight occupants and decrease in available vehicle parking.

10. Short-Term Rentals shall meet building code requirements for egress and installation of smoke and carbon monoxide detectors.
11. Outdoor pools, hot tubs, outdoor sports courts shall not be used between the hours of 11:00 p.m. and 7:00 a.m.
12. The Short-Term Rental owner shall be responsible for ensuring that guests or occupants do not create a nuisance as found in Lindon City code 8.20.

Appendix A - Standard Land Use Table

Lindon City

STANDARD LAND USE TABLE BY ZONE

Appendix A

Parking Group	Permitted Primary Uses	Residential	Mixed Rec.		Commercial*							Industrial			R&B
		(R1-12, R1-20, R3)	RMU-W	RMU-E	PC-1	PC-2	CG	CG-A	CG-A8	CG-S	MC	HI	LI	LI-W	
MISCELLANEOUS															
N/A	Solicitors	See LCC 5.40 - Solicitors Ordinance													
N/A	Itinerant Merchants	N	N	N	See LCC 17.17.140 - Temporary Site Plans										
7100	Fireworks Stands	See 8.28 - Fireworks Ordinance													
7100	Christmas Tree Sales	N	N	N	See LCC 17.17.140 - Temporary Site Plans										
7100	Mechanical Amusement	N	N	N	C	C	C	C	C	C	C	C	C	C	N
N/A	Individual Containers for Recyclable Materials - commercial storage	N	N	N	N	N	C	C	C	C	C	C	C	C	N
RESIDENTIAL															
N/A	Single Family	P	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Accessory Apartments	See 17.46 R2 Overlay	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Condominium		N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Apartments		N	N	N	N	N	N	N	N	N	N	N	N	N
1200	Rooming & Boarding Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1233	Fraternity & Sorority Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1500	Membership Lodging	N	N	N	N	N	C	C	C	C	N	N	N	N	N
1233	Student Housing	See 17.46 - R2 Overlay													
1241	Youth Rehabilitation	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1241	Assisted Living Facilities - small	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1241	Assisted Living Facilities - large	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1200	Transitional Treatment Home - sm.	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1200	Transitional Treatment Home - lg.	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1400	Subdivided Manufactured Mobile Homes Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1300	Hotels, Tourist Courts, Bed & Breakfast and Motels	N	N	N	P	P	P	P	P	P	P	N	N	N	P
N/A	Short-term Rental	P	N	N	N	N	N	N	N	N	N	N	N	N	N
N/A	Caretaker Facilities - accessory to main uses only	N	N	N	C	C	C	C	C	C	C	C	C	C	C

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

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

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

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2023.

Carolyn Lundberg, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL