

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
2 **February 27, 2024 beginning at 8:00 p.m.** at the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

REGULAR SESSION – 8:00 P.M.

6 Conducting: Steve Johnson, Chairperson
8 Invocation: Scott Thompson, Commissioner
Pledge of Allegiance: Sharon Call, Commissioner

PRESENT

12 Steven Johnson, Chairperson
Sharon Call, Commissioner
14 Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
16 Jared Schauers, Commissioner
Scott Thompson, Commissioner
18 Michael Florence, Community Development Director
Britni Laidler, City Recorder

EXCUSED

Karen Danielson, Commissioner

20 1. **CALL TO ORDER** – The meeting was called to order at 8:00 p.m.

22 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of the Planning
24 Commission meeting of January 9, 2024 were reviewed.

26 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE

28 REGULAR MEETING OF JANUARY 9, 2024 AS PRESENTED WITH NOTED CHANGES.
COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
THE MOTION CARRIED.

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

CURRENT BUSINESS –

32 4. **Public hearing for a recommendation to the Lindon City Council to amend Title**
17.51 Commercial Farm Zone. The planning commission will hold a public hearing to
34 consider an amendment to 17.51 to address the priority of agricultural production to
36 meet the objectives of the zone, clarifies lot coverage requirements, and makes other
38 technical changes for development in the commercial farm zone.

40 Mike Florence, Community Development Director presented this item. He began with
stating that in 2023, the Lindon City Planning Commission and City Council made several
42 amendments to the Commercial Farm zone to allow bed and breakfast uses, modifying the
number of residential units in the zone, and removed amphitheaters as an allowable use. City
staff then came back to the planning commission and city council at the end of 2023 and had a

2 discussion of amendments that should be made to the ordinance to meet the intent of promoting
3 agricultural production.

4 He then presented the proposed ordinance amendments as follows:

- 5 • 17.51.010 – makes a reference to the commercial uses and replaces the word agricultural
6 industry with agricultural production. The purpose in changing industry to production
7 was so that there was not any inference that industrial agriculture is allowed. The city has
8 a specific definition for agricultural industry that applies to feed lots, commercial raising
9 of animals, food packaging, etc. The amendment will also make this section so it's
10 consistent with the agricultural production section of the code.
- 11 • 17.51.011 – this is a new section and moves the agricultural production section to the
12 beginning of the ordinance instead of following the allowable commercial uses. The
13 ordinance also makes the following amendments:
 - 14 ○ Redefines what agricultural production is.
 - 15 ▪ New definition: “agricultural activities including cultivation, processing
16 and distribution of agricultural products that result in that product being
17 marketed and sold at retail or wholesale but does not include industrial
18 agricultural uses.”
 - 19 ▪ Previous definition: “the production of food for human or animal
20 consumption through the raising of crops and/or breeding and raising of
21 domestic animals and fowl (except household pets) in such a manner that
22 there is a reasonable expectation of profit.”
 - 23 ▪ The city already defines the term agriculture which means: “the
24 production of food through the tilling of the soil, the raising of crops,
25 breeding and raising of domestic animals and fowl except household pets
26 and not including any agricultural industry or business.”
 - 27 ○ The new definition removes the requirement that there is an expectation of profit
28 and replaces it with the requirement that there be a retail or wholesale
29 requirement. In some situations, a sales tax number is already required as part of a
30 retail use. Such situations would be the Walker Farms store or when the Red Barn
31 comes online at Wadley Farms. Seasonal agricultural sales are exempt from the
32 sales tax requirement, but products are still being sold at retail.
 - 33 ○ To make the focus more on agricultural production, staff is proposing to increase
34 the agricultural production percentage from 40% to 50% of the minimum 5-acre
35 requirement. For a 5-acre property an owner would now be required to provide
36 2.5 acres of agricultural property instead of 2 acres. This shows that the city
37 values the agricultural equal to the commercial uses of the property.
 - 38 ○ The amendment also requires that as part of the zone change request a property
39 owner would need to provide the city with an agricultural production plan that
40 outlines the products that will be sold, how agricultural open space will be
41 preserved and a plan outlining the proposed commercial use and how the use will
42 sustain and support the emphasis of agricultural production.
 - 43 • 17.51.012 – removes the word “nonpermitted” because the list of commercial uses does
44 not include a list of nonpermitted uses.
 - 45 • 17.51.020 – clarifies that the minimum 5-acre requirement needs to be consolidated into
46 one lot or parcel. By having multiple parcels property owners can move property lines

2 around without city approval which could make it hard to ensure that the agricultural area
3 requirement is being met long-term.

4 • 17.51.120 – clarifies that the 40% building coverage applies to the non-agricultural area.
5 The ordinances also proposes a minimum coverage requirement of 15% for agricultural
6 areas. This would allow up to 16,335 square feet of agricultural buildings.

8 Commissioner Call asked for clarification on the minimum 5-acre requirement of
9 consolidating into one lot or parcel with general discussion following. Commission Schauers
10 voiced concern for this requirement, and wondered if it was necessary. Mr. Florence then gave
11 clarification on the reasoning for this requirement.

12 Following general discussion, Chairperson Johnson called for a motion to open the public
13 hearing.

16 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
17 COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN
18 FAVOR. THE MOTION CARRIED.

20 **Tanner Colledge** stated that he is representing Wadley Farms and stated they have
21 reviewed on their end these proposed changes and states they help clarify the intended use and
22 are appreciative of those changes. He then gave his input on the 5-acre consolidation requirement
23 stating that it is easier to combine the properties, however, can be harder to portion them out
24 down the road.

26 Mr. Florence addressed the requirement found in 17.51.120 stating that the 40% building
27 coverage applies to the non-agricultural area, which also proposes a minimum coverage
28 requirement of 15% for agricultural areas. He stated that this would allow up to 16,335 square
29 feet of agricultural buildings based off a property of 2.5 acres. Commissioner Call addressed the
30 15% agricultural area, and how that percentage looks within the Walker Farms, and Wadley
31 Farms properties.

32 Following general discussion, Chairperson Johnson called for a motion to close the
33 public hearing.

36 COMMISSIONER CALL MOVED TO CLOSE THE PUBLIC HEARING.
37 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN
38 FAVOR. THE MOTION CARRIED.

40 Commissioner Kallas asked for clarification on what we want to accomplish with this
41 ordinance amendment. Mr. Florence stated that increasing the agricultural production percentage
42 from 40% to 50% of the minimum 5-acre requirement helps keep agricultural production at the
43 forefront of this ordinance. General discussion on the topic of 5-acre requirement needing to be
44 consolidated into one lot or parcel followed.

46 Chairperson Johnson called for any further comments or discussion from the
47 Commission. Hearing none he called for a motion.

2 COMMISSIONER THOMPSON MOVED TO RECOMMEND TO APPROVE
4 AMENDMENT 2024-04-O WITH THE CLARIFICATION THAT THE MINIMUM 5 ACRE
6 LOT IS REQUIRED TO BE COMBINED INTO 1 PARCEL OR LOT. COMMISSIONER
6 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

8 CHAIRPERSON JOHNSON AYE
COMMISSIONER KALLAS AYE
10 COMMISSIONER CALL AYE
COMMISSIONER THOMPSON AYE
12 COMMISSIONER SCHAUERS AYE
COMMISSIONER MARCHBANKS AYE
14 THE MOTION CARRIED UNANIMOUSLY.

16 **5. Public hearing for a recommendation to the Lindon City Council to amend Title
17.02 and adopt ordinance 17.04.420 regarding requirements for portable storage
containers.** Lindon City requests a recommendation to the Lindon City Council to
18 define portable storage containers and adopt regulations and standard for portable
20 storage containers.

22 Mike Florence presented this item stating that the last time the commission discussed this
item was back in August of 2023. He noted that that the purpose of the ordinance is to
24 establish standards for placing portable storage containers in residential, commercial,
industrial and agricultural zones. He then continued addressing the 3 main items that were
26 brought up at that last meeting, which were:

- Containers are prohibited on lots less than 12,000 square feet
- Instead of calling out a “greenbelt” requirement as a minimum standard for
agricultural areas it is proposed that a 3-acre minimum be used.
- A minimum setback of 5’ from the property line in agricultural areas.

32 Mr. Florence then presented the general requirements for this ordinance. He stated that
permanent placement of containers must meet setback requirements and not be located in the
34 front yard area and cannot be used for anything other than the intended storage purpose. He
stated that a building permit is required for permanent containers over 120 square feet and that
36 will be on the property longer than 180 days. For construction or remodeling a temporary
container can be onsite for one year but must be removed within 10 days of final inspections,
38 temporary containers are allowed to be used on a property for 180 days for emergency situations
such as a building fire or flood. He noted that the ordinance allows 180 days for those moving as
40 well. He then stated that there could be no vertical stacking of containers, no containers on
42 vacant lots or parcels and they cannot be used for retaining walls. Mr. Florence then went over
the requirements for residential, agricultural, commercial, and industrial zones. They are as
follows.

- Residential Requirements
 - 1 container per residential lot or parcel

- 2 ○ The container shall either be clad in material comparable to the onsite single-family home or painted to cover advertising, letters, or numbers.
- 4 ● Agricultural Requirements
 - Allows 2 storage containers but the minimum lot size is required to be 3 acres.
- 6 ● Commercial/Industrial Requirements
 - Allowed where used for shipping or receiving merchandise for up to 180 days.
 - Temporary containers cannot be stored in vehicle circulation lanes, fire lanes, utility easements, or rights-of-way. They can be stored in parking areas when shipping and receiving merchandise but cannot affect overall parking management.

14 Mr. Florence then presented requirements other cities have regarding shipping containers in their city's or county.

Portable Shipping Containers in Residential Zones	
Municipality	Allowed or Prohibited
Provo	Allowed, 1 per residential or agricultural lot
Mapleton	Prohibited
West Valley	Prohibited
Daggett County	Allowed, the exterior of the storage container shall be painted or altered to cover any advertising, lettering, or numbers.
South Salt Lake	Yes, 1 per residential lot
Lehi City	Prohibited
Orem City	Prohibited
Payson City	Allowed only if the container were reclad or enhanced so it doesn't appear like a shipping container.
Saratoga Springs	Allowed if color and construction are compatible with and similar to the primary structure. Buildings over two hundred (200) square feet shall be built of durable materials, except metal on exterior walls, and shall include a wainscot, siding, or other similar architectural feature covering a minimum of thirty percent (30%) of all building sides (except door areas), made of similar materials used on the primary structure;
Sandy City	Prohibited
St. George	Prohibited. Only allowed as a temporary building during construction
Cedar Hills	Prohibited
Riverton	Prohibited
Holladay	Prohibited
Millcreek	Prohibited, unless they are modified to meet all the design requirements

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6 Mr. Florence asked the commission if they wanted to restrict the number of containers
8 allowed in commercial or industrial zones. Commissioner Kallas stated he didn't think it was
10 important to put a limit on that right now and then addressed design standards. General
 discussion on the commercial and residential design standards followed. Chairperson Johnson
then called for a motion to open the public hearing.

12 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC HEARING.
14 COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN
 FAVOR. THE MOTION CARRIED.

16 Chairperson Johnson asked for any comment from the public. Hearing none, he called for
 a motion to close the public hearing.

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

22 Commissioner Thompson wanted to address the restriction of semi-trailers. The
24 commission agreed that no permanent use of semi-trailers to be allowed. Commission Call stated
26 with the city being one of the few allowing storage containers, we should be able to be stricter in
28 our ordinance regulations. Discussion on the number of containers allowed on one property was
30 discussed. Commissioner Kallas stated that the trend is to make our community nicer and more
32 upscale, and questioned why we need to allow them at all. Commissioner Thompson stated that
 Orem doesn't allow them, however Orem lots aren't as big as Lindon lots. Commissioner
 Marchbanks stated that if Lindon's average lot sizes were 8,000 square feet, we wouldn't be
 allowing them at all, however Lindon has larger lots, and yet we are proposing to only allow
 them on lots larger than 12,000 square feet.

34 Following general discussion Chairperson Johnson called for any further comments or
 discussion from the Commission. Hearing none he called for a motion.

36 COMMISSIONER CALL MOVED TO RECOMMEND APPROVAL OF ORDINANCE
38 2024-02-O WITH CHANGES AS RECOMMENDED BY MR. FLORENCE.
40 COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
 RECORDED AS FOLLOWS:

42 CHAIRPERSON JOHNSON	AYE
42 COMMISSIONER KALLAS	AYE
44 COMMISSIONER CALL	AYE
44 COMMISSIONER THOMPSON	AYE
46 COMMISSIONER SCHAUERS	AYE
46 COMMISSIONER MARCHBANKS	AYE

 THE MOTION CARRIED UNANIMOUSLY.

6. Planning Director Updates

- Upcoming Ordinances
- General City Updates

NEW BUSINESS

Commissioner Call asked for information on the road work on Center Street. Mr. Florence then showed the commission how to locate all updates on road construction within the city on the Lindon City website. Commissioner Call wanted to congratulate Commissioner Rob Kallas on recently being honored at Woodbury Corporation for his 50 years with them. Commissioner Thompson then wanted to make the city aware of a crosswalk on Anderson Boulevard that my need more lighting for safety proposes in the evening.

16 Chairperson Johnson called for any further comments or discussion from the commission.
Hearing none he called for a motion to adjourn.

ADJOURN –

22 COMMISSIONER THOMPSON MADE A MOTION TO ADJOURN THE MEETING
AT 9:35 PM. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

Approved, March 12, 2024

Steven Johnson, Chairperson

Michael Florence, Community Development Director