

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

REGULAR SESSION – 8:00 P.M.

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

PRESENT

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

EXCUSED

Karen Danielson, Commissioner

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

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

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

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 –

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 consider an amendment to 17.51 to address the priority of agricultural production to meet the objectives of the zone, clarifies lot coverage requirements, and makes other technical changes for development in the commercial farm zone.

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 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

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

He then presented the proposed ordinance amendments as follows:

- 17.51.010 – makes a reference to the commercial uses and replaces the word agricultural industry with agricultural production. The purpose in changing industry to production was so that there was not any inference that industrial agriculture is allowed. The city has a specific definition for agricultural industry that applies to feed lots, commercial raising of animals, food packaging, etc. The amendment will also make this section so it's consistent with the agricultural production section of the code.
- 17.51.011 – this is a new section and moves the agricultural production section to the beginning of the ordinance instead of following the allowable commercial uses. The ordinance also makes the following amendments:
 - Redefines what agricultural production is.
 - New definition: “agricultural activities including cultivation, processing and distribution of agricultural products that result in that product being marketed and sold at retail or wholesale but does not include industrial agricultural uses.”
 - Previous definition: “the production of food for human or animal consumption through the raising of crops and/or breeding and raising of domestic animals and fowl (except household pets) in such a manner that there is a reasonable expectation of profit.”
 - The city already defines the term agriculture which means: “the production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and fowl except household pets and not including any agricultural industry or business.”
 - The new definition removes the requirement that there is an expectation of profit and replaces it with the requirement that there be a retail or wholesale requirement. In some situations, a sales tax number is already required as part of a retail use. Such situations would be the Walker Farms store or when the Red Barn comes online at Wadley Farms. Seasonal agricultural sales are exempt from the sales tax requirement, but products are still being sold at retail.
 - To make the focus more on agricultural production, staff is proposing to increase the agricultural production percentage from 40% to 50% of the minimum 5-acre requirement. For a 5-acre property an owner would now be required to provide 2.5 acres of agricultural property instead of 2 acres. This shows that the city values the agricultural equal to the commercial uses of the property.
 - The amendment also requires that as part of the zone change request a property owner would need to provide the city with an agricultural production plan that outlines the products that will be sold, how agricultural open space will be preserved and a plan outlining the proposed commercial use and how the use will sustain and support the emphasis of agricultural production.
- 17.51.012 – removes the word “nonpermitted” because the list of commercial uses does not include a list of nonpermitted uses.
- 17.51.020 – clarifies that the minimum 5-acre requirement needs to be consolidated into 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 ordinance 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. Commissioner 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
13 Following general discussion, Chairperson Johnson called for a motion to open the public
14 hearing.

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

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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.

25
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
33 Following general discussion, Chairperson Johnson called for a motion to close the
34 public hearing.

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

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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.

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

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

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

THE MOTION CARRIED UNANIMOUSLY.

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 define portable storage containers and adopt regulations and standard for portable storage containers.

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 establish standards for placing portable storage containers in residential, commercial, industrial and agricultural zones. He then continued addressing the 3 main items that were 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.

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 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 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, 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 well. He then stated that there could be no vertical stacking of containers, no containers on 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

- The container shall either be clad in material comparable to the onsite single-family home or painted to cover advertising, letters, or numbers.
- Agricultural Requirements
 - Allows 2 storage containers but the minimum lot size is required to be 3 acres.
- 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.

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
allowed in commercial or industrial zones. Commissioner Kallas stated he didn't think it was
8 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
10 then called for a motion to open the public hearing.

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

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

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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
with the city being one of the few allowing storage containers, we should be able to be stricter in
26 our ordinance regulations. Discussion on the number of containers allowed on one property was
discussed. Commissioner Kallas stated that the trend is to make our community nicer and more
28 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
30 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
32 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.

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

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

THE MOTION CARRIED UNANIMOUSLY.

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6. Planning Director Updates

- Upcoming Ordinances
- General City Updates

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NEW BUSINESS

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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.

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

ADJOURN –

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