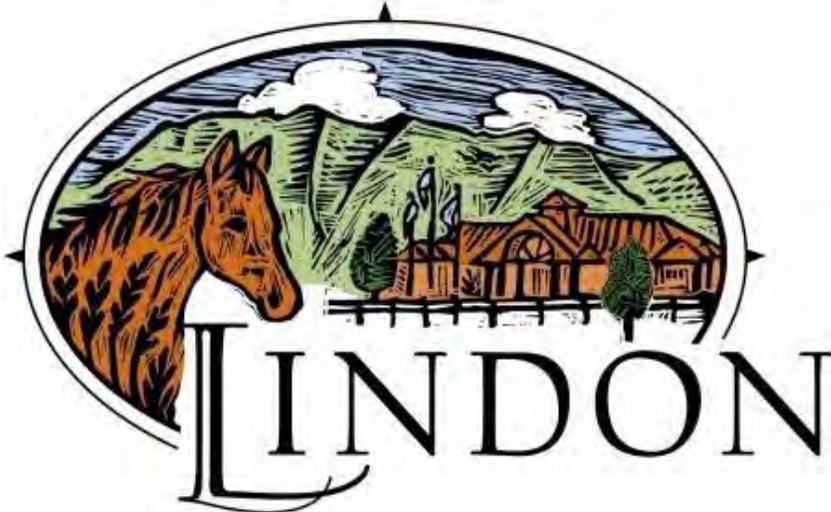


Lindon City Council Staff Report



Prepared by Lindon City
Administration

November 12, 2015

Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a meeting beginning at **7:00 p.m.** on **Thursday, November 12, 2015** in the Lindon City Center council chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

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



(Review times are estimates only)

REGULAR SESSION – 7:00 P.M. - Conducting: Mayor Jeff Acerson

Pledge of Allegiance: By Invitation
Invocation: Carolyn Lundberg

1. **Call to Order / Roll Call**
2. **Presentations and Announcements**
 - a) Comments / Announcements from Mayor and Council members.
3. **Approval of minutes:** *No minutes to approve at this time.*
4. **Consent Agenda** – No Items
5. **Open Session for Public Comment** *(For items not on the agenda)*
6. **Public Hearing — General Plan Map Amendment, approx. 500 North Anderson Lane (Ordinance #2015-25-O)** (60 minutes)
Ken Watson of Ivory Development is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Residential-High. Residential-High is defined as greater than 3.6 dwelling units per acre. The subject properties are located at approximately 500 North Anderson Lane, identified by Utah County Parcel IDs #14:063:0061, #14:050:0006, #14:063:0048, #14:063:0046, #14:063:0047, #14:053:0042, #14:064:0012 and approximately 150 North 1700 West, which is a portion of the parcel identified by Utah County Parcel ID #14:063:0068 and are within the Mixed Commercial (MC) zone. The Planning Commission recommends approval of the General Plan Land Use Map amendment.
7. **Public Hearing — General Plan Map Amendment, approx. 115/117/119 South State Street (Ordinance #2015-26-O)** (20 minutes)
Leonard Lee of L.A. Lee Enterprises requests approval of a General Plan map amendment to change the General Plan designation of property located at 115/117/119 South State Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from Commercial to Mixed Commercial. The Planning Commission recommends approval of the General Plan Land Use Map amendment.
8. **Public Hearing — Zone Map Amendment, approx. 115/117/119 South State Street (Ordinance #2015-27-O)** (10 minutes)
Leonard Lee of L.A. Lee Enterprises requests approval of a Zone Map amendment to rezone property located at 115/117/119 South State Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from General Commercial (CG) to Mixed Commercial (MC). The Commission will consider the request and make a recommendation to the City Council. The Planning Commission recommends approval of the zone change.
9. **Public Hearing — Ordinance Amendment, LCC 17.76 PRD Overlay Parking (Ordinance #2015-24-O)** (15 minutes)
Lindon City staff is requesting an amendment to the Planned Residential Overlay parking requirements in order to allow parking spaces to be accessed directly from a public street rather than from a private drive.
10. **Discussion Item — Used Car Lots in CG Zone along State Street** (20 minutes)
Per direction from the City Council, staff will discuss land uses generally within the CG zone (General Commercial) with specific interest on used auto sales businesses along the State Street corridor. Lindon currently has eight existing and/or approved used auto sales businesses along its 1.6 miles of State Street with interested parties looking for additional sites for used auto sales locations along State Street.
11. **Public Hearing — FY2016 Budget Amendments & Fee Schedule updates (Resolution #2015-8-R)** (15 minutes)

The City Council will review and discuss proposed FY2016 budget amendments and fee schedule updates. The proposed changes were previously discussed in a public meeting on October 20, 2015.

12. Recess to Lindon City Redevelopment Agency Meeting (RDA) (10 minutes)

13. Review & Action — Multiple Stage Bidding Process (Resolution #2015-9-R) (10 minutes)

The City Council will review and consider Resolution #2015-9-R allowing for a multiple stage bidding process for the Public Safety Building project. Approval of the resolution will allow bidders to be pre-qualified prior to submitting bids for the project.

14. Review & Action — 200 South Water Line Bid Award (5minutes)

The City Council will review and consider approval of the 200 South Water Line replacement project to the low bidder, Skip Dunn & Sons Excavating, with a low bid of \$253,876.88. Staff recommends approval of the bid.

15. Council Reports: (20 minutes)

- | | |
|---|--------------------|
| A) MAG, COG, UIA, Utah Lake, ULCT, Budget Committee | - Jeff Acerson |
| B) Public Works, Irrigation/water, City Buildings | - Van Broderick |
| C) Planning, BD of Adjustments, General Plan, Budget Committee | - Matt Bean |
| D) Parks & Recreation, Trails, Tree Board, Cemetery | - Carolyn Lundberg |
| E) Administration, Com Center Board, Lindon Days, Little Miss Lindon | - Randi Powell |
| F) Public Safety, Court, Animal Control, Historic Commission, Budget Committee, Chamber of C. | - Jacob Hoyt |

16. Administrator's Report (15 minutes)

Adjourn

This meeting may be held electronically to allow a council member to participate by video conference or teleconference.

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

Posted By: Kathy Moosman
Time: ~4:00 p.m.

Date: November 9, 2015
Place: Lindon City Center, Lindon Police Dept, Lindon Community Center

REGULAR SESSION – 7:00 P.M. - Conducting: Mayor Jeff Acerson

Pledge of Allegiance: By Invitation

Invocation: Carolyn Lundberg

Item 1 – Call to Order / Roll Call

November 9, 2015 Lindon City Council meeting.

Jeff Acerson
Matt Bean
Van Broderick
Jake Hoyt
Carolyn Lundberg
Randi Powell

Staff present: _____

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members.

Item 3 – Approval of Minutes

- Review and approval of City Council minutes: **No minutes to approve at this time.**

Item 4 – Consent Agenda – *(Consent agenda items are only those which have been discussed beforehand and do not require further discussion)*

- No Items.

Item 5 – Open Session for Public Comment *(For items not on the agenda)*

**6. Public Hearing — General Plan Map Amendment, approx. 500 North Anderson Lane
(Ordinance #2015-25-O)** *(60 minutes)*

Ken Watson of Ivory Development is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Residential-High. Residential-High is defined as greater than 3.6 dwelling units per acre. The subject properties are located at approximately 500 North Anderson Lane, identified by Utah County Parcel IDs #14:063:0061, #14:050:0006, #14:063:0048, #14:063:0046, #14:063:0047, #14:053:0042, #14:064:0012 and approximately 150 North 1700 West, which is a portion of the parcel identified by Utah County Parcel ID #14:063:0068 and are within the Mixed Commercial (MC) zone. The Planning Commission recommends approval of the General Plan Land Use Map amendment.

See attached information from the Planning Department.

Public Hearing — General Plan Map Amendment, approx. 500 North Anderson Lane and 150 North 1700 West

Ken Watson of Ivory Development is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Residential-High. Residential-High is defined as greater than 3.6 dwelling units per acre.

<p>Applicant: Ivory Development Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Mixed Commercial Current Zone: Mixed Commercial</p> <p>Property Owner: Boyd Anderson & Sons Address: ~500 North Anderson Lane and 150 North 1700 West Parcel IDs: #14:063:0061, #14:050:0006, #14:063:0048, #14:063:0046, #14:063:0047, #14:053:0042, #14:064:0012, and a portion of #14:063:0068 Lot Size: This request covers about 45 acres</p> <p>Type of Decision: Legislative Planning Commission: Recommend approval 6-0</p>	<p><u>SUMMARY OF KEY ITEMS</u></p> <ol style="list-style-type: none"> Whether to approve of a request to change the General Plan designation of the subject area from Mixed Commercial to Residential-High. <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) the applicant's request to change the General Plan designation of the area from Mixed Commercial to Residential-High according to Ordinance 2015-25-O .</p>
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OVERVIEW

Over a year ago, Ivory Development approached the City regarding a master planned residential community west of Geneva Road, adjacent to the Creekside community, on the Anderson Dairy Farm. Subsequent to that time, there have been numerous work sessions with Ivory Development, City Staff, the Planning Commission and City Council to review and comment on a concept plan developed by Ivory Development. There was also a public open house earlier this year in which Ivory Development presented the concept to the Creekside neighborhood. A meeting history is identified in Table 1 and the latest version of that concept is included as Attachment 3.

Table 1

Meeting Type	Date	Location
1. Mayor's Open House	June 19, 2014	Meadow Park, Creekside Neighborhood
2. Joint Work Session	October 20, 2014	Ivory Ridge, Lehi
3. Joint Work Session	December 9, 2014	Lindon City Hall
4. Joint Mobile Tour	January 30, 2015	Wasatch Front
5. Joint Work Session	February 10, 2015	Lindon City Hall
6. Joint Work Session	April 14, 2015	Lindon City Hall

7. Joint Work Session	April 21, 2015	Lindon City Hall
8. Joint Work Session	May 26, 2015	Lindon City Hall
9. Public Open House	June 24, 2015	Lindon City Hall

The entire project is about 137 acres, of which about 92 acres is currently designated as Residential-High on the General Plan Land Use Map. This request would change the remaining 45 acres of the project to Residential-High from its current designation of Mixed Commercial.

This is a first step in a multi-step process that would make the concept plan a reality. In addition to this General Plan change being approved, there will need to be zoning map approval along with approval of a new ordinance governing the zone change. More than likely, there will be a development agreement entered into between Ivory Development and the City requiring additional review by the Planning Commission and City Council.

CONCEPT PLAN

The attached concept plan shows the entire project and outlines the specific areas that are under consideration in this application. There is also a modified plan (Attachment 4) looking at just the northeast area. This plan contemplates commercial development that may need additional depth from 700 North than what is shown on the overall concept plan. The City has expressed a desire to keep this option in order to accommodate future commercial development.

PUBLIC COMMENT

The following individuals/corporations have submitted written comments regarding the application which are included as attachments: Shaun Houston of 473 North 1200 West; Universal Industrial Sales, Inc of 433 North 1030 West; and Goodfellow Corporation of 390 North 2000 West.

FINDINGS OF FACT

1. The General Plan currently designates the property under the category of Mixed Commercial. This category includes retail and service oriented businesses, and shopping centers that serve community and regional needs, as well as light industrial and research and business uses.
2. The applicant requests that the General Plan designation of the property be changed to Residential-High, which refers to a density of greater than 3.6 dwelling units per acre.

ANALYSIS

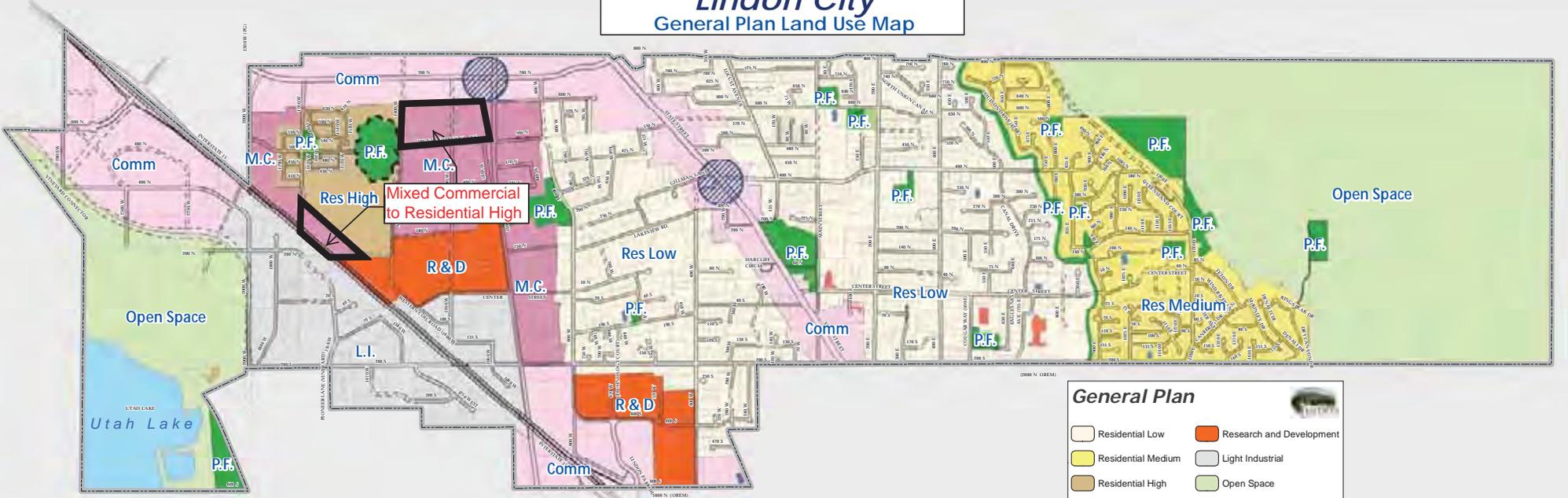
1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
 - a. It is the purpose of the Residential-High category to provide modest amounts of high density, residential development.
 - b. The goal of housing and residential areas in Lindon City is to provide a housing and living environment that supports and complements the unique rural quality and character of Lindon City.
 - i. Objectives of this goal are to:

1. Maintain and enhance the pleasing appearance and environmental quality of existing residential neighborhoods by avoiding encroachment of land uses which would adversely impact residential areas (i.e. increased traffic, noise, visual disharmony, etc.) and by providing adequate screening and buffering of any adjacent commercial or industrial development including parking and service areas.
 2. Consider flexibility in housing development design and density in the R3 zone.
 3. Encourage creative approaches to housing development which will maintain and protect natural resources and environmental features.
 4. Provide for the unique community needs of the elderly, disabled, and children.
- c. Applicable city-wide land use guidelines:
- i. The identity of Lindon should be strengthened by land uses which contribute to the unique character of the community.
 - ii. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
 - iii. A variety of housing types should be provided where appropriate, and innovative development patterns and building methods that will result in more affordable housing should be encouraged.
 - iv. Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available.
 - v. Land use patterns should be encouraged that...reduce travel distances for employment and essential services, limit pollution, allow for alternative modes of transportation, and conserve energy.

ATTACHMENTS

1. Map showing requested General Plan Land Use Map change.
2. Aerial photo of the proposed area to be re-classified.
3. Ivory Development Concept Plan
4. Modified Plan for northeast area
5. Letter from Shaun Houston
6. Letter from Universal Industrial Sales
7. Letter from Goodfellow Corporation
8. Map of properties that were mailed notices
9. Ordinance 2015-25-O

Lindon City General Plan Land Use Map



General Plan

	Residential Low		Research and Development
	Residential Medium		Light Industrial
	Residential High		Open Space
	Commercial		Parks - Public Facilities
	Mixed Commercial		Transit Node

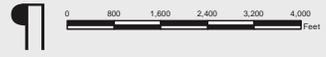
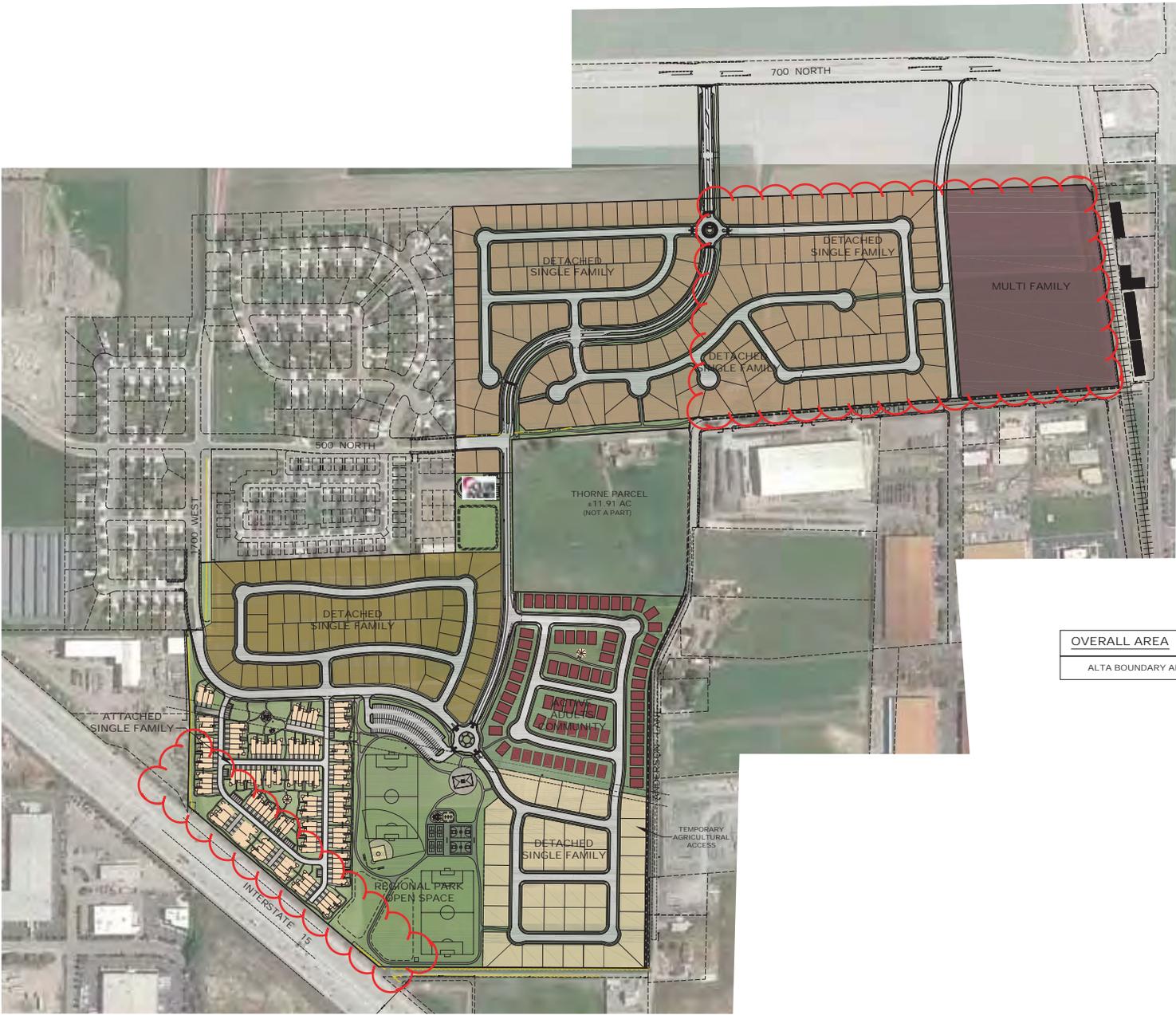


Photo: November, 2011





A Utah Corporation
ENGINEERS
SURVEYORS
PLANNERS
 3302 N. Main Street
 Spanish Fork, UT 84660
 Phone: 801.798.0555
 Fax: 801.798.7393
 office@lei-eng.com
 www.lei-eng.com



OVERALL AREA	
ALTA BOUNDARY AREA	136.671

3340 NORTH CENTER STREET
 1280, UT, 84043
 (801) 407-9800

ANDERSON FARMS
 LINDON, UTAH
 EXHIBIT B - PROPERTY CONCEPT PLAN

REVISIONS	
1.	
2.	
3.	
4.	
5.	

LEI PROJECT #
2013-1845
 DRAWN BY:
 DSE
 CHECKED BY:
 GDM
 SCALE:
 1" = 200'
 DATE:
 9/7/2015

EXHIBIT
B

UT LAND DEVELOPMENT PROJECTS - ANDERSON FARMS - EXHIBIT B - FOR REFERENCE ONLY - 9/14/2015 10:12 AM

ANDERSON FARMS
 LINDON, UTAH
EXHIBIT E
EXAMPLE OF MODIFIED PROPERTY CONCEPT PLAN

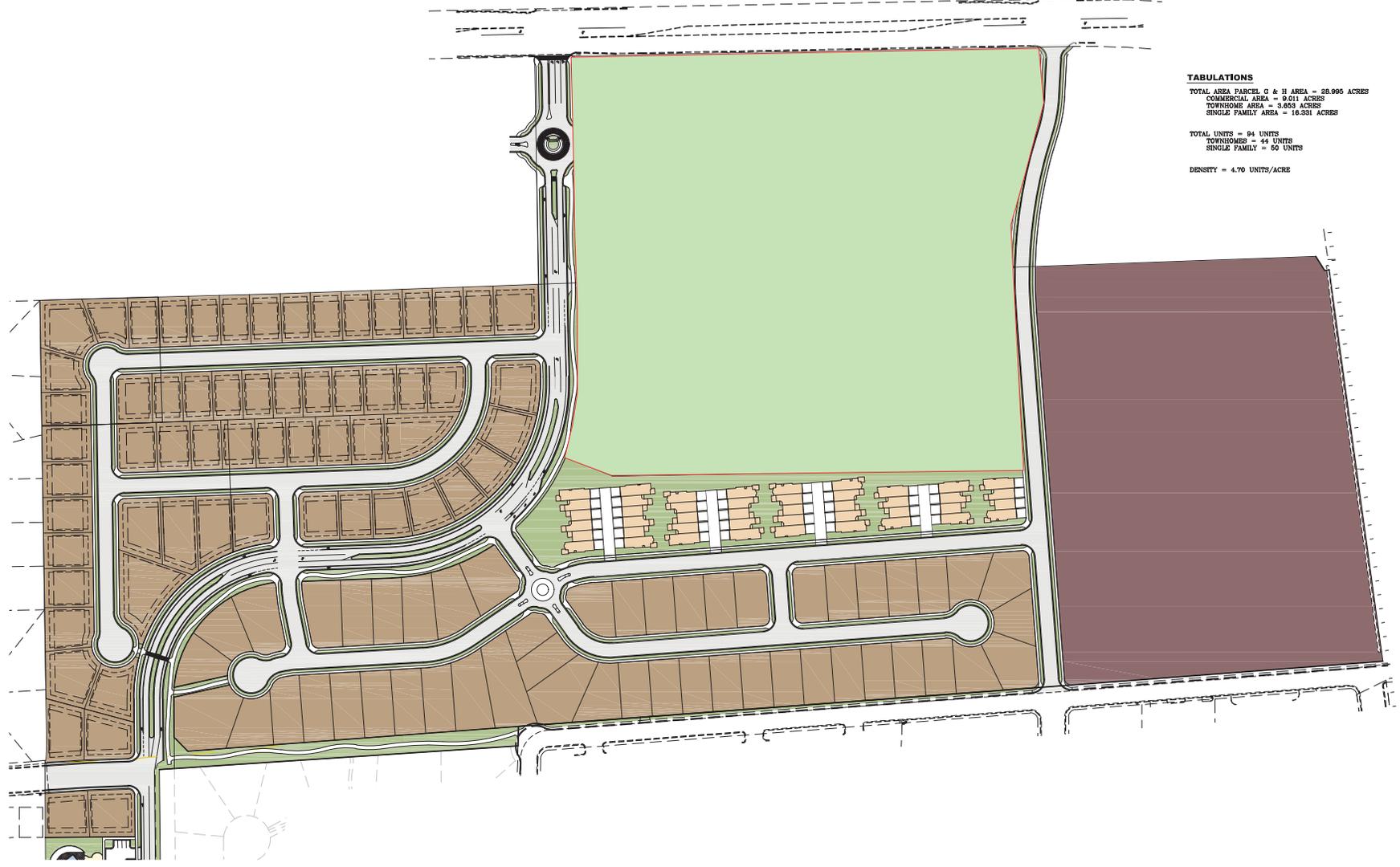
REVISIONS
 1.
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 5.

LEI PROJECT #
2013-1845
 DRAWN BY:
BLS
 CHECKED BY:
GDM
 SCALE:
1" = 100'
 DATE:
10/16/2015
 SHEET
E

TABULATIONS
 TOTAL AREA PARCELS G & H AREA = 28.995 ACRES
 COMMERCIAL AREA = 9.011 ACRES
 TOWNHOME AREA = 3.663 ACRES
 SINGLE FAMILY AREA = 16.931 ACRES

TOTAL UNITS = 94 UNITS
 TOWNHOMES = 44 UNITS
 SINGLE FAMILY = 50 UNITS

DENSITY = 4.70 UNITS/ACRE



U:\LAND DEVELOP PROJECTS\13-1845 ANDERSON FARMS\DWG\CONCEPT\13-1845 CONCEPT E.TBWDWG.DWG 10/16/2015 10:48 AM

Proposed Land Use Map Amendment

4 messages

Shaun Houston <shaun24houston@gmail.com>

Tue, Oct 20, 2015 at 11:53 AM

To: hugh@lindoncity.org

To whom it may concern:

I am responding to the PUBLIC NOTICE letter that I have received in the mail dated Oct 16,2015 pertaining to Ken Watson of the Ivory Development request on the General Plan Land Use Amendment for the property on 500 north Anderson Lane.

I am responding to you with great concern about the possible consideration of allowing Residential-High in the current Mixed Commercial area.

As a property owner of a commercial building in this area I felt the need to express the concerns I have about the potential Amendment.

It is to my understanding that we have commercial zoning for the reason of conducting commercial activities in designated areas that do not align with or welcomed in current residential areas.

I have a tenant that currently occupies one of our properties and have been a great asset to the area and contributing asset to the business revenue generated in the area.

My concern is that if you allow Residential-High to be connected to the industrial activities in the area, we will be constantly facing issues with residents complaining about the commercial Industrial activities. (I.e.,noise, machinery, heavy equipment, lights, transportation equipment)

Our tenants run equipment at all necessary business hours to support the production needs of the business. They also have large over sized vehicles entering in and out of the area at all hours.

I see this as a potential issue of residents living so close to these types of activities complaining of the constant humming noise of equipment and or transportation equipment, or just the day to day business activities that we have conducted in the area for years, causing us as property owners to loose current and potential occupants in our properties. and or resulting in expensive corrective solutions to machinery and equipment to address complaint issues that may arise.

Please consider this letter in part of your decision in allowing the proposed amendment.

Best regards,
Shaun Houston
[801-361-6178](tel:801-361-6178)



October 26, 2015

Via Email and U.S. Mail

Lindon City Planning Commission
LINDON CITY CENTER
100 North State Street
Lindon, Utah 84042
planningdept@lindoncity.org

RE: *Universal Industrial Sales, Inc. Facility
433 North 1030 West, Lindon, Utah*

Dear Commissioners,

This firm represents Universal Industrial Sales, Inc. ("UIS"). UIS operates a steel galvanizing and fabrication facility at approximately 433 North 1030 West, Lindon, Utah (the "UIS Site"). The UIS Site sprawls over several acres and contains multiple buildings where various industrial processes take place for steel galvanizing and fabrication. UIS also leases a portion of the UIS Site to another steel fabricator, Valmont Industries. There are several additional industrial processing facilities near the UIS Site including those maintained by Mountain States Steel, Utah Pacific Bridge, Gerdau, Schaeffer Industries, American Tubular, and CC Olsen. The area in which all of these businesses are located is currently zoned light or heavy industrial. Typical of areas where property is used for industrial purposes, there are hundreds of workers going in and out of the area, trucks come into the area on a 24-hour basis to transport materials to and from the area, and loud noises and odors are generated in the area. Further, UIS, in cooperation with the State of Utah, employs 35 individuals from the Utah County Jail each day. They are transported between the UIS Site and the jail every day by bus. This is not an area conducive to nearby residential development.

UIS has been at its current location for over 30 years. It employs 226 employees (many of them Lindon residents), providing over \$10,000,000.00 in wages per year. It pays over \$500,000.00 in real property taxes and paid \$788,638.86 in sales taxes in 2014 and, to date, has paid \$656,496.66 in sales taxes in 2015. In addition, UIS purchases materials and services from approximately 45 vendors located in Lindon City on a daily basis totaling \$2,554,910.00 in purchases in 2014 and \$1,735,872.00 thus far in 2015. In sum, UIS is a significant contributor to the tax base and economic development of Lindon City.

3165 East Millrock Drive
Suite 500
Salt Lake City, Utah
84121-4704

T (801) 438-2000
F (801) 438-2050
www.btjd.com

Community Development
Lindon City

OCT 29 2015

RECEIVED

The UIS Site (and the adjoining properties where other manufacturers are located) is zoned both light and heavy industrial. Ivory Homes has requested that the Lindon City Master Plan be amended so that two parcels of property designated as Mixed Commercial under the Master Plan (the "Subject Parcels") be re-designated to Residential High. The Subject Parcels are not only designated as Mixed Commercial under Lindon City's Master Plan, they are also currently zoned Mixed Commercial, thus providing a buffer between the manufacturing operations of UIS and others and residential development. Ivory's request should be rejected.

The Lindon City Master Plan notes that "The goal of housing and residential areas in Lindon City is to provide a housing and living environment that supports and complements the unique rural quality and character of Lindon City," Master Plan at 7. The objectives of this goal are to "[m]aintain and enhance the pleasing appearance and environmental quality of existing residential neighborhoods by avoiding encroachment of land uses which would adversely impact residential areas (i.e. increased traffic, noise, visual disharmony) and by providing adequate screening and buffering of any adjacent commercial or industrial development including parking and service areas." *Id.* One of the Subject Parcels is located adjacent to Interstate 15. The other Subject Parcel is located across the street from the UIS Site. The Subject Parcels are currently zoned Mixed Commercial. This provides a buffer between the industrial uses of UIS and other adjacent property owners and residential development. Lindon City properly preferred this buffering when it implemented its Master Plan in November of 2011.

Ivory Homes has not provided a compelling interest to change Lindon City's carefully thought out master plan and zoning ordinances to permit hundreds of citizens to live immediately adjacent to industrial manufacturing sites. Ivory's proposal to amend Lindon City's Master Plan should be rejected.

BENNETT TUELLER JOHNSON & DEERE, LLC



Sean A. Monson

Community Development
Lindon City

OCT 29 2015

RECEIVED

GOODFELLOW

Goodfellow
Corporation
P. O. Box 60070
Boulder City, NV 89006-0070
Telephone (702) 293-7804
Fax (702) 293-0529

October 29, 2015

City of Lindon
100 N. State St.
Lindon, UT 84042

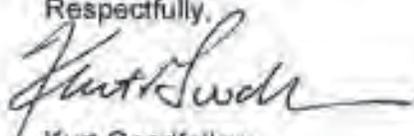
To Whom It May Concern:

Goodfellow Corp recently received notice about a possible zone change for Ivory Development to build homes against the eastern border of our facility. We were unable to attend the meeting, but would like to voice our concerns as follows:

1. As we stated emphatically several years ago when zoning was changed and homes built against our north property line, we are very concerned that in the future, home owners might complain about our commercial business being located near their residential area. We are also concerned about liability and safety for obvious reasons, including noise, heavy vehicles coming in and out of our facilities, etc. We have been there for about 20 years now, and respectfully request that the City enforcement officials remember and take into consideration that we were there long before the homes, and objected to the zone change. For the same reasons, we object to this zone change. That being said, we have had no problem that we are aware of concerning the homes north of our facility.
2. Should the city elect to change the zoning to residential, we propose that the developer be required to construct a wall along our property line adjoining the development to protect our property from the residents and visa versa.

Thank you for your consideration on this matter.

Respectfully,



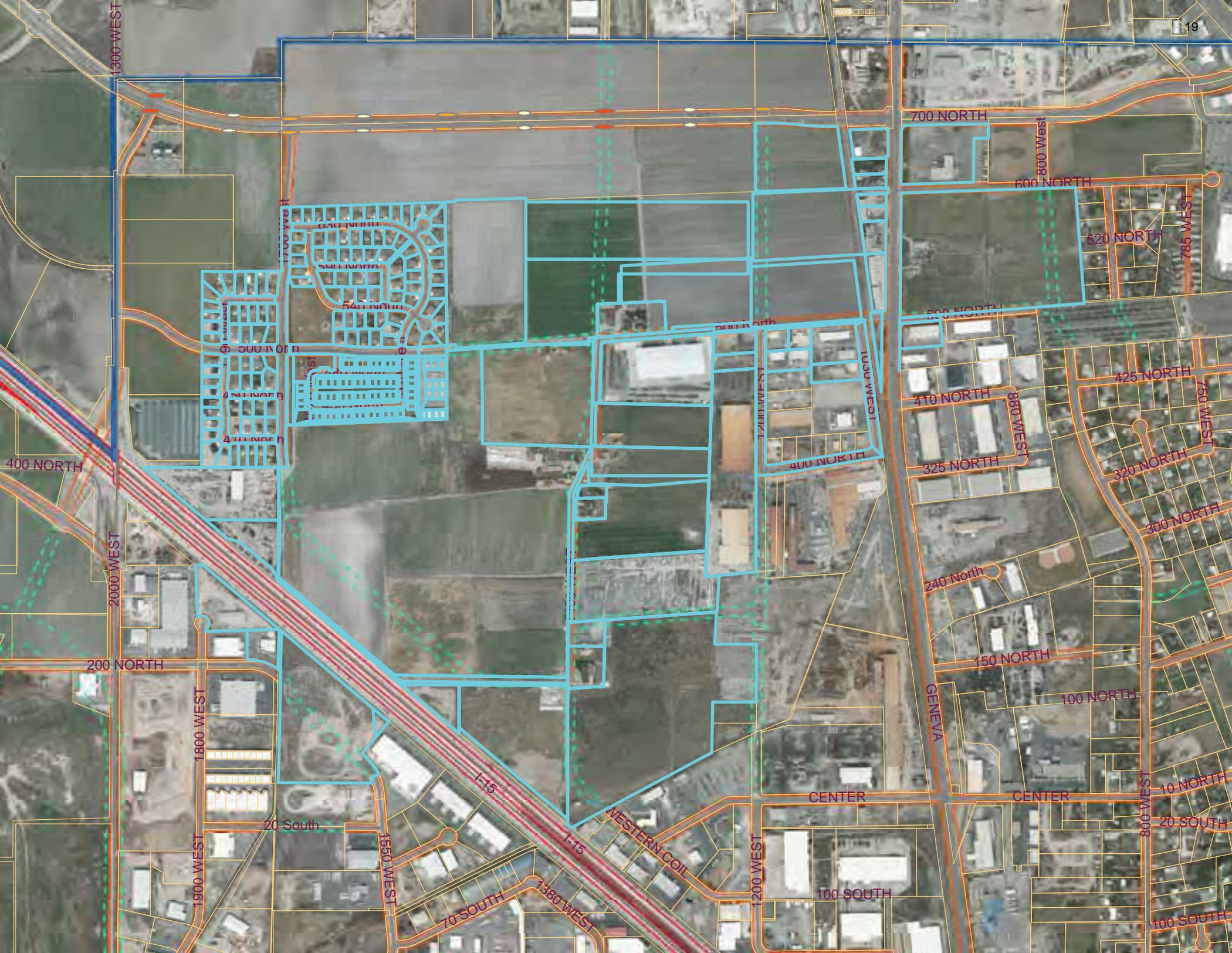
Kurt Goodfellow
Goodfellow Corp
K&L Dirt Co, LC

Community Development
Lindon City
NOV - 2 2015

RECEIVED

RECEIVED

NOV - 2 2015
Community Development
Lindon City



ORDINANCE NO. 2015-25-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY GENERAL PLAN LAND USE MAP FROM MIXED COMMERCIAL TO RESIDENTIAL—HIGH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it is necessary to amend portions of the Lindon City General Plan Land Use Map, specifically property generally located at 500 North Anderson Lane and 150 North 1700 West, otherwise identified by Utah County Parcels #14:063:0061, #14:050:0006, #14:063:0048, #14:063:0046, #14:063:0047, #14:053:0042, #14:064:0012, and a portion of #14:063:0068 (See map labeled as Exhibit A) from Mixed Commercial to Residential—High, finding that approval of such would benefit the City; and

WHEREAS, the City finds it is necessary to amend the General Plan Land Use Map to accommodate additional residential development within the City; and

WHEREAS, the property in question is adjacent to other property designated Residential—High on the General Plan Land Use Map; and

WHEREAS, the change may allow existing residential homes to be buffered from encroaching land uses that may adversely impact residential areas; and

WHEREAS, the change allows for flexibility in housing development design and density adjacent to the R3 zone and encourages creative approaches to housing development; and

WHEREAS, the change allows for unique community needs of the elderly, disabled, and children to be met; and

WHEREAS, the Planning Commission recommended adoption of revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to provide modest amounts of high density within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

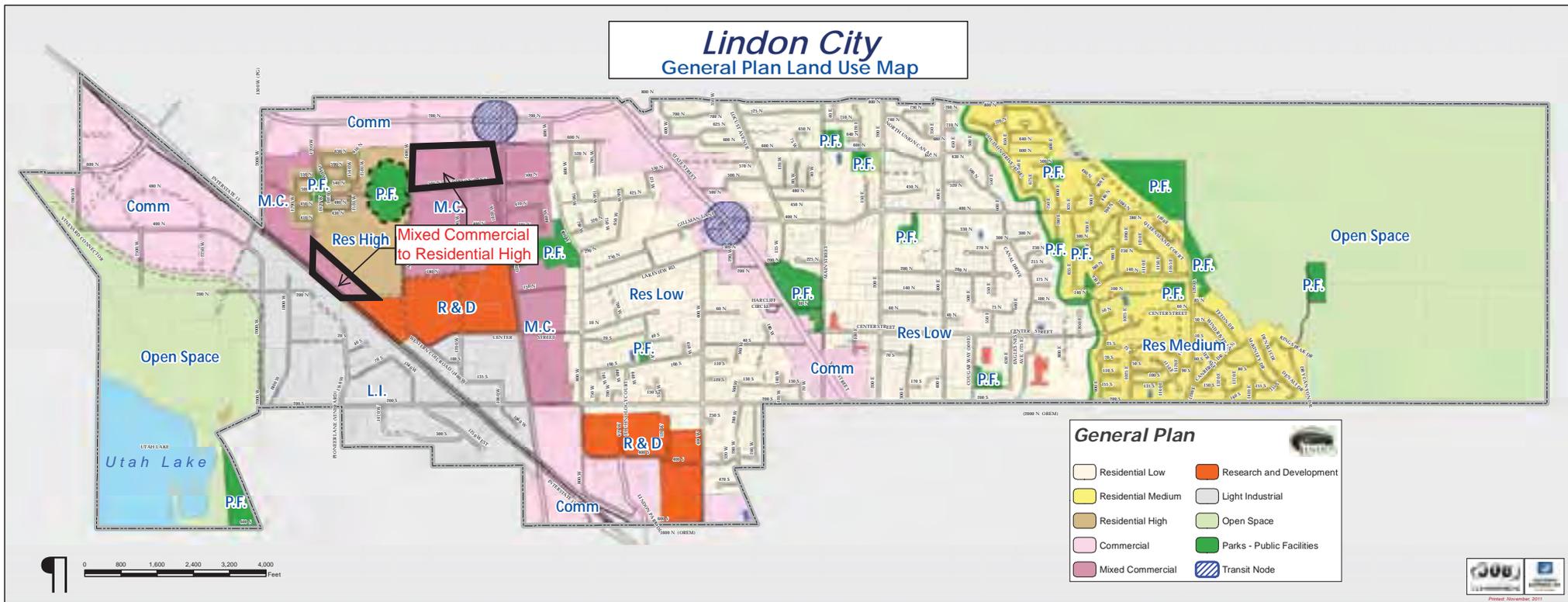
WHEREAS, the current General Plan Land Use Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City General Plan Land Use Map is hereby amended and will read as follows:

SECTION I:

See Exhibits A.1 and A.2 showing parcels changing from Mixed Commercial to Residential—High on the Lindon City General Plan Land Use Map.

Exhibit A.1



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 provide by law.

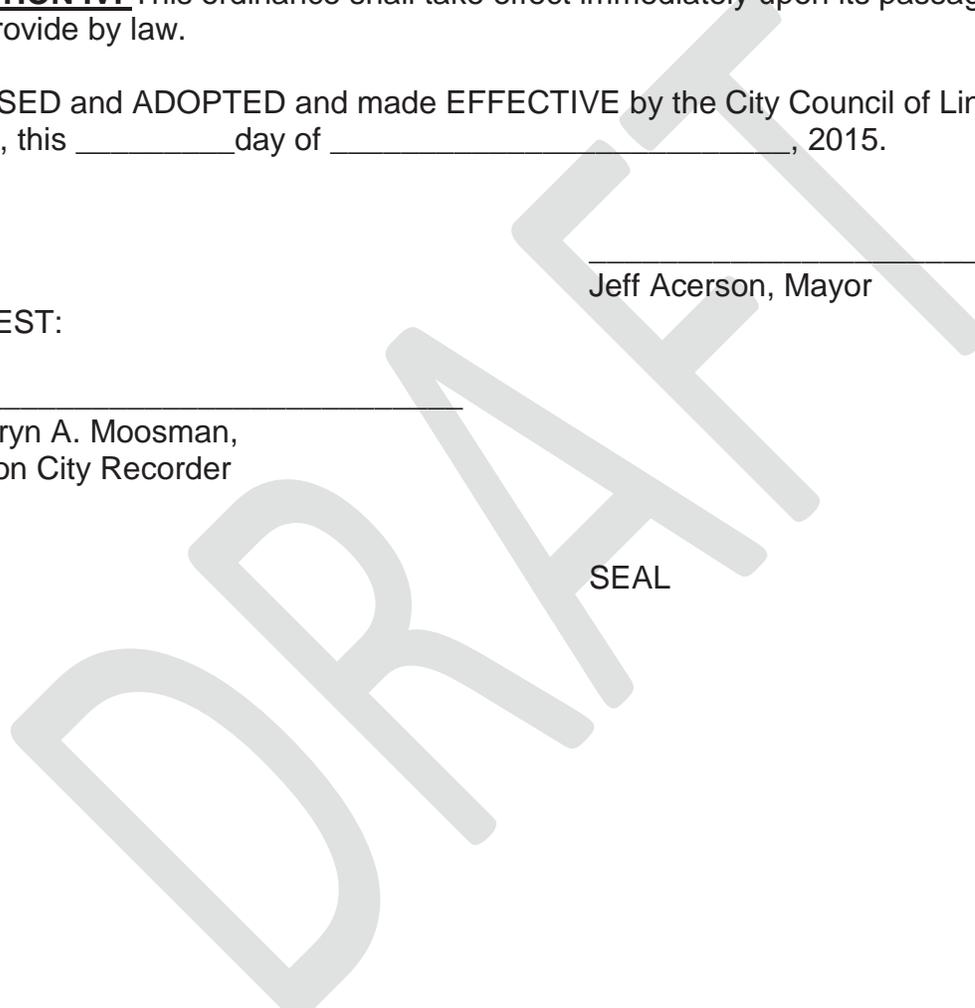
PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2015.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL



**7. Public Hearing — General Plan Map Amendment, approx. 115/117/119 South State Street
(Ordinance #2015-26-O) (20
minutes)**

Leonard Lee of L.A. Lee Enterprises requests approval of a General Plan map amendment to change the General Plan designation of property located at 115/117/119 South State Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from Commercial to Mixed Commercial. The Planning Commission recommends approval of the General Plan Land Use Map amendment.

See attached information from the Planning Department.

Public Hearing — General Plan Map Amendment, approx. 115/117/119 South State Street

Leonard Lee of L.A. Lee Enterprises requests approval of a General Plan map amendment to change the General Plan designation of property located at 115/117/119 South State Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from Commercial to Mixed Commercial.

<p>Applicant: Leonard Lee Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: General Commercial</p> <p>Property Owner: Lee L A Enterprises Address: 115/117/119 South State Street Parcel ID: 14:070:0204 & 14:070:0306 Lot Size: 2.12 acres; 1.40 acres</p> <p>Type of Decision: Legislative Planning Commission Vote: Recommend approval 6-0.</p> <p>Related Item: File 15-050-3</p>	<p><u>SUMMARY OF KEY ITEMS</u></p> <ol style="list-style-type: none"> Whether to recommend approval of a request to change the General Plan designation of the subject lot from Commercial to Mixed Commercial. <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) the applicant's request to change the General Plan designation from Commercial to Mixed Commercial according to Ordinance 2015-26-O.</p>
---	---

OVERVIEW

The applicant requests that the general plan designation, and, in the next item, the zoning classification, be changed from Commercial to Mixed Commercial to allow, more broadly, other light industrial, manufacturing, and office/warehousing uses in the buildings.

The applicant has owned the existing structures on the subject parcels for many years. County records indicate that the structures were constructed in 1988. The buildings have typically housed light manufacturing, and other industrial related, uses. Similar uses have continued to operate from the structures over the years.

Presently, the buildings are in the General Commercial (CG) zone, which is now a zone that is predominantly oriented toward office and retail uses only. Consequently, as prospective industrial tenants have attempted to obtain business licenses from the City to operate out of the structures, staff has had to conduct research to determine whether the buildings have nonconforming rights to the specific uses proposed. The current zoning does not allow for manufacturing and light industrial uses.

The Planning Commission continued this item for several meetings in order to (1) conduct a site visit on the property and (2) review the Standard Land Use (SLU) Table to compare the General Commercial and Mixed Commercial (MC) zones. The site visit took place on October 13, 2015 and the SLU Table review was on October 27, 2015.

Following the site visit and SLU Table review the Commission felt it appropriate to recommend approval of the General Plan change request. However, during the SLU Table review, the Commission made changes to the permitted and conditional uses in the MC zone for this particular request, which is permissible when considering a zone change. Those changes were applied during the zone change agenda item; this item is the General Plan change request. A comparison of the CG, MC, and MC amended as created by the Planning Commission is in Attachment 3.

FINDINGS OF FACT

1. The General Plan currently designates the property under the category of Commercial. This category includes retail and service oriented businesses, and shopping centers that serve community and regional needs.
2. The applicant requests that the General Plan designation of the property be changed to Mixed Commercial, which includes the uses in the General Commercial designation, as well as light industrial and research and business uses.

ANALYSIS

1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
 - a. It is the purpose of the commercial area to provide areas in appropriate locations where a combination of business, commercial, entertainment, and related activities may be established, maintained, and protected.
 - b. Commercial use areas should be located along major arterial streets for high visibility and traffic volumes.
 - c. The goal of commercial development is to encourage the establishment and development of basic retail and commercial stores which will satisfy the ordinary and special shopping needs of Lindon citizens, enhance the City's sales and property tax revenues, and provide the highest quality goods and services for area residents.
 - i. Objectives of this goal are to:
 1. Expand the range of retail and commercial goods and services available within the community.
 2. Promote new office, retail, and commercial development along State Street and 700 North.
 - d. Applicable city-wide land use guidelines:
 - i. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
 - ii. Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available.
 - iii. Commercial and industrial uses should be highly accessible, and developed compatibly with the uses and character of surrounding districts.

ATTACHMENTS

1. Aerial photo of the proposed area to be re-classified.
2. Photos of the existing structures.
3. Use Comparison: CG to MC to MC amended
4. Ordinance 2015-26-O
5. Applicant's Letter

July 8, 2015

Hugh Van Wagenen
Planning and Economic Development
Lindon City, Utah 84042

Re: Zoning map amendment

Dear Mr. Van Wagenen:

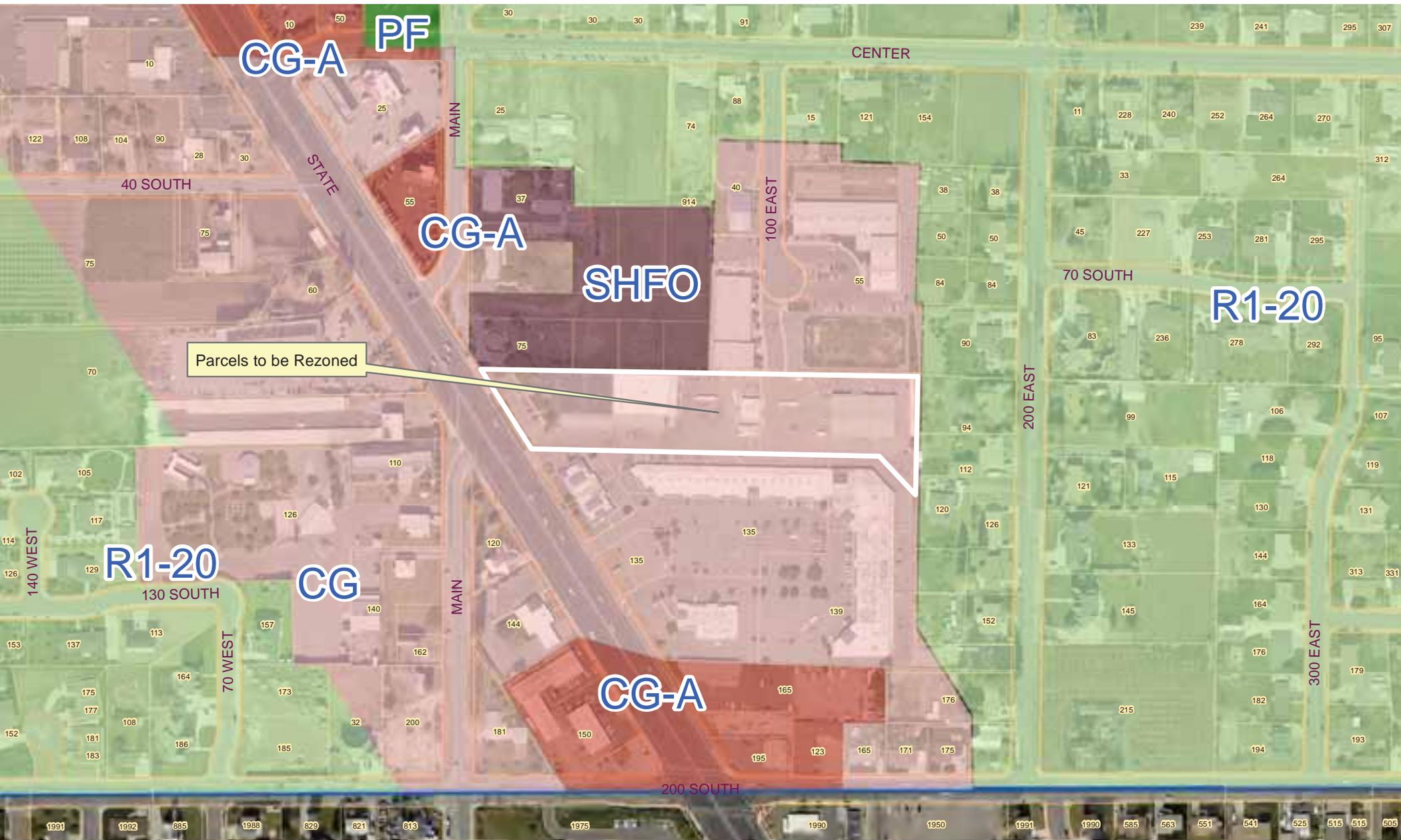
I am requesting an amendment to the zoning for the property located at 115, 117 and 119 S. State Street. The first section of the 115 s. building was built for Watts Lumber Co. Who stored and sold building products and manufactured wooden trusses. The property was then used by Giraffics inc. to produce signs, trade show booths and screen print. It was used as an office and to manufacture and warehouse. We changed the name and did business as DataPad which manufactured membrane switchers, mouse pads and counter top mats. We formed Leonard Lee Construction which built and operated out of the buildings on the property.

Giraffics fabricated in steel, aluminum, wood, brass etc. Metal working equipment is still located in the buildings. Leonard Lee Construction fabricated pre-cast concrete walls to tilt up for the additions to the 115 s building and for the construction of the 119 s. building and the school buildings to the North. We stored heavy construction equipment, Cranes, track hoe, back hoe, large forklifts etc. on the property. We fabricated steel trusses, welding, cutting etc. in both 115 and 119 s. We brought compressed air lines to all three buildings to tie the complex to one source of compressed air. 117 s. has been used historically as a warehouse but provisions for power sewer and water were installed either when built or shortly after as we paid Lindon City utilities on the 117 s. building had them shut off and recently had the utilities turned back on and are seeking to finish the building for a final inspection, occupancy permit and business license for Neilson Heating and air. This business license is pending administrative approval.

We currently have a letter of intent from MEI rigging and crating to occupy the warehouse and front offices of the DataPad building at 115 s. Their use will be general office, warehouse and minor woodworking for crating.

Please call or e-mail if you have further questions.

Leonard A. Lee
General Partner
L.A. Lee Enterprises L.P.
801-380-5773
llee@girafficslc.com









STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
MISCELLANEOUS				
N/A	Solicitors	6.40 - Solicitors C		
N/A	Itinerant Merchants	7.140 - Tempora		
7100	Fireworks Stands	8 - Fireworks Or		
7100	Christmas Tree Sales	7.140 - Tempora		
7100	Mechanical Amusement	C	C	
N/A	Individual Containers for Recyclable Materials - commercial storage	C	C	
RESIDENTIAL				
N/A	Single Family	N	N	
1111	Accessory Apartments	N	N	
1111	Condominium	N	N	
1111	Apartments	N	N	
1200	Rooming & Boarding Houses	N	N	
1233	Fraternity & Sorority Houses	N	N	
1500	Membership Lodging	C	N	
1233	Student Housing	17.46 - R2 Over		
1241	Youth Rehabilitation	mes and 17.72 -		
1241	Assisted Living Facilities - small	mes and 17.72 -		
1241	Assisted Living Facilities - large	mes and 17.72 -		
1200	Transitional Treatment Home - sm.	mes and 17.72 -		
1200	Transitional Treatment Home - lg.	mes and 17.72 -		
1400	Subdivided Manufactured Mobile Homes Parks	N	N	
1300	Hotels, Tourist Courts, Bed & Breakfast and Motels	P	P	
1300	Residential Bed & Breakfast Facility - 3 rooms or less	N	N	
N/A	Caretaker Facilities - accessory to main uses only	C	C	
MANUFACTURING				
Manufacturing business proposing "outdoor storage" in the HI or LI zones is requir				
2000	Slaughterhouse	N	N	
2000	Meat & Dairy	N	N	
2000	General Food Mfg.- under 20,000 sq/ft.	N	C	
2000	General Food Mfg.- over 20,000 sq/ft.	N	N	
2000	Candy & Other Confectionary Products	C	C	
2000	Preparing Feeds for Animals & Fowl	N	N	
2000	Brewery (Liquors & Spirits) max. 1,000 sq. ft. and must be in conjunction with a restaurant	N	C	N
2000	Ice Manufacturing	N	P	N
2000	Textile Mill Products	N	N	
2000	All General Apparel	N	P	
2000	Lumber & Wood Products	N	N	
2000	Cabinets and Similar furniture & Fixtures - indoor storage and production only	N	C	
2000	Pulp Products	N	N	
2000	Publishing, Printing, & Misc. Related Work	N	P	
2000	Industrial Chemical	N	N	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend	
		CG	MC		
2000	Explosives	N	N		
2000	Petroleum & Coal Products	N	N		
2000	Other Gas Productions	N	N		
2000	Candle and wax products manufacturing	N	C	N	
2000	Rubber and Misc. Plastics	N	N		
2000	Stone, Clay, Glass, & Associated Products - indoor storage & production only	N	C		
2000	Asphalt & Concrete Batch Plants or Road Product Manufacturing - concrete crushing, road base, etc.	N	N		
2000	Recycling businesses (indoor processing only. Outdoor product storage areas require site obscuring fencing. Applications must meet SLU compatibility standards.)	N	N		
2000	Fabricated Metal Products	N	N		
2000	Fabricated Metal products, indoor storage & production only.	N	C		
2000	Professional, Scientific, Photographic, Optical instruments & Associated Equipment	N	P		
2000	Tobacco Products	N	N		
2000	Motion Picture production (permanent studios)	N	P		
2000	Signs & Advertising	N	P		
TRANSPORTATION, COMMUNICATIONS, & UTILITIES					
4000	Railroad Lines Extension & Associated Uses	N	C	N	
4000	Bus Passenger Terminals	C	P		
4000	Bus Garaging & Equipment Maintenance	N	N		
4000	Motor Freight Terminals	N	N		
4000	Motor Freight Garaging & Equipment Maintenance	N	N		
4000	Taxicab Terminal/Garage	N	P		
4000	Auto Parking Facilities - private	P	P		
4000	Telephone Utility Lines - above ground	N	N		
4000	Telephone Utility Lines - underground	P	P		
4000	Cellular Communication Towers	See Section 5.07			
4000	Television Broadcasting Studios - only	N	P		
4000	Television Transmitting Stations & Relay Tower (height of tower may not exceed maximum height of zone)	N	C	N	
4000	Radio & Television Broadcasting Studios (height of any antenna or tower may not exceed maximum height of zone)	N	C	N	
4000	Electric Utility Lines - above ground 35 kV or greater	C	C		
4000	Electric Utility Lines - underground	P	P		
4000	Electric Utility Lines - above ground and less than 35 kV	N	N		
4000	Electricity Regulating Substations	N	C	N	
4000	Gas Utilities - underground	P	P		

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
4000	Natural or Manufactured Gasoline Storage & Distribution Points	N	N	
4000	Gas Pressure Control Stations	N	N	
4000	Culinary Water Treatment Plants - Purification	N	N	
4000	Water Storage	P	P	
4000	Water Pressure Control Stations	P	P	
4000	Sewage Treatment Plants	N	N	
4000	Sewage Pressure Control Stations	P	P	
4000	Solid Waste Disposal & Incineration	N	N	
4000	Freight Forwarding Services	N	P	C
4000	Packing & Crating Services	C	C	
4000	Waste Transfer Stations	N	N	
WHOLESALE TRADE (Sell for Resale)				
Note: Any permitted (P) wholesale business proposing "outdoor storage"				
5100	Automobiles, Motor Vehicle, & Other Automotive Equipment (outdoor storage of vehicles is permitted)	N	C	N
5100	Tires & Tubes - indoor storage only	N	P	
5100	Drugs, Chemicals & Allied Products - indoor storage only	N	P	C
5100	Drugs, Drug Proprietaries & Druggists' Sundries - indoor storage only	N	P	C
5100	Paints & Varnishes - indoor storage only	N	P	C
5100	Dry Goods, Piece Goods, & Notions - indoor storage only	N	P	
5100	Apparel & Accessories - indoor storage only	N	P	
5100	Groceries & Food Stuffs - indoor storage only	N	P	
5100	Agricultural Commodities (outdoor storage is permitted)	N	C	N
5100	Electrical Apparatus & Equipment, Wiring Supplies, & Construction Materials - indoor storage only	N	P	
5100	Hardware - indoor storage only	N	P	
5100	Plumbing & Heating Equipment & Supplies - indoor storage only	N	P	
5100	Air Conditioning, Refrigeration Equipment & Supplies - indoor storage only	N	P	
5100	Commercial, Industrial, & Agricultural Machine Equipment & supplies (outdoor storage is permitted)	N	C	N
5100	Professional Equipment & Supplies - indoor storage only	N	P	
5100	Transportation equipment, Other Machinery Equipment, & Supplies (Outdoor storage of vehicles & trailers is permitted)	N	C	N
5100	Metal & Minerals - includes Rock Products, Concrete, Asphalt - excludes liquid petroleum products & scrap	N	N	
5100	Petroleum Bulk Stations & Terminals	N	N	
5100	Scrap & Waste Materials	N	N	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
5100	Tobacco & Tobacco Products - indoor storage only	N	P	
5100	Beer, Wine, & Distilled Alcoholic Beverages - indoor storage only	N	P	
5100	Paper & Paper Products - indoor storage only	N	P	
5100	Furniture & Home furnishings - indoor storage only	N	P	
5100	Lumber & Construction Materials (outdoor storage is permitted)	N	C	N
RETAIL TRADE				
5200	Lumber yards - outdoor storage	N	C	N
5200	Building Material, Equipment Supplies & Hardware - indoor storage only	P	P	
5200	Farm Equipment	N	C	
5300	Home Improvement Centers	P	P	
5300	Department Stores	P	P	
5300	Mail Order Houses	N	P	
5300	Limited Price Variety Stores	P	P	
5300	Direct Selling Organizations - Call Centers	C	C	
5300	Arts, Crafts & Hobbies	P	P	
5300	Musical Instruments	P	P	
5300	Flea Market - indoor storage only	C	C	
5300	Groceries &/or Food	P	P	
5300	Farmers Market	C	C	
5300	Candy & Other Confectionery Products	P	P	
5500	Motorcycles, Personal ATV, Personal Water Craft, & Snowmobile, Sales & Service	C	C	
5500	Motor Vehicles/Trucks/Marine - New Vehicle Dealership only	P	C	
5500	Used Cars/Trucks - Used Vehicle Sales Lots	N	N	
5500	Mobile & Manufactured Homes Sales	N	C	
5500	Tires, Batteries, & Accessories	P	P	
5500	Gasoline Service Station with or Without Store	P	P	
5500	Marine Craft & Accessories	C	C	
5500	Aircraft & Accessories	N	N	
5600	Clothing, Apparel, & Accessories	P	P	
5700	Furniture & Home furnishings - indoor storage only	P	P	
5700	Music Supplies	P	P	
5800	Restaurants	P	P	
5800	Fast Food	P	P	
5900	Pharmacy	P	P	
5900	Antiques	P	P	
5900	Jeweler or Gold, Silver Dealers	P	P	
5900	Secondhand Merchants - No outdoor storage except as CUP in LI zone	P	P	
5900	Books	P	P	
5900	Stationery	P	P	
5900	Office Supplies	P	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
5900	Cigars - Cigarettes	N	P	N
5900	Newspapers/Magazines	P	P	
5900	Cameras & Photographic Supplies	P	P	
5900	Gifts, Novelties, & Souvenirs	P	P	
5900	Florists	P	P	
5900	Video Rentals	P	P	
5900	Sporting Goods	P	P	
5900	Bicycles	P	P	
5900	Toys	P	P	
5900	Farm & Garden Supplies	P	P	
5900	Hay, Grains, & Feed	C	C	
5900	Nursery - Plants	P	P	
5900	Computer Goods & Services	P	P	
5900	Optical Goods	P	P	
SERVICES				
6100	Professional Office Uses	P	P	
6100	Chartered Banks, Credit Unions and Other Similar Financial Institutions	P	P	
6100	Check Cashing and Other Payday Loans or Similar Credit Services	N	N	
6100	Security & Commodity Brokers, Dealers, & Exchanges	P	P	
6100	Insurance Agents, Brokers, and Related Services	P	P	
6100	Real Estate Agents, Brokers, and Related Services	P	P	
6100	Title Abstracting	P	P	
6200	Laundering and Dry Cleaning Services	P	P	
6200	Custom Tailoring	P	P	
6200	Laundromats	P	P	
6200	House Cleaning	P	P	
6200	Commercial Janitorial	P	P	
6200	Window Cleaning	P	P	
6200	Chimney Sweep	P	P	
6200	Photographic Services - Including Commercial	P	P	
6200	Beauty & Barber Shops	P	P	
6200	Massage Therapy/Personal Care Health Spa	P	P	
6200	Funeral Homes	P	P	
6200	Crematory Services	N	N	
6200	Cemeteries	N	N	
6200	Child Day Care - 5 to 16 children (4 or less not regulated)	P	C	
6200	Commercial Adult Day Care Facility	Section 17.70 and		
6200	Commercial Preschool	P	P	
6200	Catering Services	P	P	
6200	Wedding Reception Centers	P	P	
6300	Advertising Services - General	P	P	
6300	Direct Mail Advertising	C	P	
6300	Travel Services	P	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
6300	Private Postal Services	P	P	
6300	Blueprinting & Photocopying	P	P	
6300	Disinfecting & Exterminating	N	C	N
6300	Locksmithing	P	P	
6300	News Syndicate	P	P	
6300	Employment Services	P	P	
6300	Vault Security Storage - Mini-Storage (outdoor storage by Conditional Use only and is limited to 15% of total storage space and limited to personal recreational vehicles)	N	P	
6300	Research, Development, & Testing Services	C	P	C
6300	Business & Management Consulting	P	P	
6300	Detective & Protective Services	P	P	
6300	Heavy Equipment Rental & Leasing; Vehicles over 26,000 GVW	N	N	
6300	Light Equipment Rental & Leasing; Automobile & Light-Truck Rental (No vehicles over 26,000 GVW)	P	P	
6300	Photo-Finishing	P	P	
6300	Stamp Trading	P	P	
6300	Motion Picture Distribution & Services	P	P	
6411	Automobile Wash	P	P	
6411	Auto Lube & Tune-up	C	P	
6411	Auto Tire Shops / Tire Sales / Tire Services	C	P	
6411	General Auto / Vehicle Repair	N	C	
6400	Wrecking Yards	N	N	
6400	Impound Yards	N	N	
6400	Small Engine, Appliance, Electrical, & Machine Repair	C	C	
6400	Watch, Clock, & Jewelry Repair	P	P	
6400	Re-Upholstery & Furniture Repair	P	P	
6513	Medical, Dental, & Health Clinic Services / small, outpatient type services	P	P	
6513	Hospital Services	C	C	
6500	Medical & Dental Laboratories	P	P	
6500	Veterinarian Services, Animal Hospitals - small animals only	C	C	
6500	Veterinarian Services, Animal Hospitals - large animals	N	N	
6500	Legal Services	P	P	
6500	Engineering & Architectural	P	P	
6500	Educational & Scientific Research	P	P	
6500	Accounting, Auditing & Bookkeeping	P	P	
6500	Urban Planning	P	P	
6500	Auction Services - Indoor Only	P	P	
6500	Family & Behavioral Counseling	P	P	
6500	Genealogical - Family History Services	P	P	
6500	Interior Design	P	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
6600	Building Construction - General Contractor, Office & Storage	N	C	
6600	Landscaping Service, Office & Storage	N	C	
6800	Private Primary & Secondary Schools	C	C	
6800	Universities & Colleges	C	C	
6800	Professional & Vocational Schools	C	C	
6800	Martial Arts Studios	P	P	
6800	Barber & Beauty Schools	P	P	
6800	Art & Music Schools	P	P	
6800	Dancing, Tumbling, and Gymnastics Schools	P	P	
6800	Driving Schools	P	P	
6911	Churches, Synagogues & Temples	N	C	
6800	Adoption Agencies	P	P	
6800	Professional Members Organizations	N	P	
6800	Labor Unions & Similar Labor Organizations	N	P	
6800	Civic, Social & Fraternal Associations	N	P	
PUBLIC ASSEMBLIES & AMUSEMENTS				
7100	Libraries	P	P	
7100	Museums	P	P	
7100	Art Galleries	P	P	
7100	Planetaria, Aquariums, Botanical Gardens, & Arboretums	P	P	
7100	Zoos	N	N	
7100	Sexually-Oriented Businesses	Section 8.30 and		
7100	Amphitheaters	C	C	
7100	Motion Picture Theaters	P	P	
7100	Stage Theater	P	P	
7100	Dance Clubs/Music Venues	C	C	
7100	Stadiums	C	C	
7100	Arenas / Field Houses	C	C	
7100	Auditoriums & Exhibit Halls	C	C	
7100	Convention Centers	P	P	
7100	Fairgrounds	N	P	N
7100	Amusements Parks	C	C	
7100	Arcades & Miniature Golf	C	P	
7100	Golf Driving Ranges	C	C	
7100	Go-Cart Tracks	N	N	
7100	Golf Courses &/ or Country Clubs	N	N	
7100	Tennis Courts - Private	C	P	
7100	Roller Skating & Blading	C	P	
7100	Skate Board Parks - Private	N	N	
7100	Skate Board Parks - Publicly Owned	Section III - Apper		
7100	BMX Biking Tracks & Facilities	N	N	
7100	ATV / Motorcycle Tracks	N	N	
7100	Riding Stables - Commercial	N	P	N
7100	Bowling Lanes	P	P	
7100	Play Fields & Athletic Fields - Commercial	N	N	
7100	Recreation Centers - General	C	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
7100	Gymnasium & Athletic Clubs	C	P	
7100	Swimming Pools - Commercial	C	P	C
7100	Indoor Soccer Facilities	N	P	
7100	Indoor Gun Ranges	C	C	
7100	Water Slides	C	P	C
7100	Parks - General Recreation - Public Property	P	P	
7100	Campgrounds	N	N	
AGRICULTURE & RESOURCE EXTRACTION				
N/A	Commercial Farms & Ranches producing Pigs, Turkeys, Mink, or Chickens products	N	N	
N/A	Agricultural Related Activities: Commercial Production - large scale	C	C	
N/A	Horticultural Services	C	C	
N/A	Forestry & Timber Production	N	N	
N/A	All Fisheries & Fish Hatcheries	N	N	
N/A	All Mining & Related Services	N	N	
N/A	All Resource Production & Extraction	N	N	
N/A	Peat Extraction	N	C	N
See LCC 17.18	CF zone (Commercial Farm) uses - See LCC 17.51			
UNCLASSIFIED				
N/A	All unclassified items	III of SLU Table (/		

ORDINANCE NO. 2015-26-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY GENERAL PLAN LAND USE MAP FROM COMMERCIAL TO MIXED COMMERCIAL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it is necessary to amend portions of the Lindon City General Plan Land Use Map, specifically property generally located at 115/117/119 South State Street, otherwise identified by Utah County Parcels #14:070:0204 and #14:070:0306 (See map labeled as Exhibit A) from Commercial to Mixed Commercial, finding that approval of such would benefit the City; and

WHEREAS, the City finds it is necessary to amend the General Plan Land Use Map to accommodate industry within the City; and

WHEREAS, the property in question has historically been used as Mixed Commercial property with associated uses; and

WHEREAS, the Planning Commission recommended adoption of revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the promotion of businesses and industry within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

WHEREAS, the current General Plan Land Use Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City General Plan Land Use Map is hereby amended and will read as follows:

SECTION I:

See Exhibit A showing parcel changing from Commercial to Mixed Commercial on the Lindon City General Plan Land Use Map.



Exhibit A

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 provide by law.

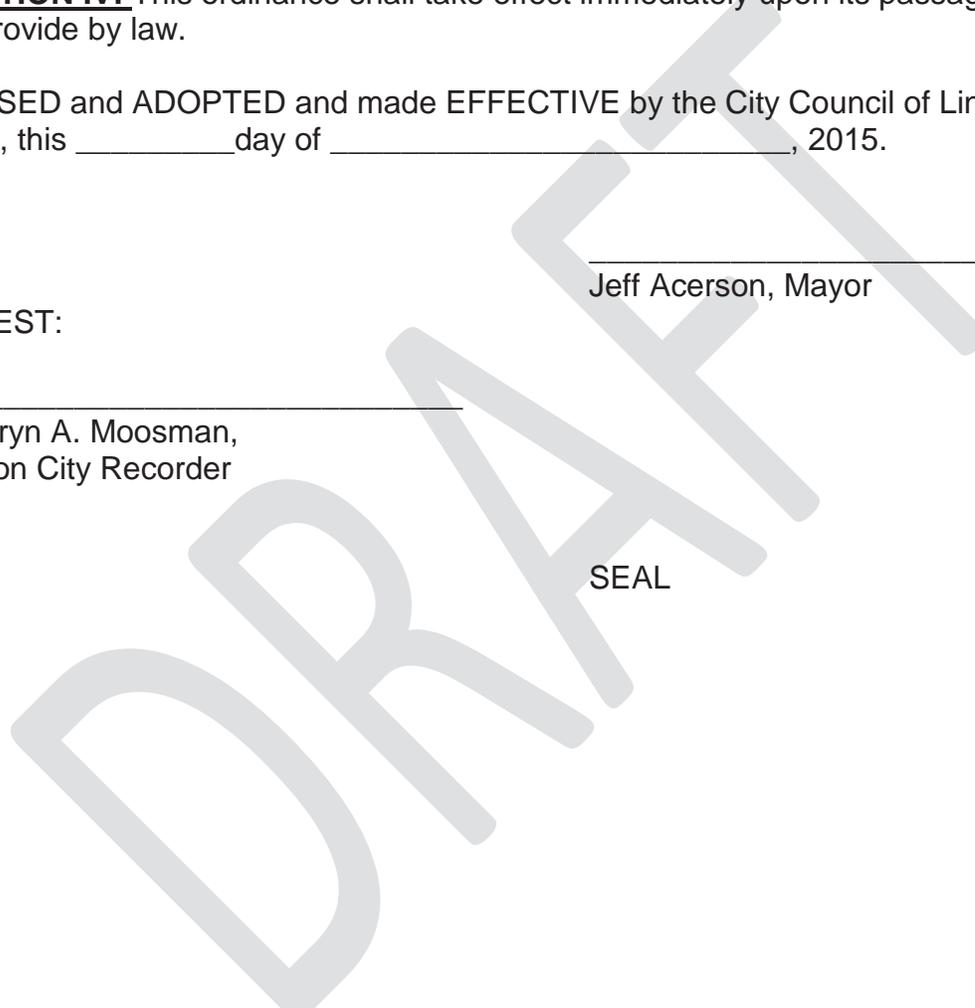
PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2015.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL



**8. Public Hearing — Zone Map Amendment, approx. 115/117/119 South State Street
(Ordinance #2015-27-O) (10 minutes)**

Leonard Lee of L.A. Lee Enterprises requests approval of a Zone Map amendment to rezone property located at 115/117/119 South State Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from General Commercial (CG) to Mixed Commercial (MC). The Commission will consider the request and make a recommendation to the City Council. The Planning Commission recommends approval of the zone change.

See attached information from the Planning Department.

Public Hearing — Zone Map Amendment, approx. 115/117/119 South State Street

Leonard Lee of L.A. Lee Enterprises requests approval of a Zone Map amendment to rezone property located at 115/117/119 South State Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from General Commercial (CG) to Mixed Commercial (MC).

<p>Applicant: Leonard Lee Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: General Commercial</p> <p>Property Owner: Lee L A Enterprises Address: 115/117/119 South State Street Parcel ID: 14:070:0204 & 14:070:0306 Lot Size: 2.12 acres; 1.40 acres</p> <p>Type of Decision: Legislative Planning Commission: Recommend approval 6-0</p> <p>Related Item: File 15-065-6</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none"> Whether to approve a request to change the Zoning designation of the subject lots from General Commercial (CG) to Mixed Commercial (MC). <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) the applicant's request to change the zoning from General Commercial (CG) to Mixed Commercial (MC) according to Ordinance 2015-27-O.</p>
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OVERVIEW

The background of the subject parcels was presented in the staff report for the accompanying General Plan map amendment (the previous agenda item). This is a request to rezone the parcels from General Commercial (CG) to Mixed Commercial (MC). Both the CG and MC zones are subject to the Commercial Design Guidelines, and both have similar landscaping requirements (20% open space required in CG and 15% in MC). Both the General Commercial and the Mixed Commercial zones only allow outdoor storage of merchandise when the inventory is stored behind a sight-obscuring fence.

Following a site visit and Standard Land Use Table review the Planning Commission felt it appropriate to recommend approval of the Zone change request. However, during the SLU Table review, the Commission made changes to the permitted and conditional uses in the MC zone for this particular request, which is permissible when considering a zone change. A comparison of the CG, MC, and MC amended as created by the Planning Commission is in Attachment 3.

FINDINGS OF FACT

- The current general plan designation does not permit the subject lots to be rezoned from CG to MC. This item is contingent upon the approval, by the City Council, of the previous item involving the General Plan designation of the lot.

ANALYSIS & CONCLUSIONS

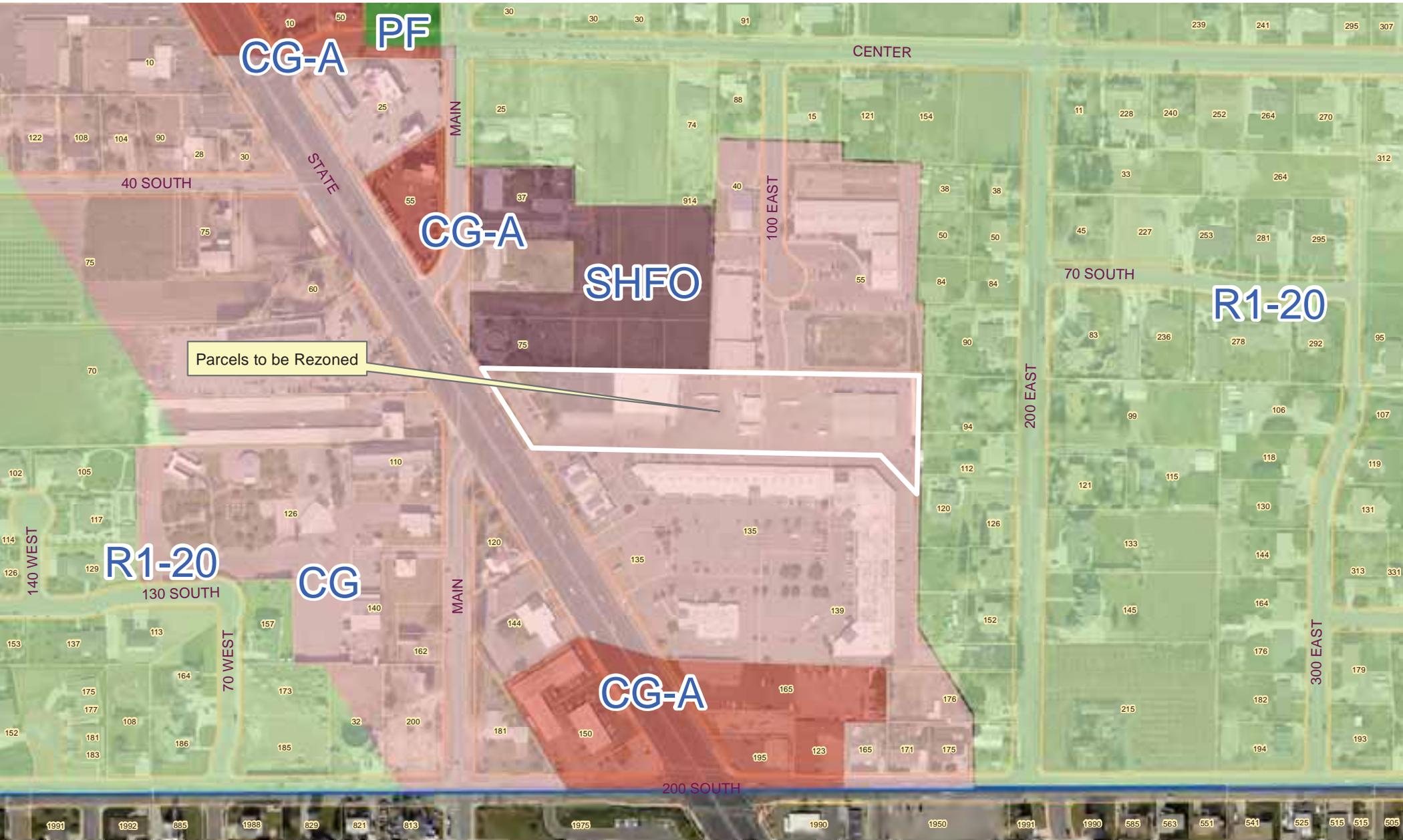
- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the "planning

commission shall recommend adoption of a proposed amendment only where the following findings are made:

- The proposed amendment is in accord with the master plan of Lindon City;
- Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”
- The stated purpose of the General Commercial Zone is to “promote commercial and service uses for general community shopping.” Further, the “objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located.”
- The purpose of the Mixed Commercial Zone is to “provide areas in appropriate locations where low intensity light industrial (contained entirely within a building), research and development, professional and business services, retail and other commercial related uses not producing objectionable effects may be established, maintained, and protected.

ATTACHMENTS

1. Aerial photo of the proposed area to be rezoned.
2. Photographs of the existing site.
3. Use Comparison: CG to MC to MC amended
4. Ordinance 2015-27-O









STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
MISCELLANEOUS				
N/A	Solicitors	6.40	Solicitors C	
N/A	Itinerant Merchants	7.140	Tempora	
7100	Fireworks Stands	8	Fireworks Or	
7100	Christmas Tree Sales	7.140	Tempora	
7100	Mechanical Amusement	C	C	
N/A	Individual Containers for Recyclable Materials - commercial storage	C	C	
RESIDENTIAL				
N/A	Single Family	N	N	
1111	Accessory Apartments	N	N	
1111	Condominium	N	N	
1111	Apartments	N	N	
1200	Rooming & Boarding Houses	N	N	
1233	Fraternity & Sorority Houses	N	N	
1500	Membership Lodging	C	N	
1233	Student Housing	17.46	R2 Over	
1241	Youth Rehabilitation	mes and 17.72		
1241	Assisted Living Facilities - small	mes and 17.72		
1241	Assisted Living Facilities - large	mes and 17.72		
1200	Transitional Treatment Home - sm.	mes and 17.72		
1200	Transitional Treatment Home - lg.	mes and 17.72		
1400	Subdivided Manufactured Mobile Homes Parks	N	N	
1300	Hotels, Tourist Courts, Bed & Breakfast and Motels	P	P	
1300	Residential Bed & Breakfast Facility - 3 rooms or less	N	N	
N/A	Caretaker Facilities - accessory to main uses only	C	C	
MANUFACTURING				
Manufacturing business proposing "outdoor storage" in the HI or LI zones is requir				
2000	Slaughterhouse	N	N	
2000	Meat & Dairy	N	N	
2000	General Food Mfg. - under 20,000 sq/ft.	N	C	
2000	General Food Mfg. - over 20,000 sq/ft.	N	N	
2000	Candy & Other Confectionary Products	C	C	
2000	Preparing Feeds for Animals & Fowl	N	N	
2000	Brewery (Liquors & Spirits) max. 1,000 sq. ft. and must be in conjunction with a restaurant	N	C	N
2000	Ice Manufacturing	N	P	N
2000	Textile Mill Products	N	N	
2000	All General Apparel	N	P	
2000	Lumber & Wood Products	N	N	
2000	Cabinets and Similar furniture & Fixtures - indoor storage and production only	N	C	
2000	Pulp Products	N	N	
2000	Publishing, Printing, & Misc. Related Work	N	P	
2000	Industrial Chemical	N	N	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend	
		CG	MC		
2000	Explosives	N	N		
2000	Petroleum & Coal Products	N	N		
2000	Other Gas Productions	N	N		
2000	Candle and wax products manufacturing	N	C	N	
2000	Rubber and Misc. Plastics	N	N		
2000	Stone, Clay, Glass, & Associated Products - indoor storage & production only	N	C		
2000	Asphalt & Concrete Batch Plants or Road Product Manufacturing - concrete crushing, road base, etc.	N	N		
2000	Recycling businesses (indoor processing only. Outdoor product storage areas require site obscuring fencing. Applications must meet SLU compatibility standards.)	N	N		
2000	Fabricated Metal Products	N	N		
2000	Fabricated Metal products, indoor storage & production only.	N	C		
2000	Professional, Scientific, Photographic, Optical instruments & Associated Equipment	N	P		
2000	Tobacco Products	N	N		
2000	Motion Picture production (permanent studios)	N	P		
2000	Signs & Advertising	N	P		
TRANSPORTATION, COMMUNICATIONS, & UTILITIES					
4000	Railroad Lines Extension & Associated Uses	N	C	N	
4000	Bus Passenger Terminals	C	P		
4000	Bus Garaging & Equipment Maintenance	N	N		
4000	Motor Freight Terminals	N	N		
4000	Motor Freight Garaging & Equipment Maintenance	N	N		
4000	Taxicab Terminal/Garage	N	P		
4000	Auto Parking Facilities - private	P	P		
4000	Telephone Utility Lines - above ground	N	N		
4000	Telephone Utility Lines - underground	P	P		
4000	Cellular Communication Towers	See Section 5.07			
4000	Television Broadcasting Studios - only	N	P		
4000	Television Transmitting Stations & Relay Tower (height of tower may not exceed maximum height of zone)	N	C	N	
4000	Radio & Television Broadcasting Studios (height of any antenna or tower may not exceed maximum height of zone)	N	C	N	
4000	Electric Utility Lines - above ground 35 kV or greater	C	C		
4000	Electric Utility Lines - underground	P	P		
4000	Electric Utility Lines - above ground and less than 35 kV	N	N		
4000	Electricity Regulating Substations	N	C	N	
4000	Gas Utilities - underground	P	P		

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
4000	Natural or Manufactured Gasoline Storage & Distribution Points	N	N	
4000	Gas Pressure Control Stations	N	N	
4000	Culinary Water Treatment Plants - Purification	N	N	
4000	Water Storage	P	P	
4000	Water Pressure Control Stations	P	P	
4000	Sewage Treatment Plants	N	N	
4000	Sewage Pressure Control Stations	P	P	
4000	Solid Waste Disposal & Incineration	N	N	
4000	Freight Forwarding Services	N	P	C
4000	Packing & Crating Services	C	C	
4000	Waste Transfer Stations	N	N	
WHOLESALE TRADE (Sell for Resale)				
Note: Any permitted (P) wholesale business proposing "outdoor storage"				
5100	Automobiles, Motor Vehicle, & Other Automotive Equipment (outdoor storage of vehicles is permitted)	N	C	N
5100	Tires & Tubes - indoor storage only	N	P	
5100	Drugs, Chemicals & Allied Products - indoor storage only	N	P	C
5100	Drugs, Drug Proprietaries & Druggists' Sundries - indoor storage only	N	P	C
5100	Paints & Varnishes - indoor storage only	N	P	C
5100	Dry Goods, Piece Goods, & Notions - indoor storage only	N	P	
5100	Apparel & Accessories - indoor storage only	N	P	
5100	Groceries & Food Stuffs - indoor storage only	N	P	
5100	Agricultural Commodities (outdoor storage is permitted)	N	C	N
5100	Electrical Apparatus & Equipment, Wiring Supplies, & Construction Materials - indoor storage only	N	P	
5100	Hardware - indoor storage only	N	P	
5100	Plumbing & Heating Equipment & Supplies - indoor storage only	N	P	
5100	Air Conditioning, Refrigeration Equipment & Supplies - indoor storage only	N	P	
5100	Commercial, Industrial, & Agricultural Machine Equipment & supplies (outdoor storage is permitted)	N	C	N
5100	Professional Equipment & Supplies - indoor storage only	N	P	
5100	Transportation equipment, Other Machinery Equipment, & Supplies (Outdoor storage of vehicles & trailers is permitted)	N	C	N
5100	Metal & Minerals - includes Rock Products, Concrete, Asphalt - excludes liquid petroleum products & scrap	N	N	
5100	Petroleum Bulk Stations & Terminals	N	N	
5100	Scrap & Waste Materials	N	N	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
5100	Tobacco & Tobacco Products - indoor storage only	N	P	
5100	Beer, Wine, & Distilled Alcoholic Beverages - indoor storage only	N	P	
5100	Paper & Paper Products - indoor storage only	N	P	
5100	Furniture & Home furnishings - indoor storage only	N	P	
5100	Lumber & Construction Materials (outdoor storage is permitted)	N	C	N
RETAIL TRADE				
5200	Lumber yards - outdoor storage	N	C	N
5200	Building Material, Equipment Supplies & Hardware - indoor storage only	P	P	
5200	Farm Equipment	N	C	
5300	Home Improvement Centers	P	P	
5300	Department Stores	P	P	
5300	Mail Order Houses	N	P	
5300	Limited Price Variety Stores	P	P	
5300	Direct Selling Organizations - Call Centers	C	C	
5300	Arts, Crafts & Hobbies	P	P	
5300	Musical Instruments	P	P	
5300	Flea Market - indoor storage only	C	C	
5300	Groceries &/or Food	P	P	
5300	Farmers Market	C	C	
5300	Candy & Other Confectionery Products	P	P	
5500	Motorcycles, Personal ATV, Personal Water Craft, & Snowmobile, Sales & Service	C	C	
5500	Motor Vehicles/Trucks/Marine - New Vehicle Dealership only	P	C	
5500	Used Cars/Trucks - Used Vehicle Sales Lots	N	N	
5500	Mobile & Manufactured Homes Sales	N	C	
5500	Tires, Batteries, & Accessories	P	P	
5500	Gasoline Service Station with or Without Store	P	P	
5500	Marine Craft & Accessories	C	C	
5500	Aircraft & Accessories	N	N	
5600	Clothing, Apparel, & Accessories	P	P	
5700	Furniture & Home furnishings - indoor storage only	P	P	
5700	Music Supplies	P	P	
5800	Restaurants	P	P	
5800	Fast Food	P	P	
5900	Pharmacy	P	P	
5900	Antiques	P	P	
5900	Jeweler or Gold, Silver Dealers	P	P	
5900	Secondhand Merchants - No outdoor storage except as CUP in LI zone	P	P	
5900	Books	P	P	
5900	Stationery	P	P	
5900	Office Supplies	P	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
5900	Cigars - Cigarettes	N	P	N
5900	Newspapers/Magazines	P	P	
5900	Cameras & Photographic Supplies	P	P	
5900	Gifts, Novelties, & Souvenirs	P	P	
5900	Florists	P	P	
5900	Video Rentals	P	P	
5900	Sporting Goods	P	P	
5900	Bicycles	P	P	
5900	Toys	P	P	
5900	Farm & Garden Supplies	P	P	
5900	Hay, Grains, & Feed	C	C	
5900	Nursery - Plants	P	P	
5900	Computer Goods & Services	P	P	
5900	Optical Goods	P	P	
SERVICES				
6100	Professional Office Uses	P	P	
6100	Chartered Banks, Credit Unions and Other Similar Financial Institutions	P	P	
6100	Check Cashing and Other Payday Loans or Similar Credit Services	N	N	
6100	Security & Commodity Brokers, Dealers, & Exchanges	P	P	
6100	Insurance Agents, Brokers, and Related Services	P	P	
6100	Real Estate Agents, Brokers, and Related Services	P	P	
6100	Title Abstracting	P	P	
6200	Laundering and Dry Cleaning Services	P	P	
6200	Custom Tailoring	P	P	
6200	Laundromats	P	P	
6200	House Cleaning	P	P	
6200	Commercial Janitorial	P	P	
6200	Window Cleaning	P	P	
6200	Chimney Sweep	P	P	
6200	Photographic Services - Including Commercial	P	P	
6200	Beauty & Barber Shops	P	P	
6200	Massage Therapy/Personal Care Health Spa	P	P	
6200	Funeral Homes	P	P	
6200	Crematory Services	N	N	
6200	Cemeteries	N	N	
6200	Child Day Care - 5 to 16 children (4 or less not regulated)	P	C	
6200	Commercial Adult Day Care Facility	Section 17.70 and		
6200	Commercial Preschool	P	P	
6200	Catering Services	P	P	
6200	Wedding Reception Centers	P	P	
6300	Advertising Services - General	P	P	
6300	Direct Mail Advertising	C	P	
6300	Travel Services	P	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
6300	Private Postal Services	P	P	
6300	Blueprinting & Photocopying	P	P	
6300	Disinfecting & Exterminating	N	C	N
6300	Locksmithing	P	P	
6300	News Syndicate	P	P	
6300	Employment Services	P	P	
6300	Vault Security Storage - Mini-Storage (outdoor storage by Conditional Use only and is limited to 15% of total storage space and limited to personal recreational vehicles)	N	P	
6300	Research, Development, & Testing Services	C	P	C
6300	Business & Management Consulting	P	P	
6300	Detective & Protective Services	P	P	
6300	Heavy Equipment Rental & Leasing; Vehicles over 26,000 GVW	N	N	
6300	Light Equipment Rental & Leasing; Automobile & Light-Truck Rental (No vehicles over 26,000 GVW)	P	P	
6300	Photo-Finishing	P	P	
6300	Stamp Trading	P	P	
6300	Motion Picture Distribution & Services	P	P	
6411	Automobile Wash	P	P	
6411	Auto Lube & Tune-up	C	P	
6411	Auto Tire Shops / Tire Sales / Tire Services	C	P	
6411	General Auto / Vehicle Repair	N	C	
6400	Wrecking Yards	N	N	
6400	Impound Yards	N	N	
6400	Small Engine, Appliance, Electrical, & Machine Repair	C	C	
6400	Watch, Clock, & Jewelry Repair	P	P	
6400	Re-Upholstery & Furniture Repair	P	P	
6513	Medical, Dental, & Health Clinic Services / small, outpatient type services	P	P	
6513	Hospital Services	C	C	
6500	Medical & Dental Laboratories	P	P	
6500	Veterinarian Services, Animal Hospitals - small animals only	C	C	
6500	Veterinarian Services, Animal Hospitals - large animals	N	N	
6500	Legal Services	P	P	
6500	Engineering & Architectural	P	P	
6500	Educational & Scientific Research	P	P	
6500	Accounting, Auditing & Bookkeeping	P	P	
6500	Urban Planning	P	P	
6500	Auction Services - Indoor Only	P	P	
6500	Family & Behavioral Counseling	P	P	
6500	Genealogical - Family History Services	P	P	
6500	Interior Design	P	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
6600	Building Construction - General Contractor, Office & Storage	N	C	
6600	Landscaping Service, Office & Storage	N	C	
6800	Private Primary & Secondary Schools	C	C	
6800	Universities & Colleges	C	C	
6800	Professional & Vocational Schools	C	C	
6800	Martial Arts Studios	P	P	
6800	Barber & Beauty Schools	P	P	
6800	Art & Music Schools	P	P	
6800	Dancing, Tumbling, and Gymnastics Schools	P	P	
6800	Driving Schools	P	P	
6911	Churches, Synagogues & Temples	N	C	
6800	Adoption Agencies	P	P	
6800	Professional Members Organizations	N	P	
6800	Labor Unions & Similar Labor Organizations	N	P	
6800	Civic, Social & Fraternal Associations	N	P	
PUBLIC ASSEMBLIES & AMUSEMENTS				
7100	Libraries	P	P	
7100	Museums	P	P	
7100	Art Galleries	P	P	
7100	Planetaria, Aquariums, Botanical Gardens, & Arboretums	P	P	
7100	Zoos	N	N	
7100	Sexually-Oriented Businesses	Section 8.30 and		
7100	Amphitheaters	C	C	
7100	Motion Picture Theaters	P	P	
7100	Stage Theater	P	P	
7100	Dance Clubs/Music Venues	C	C	
7100	Stadiums	C	C	
7100	Arenas / Field Houses	C	C	
7100	Auditoriums & Exhibit Halls	C	C	
7100	Convention Centers	P	P	
7100	Fairgrounds	N	P	N
7100	Amusements Parks	C	C	
7100	Arcades & Miniature Golf	C	P	
7100	Golf Driving Ranges	C	C	
7100	Go-Cart Tracks	N	N	
7100	Golf Courses &/ or Country Clubs	N	N	
7100	Tennis Courts - Private	C	P	
7100	Roller Skating & Blading	C	P	
7100	Skate Board Parks - Private	N	N	
7100	Skate Board Parks - Publicly Owned	Section III - Apper		
7100	BMX Biking Tracks & Facilities	N	N	
7100	ATV / Motorcycle Tracks	N	N	
7100	Riding Stables - Commercial	N	P	N
7100	Bowling Lanes	P	P	
7100	Play Fields & Athletic Fields - Commercial	N	N	
7100	Recreation Centers - General	C	P	

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial		MC amend
		CG	MC	
7100	Gymnasium & Athletic Clubs	C	P	
7100	Swimming Pools - Commercial	C	P	C
7100	Indoor Soccer Facilities	N	P	
7100	Indoor Gun Ranges	C	C	
7100	Water Slides	C	P	C
7100	Parks - General Recreation - Public Property	P	P	
7100	Campgrounds	N	N	
AGRICULTURE & RESOURCE EXTRACTION				
N/A	Commercial Farms & Ranches producing Pigs, Turkeys, Mink, or Chickens products	N	N	
N/A	Agricultural Related Activities: Commercial Production - large scale	C	C	
N/A	Horticultural Services	C	C	
N/A	Forestry & Timber Production	N	N	
N/A	All Fisheries & Fish Hatcheries	N	N	
N/A	All Mining & Related Services	N	N	
N/A	All Resource Production & Extraction	N	N	
N/A	Peat Extraction	N	C	N
See LCC 17.18	CF zone (Commercial Farm) uses - See LCC 17.51			
UNCLASSIFIED				
N/A	All unclassified items	III of SLU Table (/		

ORDINANCE NO. 2015-27-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY ZONING MAP FROM COMMERCIAL TO MIXED COMMERCIAL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it is necessary to amend portions of the Lindon City Zoning Map, specifically property generally located at 115/117/119 South State Street, otherwise identified by Utah County Parcels #14:070:0204 and #14:070:0306 (See map labeled as Exhibit A) from Commercial to Mixed Commercial, finding that approval of such would benefit the City; and

WHEREAS, the City finds it is necessary to amend the Zoning Map to accommodate industry within the City; and

WHEREAS, the property in question has historically been used as Mixed Commercial property with associated uses; and

WHEREAS, the Planning Commission recommended adoption of revised provisions, and the revision of such provisions will assist in carrying out general plan goals related to the promotion of businesses and industry within the City, and said changes are compatible with land use guidelines as found in the General Plan; and

WHEREAS, the current Zoning Map should be amended to provide such provisions to the Municipal Code of Lindon City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah County, State of Utah, the Lindon City Zoning Map is hereby amended and will read as follows:

SECTION I:

See Exhibit A showing parcel changing from Commercial to Mixed Commercial on the Lindon City Zoning Map.

See Exhibit B, modified Mixed Commercial Standard Land Use Table applied to the property shown in Exhibit A.

Exhibit A



Parking Group	Permitted Primary Uses	Commercial
		MC
MISCELLANEOUS		
N/A	Solicitors	.40 - Solicitors
N/A	Itinerant Merchants	7.140 - Tempor
7100	Fireworks Stands	3 - Fireworks Or
7100	Christmas Tree Sales	7.140 - Tempor
7100	Mechanical Amusement	C
N/A	Individual Containers for Recyclable Materials - commercial storage	C
RESIDENTIAL		
N/A	Single Family	N
1111	Accessory Apartments	N
1111	Condominium	N
1111	Apartments	N
1200	Rooming & Boarding Houses	N
1233	Fraternity & Sorority Houses	N
1500	Membership Lodging	N
1233	Student Housing	17.46 - R2 Ove
1241	Youth Rehabilitation	nes and 17.72 -
1241	Assisted Living Facilities - small	nes and 17.72 -
1241	Assisted Living Facilities - large	nes and 17.72 -
1200	Transitional Treatment Home - sm.	nes and 17.72 -
1200	Transitional Treatment Home - lg.	nes and 17.72 -
1400	Subdivided Manufactured Mobile Homes Parks	N
1300	Hotels, Tourist Courts, Bed & Breakfast and Motels	P
1300	Residential Bed & Breakfast Facility - 3 rooms or less	N
N/A	Caretaker Facilities - accessory to main uses only	C
MANUFACTURING		
Manufacturing business proposing "outdoor storage" in the HI or LI zones is requi		
2000	Slaughterhouse	N
2000	Meat & Dairy	N
2000	General Food Mfg.- under 20,000 sq/ft.	C
2000	General Food Mfg.- over 20,000 sq/ft.	N
2000	Candy & Other Confectionary Products	C
2000	Preparing Feeds for Animals & Fowl	N
2000	Brewery (Liquors & Spirits) max. 1,000 sq. ft. and must be in conjunction with a restaurant	N
2000	Ice Manufacturing	N
2000	Textile Mill Products	N
2000	All General Apparel	P
2000	Lumber & Wood Products	N
2000	Cabinets and Similar furniture & Fixtures - indoor storage and production only	C
2000	Pulp Products	N
2000	Publishing, Printing, & Misc. Related Work	P
2000	Industrial Chemical	N

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
2000	Explosives	N
2000	Petroleum & Coal Products	N
2000	Other Gas Productions	N
2000	Candle and wax products manufacturing	N
2000	Rubber and Misc. Plastics	N
2000	Stone, Clay, Glass, & Associated Products - indoor storage & production only	C
2000	Asphalt & Concrete Batch Plants or Road Product Manufacturing - concrete crushing, road base, etc.	N
2000	Recycling businesses (indoor processing only. Outdoor product storage areas require site obscuring fencing. Applications must meet SLU compatibility standards.)	N
2000	Fabricated Metal Products	N
2000	Fabricated Metal products, indoor storage & production only.	C
2000	Professional, Scientific, Photographic, Optical instruments & Associated Equipment	P
2000	Tobacco Products	N
2000	Motion Picture production (permanent studios)	P
2000	Signs & Advertising	P
TRANSPORTATION, COMMUNICATIONS, & UTILITIES		
4000	Railroad Lines Extension & Associated Uses	N
4000	Bus Passenger Terminals	P
4000	Bus Garaging & Equipment Maintenance	N
4000	Motor Freight Terminals	N
4000	Motor Freight Garaging & Equipment Maintenance	N
4000	Taxicab Terminal/Garage	P
4000	Auto Parking Facilities - private	P
4000	Telephone Utility Lines - above ground	N
4000	Telephone Utility Lines - underground	P
4000	Cellular Communication Towers	see Section 5.0
4000	Television Broadcasting Studios - only	P
4000	Television Transmitting Stations & Relay Tower (height of tower may not exceed maximum height of zone)	N
4000	Radio & Television Broadcasting Studios (height of any antenna or tower may not exceed maximum height of zone)	N
4000	Electric Utility Lines - above ground 35 kV or greater	C
4000	Electric Utility Lines - underground	P
4000	Electric Utility Lines - above ground and less than 35 kV	N
4000	Electricity Regulating Substations	N
4000	Gas Utilities - underground	P

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
4000	Natural or Manufactured Gasoline Storage & Distribution Points	N
4000	Gas Pressure Control Stations	N
4000	Culinary Water Treatment Plants - Purification	N
4000	Water Storage	P
4000	Water Pressure Control Stations	P
4000	Sewage Treatment Plants	N
4000	Sewage Pressure Control Stations	P
4000	Solid Waste Disposal & Incineration	N
4000	Freight Forwarding Services	C
4000	Packing & Crating Services	C
4000	Waste Transfer Stations	N
WHOLESALE TRADE (Sell for Resale)		
Note: Any permitted (P) wholesale business proposing "outdoor		
5100	Automobiles, Motor Vehicle, & Other Automotive Equipment (outdoor storage of vehicles is permitted)	N
5100	Tires & Tubes - indoor storage only	P
5100	Drugs, Chemicals & Allied Products - indoor storage only	C
5100	Drugs, Drug Proprietaries & Druggists' Sundries - indoor storage only	C
5100	Paints & Varnishes - indoor storage only	C
5100	Dry Goods, Piece Goods, & Notions - indoor storage only	P
5100	Apparel & Accessories - indoor storage only	P
5100	Groceries & Food Stuffs - indoor storage only	P
5100	Agricultural Commodities (outdoor storage is permitted)	N
5100	Electrical Apparatus & Equipment, Wiring Supplies, & Construction Materials - indoor storage only	P
5100	Hardware - indoor storage only	P
5100	Plumbing & Heating Equipment & Supplies - indoor storage only	P
5100	Air Conditioning, Refrigeration Equipment & Supplies - indoor storage only	P
5100	Commercial, Industrial, & Agricultural Machine Equipment & supplies (outdoor storage is permitted)	N
5100	Professional Equipment & Supplies - indoor storage only	P
5100	Transportation equipment, Other Machinery Equipment, & Supplies (Outdoor storage of vehicles & trailers is permitted)	N
5100	Metal & Minerals - includes Rock Products, Concrete, Asphalt - excludes liquid petroleum products & scrap	N
5100	Petroleum Bulk Stations & Terminals	N
5100	Scrap & Waste Materials	N

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
5100	Tobacco & Tobacco Products - indoor storage only	P
5100	Beer, Wine, & Distilled Alcoholic Beverages - indoor storage only	P
5100	Paper & Paper Products - indoor storage only	P
5100	Furniture & Home furnishings - indoor storage only	P
5100	Lumber & Construction Materials (outdoor storage is permitted)	N
RETAIL TRADE		
5200	Lumber yards - outdoor storage	N
5200	Building Material, Equipment Supplies & Hardware - indoor storage only	P
5200	Farm Equipment	C
5300	Home Improvement Centers	P
5300	Department Stores	P
5300	Mail Order Houses	P
5300	Limited Price Variety Stores	P
5300	Direct Selling Organizations - Call Centers	C
5300	Arts, Crafts & Hobbies	P
5300	Musical Instruments	P
5300	Flea Market - indoor storage only	C
5300	Groceries &/or Food	P
5300	Farmers Market	C
5300	Candy & Other Confectionery Products	P
5500	Motorcycles, Personal ATV, Personal Water Craft, & Snowmobile, Sales & Service	C
5500	Motor Vehicles/Trucks/Marine - New Vehicle Dealership only	C
5500	Used Cars/Trucks - Used Vehicle Sales Lots	N
5500	Mobile & Manufactured Homes Sales	C
5500	Tires, Batteries, & Accessories	P
5500	Gasoline Service Station with or Without Store	P
5500	Marine Craft & Accessories	C
5500	Aircraft & Accessories	N
5600	Clothing, Apparel, & Accessories	P
5700	Furniture & Home furnishings - indoor storage only	P
5700	Music Supplies	P
5800	Restaurants	P
5800	Fast Food	P
5900	Pharmacy	P
5900	Antiques	P
5900	Jeweler or Gold, Silver Dealers	P
5900	Secondhand Merchants - No outdoor storage except as CUP in LI zone	P
5900	Books	P
5900	Stationery	P
5900	Office Supplies	P

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
5900	Cigars - Cigarettes	N
5900	Newspapers/Magazines	P
5900	Cameras & Photographic Supplies	P
5900	Gifts, Novelties, & Souvenirs	P
5900	Florists	P
5900	Video Rentals	P
5900	Sporting Goods	P
5900	Bicycles	P
5900	Toys	P
5900	Farm & Garden Supplies	P
5900	Hay, Grains, & Feed	C
5900	Nursery - Plants	P
5900	Computer Goods & Services	P
5900	Optical Goods	P
SERVICES		
6100	Professional Office Uses	P
6100	Chartered Banks, Credit Unions and Other Similar Financial Institutions	P
6100	Check Cashing and Other Payday Loans or Similar Credit Services	N
6100	Security & Commodity Brokers, Dealers, & Exchanges	P
6100	Insurance Agents, Brokers, and Related Services	P
6100	Real Estate Agents, Brokers, and Related Services	P
6100	Title Abstracting	P
6200	Laundering and Dry Cleaning Services	P
6200	Custom Tailoring	P
6200	Laundromats	P
6200	House Cleaning	P
6200	Commercial Janitorial	P
6200	Window Cleaning	P
6200	Chimney Sweep	P
6200	Photographic Services - Including Commercial	P
6200	Beauty & Barber Shops	P
6200	Massage Therapy/Personal Care Health Spa	P
6200	Funeral Homes	P
6200	Crematory Services	N
6200	Cemeteries	N
6200	Child Day Care - 5 to 16 children (4 or less not regulated)	C
6200	Commercial Adult Day Care Facility	Section 17.70 and
6200	Commercial Preschool	P
6200	Catering Services	P
6200	Wedding Reception Centers	P
6300	Advertising Services - General	P
6300	Direct Mail Advertising	P
6300	Travel Services	P

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
6300	Private Postal Services	P
6300	Blueprinting & Photocopying	P
6300	Disinfecting & Exterminating	N
6300	Locksmithing	P
6300	News Syndicate	P
6300	Employment Services	P
6300	Vault Security Storage - Mini-Storage (outdoor storage by Conditional Use only and is limited to 15% of total storage space and limited to personal recreational vehicles)	P
6300	Research, Development, & Testing Services	C
6300	Business & Management Consulting	P
6300	Detective & Protective Services	P
6300	Heavy Equipment Rental & Leasing; Vehicles over 26,000 GVW	N
6300	Light Equipment Rental & Leasing; Automobile & Light-Truck Rental (No vehicles over 26,000 GVW)	P
6300	Photo-Finishing	P
6300	Stamp Trading	P
6300	Motion Picture Distribution & Services	P
6411	Automobile Wash	P
6411	Auto Lube & Tune-up	P
6411	Auto Tire Shops / Tire Sales / Tire Services	P
6411	General Auto / Vehicle Repair	C
6400	Wrecking Yards	N
6400	Impound Yards	N
6400	Small Engine, Appliance, Electrical, & Machine Repair	C
6400	Watch, Clock, & Jewelry Repair	P
6400	Re-Upholstery & Furniture Repair	P
6513	Medical, Dental, & Health Clinic Services / small, outpatient type services	P
6513	Hospital Services	C
6500	Medical & Dental Laboratories	P
6500	Veterinarian Services, Animal Hospitals - small animals only	C
6500	Veterinarian Services, Animal Hospitals - large animals	N
6500	Legal Services	P
6500	Engineering & Architectural	P
6500	Educational & Scientific Research	P
6500	Accounting, Auditing & Bookkeeping	P
6500	Urban Planning	P
6500	Auction Services - Indoor Only	P
6500	Family & Behavioral Counseling	P
6500	Genealogical - Family History Services	P
6500	Interior Design	P

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
6600	Building Construction - General Contractor, Office & Storage	C
6600	Landscaping Service, Office & Storage	C
6800	Private Primary & Secondary Schools	C
6800	Universities & Colleges	C
6800	Professional & Vocational Schools	C
6800	Martial Arts Studios	P
6800	Barber & Beauty Schools	P
6800	Art & Music Schools	P
6800	Dancing, Tumbling, and Gymnastics Schools	P
6800	Driving Schools	P
6911	Churches, Synagogues & Temples	C
6800	Adoption Agencies	P
6800	Professional Members Organizations	P
6800	Labor Unions & Similar Labor Organizations	P
6800	Civic, Social & Fraternal Associations	P
PUBLIC ASSEMBLIES & AMUSEMENTS		
7100	Libraries	P
7100	Museums	P
7100	Art Galleries	P
7100	Planetaria, Aquariums, Botanical Gardens, & Arboretums	P
7100	Zoos	N
7100	Sexually-Oriented Businesses	Section 8.30 and
7100	Amphitheaters	C
7100	Motion Picture Theaters	P
7100	Stage Theater	P
7100	Dance Clubs/Music Venues	C
7100	Stadiums	C
7100	Arenas / Field Houses	C
7100	Auditoriums & Exhibit Halls	C
7100	Convention Centers	P
7100	Fairgrounds	N
7100	Amusements Parks	C
7100	Arcades & Miniature Golf	P
7100	Golf Driving Ranges	C
7100	Go-Cart Tracks	N
7100	Golf Courses &/ or Country Clubs	N
7100	Tennis Courts - Private	P
7100	Roller Skating & Blading	P
7100	Skate Board Parks - Private	N
7100	Skate Board Parks - Publicly Owned	Section III - Appe
7100	BMX Biking Tracks & Facilities	N
7100	ATV / Motorcycle Tracks	N
7100	Riding Stables - Commercial	N
7100	Bowling Lanes	P
7100	Play Fields & Athletic Fields - Commercial	N
7100	Recreation Centers - General	P

STANDARD LAND USE TABLE BY ZONE

Parking Group	Permitted Primary Uses	Commercial
		MC
7100	Gymnasium & Athletic Clubs	P
7100	Swimming Pools - Commercial	C
7100	Indoor Soccer Facilities	P
7100	Indoor Gun Ranges	C
7100	Water Slides	C
7100	Parks - General Recreation - Public Property	P
7100	Campgrounds	N
AGRICULTURE & RESOURCE EXTRACTION		
N/A	Commercial Farms & Ranches producing Pigs, Turkeys, Mink, or Chickens products	N
N/A	Agricultural Related Activities: Commercial Production - large scale	C
N/A	Horticultural Services	C
N/A	Forestry & Timber Production	N
N/A	All Fisheries & Fish Hatcheries	N
N/A	All Mining & Related Services	N
N/A	All Resource Production & Extraction	N
N/A	Peat Extraction	N
See LCC 17.18	CF zone (Commercial Farm) uses - See LCC 17.51	
UNCLASSIFIED		
N/A	All unclassified items	III of SLU Table (

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 provide by law.

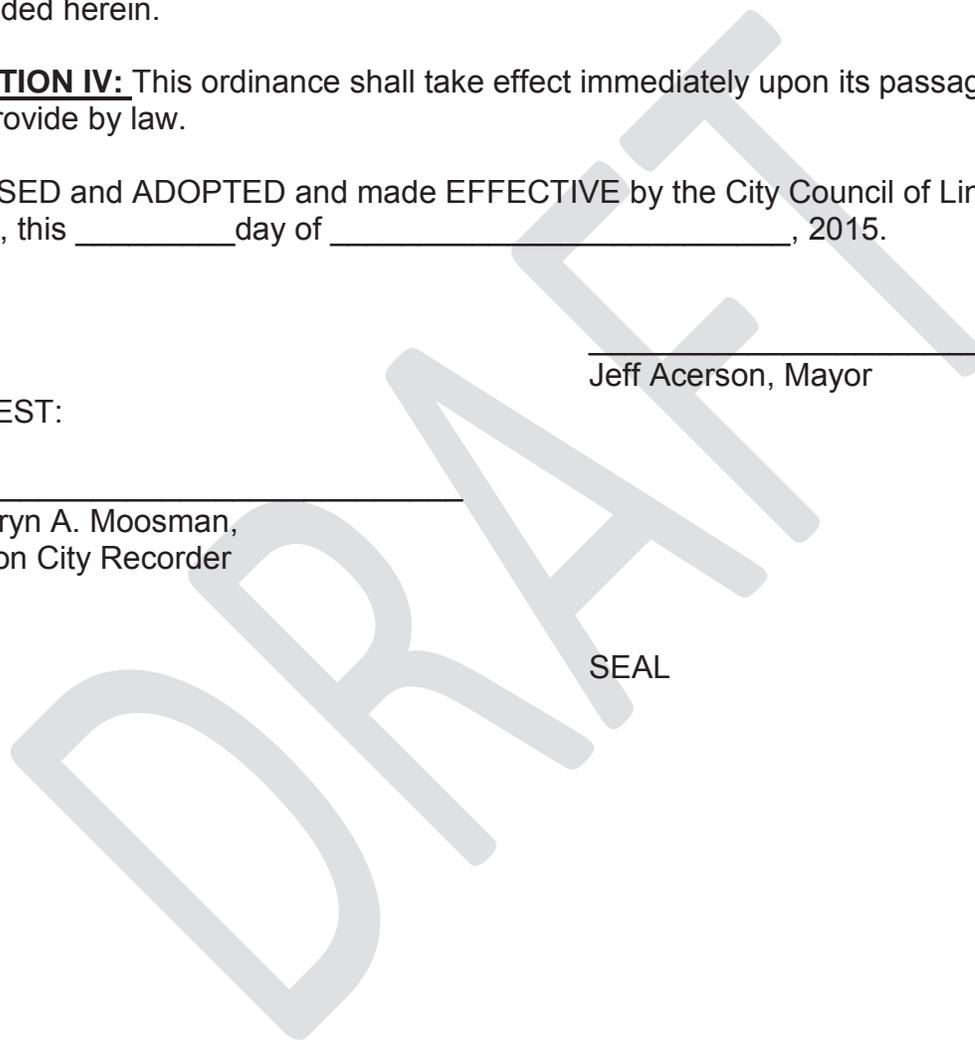
PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2015.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL



**9. Public Hearing — Ordinance Amendment, LCC 17.76 PRD Overlay Parking
(Ordinance #2015-24-O)**

(15 minutes)

Lindon City staff is requesting an amendment to the Planned Residential Overlay parking requirements in order to allow parking spaces to be accessed directly from a public street rather than from a private drive.

See attached information from the Planning Department.

Public Hearing — Ordinance Amendment — 17.76.110 PRD Overlay Zone Parking

City Staff requests approval of an Ordinance Amendment to Lindon City Code (LCC) 17.76.110 Planned Residential Development Overlay (PRD Overlay) Zone Parking. This amendment would allow parking spaces in a PRD to be accessed directly from a public street.

<p>Applicant: Lindon City Presenting Staff: Hugh Van Wagenen</p> <p>Type of Decision: Legislative Planning Commission: Recommend approval 6-0</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether it is in the public interest to approve the proposed amendment to the PRD parking regulations.</p> <p><u>MOTION</u> I move to (<i>approve, deny, continue</i>) ordinance amendment 2015-24-O (<i>as presented, with changes</i>).</p>
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DISCUSSION & ANALYSIS

Recently the City adopted Section 17.76 of the Lindon City code governing Planned Residential Development Overlays in commercial zones. The standards in that code section prohibited private drives for PRD projects with the expectation that units would be accessed from a public roadway. However, there was an existing section of code in the parking ordinance (17.18.060) prohibiting direct parking stall access for any development, excepting one and two family dwellings. This existing ordinance requires any multi-family project to access parking stalls from a private drive, as is evidenced in many of the R2 or old PUD projects in the City.

Ultimately, the code conflict made it difficult to process the first site plan application taking advantage of the PRD Overlay. Additionally, the City Engineer is concerned with an increase conflict in areas that could result if direct parking access were consistently available to PRD projects as more vehicles would be pulling onto the street.

The proposed amendment solves the conflict in the existing code while allowing PRD projects to address parking stall access as other multi-family projects have previously done. Please see the attached ordinance for the recommended changes.

ATTACHMENTS

1. Proposed PRD Amendment to 17.76.110.

ORDINANCE NO. 2015-24-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING CHAPTER 17.76.110 OF THE LINDON CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment will create diverse and quality housing options in Lindon City; and

WHEREAS, the proposed amendment will allow effective development of unique commercial lots and parcels that do not naturally accommodate traditional commercial development patterns; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to amend Chapter 17.76.110 of the Lindon City Code; and

WHEREAS, a public hearing was held on October 27, 2015, to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse comments were received during the hearing; and

WHEREAS, the Council held a public hearing on **November 12, 2015** to consider the recommendation and **no adverse comments were received**.

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

SECTION I: Chapter 17.76.110 of the Lindon City Code is hereby amended to read as follows:

Section 17.76.110 Development Standards and Requirements

The City requires the following development standards for all PRDs.

1. Compliance with Lindon City Code. A proposed PRD shall comply with the requirements of this Chapter and with all applicable Lindon City Code provisions and with conditions imposed by the Land Use Authority.
2. Density. A PRD may be developed at a maximum density of ten (10) dwelling units per gross acre.
3. Height. No lot or parcel of land in a PRD approved pursuant to the PRD Overlay Zone shall have a building or structure used for dwelling which exceeds a maximum average height of thirty-five (35) feet, measuring the four (4) corners of the structure from finished grade to the highest point of the roof structure. The Planning Director and Chief Building Official shall be responsible for designating and identifying the four corners of a structure. No dwelling shall be erected to a height less than one (1) story above grade.
4. Minimum Area. The minimum area required for any PRD shall be twenty thousand (20,000) square feet.
5. Maximum Area. The maximum allowable size for any PRD shall be one (1) acre with no more than ten (10) units.
6. Setbacks. The following setbacks for primary structures shall apply in the PRD zone:
 - a. Front Setback: 30 feet
 - b. Rear Setback: 30 feet
 - c. Side Setbacks: 10 feet
 - d. All primary structures within the PRD Overlay zone shall be set back at least ten (10) feet from any other primary structure.
7. Utilities. Compliance with the Development Manual and applicable Lindon City Code provisions regarding utility connections to residential units is required. The public sewer

- system and the public water supply shall serve all dwellings. All utilities shall be underground. The developer shall individually meter natural gas and electricity for each individual dwelling. No water or sewer lines shall be located under covered parking areas.
8. Fences.
 - a. Perimeter Fences. The Planning Commission may require a perimeter fence, and may specify the height and construction materials used for the fence, around the development if the Commission finds that the fencing is necessary to mitigate reasonably anticipated detrimental impacts the development may create. Fencing may also be required to buffer the surrounding residential neighborhoods from the PRD and to buffer the PRD from surrounding commercial and manufacturing uses. Any fence erected around or within the development shall comply with Lindon City Code section 17.04.310, involving fencing standards. Any perimeter fencing shall have a consistent design throughout the project and shall consist of the same construction materials.
 - b. Patio/Limited Common Area Fences. A patio or limited common area adjacent to the rear of a dwelling unit may be enclosed with a six-foot (6') high maximum fence.
 9. Landscaping.
 - a. All land within a PRD not covered by buildings, driveways, sidewalks, structures, and patios shall be designated as common area and shall be permanently landscaped with trees, shrubs, lawn, or ground cover and maintained in accordance with good landscaping practice. All required setback areas adjacent to public streets shall be landscaped. All landscaping shall have a permanent underground sprinkling system.
 - b. At least forty percent (40%) of the net acreage (area of the development less public and private streets) of the entire development shall remain permanently landscaped.
 10. Lighting Plan. All PRDs shall include a lighting plan. The lighting plan shall be designed to:
 - a. discourage crime;
 - b. enhance the safety of the residents and guests of the PRD;
 - c. prevent glare onto adjacent properties; and enhance the appearance and design of the project.

All PRD homeowners' associations and apartment owners are required to control and meter all outside lighting shown on the lighting plan except for front and back door lighting. The lighting plan shall designate which lighting shall be commonly metered to the association or owner.

11. Parking. There shall be a minimum of two (2) parking spaces provided for each dwelling, one of which shall be covered. Required off-street parking spaces shall not be permitted within the front yard or street-side yard setbacks. There shall also be a minimum of one half (½) parking space for each dwelling for guest parking within the development. Guest parking shall be located on the same lot or parcel of the dwellings served. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). Developers shall pave with asphalt and/or concrete all parking spaces, parking areas, and driveways and provide proper drainage. Drainage shall not be channeled or caused to flow across pedestrian walk ways. The architecture of all covered parking structures shall be the same as the architecture of the main structures within the PRD.

a. Direct access to each parking space shall be from a private driveway and not from a public street unless otherwise granted by the Planning Commission based on the following guidelines:

i. Topography or other development constraints on the project area are such that a private drive is impractical to serve the project.

ii. Traffic volumes, safety, and visibility on the public roadway will not create a dangerous situation for direct parking stall access.

iii. No more than six (6) units shall directly access any public roadway.

~~12. Streets. Private streets are not permitted in Planned Residential Developments. Public streets shall conform to City standards. Driveways shall be paved with concrete or asphalt.~~

12. Irrigation Systems.

- a. Where an existing irrigation system consisting of open ditches is located on or adjacent to or within one hundred feet (100') of a proposed subdivision, complete plans for relocation or covering or other safety precautions shall be submitted with an application for preliminary approval of a plat.
 - b. All pressure irrigation systems in or within one hundred feet (100') of a proposed subdivision shall be identified and otherwise color-coded as to pipe and valve color to meet state standards and regulations.
13. Storage Areas and Solid Waste Receptacles. All outside storage areas and all solid waste receptacles which are not located within a building, shall be enclosed on at least three sides with the same materials as used on the exterior of the main structures within the PRD. Central waste receptacles shall only be permitted within a trash enclosure which meets standards found in the Development Manual. Trash enclosures shall be located in the side or rear of the dwelling units and must be accessible for garbage trucks. All individual garbage containers shall have the ability to be serviced from a public street.
14. Exterior Finishing Materials. The dwellings in a PRD shall comply with the Lindon City Commercial Design Guidelines. The Planning Commission shall have the authority to determine compliance with the Design Guidelines.
15. Roof Pitch. All structures shall have a minimum roof pitch of five (5) rise to twelve (12) run.
16. Homeowner's Association. The applicant shall establish a home owners association for every PRD containing common or limited common property, with more than one owner for the purpose of maintaining the PRD. The homeowner's association, the individual property owners, and tenants shall maintain the PRD in accordance with the approved site plan.
17. Existing Homes. No PRD shall include an existing single-family dwelling. If a single-family dwelling exists on the property where a PRD is proposed, the applicant shall plat separately a lot containing the home. The plat shall comply with the requirements of the Lindon City Development Manual.

10. Discussion Item — Used Car Lots in CG Zone along State Street*(20 minutes)*

Per direction from the City Council, staff will discuss land uses generally within the CG zone (General Commercial) with specific interest on used auto sales businesses along the State Street corridor. Lindon currently has eight existing and/or approved used auto sales businesses along its 1.6 miles of State Street with interested parties looking for additional sites for used auto sales locations along State Street.

Councilmember Bean asked that this discussion item be scheduled with the Council as there continues to be interest from used auto dealers to add additional used car dealership locations along the State Street corridor through Lindon. A few years ago a new zone was created that specifically allows Used Auto Sales (see darker red areas on Map along State Street), whereas the traditional CG zoning does not allow used auto sales. The CG zone does allow a new auto dealership (Honda, Ford, Toyota, etc.) which could sell used autos as part of their new dealership.

This is a discussion item only. No motion will be made. Intent of the discussion is to assist in giving Planning Staff direction on how to proceed when approached with requests for zone changes to allow more Used Auto dealerships along State Street. Are additional used auto sales uses something to encourage and expand, or a use the Council wants to see limited to existing specific zones?

No Motion Needed.

**II. Public Hearing — FY2016 Budget Amendments & Fee Schedule updates
(Resolution #2015-8-R)**

(15 minutes)

The City Council will review and discuss proposed FY2016 budget amendments and fee schedule updates. The proposed changes were previously discussed in a public meeting on October 20, 2015.

On October 20, 2015 Lindon City Department Heads met with the Council to present proposed budget and fee schedule amendments for the current fiscal year. A few minor adjustments were discussed in the meeting and reflected in these new documents. A formal public hearing is required as part of the adoption process for the amendment and has been properly noticed.

Sample Motion: I move to (approve, continue, deny) Resolution #2015-8-R outlining the proposed FY2016 Budget Amendments and Fee Schedule updates as presented, with the following conditions:

RESOLUTION NO. 2015-8-R

A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING VARIOUS SECTIONS OF THE LINDON CITY BUDGET AND CITY WIDE FEE SCHEDULE FOR FISCAL YEAR 2015-2016 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it prudent and in accordance with sound fiscal policy to amend the Lindon City Budget for the current fiscal year 2015-2016; and

WHEREAS, the on-going budget reports indicate several items which need to be adjusted to actual costs associated with current projects and revenue/expenditure line items updated based on new information and data obtained since the budget was adopted in June of 2015; and

WHEREAS, the city-wide fee schedule as adopted also has needed modifications to ensure appropriate revenues are collected to cover costs of actual services provided; and

WHEREAS, now the Municipal Council desires to amend the FY2016 Lindon City Budget and Fee Schedule to reflect these more accurate numbers and needed amendments.

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

SECTION I. The FY 2015-2016 Lindon City Budget and Fee Schedule is hereby amended as shown on the attached memorandum for specific budgetary line items as listed.

SECTION II. This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Lindon City Council on this the _____ day of _____, 2015.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman, City Recorder

SEAL:

BUDGET AMENDMENT
FISCAL YEAR 2015-2016
 November 12, 2015

Acct #	Note	Description	REVENUES		EXPENDITURES	
			Previous Budget	Amended Budget	Previous Budget	Amended Budget
GENERAL FUND						
10-32-200	1	Building Permits	140,000	200,000		
10-32-400	1	Plan Check Fee	35,000	75,000		
10-34-100	1	Zoning & Subdivision Fee	50,000	75,000		
10-34-101	1	Engineering Review Fees	1,000	10,000		
10-34-250	1	Planning Admin Fee	3,000	8,000		
10-34-320	1	PW Inspection Fee	-	40,000		
10-41-110	2	Salaries & Wages			51,500	51,900
10-44-250	3	Operating Supplies & Maint			2,000	4,000
10-51-110	4	Salaries & Wages			22,000	2,650
10-51-135	4	Benefits - FICA			1,700	250
10-51-185	4	Benefits - Workers Comp.			250	36
10-51-250	5	Operating Supplies & Maint			10,000	15,000
10-51-620	4,5	Other Services			5,000	40,000
10-56-310	1	Professional & Tech Services			4,700	10,000
10-68-510	6	Insurance			2,300	2,800
10-75-990	22	General Fund - Appropriate to Fund Bal.			18,673	170,487
			<u>229,000</u>	<u>408,000</u>	<u>118,123</u>	<u>297,123</u>
		NET GENERAL FUND INCREASE		<u>179,000</u>		<u>179,000</u>
ROAD FUND						
11-30-900	22	Road Fund - Use of Fund Balance	882	34,762		
11-40-735	7	Road Fund - Class C Capital Improvements			33,000	66,880
			<u>882</u>	<u>34,762</u>	<u>33,000</u>	<u>66,880</u>
		NET ROAD FUND INCREASE		<u>33,880</u>		<u>33,880</u>
REDEVELOPMENT AGENCY (RDA) FUND						
22-30-290	22	RDA State St - Use of Fund Balance	605,293	605,400		
22-30-490	22	RDA West Side - Use of Fnd Balance	148,532	126,471		
22-30-690	22	RDA District 3 - Use of Fund Bal	94,083	115,310		
22-81-260	8	RDA State St Miscellaneous Exp			-	107
22-82-720	9	RDA West Side Other Improvements			138,832	116,771
22-83-260	8	RDA Dist. 3 Miscellaneous Exp			-	107
22-83-720	7	RDA Fund - Other Improvements			619,000	640,120
			<u>847,908</u>	<u>847,181</u>	<u>757,832</u>	<u>757,105</u>
		NET REDEVELOPMENT AGENCY (RDA) FUND INCREASE		<u>(727)</u>		<u>(727)</u>
PARC TAX FUND						
24-30-100	10	PARC Tax	460,000	480,000		
24-30-110	10	Interest Earnings	800	1,000		
24-41-252	11	Pool Chemicals			25,000	35,000
24-41-920	12	Trfr to Recreation-Capital Exp			15,000	30,000
24-42-310	13	PARC Tax - Professional & Tech Services			-	4,500
24-42-675	13,14	PARC Tax - Purchase of Equipment			-	9,100
24-44-730	15	Improvements Other than Bldgs			83,000	90,500
24-49-990	22	PARC Tax - Appropriate to Fund Balance			89,610	63,710
			<u>460,800</u>	<u>481,000</u>	<u>212,610</u>	<u>232,810</u>
		NET PARC TAX FUND INCREASE		<u>20,200</u>		<u>20,200</u>
PARKS CIP FUND						
47-30-900	22	Park Impact Fees - Use of Fund Balance	3,500	134,500		
47-40-718	16	Meadow Park Fieldstone			-	50,000
47-40-750	17	Fryer Park			15,000	96,000
			<u>3,500</u>	<u>134,500</u>	<u>15,000</u>	<u>146,000</u>
		NET PARKS CIP FUND INCREASE		<u>131,000</u>		<u>131,000</u>

BUDGET AMENDMENT
FISCAL YEAR 2015-2016
November 12, 2015

Acct #	Note	Description	REVENUES		EXPENDITURES	
			Previous Budget	Amended Budget	Previous Budget	Amended Budget
WATER FUND						
51-30-980	22	Water Fund - Use of Fund Balance	123,594	136,594		
51-40-755	18	Special Projects			392,000	405,000
			<u>123,594</u>	<u>136,594</u>	<u>392,000</u>	<u>405,000</u>
		NET WATER FUND INCREASE		13,000		13,000
SEWER FUND						
52-30-400	1	Sewer Impact Fee	90,000	150,000		
52-40-315	19	Sewer Fund - Services - Impact Fees			5,000	100,000
52-40-990	22	Sewer Fund - Appropriate to Fund Bal.			173,893	138,893
			<u>90,000</u>	<u>150,000</u>	<u>178,893</u>	<u>238,893</u>
		NET SEWER FUND INCREASE		60,000		60,000
STORM WATER DRAINAGE FUND						
54-30-200	1	Storm Water Impact Fee	35,000	50,000		
54-40-315	19	Storm Wtr Fund - Services - Impact Fees			25,000	65,000
54-40-990	22	Storm Wtr Fund - Appropriate to Fund Bal.			39,651	14,651
			<u>35,000</u>	<u>50,000</u>	<u>64,651</u>	<u>79,651</u>
		NET STORM WATER DRAINAGE FUND INCREASE		15,000		15,000
RECREATION FUND						
55-30-350	20	FlowTour Event	1,700	2,960		
55-30-510	21	Lindon Days Revenue	20,000	22,600		
55-30-600	13	Rec Fund - Grant Proceeds	5,824	25,824		
55-30-880	12	Transfer from PARC Tax Fund	95,870	110,870		
55-30-900	22	Recreation Fund - Use of Fund Balance	32,706	22,646		
55-41-260	20	Aq. Ctr Miscellaneous Expense			1,000	6,000
55-41-730	12	Aq. Ctr Improvements			15,000	30,000
55-42-350	21	Lindon Days			50,300	43,600
55-42-620	13	Comm. Ctr Other Services			2,000	22,000
55-42-675	14	Comm. Ctr Purchase of Equipment			4,500	-
			<u>156,100</u>	<u>184,900</u>	<u>72,800</u>	<u>101,600</u>
		NET RECREATION FUND INCREASE		28,800		28,800
CITYWIDE TOTAL						
			<u>1,946,784</u>	<u>2,426,937</u>	<u>1,844,909</u>	<u>2,325,062</u>
				<u>480,153</u>		<u>480,153</u>
		CHANGE IN REVENUES & EXPENDITURES				
		Change in Citywide Rev. & Exp.	836,500	1,114,560	719,132	843,371
		Carryover from Prior Fiscal Year	101,694	136,694	775,500	1,065,500
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		Increase (Decrease) in Use of Fund Bal.	1,008,590	1,175,683		
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		Net Increase (Decrease) in Rev. & Exp.		<u>480,153</u>		<u>480,153</u>
		FUND BALANCE CHANGES				
		Use of Fund Balance	<u>1,008,590</u>	<u>1,175,683</u>		
		Net Increase (Decrease) in Use of Fund Bal.		<u>167,093</u>		
		Appropriate to Fund Balance			<u>321,827</u>	<u>387,741</u>
		Net Increase (Decrease) in Appr. to Fund Bal.				<u>65,914</u>

BUDGET AMENDMENT NOTES

November 12, 2015

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OTHER UPCOMING ITEMS THAT MAY IMPACT THE BUDGET

- ▶ Litigation and other claims that have yet to be settled

PROPOSED FEE SCHEDULE CHANGES

For 2015-2016 Budget
Effective November 12, 2015

ADDITIONS

Development		
Initial Street Light Power Charge (per light)		\$60
Land Use		
Land Disturbance Permit Fee	\$150 + Actual engineering cost incurred by City	
Planned Residential Development		\$3,500

CHANGES

Public Works		
Hydrant Water Usage		
Hydrant Meter Refundable Deposit		\$975.00 \$1,200.00
Public Works Inspection Fee Construction Phase Services		
Material Testing Fee	Actual Cost or based on Engineer estimate	
Site Plans (for parcel area being developed)		\$2,450 per acre
Subdivisions		
Unimproved street frontage		\$7.10 per linear foot
Partially improved street frontage		\$1.42 per linear foot
<i>(Material Testing Fee is a current fee which is just being moved under Construction Phase Services)</i>		

CHANGES FOR FUTURE CONSIDERATION

Development		
Park, Recreation and Trails Impact Fee (per dwelling unit)		
Single Family, detached		\$4,500
Accessory Apartments		\$1,500
All other residential		\$1,500 \$3,000

12. Recess to Lindon City Redevelopment Agency Meeting (RDA)*(10 minutes)*

City Council needs to make a motion to temporarily adjourn the Lindon City Council meeting and convene as the Lindon City Redevelopment Agency Board.

Sample Motion for RDA Board: I move to (approve, continue, deny) Resolution #2015-2-RDA outlining the proposed FY2016 Budget Amendments as presented, with the following conditions:

Once the RDA discussion has finished, the RDA Board needs to make a motion to adjourn the RDA meeting and reconvene the Lindon City Council meeting.

Notice of Meeting of the Lindon City Redevelopment Agency



The Lindon City Redevelopment Agency (RDA) will hold a meeting beginning at **8:30 p.m.**, or as soon thereafter as possible, on **Thursday, November 12, 2015** in the Lindon City Center council chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

Conducting: Jeff Acerson, Chairman

(Review times are estimates only)

- 1. Call to Order / Roll Call** *(5 minutes)*
- 2. Approval of minutes: June 16, 2015** *(5 minutes)*
- 3. Public Hearing – FY2016 Budget Amendments (Resolution #2015-2-RDA)** *(10 minutes)*

The Board of Directors will review and discuss proposed FY2016 budget amendments for the RDA. The proposed changes were previously discussed in a public meeting with the Lindon City Council on October 20, 2015.

Adjourn and reconvene the Lindon City Council meeting.

This meeting may be held electronically to allow a council member to participate by video conference or teleconference.

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours notice.

Posted By: Kathy Moosman
Time: ~4:00 p.m.

Date: November 9, 2015
Place: Lindon City Center, Lindon Police Dept, Lindon Community Center

2 Kristen Colson, Finance Director, referenced the RDA Resolution to adopt the
RDA budget and the Lindon budget for fiscal year 2015-16 and the new budget for the
4 2016 fiscal year. She noted the RDA budget is found within the budget documents
provided in the staff packets and are part of the citywide budget. Mr. Cowie noted these
6 documents are the same as what was previously presented. He added that the biggest
issue in the RDA are the street projects.

8 Chairman Acerson called for any public comments. Hearing none he called for a
motion to close the public hearing.

10 BOARDMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
12 BOARDMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

14 Chairman Acerson called for any comments or discussion from the Board.
16 Hearing no further comments he called for a motion.

18 BOARDMEMBER POWELL MOVED TO APPROVE RESOLUTION #2015-1-
RDA, APPROVING THE FINAL 2015-2016 RDA FISCAL YEAR BUDGET,
20 AMENDING THE 2014-2015 RDA FISCAL YEAR BUDGET, AND APPROVING
SERVICES BETWEEN THE LINDON CITY RDA AND LINDON CITY WITH NO
22 RECOMMENDATIONS. BOARDMEMBER BRODERICK SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

24 BOARDMEMBER POWELL AYE
BOARDMEMBER BEAN AYE
26 BOARDMEMBER BRODERICK AYE
BOARDMEMBER LUNDBERG AYE

28 THE MOTION CARRIED UNANIMOUSLY.

30 **ADJOURN -**

32 BOARDMEMBER BRODERICK MOVED TO ADJOURN THE MEETING OF
THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON
34 CITY COUNCIL AT 7:35 P.M. BOARDMEMBER BEAN SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36

38 Approved – November 12, 2015

40

42 _____
Adam Cowie, Executive Secretary

44

46 _____
Jeff Acerson, Chairman

RESOLUTION NO. 2015-2-RDA

A RESOLUTION OF THE REDEVELOPMENT AGENCY (RDA) OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING VARIOUS SECTIONS OF THE RDA BUDGET FOR FISCAL YEAR 2015-2016 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Redevelopment Agency of Lindon City finds it prudent and in accordance with sound fiscal policy to amend the RDA Budget for the current fiscal year 2015-2016; and

WHEREAS, the on-going budget reports indicate several items which need to be adjusted to actual costs associated with current projects and revenue/expenditure line items updated based on new information and data obtained since the budget was adopted in June of 2015; and

WHEREAS, now the Redevelopment Agency desires to amend the FY2016 Budget to reflect these more accurate numbers and needed amendments.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of Lindon City, Utah County, State of Utah, as follows:

SECTION I. The FY 2015-2016 Lindon City Redevelopment Agency Budget is hereby amended as shown on the attached memorandum for specific budgetary line items as listed for the RDA.

SECTION II. This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Redevelopment Agency Board on this the _____ day of _____, 2015.

Jeff Acerson, Chair

ATTEST:

Adam M. Cowie, Executive Secretary

BUDGET AMENDMENT
FISCAL YEAR 2015-2016
November 12, 2015

Acct #	Note	Description	REVENUES		EXPENDITURES	
			Previous Budget	Amended Budget	Previous Budget	Amended Budget
GENERAL FUND						
10-32-200	1	Building Permits	140,000	200,000		
10-32-400	1	Plan Check Fee	35,000	75,000		
10-34-100	1	Zoning & Subdivision Fee	50,000	75,000		
10-34-101	1	Engineering Review Fees	1,000	10,000		
10-34-250	1	Planning Admin Fee	3,000	8,000		
10-34-320	1	PW Inspection Fee	-	40,000		
10-41-110	2	Salaries & Wages			51,500	51,900
10-44-250	3	Operating Supplies & Maint			2,000	4,000
10-51-110	4	Salaries & Wages			22,000	2,650
10-51-135	4	Benefits - FICA			1,700	250
10-51-185	4	Benefits - Workers Comp.			250	36
10-51-250	5	Operating Supplies & Maint			10,000	15,000
10-51-620	4,5	Other Services			5,000	40,000
10-56-310	1	Professional & Tech Services			4,700	10,000
10-68-510	6	Insurance			2,300	2,800
10-75-990	22	General Fund - Appropriate to Fund Bal.			18,673	170,487
			229,000	408,000	118,123	297,123
		NET GENERAL FUND INCREASE		179,000		179,000
ROAD FUND						
11-30-900	22	Road Fund - Use of Fund Balance	882	34,762		
11-40-735	7	Road Fund - Class C Capital Improvements			33,000	66,880
			882	34,762	33,000	66,880
		NET ROAD FUND INCREASE		33,880		33,880
REDEVELOPMENT AGENCY (RDA) FUND						
22-30-290	22	RDA State St - Use of Fund Balance	605,293	605,400		
22-30-490	22	RDA West Side - Use of Fnd Balance	148,532	126,471		
22-30-690	22	RDA District 3 - Use of Fund Bal	94,083	115,310		
22-81-260	8	RDA State St Miscellaneous Exp			-	107
22-82-720	9	RDA West Side Other Improvements			138,832	116,771
22-83-260	8	RDA Dist. 3 Miscellaneous Exp			-	107
22-83-720	7	RDA Fund - Other Improvements			619,000	640,120
			847,908	847,181	757,832	757,105
		NET REDEVELOPMENT AGENCY (RDA) FUND INCREASE		(727)		(727)
PARC TAX FUND						
24-30-100	10	PARC Tax	460,000	480,000		
24-30-110	10	Interest Earnings	800	1,000		
24-41-252	11	Pool Chemicals			25,000	35,000
24-41-920	12	Trfr to Recreation-Capital Exp			15,000	30,000
24-42-310	13	PARC Tax - Professional & Tech Services			-	4,500
24-42-675	13,14	PARC Tax - Purchase of Equipment			-	9,100
24-44-730	15	Improvements Other than Bldgs			83,000	90,500
24-49-990	22	PARC Tax - Appropriate to Fund Balance			89,610	63,710
			460,800	481,000	212,610	232,810
		NET PARC TAX FUND INCREASE		20,200		20,200
PARKS CIP FUND						
47-30-900	22	Park Impact Fees - Use of Fund Balance	3,500	134,500		
47-40-718	16	Meadow Park Fieldstone			-	50,000
47-40-750	17	Fryer Park			15,000	96,000
			3,500	134,500	15,000	146,000
		NET PARKS CIP FUND INCREASE		131,000		131,000

BUDGET AMENDMENT
FISCAL YEAR 2015-2016
November 12, 2015

Acct #	Note	Description	REVENUES		EXPENDITURES	
			Previous Budget	Amended Budget	Previous Budget	Amended Budget
WATER FUND						
51-30-980	22	Water Fund - Use of Fund Balance	123,594	136,594		
51-40-755	18	Special Projects			392,000	405,000
			<u>123,594</u>	<u>136,594</u>	<u>392,000</u>	<u>405,000</u>
		NET WATER FUND INCREASE		13,000		13,000
SEWER FUND						
52-30-400	1	Sewer Impact Fee	90,000	150,000		
52-40-315	19	Sewer Fund - Services - Impact Fees			5,000	100,000
52-40-990	22	Sewer Fund - Appropriate to Fund Bal.			173,893	138,893
			<u>90,000</u>	<u>150,000</u>	<u>178,893</u>	<u>238,893</u>
		NET SEWER FUND INCREASE		60,000		60,000
STORM WATER DRAINAGE FUND						
54-30-200	1	Storm Water Impact Fee	35,000	50,000		
54-40-315	19	Storm Wtr Fund - Services - Impact Fees			25,000	65,000
54-40-990	22	Storm Wtr Fund - Appropriate to Fund Bal.			39,651	14,651
			<u>35,000</u>	<u>50,000</u>	<u>64,651</u>	<u>79,651</u>
		NET STORM WATER DRAINAGE FUND INCREASE		15,000		15,000
RECREATION FUND						
55-30-350	20	FlowTour Event	1,700	2,960		
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		Use of Fund Balance	<u>1,008,590</u>	<u>1,175,683</u>		
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November 12, 2015

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OTHER UPCOMING ITEMS THAT MAY IMPACT THE BUDGET

- ▶ Litigation and other claims that have yet to be settled

I3. Review & Action — Multiple Stage Bidding Process (Resolution #2015-9-R) (10 minutes)

The City Council will review and consider Resolution #2015-9-R allowing for a multiple stage bidding process for the Public Safety Building project. Approval of the resolution will allow bidders to be pre-qualified prior to submitting bids for the project.

See attached Resolution. Adoption of the resolution will allow the City to pre-qualify potential bidders for the Public Safety Building project – thus eliminating potential low bidders with little to no relevant experience with similar projects.

Sample Motion: I move to (approve, continue, deny) Resolution #2015-9-R as presented, with the following conditions:

RESOLUTION NO. 2015-9-R

A RESOLUTION AUTHORIZING THE USE OF § 63G-6a-609 OF THE UTAH STATE PROCURMENT CODE IN SEEKING BIDS AND AWARDING CONTRACTS FOR THE POTENTIAL CONSTRUCTION OF A PUBLIC SAFETY BUILDING AND/OR THE REMODELING OF THE LINDON CITY CENTER.

WHEREAS, Lindon City is exploring the possibility of constructing a new public safety building and/or remodeling the current city center so as to better provide fire and police services to the residents of Lindon City; and

WHEREAS, The Lindon City Council finds that it is in the best interest of the public to prequalify potential contractors before seeking final bids for a construction contract; and

WHEREAS, Section 11-39-107 of the Utah State Code, which governs the bidding process for public projections, allows the City to adopted portions of the Utah State Procurement Code on a case-by-case basis; and

WHEREAS, Section 63G-6a-609 of the Utah State Code sets forth a multiple stage bidding process which would allow the City to prequalify potential bidders on the public safety building and/or city center remodeling projects.

NOW, THEREFORE, BE IT RESOLVED BY THE LINDON CITY COUNCIL, as follows:

1. Lindon City adopts and shall follow § 63G-6a-609 of the Utah State Code in using a multiple stage bidding process for any contract or contracts that may be solicited and awarded in relation to construction of a public safety building and/or the remodeling of the city center building.
2. In adopting and following the multiple stage bidding process set forth in Utah State Procurement Code, Lindon City also adopts all other portions of the State Code that are referred to or are related to the implementation of the procedures set forth in § 63G-6a-609.
3. This Resolution adopting the relevant sections of the State Procurement Code shall be applicable only to the public projects referenced herein.

PASSED, AND RESOLVED by the Council of Lindon City, Utah, this ____ day of November, 2015.

JEFF ACERSON
Mayor

ATTEST:

KATHY MOOSMAN
CITY RECORDER

14. Review & Action — 200 South Water Line Bid Award

(5minutes)

The City Council will review and consider approval of the 200 South Water Line replacement project to the low bidder, Skip Dunn & Sons Excavating, with a low bid of \$253,876.88. Staff recommends approval of the bid.

See attached letters and bid documents recommending award of the low bid as presented.

Sample Motion: I move to (approve, deny) the 200 South Water Line replacement project bid to the low bidder, Skip Dunn & Sons Excavating, with a low bid of \$253,876.88.



J-U-B COMPANIES

THE
LANGDON
GROUPGATEWAY
MAPPING
INC.

October 28, 2015

Adam Cowie, City Administrator
Lindon City Corporation
100 North State Street
Lindon, UT 84042

RE: Culinary Water Line Replacement Project – Phase I – 200 South

Dear Adam:

We have tabulated the bids opened Tuesday, October 27, 2015 at 10:00 a.m. for the above project. We had five Bidders submit bids. All of the bids read at the bid opening were the almost exactly same as that resulted from the Bid Tabulation. The low bidder was Skip Dunn & Sons Excavating at \$253,876.88. Our Opinion of Probable Construction Cost for the project was \$265,764.00. Their bid is \$11,887.12 (4.47%) lower than the Opinion.

Skip Dunn & Sons Excavating has successfully completed projects for Lindon City in the past. We recommend that the City accept their bid and award them the project.

We have prepared the Notice of Award and attached it to this letter. If the City Council awards the Contract on Thursday, November 12, please sign and return three copies of the Notice of Award to us. We have also included the Bid Tabulation.

Please let us know of the Council's decision and we will proceed in accordance with the direction given. We are happy to answer any questions you may have.

Best regards,
J-U-B Engineers, Inc.

Mark L. Christensen, P.E.
Project Manager

Enclosures

cc Don Peterson, Public Works Director
Skip Dunn & Sons Excavating

LINDON CITY CORPORATION
 Culinary Water Line Replacement Project - Phase I - 200 S
 BID TABULATION
 27-Oct-15 BID OPENING

Item No.	Description	Unit	Estimated Quantity	ENGINEERS OPINION		Skip Dunn & Sons Excavating		Johnston & Phillips, Inc.		Newman Construction, Inc.		Vancon, Inc.		Cody Ekker Construction, Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	LS	1	\$15,000.00	\$15,000.00	\$13,522.02	\$13,522.02	\$14,000.00	\$14,000.00	\$14,250.00	\$14,250.00	\$28,000.00	\$28,000.00	\$30,000.00	\$30,000.00
2	Traffic Control	LS	1	\$5,000.00	\$5,000.00	\$2,687.86	\$2,687.86	\$10,000.00	\$10,000.00	\$6,800.00	\$6,800.00	\$8,100.00	\$8,100.00	\$7,000.00	\$7,000.00
3	Temporary Environmental Controls	LS	1	\$2,500.00	\$2,500.00	\$2,460.13	\$2,460.13	\$1,500.00	\$1,500.00	\$1,730.00	\$1,730.00	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00
4	Sawcut Asphalt	LF	6,547	\$1.00	\$6,547.00	\$0.78	\$5,106.66	\$1.00	\$6,547.00	\$1.50	\$9,820.50	\$1.20	\$7,856.40	\$1.25	\$8,183.75
5	Remove and Dispose of Existing Asphalt	SF	8,074	\$0.45	\$3,633.30	\$0.48	\$3,875.52	\$1.00	\$8,074.00	\$0.25	\$2,018.50	\$0.50	\$4,037.00	\$0.75	\$6,055.50
6	Sawcut Concrete	LF	118	\$4.30	\$507.40	\$2.66	\$313.88	\$3.00	\$354.00	\$4.50	\$531.00	\$3.00	\$354.00	\$5.00	\$590.00
7	Remove and Replace Existing Curb & Gutter	LF	16	\$60.00	\$960.00	\$82.44	\$1,319.04	\$35.00	\$560.00	\$50.00	\$800.00	\$54.00	\$864.00	\$50.00	\$800.00
8	Remove and Replace Existing Concrete Drive	SF	190	\$10.30	\$1,957.00	\$7.20	\$1,368.00	\$8.00	\$1,520.00	\$12.00	\$2,280.00	\$7.50	\$1,425.00	\$7.00	\$1,330.00
9	Remove and Restore Existing Sod Surface	SF	699	\$3.00	\$2,097.00	\$1.54	\$1,076.46	\$3.00	\$2,097.00	\$2.00	\$1,398.00	\$3.00	\$2,097.00	\$3.00	\$2,097.00
10	Remove and Restore Existing Gravel Surface	SF	794	\$1.45	\$1,151.30	\$1.34	\$1,063.96	\$1.00	\$794.00	\$2.00	\$1,588.00	\$1.00	\$794.00	\$2.00	\$1,588.00
11	Furnish, Haul, and Stockpile Imported Pipe Foundation Material	TON	150	\$15.00	\$2,250.00	\$11.75	\$1,762.50	\$19.00	\$2,850.00	\$15.00	\$2,250.00	\$15.00	\$2,250.00	\$25.00	\$3,750.00
12	Furnish, Haul, and Stockpile Imported Pipe Bedding and Backfill Material	TON	1,350	\$10.00	\$13,500.00	\$8.01	\$10,813.50	\$14.00	\$18,900.00	\$10.50	\$14,175.00	\$19.00	\$25,650.00	\$18.00	\$24,300.00
13	Excavate for, Furnish, Install, Backfill and Compact 12" C-900 PVC Culinary Water Pipe	LF	2,019	\$30.00	\$60,570.00	\$28.92	\$58,389.48	\$35.00	\$70,665.00	\$48.00	\$96,912.00	\$28.55	\$57,642.45	\$40.00	\$80,760.00
14	Excavate for, Furnish, Install, Backfill and Compact 8" C-900 PVC Culinary Water Pipe	LF	91	\$26.00	\$2,366.00	\$29.98	\$2,728.18	\$27.00	\$2,457.00	\$37.00	\$3,367.00	\$27.60	\$2,511.60	\$39.00	\$3,549.00
15	Furnish and Install 12" Ductile Iron 45° Bend	EA	3	\$800.00	\$2,400.00	\$820.74	\$2,462.22	\$1,000.00	\$3,000.00	\$1,000.00	\$3,000.00	\$1,200.00	\$3,600.00	\$1,400.00	\$4,200.00
16	Furnish and Install 12" Ductile Iron 22.5° Bend	EA	1	\$800.00	\$800.00	\$934.94	\$934.94	\$1,000.00	\$1,000.00	\$850.00	\$850.00	\$900.00	\$900.00	\$1,000.00	\$1,000.00
17	Furnish and Install 12" FLGxMJ Adapter	EA	2	\$600.00	\$1,200.00	\$571.26	\$1,142.52	\$750.00	\$1,500.00	\$800.00	\$1,600.00	\$665.00	\$1,330.00	\$600.00	\$1,200.00
18	Furnish and Install 12" Ductile Iron Sleeve	EA	2	\$650.00	\$1,300.00	\$745.38	\$1,490.76	\$800.00	\$1,600.00	\$800.00	\$1,600.00	\$700.00	\$1,400.00	\$650.00	\$1,300.00
19	Furnish and Install 8" Ductile Iron Sleeve	EA	3	\$450.00	\$1,350.00	\$500.35	\$1,501.05	\$600.00	\$1,800.00	\$550.00	\$1,650.00	\$500.00	\$1,500.00	\$500.00	\$1,500.00
20	Furnish and Install 6" Ductile Iron Sleeve	EA	4	\$350.00	\$1,400.00	\$369.18	\$1,476.72	\$500.00	\$2,000.00	\$500.00	\$2,000.00	\$400.00	\$1,600.00	\$300.00	\$1,200.00
21	Furnish and Install 12" Ductile Iron Wye	EA	1	\$1,650.00	\$1,650.00	\$3,021.92	\$3,021.92	\$1,900.00	\$1,900.00	\$1,700.00	\$1,700.00	\$1,600.00	\$1,600.00	\$2,000.00	\$2,000.00
22	Furnish and Install 12"x8" Ductile Iron Tee	EA	3	\$1,350.00	\$4,050.00	\$1,741.35	\$5,224.05	\$1,500.00	\$4,500.00	\$1,400.00	\$4,200.00	\$1,530.00	\$4,590.00	\$1,500.00	\$4,500.00
23	Furnish and Install 12"x6" Ductile Iron Tee	EA	6	\$1,000.00	\$6,000.00	\$1,380.48	\$8,282.88	\$1,375.00	\$8,250.00	\$900.00	\$5,400.00	\$1,300.00	\$7,800.00	\$1,500.00	\$9,000.00
24	Furnish and Install 12" Butterfly Valve with Valve Box	EA	7	\$2,300.00	\$16,100.00	\$1,673.33	\$11,713.31	\$2,250.00	\$15,750.00	\$2,325.00	\$16,275.00	\$2,125.00	\$14,875.00	\$2,400.00	\$16,800.00
25	Furnish and Install 8" Gate Valve with Valve Box	EA	3	\$1,800.00	\$5,400.00	\$1,371.26	\$4,113.78	\$1,550.00	\$4,650.00	\$1,925.00	\$5,775.00	\$1,700.00	\$5,100.00	\$1,500.00	\$4,500.00
26	Furnish and Install 6" Gate Valve with Valve Box	EA	5	\$1,400.00	\$7,000.00	\$937.66	\$4,688.30	\$1,225.00	\$6,125.00	\$1,150.00	\$5,750.00	\$1,300.00	\$6,500.00	\$1,400.00	\$7,000.00
27	Furnish and Install 12" Water Line Plug or Cap	EA	8	\$450.00	\$3,600.00	\$717.51	\$5,740.08	\$800.00	\$6,400.00	\$750.00	\$6,000.00	\$800.00	\$6,400.00	\$600.00	\$4,800.00
28	Furnish and Install 6" Water Line Plug or Cap	EA	7	\$350.00	\$2,450.00	\$468.48	\$3,279.36	\$500.00	\$3,500.00	\$500.00	\$3,500.00	\$400.00	\$2,800.00	\$300.00	\$2,100.00
29	Furnish and Install Fire Hydrant Assembly	EA	3	\$4,500.00	\$13,500.00	\$5,166.05	\$15,498.15	\$5,600.00	\$16,800.00	\$6,000.00	\$18,000.00	\$6,800.00	\$20,400.00	\$4,900.00	\$14,700.00
30	Remove and Relocate Existing Fire Hydrant	EA	1	\$3,500.00	\$3,500.00	\$2,820.37	\$2,820.37	\$2,350.00	\$2,350.00	\$2,350.00	\$2,350.00	\$4,200.00	\$4,200.00	\$2,000.00	\$2,000.00
31	Remove and Dispose of Existing Fire Hydrant and Fittings	EA	2	\$500.00	\$1,000.00	\$385.82	\$771.64	\$350.00	\$700.00	\$750.00	\$1,500.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00
32	Remove and Dispose of Existing Valve Box and Bury Valve	EA	5	\$250.00	\$1,250.00	\$201.17	\$1,005.85	\$250.00	\$1,250.00	\$300.00	\$1,500.00	\$225.00	\$1,125.00	\$300.00	\$1,500.00
33	Connect New 12" Water Line to Existing 12" Water Line	EA	2	\$2,600.00	\$5,200.00	\$2,741.71	\$5,483.42	\$1,500.00	\$3,000.00	\$1,450.00	\$2,900.00	\$2,200.00	\$4,400.00	\$2,900.00	\$5,800.00
34	Connect New 8" Water Line to Existing 8" Water Line	EA	3	\$2,500.00	\$7,500.00	\$1,925.79	\$5,777.37	\$1,400.00	\$4,200.00	\$1,450.00	\$4,350.00	\$2,200.00	\$6,600.00	\$2,500.00	\$7,500.00
35	Connect Existing 6" Water Line to New 12" Water Line	EA	1	\$2,500.00	\$2,500.00	\$1,733.21	\$1,733.21	\$1,400.00	\$1,400.00	\$1,450.00	\$1,450.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
36	Furnish Labor and Materials to Disconnect Existing Fire Line or Fire Hydrant Line from Ex. 12-inch Water Main and Connect to New 12-inch Water Line	EA	3	\$1,500.00	\$4,500.00	\$2,310.95	\$6,932.85	\$1,200.00	\$3,600.00	\$1,250.00	\$3,750.00	\$1,500.00	\$4,500.00	\$2,000.00	\$6,000.00
37	Replace Existing Water Service From New 12-inch Water Line to Water Meter Setter (On North Side of the Street)	EA	8	\$1,200.00	\$9,600.00	\$1,467.88	\$11,743.04	\$1,550.00	\$12,400.00	\$2,250.00	\$18,000.00	\$2,100.00	\$16,800.00	\$1,500.00	\$12,000.00
38	Replace Existing Water Service From New 12-inch Water Line to Water Meter Setter (On South Side of the Street)	EA	1	\$1,500.00	\$1,500.00	\$1,481.90	\$1,481.90	\$2,200.00	\$2,200.00	\$2,680.00	\$2,680.00	\$2,200.00	\$2,200.00	\$2,000.00	\$2,000.00
39	Furnish, Place, Shape and Compact Untreated Base Course	TON	700	\$18.00	\$12,600.00	\$19.03	\$13,321.00	\$19.00	\$13,300.00	\$16.50	\$11,550.00	\$14.50	\$10,150.00	\$25.00	\$17,500.00
40	Furnish, Place, Shape and Compact Asphalt	TON	300	\$95.00	\$28,500.00	\$78.83	\$23,649.00	\$107.00	\$32,100.00	\$74.50	\$22,350.00	\$110.00	\$33,000.00	\$85.00	\$25,500.00
41	Furnish and Place Solid Traffic Stripe	LF	1,500	\$1.25	\$1,875.00	\$1.40	\$2,100.00	\$0.75	\$1,125.00	\$1.00	\$1,500.00	\$1.00	\$1,500.00	\$2.00	\$3,000.00
	TOTAL				\$265,764.00		\$253,876.88		\$296,718.00		\$309,100.00		\$310,951.45		\$333,103.25

Notice of Award

Dated: 11/12/2015

Project: Lindon City Culinary Waterline System	Owner: Lindon City Corporation	Owner's Contract No.:
Contract: Waterline Replacement Project - Phase I 200 S.		Engineer's Project No.: 50-14-050
Bidder: Skip Dunn & Sons Excavating		
Bidder's Address: (send Certified Mail, Return Receipt Requested) 230 North Geneva Road, Orem, UT 84057		

You are notified that your Bid dated October 27, 2015 for the above Contract has been considered. You are the apparent Successful Bidder and are awarded a Contract for the **Waterline Replacement Project - Phase I 200 S.**, as modified per Supplemental Attachment A.

Description and Scope of Work: The Project includes abandoning approximately 2,000 linear feet of 12-inch ductile iron waterline and replacing it with approximately 2,000 linear feet of 12-inch C-900 PVC waterline within and outside of the road along 200 South in Lindon. The replacement of the waterline will also require disconnecting multiple water services and fire hydrants from the existing water mains and connecting them to the newly installed water mains. All trenching and surface restoration associated with the new waterline will be included in the project. The work includes all items as listed and described in the Bid Form and Measurement and Payment.

The Contract Price of your Contract is \$253,876.88, Two hundred fifty three thousand, eight hundred seventy six dollars and eighty eight cents.

3 copies of each of the proposed Contract Documents and Drawings accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the Owner three fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract Security Bonds as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
3. Deliver with the executed Contract Documents the Insurance Certificates as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.03), and the Supplementary Conditions (Paragraph SC-5.04).
4. Other conditions precedent:

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Lindon City Corporation

 Owner
 By: _____

 Jeff Acerson

 Mayor

Copy to Engineer

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15. **Council Reports:**

(20 minutes)

- | | |
|--|--------------------|
| A) MAG, COG, UIA, Utah Lake, ULCT, Budget Committee | - Jeff Acerson |
| B) Public Works, Irrigation/water, City Buildings | - Van Broderick |
| C) Planning, BD of Adjustments, General Plan, Budget Committee | - Matt Bean |
| D) Parks & Recreation, Trails, Tree Board, Cemetery | - Carolyn Lundberg |
| E) Administration, Com Center Board, Lindon Days, Little Miss Lindon | - Randi Powell |
| F) Public Safety, Court, Animal Control, Historic Commission, Budget Committee | - Jacob Hoyt |

16. **Administrator's Report:**

(15 minutes)

Misc Updates:

- November City newsletter: <http://siterepository.s3.amazonaws.com/442/november15final.pdf>
- Councilmember Powell is Mayor pro tem from October through December 2015
- Misc. Items:

Upcoming Meetings & Events:

- November 17th – regularly scheduled Council meeting
- November 26th – Community Thanksgiving Dinner, 11am – 2pm at Community Center
- November 26-27th – City offices closed for Thanksgiving
- December 1 – 6:00pm work session with Legislative reps (Dayton, Jackson, Peterson, Stratton)
- December 8th – Noon @ Public Works. Engineering Coordination mtg: **Mayor, Van, ??**
- December 23rd – Noon @ Community Center, Employee Christmas Party
- December 23rd – 25th – City offices close at noon on Dec 23rd. Closed 24th and 25th
- January 1st – City offices closed for New Year's Day
- January 5th – regularly schedule City Council meeting. Swearing-in of elected City Council members.

Adjourn