Lindon City Council
Staff Report

Prepared by Lindon City
Administration

March 15, 2016

Notice of Meeting of the *Lindon City Council*

The Lindon City Council will hold a regularly scheduled meeting beginning at **6:00 p.m.** on **Tuesday, March 15, 2016** 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:

WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

1. Discussion on proposed Public Safety Impact Fee *(60 minutes)*

Lindon City Council will meet with representatives from Lewis Young Robertson & Burningham to discuss the Public Safety Impact Fee study. No motions will be made.

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

Pledge of Allegiance: By Invitation
Invocation: Van Broderick

(Review times are estimates only)

1. **Call to Order / Roll Call** *(5 minutes)*
2. **Presentations and Announcements** *(20 minutes)*
   a) Comments / Announcements from Mayor and Council members
   b) **Presentation:** Lindon City Employee Recognition Award – Jacob Woodcox, Parks Maintenance Technician
   c) **Presentation:** Introduction of new Little Miss Lindon Royalty: Queen Sabrina Romero with attendants Shara Bartholomew, Adelaide Hawkins, Brientz Fuller and Sienna Tomlinson.
   d) **Proclamation:** Declaring May 14, 2016 as Lindon City Arbor Day.
3. **Approval of minutes:** March 1, 2016 *(5 minutes)*
4. **Consent Agenda** – No Items
5. **Open Session for Public Comment** *(For items not on the agenda)* *(10 minutes)*
6. **Continued Public Hearing—Zone Map Amendment, Light Industrial to Residential Single Family (R1-12); Ordinance #2016-9-O** *(20 minutes)*
   This item was continued from the February 16, 2016 Council meeting. Lindon City is requesting a zone map amendment from Light Industrial to Residential Single Family (12,000 square foot lots) on parcel #14:063:0017. The lot is currently in agricultural use. The Planning Commission recommended approval.
7. **Continued Public Hearing—Zone Map Amendment, Light Industrial to Mixed Commercial; Ordinance #2016-10-O** *(20 minutes)*
   This item was continued from the February 16, 2016 Council meeting. Lindon City requesting a zone map amendment to Mixed Commercial from Light Industrial on parcels #47:283:0001, #47:283:0002, #47:283:0003, #47:283:0004, #47:283:0005, #47:283:0006, #47:283:0007, #47:283:0008, #47:283:0009, #47:283:00010, #47:283:0011, #47:283:00012, #47:283:0013, #47:283:0014. Four of the parcels compromise a commercial building; the rest are platted but currently vacant. The Planning Commission recommended approval.
8. **Review & Action — Amendment to Utility Agreement with UDOT** *(10 minutes)*
   The Council will review and consider an Amendment to Utility Agreement between UDOT and Lindon City to enable a public utility easement to be created in order to facilitate permanent power hook-up to a sewer lift station in west Lindon.
9. **Council Reports:** *(20 minutes)*

A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, 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) Public Safety, Court, IHC Outreach, Lindon Days	- Randi Powell
F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee	- Jacob Hoyt

10. **Administrator's Report** *(10 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: ~5:30 p.m.
Date: March 10, 2016
Place: Lindon City Center, Lindon Police Dept, Lindon Community Center

WORK SESSION – 6:00 P.M. - Conducting: Mayor Jeff Acerson

1. Discussion on proposed Public Safety Impact Fee *(60 minutes)*

Lindon City Council will meet with representatives from Lewis Young Robertson & Burningham to discuss the Public Safety Impact Fee study. No motions will be made.

See attached materials from LYRB. The City has been working with LYRB to prepare an impact fee study. The City prepared a Public Safety Impact Fee study in 2010, but decided not to finalize and implement the fee at that time. The State mandated methodology for impact fee studies has since been updated and in 2014 the City approached LYRB to start a new study.

The Public Safety Impact fee will only be collected from new development at the time of building permit issuance. The collected amounts will help to offset costs of the Public Safety Building, which is increasing the level of service for public safety needs in order to accommodate future growth.

Now that the Public Safety Building costs are fully known, we were able to finalize the study. This work session is simply to evaluate methodology, discuss the proposed fee, and review associated processes for adoption. The City anticipates holding a public hearing to adopt the impact fee on April 5, 2016.

The attached studies are still in DRAFT form, but will be reviewed in the work session. The consultants will review all of the PowerPoint presentation in detail.

2016 Public Safety IFFP & IFA

Lindon City, UT

Lewis Young Robertson & Burningham, Inc.

March 2016

LINDON

LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.

Introduction to Impact Fees

2

- **Impact Fees:** payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public facilities.

- **"Public facilities"** means only the following impact fee facilities that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision or private entity:
  - Water rights and water supply, treatment, storage, and distribution facilities
  - Wastewater collection and treatment facilities;
  - Storm water, drainage, and flood control facilities;
  - Municipal power facilities;
  - Roadway facilities;
  - Parks, recreation facilities, open space, and trails;
  - **Public safety facilities; or**
  - Environmental mitigation.

- Utah Code Title 11 Chapter 36A, the "Impact Fees Act" outlines the requirements to establish impact fees.

Introduction to Impact Fees

- Before imposing an impact fee, each local political subdivision or private entity shall prepare:

Impact Fee Facilities Plan (IFFP)

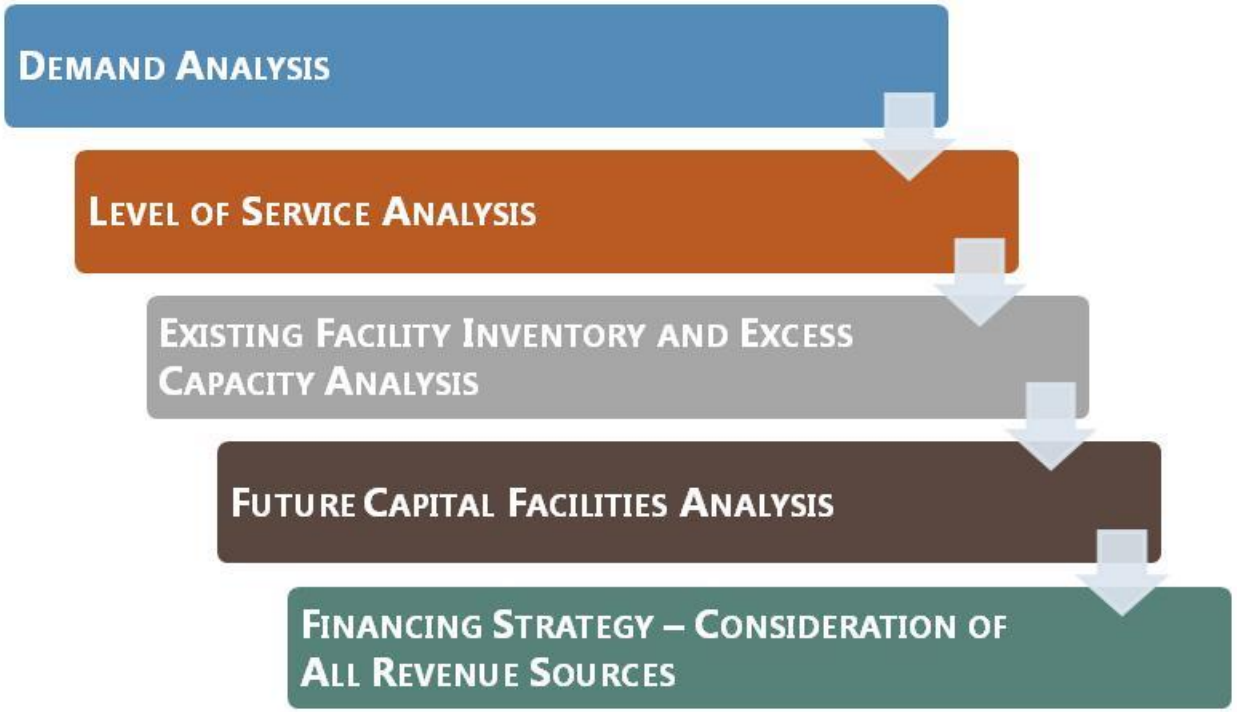
Identifies the demands placed upon the City's existing facilities by future development and evaluates how these demands will be met by the City. Outlines the improvements which are intended to be funded by impact fees.

Impact Fee Analysis (IFA)

Proportionately allocates the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered.

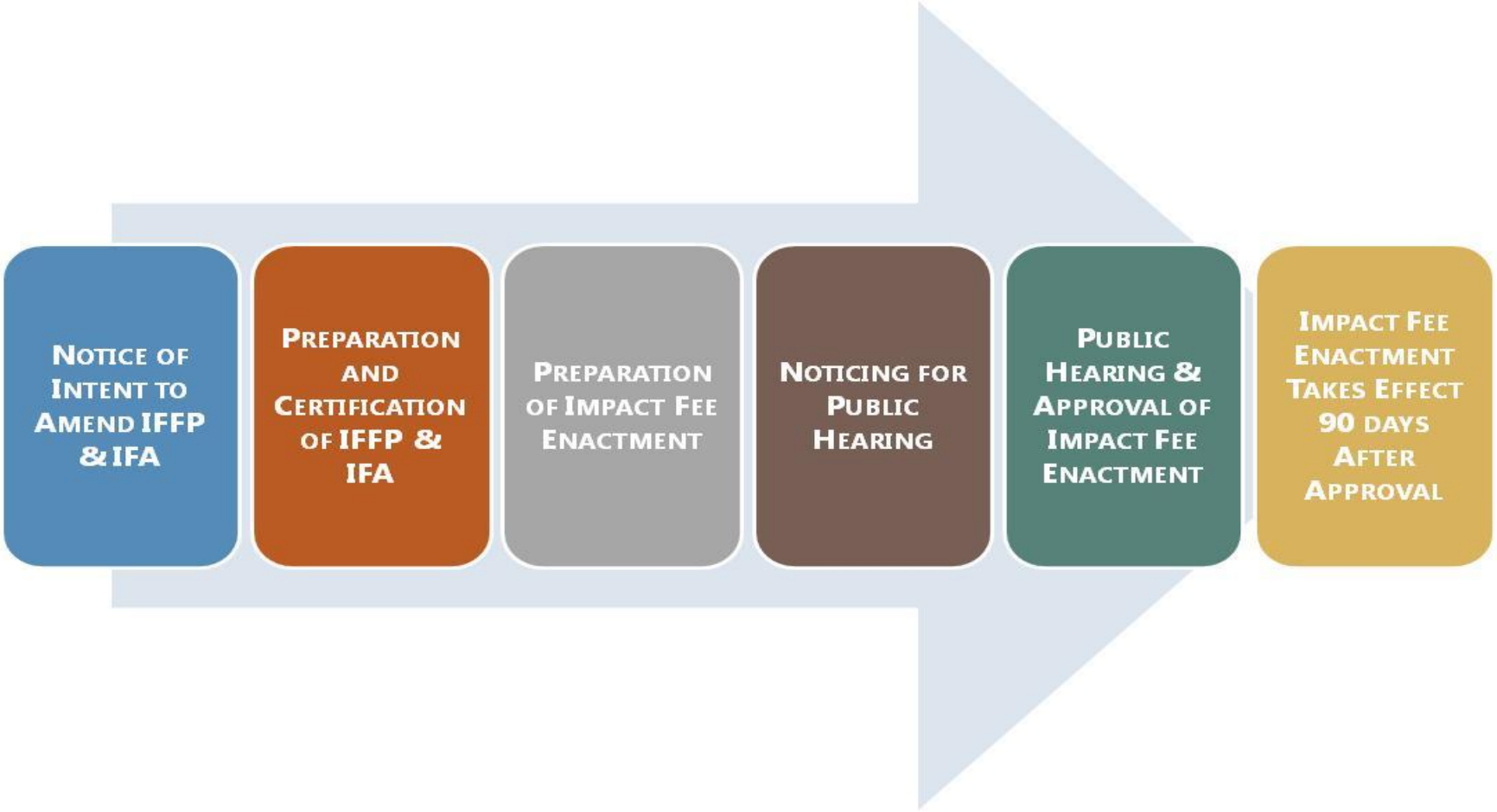
Introduction to Impact Fees

- The following elements are important considerations when completing an IFFP and IFA:



Impact Fee Process

5



6 FIRE

FIRE

7

- **Service Area:**
  - Single City-wide service area for fire impact fees.
- **Demand Analysis:**
  - Demand unit is calls for fire service
  - Historic average annual private Lindon City calls: **380**
  - Lindon City makes up 62% of total calls.

FIRE CALLS BY LAND USE TYPE (CALLS WITHIN THE CITY)			
LAND USE	PRIVATE FIRE CALLS FY 2012-2014	3 YEAR AVERAGE # OF CALLS	
Residential	534	178	
Commercial	462	154	
Industrial	145	48	
Total Lindon Calls	**1,141**	**380**	**62%**
Total Orem Calls		**233**	**38%**
Total Calls		**613**	

FIRE

Additional Demand Analysis:

- Historic average annual private Lindon City calls: **380**
- Projected Lindon City additional private calls to buildout: **252**
- Total Lindon City private calls at buildout: **632**

		Developed Units or 1,000 sf	Historic Calls	Existing LOS (Calls Per Developed Unit)	Undeveloped Units or 1,000 sf	Additional Calls to Buildout
Residential						
Residential	per Unit	2,637	178	0.068	1,049	71
Subtotal Residential:		**2,637**	**178**	**0.068**	**1,049**	**71**
Non-Residential						
Commercial	per 1,000 sf	4,365	154	0.035	4,357	152
Industrial	per 1,000 sf	3,381	48	0.014	2,051	29
Subtotal Non-Residential:		**7,746**	**202**	**0.049**	**6,408**	**181**
Total		**10,383**	**380**	**0.117**	**7,457**	**252**

FIRE

- **Existing Inventory and Excess Capacity:**
  - Public Safety Building constructed in 2016 will serve all fire calls through buildout.

Facilities or Engines	Construction Year	Total Sq. Ft.	% of Station to Fire	% to Lindon	Construction Cost Total	Cost to Lindon Fire	% City Funded & Impact Fee Eligible	Total Impact Fee Eligible Cost	Total Lindon Demand Served
Public Safety Building	2016	17,538	61%	62%	$3,333,036	$1,264,127	100%	$1,264,127	632

  - The City plans to fund the Public Safety Building with a Sales Tax Revenue Bond.

	Principal	Interest	% to Fire	% to Lindon Fire	% to Police	Total Fire Impact Fee Eligible Interest Cost	Total Police Impact Fee Eligible Interest Cost
2015 Sales Tax Revenue Bond	$2,600,000	$361,726	61%	62%	39%	$137,192	$140,448

- **Level of Service:**
  - 28.21 square feet per call (based on existing calls)
  - Other Level of Service measurements:
    - The applicable NFPA standard, NFPA 1710, has set a response time standard of 8:00 for Advanced Life Support responses. The standard should be met more than 90(ish) percent of the time.
    - The target response time for Orem and Lindon is 6:00 system wide for “lights & sirens” responses.
    - The overall average for Orem Fire, including Lindon City responses, is 6:04. The average for responses in Lindon City boundaries is 6:76 seconds. The Lindon City responses include all responses that require a fire engine or ambulance from another station to respond into Lindon City. Considering this, the response time for Lindon City is exceptional.

FIRE

- **Capital Facilities Analysis:**
  - The City does not anticipate any additional fire facilities to be constructed in the next 6-10 years.

FIRE

Cost per Call Calculation:

	Estimated Cost	% City Funded	% Impact Fee Eligible	Cost to Impact Fees	Calls Served	Cost per Call
Existing Stations and Facilities						
Public Safety Building	$1,264,127	100%	100%	$1,264,127	632	$1,999
Bond Related to Public Safety Building				$137,192	632	$217
Impact Fee Cost						**$2,216**
Other						
Professional Expense				$5,400	422	$13
Impact Fee Cost						**$13**

FIRE

Fire Impact Fee:

	Cost per Call	Calls per Unit	Total Impact Fee per Unit (New)
Residential			
Residential	$2,229	0.068	$152
Non-Residential (per 1,000 sq. ft.)			
Commercial	$2,229	0.035	$78
Industrial	$2,229	0.014	$31

**The City does not currently charge an impact fee for public safety. LYRB completed an Impact Fee Analysis for public safety in 2010 but the fees were never adopted.*

FIRE

Revenue Analysis:

YEAR	ESTIMATED CALLS	GROWTH IN CALLS	FIRE IMPACT FEE PER CALL	ESTIMATE OF IMPACT FEE REVENUE
2015	386			-
2016	392	6	$2,229	$12,907
2017	398	6	$2,229	$13,100
2018	404	6	$2,229	$13,297
2019	410	6	$2,229	$13,496
2020	416	6	$2,229	$13,699
2021	422	6	$2,229	$13,904
2022	428	6	$2,229	$14,113
2023	435	6	$2,229	$14,324
2024	441	7	$2,229	$14,539
2025	448	7	$2,229	$14,757
Total				**$138,136**

14 POLICE

Police

- **Service Area:**
  - Single City-wide service area.

- **Demand Analysis:**
  - Demand unit is calls for fire service
  - Historic average annual private Lindon City calls: **3,598**

Police Calls by Land Use Type (Calls within the City)		
Land Use	Private Police Calls FY 2011-2013	3 Year Average # of Calls
Residential	4,946	1,649
Commercial	4,261	1,420
Industrial	1,588	529
Total Lindon Calls	**10,795**	**3,598**

Police

- **Additional Demand Analysis:**
  - Historic average annual private Lindon City calls: **3,598**
  - Projected Lindon City additional private calls to buildout: **2,394**
  - Total Lindon City private calls at buildout: **5,992**

		Developed Units or 1,000 sf	Historic Calls	Existing LOS (Calls Per Developed Unit)	Undeveloped Units or 1,000 sf	Additional Calls to Buildout
Residential						
Residential	per Unit	2,637	1,649	0.625	1,049	656
Subtotal Residential:		**2,637**	**1,649**	**0.625**	**1,049**	**656**
Non-Residential						
Commercial	per 1,000 sf	4,365	1,420	0.325	4,357	1,416
Industrial	per 1,000 sf	3,381	529	0.157	2,051	322
Subtotal Non-Residential:		**7,746**	**1,950**	**0.482**	**6,408**	**1,738**
Total		**10,383**	**3,598**	**1.107**	**7,457**	**2,394**

Police

- **Existing Inventory and Excess Capacity:**
  - Public Safety Building constructed in 2016 will serve all fire calls through buildout.

Facilities or Engines	Construction Year	Total Sq. Ft.	% to Police	Construction Cost Total	Cost to Police	% City Funded & Impact Fee Eligible	Total Impact Fee Eligible Cost	Total Lindon Demand Served
Public Safety Building	2016	17,538	39%	$3,333,036	$1,294,122	100%	$1,294,122	5,992
Storage Facility (Old Fire Station)	2001	1,750	40%	$373,610	$149,444	100%	$149,444	5,992

  - The City plans to fund the Public Safety Building with a Sales Tax Revenue Bond.

	Principal	Interest	% to Fire	% to Lindon Fire	% to Police	Total Fire Impact Fee Eligible Interest Cost	Total Police Impact Fee Eligible Interest Cost
2015 Sales Tax Revenue Bond	$2,600,000	$361,726	61%	62%	39%	$137,192	$140,448

- **Level of Service:**
  - 1.39 officers per 1,000 residents.
  - The City believes this ratio is sufficient to provide advanced level of service such as School Resource Officer, Animal Control Services which are performed by all Officers, Investigators, etc.
  - 2.09 Sq. Ft. per call

Police

- **Capital Facilities Analysis:**
  - The City does not anticipate any additional police facilities to be constructed in the next 6-10 years.

Police

- **Cost per Call Calculation:**

	Estimated Cost	% City Funded	% IF Eligible	Cost to Impact Fees	Calls Served	Cost per call
Public Safety Building	$1,294,122	100%	100%	$1,294,122	5,992	$216
Bond Interest related to Public Safety Building				$140,448	5,992	$23
Storage Facility	$149,444	100%	100%	$149,444	5,992	$25
Total				**$1,584,014**		**$264**
Professional Expense (through 2021)				$5,400	3,994	$1
Total Impact Fee Cost per Call						**$266**

POLICE

- **Police Impact Fee:**

	Cost per Call	Calls per Unit/1,000 sq. ft.	Total Impact Fee per Unit/1,000 sq. ft.
Residential			
Residential	$266	0.625	$166
Non-Residential (per 1,000 sq. ft.)			
Commercial	$266	0.325	$86
Industrial	$266	0.157	$42

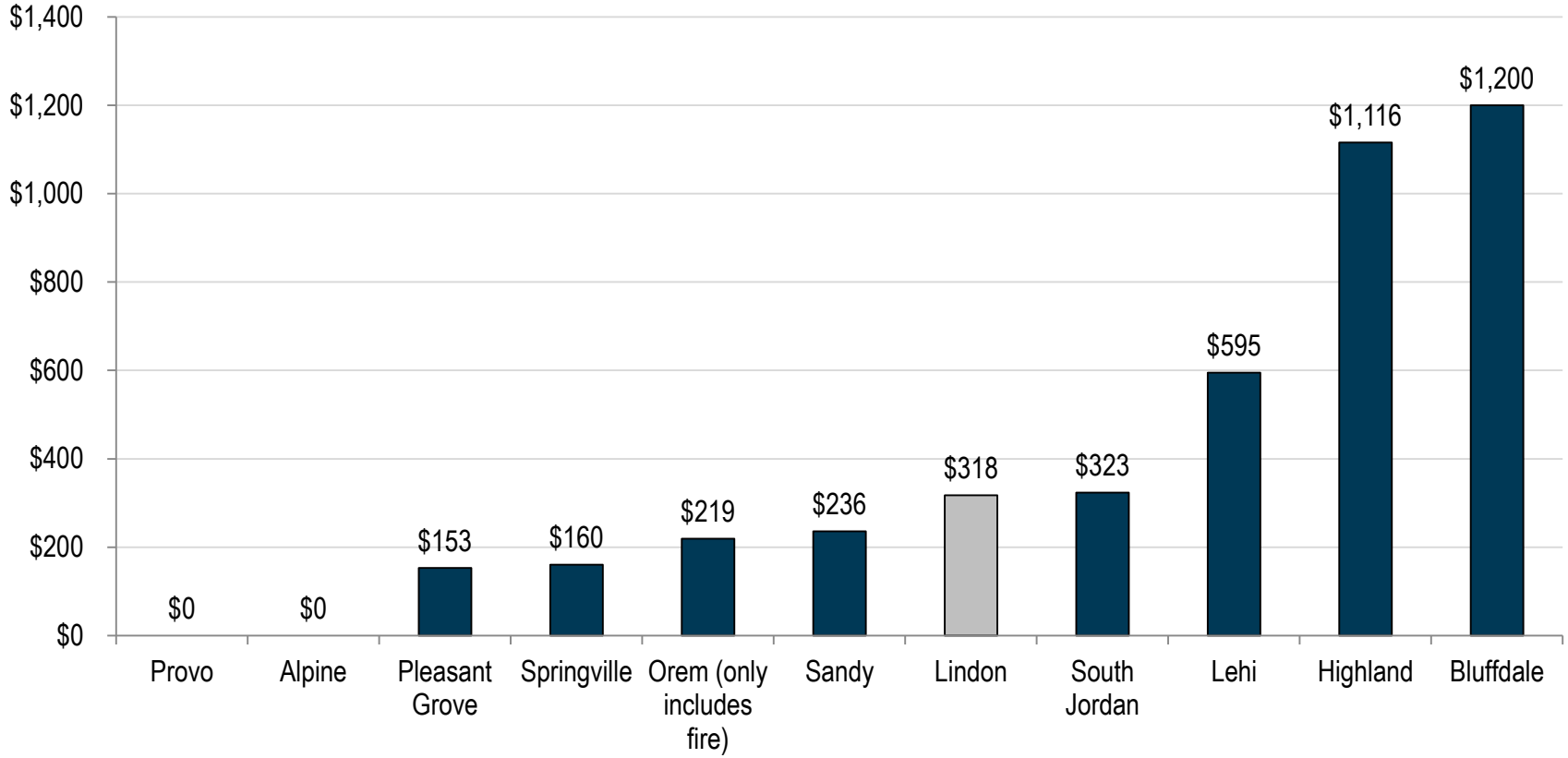
**The City does not currently charge an impact fee for public safety. LYRB completed an Impact Fee Analysis for public safety in 2010 but the fees were never adopted.*

Police

Revenue Analysis:

Year	Estimated Calls	Growth in Calls	Police Impact Fee per Call	Estimate of Impact Fee Revenue
2015	3,652			-
2016	3,707	55	$266	$14,556
2017	3,763	56	$266	$14,774
2018	3,819	56	$266	$14,996
2019	3,876	57	$266	$15,221
2020	3,935	58	$266	$15,449
2021	3,994	59	$266	$15,681
2022	4,053	60	$266	$15,916
2023	4,114	61	$266	$16,155
2024	4,176	62	$266	$16,397
2025	4,239	63	$266	$16,643
Total				**$155,787**

Public Safety Comparables



FIRE
IMPACT FEE FACILITIES PLAN (IFFP) & IMPACT FEE ANALYSIS (IFA)

LINDON CITY, UTAH

MARCH 2016
DRAFT

LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.
GATEWAY PLAZA BUILDING - 41 N. RIO GRANDE, STE 101 - SALT LAKE CITY, UT 84101
(P) 801-596-0700 - (TF) 800-581-1100 - (F) 801-596-2800 - WWW.LEWISYOUNG.COM

IMPACT FEE CERTIFICATION

IMPACT FEE FACILITIES PLAN (IFFP) CERTIFICATION

LYRB certifies that the attached impact fee facilities plan:

includes only the costs of public facilities that are:

a. allowed under the Impact Fees Act; and
b. actually incurred; or
c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;

2. does not include:
   a. costs of operation and maintenance of public facilities;
   b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
   c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and,
3. complies in each and every relevant respect with the Impact Fees Act.

IMPACT FEE ANALYSIS (IFA) CERTIFICATION

LYRB certifies that the attached impact fee analysis:

1. includes only the costs of public facilities that are:
   a. allowed under the Impact Fees Act; and
   b. actually incurred; or
   c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
   a. costs of operation and maintenance of public facilities;
   b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
   c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
   d. offsets costs with grants or other alternate sources of payment; and,
3. complies in each and every relevant respect with the Impact Fees Act.

Lewis Young Robertson & Burningham, Inc. makes this certification with the following caveats:

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by City staff and elected officials.
2. If all or a substantial portion of the IFFP or IFA are modified or amended by the City, this certification is no longer valid.
3. All information provided to LYRB is assumed to be correct, complete, and accurate. This includes information provided by the City as well as outside sources.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.

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SECTION 1: EXECUTIVE SUMMARY - FIRE IMPACT FEES

The purpose of the Fire Impact Fee Facilities Plan ("IFFP"), with supporting Impact Fee Analysis ("IFA"), is to fulfill the requirements established in Utah Code Title 11 Chapter 36a, the "Impact Fees Act", and help Lindon City (the "City") plan necessary capital improvements for future growth. This document will address the future fire infrastructure needed to serve the City through the next five to ten years, as well as address the appropriate impact fees the City may charge to new growth to maintain the existing level of service ("LOS").

- **Service Area:** The service area for fire impact fees includes all areas within the City.
- **Demand Analysis:** The demand unit used for this analysis is calls for fire service. It is anticipated that the growth projected over the next ten year planning horizon, and through buildout, will impact the City's existing services through the increase in calls for service. Section 3 of this report outlines the growth in calls for service.
- **Level of Service:** The level of service for purposes of this analysis is the current building square feet per call. While the current level of service is 28.21 Sq. Ft. per call, the City does not anticipate a need to construct additional fire facilities in the future as the existing Public Safety Building will likely serve all demand through buildout. Level of service can also be measured in response times. The target response time for the Fire Department is six minutes. The existing response time is slightly higher at approximately 6.04 minutes. Additional detail regarding level of service is found in Section 4.
- **Excess Capacity:** Excess capacity currently exists in the Public Safety Building that is currently under construction. The City anticipates that this building will serve all future calls through buildout.
- **Future Capital Facilities:** The City does not plan on constructing any new fire facilities in the future. Thus, the impact fee calculation is solely based on the buy-in component of the existing Public Safety Building.

PROPOSED FIRE IMPACT FEE

The IFFP must properly complete the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of appropriate impact fees. The calculation of impact fees relies upon the information contained in this analysis. Impact fees are then calculated based on many variables centered on proportionality share and level of service. The following paragraph describes the methodology used for calculating impact fees in this analysis.

GROWTH-DRIVEN (PERPETUATION OF EXISTING LEVEL OF SERVICE)

The methodology utilized in this analysis is based on the increase, or **growth**, in demand. The growth driven method utilizes the existing level of service and perpetuates that level of service into the future. Impact fees are then calculated to provide sufficient funds for the entity to expand or provide additional facilities, as growth occurs within the community. Under this methodology, impact fees are calculated to ensure new development provides sufficient investment to maintain the current level of service (LOS) standards in the community.

PLAN BASED/BUY-IN METHODOLOGY (FEE BASED ON DEFINED CIP AND EXCESS CAPACITY)

Impact fees can be calculated based on a defined set of costs specified for future development. The improvements are identified in a capital plan as growth related projects. The total project costs are divided by the total demand units the projects are designed to serve. In the event that the City does not plan to construct additional facilities in the future to serve new growth, a buy-in component can be considered. Under this methodology, it is important to identify the existing level of service and determine the excess capacity in existing facilities that could serve new growth. Impact fees are then calculated based on many variables centered on proportionality share and level of service.

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FIRE IMPACT FEE CALCULATION

Fire impact fees were calculated assuming that all future growth will buy-in to the existing Public Safety Building. The cost per call was determined by taking the total cost of the existing Public Safety Building and dividing it over the total estimated number of calls through buildout, as shown in Table 1.1. A cost for professional services is then applied, which is the actual cost to update the IFFP and IFA. The City can use this portion of the impact fee to reimburse itself for the expense of updating the IFFP and IFA. The professional services cost is divided over the additional calls generated in the next six years. Section 5 further details the calculation of this impact fee. The total cost per call is the basis for the maximum impact fees per land use category shown in Table 1.2.

TABLE 1.1: ESTIMATE OF IMPACT FEE COST PER CALL

	ESTIMATED COST	% CITY FUNDED	% IMPACT FEE ELIGIBLE	COST TO IMPACT FEES	CALLS SERVED	COST PER CALL
Existing Stations						
Public Safety Building	$1,264,127	100%	100%	$1,264,127	632	$1,999
Bonding Related to Public Safety Building				$137,192	632	$217
Total Stations						**$2,216**
Other Expenses						
Professional Expense				$5,400	422	$13
Total Other Expenses						**$13**

The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit for each development type as shown in table 1.2. The total cost per call includes the cost per call for facilities and professional expense. The fire/EMS impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 1.2: PROPOSED FIRE/EMS IMPACT FEE SCHEDULES

	COST PER CALL	CALLS PER UNIT/1,000 SQ. FT.	TOTAL IMPACT FEE PER UNIT/1,000 SQ. FT.
Residential (per unit)			
Residential	$2,229	0.068	$152
Non-Residential (per 1,000 Sq. Ft.)			
Commercial	$2,229	0.035	$78
Industrial	$2,229	0.014	$31

NON-STANDARD IMPACT FEES

The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon public facilities.[1] This adjustment should be based on the total cost per call and may produce a fee that differs from the schedule above based on the actual demand of the proposed development. To determine the impact fee for a non-standard use, the City should use the following formula:

Total Calls (per Specified Land Use) * Cost per Call

[1] 11-36a-402(1)(c)

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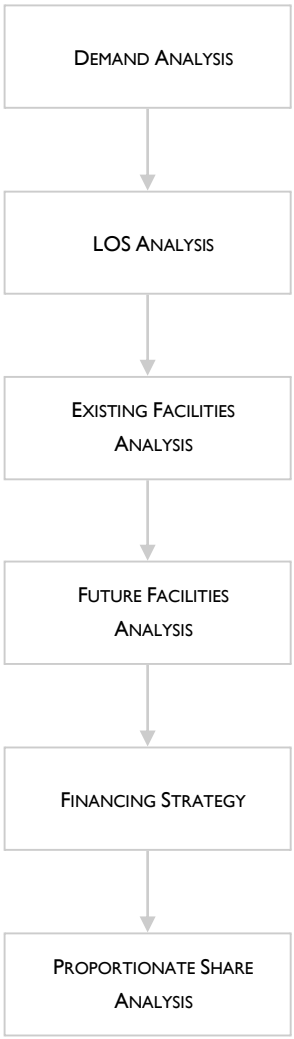
SECTION 2: GENERAL IMPACT FEE METHODOLOGY

FIGURE 2.1: IMPACT FEE METHODOLOGY



The purpose of this study is to fulfill the requirements of the Impact Fees Act regarding the establishment of an IFFP and IFA. The IFFP is designed to identify the demands placed upon the City's existing facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which are intended to be funded by impact fees. The IFA is designed to proportionately allocate the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered. Each component must consider the historic level of service provided to existing development and ensure that impact fees are not used to raise that level of service. The following elements are important considerations when completing an IFFP and IFA.

DEMAND ANALYSIS

The demand analysis serves as the foundation for the IFFP. This element focuses on a specific demand unit related to each public service – the existing demand on public facilities and the future demand as a result of new development that will impact public facilities.

LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing "Level of Service" ("LOS"). Through the inventory of existing facilities, combined with the growth assumptions, this analysis identifies the level of service which is provided to a community's existing residents and ensures that future facilities maintain these standards. Any excess capacity identified within existing facilities can be apportioned to new development. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

EXISTING FACILITY INVENTORY

In order to quantify the demands placed upon existing public facilities by new development activity, the Impact Fee Facilities Plan provides an inventory of the City's existing system improvements. To the extent possible, the inventory valuation should consist of the following information:

- Original construction cost of each facility;
- Estimated date of completion of each future facility;
- Estimated useful life of each facility; and,
- Remaining useful life of each existing facility.

The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development.

FUTURE CAPITAL FACILITIES ANALYSIS

The demand analysis, existing facility inventory and LOS analysis allow for the development of a list of capital projects necessary to serve new growth and to maintain the existing system. This list includes any excess capacity of existing facilities as well as future system improvements necessary to maintain the level of service. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

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FINANCING STRATEGY – CONSIDERATION OF ALL REVENUE SOURCES

This analysis must also include a consideration of all revenue sources, including impact fees, future debt costs, alternative funding sources and the dedication of system improvements, which may be used to finance system improvements.[2] In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.[3]

PROPORTIONATE SHARE ANALYSIS

The written impact fee analysis is required under the Impact Fees Act and must identify the impacts placed on the facilities by development activity and how these impacts are reasonably related to the new development. The written impact fee analysis must include a proportionate share analysis, clearly detailing each cost component and the methodology used to calculate each impact fee. A local political subdivision or private entity may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future (UCA 11-36a-302).

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[2] 11-36a-302(2)
[3] 11-36a-302(3)

SECTION 3: SERVICE AREA AND DEMAND ANALYSIS

SERVICE AREA

Utah Code requires the impact fee enactment to establish one or more service areas within which impact fees will be imposed.[4] The impact fee identified in this document will be assessed to a single city-wide service area.

DEVELOPMENT BY ZONING CLASS

Table 3.1 summarizes the City's existing and future residential dwelling units, and the developed and undeveloped non-residential land-uses.

TABLE 3.1: DEVELOPMENT BY ZONING CLASS

	MEASUREMENT	DEVELOPED	UNDEVELOPED	TOTAL
Residential				
Residential	per Unit	2,637	1,049	3,686
Subtotal Residential:		**2,637**	**1,049**	**3,686**
Non-Residential				
Commercial	per 1,000 sf	4,365	4,357	8,722
Industrial	per 1,000 sf	3,381	2,051	5,432
Subtotal Non-Residential:		**7,746**	**6,408**	**14,154**
Total		**10,383**	**7,457**	**17,840**

The IFFP, in conjunction with the IFA, is designed to accurately assess the true impact of a particular user upon the City's infrastructure and prevent existing users from subsidizing new growth or for new growth to pay for existing system deficiencies. Impact fees should be used to fund the costs of growth-related capital infrastructure based upon the historic funding of the existing infrastructure and the intent of the City to equitably allocate the costs of growth-related infrastructure in accordance with the true impact that a user will place on the system.

DEMAND UNITS

This element focuses on the specific demand unit related to fire services, which will be calls for service.[5] The demand analysis identifies the existing demand on public facilities and the future demand as a result of new development that will impact public facilities. The demand analysis also provides projected annual growth in demand units over the planning horizon of the IFFP. Existing call data was analyzed in relation to the current land-use within the City to determine the current level of service by land-use type. Call data was collected from 2012 through 2014 to determine the average calls for residential and non-residential development.

TABLE 3.2: HISTORIC FIRE CALL DATA BY LAND USE CATEGORY

LAND USE	PRIVATE FIRE CALLS FY 2012-2014	3 YEAR AVERAGE # OF CALLS	PERCENTAGE
Residential	534	178	
Commercial	462	154	
Industrial	145	48	
Total Lindon Calls	**1,141**	**380**	**62%**
Total Orem Calls		**233**	**38%**
Total Calls		**613**	

The Lindon Fire Department currently serves a portion of Orem City as well. The calls responded to in Orem amount to approximately 38 percent of the total calls served by the Lindon Fire Department.

[4] UC 11-36a-402(a)
[5] Fire call means a call which initiates the deployment of fire apparatus and fire fighters to a location within the City

TABLE 3.3: RATIO OF CALLS PER DEVELOPED UNIT

	DEVELOPED UNITS OR 1,000 SF	HISTORIC AVG. ANNUAL CALLS	CALLS PER UNIT
Residential (per dwelling unit)			
Residential	2,637	178	0.068
Subtotal Residential:	**2,637**	**178**	**0.068**
Non-Residential (per 1,000 Sq. Ft.)			
Commercial	4,365	154	0.035
Industrial	3,381	48	0.014
Subtotal Non-Residential:	**7,746**	**202**	**0.049**
Total	**10,383**	**380**	**0.117**

In all, an annual average of 380 calls for service in Lindon were attributed to residential and non-residential development (not including calls placed from public land-uses – i.e. government buildings, parks, etc. – and calls that cannot be traced to identifiable land-uses).

The call ratio analysis establishes the existing level of service for residential and non-residential land-uses. A review of existing business in the City shows a mix of business types. This suggests the call data is based on a variety of business that reflects a cross-section of the types of business that will likely continue to develop in the City.

In order to determine the demand placed upon existing public facilities by new development, this analysis projects the additional call volume that undeveloped land-uses will generate. An in-depth analysis has been prepared to determine the number of developed units or acres of land in each zoning category, and the number of calls per unit or acre of land has been assigned to each land-use category. As shown in Table 3.4, the future fire calls are projected based upon the number of historic calls within each land-use category.

The fire call projections include fire calls to private land-uses within the City only. Therefore, calls placed from public land-uses, including government buildings, parks, etc., calls that cannot be traced to identifiable land-uses, and calls outside of the City have not been included in the fire call projections shown in Table 3.4. Additionally, all Orem calls have been excluded from the analysis as well as the proportionate cost of the existing facility that serves Orem calls.

TABLE 3.4: FIRE CALL PROJECTIONS

	CALLS PER UNIT	UNDEVELOPED UNITS	ADDITIONAL CALLS TO BUILDOUT
Residential			
Residential	0.068	1,049	71
Subtotal Residential:	**0.068**	**1,049**	**71**
Non-Residential			
Commercial	0.035	4,357	152
Industrial	0.014	2,051	29
Subtotal Non-Residential:	**0.049**	**6,408**	**181**
Total	**0.117**	**7,457**	**252**

As shown in Table 3.4, the City anticipates an additional annual 252 calls through buildout.[6] Thus, the total annual calls at buildout are expected to be approximately 632.[7] Table 3.5 shows a forecast of calls from 2015 through 2025, which is the planning horizon. Approximately 62 calls will occur within the planning horizon (2015-2025).

[6] The City estimates the average annual population growth to be 1.5 percent based on data from Census 2010 and the Governor's Office of Management and Budget (GOMB). At a growth rate of 1.5 percent annually, the City will likely reach buildout in 2048, thus the 252 additional annual calls until buildout have been spread evenly from 2015 until 2048.

[7] This is calculated by taking the historic average annual call total (380) shown in Table 3.3 and adding the additional annual calls to buildout (252) shown in Table 3.4.

TABLE 3.5: FORECASTED CALLS

YEAR	CALLS	ANNUAL % CHANGE
2014	380	1.50%
2015	386	1.50%
2016	392	1.50%
2017	398	1.50%
2018	404	1.50%
2019	410	1.50%
2020	416	1.50%
2021	422	1.50%
2022	428	1.50%
2023	435	1.50%
2024	441	1.50%
2025	448	1.50%
Calls added 2015 - 2025 (IFFP Horizon)	62	
Calls added 2015 – 2021 (6 Year Professional Expense Horizon)	36	
Calls added 2015 to Buildout	252	

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SECTION 4: EXISTING FACILITIES INVENTORY & LEVEL OF SERVICE

EXISTING FACILITIES INVENTORY

The Lindon Fire Department is currently in the process of constructing a new public safety building. This facility will house both the fire and police departments. The police portion will include offices, evidence rooms, and a sally port. The fire portion will include public and shared spaces, living quarters and bays. Some space will be shared between both police and fire such as a lobby, public hallways, training rooms, elevator, public restroom, stairwells, mechanical, janitorial closets, etc. The total square footage of the building will be 17,538.

In the past, the police department worked out of the basement of the City Center. The fire department used an old house as a living quarters and a separate facility to store equipment and vehicles. This new facility will replace all of the existing facilities previously used by the fire and police departments.

VALUE OF EXISTING FIRE INFRASTRUCTURE

In order to quantify the demands placed upon existing public facilities by new development activity, the Impact Fee Facilities Plan provides an inventory of the City's existing facilities. The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development. Once the new Public Safety Building is completed, this will be the only facility used by the fire department. The table below shows the percentage of the Public Safety Building that will be used by the fire department as well as the percentage of calls that will serve Lindon City vs. Orem City.

TABLE 4.1: ORIGINAL COST OF EXISTING FACILITIES AND APPARATUS >$500,000

FACILITIES	CONSTRUCTION YEAR	TOTAL SQ. FT.	% OF STATION TO FIRE	% TO LINDON	SQ. FT. TO FIRE	CONSTRUCTION COST TOTAL	COST TO LINDON FIRE	% CITY FUNDED AND IMPACT FEE ELIGIBLE	TOTAL IMPACT FEE ELIGIBLE COST	LINDON DEMAND SERVED
Public Safety Building	2016	17,538	61%	62%	10,729	$3,333,036.43	$1,264,127	100%	$1,264,127	632

Approximately 61 percent of the Public Safety Building will be used by the fire department and 62 percent of all calls responded to by the fire department will be within Lindon City (see Table 3.2). Thus, while the actual construction cost of the building is $3,333,036, only $1,264,127 will be included in the calculation of the impact fee. The City does not anticipate constructing any additional fire facilities in the future, thus this Public Safety Building will serve the City's demand through buildout, or a total of 632 Lindon calls for service, as well as demand generated from Orem City calls for service.

MANNER OF FINANCING EXISTING PUBLIC FACILITIES

The Public Safety Building has been funded by existing development through City and RDA funds. In addition, a Sales Tax Revenue Bond was issued in 2016 to fund a portion of the facility. Table 4.2 describes the principal and interest associated with the bond as well as the amount of interest that can be included in the calculation of the fire impact fee.

TABLE 4.2: FUNDING

	PRINCIPAL	INTEREST	% TO FIRE	% TO LINDON FIRE	TOTAL FIRE IMPACT FEE ELIGIBLE
2016 Sales Tax Revenue Bond	$2,600,000	$361,726	61%	62%	$137,192.39

Since the City does not anticipate a need to construct additional fire facilities in the future, a portion of the cost associated with the Public Safety Building will be calculated as a buy-in and will be applied to future residents by way of an impact fee. New growth will be expected to pay its fair share of the costs incurred to serve new growth.

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LEVEL OF SERVICE STANDARDS

The level of service for purposes of this analysis is the current building square feet per call. Level of service can also be described in terms of response time and road miles as discussed below. Impact fees cannot be used to finance an increase in the level of service to current or future users of the infrastructure. Based on the historic call data shown above there is approximately 380 calls annually. This equates to 28 sq. ft. of existing facilities per call.

TABLE 4.3: FIRE FACILITIES LEVEL OF SERVICE AND NEEDS ASSESSMENT

	FIRE FACILITIES
Total Current Sq. Ft.	10,729
Average Annual Calls	380
Sq. Ft./Call (Level of Service)	28.21
Future Calls to Buildout	252
Additional Square Feet Needed	7,108

Based on the historic level of service, a total of 7,108 new square feet would be necessary to serve new development and maintain the same proportionality of square footage at buildout. However, the City believes the Public Safety Building to be sufficient to serve all fire calls through buildout and does not plan to maintain this current level of service in the future. Thus, an impact fee will be charged to buy-in to the existing Public Safety Building.

LEVEL OF SERVICE (RESPONSE TIME)

The target response for service for the fire department is **six minutes**. The applicable National Fire Protection Association (NFPA) standard is 8:00 for Advanced Life Support responses. The standard should be met more than 90 percent of the time. While the City's target response time is six minutes, actual response time may be slightly higher due to the nature of fire incidents. The overall City average response time is 6:04 minutes.

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SECTION 5: CAPITAL FACILITY ANALYSIS

The demand analysis anticipates an additional 62 calls within the next ten years with an additional 252 calls through buildout. The City anticipates that all of these calls can be served by the Public Safety Building that is currently under construction and thus does not plan on building additional fire facilities in the future.

SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities that are intended to provide services to service areas within the community at large.[8] Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.[9] The Impact Fee Analysis may only include the costs of impacts on system improvements related to new growth within the proportionate share analysis. Since fire services serve the entire community, the construction of fire safety buildings are considered system improvements. However, no additional fire safety buildings are planned for the near future.

FUNDING OF FUTURE FACILITIES

The IFFP must also include a consideration of all revenue sources, including impact fees and the dedication (developer donated) of system improvements, which may be used to finance system improvements.[10] In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.[11]

PROPERTY TAX REVENUES

Property tax revenues are not specifically identified in this analysis as a funding source for capital projects, but inter-fund loans can be made from the general fund which will ultimately include some property tax revenues. Inter-fund loans may be repaid once sufficient impact fee revenues have been collected. The City does not currently assess interest on money borrowed from the general fund; however, the City may adopt a policy to do so.

GRANTS AND DONATIONS

Should the City receive grant money to fund fire facilities, the impact fees will need to be adjusted accordingly to reflect the grant monies received. A donor will be entitled to a reimbursement for the value of the improvements funded through impact fees if donations are made by new development. Section 6 further addresses developer donations.

IMPACT FEE REVENUES

Impact fees are a valid mechanism for funding growth-related infrastructure. Impact fees are charged to ensure that new growth pays its proportionate share of the costs for the development of public infrastructure. Impact fee revenues can also be attributed to the future expansion of public infrastructure if the revenues are used to maintain an existing level of service. Increases to an existing level of service cannot be funded with impact fee revenues. Analysis is required to accurately assess the true impact of a particular user upon the City infrastructure and to prevent existing users from subsidizing new growth.

DEBT FINANCING

The Impact Fees Act allows for the costs related to the financing of future capital projects to be legally included in the impact fee. This allows the City to finance and quickly construct infrastructure for new development and reimburse itself later from impact fee revenues for the costs of issuing debt.

[8] UC 11-36a-102(20)
[9] UC 11-36a102(13)
[10] UC 11-36a-302(2)
[11] UC 11-36a-302(3)

EQUITY OF IMPACT FEES

Impact fees are intended to recover the costs of capital infrastructure that relate to future growth. The impact fee calculations are structured for impact fees to fund 100% of the growth-related facilities identified in the proportionate share analysis as presented in the impact fee analysis. Even so, there may be years that impact fee revenues cannot cover the annual growth-related expenses. In those years, other revenues such as general fund revenues will be used to make up any annual deficits. Any borrowed funds are to be repaid in their entirety through impact fees.

NECESSITY OF IMPACT FEES

An entity may only impose impact fees on development activity if the entity's plan for financing system improvements establishes that impact fees are necessary to achieve parity between existing and new development. This analysis has identified the improvements to public facilities and the funding mechanisms to complete the suggested improvements. Impact fees are identified as a necessary funding mechanism to help offset the costs of new capital improvements related to new growth. In addition, alternative funding mechanisms are identified to help offset the cost of future capital improvements.

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SECTION 6: FIRE IMPACT FEE CALCULATION

The written impact fee analysis relies upon the information contained in this document. The following briefly discusses the methodology for calculating fire impact fees.

PROPOSED FIRE IMPACT FEES

The fire/EMS impact fees proposed in this analysis will be assessed within all areas of the City. The cost per call for the existing Public Safety Building is the basis for the maximum impact fees per land use category shown in Table 5.2.

TABLE 5.1: ESTIMATE OF IMPACT FEE COST PER CALL

	Estimated Cost	% City Funded	% Impact Fee Eligible	Cost to Impact Fees	Calls Served	Cost per Call
Existing Stations						
Public Safety Building	$1,264,127	100%	100%	$1,264,127	632	$1,999
Bonding Related to Public Safety Building				$137,192	632	$217
Total Stations						**$2,216**
Other Expenses						
Professional Expense				$5,400	422	$13
Total Other Expenses						**$13**

The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit for each development type as shown in table 5.2. The total cost per call includes the cost per call for facilities and professional expense.

TABLE 5.2: RECOMMENDED FIRE/EMS IMPACT FEE SCHEDULE

	Cost per Call	Calls per Unit/1,000 sq. ft.	Total Impact Fee per Unit/1,000 sq. ft.
Residential (per unit)			
Residential	$2,229	0.068	$152
Non-Residential (per 1,000 Sq. Ft.)			
Commercial	$2,229	0.035	$78
Industrial	$2,229	0.014	$31

NON-STANDARD FIRE IMPACT FEES

The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon fire facilities.[12] This adjustment could result in a higher impact fee if the City determines that a particular user may create a greater impact than what is standard for its land use. The City may also decrease the impact fee if the developer can provide documentation evidence, or alternative-credible analysis that the proposed impact will be lower than normal. The formula for determining a non-standard impact fee, assuming the fair share approach, is found below.

FORMULA FOR NON-STANDARD FIRE/EMS IMPACT FEES:

Residential Fire Impact Fee
Calls per Residence x $2,229 = Recommended Impact Fee

Non-Residential Fire Impact Fee
Calls per Unit / (Bldg. Sq. Ft./1,000) x $2,229 = Recommended Impact Fee

[12] UC 11-36a-402(1)(c)

CONSIDERATION OF ALL REVENUE SOURCES

The Impact Fees Act requires the proportionate share analysis to demonstrate that impact fees paid by new development are the most equitable method of funding growth-related infrastructure. See Section 5 for further discussion regarding the consideration of revenue sources.

EXPENDITURE OF IMPACT FEES

Legislation requires that impact fees should be spent or encumbered with six years after each impact fee is paid. Impact fees collected in the next five to six years should be spent only on those projects outlined in the IFFP as growth related costs to maintain the LOS.

PROPOSED CREDITS OWED TO DEVELOPMENT

The Impact Fees Act requires that credits be paid back to development for future fees that will pay for growth-driven projects included in the Impact Fee Facilities Plan that would otherwise be paid for through user fees. Credits may also be paid to developers who have constructed and donated facilities to that City that are included in the IFFP in-lieu of impact fees. This situation does not apply to developer exactions or improvements required to offset density or as a condition of development. Any project that a developer funds must be included in the IFFP if a credit is to be issued.

In the situation that a developer chooses to construct facilities found in the IFFP in-lieu of impact fees, the decision must be made through negotiation with the developer and the City on a case-by-case basis.

GROWTH-DRIVEN EXTRAORDINARY COSTS

The City does not anticipate any extraordinary costs necessary to provide services to future development.

SUMMARY OF TIME PRICE DIFFERENTIAL

The Impact Fees Act allows for the inclusion of a time price differential to ensure that the future value of costs incurred at a later date are accurately calculated to include the costs of construction inflation. Construction inflation has not been included since no additional capital facilities are planned for the future.

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POLICE
IMPACT FEE FACILITIES PLAN (IFFP) & IMPACT FEE ANALYSIS (IFA)

LINDON CITY, UTAH

MARCH 2016
DRAFT

LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.
GATEWAY PLAZA BUILDING - 41 N. RIO GRANDE, STE 101 - SALT LAKE CITY, UT 84101
(P) 801-596-0700 - (TF) 800-581-1100 - (F) 801-596-2800 - WWW.LEWISYOUNG.COM

IMPACT FEE CERTIFICATION

IMPACT FEE FACILITIES PLAN (IFFP) CERTIFICATION

LYRB certifies that the attached impact fee facilities plan:

includes only the costs of public facilities that are:

a. allowed under the Impact Fees Act; and
b. actually incurred; or
c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;

2. does not include:
   a. costs of operation and maintenance of public facilities;
   b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
   c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and,
3. complies in each and every relevant respect with the Impact Fees Act.

IMPACT FEE ANALYSIS (IFA) CERTIFICATION

LYRB certifies that the attached impact fee analysis:

1. includes only the costs of public facilities that are:
   a. allowed under the Impact Fees Act; and
   b. actually incurred; or
   c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
   a. costs of operation and maintenance of public facilities;
   b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
   c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement;
   d. offsets costs with grants or other alternate sources of payment; and,
3. complies in each and every relevant respect with the Impact Fees Act.

Lewis Young Robertson & Burningham, Inc. makes this certification with the following caveats:

1. All of the recommendations for implementations of the IFFP made in the IFFP documents or in the IFA documents are followed by City staff and elected officials.
2. If all or a substantial portion of the IFFP or IFA are modified or amended by the City, this certification is no longer valid.
3. All information provided to LYRB is assumed to be correct, complete, and accurate. This includes information provided by the City as well as outside sources.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.

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SECTION 1: EXECUTIVE SUMMARY - POLICE IMPACT FEES

The purpose of the Police Impact Fee Facilities Plan ("IFFP"), with supporting Impact Fee Analysis ("IFA"), is to fulfill the requirements established in Utah Code Title 11 Chapter 36a, the "Impact Fees Act", and help Lindon City (the "City") plan necessary capital improvements for future growth. This document will address the future police infrastructure needed to serve the City through the next five to ten years, as well as address the appropriate impact fees the City may charge to new growth to maintain the existing level of service ("LOS").

- **Service Area:** The service area for police impact fees includes all areas within the City.
- **Demand Analysis:** The demand unit used for this analysis is calls for police service. It is anticipated that the growth projected over the next ten year planning horizon, and through buildout, will impact the City's existing services through the increase in calls for service. Section 3 of this report outlines the growth in calls for service.
- **Level of Service:** The level of service for purposes of this analysis is 1.39 officers per 1,000 residents. Another way to measure level of service is the square feet of floor space per officer. Currently the police department has approximately 501 square feet per call. While the current level of service is 501 square feet per call, the City does not anticipate a need to construct additional police facilities in the future as the existing police facilities will likely serve all demand through buildout. Additional detail regarding level of service is found in Section 4.
- **Excess Capacity:** Excess capacity currently exists in the Public Safety Building that is currently under construction as well as an additional storage facility used by police. The City anticipates that these buildings will serve all future calls through buildout.
- **Future Capital Facilities:** The City does not plan on constructing any new police facilities in the future. Thus, the impact fee calculation is solely based on the buy-in component of the existing police facilities.

PROPOSED POLICE IMPACT FEE

The IFFP must properly complete the legislative requirements found in the Impact Fee Act if it is to serve as a working document in the calculation of appropriate impact fees. The calculation of impact fees relies upon the information contained in this analysis. Impact fees are then calculated based on many variables centered on proportionality share and level of service. The following paragraph describes the methodology used for calculating impact fees in this analysis.

GROWTH-DRIVEN (PERPETUATION OF EXISTING LEVEL OF SERVICE)

The methodology utilized in this analysis is based on the increase, or **growth**, in demand. The growth driven method utilizes the existing level of service and perpetuates that level of service into the future. Impact fees are then calculated to provide sufficient funds for the entity to expand or provide additional facilities, as growth occurs within the community. Under this methodology, impact fees are calculated to ensure new development provides sufficient investment to maintain the current level of service (LOS) standards in the community.

PLAN BASED/BUY-IN METHODOLOGY (FEE BASED ON DEFINED CIP AND EXCESS CAPACITY)

Impact fees can be calculated based on a defined set of costs specified for future development. The improvements are identified in a capital plan as growth related projects. The total project costs are divided by the total demand units the projects are designed to serve. In the event that the City does not plan to construct additional facilities in the future to serve new growth, a buy-in component can be considered. Under this methodology, it is important to identify the existing level of service and determine the excess capacity in existing facilities that could serve new growth. Impact fees are then calculated based on many variables centered on proportionality share and level of service.

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POLICE IMPACT FEE CALCULATION

Police impact fees were calculated assuming that all future growth will buy-in to the existing Public Safety Building and police storage facility. The cost per call was determined by taking the total cost of the existing police facilities and dividing it over the total estimated number of calls through buildout, as shown in Table 1.1. A cost for professional services is then applied, which is the actual cost to update the IFFP and IFA. The City can use this portion of the impact fee to reimburse itself for the expense of updating the IFFP and IFA. The professional services cost is divided over the additional calls generated in the next six years. Section 5 further details the calculation of this impact fee. The total cost per call is the basis for the maximum impact fees per land use category shown in Table 1.2.

TABLE 1.1: ESTIMATE OF IMPACT FEE COST PER CALL

	ESTIMATED COST	% CITY FUNDED	% IMPACT FEE ELIGIBLE	COST TO IMPACT FEES	CALLS SERVED	COST PER CALL
Existing Facilities						
Public Safety Building	$1,294,122	100%	100%	$1,294,122	5,992	$216
Bonding Related to Public Safety Building				$140,448	5,992	$23
Storage Facility	$149,444	100%	100%	$149,444	5,992	$25
Total Facilities				**$1,584,014**		**$264**
Other Expenses						
Professional Expense				$5,400	3,994	$1
Total Other Expenses						**$1**

The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit for each development type as shown in table 1.2. The total cost per call includes the cost per call for facilities and professional expense. The police impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 1.2: PROPOSED POLICE IMPACT FEE SCHEDULES

	COST PER CALL	CALLS PER UNIT/1,000 SQ. FT.	TOTAL IMPACT FEE PER UNIT/1,000 SQ. FT.
Residential (per unit)			
Residential	$266	0.625	$166
Non-Residential (per 1,000 Sq. Ft.)			
Commercial	$266	0.325	$86
Industrial	$266	0.157	$42

NON-STANDARD IMPACT FEES

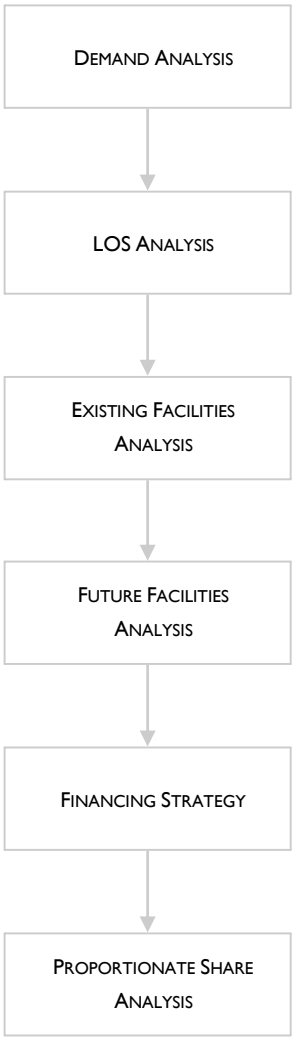
The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon public facilities.[1] This adjustment should be based on the total cost per call and may produce a fee that differs from the schedule above based on the actual demand of the proposed development. To determine the impact fee for a non-standard use, the City should use the following formula:

Total Calls (per Specified Land Use) * Cost per Call

[1] 11-36a-402(1)(c)

SECTION 2: GENERAL IMPACT FEE METHODOLOGY

FIGURE 2.1: IMPACT FEE METHODOLOGY



The purpose of this study is to fulfill the requirements of the Impact Fees Act regarding the establishment of an IFFP and IFA. The IFFP is designed to identify the demands placed upon the City's existing facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which are intended to be funded by impact fees. The IFA is designed to proportionately allocate the cost of the new facilities and any excess capacity to new development, while ensuring that all methods of financing are considered. Each component must consider the historic level of service provided to existing development and ensure that impact fees are not used to raise that level of service. The following elements are important considerations when completing an IFFP and IFA.

DEMAND ANALYSIS

The demand analysis serves as the foundation for the IFFP. This element focuses on a specific demand unit related to each public service – the existing demand on public facilities and the future demand as a result of new development that will impact public facilities.

LEVEL OF SERVICE ANALYSIS

The demand placed upon existing public facilities by existing development is known as the existing "Level of Service" ("LOS"). Through the inventory of existing facilities, combined with the growth assumptions, this analysis identifies the level of service which is provided to a community's existing residents and ensures that future facilities maintain these standards. Any excess capacity identified within existing facilities can be apportioned to new development. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

EXISTING FACILITY INVENTORY

In order to quantify the demands placed upon existing public facilities by new development activity, the Impact Fee Facilities Plan provides an inventory of the City's existing system improvements. To the extent possible, the inventory valuation should consist of the following information:

- Original construction cost of each facility;
- Estimated date of completion of each future facility;
- Estimated useful life of each facility; and,
- Remaining useful life of each existing facility.

The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development.

FUTURE CAPITAL FACILITIES ANALYSIS

The demand analysis, existing facility inventory and LOS analysis allow for the development of a list of capital projects necessary to serve new growth and to maintain the existing system. This list includes any excess capacity of existing facilities as well as future system improvements necessary to maintain the level of service. Any demand generated from new development that overburdens the existing system beyond the existing capacity justifies the construction of new facilities.

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FINANCING STRATEGY – CONSIDERATION OF ALL REVENUE SOURCES

This analysis must also include a consideration of all revenue sources, including impact fees, future debt costs, alternative funding sources and the dedication of system improvements, which may be used to finance system improvements.[2] In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.[3]

PROPORTIONATE SHARE ANALYSIS

The written impact fee analysis is required under the Impact Fees Act and must identify the impacts placed on the facilities by development activity and how these impacts are reasonably related to the new development. The written impact fee analysis must include a proportionate share analysis, clearly detailing each cost component and the methodology used to calculate each impact fee. A local political subdivision or private entity may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future (UCA 11-36a-302).

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[2] 11-36a-302(2)
[3] 11-36a-302(3)

SECTION 3: SERVICE AREA AND DEMAND ANALYSIS

SERVICE AREA

Utah Code requires the impact fee enactment to establish one or more service areas within which impact fees will be imposed.[4] The impact fee identified in this document will be assessed to a single city-wide service area.

DEVELOPMENT BY ZONING CLASS

Table 3.1 summarizes the City's existing and future residential dwelling units, and the developed and undeveloped non-residential land-uses.

TABLE 3.1: DEVELOPMENT BY ZONING CLASS

	MEASUREMENT	DEVELOPED	UNDEVELOPED	TOTAL
Residential				
Residential	per Unit	2,637	1,049	3,686
Subtotal Residential:		**2,637**	**1,049**	**3,686**
Non-Residential				
Commercial	per 1,000 sf	4,365	4,357	8,722
Industrial	per 1,000 sf	3,381	2,051	5,432
Subtotal Non-Residential:		**7,746**	**6,408**	**14,154**
Total		**10,383**	**7,457**	**17,840**

The IFFP, in conjunction with the IFA, is designed to accurately assess the true impact of a particular user upon the City's infrastructure and prevent existing users from subsidizing new growth or for new growth to pay for existing system deficiencies. Impact fees should be used to fund the costs of growth-related capital infrastructure based upon the historic funding of the existing infrastructure and the intent of the City to equitably allocate the costs of growth-related infrastructure in accordance with the true impact that a user will place on the system.

DEMAND UNITS

This element focuses on the specific demand unit related to police services, which will be calls for service. The demand analysis identifies the existing demand on public facilities and the future demand as a result of new development that will impact public facilities. The demand analysis also provides projected annual growth in demand units over the planning horizon of the IFFP. Existing call data was analyzed in relation to the current land-use within the City to determine the current level of service by land-use type. Call data was collected from 2012 through 2014 to determine the average calls for residential and non-residential development.

TABLE 3.2: HISTORIC POLICE CALL DATA BY LAND USE CATEGORY

LAND USE	PRIVATE POLICE CALLS FY 2012-2014	3 YEAR AVERAGE # OF CALLS
Residential	4,946	1,649
Commercial	4,261	1,420
Industrial	1,588	529
Total Calls	**10,795**	**3,598**

TABLE 3.3: RATIO OF CALLS PER DEVELOPED UNIT

	DEVELOPED UNITS OR 1,000 SF	HISTORIC AVG. ANNUAL CALLS	CALLS PER UNIT
Residential (per dwelling unit)			
Residential	2,637	1,649	0.625
Subtotal Residential:	**2,637**	**1,649**	**0.625**
Non-Residential (per 1,000 Sq. Ft.)			
Commercial	4,365	1,420	0.325
Industrial	3,381	529	0.157

[4] UC 11-36a-402(a)

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	DEVELOPED UNITS OR 1,000 SF	HISTORIC AVG. ANNUAL CALLS	CALLS PER UNIT
Subtotal Non-Residential:	**7,746**	**1,950**	**0.482**
Total	**10,383**	**3,598**	**1.107**

In all, an annual average of 3,598 calls for service in Lindon were attributed to residential and non-residential development (not including calls placed from public land-uses – i.e. government buildings, parks, etc. – and calls that cannot be traced to identifiable land-uses).

The call ratio analysis establishes the existing level of service for residential and non-residential land-uses. A review of existing business in the City shows a mix of business types. This suggests the call data is based on a variety of business that reflects a cross-section of the types of business that will likely continue to develop in the City.

In order to determine the demand placed upon existing public facilities by new development, this analysis projects the additional call volume that undeveloped land-uses will generate. An in-depth analysis has been prepared to determine the number of developed units or acres of land in each zoning category, and the number of calls per unit or acre of land has been assigned to each land-use category. As shown in Table 3.4, the future police calls are projected based upon the number of historic calls within each land-use category.

The police call projections include police calls to private land-uses within the City only. Therefore, calls placed from public land-uses, including government buildings, parks, etc., calls that cannot be traced to identifiable land-uses, and calls outside of the City have not been included in the police call projections shown in Table 3.4.

TABLE 3.4: POLICE CALL PROJECTIONS

	CALLS PER UNIT	UNDEVELOPED UNITS	ADDITIONAL CALLS TO BUILDOUT
Residential			
Residential	0.625	1,049	656
Subtotal Residential:	**0.625**	**1,049**	**656**
Non-Residential			
Commercial	0.325	4,357	1,416
Industrial	0.157	2,051	322
Subtotal Non-Residential:	**0.482**	**6,408**	**1,738**
Total	**1.107**	**7,457**	**2,394**

As shown in Table 3.4, the City anticipates an additional annual 2,394 calls through buildout.[5] Thus, the total annual calls at buildout are expected to be approximately 5,992.[6] Table 3.5 shows a forecast of calls from 2015 through 2025, which is the planning horizon. Approximately 586 calls will occur within the planning horizon (2015-2025).

TABLE 3.5: FORECASTED CALLS

YEAR	CALLS	ANNUAL % CHANGE
2014	3,598	1.50%
2015	3,652	1.50%
2016	3,707	1.50%
2017	3,763	1.50%
2018	3,819	1.50%
2019	3,876	1.50%
2020	3,935	1.50%
2021	3,994	1.50%

[5] The City estimates the average annual population growth to be 1.5 percent based on data from Census 2010 and the Governor's Office of Management and Budget (GOMB). At a growth rate of 1.5 percent annually, the City will likely reach buildout in 2048, thus the 2,394 additional annual calls until buildout have been spread evenly from 2015 until 2048.

[6] This is calculated by taking the historic average annual call total (3,598) shown in Table 3.3 and adding the additional annual calls to buildout (2,394) shown in Table 3.4.

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YEAR	CALLS	ANNUAL % CHANGE
2022	4,053	1.50%
2023	4,114	1.50%
2024	4,176	1.50%
2025	4,239	1.50%
Calls added 2015 - 2025 (IFFP Horizon)	586	
Calls added 2015 – 2021 (6 Year Professional Expense Horizon)	341	
Calls added 2015 to Buildout	2,394	

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SECTION 4: EXISTING FACILITIES INVENTORY & LEVEL OF SERVICE

EXISTING FACILITIES INVENTORY

The Lindon Police Department is currently in the process of constructing a new public safety building. This facility will house both the fire and police departments. The police portion will include offices, evidence rooms, and a sally port. The fire portion will include public and shared spaces, living quarters and bays. Some space will be shared between both police and fire such as a lobby, public hallways, training rooms, elevator, public restroom, stairwells, mechanical, janitorial closets, etc. The total square footage of the building will be 17,538.

In the past, the police department worked out of the basement of the City Center. The fire department used an old house as a living quarters and a separate facility to store equipment and vehicles. This new facility will replace all of the existing facilities previously used by the fire and police departments, with the exception that the police will continue to use a separate facility for storage space.

VALUE OF EXISTING POLICE INFRASTRUCTURE

In order to quantify the demands placed upon existing public facilities by new development activity, the Impact Fee Facilities Plan provides an inventory of the City's existing facilities. The inventory of existing facilities is important to properly determine the excess capacity of existing facilities and the utilization of excess capacity by new development. Once the new Public Safety Building is completed, this along with the storage facility will be the only facilities used by the police department. The table below shows the percentage of the Public Safety Building that will be used by the police department.

TABLE 4.1: ORIGINAL COST OF EXISTING FACILITIES

FACILITIES	CONSTRUCTION YEAR	TOTAL SQ. FT.	% TO POLICE	SQ. FT. TO POLICE	CONSTRUCTION COST TOTAL	COST TO LINDON POLICE	% CITY FUNDED AND IMPACT FEE ELIGIBLE	TOTAL IMPACT FEE ELIGIBLE COST	LINDON DEMAND SERVED
Public Safety Building	2016	17,538	39%	6,810	$3,333,036	$1,294,122	100%	$1,264,127	5,992
Storage Facility	2001	1,750	40%	700	$373,610	$149,444	100%	$149,444	5,992
Total		**19,288**		**7,510**	**$3,706,647**	**$1,443,566**		**$1,443,566**	

Approximately 39 percent of the Public Safety Building will be used by the police department. Thus, while the actual construction cost of the building is $3,333,036, only $1,294,122 will be included in the calculation of the impact fee. The City does not anticipate constructing any additional police facilities in the future, thus this Public Safety Building and storage facility will serve the City's demand through buildout, or a total of 5,992 calls for service.

MANNER OF FINANCING EXISTING PUBLIC FACILITIES

The Public Safety Building has been funded by existing development through City and RDA funds. In addition, a Sales Tax Revenue Bond was issued in 2016 to fund a portion of the facility. Table 4.2 describes the principal and interest associated with the bond as well as the amount of interest that can be included in the calculation of the police impact fee.

TABLE 4.2: FUNDING

	PRINCIPAL	INTEREST	% TO POLICE	TOTAL POLICE IMPACT FEE ELIGIBLE
2016 Sales Tax Revenue Bond	$2,600,000	$361,726	39%	$140,448

Since the City does not anticipate a need to construct additional police facilities in the future, a portion of the cost associated with the existing police facilities will be calculated as a buy-in and will be applied to future residents by way of an impact fee. New growth will be expected to pay its fair share of the costs incurred to serve new growth.

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LEVEL OF SERVICE STANDARDS

The current level of service is approximately 1.39 officers per 1,000 residents. Another way to measure level of service is the square feet of floor space per officer. Currently the police department has approximately 501 square feet of floor space per officer.

POLICE FACILITY NEEDS ASSESSMENT

To determine the impacts new development will place on the existing system this analysis also considers the current building square feet per call. Impact fees cannot be used to finance an increase in the level of service to current or future users of the infrastructure. Based on the historic call data shown above there is approximately 3,598 calls annually. This equates to 2.09 square feet of existing facilities per call.

TABLE 4.3: POLICE FACILITIES NEEDS ASSESSMENT

	POLICE FACILITIES
Total Current Sq. Ft.	7,510
Average Annual Calls	3,598
Sq. Ft./Call	2.09
Future Calls to Buildout	2,394
Additional Square Feet Needed	4,996

Based on the historic level of service, a total of 4,996 new square feet would be necessary to serve new development and maintain the same proportionality of square footage at buildout. However, the City believes the existing police facilities to be sufficient to serve all police calls through buildout and does not plan to maintain this current level of service in the future. Thus, an impact fee will be charged to buy-in to the existing police facilities.

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SECTION 5: CAPITAL FACILITY ANALYSIS

The demand analysis anticipates an additional 586 calls within the next ten years with an additional 2,394 calls through buildout. The City anticipates that all of these calls can be served by the existing police facilities and thus does not plan on building additional police facilities in the future.

SYSTEM VS. PROJECT IMPROVEMENTS

System improvements are defined as existing and future public facilities that are intended to provide services to service areas within the community at large.[7] Project improvements are improvements and facilities that are planned and designed to provide service for a specific development (resulting from a development activity) and considered necessary for the use and convenience of the occupants or users of that development.[8] The Impact Fee Analysis may only include the costs of impacts on system improvements related to new growth within the proportionate share analysis. Since police services serve the entire community, the construction of police buildings are considered system improvements. However, no additional police buildings are planned for the near future.

FUNDING OF FUTURE FACILITIES

The IFFP must also include a consideration of all revenue sources, including impact fees and the dedication (developer donated) of system improvements, which may be used to finance system improvements.[9] In conjunction with this revenue analysis, there must be a determination that impact fees are necessary to achieve an equitable allocation of the costs of the new facilities between the new and existing users.[10]

PROPERTY TAX REVENUES

Property tax revenues are not specifically identified in this analysis as a funding source for capital projects, but inter-fund loans can be made from the general fund which will ultimately include some property tax revenues. Inter-fund loans may be repaid once sufficient impact fee revenues have been collected. The City does not currently assess interest on money borrowed from the general fund; however, the City may adopt a policy to do so.

GRANTS AND DONATIONS

Should the City receive grant money to fund police facilities, the impact fees will need to be adjusted accordingly to reflect the grant monies received. A donor will be entitled to a reimbursement for the value of the improvements funded through impact fees if donations are made by new development. Section 6 further addresses developer donations.

IMPACT FEE REVENUES

Impact fees are a valid mechanism for funding growth-related infrastructure. Impact fees are charged to ensure that new growth pays its proportionate share of the costs for the development of public infrastructure. Impact fee revenues can also be attributed to the future expansion of public infrastructure if the revenues are used to maintain an existing level of service. Increases to an existing level of service cannot be funded with impact fee revenues. Analysis is required to accurately assess the true impact of a particular user upon the City infrastructure and to prevent existing users from subsidizing new growth.

DEBT FINANCING

The Impact Fees Act allows for the costs related to the financing of future capital projects to be legally included in the impact fee. This allows the City to finance and quickly construct infrastructure for new development and reimburse itself later from impact fee revenues for the costs of issuing debt.

[7] UC 11-36a-102(20)
[8] UC 11-36a102(13)
[9] UC 11-36a-302(2)
[10] UC 11-36a-302(3)

EQUITY OF IMPACT FEES

Impact fees are intended to recover the costs of capital infrastructure that relate to future growth. The impact fee calculations are structured for impact fees to fund 100% of the growth-related facilities identified in the proportionate share analysis as presented in the impact fee analysis. Even so, there may be years that impact fee revenues cannot cover the annual growth-related expenses. In those years, other revenues such as general fund revenues will be used to make up any annual deficits. Any borrowed funds are to be repaid in their entirety through impact fees.

NECESSITY OF IMPACT FEES

An entity may only impose impact fees on development activity if the entity's plan for financing system improvements establishes that impact fees are necessary to achieve parity between existing and new development. This analysis has identified the improvements to public facilities and the funding mechanisms to complete the suggested improvements. Impact fees are identified as a necessary funding mechanism to help offset the costs of new capital improvements related to new growth. In addition, alternative funding mechanisms are identified to help offset the cost of future capital improvements.

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SECTION 6: POLICE IMPACT FEE CALCULATION

The written impact fee analysis relies upon the information contained in this document. The following briefly discusses the methodology for calculating police impact fees.

PROPOSED POLICE IMPACT FEES

The police impact fees proposed in this analysis will be assessed within all areas of the City. The cost per call for the existing facilities is the basis for the maximum impact fees per land use category shown in Table 5.2.

TABLE 5.1: ESTIMATE OF IMPACT FEE COST PER CALL

	Estimated Cost	% City Funded	% Impact Fee Eligible	Cost to Impact Fees	Calls Served	Cost per Call
Existing Facilities						
Public Safety Building	$1,294,122	100%	100%	$1,294,122	5,992	$216
Bonding Related to Public Safety Building				$140,448	5,992	$23
Storage Facility	$149,444	100%	100%	$149,444	5,992	$25
Total Facilities				**$1,584,014**		**$264**
Other Expenses						
Professional Expense				$5,400	3,994	$1
Total Other Expenses						**$1**

The cost per call is then multiplied by the actual demand unit of measurement, or calls per unit for each development type as shown in table 5.2. The total cost per call includes the cost per call for facilities and professional expense. The police impact fees proposed in this analysis will be assessed within all areas of the City.

TABLE 5.2: PROPOSED POLICE IMPACT FEE SCHEDULES

	Cost per Call	Calls per Unit/1,000 sq. ft.	Total Impact Fee per Unit/1,000 sq. ft.
Residential (per unit)			
Residential	$266	0.625	$166
Non-Residential (per 1,000 Sq. Ft.)			
Commercial	$266	0.325	$86
Industrial	$266	0.157	$42

NON-STANDARD POLICE IMPACT FEES

The City reserves the right under the Impact Fees Act to assess an adjusted fee that more closely matches the true impact that the land use will have upon police facilities.[11] This adjustment could result in a higher impact fee if the City determines that a particular user may create a greater impact than what is standard for its land use. The City may also decrease the impact fee if the developer can provide documentation evidence, or alternative-credible analysis that the proposed impact will be lower than normal. The formula for determining a non-standard impact fee, assuming the fair share approach, is found below.

FORMULA FOR NON-STANDARD POLICE IMPACT FEES:

Residential Police Impact Fee
Calls per Residence x $266 = Recommended Impact Fee

Non-Residential Police Impact Fee
Calls per Unit / (Bldg. Sq. Ft./1,000) x $266 = Recommended Impact Fee

[11] UC 11-36a-402(1)(c)

CONSIDERATION OF ALL REVENUE SOURCES

The Impact Fees Act requires the proportionate share analysis to demonstrate that impact fees paid by new development are the most equitable method of funding growth-related infrastructure. See Section 5 for further discussion regarding the consideration of revenue sources.

EXPENDITURE OF IMPACT FEES

Legislation requires that impact fees should be spent or encumbered with six years after each impact fee is paid. Impact fees collected in the next five to six years should be spent only on those projects outlined in the IFFP as growth related costs to maintain the LOS.

PROPOSED CREDITS OWED TO DEVELOPMENT

The Impact Fees Act requires that credits be paid back to development for future fees that will pay for growth-driven projects included in the Impact Fee Facilities Plan that would otherwise be paid for through user fees. Credits may also be paid to developers who have constructed and donated facilities to that City that are included in the IFFP in-lieu of impact fees. This situation does not apply to developer exactions or improvements required to offset density or as a condition of development. Any project that a developer funds must be included in the IFFP if a credit is to be issued.

In the situation that a developer chooses to construct facilities found in the IFFP in-lieu of impact fees, the decision must be made through negotiation with the developer and the City on a case-by-case basis.

GROWTH-DRIVEN EXTRAORDINARY COSTS

The City does not anticipate any extraordinary costs necessary to provide services to future development.

SUMMARY OF TIME PRICE DIFFERENTIAL

The Impact Fees Act allows for the inclusion of a time price differential to ensure that the future value of costs incurred at a later date are accurately calculated to include the costs of construction inflation. Construction inflation has not been included since no additional capital facilities are planned for the future.

DRAFT

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

Pledge of Allegiance: By Invitation
Invocation: Randi Powell

Item 1 – Call to Order / Roll Call

March 15, 2016 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.

b) **Presentation:** Lindon City Employee Recognition Award – Jacob Woodcox, Parks Maintenance Technician

c) **Presentation:** Introduction of new Little Miss Lindon Royalty: Queen Sabrina Romero with attendants Shara Bartholomew, Adelaide Hawkins, Brientz Fuller and Sienna Tomlinson.

d) **Proclamation:** Declaring May 14, 2016 as Lindon City Arbor Day.

<u>Item 3</u> – Approval of Minutes

- Review and approval of City Council minutes: **March 1, 2016**

The Lindon City Council held a regularly scheduled meeting on **Tuesday, March 1, 2016, beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 7:00 P.M.

Conducting:	Jeff Acerson, Mayor
Pledge of Allegiance:	Cody Cullimore, Police Chief
Invocation:	Randi Powell, Councilmember

PRESENT	**ABSENT**
Jeff Acerson, Mayor	
Matt Bean, Councilmember	
Randi Powell, Councilmember	
Van Broderick, Councilmember	
Carolyn Lundberg, Councilmember	
Jacob Hoyt, Councilmember	
Adam Cowie, City Administrator	
Cody Cullimore, Chief of Police	
Hugh Van Wagenen, Planning Director	
Kathryn Moosman, City Recorder	

1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.

2. **Presentations/Announcements** –
   a) **Mayor/Council Comments** – There were no announcements at this time.
   b) **Presentation**– Lindon Character Connection – Mayor Acerson welcomed Cathy Allred to present to the Mayor and Council the accomplishments and activities that have occurred during the 2015 Lindon Character Connection program.

   Ms. Allred gave a brief history of the Character Connection Program and presented the awards to the students and the calendars and the Character Connection Poster to the Mayor and Council. She also recognized the principals from Lindon Elementary Kate Ross, and Mr. Davies from Aspen Elementary. Ms. Allred then announced and invited the winning students forward as follows: Brooklyn, Lindon Elementary, Elija, Aspen Elementary, Lydia, Lindon Elementary, Kayla, Lindon Elementary, Celeste, Aspen Elementary, Shara, Lindon Elementary, Melissa, Lindon Elementary, Annie, Lindon Elementary, Macrae, Lindon Elementary, Mckenna, Lindon Elementary, Brooklyn, Lindon Elementary, Jamison, Lindon Elementary. Following the presentation, Mayor Acerson and the Council congratulated the students and thanked Mrs. Allred for her good works and service with the Character Connection Program.

3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of February 16, 2016 were reviewed.

COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES OF THE CITY COUNCIL MEETING OF FEBRUARY 16, 2016 AS AMENDED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE

THE MOTION CARRIED UNANIMOUSLY.

4. **Consent Agenda** – No items.

5. **Open Session for Public Comment** – Mayor Acerson called for any public comment not listed as an agenda item. There were no public comments.

CURRENT BUSINESS

6. **Major Subdivision—Lindon Hidden Meadows Subdivision, Plat B (800 East Center Street)**. Danny Bentley requests preliminary approval of a six (6) lot subdivision, including dedication of a public street(s) at approximately 8 east Center Street in the Single Family Residential (R1-10) zone. The Planning Commission recommends approval.

Hugh Van Wagenen, Planning Director, gave some background of this agenda item explaining this is a request by the applicant, Danny Bentley (who was in attendance) to create six (6) lots and dedicate a new public street (800 East) in the Single Family Residential (R1-20) zone. He explained this affects several properties with two lots having existing homes while the other four would provide lots for new homes (just under 4 acres). He noted the Planning Commission voted to recommend approval to the city council in a 6-0 vote with one condition included in the motion regarding the trail access. He added there was also some discussion by the Commission on the flag lot regarding utilities and fire access.

Mr. Van Wagenen further explained that the minimum lot size in the R1-20 zone is 20,000 square feet (.46 acre). He noted with the one exception of Lot 4 which is a flag lot, each lot in the proposed subdivision will satisfy the minimum area requirements. The smallest lot is 20,000 s.f. (Lot 2) and the largest is 46,941 s.f. (Lot 5). He pointed out that Lot 4 is shown as a flag lot with 20,005 s.f. in total, but only 17,407 s.f. exclusive of the "pole" portion of the lot. He mentioned that Lindon City code requires that flag lots have 20,000 s.f. exclusive of the pole which makes this lot substandard. However, the applicant received a variance approval to the minimum square footage of this potential flag lot in September of 2013 through a separate process.

Mr. Van Wagenen explained that LCC 17.32.320 states flag lots are only permitted when one of the following two circumstances exists:

a) At the time of application, development using standard public streets is not possible. The property has specific constraints that limit access, public street

frontage, and/or construction of a standard public roadway. These abnormal constraints may be restrictive topography, constraints caused by built environment, irregular lot configuration, ownership limitations, environmental constraints such as wetlands, springs, ditches, or canals, etc.

b) Development using standard public streets is possible, but not in the best interest of the public.
   - In order to demonstrate that this circumstance exists, the applicant shall provide conceptual development plans showing the development with and without the proposed flag lot that demonstrate that each of the following characteristics is present:
     a. The design of the flag lot is harmonious and compatible with the configuration of the overall subdivision and/or neighborhood and will not adversely affect the living environment of the surrounding area.
     b. Standard public street construction would cause disruption to the neighborhood in a significant physical or aesthetic manner, therefore making the flag lot access preferable to a public street.
     c. Development of the flag lot will decrease public infrastructure while still providing in-fill development and efficient use of the land that is compatible with Lindon City development standards.

Mr. Van Wagenen then referenced an alternative plan showing how the subdivision would look without the flag lot. He noted that curb, gutter and sidewalk will be installed along the new street in addition to an access from the cul-de-sac to the Lindon Heritage Trail. Mr. Van Wagenen mentioned that the City is asking that a parcel be created west of Lot 4, south of the trail, and north of the cul-de-sac and deeded to the City for access to the trail and to have this included as a condition in the motion. He noted that staff has determined that the proposed subdivision complies, or will be able to comply before final approval, with all the remaining land use standards. Mr. Van Wagenen added that the City Engineer is addressing the engineering standards and all issues will be resolved before final approval is granted.

Mr. Van Wagenen then referenced for discussion an aerial photo of the proposed subdivision, photographs of the existing site, the preliminary plan and the subdivision concept without the flag lot. He then turned the time over to Mr. Bentley for comment.

Councilmember Hoyt asked Mr. Bentley which of the existing homes is his. Mr. Bentley commented that he owns the home in front that faces Center Street. Councilmember Lundberg commented that Mr. Bentley has communicated with the adjacent property owners and it appears this is a joint effort to utilize the property to everyone's benefit. Mr. Bentley confirmed that statement. Councilmember Broderick asked Mr. Bentley if he is comfortable with the asphalt connection to the trail. Mr. Bentley also confirmed that statement. Councilmember Hoyt asked for clarification of the variance approved in 2013. Mr. Van Wagenen confirmed the Board of Adjustment heard the application and weighed the necessary objective criteria and approved the variance to have a smaller flag lot portion by approximately 3,000 sq. ft. Mayor Acerson asked Mr. Bentley if he has heard any issues or concerns by neighbors of the associated increased traffic. Mr. Bentley stated he has not heard of any concerns as those issues have previously been resolved. Councilmember Lundberg asked if there was any other

discussion by the Planning Commission that would be pertinent for discussion by the Council tonight. Mr. Van Wagenen stated this was pretty straightforward by the Commission's perspective with just a couple of utility questions that were addressed. Councilmember Bean commented that he was in attendance two years ago when the Commission discussed this issue with the flag lot and they looked at the issues very carefully and handled it very well. He feels this qualifies in every way and it's good to see it moving forward.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE APPLICANT'S REQUEST FOR APPROVAL OF A SIX (6) LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS LINDON HIDDEN MEADOWS PLAT B WITH THE FOLLOWING CONDITION: 1) CREATE A PARCEL WEST OF LOT 4 SOUTH OF THE TRAIL AND NORTH OF THE CUL-DE-SAC AND DEED IT TO THE CITY FOR ACCESS TO THE TRAIL. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER POWELL	AYE
COUNCILMEMBER BEAN	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER LUNDBERG	AYE
COUNCILMEMBER HOYT	AYE

THE MOTION CARRIED UNANIMOUSLY.

7. **COUNCIL REPORTS:**

Councilmember Powell – Councilmember Powell reminded the Council that the Little Miss Lindon Pageant will be held on Saturday, March 5, 2016 at Oak Canyon Jr. High and encouraged the Councilmembers to attend. She also reported that she attended the North County Outreach meeting with Mayor Acerson. Councilmember Powell also asked Mr. Cowie about the registration procedure regarding the upcoming league conference in St. George. Mr. Cowie stated staff can register them or they can register online themselves and submit the receipt and copy of the registration for reimbursement. Mr. Cowie encouraged the Councilmembers to attend.

Chief Cullimore – Chief Cullimore reported there was an armed robbery at Arby's in Lindon this past Sunday where the suspect used an air soft gun to make the assistant manager get into the safe. He is happy to report that his officers worked very well with Orem PD and with a joint effort the suspect was recovered quickly as well as the money; thankfully no one was hurt in this incident. He noted they are still trying to locate the female accomplice driver.

Councilmember Hoyt – Councilmember Hoyt reported that he met with the Bond Approving Committee for the public safety building bond where they reviewed four different options. He noted that throughout the process they were able to negotiate a 1.68% bond with Zions Bank that has a variable aspect to the final 5 years of the rate

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which is very good; the Committee felt very comfortable with the rate. He noted they were also able to shave off about $100,000 off the total bond amount. There was then some general discussion regarding this issue with Mr. Cowie stating this will be discussed in more detail at a later meeting. Councilmember Hoyt also reported that the Historic Preservation Commission would like to make a proposal on two new additional members, Rich Doxey and Maxine Smith. He asked Mayor Acerson to contact them to extend the invitation to serve. Mr. Cowie stated if they are in agreement he will draft a letter to formalize their appointment.

Councilmember Broderick – Councilmember Broderick reported that he attended the Hollow Water meeting several weeks ago where they has some discussion on maintenance responsibility. He also attended the Provo Bench Canal meeting noting the biggest item to report from the meeting is that the current water level is the best it has been in four years and they hope the water keeps coming as we need to have it. He also reported he plans to attend the upcoming Provo River Water Users meeting.

Councilmember Bean – Councilmember Bean reported there is still one vacancy on the Planning Commission and to let himself, Mr. Cowie or Mr. Van Wagenen know of any potential members who would be willing to serve.

Councilmember Lundberg – Councilmember Lundberg reported that the Lindon Chamber Music Society will be holding their end of the year concert on March 24th and encouraged all to attend. She also reported that she attended the Utah County Commercial Real Estate Symposium (Coldwell Banker) last week which was very beneficial. She was also able to do some networking regarding the 700 North Corridor development at the meeting. She also reported the 700 North Corridor Committee is moving forward and they should be bringing something before the Council in March.

Mayor Acerson – Mayor Acerson reported that he will be attending a MAG meeting on Thursday and will also be attending an upcoming COG meeting. Mayor Acerson also reported that he has attended the State Legislature several times.

Administrator's Report:
Mr. Cowie reported on the following items followed by discussion.

Misc. Updates:

- February City newsletter
- May newsletter article: Councilmember Bean - Article due to Kathy Moosman last week in April.
- 2016 Legislative updates
    - Oppose HB180
- Tithing Office update: home has been removed. Accepted offer on property at asking price of $134,900 pending permit issuance on proposed twin-home (R2-Overlay project)
- Public Safety Building – financing approved by committee. Pre-construction meeting March 4th. Update on use of RDA funds.

- Road /utility projects construction schedules (see maps at end of Staff Report). Temporary closures expected.
    - 60 North - Public Safety Building: March – May
    - 200 South Water Line Replacement: March – May
    - RDA's (West Side & District #3 by Home Depot) & Main Street Rehabilitation: April – June
- Questar 200 South impacts – update on funding repairs
    - Spring Clean-up dates for community dumpsters: Saturday , April 23rd – Saturday, April 30th
    - Dumpster location moved from 100 N. Stake Center to the Horse Staging Area parking lot (140 N 1200 E)
- Misc. Items

Upcoming Meetings & Events:

- March 5th at 6pm – Little Miss Lindon Pageant at Oak Canyon Jr High
- March 12th at 10am – Avalon Senior Apartments ribbon cutting & open house
- March 29th at noon. Budget Committee working lunch meeting
- April 6th-8th ULCT Spring Conference in St. George
- Saturday, April 23rd – Saturday, April 30th – Spring clean-up (dumpsters available)

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion to adjourn.

Adjourn –

COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING POWELL AT 7:55 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – March 15, 2016

_____
Kathryn Moosman, City Recorder

_____
Jeff Acerson, Mayor

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

- No Items.

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

_____

_____

_____

6. **Continued Public Hearing—Zone Map Amendment, Light Industrial to Residential Single Family (R1-12); Ordinance #2016-9-O** *(20 minutes)*
   This item was continued from the February 16, 2016 Council meeting. Lindon City is requesting a zone map amendment from Light Industrial to Residential Single Family (12,000 square foot lots) on parcel #14:063:0017. The lot is currently in agricultural use. The Planning Commission recommended approval.

See attached materials from the Planning Department.

Public Hearing — Zoning Map Amendment, approx. 500 North Anderson Lane (1400 West)

Lindon City is requesting a zone map amendment from Light Industrial to Residential Single Family (12,000 square foot lots) on parcel #14:063:0017. The lot is currently in agricultural use.

Applicant: Lindon City **Presenting Staff**: Hugh Van Wagenen **General Plan**: Residential High **Current Zone**: Light Industrial **Property Owner**: Joanna J. Thorne **Address**: ~500 North Anderson Lane (1400 West) **Parcel IDs**: # 14:063:0017 **Parcel Size**: 12.08 acres **Type of Decision**: Legislative **Planning Commission**: Recommended approval in a 6-0 vote with the condition that the property owner be notified of the change via certified mail.	**SUMMARY OF KEY ITEMS** 1. Whether to approve the request to change the Zoning Map from Light Industrial to Residential Single Family (R1-12) zone. **MOTION** I move to (*approve, deny, continue*) the applicant's request to change the Zoning Map from Light Industrial to Residential Single Family (R1-12) zone according to Ordinance 2016-9-O .

OVERVIEW

This item was continued from the February 16, City Council meeting pending communication with the property owner. This is a request by Lindon City to rezone the parcel in order to coordinate residential development with existing homes in the area and the proposed concept plan being developed by Ivory Development. The proposed rezone will also bring the zoning closer to matching the general plan designation.

PLANNING COMMISSION

In a 6-0 vote, the Planning Commission recommended approval with the condition that the owner of the parcel in question be notified of the pending change via certified mail. That letter was sent on 2/11/16.

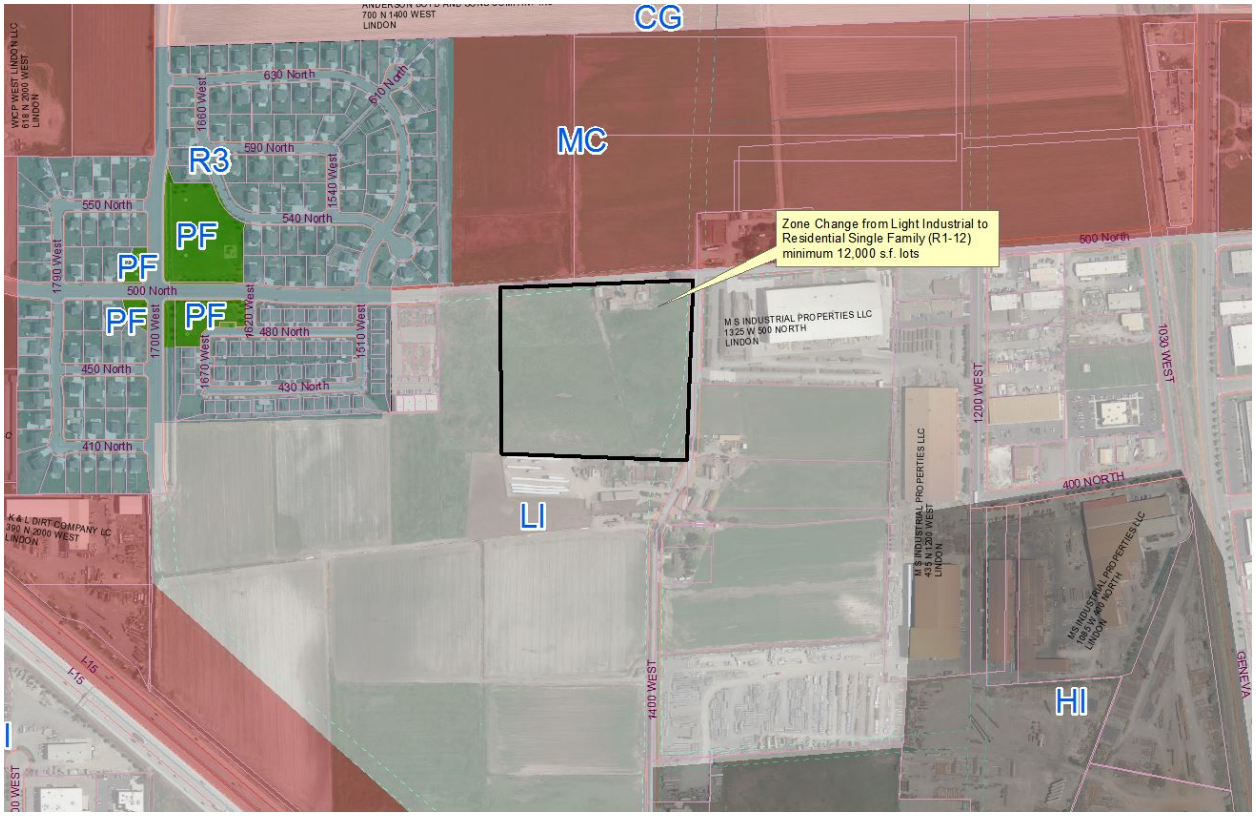
PROPERTY OWNER

The Thorne family owns the property in question and were sent notice via certified mail; that notice was received. In addition to the certified mail, Mr. Kent Thorne met with Administrator Cowie and Director Van Wagenen on February 29 to discuss the rezone and Anderson Farms project. Mr. Thorne indicated that he had received prior notifications from the City regarding the surrounding development proposals but he was unable to invest the time to respond or attend public meetings on the proposals. Mr. Thorne expressed concern that government has the ability to dictate land uses and zoning on people's property and was generally uncomfortable with any development occurring around the property, whether it be industrial or residential. He also indicated he had no plans or intentions to develop the property at the current time. A follow

up email was sent to Mr. Thorne requesting any comments regarding the application be presented in writing prior to the Council meeting on March 15, 2016. As of the writing of this report, no such comments have been received.

FINDINGS OF FACT

1. The General Plan currently designates the property under the category of Residential High. This category includes densities greater than 3.6 DU/AC: It is the purpose of this category to provide modest amounts of high density, residential development. Includes area typically zoned R3 or R2-Overlay.
2. The applicant requests that the General Plan designation remain unchanged at this time.
3. Lindon City Code indicates that the Single Family Residential Zones (R1) are established to provide areas for the encouragement and promotion of an environment for family life by providing for the establishment of one (1) family detached dwellings on individual lots that are separate and sheltered from non-residential uses found to be inconsistent with traditional residential lifestyles customarily found within Lindon City's single-family neighborhoods.
4. The General Plan indicates that lots typically zoned R1-12 are included in the Residential-Medium designation and are in areas of medium density, residential neighborhoods of medium sized lots. Density is 3.6 or less but greater than 2 DU/AC.



ANALYSIS

1. Subsection 17.04.090(3) 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:

a. The proposed amendment is in accord with the master plan of Lindon City;
b. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division."
c. Applicable city-wide land use guidelines as indicated in the Lindon City General Plan:
    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. Ordinance 2016-9-O
2. Photo

ORDINANCE NO. 2016-9-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING PORTIONS OF THE LINDON CITY ZONING MAP FROM LIGHT INDUSTRIAL (LI) TO RESIDENTIAL SINGLE FAMILY (R1-12) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipal Council of Lindon City finds it necessary to amend portions of the Lindon City Zoning Map, specifically the properties generally located at the following addresses from Light Industrial (LI) to Residential Single Family (R1-12):

(Approximately) 500 North Anderson Lane (1400 West) Utah County Parcel #14:063:0017.

(See map labeled as Exhibit A);and

WHEREAS, the City finds it is necessary to amend the Zoning Map to benefit the City; and

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

WHEREAS, a public hearing was held on February 9, 2016 to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse effects were identified by the Planning Commission during the hearing; and

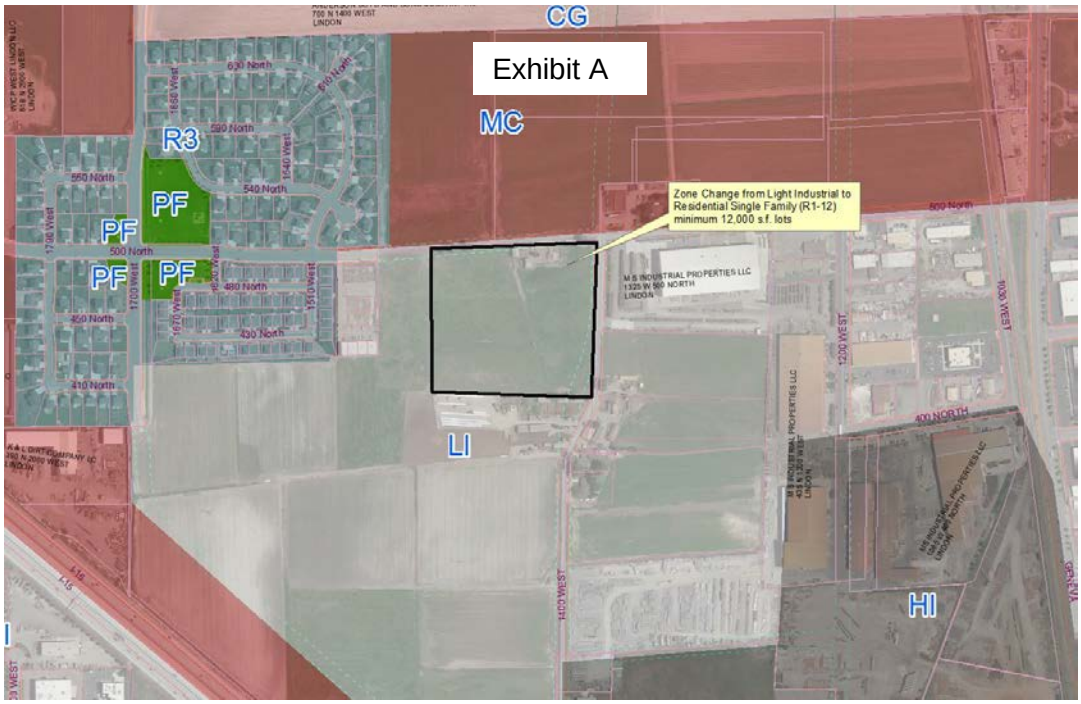
WHEREAS, the City Council held a public hearing on March 15, 2016 to consider the recommendation and no adverse effects were identified; and

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 Light Industrial (LI) to Residential Single Family (R1-12) on the Lindon City Zoning Map.



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 _____, 2016.

_____
Jeff Acerson, Mayor

ATTEST:

_____
Kathryn A. Moosman,
Lindon City Recorder

SEAL

7. **Continued Public Hearing—Zone Map Amendment, Light Industrial to Mixed Commercial; Ordinance #2016-10-O** *(20 minutes)*
   This item was continued from the February 16, 2016 Council meeting. Lindon City requesting a zone map amendment to Mixed Commercial from Light Industrial on parcels #47:283:0001, #47:283:0002, #47:283:0003, #47:283:0004, #47:283:0005, #47:283:0006, #47:283:0007, #47:283:0008, #47:283:0009, #47:283:00010, #47:283:0011, #47:283:00012, #47:283:0013, #47:283:0014. Four of the parcels compromise a commercial building; the rest are platted but currently vacant. The Planning Commission recommended approval.

See attached materials from the Planning Department.

Public Hearing — Zoning Map Amendment, Light Industrial to Mixed Commercial, approx. 1500 West 500 North

Applicant: Lindon City **Presenting Staff**: Hugh Van Wagenen **General Plan**: Residential High **Current Zone**: Light Industrial **Property Owner**: DC DEAN FAMILY INVESTMENTS LTD and INCUBATOR INVESTMENTS LLC **Address**: ~1500 West 500 North **Parcel IDs**: #47:283:0001, #47:283:0002, #47:283:0003, #47:283:0004, #47:283:0005, #47:283:0006, #47:283:0007, #47:283:0008, #47:283:0009, #47:283:00010, #47:283:0011, #47:283:00012, #47:283:0013, #47:283:0014 (See the Newberry Business Park, Plat A) **Parcel Size**: 2.19 acres **Type of Decision**: Legislative **City Council Action Required**: Yes	**SUMMARY OF KEY ITEMS** 1. Whether to approve the request to change the Zoning Map from Light Industrial to the Mixed Commercial zone. **MOTION** I move to (*approve, deny, continue*) the applicant's request to change the Zoning Map from Light Industrial to the Mixed Commercial zone according to Ordinance 2016-10-O .

OVERVIEW

This item was continued from the February 16, 2016 City Council meeting pending additional communication with the property owners. This is a request by Lindon City to rezone the parcel in order to reduce the potential impacts on the surrounding residential developments. The Mixed Commercial zone allows for less intense uses than the Light Industrial zone. 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.

PLANNING COMMISSION

In a 6-0 vote, the Planning Commission recommended approval with the condition that the owners of the parcels in question be notified of the pending change via certified mail. Those letters were sent on 2/11/16.

PROPERTY OWNERS

Both Incubator Investments and DC Dean Family Investments were sent certified notice of the application and each notice was verified as received. Additionally, phone calls were made to each owner. Ken Sonnenberg of Incubator Investments replied via email that he had reviewed the application and had no concerns with the zone change. Don Dean of DC Dean Family

Investments indicated he would provide comments on the request, but no comments have been received as of the writing of this report.

LAND USE CHANGES

The following table (as an example) compares uses that are permitted, conditionally permitted, or not permitted. The table does not include uses that are the same in both zones (i.e. Blueprinting &Photocopying MC=P and LC=P or Slaughterhouse MC=N and LI=N).

COMPARISON		
USES	MC zone	LI zone
Hotels	P	N
Meat and Dairy	N	C
Food Manufacturing-less than 20,000 sq ft	C	P
Food Manufacturing-over 20,000 sq ft	N	C
Candy	C	P
Animal Feed	N	C
Lumber	N	C
Cabinets	C	P
Candle and Wax	C	P
Stone	C	P
Recycling	N	C
Fabricated Metals	N	C
Fabricated Metals – indoor storage and production only	C	P
Tobacco Products	N	C
Bus Garaging	N	P
Freight Terminal	N	C
Freight Garaging	N	C
Gas Control Station	N	C
CW Treatment Plant	N	P
Packing and Crating	C	P
Farm Equipment	C	P
Department Stores	P	N
New Vehicle Dealer	C	P
Used Vehicle Dealer	N	P
Mobile Home Sales	C	P
Marine	C	P
Aircraft	N	P
Clothing	P	N
Jeweler, Books, Stationery, Office Supply, Gift Store, Florist, Video Rental, Toys	P	N
Hay	C	P
Optical Goods	P	N

Banks, Security, Insurance, Real Estate, Title, Tailoring, Laundromat, Funeral Home	P	N
Crematory	N	C
Child Daycare	C	N
Comm. Preschools	P	N
Wedding Reception Center, Travel Services	P	N
Exterminating	C	P
Employment Services	P	N
Heavy Equipment	N	P
Impound Yard	N	C
Medical Clinic	P	N
Hospital	C	N
Vet – large animals	N	C
Counseling, Genealogical	P	N
Contractor, Landscaping	C	P
Beauty School	P	N
Church	C	N
Adoption	P	N
Professional, Unions, Civic	P	C
Library, Museum, Art, Botanical	P	N
Amphitheater	C	N
Theater	P	N
Exhibit Hall	C	N
Convention, Fairgrounds	P	C
Amusements	C	N
Arcade	P	N
Go Cart, Golf Course	N	C
Tennis Courts, Roller-skating	P	C
Skateboard Park, Bike Track	N	C
Riding Stables	P	C
Bowling	P	N
Play Field	N	C
Rec Center, Gym	P	C
Swimming Pools	P	N
Indoor Soccer	P	C
Indoor Gun Range	P	N
Fish Hatchery	N	C

FINDINGS OF FACT

1. The General Plan currently designates the property under the category of Residential High. This category includes densities greater than 3.6 DU/AC: It is the purpose of this category to provide modest amounts of high density, residential development. Includes area typically zoned R3 or R2-Overlay.
2. The applicant requests that the General Plan designation remain unchanged at this time.
3. Lindon City Code indicates that the Light Industrial (LI) zone provides areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected.
4. Lindon City Code indicates that the Mixed Commercial (MC) zone is to provide areas within the City where low intensity light industrial (contained entirely within a building), research and development, professional and business services, retail and other commercial related uses may be located.

ANALYSIS

1. Subsection 17.04.090(3) 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:
    a. The proposed amendment is in accord with the master plan of Lindon City;
    b. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division."

c. Applicable city-wide land use guidelines as indicated in the Lindon City General Plan:
    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. Ordinance 2016-10-O
2. Photos

ORDINANCE NO. 2016-10-O

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

WHEREAS, the Municipal Council of Lindon City finds it necessary to amend portions of the Lindon City Zoning Map, specifically the properties generally located at the following addresses from Light Industrial (LI) to Mixed Commercial (MC):

(Approximately) 1500 West 500 North
Utah County Parcels #47:283:0001, #47:283:0002, #47:283:0003, #47:283:0004, #47:283:0005, #47:283:0006, #47:283:0007, #47:283:0008, #47:283:0009, #47:283:00010, #47:283:0011, #47:283:00012, #47:283:0013, and #47:283:0014.

(See map labeled as Exhibit A);and

WHEREAS, the City finds it is necessary to amend the Zoning Map to benefit the City; and

WHEREAS, the Planning Commission recommended adoption of the 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, a public hearing was held on February 9, 2016 to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse effects were identified by the Commission during the hearing; and

WHEREAS, the Council held a public hearing on March 15, 2016 to consider the recommendation and no adverse effects were identified; 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 Light Industrial (LI) to Mixed Commercial (MC) on the Lindon City Zoning Map.

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 _____, 2016.

_____
Jeff Acerson, Mayor

ATTEST:

_____
Kathryn A. Moosman,
Lindon City Recorder

SEAL

8. Review & Action — Amendment to Utility Agreement with UDOT *(10 minutes)*

The Council will review and consider an Amendment to Utility Agreement between UDOT and Lindon City to enable a public utility easement to be created in order to facilitate permanent power hook-up to a sewer lift station in west Lindon.

See attached Agreement and Exhibits. Staff will review the item in detail in the meeting.

Sample Motion: I move to (approve, deny, continue) the Amendment to Utility Agreement between UDOT and Lindon City.

UDOT Project SR-399(40)
UDOT Parcel 11NT:A, 11:W, 11NT
County Tax ID 14:059:0046,
14:058:0015, 14:058:0014
Vineyard Connector, 800 N to I-15
AGREEMENT AMENDMENT

WHEN RECORDED, MAIL TO:

Utah Department of Transportation
Right-of-way, Fourth Floor
Box 148420
4501 South 2700 West
Salt Lake City, Utah 84114-8420

AMENDMENT TO UTILITY AGREEMENT

THIS AMENDMENT is made and entered into this ____ day of _____, 2016, by and between the UTAH DEPARTMENT OF TRANSPORTATION, hereinafter referred to as "UDOT", and Lindon City, a political subdivision of the State of Utah, hereinafter referred to as ("Lindon").

RECITALS

WHEREAS, UDOT and Lindon entered into a Utility Agreement dated November 17, 2014 to transfer Lindon's real property located within the future Vineyard Connector (Parcel 11NT:A) to UDOT.

WHEREAS, Lindon currently owns and operates utilities within UDOT's North Utah County Wetland Mitigation Bank (Wetland Bank) in the areas shown on Exhibit A attached hereto and by this reference made a part of this Amendment.

WHEREAS, Lindon requested electrical service to the existing Sewer Lift Station located on Parcel 7:WT of the Wetland Bank.

WHEREAS, the Parties desire to amend the Utility Agreement to include Lindon's utilities also located on Parcel 11:W and Parcel 11NT and to allow the Parties to create a Public Utility Easement (PUE) on Parcel 11:W.

UDOT Project SR-399(40)
UDOT Parcel 11NT:A, 11:W, 11NT
County Tax ID 14:059:0046,
14:058:0015, 14:058:0014
Vineyard Connector, 800 N to I-15
AGREEMENT AMENDMENT

AGREEMENT

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. Paragraph two of the Utility Agreement is hereby amended to read in its entirety as follows:

    2. UDOT hereby permits Lindon the right to locate, survey a route, construct, entrench, maintain, protect, inspect and operate utilities under the highway right-of-way owned by UDOT and shown on Exhibit B as Parcel 11NT:A, attached hereto and by this reference made a part hereof. This location may change in the future if UDOT relocates the utilities located within 11NT:A.

2. The following paragraphs are hereby added to the Utility Agreement as follows:

    15. UDOT and Lindon agree to designate Parcel 11:W as a Public Utility Easement (PUE) in accordance with Utah Code Ann. §54-3-27, subject to a covenant running with the land in perpetuity to preserve the wetland facility and its appurtenant parts in the condition as constructed and accepted by the U.S. Army Corps of Engineers.

    16. Before Vineyard Connector is constructed, any utility wishing to locate, survey a route, construct, entrench, maintain, protect, inspect and operate on the PUE designated on Parcel 11:W of this Agreement shall contact UDOT Property Management and obtain a Permit to Enter and Construct before constructing or performing any work on said PUE. The Permit to Enter and Construct will specify requirements that the utility shall comply with related to proposed utility location, excavation, backfill and compaction, protection and restoration of wetland bank plants and lands, protection and restoration of paved surfaces, inspection, work area clean-up, maintenance and safety. Contact information for UDOT Property Management: Right of Way, PO Box 148420, Salt Lake City, Utah 84114-8420, (801) 965-4209.

    17. During construction of the Vineyard Connector, any existing utility within the PUE or requesting to locate within the PUE must coordinate and obtain permission with the project in order to access UDOT's property.

18. After the Vineyard Connector is constructed, the PUE shall be accessed from public roads, at the intersection of 1850 West/South Proctor Lane and Vineyard Connector, as shown on Exhibit B.

19. With the exception of the paragraphs above, all other terms of the Utility Agreement shall remain in full force and effect. In the event of any inconsistency between the Utility Agreement and the Amendment, the provisions of this Amendment shall supersede and control the provisions of the Utility Agreement.

20. Each person signing this Amendment warrants that the person has full legal capacity, power, and authority to execute this Amendment for and on behalf of the respective Party and to bind such Party.

21. The Parties hereby agree to take any and all actions and execute, acknowledge, and deliver any and all documents reasonably necessary to effect the purposes of this Amendment.

22. This Amendment may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly-authorized representatives as of the date first hereinabove written.

UDOT Project SR-399(40)
UDOT Parcel 11NT:A, 11:W, 11NT
County Tax ID 14:059:0046,
14:058:0015, 14:058:0014
Vineyard Connector, 800 N to I-15
AGREEMENT AMENDMENT

UTAH DEPARTMENT OF TRANSPORTATION

By:_____

Title: _____

UDOT ACKNOWLEDGEMENT

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the _____ day of _____, 2016, personally appeared before me _____, who being by me duly sworn, did say that he is the _____ of the Utah Department of Transportation, a political subdivision of the State of Utah, and that said instrument was signed in behalf of UDOT by authority of its governing body and he acknowledged to me that UDOT executed the same.

_____
Notary Public

UDOT Project SR-399(40)
UDOT Parcel 11NT:A, 11:W, 11NT
County Tax ID 14:059:0046,
14:058:0015, 14:058:0014
Vineyard Connector, 800 N to I-15
AGREEMENT AMENDMENT

LINDON CITY

By:_____

Title: _____

LINDON CITY ACKNOWLEDGEMENT

STATE OF UTAH)
: SS.
COUNTY OF SALT LAKE)

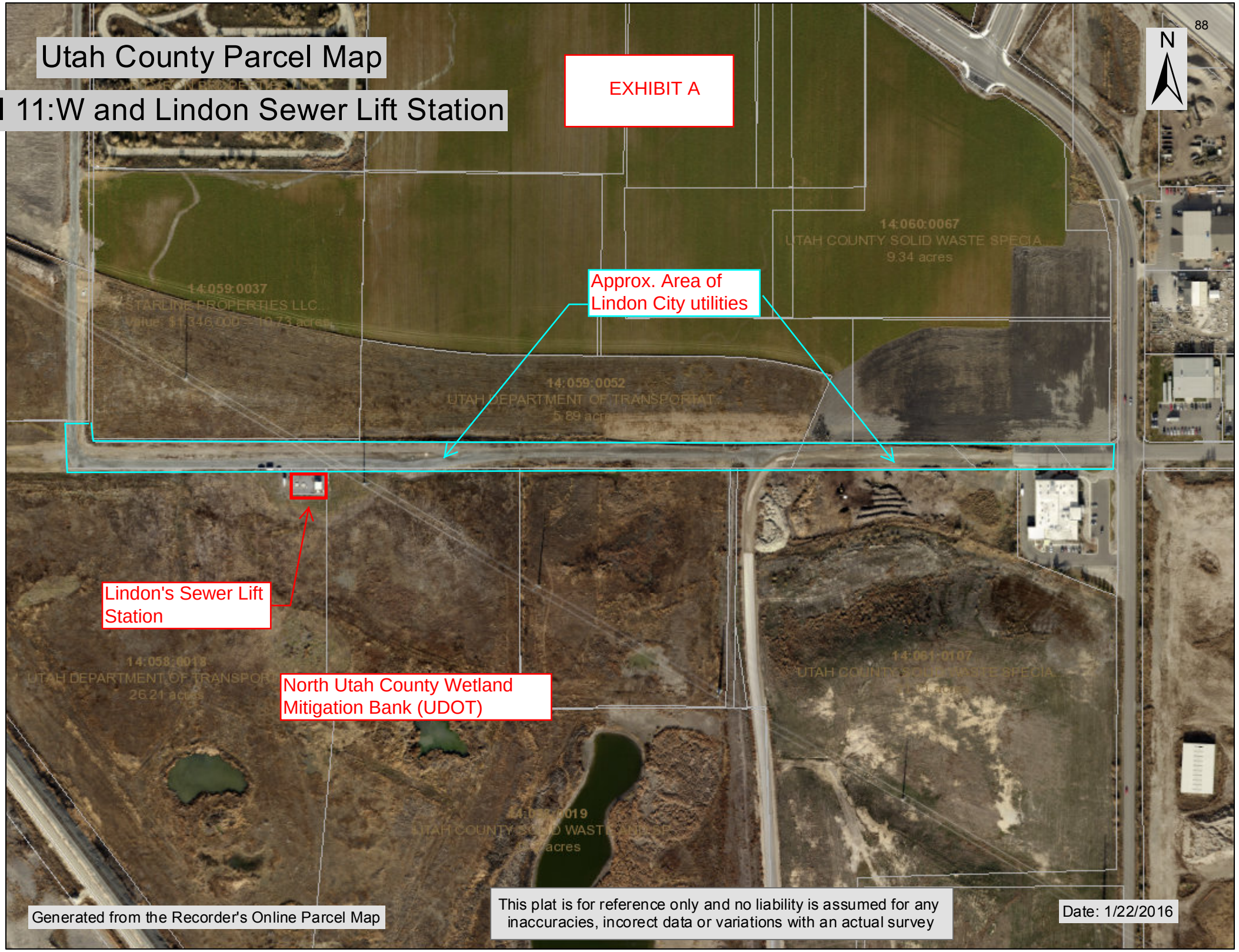
On the _____ day of _____, 2016, personally appeared before me _____, who being by me duly sworn, did say that he is the _____ of _____, and that said instrument was signed in behalf of the Lindon City and he acknowledged to me that Lindon City executed the same.

_____
Notary Public

Utah County Parcel Map

11:W and Lindon Sewer Lift Station

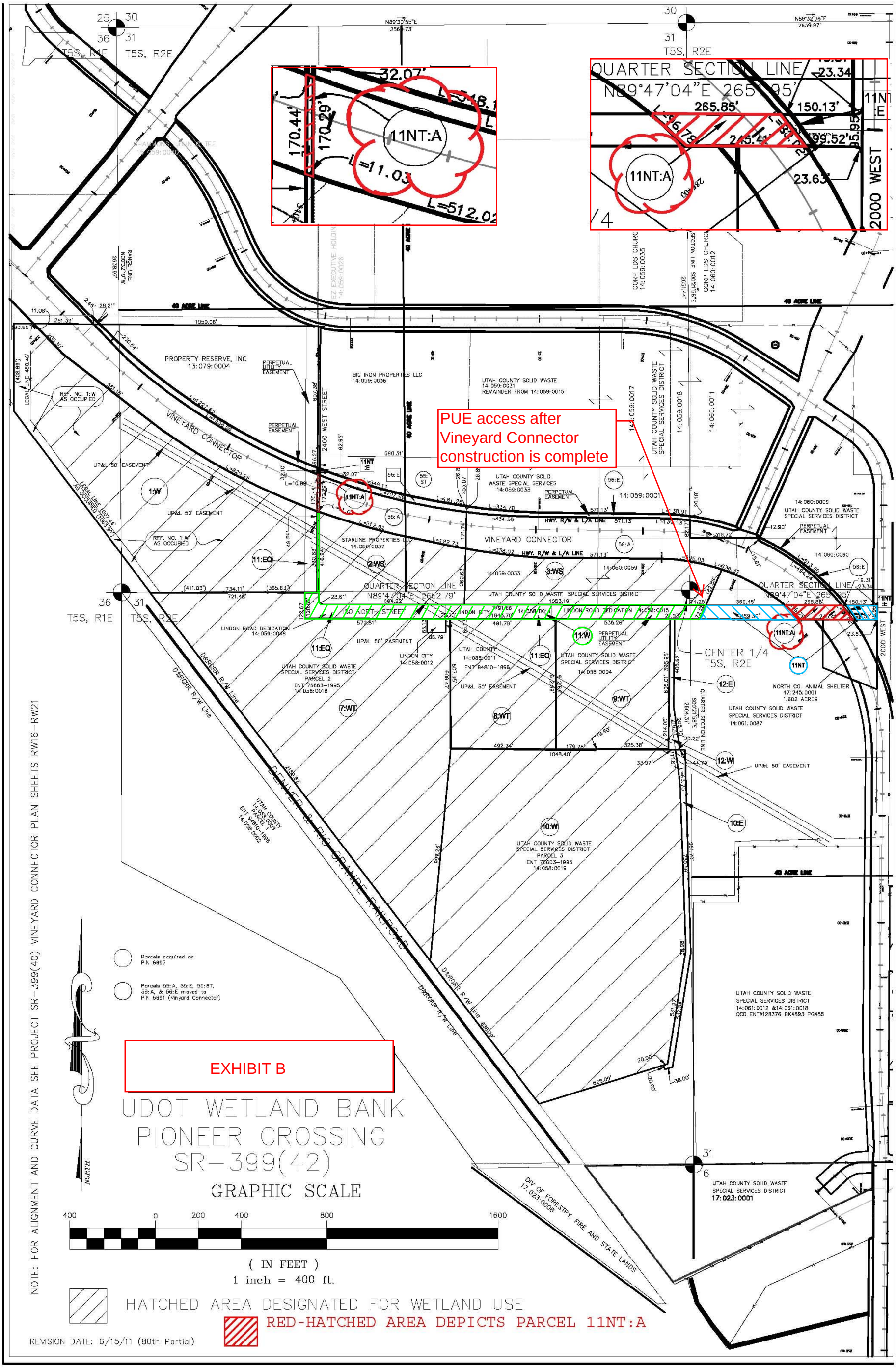
EXHIBIT A



Generated from the Recorder's Online Parcel Map

This plat is for reference only and no liability is assumed for any inaccuracies, incorect data or variations with an actual survey

Date: 1/22/2016


PUE access after Vineyard Connector construction is complete
EXHIBIT B
UDOT WETLAND BANK
PIONEER CROSSING
SR-399(42)
GRAPHIC SCALE
(IN FEET)
1 inch = 400 ft.
HATCHED AREA DESIGNATED FOR WETLAND USE
RED-HATCHED AREA DEPICTS PARCEL 11NT:A
NOTE: FOR ALIGNMENT AND CURVE DATA SEE PROJECT SR-399(40) VINEYARD CONNECTOR PLAN SHEETS RW16-RW21
REVISION DATE: 6/15/11 (80th Partial)
VINEYARD CONNECTOR
2400 WEST STREET
2000 WEST
QUARTER SECTION LINE
N89°47'04"E 2652.79'
CENTER 1/4
T5S, R2E
T5S, R1E
DENVER & RIO GRANDE RAILROAD
PROPERTY RESERVE, INC
13:079:0004
BIG IRON PROPERTIES LLC
14:059:0036
UTAH COUNTY SOLID WASTE
14:059:0031
REMAINDER FROM 14:059:0015
UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT
14:059:0033
STARLINE PROPERTIES LLC
14:059:0037
LINDON CITY
14:058:0012
UTAH COUNTY
14:058:0011
ENT 94810-1996
UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT
PARCEL 2
ENT 78663-1995
14:058:0018
UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT
PARCEL 3
ENT 78663-1995
14:058:0019
NORTH CO. ANIMAL SHELTER
47:245:0001
1.602 ACRES
UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT
14:061:0087
UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT
14:061:0012 &14:061:0018
QCD ENT#128376 BK4893 PG455
UTAH COUNTY SOLID WASTE SPECIAL SERVICES DISTRICT
17:023:0001
DIV OF FORESTRY, FIRE AND STATE LANDS
17:023:0008
Parcels acquired on PIN 6697
Parcels 55:A, 55:E, 55:ST, 56:A, & 56:E moved to PIN 6691 (Vineyard Connector)
NORTH

9. Council Reports: *(20 minutes)*

A) MAG, COG, UIA, Utah Lake, ULCT, NUVAS, 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) Public Safety, Court, IHC Outreach, Lindon Days - Randi Powell
F) Admin., Community Center, Historic Comm., UV Chamber, Budget Committee - Jacob Hoyt

10. Administrator's Report: *(10 minutes)*

Misc Updates:

- March City newsletter:
  http://siterepository.s3.amazonaws.com/442/march16final_20160302163139.pdf
- May newsletter article: Matt Bean - Article due to Kathy Moosman last week in April.
- Public Works Water Department – RWUA Awards
- Pool now hiring all positions; summer temp help positions opening soon
- April 5th Council meeting (during Spring Break) – Quorum available?
- Misc. Items:

Upcoming Meetings & Events:

- March 12th @ 10am – Avalon Senior Apts ribbon cutting & open house
- March 29th @ noon. Budget Committee working lunch meeting
- April 6th-8th. ULCT Spring Conference in St. George
- Sat, April 23 – Sat, April 30. Spring clean-up (dumpsters available)

Adjourn

As of February 19, 2016

PROJECT TRACKING LIST

APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM. DATE	CITY COUNCIL DATE
Property Line Adjustment	Oct. 2014	Steven Merrill	N/A	N/A
Request for a property line adjustment at 455 E 500 N. Staff approved.				
Site Plan: Scott's Provo GM	Jan. 2015	Mandy Ogaz	Feb. 10 (cont.)	N/A
Request to add a small office building to the Scott's Miracle Gro site located at 347 South 1250 West in the LI zone.				
Ordinance Amendment	Mar. 2015	Staff	Mar. 24, Apr. 14	TBD
Request to increase maximum building height in PC zones to 110 feet.				
Ordinance Amendment: Water wise landscaping in Commercial zones	May 2015	Staff	June 9, June 23	TBD
Request to modify commercial landscaping requirements to promote water wise landscaping.				
Major Subdivision: Lindon Self Storage	July 2015	Victor Hansen	TBD	TBD
Request for approval of a condominium subdivision at approximately 860 West 200 South.				
Site Plan: Lindon Self Storage	July 2015	Victor Hansen	TDB	TBD
Request for site plan approval of storage units at approx. 860 West 200 South.				
Site Plan: Lakeview Townhomes	Sep. 2015	Chris Knapp	TBD	N/A
Request for site plan approval of 5 townhome units in the PRD zone; 520 South 400 West				
Major Subdivision: Lakeview Townhomes	Sep. 2015	Chris Knapp	TBD	TBD
Request for a 5 lot Planned Residential Development in the PRD zone; 520 South 400 West				
General Plan Land Use Map Amendment	Nov. 2015	Sean Monson	Jan. 26, 2016	TBD
Request from UIS to reclassify current industrial property to reflect industrial uses on the General Plan Land Use Map.				
Major Subdivision: Williamson Farms	Jan. 2016	Robert Williamson	Feb. 23	TBD
10 lot subdivision in the R1-20 zone at 350 East 450 North				
Street Plan Amendment: Williamson Farms	Jan. 2016	Robert Williamson	Feb. 23	TBD
Request to eliminate a street connection at 350 East 500 North				
Major Subdivision: Lindon Hidden Meadows Plat B	Jan. 2016	Danny Bentley	Feb. 23	TBD
6 lot subdivision with one flag lot at 800 East Center Street				
Zone Map change: Newberry Business Park	Feb. 2016	Staff	Feb. 9	Feb. 16, Mar. 1
Change from LI to MC				
Zone Map change: Thorne Property	Feb. 2016	Staff	Feb. 9	Feb. 16, Mar. 1
Change from LI to R1-12				

PC / CC Approved Projects - *Working through final staff & engineering reviews (site plans have not been finalized - or plat has not recorded yet):*		
Lindon Gateway II	Freeway Business Park II	Old Station Square Lots 11 & 12
Honeysuckle Estates Subdivision	Pen Minor Subdivision	Green Valley Subdivision
Public Works Plat C	Nicolson Business Park Phase II	Lindon Harbor Industrial Park II
Homesteads @ Coulson Cove Plat E	Osmond Phase II	Lindon Fire Station
Lindon West Stake	Children's Corner/Taylor Dental	

Board of Adjustment

Applicant	Application Date	Meeting Date

Annual Reviews

APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM. DATE	CITY COUNCIL DATE
Annual review - Lindon Care Center **680 North State Street (File # 05.0383.8)** administrator@lindoncare.com	Existing use.	Lindon Care Center Manager: Christine Christensen 801-372-1970.	**March 2016** Last Reviewed: 3/15	N/A
Annual review of care center to ensure conformance with City Code. Care center is a pre-existing use in the CG zone.				
Annual review of CUP - Housing Authority of Utah County - Group home. 365 E. 400 N. (File # 03.0213.1) lsmith@housinguc.org	Existing CUP	Housing Auth. Of Utah County Director: Lynell Smith 801-373-8333.	**March 2016** Last Reviewed: 3/15	N/A
Annual review of CUP to ensure conformance with City Code. Group home at entrance to Hollow Park was permitted for up to 3 disabled persons.				
Heritage Youth Services - Timpview Residential Treatment Center. 200 N. Anderson Ln. (File # 05.0345) info@heritageyouth.com info@birdseyertc.com	Existing CUP	HYS: Corbin Linde, Lynn Loftin 801-798-8949 or 798-9077	**March 2016** Last Reviewed: 3/15	N/A
Annual review required by PC to ensure CUP conditions are being met. Juvenile group home is permitted for up to 12 youth (16 for Timp RTC) not over the age of 18.				

Grant Applications

Pending	Awarded
CDBG 2016 — City Center Elevator	***CDBG 2014 Grant*** *– Senior Center Computer Lab ($19,000)*
	EDCUtah 2015*: Economic Development Study on 700 North ($3,000)*

Planning Dept - Projects and Committees

On-going activities (2016 yearly totals)	Misc. projects	UDOT / MAG projects	Committees
Building permits Issued: 34 *New residential units: 6*	*2010-15 General Plan implementation (zoning, Ag land inventory, etc.)*	*700 North CDA*	*Utah Lake Commission Technical Committee: Bi-Monthly*
New business licenses: 20	*Lindon Heritage Trail Phase 3*		*MAG Technical Advisory Committee: Monthly*
Land Use Applications: 14	*Ivory/Anderson Farms Master Plan*		*Lindon Historic Preservation Commission: Bimonthly*
Drug-free zone maps: 0	*General Plan Update*		*MAG Trails Committee*
			Rocky Mountain Power Planning Committee