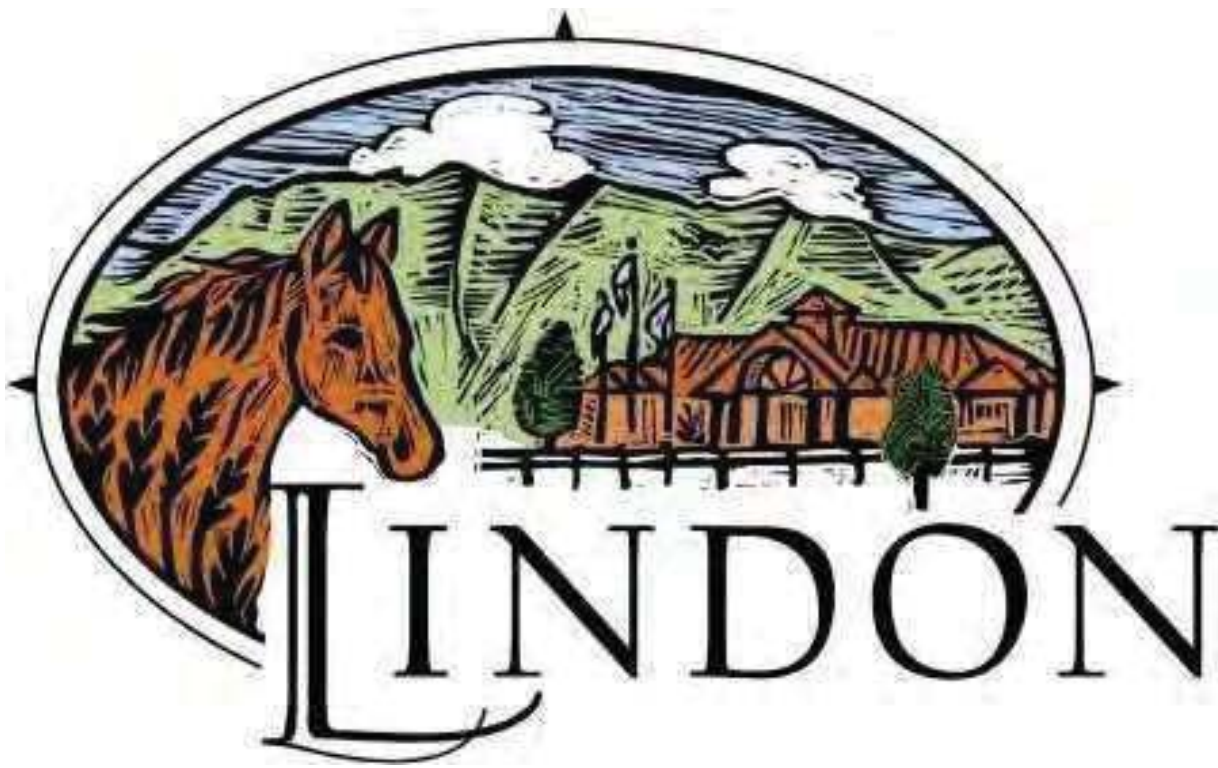


Lindon City Planning Commission Staff Report



October 27, 2020

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, October 27, 2020**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **6:00 p.m.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following items:

Agenda

Invocation: By Invitation

Pledge of Allegiance: By Invitation



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

1. Call to Order

2. Approval of minutes

Planning Commission 10/13/2020

3. Public Comment

4. Conditional Use Permit – Wheel Pro – 1545 W. 200 S.

Jordan Quinney representing Wheel Pro requests conditional use permit approval to operate an auto repair and powder coating business at 1545 W. 200 S. in the Light Industrial zone. (10 minutes)

5. Public hearing for a recommendation to amend the Lindon City zoning map to Planned Residential Development Overlay for the Linden Nursery property located at 535, 531 and 477 N. State Street.

South Haven Development requests a recommendation from the Lindon City Planning Commission for a zoning map amendment. To rezone the Lindon Nursery property to the Planned Residential Development Overlay zone for the property located at 535, 531 and 477 N. State Street (Parcel numbers 45:244:0001, 14:067:0057, 14:067:0140) (20 minutes)

6. New Business from Commissioners

10. Planning Director Report

- Draft 700 N. Small Area Plan Discussion

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City 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 785-5043, giving at least 24 hours' notice.

The above notice/agenda was posted in three public places within Lindon City limits and on the State <http://www.utah.gov/pmn/index.html> and City www.lindoncity.org websites.

***The duration of each agenda item is approximate only**

Posted By: Kathryn Moosman, City Recorder

Date: 10/23/2020

Time: 5:00 pm

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

Notice of Meeting
Lindon City Planning Commission



Item 1 – Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Renee Tribe

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **October 13, 2020 beginning at 6:00 p.m.** at the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 6:00 P.M.**

8 Conducting: Sharon Call, Chairperson
9 Invocation: Mike Marchbanks
10 Pledge of Allegiance: Steven Johnson

12 **PRESENT** **EXCUSED**

13 Sharon Call, Chairperson
14 Mike Marchbanks, Commissioner
15 Rob Kallas, Commissioner
16 Steven Johnson, Commissioner
17 Scott Thompson, Commissioner – arrived 6:45 pm
18 Jared Schauers, Commissioner - via electronically
19 Renee Tribe, Commissioner
20 Mike Florence, Planning Director
21 Anders Bake, Associate Planner
22 Kathryn Moosman, City Recorder

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

26 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
27 Planning Commission meeting of September 22, 2020 were reviewed.

28
29 COMMISSIONER JOHNSON MOVED TO APPROVE THE MINUTES OF
30 THE REGULAR MEETING OF SEPTEMBER 22, 2020 AS PRESENTED.
31 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
32 VOTED IN FAVOR. THE MOTION CARRIED.

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

38 **CURRENT BUSINESS** –

40 4. **Plat Amendment – Fenton/Olsen Subdivision – 15 and 35 West 725 North.**
41 Rebecca Fenton requests plat amendment approval to amend the lot lines between
42 lots 35 W. 725 N. and the adjacent parcel to the east which is approximately 15
43 West 725 North and to also make 15 West a platted lot in the Fenton-Olsen
44 Subdivision.

46 Mike Florence, Planning Director, led this agenda item by giving a brief summary
47 stating the applicant, Rebecca Fenton, who is in attendance, is seeking plat amendment
50 approval to amend the lot lines between lots 35 West 725 North and the adjacent parcel to

2 the east which is approximately 15 West 725 North and to also make 15 West a platted
lot in the Fenton-Olsen Subdivision.

4 He noted Ms. Fenton owns both the lot at 35 West and the parcel at 15 West 725
North. The current lot line separating the two properties crosses the swimming pool at
6 the rear of the both properties. Ms. Fenton desires to do a lot line adjustment so the
existing lot line goes around the pool. The purpose for the plat amendment is that the
8 property at 35 West 725 North is located in the Fenton/Olson Subdivision and the parcel
at 15 West 725 North is not a platted lot.

10 Mr. Florence further explained in order to move the lot line of the platted lot, a
plat amendment has to occur. He pointed out since 15 West is not a platted lot then the
12 City has requested that this property be included in the Fenton-Olsen subdivision.

Mr. Florence stated Lindon City Code 17.32.00 references Utah Code for
14 requirements amending a subdivision plat. He added under Utah Code 10-9a-608, an
applicant may petition the Land Use Authority (Planning Commission) to join two or
16 more of the petitioner fee owner's contiguous lots. He then referenced the code as
follows:

18 **10-9a-608. Vacating, altering, or amending a subdivision plat.**

(2) Unless a local ordinance provides otherwise, the public hearing requirement of
20 Subsection (1)(c) does not apply and a land use authority may consider at a public
meeting an owner's petition to vacate or amend a subdivision plat if:

22 (a) the petition seeks to:

- 24 i. join two or more of the petitioner fee owner's contiguous lots;
- 26 ii. subdivide one or more of the petitioning fee owner's lots, if the
subdivision will not result in a violation of a land use ordinance or
a development condition;
- 28 iii. adjust the lot lines of adjoining lots or parcels if the fee owners of
each of the adjoining lots or parcels join in the petition, regardless
of whether the lots or parcels are located in the same subdivision;
- 30 iv. on a lot owned by the petitioning fee owner, adjust an internal lot
restriction imposed by the local political subdivision; or
- 32 v. alter the plat in a manner that does not change existing boundaries
or other attributes of lots within the subdivision that are not:

34 (a) owned by the petitioner; or

(b) designated as a common area; and

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

38 Mr. Florence stated the City Engineer is working through any technical issues
40 related to the plat and will conduct a final review if the planning commission approves
the plat amendment. He then presented an Aerial Image with Parcels, Proposed Plat, and
42 Current Plat followed by discussion. Chairperson Call stated she doesn't see any
problems or issues with the plat amendment. The Commission was in agreement with that
44 statement.

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

2 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
3 APPLICANT'S REQUEST FOR PLAT AMENDMENT APPROVAL OF THE
4 FENTON/OLSEN SUBDIVISION WITH THE FOLLOWING CONDITIONS: 1. THE
5 APPLICANT WILL CONTINUE TO WORK WITH CITY STAFF TO MAKE ALL
6 TECHNICAL CORRECTIONS AS NECESSARY TO THE PLAT PRIOR TO
7 RECORDING; 2. PRIOR TO PLAT RECORDING, THE APPLICANT WILL UPDATE
8 THE FINAL PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES OF
9 OWNERS' CONSENT TO DEDICATION; AND OBTAIN SIGNATURES OF ALL
10 ENTITIES INDICATED ON THE SUBDIVISION PLAT ATTACHED HERETO; AND
11 3. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER KALLAS SECONDED
12 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

13	CHAIRPERSON CALL	AYE
14	COMMISSIONER KALLAS	AYE
	COMMISSIONER MARCHBANKS	AYE
16	COMMISSIONER JOHNSON	AYE
	COMMISSIONER SCHAUERS	AYE
18	COMMISSIONER TRIBE	AYE
19	THE MOTION CARRIED UNANIMOUSLY.	

- 20
21 5. **Site Plan – Holiday Oil – 725 North Geneva Road.** Holiday Oil requests site
22 plan approval to construct a convenience store and fuel pumps on the property
23 located at 725 N. Geneva Road in the Lindon Village Zone.
24

25 Anders Bake, Associate Planner, led this agenda item by giving a brief overview
26 stating Holiday Oil is requesting site plan approval to construct a convenience store and
27 fuel pumps on the property located at 725 North Geneva Road in the Lindon Village
28 Commercial Zone.

29 Mr. Bake explained for site plan approval, tonight the planning commission will be
30 evaluating whether the site plan and building meet Title 17 development regulations. He
31 noted the applicant proposes to construct a convenience store and fuel station on a vacant
32 property located at 725 North Geneva Road, in the Blackhurst Subdivision. Mr. Bake
33 indicated the proposed development was discussed by the planning commission as part of
34 a Concept Review application at the planning commission meeting held on June 9, 2020
35 where the Commission discussed how the Commercial Design Standards would be
36 applied to the project.

37 Mr. Bake further explained the parking standards are based on the zone and the
38 different uses in the building. He noted the respective square footage and all parking
39 standards are in compliance. He added the vehicles will be able to access the property
40 from 700 North and Geneva Road and there is adequate vehicle circulation within the lot
41 and around the fuel stations.

42 Mr. Bake indicated the proposed landscaping plan will meet the city code
43 requirements for landscaping in the Lindon Village Commercial Zone. He noted City
44 Staff has requested that the trees planted along 700 North comply with the 700 North
45 Corridor Tree Planting requirements included in the Development Manual; he noted this
46 has been added as a condition of approval. All other trees on the property comply with
the Lindon City Tree Planting Guide and all landscaping requirements are in compliance.

2 Mr. Bake went on to say the subject property is about 60,000 square feet which
meets the 20,000 square foot minimum lot size requirement. The proposed building
4 location also meet the minimum setback requirements of 20 feet from 700 North and
Geneva Road. The subject property is located in an area identified in the Lindon Village
6 Commercial Zone where a sales tax producing component is required and this proposed
convenience store will meet this requirement.

8 Mr. Bake stated verification of sales tax production will also be required prior to
final site plan and business license approvals. He added the proposed development
10 complies with the approved District Plan that was approved by the Planning Commission
on September 24, 2019 at part of the 7th at Geneva Site Plan application.

12 Mr. Bake indicated the subject property is subject to the requirements found in
Lindon's Commercial Design Standards. The design standards include the following site
14 requirements in section 3.1:

- A maximum front setback of 50 feet with no more than one row of parking
16 stalls is recommended.
- Avoid placing parking in the front setback between building and street; the
18 majority of parking shall be located to the side of rear of the building to
maintain the connection between building and street.
- Greater setbacks may be considered for buildings that proposed a public
20 park/plaza area in front of the primary street facing façade.
- Corner sites shall have a recommended setback of 20 to 50 feet on both
22 street facing facades in order to properly define the intersection of site
24 permits.

26 Mr. Bake went on to say the proposed site plan includes an 80-foot building
setback from 700 North Street. The applicant proposes a patio area within this setback
28 and is requesting that a setback greater than 50 feet be considered. The building setback
from Geneva Road is over 200 feet which includes the fuel station and parking stalls. He
30 noted the Planning Commission reviewed this site layout and the Commercial Design
Standards as part of a Concept review on June 9, 2020.

32 Mr. Bake stated buildings in the Lindon Village commercial zone are required to
meet the Lindon Commercial Design Standards. Under the commercial design standards,
34 commercial development should pick one of three building forms: one-part commercial
block, two-part commercial block, and central block buildings. Mr. Bake indicated the
36 proposed building most aligns with the one-part commercial block building. He then
referenced the standards for such building in the Commercial Design Standards.

38 Mr. Bake noted the City Engineer is working through any technical issues related
to the site plan and will conduct a final review if the planning commission grants final
40 site plan approval. He pointed out that City staff believes that this development will be an
amenity to Lindon City. Mr. Bake stated tonight the Planning Commission will need to
42 evaluate the site requirements in the Commercial Design Standards and how they should
be applied to a convenience store and gas station development.

44 Mr. Bake commented the applicant has worked with city staff in creating a patio
amenity and pedestrian connection to the development along the 700 North Corridor. The
46 site connects well with the property to the north and complies with the district plan and
Lindon Village Commercial Zone requirements. He noted improvements have also been
48 added to the building façade to better meet the Commercial design Standards. These

2 include additional framing to break up the windows and a row of brick soldier course
above the windows.

4 Mr. Bake indicated the Commercial Design Standards state that “If storefront
6 windows do not reach to the ground, a projecting sill should be used at the bottom.” He
pointed out the Architectural plan that was submitted and reviewed by staff includes
8 windows that our brought to the ground on the front façade. The applicant would like to
propose a change to the submitted plans by replacing some of the fenestration at the
10 bottom of the building with brick. If the Planning Commission would like to make this
proposed change to the plans, they will need to state this change as a condition of
12 approval. Mr. Bake then read the conditions of approval. Mr. Bake also presented an
Aerial photo, Site plan, Landscaping Plan, Building Elevations and Approved District
14 Plan Aerial Photo of the property at 725 North Geneva Road followed by some general
discussion.

Chairperson Call expressed her concerns with the red roof noting some of the city
16 council also have concerns. She also mentioned some neighboring cities that have
Holiday Oil locations with roof colors other than red. She noted that everything else
18 looks good, but to say this is a signature of Holiday Oil when other cities have asked for
other colors it just doesn’t comply with our design standards.

20 The applicant commented that a couple of the stores with other color roofs were
existing stations they purchased from somewhere else and since 2003 all Holiday Oil
22 locations have been built with red roofs. He added they have been in business since 1964.
He indicated they are also in the process of remodeling some of their stores with red roofs
24 as that is their branding which is very important to them and they take a lot of pride in
that. He stated they would be willing to work with staff to reach a happy medium with
26 maybe a different shade of red; they can be flexible but still would like the same look and
feel.

28 However, they do feel strongly about their brand identity and the architectural
integrity. He also showed examples of different locations and the architectural schemes
30 followed by discussion. Following discussion, the applicant agreed they will be happy to
work with city staff to comply with a color that fits within the required color palette in
32 the design standards. The commission agreed that is a good compromise.

There was also some discussion regarding the windows. The applicant stated they
34 would like an exception to “shade” the windows if they are required to put them in. He
noted black covered windows tend to be covered in dirt and don’t look good and it is not
36 practical. What they would like is for the brick to come up three feet at the bottom and to
add a window sill which will look so much nicer. Mr. Florence pointed out the
38 commission can add that as a condition.

The applicant also asked about having an RV dump at this site location noting he
40 would like to get a positive recommendation from the planning commission as their
customers really appreciate this convenience. Mr. Florence pointed out an RV dump is
42 not allowed in that zone and would require an ordinance amendment to allow an RV
dump to be included on the Standard Land Use Table. He added he is not sure that is
44 what they want on the entrance to the Lindon Village Corridor as they are trying to create
something special there. The applicant stated they may be able to position it where it is
46 not so visible on the corner.

2 Chairperson Call stated she would prefer to go with staff's recommendation on
this issue as they are being very cautious on the corridor as it is the gateway to the city.
4 The Commission was in agreement with that statement.

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

8 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
10 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER
TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2.
12 THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE
LINDON CITY DEVELOPMENT MANUAL; 3. THE STREET LIGHTS ALONG 700
14 NORTH AND GENEVA ROAD WILL MEET THE LIGHTING REQUIREMENTS
FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 4. TREES PLANTED
16 ALONG 700 NORTH WILL COMPLY WITH THE 700 NORTH CORRIDOR TREE
PLANTING REQUIREMENTS IN THE DEVELOPMENT MANUAL; 5. FINAL
18 DESIGN WILL MEET THE COMMERCIAL DESIGN STANDARDS FOR
COMMERCIAL SITES AND BUILDINGS AND THE DEVELOPER WILL WORK
20 WITH STAFF TO COME TO A RESOLUTION ON ROOF COLOR CONSISTENT
WITH THE CITY PALLET AND ALLOW DEVELOPER TO PUT BRICK ON THE
22 STOREFRONT WINDOWS WITH A WINDOW SILL AT THE TOP OF THE BRICK;
6. THE PROJECT WILL MEET ALL SITE REQUIREMENTS FOR THE LINDON
24 VILLAGE COMMERCIAL ZONE FOUND IN SECTION 17.48.025 OF THE LINDON
CITY CODE; 7. THE APPLICANT WILL COMPLY WITH ALL BONDING
26 REQUIREMENTS, IF APPLICABLE; AND 8. ALL ITEMS OF THE STAFF REPORT.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
28 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
30 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
32 COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
34 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

36 THE MOTION CARRIED UNANIMOUSLY.

- 38 4. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commissioners.

40 Chairperson Call asked for an update on the latest plan on the Norton property.
42 Mr. Florence stated they don't have the latest plan yet, however, they did meet for a
progress report where the developer gave some general updates. Mr. Florence noted they
44 did receive an application for the Lindon Nursery for a zone change and perhaps a
concept plan. Chairperson Call also mentioned a resident contacted her stating the plastic
46 covering has been left on the street grates. Mr. Florence stated he will bring this up to the
public works director at staff meeting tomorrow.

2 Commissioner Tribe brought up the new temple location. Mr. Florence stated the
4 church they will have to submit a site plan application. He also suggested going over
some of the ordinances prior to approval of the plan.

6 Chairperson Call called for any further comments or discussion from the
commission, hearing none she moved on to the next agenda item.

8 **5. Planning Director Report –**

10 Mr. Florence presented the Draft of the 700 North Small Area Plan followed by
some general discussion. Following the presentation Mr. Florence directed the
12 commission to send any additional comments to him this next week and he will present it
to the city council. He also asked them to pay special attention to the land use maps.

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

16 **ADJOURN –**

18 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
20 MEETING AT 8:10 PM. COMMISSIONER TRIBE SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Approved – October 27, 2020

24
26 _____
Sharon Call, Chairperson

28
30 _____
Michael Florence, Planning Director

Item 4: Conditional Use Permit – Vehicle Repair Business Wheel Pro

Date: 10/27/2020

Applicant: Jordan Quinney
(Wheel Pro)

Presenting Staff: Anders Bake

General Plan: Light Industrial

Current Zone: Light Industrial

Property Owner: BAN Properties LLC

Address: 1545 W 200 S Unit 500

Parcel ID: 35:581:0001

Lot Size: 0.97 acres

Type of Decision: Administrative

Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for an auto repair and powder coating business and conditions to mitigate the impacts of a proposed use.

MOTION

I move to (*approve, deny, continue*) the applicant's request for a conditional use permit to use the property located at 1545 W. 200 S. Unit 500 for an auto repair and powder coating business, with the following conditions:

1. Vehicles may not be stored outdoors for longer than 72 hours unless the owner is waiting on delivery of parts;
2. No automobile parts will be stored outside of the building;
3. The applicant will comply with all of the Light Industrial Special Provisions requirements found in section 17.49.090 of the Lindon City Code; and
4. All items of the staff report.

OVERVIEW

1. Jordan Quinney requests conditional use permit approval to operate an alloy wheel repair and customization shop that will include powder coating at 1545 W. 200 S. Unit 500. The Standard Land Use Table requires that businesses doing vehicle repair in the Light Industrial Zone obtain a Conditional Use Permit. The City has previously approved powder coating business as conditional uses in the Light Industrial Zone.
2. The proposed business, Wheel Pro, will perform all work indoors and within their unit.
3. Notices were mailed on October 16, 2020 to adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment(s) at this time.

SURROUNDING ZONING AND LAND USE

North: **LI** – industrial office/warehouse and outdoor storage

East: **LI** – industrial outdoor storage

South: **LI** – industrial office/warehouse and outdoor storage

West: **Vineyard City** – Lake Site Power Station

DEVELOPMENT STANDARDS

Building, Site, and Landscaping

Wheel Pro will be using a commercial unit in the Burbridge Industrial Subdivision. This subdivision was recorded in March 2008. The building was constructed in April 2017. The building and site comply with Lindon City Code requirements. The applicant is not planning to do any construction on the building and will not be required to make any changes to the building or site.

Parking

There are 12 parking stalls available on the property that are shared between each of the units. The business will have one person working and the shop at a time and repair work is done by appointment only.

STAFF ANALYSIS

Based on the business description that was provided, it is expected that this business will have a minimal impact on surrounding properties and will be compatible with other uses in the Light Industrial Zone.

EXHIBITS

1. Business description
2. Site and Floor Plan
3. Building Photos

Wheel Pro LLC Description of Proposed Use for Conditional Use Permit

Wheel Pro is an alloy wheel repair and customization shop. Our services include welding cracked wheels, powder coating, painting and straightening bends on wheels.

Customers will be able to pull their car in the shop where the wheels will be removed and we will provide the services needed. Customers will be by appointment, which will help keep the parking lot clear.

Hours of operation will be 9-5, Monday through Friday. Only one or two workers will be at the shop each day.

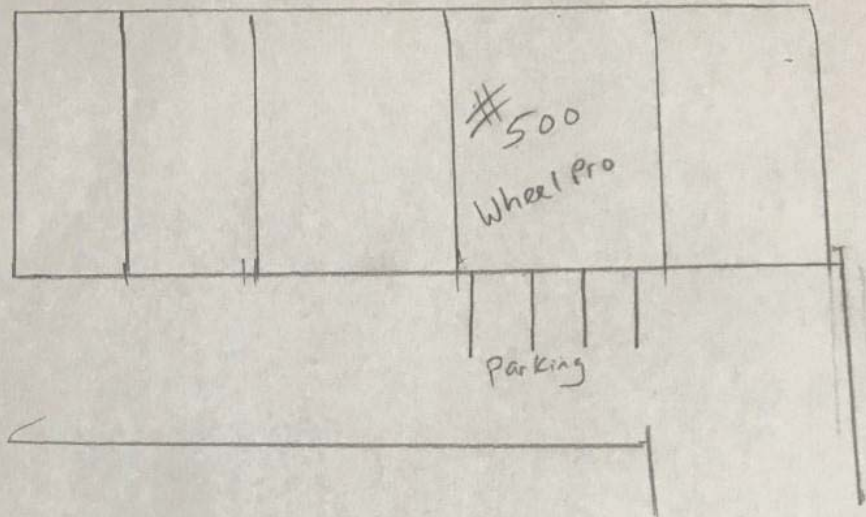
We do have a website, jqwheelpro.com that gives some visuals of the type of work we do.

Wheel Pro was established in November of 2014, and has until now, only been mobile. All of the work was done in mobile trailers throughout Utah, Salt Lake, and Davis counties. We are excited to be able to expand our services and grow our business through use of this shop.

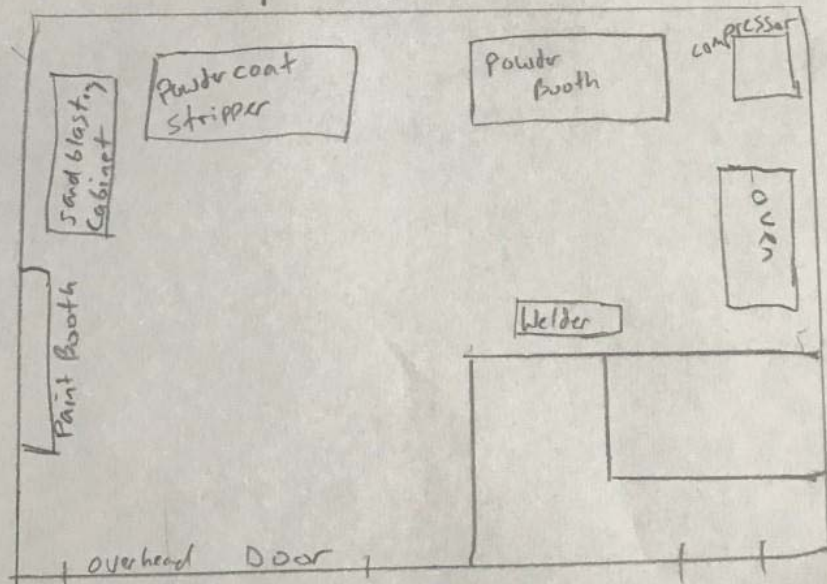
For the last 3 years I have done powder coating, painting, and welding in a metal shed in my backyard, often late at night and not once have I had any complaints of any kind. I use that as an example to show the minimal impacts our services will have on surrounding businesses and the environment. The Powder booth and paint booth have filtration systems that comply with industry standards to minimize dust from powder or paint.

Wheel Pro LLC Description of Proposed Use for Conditional Use Permit

Site Plan



Floor Plan



Wheel Pro LLC Description of Proposed Use for Conditional Use Permit



Wheel Pro LLC Description of Proposed Use for Conditional Use Permit



Wheel Pro LLC Description of Proposed Use for Conditional Use Permit



Wheel Pro LLC Description of Proposed Use for Conditional Use Permit



Item: 5 Public Hearing – Zoning Map Amendment 535 N. State Street

Date: October 27, 2020

Project Address: 535, 531 and 477 N. State Street

Applicant: South Haven Development

Property Owner: Edward and Valerie Platt, Bowling Green LLC, and Central Bank

General Plan: Commercial

Current Zone: General Commercial

Parcel ID: 45:244:0001, 14:067:0057, 14:067:0140

Size: 11.7 Acres

Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes



Summary of Key Issues

1. Whether to recommend approval or denial to the City Council for a request to amend the Lindon City Zoning Map for the rear portion of the Lindon Nursery property to be rezoned to the Planned Residential Development Overlay Zone.

Overview

1. South Haven Development is proposing a 58-unit townhome development on the rear portion of the Linden Nursery property;
2. The City passed an amendment to the Planned Residential Overlay Zone in August 2020.
3. The Planned Residential Development Overlay Zone (ordinance section 17.76.040) requires that the following items be submitted as part of a zone map amendment application:
 - Concept site plan;
 - Building elevations; and
 - Renderings showing the proposed project for the subject site.
4. The PRD ordinance also requires that “any concept plan presented to the Planning Commission and City Council for approval shall first be reviewed by the Development Review Committee to ensure the proposal is technically feasible.”

Motion

I move to recommend (*approval, denial, or continuation*) of ordinance 2020-15-O to amend the Lindon City zoning map from General Commercial to Planned Residential Development Overlay for the properties located at 535, 531 and 477 N. State Street (parcel numbers 45:244:0001, 14:067:0057, 14:067:0140).

Surrounding Zoning and Land Use

North: GC and R1-20 – Commercial businesses and single-family homes

East: GC – Linden Nursery and barn

South: CG-A and R1-20 – Auto dealership and single-family homes

West: R1-20 – Single family homes

Zoning – Site Requirements

Below is a summary of the PRD site requirements. Some of these items will be refined when the applicant files for site plan and subdivision approval.

PRD Ordinance Requirements	Proposal
Property size – minimum one acre	11.7 acres
Existing commercial	Linden Nursery
Townhome project size	6.07 acres
Number of units	58
Density – shall not exceed an average density of 10 units per acre	9.56
State Street setback – 300'	The applicant is showing residential homes within the 300' commercial setback The Planning Commission and City Council may consider a reduction in this depth upon evaluating the following: a. Viable commercial options remain for the site; b. A commercial lot is irregularly shaped; c. The reduction does not limit future redevelopment opportunities of the commercial property
Residential building setbacks • 30' rear setback from existing single family • 25' front setback • 16' side yard setbacks • 20' corner side yard setbacks • Front and rear setbacks may be modified where design items such as common open space or other design features are proposed	The concept plan meets the front (25') and side (16') yard setback requirements. The PRD ordinance requires 30' rear setbacks. The proposal shows some of the units sharing a 30' rear setback. The rear setback may be modified by the land use authority where design items such as common open space or similar design feature is proposed. Setbacks from abutting single family residential may not be reduced (17.76.080 (6)(b)(5)).
Perimeter Fence – 7' masonry or concrete	The plan shows a perimeter privacy fence.
Open Space/Landscaping – 20% common open space. The land use authority can approve private rear yard	The project plan shows 33% with both private fenced and common open space. However, staff needs to work with the applicant to confirm the areas that are being counted as open space. Open spaces do need to be designed to be an integral part of any development. Majority of open spaces shall not be located in perimeter outlying areas of the development

Parking • 2 parking spaces per unit • .5 spaces per unit for visitor parking • 65% of units have a 2-car garage • 50% of driveways may be counted toward visitor parking requirement	• Parking meets the PRD ordinance • 58 units require 145 parking stalls • 38 two car garage units • 20 one car garage units • Each driveway holds either one or two vehicles • 15 off-street visitor stalls are required and the plan shows 19
Trees – planted every 30 feet when abutting single family homes	Trees are planted every thirty feet on the West property line but will need to be added to the South property line where abutting a residential zone.
Lighting plan – a lighting plan for streets and a photometric study are required	The applicant has internal street lighting. Other items of the lighting plan will be provided with site plan approval
Pedestrian connections – • Development must connect each separate building with internal concrete walkways • One pedestrian access to a public street	The plan shows a perimeter trail connecting the buildings and a sidewalk out to State Street.
Access and streets • 29' for public streets	The plan shows two access point out to State Street. The streets will be public and meet the minimum 29' asphalt width requirement. The applicant has a pre-application meeting with UDOT on November 3 rd to discuss access requirements

Zoning – Building Requirements

Below is a summary of the PRD building requirements. Some of these items will be refined when the applicant files for site plan and subdivision approval.

PRD Ordinance Requirements	Proposal
Height – 2 stories with a maximum height of 35 feet	Two stories. Overall building height not provided
Building Types and Variety • At least two different building types shall be included in projects larger than two acres and with multiple buildings. Buildings shall be differentiated from other building types through type of building, variations to building materials, color, rooflines, and the use of architectural features such as awnings, light fixtures and eave details • Ordinance (17.76.030) calls out different building types as detached single family, twin homes, tri-plex, multi-unit buildings and townhouses.	The plan shows a combination of 4, 5 and 6 plex buildings.

Architectural and Façade Design – • More than a single-color application and more than a single material application • 60% primary building materials (wood clapboard, cementitious fiber board, wood board and batten, wood siding, brick, stone • 30% maximum EIFS or Stucco • Wall variation and recesses • Buildings shall incorporate a variety architectural elements • Eaves and rooflines are encouraged • Garage doors are recessed, consistent with the building design, front loading garages shall include windows • Stucco-textured foam trim moldings shall not be the only application to enhance facades • All windows along a front façade shall incorporate at least two of the following: - o Mullions and/or transoms - o Trim or molding of a different color - o Canopies, shutters, awnings - o Recessed inset by 2 inches	Building rendering are provided in the exhibit section. A complete review the building facades and material treatments will be completed with the site plan approval. The exterior material appears to be a hardi-board material It appears that a second material may need to be provided to the front façade on the buildings The renderings show trim materials around the doors and windows The garage doors are of a coordinating color and have windows The rendering does not show stucco or EIFS on the front façade Windows incorporate mullions, transoms and trim
The front façade of any residential building shall not face or front the rear yard of a single-family home	All front facades face a public street
Roof Pitch – all buildings shall have a pitched roof consistent with the overall architectural style of the building	Pitched roof
Frontage, Orientation and Entrances • Buildings front onto a public street • Building shall have expansive windows, entryways, balconies, terraces, or other architectural design features oriented to the street • Building entrances shall be the primary feature of the front façade and identify access to the individual units • Stoops or front porches raised a minimum of one foot	All building front onto a public street. The applicant has done a good job with the window and entry requirements of addressing the main feature of the home.

Staff Analysis

The Development Review Committee (City Engineering and Planning Department) has reviewed the proposal and finds that the proposed development is technically feasible. From the provided plan and information, the site plan meets minimum road widths, parking and open space requirements. For access to the development, the applicant still needs to hold a pre-application meeting with UDOT (according to the developer this is scheduled for November 3rd) to make sure the two accesses will be allowed and then submit for final approval from UDOT. There are some minor items like trees, lighting, fencing, and clarification on open space that still needs to be provided. These items can be resolved with the site plan approval if desired.

The proposed plan has a number of homes encroaching into the 300-foot commercial setback. With a previous concept plan for the Norton property the planning commission's feedback was to not count the encroaching residential area into the overall density. The commission will need to review the merits of this application and decide weather or not to allow the encroaching buildings and density.

Regarding the rear yard setback, the PRD ordinance requires a 30-foot rear yard setback. This setback may be modified by the land use authority where design items such as common open space or similar design feature is proposed. The planning commission will need to give a recommendation on whether to reduce this setback with the proposed common open space.

Public Notices

Public Hearing Notices, required per Lindon City Code section 17.14, were mailed to properties within 800 feet and each affected entity. The notice was also published in the Daily Herald, on the State Public Notice website, and posted at Lindon City Hall, Public Safety, and Community Center buildings.

Exhibits

1. Aerial Photo
2. Site Plan
3. Renderings
4. Surrounding Area General Plan Land Use Map
5. Surrounding Area Zoning Map
6. Planned Residential Development Overlay Zoning Ordinance

Exhibit 1 – Aerial Photo



Exhibit 2 - Site Plan



Exhibit 3 - Renderings





Exhibit 4 – General Plan - Vicinity Map

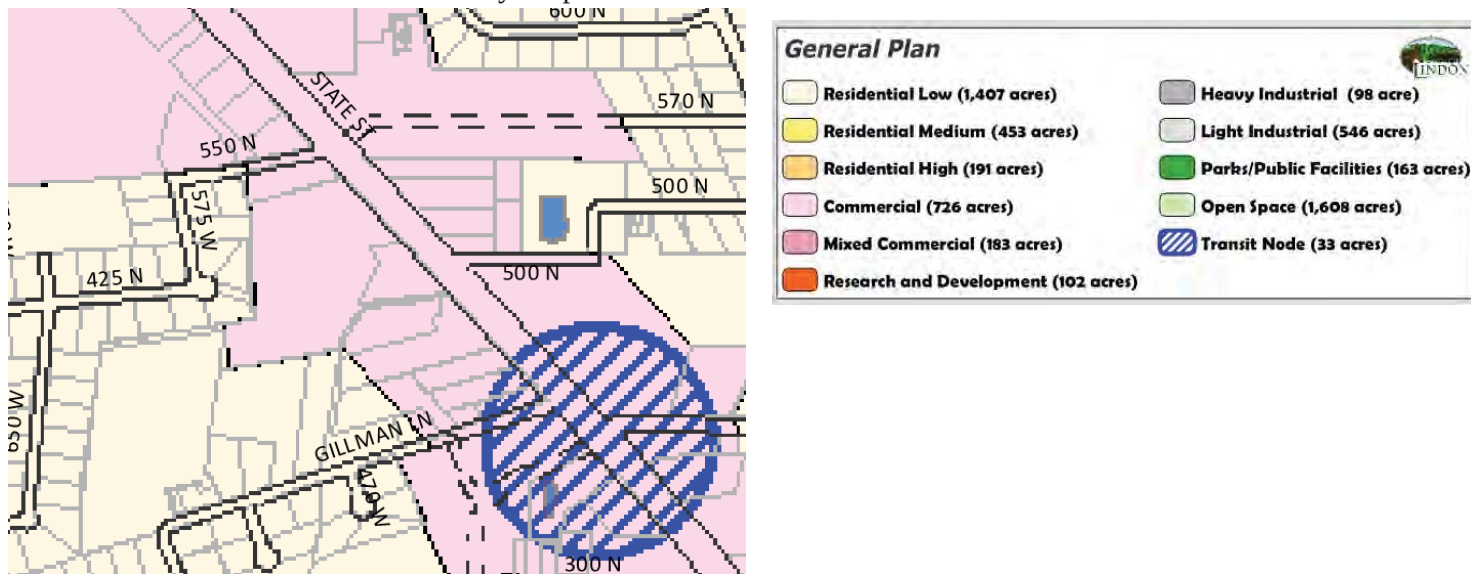
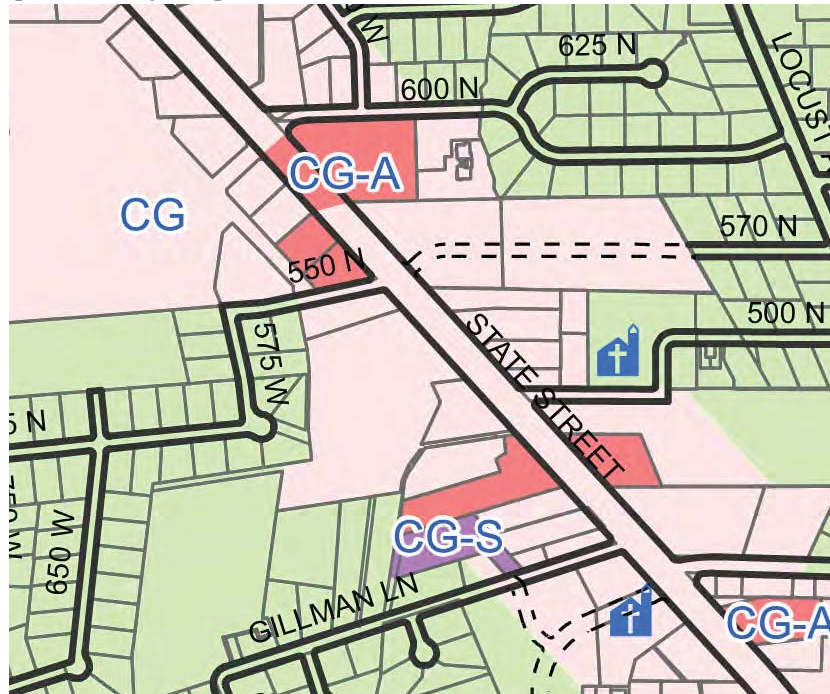


Exhibit 5 – Zoning Map – Vicinity Map



ORDINANCE NO. 2020-8-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.76 PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRD OVERLAY) ZONE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan that 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; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan that the relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan that transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan that growth should be guided to locations contiguous to existing development to provide city services and transportation in a cost-effective and efficient manner; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan that density increases should be considered only upon demonstration of adequate infrastructure and resource availability; and

WHEREAS, on April 28, 2020 and June 9, 2020 the Planning Commission held properly noticed public hearings to hear testimony regarding the ordinance amendment; and

WHEREAS, after the June 9, 2020 public hearing, the Planning Commission further considered the proposed ordinance amendment and recommended that the City Council adopted the attached ordinance; and

WHEREAS, the City Council held a public hearing on July 20, 2020, to consider the recommendation and the City Council received and considered all public comments that were made therein.

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

Section I: Amendment. Amend Lindon City Code Section 17.76 as follows:

Chapter 17.76

PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRD OVERLAY) ZONE

Sections:

- 17.76.010 Purpose.
- 17.76.020 Applicability.
- 17.76.030 Permitted Uses, Building Types, and Densities.
- 17.76.040 Site Plan and Conditional Use Approval
- 17.76.050 Final Plat and Improvement Drawings.
- 17.76.060 Building Permits
- 17.76.070 Completion and Maintenance of Site
- 17.76.080 Development Standards and Requirements

17.76.010 Purpose.

1. The Planned Residential Development Overlay Zone promotes the following purposes:
 - a. Create diverse and quality housing options in Lindon City.
 - b. Effectively develop unique commercial lots and parcels that do not naturally accommodate traditional commercial development patterns;
 - c. Allow for appropriate housing transitions from commercial properties to low density single family residential;
 - d. Improve the design and livability of residential buildings in the Planned Residential Development Overlay Zone.
 - e. To preserve the commercial tax base and intent of the General Commercial zone.
2. The purposes of the Planned Residential Development Overlay are accomplished by:
 - a. Allowing densities higher than a typical low-density residential development, as identified in the Lindon City Land Use Map;
 - b. Establishing standards for landscaping, building and site design, public safety, parking, aesthetics, traffic circulation, fencing, lighting, and other similar site improvements; and
 - c. Requiring standards that enable Planned Residential Developments to fit into the surrounding development.

17.76.020 Applicability.

1. The Planned Residential Development Overlay Zone may be applied to ~~any~~ lots or parcels only in the General Commercial (CG) Zone after application and approval of a zone map amendment by the City Council after a recommendation from the Planning Commission.

17.76.030 Permitted Uses and Building Types

1. *Permitted Uses.* In addition to uses permitted or conditionally permitted in the underlying General Commercial (GC) zone, a Planned Residential Development is a conditionally permitted use in the Planned Residential Development Overlay Zone and is not permitted in any other zone.
2. Planned Residential Development's may include the following building types: detached single family, twin homes, tri-plex, multi-unit buildings and townhouses. All Individual residential units shall be subdivided into separate lots or condominium units;

- a. The minimum lot size for detached single family shall be five thousand (5,000) square feet with fifty (50) feet of frontage.
 - b. Multi-unit buildings shall be limited to a maximum of four (4) units per building.
 - c. Townhomes building types shall be limited to a maximum of six (6) units in a single row within a single building.
3. In order to preserve the intent of the General Commercial zone, building permits from Lindon City shall be obtained and construction commenced for at least twenty-five (25) percent of the approved commercial square footages prior to releasing building permits for residential construction.
4. Accessory apartments are not permitted in the Planned Residential Development Overlay Zone

17.76.040 Zone Map Amendment, Site Plan and Conditional Use Permit Approval.

1. **Zone Map Amendment.** An application to apply the Planned Residential Development Overlay Zone shall include a concept site plan, building elevations, and renderings showing the proposed project for the subject site. Any concept plan presented to the Planning Commission and City Council for approval shall first be reviewed by the Development Review Committee to ensure the proposal is technically feasible.
2. **Site Plan.**
 - a. Proposed development in the Planned Residential Development Overlay Zone shall first submit a Land Use Application for site plan approval. The applicant shall provide all requirements of the site plan to the City before the City considers the application submitted and before action is taken. The application for a site plan shall include all necessary fees and documentation required by this Chapter.
 - b. The applicant shall submit the site plan for a Planned Residential Development according to site plan submittal requirements-outlined in the Lindon City Land Development Policies, Standard Specifications and Drawings Manual (Development Manual). In addition to the items required in the Development Manual, a complete application shall include building elevations and renderings, open space percentages and landscape plan, site circulation, and project size and density. At that time the applicant shall pay a fee in an amount established in the most recently adopted Lindon City Consolidated Fee Schedule. No development, construction, revisions, or additions shall take place on the site until the Planning Commission has approved the site plan, the site plan is considered finalized by the City, and the developer has obtained the appropriate permits. Applicants for amended site plans for Planned Residential Developments shall follow the same procedures, pay the same fees, and be bound by the same development standards and requirements as applicants for site plans for Planned Residential Developments. The Planning Director or designee has the authority to make minor amendments to the site plan where such amendments are in compliance with the ordinance and the site plan is not materially altered.
 - c. The procedure for site plan approval shall be as follows:
 - i. **Development Review Committee.** The Planning Department shall forward the proposed site plan to the Development Review Committee for initial review. The Development Review Committee shall review the site plan, civil engineering, and architectural designs while considering whether it complies with the Lindon General Plan and all City ordinances, resolutions, and policies. The site plan and architectural designs shall comply with the Lindon General Plan and all City

ordinances, resolutions, and policies before the Planning Commission can review the application.

- ii. Planning Commission. The Planning Commission shall review the site plan and be the land use authority for all site plans for Planned Residential Developments. The Planning Commission shall consider whether the proposed site plan complies with City ordinances, resolutions, policies, development manual and the General Plan when reviewing a site plan for a Planned Residential Development.
- d. The applicant shall not amend or change any approved site plan without first following the procedure for approval of site plans.
- e. The Planning Commission may impose conditions or require further studies ~~on~~ of the site plan to mitigate dangerous hazards or evaluate impacts to public infrastructure or surrounding neighborhoods where there is substantiated evidence that a real safety hazard exists.

17.76.050 Final Plat and Improvement Drawings.

1. The form and contents of the final plat and improvement drawings, where applicable, shall contain all of the requirements found in Title 17.32 – Subdivisions-Special Requirements and the Lindon City Development Manual. The final plat shall also contain the following information:
 - a. A designation of common areas, limited common areas, and private ownership areas.
 - b. For condominiums, three dimensional drawings of buildings and building elevations. In the case where the Planned Residential Development is a condominium project, the developer shall submit a written statement by an attorney and architect who are licensed to practice in Utah. This written statement shall be the attorney's and architect's opinion that the condominium declaration, the subdivision plat and the other supporting documentation comply in all respects with the Utah Condominium Ownership Act (UCA Sec. 57-8-1, et seq.) as well as all applicable federal, state and local laws and ordinances and that when the office of the Utah County Recorder has recorded the condominium declaration and final plat, the proposed project will be a validly existing and lawful condominium project in all respects.
 - c. Plat restrictions, lot restrictions, and other information required by the Planning Commission or City Council.
2. Planned Residential Development site plans may be built in phases as long as each phase of a Planned Residential Development complies with all of the requirements of this ordinance. A phase of a Planned Residential Development may not be less than twenty thousand (20,000) square feet.
3. The Planning Director shall approve the final plat of the Planned Residential Development provided he/she finds that:
 - a. The applicant has redrawn the site plan to incorporate all the requirements as approved by the Planning Commission and City Council and has submitted the corrected site plan with the final plat.

- b. The applicant has incorporated all of the improvements and conditions of the approved site plan into the final plat.
 - c. The City Engineer has marked the construction drawings of the Planned Residential Development as finalized.
- 4. The City shall record the final plat after it obtains all of the required signatures and after it receives all of the required bonds, fees, and documents.
- 5. The procedure for subdivision shall be as follows:
 - a. The site plan must be approved by the Planning Commission before the final plat can be approved.
 - b. Subdivision approval shall be approved by the appropriate land use authority as found in 17.09.
 - c. The developer shall submit a Land Use Application for final plat approval of all or part of the Planned Residential Development together with all required fees. The final plat shall be prepared by the developer's surveyor and engineer.
 - d. The Development Review Committee shall review the final plat and give their recommendations to the Planning Director.
 - e. The Planning Director is the final approving authority, after receiving approval from the Planning Commission and City Council, for final plats and shall approve the application request if it meets the requirements of the approved site plan and all applicable City ordinances.
 - f. All applications shall meet the expiration time lines as found in 17.12.210

17.76.060 Building Permits.

The City shall not issue a building permit for any project until the final plat has been recorded by the City.

17.76.070 Completion and Maintenance of Site.

Every Planned Residential Development shall conform to the approved site plan. The applicant or any other person or entity shall not add any buildings or make any improvements or changes to a Planned Residential Development that did not appear on the approved site plan. The applicant and subsequent owners and applicable associations shall maintain all improvements shown on the site plan in a neat and attractive manner. Failure to complete or maintain a Planned Residential Development in accordance with this Chapter and with the approved site plan is a violation of the terms of this Chapter. The City may initiate criminal and/or civil legal proceeding against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lessor, tenant, landlord, employee, employer or otherwise, for failure to complete or maintain a Planned Residential Development in accordance with this Chapter and with the approved site plan.

17.76.080 Development Standards and Requirements.

The City requires the following development standards for all Planned Residential Developments.

1. *Compliance with Lindon City Code.* A proposed Planned Residential Development shall comply with the requirements of this Chapter, the Lindon City Development Manual, and with all applicable Lindon City Code provisions and with conditions imposed by the Land Use Authority.
2. *Density.* A Planned Residential Development shall not exceed an average density of ten (10) dwelling units per gross acre. Development phases with a density above ten (10) units to the acre shall be located adjacent to commercial uses. Densities shall be ten (10) units or less as a transition to low density single family residential.
3. *Height.* No lot or parcel of land in a Planned Residential Development approved pursuant to the Planned Residential Development Overlay Zone shall have a building or structure used for dwelling which exceeds two (2) stories with a maximum height of thirty-five (35) feet, measuring the four (4) corners of the building from finished grade to the highest point of the roof structure. The Planning Director and Chief Building Official shall be responsible for designating and identifying the four corners of a building. No dwelling shall be erected to a height less than one (1) story above grade.
4. *The Planned Residential Development ordinance allows two development options:*
 - a. *Option one:*
 - i. *Minimum Area.* The minimum area required for any Planned Residential Development shall be twenty thousand (20,000) square feet.
 - ii. *Maximum Area.* The maximum allowable size shall be one (1) acre.
 - iii. *Number of units.* The maximum number of units is ten (10) units per development.
 - iv. *State Street Setback.* To preserve the commercial intent, use and zoning along State Street, a three hundred (300) foot setback from State Street is required.
 - b. *Option two:*
 - i. *Minimum Area. One (1) acre*
 - ii. *Maximum Area. No maximum but must be in connection with a commercial use as found in (b)(iii).*
 - iii. *Commercial Required.* Residential development shall only be allowed in connection with existing or new commercial uses. Residential uses shall be located on the rear portion of the lot and behind any commercial use.
 - iv. *State Street Setback:* To preserve the commercial intent, use and zoning along State Street, a three hundred (300) foot setback shall be required and residential uses are not allowed within this setback, unless a reduction is granted as follows:
 1. The Planning Commission and City Council may consider a reduction in this depth upon evaluating the following:
 - a. Viable commercial options remain for the site;
 - b. A commercial lot is irregularly shaped;
 - c. The reduction does not limit future redevelopment opportunities of the commercial property.

5. *Building Types and Variety.* At least two different building types shall be included in projects larger than two acres and with multiple buildings. Buildings shall be differentiated from other building types through type of building, variations to building materials, color, rooflines, and the use of architectural features such as awnings, light fixtures and eave details
6. *Setbacks.* The following building setbacks, as measured from property lines, for primary buildings shall apply in the Planned Residential Development zone:
 - a. For residential developments one acre or less not including an existing or new commercial use as part of the project
 - i. *Front Setback.* 25 feet
 - ii. *Rear Setback.* 30 feet
 - iii. *Side Setbacks.* For attached units the setback between buildings is 10 feet and 6 feet for a combined side yard setback of sixteen (16) feet. For interior units with common walls the setback is zero (0) feet. For detached buildings the side setback is six (6) feet for a combined side yard setback of twelve (12) feet.
 - b. For residential developments proposed for a property with new or existing commercial uses the below setbacks are required.
 - i. buildings shall be setback a minimum thirty (30) feet from the abutting property line of any single-family residential or R1-20 zone and any commercial building.
 - ii. *Side Setbacks:* 10 feet and 6 feet for a combined side yard setback of sixteen (16) feet. For interior units with common walls the setback is zero (0) feet. When abutting the property line of any single-family residential the side yard shall be increased to thirty (30) feet.
 - iii. *Corner side setbacks* 20 feet.
 - iv. *Front:* 25 feet. The front setback may be modified by the land use authority where design items such as common open space, paseos or similar design feature is proposed.
 - v. *Rear:* 30. The rear setback may be modified by the land use authority where design items such as common open space or similar design feature is proposed. Setbacks from abutting single family residential may not be reduced.
7. *Utilities.* Compliance with the Development Manual and applicable Lindon City Code provisions regarding utility connections to residential units is required. The public sewer system and the public water supply shall serve all dwellings. All utilities shall be underground. The developer shall individually meter natural gas and electricity for each individual dwelling. No water or sewer lines shall be located under covered parking areas. Wall-mounted and ground-based meters, HVAC, and utility equipment serving a building shall be located as close to each other as possible and fully screened from view. Screening shall either be incorporated aesthetically into the design of the building, fencing or screened by landscaping.
8. *Fences.*

- a. *Perimeter Fences.* A minimum seven (7) foot masonry or concrete perimeter fence shall be required as a buffer when abutting single family residential or commercial uses.
 - b. *Patio/Limited Common Area Fences.* A patio or limited common area adjacent to the rear of a dwelling unit may be enclosed with a six-foot (6') high fence.
9. *Landscaping and Open Space.*
- a. All land within a Planned Residential Development not covered by buildings, driveways, sidewalks, structures, and patios shall be designated as common area and shall be permanently landscaped with trees, shrubs, lawn, or ground cover and maintained in accordance with good landscaping practice. All required setback areas adjacent to public streets shall be landscaped. All landscaping shall have a permanent underground sprinkling system.
 - b. Development greater than one acre shall include common open space, according the following standards:
 - i. At a minimum, twenty (20) percent of the development site, excluding roads or private driveways and required setback areas, shall be in common open space. Setback areas that are in usable size segments and where a common amenity is provided can be counted towards the common open space requirement. The land use authority may approve a reduction in the open space requirement by twenty-five (25) percent of the required open space square footage if the site is within one quarter mile, as measured at the closest property lines, of an existing Lindon City park or trail. Private balconies, porches, patios of a minimum sixty (60) square feet may be counted towards a maximum of ten (10) percent of the required open space percentage;
 - ii. Open spaces shall include both active and passives spaces including plazas, courtyards, paseos, landscaped detention basins, playgrounds, pavilions, pools, spa, pool deck, or other areas that can be made into useable areas, and interior spaces available to residents as common area such as a clubhouse;
 - iii. Open spaces shall be designed to be an integral part of any development. A majority of the required open space shall be consolidated into a primary central and common open space area. Alternative and innovative open space options may be presented to the land use authority for consideration which accomplish the similar goal of open space being integral part of any development. Buildings shall be designed around the common open space edge. Majority open spaces shall not be located in perimeter outlying areas of the development;
 - iv. Where appropriate, the planning commission may approve individual private yard areas in place of common open space. However, development with private open space shall have no loss of the required open space percentage:
 - 1. Rear-loaded buildings shall provide private open space through porches, balconies, and small front yards;

2. Front-loaded units may provide private open space as enclosed rear yards.

- v. Trees shall be planted along any property line abutting single family residential with trees planted as a buffer every thirty (30) feet. Trees shall be a minimum two (2) inch caliper, measured one (1) foot above the ground and shall be at least six (6) feet in height. Tree species shall be planted as found in the Lindon City Tree Planting Guide. An eight (8) foot landscaped area shall be provided for trees to be planted and allow for future tree growth. It shall be the responsibility of the property owner to maintain the trees in a healthy manner and to replace any trees that have died in order to maintain the buffer.
- vi. Accent elements such as trellises, arches, arbors, columns, or low monument features shall be used to demarcate entrances to the development, common open spaces and paseos. Alternative accent elements may be approved by the land use authority

10. *Lighting Plan.* All Planned Residential Development's shall include a lighting plan and photometric study for parking lots, pedestrian walkways and buildings. The lighting plan shall be designed to:

- a. discourage crime;
- b. enhance the safety of the residents and guests of the Planned Residential Development;
- c. prevent glare onto adjacent properties; and enhance the appearance and design of the project.

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

11. *Parking.* There shall be a minimum of two (2) parking spaces provided for each dwelling. At a minimum, sixty-five (65) percent of the residential units shall have a garage capable of parking two (2) vehicles. Required off-street parking spaces shall not be permitted within the street-side yard setbacks. There shall be a minimum of one half ($\frac{1}{2}$) parking space for each dwelling for guest parking within the development. Guest parking shall be located on the same lot or parcel of the dwellings served. With approval of the land use authority, a development may count building unit driveways up to fifty (50) percent of the required spaces toward meeting the guest parking requirement. All parking spaces shall measure at least nine (9) feet by eighteen feet (18'). Developers shall pave with asphalt and/or concrete all parking spaces, parking areas, and driveways and provide proper drainage. Drainage shall not be channeled or caused to flow across pedestrian walk ways. The architecture of all covered parking structures shall be the same as the architecture of the main buildings within the Planned Residential Development.

- a. Direct access to each parking space shall be from a private driveway and not from a public street unless otherwise granted by the Planning Commission based on the following guidelines:
 - i. Topography or other development constraints on the project area are such that a private drive is impractical to serve the project.
 - ii. Traffic volumes, safety, and visibility on the public roadway will not create a dangerous situation for direct parking stall access.
 - iii. No more than six (6) units shall directly access any public roadway.

12. *Irrigation Systems.*

- a. Where an existing irrigation system consisting of open ditches is located on or adjacent to or within one hundred (100) feet of a proposed subdivision, complete plans for relocation or covering or other safety precautions shall be submitted with an application for preliminary approval of a plat.
- b. All pressure irrigation systems in or within one hundred (100) feet of a proposed subdivision shall be identified and otherwise color-coded as to pipe and valve color to meet state standards and regulations.

13. *Solid Waste Receptacles.* All solid waste receptacles which are not located within a building, shall be enclosed on at least three sides with the similar materials as used on the exterior of the main buildings within the Planned Residential Development. Central waste receptacles shall only be permitted within a trash enclosure which meets standards found in the Development Manual. Trash enclosures shall be located in the side or rear of the dwelling units, but not the Streetside, and must be accessible for garbage trucks.

14. *Architectural and façade Designs.* The treatment of building design, materials and exteriors shall be architecturally and aesthetically pleasing and have unique individual, feel and sense of place, while still being architecturally compatible with the surrounding buildings and properties. Buildings within developments shall have a variety of building materials to architecturally set them apart and to create unique and separate buildings. Both vertical and horizontal elements shall be used, as appropriate, to give variety and architectural detail. Side facades of buildings shall typically receive equal design consideration, particularly when fronting common open spaces, public or private streets, and development entrances. The following architectural design requirements shall be applied:

- a. Buildings shall contain more than a single-color application and more than a single material application;
- b. Building Materials
 - i. The following materials may be used as the primary exterior materials of a building consisting of at least sixty (60) percent: wood clapboard, cementitious fiber board, wood board and batten, wood siding, brick, stone, or similar material as approved by the land use authority. The following secondary materials may be

used: cementitious fiber board, brick, wood, stone, glass, architectural metal panel, or similar material as approved by the land use authority.

- ii. EIFS or stucco may be used for up to thirty (30) percent on the front façade of a building and forty (40) percent of a side façade when facing a public or private street, development entrance or common open space. EIFS and stucco do not have a maximum percentage on the remaining side and rear facades when not fronting on a public or private street, development entrance or common open space.
 - c. Each building shall include varied wall plains, recesses, or similar façade design to incorporate wall variation.
 - d. Changes in materials and color shall correspond to variations in building mass or shall be separated by a building element.
 - e. Buildings shall incorporate a variety of materials and architectural elements to provide variation among the building types.
 - f. Eaves and rooflines are encouraged to emphasize vertical proportions. They shall be broken up with gables, building projections, and articulation to emphasize the individual quality of the units.
 - g. Garage doors shall be designed consistent with the overall style of the building. Material, pattern, and, color to be coordinated with the architectural style. Garages shall be recessed from wall plane. Where garage doors are flush with facades, the facade shall feature upper level building projections and decorative building elements such as trellises to provide interest and relief. For buildings with front loading garages, garage doors shall include windows to add variety to the door.
 - h. Stucco-textured foam trim molding shall not be used as the only application to enhance building facades
 - i. All windows along the front façade shall incorporate at least two of the following:
 - i. mullions and/or transoms;
 - ii. trim or molding at least four inches in width. The trim or molding shall have a different color from the buildings primary color;
 - iii. canopies, shutters, or awnings, proportional to window size;
 - iv. recessed inset from the front façade by at least two (2) inches.
 - j. the front façade of any residential building shall not face or front the rear yard or side yard of a single-family home
15. *Roof Pitch.* All buildings shall have a pitched roof consistent with the overall architectural style of the building.
16. *Homeowner's Association.* The applicant shall establish a home owners association for every Planned Residential Development containing common or limited common property, with more than one owner for the purpose of maintaining the Planned Residential Development. The

homeowner's association, the individual property owners, and tenants shall maintain the ~~PRD~~ Planned Residential Development in accordance with the approved site plan.

17. *Existing Homes.* No Planned Residential Development shall include an existing single-family dwelling. If a single-family dwelling exists on the property where a Planned Residential Development is proposed, the applicant shall plat separately a lot containing the home. The plat shall comply with the requirements of the Lindon City Development Manual.

18. Each attached unit must contain enhanced sound attenuation and sound mitigation construction;

19. *Pedestrian Connections.*

- a. The project site plan and development must connect each separate building with internal concrete walkways to provide safe and convenient pedestrian access to common areas and amenities. The width of internal walkways that are adjacent to parking stalls shall be no less than five feet. The width of internal walkways that are not adjacent to parking stalls shall be no less than four feet.
- b. To the extent possible, developments shall make at least one pedestrian access connections to a public street right-of-way.

20. *Frontage, Orientation and Entrances.*

- a. Building entrances shall, to the extent feasible, front onto streets, private driveways designed as streets or common open spaces. Where an end unit fronts onto a street or private driveway designed as a street, center block residences may front onto a common open space, courtyard, paseos or landscaped pedestrian way;
- b. In order to create neighborhood connections, all residential buildings shall have expansive windows, entryways, balconies, terraces or other architectural design features which are oriented to the street, pedestrian way or common open spaces.
- c. Building entrances shall be the primary feature of the front façade and identify access to individual units;
- d. Stoops or front porches, raised a minimum of one (1) foot above the adjacent grade, shall be provided at entrances that face a street, paseo, common open space area, or other public space.

21. *Access and Streets.*

- a. Development access shall be identified on the site plan and subdivision plans. New public streets shall follow the Lindon City Streets Master Plan Map. Projects may be accessed through existing or new commercial developments when appropriate easements or land is secured for access. Proposed developments shall not remove existing single-family homes for access connections to adjacent neighborhoods.
- b. The minimum width for private streets shall be twenty-four (24) feet if residential buildings are less than thirty (30) feet in height. For residential buildings thirty (30) feet or greater in height, the minimum private street width is twenty-six (26) feet. Where a street includes public utilities, the minimum street width shall be twenty-nine (29) feet, constructed to a public street standard as found in the Lindon City Development Manual,

and dedicated to Lindon City. Hard surfacing for both private and public streets shall not include the gutter when determining minimum street widths.

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 _____, 2020.

Jeff Acerson, Mayor

ATTEST:

Kathryn A. Moosman,

Lindon City Recorder

SEAL