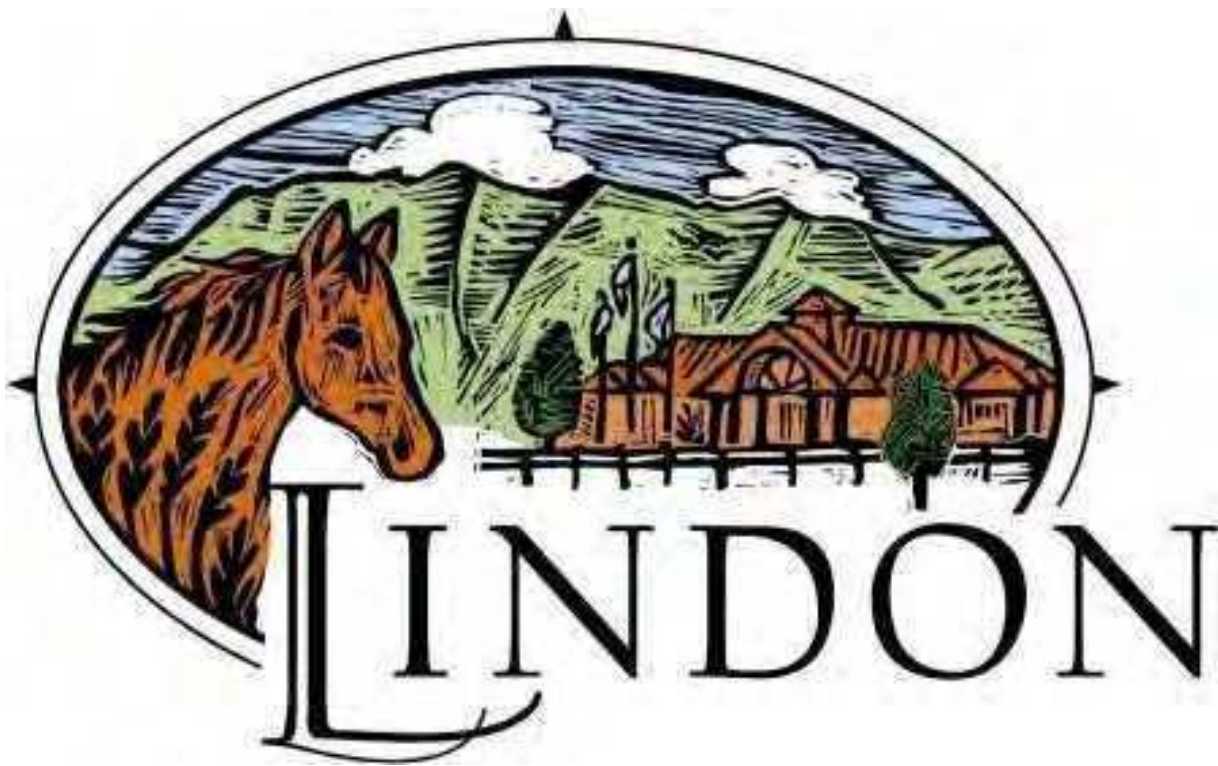


Lindon City Planning Commission Staff Report



June 28, 2022

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

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, June 28, 2022**, 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. Meetings are broadcast live at www.youtube.com/LindonCity. 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 6/14/2022

3. Public Comment

4. Site Plan Approval – Swig – 296 N State St.

The applicant requires site plan approval for walk-up and drive-through soda shop within the existing City Park Retail development. (10 minutes)

5. Moderate Income Housing Report- Discussion.

The planning commission will hear information presented on the upcoming Moderate Income Housing Plan, state requirements, and possible strategies for moderate income housing. (15 minutes)

8. Planning Director Report

- General City Updates

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: 6/24/2022 **Time:** 5:00 pm

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

Item: 4 Site Plan Approval – Swig – 296 North State Street

Date: June 28th, 2022

Applicant: Kofi Addo

Project Address: 296 N. State Street

Property Owner: Pick-A-Part Properties, LLC

General Plan: Commercial

Current Zone: Commercial General (CG)

Parcel ID: 65:691:0002

Lot Size: .61 acres

Type of Decision: Administrative

Council Action Required: No

Presenting Staff: Mary Barnes



Summary of Key Issues

1. For site plan approval, the planning commission will be evaluating whether the site plan and building meet Title 17 development regulations and commercial design standards.

Overview

1. The applicant proposes to construct a small walk-up and drive through Swig soda shop.
 - a. This is a part of the 3-building City Park Retail development, which includes a Beans and Brews, and is just south of the new Tagg N Go. The planning commission approved the City Park Retail site plan on November 9th, 2021. Swig submitted their site plan separately, as “building B” of the overall development.
 - b. There will be a walkway from the State St sidewalk to invite pedestrians to the walk-up window, and 2 drive through lanes.

Site Plan Motion

I move to (*approve, deny, continue*) the applicant’s request for site plan approval with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents;
2. The plans will meet development specifications as found in the Lindon City Development Manual;
3. Final exterior material design is approved as proposed and will meet the Commercial Design Standards for commercial sites and buildings in all other aspects;
4. The applicant will comply with all bonding requirements, if applicable; and
5. All items of the staff report.

Surrounding Zoning and Land Use

North: Commercial General (CG) – Future City Park Retail store

East: Residential (R1-20) – Single Family Homes

South: Commercial General (CG) – Future Beans and Brews

West: Commercial General (CG) – Vacant Property and Taylor Drug

Site Development Standards

Parking

Parking standards are based on the zone and the different uses in the building and their respective square footage. The table below explains the amount of parking provided for this use:

Requirement	Provided	Compliant?
Eating and Drinking Establishment: 1 per 2 seats or 1 per 100 sq.ft of floor area.	According to LCC 17.18.075, the Planning Director and the City Engineer have the authority to modify the required parking spaces when appropriate to avoid unreasonably excessive parking. Swig will have no customer seating and a max of three employees at any one time. Three spaces are for employees, and the other three are for walk-up customers, with a total of six spaces.	Yes

Per Lindon City's Development Manual, 3 ADA parking spots have been provided in this parking lot, satisfying the ADA requirements. One ADA spot is assigned to this building.

Traffic Circulation

Access to the subject property will be from 200 N and State St through the shared access easement with the neighboring Tagg N Go development. The applicant has worked with City Staff to provide adequate space in their parking lot for backing up out of the parking stalls. Additionally, the drive through meets width and access requirements.

Landscaping Standards

The landscaping for the overall site was approved on November 9th as a part of the City Park Retail application. At that time, the landscaping was completely in compliance with Lindon's commercial landscaping code (LCC 17.48.030). However, after approval, UDOT required the State St shoulder to be widened, to leave space for car stacking for the Tagg N Go. Therefore, City Park Retail submitted an amended site plan application, to petition the planning commission for a reduced landscaping strip along State St. This amended site plan application was approved on January 11th, 2022 by the planning commission.

Landscaping Standards	Provided	Compliant
20-foot landscaping strip along public street frontages	Due to UDOT requirements, the landscape strip for the SWIG development is approximately 14 ft. This modified landscape strip width was approved on January 11 th .	No, but a modification was granted by the planning commission
Trees shall be planted at least every 30' along State Street	8 trees, each 30' apart, are provided along the State Street portion of the property. About three of these trees	Yes
20% of lot in landscaped open space	29.55% of the entire lot is landscaping	Yes
Landscaping must be 70% vegetation and 30% other ground covers.	Current landscaping plan meets the 70% vegetation requirements	Yes

Site Requirements

- The proposed plan meets the minimum lot size requirement of 20,000 square feet, Swig's lot is 26,751 sq ft.
- A 7 ft masonry wall has been constructed on the east side of the property, as required by City Code, with a 10 ft landscaping barrier. Landscaping and trees will be planted in the barrier area.
- The streetlights will be installed as per the City Park retail construction set. The streetlights will match the current lights on State Street and be spaced 100' apart, as required by the commercial design standards. Additionally, street lights will be put on 200 N.
- Building setback requirements are met.

Lindon Commercial Design Standards

Architectural Requirements

Buildings in the Commercial General zone are required to meet the Lindon Commercial Design Standards. Under the commercial design standards, commercial development should pick one of three building forms:

one-part commercial block, two-part commercial block, and central block buildings. The Swig building aligns with the one-part commercial block building, with some key differences. Below are the standards for such buildings in the Commercial Design Standards:

Design Element	Design Standard Requirement	Applicants Proposal
Massing and Form	A significant amount of the primary ground story facade facing public streets... should be transparent glazing. The ground floor of the primary façade shall be 60% fenestration at the pedestrian level.	The street facing facade of the building is primarily simulated wood siding, split-face block wainscot, and stucco. In reference to the fenestration requirement, this building will house up to 3 employees at a time. No customers will be allowed within the building at any time. Therefore, the applicant is asking the planning commission to modify the 60% fenestration requirement. There will be three small horizontal windows on the west, north, and south elevations to let light in.
Height and Scale/Size	Facades should be broken up every 15' to 25' with color, change of building materials, depth, height, or other architectural characteristics. Windows, doors, art or architectural detailing are all options for a blank wall.	The employee entrance, walk up window, and drive through window have a canopy/awning. The elevations show a mix of building materials, and adequate building lighting to create depth in the design. Every façade is broken up every 15' to 25' with architectural characteristics. The overall height of the building is approximately 16 feet.
Roofing	Sloped roofs should be the primary roof form and should use a material that is compatible in material and color with the exterior material of the building. Flat roofs can be used, but should always be used with a parapet and/or decorative cornice.	The applicant is requesting a flat roof design with no sloped roofing. However, there are cornice and parapet designs on the roof of the building.
Exterior Walls and Surfacing (building Materials)	Brick, stone, or colored decorative block should be utilized as the primary building material (85% or greater of the building), especially on street-facing facades. All of the above, as well as stucco, wood, architectural metals, colored decorative concrete and cement board siding may be used as secondary (less than 40%) building materials, and on less visible facades.	The building materials are a combination of split face block, stucco, and simulated wood siding. The street facing façade features 32% of primary building materials, and 68% of secondary building materials (32% stucco, 36% simulated wood siding). This does not meet the requirements. The applicant is asking for a modification to the material percentage requirement from the planning commission.

Fenestration (windows and doors)	Storefront windows should be framed with a material complementary to the primary building material(s). Wood or metal are framing materials that work well with brick or stone. If storefront windows do not reach to the ground, a projecting sill should be used at the bottom.	The storefront/walk-up window has a projecting sill and a transom.
Exterior Trim and Decorative Detailing	Simple decorative detailing; focused on the primary street; colors, textures, and changes in building materials to give definition; detailing focused on street-level; upper level less detail.	The applicant is proposing a split face block wainscot with a stone sill, and painted fiber cement siding that simulates wood to create texture and depth. There will also be different architectural trim elements.

Engineering Requirements

The City Engineer is working through technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval.

Floodplain Approval

The property is located in flood zone A, as seen in exhibit 7. According to floodplain regulations, buildings must have a 1 ft freeboard above base flood elevation. The Swig building has a base flood elevation (BFE) of 4649.54, therefore, the building will be built at a first floor elevation (FFE) of 4650.54.

According to LCC 17.62.190, the floodplain administrator reviews and makes the final decision on floodplain development permits. The floodplain administrator is the planning director (LCC 17.62.180).

Staff Analysis

City staff believes that this development will be an amenity to Lindon City. The site will serve the residents of Lindon and people who are passing through on State St. Adding a popular use like Swig, along with a walk-up window for pedestrians and two drive through lines, will encourage motorists to stop and enjoy Lindon City.

Regarding the material percentages, staff feels like the proposed materials offer an attractive design and should be considered for approval from the planning commission.

Exhibits

1. Aerial photo
2. Approved Plat
3. Site plan
4. Parking Exhibit
5. Landscaping Plan
6. Building elevations
7. Floor plan
8. Floodplain map

[illegible]

CITY PARK RETAIL SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN,
LINDON, UTAH COUNTY, UTAH

BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 2 EAST OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT BEING LOCATED NORTH 0°08'57" WEST 439.94 FEET ALONG THE EAST LINE OF SAID QUARTER AND NORTH 90°00'00" WEST 1122.62 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION, RUNNING THENCE SOUTH 88°21'40" WEST 200.49 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE STREET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOLLOWING FOUR (4) COURSES: (1) NORTH 31°58'44" WEST 148.00 FEET; (2) NORTH 32°10'25" WEST 73.72 FEET; (3) NORTH 33°16'44" WEST 74.37 FEET; (4) ALONG THE ARC OF A 2930.10 FOOT RADIUS CURVE TO THE LEFT 158.10 FEET, HAVING A CENTRAL ANGLE OF 3°05'29" WITH A CHORD BEARING NORTH 35°33'18" WEST 158.08 FEET; THENCE NORTH 89°50'36" EAST 332.69 FEET; THENCE SOUTH 0°45'35" WEST 118.47 FEET; THENCE SOUTH 7°50'33" WEST 10.31 FEET; THENCE SOUTH 6°35'54" EAST 20.92 FEET; THENCE SOUTH 28°41'04" EAST 17.87 FEET; THENCE SOUTH 88°39'13" EAST 5.81 FEET; THENCE SOUTH 28°34'16" EAST 26.45 FEET; THENCE SOUTH 61°29'12" WEST 12.75 FEET; THENCE SOUTH 30°02'12" EAST 69.71 FEET; THENCE SOUTH 30°06'52" EAST 137.04 FEET TO THE POINT OF BEGINNING, CONTAINING 89,567 SQUARE FEET OR 2.06 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFER TO BE KNOWN AS CITY PARK RETAIL SUBDIVISION IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS 16TH DAY OF OCTOBER, 2021.

KLINT H. WHITNEY, PLS NO. 8227228
(see seal below)

OWNER'S DEDICATION

I, THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

CITY PARK RETAIL SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO LINDON, UTAH COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY LINDON, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS 17 DAY OF DEC., 2021.

PICK-A-PART PROPERTIES, LLC

BY: NAME / TITLE Steve Williamson / Owner

CKQ LINDON 1, LLC

BY: NAME / TITLE Connor Atkin / Manager

RCQ, LLC

BY: NAME / TITLE

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF UTAH)

On this 17th day of December, 2021, personally appeared before me _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of RCQ, LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF UTAH)

On this 21st day of December, 2021, personally appeared before me Connor Atkin, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of CKQ LINDON 1, LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

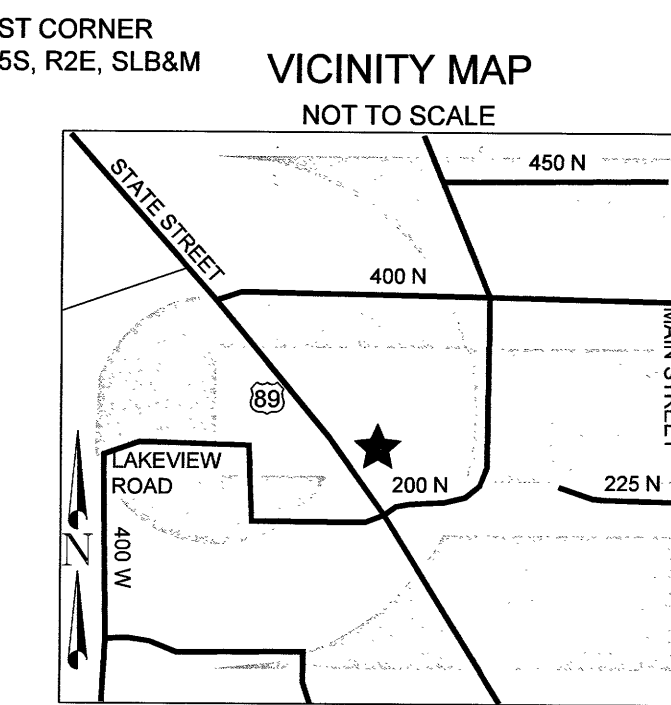
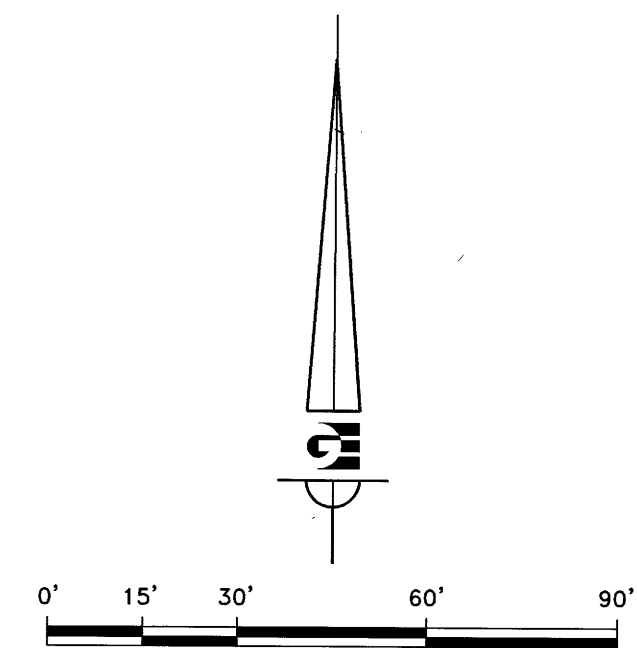
ACKNOWLEDGEMENT

DEVELOPER:
WORTH PARTNERS
BRETT JONES
801-631-9540
2637 N WASHINGTON BLVD #318
NORTH OGDEN, UT 84414

GARDNER ENGINEERING
CIVIL - LAND PLANNING
MUNICIPAL - LAND SURVEYING
5150 SOUTH 375 EAST OGDEN, UT
OFFICE: 801.476.0202 FAX: 801.476.0066

COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR AND RECORDED _____
AT _____ IN BOOK _____ OF OFFICIAL _____
RECORDS, PAGE _____, RECORDED _____
FOR _____
COUNTY RECORDER _____
BY: _____



LEGEND

- UTAH COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- EASEMENT
- EXISTING FENCE LINE
- ORIGINAL PARCEL LINE
- ROAD DEDICATION AREA
- FLOOD ZONE "A"
- SHARED ACCESS EASEMENT

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF UTAH)

On this 17th day of December, 2021, personally appeared before me _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of PICK-A-PART PROPERTIES, LLC, and that said document was signed by him/her in behalf of said "Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said "Corporation executed the same.

STAMP

NOTARY PUBLIC

CASEY ARCHULETA
Notary Public, State of Utah
Commission #710668
My Commission Expires 02/21/2024

EAST QUARTER CORNER
SEC. 33, T5S, R2E, SLB&M



SWENSON, LYNN ROY
AND LINDA DAWN
140680299

FAUX FOX PROPERTIES
LLC
140680291

FAUX. RAY BAI
DIAN
140680

LOT 3
20,058 SQ. FT.
0.46 ACRES
BFE = 4652.48'

LOT 2
26,688 SQ. FT.
0.61 ACRES
BFE = 4648.42'

LOT 1
42,267 SQ. FT.
0.97 ACRES
BFE = 4645.81'

Water Shares Turned In

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	3.39	20.00	9.72	S83° 14' 07" W	3.39
C2	3.39	20.00	9.72	S83° 14' 07" W	3.39
C3	6.58	14.28	26.39	S76° 02' 30" W	6.52

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A THREE LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY WORTH DEVELOPMENT. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING UTAH COUNTY SURVEY MONUMENTATION AS SHOWN AND NOTED HEREON. THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 2 EAST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 0°08'57" WEST UTAH COUNTY, UTAH NORTH, NAD 83 STATE PLANE GRID BEARING.

NOTES

- ZONE (C-G) CURRENT YARD SETBACKS: FRONT: 20 FEET; SIDE OR REAR YARD 0 FEET WHEN ADJACENT TO NONRESIDENTIAL ZONE, SIDE OR REAR YARD 40 FEET WHEN ADJACENT TO RESIDENTIAL ZONE.
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. SUBJECT PROPERTY ALSO FALLS IN ZONE "A" - SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, NO BASE FLOOD ELEVATIONS DETERMINED. PER FEMA MAP NO. 49049C03030F WITH AN EFFECTIVE DATE OF JUNE 19, 2020.
- OCCUPANCY RESTRICTION NOTICE**
IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE CITY.

ACCEPTANCE BY LEGISLATIVE BODY
THE CITY OF LINDON, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PERPETUAL USE OF THE PUBLIC THIS 14 DAY OF January, A.D. 2022

Carolyn J. Schindler
Mayor
Michael E. Lounsbury
Planning Director
Klint H. Whitney
City Engineer
Kurt A. Moosman
City Recorder

ATTEST

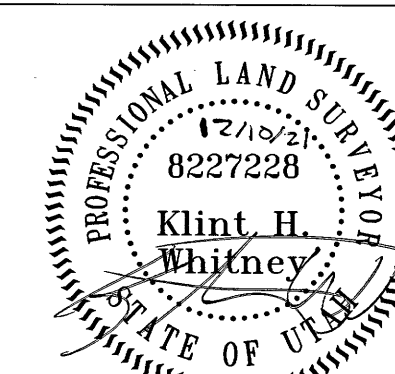
CONDITIONS OF APPROVAL

SURVEYORS SEAL

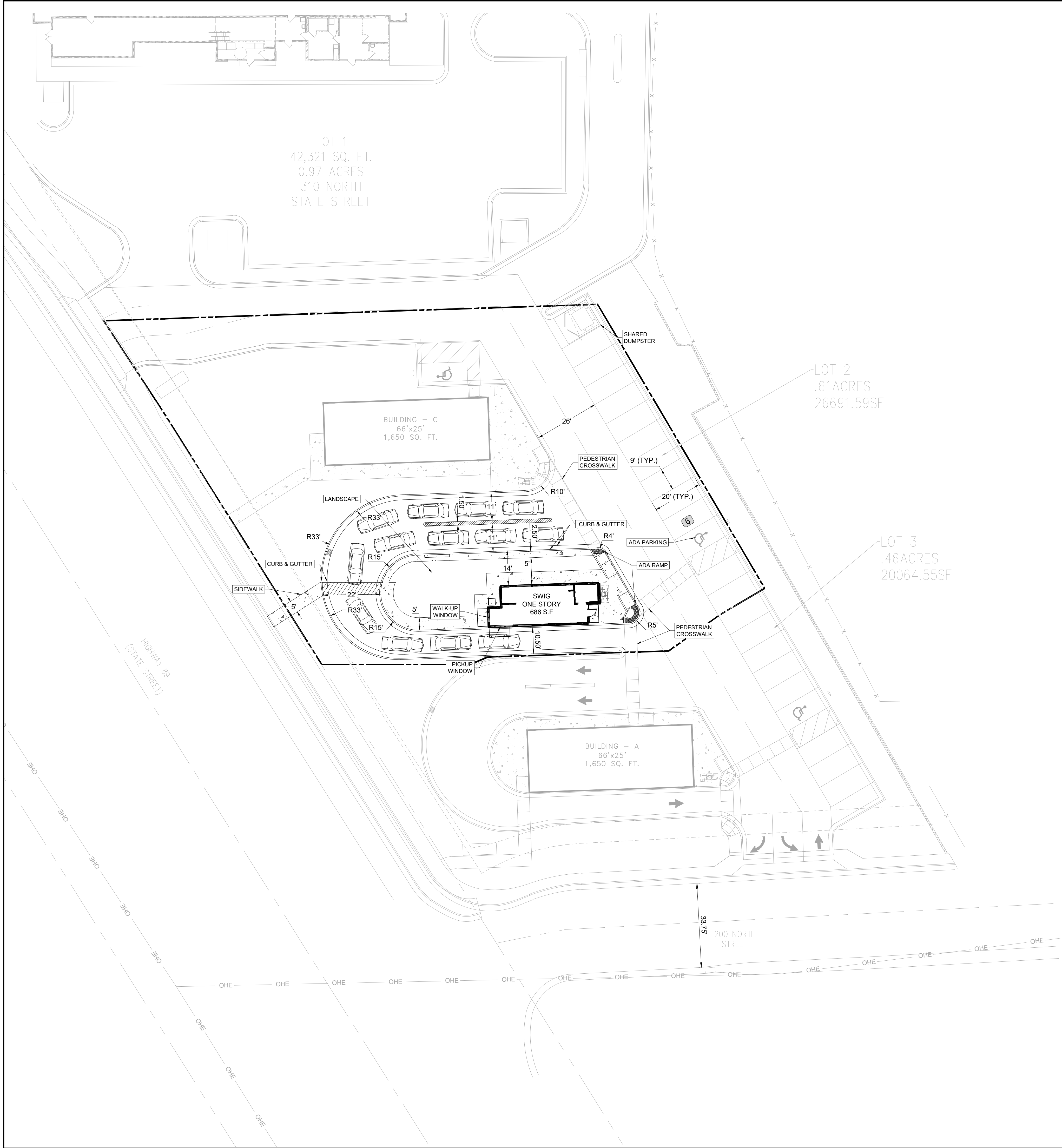
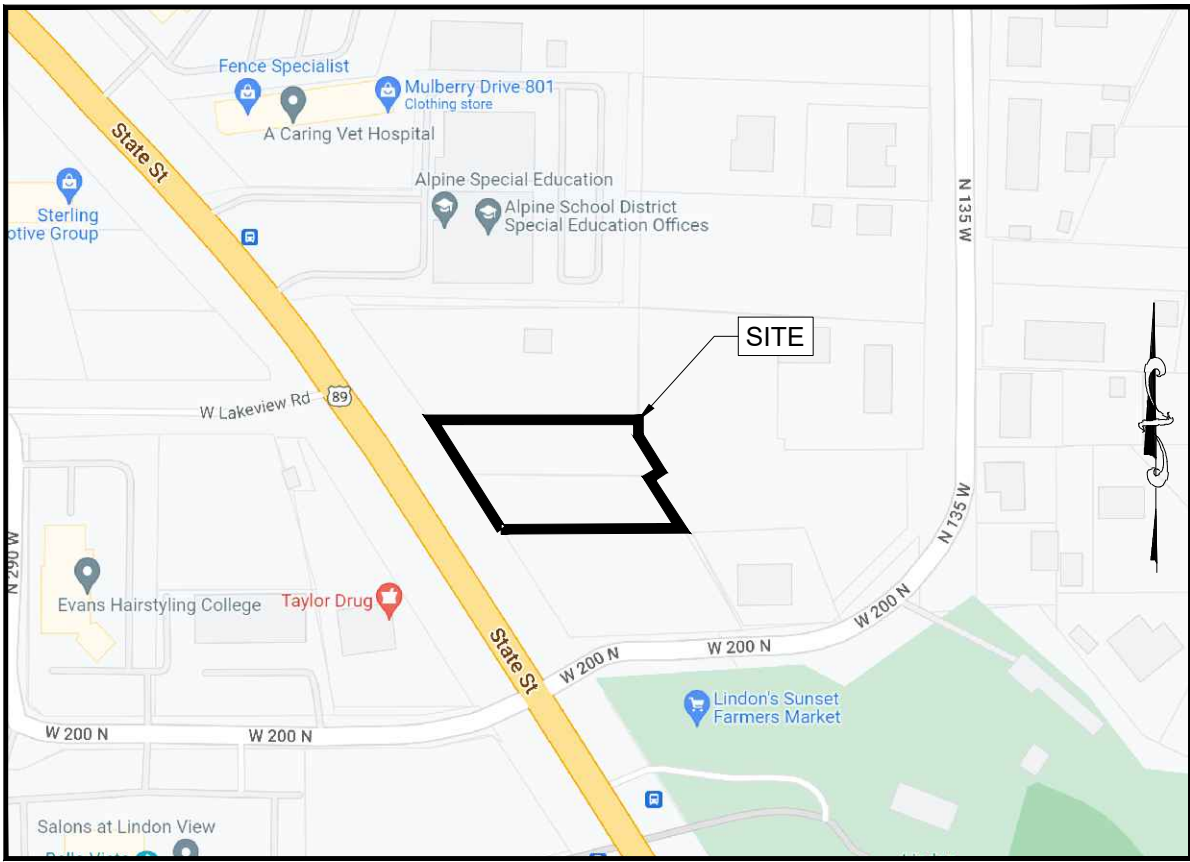
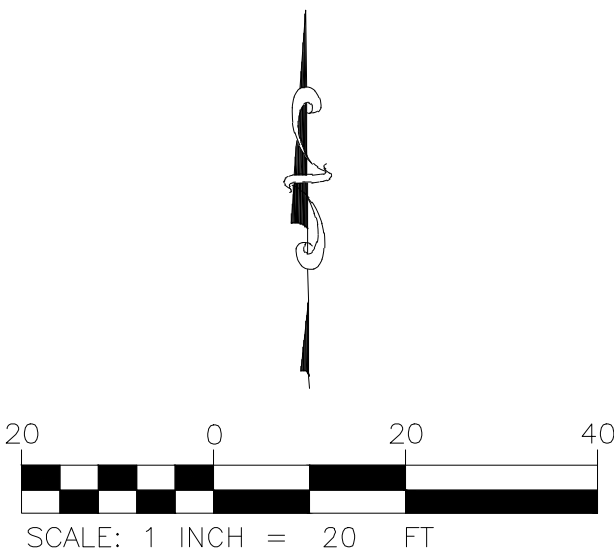
NOTARY PUBLIC SEAL

CITY ENGINEER SEAL

CLERK - RECORDER SEAL

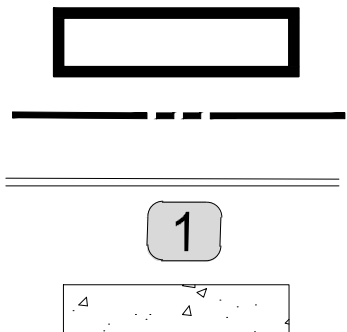


V:\070526 - SWIG Restaurant\206 North State\Site Plan.dwg, SITE PLAN, May 10, 2022, 12:33 PM, oklahoma



PROPOSED LEGEND

- PROPOSED BUILDING
PROPERTY LINE
STD. 6" CONCRETE CURB
PARKING SPACE COUNT
CONCRETE SIDEWALK



SITE NOTES

1. STALLS DESIGNATED AS ADA WILL REQUIRE A PAINTED ADA SYMBOL AND SIGN.
2. ALL EXTERIOR DOORS REQUIRE A LEVEL EXTERIOR LANDING WITH A MAX. SLOPE OF 2%.
3. ACCESSIBLE ROUTES AND ADA RAMPS TO BE INSTALLED AS PER ADA STANDARDS.
4. ACCESSIBLE ROUTE TO BE A MAX. SLOPE OF 5% AND A MAX. CROSS SLOPE OF 2% 2009 ANSI 117.403.3.
5. MAXIMUM ELEVATION DIFFERENCE BETWEEN THE ASPHALT SURFACE OF THE PARKING SURFACE AND THE BOTTOM OF THE CONCRETE CURB RAMPS OR SIDEWALK HEIGHT SHALL NOT EXCEED 1/4" VERTICAL OR 1/2" WHEN BEVELED. 2009 ANSI 117.303.502.5.
6. AISLE MARKINGS, SOLID DIRECTIONAL ARROWS AND STOP BARS WILL BE PAINTED AT EACH DRIVEWAY AS SHOWN ON THE PLANS. SEE ALSO DETAIL SHEETS.
7. BUILDING SIDEWALKS, RAMPS, AND BOLLARDS ARE RESPONSIBILITY OF THE BUILDING CONTRACTOR. SEE ARCHITECTURAL PLANS.
8. SEE ELECTRICAL SITE PLAN FOR SITE LIGHTING DETAILS.
9. ALL DIMENSIONS ARE TO TOP BACK OF CURB AND TO THE FACE OF THE BUILDING UNLESS OTHERWISE NOTED.
10. ALL INLETS SHALL HAVE BICYCLE SAVE GRATES.
11. MAX LANDSCAPE AREAS TO BE IRRIGATED WILL BE 20% (PER LINDON CITY STANDARDS, PER LANDSCAPE PLAN).
12. NEW CULINARY WATER AND SANITARY SEWER SERVICE LATERALS TO BE STUBBED TO 5' OUTSIDE OF NEW BUILDING.
13. PRIOR TO CONNECTING A NEW SEWER SERVICE LATERAL, THE CONTRACTOR SHALL CAMERA THE EXISTING SEWER MAIN TO IDENTIFY LOCATION OF EXISTING LATERALS AND INFORM OWNER AND ENGINEER.

PARKING DATA

TOTAL PARKING REQUIRED	6
STANDARD PARKING PROPOSED	5
ADA PARKING REQUIRED	1
ADA PARKING PROPOSED	1
TOTAL PROPOSED PARKING	6
STANDARD PARKING STALL DIM. (L X W)	20' x 9'
ADA PARKING STALL DIM. (L X W)	20' X 9'

SITE DATA

PARCEL AREA	0.61 AC (26,691.59 SF)
LOT NUMBER	LOT 2
SITE LOCATION	206 N STATE ST, LINDON, UTAH
LOCAL JURISDICTION	CITY OF LINDON
ZONING DESIGNATION	CG - COMMERCIAL GENERAL
ADJACENT ZONING (N, E, S, W)	CG, R1-20 LOW-DENSITY RESIDENTIAL, CG, CG
FEMA FLOOD ZONE DESIGNATION	ZONE A
EXISTING USE	VACANT LOT
PROPOSED USE	DRINKS DRIVE-THRU RESTAURANT

ENGINEER

BOWMAN CONSULTING GROUP, LTD
5601 Democracy Dr., Ste 205
Plano, Texas 75024
[Phone] 972.497.2993
Contact: Kofi Addo, P.E.

DEVELOPER

SAVORY DEVELOPMENT, LLC
1557 W Innovation Way
Lehi, Utah 84043
[Phone] 208.860.4661
Contact: Cass Tenney

OWNER

PICK A PART LLC
Williamson, Steve,
PO Box 615
Orem, UT 84059

BENCHMARK - SEWER
MANHOLE, ELEVATION 4651.60',
GPS 40°20'31.9"N 111°43'14.2"W,
SOUTHWEST SIDE OF SITE ON
STATE ST.

PARKING REQUIRED:
NO DESIGNATED WAITING/SEATING
AREA. ASSUMING 3 FOR EMPLOYEES,
3 UNASSIGNED STALLS = 6 STALLS

Bowman

© 2021 Bowman Consulting Group, Ltd.

5601 Democracy Dr.,
Suite 205
Plano, Texas 75024

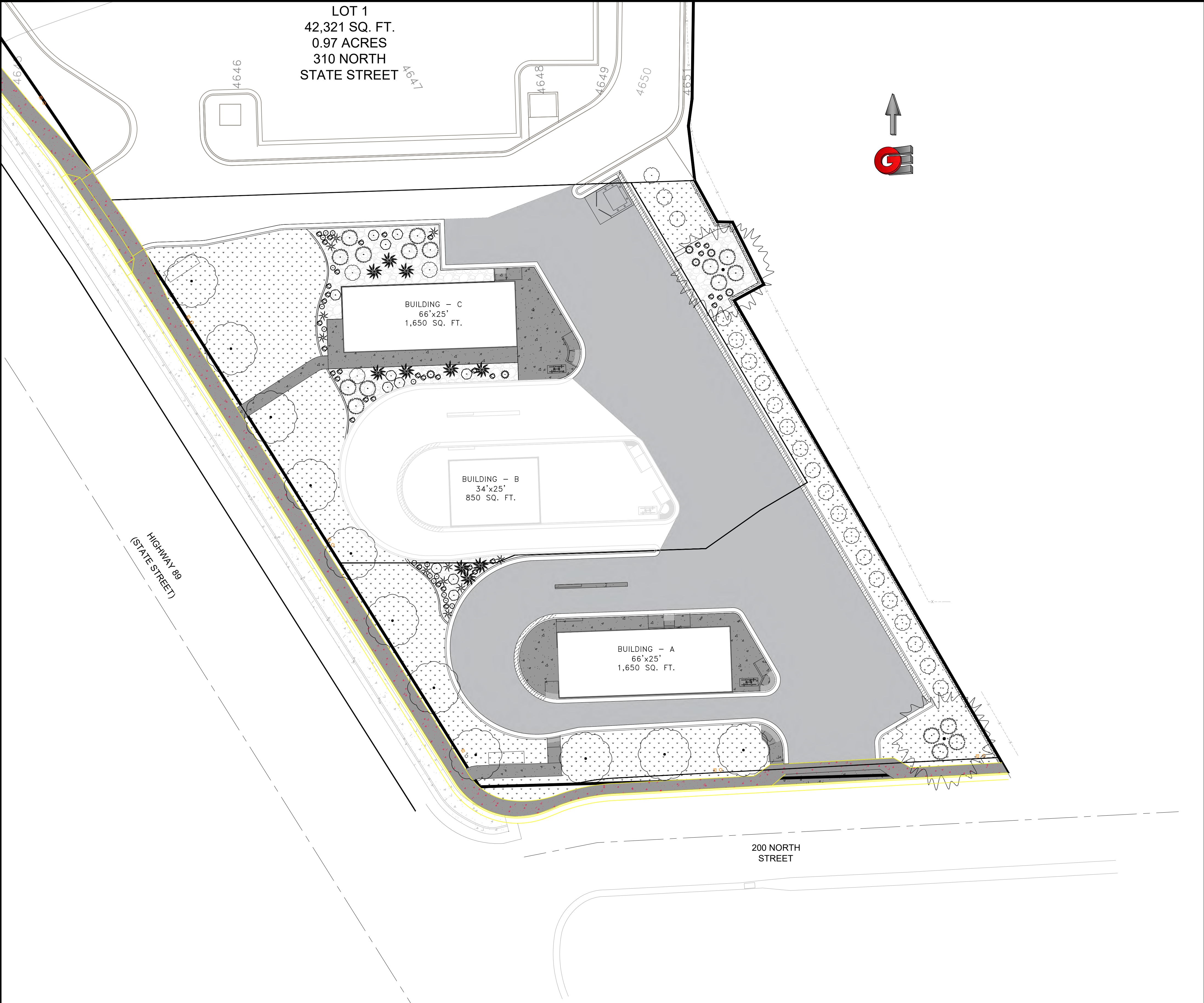
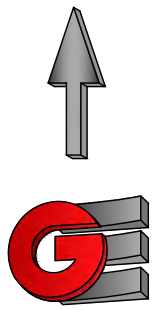
Phone: (972) 497-2993
Fax: (972) 927-4662
www.bowman.com

REVISIONS	DATE	DESCRIPTION
REVISION		

SITE PLAN

SWIG RESTAURANT
206 N. STATE ST.
LINDON, UT, 84042

DESIGN PK	DRAWN PK	CHKD KA
JOB No.	070526-01-001	
SHEET SP-1		



PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
--------	----------------	-------------	------	-----

TREES				
	GLEDITSIA TRIACANTHOS 'SKYLINE'	SKYLINE HONEYLOCUST	2"	2
	PINUS FLEXILIS	LIMBER PINE	2"	10
	QUERCUS x 'NADLER'	KINDRED SPIRIT OAK	2"	24
	PYRUS CALLERYANA	FLOWERING PEAR	2"	11

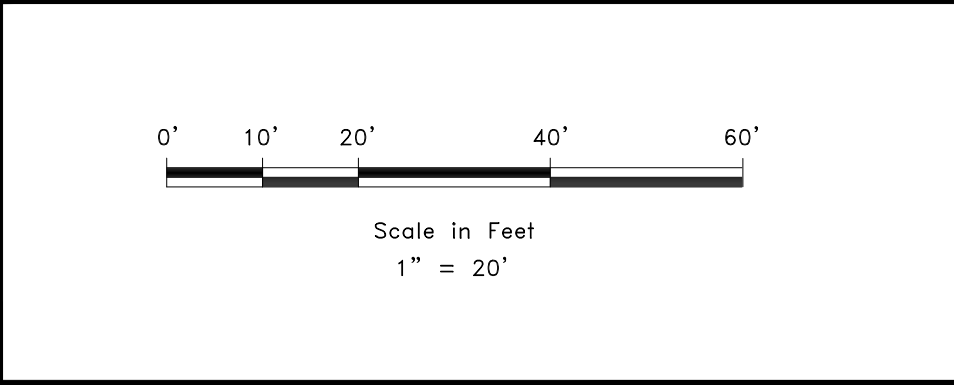
SHRUBS				
	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	BLUE MIST BLUEBEARD	5 GAL	11
	RHUS AROMATICA 'GROW LOW'	GROW LOW SUMAC	5 GAL	17
	RHUS TYPHINA 'BAILTIGER'	TIGER EYES SUMAC	5 GAL	10

PERENNIALS				
	LAVENDULA x INTERMEDIA 'PHENOMENAL'	PHENOMENAL LAVENDER	1 GAL	8
	MISCANTHUS SINENSIS 'GRACILLIMUS'	MAIDEN GRASS	1 GAL	6
	PENNISETUM ALOPECUROIDES 'HAMELN'	DWARF FOUNTAIN GRASS	1 GAL	15
	YUCCA FILAMENTOSA 'COLOR GUARD'	COLOR GUARD YUCCA	1 GAL	11

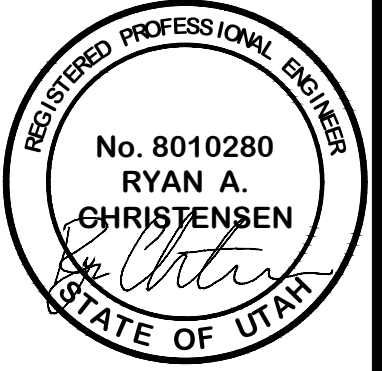
	2'-3' BOULDERS	BLONDE	EA	36
	KENTUCKY BLUE GRASS SOD	11123.53	SQFT	76%
	APACHE BROWN CHAT	270	SQFT	1%
	1" OQUIRRH MOUNTAIN COBBLE	2995.36	SQFT	23%

- Notes
- Spread 6" of topsoil in all planted areas
 - Backfill plants with 3:1 soil to compost
 - Fertilize plants with a well-rounded fertilizer for trees, shrubs, and perennials
 - 5oz weed barrier fabric to be installed in all areas receiving gravel. Overlap fabric 12" on seams
 - All quantities to be verified by contractor

IRRIGATION PLAN TO BE SUBMITTED TO OWNER FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION



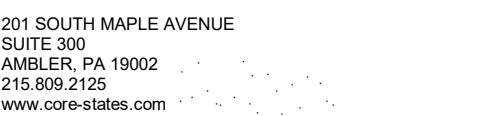
SCALE: 1" = 20'		DATE: 2/1/22		DESIGN: RP		DRAWN: RP		CHECKED: RC	
REVISIONS		DESCRIPTION		DATE					



LANDSCAPE PLAN - LOT 2 AND 3
CITY PARK RETAIL SUBDIVISION
206N STATE ST
LINDON, UTAH COUNTY, UTAH

CIVIL • LAND PLANNING
MUNICIPAL • LAND SURVEYING

5150 SOUTH 375 EAST OGDEN, UT
OFFICE: 801.476-0202 FAX: 801.476-0066



SEAL

[illegible]

PROJECT INFORMATION

PROJECT NO:	SW-06SAL
DATE:	12/23/2011
SCALE:	AS NOTED
DRAWN BY:	M.SCHNEIDER
CHECKED BY:	R.SWINEY
SUBDIVISION:	
LOT, BLOCK:	BLOCK A, LOT 1
TOWN PROJECT NO:	

SHEET TITLE

EXTERIOR ELEVATIONS

SHEET NUMBER

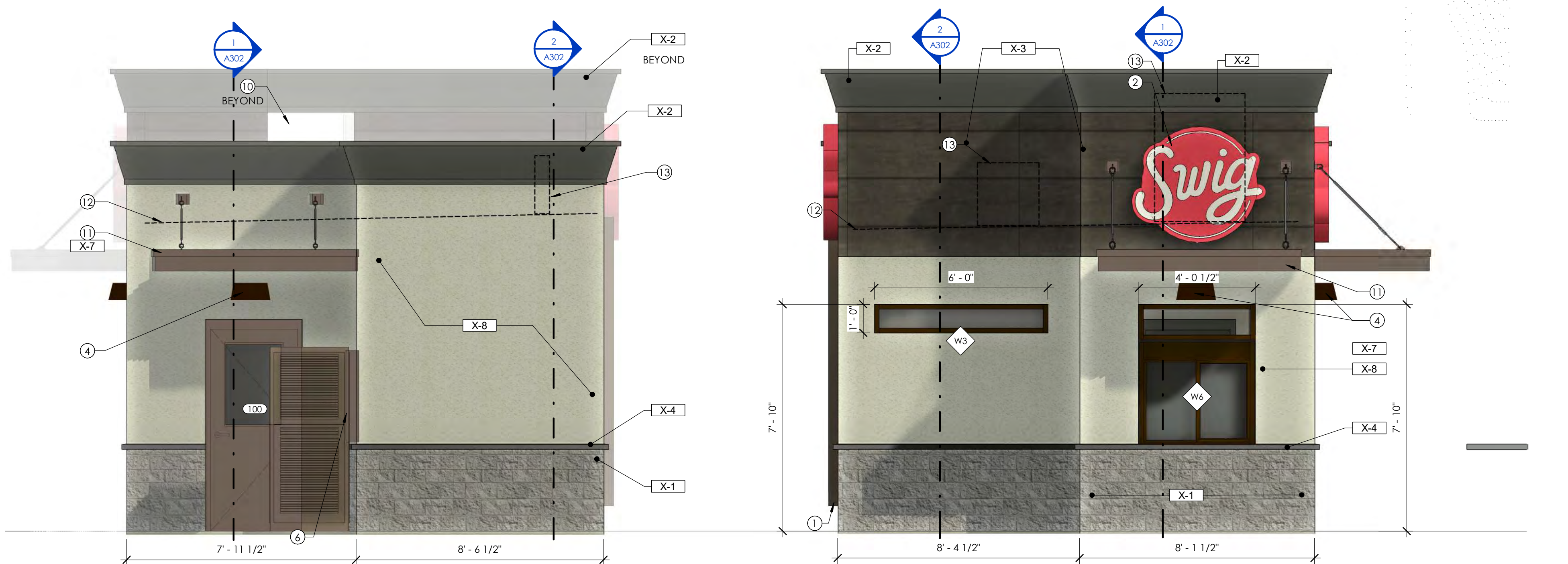
A201

FACADE MATERIAL PERCENTAGES - STUCCO				
	EAST	WEST	NORTH	SOUTH
X-1 - THIN BRICK WAINSCOT	14 %	18 %	19 %	19 %
	37.35 SF	46.75 SF	111.6 SF	111.6 SF
X-2 - CORNICE	14 %	7 %	10 %	10 %
	36 SF	17.5 SF	60.5 SF	60.5 SF
X-3 - SIMULATED WOOD	34 %	36 %	22 %	14 %
	90 SF	93.83 SF	134.5 SF	91.2 SF
X-4 - STONE SILL	1 %	1 %	1 %	1 %
	2.5 SF	3 SF	7.3 SF	7.3 SF
X-5 - STOREFRONT	8 %	6 %	7 %	7 %
	19.9 SF	14.6 SF	39.8 SF	40.5 SF
X-8 - STUCCO	29 %	32 %	41 %	46 %
	77.29 SF	81.4 SF	246.2 %	268 SF
EXTERIOR CANOPY	42.4 %	42.4 %	20 %	22 %
	7 LF	7 LF	7 LF	8.9 LF

EXTERIOR FINISH SCHEDULE						
MARK	MATERIAL	DESCRIPTION				
X-1	THIN BRICK (WAINSCOT)	CORONADO STONE URBANA SPLIT COLOR: GREY GRANITE	X-6	SWIG RED	'SHER-COLOR' CUSTOM MATCH. EXTERIOR ULTRADEEP SATIN. COLOR CAST FORMULA: W1 WHITE >>> COLORANT 02= 2 COLORANT 32= 2 R4 NEW RED >>>	
X-2	CORNICE (BLACK)	EXTERIOR GRADE - SW# 6993 "BLACK OF NIGHT"			COLORANT 02 = 8. COLORANT 32 = 61 COLORANT 64 = 1	
X-3	SIMULATED WOOD SIDING	FIBER CEMENT PANELS <u>BASE BID:</u> NICHIHA; VINTAGE WOOD; BARK; 1 7/8" X 5/8" THICK; HORIZONTAL INSTALL <u>BID ALTERNATE:</u> JAMES HARDIE; SIERRA B; TIMBER BARK; 5/16" THICK; HORIZONTAL INSTALL	X-7	PAINT (LIGHT GRAY)	EXTERIOR GRADE - SW# 7019 "GAUNTLET GRAY" (POWDER COAT STEEL IF POSSIBLE)	
			X-8	STUCCO	NAVAJO WHITE LA HABRA	
X-4	STONE SILL	CHISELED STONE SILL - LIGHT GRAY CORONADO STONE				
X-5	STOREFRONT	DARK BRONZE				

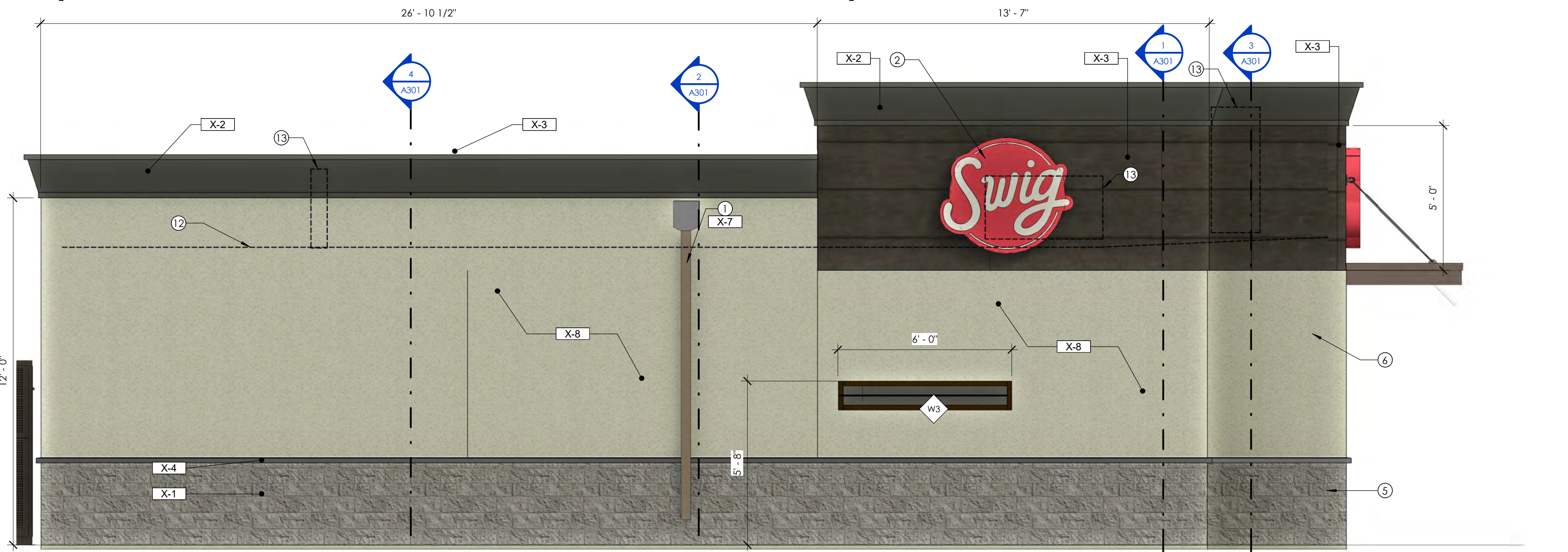
1 KEYNOTES

- ① PREFINISHED METAL DOWNSPOUT
- ② BUILDING SIGNAGE BY OWNER
- ③ MENU BOARD AND FOOTINGS BY SEPARATE SIGN PERMIT
- ④ DARK BRONZE LIGHT FIXTURE; COORDINATE WITH ELECTRICAL
- ⑤ CO2 ENCLOSURE - SEE EQUIPMENT PLAN
- ⑥ ELECTRICAL PANEL OR EQUIPMENT; COORDINATE WITH ELECTRICAL
- ⑦ NOT USED
- ⑧ STEEL CAP AT TOP OF POSTS
- ⑨ POWDER COATED STEEL TUBE FRAME, TYP.
- ⑩ 20"x30" ACCESS PANEL
MANUFACTURER - BEST ACCESS DOORS, SKU: BA-EXT-20-30
- ⑪ EXTERIOR CANOPY
MANUFACTURER - ARCHITECTURAL CANOPIES;
EXTRUDECK
- ⑫ ROOF PROFILE
- ⑬ RTU BEYOND
- ⑭ TRASH ENCLOSURE

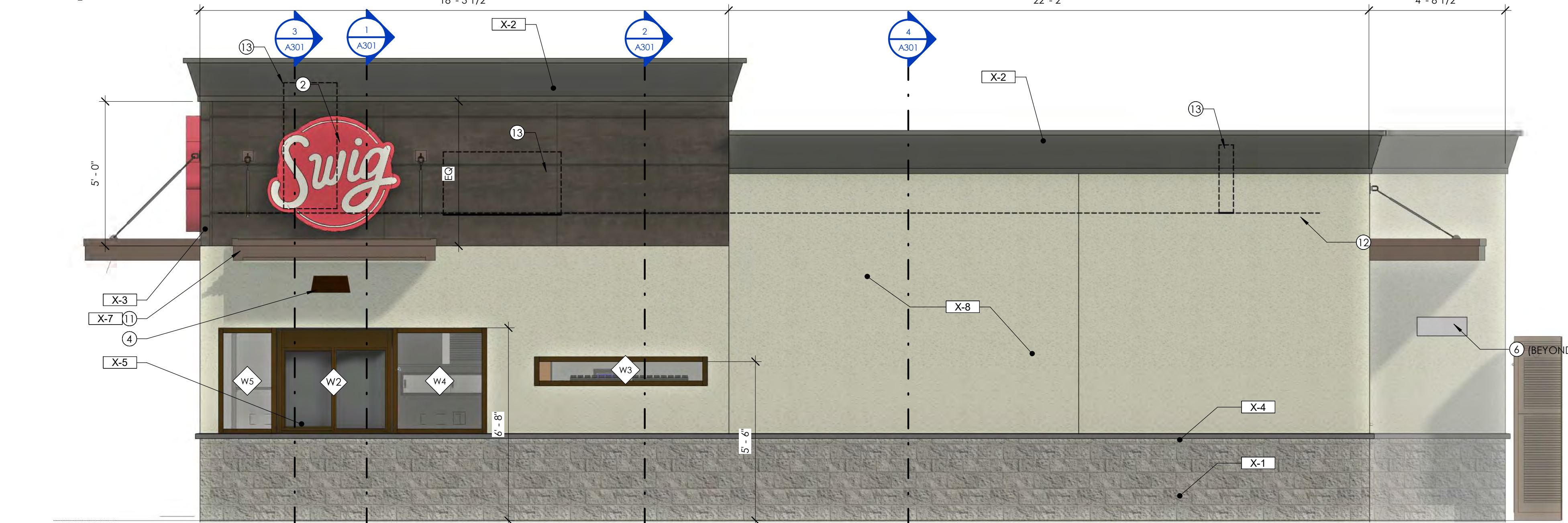


5 EAST ELEVATION
3/8" = 1'-0"

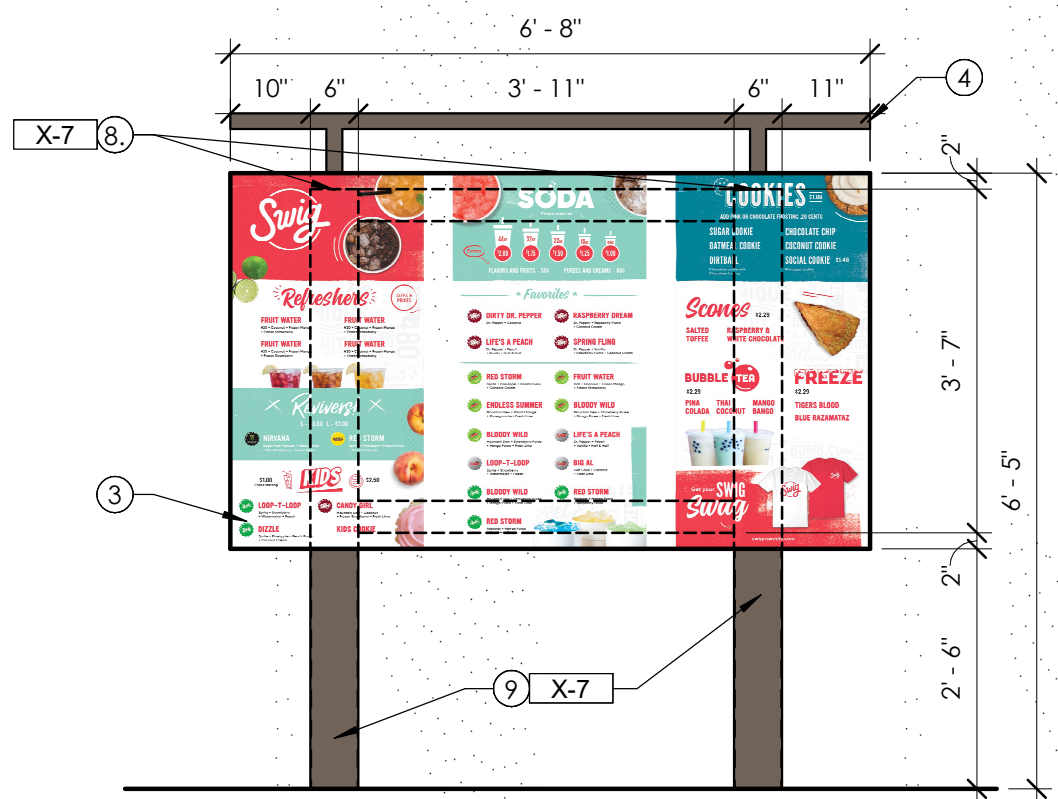
4 WEST ELEVATION
3/8" = 1'-0"



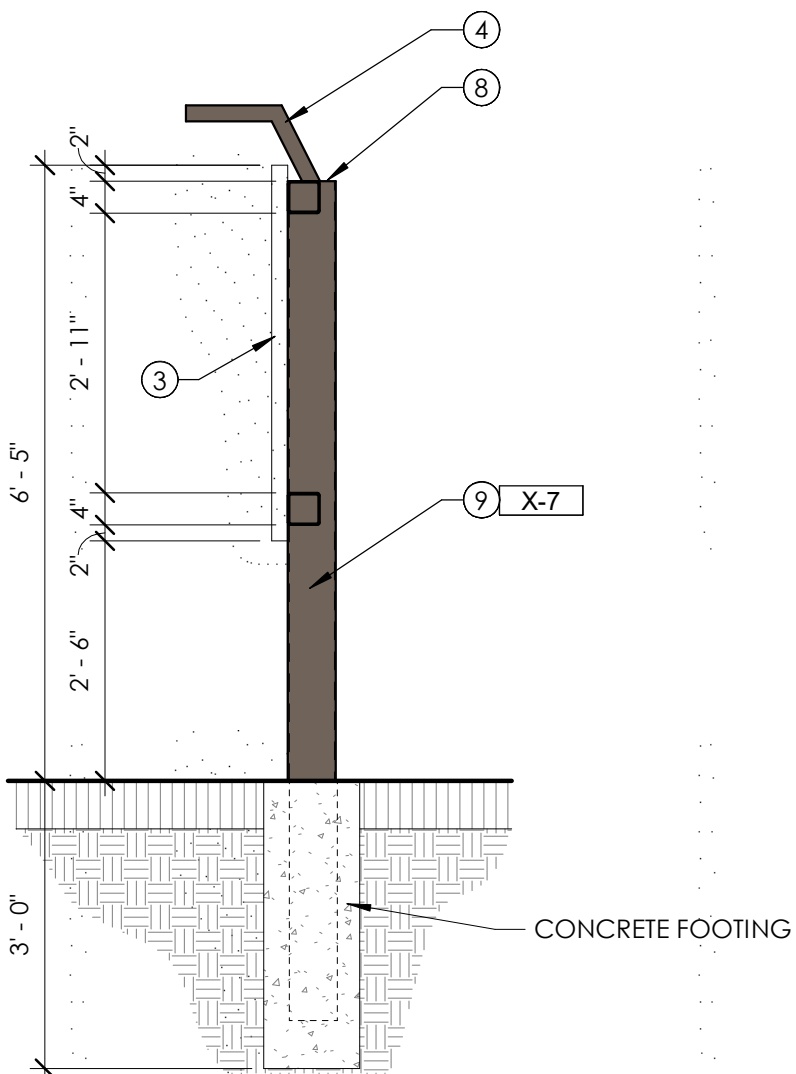
3 | NORTH ELEVATION
3/8" = 1'-0"



2 | SOUTH ELEVATION (DRIVE-UP)
3/8" = 1'-0"



ELEVATION



SECTION

1 DRIVE UP MENU BOARD - BY OWNER



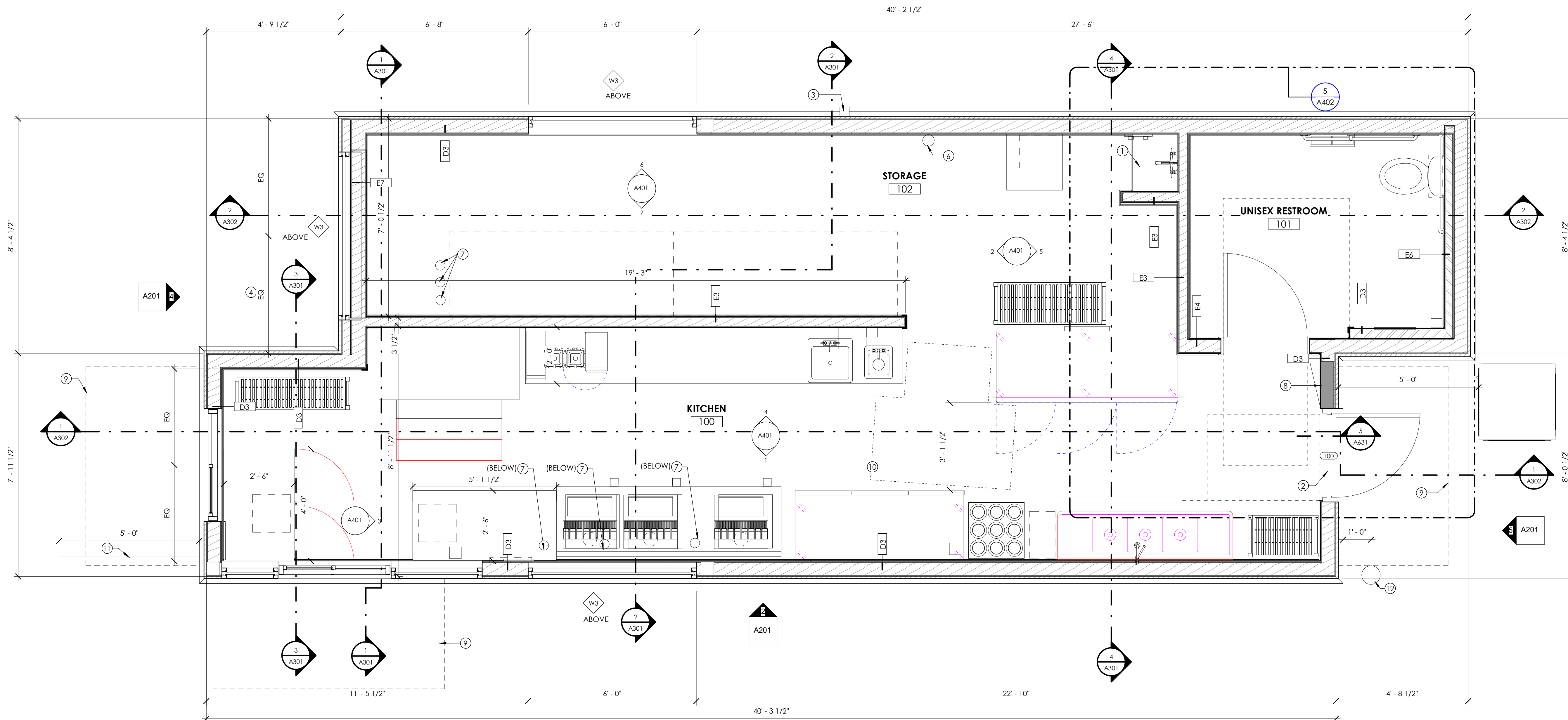
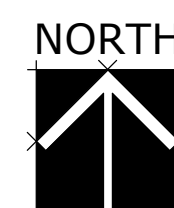
SAVORY
MANAGEMENT

LINDON, UT
SWIG (WOOD FRAME)
206 N. STATE ST
LINDON, UTAH 84042
PROTOTYPE VERSION 2.00



201 SOUTH MAPLE AVENUE
SUITE 300
AMBLER, PA 19002
215.809.2125
www.core-states.com

SEAL



1 FLOOR PLAN
1/2" = 1'-0"

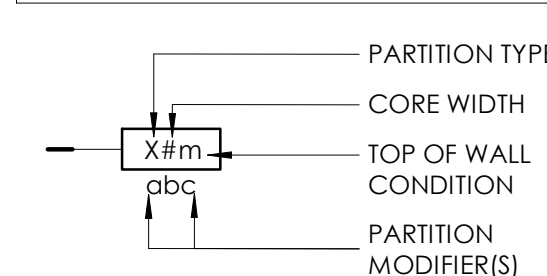
DIMENSION NOTES

- ALL PLAN DIMENSIONS, UNLESS OTHERWISE NOTED, ARE TO:
A. FACE OF GYP. BD. OR SHEATHING
B. CENTERLINE OF DOOR ON CENTERLINE OF ROOM OR CORRIDOR.
- NOTED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE DIMENSIONS; DETAILS OVER SMALLER SCALE DRAWINGS.
- "FINISH FLOOR" REFERS TO TOP OF SLAB
- VERIFY ALL ROUGH-IN, CONCRETE PAD, OR PLATFORM DIMENSIONS FOR EQUIPMENT PROVIDED IN THIS PROJECT, OR BY OTHERS.
- CEILING HEIGHT DIMENSIONS ARE TO FINISHED SURFACES, UNLESS NOTED OTHERWISE.

FLOOR PLAN GENERAL NOTES:

- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ARCHITECT.
- SEE MECHANICAL AND ELECTRICAL SHEETS FOR ADDITIONAL INFORMATION.
- ALL COLORS SELECTIONS AND FINISH MATERIALS AND STYLES SHALL BE COORDINATED WITH OWNER.
- SEE SHEET A611 FOR WALL TYPES.
- DO NOT SCALE DRAWINGS.
- FURNITURE AND KITCHEN EQUIPMENT SHOWN DASHED
- PROVIDE BLOCKING IN WALLS FOR WALL MOUNTED EQUIPMENT/ACCESSORIES PER PLAN

WALL TAG



DOOR AND WINDOW TAGS



KEYNOTES

- MOP SINK; COORDINATE WITH PLUMBING DRAWINGS
- ADA COMPLIANT THRESHOLD - SEE SHEET 1/A113
- DOWNSPOUT TO DRAIN ON TO SPLASH BLOCK BELOW
- CO2 TANK STORAGE CABINET; COORDINATE WITH EQUIPMENT SHEETS AND PLUMBING
- NOT USED
- BRACKET MOUNTED 2A10BC FIRE EXTINGUISHER
- 4" SODA LINE CONDUITS STUBBED UP THROUGH FLOOR
- ELECTRICAL PANEL OR EQUIPMENT; COORDINATE WITH ELECTRICAL
- EXTERIOR CANOPY ABOVE
- 5'-0" CLEAR TURNING FLOOR SPACE
- FENCING - SEE CIVIL DRAWINGS
- BOLLARD - SEE CIVIL DRAWINGS

ISSUE DATE DESCRIPTION

PROJECT INFORMATION

PROJECT NO: SW-06SAL
DATE: 12/23/2021
SCALE: AS NOTED
DRAWN BY: E.BASKARAN
CHECKED BY: K.MACKENZIE
SUBDIVISION: TBD
LOT, BLOCK: BLOCK A, LOT 15
TOWN PROJECT NO: TBD

SHEET TITLE

FLOOR PLAN

SHEET NUMBER

A112



LEGEND

FEMA - ZONE "A"

PROPOSED BUILDING

LOT LINE

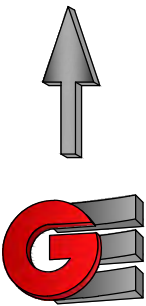
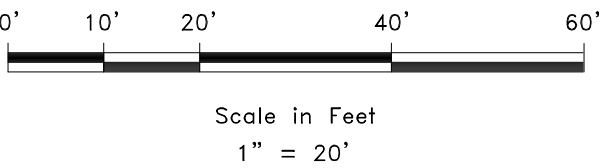
NOTES

BASE FLOOD ELEVATION (BFE) DETERMINED USING FEMA PUBLICATION "MANAGING FLOODPLAIN DEVELOPMENT IN APPROXIMATE ZONE A AREAS - A GUIDE FOR OBTAINING AND DEVELOPING BASE (100-YEAR) FLOOD ELEVATIONS"

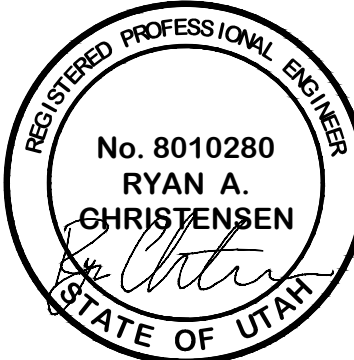
THE SIMPLIFIED METHOD - CONTOUR INTERPOLATION WAS USED FOR DETERMINING BASE FLOOD ELEVATION. RIGHT AND LEFT SIDE ELEVATIONS ARE WITHIN ONE-HALF OF A CONTOUR INTERVAL (1 FT). BFE DETERMINED BY ADDING ONE-HALF OF A CONTOUR INTERVAL TO THE LOWEST INTERPOLATED ELEVATIONS.

CONTOURS SHOWN ARE AT 2 FT INTERVALS.

FEMA FIRM DATED 6/19/2020 WAS USED TO SCALE IN ZONE A FLOOD AREA.



REVISIONS		SCALE
DATE	DESCRIPTION	1" = 20'



BASE FLOOD ELEVATION MAP

CITY PARK RETAIL SUBDIVISION

206 N STATE ST

LINDON, UTAH COUNTY, UTAH

GARDNER ENGINEERING

CIVIL • LAND PLANNING
MUNICIPAL • LAND SURVEYING

5150 SOUTH 375 EAST OGDEN, UT
OFFICE: 801.476-0202 FAX: 801.476-0066

Item 5 – Moderate Income Housing Discussion

Date: June 28, 2022

Applicant: Lindon City

Presenting Staff: Michael Florence

Type of Decision: None

Summary of Key Issues

- In 2019, the Utah Legislature passed Senate Bill 34 which required a majority of municipalities in the state to adopt a moderate-income housing plan which was required to include a minimum of three affordable housing strategies. The strategies that the City adopted in 2019 were the following:
 - Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones
 - Reduce impact fees related to low and moderate-income housing
 - Preserve existing moderate-income housing
 - Utilize strategies that preserve subsidized low to moderate-income units on a long-term basis
 - Allow for alternative housing types or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers
- During the 2022 Utah legislative session the legislature passed House Bill 462 which added the following requirements:
 - Review and update Moderate Income Housing Element of the General Plan by October 1, 2022. The legislature amended the scope and wording of a number of the strategies so the city is required to review the strategies and adopt new strategies if needed.
 - Adopted an implementation and benchmark section for each strategy. Implementation elements must include a timeline that has specific benchmarks for each chosen strategy, but provides flexibility for the municipality to make adjustments.
 - Menu items remain at 3 for cities without fixed guideway transit and 5 for those with fixed guideway transit (one of which is required to be the adoption of Station Area Plan). If a city selects 5 (or 6 for fixed rail cities), then those cities would qualify for enhanced prioritization of state TIF/TTIF and ARPA local match program funds
- For the past two months, the city has been working with the general plan committee on prioritization of strategies. The committee did a “deep dive” into each one of the strategies and came up with recommended strategies for the planning commission and city council to consider as part of their update. See Exhibit 1.
- As a reminder, when reviewing the affordable housing policies for the city, the legislature requires that the city keep in mind the following as adopted in State code (10-9a-403).
 - “Moderate income housing (MIH)” means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.
 - In drafting the moderate-income housing element, the planning commission:
 - shall consider the Legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:
 - to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
 - to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;
- Exhibit 3 from the Utah League of Cities and towns identifies all of the strategies and also compares each new strategy to its former wording.

Below is a break-down of each of the strategies that were adopted by the City in 2019 with comments related to the 2022 strategies:

Strategy One	
2019 Strategy	2022 Strategy
Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones	Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones
Discussion	
This strategy was recommended to remain by the general plan committee	
Strategy Two	
2019 Strategy	2022 Strategy
Reduce impact fees related to low and moderate-income housing	Reduce, waive, or eliminate impact fees related to moderate income housing
Discussion	
This strategy was recommended to remain by the general plan committee	
Strategies Three and Four	
2019 Strategies	2022 Strategy
Utilize strategies that preserve subsidized low to moderate-income units on a long-term basis	Preserving existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund
Preserve existing moderate-income housing	
Discussion	
These two strategies were combined into one new strategy	
The City adopted this strategy because we own three homes east of the aquatics center which we rent in the moderate-income housing range and also the City partnered years ago with a housing authority to construct housing for those with disabilities at Hollow Park	
The updated strategy would require the city to work towards preserving new moderate-income housing and use a landlord incentive program. There are other strategies that a probably more effective for the city to adopt	
The general plan committee did not recommend readopting this strategy	
Strategy Five	
2019 Strategy	2022 Strategy
Allow for alternative housing types or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers	Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors (frontrunner, Trax or BRT Stations), commercial centers, or employment centers
Discussion	
This strategy requires the more action from the City in actually zoning or rezoning property for higher density or moderate-income residential development in commercial center or employment centers	
This strategy was recommended to remain by the general plan committee	

Exhibits

1. Top Moderate Income Housing Strategy Recommendations from the General Plan Committee
2. Lindon Housing Presentation
3. Utah League of Cities and Towns Housing Presentation

Top Moderate-Income Housing Strategies from the June Committee Meeting

E - Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones

R. Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530

F. Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

L. Reduce, waive, or eliminate impact fees related to moderate income housing

Tied - A and G

A - Rezone for densities necessary to facilitate the production of moderate-income housing

G - Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors

Housing Market!!!



Moderate-Income Housing

“Moderate income housing (MIH)” means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

In drafting the moderate-income housing element, the planning commission:

- (i) shall consider the Legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:
 - (A) to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
 - (B) to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;

2019 - SB34

- ▶ Legislature adopted 23 moderate-income housing strategies.
- ▶ Cities with a population of 10,000 or more required to adopt 3 strategies
- ▶ 2019 Strategies picked by Lindon City
 - ▶ Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones
 - ▶ Reduce impact fees related to low and moderate-income housing
 - ▶ Preserve existing moderate-income housing
 - ▶ Utilize strategies that preserve subsidized low to moderate-income units on a long-term basis
 - ▶ Allow for alternative housing types or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers

2022 - HB 462 - New Requirements

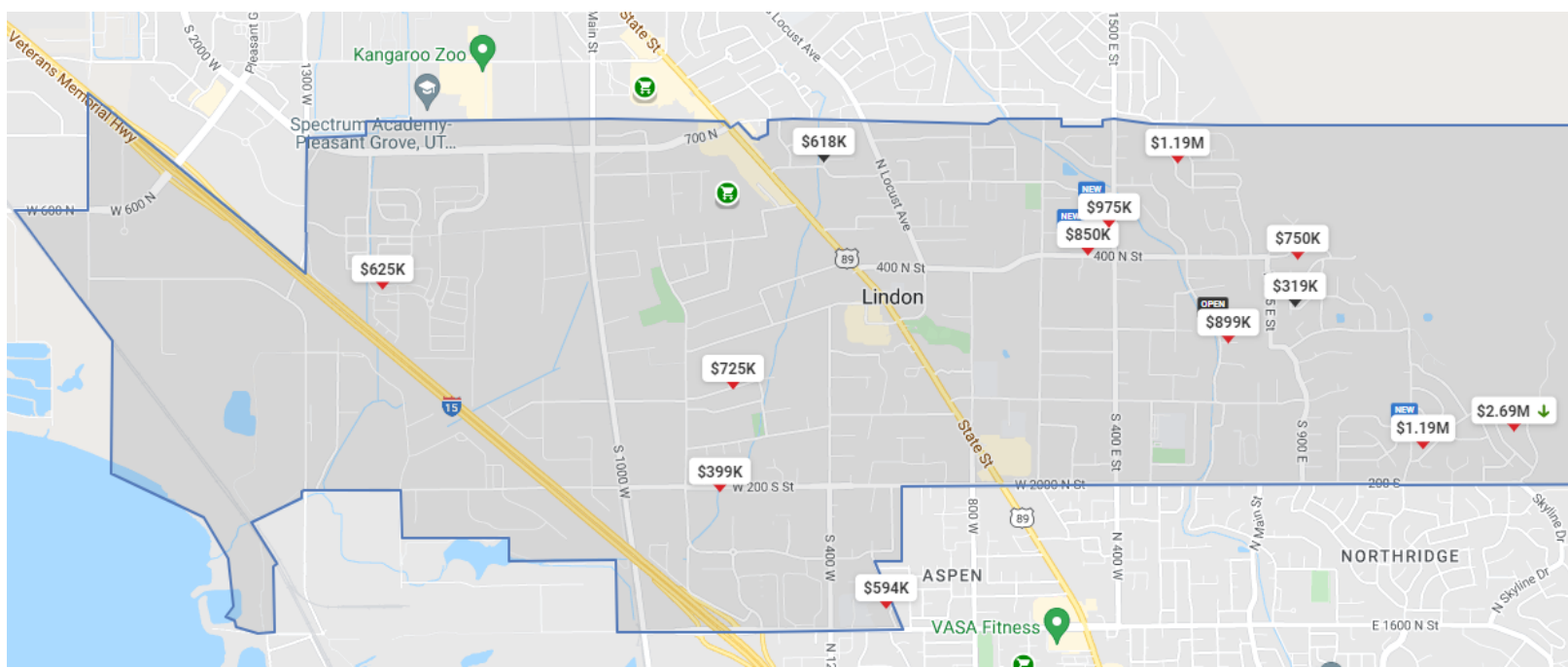
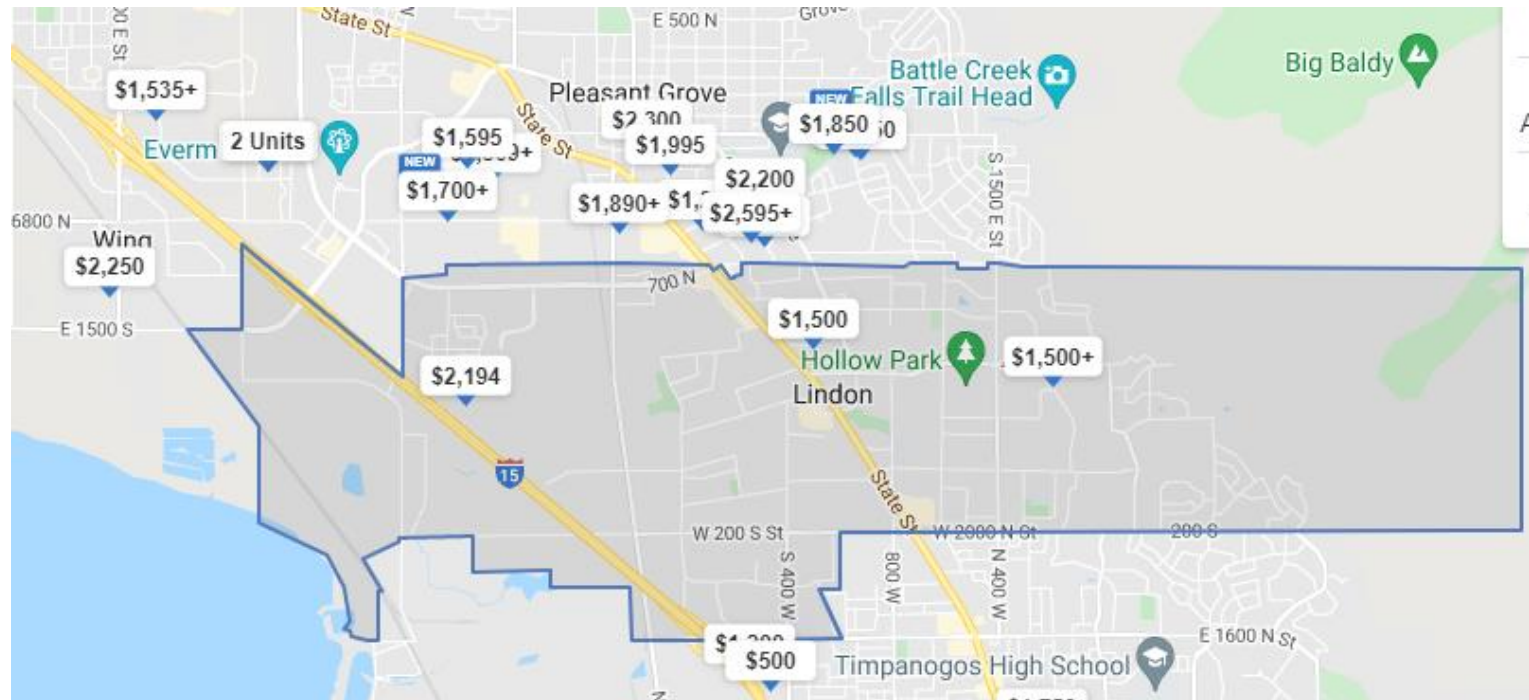
- ▶ Review and update Moderate Income Housing Element of the General Plan by October 2022
- ▶ Implementation elements must include a timeline that has specific benchmarks for each chosen strategy, but provides flexibility for the municipality to make adjustments.
- ▶ Menu items remain at 3 for cities without fixed guideway transit and 5 for those with fixed guideway transit (one of which is required to be the adoption of Station Area Plan). If a city selects 5 (or 6 for fixed rail cities), then those cities would qualify for enhanced prioritization of state TIF/TTIF and ARPA local match program funds.

Moderate Income Housing

- ▶ How is moderate-income determined?
 - ▶ Determined off of the Area Median Income (AMI) - Utah County
 - ▶ Utah County AMI: \$77,057, Lindon Income: \$95,233
 - ▶ 80% of Utah County AMI: \$61,645.60
 - ▶ 30% housing costs: \$18,493.68
 - ▶ Monthly housing costs: \$1,541.14 (mortgage payment, utilities, insurance)
 - ▶ Median Home Price for Utah County March 2022: \$589,450, February 2021: \$456,563

Moderate-Income Housing

What will my payment be?	What can I afford?
Estimated Loan Amount	
\$304,697.58	
Interest rate:	5.392%
<small>*Rate quoted as low as. APR (Annual Percentage Rate). On approved credit.</small>	
Monthly Payment:	\$1,541.14
Down payment:	\$30,000
Loan term	30 Years ▾



Moderate Income Strategies as found in Utah Code

- (A) rezone for densities necessary to facilitate the production of moderate income housing;
- (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;
- (L) reduce, waive, or eliminate impact fees related to moderate income housing;
- (M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;
- (N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;

(O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

(P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;

(Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;

(R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;

(S) create a program to transfer development rights for moderate income housing;

(T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;

(U) develop a moderate income housing project for residents who are disabled or 55 years old or older;

(V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;

(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and

(X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing;

Moderate Income Housing Deep Dive

HB 462 – The nuts and bolts for October 1, 2022 and beyond

AGENDA

Overview

Purpose & Objective

HB 462

- Where Does the Requirement Apply
- Implementation Planning
- Strategies to Consider
- Resources
- Annual Reporting
- Incentives / Restrictions
- Next Steps

Overview of SB34+

Utah Code establishes the requirement for jurisdictions in the state to plan for the future through **General Plan** development and adoption. Since 2019, the General Plan requirement has been expanded to include **planning for moderate income housing**.

If a jurisdiction meets certain criteria, it's required to:

- Include a moderate income housing element
- Report on its compliance with the requirement and inventory of moderate income housing

HB 462, as part of the 2022 General Session, amended this requirement - adding in clarification while also expanding the strategies jurisdictions may choose from in order to create more flexibility and creativity in bringing moderate income housing to Utah.

Purpose & Objective

1

To meet the needs of people of various income levels living, working, or desiring to live or work in the community

3

Determine how the jurisdiction will provide realistic opportunity to meet the need for additional moderate income housing within the next five years

2

To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life

4

Receive consideration for funding of projects based on compliance with the moderate income housing requirement

HB 462

Approved during the **2022 General Session**, the “**Utah Housing Affordability Amendments**” modified many of the provisions related to affordable housing that were in the 2010 SB 34 legislation.

Today, we'll be looking at those **amendments** that **impact the Moderate Income Housing requirement**.



HB 462 HIGHLIGHTS

- Clarifies MIH requirement and timing to amend your General Plan
- Requires the inclusion of an implementation plan to bring the MIH element to life
- Amends the list of strategies to use
- Outlines the annual reporting requirement
- Adds priority incentives/restrictions for compliance with the MIH requirement

Applicability

01

The inclusion of the moderate income housing element within a county or municipal General Plan is based on population. If the population of the municipality is at least 5,000 people, the General Plan must include this element. For counties, the total county population must be at least 40,000 people with at least 5,000 people in the unincorporated portion.

Timing

Counties and municipalities that don't meet the General Plan requirement have until **October 1, 2022**, to do so.

COUNTIES

First, second, or
third class county

AND

Population
(unincorporated):
5,000 or more

MUNICIPALITIES

First, second, third, or fourth
class city

OR

Fifth class city with a
population of 5,000 or more
(and in a first, second, or
third class county)

OR

Metro Township with a
population of 5,000 or more

Implementation Plan

02

In order to ensure that jurisdictions are not only envisioning the increase of moderate income housing but establishing concrete steps to make it happen, HB 462 amends the code to require the inclusion of an implementation plan within the General Plan.

Detail

The jurisdiction's implementation plan must set a **timeline** to **implement** the **required strategies** that the jurisdiction has selected for their moderate income housing element.



Strategies

03

HB 462 has amended the list of strategies that municipalities and counties can consider and use within the moderate income housing elements.

Many of the previous **strategies** have been **revised and/or combined** to provide better clarity while a number of **new** strategies have been added for consideration.

Strategies need actionable implementation steps.

Over the next few slides, we'll review the revised and new strategies.

23

Strategy Options
COUNTIES

24

Strategy Options
MUNICIPALITIES

STRATEGY | NOW

- (A) Rezone for densities necessary to **facilitate** the production of moderate income housing
- (B) **Demonstrate investment in** the rehabilitation or expansion of infrastructure that **facilitates** the construction of moderate income housing
- (C) **Demonstrate investment in** the rehabilitation of existing uninhabitable housing stock into moderate income housing
- (D) **Identify and utilize** county general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the county/municipality for the construction or rehabilitation of moderate income housing

STRATEGY | PREVIOUSLY

- (A) Rezone for densities necessary to **assure** the production of moderate income housing
- (B) **Facilitate** the rehabilitation or expansion of infrastructure that **will encourage** the construction of moderate income housing
- (C) **Facilitate** the rehabilitation of existing uninhabitable housing stock into moderate income housing
- (D) **Consider** county general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the county/city

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : county or municipality

STRATEGY | NOW

- (E) Create or allow for, and reduce regulations related to, **internal or detached** accessory dwelling units in residential zones
- (F) **Zone or rezone** for higher density or moderate income residential development in commercial or mixed-use zones **near major transit investment corridors**, commercial centers, or employment centers
- (G) **Amend land use regulations to allow for** higher density or **new** moderate income residential development **in commercial or mixed-use zones** near major transit investment corridors

(OPTION - one of three required options for municipalities with a fixed guideway transit station)

STRATEGY | PREVIOUSLY

- (E) Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones
- (F) **Allow** for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers
- (G) **Encourage** higher density or moderate income residential development near major transit investment corridors

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : **county** or **municipality**

STRATEGY | NOW

- (H) **Amend land use regulations** to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities
(OPTION - one of three required options for municipalities with a fixed guideway transit station)

- (I) **Amend land use regulations** to allow for single room occupancy developments

- (J) Implement zoning incentives for moderate income units in new developments

- (K) Preserve existing **and new** moderate income housing and subsidized units by utilizing **a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund**

STRATEGY | PREVIOUSLY

- (H) Eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities

- (I) Allow for single room occupancy developments

- (J) Implement zoning incentives for **low to** moderate income units in new developments

- (K) Utilize **strategies that preserve** subsidized low to moderate income units **on a long-term basis**

- (L) Preserve existing moderate income housing

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : **county** or **municipality**

STRATEGY | NOW

(L) Reduce, **waive, or eliminate** impact fees related to moderate income housing

(M) **Demonstrate creation of, or** participation in, a community land trust program for moderate income housing

(N) Implement a mortgage assistance program for employees of the **county/municipality**, an employer that provides contracted services **for the county/to the municipality, or any other public employer that operates within the county/municipality**

STRATEGY | PREVIOUSLY

(M) Reduce impact fees, **as defined in Section 11-36a-102**, related to **low and** moderate income housing

(N) Participate in a community land trust program for **low or** moderate income housing

(O) Implement a mortgage assistance program for employees of the **county/municipality** or of an employer that provides contracted services **for the county/to the municipality**

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : **county** or **municipality**

STRATEGY | NOW

- (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, **an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act**, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, **or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing**

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : **county** or **municipality**

STRATEGY | PREVIOUSLY

- (P) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing
- (Q) Apply for or partner with an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity
- (R) Apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services
- (S) **Apply for or partner with an entity that applies for programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act**
- (S / T) Apply for or partner with an entity that applies for services provided by a public housing authority to preserve and create moderate income housing

STRATEGY | NOW

(P) **Demonstrate utilization of** a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency **to create or subsidize moderate income housing**

(W / X) **Demonstrate implementation of** any other program or strategy to address the housing needs of residents of the **county/municipality** who earn less than 80% of the area median income, **including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing**

STRATEGY | PREVIOUSLY

(U / V) **Utilize** a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency

(V / W) Any other program or strategy implemented by the **county/municipality** to address the housing needs of residents of the **county/municipality** who earn less than 80% of the area median income

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : **county** or **municipality**

STRATEGY | NEW

- (Q) Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act
(OPTION - one of three required options for municipalities with a fixed guideway transit station)
- (R) Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530
- (S) Create a program to transfer development rights for moderate income housing
- (T) Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing
- (U) Develop a moderate income housing project for residents who are disabled or 55 years old or older
- (V) **Develop and adopt a station area plan in accordance with Section 10-9a-403.1**
(REQUIRED - for municipalities with a fixed guideway transit station)
- (V / W) Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones

* Bold text : revised language

* Colored font is only applicable to the jurisdiction type : **county** or **municipality**

Three Options to Consider for Action by Oct 1

OPTION 1

Pick or reaffirm 3* strategies and adopt an implementation timeline for each.

* 4 for municipalities with a fixed guideway public transit station

**MEETING THE BASE
REQUIREMENT**

OPTION 2

Pick new strategies and a corresponding implementation timeline for each.

**MEETING THE BASE
REQUIREMENT WITH
REACHING PRIORITY
CONSIDERATION**

OPTION 3

Incorporate at least 2 strategies beyond the base requirement and adopt an implementation timeline for each.

**REACH PRIORITY
CONSIDERATION**

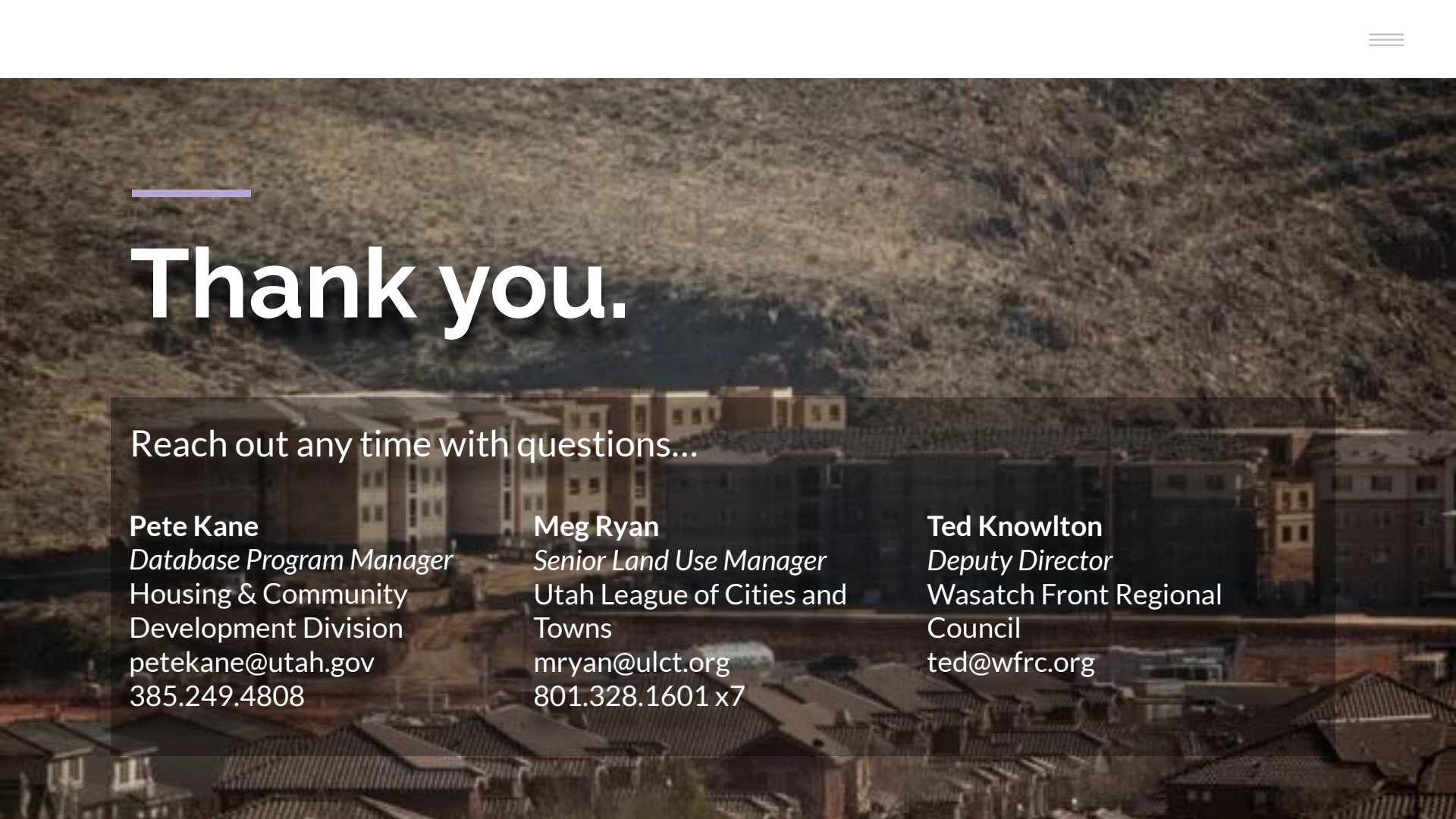
Next Steps

06

For all jurisdictions that fall under the Moderate Income Housing requirement

By Oct 1, 2022

- Amend / adopt the General Plan with a moderate income housing element that utilizes the newly-revised list of strategies
 - At least 3 strategies must be included (4 for cities with a fixed guideway public transit station)
 - Implementation plan for the selected strategies
- Submit your moderate income housing annual report



Thank you.

Reach out any time with questions...

Pete Kane

*Database Program Manager
Housing & Community
Development Division
petekane@utah.gov
385.249.4808*

Meg Ryan

*Senior Land Use Manager
Utah League of Cities and
Towns
mryan@ulct.org
801.328.1601 x7*

Ted Knowlton

*Deputy Director
Wasatch Front Regional
Council
ted@wfrc.org*