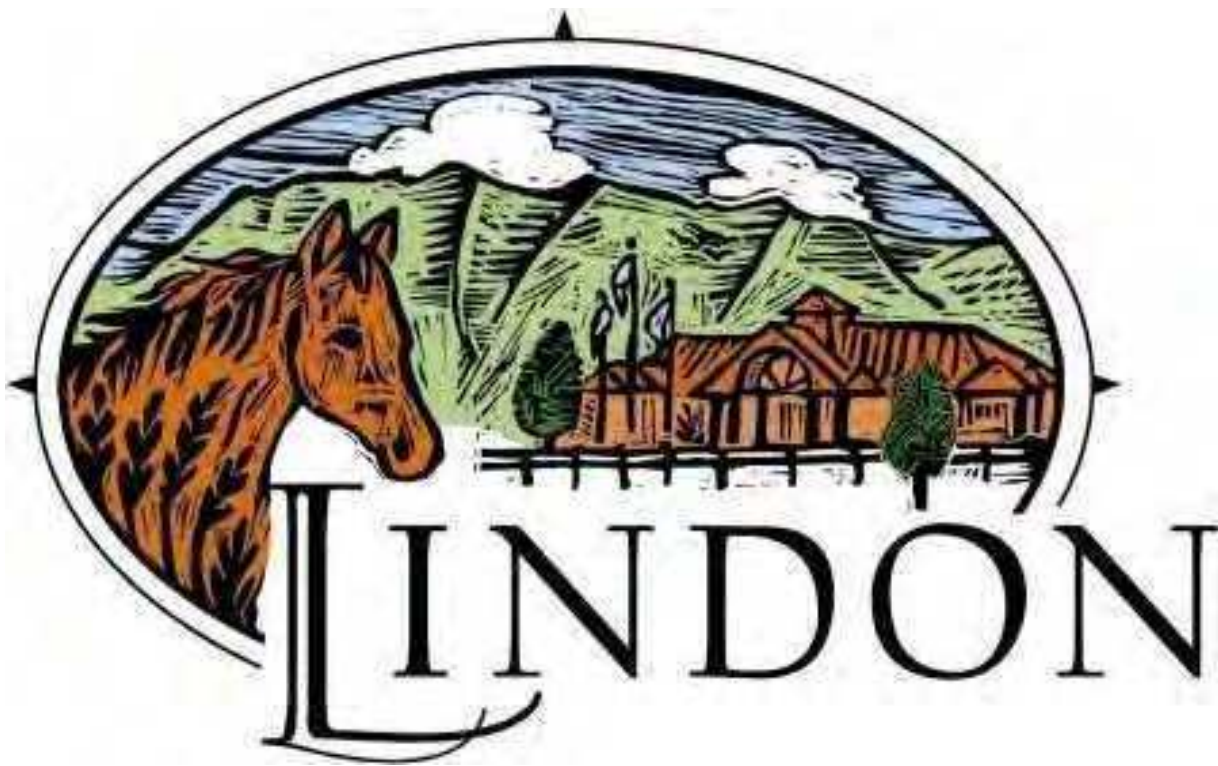


Lindon City Planning Commission Staff Report



July 12, 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, July 12, 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 6/28/2022

3. Public Comment

4. Minor Subdivision Approval – RAI Plat “A” – 1700 W 700 N. The applicant requests minor subdivision approval for three commercial lots in the RAI Plat “A” at approximately 1700 W 700 N.

(14:050:0050)

(10 minutes)

5. Moderate Income Housing Report - Continued Discussion. The planning commission will hear information presented on the upcoming Moderate Income Housing Plan, state requirements, and possible strategies for moderate income housing.

(25 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: 7/8/2022 **Time:** 5:00 pm

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

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, June 28, 2022 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Steven Johnson, Vice Chair
Invocation: Rob Kallas, Commissioner
Pledge of Allegiance: Mike Marchbanks, Commissioner

PRESENT

Steven Johnson, Commissioner
Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
Jared Schauers, Commissioner
Mike Florence, Planning Director
Mary Barnes, Planner II
Kathryn Moosman, City Recorder

EXCUSED

Sharon Call, Chairperson
Scott Thompson, Commissioner
Renee Tribe, Commissioner

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

2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of the Planning Commission meeting of June 14, 2022 were reviewed.

COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JUNE 14, 2022 AS PRESENTED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

4. **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.

Mary Barnes, Planning II, led this agenda item by explaining the applicant proposes to construct a small walk-up and drive through Swig soda shop. She noted 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. There will be a walkway from the State St sidewalk to invite pedestrians to the walk-up window, and 2 drive through lanes.

2 Ms. Barnes explained the access to the subject property will be from 200 N and
State St through the shared access easement with the neighboring Tagg N Go
4 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
6 width and access requirements.

Ms. Barnes further explained the landscaping for the overall site was approved on
8 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. However,
10 after approval, UDOT required the State Street shoulder to be widened, to leave space for
car stacking for the Tagg N Go. Therefore, City Park Retail submitted an amended site
12 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
14 by the planning commission.

Ms. Barnes noted the proposed plan meets the minimum lot size requirement of
16 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
18 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
20 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 North and all building
22 setback requirements are met.

Ms. Barnes stated the buildings in the Commercial General zone are required to
24 meet the Lindon Commercial Design Standards. Under the commercial design standards,
commercial development should pick one of three building forms: one-part commercial
26 block, two-part commercial block, and central block buildings. The Swig building aligns
with the one-part commercial block building, with some key differences. She then
28 referenced the standards for such buildings in the Commercial Design Standards.

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

Ms. Barnes indicated the property is located in flood zone A, (as seen in exhibit 7
32 in the staff report). She noted according to floodplain regulations, buildings must have a 1
ft. freeboard above the base flood elevation. The Swig building has a base flood elevation
34 (BFE) of 4649.54, therefore, the building will be built at a first-floor elevation (FFE) of
4650.54. According to Lindon City Code 17.62.190, the floodplain administrator reviews
36 and makes the final decision on floodplain development permits.

Ms. Barnes noted City staff believes that this development will be an amenity to
38 Lindon City. The site will serve the residents of Lindon and people who are passing
through on State Street. Adding a popular use like Swig, along with a walk-up window
40 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
42 offer an attractive design and should be considered for approval from the planning
44 commission.

Ms. Barnes then presented an Aerial photo, Approved Plat, Site plan, Parking
46 Exhibit, Landscaping Plan, building elevations, Floor plan and Floodplain map followed
by some general discussion.

2 Mr. Bardell Faux addressed the commission at this time. Mr. Faux expressed his
concerns with the development and spoke about the other side of his property where the
4 wall is being built. Their concern is that on their side of the wall, prior to the trench
being dug for the wall, they pulled the top soil off the property but they also pulled their
6 topsoil too; the fence and the property line are not the same. Their topsoil has been
removed, so he talked to the builder and told them their topsoil had been removed. The
8 building indicated they hadn't determined where the line is, and said when it is done, they
will replace the topsoil that was removed; if they just backfill along the trench the topsoil
10 has already been removed.

Mr. Faux stated he would like it added into the specifications that his property be
12 restored as it was before the topsoil was removed and before the wall was there. He
pointed out the wall behind the car wash had not been backfilled. He noted they did
14 install a French drain on their side, but they didn't restore any topsoil at all.

Mr. Faux then showed a sample of what they brought in pointing out it isn't
16 topsoil. He noted the wall is not straight and where it's not straight it was replaced with
the bad soil (rocks). He stated on their side of the wall behind the carwash where it slopes
18 down, they made a berm that is up against the wall, so they have lost 8 ft. of their pasture.
He noted they did remove that off the pasture, but he spent two days shoveling. Mr. Faux
20 stated he is asking that the original topsoil, or something similar, be brought back in at
whatever point they go in to do it. He noted he did have a good meeting with Connor, the
22 representative with the Carwash and he indicated they will be putting in the trees as
agreed upon.

Mr. Florence confirmed they need to make Mr. Faux whole and staff will review
24 everything before granting occupancy approval. Staff will ensure they follow up and
ensure that Mr. & Mrs. Faux are made whole. He will also reach out to the overall
26 developer and have them speak with Mr. Faux.

Following some additional discussion, the commission was in agreement to
28 approve this Site Plan Approval with the conditions as listed in the motion.

Vice Chair Johnson called for any further comments or discussion from the
30 Commission. Hearing none he called for a motion.

34 COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
36 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER
TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2.
38 THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE
LINDON CITY DEVELOPMENT MANUAL; 3. FINAL EXTERIOR MATERIAL
40 DESIGN IS APPROVED AS PROPOSED AND WILL MEET THE COMMERCIAL
DESIGN STANDARDS FOR COMMERCIAL SITES AND BUILDINGS IN ALL
42 OTHER ASPECTS; 4. THE APPLICANT WILL COMPLY WITH ALL BONDING
REQUIREMENTS, IF APPLICABLE; AND 5. ALL ITEMS OF THE STAFF REPORT.
44 COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

46 COMMISSIONER JOHNSON	AYE
48 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
50 COMMISSIONER SCHAUERS	AYE

2 THE MOTION CARRIED UNANIMOUSLY

4 **5. Moderate Income Housing Report - Discussion.** The planning commission will
6 hear information presented on the upcoming Moderate Income Housing Plan,
state requirements, and possible strategies for moderate income housing.

8 Mr. Florence led this discussion item by stating in 2019, the Utah Legislature
10 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
12 affordable housing strategies. He noted the strategies that the City adopted in 2019 were
as follows:

- 14 • Create or allow for, and reduce regulations related to, accessory dwelling units in
- 16 • residential zones
- 18 • Reduce impact fees related to low and moderate-income housing
- 20 • 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

22 Mr. Florence pointed out during the 2022 Utah legislative session the legislature
passed House Bill 462 which added the following requirements:

- 24 • 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
26 the strategies so the city is required to review the strategies and adopt new
strategies if needed.
- 28 • Adopted an implementation and benchmark section for each strategy.
Implementation elements must include a timeline that has specific benchmarks for
30 each chosen strategy, but provides flexibility for the municipality to make
adjustments.
- 32 • 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
34 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
36 program funds

38 Mr. Florence noted 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”
40 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.

42 Mr. Florence stated as a reminder to the commission, when reviewing the
affordable housing policies for the city, the legislature requires that the city keep in mind
44 the following items as adopted in State code (10-9a-403).

- 46 ○ “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
48 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.

Mr. Florence then referenced a break-down of each of the strategies that were adopted by the City in 2019 with comments related to the 2022 strategies.

Mr. Florence also presented the top Moderate Income Housing Strategy Recommendations from the General Plan Committee, Lindon Housing Presentation and the Utah League of Cities and Towns Housing Presentation followed by discussion.

Mr. Florence then presented for discussion the Top Moderate-Income Housing Strategies from the June Committee Meeting as follows:

- 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

Following some additional discussion regarding this item Mr. Florence stated he will bring this back at a future meeting for further discussion.

Vice Chair Johnson called for any further comments or discussion from the Commission. Hearing none he moved on to the next agenda item.

6. New Business: Reports by Commissioners – Vice Chair Johnson called for any new business or reports from the Commissioners. There was no new business at this time.

7. Planning Director Report – General City Updates.

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

4 **ADJOURN** –

6 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
8 MEETING AT 6:55 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION.
10 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 Approved – July 12, 2022

14 _____
Steven Johnson, Vice Chair

16
18 _____
Michael Florence, Planning Director

Item: 4 Minor Subdivision for RAI Plat A

Date: July 12, 2022

Applicant: Joel Kester

Presenting Staff: Mary Barnes

Property Owner: RAI Corporation

Project Address: 700 N 1700 W

Parcel ID: #14:050:0050

Size: 13 acres

General Plan: Commercial

Current Zone: Lindon Village Commercial (LVC)

Type of Decision:

Administrative

Council Action Required: No



Summary of Key Issues

1. The applicant is seeking minor subdivision approval to create three lots out of an existing parcel.

Overview

1. RAI Plat A will be creating three lots out of the northwest side of the 700 N corridor. These lots will be used for the construction of office buildings and possible ground floor retail.
2. Approval for this plat will not constitute approval for the attached site plan. The attached site plan is simply a concept that was provided by the applicant, it has not been formally reviewed by staff and it is not currently in compliance with City Code site plan regulations. The site plan is a reference to show where the buildings will approximately be, and to show what may happen on site. There have been no site plan applications up until this point.
3. This plat is one of the first administrative actions taken on the 700 N corridor, which is the last large undeveloped commercial area in Lindon.

Motion

I move to (*approve, deny, continue*) the applicant's request for Minor Subdivision approval for RAI Plat A with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the plat;
2. Cross access easements will be noted on the plat so that the Lindon Village ordinance requirement that transportation networks should be interconnected within and between districts will be met. Additionally, networks should provide multiple routes to and from destinations, and should consider pedestrian, bicycle, and vehicle users;
3. Complete (or post an adequate improvement completion assurance), warrant and post required assurance for all required public infrastructure improvements;
4. Prior to plat recording, the applicant will update the final plat Mylar to include all public utility easements and notarized signatures of owners' consent to dedication; and obtain signatures of all entities indicated on the subdivision plat attached hereto;
5. The plans and plat will meet and be constructed as per applicable specifications as found in the Lindon City Development Manual;
6. All items of the staff report.

Surrounding Zoning & Land Use (Gillman Farms Plat B)

North: Pleasant Grove Business Manufacturing Park (BMP)

East: Lindon Village Commercial (LVC) – Vacant lot

South: Lindon Village Commercial (LVC) – Vacant Lot

West: Lindon Village Commercial (LVC) – Office buildings

Lot Requirements – Lindon Village Commercial Zone

Required	Lot 1	Lot 2	Lot 3	Compliant
Minimum lot size for RAI plat: 20,000 sq ft	5 acres (217,800 sq ft)	4 acres (174,240 sq ft)	4 acres (174,240 sq ft)	Yes

Subdivision Requirements for the RAI plat

Required	Complaint
No single lot shall be divided by municipal or county boundary lines, roads, alleys, or other lots.	Yes
Side lot lines shall be at right angles or radial to street lines.	Yes
Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public	Yes
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 15 feet apportioned equally in abutting properties.	Yes
Underground utilities and piped sanitary sewerage shall be provided by the subdivider.	Yes
No lot shall be created which is more than three times as long as it is wide.	Yes

Zoning Requirements: LVC zone

- The LVC zone has a development district map with 23 districts. Within each district, there are sales production corners around every full-movement intersection. Sales production corners are described as sales tax producing components of a development, and could be stand-alone pad sites or in conjunction with a larger project.
- The preliminary site plan shows primarily office, although two of the office buildings will have some retail in the ground floor. As of right now, this site plan does not match the retail to the outlined corners (corner a and b) in the attached district plan.
- The code allows the city council, upon recommendation from the planning commission, to allow these corners to move within a district or between districts or grant an exception to this requirement. When site plan application does come through for these three lots, the future applicants may require a recommendation.
- The LVC zone requires transportation networks should be interconnected within and between districts, Networks should provide multiple routes to and from destinations, and should consider pedestrian, bicycle, and vehicle users. Each lot will have access or shared access from 700 N. They also have access between lots in the front setback. According to the master plan, rear accesses should be provided in order to activate the entire site and provide better movement throughout the site. Entry ways should divide the site or lots into blocks. Driveways should be landscaped and designed to appear as streets where feasible.
- The City has an agreement in place with UDOT and the drive approach accessed on 700 N. are set and identified with curb returns.

Other Requirements

- The City Engineer is working through technical issues related to the plat and will ensure all plat related issues are resolved before final approval is granted.
- Staff has determined that the proposed subdivision complies, or will be able to comply before final plat approval, with all remaining land use standards and conditions of approval.

Exhibits

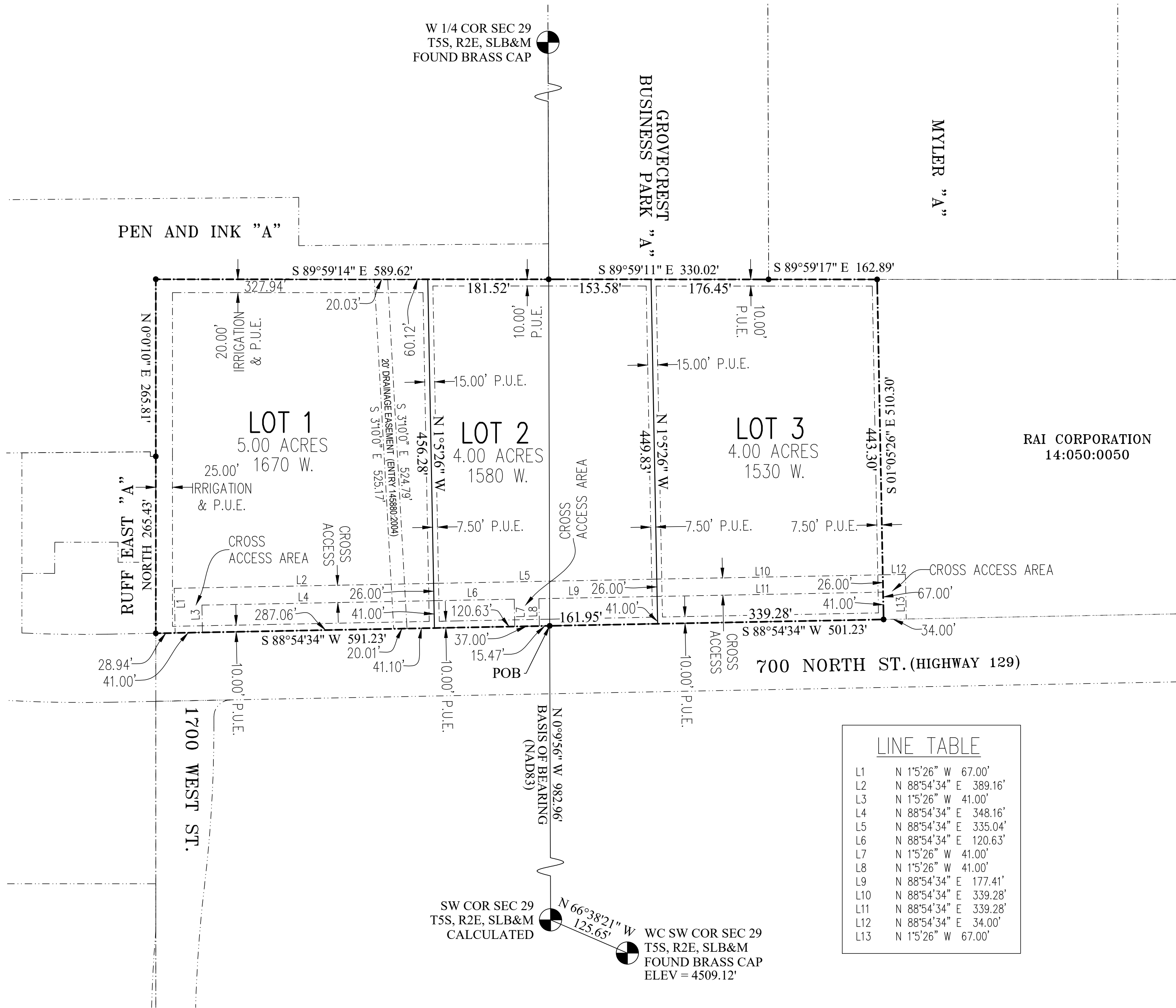
1. Aerial image
2. RAI Plat A
3. Site Plan concept
4. LVC district plan
5. 700 N. Master Plan Potential Circulation Plan

Aerial Image

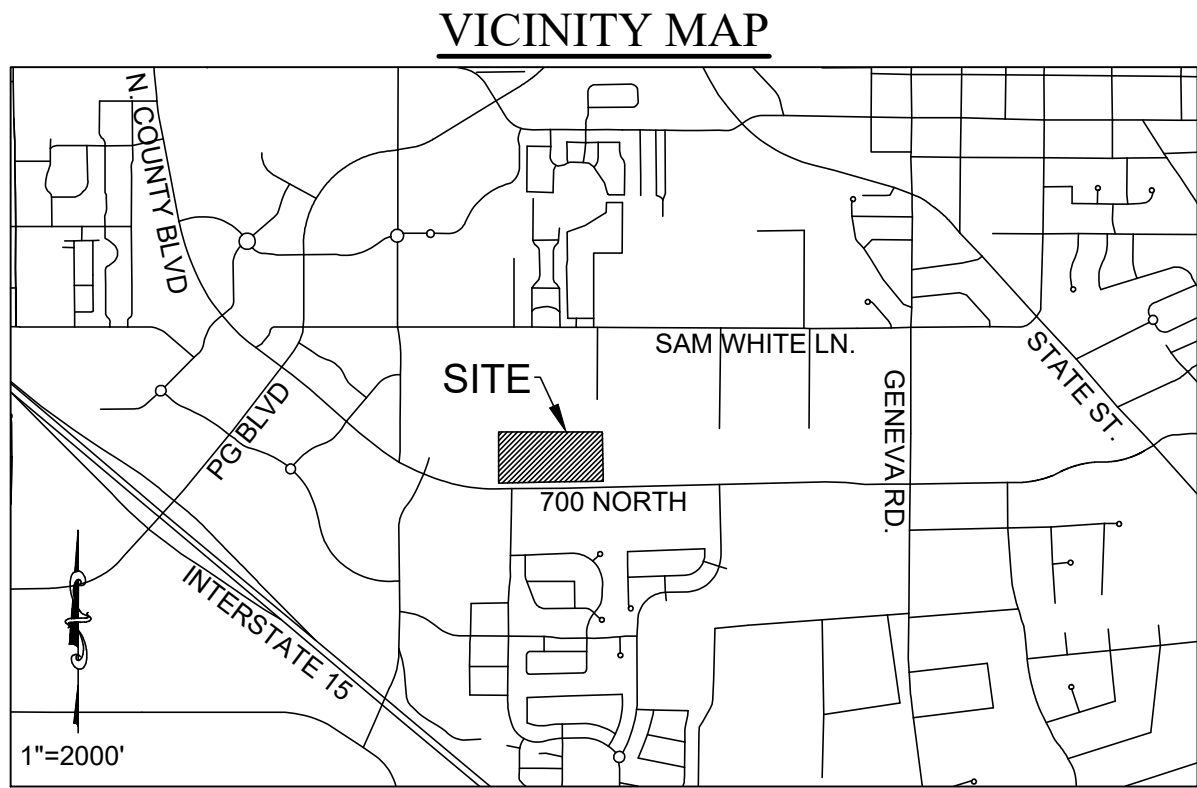
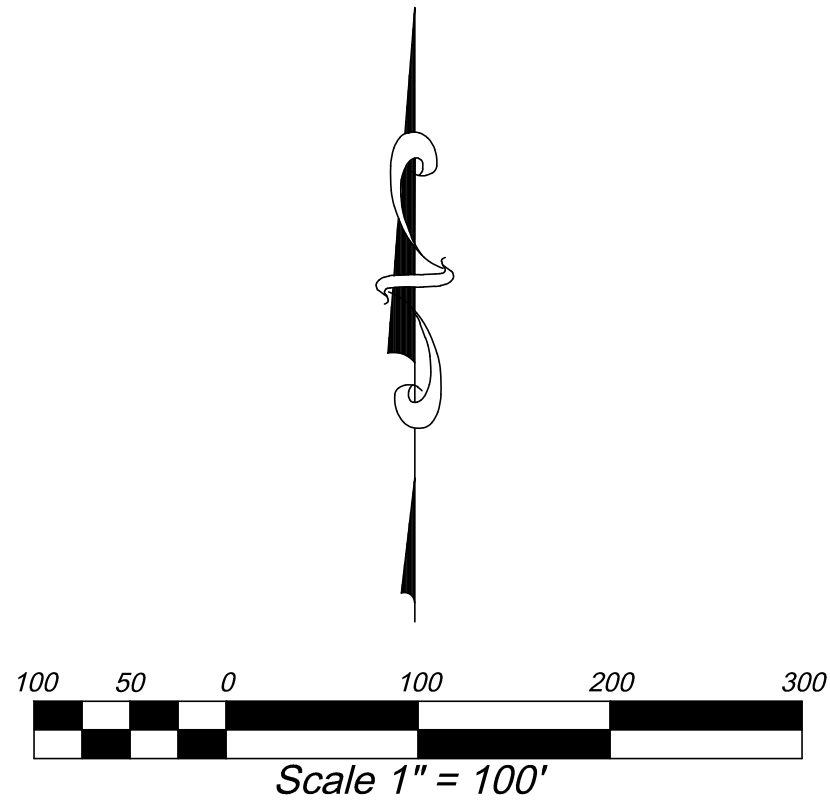


RAI SUBDIVISION PLAT "A"

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 2
EAST, SALT LAKE BASE & MERIDIAN.
CITY OF LINDON, COUNTY OF UTAH,
STATE OF UTAH



LINE TABLE	
L1	N 1°5'26" W 67.00'
L2	N 88°54'34" E 389.16'
L3	N 1°5'26" W 41.00'
L4	N 88°54'34" E 348.16'
L5	N 88°54'34" E 335.04'
L6	N 88°54'34" E 120.63'
L7	N 1°5'26" W 41.00'
L8	N 1°5'26" W 41.00'
L9	N 88°54'34" E 177.41'
L10	N 88°54'34" E 339.28'
L11	N 88°54'34" E 339.28'
L12	N 88°54'34" E 34.00'
L13	N 1°5'26" W 67.00'



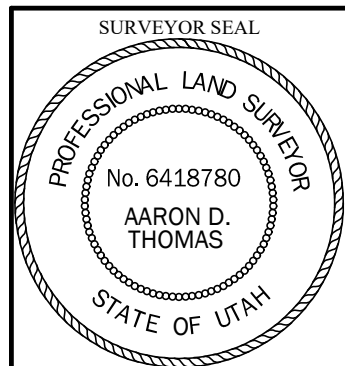
CROSS ACCESS NOTE

1. ALL LOTS IN THIS SUBDIVISION ARE TO PROVIDE CROSS ACCESS TO ALL ADJACENT LOTS AS DEFINED BY THE CROSS ACCESS AREAS SHOWN ON THIS PLAT.

PLAT NOTES:

- ZONE = LVC (LINDON VILLAGE COMMERCIAL)
- THIS SUBDIVISION IS LOCATED IN ZONE X, FEMA FIRM COMMUNITY PANEL NUMBERS 49049C0307F AND 49049C0330F, EFFECTIVE DATE JUNE 19, 2020.

LAND SURVEYOR: **AZTEC ENGINEERING INC.**
732 N. 780 W.
AMERICAN FORK, UT. 84003
AZTECENGINEERING@GMAIL.COM



NOTARY PUBLIC SEAL

CITY ENGINEER SEAL

CITY RECORDER SEAL

COUNTY RECORDER

SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE, CORRECT AND ACCURATE.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT LOCATED NORTH 0°09'56" WEST ALONG SECTION LINE 982.96 FEET FROM THE SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 88°54'34" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 129 A DISTANCE OF 591.23 FEET; THENCE NORTH ALONG THE EASTERLY BOUNDARY OF RUFF EAST SUBDIVISION PLAT "A" A DISTANCE OF 265.43 FEET; THENCE ALONG THE BOUNDARY OF PEN AND INK PLAT "A" THE FOLLOWING TWO COURSES AND DISTANCES: 1) NORTH 0°00'10" EAST 265.81 FEET, AND 2) SOUTH 89°59'14" EAST 589.62 FEET; THENCE SOUTH 89°59'11" EAST ALONG THE SOUTHERLY BOUNDARY OF GROVECREST BUSINESS PARK PLAT "A" A DISTANCE OF 330.02 FEET; THENCE SOUTH 89°59'17" EAST ALONG THE SOUTHERLY BOUNDARY OF MYLER PLAT "A" A DISTANCE OF 162.89 FEET; THENCE SOUTH 01°05'26" EAST 510.30 FEET; THENCE SOUTH 88°54'34" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 129 A DISTANCE OF 501.23 FEET TO THE POINT OF BEGINNING.

AREA = 13.00 ACRES

AARON D. THOMAS
(See Seal Below)

DATE

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS PLAT, HAVE CAUSED A SURVEY AND THIS PLAT TO BE MADE OF THE PROPERTY AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS, AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. THE UNDERSIGNED OWNERS CONSENTS TO RECORDATION OF THIS PLAT.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF ____, A.D. 20__

BY: _____

BY: _____

BY: _____

BY: _____

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

ON THE ____ DAY OF ____, A.D. 20__, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING CERTIFICATE AND DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

Commission Number _____ Signed (A Notary Public Commissioned in Utah)
Commission Expires _____
Print Name of Notary

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 PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF ____, A.D. 20__.

MAYOR _____ CITY ATTORNEY _____
PLANNING COMMISSION CHAIR _____ COMMUNITY DEVELOPMENT DIRECTOR _____

CITY ENGINEER _____ CITY RECORDER _____
(See Seal Below) (See Seal Below)

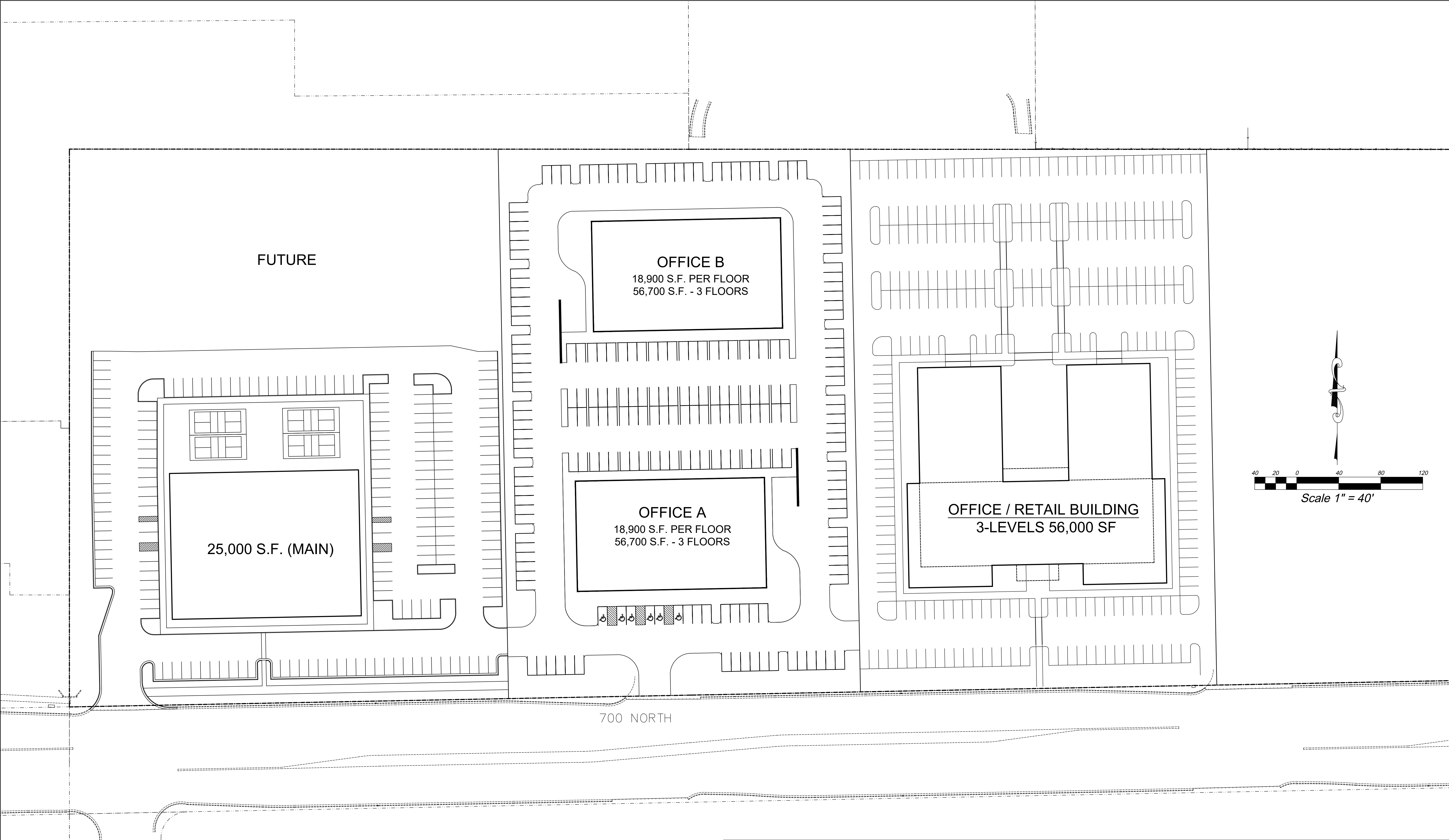
OCCUPANCY RESTRICTION NOTICE

IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE CITY OF LINDON.

CONDITIONS OF APPROVAL

RAI SUBDIVISION PLAT "A"

LINDON CITY _____ UTAH COUNTY, UTAH
SCALE: 1" = 100 FEET



REVISIONS			RAI PLAT - LOTS 1-3		
Rev.	Date	Description	LINDON		UTAH
			Drawn by:	CONCEPT PLAN	
			D.W.P.		
			Designed by:		
			D.W.P.	C1	
			Checked by:		
			D.W.P.		

EXCEL

ENGINEERING

David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201C, American Fork, UT 84003
P: (801) 756-4504; david@excelcivil.com

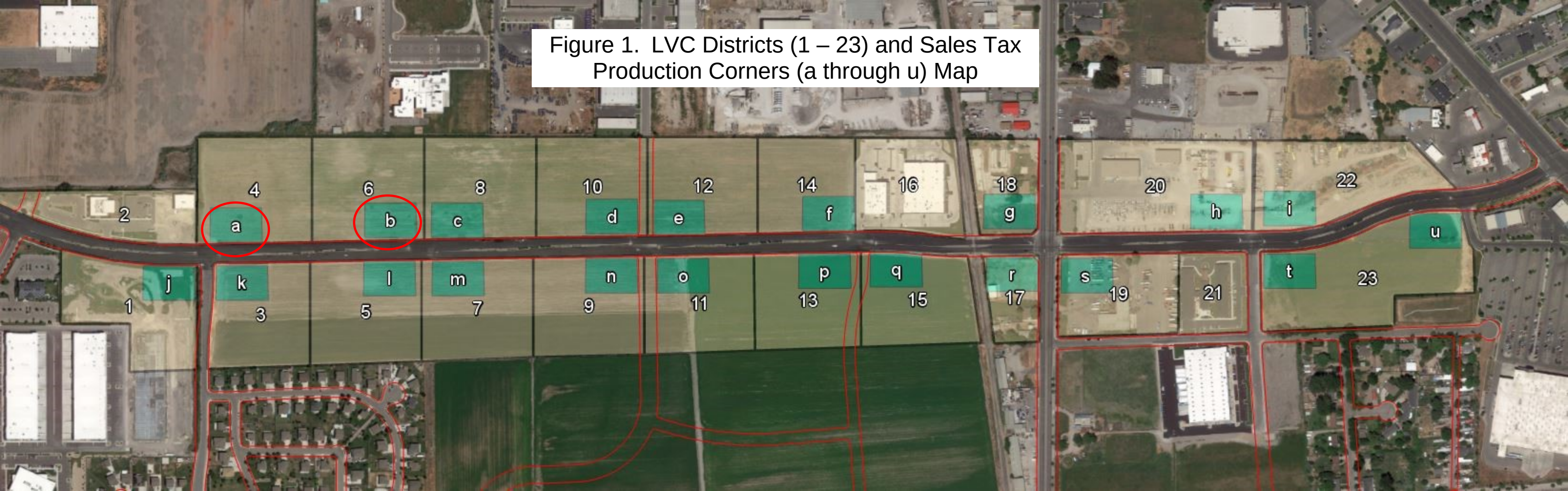
Scale:

1"=40'

Date:

06/10/22

Figure 1. LVC Districts (1 – 23) and Sales Tax Production Corners (a through u) Map



5.2 Potential Circulation Plan

The framework plan shows the development of a block grid that creates a circulation pattern that considers the interaction of the site with 700 North as well as existing residential neighborhoods and potential transit opportunities. This Framework creates a connected network of appropriately sized blocks that opens the opportunity for flexible site development.

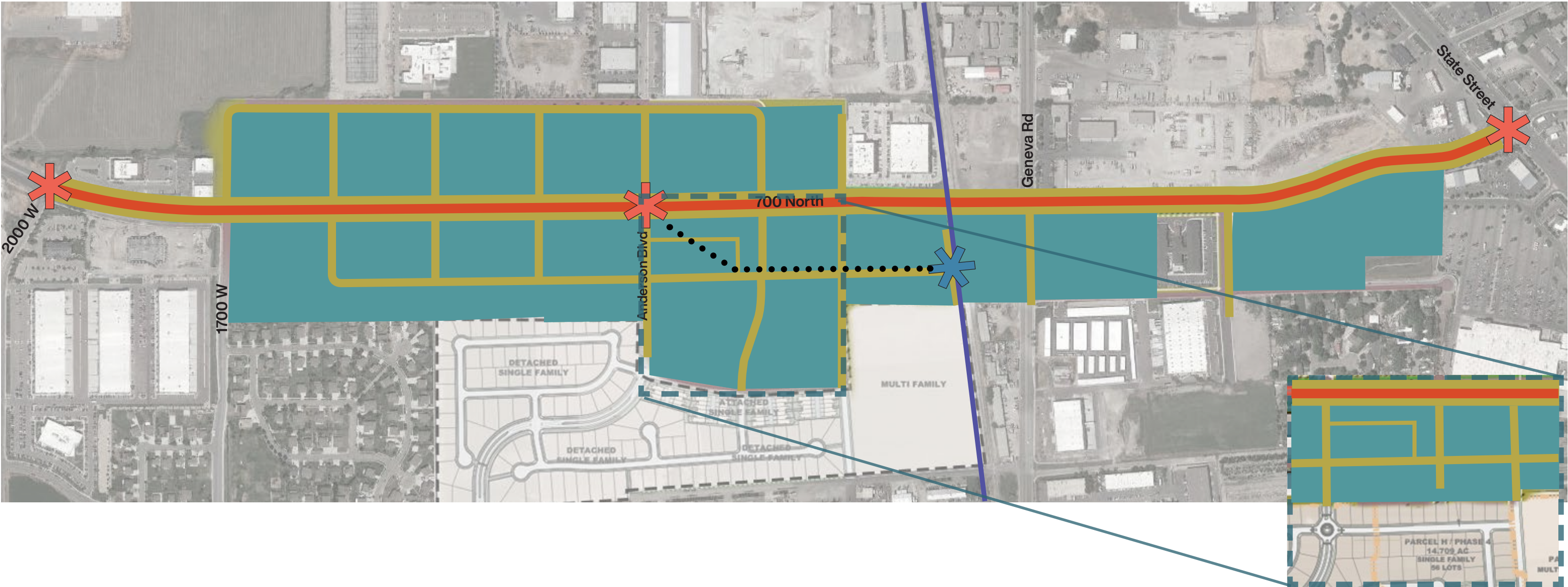
The potential future BRT line and TRAX extension add important elements to the area that guide the Framework Plan. Future BRT and TRAX station locations are identified, which will impact land-use decisions.

- Bus Rapid Transit (BRT)
- *

BRT Station
- TRAX Extension
- *

TRAX Station
- Circulation
- Blocks
-

Transit connection



Optional mainstreet circulation based on alternative Anderson Farm Development

Item 5 – Moderate Income Housing Discussion

Date: July 12, 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.

2019 Adopted Strategies and Discussion

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	

General Plan Committee Recommendations

Below are the top recommendations from the general plan committee. As per state code the city also has to identify implementation strategies and benchmarks. The below strategies and benchmarks are a first draft and not decided upon.

Strategy: Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones	
Implementation options	The State is allowing this strategy to be somewhat retroactive since last legislative year they mandated that cities allow for internal accessory dwelling units (ADU)
Benchmark options	• Establish 2021 as a baseline for permits and number of ADU's to see if reduced regulations are working increase the number of units • In 2023 review regulations for detached ADU's • Perform a yearly review of the number of building permits issued and a yearly review of the ADU ordinance • Work with the attorney's office to see how a hold harmless provision could be implemented in order to help determine how many ADU's are in the city • Promote at least yearly ADU's through the city newsletter and social media accounts

Strategy: Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530	
Implementation options	In 2021 the Utah Legislature removed the ability for cities to charge impact fees for internal ADU's This could be a strategy that the city council could adopt in 2022. This strategy could help increase the number of units. The total amount of impact fee amounts for a detached ADU is: \$1,814 (\$1,500 parks, \$162 police, \$152 fire)
Benchmark options	• Bring a proposal in 2022 to amend the city fee schedule to remove impact fees for detached ADU's • Promote this change to Lindon residents through the newsletter and social media accounts • Benchmark in 2022 and evaluate each year the number of new detached ADU's

Strategy: Reduce, waive, or eliminate impact fees related to moderate income housing	
Implementation options	• The city collects impact fees for parks (\$4,500 single family, \$1500 for multifamily), fire (\$152), police (\$162) storm water (\$799) water (\$1,557 – 1" meter), and sewer (\$1,086). In the Anderson Farms development, they pay an \$I-15 road impact fee of \$309 per unit • The impact fee amounts for detached single family homes is roughly: \$8,256.

	• The impact fees for multifamily is calculated slightly different. The parks impact fee is reduced to \$1,500 per unit. The sewer is based often times on an equivalent residential unit basis which counts fixtures and is determined by the building official. Multifamily development has a larger meter size which cost more • An example of a multifamily developments impact fees would be the Avalon apartments. They paid impact fees in the amount of \$207,988 • Options are that the city could see an entire development with affordable housing or more likely a ratio of units in a development. The impact fee reduction could then be based on a ratio applied to the number of units in the development
Benchmark options	• Review in 2023 which impacts fees may be reduced, waived or eliminated. • Adopted a fee schedule change and any applicable ordinance changes • Review annual the progress and benchmarks for the policy change.

Strategy: 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.

Implementation options	The City would need to identify and proactively rezone for higher density or moderate-income residential development
Benchmark options	• The city could begin in 2023 to evaluate areas of the city to rezone for higher density or moderate-income residential development. Particularly this would probably apply to the Lindon Village zone. The City has recently seen proposals from developers that want to include multifamily housing as part of their developments

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

Implementation options	The city would need to evaluate land and building costs to determine what the appropriate density is to facilitate the production of moderate-income housing. The City is not experts on this so we would probably need to work with a financial firm and developers to determine that correct density
Benchmark options	• The city could begin this process in 2023 with possibly adopting a policy in 2024 • This research would probably need to be funded by the city council

Strategy: 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

Implementation options	• This strategy goes along with the previous two strategies. If the city is going to rezone areas of the city for higher density, then it would also need to amend its land use regulations • The one main issue with this strategy is that the city does not currently have a transit investment corridor. Under state code
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	this is defined as having a frontrunner, BRT or light rail station in your community. There is a catch-all strategy that we could use if the city wanted to implement this strategy
Benchmark options	This process would be looked at in 2023 if the city decides it wants to look at proactively rezoning property for higher density or moderate-income development

Other Strategies the city may want to consider:

- 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;
 - The City has two RDA areas where housing funds are required to be set aside. The City has the 700 N. area and a new area adjacent to Home Depot. The City has to set aside funds from these areas to use towards housing. While the funds are not anticipated to be large there are options on how to use these funds.
 - The city could partner with a developer to use those funds towards affordable housing. The 700 N. housing funds have to stay within that project area.
 - The city could partner with another city or housing authority to combine funds on a project somewhere in Utah County.
- 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;
- 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
 - The city could create a program where we grant additional units in a development if the developer sets aside and deed restricts a specific number of units as affordable.
 - For example, if a particular zone allows a developer to build 50 units, the city could have a program to allow a density bonus of 10% if the developer sets aside 5 units for affordable housing and deed restricts the development so that there are always 5 units for those earning 80% of the area median income, or deed restricts lots or condo units for first time home buyers at 80% are median income.

Exhibits

- Utah Legislature Strategies

Utah Legislature Housing Strategies:

- (b) 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;
 - (ii) for a town, may include, and for a specified municipality as defined in Section 10-9a-408, shall include, an analysis of how the municipality will provide a realistic opportunity for the development of moderate income housing within the next five years;
 - (iii) for a town, may include, and for other municipalities, shall include, a recommendation to implement three or more of the following moderate income housing strategies:
 - (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;