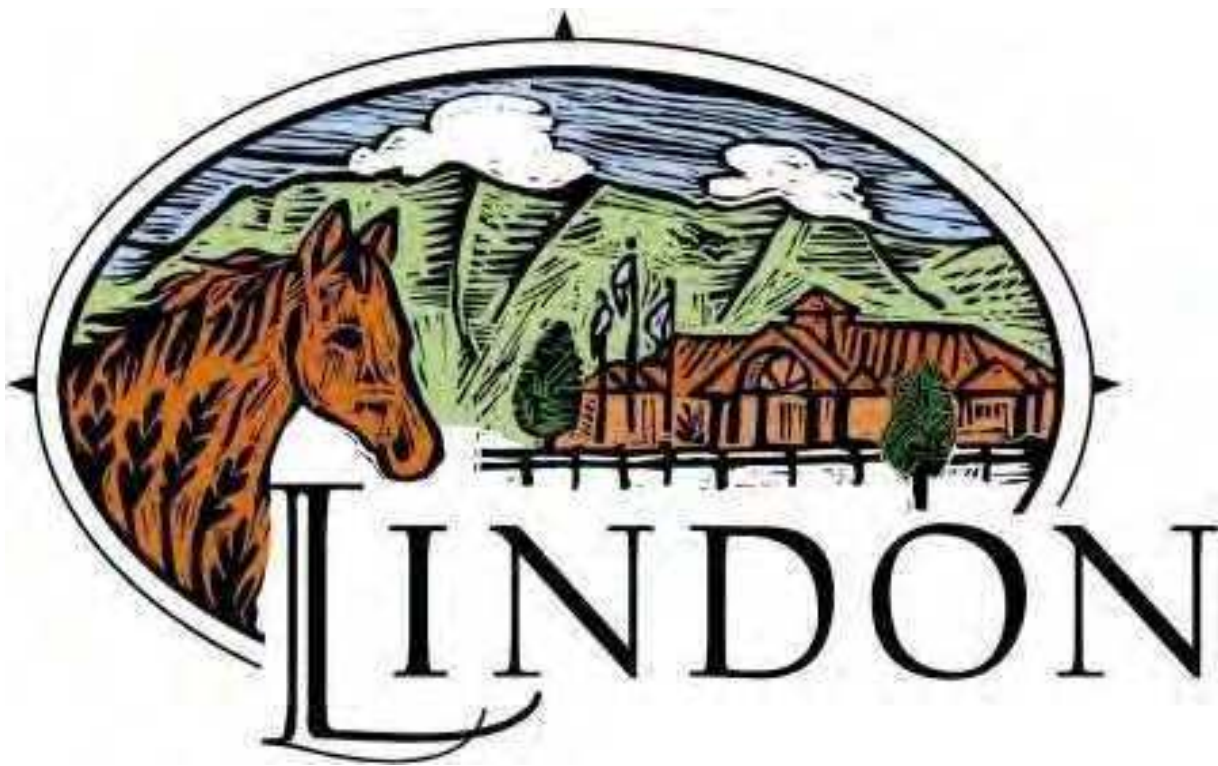


Lindon City Planning Commission Staff Report



September 27, 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, September 27, 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 9/13/2022

3. Public Comment

4. Amended Site Plan Approval – Sego Homes – 550 N. State

The applicant is requesting amended site plan approval to alter the fencing materials in this specific project from a 7' tall masonry wall to a 7' tall Trex fence. (#45:783:0003) (10 minutes)

5. Public Hearing for a recommendation to the Lindon City Council to amend the streetlight requirements as found in the Lindon City Code 17.50 and 17.54.

Lindon City proposes to eliminate the streetlight specifications in LCC 17.50 and 17.54 and adopt language referring all streetlight specifications to the Lindon City Development Manual. (10 minutes)

6. 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: 9/23/2022 **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, September 13, 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: Sharon Call, Chairperson
Invocation: Jared Schauers, Commissioner
Pledge of Allegiance: John Hobati, Student

PRESENT

Sharon Call, Chairperson
Rob Kallas, Commissioner
Steven Johnson, Commissioner
Jared Schauers, Commissioner
Mike Florence, Economic Development Director
Mary Barnes, Associate Planner
Kathryn Moosman, City Recorder

EXCUSED

Renee Tribe, Commissioner
Scott Thompson, Commissioner
Mike Marchbanks, 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 August 9, 2022 were reviewed.

COMMISSIONER JOHNSON MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 9, 2022 AS AMENDED. COMMISSIONER KALLAS 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. Conditional Use Permit Approval – Kimber Academy – 135 S State St, Unit #12

The applicant is requesting conditional use permit approval to operate a private school/education center at 135 S State St, Unit #12. (14:070:0329)

Mary Barnes, Planner II Director let this agenda item stating the applicant, Jessica Bianco who is in attendance, is requesting conditional use permit approval to operate a private primary and secondary school that specifically focuses on providing a K-12 educational environment and curriculum that caters to unique situations, such as homeschooling. The proposed use of the property is most similar to the category “Private Primary and Secondary Schools” in the Lindon City Standard Land Use Table. This use is listed as a Conditional Use in the Commercial General zone. The applicant is required to obtain a Conditional Use Permit from the Planning Commission before they can receive a business license. Kimber Academy has not been in

operation. She stated notices were mailed on September 2, 2022 to adjoining property owners in accordance with Lindon City Code and staff has received no public comments back at this time. The applicant will be using a previously constructed building. The building has three points of access into the parking lot, and access to at least 50 unassigned parking stalls within the common parking area, and 10 unassigned parking stalls behind the building for employee use.

Ms. Bianco stated Kimber Academy requires parents to park and bring their children into the building to drop them off. At the end of the day, the parents must park and then enter the building to get their kids. Because of this policy, Kimber Academy did not need a pick-up/drop-off zone in their previous location. As mentioned, the education model at Kimber Academy is unique, it allows parents and children to choose what classes are needed or attended. Therefore, children will start to arrive at Kimber Academy at 8:15 AM, and will have staggered arrivals after that time. This will add to the low traffic impact in the mornings and classes get out at 1:35 PM. There is a possibility that a class will be added to the curriculum at a future date, which will get out at 3 PM. There are only 35 in-person students at this academy at this time. Unit #12 takes up a significant portion of the South Town Mall building. Because the education model of this academy requires children to attend at most 3 days a week, traffic issues will be significantly reduced.

Ms. Barnes stated this business bases its educational model around the needs of a family, and it will be a great fit in the community. She added because of its unique hours and model, and a lower number of students, it will not have a negative impact on the surrounding businesses. Ms. Barnes then presented an Aerial Image, Business description and floor plan followed by discussion. She then turned the time over to the applicant for comment.

Ms. Bianco explained the business model to the commission followed by discussion.

Following some additional discussion, the Commission was in agreement to approve this request for a conditional use permit with the condition as listed in the motion.

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

COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE PROPERTY LOCATED AT 135 S STATE ST UNIT #12 FOR A PRIVATE PRIMARY AND SECONDARY SCHOOL, WITH THE FOLLOWING CONDITION: 1. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER KALLAS SECONDED THE MOTION.

THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE

THE MOTION CARRIED UNANIMOUSLY

5. Site Plan Approval – OZ Development Office – 195 N State St. The applicant is requesting site plan approval for a two-story office building. (45:567:0002)

Ms. Barnes, Planner II, presented to the commission this agenda item. She noted the applicants Scott Harwood and Nick Gagan are in attendance. The applicants are proposing to construct a two-story office building. OZ Development is moving from their current location at

2 1870 W 700 N, Lindon to this location. The building will front to the west, using a 2016 access
4 easement agreement through the Premier Family Medical parking lot (275 W 200 N). It cannot
6 front onto State St due to some unique geographical conditions, including a grade difference.
8 There will be pedestrian access to the building off of 200 N and the Lindon Heritage Trail, which
fulfills the orientation requirement. Another application for Pur Pickle, an indoor pickleball club,
was approved by the Planning Commission in June 22, 2021. Although all the construction plans
were approved, Pur Pickle was never built.

She noted the parking standards are based on the zone and the different uses in the
building and their respective square footage. She referenced the table explaining the amount of
parking provided for this use noting all requirements are met. She also noted per Lindon City's
Development Manual, 1 ADA parking spot has been provided in this parking lot, satisfying the
ADA requirements.

Ms. Barnes indicated, as mentioned previously, access to the subject property will be
through 200 N, going through the parking lot of 275 W 200 N. This is possibly through the 2016
access easement agreement. The applicant has worked with City Staff to provide adequate space
in their parking lot for backing up out of the parking stalls.

Areas with meandering sidewalks will have the twenty (20') ft measured from back of
curb, but may not count sidewalk width as part of the 20' ft landscaping requirement, unless
otherwise approved in a subdivision cross section. She noted 15 ft of only landscaping is
provided along a portion of the property adjacent to 200 N, without including the meandering
sidewalk. This portion of the property will require Planning Commission approval.

Ms. Barnes stated trees shall be planted at least every 30' along State Street, centered ten
feet (10') from the edges of the strip in all required landscaped and bermed areas. She noted due
to the geographic constraints of the site, the viable area where the trees can be planted has been
reduced. Therefore, the applicant is requesting to plant the trees 6 ft away from the sidewalk,
instead of 10 ft.

Ms. Barnes then referenced the Planning Commission approval needed as follows:
Title 17.48.030 (4d):

Landscaping requirements concerning berming, trees, and landscape materials can be changed
and/or altered (with regard to location and design) upon approval of the planning commission at
the site plan review stage of an application. No net loss of landscaping should occur with any
approved alterations. Other landscaping layouts consistent with the Lindon Commercial Design
Standards may also be considered by the planning commission."

Ms. Barnes noted the landscaping plan does not provide a sufficient landscaping strip
along 200 N in the area shown below. The meandering sidewalk was already installed along 200
N from previous development, and the proposed landscaping plan already shows double the
requirement of landscaped open space. The increased amount of landscaped open space does
offset the loss of landscaping in this area. City staff support the applicant's proposal and feel that
the applicant is making the most out of the site constraints and existing conditions. According to
the above code section, the planning commission is able to alter the landscape requirements if no
net loss of landscaping occurs.

Ms. Barnes stated Lindon City Code requires trees to be planted in the landscaping strip
every 30 ft, and centered 10 ft from the edges of the landscaping strip. This site has unique
geographical conditions, some of the landscaping strip is on a grade decline. Therefore, the trees
along State St cannot be planted on center of the landscaping strip, because of the difference in

2 grade. The applicant is requesting a modification of the requirements, to allow the trees to be
4 planted 6 ft from the sidewalk, instead of the customary 10 ft. Trees require around 8 ft of
growing area to survive, and ample space has been provided. As mentioned, before, the planning
commission is able to alter the landscape requirements if no net loss of landscaping occurs.

6 Ms. Barnes indicated the proposed plan meets the minimum lot size requirement of
20,000 sq ft, this lot is 22,435 sq ft. The streetlights will be spaced 100' apart, as required by the
8 commercial design standards. Additionally, street lights will be put on 200 N. Building setback
requirements are met.

10 Ms. Barnes explained buildings in the Commercial General zone are required to meet the
Lindon Commercial Design Standards. Under the commercial design standards, commercial
12 development should pick one of three building forms: one-part commercial block, two-part
commercial block, and central block buildings. The Oz Development office building aligns with
14 the one-part commercial block building, with some key differences. Before explaining the
standards, the orientation of the building must be explained- This building's primary entrance is
16 oriented to the parking lot, instead of towards State St. This is because of the geographic
limitations of the lot; State St sits much higher than the ground floor of the office building,
18 therefore, the main entrance of the building is within the parking lot. The Lindon City
Commercial Design Standards state the following:

- 20 • (Section 2.2) Orient primary entrances to street and other public spaces, such as plazas,
courtyards, and pathways, that have higher levels of pedestrian activity.

22 Ms. Barnes further explained the applicant has chosen to focus on orienting the office
24 building towards the Lindon Heritage Trail, and highlighting a pedestrian connection from 200 N
to the primary entrance of the office and the Trail. This fulfills the requirement to orient towards
26 areas that have higher levels of pedestrian activity. The Trail does have more pedestrian activity
than State St

28 She then referenced the table showing the other design standards that this building must
follow. The City Engineer is working through technical issues related to the site plan and will
30 conduct a final review if the planning commission grants final site plan approval.

32 Ms. Barnes noted City staff believes that this development will be an amenity to Lindon
City. This will be an attractive office building, which will add to the State St corridor and ensure
high-quality tenants. The highlighted pedestrian connections will ensure that this office is a
34 friendly place for customers, and that it is accessible to the community.

36 Ms. Barnes then presented an Aerial photo, Site plan, Parking and Pedestrian Pathway
Exhibit, Landscaping Plan, building elevations and Easement Agreement followed by discussion.

38 Following some additional discussion, the Commission was in agreement to approve this
site plan request with the conditions as listed in the motion.

40 Chairperson Call called for any further comments or discussion from the commission,
hearing none, there was a call for a motion.

42 COMMISSIONER JOHNSON MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE
44 APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL
FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL
46 MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY
DEVELOPMENT MANUAL; 3. FINAL DESIGN WILL MEET THE COMMERCIAL

DESIGN STANDARDS FOR COMMERCIAL SITES AND BUILDINGS; 4. THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS, IF APPLICABLE; AND 5. THE APPLICANT WILL WORK WITH CITY STAFF TO DETERMINE BEST LOCATION FOR TREE PLACEMENT ON STATE STREET 5. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE
THE MOTION CARRIED UNANIMOUSLY	

6. Public Hearing for a Recommendation to the Lindon City Council to amend the Lindon City zoning map from R1-20 to CF – 105 E 400 N. The applicant is seeking a recommendation to the City Council for this rezone to ensure his property stays in compliance with the Commercial Farm (CF) zone.

COMMISSIONER SCHAUERS MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mike Florence, Community Development Director led this agenda item by explaining the applicants, Alan and Kristine Colledge are in attendance for this item. He explained that Commercial Farm zone requires that there be an on-site residence that is owner occupied a. 17.51.014 – *Each commercial farm project shall have a legal on-site residence that is owner occupied*

Mr. Florence indicated the owner of Wadley Farms currently lives on-site but is in the process of constructing a new residence bordering the Wadley Farm property at 105 E. 400 N. The owner is requesting that the zoning of the new home be amended from R1-20 to Commercial Farm in order to be compliant with owner occupancy requirements of the Commercial Farm zone.

Mr. Florence commented that City staff believes that the zone change is appropriate because the property is remaining as a single-family home. There was a previous home on the property that has been demolished and replaced with a new single-family home.

Mr. Florence stated Public Hearing Notices, required per Lindon City Code, were mailed to properties within 800 feet and to each affected entity. The notice was also published on the State Public Notice and city websites, also posted at Lindon City Hall, Public Safety, and Community Center buildings.

Mr. Florence then presented the surrounding area Zoning Map, surrounding area General Plan Land Use Map and New residential home under construction followed by discussion.

Mr. Florence explained the applicant is just expanding to include the new home under construction. He then invited Mr. Colledge to speak on his commercial farm.

Following some additional discussion, the commission was in agreement to approve Ordinance #2022-12-O to amend the Lindon city zoning map from residential R1-20 to Commercial Farm for the property located at 105 East 400 North.

2 Chairperson Call called for any public comments. Hearing none she called for a motion
to close the public hearing.

4 COMMISSIONER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING.
6 COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

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

10
12 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF
ORDINANCE 2022-12-O TO AMEND THE LINDON CITY ZONING MAP FROM
14 RESIDENTIAL R1-20 TO COMMERCIAL FARM FOR THE PROPERTY LOCATED AT 105
E. 400 N (PARCEL #14:071:0358). COMMISSIONER SCHAUERS SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

16 THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE

THE MOTION CARRIED UNANIMOUSLY

22
24 **7. New Business: Reports by Commissioners** – Chairperson Call called for any new
business or reports from the Commissioners. Chairperson Call asked Mr. Florence for a
review/update on the Concept Review on the Thornton Property.

26
28 **8. Planning Director Report** - General City updates. Mr. Florence presented a video
called Drone Up & Walmart about Walmart possibly using drones for delivery service.

30 Chairperson Call called for any further comments or discussion from the commission.
Hearing none she called for a motion to adjourn.

32 **ADJOURN** –

34
36 COMMISSIONER JOHNSON MADE A MOTION TO ADJOURN THE MEETING AT
7:20 PM. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

38
40
42 Approved – September 27, 2022

42
44 _____
Sharon Call, Chairperson

44

Michael Florence, Planning Director

Planning Commission Meeting
September 13, 2022

Item 4: Amended Site Plan, Song Bird Cove 550 N. State

Date: September 27, 2022
Applicant: Sego Homes
Presenting Staff: Michael Florence

General Plan: Commercial
Current Zone: Planned Residential Development Overlay

Property Owner: Sego Ventures #6, LLC
Parcel ID: #45:783:0003
Type of Decision: Administrative
Council Action Required: No



SUMMARY OF KEY ISSUES

1. The applicant is requesting an amendment to the type of fencing that was approved by the planning commission that separates the new residential development from the existing residential development.

OVERVIEW

- The Planned Residential Development Overlay, ordinance 17.76.080(9a), requires the following:
 - Perimeter Fences. A minimum seven-foot (7') masonry or concrete perimeter fence shall be required as a buffer when abutting single family residential or commercial uses. The planning commission may allow alternative materials and location and placement of perimeter fencing. Any fence erected around or within the development shall comply with Section 17.04.310, involving fencing standards. Any perimeter fencing shall have a consistent design throughout the project and shall consist of the same construction materials.
- Sego Homes is requesting a material change from masonry or concrete to Trex fencing. Sego Homes has provided a presentation on their proposal. See exhibit 2

MOTION

I move to (*approve, deny, continue*) the applicant's request for amended site plan approval to install Trex fencing as an alternative material with the following conditions:

1. All items of the staff report.

Surrounding Zoning and Land Use

North: Residential (R1-20) – Existing single family homes

East: Residential (R1-20) – Existing single family homes

South: Commercial General (CG) and Residential (R1-20) – Commercial businesses and Church building

West: Commercial General (CG) – Future commercial

Development Standards

The Planned Residential Overlay zone requires a perimeter 7' tall masonry or concrete fence. The ordinance does allow for alternative materials to be considered by the planning commission

Staff Analysis

The developer has met with the residents whose homes abut the new residential development and requested that they send the community development department a response as to whether they would like the proposed change in fencing materials. The city did not request this action but we have provided the emails as exhibits that were sent to the city.

The Trex fencing is very attractive option and from the research that the city has done it has a 25-year limited warranty for residential applications and 10 years for commercial. However, a few items that the planning commission should consider:

1. The overall lifespan of masonry or concrete vs. Trex
2. The residents were told during the entitlement process that they would have a masonry or concrete fence to separate the new development. The city did send out public notices so property owners should be aware of the proposed change. In addition, the developer said that he contacted each property owner whose property abuts the new development.
3. The PRD Overlay ordinance requires that the perimeter fencing have a consistent design throughout the project and shall consist of the same construction materials. There will be a perimeter fence between the back of the future commercial development and the front of the new residential. The commission should consider if the Trex fencing will be of sufficient materials as the buffer between the residential and commercial.
4. One item of feedback that the city often receives from developers is the difficulty in finding pre-cast concrete panels at a height of 7'. As far as the city is aware, there is only one manufacturer that constructs a 7' pre-cast panel. Most developers have just elected to go with an 8' fence. While not part of this application, this is an item that the commission may want to consider and make a recommendation to the city council to amend the ordinance to either require a 6' or 8' screening fence.

EXHIBITS

1. Site plan and locations of the perimeter fence
2. Applicant presentation
3. Resident emails

Exhibit 1

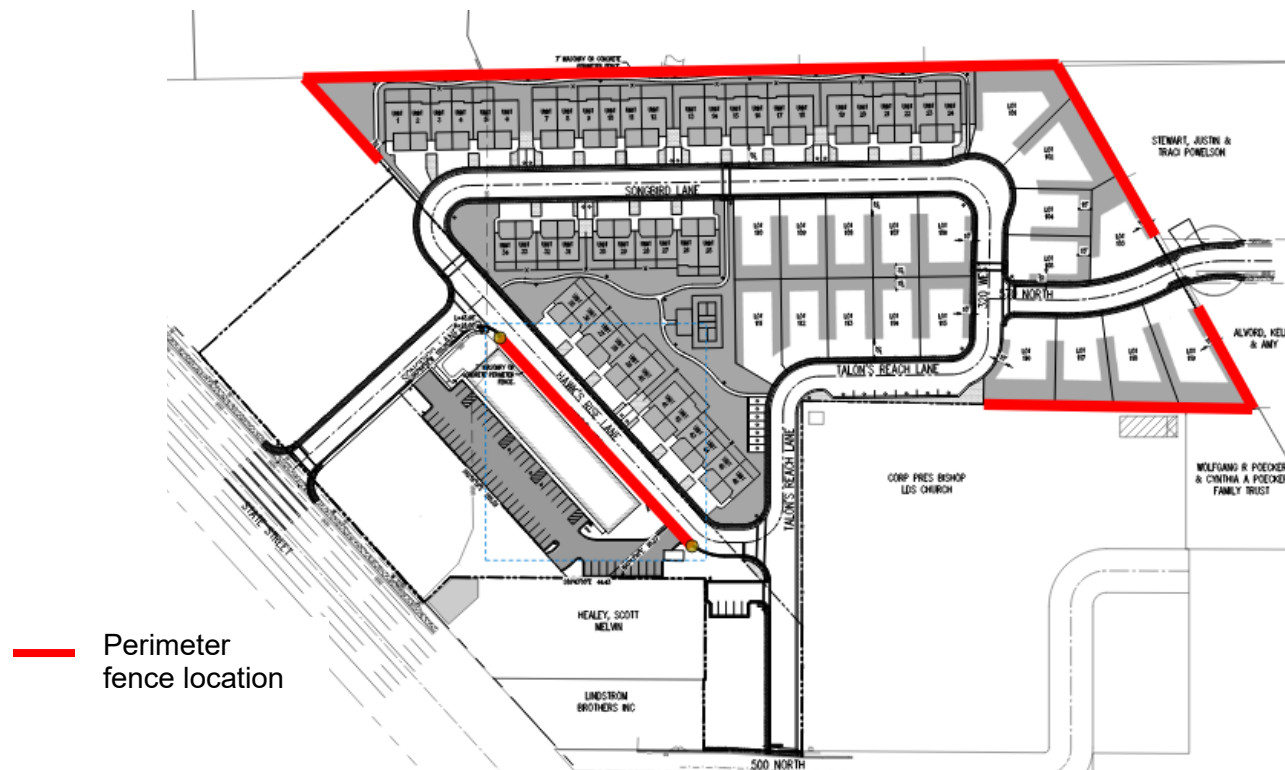


Exhibit 2



Sego Homes Songbird Cove

Fencing Alternative
Materials Proposal

Fence Layout:



- City Code Requires: “Perimeter Fences. A minimum seven-foot (7’) masonry or concrete perimeter fence shall be required as a buffer when abutting single family residential or commercial uses. The planning commission may allow **alternative materials**”.

The photos to the right are examples of concrete perimeter fences taken from the South Haven townhome development behind the Lindon Nursery.



Alternative Material Proposed:

7' Tall Trex premium composite
fencing

- Trex has a 25 year warranty
- Trex is a green product using eco friendly processes combining sawdust and recycled plastics.
- 100% maintenance free. Does not require stain or sealant.



Installation

- Precast fence requires installation with a crane and requires thick footings. To install this style of fence Sego Homes would install the concrete fence 1 foot into our property and would not remove the existing fence.
- Trex fencing is installed by hand only using light machinery. This allows Sego Homes to install the fencing on the existing fence line in place of the existing fence.

Thank You



segohomes.com

This is only a conceptual, artistic rendering of the site plan. Actual dimensions and locations of the final landscape and landscape other site features may vary from this rendering. Refer to the actual construction plans for the landscape and landscape installation for more detail.

Exhibit 3

Michael Florence

From: Cheryl Gurney
Sent: Tuesday, September 6, 2022 3:32 PM
To: Michael Florence
Subject: Planning Commission meeting regarding fence

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hi Mike,

Hope you are doing well!

Just a quick question, we all received the email below and from those I've talked to (I haven't talked to everyone yet) but those I have are definitely against the trex fence. One of the biggest selling features to us as well as the planning commission and city council was that there would be a 7' concrete fence. Our concern is that this will be presented at the planning commission meeting and none of us will be there to express our concerns. Do you know if we will be sent any notification of when this meeting will take place?

Also, this is probably for an attorney, but do you know if they have the legal responsibility to take down the existing fence where they purchased the land, and the previous owner installed it? We have never considered the fence ours as we didn't pay for it.

Thanks for your help!

Cheryl Gurney

----- Forwarded message -----

From: **Spencer Corbridge**
Date: Fri, Sep 2, 2022 at 2:46 PM
Subject: Sego Homes Fencing

Dear Neighbor

As you know, Sego Homes is building the homes on the Norton property adjacent to your backyard. It is our desire to be good neighbors and to make this process as positive and as agreeable as possible for you, our neighbors. An example of this is that we voluntarily paid \$70,000 to have all the cottonwood trees removed that were on our property. Many of you have expressed appreciation for that and have said that you are happy to not have the cotton-like seed pods and debris blowing around anymore. We thank you for your expressions of appreciation.

One of our next steps is to install a boundary fence around most of our property. Here is what the City Code says:

“Perimeter Fences. A minimum seven-foot (7’) masonry or concrete perimeter fence shall be required as a buffer when abutting single family residential or commercial uses. The planning commission may allow **alternative materials”.**

Below are two photos of what the concrete fence would likely look like. These are two photos of the concrete fences at the SouthHaven Homes townhome development behind Linden Nursery that were recently installed. These fences are constructed using 7’ precast concrete wall panels that are installed using a crane to lift and place them.



As stated previously, the ordinance allows the planning commission to allow "alternative materials". We plan to submit a formal request to the planning commission to request permission to build our 7’ tall fence using TREX premium composite fencing system instead of the precast concrete. Here are two photos of what the TREX fence would look like.





The TREX fence has a 25 year warranty on residential applications. It is a “green product” that is made using eco-friendly processes to make a wood composite using sawdust and recycled plastics. The result is a beautiful fence that is 100% maintenance free. The color is integral to the materials and it never needs to be painted, stained or sealed. It is "maintenance free" and guaranteed for 25 years. Here is a link where you can learn more about TREX:

<https://www.trexfencingsrf.com/fencing/?gclid=CjwKCAjwmJeYBhAwEiwAXlg0AXpEstwhQaxC5oYPOQ7CN0I44jSaN6zfdFlrDail19Qi2j9I3Sf LR0CvqYQAvD BwE>

If we are required to install the precast concrete fence, this installation requires large equipment and cranes and large footings. For liability reasons, we would have to install this fence 12” inside our property line. In this case, we would leave the existing wire fence in place. So when we would be done, you would still have the existing wire fence along your rear property line in front of the precast fence.

If we are allowed, by the planning commission to use the TREX materials for our fence, this fence is installed mostly by hand using smaller augurs and equipment. We could install this fence 3" - 6" from the property line. If allowed to use this material, and if you are willing to support us in this request, we will agree to remove the existing wire fence and posts as we install the new TREX fence on your yard. Thus, you would not need to remove the wire fence yourself.

Here is a list of the advantages of using TREX as we see it:

1. Appearance - TREX has a wood-like appearance that blends in better with existing rear yard landscape than large, commercial-style precast fence panels
2. Warranty - TREX has a 25-year warranty where as the concrete walls have a 1-year warranty
3. Eco Friendly - TREX is a green, eco-friendly fencing made from a blend of 96% recycled wood and plastic

4. Removal of old fence - If allowed to install TREX fencing, Sego will remove the existing wire fence and posts from your yard if you so desire.

In order to obtain approval from planning commission we need your support to use TREX fencing instead of the precast concrete fence. If you can support our request, please send me an email expressing your support and send it also to the city Planner, Michael Florence at mflorence@lindoncity.org.

Thank you for your consideration.

Spencer Corbridge
VP Of Operations



Item 5 - Ordinance Amendment – 17.50 Mixed Commercial and 17.54 Regional Commercial Street Lights

Date: September 27, 2022

Applicant: Lindon City

Presenting Staff: Mary Barnes

Type of Decision: Legislative

Council Action Required: Yes, the planning commission is the recommending body on this application.

MOTION

I move to recommend to (*approve, deny, continue*) ordinance amendment 2022-14-O (*as presented, or with changes*).

Overview:

- Lindon City is updating the streetlight specifications in the Development Manual.
- Amendments to the Development Manual require a 30-day notice, which was posted ten days ago. While we are waiting for the notice period to expire, changes must be made to the Lindon City Code to facilitate the updated streetlight specifications.
- The proposed changes are to “clean-up” the zoning code so lighting specifications are only found in the Lindon City Development Manual. Currently, 17.50 and 17.54 have specific references to types of streetlights, or to streetlight specifications.

Staff Analysis:

The streetlight standards within the Development Manual currently calls out three types of streetlight styles; the Washington Postlite, the Taft, and the Esplanade. The proposed change to the Development Manual will replace these three streetlight styles with a single street light style City-wide. The ordinance amendment today will change two sections of the Lindon City Code to refer back to the Development Manual. These changes are shown below in red:

17.50.120 Mixed Use Ordinance

1. Lighting. ~~Freestanding lighting fixtures of at least eight (8) feet in height and not to exceed twenty (20) feet in height and producing at least one (1) candle foot of illumination shall be installed and maintained along the street right-of-way lines and designed to shine away from residential developments. The lighting shall be designed to discourage the occurrence of graffiti and enhance a crime prevention environment and shall not glare into adjacent residential areas.~~ Street lights shall be installed on all public roads according to standards established in the land development policies, standard specification and drawings manual (same language as found in the Commercial General zone). **Development lighting in parking areas shall not glare into adjacent residential areas.**

- Currently, this section of code has very specific standards on lighting within the street right-of-way (streetlights). However, as these standards are modified, change, and evolve over time, the specifications should only have a place in the Lindon City Land Development Policies, Standard Specifications and Drawings Manual. Completely eliminating the specifications and including language referring to the Development Manual will ensure that any change in the lighting standards will only have to be made in the Development Manual, instead of the Development Manual and zoning ordinance.

17.54.040 Regional Commercial Ordinance

7. Street Lights.

~~a. City street lights shall be placed at one hundred foot (100') intervals two feet (2') in front of sidewalk along public roads; and~~

~~b. Shall be Washington Postlite LED street lights along street frontage and esplanade LED street lights at intersections per the specifications in the Lindon City "Land Development, Policies, Standard Specifications and Drawings" manual.~~

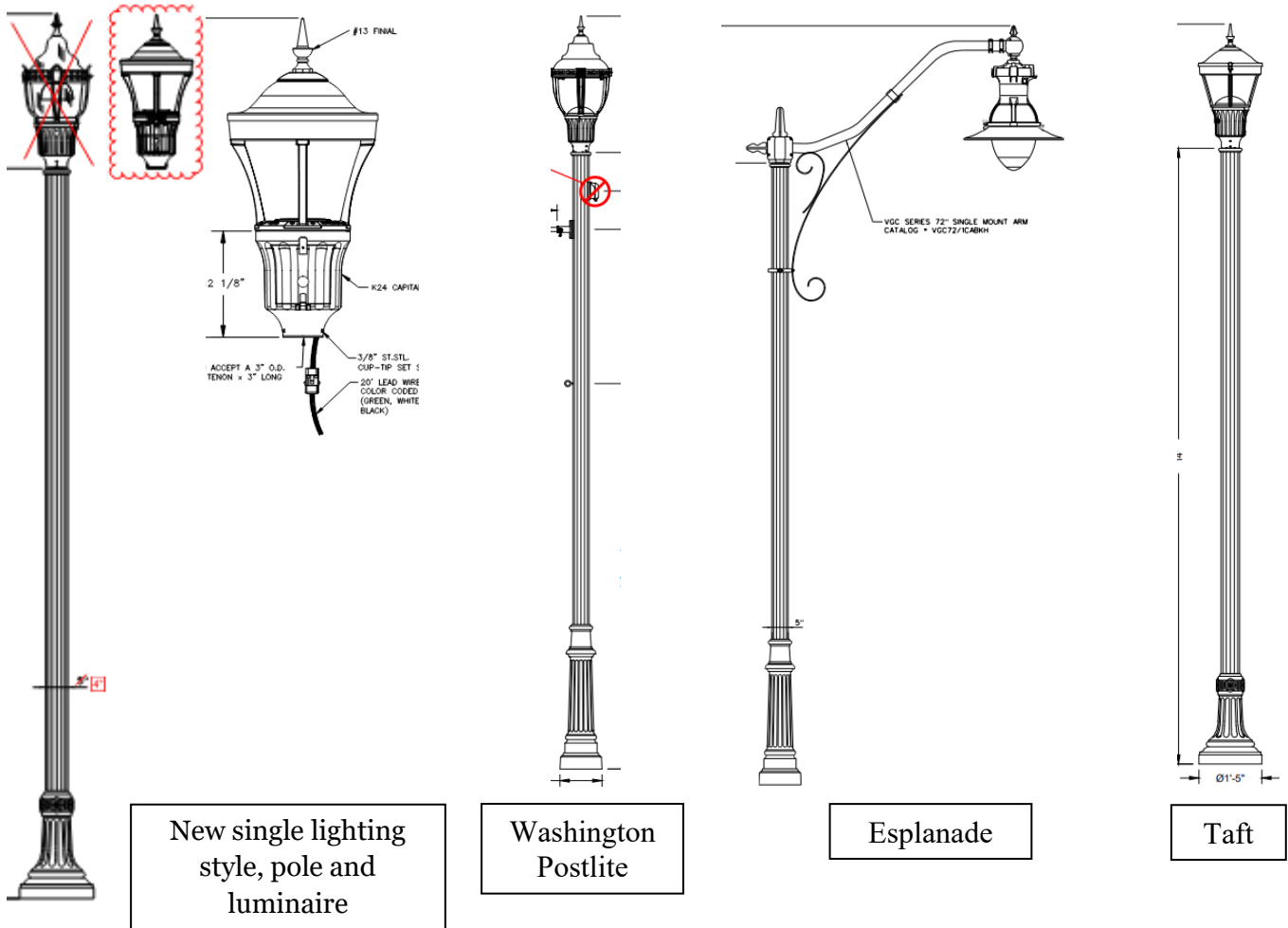
a. Street light installation occurs when land is subdivided or when sites are improved (in the absence of a subdivision) which contain frontage where lights would be placed if the land were being subdivided.

b. Street lights shall be installed on all public roads according to standards established in the land development policies, standard specification and drawings manual

- Reasoning: Similar to the 17.50 ordinance amendment, taking out the specific language with the streetlight styles and placement and referring to the requirements in the Development Manual will only simplify the ordinance and the development process. This way, the Development Manual will be the only document that needs to be amended when street light specifications change.

Exhibits

1. Pictures of street light styles
2. Draft ordinance



ORDINANCE NO. 2022-14-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.50.120 AND 17.54.040 TO REMOVE STREET LIGHT SPECIFICATIONS AND REFER TO THE LINDON CITY DEVELOPMENT POLICIES, STANDARD SPECIFICATIONS AND DRAWINGS MANUAL AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the proposed amendment will allow the Lindon City Code to be consistent with the Lindon City Land Development Policies, Standard Specifications and Drawings Manual; and

WHEREAS, the Lindon City Council finds that removing the street light specifications from the Lindon City Zoning Code will simplify the Lindon City Code and the development process; and

WHEREAS, on September 27, 2022, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

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

WHEREAS, the Council held a public hearing on _____, 2022, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

SECTION ONE: AMENDMENT OF TITLE 17.50.120

17.50.120 Special Provisions

1. ~~Lighting. Freestanding lighting fixtures of at least eight (8) feet in height and not to exceed twenty (20) feet in height and producing at least one (1) candle foot of illumination shall be installed and maintained along the street right of way lines and designed to shine away from residential developments. The lighting shall be designed to discourage the occurrence of graffiti and enhance a crime prevention environment and shall not glare into adjacent residential areas.~~ Street lights shall be installed on all public roads according to standards established in the Land Development Policies, Standard Specifications and Drawings manual. Development lighting in parking areas shall not glare into adjacent residential areas.

SECTION TWO: AMENDMENT OF TITLE 17.54.040

7. Street Lights.

- ~~a. City street lights shall be placed at one hundred foot (100') intervals two feet (2') in front of sidewalk along public roads; and~~
- ~~b. Shall be Washington Postlite LED street lights along street frontage and esplanade LED street lights at intersections per the specifications in the Lindon City "Land Development, Policies, Standard Specifications and Drawings" manual.~~
- a. Street light installation occurs when land is subdivided or when sites are improved (in the absence of a subdivision) which contain frontage where lights would be placed if the land were being subdivided.

b. Street lights shall be installed on all public roads according to standards established in the Land Development Policies, Standard Specifications and Drawings manual.

SECTION THREE: Severability.

Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION FOUR: AMENDMENT OF CORRESPONDING ORDINANCES AND PROVISIONS.

Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION FIVE: Effective Date.

This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City,

Utah, this ____ day of _____ 2022.

_____,
CAROLYN LUNDBERG
Lindon City Mayor

ATTEST:

_____,
Kathryn Moosman
City Recorder