

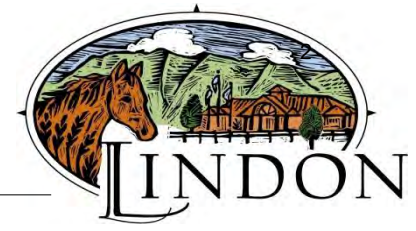
Lindon City Council Staff Report



Prepared by Lindon City
Administration

November 7, 2022

Notice of Meeting of the **Lindon City Council**



The Lindon City Council will hold a meeting at **6:30 pm on Monday, November 7, 2022** in the Lindon City Center Council Chambers, 100 North State Street, Lindon, Utah. Meetings are typically broadcast live at www.youtube.com/user/LindonCity. The agenda will consist of the following:

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



REGULAR SESSION – 6:30 P.M. - Conducting: Carolyn Lundberg, Mayor
Invocation: Randi Powell
Pledge of Allegiance: By invitation

(Review times are estimates only)

- 1. Call to Order / Roll Call** *(2 minutes)*
- 2. Presentations and Announcements** *(20 minutes)*
 - a) Comments / Announcements from Mayor and Council members.
 - b) Presentation: Neil Schwendiman, District Manager, North Pointe Solid Waste Special Service District
 - c) Presentation: The UDOT project team will provide an update on the 1600 North Environmental Study (200 South, Lindon).
- 3. Open Session for Public Comment** *(For items not listed on the agenda)* *(10 minutes)*
- 4. Council Reports** *(10 minutes)*
- 5. Administrator's Report** *(5 minutes)*
- 6. Approval of Minutes:** The minutes of the regular City Council meeting of October 17, 2022 will be reviewed. *(5 minutes)*
- 7. Consent Agenda** — *(Items do not require public comment or discussion and can all be approved by a single motion. The following consent agenda items were presented for approval.* *(5 minutes)*
 - a) Resolution #2022-23-R, 2023 public meeting schedule
- 8. Review & Action — Interlocal Agreement with Utah County for Community that Cares (CTC) Program; Resolution #2022-21-R.** The Council will review and consider an interlocal agreement with Utah County to receive grant funding and participate in the CTC program which will be administered by and through the Lindon Community Center staff. *(15 minutes)*
- 9. Review & Action — Interlocal Agreement with Utah County for Benches on the Murdock Canal Trail. Resolution #2022-22-R.** The Council will review and consider an interlocal agreement with Utah County to receive partial funding for benches to be installed along the Murdock Canal Trail adjacent to the Lindon Temple site. *(10 minutes)*
- 10. Public Hearing — Ordinance #2022-16-O.** Jared Colledge has made an application with Lindon City to amend the Accessory Apartment ordinance (LCC 17.46) to allow detached accessory apartments in the front setback on deeper residential lots in Lindon City. *(20 minutes)*

11. Public Hearing — Sign Code Amendment; Ordinance 2022-18-O. The Council will review and consider Ordinance #2022-18-O amending LCC Title 18.02 and 18.03 regarding sign code changes. (15 minutes)

Adjourn

All or a portion of this meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathryn Moosman, City Recorder at 801-300-8437, giving at least 24 hours-notice.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in six public places within the Lindon City limits and on the State (<http://pmn.utah.gov>) and City (www.lindoncity.org) websites.

Posted by: /s/ Kathryn A. Moosman, City Recorder

Date: November 3, 2022; Time: 5:00 p.m.; Place: Lindon City Center, Lindon Police Dept., Lindon Community Development, Lindon Public Works, Lindon Community Center, Lindon Justice Court

Meetings are typically broadcast live at www.youtube.com/user/LindonCity

REGULAR SESSION – 6:30 P.M. - Conducting: Carolyn Lundberg, Mayor

Invocation: Randi Powell

Pledge: By invitation

Item 1 – Call to Order / Roll Call

October 17, 2022 Lindon City Council meeting.

Carolyn Lundberg
Jake Hoyt - Excused
Van Broderick
Mike Vanchiere
Randi Powell
Daril Magleby

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members
- b) Presentation: Neil Schwendiman, District Manager, North Pointe Solid Waste Special Service District
- c) Presentation: The UDOT project team will provide an update on the 1600 North Environmental Study (200 South, Lindon). <https://udotinput.utah.gov/1600north>

Item 3 – Open Session for Public Comment *(For items not on the agenda - 10 minutes)*

October 31, 2022

To: Mayor Carolyn Lundberg and Adam Cowie

Re: North Pointe Solid Waste Special Service District

We are all aware of the inflationary pressures that each of our entities are experiencing, especially in the area of fuel and personnel expenses. North Pointe is no stranger to this issue. As you are aware, all of our member entities, minus one, bring their municipal solid waste and construction and demolition waste to the transfer station in Lindon. From there our contractor, Mr. Bults Inc. aka "MBI", hauls the waste to either Bayview or the C & D landfill in Fairfield.

Pursuant to the terms of the two applicable hauling agreements which expire December 31, 2022, North Pointe recently sent out a Request for Proposal for the transportation of both Municipal Solid Waste and Construction and Demolition Waste. North Pointe's current contractor, MBI, was the only company to respond to our Request for Proposal. As a result, the cost to transport waste from the transfer station to our landfills will be increasing. North Pointe will be holding a public hearing on Monday, November 14, 2022, to set new rates to accommodate the increased transportation costs. The rate increases for transportation to the landfills will become effective starting January 1, 2023 and are as follows:

Transfer Station to Bayview

Prior Cost:	\$11.92/per ton
New Cost: (January 1, 2023)	\$14.35/per ton

Transfer Station to Fairfield

Prior Cost:	\$15.63/per ton
New Cost (April 1, 2022)	\$16.55/per ton

The resulting increase in total expenditures of this service for the Fiscal Year 2023 is approximately \$500,000.00.

As a result of this increase in costs, the administrative control board has proposed a change in its fee schedule to cover the overage. We have calculated that this proposed increase will result in additional fees paid by the City to North Pointe in the amount of approximately \$12,000.00 for North Pointe's fiscal year 2023.

We would welcome additional discussion in the next week or so that the elected and appointed officials of our member cities understand the factual situation and the need for the board to consider the proposed adjustments to the fee structure. Please reach out to us to schedule a time for this discussion.

Neil Schwendiman
District Manager

Mike Vanchiere
Board Chair

NORTH POINT SOLID WASTE DISTRICT

TALKING TRASH – GARBAGE IN NORTHERN UTAH COUNTY

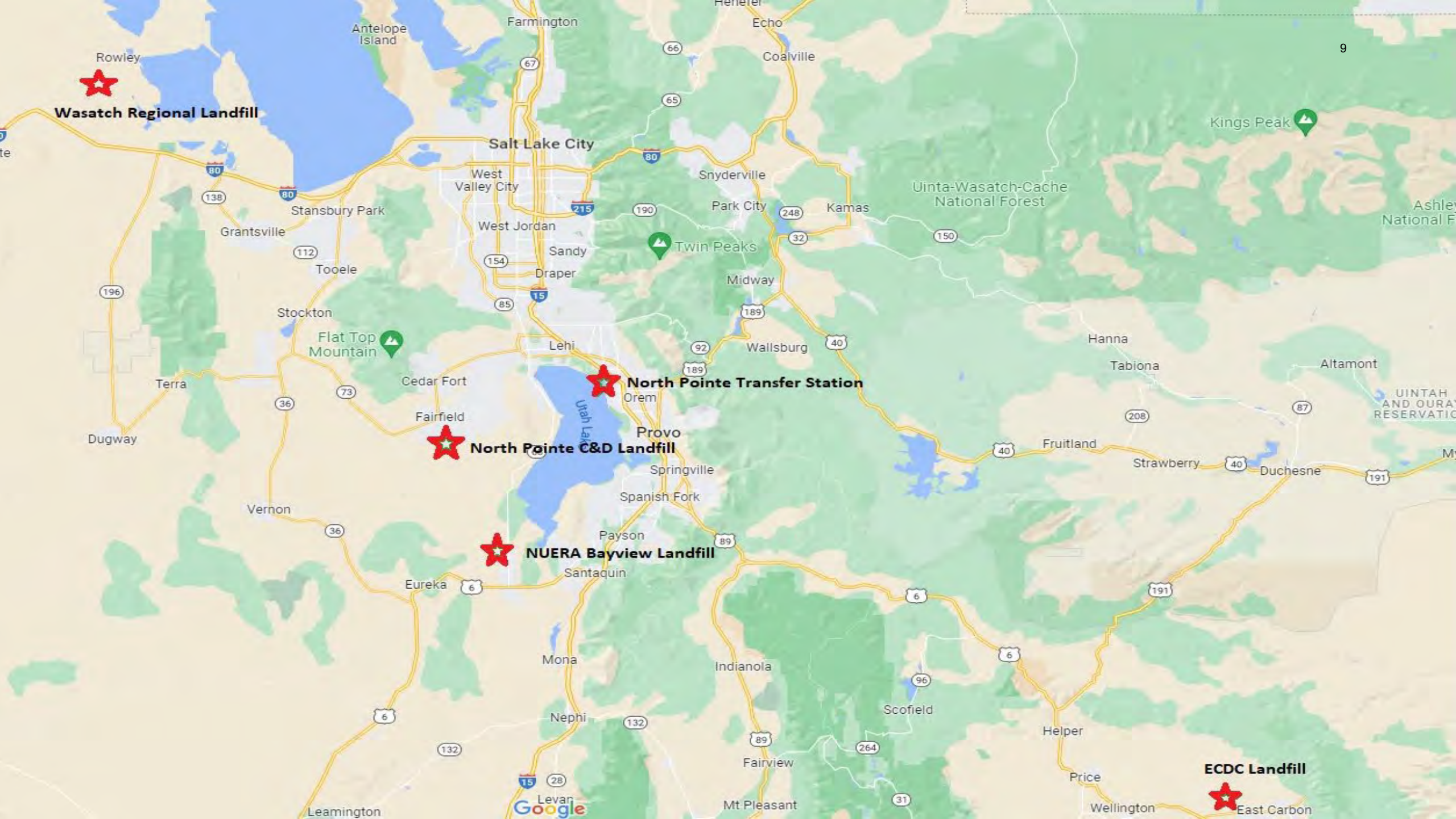


NORTH POINTE HISTORY

7

- **1976 – DISTRICT CREATED (UTAH COUNTY SOLID WASTE SPECIAL SERVICE DISTRICT)**
- **1984 – SPRINGVILLE, SPANISH FORK, SALEM, MAPLETON, ELK RIDGE, & WOODLAND HILLS (SUVSWD)**
- **1993 – TRANSFER STATION BUILT & LANDFILL CLOSED**
- **WASTE HAULED BY RAIL TO ECDC LANDFILL IN CARBON COUNTY**
- **2001- NAME CHANGED TO NORTH POINTE SOLID WASTE SPECIAL SERVICE DISTRICT**
- **2006 – SWITCHED FROM RAIL TRANSPORT TO TRUCK TRANSPORT
– WASTE DELIVERED TO WASATCH REGIONAL LANDFILL IN TOOELE COUNTY**

- **2012 – DISTRICT PURCHASED CEDAR VALLEY CONSTRUCTION & DEMOLITION (C&D) LANDFILL IN FAIRFIELD**
- **2013 – DISTRICT UPDATED INTER-LOCAL AGREEMENT CONSISTING OF AMERICAN FORK, CEDAR HILLS, HIGHLAND, LEHI, LINDON, OREM, PLEASANT GROVE, SARATOGA SPRINGS AND VINEYARD.**
- **2014 – DISTRICT JOINS NUERA (NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY)**
- **2016 – NUERA MEMBERS PURCHASED BAYVIEW LANDFILL IN ELBERTA**
- **2018 – BEGIN SHIPPING WASTE MUNICIPAL SOLID WASTE (MSW) TO BAYVIEW**
- **2020 – RODGER HARPER RETIRES, I TAKE OVER AS GENERAL MANAGER**



Wasatch Regional Landfill

Salt Lake City

North Pointe Transfer Station

North Pointe C&D Landfill

NUERA Bayview Landfill

ECDC Landfill

East Carbon

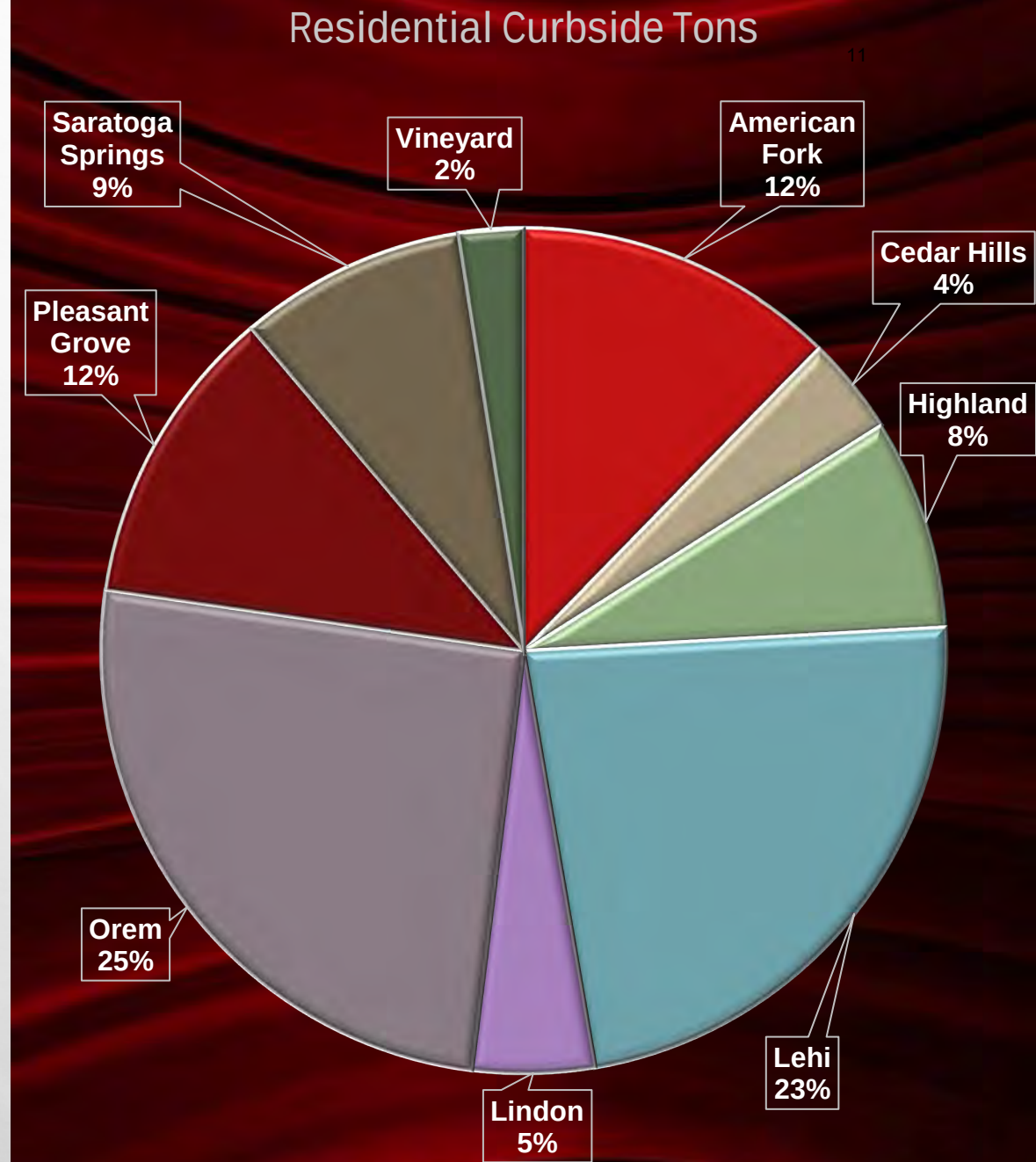
SERVICES/OPERATIONS

10

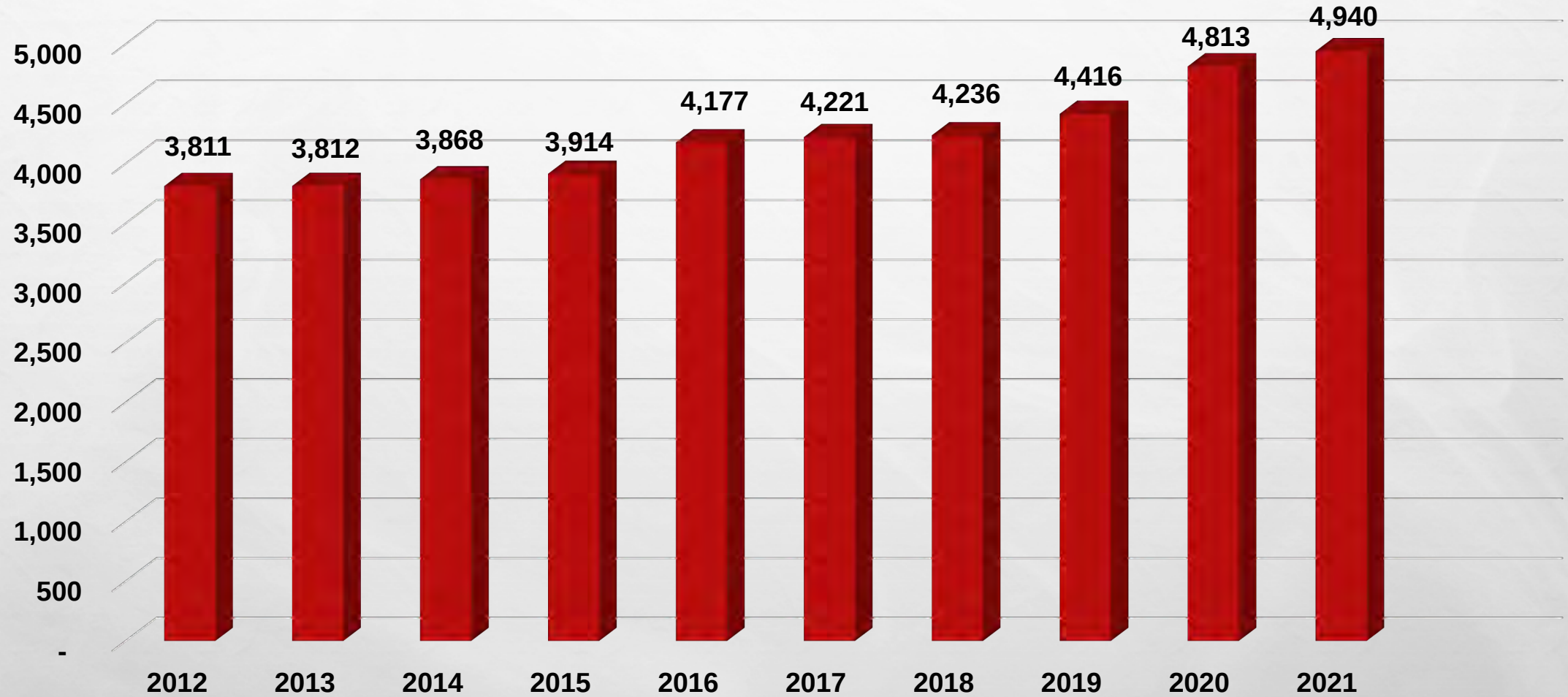
- **MUNICIPAL SOLID WASTE (MSW) – RESIDENTIAL CURBSIDE, COMMERCIAL FRONT LOAD, ROLL-OFF, SMALL COMMERCIAL & PUBLIC SELF HAUL**
- **CONSTRUCTION & DEMOLITION WASTE (C&D) – MOSTLY COMMERCIAL ROLL – OFF, SMALL COMMERCIAL & PUBLIC SELF HAUL**
- **GREEN WASTE – MOSTLY SMALL COMMERCIAL & PUBLIC SELF HAUL**
 - **AGREEMENT W/CONTRACTOR TO CHIP/GRIND GREENWASTE AND TURN IT INTO COMPOST**
- **CLEAN CONCRETE – AGREEMENT WITH CONTRACTOR TO CRUSH INTO ROAD BASE AND DRAIN ROCK**
- **HOUSEHOLD HAZARDOUS WASTE (HHW) – RESIDENTS ALLOWED TO DROP OFF HAZARDOUS WASTE SUCH AS PAINTS, CHEMICALS, CLEANERS, BATTERIES, ETC.**
- **RECYCLING – TIRES, METALS, ELECTRONICS ETC.**

LINDON - 2021

- **RESIDENTIAL CURBSIDE WASTE – 4,940 TONS**
- **PUBLIC SELF HAUL – 5,947**
- **CITY VEHICLES – 244**
- **COUPON CUSTOMERS – 737**
- **DIRECT GREENWASTE CUSTOMERS – 235**



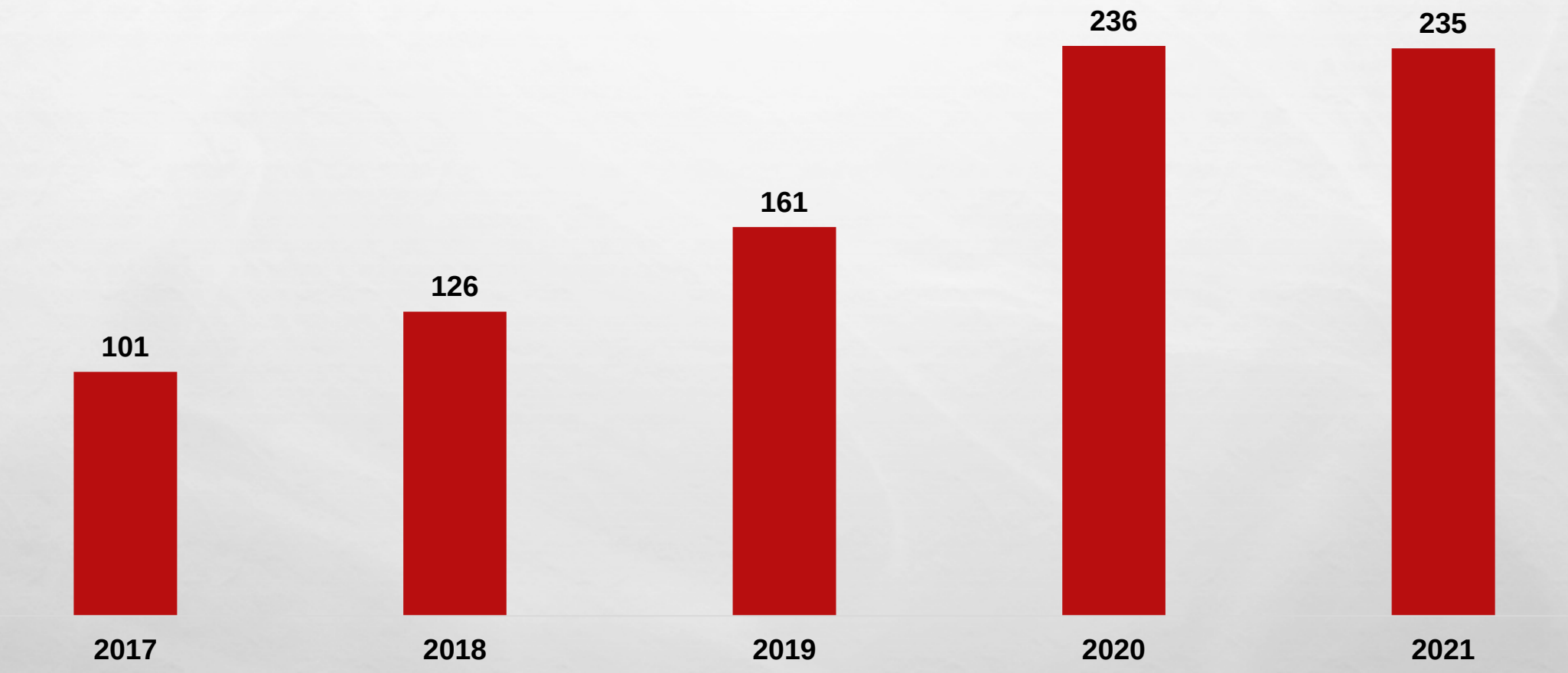
CURBSIDE TONS



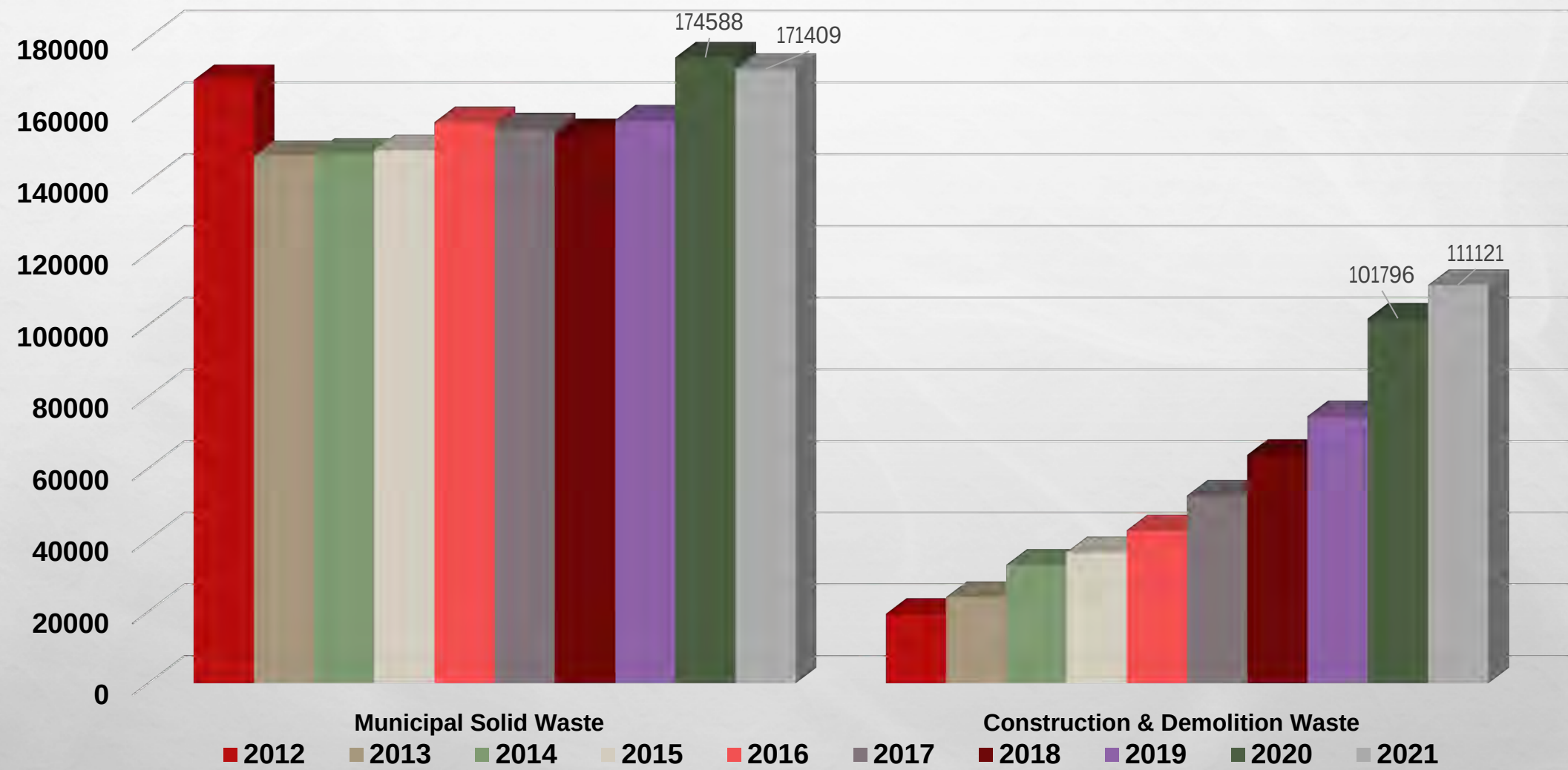
Coupons



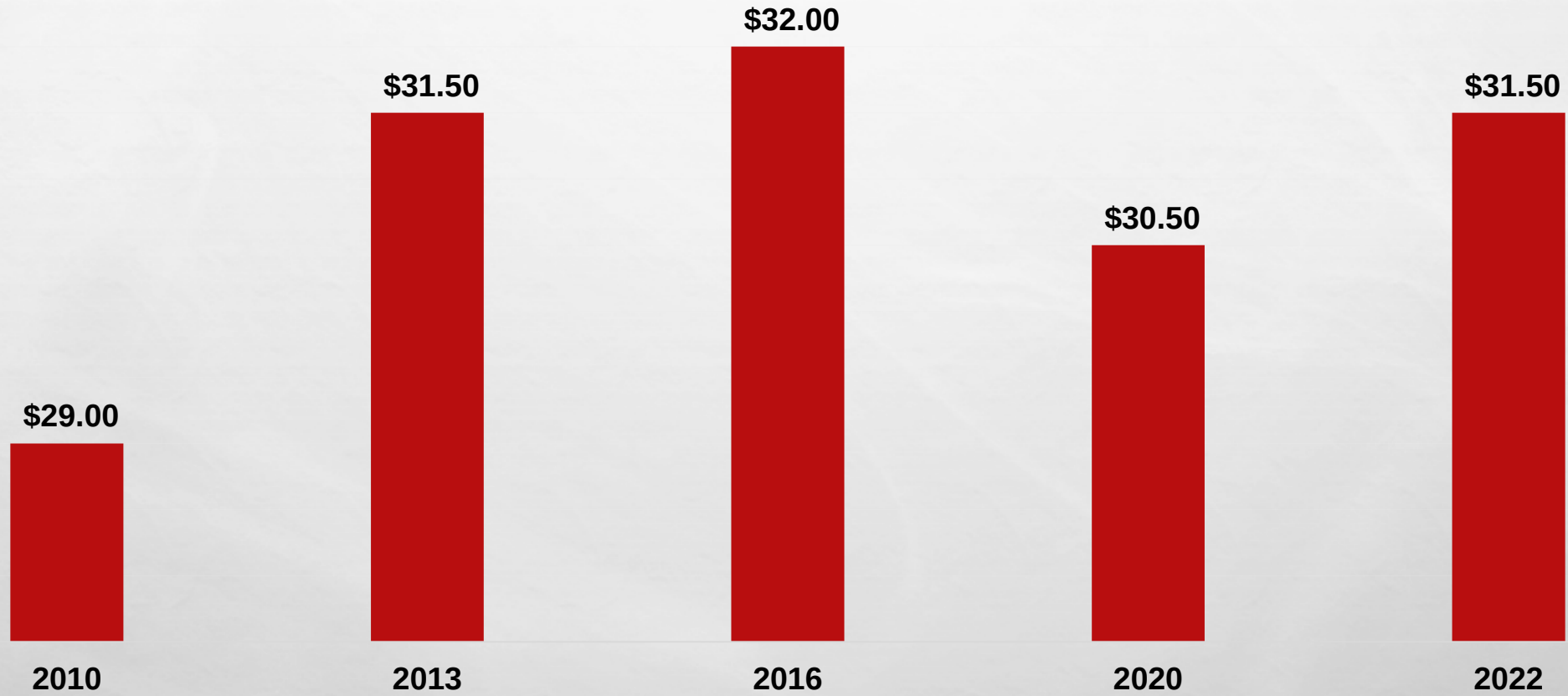
DIRECT GREEN WASTE CUSTOMERS



TRANSFER STATION TONS



RESIDENTIAL CURBSIDE FEE HISTORY

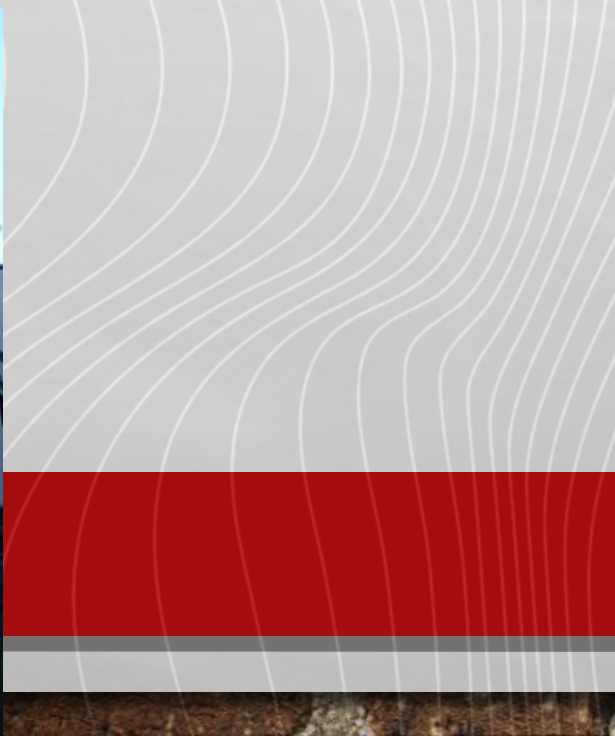


WHAT IS OUR FUTURE?

- **2021 – DISTRICT STARTED UPDATING MASTER PLAN**
- **2022 – MASTER PLAN COMPLETED**
 - **MASTER PLAN SCOPE**
 - **DETERMINE THE FEASIBILITY TO EXPAND CURRENT LOCATION IN LINDON VS. BUILDING A SECOND TRANSFER STATION WITHIN THE DISTRICT**
 - **IF FEASIBLE TO EXPAND CURRENT FACILITY – PROVIDE RECOMMENDATIONS ON EXPANSION**
 - **DETERMINE THE CONDITION OF THE FACILITY AND RECOMMEND IMPROVEMENTS**
 - **PROVIDE ESTIMATES ON ALL ASPECTS OF THE MASTER PLAN**

MASTER PLAN FINDINGS

- **INSTALLATION OF NEW STORMWATER INFRASTRUCTURE AND PAVING REPAIRS**
- **REPLACE DAMAGED SIDING TO THE TRANSFER STATION BUILDINGS**
- **REPAIR STRUCTURAL ISSUES IN TRANSFER STATION BUILDINGS**
- **ENGINEERING ASSESSMENT OF CONCRETE TIPPING FLOOR IS NEEDED**
- **SITE OPERATIONAL IMPROVEMENTS TO IMPROVE WORKFLOW & CUSTOMER SERVICES**
 - **RELOCATE HHW FACILITY ON-SITE**
 - **RELOCATE COMPOST BUNKER**
 - **ADD PUSH WALL IN PUBLIC BUILDING**
- **TWO VIABLE OPTIONS EXIST TO EXPAND CURRENT FACILITY TO HANDLE PROJECTED VOLUMES FOR THE NEXT 25YRS**
- **EXPANDING THE CURRENT SITE REMAINS THE MOST COST-EFFECTIVE OPTION**



WHAT COULD THE TRANSFER STATION LOOK LIKE?

20



- **2022 LINING A NEW CELL WHICH IS 26 ACRES AND SHOULD LAST APPROXIMATELY 5 YEARS BEFORE ANOTHER CELL WILL NEED TO BE LINED**
- **2022 – INSTALLING A GAS COLLECTION SYSTEM WHICH WILL COMPRISE OF 19 WELLS**
- **RECENTLY ACQUIRED AN ADDITIONAL 140 ACRES WITH THE SITLA LEASE FOR THE BAYVIEW LANDFILL**
- **SITLA LEASE EXTENDED THROUGH DECEMBER 31, 2082, THE LEASE WILL LIKELY BE EXTENDED AT THAT TIME AS THERE WILL STILL BE CAPACITY.**
- **CURRENT ESTIMATED LIFE OF THE LANDFILL IS 99+ YEARS**

SUMMARY

- **THE ESTIMATED COSTS OF THE TRANSFER STATION EXPANSION IS IN THE RANGE OF 7 TO 9 MILLION DOLLARS**
- **CIP HAS BEEN DEVELOPED TO ESTIMATE FUTURE FUNDING SOURCES**
- **DISTRICT BOARD IS IN PROCESS OF EVALUATING TIMING FOR EXPANSION IMPROVEMENTS**
- **BAYVIEW LANDFILL'S CAPACITY ALLOW US (NUERA) TO CONTROL OUR DISPOSAL RATES FOR THE FORESEEABLE FUTURE - \$10.50/TON**
- **THANK YOU TO CITY STAFF ON A GREAT RELATIONSHIP. THANK YOU TO MIKE FOR HIS TIME AND EFFORT SPENT ON THE BOARD.**

Modern Transfer Station and Recycling Facilities

Transfer Station and Recycling Facility

23



**Pomona Valley Transfer Station,
Pomona, CA**

Modern Transfer Station and Recycling Facilities

Transfer Station and Recycling Facility

24



**Factoria Recycling & Transfer
Station
Bellevue, WA**

Modern Transfer Station and Recycling Facilities

Transfer Station

25



Modern Transfer Station and Recycling Facilities

Transfer Station and Recycling Facility

26



**Berkeley Recycling and Transfer
Station – proposed new Transfer
Station**

Item 4 - COUNCIL REPORTS:*(10 minutes)*

- A) MAG/MPO, COG, UIA, Utah Lake Commission, ULCT, Mayors Youth Council, Public Relations (media) – Carolyn Lundberg
- B) Public Works/Eng., Irrigation Co. Representative, Cemetery, Facilities, Planning Commission, BOA - Van Broderick
- C) Youth Council Advisor, Senior Center Rep., Education Grants, CERT - Randi Powell
- D) Admin., Lindon Days, Tree Advisory Board, UV Chamber, Historic Commission, Centennial Celebration - Daril Magleby
- E) Planning/Zoning, Gen. Plan, Economic Dev. PG/Lindon Chamber of Commerce, Transfer Station Board - Mike Vanchiere
- F) Parks, Trails, and Rec., Police/Fire/EMS, Emergency Mgmt., Utah League of Cities & Towns Alternate - Jake Hoyt

Item 5 - ADMINISTRATOR'S REPORT*(10 minutes)***Misc. Updates:**

- Next regular council meetings: November 21st & December 5th (7:30pm)
- December 2022 newsletter assignment (due last week of November): Brian Haws
- Thanksgiving Food Donations – Donate at the Lindon Community Center any time before Nov 19th. All donations will be delivered to Tabitha's Way.
- Light the Night event at the City Park on Monday, Nov. 28 at 6:30 PM
- Historic Christmas Tree Lighting Ceremony – Dec 5 @ 6:00 pm
- Santa Parade - Wednesday, December 7th at approx. 5:45 pm
- Santa Extravaganza - Saturday, December 10th, from 10:00-11:30 AM
- Misc. Items.

Item 6 – Approval of Minutes

- Review and approval of City Council minutes: **October 17, 2022 Regular City Council Minutes will be reviewed.**

2 The Lindon City Council regularly scheduled meeting on **Monday, October 17, 2022, at**
 4 **5:15 pm** in the Lindon City Center, City Council Chambers, 100 North State Street,
 Lindon, Utah.

6 **REGULAR SESSION – 5:15 P.M.**

8 Conducting: Carolyn Lundberg, Mayor
 Invocation: Mike Vanchiere, Councilmember
 10 Pledge of Allegiance: Chase Adams

12 **PRESENT**

EXCUSED

Carolyn Lundberg, Mayor
 14 Van Broderick, Councilmember
 Jake Hoyt, Councilmember
 16 Randi Powell, Councilmember
 Mike Vanchiere, Councilmember
 18 Daril Magleby, Councilmember
 Adam Cowie, City Administrator
 20 Mike Florence, Community Development Director
 Mike Brower, Chief of Police
 22 Brian Haws, City Attorney
 Kathy Moosman, City Recorder

24
 26 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

28 2. **Presentations and Announcements:**

- 30 a) Presentation: Representatives from the Mountain Point Medical Center
 were in attendance to present information about their facilities to the
 Council.
 32 b) Presentation: Rob Smith, Business Administrator with Alpine School
 District, was in attendance to present information regarding the upcoming
 34 school bond.

36 3. **Open Session for Public Comment** – Mayor Lundberg called for any public
 comment not listed as an agenda item. There were no public comments.
 38

40 4. **COUNCIL REPORTS:**

42 **Councilmember Hoyt** – Councilmember Hoyt reported he attended the Walmart re-
 grand opening where Mayor Lundberg did a great job speaking. He noted he appreciates
 the awesome relationship the City has with Walmart. He also reported the Halloween
 44 Spooktacular will be held on October 28th and to contact Alan Walker if you would like
 to participate. He also gave a police department update noting Chief Brower was at the

Walmart ribbon cutting also where they passed out child ID kits; they will also pass more kits out at future events. He appreciates the outreach the PD does; they do a great job.

Councilmember Vanchiere – Councilmember Vanchiere reported he completed the CERT training that has been really worthwhile. He also noted the NPSWDS has put out a proposal for solid waste and there were 3 bidders and they are examining the proposals. He reported Neil Schwendiman, District Manager, North Pointe Solid Waste Special Service District will be coming in November to give a presentation to the council.

Councilmember Broderick – Councilmember Broderick reported he will be attending an upcoming conference in Ogden with Juan Garrido, Public Works Director.

Councilmember Magleby – Councilmember Magleby reported on the city's 2024 centennial celebration. He noted they are in the early stages of planning with a committee and mentioned if the council knows of anyone who wants to volunteer to let him know.

Councilmember Powell – Councilmember Powell reported the Youth Council is making applications for positions on the youth council noting the deadline is tomorrow and they will hold elections Tuesday the 14th. She also reported the Senior Center is going great and the education grants are coming in with some excellent applications. She also attended the CERT drill on Saturday that was very good. She expressed her appreciation to Kelly Johnson, Emergency Management Coordinator.

Mayor Lundberg – Mayor Lundberg reported she attended the ULCT meetings in SLC with Mr. Cowie where there was a lot of good information and training. She noted there are a lot of things the League is keeping an eye on in the upcoming legislative session.

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

Misc. Updates:

- Next regular council meetings: November 7th (6:30pm start time) & November 14th special meeting at 5:15 and November 21st
- November 2022 newsletter assignment (due last week of October): Daril Magleby
- Statewide Growth Workshop, Monday, November 7 at 4:00 pm at the Utah Valley Convention Center in Provo for Utah County. A light dinner will be served.
- Utah County Health Dept. Vaccination Clinic – October 21st 2-4 pm - City Council Room
- October 28th Halloween Carnival & Food Drive; 6:00pm @ Community Center
- Update: CUWCD recommended landscaping standards
- Misc. Items.

- 2 **5. Approval of Minutes** – The minutes of the regular City Council meeting of
 4 October 3, 2022 will be reviewed.

6 COUNCILMEMBER MAGLEBY TO APPROVE THE MINUTES OF THE
 8 REGULAR CITY COUNCIL MEETING OF OCTOBER 3, 2022 AS PRESENTED.
 10 COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS
 12 RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER MAGLEBY	AYE

14 THE MOTION CARRIED UNANIMOUSLY.

- 16 **7. Consent Agenda Items** – There were no consent agenda items presented for
 18 approval.

20 **CURRENT BUSINESS**

- 22 **8. Discussion Item — Pickleball Courts in Lindon.** Heath Bateman, Lindon Parks
 24 & Recreation Director, will give a presentation regarding pickleball courts in
 26 Lindon and potential for additional courts & amenities for this popular activity.

28 Parks and Recreation Director Heath Bateman presented this item. Previously
 30 there had been discussion about the possibility of more pickleball courts in Lindon. Mr.
 32 Bateman stated he did some research and wanted to present that information. He stated
 34 that he found that the likelihood of Pickleball remaining as big as it is currently is good
 36 with a 14% growth from 2020 to 2021. Lindon currently has 12 courts noting an indoor
 38 court at the community center is available to be rented for \$50/hour. Pickleball court per
 40 capita were discussed with special note that for Utah we have 1 pickleball court per 917
 42 people in Lindon.

44 The discussion on possible new courts in Lindon was presented with the
 46 possibility of 4 courts located at the Horse Transfer Station on property the city currently
 48 owns. He also addressed the tennis courts slated to go in at Pioneer Park with a quick
 50 update on when that would happen. Mr. Bateman then presented a chart showing the
 52 Master Plan and where the City currently stands on the 2030 estimation needs with
 54 discussion following. It was then asked if the council would be interested in Mr. Bateman
 56 perusing more pickleball courts within Lindon and possible grants for that. The council
 58 agreed they would like to see more courts.

60 Following the presentation Mr. Bateman stated he is hearing the council is in
 62 favor of exploring the east end for possible courts (Anderson Farms) and in favor of
 64 pursuing more opportunities for more pickleball courts in the city.

66 Mayor Lundberg called for any further discussion or comments from the Council.
 68 Hearing none she moved on to the next agenda item.

9. Public Hearing — Ordinance #2022-17-O. To amend the Lindon City zoning map from R1-20 and CG to R1-12 – Approx. 400 W. 400 N (Thornton

property). The applicant is seeking approval from the City Council to rezone a 6.1-acre parcel from R1-20 and CG to R1-12, with the intent to subdivide the parcel into 12,000 sq ft single-family dwelling lots. (#14:068:0140)

COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

Mike Florence, Community Development Director led this item by giving an overview stating the Holland Group has made application to amend the zoning for 6.1 acres from R1-20 to R1-12. He noted Tyson Williamson is in attendance representing this application. He noted the purpose of the proposed amendment is to allow for minimum 12,000 square foot residential lots on the property. He added 400 North is planned to extend through the property and connect to 400 West and there will also be a road connection to Gillman Lane

Mr. Florence stated the applicant has presented two concept plans to the city council. A majority of the city council members were not supportive of the two concept plans. The one dissenting vote was due to wanting to see a design for how Gillman Lane will be closed prior to recommending approval of the zone change. The property has a split zoning of Residential R1-20 and Commercial General. He pointed out the City recognizes currently that the property would be governed by the more restrictive R1-20 zone.

The following applies when a property is divided by two zones:

a. 17.04.350 -Where a zoning district boundary cuts through a lot existing at the time of adoption of this division, the use regulations governing the portion of the lot located within the more restrictive zone shall govern the use and development of the entire lot, except for legally existing non-conforming uses and buildings on the lot.

Mr. Florence explained the proposed development includes lot sizes ranging from 12,000 to 15,774 square feet. Directly west of the proposed development site the lots sizes are 20,00 square feet or larger. Properties in the vicinity along Lakeview Drive range in size from 8,712 to 40,000 square feet. Currently, the R1-12 zoning is located above the Murdock Trail. He noted the city has approved smaller lots sizes along State Street with the recent Norton and Linden Nursery Developments and in the Anderson Farms and Fieldstone neighborhood areas.

Mr. Florence indicated the developer is required to construct the roads on the subject property which connect 400 N. to 400 W. and Gillman Lane. The city will participate in some of that cost because the 400 N./400 W. is identified as a Major Collector Street. In addition, the City is responsible for constructing 400 N. to the developer's property. He explained that years ago, the city purchased the ground under the Fellowship Bible Church for the 400 North connection. The church then constructed

2 their new building. The city has an agreement to give the church a one-year notice of the
 4 impending road construction and the church has that amount of time to demolish the old
 church building.

6 Mr. Florence noted a couple of items for the council to keep in mind as they
 consider this proposal as follows:

- 8 • The property is divided by two future roads which creates three development
 areas. Because of the road requirements this is a difficult piece of property to
 10 develop. Of the 6.1 acres the roads take up approximately 1.3 acres of the
 property.
- 12 • The commission should also consider how this development fits into the
 surrounding area. This area of the city, specifically along Lakeview Drive, have
 14 traditional homes on smaller lots that were constructed between 1945 and mid-
 nineties. The homes directly to the west on are minimum 20,000 square foot lots
 and were constructed between 2005 and present.
- 16 • The applicant's plan has not fully gone through a subdivision and design review
 by the city. There will be future discussions and design changes that will be
 18 addressed, for example, the Gillman Lane connection to State Street. UDOT has
 mentioned in the past to the city that once the 400 N. connection is constructed
 20 then Gillman Lane needs to be closed at State Street to vehicular access. The
 applicant's design does not show that change and the city will need to determine
 22 the correct located for that closure.

24 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
 26 published on the State Public Notice and city websites, also posted at Lindon City Hall,
 Public Safety, and Community Center buildings.

28 Mr. Florence then presented the Surrounding area Zoning Map, surrounding area
 General Plan Land Use Map, surrounding area General Plan Street Master Plan Map,
 30 Development Plan, Ordinance Amendment, Previous Concept Plans submitted to the city
 council and the Surrounding Area Zoning Map followed by discussion. He then turned
 32 the time over to the applicant for comment.

34 Tyson Williamson representing the Holland group addressed the council on this
 re-zoning topic. He updated the council on the successful planning commission meeting
 the week before with a lot of community involvement and discussion. Mr. Williamson
 36 pointed out that the previous more high-density design was a concern with the council
 and that with these new designs he would hope, are taken more positively by the council.
 38 The previous concept of ¼ acre lots were redesigned to 1/3 acre lots. He noted there was
 a lot of public input at the meeting with concerns with parking issues by neighboring
 40 residents. Mr. Williamson stated if they receive approval their interest aligns with the
 property owners.

42 Community Development Director, Mike Florence then addressed the council. He
 reminded the council this is for rezoning noting the city has not done engineering review
 44 or design review of this project with attention to Gillman Lane. Mr. Florence let the

2 council know that the vote during planning commission was voted in favor 4-1, with a lot
of good public comments and discussion.

4 Mr. Williamson added that during that planning commission a large topic was
parking with the event venue nearby. Councilmember Hoyt brought up concern with the
6 detention basin that was lost due to these larger lot sizes, and concern of the need for that.
The topic of the possibility of lots being purchased to allow for that detention area was
8 also discussed.

10 Mayor Lundberg called for public comment at this time. Several residents in
attendance addressed the council as follows:

12 Ms. Valentine addressed the council stating they like this new setup. One concern
however is the parking issue with the event venue nearby with those attending events
14 there and parking on the streets and the speed at which the vehicles travel that poses
concern for safety issues for those walking. Another issue was the water issue that was
16 discussed earlier, with flooding from the spring within that area when new building starts.
She stated she hopes the promises they are being told are kept to keep the road safe and
18 functional while preserving the neighborhood. She wants to make sure this is a lovely
community, but to ensure all issues are looked at like they said they would do and to
20 make sure they are listened to so it is done right.

22 Lori Esteban addressed the council stating the neighborhood has been looking
forward to the changes to Gillman Lane and the safety of closing off from State Street.
24 She also voiced concerns on the parking issue from the event venue, along with those
attending the event venue having difficulty locating the correct address. She voiced
26 concerns that the end point of Gillman Lane will not help with the traffic issue and
requested that it be pushed to the end of the commercial area. She also stated the topic of
28 lighting going in and her hopes that those changes can be less invasive to the
neighborhood. She closed with stating they are excited for this to happen, even if the ½
30 acre lots are leaving, they are happy with the 1/3 acre instead of ¼. She also voiced
concern that this won't be an "open door" to losing the ½ acre lots within Lindon. She
32 wants to protect the animal rights too.

34 Mayor Lundberg called for any further public comments at this time. Hearing
none she called for motion to close the public hearing.

36
38 COUNCILMEMBER VANCHIERE MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40
42 Mayor Lundberg pointed out this is just the zoning change and it would still have
to go through a lot of future site plan discussions and public hearings before approval.

44 Councilmember Magleby asked about the vote from the planning commission and
why the commissioner declined. It was stated that it was declined due to the
commissioner thinking the Gillman Road situation should be figured out prior to

movement on this topic. General discussion proceeded on the topic of the Gillman Lane closure and possible ways that could happen. Councilmember Hoyt voiced concern with the lack of the detention pond in this area. Councilmember Vanchiere stated that in requesting larger lot sizes the detention pond was traded out, and the possible ways we could make the detention pond happen through purchasing of the land.

Mr. Cowie stated in this configuration there are 16 lots. He asked if the applicant were to come back at 15 lots and have the detention basin is that something the council would consider. Mr. Cowie stated staff would recommend continuing this item as to look at other options and to help maximize all of the needs there. Councilmember Broderick stated this poses unique challenges and needs so he would like this item continued for further discussion. Mayor Lundberg pointed out the applicant has given up some things but it sounds like he would like to discuss other possible options.

Following some additional discussion, the council was in agreement to continue this item as to look at other options and have further information presented for discussion.

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

COUNCILMEMBER POWELL MOVED TO MOVE TO CONTINUE ORDINANCE #2022-17-O AMENDING THE LINDON CITY ZONING MAP FROM R1-20 AND CG TO R1-12 AT APPROXIMATELY 400 W. 400 N. AS TO DISCUSS OTHER POSSIBLE OPTIONS. COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER MAGLEBY	AYE

THE MOTION CARRIED UNANIMOUSLY.

10. Public Hearing — Ordinance #2022-5-O. To amend the Planned Residential Development Overlay Zone as found in LCC 17.76 related to the required percentage of built commercial. Currently, all PRD developments must obtain building permits and commence construction for at least 25% of the commercial development prior to releasing permits for the residential development. The applicant is seeking approval from the City Council to amend the PRD code and modify this requirement to include site plan approval for one phase of the commercial development.

Councilmember Hoyt recused himself at this time due to a potential conflict of interest.

COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 Mr. Florence also led this agenda item stating Elwood Holdings is developing the
property at 550 N. State Street. He noted the applicant, Amy Johnson is in attendance as
4 representative of this item. He explained the developer sold off the residential portion to
Sego Homes and has kept the commercial portion for development. The applicant
6 recently applied for a concept approval with the city council to discuss amending the 25%
commercial building permit requirement. The city council provided feedback that they
8 were generally supportive of giving the developer credit for the Low Book Sales
expansion to count towards the commercial requirement.

10 Mr. Florence then referenced the current ordinance as follows:
*17.76.030: In order to preserve the intent of the General Commercial zone, building
12 permits from Lindon City shall be obtained and construction commenced for at least
twenty-five percent (25%) of the approved commercial square footages prior to releasing
14 building permits for residential construction.*

16 Mr. Florence then went over the Proposed Amended Ordinance: In order to
preserve the intent of the General Commercial zone, *the development shall have received
or will receive site plan approval for at least one phase of the commercial development
18 or building permits from Lindon City shall be obtained and construction commenced for
at least twenty-five percent (25%) of the approved commercial square footages prior to
20 releasing building permits for residential construction.*

22 Mr. Florence noted over the past year, the planning commission and city council
have been reviewing the Planned Residential Development Overlay ordinance. The city
council has not yet adopted the amendments that were recommended by the commission
24 earlier in the year so the ordinance shows previous amendments as well as the currently
proposed amendment.

26 Mr. Florence then presented the Proposed ordinance amendments to Planned
Residential Development Overlay followed by discussion.

28 Following some additional discussion, the Council was in agreement to approve
Ordinance #2022-5-O amending the planned residential development overlay zone as
30 found in LCC 17.76 related to the required percentage of built commercial as presented
by staff.

32 Mayor Lundberg called for any further public comments. Hearing none she called
for motion to close the public hearing.
34

36 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
38

40 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

42 COUNCILMEMBER MAGLEBY MOVED TO MOVE TO APPROVE
ORDINANCE #2022-5-O AMENDING THE PLANNED RESIDENTIAL
44 DEVELOPMENT OVERLAY ZONE AS FOUND IN LCC 17.76 RELATED TO THE
REQUIRED PERCENTAGE OF BUILT COMMERCIAL AS PRESENTED.

COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER MAGLEBY	AYE

THE MOTION CARRIED UNANIMOUSLY.

11. Public Hearing — Home Occupation Ordinance Change; Ordinance #2022-

15-O. Ordinance Amendment to the home occupation ordinance to allow for animal therapy businesses. The applicant is seeking approval from the City Council to amend the home occupation code to allow animal assisted therapy businesses as a home occupation.

COUNCILMEMBER MAGLEBY MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mary Barnes, Planner II, led this agenda item by giving an overview stating the applicant, Gerald Nebeker wants to open an animal assisted therapy business named Squawks and Baas on his residential property at 215 N 200 E, Lindon. She noted Daniel Cook is in attendance as representative of this application tonight. She noted all businesses in residential zones must follow the home occupation code. Currently, the home occupation code does not permit this type of business. Therefore, this ordinance amendment will put regulations in place to allow this use while also protecting neighboring properties. She noted according to staff research, this ordinance would be the first of its kind within Utah County.

Ms. Barnes stated that previously, the ordinance included a 9 AM-5 PM time requirement. The planning commission suggested that the time restriction be taken out, and that this type of business should follow the existing home occupation time requirement as follows:

17.04.400 5e.

For any home occupation that is not summer physical education lessons or animal assisted therapy business as described in Subsection (6) or (7) of this section, no more than six (6) motorized nonfarm vehicles shall be parked at the residence at any time, provided all of the vehicles can be parked legally, either in normal parking places on the lot occupied by the residence without parking in front of any other property. The six (6) vehicles specified above shall include the vehicles owned or operated by the residents, visitors or any other person using or visiting the home. Exceptions to this requirement may be granted by the planning director provided the applicant can clearly demonstrate that additional vehicles can be parked legally, either in normal parking places on the lot occupied by the residence containing the home occupation or by the curb directly in front

of the residence without parking in front of any other property. In addition to the foregoing, the home occupation must not generate more than five (5) vehicles of traffic to the residence during any hour. **The home occupation shall not generate any traffic before 7:30 a.m. or after 6:00 p.m.** nor shall any vehicle weighing in excess of twenty-four thousand (24,000) pounds, gross weight, travel to the residence for the purpose of servicing the home occupation.

Ms. Barnes went on to say that animal assisted therapy is a method of therapy that has gained popularity over the past few years. According to various articles, animal assisted therapy has a wide range of benefits, including lowered stress and anxiety levels, increased empathy and interpersonal skills, and reduced aggression or loneliness. The applicant wants to open an animal assisted therapy business on his residential property in Lindon. She then referenced the proposed ordinance followed by discussion.

7. Animal Assisted Therapy Business

- a. Any animal assisted therapy business shall be conducted on a lot with a minimum of three (3) acres.
- b. The animal assisted therapy business shall not operate in view of a public road and must operate exclusively in the rear yard area of a property.
- c. Animal assisted therapy sessions shall be by appointment only.
- d. The business may have up to six (6) motorized nonfarm vehicles parked at the residence at any one time, provided the additional vehicles can be parked legally in an off-street parking area behind the front setback. The parking area must be approved by city staff.
- e. Only animals permitted in Title 6.32 shall be used for the animal assisted therapy businesses.
 - i. The business owner shall not exceed the number of allowable animals as per Title 6.32.010.
 - ii. Wild or exotic animals are not permitted as per Lindon City Code.
 - iv. Animals must be appropriately housed in enclosures that meet the regulations found in 6.32.010, 6.32.040 and 6.32.050.
 - vi. All animals must be humanely treated, and all animal enclosures must be maintained in a reasonable state. The animals must not disturb neighbors.

Ms. Barnes then presented the Draft ordinance, Business Description and the Site Plan followed by discussion.

Following some additional discussion, the council was in agreement to approve Ordinance #2022-15-O amending the home occupation ordinance to allow for animal therapy businesses as presented by staff.

Mayor Lundberg called for any public comments. Hearing none she called for motion to close the public hearing.

COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

COUNCILMEMBER POWELL MOVED TO MOVE TO APPROVE ORDINANCE #2022-15-O AMENDING THE HOME OCCUPATION ORDINANCE TO ALLOW FOR ANIMAL THERAPY BUSINESSES AS PRESENTED.

COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE
COUNCILMEMBER MAGLEBY	AYE

THE MOTION CARRIED UNANIMOUSLY.

12. Public Hearing — FY2023 Budget & Fee Schedule Amendment, Resolution

#2022-20-R. The Council will review proposed amendments to the FY2022-23 city budget and fee schedule.

COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Kristen Colson, Finance Director and Chase Adams, Associate Financial Director were in attendance to present the Budget & Fee Schedule amendment to the council. Ms. Colson then went over the Budget Amendment notes as follows:

2023FY BUDGET AMENDMENT NOTES

1. GL# 10-32-300	1% State Fee – Bldg. Permits	+\$500
GL# 11-30-200	Interest Earning PTIF Class C	+\$3,350
GL# 22-30-400	700N CDA – Interest Earnings	+\$340
GL# 51-30-150	Culinary Water Base Fees	-\$1,286,000
GL# 51-30-160	Culinary Water Usage Fees	+\$1,286,000
GL# 51-30-410	Fee in Lieu of Water Stock	+\$162,815
GL# 51-30-875	Transfer from Coronavirus Relief Fund	-\$1,000
GL# 51-30-900	Sundry Revenue	+\$38,795
GL# 52-30-100	Sewer Base Fees	-\$922,800
GL# 52-30-105	Sewer Usage Fees	+\$922,800
GL# 55-30-110	Interest Earnings	+\$260
GL# 55-30-123	Flow Rider Daily Admission	+\$3,480
GL# 55-30-310	Party Room Rentals	+\$430

2	GL# 55-30-560	Till Adjustments	+\$55
4	<i>Update the budget for various revenue accounts according to actual and more accurate estimates.</i>		
6	2. GL# 10-41-260	Miscellaneous Expense	+\$350
8	<i>This increase is to purchase shirts for the Planning Commission.</i>		
10	3. GL# 10-42-110	Salaries & Wages	+\$10,530
12	GL# 10-42-135	Benefits – FICA	+\$805
14	GL# 10-42-185	Benefits – Workers Comp.	+\$15
16	<i>This increase is to cover an additional part-time court clerk for the remainder of the fiscal year.</i>		
18	4. GL# 10-42-510	Insurance	+\$30
20	GL# 10-54-510	Insurance	+\$310
22	GL# 10-62-510	Insurance	+\$400
24	GL# 10-64-510	Insurance	+\$2,195
26	GL# 10-68-510	Insurance	+\$315
28	GL# 54-40-510	Insurance	+\$255
30	GL# 55-41-510	Insurance	+\$430
32	GL# 55-42-510	Insurance	+\$755
34	<i>This increase is to cover rising insurance costs.</i>		
36	5. Multiple GL's	General Fund	+\$4,280
38	GL# 51-40-150	Benefits – Insurance Allowance	+\$270
40	GL# 52-40-150	Benefits – Insurance Allowance	+\$270
42	<i>This increase is to cover the cost of the employer portion of the HSA contribution. There was a miscommunication between the insurance company and Lindon City staff resulting in an underfunded budget projection. This increase corrects for the shortfall.</i>		
44	6. Multiple GL's	General Fund	+\$78,920
46	GL# 22-81-720	Other Improvements	+\$5,000 (RDA)
48	Multiple GL's	PARC Tax Fund	+\$12,820
	GL# 25-40-951	Transfer to Water Fund	-\$1,000 (CRF)
	GL# 47-40-310	Professional & Tech Services	+\$5,000 (Parks CIP)
	GL# 52-40-740	Purchase of Capital Asset	+\$540 (Sewer)
	Multiple GL's	Recreation Fund	+\$24,860
	<i>Update the budget for various expense accounts according to actual and more accurate estimates.</i>		
	7. GL# 10-51-280	Telephone	+\$200
	GL# 10-62-280	Telephone/Cell Phone	+\$2,000
	GL# 55-41-280	Aq. Ctr. Telephone	+\$1,300
	GL# 55-42-280	Aq. Ctr. Telephone	+\$2,500
	<i>This increase is to carry over money from last fiscal year for the new telephone system.</i>		

- 2
4 8. GL# 10-54-310 Professional & Tech Services +\$8,000
This increase is to contract with Orem City for Victim Advocacy Services.
- 6 9. GL# 10-57-630 North UT County Animal Shelter +\$6,370
This increase is due to a price increase from North Utah County Animal Shelter.
- 8 10. Multiple GL's Streets -\$95,635
10 Multiple GL's PW Admin +\$95,635
Moving Public Works Specialist from Streets to Public Works Administration.
- 12 11. GL# 10-60-222 Uniform Expense +\$445
14 GL# 10-62-222 Uniform Expense +\$570
GL# 51-40-222 Uniform Expense +\$1,040
16 GL# 52-40-222 Uniform Expense +\$700
GL# 54-40-222 Uniform Expense +\$380
This increase is to cover the difference between the \$340 Public Works employee clothing allowance and the \$150 already budgeted.
- 20 12. GL# 10-60-740 Purchase of Capital Asset +\$228,075
22 GL# 10-62-675 Purchase of Equipment +\$7,600
GL# 11-40-735 Class C Capital Improvements +\$726,225
24 GL# 51-40-250 Operating Supplies & Maint. +\$20,000
GL# 54-40-640 Storm Water Program +\$9,350
This increase is to fund requests from Public Works. The increase is for a PO that was open last FY and completed this FY, doors at wells and pump houses, an addition for a contract, and other adjustments and additions.
- 28 13. GL# 10-64-110 Salaries & Wages +\$1,310
30 GL# 10-64-115 Salaries & Wages – Overtime +\$940
32 GL# 10-64-135 Benefits – FICA +\$175
GL# 10-64-180 Benefits – Retirement +\$470
34 GL# 10-64-185 Benefits – Workers Comp. +\$45
This increase is to cover Parks Maintenance Technician pay increase.
- 36 14. GL# 10-68-110 Salaries & Wages +\$2,355
38 GL# 10-68-135 Benefits – FICA +\$180
GL# 10-68-180 Benefits – Retirement +\$455
40 GL# 10-68-185 Benefits – Workers Comp. +\$45
This increase is to cover the Planner II pay increase.
- 42 15. GL# 47-40-728 Anderson Farms Park +\$1,763,590
44 *This increase is for Anderson Farms Park including reimbursement to Ivory Homes.*
- 46 16. GL# 55-42-360 Aq. Ctr. Other Community Events +\$30,000
48 *This increase is to cover Christmas tree lighting.*
17. Multiple GL's Use of Fund Balance +\$2,309,846

2 Multiple GL's Appropriate to Fund Balance -\$420,704
 4 *The changes in revenues and expenses are balanced and offset by changes in the use of
 and appropriation to fund balances.*

6 Ms. Colson also presented the fee schedule changes followed by discussion.
 Following some additional discussion, the council was in agreement to approve
 8 Resolution #2022-20-R approving the amendments to the FY2023 city budget and fee
 schedule as presented by staff. The Mayor and Council expressed their appreciation to
 10 Ms. Colson and Mr. Adams for their continued good works on the budget.

Mayor Lundberg called for any public comments. Hearing none she called for
 12 motion to close the public hearing.

14 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
 HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
 16 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

18 Mayor Lundberg called for any further discussion or comments from the Council.
 Hearing none she called for a motion.

20 COUNCILMEMBER VANCHIERE MOVED TO MOVE TO APPROVE
 22 RESOLUTION #2022-20-R APPROVING THE AMENDMENTS TO THE FY2023
 CITY BUDGET AND FEE SCHEDULE AS PRESENTED. COUNCILMEMBER
 24 HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
 COUNCILMEMBER HOYT AYE
 26 COUNCILMEMBER BRODERICK AYE
 COUNCILMEMBER VANCHIERE AYE
 28 COUNCILMEMBER POWELL AYE
 COUNCILMEMBER MAGLEBY AYE
 30 THE MOTION CARRIED UNANIMOUSLY.

32 **13. Public Hearing — Updated Street Lighting Standards; Ordinance #2022-14-**
O. The Council will review and consider the updated street lighting standards to
 34 codify previously recommended changes within the Lindon City Land
 Development Policies, Standard Specifications and Drawings manual and lighting
 36 requirements of Lindon City Code sections 17.54 and 17.50. This item was
 continued from the September 19, 2022 meeting.

38 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
 40 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
 VOTED IN FAVOR. THE MOTION CARRIED.

42 Adam Cowie, City Administrator, led this agenda item by stating this proposal is
 44 to eliminate the City's current three street light styles and replace with single street light
 style City-wide. Mr. Cowie explained that due to supply chain delays the City and

2 Developers are having a very difficult time obtaining the City's current street lights which
 is greatly delaying installation. He pointed out that the City's current street lights are also
 4 quite expensive. He noted that Rocky Mountain Power (PacifiCorp) can provide and
 install via their preferred installation contractor street lights much more quickly since
 6 they have them in stock and have greater buying power and can install for a much better
 price to the City.

8 Mr. Cowie indicated that Rocky Mountain Power has done significant research
 and found street lights that have better warranties with lower prices than the lights the
 10 City is currently using. In order to help reduce prices and simplify stock, etc. they have
 standardized on a relatively small number of street light pole and luminaire options. He
 12 pointed out that none of their options exactly match the City's current street light
 standards, but one of them matches the City's current residential street light standard
 14 quite well.

Mr. Cowie then referenced for discussion the street light examples. Mr. Cowie
 16 also mentioned Mr. Florence is recommending an amendment on the 700 North sidewalk
 to increase the sidewalk width from 6' to 10'. Mayor Lundberg called for any public
 18 comments at this time.

Ms. Lori Esteban spoke on shields on the street lights noting they emit light out
 20 rather than down. She added the LED blue lights are very harsh and they cause negative
 impacts on animals, humans and the environment. She said they are now adding back in
 22 more color so they are not so harsh and so they don't cause problems on the roads
 because of the blue harsh light; that's why they are so cheap. She noted it would be nice
 24 to set Lindon apart with the warmer light that is not so harsh and use a different bulb that
 would also be environmentally friendly.

26 Mayor Lundberg called for any further public comments. Hearing none she called
 for motion to close the public hearing.

28 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
 30 COUNCILMEMBER MAGLEBY SECONDED THE MOTION. ALL PRESENT
 VOTED IN FAVOR. THE MOTION CARRIED.

32 Following some additional discussion, the Council was in agreement to approve
 34 Ordinance #2022-14-O approving the updated street lighting standards as presented with
 the recommendation that staff look into some different bulb options.

36 Mayor Lundberg called for any further discussion or comments from the Council.
 Hearing none she called for a motion.

38 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2022-14-
 40 O APPROVING THE UPDATED STREET LIGHTING STANDARDS AS
 PRESENTED WITH THE RECOMMENDATION THAT STAFF LOOK INTO
 42 DIFFERENT BULB OPTIONS. COUNCILMEMBER POWELL SECONDED THE
 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

44 COUNCILMEMBER HOYT AYE
 COUNCILMEMBER BRODERICK AYE

2 COUNCILMEMBER VANCHIERE AYE
 COUNCILMEMBER POWELL AYE
 4 COUNCILMEMBER MAGLEBY AYE
 THE MOTION CARRIED UNANIMOUSLY.

6
14. Discussion Item — 700 North Development & Housing Opportunities. The

8 Council will discuss opportunities for commercial development and housing
 options along the 700 N corridor.

10
 Mr. Cowie led this discussion item by stating this was a request by Mayor
 12 Lundberg to bring this issue forward for more discussion. He noted this is delving back
 into the depth of a parcel in the Ivory Development Agreement. He pointed out that a lot
 14 of developers would prefer a deeper parcel, but we have not heard back from Evergreen
 development yet. He has contacted Ivory Development and Chris Gamvroulas to see
 16 what it would take to open that doorway; bottom line is that it would take more units and
 higher density. He then presented and reviewed the original development agreement with
 18 Ivory and the different options followed by discussion.

Mr. Florence then spoke on different retail opportunities and desired depths and
 20 timelines. There was then some general discussion by the council including setbacks,
 density and anchor tenants. Councilmember Hoyt commented if we were to give up more
 22 density, we need to be very definitive of what we are doing and what we want on the
 corridor as he feels this is a critical piece of land. Mr. Florence stated he will also reach
 24 out to Evergreen Development again.

Following some additional discussion, Mayor Lundberg pointed out what she is
 26 hearing is that the Council is open to asking Ivory Development to look at this issue and
 put together a proposal and to engage in conversation for more opportunities for our
 28 identifiable town center.

Mayor Lundberg called for any further discussion or comments from the Council.
 30 Hearing none she called for a motion to adjourn.

32 **Adjourn –**

34 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
 AT 9:10 PM. COUNCILMEMBER MAGLEBY SECONDED THE MOTION. ALL
 36 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – November 7, 2022

40
 42 _____
 Kathryn A. Moosman, City Recorder

44 _____
 Carolyn O. Lundberg, Mayor

Item 7 – Consent Agenda – Consent agenda may contain items which have been discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion, or may discuss individual items as needed and act on them separately.

The following consent agenda item was presented for approval:

- a) Resolution #2022-23-R, 2023 meeting schedule

Sample Motion: I move to (approve, deny, continue) the consent agenda item (as presented, or with changes).

RESOLUTION NO. 2022-23-R

**A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH
COUNTY, UTAH, ADOPTING THE 2023 LINDON CITY PUBLIC MEETING
SCHEDULE FOR THE CITY COUNCIL, PLANNING COMMISSION, AND
BOARD OF ADJUSTMENT, AND CITY OBSERVED HOLIDAYS AND OFFICE
CLOSURE DATES, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Municipal Council of Lindon City finds it necessary for conformance with State Code to adopt and publish an annual public meeting calendar for the City Council, Planning Commission, and Board of Adjustment; and

WHEREAS, the City desires to declare City observed holidays and to announce when the City facilities will be closed to the public; and

WHEREAS, the Municipal Council has discussed dates for the proposed meeting and holiday schedule and desires to adopt the 2023 Lindon City Public Meeting Schedule.

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

SECTION I. The 2023 Lindon City Public Meeting Schedule is adopted as shown on the attached 'Exhibit A'.

SECTION II. This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Lindon City Council on this 7th day of November, 2022.

Carolyn O. Lundberg, Mayor

ATTEST:

Kathryn A. Moosman, City Recorder

SEAL:

LINDON CITY PUBLIC MEETING SCHEDULE 2023

ALL MEETINGS TO BE HELD AT THE LINDON CITY CENTER, 100 NORTH STATE STREET, LINDON UNLESS POSTED OTHERWISE

The following chart should be used as a guide when submitting applications for City Council, Planning Commission, and Board of Adjustment review. The City assumes no liability for a missed meeting. "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 the City Recorder, Kathy Moosman, at 801-300-8437, giving at least 24 hours-notice." **Lindon City Public Meeting Schedule adopted by Resolution #2022-23-R Dated 11.7.22**

Applications can be filed at any time. The application will be reviewed for completeness and conformance with City standards. When the application is considered complete and major issues have been addressed, it will then be scheduled for the next available meeting. Typical time frame for processing applications is 6 to 8 weeks. It is the applicant's responsibility to contact the City and inquire as to the status of the application and when it will be scheduled for a particular meeting.

Business requiring Planning Commission, City Council and/or Board of Adjustment review will be heard on the dates listed below.

CITY COUNCIL	PLANNING COMMISSION	BOARD OF	CITY OBSERVED HOLIDAYS
	6:00 P.M. 2 nd & 4 th Tuesday		<i>City Offices Closed</i>
JANUARY 3, 2023 – (Tuesday Meeting) JANUARY 17, 2023 – (Tuesday Meeting) FEBRUARY 6, 2023 FEBRUARY 22, 2023 – (Wednesday meeting) Budget Kick-off MARCH 6, 2023 MARCH 20, 2023 APRIL 17, 2023 MAY 1, 2023 MAY 15, 2023 JUNE 5, 2023 JUNE 19, 2023 * Juneteenth JULY 3, 2023 JULY 17, 2023 AUGUST 21, 2023 SEPTEMBER 18, 2023 OCTOBER 2, 2023 OCTOBER 16, 2023 NOVEMBER 6, 2023 NOVEMBER 20, 2023 DECEMBER 4, 2023 DECEMBER 18, 2023	JANUARY 10, 2023 JANUARY 24, 2023 FEBRUARY 28, 2023 MARCH 14, 2023 MARCH 28, 2023 APRIL 11, 2023 APRIL 25, 2023 MAY 9, 2023 MAY 23, 2023 JUNE 13, 2023 JUNE 27, 2023 JULY 11, 2023 AUGUST 15, 2023 SEPTEMBER 12, 2023 SEPTEMBER 26, 2023 OCTOBER 10, 2023 OCTOBER 24, 2023 NOVEMBER 14, 2023 NOVEMBER 28, 2023 DECEMBER 12, 2023	Board of Adjustment meets on an as needed basis	JANUARY 2 nd – New Year's Day (observed) JANUARY 16 th – Martin Luther King Jr. Day FEBRUARY 20 th – President's Day MAY 29 th – Memorial Day JULY 4 th – Independence Day JULY 24 th – Pioneer Day SEPTEMBER 4 th – Labor Day NOVEMBER 23 rd – 24 th – Thanksgiving Holiday DECEMBER 22 nd – City Offices closed at noon DECEMBER 25 th – 26 th – Christmas Holiday (observed) JANUARY 1 st – New Year's Day

NOTE: The City Council will meet as the Redevelopment Agency on an as needed basis on the same date as its regularly scheduled meetings.

NOTE: The Board of Adjustment will meet on an as needed basis. Meeting times and dates are subject to change.

NOTE: Meeting dates may be canceled at the discretion of the City Council and Planning Commission due to holidays, municipal elections, or other unforeseen conflicts.

NOTE: Special meetings, as needed to serve the public needs, may be added throughout the year for any of the above groups - with a minimum 24-hour public notice.

NOTE: All party caucus dates are not confirmed as yet. If they fall on a meeting date it may be subject to cancellation.

* Meeting is subject to cancellation.

- 8. Review & Action — Interlocal Agreement with Utah County for Communities that Care (CTC) Program; Resolution #2022-21-R.** The Council will review and consider an interlocal agreement with Utah County to receive grant funding and participate in the CTC program which will be administered by and through the Lindon Community Center staff. *(15 minutes)*

Sample Motion: I move to (approve, deny, continue) Resolution #2022-21-R approving the Interlocal Agreement with Utah County for the Communities That Care (CTC) Program (as presented, or with changes).

RESOLUTION NO. 2022-21-R

A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH UTAH COUNTY TO PARTICIPATE IN THE COMMUNITIES THAT CARE PREVENTION MODEL, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Utah County and Lindon City have voluntarily determined that the interests and welfare of the public within their respective jurisdictions will best be served by this Interlocal Cooperative Agreement for joint cooperative action; and

WHEREAS, the Communities That Care (CTC) system has proven effective in building good parenting programs, promoting healthy family development, improving youth development outcomes, and reducing youth problems associated with drug & alcohol use and/or criminal behaviors, all through personalized training and coaching; and

WHEREAS, Utah County Health Department and Lindon City desire to cooperatively work to establish and maintain the Communities That Care system within Lindon City; and

WHEREAS, Lindon City desires to proceed with implementation of the CTC program per the terms of the Interlocal Cooperation Agreement included as *Exhibit A*.

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

1. The Lindon City Council approves the Interlocal Cooperation Agreement Between Utah County and Lindon City for the establishment of the CTC program in Lindon City as attached in *Exhibit A*.

(See Exhibit A)

PASSED AND ADOPTED by the Lindon City Council on this the ____ day of _____, 2022.

Carolyn O. Lundberg, Mayor

ATTEST:

Kathryn A. Moosman, City Recorder

SEAL:

Agreement No. 2022 - _____

**INTERLOCAL COOPERATION AGREEMENT WITH LINDON CITY FOR
SUBSTANCE MISUSE PREVENTION SERVICES AND COMMUNITIES THAT CARE
PREVENTION MODEL**

THIS IS AN INTERLOCAL COOPERATION AGREEMENT, made and entered into by and between UTAH COUNTY, UTAH, a body corporate and politic of the State of Utah, by and through the Utah County Health Department, (UCHD) 100 East Center Street, Provo, Utah 84601 and the municipality of Lindon City, 100 North State Street, Lindon, Utah 84042, municipal corporation and a political subdivision of the State of Utah.

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953, as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action; and

WHEREAS, all of the parties to this Agreement are public agencies as defined in the Interlocal Cooperation Act; and

WHEREAS, Utah County and Lindon City, within Utah County, through their respective governing bodies, have voluntarily determined that the interests and welfare of the public within their respective jurisdictions will best be served by this Interlocal Cooperative Agreement for joint or cooperative action.

NOW THEREFORE, in consideration of the covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Effective Date; Duration.

This Agreement shall become effective November 1, 2022 and shall enter into force, within the meaning of the Interlocal Cooperation Act, upon the submission of this Interlocal Cooperation Agreement to, and the approval and execution hereof by a majority of the governing bodies of all of the parties to this Agreement. The term of this Interlocal Cooperation Agreement shall be from November 1, 2022 hereof until June 30, 2023. This Interlocal Cooperation Agreement shall not become effective until it has been reviewed and approved as to form and compatibility with the laws of the State of Utah by the Utah County Attorney's Office, and the Lindon City Attorney. Prior to becoming effective, this Interlocal Cooperation Agreement shall be filed with the person who keeps the records of each of the parties hereto.

Section 2. Administration of Interlocal Cooperation Agreement.

The parties to this Agreement do not contemplate nor intend to establish an Interlocal entity under the terms of this Interlocal Cooperation Agreement. The parties do agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, that Utah County shall act as the administrator responsible for the administration of this Interlocal Cooperation Agreement. The parties further agree that this Interlocal Cooperation Agreement does not anticipate nor provide for any organizational changes in the parties.

Section 3. Purposes

This Interlocal Cooperation Agreement is established for the following purposes:

- a. To coordinate with Lindon City to employ a part-time (up to 20 hours per week, 52 weeks per year) Communities that Care (CTC) Coordinator and provide technical support to establish and maintain the CTC prevention model within the community.
- b. To provide funding to Lindon City to employ a CTC coordinator as follows:
Utah County will provide Lindon City ten thousand dollars (\$10,000) for the

CTC Coordinator position/costs and ten thousand (\$10,000) for coalition capacity building for the period of November 1, 2022 through June 30, 2023. Beginning July 1, 2023 Lindon City will provide a yearly minimum match of ten thousand dollars (\$10,000).

- c. To establish and maintain the Communities that Care system within Lindon City and to work with Utah County Health Department to ensure the CTC model is being implemented with fidelity through the five phases of CTC (<http://www.communitiesthatcare.net/>).
- d. To reduce youth problem behaviors as found in the Hawkins and Catalano Risk and Protective Factor Model.

Section 4. Manner of Financing.

This Interlocal Cooperation Agreement and the joint, cooperative actions contemplated herein shall not receive separate financing, nor shall a separate budget be required. Each party shall be responsible for its own obligations under this Interlocal Cooperation Agreement. The funds provided are primarily to be used for:

- 1. CTC coordinator position costs/salary.
- 2. Trainings associated with coalition coordinator and coalition members for approved travel costs.
- 3. Any additional prevention activities as described in the CTC model or community action plan pending approval from UCHD.

Section 5. Coalition Capacity Building Funding

The funds appropriated for coalition capacity building can be used for the following:

- 1. CTC coalition training costs directly related to benchmarks and action plans.
 - a. CTC module trainings
 - b. State CTC trainings
 - c. Food/mileage/supplies
- 2. Travel/Training, including but not limited to Principles of Prevention, CADCA and/or

- National Prevention Network Conference for coordinator and coalition members
 - a. Mileage, airfare, per diem, registration, lodging and transportation
- 3. Town hall/community education events
 - a. Advertising, food and recognition awards, coalition needs
- 4. Workgroup activities
 - a. Evaluation contract
 - b. Data collection
 - c. Meeting costs
- 5. Minor equipment under \$600.00

Section 6. Interlocal Requirements

- 1. CTC Coordinator will attend and complete Substance Abuse Prevention Specialist Training (SAPST) within the first six months of hire.
- 2. CTC Coordinator will attend state/county CTC trainings as prioritized by UCHD and Coordinator.
- 3. Incorporate CTC benchmarks and phases as foundation of fidelity.
- 4. Complete and provide coalition agendas and minutes for all board and workgroup meetings.
- 5. Develop and use by-laws and organizational structure to direct coalition.
- 6. Coordinator will record all completed prevention activities in the DUGS data system within seven days of service.
- 7. Billings and claims for covered services must be submitted by the **20th of each month**. Billings and claims received by the 20th will reflect requested reimbursements for the previous month. **Final year-end billings must be submitted on or before July 10th**. Billings and claims for final payments received after **July 10, 2023** will not be considered for payment.
- 8. A bi-annual narrative report (1 page) identifying completed benchmarks and current status of action plan due December 31, 2022.

Section 7. Property Used in Joint and Cooperative Undertaking.

There will be no real or personal property acquired, held, and used pursuant to this Interlocal Cooperation Agreement.

Section 8. Methods of Termination.

This Interlocal Cooperative Agreement shall automatically terminate at the end of its term herein pursuant to the parameters of Section 1 of this Agreement. The parties to this

Agreement may also withdraw from participation herein by giving at least thirty days' notice to each of the other party to this Agreement. Any notice of termination or notice of withdrawal shall be served upon each of the parties to this Agreement.

Section 9. Indemnification.

Both parties are governmental entities subject to the Governmental Immunity Act of Utah, Utah Code Ann., Section 63G-7-101, et seq., as amended. By entering into this Agreement, neither party waives by this Agreement any defenses or limits of liability available under the Governmental Immunity Act of Utah, or any other applicable federal, state, or common law. Nothing in this Agreement shall be construed as an assumption of any duty for the benefit of any third-party. Subject to, and without waiving any immunities under applicable federal, state, or common law, including those described above, each party shall assume and retain liability and responsibility for the claims, losses, damages, injuries, or other liabilities arising out of the acts, omissions, or negligence of its own officers, employees, agents, and contractors in an amount not to exceed the damage limits in Utah Code Ann., Section 63G-7-604, as amended.

Section 10. Filing of Interlocal Cooperation Agreement.

Executed copies of this Interlocal Cooperation Agreement shall be placed on file in the office of the County Clerk/Auditor of Utah County, and with the official keeper of Lindon City records and shall remain on file for public inspection during the term of this Interlocal Cooperation Agreement.

Section 11. Adoption Requirements.

This Interlocal Cooperation Agreement shall be (a) approved by the executive body or officer of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an authorized attorney of each of the parties, as required by Section 11-13-202.5, Utah Code Annotated, 1953 as amended, and (d) filed in the official

records of each party.

Section 12. Amendments.

This Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by a resolution of the legislative body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an authorized attorney of each of the parties, as required by Section 11-13-202.5, Utah Code Annotated, 1953 as amended, and (d) filed in the official records of each party.

Section 13. Severability.

If any term or provision of this Interlocal Cooperation Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Interlocal Cooperation Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Interlocal Cooperation Agreement unenforceable.

Section 14. Governing Law.

All questions with respect to the construction of this Interlocal Cooperation Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 15. Committees.

The parties may establish from time to time such committees as shall be deemed appropriate and necessary.

Section 16. Headings.

Section headings are for convenience of reference only and shall not be considered any interpretation of the Interlocal Cooperation Agreement.

Section 17. Entire Agreement.

This Interlocal Cooperation Agreement contains the entire agreement of the parties. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied upon by the parties to it.

Section 18. Execution by Counterparts.

This Interlocal Cooperation Agreement may be executed in counterparts. The original of each executed Agreement shall be filed with Utah County.

Section 19. Sub-recipient Requirements.

By virtue of terms and conditions of the Federal Substance Abuse Prevention and Treatment block grant that funds the services purchased through this Agreement, Lindon City becomes a sub-recipient of the federal grant.

CFDA #: 93.959

As Lindon City is a Sub-recipient of the grant monies, and as such, shall have no authorization, express or implied, to bind Utah County to any agreements, settlements, liability, or understanding whatsoever, and agrees not to perform any acts as agent for the County, except as herein expressly set forth. The Sub-recipient shall be responsible for the payment of all income tax and social security amounts due as a result of payments received from the County for these contract services. Persons employed by the County and acting under the direction of the County shall not be deemed to be employees or agents of Lindon City.

- a) All Lindon City records with respect to any matters covered by this Agreement shall be made available to the County, OSUMH and the Comptroller General of the United States or any of their authorized representatives.

- b) Failure of the city to comply with the above requirements will constitute a violation of this Agreement and may result in the withholding of future payments.
- c) In accordance with OMB Circular A-133, *Audits of State, Local Governments and Non-Profit Organizations*, state and local governments or non-profit organizations that expend \$500,000 or more in total federal financial assistance (from all sources) in the recipient's fiscal year shall have a Single Audit completed.
- d) All Sub-recipient's, regardless of Single Audit eligibility, will make all pertinent financial records available for review, monitoring or audit, in a timely manner to appropriate officials of the federal granting agency, Utah County, any pass-thru entity and/or the General Accounting Office.

Nothing contained in this Agreement is intended to, nor shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Sub-recipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The County and program administrator shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the Sub-recipient is an independent contractor.

[Signatures on following page]

WITNESS WHEREOF, the parties have signed and executed this Interlocal Cooperation Agreement on the dates listed below:

Utah County Authorized by Resolution No. 2022-____, authorized and passed on the
 ____ day of _____ 2022.

Lindon City Authorized by Resolution No. _____, authorized and passed on the
 ____ day of _____ 2022.

APPROVED AND ADOPTED this ____ day of _____ 2022.

BOARD OF COUNTY COMMISSIONERS
 UTAH COUNTY, UTAH

By: _____
 Thomas Sakievich, Chair

ATTEST:
 JOSH DANIELS
 Utah County Clerk/Auditor

By: _____
 Deputy Date

By: _____
 Lindon City Mayor Date

APPROVED AS TO FORM:
 DAVID O. LEAVITT
 Utah County Attorney

By: _____
 Deputy County Attorney Date

By: _____
 Lindon City Recorder Date

APPROVED AS TO FORM:

By: _____
 Lindon City Attorney Date

- 9. Review & Action — Interlocal Agreement with Utah County for benches on the Murdock Canal Trail. Resolution #2022-22-R.** The Council will review and consider an interlocal agreement with Utah County to receive partial funding for benches to be installed along the Murdock Canal Trail adjacent to the Lindon Temple site. *(10 minutes)*

Sample Motion: I move to (approve, deny, continue) Resolution #2022-22-R approving the Interlocal Agreement with Utah County for benches on the Murdock Canal Trail (as presented, or with changes).

RESOLUTION NO. 2022-22-R**A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH UTAH COUNTY TO JOINTLY PARTICIPATE IN THE PURCHASE AND INSTALLATION OF BENCHES ALONG THE MURDOCK CANAL TRAIL, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Utah County and Lindon City have voluntarily determined that the interests and welfare of the public within their respective jurisdictions will best be served by this Interlocal Cooperative Agreement for joint cooperative action; and

WHEREAS, the Murdock Canal Trail is heavily used by pedestrians, bicyclists and other recreational users from within Lindon City and throughout Utah County; and

WHEREAS, the Lindon LDS Temple site is located adjacent to the Murdock Canal Trail and it is anticipated that trail users will frequently slow down or stop to view the temple site, and benches will be appropriate at this location along the trail; and

WHEREAS, Lindon City and Utah County jointly desire to participate in the purchase, installation and maintenance of the benches per the terms of the Interlocal Agreement included as *Exhibit A*.

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

1. The Lindon City Council approves the Interlocal Agreement between Utah County and Lindon City for the establishment of benches along the Murdock Canal Trail as attached in *Exhibit A*.

(See Exhibit A)

PASSED AND ADOPTED by the Lindon City Council on this the ____ day of _____, 2022.

Carolyn O. Lundberg, Mayor

ATTEST:

Kathryn A. Moosman, City Recorder

SEAL:

MURDOCK TRAIL PARK BENCH INSTALLATION INTERLOCAL AGREEMENT

This Interlocal Agreement (“Agreement”) is executed on the date(s) indicated below and is entered into by and between LINDON CITY (“City”), a municipal corporation and political subdivision of the State of Utah and UTAH COUNTY (“County”), a political subdivision of the State of Utah.

RECITALS

WHEREAS, on February 10, 2010, the City and County entered into an interlocal agreement providing for the public use of the Murdock Canal Trail greenway and which provided the framework for the parties to work together and share costs in the management, policing and maintenance of that greenway; and

WHEREAS, the City and County desire to work together to install two new sets of park benches within the greenway adjacent to the Murdock Canal Trail and in the vicinity of Center Street in Lindon City; and

WHEREAS, the parties desire to set forth more detailed and specific terms for the purchase, installation, and maintenance of such benches in a separate agreement; and

WHEREAS, the City and County have each approved this Agreement by resolution adopted by their respective governing bodies.

COVENANTS

NOW THEREFORE, in consideration of covenants, promises and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by both parties, the City and County agree as follows:

1. Lindon will be responsible for coordinating with the Provo River Water Users Association and to secure any agreements, easements, and/or licenses needed to install two sets of park benches within the greenway and next to the Murdock Canal Trail at approximately Center Street in Lindon City. Lindon will provide written approval to County from Provo River Water Users Association.
2. Lindon will solicit bids for the project and cause the project to be constructed.
3. The cost for the project is estimated to be \$29,200. The County agrees to reimburse Lindon sixty percent (60%) of the costs up to a maximum total of \$17,520 for the purchase and installation of two sets of park benches (4 total benches) and their corresponding bench pads as set forth in Exhibit 1 of this Agreement. The City will be responsible for the remaining amount as set forth in Exhibit 1. Reimbursement shall be made within 30 days of the receipt of an invoice upon completion of the project. Maintenance will be performed and funded as set forth in the Provo Reservoir Canal Rights-of-Way Greenway Interlocal Agreement.
4. The parties’ rights and obligations for the management, maintenance, and use of the Murdock Canal Trail greenway as set forth in the Provo Reservoir Canal Rights-of-Way Greenway Interlocal Agreement, entered into by the parties on February 10, 2010, shall not be modified or

altered by this Agreement, except as expressly set forth herein. All other provisions and terms of said Interlocal Agreement shall remain unaltered and in full force and effect.

5. The following terms are included to comply with the Interlocal Cooperation Act found in Chapter 13 of Title 11 of the Utah State Code.
 - a. This Agreement does not create a separate legal or administrative entity.
 - b. There shall not be a separate budget to carry out the terms of this Agreement, but each party shall pay for their respective obligations under this Agreement out of their own budgets or funds as they deem appropriate.
 - c. The County and City shall keep a copy of this Agreement with their respective keeper of records, which shall be made available to the public upon request.
 - d. The parties' respective attorneys have reviewed this Agreement as to proper form and compliance with applicable law.
6. This Agreement shall be interpreted pursuant to the laws of the State of Utah.
7. The parties represent that each has lawfully entered into this Agreement, having complied with all relevant statutes, ordinances, and laws applicable to their respective status as political subdivisions of the State of Utah.
8. The Recitals to this Agreement are hereby incorporated into the Covenants Section of this Agreement as if fully set forth herein.
9. This Agreement shall constitute the entire agreement between the parties and any previous understandings or representations made prior to the date of this Agreement shall not be binding on either party except to the extent they are incorporated into this Agreement.
10. This Agreement may be executed in one or more counterparts, all of which together shall be considered as one Agreement.
11. This Agreement covers the rights, privileges, responsibilities and liabilities of only the signatories to the Agreement. No third-party beneficiaries are created, nor are intended to be created, by this Agreement.

SIGNED AND ENTERED INTO this _____ day of _____, 2022.

UTAH COUNTY

 TOM SAKIEVICH
 Chair of the Board of Utah County Commissioners

Attest:

Approved as to Form

JOSH DANIELS
Utah County Clerk Auditor

DAVID O. LEAVITT
Utah County Attorney

SIGNED AND ENTERED INTO this ____ day of _____, 2022.

LINDON CITY

CAROLYN O. LUNDBERG
Lindon City Mayor

Attest:

Approved as to Form

KATHRYN A. MOOSMAN
Lindon City Recorder

BRIAN HAWS
Lindon City Attorney

EXHIBIT 1

Lindon City
100 North State Street
Lindon, UT 84042-1808



TEL 801-785-5043
FAX 801-785-4510
www.lindoncity.org

September 28, 2022

Murdoch Trail Park Bench Installation Project

Product description

The purpose of this project is to add two park bench areas adjacent to the Murdoch Trail in the vicinity of the Lindon LDS Temple, currently under construction.

The project will consist of two steps.

Step 1: Creation of bench pads adjacent to the Murdoch trail.

- Import materials to create bench pad, Materials will be compacted in lifts to ensure stabilization of pad area.
- Six feet of space will be maintained between existing trail and bench placement area.
- Gravel will be added and compacted for placement of concrete.
- Concrete path to benches, and bench pads will be placed.
- Size and dimensions of bench pad areas are shown on attached plans.

Step 2: Placement of Park Benches

- Surface mount park benches will be placed according to plans.
- Surface mount benches will be used in order to avoid conflict with utilities located on the west side of the existing trail.
- See included park bench pictures

Estimated costs:

Construction of park bench pads: \$12,000 per pad (x 2 pads)
Verbal estimate provided by JLR Contractors

Park benches: \$1300 per bench, delivered (x 4 benches)
Verbal estimate provided by Big T Recreation

The total estimated costs of the benches, concrete pads, fill material & bench installation is \$29,200.00.

Alex Roylance
Facilities and Fleet Manager
Lindon City Corp
aroylance@lindoncity.org
801-785-5043 ext. 210



[Submit quote for price](#)

4 foot & 6 foot Outdoor Benches with Back – Courtyard Collection – Portable/Surface Mount

As an urban planner or landscape architect, you may be looking for commercial outdoor bench seating that complements the aesthetic of your community park, school playground or other projects. For over 30 years, Wabash Valley Site Furnishings has worked with landscape architects.

WELCOME TO WABASH VALLEY SITE FURNISHINGS!

LIKE MANY MANUFACTURERS, WE ARE CURRENTLY EXPERIENCING LONGER THAN TYPICAL LEAD TIMES. THANK YOU FOR YOUR PATIENCE.



The Courtyard Collection 4- and 6-foot Outdoor Benches from Wabash Valley Furnishings are designed for superior durability, and they come in a wide range of patterns and colors. The framework of our benches is fabricated from AAMA 2604-05 compliant powder-coated cast aluminum.

All of our commercial 4- and 6-foot outdoor benches are available in our PLASTISOL-coated SLAT, RIB, PERFORATED and DIAMOND patterns. All units are free-standing and have 1/2-inch diameter holes in each foot pad for anchoring.

Customize your Wabash Valley product by selecting from the options below. Some options are available in different materials and finishes.

Bench Color

Material: Plastisol



Leg Color

Powder Coat Finish



Size

6 ft.



Pattern

Rib



Clear

Submit quote for price

Model #: CY420R

1

Add to quote

Estimated Lead Time:

20 weeks from date of purchase

[Request a quote for special quantity pricing](#)

Why Choose Commercial Outdoor Benches From Wabash Valley Furnishings?

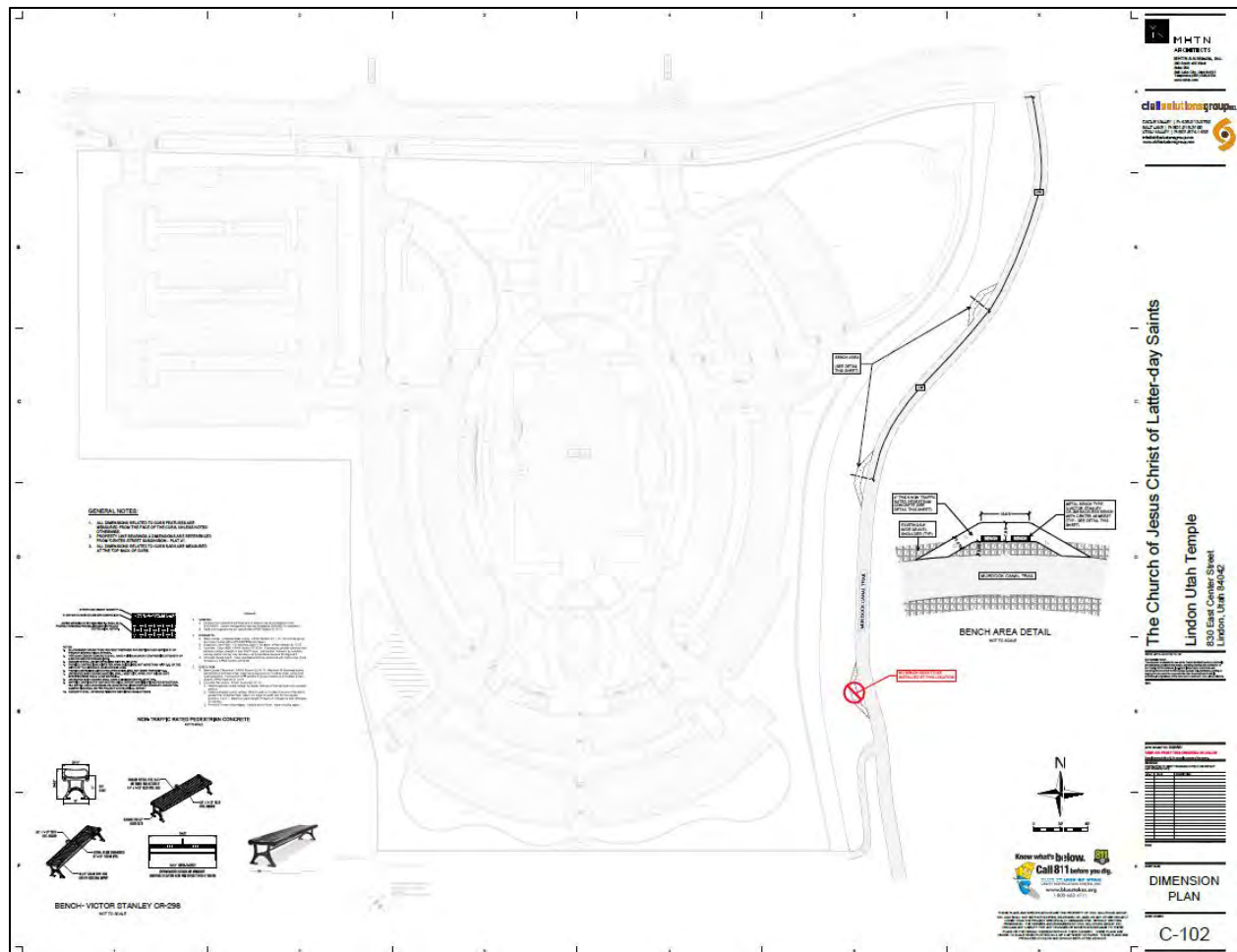
Wabash Valley Furnishings has a long tradition of offering comfortable, affordable and eco-friendly outdoor commercial benches for a wide range of settings, from destination attractions and restaurant patios to recreational areas and amusement parks. Our outdoor park benches are designed to stand up to the elements. They come in multiple colors and style configurations.

Outdoor areas that accommodate outdoor seating can benefit from commercial benches in many ways. Outdoor benches can reduce isolation, inspire visitors to get active and provide families with the opportunity to sit and enjoy the fresh air.

WELCOME TO WABASH VALLEY SITE FURNISHINGS!

LIKE MANY MANUFACTURERS, WE ARE CURRENTLY EXPERIENCING LONGER THAN TYPICAL LEAD TIMES. THANK YOU FOR YOUR PATIENCE.





- 10. Public Hearing — Ordinance #2022-16-O.** Jared Colledge has made an application with Lindon City to amend the Accessory Apartment ordinance (LCC 17.46) to allow detached accessory apartments in the front setback on deeper residential lots in Lindon City.
(20 minutes)

Sample Motion: I move to (approve, deny, continue) Ordinance #2022-16-O amending the accessory apartment code (LCC 17.46) to allow detached accessory apartments in the front setback on deeper residential lots in Lindon City (as presented, or with changes)

Ordinance Amendment – 17.46 Accessory Apartment

Date: November 7, 2022
 Applicant: Lindon City
 Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission unanimously recommended approval.

MOTION

I move to (*approve, deny, continue*) ordinance amendment 2022-16-O (*as presented, or with changes*).

Overview:

- Jared Colledge has made an application with Lindon City to amend the Accessory Apartment ordinance to allow detached accessory apartments in the front setback on deeper residential lots in Lindon City. Mr. Colledge would like to construct a detached garage with an accessory apartment on top of the garage in the front yard setback of his future home.
- This ordinance would apply to those properties that have a minimum depth of 250 feet and the owners have chosen to or will choose to place the primary single-family dwelling at the back of the property.
- A majority of the existing lots with homes have a front setback of 30' and will not qualify for an accessory apartment in the front setback.
- The ordinance also replaces the phrase single-family residence with single-family dwelling to be consistent with the definitions section of the zoning code.
- Allowing detached accessory dwelling units in the front yard of a property is something that is unique and not allowed by most Utah communities.

Proposed Ordinance

17.46 Accessory Apartments

Front Accessory Dwelling Unit Setbacks for Lots with more than Two Hundred and fifty (250) Feet of Depth. Lots that have a depth greater than two hundred and fifty (250) feet may be allowed to have an accessory apartment located in the front setback. If the detached accessory dwelling unit is located in front of the primary single-family dwelling, then the front, rear and side yard setbacks are the same as those required for primary single-family dwellings in the zoning district. The accessory apartment shall be separated from the primary single-family dwelling by sixty (60) feet.

Staff Analysis

The proposed ordinance amendment is written to apply narrowly to deeper residential lots. These maybe estate lots or lots where a property owner elects to put the primary single-family dwelling at the back of the property. Many of the 20,000 square foot lots in Lindon are 100' wide by 200' deep. This is the reason why staff identified a deep lot to be 250' in depth to qualify for a detached accessory apartment in the front yard.

The front setback for a detached accessory apartment located in the front yard will be 30' from the street which is the same requirement for a single-family home in a residential zone.

Staff's reasoning for proposing the 60' separation distance between the detached accessory dwelling unit located in the front yard and the primary single-family dwelling is to create sufficient space

between the two housing types. The primary single-family home will need sufficient driveway space and is the primary structure on the property. The 60' would allow a sufficient separation for driveways, yard areas and vehicle turnarounds. In addition, typically when a detached accessory apartment is constructed in the rear yard of a property, it has a 30' rear yard setback. A single-family dwelling usually has a minimum of a 30' front yard setback. These numbers were combined to come up with the 60' separation distance between the detached accessory apartment and the single-family dwelling.

Exhibits

1. Draft ordinance
2. Colledge Site Plan

ORDINANCE NO. 2022-16-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.46 ACCESSORY APARTMENT ZONING ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the proposed amendment is consistent with the goal of the General Plan that a variety of housing types should be provided where appropriate, and innovative development patterns and building methods that will result in more affordable housing being encouraged; and

WHEREAS, on October 11, 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 adopted the attached ordinance; and

WHEREAS, the City Council held a public hearing on November 7, 2022, to consider the recommendation and the City Council received and considered all public comments that were made therein.

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

SECTION I: Amendment. Amend Lindon City Code Section 17.46 as follows:

17.46.100 Accessory apartments.

This section establishes requirements and regulations regarding accessory apartments.

1. *Purpose Statement.* It is the intent of this section to allow accessory apartments in conjunction with owner occupied single-family homes in primarily residential zones. The purpose of the accessory apartment provisions is to:

- a. Provide a mix of housing options that responds to changing family needs and smaller households;
- b. Offer a means for residents, seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- c. Provide a broader range of affordable housing;
- d. Create new housing units within existing residential zones.

2. *General Requirements for All Accessory Apartments.*

- a. *Location.* Accessory apartments shall be allowed only in conjunction with an owner occupied primary single-family dwelling and where such single-family dwelling was not approved as part of an R2 overlay project. The city prohibits accessory apartments for lots six thousand (6,000) square feet or less and in the areas adopted on the Lindon City Accessory Apartment Map. The prohibited areas identified in the Lindon City Accessory Apartment Map are adopted and incorporated into this section and the map may be amended by ordinance and are equal to less than the twenty-five percent (25%) of primarily residential areas as allowed by Utah Code [10-9a-530](#) or as

may be amended.

b. *Number of Accessory Apartments.* A maximum number of one (1) accessory apartment shall be allowed in conjunction with each owner-occupied single-family dwelling.

c. *Parking.*

i. *Parking for Internal Accessory Apartments.* An internal accessory apartment shall provide one (1) off-street parking stall (two (2) for the single-family dwelling and one (1) for the accessory apartment). Parking stalls within a garage or carport utilized by the single-family dwelling shall not count toward the one (1) additional required parking stall for the accessory apartment, or vice versa, unless the garage is sized for more than two (2) vehicles and an accessible route from the garage parking to the accessory apartment can be maintained. Parking for an internal accessory apartment shall not be located in the front setback. Parking areas and driveways shall be provided with a dustless, hard surface material such as asphalt, concrete, compacted gravel, masonry, or concrete pavers. A path, sidewalk, or walkway shall be provided from the accessory apartment entrance to the required accessory apartment off-street parking stalls. Any parking spaces contained within a garage or carport shall be replaced if an internal accessory dwelling unit is created with the garage or carport.

ii. *Parking for Detached and Substantially Attached Accessory Apartments.* A single-family dwelling with a detached accessory apartment shall provide at least four (4) total off-street parking stalls (two (2) for the single-family dwelling and two (2) for the accessory apartment). Parking stalls within a garage or carport utilized by the single-family dwelling shall not count toward the two (2) additional required parking stalls for the accessory apartment, or vice versa, unless the garage is sized for more than two (2) vehicles and an accessible route from the garage parking to the accessory apartment can be maintained. Not more than one (1) of the designated accessory apartment parking stalls may be located within the front yard setback. Tandem (end-to-end) parking in a side yard may be acceptable for the required parking. Parking areas and driveways shall be provided with a dustless, hard surface material such as asphalt, concrete, compacted gravel, masonry, or concrete pavers. A path, sidewalk, or walkway shall be provided from the accessory apartment entrance to the required accessory apartment off-street parking stalls.

d. *Size Restrictions.* Internal accessory apartments shall not have a size restriction. The size of a detached accessory apartment shall be at least three hundred (300) square feet and shall not contain more than three (3) bedrooms.

e. *Building, Fire, and Health Codes.* All construction and remodeling shall comply with building, fire and health codes in effect at the time of construction or remodeling, with the exception of requirements as found Utah Code [15a-3](#) or as may be amended. Upon issuance of the accessory apartment building permit, the applicant shall pay fees in accordance with the currently adopted Lindon City fee schedule. Before the permit is issued the applicant shall:

i. Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, and the location of parking stalls.

ii. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses and other criteria required by the chief building official.

f. *Accessory Apartment Design.*

i. *Detached Accessory Apartment Building Entrances.* Entrances to detached accessory apartments shall ~~also~~ not face a street unless the detached accessory apartment is placed behind the primary ~~residence~~ single-family dwelling so that the entrance is not substantially visible from the street. However, where a property qualifies to have an accessory dwelling unit in the front yard as per section (3)(b)(ii) of this code, the accessory dwelling unit may have an entrance that faces a street. The purpose of this requirement is to preserve the single-family residential appearance of the primary single-family dwelling and/or the detached accessory apartment.

ii. *Internal Accessory Apartment.* The units shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.

g. New or existing garages and accessory buildings substantially attached to the main dwelling by covered walkways, covered breezeways, and covered porches may include an accessory apartment. In such instances, the garage/accessory building shall not be more than a distance of eighteen feet (18') from the main dwelling unit measured linearly between the foundation lines of the two (2) structures, and the apartment may not exceed sixty percent (60%) of the footprint of the primary ~~residence~~ single-family dwelling livable floor area, but in no case shall it exceed one thousand two hundred (1,200) square feet of maximum livable floor area.

h. *Apartment Address.* The address of the accessory apartment shall be clearly posted so as to be seen from the public street.

i. *Ownership.* An accessory apartment shall not be sold separately, or subdivided from the principal dwelling unit, parcel, or lot.

3. *Additional Requirements for Detached Accessory Apartments.*

a. *Height Restrictions.* Detached accessory apartments are limited to two (2) stories above grade with a maximum height not to exceed the height of the primary ~~residence~~ single-family dwelling or thirty feet (30') high. Building height is determined by averaging the measurements of the four (4) corners of the structure from finished grade to the highest point of the roof structure. The planning director and chief building official shall be responsible for designating and identifying the four (4) corners of a structure and determining building height.

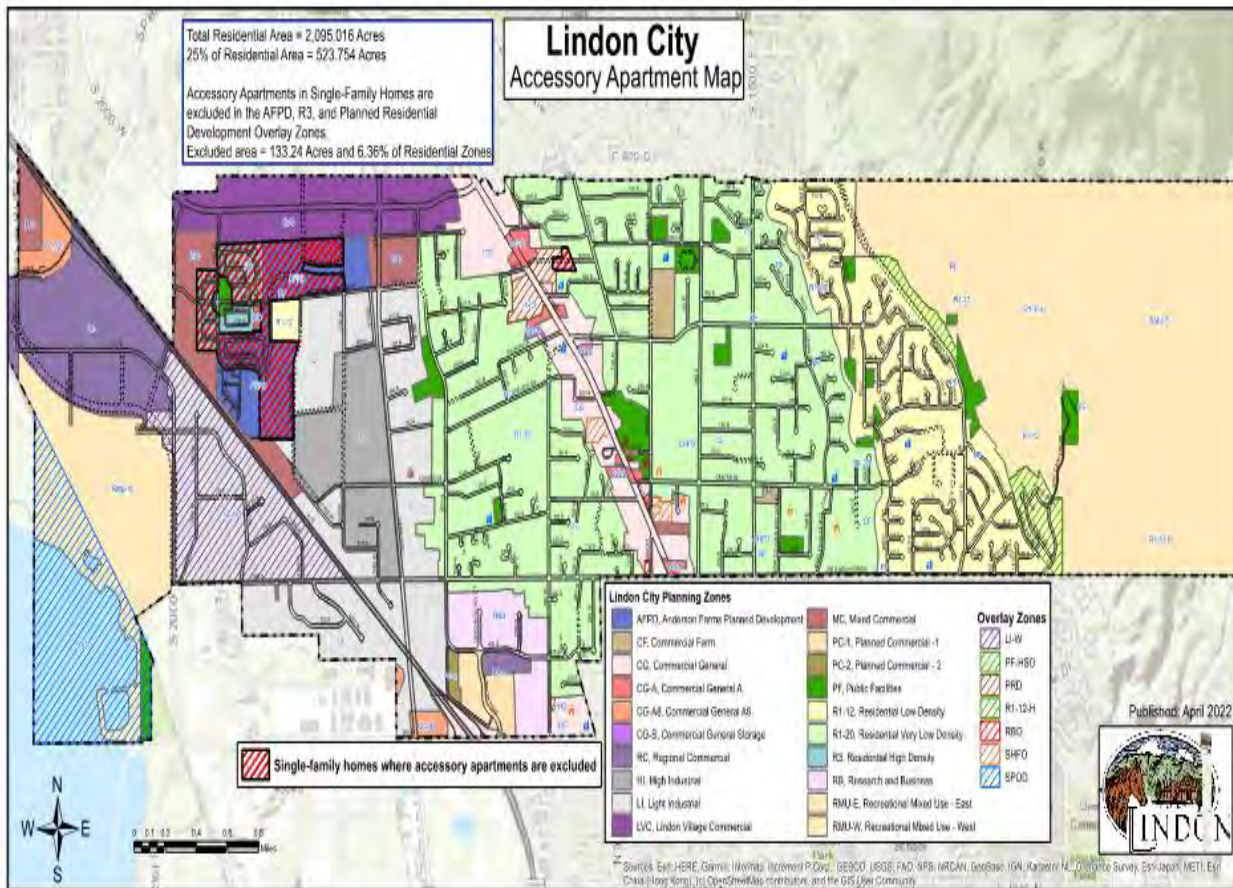
b. *Setbacks.*

i. *Accessory Dwelling Unit Rear and Corner Side Setbacks:* A detached accessory apartment must meet the same setbacks as the primary ~~residence~~ single-family dwelling for the underlying zone in which it is located, except that it shall be set back at least ten feet (10') further from a front-facing façade of the primary ~~residence~~ single-family dwelling which faces a street. Detached accessory apartments on the street-side yard of corner lots are only required to be set back ten feet (10') further than the front-facing façade of the primary ~~residence~~ single-family dwelling. No additional setback applies to street-side yard areas. See Table 17.46B. If a deck is constructed on the second story, the building setback will be measured from the deck.

ii. Front Accessory Dwelling Unit Setbacks for Lots with more than Two Hundred and fifty (250) Feet of Depth. Lots that have a depth greater than two hundred and fifty (250) feet may be allowed to have an accessory apartment located in the front yard. If the detached accessory dwelling unit is located in front of the primary single-family dwelling, then the front, rear and side yard setbacks are the same as those required for primary single-family dwellings in the zoning district. The accessory apartment shall be separated from the

primary single-family dwelling by sixty (60) feet.

- c. *Size Limit.* The detached accessory apartment may be attached to or part of other accessory structures, but in no case shall the maximum livable floor area of the detached accessory apartment exceed one thousand five hundred (1,500) square feet or forty percent (40%) of the primary ~~residence~~ single-family dwelling, whichever is less. The total livable square footage is calculated for both stories and does not apply separately to each story. Stairways for access to the second story shall be constructed on the interior of the accessory apartment. No exterior staircases shall be constructed unless required by building code. If an accessory apartment is connected to or constructed above a garage, the apartment shall have a separate entrance from the garage area.
 - d. *Exterior Design.* Architectural features and roofline of the detached accessory apartment shall be designed and constructed to be compatible with the character and materials used on the exterior of the primary ~~residence~~ single-family dwelling.
 - e. *Utilities.* Except for sewer service, all public and private utility services to the detached accessory apartment shall be provided through utility lines which service the primary ~~residence~~ single-family dwelling. Additional utility meters, utility laterals, or secondary service hook-ups are not permitted except as approved by the chief building official and/or the public works director in cases where options to provide utilities through the primary ~~residence~~ single-family dwelling service laterals are not feasible or cause significant hardship to the applicant.
4. *Notice.* The city may record a notice, as described in Utah Code [10-9a-530](#) or as may be amended, when an accessory apartment is approved.
 5. *Enforcement.* In addition to any other legal or equitable remedies available to Lindon City, the city may hold a lien against a property that contains an internal accessory dwelling unit as provided for in Utah Code [10-9a-530](#) or as may be amended.
 6. *Accessory Apartment Map.* The below map is adopted as part of this code and is also on file with Lindon City.



SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

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

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2022.

Carolyn Lundberg, Mayor

ATTEST:

Kathryn A. Moosman,
Lindon City Recorder

SEAL

11. Public Hearing — Sign Code Amendment; Ordinance 2022-18-O. The Council will review and consider Ordinance #2022-18-O amending LCC Title 18.02 and 18.03 regarding sign code changes. *(15 minutes)*

Sample Motion: I move to (approve, deny, continue) Ordinance #2022-18-O mending LCC Title 18.02 and 18.03 regarding sign code changes (as presented, or with changes).

Ordinance Amendment – Sign Code Amendment

Date: November 7, 2022
 Applicant: Lindon City
 Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission unanimously recommended approval

MOTION

I move to recommend (*approval, denial, or a continuance*) of ordinance amendment 2022-18-O (*as presented, or with changes*).

Overview:

- Currently, electronic message center signs are only allowed in the T-Zone along the I-15 corridor. The T-zone allows for electronic message center signs on pole signs and attached to buildings.
- All detached electronic message centers signs in commercial zones are required to be monument signs which is the only detached sign type the city currently allows in commercial zones. The planning commission recommended that electronic message center signs also be allowed as attached signs in the commercial zones.
- The commercial zones where electronic message center signs will be allowed as monument and attached signs are in the CG, CG-A, CG-A8, MC, PC-1, PC-2, LI, LVC, RC and HI zones.
- The city is also proposing to increase the allowable size of electronic message center signs along the freeway corridor from 56 square feet to 250 square feet. The T-zone along the I-15 corridor already allows a property owner to construct a freeway-oriented sign to be 250 square feet. The T-zone currently requires a 400-foot separation between electronic message center sign and identifies that not all businesses will be allowed to have an electronic message center sign. City staff is not proposing to amend this section of the code but discussion maybe further warranted with the city council.
- The city is also proposing to amend the lighting section of the sign code. This section refers to parking lot lighting requirements and this would be a clean-up section to remove parking lot lighting requirements from the sign code.

Exhibit

1. Proposed ordinance amendments to the Lindon City sign code

ORDINANCE NO. 2022-18-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLES 18.02 AND 18.03 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 is consistent with the goal of the Lindon City General Plan to carefully limit any negative impact of commercial facilities or neighboring land-use areas, particularly residential development; and

WHEREAS, the Lindon City Council finds that it is in the best interest of the City to allow for electronic message center signs and where specific standards are met to limit negative effects on surrounding properties; and

WHEREAS, on October 25, 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 November 7, 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 I: Amend Lindon City Code sections as follows:

18.02.090 – Sign Lighting

1. General Lighting Standards. The following requirements shall apply to exterior sign lighting of any ~~residential~~, commercial, industrial, or ~~professional~~ office development. These requirements are applicable to ~~parking lighting, sign lighting, architectural lighting, safety lighting, and landscaping lighting.~~

- a. Lighting shall be stationary. No lighting shall blink, flash, or be of unusually high intensity or brightness so as to be distracting to motorists or other properties within the vicinity.
- b. Lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel.
- c. Light poles shall not be used to display signs of any kind. ~~unless approved by the planning commission.~~
- d. Neon lights, strings or lines of LED lighting, other electrically activated gas tubing or similar lighting placed around the perimeter of a sign, ~~along a building elevation as building accents, or within a window (where such lighting is intended to be visible from the exterior of the building)~~ is prohibited. Neon tubing may only be allowed to illuminate or outline wording, copy, or logos within a sign face.

2. Signage Illumination Limits. The following criteria shall be used to determine proper illumination limits for all signs:

- a. The illumination of, or light produced by, any sign shall not increase nighttime ambient light levels by more than 0.3 footcandles as measured by an illuminance meter (footcandle meter)

placed five (5) feet above the ground and perpendicular to the sign face at a distance determined by the following formula:

$$\text{Measurement Distance (in feet)} = \sqrt{\text{Area of Sign Sq.Ft.} \times 100}$$

b. At the distance determined by the formula in 2(a) above, illuminance levels shall be measured with the sign lighting turned on, and again with the sign lighting turned off. The difference between the illumination measurements taken at the appropriate distance shall not exceed 0.3 footcandles. For digital signs (Electronic Changeable Copy signs) the difference between the on and off illuminance levels shall be measured while displaying:

- i. a solid white screen image (for a full color-capable display), and the sign lighting turned off; or
- ii. a solid screen image (for a single-color display), and the sign lighting turned off.

3. Dimmer. All Electronic Message Center signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions at all times.

4. Upon receiving reasonable written notice from Lindon City, all sign owners shall cooperate with the City in order to test signage illumination limits. (Ord. 2005-12, amended, 2005; Ord. 2002-21, amended, 2002)

18.03.020 – Definitions

~~“Changeable Copy sign—Electronic” means any sign whose informational content, display or copy can be changed or altered by electronic means—such as an LED sign, flat-panel digital screen, video projection or other similar electronic method.~~

Animation – the usage of multiple frames running at a sufficient speed that the human eye perceives the content to be in continuous movement

Electronic Message Center – A sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means

Fade – a mode of message transition on an EMC accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Flash – an intermittent or flashing light source where the identified EMC message is constantly repeated at extremely fast intervals

Scroll – a mode of message transition on an EMC where the message appears to move vertically across the display surface

Sign Message Transition – a visual effect used on an Electronic Message Center to change from one message to another

Static Message – messages that contain static messages only, and does not have movement, or the appearance of optical illusion of movement during the static display period, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement.

18.03.030 Specific Regulations by Sign Type

On-Premise Message Center Signs – Electronic or Mechanical Changeable Copy Sign

1. Location and General Requirements

- a. On-premise Electronic (such as LEDs or flat-panel digital technologies) and mechanical message center signs are permitted in the following zones: T-zone along the I-15 freeway corridor, CG, CG-A, CG-A8, MC, PC-1, PC-2, LI, LVC, RC and HI.
- b. except as allowed in the T-zone, all electronic message center signs shall only be constructed as part of a monument or wall sign.
- c. Electronic Message Center signs shall not include flashing or other similar effects.
- d. Electronic Message Center signs shall be located a minimum of one hundred (100) feet from any residential use. The separation distance shall be measured from the sign to the residential property line.
- e. Where an electronic message center sign is located within three hundred (300) feet of any residential use, the electronic message center sign shall remain static from 10:00 p.m. until 6:00 a.m. the following day and meet illumination requirements. The separation distance shall be measured from the sign to the residential property line.
- f. The interval between message changes shall not be more frequent than at least five (5) seconds and the actual message rotation process shall be accomplished in three (3) seconds or less by method of transitioning between messages or immediate change between messages. Messages shall not continuously scroll to move vertically or horizontally across the display surface.
- g. Prior to final approval of the sign, the applicant shall submit a report to the city that the sign meets the illumination levels for electronic message center signs.

2. Specific T-Zone Requirements

a. T-Zone

1. ~~Electronic changeable copy signs (such as LEDs or flat-panel digital technologies) and mechanically changeable copy signs are only permitted in the T-zone along the I-15 freeway corridor or as a gasoline price sign. See specific electronic changeable copy sign regulations for gasoline price signs under gasoline price sign type.~~
- i. ~~On-premise Electronic and Mechanical Message Center signs shall not exceed fifty-six (56) two hundred and fifty (250) square feet in display area. and shall be no larger than four and one-half feet (4.5') tall or wider than fourteen feet (14') long.~~
- ii. ~~On-premise Electronic and Mechanical Message Center Changeable Copy signs may be utilized as a wall sign, pole sign, or monument sign only. The coverage and size limitations for wall, pole or monument signs shall also apply to any proposed on-premise Electronic Message Center sign.~~
- iii. ~~Off-premise Electronic and Mechanical Message Center Changeable Copy and Mechanically Changeable Copy signs shall only be permitted upon billboards approved by Lindon City (See LCC 18.04) and shall not exceed six hundred seventy-five (675) square feet in display area.~~
- iv. ~~All off-premise Electronic and Mechanical Message Center Changeable Copy and Mechanically Changeable Copy signs are permitted for stationary messages only. The interval between message changes shall not be more frequent than at least eight seconds and the actual message rotation process shall be accomplished in three seconds or less by method of fading between messages or immediate change between messages. No flashing, scrolling video or other movement of sign message (copy) is permitted.~~
- v. ~~A four hundred foot (400') lineal separation distance (measured on the same side of the freeway - not a radius) is required between each on-premise Electronic Message Center~~

~~Electronically Changeable Copy Sign~~. This may prohibit some businesses from being able to obtain a permit for this type of signage if a proposed sign is less than 400' from an existing on-premise Electronic Message Center ~~Electronically Changeable Copy Sign~~.
 vi. A five hundred foot (500') lineal separation distance (measured on the same side of the freeway—not a radius) is required between each off-premise Electronic Message Center ~~Electronic Changeable Copy Sign~~.
 vii. All Electronic and Mechanical Message Center ~~Changeable Copy and Mechanically Changeable Copy~~ signs shall conform to lighting standards found within LCC 18.02.090

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

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

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____ day of _____, 2022.

 Carolyn Lundberg, Mayor

ATTEST:

 Kathryn A. Moosman,
 Lindon City Recorder

SEAL

ADJOURN