

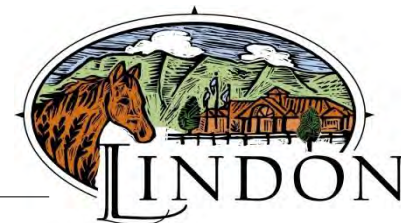
Lindon City Council Staff Report



Prepared by Lindon City
Administration

November 21, 2022

Notice of Meeting of the Lindon City Council



The Lindon City Council will hold a meeting at **5:15 pm on Monday, November 21, 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 – 5:15 P.M. - Conducting: Carolyn Lundberg, Mayor
Invocation: Carolyn Lundberg
Pledge of Allegiance: By invitation

(Review times are estimates only)
(2 minutes)

1. Call to Order / Roll Call

2. Presentations and Announcements

(20 minutes)

- a) Comments / Announcements from Mayor and Council members.
- b) Presentation: Planning Department photo contest winners: Luanne Olsen, Lisa Knapp, and Hunter Winkel.
- c) Presentation: Mayor Lundberg will review information from a presentation about sales taxes in Utah County.

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 November 7, 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) **Victim Advocate Services Agreement w/City of Orem.** This is an administrative contract with Orem for Victim Advocate Services that they will provide for \$8,000 per year. This is administered through the Police Department. The Council approved the budget expenditure in the October 17, 2022 budget amendment.
- b) **Surplus Equipment; Resolution #2022-24-R.** The Council will review and consider Resolution #2022-24-R regarding disposal of surplus equipment.

8. Review & Action — Bid Award; Secondary Water Meter Installation Project. Staff recommends awarding the secondary water meter installation project to Hydro Vac Excavation LLC in the amount of \$1,131,545.

(15 minutes)

9. Review & Action — Major Subdivision; Anderson Farms Plat H; Ivory Development, LLC. The applicant requests major subdivision approval for a 42-lot single family residential subdivision located in the Anderson Farms Planned Development (AFPD) zone. The subdivision is part of the Anderson Farms master development agreement with Ivory Development, LLC. (Parcel IDs #14:063:0120, #14:063:0119, #14:063:0116)

(20 minutes)

- 10. Public Hearing — Ordinance #2022-19-O; Amendment to the Lindon City Standard Land Use Table.** Lindon City proposes to amend the Standard Land Use Table in Lindon City Code, Appendix A, to prohibit extended stay hotels and motels in all zones of the city. (35 minutes)
- 11. Discussion Item —** Staff will discuss possible code changes to modify appeal authority processes and update the Council on a pending application for a group home in the R1-12 residential zone. (15 minutes)
- 12. Closed Executive Session —** The City Council will enter into a closed executive session to discuss the potential purchase or sale of real property per Utah State Code 52-4-205. This session is closed to the public. (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 16, 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 – 5:15 P.M. - Conducting: Carolyn Lundberg, Mayor

Invocation: Carolyn Lundberg

Pledge: By invitation

Item 1 – Call to Order / Roll Call

November 21, 2022 Lindon City Council meeting.

Carolyn Lundberg

Jake Hoyt

Van Broderick

Mike Vanchiere

Randi Powell

Daril Magleby

Item 2 – Presentations and Announcements

- a) Comments / Announcements from Mayor and Council members
- b) Presentation: Planning Department photo contest winners: Luanne Olsen, Lisa Knapp, and Hunter Winkel.
- c) Presentation: Mayor Lundberg will review information from a presentation about sales taxes in Utah County.

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

Attached are the winning photos for this year's photo contest celebrating American Planning Association Community Planning month. Theme: "What Lindon Means To Me".

The selected winners are Luanne Olsen, Lisa Knapp, and Hunter Winkel.

Luanne Olsen



Lisa Knapp



Hunter Winkel



Utah County Sales Tax Analysis

By: Julianne Boyce, Finance Associate

Introduction

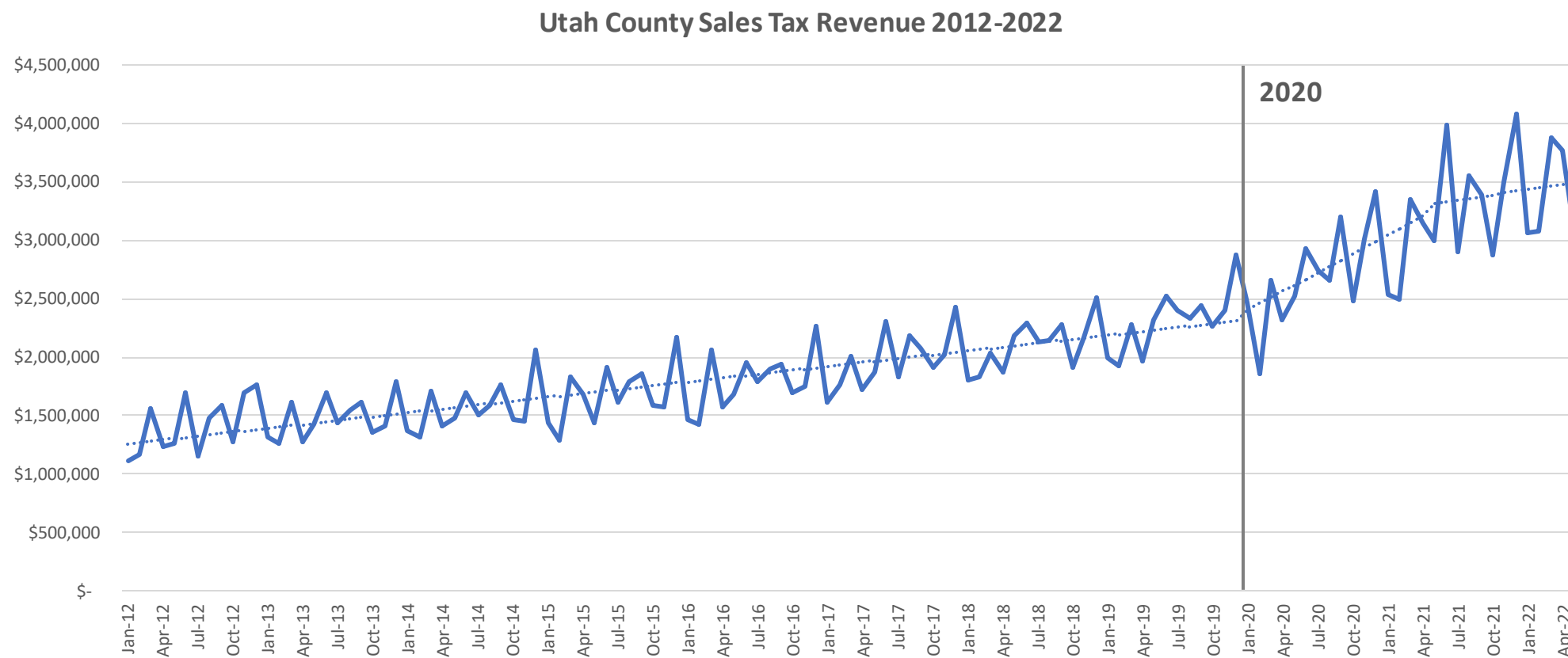
- Utah County sales tax revenue increased in 2020 & 2021
- Sales tax revenue growth has not yet abated

Contents

- Sales tax revenue trends
- Drivers of revenue increase
- Explanation of drivers
- Projections

Sales Tax Revenue Trends

Sales tax revenue increased over time with a change in rate in 2020



2020 & 2021 growth much higher than typical

Growth in Sales Tax Revenue		
	Dollar Growth	% Growth
Average (2013-2018)	\$ 1,400,000	6.8%
2019	\$ 2,500,000	10.1%
2020	\$ 4,500,000	16.4%
2021	\$ 6,500,000	20.3%

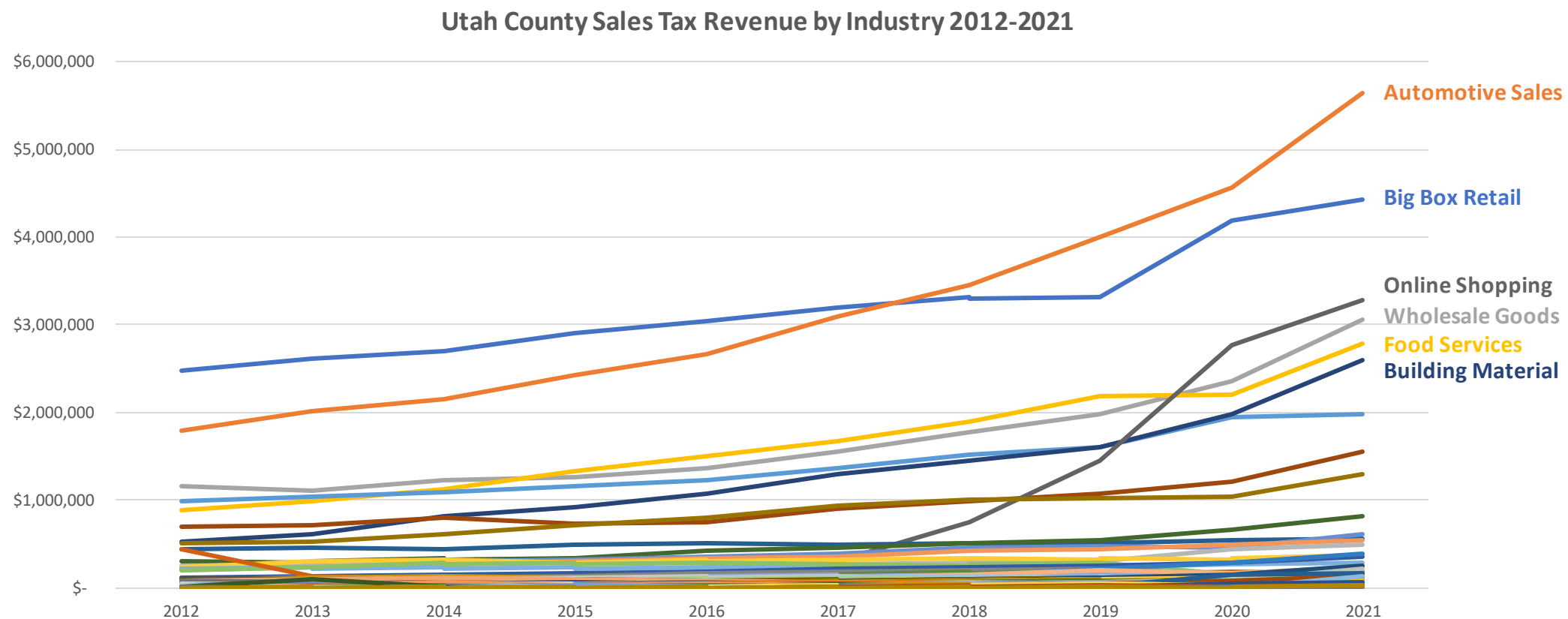
Sales tax
revenue is
increasing at
high rates

Why does this matter?

- 2021 county-option sales tax revenue
 - \$41 million
 - 35% of general fund revenue
- The trend of revenue will heavily impact the 2023 budget

Drivers of Growth

Dividing revenue into industries helps to isolate drivers



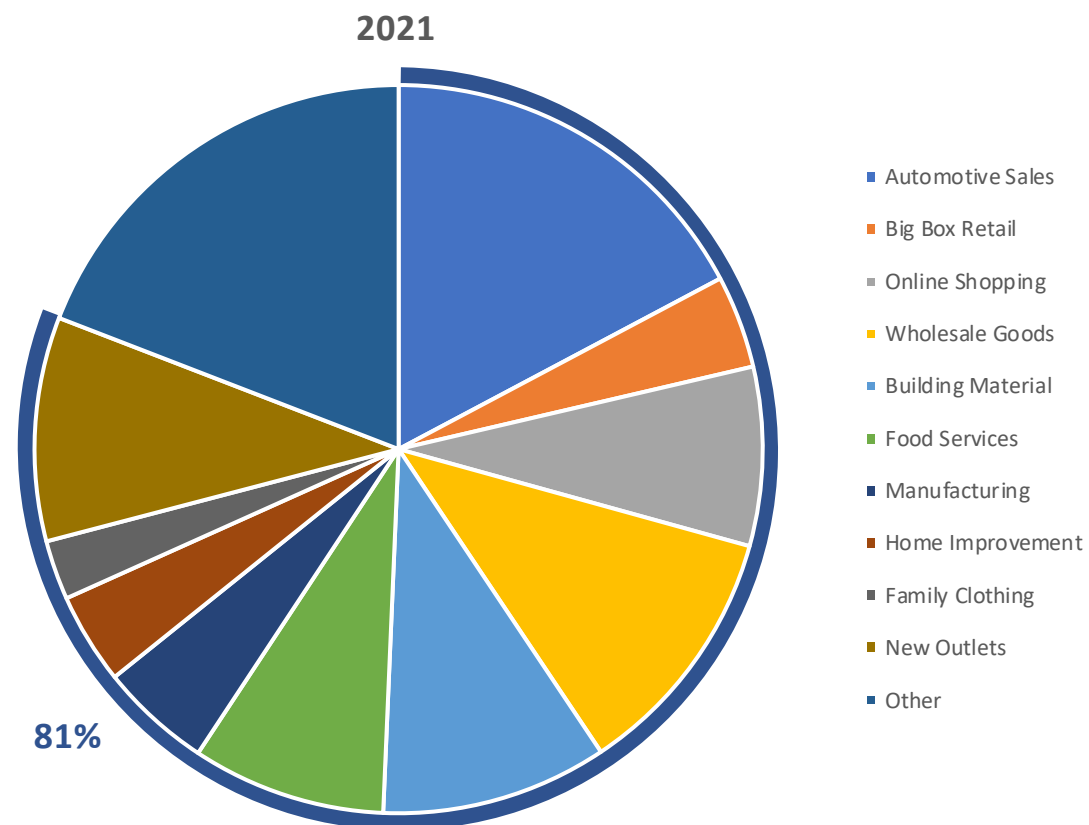
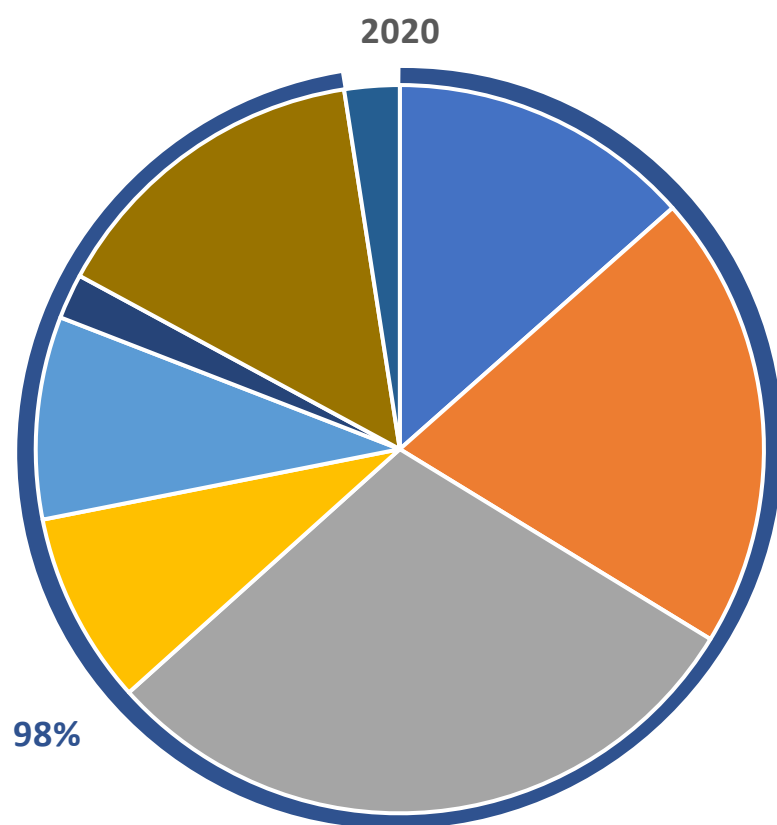
Automotive Sales	Ex. Doug Smith Autoplex; Brent Brown Toyota
Big Box Retail	Ex. Costco; Walmart; Super Target
Online Shopping	Ex. Amazon; Ebay; Wayfair
Wholesale Goods	Ex. Apple Computer; Mountainland Supply
Building Material	Ex. Home Depot; Lowes Home Centers
Food Services	Ex. McDonalds; Dominos; In-N-Out Burger
Manufacturing	Ex. Geneva Pipe Company; Drake Williams Steel
Home Improvement	Ex. RC Willey; Best Buy; Bed, Bath, & Beyond
Family Clothing	Ex. Ross Dress for Less; Old Navy; Nordstrom
Other New Outlets	New outlets from low-growth industries

High-Growth Industries

Responsible for the 2020 and 2021 growth in sales tax revenue

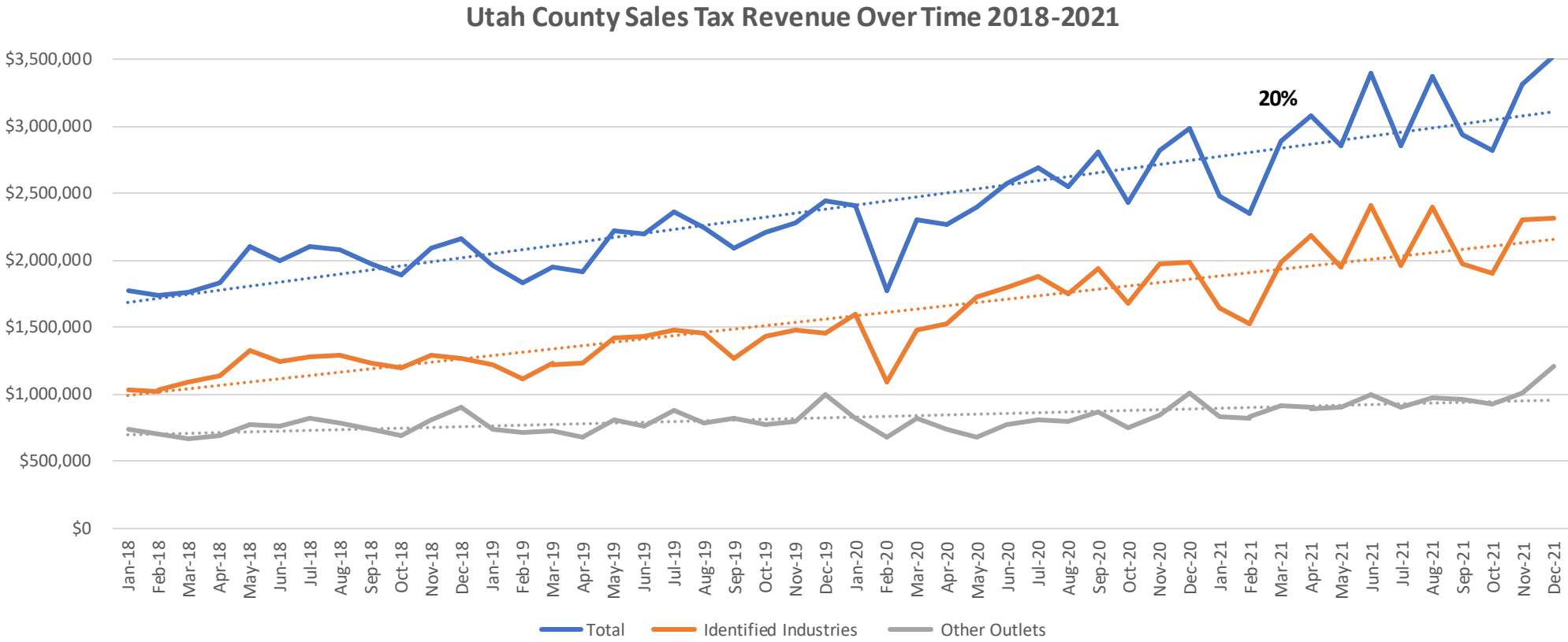
Growth in Sales Tax Revenue

98% and 81% of growth for 2020 and 2021 is explained by these industries

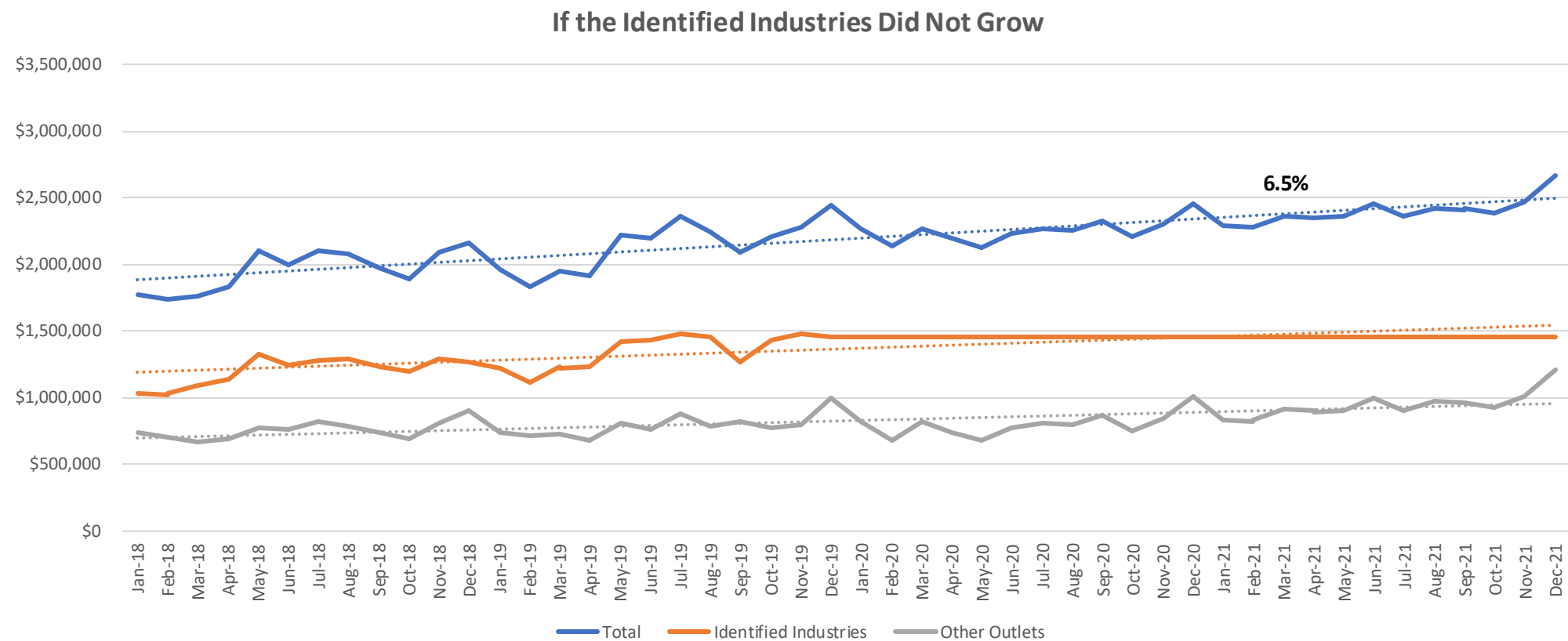


- Automotive Sales
- Big Box Retail
- Online Shopping
- Wholesale Goods
- Building Material
- Food Services
- Manufacturing
- Home Improvement
- Family Clothing
- New Outlets
- Other

With growth of identified industries, sales tax revenue grew 20% in 2021



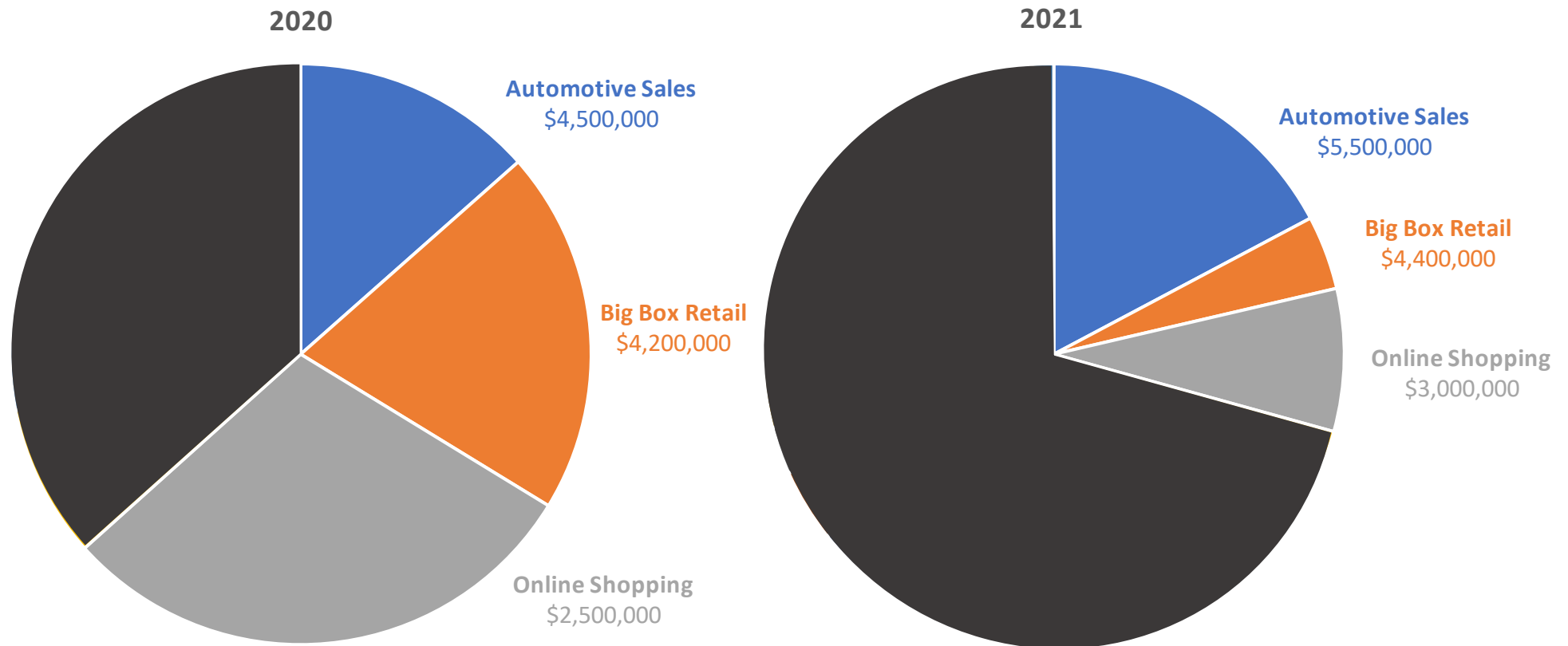
Without growth of identified industries, sales tax revenue would only have grown 6.5%



Most of the
increase in
sales tax
revenue is
explained by
these
industries

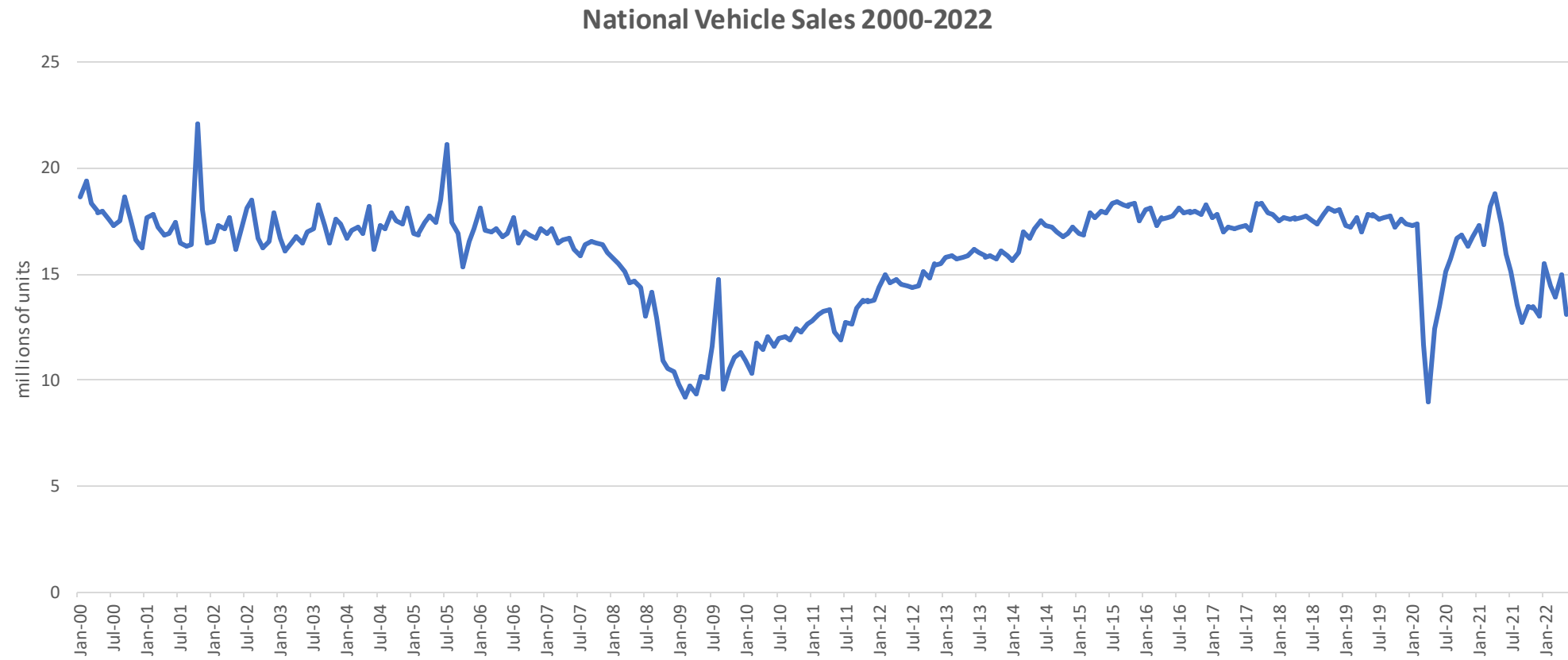
Understanding how these industries will
change will inform how sales tax revenue will
change

Top 3 Industries – why have they grown?

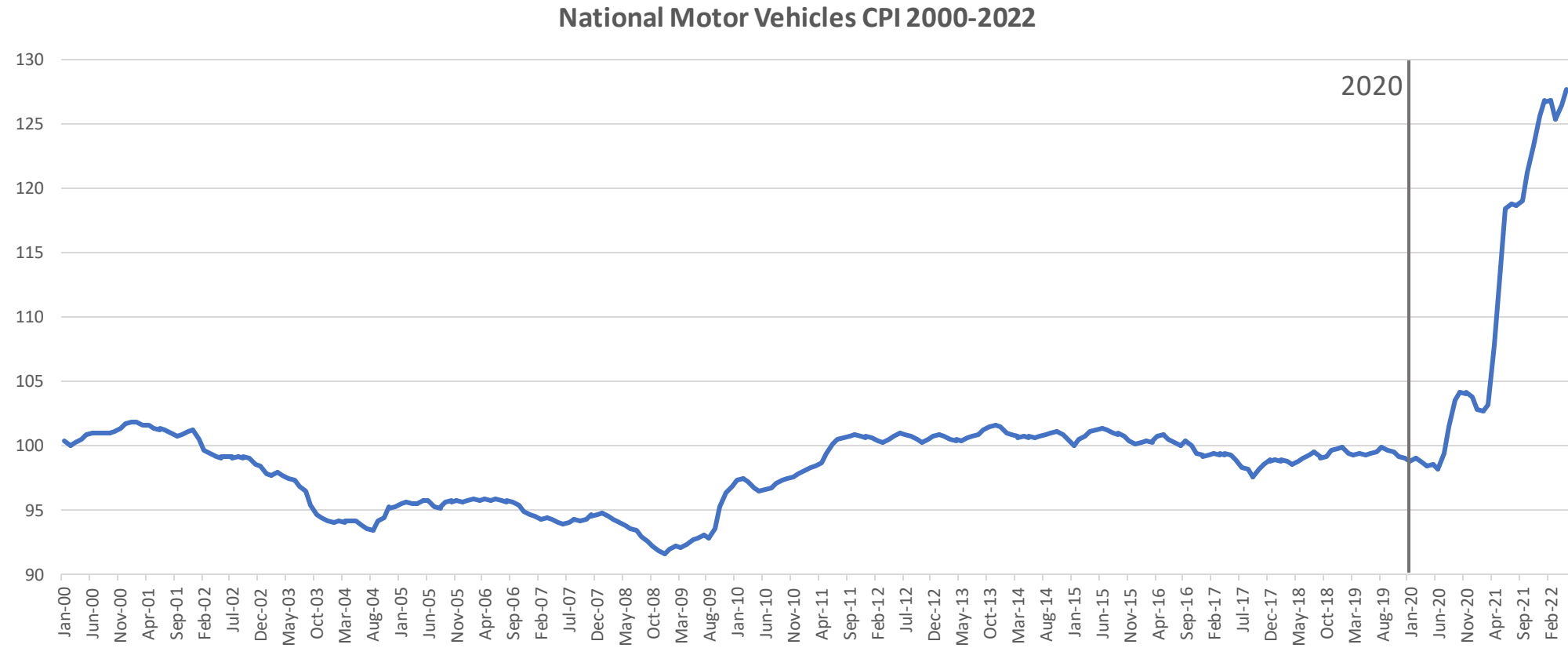


Automotive Sales

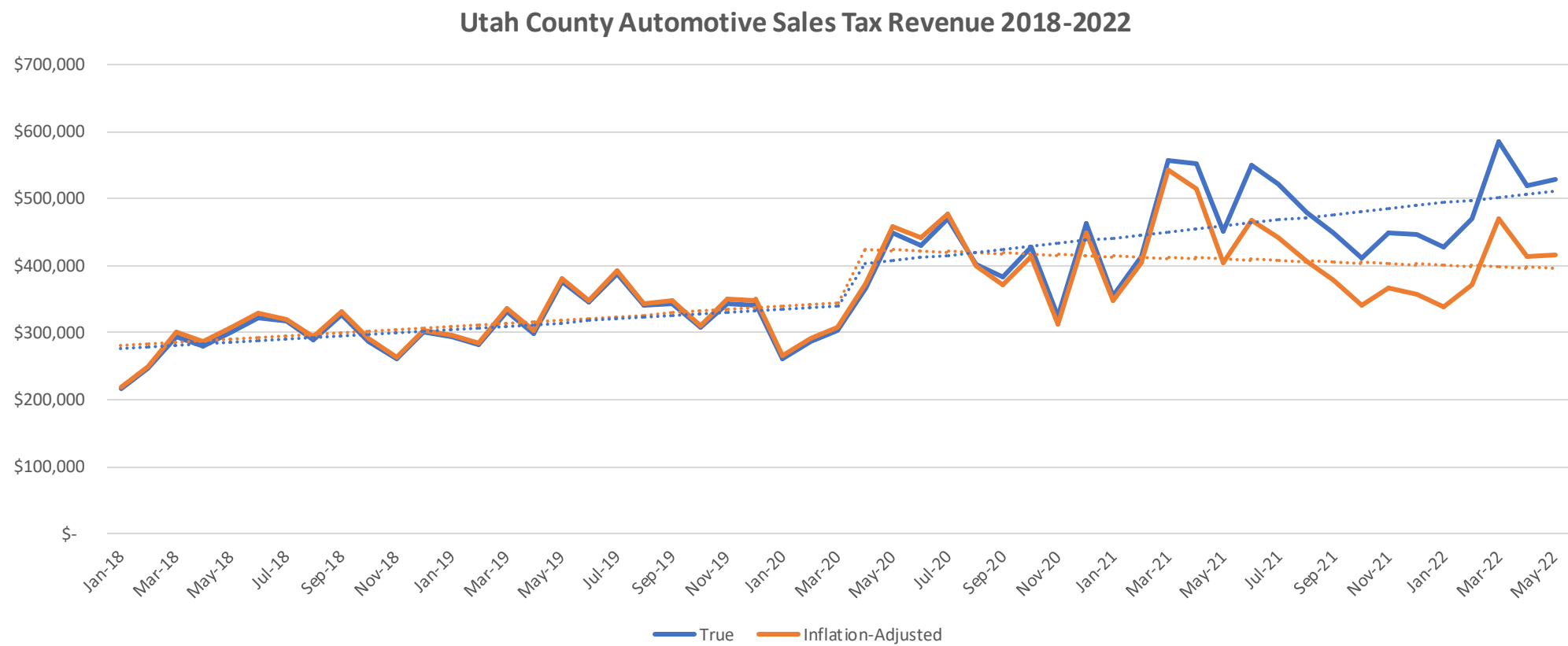
In the US as a whole, vehicle sales have fallen in recent years



However, motor vehicle inflation has increased dramatically



2021 automotive revenue growth is mostly due to inflation

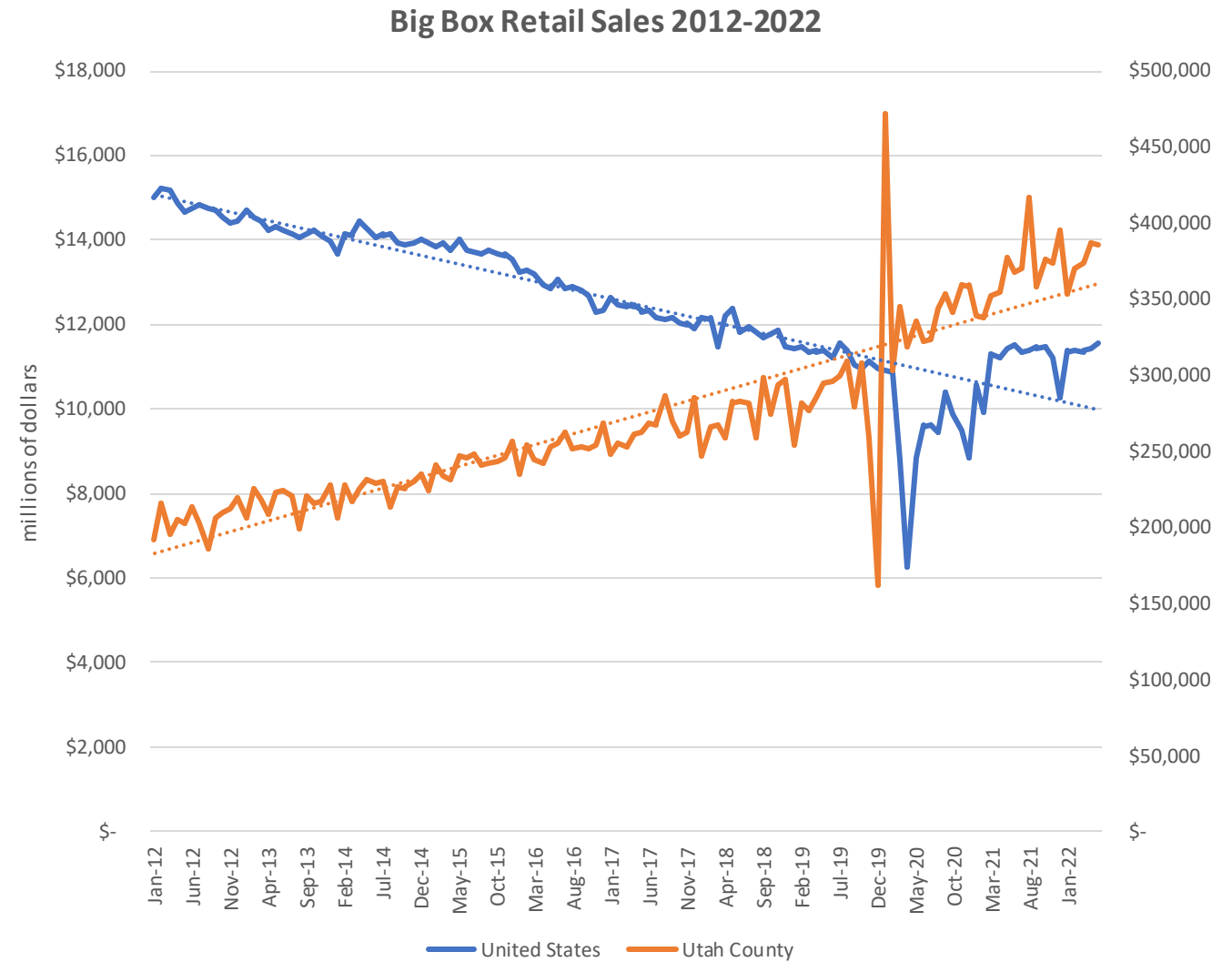


Much of the growth in automotive sales can be explained by inflation

- When inflation falls, pent-up demand will drive up sales (revenue will stay high)

Big Box Retail

- Big Box Retail sales have increased in Utah County while they have decreased nationwide
- Utah County families are bigger (by 35%)
- Utah County retailers have online order/curbside pickup

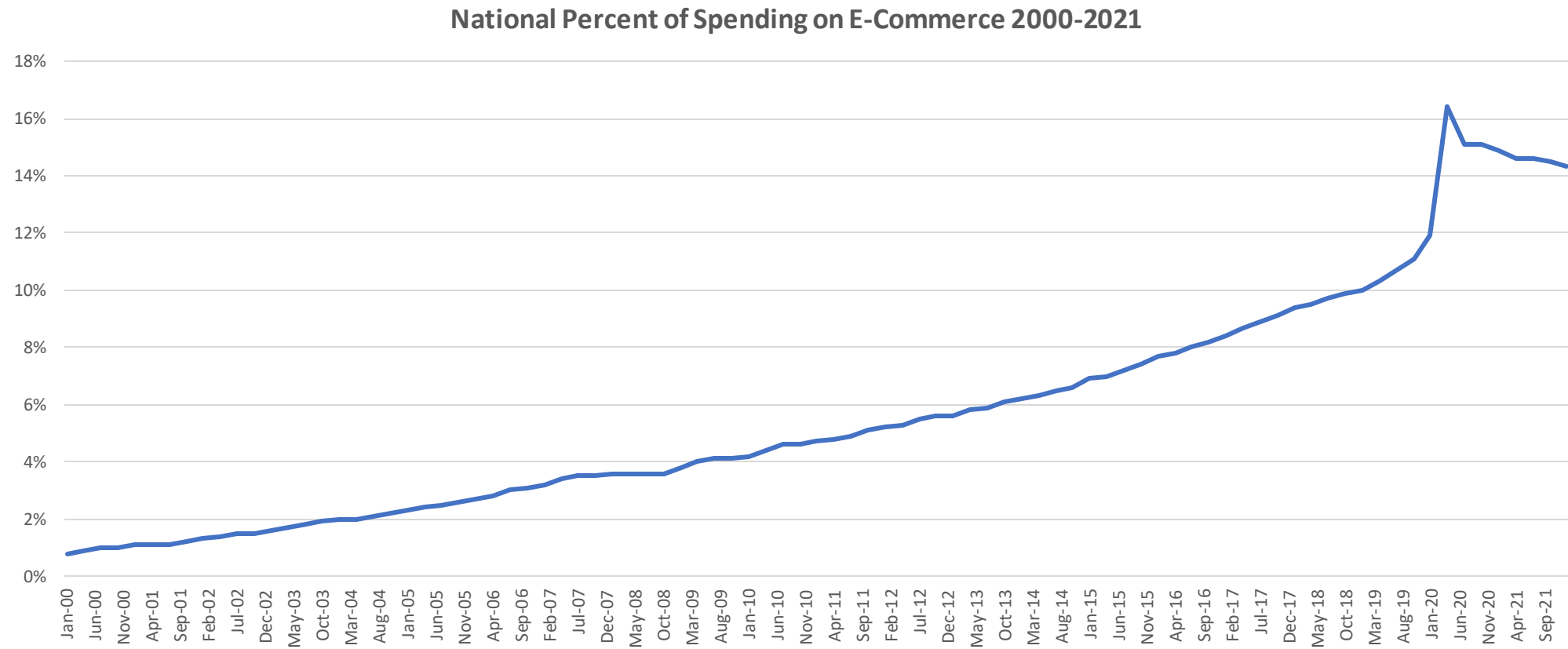


Big Box Retail
sales show no
sign of slowing
down

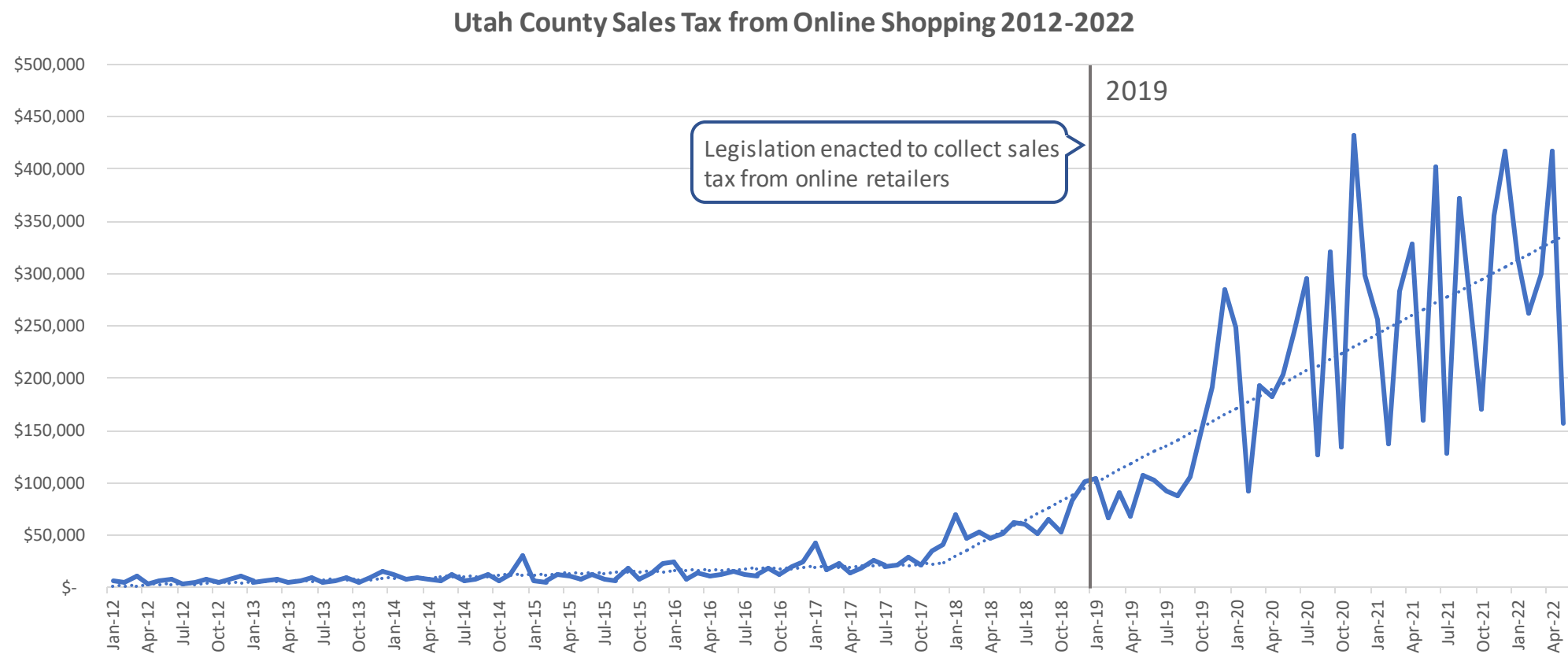
- Big Box Retail sales have a long trend of increasing revenue

Online Shopping

Percent of spending on e-commerce has increased over time, particularly in 2020

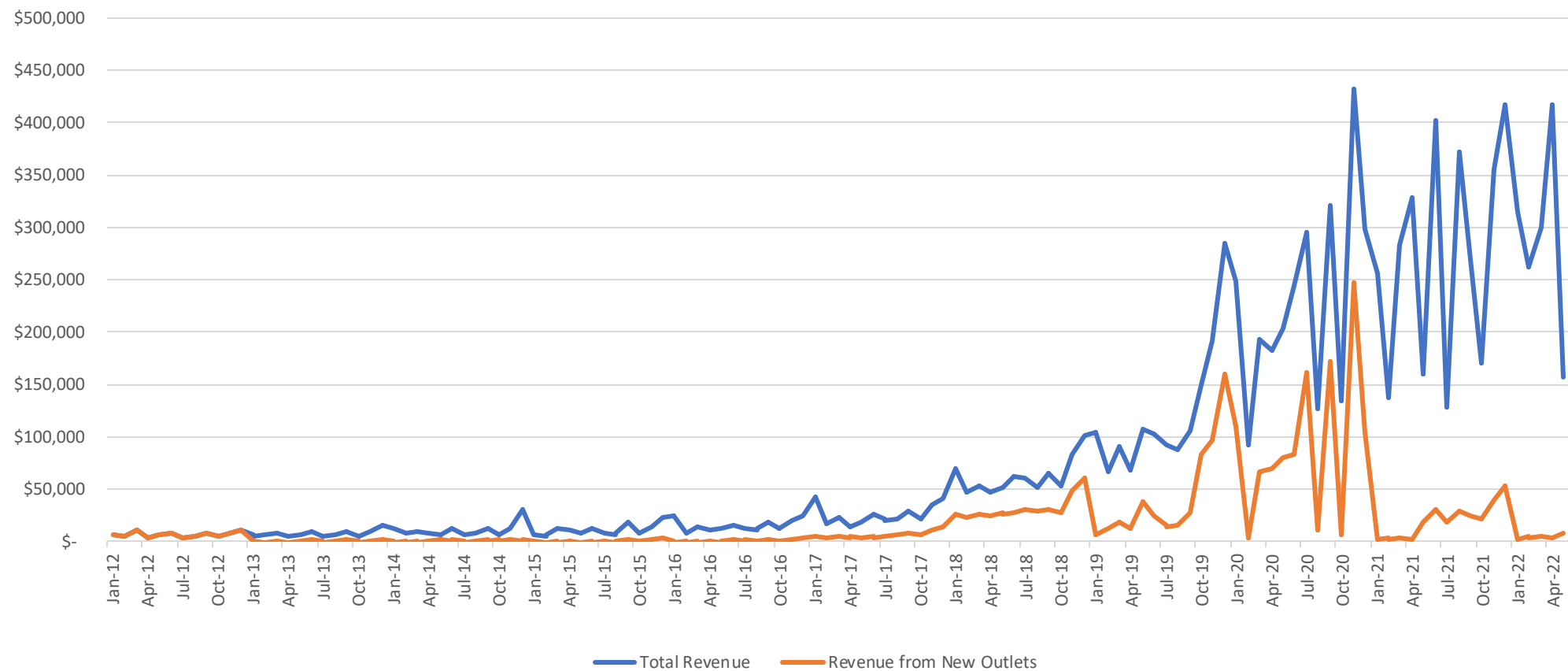


Collection of sales tax from online shopping began in earnest in 2019



2019-2020 revenue hadn't been collected before

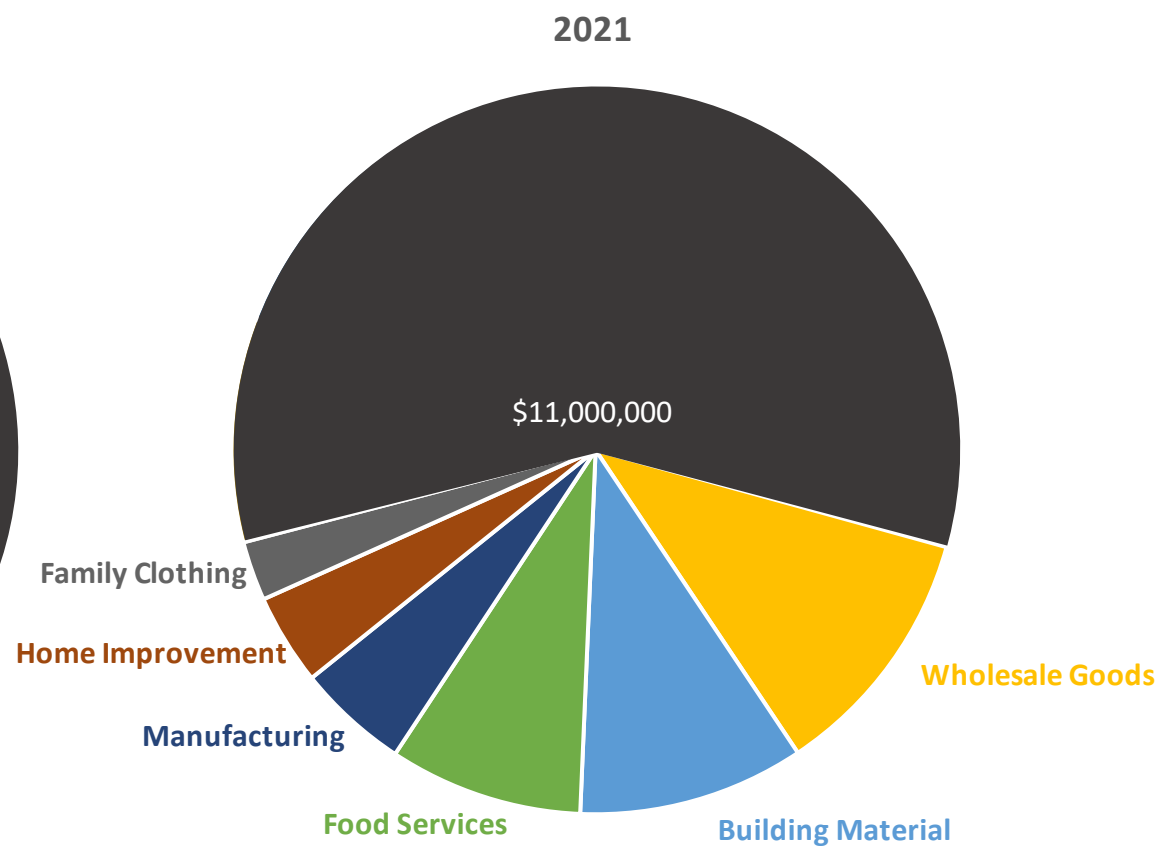
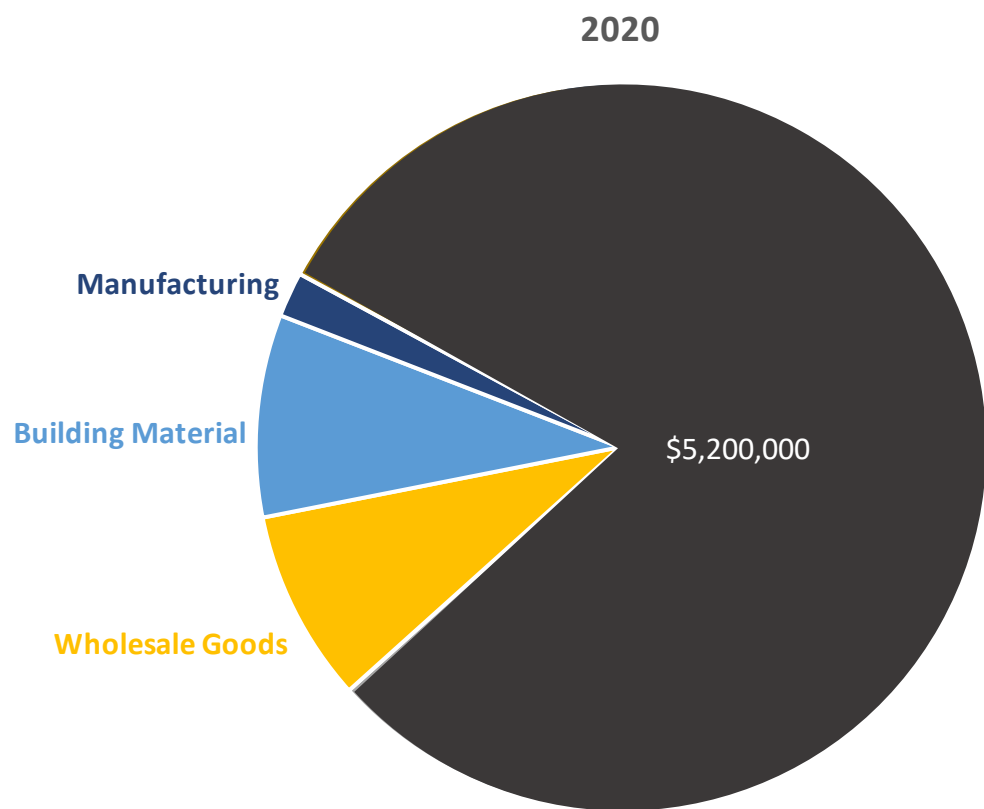
Utah County Sales Tax from Online Shopping 2012-2022



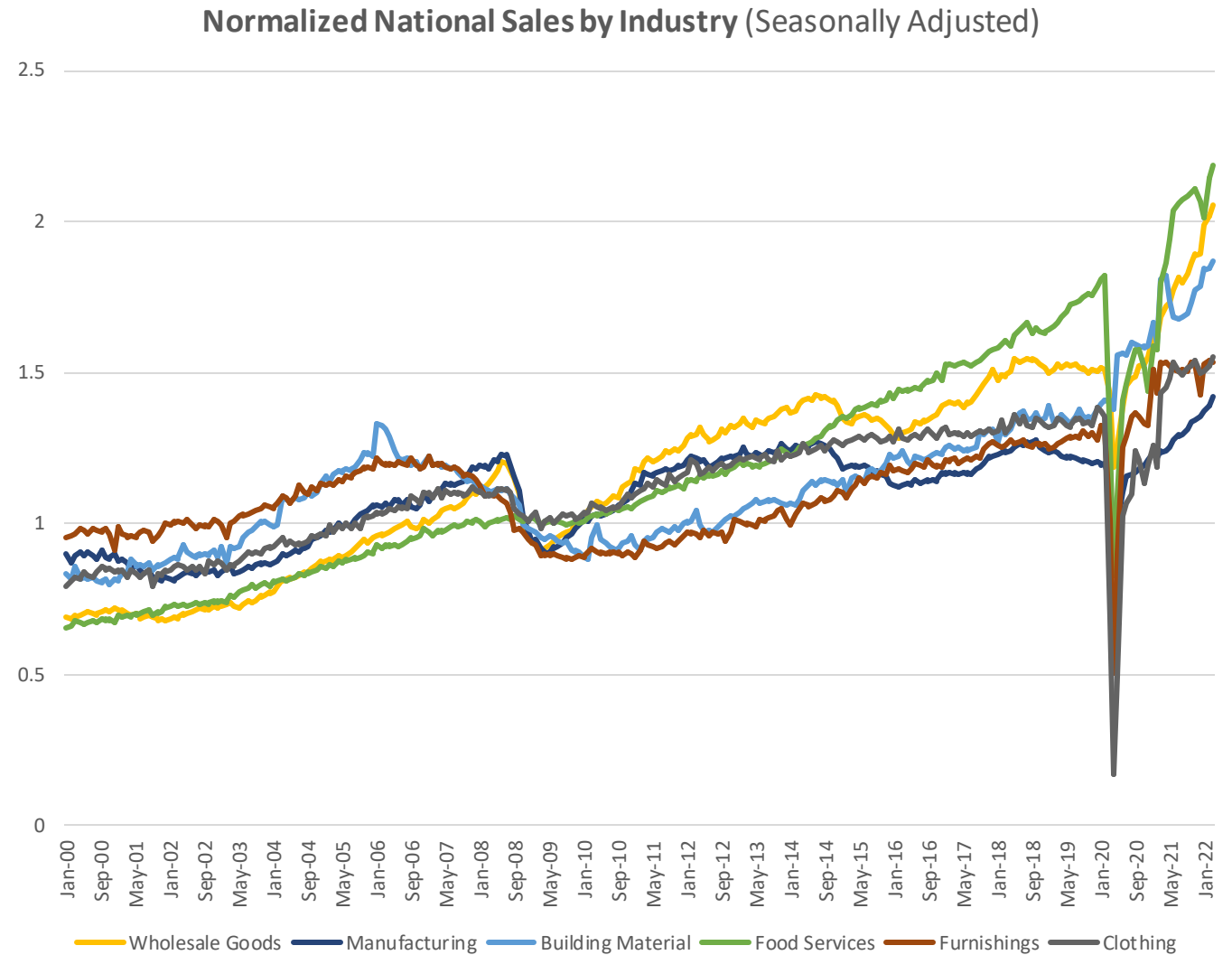
2020 growth is explained by change in legislation

- Utah County will continue to receive this new revenue from online shopping
- Additional growth from:
 - Changes in preference for online shopping
 - Additional spending (like with big box retail)

Other High-Growth Industries



- Most other identified industries contributed more toward the 2021 growth than 2020
- These industries decreased in 2020, but recovered after



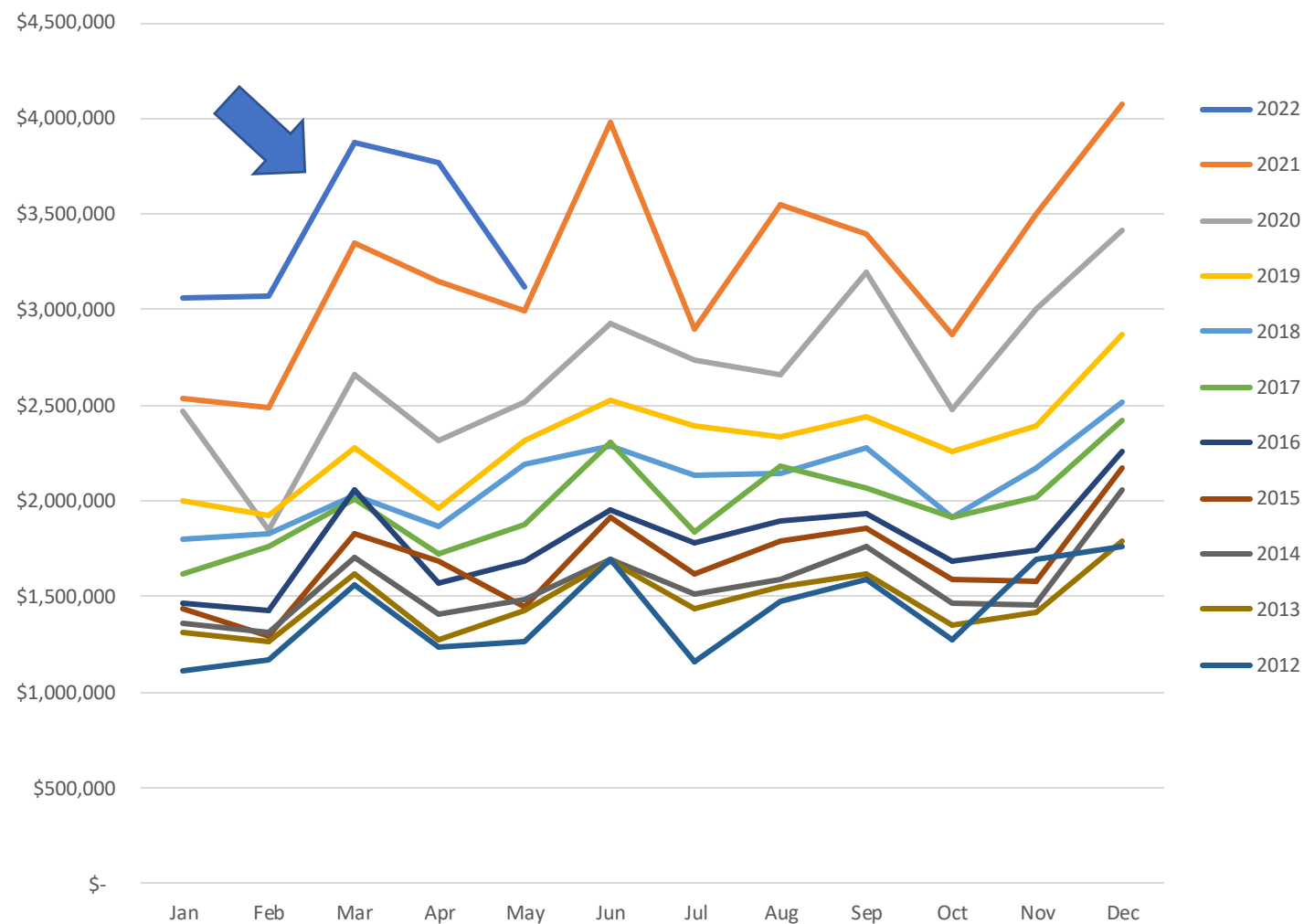
2021 growth a
bounce back
from 2020

More industries are contributing to 2021
growth than 2020

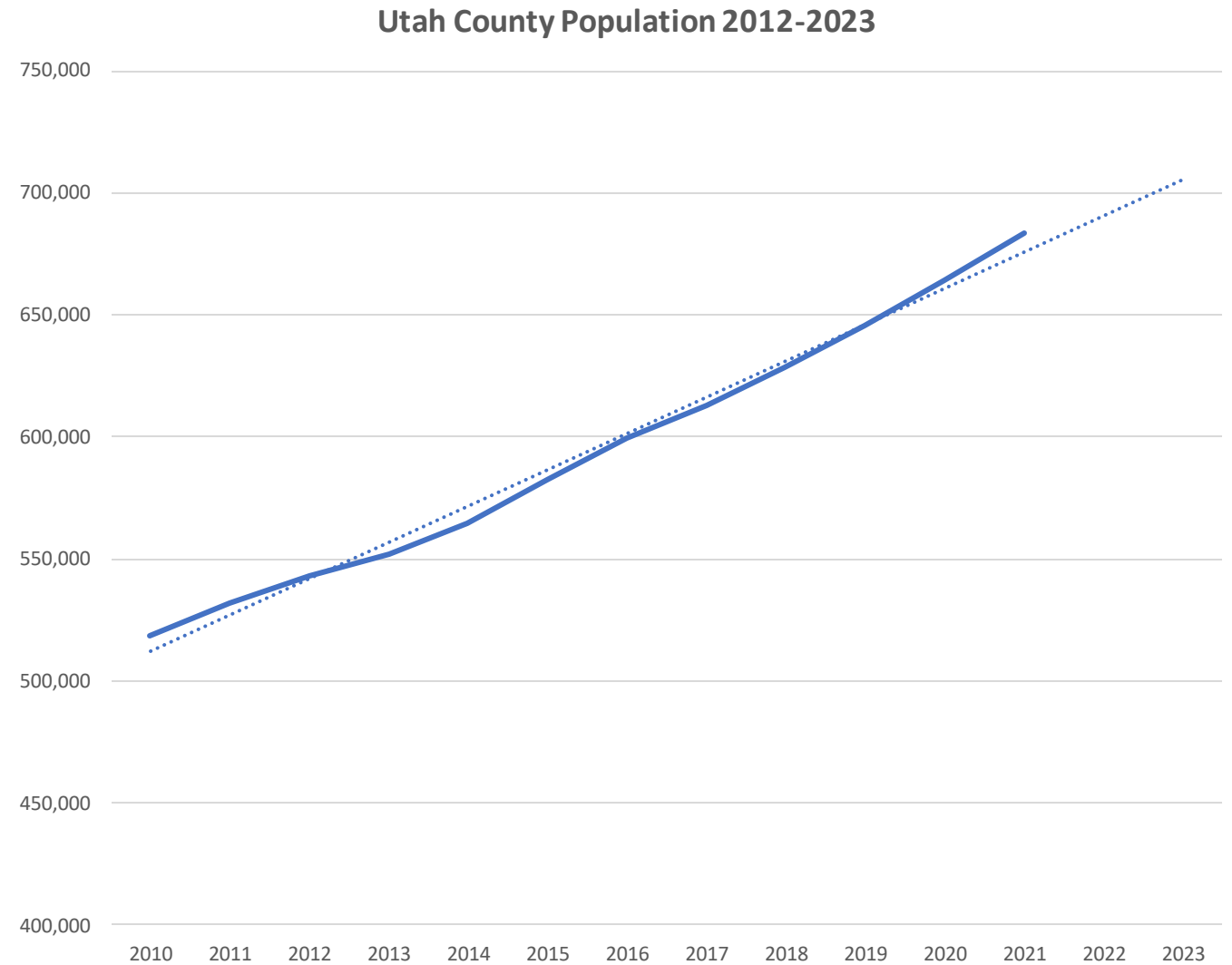
Projections

- 2022's trajectory is difficult to predict, however it is likely we will still see more revenue than 2021

Sales Tax Revenue Over Time by Year

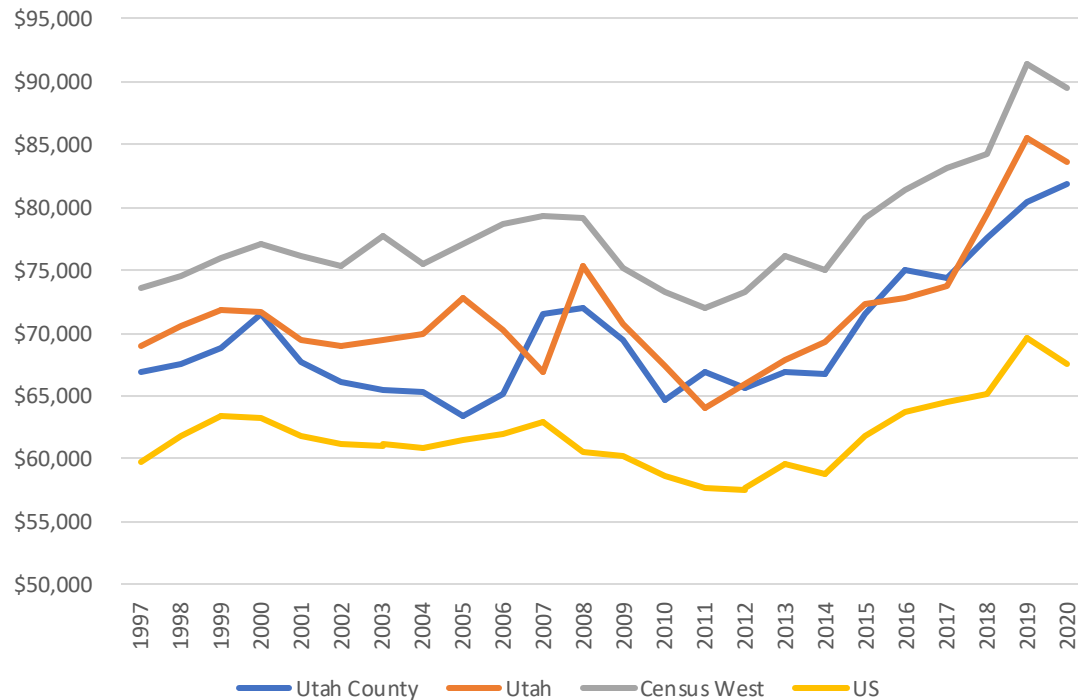


- Increasing population will lead to increases in revenue, or cushion against a reversion to the pre-2020 norm

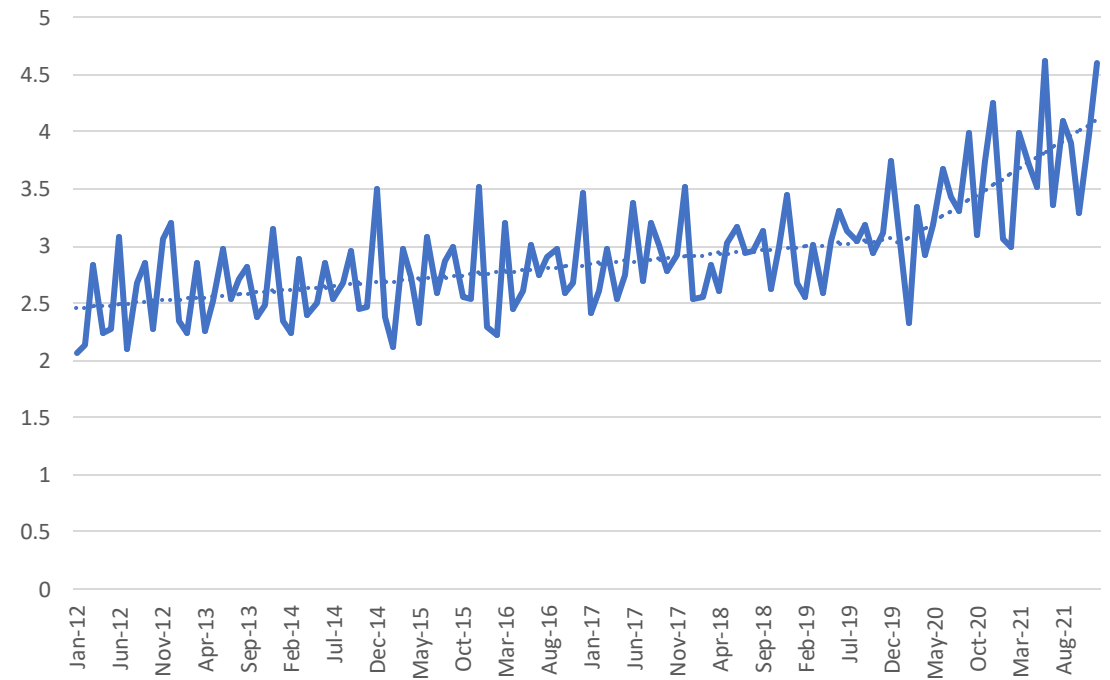


Additionally, individuals and families are earning and spending more over time

Real Median Family/Household Income by Region



Inflation-Adjusted Per-Capita Utah County Sales Tax Revenue



Sales Tax
Revenue
appears to be
maintaining
high growth

Utah County's population will increase as individuals and families are earning and spending more money

Final Takeaways

- 2022 and 2023 will likely see continued growth in sales tax revenue (but perhaps not as dramatic)
- Beyond 2023 more uncertain
 - Automotive revenue growth will slow
 - Big box retail revenue growth likely to maintain
 - Online sales revenue growth may slow
- In general, population growth and increased spending are good signs for continued revenue growth even if the rate of growth decreases

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: December 5th (7:30pm) & December 19th
- December 2022 newsletter assignment (due last week of November): Brian Haws
- Light the Night event at the City Park on Monday, Nov. 28th at 6:30 PM
- Historic Christmas Tree Lighting Ceremony – Dec 5th @ 6:00 pm
- Santa Parade - Wednesday, December 7th at approx. 5:45 pm
- Santa Extravaganza - Saturday, December 10th, from 10:00-11:30 AM
- Employee Christmas Party - Tues., Dec 20th 6:00pm at Community Center.
- Misc. Items.

Item 6 – Approval of Minutes

- Review and approval of City Council minutes: **November 7, 2022 Regular City Council Minutes will be reviewed.**

The Lindon City Council regularly scheduled meeting on **Monday, November 7, 2022, at 6:30 pm** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 5:15 P.M.

Conducting: Carolyn Lundberg, Mayor
 Invocation: Randi Powell, Councilmember
 Pledge of Allegiance: Connor, Youth Council

PRESENT

Carolyn Lundberg, Mayor
 Van Broderick, Councilmember
 Randi Powell, Councilmember
 Mike Vanchiere, Councilmember
 Daril Magleby, Councilmember
 Adam Cowie, City Administrator
 Mike Florence, Community Development Director
 Mike Brower, Chief of Police
 Kathy Moosman, City Recorder

EXCUSED

Jake Hoyt, Councilmember

1. Call to Order/Roll Call – The meeting was called to order at 6:30 p.m.

2. Presentations and Announcements:

- a) Presentation: Neil Schwendiman, District Manager at the North Pointe Solid Waste Special Service District was in attendance to give a presentation to the council. He gave a brief history of the NPSWD, services and operations, the future of the landfill, and the master plan findings.
- b) Presentation: The UDOT project team was in attendance and provided an update on the 1600 North Environmental Study (200 South, Lindon).

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

4. COUNCIL REPORTS:

Councilmember Hoyt – Councilmember Hoyt was absent.

Councilmember Vanchiere – Councilmember Vanchiere reported he attended the Growth Summit at the convention center he noted there were great tables that represented various cities. He noted unfunded mandates and unintended consequences were discussed and evaluated. Transportation and funding were also discussed. He also expressed his appreciation for the presentation from Neil Schwendiman and is excited about the

NPSWD and the future there. At this time Chief Brower spoke on a new program through their database for individuals with special needs and the elderly as to interact better with these folks. He noted this program creates avenues for more information to assist these individuals.

Councilmember Magleby – Councilmember Magleby reported he is grateful to be here in Lindon with the stability and appreciation that is on the council when discussing difficult situations. He also attended the Tree Board meeting along with Heath Bateman where they discussed the recent storm and tree damage. Mr. Bateman indicated 20 big limbs were down and some were significant. He will be attending a meeting Thursday at noon for the city centennial celebration. He also expressed his appreciation to and the Historical Preservation Commission and thanked Lyle Lamoreaux for leading the group for all these years. He also reported the annual Tree Lighting Ceremony will be held on December 5th at 6pm at the community center.

Councilmember Powell – Councilmember Powell reported she received an email from Kelly Johnson stating the Mayor and Councilmember Vanchiere have been certified with CERT. She noted Ms. Johnson is passionate and is on point in the event of an emergency. She noted the education grants are coming in with 23 submitted so far. She reported the Youth Council will be held next Monday where they will be holding their elections. She also reported the Senior Center is doing fabulous and Senior Coordinator, Jamie Jensen does a fabulous job. She also asked Alan Walker to speak on the upcoming “Light the Night” event.

Councilmember Broderick – Councilmember Broderick reported he attended the Utah Water Summit with Juan Garrido where the topic of drought was discussed and responsibilities to plan and prepare. They also had a high-level discussion on the Colorado River with a lot going on there. He will be attending the engineering coordination meeting tomorrow at noon.

Mayor Lundberg – Mayor Lundberg gave reminder of the food drive where they are accepting donations at the community center through November 19th. She also reported the trunk or treat event was a big success. She also noted the leaf pickup program is underway through the month of November. She attended the historical UVU Symposium Conference on the 26th where it was a pleasure to get with other mayors and touring each other’s towns and talked about different challenges. She also attended the Growth and Prosperity Conference which was a great event hosted by the Utah Valley Chamber and moderated by Mayor Acerson who did a great job. She attended the MAG meeting where there is a lot going on there with transportation and grant opportunities noting she will be sharing more later.

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

Misc. Updates:

Lindon City Council
November 7, 2022

- 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 November 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 – December 5th @ 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.

6. **Approval of Minutes** – The minutes of the regular City Council meeting of October 17, 2022 will be reviewed.

COUNCILMEMBER POWELL TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 17, 2022 AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

6. **Consent Agenda Items** – The following consent agenda item was presented for approval.

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

COUNCILMEMBER VANCHIERE TO APPROVE THE CONSENT AGENDA ITEM WITH THE CHANGE AS DISCUSSED. COUNCILMEMBER MAGLEBY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

CURRENT BUSINESS

7. **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.

2 Heather Lewis, Program Manager for Substance Abuse Prevention with the Utah
County Health Department and Jamie Jensen, Lindon Senior Center Coordinator were in
4 attendance to present this agenda item to the council. Ms. Lewis began by stating she
oversees all programming and community events centered around abuse prevention. Ms.
6 Lewis then presented a short video about the Community that Cares (CTC) program and
explained the program in some detail noting the program provides results.

8 Ms. Lewis explained the County gets funding from the State Department of
Mental Health, and they contractually work with communities and partner up. So, they
10 will fund the program for the coalition for the first year from the state and then the city
would provide the \$10,000 match the second and subsequent years, so both are partnering
12 together to fund, house and train this coordinator. She noted this will be the 7th CTC
program in Utah County if we move forward as hoped and planned; they are familiar and
14 know this program works. She added Jamie Jensen would be the coordinator for Lindon
City and would benefit projects in Lindon City.

16 Mayor Lundberg commented that Tamara O' Brien, the coordinator from Pleasant
Grove has been very gracious and has invited Lindon residents to participate at times, so
18 we can collaborate across with one another. Mayor Lundberg then asked Ms. Jensen to
share her personal story and to explain her interest and passion for the program.

20 Ms. Jensen shared some personal experiences and expressed that through need,
she felt the desire to have this resource in Lindon and felt that the community should be a
22 place to help our community and family members and to be proactive as to help with the
problems these kids will face. She is really hopeful as to what we can do in Lindon for
24 our community; this will be a channel where to direct people. Ms. Lewis added they
promote through websites, city events, and any opportunity to interact with the public to
26 promote the program and resources and all the prevention systems that are available; all
programs support and collaborate, share, network and promote each other to build
28 relationships.

30 Heath Bateman, Parks and Recreation Director said he is happy to have this
program in his department and Ms. Jensen is the perfect person to be the coordinator. She
has significant experience and training and it will be exciting to see how this will grow
32 and bloom. He noted we are not looking for a new position at this point, but this will help
subsidize Ms. Jensen; she can run with the program and continue with her current duties
34 as well. He added the funding from the county will help offset Ms. Jensen's wage without
adding more hours, however, as the program grows, we may have to make adjustments.
36 This will be a great opportunity for Ms. Jensen to get her feet on the ground and grow the
program, but she will still have other responsibilities in the department.

38 Ms. Lewis stated there are also many grants available that can assist with funding
for sustainability; not just funding from the county. She added the contract can be
40 terminated at any time, but it takes time to implement the coalition, so they would ask for
the patience and time to get things going. She also passed out a flyer with the phases of
42 implementation of the CTC program.

44 There was then some general discussion by the council regarding the information
presented. Mayor Lundberg asked the council if they are amendable to pursue this
potential interlocal agreement tonight or we can continue the item as to have further

discussion. Mr. Cowie commented if the council chooses to approve this interlocal agreement the current contract dates would need to be amended.

Councilmember Magleby commented that he has seen Ms. Jensen at work in her capacities and recognizes her passion for this effort and feels it will be highly successful; he would go on the record to say if there is not funding by July 2024, he will personally help to finance this going forward as he feels this is important and something our city should have.

Mayor Lundberg stated this is something to monitor and watch as a pilot program that essentially the county will fund for a year and a half. Mr. Cowie clarified for the record the date the city would be able to participate financially would be July 1, 2024.

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

COUNCILMEMBER MAGLEBY MOVED TO APPROVE RESOLUTION #2022-21-R APPROVING THE INTERLOCAL AGREEMENT WITH UTAH COUNTY FOR THE COMMUNITIES THAT CARE (CTC) PROGRAM AS PRESENTED. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER VANCHIERE AYE

COUNCILMEMBER POWELL AYE

COUNCILMEMBER MAGLEBY AYE

THE MOTION CARRIED UNANIMOUSLY.

8. 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.

Adam Cowie, City Administrator, led this discussion item by explaining this interlocal agreement with Utah County will facilitate benches on the Murdock Canal Trail. He pointed out that the city thinks the interests and welfare of residents will be well-served by this Interlocal Cooperative Agreement with the County. He noted the Murdock Canal Trail is well-used by pedestrians, bicyclists and other recreational users in Lindon City and throughout Utah County.

Mr. Cowie stated 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. He explained that Lindon City would provide 40% and Utah County will participate with 60% in the purchase, installation and maintenance of the benches per the terms of this agreement.

Mayor Lundberg commented that this issue meant a lot to Mayor Acerson and will be a great stopping point for visitors for years to come.

Following some general discussion, the council was in agreement to approve the interlocal agreement with Utah County for benches on the Murdock Canal as presented by staff.

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

COUNCILMEMBER BRODERICK MOVED TO APPROVE RESOLUTION #2022-22-R APPROVING THE INTERLOCAL AGREEMENT WITH UTAH COUNTY FOR BENCHES ON THE MURDOCK CANAL TRAIL AS PRESENTED. COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

9. 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.

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

Mike Florence, Community Development Director led this agenda item by stating the applicant, 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. He noted Alan Colledge is in attendance as representative for this application tonight.

Mr. Florence explained 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. He noted 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.

Mr. Florence stated the ordinance also replaces the phrase single-family residence with single-family dwelling to be consistent with the definitions section of the zoning code. He noted allowing detached accessory dwelling units in the front yard of a property is something that is unique and not allowed by most Utah communities.

Mr. Florence then referenced the Proposed Ordinance as follows:

2 *17.46 Accessory Apartments*

4 *Front Accessory Dwelling Unit Setbacks for Lots with more than Two Hundred and fifty*
 6 *(250) Feet of Depth. Lots that have a depth greater than two hundred and fifty (250) feet*
 8 *may be allowed to have an accessory apartment located in the front setback. If the*
 10 *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.

12 Mr. Florence went on to explain the proposed ordinance amendment is written to
 14 apply narrowly to deeper residential lots. These may be estate lots or lots where a
 16 property owner elects to put the primary single-family dwelling at the back of the
 18 property. He noted 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. He added 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.

20 Mr. Florence stated Staff's reasoning for proposing the 60' separation distance
 22 between the detached accessory dwelling unit located in the front yard and the primary
 24 single-family dwelling is to create sufficient space between the two housing types. The
 26 primary single-family home will need sufficient driveway space and is the primary
 structure on the property. He noted 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. Mr. Florence then
 presented the draft ordinance and the Colledge Site Plan followed by discussion.

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

32
 34 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
 HEARING. COUNCILMEMBER MAGLEBY SECONDED THE MOTION. ALL
 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

36
 38 Following some additional discussion, the Council was in agreement to approve
 this ordinance amendment amending the accessory apartment code (LCC Title 17.46) to
 40 allow detached accessory apartments in the front setback on deeper residential lots in
 Lindon City as presented by staff.

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

44 COUNCILMEMBER VANCHIERE MOVED TO APPROVE ORDINANCE
 #2022-16-O AMENDING THE ACCESSORY APARTMENT CODE (LCC 17.46) TO

2 ALLOW DETACHED ACCESSORY APARTMENTS IN THE FRONT SETBACK ON
DEEPER RESIDENTIAL LOTS IN LINDON CITY AS PRESENTED.

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

6 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER VANCHIERE AYE

8 COUNCILMEMBER POWELL AYE

COUNCILMEMBER MAGLEBY AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 **7. Public Hearing — Sign Code Amendment; Ordinance 2022-18-O.** The
Council will review and consider Ordinance #2022-18-O amending LCC Title
14 18.02 and 18.03 regarding sign code changes.

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

20 Mr. Florence also led this agenda item by stating currently, electronic message
center signs are only allowed in the T-Zone along the I-15 corridor. The T-zone allows
22 for electronic message center signs on pole signs and attached to buildings. He noted all
detached electronic message centers signs in commercial zones are required to be
24 monument signs which is the only detached sign type the city currently allows in
commercial zones. He stated the planning commission recommended that electronic
26 message center signs also be allowed as attached signs in the commercial zones.

Mr. Florence stated the commercial zones where electronic message center signs
28 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. He stated the city is also proposing to increase the
30 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
32 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
34 identifies that not all businesses will be allowed to have an electronic message center
sign. He pointed out that City staff is not proposing to amend this section of the code, but
36 discussion may be further warranted.

Mr. Florence indicated the city is also proposing to amend the lighting section of
38 the sign code. He then referenced the parking lot lighting requirements noting this would
be a clean-up section to remove parking lot lighting requirements from the sign code. Mr.
40 Florence then presented the proposed ordinance amendments to the Lindon City sign
code followed by discussion.

42 Following some additional discussion, the Council was in agreement to approve
this ordinance amendment amending LCC Title 18.02 and 18.03 regarding sign code as
44 presented by staff.

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

4
6 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER MAGLEBY SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

8
10 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

12 COUNCILMEMBER MAGLEBY MOVED TO APPROVE ORDINANCE
#2022-18-O AMENDING LCC TITLE 18.02 AND 18.03 REGARDING SIGN CODE
14 CHANGES AS PRESENTED. COUNCILMEMBER VANCHIERE SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

16 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER VANCHIERE AYE
18 COUNCILMEMBER POWELL AYE
COUNCILMEMBER MAGLEBY AYE

20 THE MOTION CARRIED UNANIMOUSLY.

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

24 **Adjourn –**

26
28 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 8:55 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 Approved – November 21, 2022

32
34
36
38
39
40

Kathryn A. Moosman, City Recorder

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 items were presented for approval:

- a) **Victim Advocate Services Agreement w/City of Orem.** This is an administrative contract with Orem for Victim Advocate Services that they will provide for \$8,000 per year. This is administered through the Police Department. The Council approved the budget expenditure in the October 17, 2022 budget amendment.
- b) **Surplus Equipment; Resolution #2022-24-R.** The Council will review and consider Resolution #2022-24-R regarding disposal of surplus equipment.

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

AGREEMENT FOR CRIME VICTIM SERVICES

THIS AGREEMENT, made and entered this _____ day of _____, 2022, by and by and between Lindon City, a political subdivision of the State of Utah, hereinafter referred to as “Lindon”, and Orem City, a political subdivision of the State of Utah, hereinafter referred to as “Orem.”

RECITALS

WHEREAS, Lindon contracts with Orem for victim services for victims of crimes occurring in Lindon; and

WHEREAS, Lindon and Orem desire to amend the compensation and term of this agreement, and

WHEREAS, Orem is willing and able to provide services for victims of crimes occurring in Lindon; and

WHEREAS, Lindon and Orem desire to enter into an agreement to more clearly set forth the terms and conditions through which Lindon may be authorized access victim services provided by Orem.

NOW, THEREFORE, based on the mutual consideration contained herein, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

COVENANTS

SECTION 1. EFFECTIVE DATE AND DURATION

This Agreement shall enter into force upon the approval and execution hereof by the governing bodies of Lindon and Orem and shall be effective as of November _____, 2022 and shall terminate on June 30, 2023. This Agreement shall automatically renew pursuant to the terms stated herein on July 1st of each contract year for the following five consecutive years

unless either party notifies the other in writing that it does not intend to renew at least ninety (90) days prior to the end of the initial term, or a renewal terms, or otherwise gives notice of termination of the Agreement as provided in Sections 4 or 5.

SECTION 2. RECORDS

Orem agrees to keep books and records of victim services provided to victims of crimes occurring in Lindon and further agrees that said books and records shall be open for examination by Lindon at reasonable times. All records created or received by Orem in the performance of this Agreement shall be Orem records and shall be made available to Lindon officials on reasonable notice during business hours. All Orem personnel providing services under this agreement are the employees of, and under the supervision and control of Orem.

SECTION 3. SERVICES

Orem agrees to provide victim services to victims of crimes occurring in Lindon in accordance with the attached "Victim Advocate Duties and Responsibilities", hereinafter referred to as "Services", by and through Orem on behalf of Lindon.

SECTION 4. COMPENSATION

Commencing on the date this Agreement becomes effective, Lindon agrees to shall pay Orem Eight Thousand Dollars (\$8,000.00) per year for the Services. The initial contract period, being less than one full year, shall be prorated from the commencement date until June 30, 2023 and Lindon Agrees to pay the prorated amount within 30 days of billing.

For each succeeding contract year, the yearly contract cost shall automatically increase by the percentage increase in the U.S. Bureau of Labor Statistics Consumer Price Index, All Items, for the 12 month period ending December 31 of the previous year. If Orem requests any other increase in the yearly cost of the Services for any of the automatic renewal periods, Orem agrees to

notify Lindon in writing, with justification of the requested increase provided by February 1st for the next contract year commencing July 1st. If Lindon and Orem cannot agree on an increased cost for the Services, or an increase in cost is not budgeted by Lindon, Orem may terminate the Agreement on thirty days written notice to Lindon, and final payment to Orem or refund Lindon will be prorated to the date of termination.

SECTION 5. METHOD OF TERMINATION

Either party shall have the right at any time after the effective date of this Agreement to terminate this Agreement by giving the other party ninety (90) days notice in writing by certified mail, return receipt requested. If notice is given, this Agreement shall terminate upon the expiration of ninety (90) calendar days from the receipt of the notice and the liability of the parties hereunder for the further performance of the terms of this Agreement shall thereupon cease, but neither party shall be relieved of the duty to perform their obligations up to the date of termination. Any refund to Lindon or additional payment to Orem shall be prorated accordingly.

SECTION 6. AMENDMENTS

This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be executed by a duly authorized official of each of the parties.

SECTION 7. SEVERABILITY

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this 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 Agreement unenforceable.

SECTION 8. THIRD PARTY BENEFICIARIES

This Agreement is intended for the benefit of the parties to this Agreement only and confers no rights on anyone who is not a party to this Agreement.

SECTION 9. INTERLOCAL AGREEMENT

The following terms are included to comply with the Interlocal Cooperation Act found in Chapter 13 of Title 11 of the Utah State Code.

9.1 This Agreement does not create a separate legal or administrative entity. The Services provided under this Agreement shall remain under the sole direction and control of Orem. The employment relationship between Orem and Lindon and their respective employees involved in fulfilling the terms of this Agreement is not altered or modified in any manner and each party retains all authority to supervise, direct, and control the actions of their respective employees.

9.2 There shall not be a separate budget to carry out the terms of this Agreement, but each party shall fund and pay for their respective responsibilities pursuant to the terms of this Agreement

9.3 Orem and Lindon shall keep a copy of this Agreement with their respective keeper of records, which shall be made available to the public upon request.

9.4 The parties' respective attorneys have reviewed this Agreement as to proper form and compliance with applicable law.

SECTION 10. INDEMNIFICATION

Except to the extent arising from the acts or omissions of the other, the parties shall defend, indemnify, save and hold harmless the other, their officers, employees, and agents, from and against any and all claims, demands, causes of action, orders, decrees, judgements, losses, damages, and liabilities (including all costs and attorney's fees incurred in defending any claim,

demand, or cause of action) occasioned by, growing out of, or arising or resulting from their own actions or omissions.

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

OREM CITY

ATTEST:

By: _____

Approved as to Form and Legality

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

LINDON CITY

CAROLYN LUNDBERG
Lindon City Mayor

ATTEST:

KATHY MOOSMAN
Lindon City Recorder

Approved as to Form and Legality

BRIAN HAWS
Lindon City Attorney

RESOLUTION NO. 2022-24-R

A RESOLUTION DECLARING CERTAIN PROPERTY AND EQUIPMENT OWNED BY LINDON CITY TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF THE LISTED ITEMS.

WHEREAS, the Municipal Council of Lindon City has adopted policies and procedures for the disposal of surplus property and equipment, with said policy found in Section 3 of the Lindon City Policies and Procedures Manual; and

WHEREAS, the policy requires that a public meeting be held concerning the declaration of any property deemed to be surplus by the City and which has an estimated valued over \$100; and

WHEREAS, the identified property is no longer needed and/or has exceeded its useful life and needs to be disposed of.

THEREFORE, BE IT RESOLVED by the Lindon City Council as follows:

- Section 1. That the items described on the attached listing be declared as surplus property of the City; and
- Section 2. That these items be offered for sale to the public through their listing on www.publicsurplus.com or other comparable on-line auction site. The items will be offered for minimum bids when appropriate. If the minimum bid is not realized, administrative staff may dispose of the items at their discretion including selling for less than the minimum bid; and
- Section 3. This resolution shall take effect immediately upon passage.

Adopted and approved this 21st day of November 2022.

By _____
Carolyn Lundberg, Mayor

Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

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



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

November 15, 2022

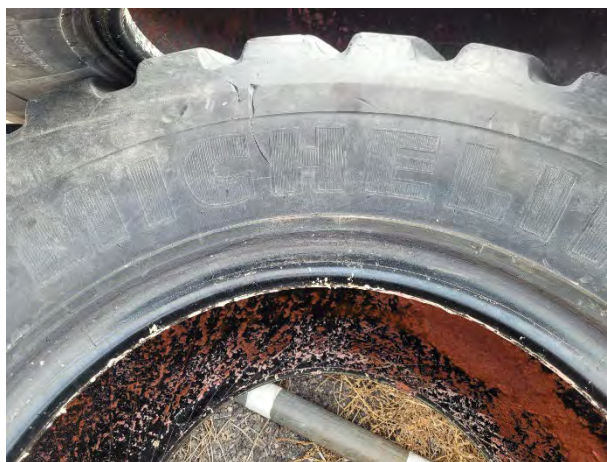
Surplus Approval Request

Description:

2 Used loader tires in fair to poor condition.

Project Value:

\$250



Alex Roylance
Facilities and Fleet Manager

- 8. Review & Action — Bid Award; Secondary Water Meter Installation Project.** Staff recommends awarding the secondary water meter installation project to Hydro Vac Excavation LLC in the amount of \$1,131,545. *(15 minutes)*

Sample Motion: I move to (approve, deny, continue) the bid award for the secondary water meter installation project to Hydro Vac Excavation LLC in the amount of \$1,131,545 (as presented, or with changes).

Please review the information and FAQ's on this web page. A video explanation of the process is also provided on this page and will be updated to reflect the process that Hydro Vac Excavation will be using.

<https://www.lindoncity.org/secondary-water-metering-project.htm>

DOCUMENT 00 51 00**NOTICE OF AWARD**

Date of Issuance: November 21, 2022

Owner: Lindon City Corporation

Owner's Project No.:

Engineer: Hansen, Allen, and Luce, Inc.

Engineer's Project No.: 340.08.100

Project: 2022 Secondary Water Meters Installation

Contract Name: Lindon City Secondary Water Meter Installation

Bidder: Hydro Vac Excavation

Bidder's Address: 1193 North 2300 West, Lehi, Utah 84043

You are notified that Owner has accepted your Bid dated **November 4, 2022** for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

Bid Schedule A – Zone 1,

Bid Schedule B – Zone 2, and

Bid Schedule C – Zone 3.

Description and Scope of Work: The project consists of installing secondary water (pressurized irrigation) meters in multiple locations throughout the City. Project includes installing meters, meter boxes, replacing landscaping, and relocating or replacing customer irrigation boxes as necessary. The City will furnish meters, meter boxes, meter couplings, and stop valves. The Contractor shall furnish pipe, landscaping materials, and miscellaneous fittings and appurtenances as necessary in order to facilitate connections and complete installations.

The work includes all items as listed and described in the Bid Form and Measurement and Payment.

The Contract Price of the awarded Contract is **\$1,131,545 (One million one hundred thirty-one thousand five hundred forty-five dollars)**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

Three (3) unexecuted counterparts of the Agreement accompany this Notice of Award, and one (1) copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☒ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner three counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any):
 - a. **The lower two zones (Zones 2 and 3) have a substantial completion date of May 30, 2023.**
 - b. **The upper zone (Zone 1) has a substantial completion date of September 1, 2023.**

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: Lindon City Corporation

By (*signature*): _____

Name (*printed*): _____

Title: _____

Copy: Engineer

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LINDON SECONDARY WATER METER INSTALLATION

PROJECT NO.: 340.08.100
BID SUMMARY
LINDON SECONDARY WATER METER INSTALLATION



BID SCHEDULE A - ZONE 1

Item	DESCRIPTION	QTY.	UNIT	Engineer's Estimate		HOMETOWN		EARTH SERVICES		MOCON PACIFIC		BD BUSH EXCAVATION		HADCO CONST.		J&B EXCAVATION		BECK		HYDRO VAC		ALPINE		ONLINE UTILITY	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	\$ 1	LS	\$ 500	\$ 500	\$ 35,000.00	\$ 35,000	\$ 18,000.00	\$ 18,000		\$ 305,000		\$ 12,000		\$ 92,865.00		\$ 18,950.00		\$ 2,500		\$ -		\$ ---		\$ 8,500.00
2	Type 1 Installation -1" Meter-Landscaped Area	\$ 675	Each	\$ 428	\$ 289,080	\$ 736.95	\$ 497,441	\$ 189.00	\$ 127,575	\$ 730	\$ 492,750	\$ 650	\$ 438,750	\$ 685.00	\$ 462,375.00	\$ 1,160	\$ 783,000.00	\$ 700	\$ 472,500	\$ 400	\$ 270,000		\$ ---	\$ 870.00	\$ 587,250.00
3	Type 2 Installation - 1" Meter-Concrete Hardscape	\$ 60	Each	\$ 857	\$ 51,392	\$ 936.00	\$ 54,240	\$ 210.00	\$ 12,600	\$ 904	\$ 54,240	\$ 795	\$ 47,700	\$ 774.00	\$ 60,440.00	\$ 1,160	\$ 69,600.00	\$ 1,000	\$ 60,000	\$ 450	\$ 27,000		\$ ---	\$ 1,450.00	\$ 87,000.00
4	Type 3 Installation – 1-1/2" & Larger Meter – Landscaped Area	\$ 20	Each	\$ 585	\$ 11,706	\$ 750.00	\$ 15,000	\$ 210.00	\$ 4,200	\$ 1,050	\$ 21,000	\$ 885	\$ 17,700	\$ 723.00	\$ 14,460.00	\$ 1,800	\$ 36,000.00	\$ 845	\$ 16,900	\$ 1,000	\$ 20,000		\$ ---	\$ 2,410.00	\$ 48,200.00
5	Type 4 Installation – 1-1/2" & Larger Meter – Concrete Hardscape	\$ 2	Each	\$ 1,171	\$ 2,341	\$ 980.00	\$ 1,960	\$ 240.00	\$ 480	\$ 1,460	\$ 2,920	\$ 1,400	\$ 2,800	\$ 811.00	\$ 1,622.00	\$ 1,800	\$ 3,600.00	\$ 1,300	\$ 2,600	\$ 1,000	\$ 2,000		\$ ---	\$ 3,510.00	\$ 7,020.00
6	Cut, Remove, and Replace Concrete	\$ 320	S.F.	\$ 16	\$ 5,202	\$ 11.50	\$ 3,680	\$ 8.75	\$ 2,800	\$ 35	\$ 11,200	\$ 40	\$ 12,800	\$ 30.00	\$ 9,600.00	\$ 15	\$ 4,899.20	\$ 20	\$ 6,400	\$ 10	\$ 3,200		\$ ---	\$ 9.50	\$ 3,040.00
7	Excavation/Installation Deeper Than 3 ft	\$ 705	S.F.	\$ 2	\$ 1,410	\$ 0.95	\$ 670	\$ 5.00	\$ 3,525	\$ 14	\$ 9,870	\$ 7	\$ 4,935	\$ 18.10	\$ 12,760.50	\$ 9	\$ 6,345.00	\$ 12	\$ 8,460	\$ 1	\$ 705		\$ ---	\$ 11.00	\$ 7,755.00
8	Relocate Customer Control Box & piping	\$ 170	Each	\$ 237	\$ 40,351	\$ 300.00	\$ 51,000	\$ 50.00	\$ 8,500	\$ 320	\$ 54,400	\$ 390	\$ 66,300	\$ 544.00	\$ 92,480.00	\$ 600	\$ 102,000.00	\$ 650	\$ 110,500	\$ 40	\$ 6,800		\$ ---	\$ 285.00	\$ 48,450.00
9	Tight Conditions Installation	\$ 10	Each	\$ 661	\$ 6,605	\$ 250.00	\$ 2,500	\$ 150.00	\$ 1,500	\$ 1,600	\$ 16,000	\$ 995	\$ 9,950	\$ 437.00	\$ 4,370.00	\$ 1,075	\$ 10,750.00	\$ 185	\$ 1,850	\$ 100	\$ 1,000		\$ ---	\$ 1,050.00	\$ 10,500.00
10	New 4" Sleeve Under Sidewalk	\$ 10	Each	\$ 398	\$ 3,976	\$ 350.00	\$ 3,500	\$ 200.00	\$ 2,000	\$ 400	\$ 4,000	\$ 190	\$ 1,900	\$ 488.00	\$ 4,880.00	\$ 40	\$ 400.00	\$ 625	\$ 6,250	\$ 200	\$ 2,000		\$ ---	\$ 350.00	\$ 3,500.00
11	One-Man Hourly Work for Other Conditions	\$ 100	Hour	\$ 76	\$ 7,554	\$ 47.50	\$ 4,750	\$ 68.00	\$ 6,800	\$ 68	\$ 6,800	\$ 65	\$ 6,500	\$ 65.70	\$ 6,570.00	\$ 125	\$ 12,500.00	\$ 85	\$ 8,500	\$ 40	\$ 4,000		\$ ---	\$ 64.00	\$ 6,400.00
12	Replace Customer Box Damaged by Contractor	\$ 70	Each	\$ 184	\$ 12,895	\$ 300.00	\$ 21,000	\$ 30.00	\$ 2,100	\$ 95	\$ 6,650	\$ 125	\$ 8,750	\$ 528.00	\$ 36,960.00	\$ 280	\$ 19,600.00	\$ 165	\$ 11,550	\$ -	\$ -		\$ ---	\$ 95.00	\$ 6,650.00
13	Public Involvement and Notices to City Residents	\$ 1	LS	\$ 1,000	\$ 1,000	\$ 2,000.00	\$ 2,000	\$ 150.00	\$ 150		\$ 50,000		\$ 10,500		\$ 8,016.00	\$ 4,200	\$ 4,200.00		\$ 1,000		\$ 10,000		\$ ---	\$ 1,250.00	\$ 1,250.00
SUBTOTAL - BID SCHEDULE A - ZONE 1				\$	434,013		\$ 694,661	\$	190,230		\$ 1,034,830	\$	640,585		\$ 793,398.50	\$	1,071,844.20	\$	709,010	\$	346,705		\$ ---		\$ 825,515.00

BID SCHEDULE B - ZONE 2

Item	DESCRIPTION	QTY.	UNIT	Engineer's Estimate		HOMETOWN		EARTH SERVICES		MOCON PACIFIC		BD BUSH EXCAVATION		HADCO CONST.		J&B EXCAVATION		BECK		HYDRO VAC		ALPINE		ONLINE UTILITY	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	LS	\$ 500	\$ 500		\$ -		\$ 22,000		\$ 380,000		\$ 15,300		\$ 113,000.00		\$ 21,000.00		\$ 2,500		\$ -		\$ -		\$ -
2	Type 1 Installation -1" Meter-Landscaped Area	870	Each	\$ 428	\$ 372,593		\$ -	\$ 189.00	\$ 164,430	\$ 710	\$ 617,700	\$ 650	\$ 565,500	\$ 643.00	\$ 559,410.00	\$ 1,160	\$ 1,009,200.00	\$ 700	\$ 609,000	\$ 400	\$ 348,000		\$ -		\$ -
3	Type 2 Installation - 1" Meter-Concrete Hardscape	32	Each	\$ 857	\$ 27,409		\$ -	\$ 210.00	\$ 6,720	\$ 904	\$ 28,928	\$ 795	\$ 25,440	\$ 725.00	\$ 23,200.00	\$ 1,160	\$ 37,120.00	\$ 1,000	\$ 32,000	\$ 450	\$ 14,400		\$ -		\$ -
4	Type 3 Installation – 1-1/2" & Larger Meter – Landscaped Area	64	Each	\$ 585	\$ 37,461		\$ -	\$ 210.00	\$ 13,440	\$ 1,050	\$ 67,200	\$ 885	\$ 56,640	\$ 678.00	\$ 43,392.00	\$ 1,800	\$ 115,200.00	\$ 845	\$ 54,080	\$ 1,000	\$ 64,000		\$ -		\$ -
5	Type 4 Installation – 1-1/2" & Larger Meter – Concrete Hardscape	2	Each	\$ 1,171	\$ 2,341		\$ -	\$ 240.00	\$ 480	\$ 1,460	\$ 2,920	\$ 1,400	\$ 2,800	\$ 761.00	\$ 1,522.00	\$ 1,800	\$ 3,600.00	\$ 1,300	\$ 2,600	\$ 1,000	\$ 2,000		\$ -		\$ -
6	Cut, Remove, and Replace Concrete	460	S.F.	\$ 16	\$ 7,478		\$ -	\$ 8.75	\$ 4,025	\$ 35	\$ 16,100	\$ 40	\$ 18,400	\$ 30.00	\$ 13,800.00	\$ 15	\$ 7,042.60	\$ 20	\$ 9,200	\$ 10	\$ 4,600		\$ -		\$ -
7	Excavation/Installation Deeper Than 3 ft	1,030	S.F.	\$ 2	\$ 2,060		\$ -	\$ 5.00	\$ 5,150	\$ 14	\$ 14,420	\$ 7	\$ 7,210	\$ 17.00	\$ 17,510.00	\$ 9	\$ 9,270.00	\$ 12	\$ 12,360	\$ 1	\$ 1,030		\$ -		\$ -
8	Relocate Customer Control Box & piping	260	Each	\$ 237	\$ 61,713		\$ -	\$ 50.00	\$ 13,000	\$ 320	\$ 83,200	\$ 390	\$ 101,400	\$ 510.00	\$ 132,600.00	\$ 600	\$ 156,000.00	\$ 650	\$ 169,000	\$ 40	\$ 10,400		\$ -		\$ -
9	Tight Conditions Installation	10	Each	\$ 661	\$ 6,605		\$ -	\$ 150.00	\$ 1,500	\$ 1,600	\$ 16,000	\$ 995	\$ 9,950	\$ 410.00	\$ 4,100.00	\$ 1,075	\$ 10,750.00	\$ 185	\$ 1,850	\$ 40	\$ 400		\$ -		\$ -
10	New 4" Sleeve Under Sidewalk	10	Each	\$ 398	\$ 3,976		\$ -	\$ 200.00	\$ 2,000	\$ 400	\$ 4,000	\$ 190	\$ 1,900	\$ 457.00	\$ 4,570.00	\$ 40	\$ 400.00	\$ 625	\$ 6,250	\$ 200	\$ 2,000		\$ -		\$ -
11	One-Man Hourly Work for Other Conditions	100	Hour	\$ 76	\$ 7,554		\$ -	\$ 68.00	\$ 6,800	\$ 68	\$ 6,800	\$ 65	\$ 6,500	\$ 61.60	\$ 6,160.00	\$ 125	\$ 12,500.00	\$ 85	\$ 8,500	\$ 40	\$ 4,000		\$ -		\$ -
12	Replace Customer Box Damaged by Contractor	100	Each	\$ 184	\$ 18,422		\$ -	\$ 30.00	\$ 3,000	\$ 95	\$ 9,500	\$ 125	\$ 12,500	\$ 495.00	\$ 49,500.00	\$ 280	\$ 28,000.00	\$ 165	\$ 16,500		\$ -		\$ -		\$ -
13	Public Involvement and Notices to City Residents	1	LS	\$ 1,000	\$ 1,000		\$ -		\$ 150		\$ 60,000		\$ 13,350		\$ 7,517.00		\$ 4,850.00		\$ 1,250		\$ 10,000		\$ -		\$ -
BID SCHEDULE B - ZONE 2					\$ 549,111		\$ -		\$ 242,695		\$ 1,306,768		\$ 836,890		\$ 976,281.00		\$ 1,414,932.60		\$ 925,090		\$ 460,830		\$ -		\$ -

BID SCHEDULE C - ZONE 3

Item	DESCRIPTION	QTY.	UNIT	Engineer's Estimate		HOMETOWN		EARTH SERVICES		MOCON PACIFIC		BD BUSH EXCAVATION		HADCO CONST.		J&B EXCAVATION		BECK		HYDRO VAC		ALPINE		ONLINE UTILITY	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	LS	\$ 500	\$ 500	\$ 26,100.00	\$ 26,100		\$ 16,000		\$ 290,000		\$ 10,300		\$ -----		\$ 18,000		\$ 2,500		\$ -		\$ -----		\$ 8,500.00
2	Type 1 Installation -1" Meter-Landscaped Area	570	Each	\$ 428	\$ 244,112	\$ 634.90	\$ 361,893	\$ 189.00	\$ 107,730	\$ 710	\$ 404,700	\$ 650	\$ 370,500		\$ -----	\$ 1,160	\$ 661,200	\$ 700	\$ 399,000	\$ 400	\$ 228,000		\$ -----	\$ 870.00	\$ 495,900.00
3	Type 2 Installation - 1" Meter-Concrete Hardscape	15	Each	\$ 857	\$ 12,848	\$ 900.00	\$ 13,500	\$ 210.00	\$ 3,150	\$ 904	\$ 13,560	\$ 795	\$ 11,925		\$ -----	\$ 1,160	\$ 17,400	\$ 1,000	\$ 15,000	\$ 450	\$ 6,750		\$ -----	\$ 1,450.00	\$ 21,750.00
4	Type 3 Installation – 1-1/2" & Larger Meter – Landscaped Area	60	Each	\$ 585	\$ 35,119	\$ 725.00	\$ 43,500	\$ 210.00	\$ 12,600	\$ 1,050	\$ 63,000	\$ 885	\$ 53,100		\$ -----	\$ 1,800	\$ 108,000	\$ 845	\$ 50,700	\$ 1,000	\$ 60,000		\$ -----	\$ 2,410.00	\$ 144,600.00
5	Type 4 Installation – 1-1/2" & Larger Meter – Concrete Hardscape	2	Each	\$ 1,171	\$ 2,341	\$ 975.00	\$ 1,950	\$ 240.00	\$ 480	\$ 1,460	\$ 2,920	\$ 1,400	\$ 2,800		\$ -----	\$ 1,800	\$ 3,600	\$ 1,300	\$ 2,600	\$ 1,000	\$ 2,000		\$ -----	\$ 3,510.00	\$ 7,020.00
6	Cut, Remove, and Replace Concrete	300	S.F.	\$ 16	\$ 4,877	\$ 11.50	\$ 3,450	\$ 8.75	\$ 2,625	\$ 35	\$ 10,500	\$ 40	\$ 12,000		\$ -----	\$ 15	\$ 4,593	\$ 20	\$ 6,000	\$ 10	\$ 3,000		\$ -----	\$ 9.50	\$ 2,850.00
7	Excavation/Installation Deeper Than 3 ft	660	S.F.	\$ 2	\$ 1,320	\$ 0.95	\$ 627	\$ 5.00	\$ 3,300	\$ 14	\$ 9,240	\$ 7	\$ 4,620		\$ -----	\$ 9	\$ 5,940	\$ 12	\$ 7,920	\$ 1	\$ 660		\$ -----	\$ 11.00	\$ 7,260.00
8	Relocate Customer Control Box & piping	165	Each	\$ 237	\$ 39,164	\$ 300.00	\$ 49,500	\$ 50.00	\$ 8,250	\$ 320	\$ 52,800	\$ 390	\$ 64,350		\$ -----	\$ 600	\$ 99,000	\$ 650	\$ 107,250	\$ 40	\$ 6,600		\$ -----	\$ 285.00	\$ 47,025.00
9	Tight Conditions Installation	10	Each	\$ 661	\$ 6,605	\$ 250.00	\$ 2,500	\$ 150.00	\$ 1,500	\$ 1,600	\$ 16,000	\$ 995	\$ 9,950		\$ -----	\$ 1,075	\$ 10,750	\$ 185	\$ 1,850	\$ 100	\$ 1,000		\$ -----	\$ 1,050.00	\$ 10,500.00
10	New 4" Sleeve Under Sidewalk	10	Each	\$ 398	\$ 3,976	\$ 350.00	\$ 3,500	\$ 200.00	\$ 2,000	\$ 400	\$ 4,000	\$ 190	\$ 1,900		\$ -----	\$ 40	\$ 400	\$ 625	\$ 6,250	\$ 200	\$ 2,000		\$ -----	\$ 350.00	\$ 3,500.00
11	One-Man Hourly Work for Other Conditions	100	Hour	\$ 76	\$ 7,554	\$ 50.00	\$ 5,000	\$ 68.00	\$ 6,800	\$ 68	\$ 6,800	\$ 65	\$ 6,500		\$ -----	\$ 125	\$ 12,500	\$ 85	\$ 8,500	\$ 40	\$ 4,000		\$ -----	\$ 64.00	\$ 6,400.00
12	Replace Customer Box Damaged by Contractor	65	Each	\$ 184	\$ 11,974	\$ 300.00	\$ 19,500	\$ 30.00	\$ 1,950	\$ 95	\$ 6,175	\$ 125	\$ 8,125		\$ -----	\$ 280	\$ 18,200	\$ 165	\$ 10,725	\$ -	\$ -		\$ -----	\$ 95.00	\$ 6,175.00
13	Public Involvement and Notices to City Residents	1	LS	\$ 1,000	\$ 1,000	\$ 2,000.00	\$ 2,000		\$ 150		\$ 40,000		\$ 9,000		\$ -----	\$ 4,000	\$ 4,000		\$ 1,000		\$ 10,000		\$ -----	\$ -	\$ 1,250.00
BID SCHEDULE C - ZONE 3					\$ 371,391		\$ 533,020		\$ 166,535		\$ 919,695		\$ 565,070		\$ -		\$ 963,583		\$ 619,295		\$ 324,010		\$ -----		\$ 762,730.00







PRESSURIZED IRRIGATION

Metering Project

American Fork City will be installing a water meter to your pressurized irrigation line in the coming week. The meter will be installed in the existing utility box near the front of your property. The City has contracted with Hydro Vac Excavations LLC for the installation of the water meter.

What to Expect:

- Hydro Vac Excavations LLC crews will spend approximately 1-2 hours installing a meter in your existing utility box.
- Your PI water will be shutoff during installation, then turned back on.
- Most all homes should not see any impact to their landscaping during the process. However, if more extensive work is needed that disturbs landscaping, the crews will come back at a later time to restore landscaping as close as possible to preinstall conditions.
- After initial installation you will see a hole on the lid of your box. City crews will come by soon after installation to cover the hole and finish setting up the meter.

How to prepare:

- Remove any personal items left inside the utility boxes like hoses or watering heads.
- Remove any landscaping or objects covering or blocking the utility box.
- The street in front of your property needs to be clear of vehicles and obstructions for the installation crew and trucks to access the city utility box.



For concerns about leaks, landscaping, or installation, call Hydro Vac Excavation at 385-465-4687



For all other concerns and more information about the meter project, visit americanfork.gov/PImeters

- 9. Review & Action —Major Subdivision; Anderson Farms Plat H; Ivory Development, LLC.** The applicant requests major subdivision approval for a 42-lot single family residential subdivision located in the Anderson Farms Planned Development (AFPD) zone. The subdivision is part of the Anderson Farms master development agreement with Ivory Development, LLC. (Parcel IDs #14:063:0120, #14:063:0119, #14:063:0116) *(20 minutes)*

Sample Motion: I move to (approve, deny, continue) the major subdivision for Anderson Farms Plat H (as presented, or with changes).

Anderson Farms Major Subdivision Approval – Plat H

Date: November 21, 2022

Project Location: Parcel H, Anderson Farms Planned Development Zone

Presenting Staff: Mary Barnes

Applicant: Ivory Development, LLC

Property Owner: Ivory Land Corporation

General Plan: Residential High

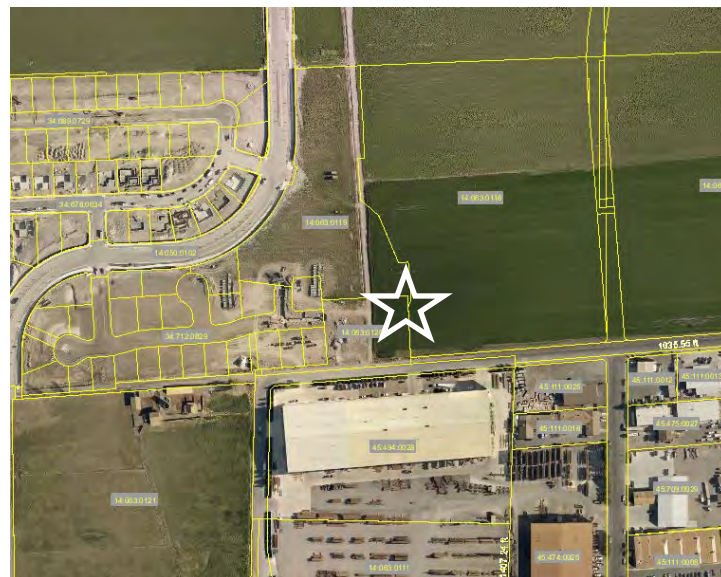
Current Zone: Anderson Farms Planned Development Zone

Size: 11.5 acres

Parcel numbers: 14:063:0119, 14:063:0120, 14:063:0116

Type of Decision: Administrative

Council action required: Yes, the planning commission recommended approval.



Summary of Key Issues

1. Ivory Development, LLC is seeking preliminary subdivision plat approval for Plat H, which is in Parcel H of the master development agreement.
2. Plat H is a 42-lot detached single family home phase of the development

Overview

1. Plat H will be the 7th phase of the Anderson Farms development;
2. In 2016, the City Council signed a Master Development Agreement with Ivory Development;
3. As a summary, the development agreement addresses items such as the total number of units, types of units for each phase, setbacks, park space and development infrastructure;
4. The Anderson Farms development has a maximum residential count of 500 single family homes (detached single family and townhomes), and 380 multi-family units.
5. This plat will be split into two phases, similar to Anderson Farms Plat E. These two phased plats will be named Anderson Farms Plat H Phase 1 and Anderson Farms Plat H Phase 2.
6. The planning commission recommended approval Anderson Farms Plat H on 11/15/2022.

Motion

I move to (*approve, deny, or continue*) the applicant's request for preliminary major subdivision approval of Anderson Farms Plat H Phase 1 and 2 with 42 lots with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents and plat;
2. Prior to plat recording, the applicant will provide staff with a final plat mylar to include notarized signatures of owner's consent to dedication, and obtain signature of all entities indicated on the attached subdivision plat;
3. Complete (or post an adequate improvement completion assurance), warrant and post required assurance for all required public infrastructure improvements;
4. The plans and plat will meet and be constructed as per applicable specifications as found in the Lindon City Development Manual;
5. All items for Parcel H found in the development agreement will be completed; and
6. All items of the staff report.

Surrounding Zoning & Land Use

North: Lindon Village Commercial zone – Agriculture

South: Light Industrial – Industrial uses

East: Anderson Farms PD zone – Agriculture

West: Anderson Farms PD zone – soon to be under construction/currently under construction

Lot Size Analysis

	Development Agreement	Actual
Lots sizes	6,651-11,287	7,160 to 12,847
Average lot size	8,446	8,691 sq ft

Subdivision Requirements

Required	Compliant
No single lot shall be divided by municipal or county boundary lines, roads, alleys, or other lots.	Yes
All residential lots shall front on a public street.	Yes
Side lot lines shall be at right angles to street lines unless approved by planning commission and/or city council	No
No wedge-shaped lot shall be less than 30' in width at the front property line, or the lot frontage required in the zoning district.	Yes
The street layout shall conform to the master plan	Yes. However, it will deviate from the street alignment found in the concept plan.
Minimum right-of-way width for Minor streets:	Yes. Meets development agreement. Interior residential streets are 55' & 58'
Minor streets maximum grade: 12%	Yes.
Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public	Yes.
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 10 feet apportioned equally in abutting properties.	Yes.
Underground utilities and piped sanitary sewerage shall be provided by the subdivider.	Yes. Provided in engineering plans.
Streetlights	Yes.

Development Agreement Requirements for Parcel H

(a) Recording of this Plat will require the following concurrent improvements:	Compliance
Anderson Blvd. will be completed from 700 North to the 500 North connection including all improvements and Landscaping within the right of way;	Yes. Anderson Blvd has been completed, and all landscaping has been installed.
Full northern round-about improvements, including Landscaping;	No. It was decided by the City that this round-about would not be constructed.
Full storm water basin detention improvements, including landscaping, will be completed for the basin that will serve this Parcel;	Yes. The regional detention basin improvements were installed with previous phases of Anderson Farms.
Pressurized irrigation system, including source, for the Project and a connection to the existing City pressurized irrigation system subject to Section 9.8.	Yes, Parcel H will be connected to pressurized irrigation

This Phase will include full road improvements on that portion of the 1200 West connector that lies to the east of Parcel H necessary to connect to 500 N. It will also include the Trails and Landscaping connecting 500 N to Anderson Blvd.	Yes , the portion of 1200 W directly east of Parcel H and the connection to 500 N will be constructed with full landscaping. The trails connecting 500 N to Anderson Blvd was installed with Plat/Parcel G.
Sewer will be designed to allow flow to the future Sewer/Ground Water Lift Station when that facility is online. Sewer connection in 500 North is only temporary until future lift station is online.	Yes , the sewer will connect to the lift station.
All improvements on 500 N as shown in Exhibit J2 adjacent to the subdivision.	Yes . These improvements include an 8' masonry wall for the abutting SFHs, a concrete and tree grate park strip, and curb and gutter along the north side of 500 N.
This Phase will include the following improvements and restrictions along the south side of this Parcel adjacent to 500 North right-of-way: • Eight foot (8') tall masonry wall/fence along the rear yard of any Residential Dwelling Unit; • Trees and other landscaping between the eight foot (8') tall wall/fence and the 500 North right-of-way road improvements; • All Residential Dwelling Units will be set back at least One Hundred and Sixty feet (160') from the current industrial building located on the property south of the 500 North right-of-way; and • For all Residential Dwelling Units which back onto the 500 North right-of-way, all windows facing the 500 North right-of-way shall be installed with triple pane glass.	• Yes, identified on the site plan • Yes, identified on the site plan • Yes, setbacks will be confirmed when building plans are submitted • Yes, windows will be confirmed when building plans are submitted

Engineering Requirements

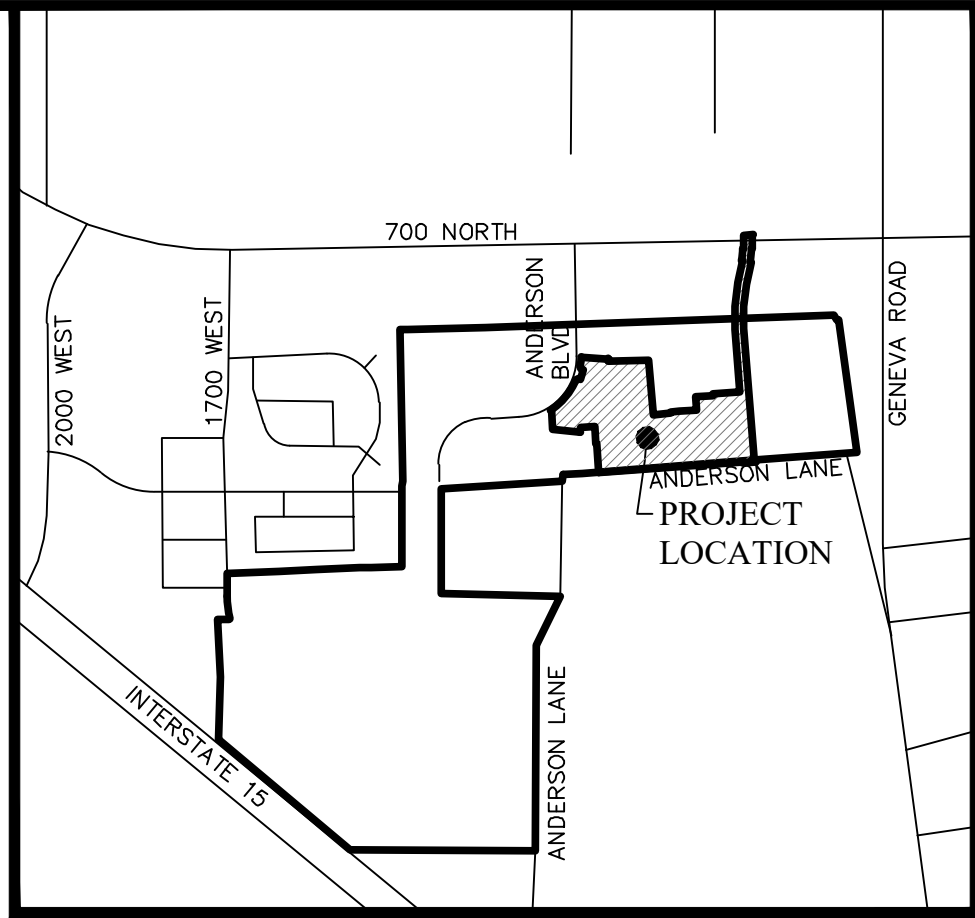
The City Engineer is working through technical issues related to the plat and civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

Exhibits

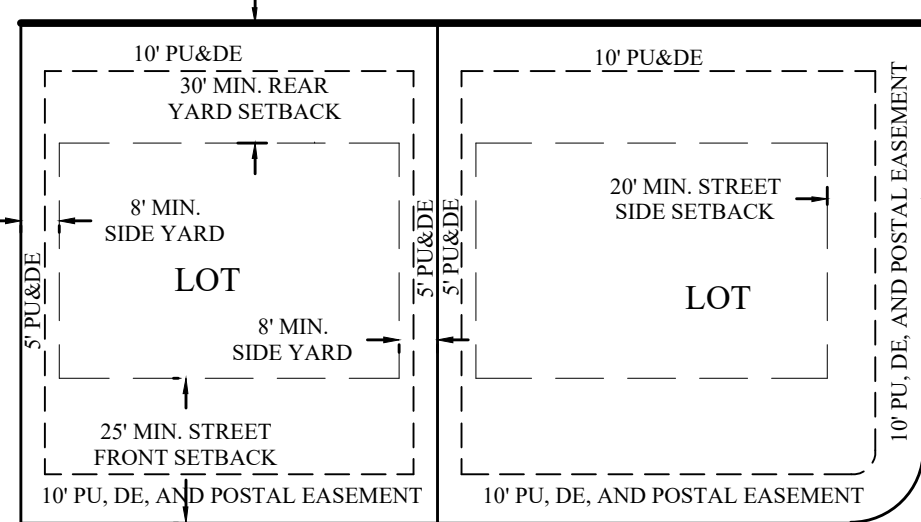
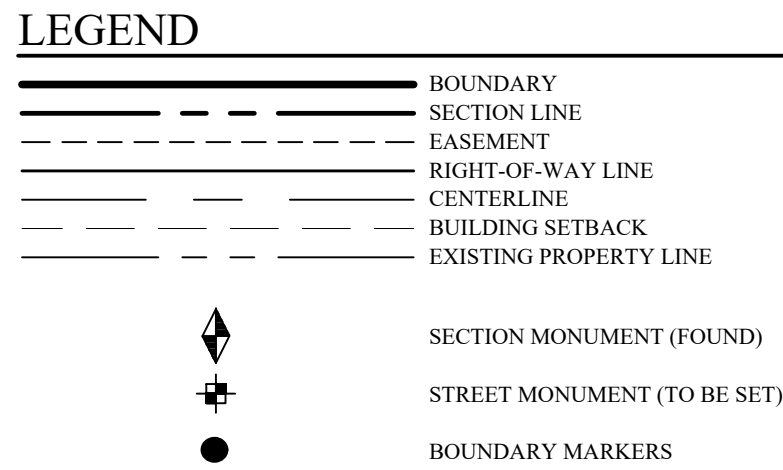
1. Aerial photo
2. Anderson Farms Plat H
3. Landscaping plan – 500 N
4. Plat H Phase 1 & 2, and future phases
5. Anderson Farms Concept Plan

Exhibit 1: Aerial Photo

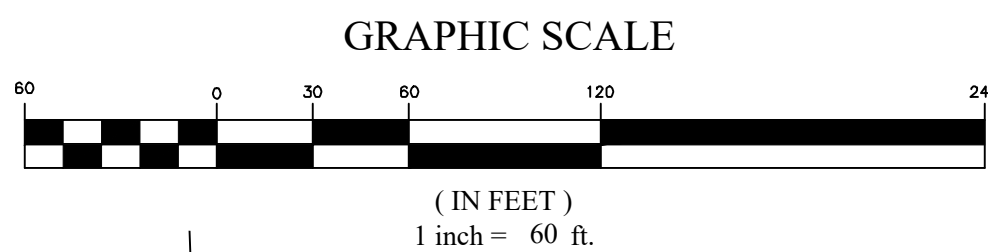




VICINITY MAP
N.T.S.



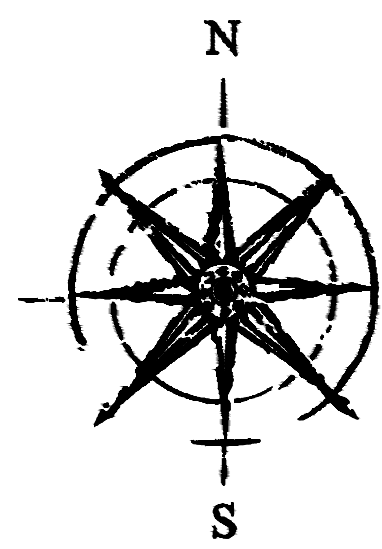
RIGHT OF WAY
TYPICAL BUILDING SETBACKS
N.T.S.



NOTES

- #5 REBAR & CAP TO BE SET AT ALL REAR LOT CORNERS.
- NAIL TO BE SET IN TOP OF CURB AT PROJECTION OF SIDE LOT LINES IN LIEU OF SETTING FRONT LOT CORNERS.
- POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT ARE ADVISED TO FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS, AND OTHER PERTINENT INFORMATION CONTAINED WITH THIS PLAT AND ALSO WITH ANY CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R'S) DOCUMENTS RECORDED AGAINST LAND LEGALLY DESCRIBE BY THIS PLAT. FAILURE TO ADHERE TO THESE NOTES, EASEMENT, CC&R'S OR OTHER DOCUMENTS RECORDED AGAINST THE LAND COULD RESULT IN FINANCIAL LOSSES TO OR CHANGES IN EXPECTED PROPERTY USE OF THE PROPERTY OWNER. PROPERTY OWNERS AND PURCHASERS ARE RESPONSIBLE TO REVIEW AND FOLLOW ALL NOTES, EASEMENTS, CC&R'S, AND OTHER RECORDED DOCUMENTS RELATED TO THIS PLAT, AS CURRENTLY EXISTING OR AS MAY FROM TIME TO TIME BE CHANGED AND/OR AMENDED.
- SEWER AND LAND DRAIN LATERALS ARE PRIVATE FROM THE METER TO THE HOME. SECONDARY WATER IS PRIVATE FROM THE METER TO THE HOME. MAINTENANCE OF ALL PRIVATE PORTIONS OF THE LATERALS ARE THE RESPONSIBILITY OF ANDERSON FARMS MASTER ASSOCIATION.
- ANDERSON FARMS MASTER ASSOCIATION
13894 SOUTH BANGERTER PARKWAY, Suite 200
DRAPER, UT. 84020

Line Table		
LINE	DIRECTION	LENGTH
L1	S72°57'39"E	27.62
L2	N40°54'21"E	14.49
L3	S49°18'50"E	10.50
L4	S23°52'17"E	50.00
L5	S65°44'25"E	50.00
L6	N27°35'49"E	50.00
L7	N53°46'31"E	50.00



OWNER/DEVELOPER
IVORY DEVELOPMENT LLC
3340 NORTH CENTER STREET
LEHI, UTAH 84070
(801) 407-6841
CONTACT: BRAD MACKAY



THORNE, JOANNA J
14-063-0017
ENTRY: 111266-2012

M S INDUSTRIAL PROPERTIES LLC
45-494-0028
ENTRY: 113379-2010

LAKEVIEW INDUSTRIAL PARK PLAT E
ENTRY: 29461-2011

LAKEVIEW INDUSTRIAL PARK PLAT A
ENTRY: 37621-1985

SHEET 1 OF 2	CONDITIONS OF APPROVAL
OCCUPANCY RESTRICTION NOTICE IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE CITY.	

SURVEYOR'S CERTIFICATE

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 183395 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, parcels, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Evan J. Wood
Professional Land Surveyor
License No. 183395

Date

BOUNDARY DESCRIPTION

A part of the Southwest Quarter of Section 29 and the North half of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian (Basis of Bearing: N0°10'09"W 2,664.04' between the Southwest Corner of Section 29 and the West Quarter Corner of Section 29), located in Lindon City, Utah County, Utah, being more particularly described as follows:
Beginning at a point on the easterly right-of-way line of Anderson Boulevard, said Point also being N0°10'09"W 187.95' along the Section line and N89°49'51"E 1678.32' from the Southwest Corner of Section 29, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence S85°51'57"E 160.00' feet; thence Southerly along the arc of a non-tangent curve to the right having a radius of 577.00 feet (radius bears: N85°51'57"W) a distance of 14.85 feet through a central angle of 01°28'27" Chord: S03°52'17"W 14.85 feet; thence N87°56'12"E 243.72 feet; thence S04°20'58"E 331.46 feet; thence N85°43'18"E 105.00 feet; thence N04°20'58"W 9.93 feet; thence N85°39'02"E 55.00 feet; thence N85°43'18"E 105.00 feet; thence N04°20'58"W 80.00 feet; thence N85°43'18"E 105.00 feet; thence N04°20'58"W 6.71 feet; thence N85°39'02"E 159.97 feet; Thence N04°20'51"W 379.27 feet; thence along the arc of a curve to the right with a radius of 1,033.76 feet a distance of 98.94 feet through a central angle of 05°22'22" Chord: N01°34'40"W 99.90 feet to the southerly right-of-way of 700 North; thence along said right-of-way N88°13'18"E 55.08 feet to the westerly boundary line of that Special Warranty Deed recorded May 5, 2021 as Entry No. 85582-2021 in the Utah County Recorder's Office; thence along said deed the following two (2) courses: (1) Southerly along the arc of a non-tangent curve to the left having a radius of 978.71 feet (radius bears: S88°38'27"E) a distance of 97.48 feet through a central angle of 05°42'24" Chord: S01°29'39"E 97.44 feet; thence (2) thence S04°20'58"E 783.61 feet; thence S85°39'02"W 55.01 feet; thence along the arc of a curve to the right with a radius of 15.00 feet a distance of 23.56 feet through a central angle of 90°00'00" Chord: S40°39'02"W 21.21 feet to the northerly right-of-way of Anderson Lane; thence along said right-of-way S85°43'05"W 870.77 feet to the southeasterly boundary line of ANDERSON FARMS PLAT G, according to the Official Plat thereof recorded January 24, 2022 as Entry No. 9571-2022 in the Utah County Recorder's Office; thence along said Plat the following seven (7) courses: (1) N04°16'42"W 172.50 feet; thence (2) S85°43'18"W 1.31 feet; thence (3) N04°16'41"W 105.00 feet; thence (4) S85°43'18"W 93.05 feet; thence (5) Southerly along the arc of a non-tangent curve to the left having a radius of 222.50 feet (radius bears: S75°54'07"E) a distance of 28.28 feet through a central angle of 07°16'55" Chord: S10°27'25"W 28.26 feet; thence (6) N83°11'03"W 167.28 feet; thence (7) N04°16'41"W 105.52 feet to the easterly right-of-way line of Anderson Boulevard; thence along said right-of-way the following six (6) courses: (1) Northeasterly along the arc of a non-tangent curve to the left having a radius of 417.00 feet (radius bears: N33°18'05"W) a distance of 246.10 feet through a central angle of 33°48'49" Chord: N39°47'30"E 242.54 feet to a point of reverse curvature; thence (2) along the arc of a curve to the right having a radius of 15.00 feet a distance of 22.04 feet through a central angle of 84°11'53" Chord: N64°59'02"E 20.11 feet; thence (3) N17°01'40"E 58.00 feet; thence (4) Northwesterly along the arc of a non-tangent curve to the right having a radius of 15.00 feet (radius bears: N17°02'21"E) a distance of 22.03 feet through a central angle of 84°09'15" Chord: N30°53'02"W 20.10 feet to a point of reverse curvature; thence (5) along the arc of a curve to the left having a radius of 417.00 feet a distance of 58.65 feet through a central angle of 08°03'33" Chord: N07°09'49"E 58.61 feet to the point of beginning
Contains: 12.58 acres +/-

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PARCEL, AND STREETS TO BE HEREAFTER KNOWN AS

**ANDERSON FARMS
PLAT H**

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY LINES AND FACILITIES.
IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF
A.D. 20 ____

CHRISTOPHER P. GAMVROULAS
PRESIDENT, IVORY DEVELOPMENT LLC

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF ____

ON THE ____ DAY OF ____ A.D. 20 ____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AN FOR THE COUNTY OF SALT LAKE, IN SAID STATE OF UTAH, CHRISTOPHER P. GAMVROULAS, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC, A UTAH LLC AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: ____ A NOTARY PUBLIC COMMISSIONED IN
UTAH RESIDING IN ____ COUNTY

MY COMMISSION No. ____ PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF LINDON CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF
____, 20 ____.

APPROVED BY MAYOR APPROVED BY CITY ATTORNEY

APPROVED BY CITY ENGINEER (SEE SEAL BELOW) ATTEST BY CITY RECORDER (SEE SEAL BELOW)

PLANNING COMMISSION CHAIR COMMUNITY DEVELOPMENT DIRECTOR

**ANDERSON FARMS
PLAT H**

SUBDIVISION
LOCATED IN THE NW 1/4 OF SECTION 32, T5S, R2E,
SALT LAKE BASE & MERIDIAN
LINDON CITY, UTAH COUNTY, UTAH

SURVEYOR'S SEAL	CITY ENGINEER'S SEAL	CITY RECORDER'S SEAL	COUNTY RECORDER'S SEAL

FOR
REVIEW
ONLY

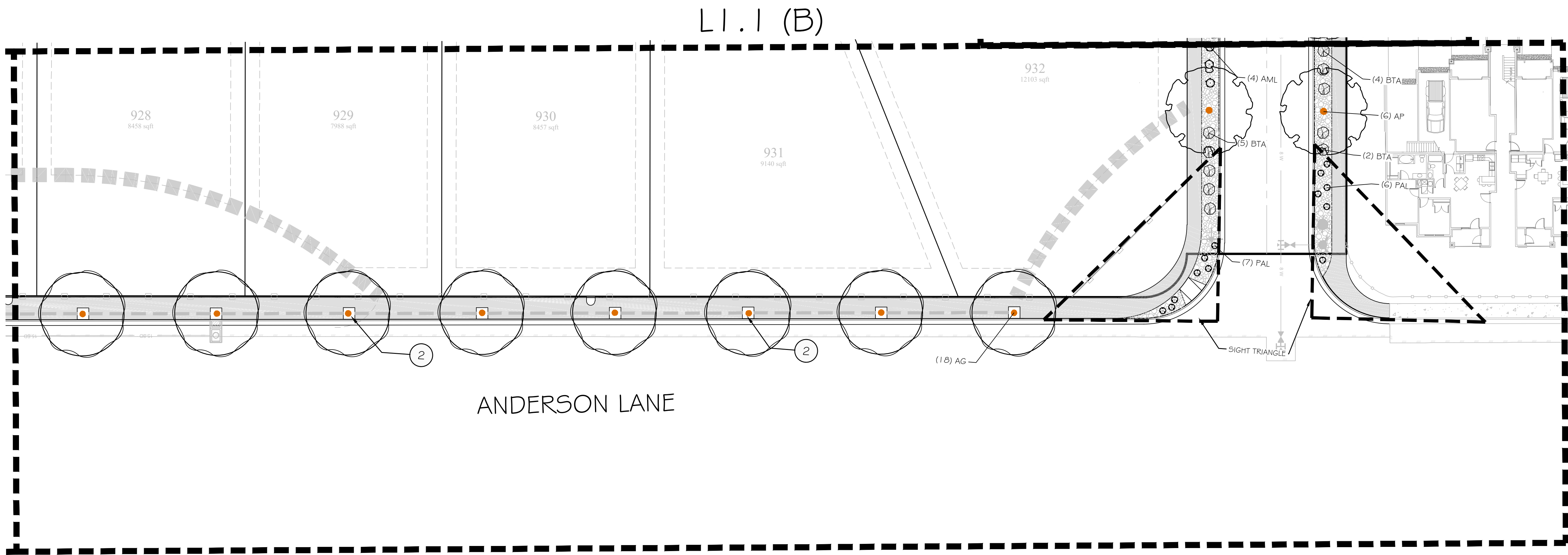
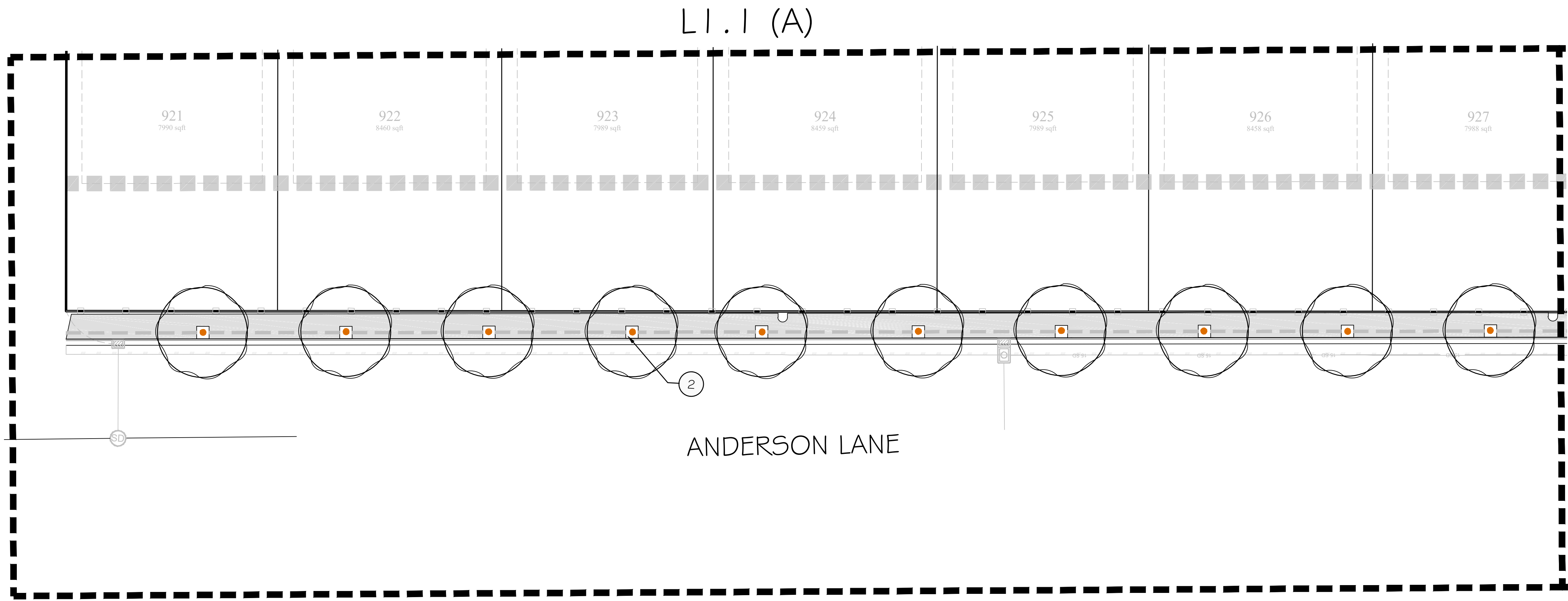
ANDERSON FARMS PLAT H
LINDON, UTAH
LANDSCAPE PLAN

REVISION BLOCK		DESCRIPTION
#	DATE	
1	10/07/2022	10/07/2022
2	10/07/2022	10/07/2022
3	10/07/2022	10/07/2022
4	10/07/2022	10/07/2022
5	10/07/2022	10/07/2022
6	10/07/2022	10/07/2022

LANDSCAPE
PLAN

Scale: 1"=20'
Date: 10/07/2022
Sheet: L1.1

Drawn: MI
Job #: 20-0247



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
①	RIVER COBBLE, SOUTH TOWN RIVER COBBLE, SIZE: 2"-4", FROM UTAH LANDSCAPING ROCK IN NEPHI, UTAH, OR APPROVED EQUAL.
②	TREE GRATE, 48" SQUARE, MATERIAL & FINISH TBD.

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME
AG	<i>Acer grandidentatum</i>	Bigtooth Maple
AP	<i>Acer x freemanii</i>	Autumn Blaze Maple
SHRUBS	BOTANICAL NAME	COMMON NAME
AML	<i>Aronia melanocarpa</i> 'Low Scape Hedger'	Dwarf Chokeberry
BTA	<i>Berberis thunbergii</i> 'Aurea Nana'	Golden Dwarf Japanese Barberry
BG	<i>Berberis thunbergii</i> 'Gonuzami' TM	Golden Ruby Japanese Barberry
SJD	<i>Spiraea japonica</i> 'Double Play Doozie'	Doozie Spiraea
ORNAMENTAL GRASSES	BOTANICAL NAME	COMMON NAME
CAK	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Karl Foerster Feather Reed Grass
PERENNIALS	BOTANICAL NAME	COMMON NAME
PAL	<i>Perovskia atriplicifolia</i> 'Little Spire'	Little Spire Russian Sage

FOR
REVIEW
ONLY

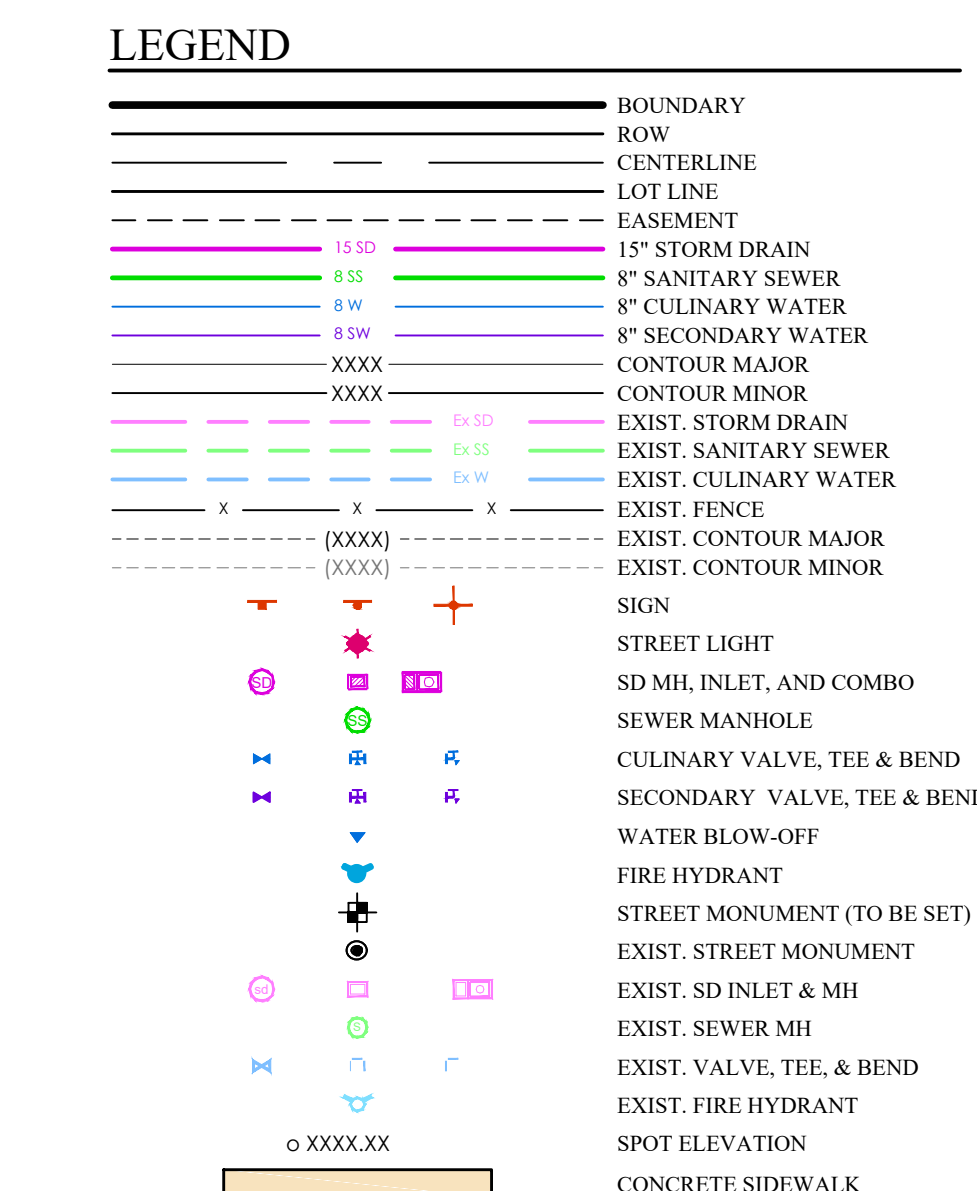
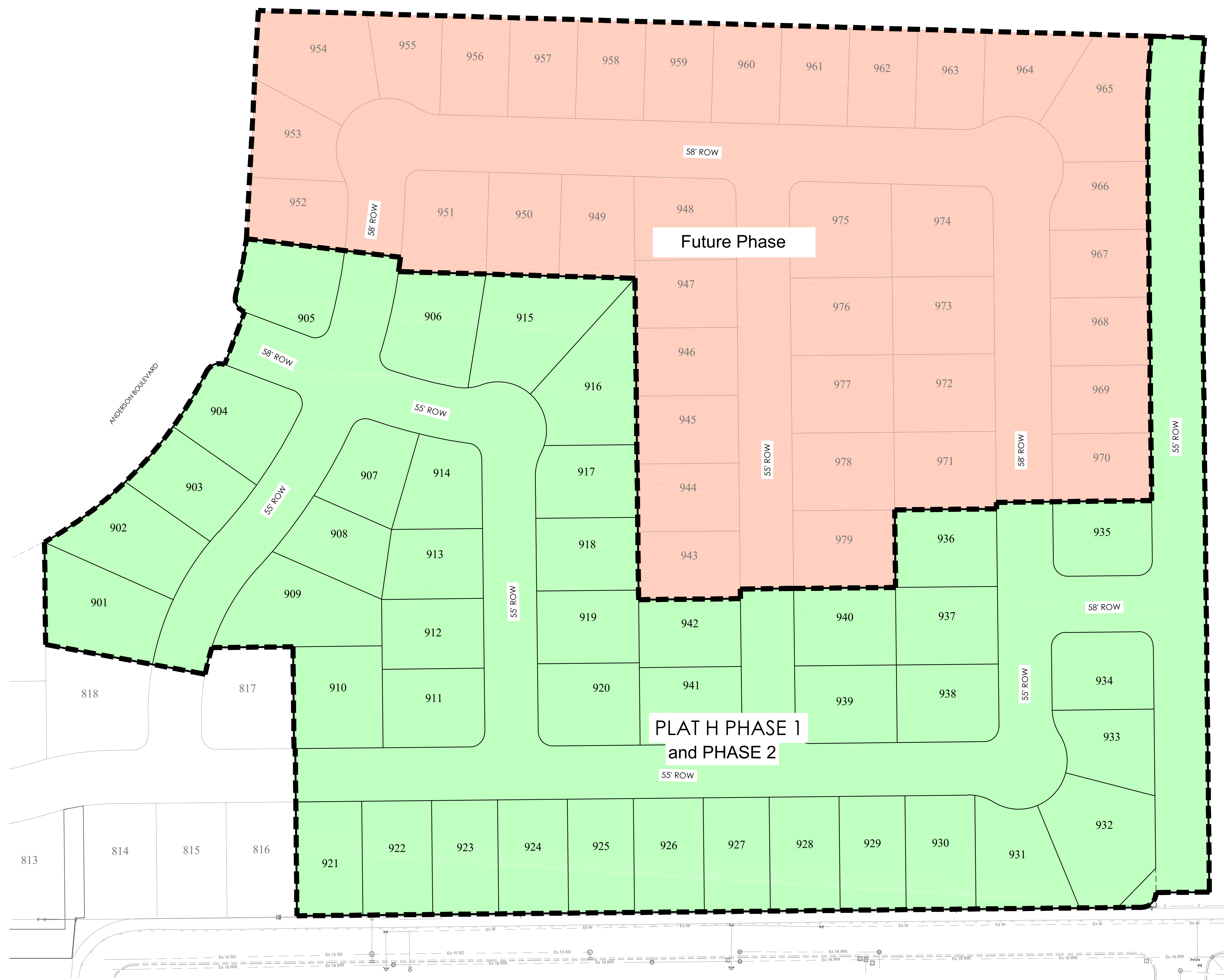
ANDERSON FARMS PLAT H
LONDON, UT
PHASING PLAN

REVISION BLOCK		DATE	DESCRIPTION
#	1	10/1/2024	
	2	10/1/2024	
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	4	10/1/2024	
	5	10/1/2024	
	6	10/1/2024	

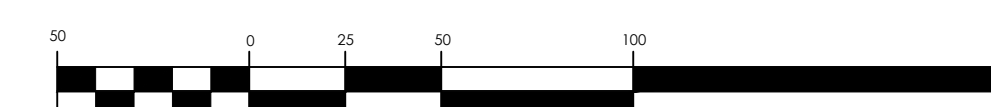
PHASING PLAN

Scale: 1"=50'	Drawn: ATW
Date: 10/28/2022	Job #: 20-0241
Sheet:	

C1.1



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



Know what's **below**.
Call 811 before you dig.

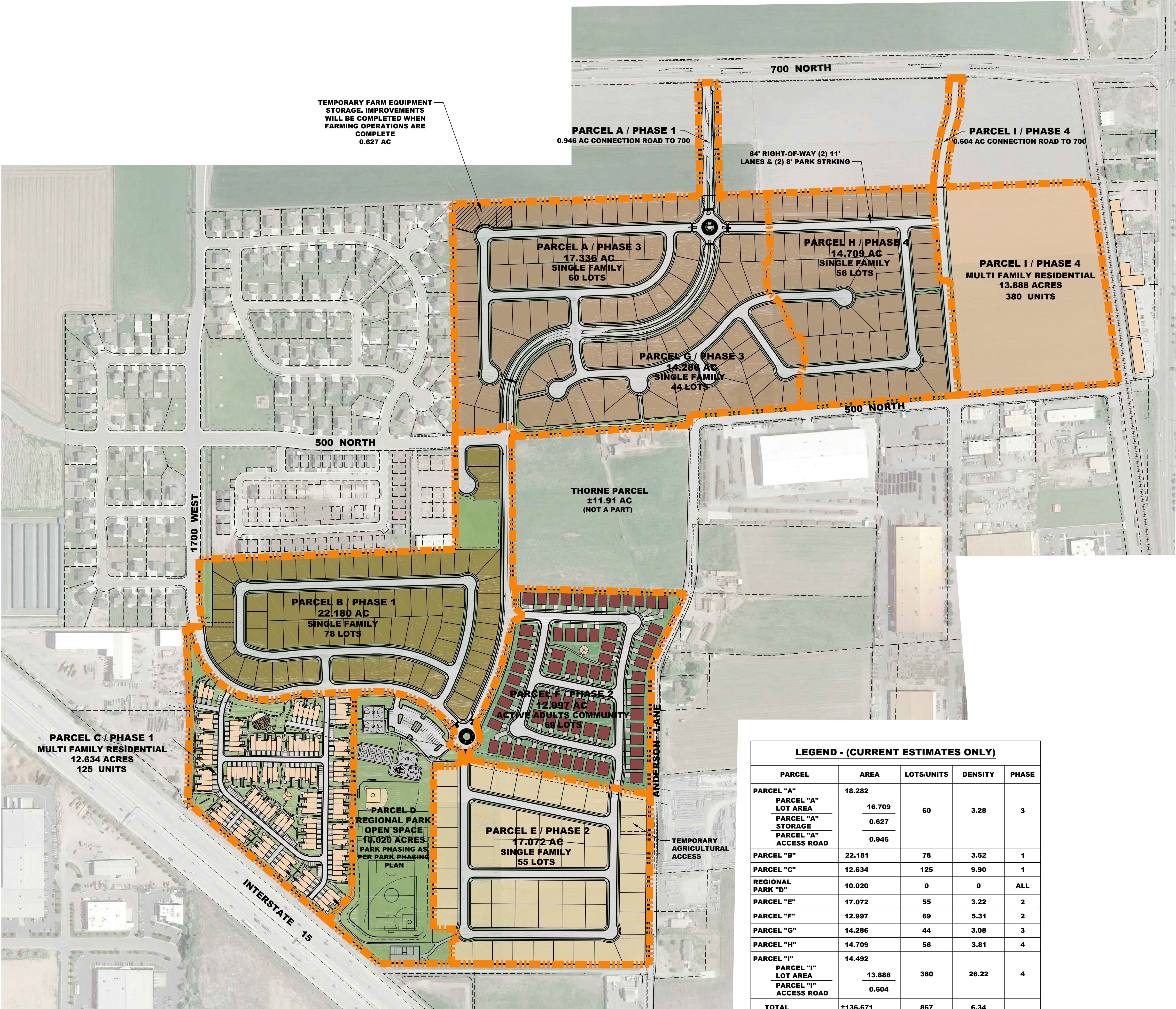
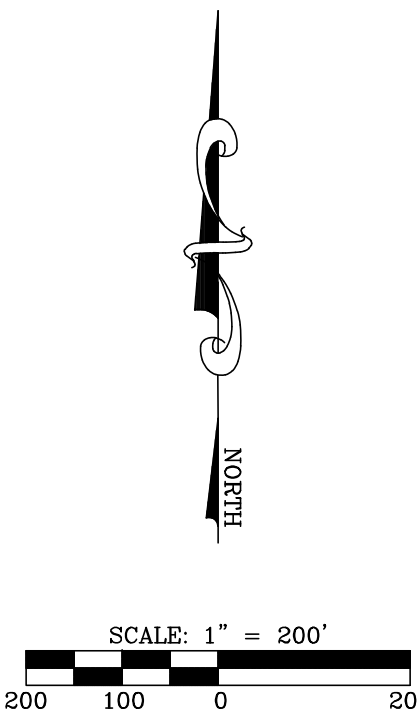
ANDERSON FARMS

LONDON, UTAH

EXHIBIT E - EXAMPLE OF MODIFIED CONCEPT PLAN

REVISIONS	
1	-
2	-
3	-
4	-
5	-

LEI PROJECT #:	2013-1845
DRAWN BY:	BLS
CHECKED BY:	GDM
SCALE:	1" = 200'
DATE:	5/2/2016
EXHIBIT	E



LEGEND - (CURRENT ESTIMATES ONLY)				
PARCEL	AREA	LOTS/UNITS	DENSITY	PHASE
PARCEL "A"	18.282			
PARCEL "A" LOT AREA	16.709	60	3.28	3
PARCEL "A" STORAGE	0.627			
PARCEL "A" ACCESS ROAD	0.946			
PARCEL "B"	22.181	78	3.52	1
PARCEL "C"	12.634	125	9.90	1
REGIONAL PARK "D"	10.020	0	0	ALL
PARCEL "E"	17.072	55	3.22	2
PARCEL "F"	12.997	69	5.31	2
PARCEL "G"	14.286	44	3.08	3
PARCEL "H"	14.709	56	3.81	4
PARCEL "I"	14.492			
PARCEL "I" LOT AREA	13.888	380	26.22	4
PARCEL "I" ACCESS ROAD	0.604			
TOTAL	±136.671	867	6.34	

IVORY HOMES

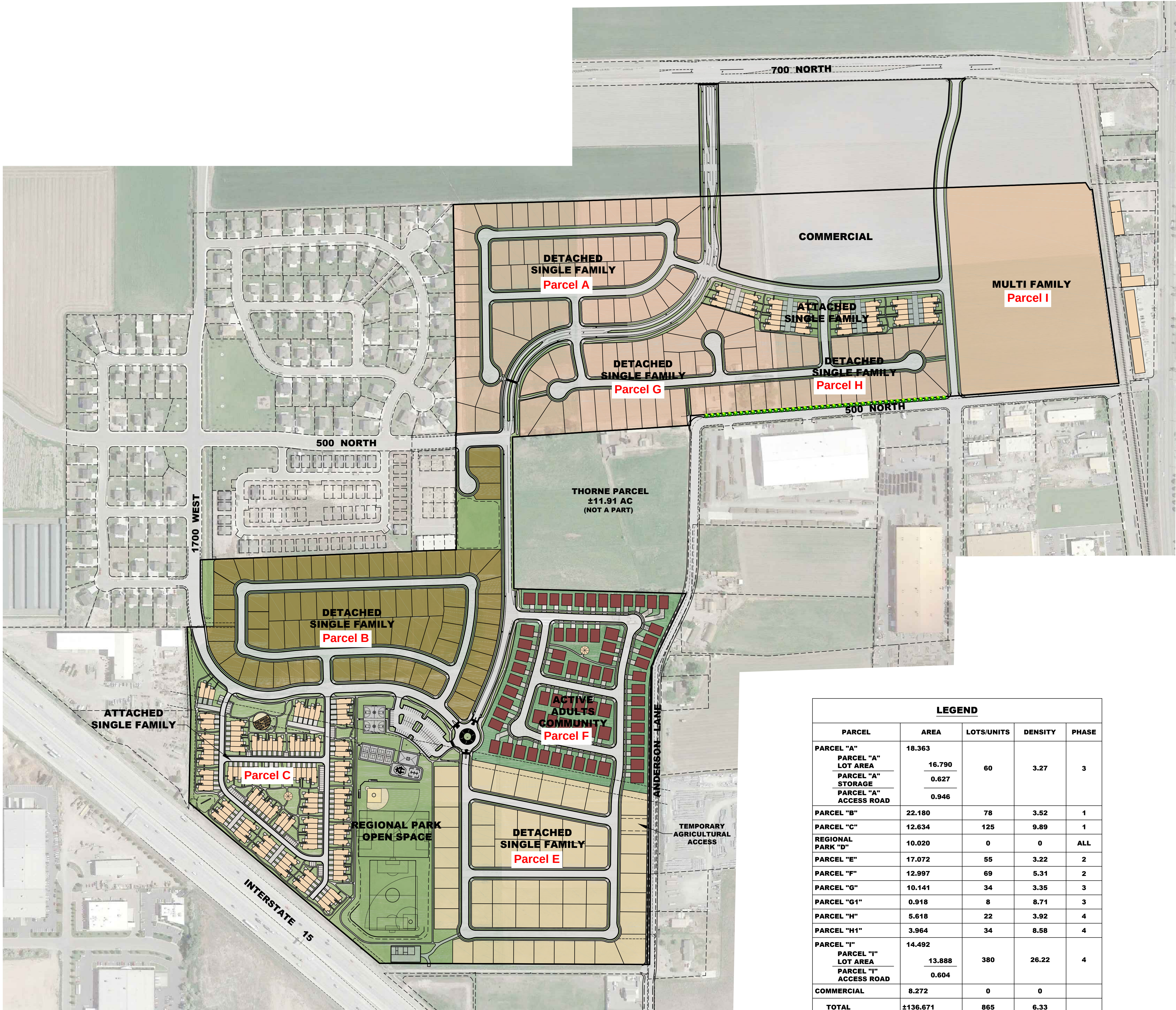
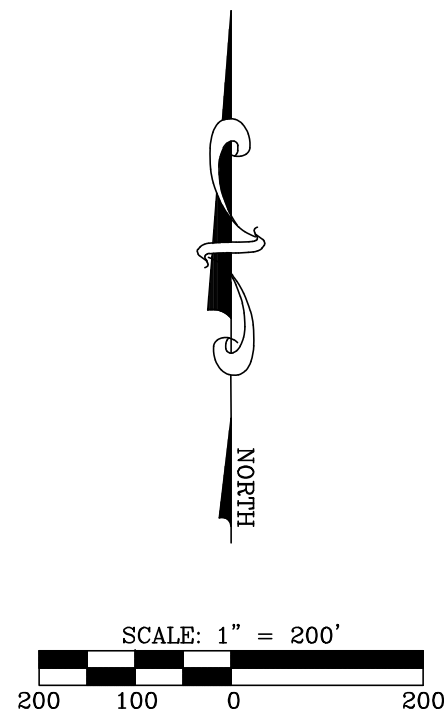
3340 NORTH CENTER STREET
LEHI, UT 84043
(801) 407-6800

ANDERSON FARMS
LONDON, UTAH

EXHIBIT B - PROPERTY CONCEPT PLAN

REVISIONS	
1	-
2	-
3	-
4	-
5	-

LEI PROJECT #:	2013-1845
DRAWN BY:	BLS
CHECKED BY:	GDM
SCALE:	1" = 200'
DATE:	5/2/2016
EXHIBIT	B



LEGEND				
PARCEL	AREA	LOTS/UNITS	DENSITY	PHASE
PARCEL "A"	18.363	60	3.27	3
PARCEL "A" LOT AREA	16.790			
PARCEL "A" STORAGE	0.627			
PARCEL "A" ACCESS ROAD	0.946			
PARCEL "B"	22.180	78	3.52	1
PARCEL "C"	12.634	125	9.89	1
REGIONAL PARK "D"	10.020	0	0	ALL
PARCEL "E"	17.072	55	3.22	2
PARCEL "F"	12.997	69	5.31	2
PARCEL "G"	10.141	34	3.35	3
PARCEL "G1"	0.918	8	8.71	3
PARCEL "H"	5.618	22	3.92	4
PARCEL "H1"	3.964	34	8.58	4
PARCEL "I"	14.492	380	26.22	4
PARCEL "I" LOT AREA	13.888			
PARCEL "I" ACCESS ROAD	0.604			
COMMERCIAL	8.272	0	0	
TOTAL	±136.671	865	6.33	

IVORY HOMES

3340 NORTH CENTER STREET
LEHI, UT. 84043
(801) 407-6800

10. Public Hearing — Ordinance #2022-19-O; Amendment to the Lindon City Standard Land Use Table. Lindon City proposes to amend the Standard Land Use Table in Lindon City Code, Appendix A, to prohibit extended stay hotels and motels in all zones of the city. *(35 minutes)*

Sample Motion: I move to (approve, deny, continue) Ordinance #2022-19-O approving the amendment to the Lindon City Standard Land Use Table (as presented, or with changes).

Ordinance Amendment – Appendix A Standards Land Use Table and Definitions

Date: November 21, 2022 Applicant: Lindon City Presenting Staff: Michael Florence Type of Decision: Legislative Council Action Required: Yes, the planning commission unanimously recommended approval	<u>MOTION</u> I move to recommend (<i>approval, denial, or a continuance</i>) of ordinance amendment 2022-19-O (<i>as presented, or with changes</i>).
---	--

Overview:

- Lindon City is considering an amendment to Appendix A: Standard Land Use table to prohibit extended stay hotels and motels in all commercial zones and to amend associated definitions of hotel, motel, extended stay hotel and motel.
- Hotels, Tourist Courts, Bed and Breakfast and Motels are currently permitted uses in the PC-1, PC-2, CG, CG-A, CG-A8, CG-S, MC, LVC, and R&B zones. They are currently prohibited in the HI, LI and LI-W zones.
- See Exhibit 1 for proposed ordinance amendments

Staff Analysis

The city has carefully evaluated and researched extended stay hotel models and has several concerns in how extended stay hotel/motel uses may impact the community and city services. The city encourages hotels in the commercial zones; however, extended stay hotels are primarily marketed for long-term stays and temporary housing. In addition, extended stay hotels can also see a disproportionate number of calls for emergency services leading to a fiscal impact on city finances and resources. The general plan's land use guidelines recommend that the city consider service and fiscal impacts of potential uses. These hotels also attract clientele that do not always have a positive influence on the hotel or surrounding areas. It often becomes difficult to attract good economic development in the areas that surround extended stay hotels.

Extended Stay Hotel/Motel Models

Extended stay hotels/motels offer accommodations ranging from one night to undetermined periods of time. This may include monthly or yearly extended stays with no expected departure date. Forbes.com looked at extended stay hotels across the country and identified an average national length of stay of 1.7 years. Other articles seem to indicate that the average length of stay ranges from a week to months. One major concern for the city is that in many cases extended stay hotels/motels can turn into de-facto or long-term housing and do not meet the intent of being a temporary overnight lodging hotel or motel that is envisioned for the city. For practical purposes, units can become the primary residence for individuals. Many of the extended stay hotel/motels also market to college students looking for off-campus housing. The longer a person stays in the hotel the greater discount they receive.

There are articles and reports showing that individuals, families, and college students move to extended stay hotels for financial reasons. Many individuals cannot afford to pay the first and last month apartment rental deposit. Extended stay hotels can become an alternative to homelessness. Most often long-term tenants are good working-class populations that would like to afford permanent housing but

cannot, at the time, pass a credit or background check. In some situations, individuals may have bad credit and cannot qualify to rent an apartment until their credit is repaired. At times, people get into a cycle where they pay so much to live in the extended stay hotel that they cannot afford to save up for an apartment. Some extended stay hotel/motel websites refer to their locations as temporary housing. Throughout the country, many non-profit housing groups also use extended stay hotels to provide temporary housing assistance for those in crises and have nowhere else to reside.

The city needs to look at the extended stay hotel/motel viability over the long-term. The city has found that extended stay hotels/motels frequently change ownership and are purchased as investments by other hotel chains, investment groups or development firms. Most of the extended stay developments use the franchise name but are owned by an outside development firm or franchisee. When it comes to enforcement, city staff has found that the franchises rarely take any responsibility in helping to enforce extended stay hotel/motel issues or violations with their name. Over the past few years older or outdated extended stay hotels have been purchased by multi-family developers on a larger scale than previously seen and are converting hotel/motel units into micro apartments. Extended stay units already have the layout and amenities needed for an apartment unit.

Permitted Uses

Hotels, tourist courts, bed and breakfast and motels are currently permitted uses in the PC-1, PC-2, CG, CG-A, CG-A8, CG-S, MC, R&B, and LV zones. Other residential uses that the city allows in these zones are youth rehabilitation, assisted living facilities, care facilities and care taker residence. It appears that extended stay hotels would conflict with the allowable uses in commercial zones if tenants are allowed to use all the extended stay units as apartments, temporary housing, or off-campus housing. The planning commission and city council have been consistent in their decision for many years to not allow housing uses in the Lindon Village zone. The Lindon City General plan and 700 N. masterplan encourages hotels but do not encourage residential uses. The city does not believe that hotels/motels that are entirely used for extended stay or temporary housing meet the intent of the general plan and 700 N. master plan. The city has drafted the ordinance amendment so that temporary lodging hotels may have less than 30% of the units as extended stay units. This keeps the primary use of the hotel for temporary lodging. If a hotel has 30% or greater of the units as extended stay units then the hotel would be defined as an extended stay hotel.

Transient Room Taxes

A hotel/motel in the State of Utah pays both a sales tax and a transient room tax. According to the State of Utah Tax Commission, temporary lodging is the use of accommodations in a hotel or motel for less than 30 consecutive days. Lodging stays of 30 consecutive days or longer are exempt from sales tax and transient room tax. A concern for Lindon City is losing the sales and transient room tax for tenants who stay longer than 30 days. It appears that some extended stay franchise only signs a tenant to a 28-day contract and then renews that contract every 28 days. This way the hotel can still charge the sales and transient room tax. This may technically meet the requirement to continue to charge these taxes but still creates a long-term housing concern for Lindon's commercial zoning requirements.

Crime Rates

Lindon city has reached out to the chiefs of police of surrounding communities where extended stay hotels are located. Comments were made that, specifically the economy or budget, extended stay hotels in their communities create a disproportionate number of calls for emergency services. On many occasions, the police departments are responding daily to these extended stay hotels. The comment was

made that good management of the extended stay hotels makes a difference. However, with these hotels often changing hands to different investors the management policies can change as well. The city was provided crime stats for a number of hotels and extended stay hotels in Provo. Exhibit 4 compares two overnight stay hotels and 2 extended stay hotels.

Exhibit

1. Proposed ordinance amendments to Lindon City code Appendix A Standard Land Use Table
2. Utah Tax Commission Publication
3. Article and website links considered as part of the staff report
4. Calls for emergency services exhibit

ORDINANCE NO. 2022-19-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLES 17.02 AND APPENDIX A STANDARD LAND USE TABLE 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 strengthen the identity of Lindon by land uses that contribute to the unique character of the community; and

WHEREAS, the proposed amendment is consistent with the goal of the Lindon City General Plan to consider the fiscal impacts that proposed uses may have on city services and resources; and

WHEREAS, the city finds that extended stay hotels/motels can become transitional residences and, in some cases, permanent residential accommodations, similar to for-rent or apartment dwelling units; and

WHEREAS, the City Council further finds and declares that such facilities, given their nature, are likely to be marketed as and actually serve as substitutes for permanent residences, yet are not subject to the same regulations applicable to residential properties within the City and with minor exceptions residential uses are not allowed in commercial zones of the city, and are likely to require an excessive number of municipal resources to regulate to ensure the public's health, safety and welfare; and

WHEREAS, the city finds that economic and other attendant activities of guests at extended stay hotels/motels differ from those activities of guests at short-term or overnight hotels/motels to meet the economic development goals and be compatible with the commercial zoning districts of the city; and

WHEREAS, the city finds that extended stay hotels are separate and distinct land uses from short-term or overnight hotels/motels and that different considerations must be considered to ensure that such uses are consistent with the city's general plan, the city's 700 N. Master Plan, and the city's general land use and economic development goals; and

WHEREAS, the City Council and Planning Commission, consistent with the recommendation of its city staff, finds and declares that "Extended Stay Hotels/Motels" are likely to conflict with strengthening the land use development, economic, and general welfare goals of Lindon City; and

WHEREAS, the City Council and Planning Commission further finds and declares that such facilities may represent a potential safety hazard to guests of such facilities as well as to the community at large, and observes that they have been operated in many other communities in a manner that constitutes a nuisance; and

WHEREAS, on November 15, 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 _____, 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:

17.02.010 – Definitions

~~“Hotel” means a building designed for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are lodged for compensation, with or without meals.~~

“Hotel/Motel” means a building containing temporary lodging, offered to the public for compensation on a nightly basis and in which less than 30% of all guest rooms are offered for occupation for more than 30 days within any period of 45 consecutive days, or in which less than 30% of all guest rooms have facilities or appliances for extended stays. For purposes of this Section, “facilities or appliances for extended stays” means any facilities or appliances other than coffee makers, mini refrigerators, microwaves, small kitchenette sinks, and/or irons and ironing boards, and includes, but is not limited to, cook tops, stoves, ovens, dishwashers, and/or other in-room laundry facilities. For purposes of this Section, Hotel/Motel and Extended Stay Hotel/Motel are separate and distinct uses. Hotel/Motel does not include Short-Term Rental, Extended Stay Hotel/Motel, or Homeless Shelter.

“Extended Stay Hotel/Motel” means a building containing temporary lodging, offered to the public for compensation which are designed, intended, marked, advertised, or routinely utilized for monthly occupancy or in which more than 30% of all guest rooms are offered for occupation for more than 30 days within any period of 45 consecutive days, or in which more than 30% of all guest rooms have facilities or appliances for extended stays. For purposes of this Section, “facilities or appliances for extended stays” means any facilities or appliances other than coffee makers, mini refrigerators, microwaves, small kitchenette sinks, and/or irons and ironing boards, and includes, but is not limited to, cook tops, stoves, ovens, dishwashers, and/or other in-room laundry facilities. For purposes of this Section, Extended Stay Hotel/Motel and Hotel/Motel are separate and distinct uses. Extended Stay Hotel/Motel does not include Hotel/Motel, Short-Term Rental, or Homeless Shelter.

Appendix A Standard Land Use Table

Lindon City

STANDARD LAND USE TABLE BY ZONE

Appendix A

Parking Group	Permitted Primary Uses	Residential	Mixed Rec.		Commercial*							Industrial			R&B
		(R1-12, R1-20, R3)	RMU-W	RMU-E	PC-1	PC-2	CG	CG-A	CG-A8	CG-S	MC	HI	LI	LI-W	
MISCELLANEOUS															
N/A	Solicitors	See LCC 5.40 - Solicitors Ordinance													
N/A	Itinerant Merchants	N	N	N	See LCC 17.17.140 - Temporary Site Plans										
7100	Fireworks Stands	See 8.28 - Fireworks Ordinance													
7100	Christmas Tree Sales	N	N	N	See LCC 17.17.140 - Temporary Site Plans										
7100	Mechanical Amusement	N	N	N	C	C	C	C	C	C	C	C	C	C	N
N/A	Individual Containers for Recyclable Materials - commercial storage	N	N	N	N	N	C	C	C	C	C	C	C	C	N
RESIDENTIAL															
N/A	Single Family	P	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Accessory Apartments	See 17.46 R2 Overlay	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Condominium		N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Apartments		N	N	N	N	N	N	N	N	N	N	N	N	N
1200	Rooming & Boarding Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1233	Fraternity & Sorority Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1500	Membership Lodging	N	N	N	N	N	C	C	C	C	N	N	N	N	N
1233	Student Housing	See 17.46 - R2 Overlay													
1241	Youth Rehabilitation	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1241	Assisted Living Facilities - small	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1241	Assisted Living Facilities - large	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1200	Transitional Treatment Home - sm.	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1200	Transitional Treatment Home - lg.	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay													
1400	Subdivided Manufactured Mobile Homes Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1300	Extended Stay Hotels and Motels	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1300	Hotels, Tourist Courts, Bed & Breakfast and Motels	N	N	N	P	P	P	P	P	P	P	N	N	N	P
1300	Residential Bed & Breakfast Facility - 3 rooms or less	N	N	N	N	N	N	N	N	N	N	N	N	N	N
N/A	Caretaker Facilities - accessory to main uses only	N	N	N	C	C	C	C	C	C	C	C	C	C	C

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

Utah!**Publication 56**

Revised 5/20

This publication is provided for general guidance only. It does not contain all sales or use tax laws or rules.

Sales Tax Information for Lodging Providers

Utah State Tax Commission

210 North 1950 West
Salt Lake City, Utah 84134
801-297-2200
1-800-662-4335
tax.utah.gov



If you need an accommodation under the Americans with Disabilities Act, email taxada.utah.gov, or call 801-297-3811, or TDD 801-297-2020. Please allow three working days for a response.

Introduction

This publication provides sales tax information for lodging providers. See publication 25 for general sales and use tax information.

Tax Commission publications are reference tools. They are not all-inclusive and should not be used as legal references.

Tax laws may change due to legislative action. Changes to law will supersede information in this publication.

Transient Room Tax

Amounts paid for temporary lodging are subject to both sales tax and transient room tax. Report sales tax on TC-62M or TC-62S, and report transient room tax on TC-62T.

Temporary lodging is the use of accommodations in a hotel, motel, inn, tourist home, trailer court or campground (or similar accommodation) for less than 30 consecutive days.

Rooms and suites not used for lodging, such as convention halls or meeting rooms, are not subject to sales tax or transient room tax.

Lodging stays of 30 consecutive days or longer are exempt from sales tax and transient room tax.

Who Imposes the Transient Room Tax

The transient room tax rate for a location may be a combination of the five following rates:

1. Utah imposes a statewide tax on temporary lodging of 0.32 percent.
2. Counties may impose a county-wide tax on temporary lodging of up to 4.25 percent.
3. Cities and towns may impose tax on temporary lodging of up to 1 percent.

4. Cities and towns that meet certain requirements may impose an additional transient room tax of up to 0.5 percent on temporary lodging.
5. Salt Lake County imposes an extra tourism tax on temporary lodging of 0.5 percent.

Find current tax rates online at tax.utah.gov/sales/rates.

Operations of Lodging Providers**Consumable Items**

Temporary lodging providers may purchase consumable items exempt from sales tax if the items are:

1. used by their guests; and
2. included in the full sales price for the accommodation (not stated separately on the invoice).

Examples of consumable items include: meals, snacks, beverages, brushes, combs, hair care products, cosmetics, makeup, nail polish remover, lotion, shower caps, soap, toilet paper, toothbrushes, toothpaste, mouthwash, saline solution, razors, shaving cream, newspapers, magazines, notepads, pens, pencils, sewing kits, shoe shine kits, and similar items.

Consumable items **do NOT** include:

1. tangible personal property that is cleaned for reuse (e.g., towels and linens), or
2. products transferred electronically.

Taxable Sales and Services

Sales or rentals of tangible personal property, such as gift shop sales, are subject to sales tax.

The following table shows common fees lodging providers charge guests. Although most of the fees are subject to sales and use tax, not all are subject to transient room taxes.

Fees	Sales & Use Tax	Transient Room Tax
Additional room service	Taxable	Taxable
Admission to exercise facilities	Taxable	Not Taxable
Attrition	Taxable (see A. below)	Taxable (see A. below)
Cancellation (less than room amount)	Not Taxable (see A. below)	Not Taxable (see A. below)
Childcare charges	Not Taxable	Not Taxable
Cleaning fees	Taxable	Taxable
Complimentary meals or beverages	Not Taxable	Not Taxable
Concierge fee	Not Taxable	Not Taxable
Copy charges	Taxable	Not Taxable
Damage fees	Taxable	Taxable
Dry Cleaning	Taxable	Not Taxable
Energy surcharges	Taxable	Taxable
Equipment rental	Taxable	Not Taxable
Fax receiving	Taxable	Not Taxable
Fax sending	Not Taxable	Not Taxable
Front desk labor fee	Taxable	Taxable
Groceries and related service fees (mini bar item charges)	Taxable	Not Taxable
Ground transportation/transfers	Not Taxable	Not Taxable
Guest and owner miscellaneous request items	Taxable	Taxable
Hot tub fees	Taxable	Taxable
Interstate telephone charges	Not Taxable	Not Taxable
Late payment fee	Not Taxable	Not Taxable
Laundry/dry cleaning service	Taxable	Not Taxable
Lockout/lost key fee	Not Taxable	Not Taxable
Meeting rooms	Not Taxable	Not Taxable
No show (full room amount)	Taxable (see A. below)	Taxable (see A. below)
Parking fees	Not Taxable	Not Taxable
Pet fees	Taxable	Taxable
Prepaid calling cards	Taxable	Not Taxable
Reservation change fee	Taxable	Taxable
Reservation fee	Taxable	Taxable
Resort fee	Taxable	Taxable
Rollaway bed and cribs	Taxable	Taxable
Room charges/rentals 30 consecutive days and longer	Not Taxable	Not Taxable
Room charges/rentals less than 30 consecutive days	Taxable	Taxable
Safe and safety deposit box rentals	See B. below	Not Taxable
Shipping charges (FedEx, etc.)	Not Taxable	Not Taxable
Sundry items sold	Taxable	Not Taxable

Fees	Sales & Use Tax	Transient Room Tax
Telephone charges markup	Taxable (see C. below)	Not Taxable
Tickets to ski or gain admission to events	Taxable (see D. below)	Not Taxable
Tips for staff (mandatory)	Taxable	Taxable
Tips for staff (voluntary tips not listed on invoice)	Not Taxable	Not Taxable
Vending machine sales	Taxable	Not Taxable
Video/movie/pay-per-view (assisted by lodging staff) charges	Taxable	Not Taxable
Video/movie/pay-per-view (accessed by guests without any assistance from lodging staff) charges	Not Taxable	Not Taxable

- A. When guests do not occupy a room and are charged an amount less than the room rate, the charge is not subject to sales or transient room taxes. When guests are charged the full room rate (whether they occupy it or not), the charge is subject to sales and transient room taxes. A deposit not directly related to the room charge is not subject to sales or transient room taxes.
- B. Safe and safety deposit box charges are subject to sales tax if the boxes are tangible personal property. The rental is not subject to sales tax if the boxes are real property. See Pub 42 for definitions.
- C. Telephone service providers collect the tax for local and instate long distance calls. However, any markup of these calls by lodging providers is subject to sales tax. Long distance interstate calls are not subject to sales tax.
- D. Sales tax is usually collected by the third-party provider (resort, theater, etc.).

Exempt Sales and Services

Charges to Owner from Manager

Charges to property owners by property managers are not subject to sales tax or transient room tax. These charges include: interstate telephone charges, housekeeping, shipping charges (FedEx, etc.), administrative labor, DSL installation, late payment fees, hot tub fees, smoking and pet fees (cost of damages pass through), commission fees, credit card fees and check-in fees for non-paying guests.

Government

Federal Government Agencies

Sales to federal governmental agencies are exempt from sales tax and transient room tax if the buyer provides the seller proof of exemption that includes one of the following:

- an exemption certificate (form TC-721G)
- a purchase order
- an invoice or check issued by a government agency

U.S. Dept. of the Interior

U.S. Department of the Interior (DOI) bureaus are treated differently than other federal agencies. DOI bureaus that centrally bill travel expenses include: Bureau of Indian Affairs, Bureau of Reclamation, U.S. Geological Survey, Minerals Management Service, Office of Special Trust, Office of Surface Mining, Office of the Secretary and National Business Center.

The travel expenses of DOI bureau employees are exempt from sales tax if the employee provides the seller with a valid exemption certificate (form TC-721G) or uses a DOI

JPMorgan-Chase MasterCard with beginning numbers of 5568 26. The DOI credit card is embossed with the employee's name, the words *U.S. Department of the Interior*, and the DOI tax-exempt ID number. If the employee uses a DOI credit card, the lodging provider must keep a copy of the credit card.

Foreign Diplomats

Lodging related sales to foreign diplomats are exempt from sales tax and transient room tax, at the point of sale, if the buyer has a diplomatic tax exemption card issued by the United States or American Institute in Taiwan, and provides the seller with a valid exemption certificate (form TC-721G) and copy of tax exemption card.

Utah Government Agencies

Lodging-related sales to Utah government agencies are taxable at the point of sale. Qualifying agencies must request a refund of the tax from the Tax Commission. Employee purchases that are reimbursed by the government agency do not qualify for refund. Refund claims may not be made more frequently than monthly.

Religious and Charitable Institutions

Qualifying religious and charitable institutions must have an exemption number issued by the Tax Commission. Tax is paid at the time of purchase on all amounts under \$1,000, unless the institution has an exemption certificate and written contract on file with the lodging provider. If the sale is \$1,000 or more, the institution may use an exemption certificate to pay for lodging without paying tax. Otherwise, all sales are taxable and the institution must request a refund of the tax from the Tax Commission.

Monthly Rentals

Charges for stays of 30 consecutive days or longer are exempt from sales and use tax and all sales-related taxes.

Trades or Bartering

A trade involving lodging does not create an exempt trade because lodging is not tangible personal property. Complimentary rooms are not taxable because there is no charge.

Admissions Charges

Admissions and user fees for any amusement, entertainment, recreation, exhibition, cultural or athletic activity are subject to Utah sales tax.

Taxable activities include, but are not limited to, admissions and user fees for: theaters, movies, operas, museums, planetariums, shows, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses, menageries, fairs, races, contests, sporting events, dances, boxing and wrestling matches, closed-circuit television broadcasts, billiard or pool parlors, bowling lanes, golf and miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts, ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides, river runs, jeep tours, boat tours, scenic cruises, and horseback rides.

Exceptions

Admissions and user fees include season passes, but do not include annual membership dues paid to a private organization whose members, directly or indirectly, establish the level of the membership dues.

Fees beyond annual membership dues, such as a country club's fees for use of its golf course or pool, are considered admission and user fees and are taxable. See Tax Commission Rule R865-19S-33.

Amounts paid for the following activities are not admissions or user fees:

- Public or private lessons, including lessons that involve equipment or a facility as part of the lesson.
- Sign-ups for participation in amateur athletics if the activity is sponsored by state government or a nonprofit organization whose primary purpose is the sponsoring and promoting of amateur athletics.
- Sign-ups for participation in school activities. This does not include attendance as a spectator at school activities.

Fees for the above activities are subject to tax unless they are listed separately on an invoice. For example, if fees for a golf lesson are included with fees for use of the golf course, the entire amount is subject to sales tax.

Resort Packages

If a third party reserves rooms for its clients, sales tax and transient room tax are due on the rental. If rooms are discounted for the third party but not for the clients (as is often done for large groups), tax is calculated on the discounted price.

If a third party (such as a hotel) arranges for ski lift passes, the ski resort must pay sales tax on the sales of the lift passes. The third party is considered the ski resort's agent. Transient room tax does not apply to lift passes.

Other situations in which a third party arranges for guests to obtain taxable goods, services or admissions are treated the same way. The third party is considered the final consumer, not the third party's clients.

Tours

The following guidelines apply to off-road tours, outfitters and providers of similar activities:

- If the tour begins in Utah, sales tax is due on the entire amount of the transaction.
- If the tour begins outside Utah, the transaction is not subject to sales tax.

Sales tax publications provide general guidance only. They do not contain all sales or use tax laws or rules. If you need additional information, call 801-297-7705 or 1-800-662-4335, ext. 7705 (outside the Salt Lake area), or email taxmaster@utah.gov.

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



TEL 801-785-7687
www.lindoncity.org

Article and Website Links Supporting the November 15, 2022 Staff Report on Extended Stay Hotels

Distressed extended stay hotels are being revamped as apartments

<https://www.mmmlaw.com/media/distressed-extended-stay-hotels-are-being-revamped-as-apartments/>

When extended stay becomes home

[when extended stay becomes home \(gwinnetthousing.org\)](http://whenextendedstaybecomeshome.gwinnetthousing.org)

Five reasons why you can't manage an extended stay hotel like a traditional hotel

<https://www.forbes.com/sites/forbestechcouncil/2021/02/24/five-reasons-why-you-cant-manage-an-extended-stay-hotel-like-a-traditional-hotel/?sh=4abf9a2c50d2>

Gwinnett Solicitor wants to cut crime rates at extended stay hotels.

<https://www.ajc.com/news/local/gwinnett-solicitor-wants-meet-with-hotels-that-are-source-crimes/VUEqu2g2XXK4FgYSHpwh5O/>

What is an extended stay hotel – InTown Suites

<https://www.intownsuites.com/what-is-an-extended-stay-hotel/#:~:text=At%20an%20extended%20stay%20hotel%20like%20InTown%20Suites%2C%20guests%20pay,InTown's%20simple%20online%20renewal%20system.>

MAP: Data shows cluster of budget hotels have become hotspot for violence, crime in Tacoma

<https://www.q13fox.com/news/map-data-shows-cluster-of-budget-hotels-have-become-hotspot-for-violence-crime-in-tacoma>

The hotels industry's pandemic bright spot: the extended stay segment

<https://www.hvs.com/article/9004-The-Hotel-Industrys-Pandemic-Bright-Spot-The-Extended-Stay-Segment>

The truth behind extended stay hotels' underrated success

<https://www.hotelmanagement.net/operate/truth-behind-extended-stay-hotels-underrated-success>

When no landlord will rent to you, where do you go?

<https://www.nytimes.com/2021/05/20/magazine/extended-stay-hotels.html>

Working but poor, many families are trapped in extended stay hotels.

<https://www.detroitnews.com/story/business/personal-finance/2020/04/05/working-but-poor-many-families-trapped-extended-stay-hotels/2943123001/>

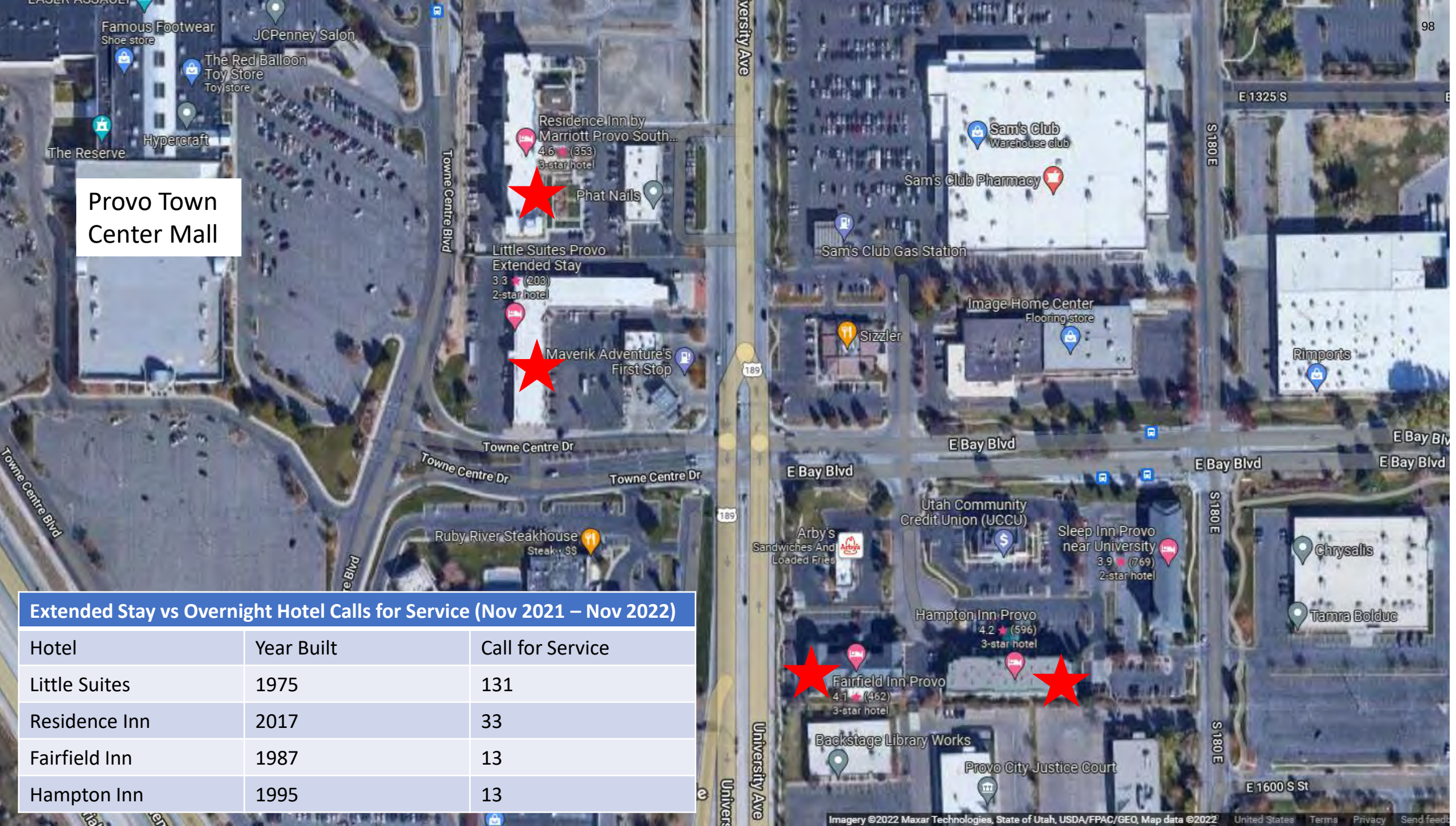
Off-Campus housing

<https://www.woodsring.com/extended-stay-hotels>

Provo Town Center Mall

Extended Stay vs Overnight Hotel Calls for Service (Nov 2021 – Nov 2022)

Hotel	Year Built	Call for Service
Little Suites	1975	131
Residence Inn	2017	33
Fairfield Inn	1987	13
Hampton Inn	1995	13



- 11. Discussion Item** — Staff will discuss possible code changes to modify appeal authority processes and update the Council on a pending application for a group home in the R1-12 residential zone. *(20 minutes)*

This item is for discussion purposes only with no motion needed.

10-9a-701. Appeal authority required -- Condition precedent to judicial review -- Appeal authority duties.

- (1) (a) Each municipality adopting a land use ordinance shall, by ordinance, establish one or more appeal authorities.
- (b) An appeal authority described in Subsection [\(1\)\(a\)](#) shall hear and decide:
 - (i) requests for variances from the terms of land use ordinances;
 - (ii) appeals from land use decisions applying land use ordinances; and
 - (iii) appeals from a fee charged in accordance with Section [10-9a-510](#).
- (c) An appeal authority described in Subsection [\(1\)\(a\)](#) may not hear an appeal from the enactment of a land use regulation.
- (2) As a condition precedent to judicial review, each adversely affected party shall timely and specifically challenge a land use authority's land use decision, in accordance with local ordinance.
- (3) An appeal authority described in Subsection [\(1\)\(a\)](#):
 - (a) shall:
 - (i) act in a quasi-judicial manner; and
 - (ii) serve as the final arbiter of issues involving the interpretation or application of land use ordinances; and
 - (b) may not entertain an appeal of a matter in which the appeal authority, or any participating member, had first acted as the land use authority.
- (4) By ordinance, a municipality may:
 - (a) designate a separate appeal authority to hear requests for variances than the appeal authority the municipality designates to hear appeals;
 - (b) designate one or more separate appeal authorities to hear distinct types of appeals of land use authority decisions;
 - (c) require an adversely affected party to present to an appeal authority every theory of relief that the adversely affected party can raise in district court;
 - (d) not require a land use applicant or adversely affected party to pursue duplicate or successive appeals before the same or separate appeal authorities as a condition of an appealing party's duty to exhaust administrative remedies; and
 - (e) provide that specified types of land use decisions may be appealed directly to the district court.
- (5) If the municipality establishes or, prior to the effective date of this chapter, has established a multiperson board, body, or panel to act as an appeal authority, at a minimum the board, body, or panel shall:
 - (a) notify each of the members of the board, body, or panel of any meeting or hearing of the board, body, or panel;
 - (b) provide each of the members of the board, body, or panel with the same information and access to municipal resources as any other member;
 - (c) convene only if a quorum of the members of the board, body, or panel is present; and
 - (d) act only upon the vote of a majority of the convened members of the board, body, or panel.

Amended by Chapter [385](#), 2021 General Session

- 12. Closed Executive Session** — The City Council will enter into a closed executive session to discuss the potential purchase or sale of real property per Utah State Code 52-4-205. This session is closed to the public. *(15 minutes)*

ADJOURN