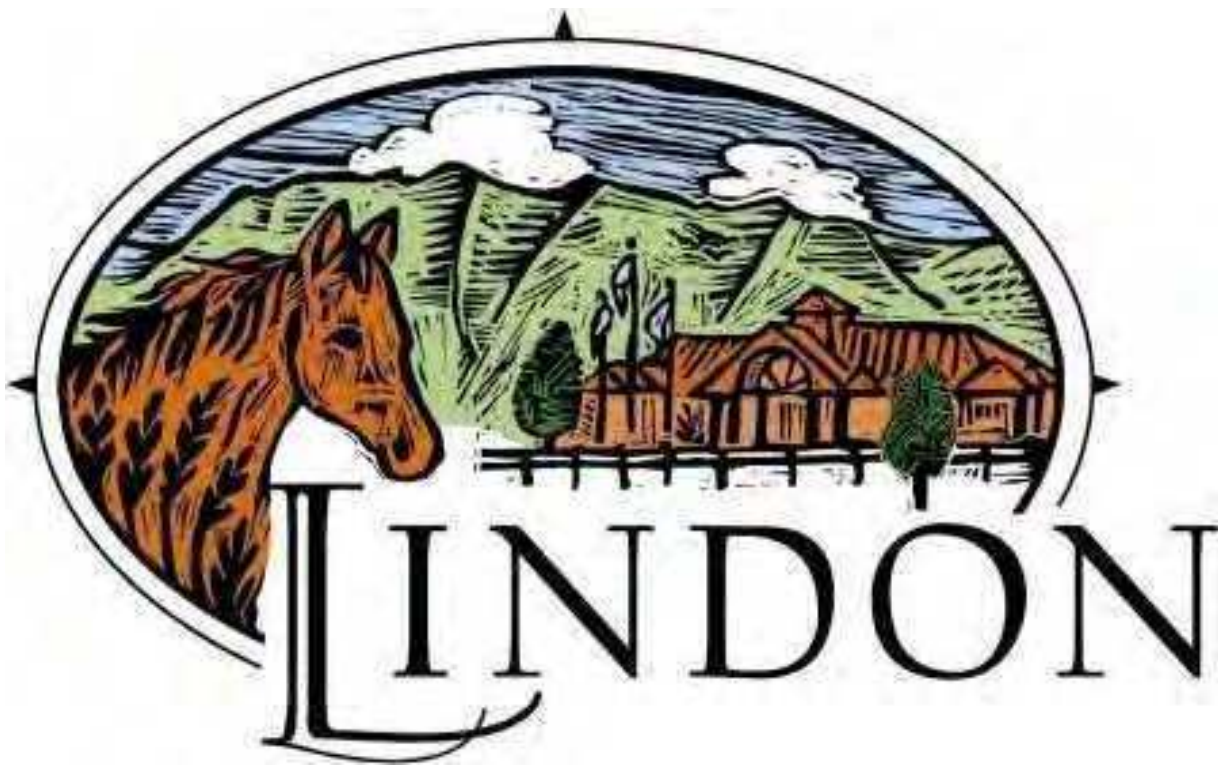


Lindon City Planning Commission Staff Report



March 28, 2023

Notice of Meeting
Lindon City Planning Commission



Item 1 – Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Renee Tribe

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, March 28, 2023**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **6:00 p.m.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. Meetings are broadcast live at www.youtube.com/LindonCity. The agenda will consist of the following items:

Agenda

Invocation: By Invitation

Pledge of Allegiance: By Invitation



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

1. Call to Order

2. Approval of minutes

Planning Commission 3/14/2023

3. Public Comment

4. Clarification of Site Plan Approval – Colts Neck Fence – Approximately 200 W. 400 N.

The applicant requests a clarification on the fencing material requirement from the December 13th planning commission, for a commercial fence along 400 N. (Parcel ID #14:068:0163) (20 minutes)

5. Discussion – Acknowledging Existing Accessory Apartments

Strategy 1 of the 2022 Lindon City Moderate Income Housing Plan includes finding a way to acknowledge the existing accessory apartments that have not been officially approved. (20 minutes)

6. Planning Director Report

- General City Updates

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours' notice.

The above notice/agenda was posted in three public places within Lindon City limits and on the State <http://www.utah.gov/pmn/index.html> and City www.lindoncity.org websites.

**The duration of each agenda item is approximate only*

Posted By: Kathryn Moosman, City Recorder

Date: 3/24/2023 **Time:** 5:00 pm

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

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, March 14, 2023 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Sharon Call, Chairperson
Invocation: Steven Johnson, Commissioner
Pledge of Allegiance: Jared Schauers, Commissioner

PRESENT

Sharon Call, Chairperson
Scott Thompson, Commissioner
Rob Kallas, Commissioner
Renee Tribe, Commissioner
Steven Johnson, Commissioner
Jared Schauers, Commissioner
Mike Florence, Economic Development Director
Mary Barnes, Associate Planner
Kathryn Moosman, City Recorder
Brian Haws, City Attorney
Britni Laidler, Deputy Clerk

EXCUSED

Mike Marchbanks, Commissioner

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

2. APPROVAL OF MINUTES –The minutes of the regular meeting of the Planning Commission meeting of February 28, 2023 were reviewed.

COMMISSIONER THOMPSON MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 28, 2023 AS PRESENTED. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

COMMISSIONER JOHNSON MOVED TO AMEND THE AGENDA ORDER AND BEGIN WITH ITEM 5 THEN MOVE ON TO ITEM NUMBER 4, AND THEN RESUME THE REGULAR AGENDA ORDER. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

5. Public Hearing - A recommendation to the Lindon City Council to amend ordinances 17.02, 17.18, 17.43, 17.45, 17.47, 17.48, 17.49, 17.50, 17.51, 17.54 pertaining to grass and sod landscaping requirements and create Title 17.19 – Waterwise Landscaping and Design. Application is made by Lindon City.

2 COMMISSIONER THOMPSON MOVED TO OPEN THE PUBLIC HEARING.
COMMISSIONER TRIBE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
4 THE MOTION CARRIED.

6 Mike Florence, Planning Director presented this item. He stated that the city has received
information from the Central Utah Water Conservancy District (CUWCD) stating for the city
and its residents to receive future grants or rebates then it must adopt a waterwise landscape
8 ordinance. The city is proposing to adopt a waterwise landscape ordinance applicable to
residential, commercial, and industrial zones. The city is also proposing to amend those sections
10 of current city code where the call out for sod or grass only is required so that it complies with
the proposed waterwise landscape code. He noted the CUWCD provided the city with expected
12 landscape standards to conserve water which are to be adopted into a new landscape ordinance.

Mr. Florence explained that the requirements from the CUWCD applies to new
14 construction only. He then went over the rebates available for those current residents as an
incentive to adopt the new standards. For single family and multi-family developments the
16 standards discussed would only apply to the front and side yards. The requirements for these new
single and multi-family developments are that the lawns are to be limited to 35% of the total
18 front and side yard landscaped areas.

Mr. Florence stated in regard to commercial and industrial development, lawn areas are
20 limited to 20% of the total landscaped area. It was clarified that park strips less than eight feet
are required to be planted with water-conserving plants that do not include lawn. Mr. Florence
22 then went over the ordinance to clarify certain sections of the previous ordinance that would be
amended titles. Commissioner Schauers voiced his concern with this ordinance and the
24 limitations it sets on residential developments with the front and side yard restrictions.

Mr. Florence further explained that the Central Utah Water Conservancy District delivers
26 a portion of the city secondary water through the Alpine Aqueduct. The city has received
substantial grants in the past from the CUWCD to improve water delivery. In addition, the city is
28 evaluating relocating water from the North Union Canal to the Murdock Canal in order to
improve efficiency and reduce loss. However, the CUWCD has stated that in order to do that, the
30 City will need to have a Landscape Ordinance in place. Mr. Florence let the Commission know
there are many Utah County communities that are adopting this. Yard maintenance and long-
32 term outlook on these requirements were then discussed among the Commission and Staff.

The Commission asked for clarification on the possibilities of avoiding these standards,
34 and what benefit the city gets from staying with the CUWCD. Mr. Florence stated that the City
has received \$800,000 in the past year, with more discussion currently in the works for future
36 projects. Commissioner Tribe asked for clarification on what that money was used for. Mr.
Florence stated it was used for the piping project near the Junior high, and the water meters
38 currently being installed. With the grant money and other money that had been set aside, it is
saving the citizens from having to be billed for these costs.

40 City Attorney, Brian Haws stated that the City may be able to work with the CUWCD on
the wording in the ordinance to allow flexibility in regards to the terms of what constitutes front
42 and side yards verses backyards. Commissioner Johnson voiced his concern with there being no
public in attendance tonight for the Commission to hear input from, and thinks a public forum
44 would be beneficial. Commissioner Thompson stated he would like to see some adjustments to
the way this ordinance is written and then hold another meeting to allow the public to attend so
46 they can have their thoughts or concerns heard. Mr. Florence let the Commission know he will
work with the CUWCD and will be reaching out to them to have a representative come to the

2 next meeting to clarify and answer questions the Commission or public may have. He also said
4 they will post on the website and other media outlets about this ordinance as to allow for public
input.

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

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

12 After some additional discussion, Chairperson Call called for any further comments or
discussion from the Commission. Hearing none she called for a motion.

14 COMMISSIONER JOHNSON MOVED TO CONTINUE ORDINANCE
AMENDMENT 2023-01-O TO ALLOW CITY STAFF TO ADDRESS CONCERNS THE
16 COMMISSION ADDRESSED. COMMISSIONER TRIBE SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

18 CHAIRPERSON CALL	AYE
COMMISSIONER JOHNSON	AYE
20 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE
22 COMMISSIONER THOMPSON	AYE
THE MOTION CARRIED UNANIMOUSLY	

24
26 **4. Site Plan Approval – Doug Smith Kia – 455 S. Lindon Park Drive** Doug Smith Kia
requests site plan approval for a new vehicle dealership at 455 S. Lindon Park Drive
(Parcel ID # 17:015:0121)

28
30 Mary Barnes, Associate Planner presented this agenda item. David Smith and Brandon
Lundeen from Doug Smith Kia were present. She noted the applicant is seeking plan approval
32 for a new Doug Smith KIA dealership. The applicant is proposing to construct a new car
dealership with service bays, a showroom, and display space on 6.88 acres. She pointed out that
34 currently only 70% of the lot will be improved and finished with this first phase. During the
second phase, at a later date, the remaining 30% will be improved.

36 Ms. Barnes stated that many years ago, Lindon City set up the Lindon RDA #3 project
area for this section of the city to encourage economic development. As an incentive, the city
38 installed and maintained the existing landscaping strip and streetlights. As properties are
developed in this area, the landscaping and maintenance for the landscaping strip is turned over
40 to the property owner. When the landscaping and sidewalk was installed by the city, the zone
was PC-1. At the time of installation, the landscaping strip did meet code requirements. In 2021,
42 the zone was changed to Regional Commercial. Therefore, the landscaping strip does not meet
all Regional Commercial landscaping requirements.

44 Ms. Barnes presented, per city code, one parking spot is required for every 250 sq ft of
showroom and office space, plus one per employee. With this specific plan city code would
46 require 111 parking spaces available for customers and employees on the site. The current plan
has a total of 310 parking spots on location, making it compliant with city code.

2 Ms. Barnes went on to explain that the primary access will be from Lindon Park Drive,
and a secondary access will be on 400 S. All internal drive aisles are 24' wide, as required in the
4 parking code. The building does have an express service area on the south side of the building
with three loading lanes. After service, vehicles are able to exit from the west side of the
6 building, and circle back to one of the main accesses. She noted when Home Depot was
constructed, an access from the Home Depot parking lot to this site was put in. Since then, Home
8 Depot has requested to not have the applicant finish the connection. Therefore, the connection
will not go through.

10 Ms. Barnes then presented the landscape plan and existing tree plan to the Commission.
She noted the applicant is required to have 11 trees in the parking landscaping; however, the
12 landscape plan shows the applicant has plans for a total of 31 trees in the landscaping. During the
first phase the applicant meets the requirements for 25% for the site and zone landscaping
14 requirements per the Regional Commercial landscaping requirements. When second phase of this
site is improved, a condition of approval has been added to meet this requirement of 25% for
16 total site with landscaping and civil plans.

Commissioner Johnson asked about the future use of the 30% due to the steep slope. Mr.
18 Lundeen clarified that currently they don't see there being additional parking there due to the
steep slope, and it will likely be a landscaped hillside. He added the section on 400 South is
20 already somewhat landscaped, so they plan on keeping most of that.

Ms. Barnes presented that the developer will be removing some of the trees on the site
22 due to the issue of having mature trees lining the lot that's use is specifically to sell cars stating it
is counter intuitive. The site, however, will have the same number of trees as currently; however,
24 they will be placed grouped in different areas instead of being placed every 30'. There currently
isn't a plan to show exactly where all the trees will be placed. There is a condition of landscaping
26 plan to be submitted for approval to insure there is no net loss of landscaping.

Ms. Barnes then presented a rendering of the architectural appearance to the Commission.
28 She explained that Staff has added that the final drawings meet the architectural requirements of
the Regional Commercial zone as a condition of approval.

30 After some additional discussion, Chairperson Call called for any further comments or
discussion from the Commission. Hearing none she called for a motion.

32 COMMISSIONER THOMPSON MOVED TO APPROVE THE APPLICANT'S
34 REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE
APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL
36 FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL
MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY
38 DEVELOPMENT MANUAL; 3. IF REQUIRED, COMPLETE (OR POST AN ADEQUATE
IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND POST REQUIRED
40 WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC INFRASTRUCTURE
IMPROVEMENTS; 4. FINAL BUILDING AND SITE DESIGN WILL MEET THE
42 REGIONAL COMMERCIAL ORDINANCE REQUIREMENTS; 5. THE APPLICANT WILL
CONTINUALLY MEET ALL VEHICLE SALES LOT REQUIREMENTS AS FOUND IN
44 17.48.200; 6. THE LANDSCAPING PLAN WILL RECEIVE FINAL APPROVAL FROM
CITY STAFF; 7. THE APPLICANT WILL PROVIDE A SITE PLAN SHOWING EMPLOYEE
46 AND CUSTOMER PARKING, AND UPRIGHT POLE SIGNS TO CLEARLY DESIGNATE
THE CUSTOMER AND EMPLOYEE PARKING STALLS BEFORE RECEIVING FINAL

2 STAFF APPROVAL; 8. BEFORE THE SECOND PHASE IS IMPROVED AND FINISHED,
THE APPLICANT MUST SUBMIT A LANDSCAPING PLAN THAT MEETS SITE AND
4 INTERIOR LANDSCAPING REQUIREMENTS AND CIVIL PLANS WHICH MUST
RECEIVE FINAL APPROVAL FROM CITY STAFF; 9. ALL ITEMS OF THE STAFF
6 REPORT. COMISSIONER TRIBE SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

8 CHAIRPERSON CALL	AYE
COMMISSIONER JOHNSON	AYE
10 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE
12 COMISSIONER THOMPSON	AYE

THE MOTION CARRIED UNANIMOUSLY

14
16 **6. Open and Public Meetings Training**

18 Brian Haws, City Attorney was in attendance to present the Annual Open & Public Meetings
Act Training. Mr. Haws gave his presentation followed by some general discussion. Following the
presentation, the Commission thanked Mr. Haws for the valuable information.

20
22 **7. Planning Director Report** - General City updates.

24 Mr. Florence let Commission know that Jeff Southard has invited the Commission to tour
the Tilia Court property. The commission stated they would be interested in this.

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

28
30 **ADJOURN** –

32 COMMISSIONER TRIBE MADE A MOTION TO ADJOURN THE MEETING AT
8:12 PM. COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

34
36
38
39 Approved – April 11, 2023

40
41
42 _____
Sharon Call, Chairperson

43
44 _____
Michael Florence, Planning Director

Item: 4 Clarification of Site Plan Approval – Colts Neck (Fence Specialists)

Date: March 28, 2023

Project Address: 200 W. 400 N.

Applicant: Tim Clyde

Property Owner: Colts Neck Investment LLC

General Plan: Commercial

Current Zone: Commercial General

Parcel ID: 14:068:0163

Type of Decision: Administrative

Council Action Required: No

Presenting Staff: Michael Florence



Summary of Key Issues

1. The planning commission granted site plan approval for the Fence Specialists storage yard on December 13, 2022.
2. The applicant is requesting planning commission review of the fence type to be installed along 400 N.

Overview

1. The applicant would like to install chain link with privacy slats along 400 N. The applicants' original plans that were reviewed by the planning commission and city staff did not include a fence material and only identified the fence location.
2. City staff has provided direction to the applicant that the planning commission has been consistent in its prior applications of the ordinance that masonry or concrete has been the standard fence requirement.
3. The zoning directly abutting this site along 400 N. is zoned Residential R1-20.
4. Title 17.48.040 requires a masonry or concrete fence along any property line between a nonresidential development and a residential use or a residential zone. Staff's interpretation is that even though the applicant is required to install 20' of landscaping along the street, the setback does not relieve that applicant from meeting the masonry or concrete fencing requirement. However, 17.48.040 does allow the planning commission to approve a fence other than a masonry or concrete fence.
5. The applicant will be installing a masonry or concrete fence along the east property line which abuts the single-family and R1-20 zoning.
6. Title 17.48.050 includes requirements for outdoor storage and merchandise, and it says that the storage must be in an area approved as part of the site plan and shall be within an area enclosed with a sight obscuring fence of at least six feet in height.
7. The property was rezoned from R1-20 to Commercial General in October 2019 by the city council.
8. This property over the years has had many noted code violations. The city has expended extensive resources to get the property owner to clean up the property and to get to this point in the site plan approval process.
9. The planning commission needs to ensure that the surrounding properties will be protected and that the Commercial General zone will be an attractive commercial area of the community.

Surrounding Zoning and Land Use

North: R1-20 – Residential

East: R1-20 – Residential

South: Commercial General – Commercial businesses

West: Commercial General – Commercial businesses

Ordinance Requirements

17.48.040

A masonry or concrete fence seven feet (7') high shall be constructed and maintained along any property line between a nonresidential development and a residential use or a residential zone. The fence shall be constructed and maintained by the owner of the nonresidential development. Perimeter fencing shall not exceed eight feet (8') in height without approval by the planning commission. In all commercial zones the planning commission may approve a landscaping screen in lieu of a fence, a fence other than a masonry fence or approve a fence height greater than eight feet (8') if it makes the following findings:

- a. The proposed fence/landscape screen provides an adequate buffer for the adjoining residential use.
- b. The appearance of the fence/landscape screen will not detract from the residential use and/or nonresidential use of the property.
- c. The proposed fence/landscape screen will shield the residential use from noise, storage, traffic or any other characteristic of the nonresidential use that is incompatible with residential uses. The Planning Commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent residential uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.

17.48.050

1. The storage of merchandise outside an approved building shall be in an area approved as a part of the site plan and shall be within an area enclosed with a sight obscuring fence of at least six feet (6') in height. However, promotional displays, vehicle sales lots, and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed adjacent to a building wherein the business displays the bulk of its goods for sale.
2. This subsection shall not apply to temporary site plans under Chapter 17.17.
3. Landscaped areas and parking lots shall not be used for the displaying of merchandise.
4. Stacking of merchandise or materials of any kind shall not be allowed to protrude above required walls or fence lines unless approved by a temporary use permit.
5. No outdoor storage can be placed without any required fencing first being installed.
6. For outdoor storage areas required to be visually obscured, the planning commission may approve a landscaping screen in lieu of a fence, a fence other than a sight obscuring fence or approve a fence height greater than six feet (6') if it makes the following findings:
 - a. The proposed fence/landscape screen provides an adequate buffer for the adjoining uses.
 - b. The appearance of the fence/landscape screen will not detract from adjoining uses and/or use of the property.
 - c. The proposed fence/landscape screen will shield the adjoining uses from noise, storage, traffic or any other characteristic of the storage use that is incompatible with adjoining uses.
 - d. The planning commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.

Staff Analysis

City staff does not believe that chain link with privacy slats is the appropriate fencing material to be installed along 400 N. to meet the zoning requirements for a fence abutting a residential use or zone. This property transitions to a single-family neighborhood and has single-family homes and zoning directly across the street and next door. Staff is not aware of any commercial locations where the planning commission has approved chain link fencing along a street frontage. In the Senior Housing Development Overlay zone, the city specifically states that “a chain link fence with slats shall not be considered site obscuring for the purposes of this section.” The city understands that this requirement applies to the Senior Housing Development Overlay but the city has again set a precedent for not approving chain link as a site obscuring fence. The purpose of using the concrete or masonry fence is to properly obscure outdoor storage on the site, and to maintain the longevity and durability of the fence. The area behind the fence will be used for storage of vinyl fence products and equipment and needs to be adequately obscured over the long-term. The applicants chain link proposal is to install black privacy slats on black chain link. The slats are factory installed. The material pamphlet provided to city staff by the applicant and attached to this report, identifies that the pre-installed slats have a 98%-99% approximate privacy.

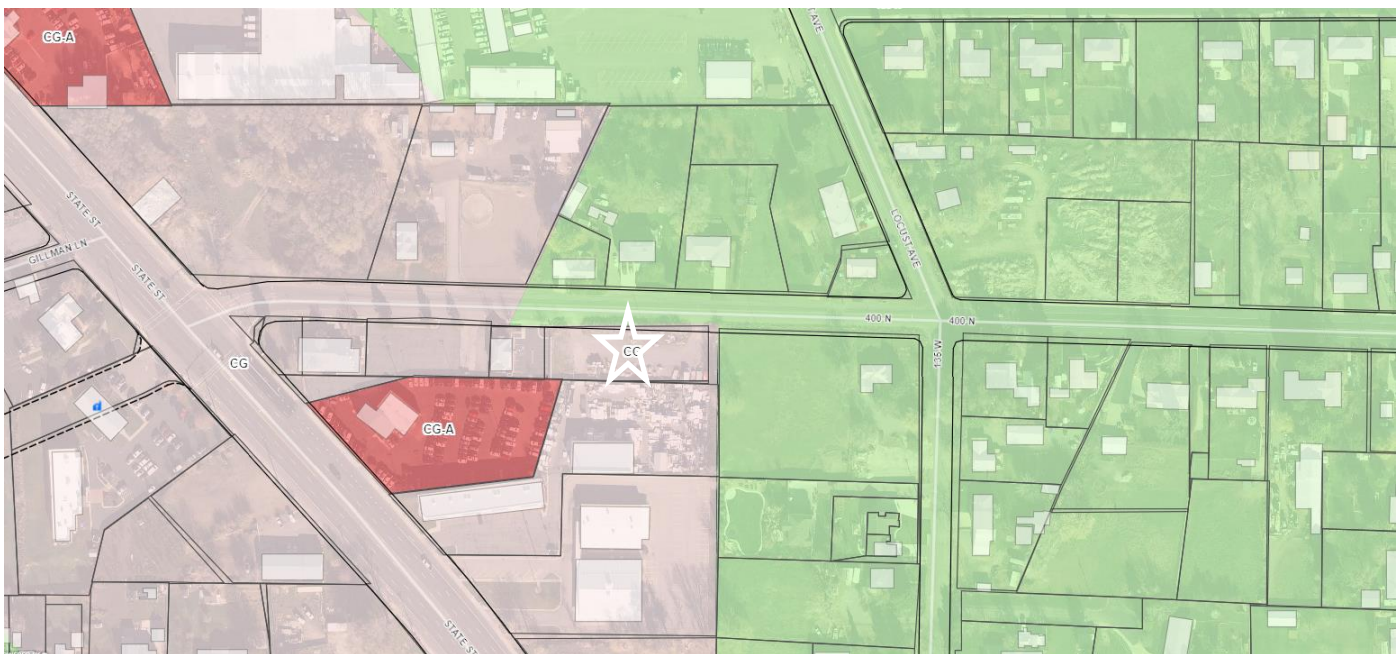
Exhibits

1. Aerial photo
2. Zoning map
3. Site plan
4. Fence proposal
5. Fence brochure

Exhibit 1



Exhibit 2



COLTS NECK INVESTMENTS LLC STREET IMPROVEMENT PHASED

219 West 400 North Lindon, Utah County, Utah

Located in the Northeast Quarter of Section 33, Township 5 South, Range 2 West, Salt Lake Base and Meridian



PHASING DESCRIPTION:

It is proposed to complete all improvements in a phased construction schedule according to the following:

Phase 1:

Install all storm drainage improvements as shown on plans:
Relocated existing PI service box behind future sidewalk and out of the way of new curb inlet.
Install SD Combo Box with a curb inlet grate on the west side of project.
Install 1 storm drain manhole (SDMH) at the east end of the project.
Install 301 linear feet (L.F.) of 15\" RCP.
No replacement of asphalt needed as the storm drain structures and pipe is to be placed south of the existing edge of asphalt.

PHASING DESCRIPTION:

It is proposed to complete all improvements in a phased construction schedule according to the following:

Phase 2:

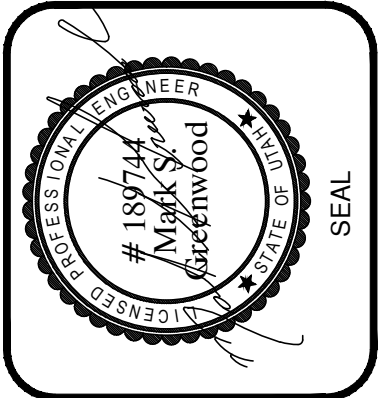
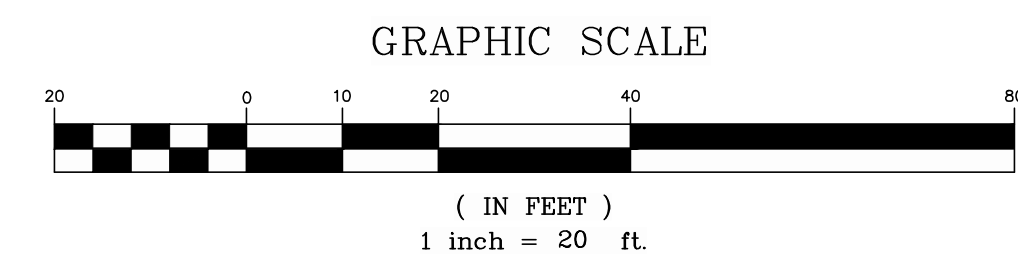
Install West half of all surface improvements which includes:
Saw cut 2' north of existing edge of asphalt and remove.
Install ~138 linear feet of 2' wide concrete curb and gutter.
Install ~138 linear feet of 4' wide concrete sidewalk behind curb and gutter.
Install concrete drive approach
Install 4 deciduous shade trees to place 4' behind new sidewalk at 30' on center.
Install new asphalt from saw cut to new lip of gutter.
Install xeriscape rock between back of walk and fence for landscape requirements.

PHASING DESCRIPTION:

It is proposed to complete all improvements in a phased construction schedule according to the following:

Phase 3:

Install East half of all surface improvements which includes:
Saw cut 2' north of existing edge of asphalt and remove.
Relocated existing power pole behind new sidewalk.
Install ~138 linear feet of 2' wide concrete curb and gutter.
Install ~138 linear feet of 4' wide concrete sidewalk behind curb and gutter.
Install concrete drive approach
Install 4 deciduous shade trees to place 4' behind new sidewalk at 30' on center.
Install new asphalt from saw cut to new lip of gutter.
Install xeriscape rock between back of walk and fence for landscape requirements.



A.L.M. & Associates, Inc.
Engineering • Surveying • Development • Planning
2230 North University Parkway, Building 6D, Provo, Utah 84604 ph: (801) 374-6262

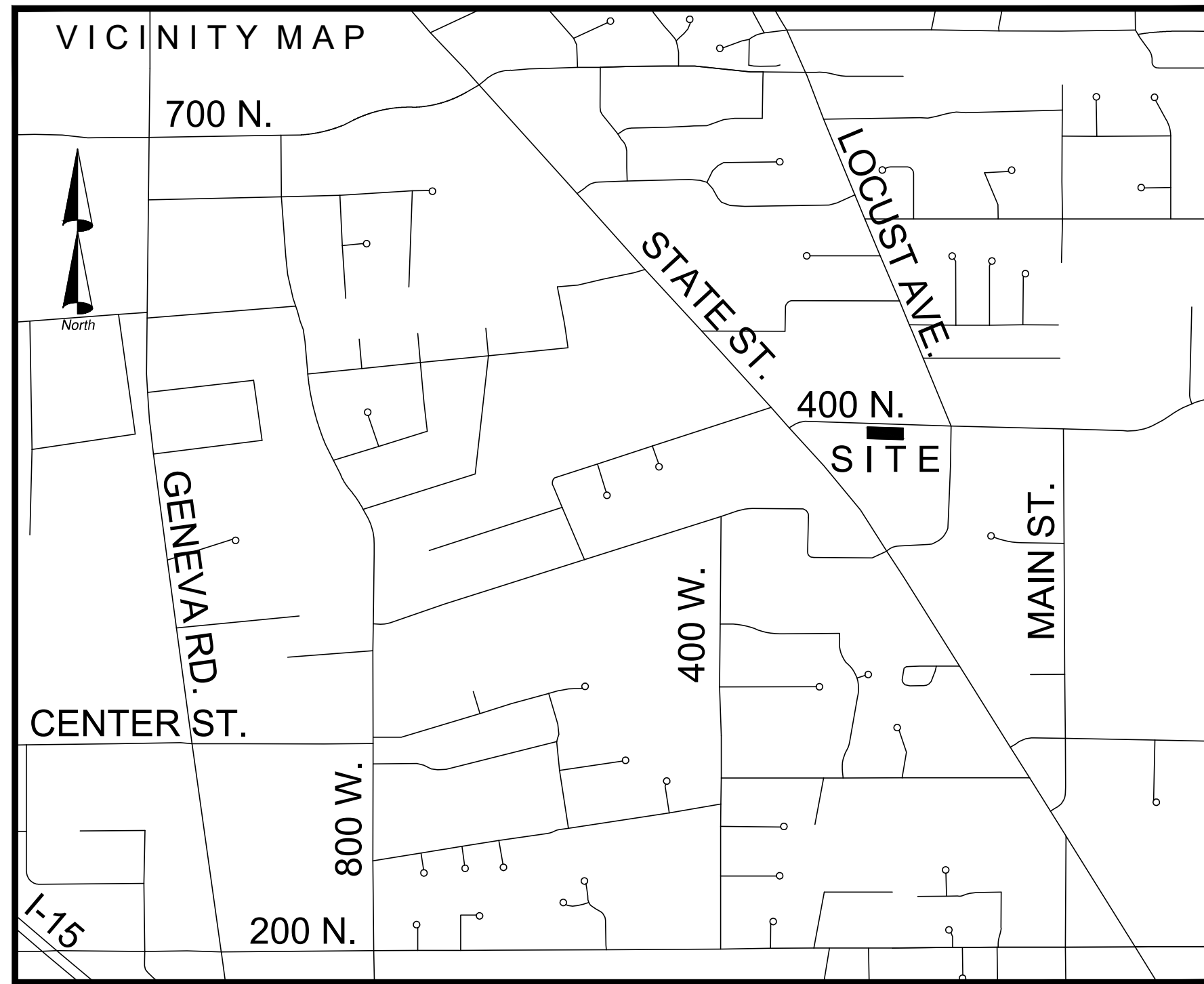
PARCEL NO. 14:068:0163
COLTS NECK INVESTMENTS LLC
IMPROVEMENT PHASED MAP

No.	Revision	Date

1
OF 1 SHEETS
Proj # 507-889

NO. 14:068:0163
COLTS NECK INVESTMENTS LLC
IMPROVEMENT PHASED MAP
A.L.M. & ASSOCIATES, INC.
2230 NORTH UNIVERSITY PARKWAY, BUILDING 6D, PROVO, UTAH 84604

P:\507-889\dwg\507-889-C3D.dwg 15 Nov 2022 9:08am



COLTS NECK INVESTMENTS LLC STREET IMPROVEMENT PLANS 219 West 400 North Lindon, Utah County, Utah

Located in the Northeast Quarter of Section 33,
Township 5 South, Range 2 West, Salt Lake Base and Meridian

BOUNDARY DESCRIPTION:

Beginning at a point being located North 00°08'49" West along the section line 1231.32 feet and West 1234.57 feet from the East Quarter Corner of Section 33, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence North 88°08'30" West 276.10 feet; thence North 00°01'55" East along an existing fence line 89.30 feet to the southerly right of way of 400 South Street; thence South 88°15'12" East along the southerly right of way of 400 South Street 275.78 feet; thence South 00°09'51" East along an existing fence line 89.85 feet to the point of beginning.

Contains 24,703.12 Square Feet or 0.57 Acres

Basis of Bearing being North 00°08'49" West along the section line from the East Quarter Corner to the Northeast Quarter Corner of Section 33, Township 5 South, Range 2 East, Salt Lake Base and Meridian.

400 NORTH STREET CROSS SECTION:

3" ASPHALT MINIMUM
6" ROADBASE
8" IMPORTED GRANULAR MATERIAL
TO BE CONFIRMED BY GEOTECH.

PHASING DESCRIPTION:

It is proposed to complete all improvements in a phased construction schedule according to the following.

Phase 1:
Install all storm drainage improvements as shown on plans:
Relocated existing PI service box behind future sidewalk and out of the way of new curb inlet.
Install 1 SD Combo box with curb inlet (CI) on the west side of project.
Install 1 storm drain manhole (SDMH) at the east end of the project.
Install 332 linear feet (L.F.) of 15" RCP.
No replacement of asphalt needed as the storm drain structures and pipe is to be placed south of the existing edge of asphalt.

Phase 2:
Install West half of all surface improvements which includes:
Saw cut 2' north of existing edge of asphalt and remove.
Install ~138 linear feet of 2' wide concrete curb and gutter.
Install ~138 linear feet of 4' wide concrete sidewalk behind curb and gutter.
Install concrete drive approach
Install 4 deciduous shade trees to place 4' behind new sidewalk at 30' on center.
Install new asphalt from saw cut to new lip of gutter.
Install xeriscape rock between back of walk and fence for landscape requirements.

Phase 3:
Install East half of all surface improvements which includes:
Saw cut 2' north of existing edge of asphalt and remove.
Relocated existing power pole behind new sidewalk.
Install ~138 linear feet of 2' wide concrete curb and gutter.
Install ~138 linear feet of 4' wide concrete sidewalk behind curb and gutter.
Install concrete drive approach
Install 4 deciduous shade trees to place 4' behind new sidewalk at 30' on center.
Install new asphalt from saw cut to new lip of gutter.
Install xeriscape rock between back of walk and fence for landscape requirements.

SITE INFORMATION:
Parcel Number: 14:068:0163
Address: 219 W. 400 N., Lindon, Utah

OWNER / DEVELOPER:
Colt Neck Investments, L.L.C.
360 North State Street, #A
Lindon, Utah 84042
Tim Clyde (801) 420-5818

SURVEYOR, ENGINEER, PLANNER:
A.L.M. & Associates, Inc
2230 North University Parkway, Suite 6D
Provo, UT 84604
(801) 374-6262 (801) 374-0085 FAX
MGreenwood@ALMonline.com

ZONING INFORMATION:
Zone - R-1-20Commercial Regional

NOTES:
1. This property lies entirely within Flood Zone C (unshaded) as designated on FEMA Flood Insurance Rate Map for the Salt Lake County Community Panel No. 440 of 625 Map No. 490210 0005 C dated February 19, 1986. Flood Zone C (unshaded) is defined as "Areas of minimal flooding".

SITE TABULATION:

Total Area: 24,703.12 sq.ft. / 0.57 acres
Building Footprint: None
Landscape Area: 100% (Natural Vegetation)
Impervious Area: None

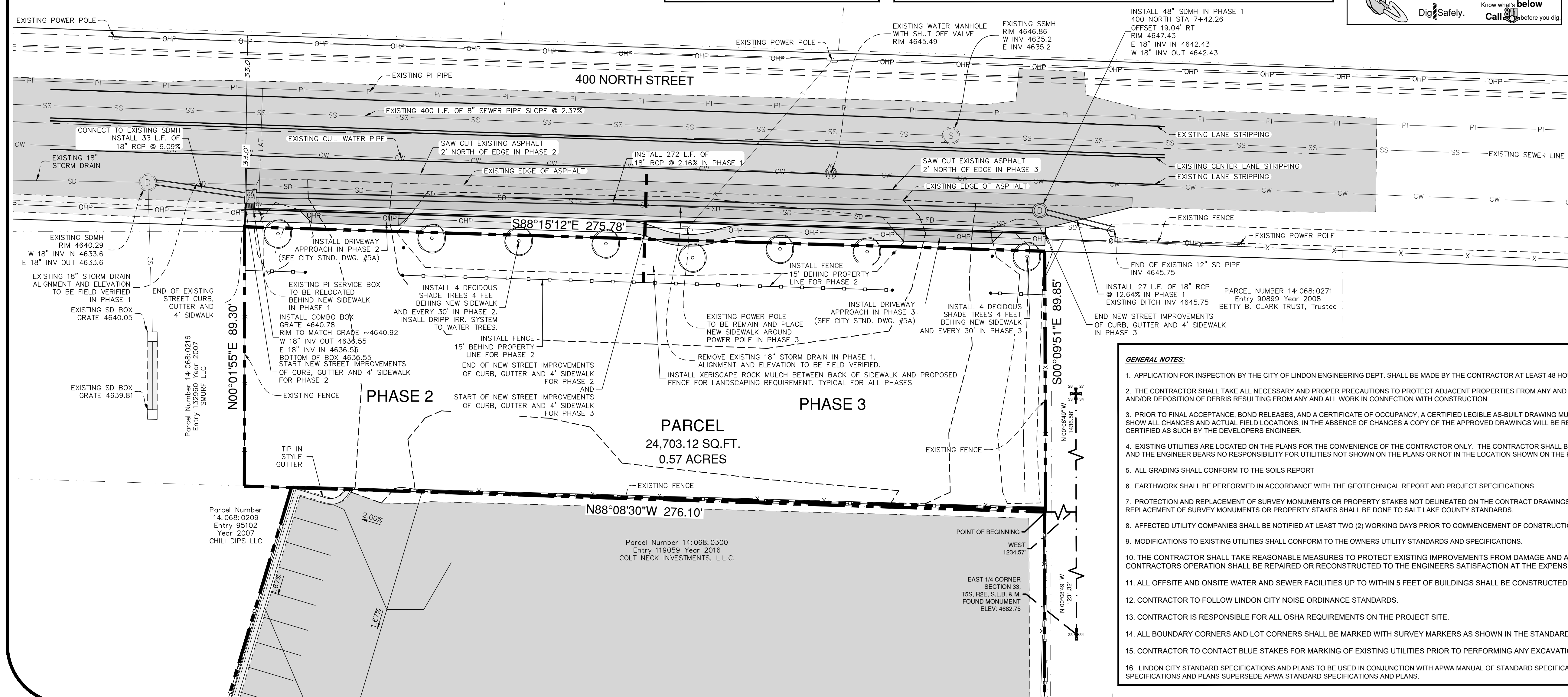
SHEET INDEX:
C1.0 STREET IMPROVEMENT PLAN
C2.0 PLAN & PROFILE - 400 SOUTH

**CALL BEFORE YOU DIG.
IT'S FREE AND IT'S THE LAW.**

BLUE STAKES OF UTAH
Utility Notification Center, Inc
1-800-662-4111
www.bluestakes.org

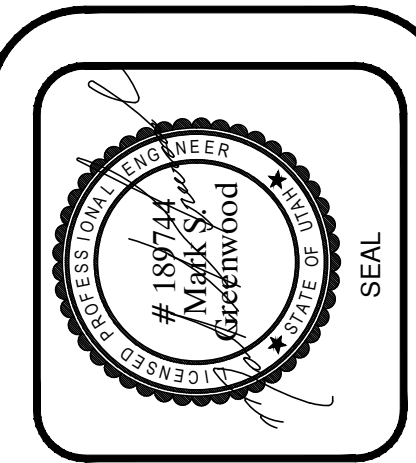
Dig Safely. Know what's below. Call 811 before you dig.

SITE PLAN SYMBOL LEGEND	
SD	STORM DRAIN LINE
SS	SANITARY SEWER LINE
SS LAT	SEWER LATERAL
CW	WATER LINE
CW LAT	WATER LATERAL
E	ELECTRICAL LINE
G	GAS LINE
---	EXISTING FEATURES
---	BOUNDARY LINE
---	ADJACENT PROPERTY LINE
---	PUBLIC UTILITY EAS. LINE
---	SETBACK LINE
IRV	IRRIGATION CONTROL VALVE
WV	WATER VALVE
WM	WATER METER
SH	FIRE HYDRANT
S	SEWER MANHOLE
CI	CURB INLET BOX
DM	SD MANHOLE OR SUMP
CB	SD CATCH BASIN BOX
LP	LIGHT POLE
ET	EXISTING TREE
BOW	BACK OF WALK
EG	EXISTING GROUND
EOP	EDGE OF PAVEMENT/ASPHALT
FFE	FINISH FLOOR ELEVATION
FG	FINISH GRADE
FOC	FACE OF CURB
INV	INVERT OR FLOW LINE OF PIPE
LF	LINEAR FEET
LOG	LIP OF GUTTER
MH	MANHOLE
RCP	REINFORCED CONCRETE PIPE
SD	STORM DRAIN
SF	SQUARE FOOTAGE
SS	SANITARY SEWER
TA	TOP OF ASPHALT
TBC	TOP BACK OF CURB
TOC	TOP OF CONCRETE



GENERAL NOTES:

- APPLICATION FOR INSPECTION BY THE CITY OF LINDON ENGINEERING DEPT. SHALL BE MADE BY THE CONTRACTOR AT LEAST 48 HOURS BEFORE THE INSPECTION SERVICES WILL BE REQUIRED.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY AND PROPER PRECAUTIONS TO PROTECT ADJACENT PROPERTIES FROM ANY AND ALL DAMAGE THAT MAY OCCUR FROM STORM WATER RUNOFF AND/OR DEPOSITION OF DEBRIS RESULTING FROM ANY AND ALL WORK IN CONNECTION WITH CONSTRUCTION.
- PRIOR TO FINAL ACCEPTANCE, BOND RELEASES, AND A CERTIFICATE OF OCCUPANCY, A CERTIFIED LEGIBLE AS-BUILT DRAWING MUST BE SUBMITTED TO THE CITY OF LINDON. AS-BUILT MUST SHOW ALL CHANGES AND ACTUAL FIELD LOCATIONS, IN THE ABSENCE OF CHANGES A COPY OF THE APPROVED DRAWINGS WILL BE REQUIRED STATING "INSTALLED AS PER DRAWINGS" AND CERTIFIED AS SUCH BY THE DEVELOPERS ENGINEER.
- EXISTING UTILITIES ARE LOCATED ON THE PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR THE PROTECTION OF UTILITIES AND THE ENGINEER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN ON THE PLANS OR NOT IN THE LOCATION SHOWN ON THE PLANS. THIS INCLUDES ALL SERVICE LATERALS OF ANY KIND.
- ALL GRADING SHALL CONFORM TO THE SOILS REPORT
- EARTHWORK SHALL BE PERFORMED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT AND PROJECT SPECIFICATIONS.
- PROTECTION AND REPLACEMENT OF SURVEY MONUMENTS OR PROPERTY STAKES NOT DELINEATED ON THE CONTRACT DRAWINGS SHALL BE THE CONTRACTORS RESPONSIBILITY. REPLACEMENT OF SURVEY MONUMENTS OR PROPERTY STAKES SHALL BE DONE TO SALT LAKE COUNTY STANDARDS.
- AFFECTED UTILITY COMPANIES SHALL BE NOTIFIED AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- MODIFICATIONS TO EXISTING UTILITIES SHALL CONFORM TO THE OWNERS UTILITY STANDARDS AND SPECIFICATIONS.
- THE CONTRACTOR SHALL TAKE REASONABLE MEASURES TO PROTECT EXISTING IMPROVEMENTS FROM DAMAGE AND ALL SUCH IMPROVEMENTS DAMAGED BY THE CONTRACTORS OPERATION SHALL BE REPAIRED OR RECONSTRUCTED TO THE ENGINEERS SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.
- ALL OFFSITE AND ONSITE WATER AND SEWER FACILITIES UP TO WITHIN 5 FEET OF BUILDINGS SHALL BE CONSTRUCTED TO PUBLIC WORKS AND ENGINEERING STANDARDS.
- CONTRACTOR TO FOLLOW LINDON CITY NOISE ORDINANCE STANDARDS.
- CONTRACTOR IS RESPONSIBLE FOR ALL OSHA REQUIREMENTS ON THE PROJECT SITE.
- ALL BOUNDARY CORNERS AND LOT CORNERS SHALL BE MARKED WITH SURVEY MARKERS AS SHOWN IN THE STANDARD PLANS.
- CONTRACTOR TO CONTACT BLUE STAKES FOR MARKING OF EXISTING UTILITIES PRIOR TO PERFORMING ANY EXCAVATION.
- LINDON CITY STANDARD SPECIFICATIONS AND PLANS TO BE USED IN CONJUNCTION WITH APWA MANUAL OF STANDARD SPECIFICATIONS AND PLANS 2012 EDITION. LINDON CITY STANDARD SPECIFICATIONS AND PLANS SUPERSEDE APWA STANDARD SPECIFICATIONS AND PLANS.

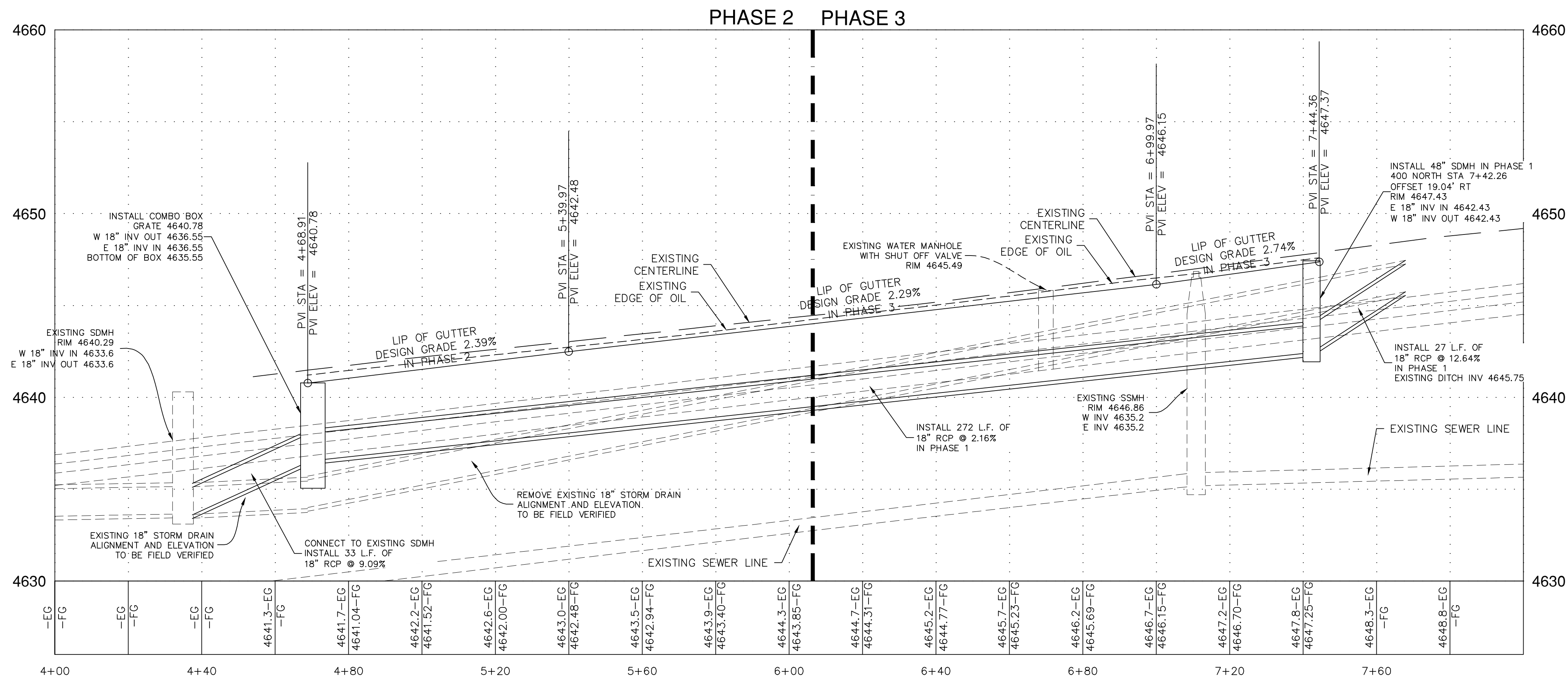
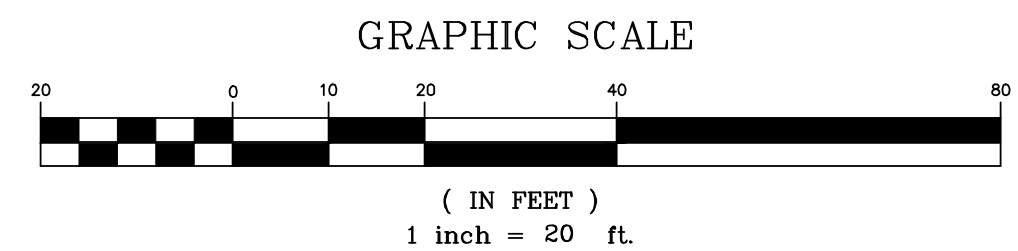
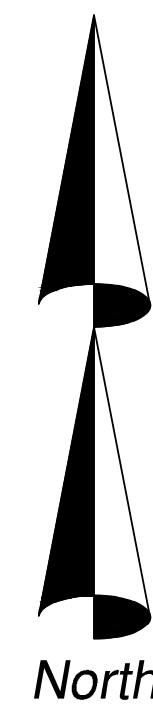
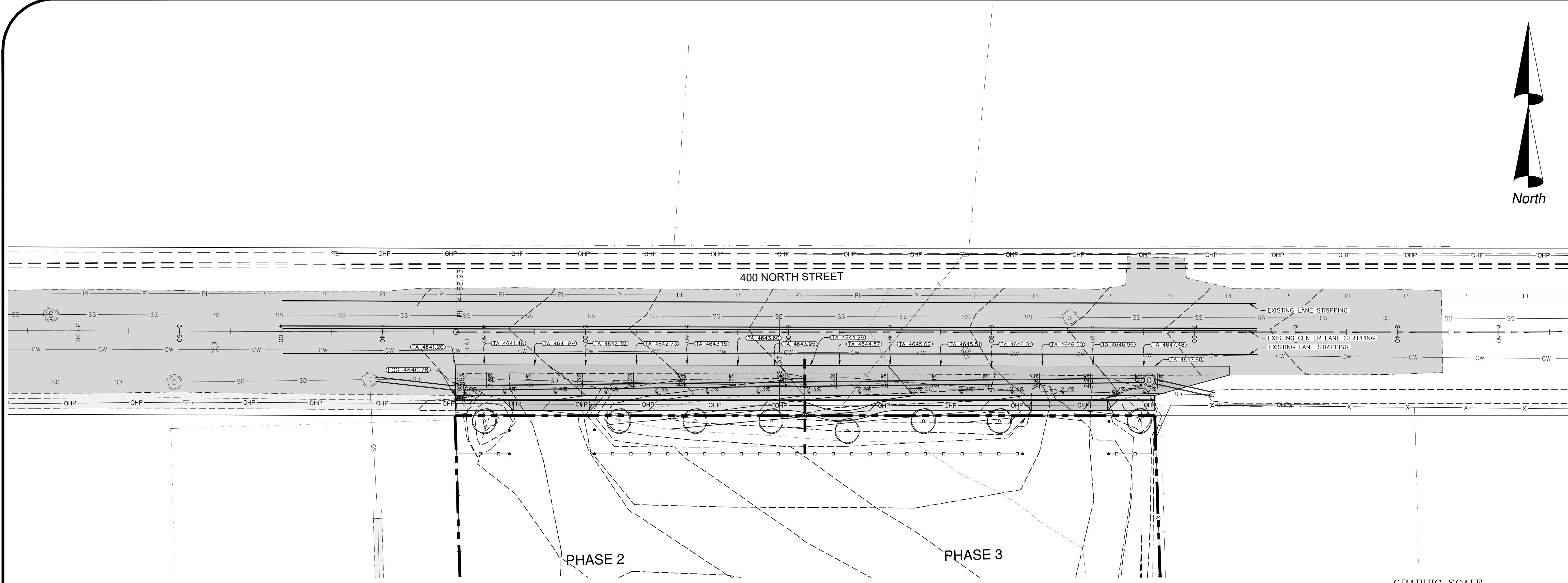


A.L.M. & Associates, Inc.
Engineering • Surveying • Development • Planning
2230 North University Parkway, Building 6D, Provo, Utah 84604 ph: (801) 374 - 6262

PARCEL NO. 14:068:0163
COLTS NECK INVESTMENTS LLC
STREET IMPROVEMENT PLAN

No.	Revision	Date

1
OF 2 SHEETS
Proj # 507 - 889

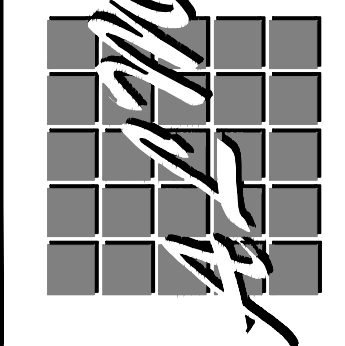


400 North
5:1 VERT
STA = 4+00.00 to 8+00.00

400 NORTH STREET CROSS SECTION:
3" ASPHALT MINIMUM
6" ROADBASE
8" IMPORTED GRANULAR MATERIAL
TO BE CONFIRMED BY GEOTECH.



A.L.M. & Associates, Inc.
Engineering · Surveying · Development · Planning
2230 North University Parkway, Building 6D, Provo, Utah 84604 ph: (801) 374 - 6262



PARCEL NO. 14:068:0163
COLTS NECK INVESTMENTS LLC
PLAN & PROFILE - 400 NORTH

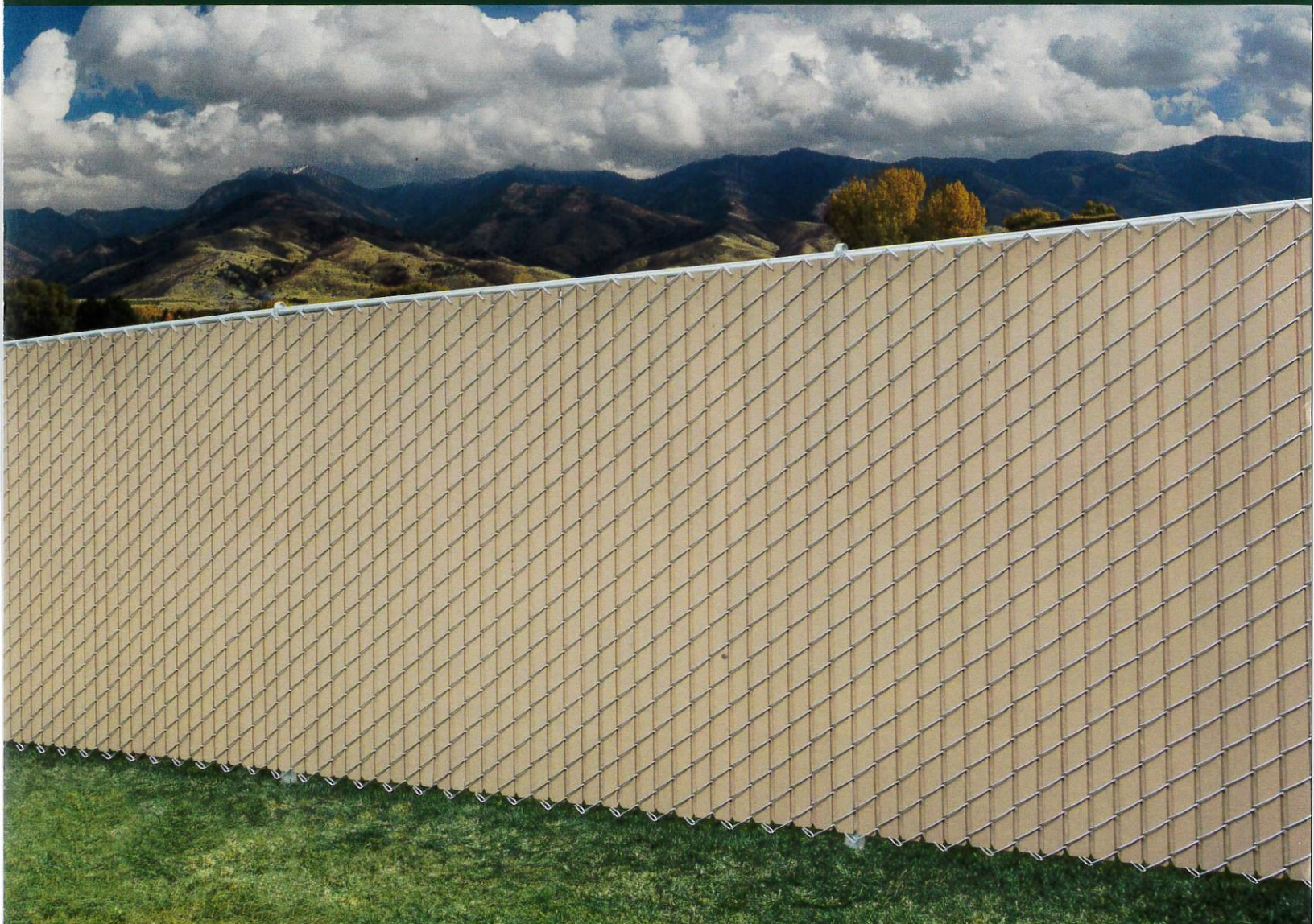
No.	Revision	Date

2
OF 2 SHEETS
Proj # 507 - 889

Exhibit 4



Fence Selection Guide



- Chain Link Fence with “Factory Inserted Slats”™
- Aftermarket Decorative Privacy Fence Slats

Use this handy Selection Guide to choose the fencing with optimal privacy and security for your fence projects.

Fence Selection Guide



Chain Link Fence with "Factory Inserted Slats"™

Chain link fence that has the privacy slats inserted during manufacture at the factory is the easiest, most cost-effective fence to install. Since the slats are already in the wire when you receive your order, all you need to do is stand the rolled fence up, stretch it out and tie it down. It's that simple.

Chain Link Privacy Fence Slats

High-quality, durable aftermarket fence slats provide exceptional privacy and security when inserted into previously installed or new chain link fencing. They also add an attractive appearance and excellent wind protection to the fence.

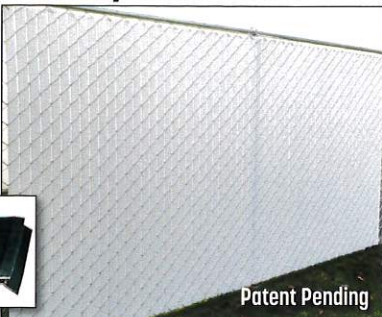


3 1/2" x 5" Mesh Fencing

After 24 years we have closed the gap!

PrivacyLink® Ultra™

Fin5000+
Slats™



Patent Pending

Fin5000+™ Slats factory inserted into 3 1/2" x 5" mesh
(99% almost total privacy approx.)

PrivacyLink®

Fin2000
Slats®



Fin2000 Slats® factory inserted into 3 1/2" x 5" mesh
(98% privacy approx.)

IndustrialLink®

Industrial
Slats

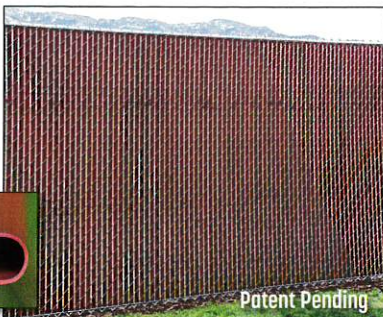


Industrial Slats factory inserted into 3 1/2" x 5" mesh
(75% privacy approx.)

2" Mesh Fencing

Noodle Link™

Bottom
Locking
Slats



Patent Pending

Bottom Locking Slats factory inserted into 2" mesh
(75% privacy approx.)

Noodle Link Plus™

Ultimate
Slats™



Patent Pending

Ultimate Slats™ factory inserted into 2" mesh
(98% privacy approx.)

Noodle Link Lite™

EZ Slats™



Patent Pending

EZ Slats™ factory inserted into 2" mesh
(75% privacy approx.)

PrivacyMaster®

Winged
Slats®



Winged Slats® factory inserted into 2" mesh
(90% privacy approx.)

SlatLink®

FeatherLock
Slats®



FeatherLock Slats® factory inserted into 2" mesh
(80% privacy approx.)

HedgeMaster™

HedgeLink
Slats™



HedgeLink Slats™ factory inserted into 2" mesh
(90% privacy approx.)

Bottom Locking Slats



75% approximate privacy



Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
Bottom Lock 2"	1 3/32"	2"	9 or 11	10 linear feet
Bottom Lock 2 1/4"	1 1/4"	2 1/4"	11 1/2 or 12	10 linear feet
Bottom Lock 1 3/4"	7/8"	1 3/4" 2"	9 or 11 6	10 linear feet

EZ Slats™

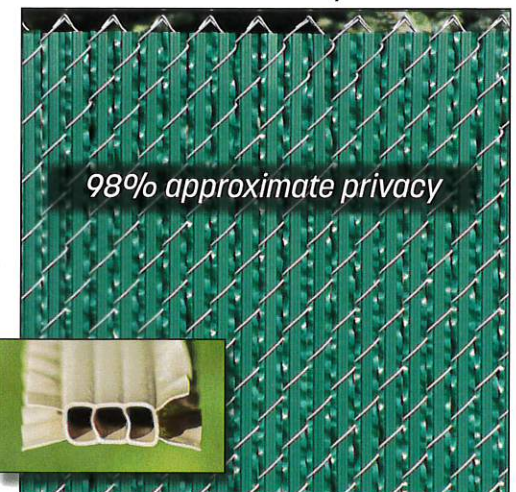


75% approximate privacy



Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
EZ Slats™	1 1/4"	2" & 2 1/4"	9, 11 or 11 1/2	10 Linear feet

Ultimate Slats® (patented)



98% approximate privacy

Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
Ultimate Slats®	1 1/4"	2" & 2 1/4"	9, 11 or 11 1/2	10 Linear feet

FeatherLock Slats®



80% approximate privacy

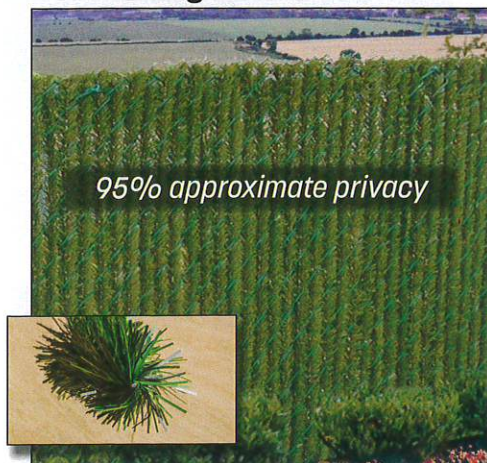
Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
FeatherLock 2"	1 1/4"	2"	9 or 11	10 linear feet
FeatherLock 2 1/4"	1 5/16"	2 1/4"	11 1/2	10 linear feet

Note: Wind load and privacy factor based on the wire/mesh used and the stretch tension. (Patents and patents pending)

1 3/4", 2", and 2 1/4" Mesh Fencing

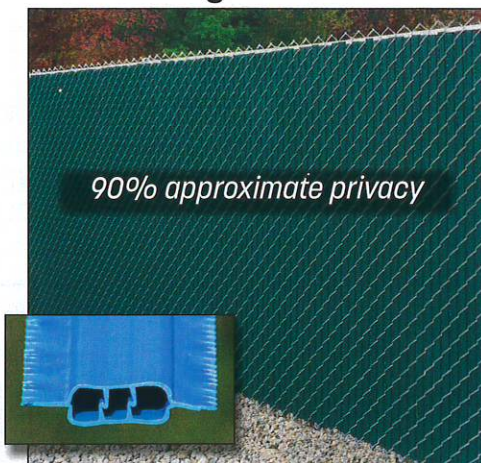
FENCE SELECTION GUIDE

HedgeLink Slats™



Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
HedgeLink Slats™		2" & 2 1/4"	9, 11 or 11 1/2	10 Linear feet

Winged Slats®



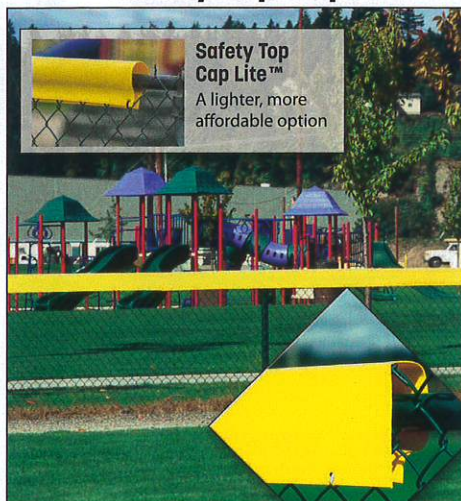
Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
Winged Slats®	1 7/16"	2" only	9 gauge only	10 Linear feet

Top Locking Slats



Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
Top Lock 2"	1 3/32"	2'	9 or 11	10 linear feet
Top Lock 2 1/4"	1 1/4"	2 1/4"	11 1/2 or 12	10 linear feet
Top Lock 1 3/4"	1 1"	1 3/4" 2"	11 6	10 linear feet

Safety Top Caps



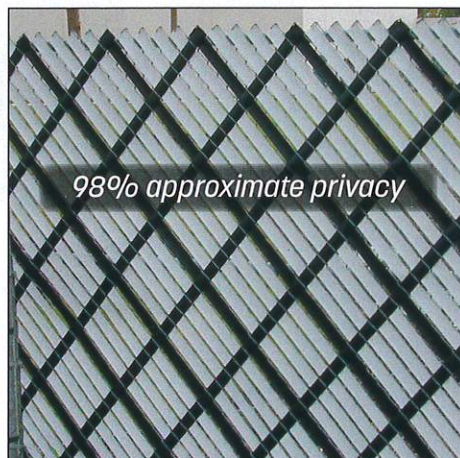
Safety Top Cap

Height	Width	Length	Pieces Per Bag	Coverage Area	Hog Rings
5 1/2"	2 3/4"	8 feet	5	40 linear feet	10 per bag

Safety Top Cap Lite

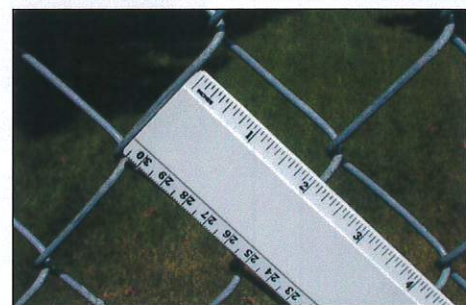
Height	Width	Length	Pieces Per Bag	Coverage Area	Hog Rings
4"	2 1/2"	8 feet	10	80 linear feet	40 per bag

Aluminum Slats



Slat Name	Slat Width	Mesh Size	Wire Gauge	Coverage Area
Aluminum 2"	1 7/8"	2"	9 or 11	10 linear feet
Aluminum 2 1/4"	2"	2 1/4"	11 1/2 or 12	10 linear feet

How to Measure Chain Link Mesh



Measure your chain link fence diagonally (inside measurements) as shown in the drawing. If the measurement is 2" then the gauge of the wire is typically 9 or 11.

If the measurement is 2 1/4" or 2 3/8", then the gauge of the wire is usually 11 1/2, 12 or 12 1/2.

Available wire colors

Galvanized	Beige	Redwood	Black	White	Forest Green	Gray	Dark Brown
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Available slat colors

Beige	Redwood	Black	White	Royal Blue	Forest Green	Gray	Dark Brown	Sky Blue	Safety Yellow
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Mix any color of slat with any color of wire. Colors are approximations. Exact representation of colors in printing is difficult. Please refer to actual color samples for accurate matching. **Samples available upon request.**

Available From

Item: 5 Accessory Apartment Acknowledgement Discussion

Date: March 28, 2023

Presenting Staff: Michael Florence

With the most recent update to the Lindon City Moderate-Income Housing Plan, the city discussed ways that we can increase the number of accessory dwelling units by helping homeowners who have an existing unapproved unit to bring those into compliance. Lindon has approximately 250 legal accessory dwelling units but also many unapproved units. City staff are proposing an acknowledgement process whereby a homeowner, with an unapproved accessory apartment, can have that unit acknowledged as an approved unit by the city.

Each year municipalities are required to submit a Moderate-Income Housing Report to the Utah Department of Workforce Service reporting on how the city is accomplishing its affordable housing goals. Starting in August 2023, Lindon City will be required to report on how many accessory dwelling units were approved each year. Lindon City is very favorable of accessory dwelling units and is interested in working with property owners to increase the number of approved units in the community.

Exhibit:

1. Accessory Dwelling Unit Acknowledgement process
2. Adopted Moderate-Income Housing Goals

Acknowledgement of Previously Unapproved Accessory Dwelling Units

Accessory Dwelling Units (ADU's) have been supported by Lindon City for over twenty years. The city recognizes that not all ADU's that have been constructed in the city obtained a building permit and received building inspections. In nearly every situation, the plumbing, framing, electrical, and mechanical improvements are covered with drywall without being inspected. In order to help acknowledge previously unapproved ADU's Lindon City has created a process to help property owners establish authorized ADU's. The following is a checklist and self-assessment questionnaire of items which are required to be submitted to Lindon City for review with the building permit application.

Once the property owner has collected the below checklist items for the acknowledgement of the ADU they will submit an online building permit application and upload the checklist items. Once the city reviews the application, we will contact the property owner for an inspection. If the inspection passes then the city will issue the property owner a Letter of Acknowledgement and the ADU will be added to the list of approved units in Lindon City.

Page four includes Frequently Asked Questions about the process and building requirements.

Checklist

- Apply for a building permit at <https://www.lindoncity.org/community-development.htm>
- Pay building permit fees
- Submit Site Plan
- Submit Floor Plan
- Submit Self-Assessment Questionnaire

Site Plan

- Provide a site plan showing the following: (a Google Earth or Maps aerial view of the property maybe used)
 - Setbacks from the home to the property line if the ADU is internal to the home.
 - For detached ADU's, location of the ADU on the property, setbacks from the detached ADU to the property lines and measurement from the home to the detached ADU
 - Driveways and curb cuts.
 - All parking areas for residents and tenants. Internal ADU's are required to have one off-street parking stall located behind the front setback (30' from the front property line). Detached ADU's are required to provide two off-street parking stalls. One stall maybe located in the front setback.
 - Dimensions of the detached ADU.
 - ADU Entrances

Floor Plan

- A floor plan for all rooms and facilities associated with the ADU.
- Label all ADU entrances and windows.
- Provide window dimensions in each existing bedroom. See frequently asked questions for additional information for window requirements in existing bedrooms.
- All ceiling height dimensions in the ADU.

Self-Assessment Questionnaire

Section A. Type of ADU	
Check the type of ADU below	Approximate Year the ADU was constructed
☐ Internal ADU (constructed with the footprint of the existing single-family residence)	
☐ Detached ADU	
☐ Substantially Attached ADU (a detached ADU connected by a covered breezeway)	

Section B. Basic Health and Safety Requirements				
Question	Yes	No	Not Sure	Notes
Is the ADU unit free of structural damage or defects due to deterioration, such as tilting walls or sagging roofs that present hazards?				
Is the unit free of sewer or gas smells?				
Is the unit free of exposed electrical wiring?				
Are bedrooms heated? Do bedrooms have a gas furnace, water heater, stove or other gas appliance located in the room?				

Is there a smoke detector in the unit and in each bedroom?				
Is there a carbon monoxide detector in the unit?				
Is there a direct exit from the unit to the outside?				

Section C. Requirements to Receive a Building Permit				
Question	Yes	No	Not Sure	Notes
Does the unit have a foundation?				
Is the ceiling at least 7'6" or at least 6'8" in bathrooms and closets?				
Are the roof, walls and floors free of holes and any leaks?				
Is there a toilet?				
Is there a shower or tub and sink with running hot and cold water?				
Is there an exhaust fan or operable window to vent the bathroom?				
Does the unit have its own heating system or shared with the main residence?				
Does the unit have permanent facilities for cooking, counter space for preparing food and a kitchen sink?				
Does the unit have an exterior door that is at least 3' wide and 6'8" high?				
Does each sleeping room have an emergency escape and rescue opening at least 5.7 square feet?				
Are there working electrical outlets and light switches in all rooms?				
Does the electrical panel box serving the ADU have adequate capacity with appropriate fuses and circuit breakers?				
Does the unit have hand or guard rails where there are stairs?				

Frequently Asked Questions

Why does Lindon City want me to acknowledge my accessory apartment?

- The Utah State legislature requires cities to set goals to help support affordable housing within the city. The city is also required to report yearly accessory apartment numbers to the State of Utah. Locations of accessory dwelling units are not provided to the State of Utah, only the number of units.
- Reporting the number of accessory dwelling units helps ensure that the city is eligible to continue receiving transportation funds from the Utah Department of Transportation.
- Lindon City wants to ensure that each accessory dwelling unit is safe and does not cause any safety concerns for tenants for first responders in case of an emergency.

Why am I required to get a building permit?

It is important that each accessory dwelling unit is safe and does not cause safety concerns to tenants, home owners and first responders. Once a building permit has been filed with the city, the Lindon City Building Official will work with the homeowner to determine if the unit is safe and can be acknowledged as an approved unit.

How much parking is required for an Accessory Dwelling Unit?

Lindon City code requires one off-street parking space for an internal accessory dwelling unit and two parking spaces for detached accessory dwelling units. These parking spaces are in addition to the two required parking spaces for the single-family dwelling.

What size windows do I need in a bedroom?

The size of the bedroom window for emergency egress and rescue depends on the building codes when the accessory dwelling unit was constructed. The bedroom window requirement is 5.7 square feet, or 5.0 square feet for grade floor or below grade windows.

Am I required to have smoke and CO detectors for the accessory dwelling unit?

Yes, smoke detectors are required in each sleeping room, in the area immediately outside the sleeping room and on every level of the home. Co detectors are required on each level.

Is a Ground Fault Circuit Interrupter (GFCI) protected outlet required on existing wiring?

Yes, outlets should be GFCI protected within six feet of all sinks, in laundry areas, bathrooms, kitchens, garages, and outdoors.

Does the Accessory Dwelling Unit need its own address?

Yes, for emergency 911 services, mail delivery and utility purposes the accessory dwelling unit does need its own address. When you file your building permit application the city will notify the 911 services and post office of the new address for the accessory dwelling unit.

What are the size and setback requirements for a detached Accessory Dwelling Unit?

The detached ADU cannot exceed 1,500 square feet or 40% of the main home, whichever is less. Setbacks for ADU are required to be at least 10 feet from side property lines, 30 feet from the rear property line and 10 feet from the front of the main dwelling.

Am I required to separate the utilities?

No, all public and private utility services are provided through utility lines that serve the primary dwelling. Any additional utility meters, laterals, or secondary service hook-ups must be approved by the building official and public works director. This is only in cases where providing utilities through the primary residence is not feasible.

Are there areas of Lindon City where Accessory Dwelling Units are Prohibited? And what if I have an accessory dwelling unit in this area?

Yes, under state code Lindon City is allowed to prohibit accessory dwelling units in up to 25% of the city and for lots less than 6,000 square feet. Lindon City has prohibited ADU's in the Fieldstone, Anderson Farms and Song Bird Cove neighborhoods. ADU's were prohibited in these areas due to the city previously allowing higher densities, more narrow streets widths than typically found in the city and smaller lots. If you have an accessory apartment in one of these neighborhoods it will need to be converted back into just a single-family dwelling without an ADU.

What happens if I cannot meet the zoning requirements for my ADU?

The city still wants homeowners to go through the acknowledgement process and ensure that accessory dwelling unit is safe. If zoning requirements such as setbacks cannot be met, the city will place a certificate of non-conformance on the property but still acknowledge the accessory dwelling unit as approved.

Moderate-Income Housing Goals

Exhibit 2

In 2019, the Utah Legislature passed House Bill 34 which required municipalities to update their moderate-income housing plans as well as select three housing affordability strategies to implement in their community. During the 2022 legislative session, the legislature passed House Bill 462 which requires cities to update their moderate-income housing strategies and adopt benchmarks and implementation plans as part of their housing strategies. In addition, the legislature is giving transportation fund priority to those communities that adopt two additional strategies beyond the required three. Lindon City has selected the following five strategies for implementing moderate-income housing in the community.

Strategy One: Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones

For over 20 years Lindon City has been a strong proponent of allowing both internal and detached accessory dwelling units. On record, the city has documented 243 accessory dwellings. The city has long understood the importance of accessory dwellings units and the role they play in providing moderate income housing in the community. Each of the past four years Lindon City has amended its accessory apartment code to make less burdensome for residents to construct both internal and detached accessory dwelling units. The city also updated its accessory dwelling unit handbook to help residents more easily understand the zoning and building process for accessory dwelling units.

Lindon City is always looking to improve the ability for residents to successfully have an accessory dwelling unit and proposes the following implementation plan:

Implementation Plan:

- Lindon City has record of 243 legal accessory dwelling units. The City would like to create a baseline of not only how many ADU units we have but also the average rental rate to help determine how many moderate income units are within the city. By October 1, 2023 the city will create a resident survey to help determine the number of units and average rental rate.
- To help make sure that all ADU's are safe and counted for, over the next two years the city will evaluate how to implement "hold harmless" or "amnesty" program for existing but not approved ADU owners
- Perform a yearly review of the number of building permits issued and a yearly review of the ADU ordinance
- Promote yearly an ADU article through the city newsletter and social media accounts

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

Lindon City allows for internal, detached and substantially detached (ADU's connected by a covered walkway) accessory dwelling units. The city currently charges a parks and public safety impact fee of \$1,814 for each detached and substantially detached accessory dwelling units. In order to help increase the number of detached and substantially detached accessory dwelling units the city proposed to eliminate this impact fee.

Implementation Plan:

- The City generally does a number of budget amendments during each fiscal year. Lindon City proposes as part of the February 2023 budget amendment to eliminate impact fees for detached and substantially detached accessory dwelling units.
- With the yearly newsletter and social media posts the city will advertise the impact fees for detached and substantially detached ADU's have been eliminated
- The city will create a 2022 baseline number of units in order to documents how many new units are created

Strategy Three: Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing

Lindon City has two active redevelopment project areas which are the 700 N. Community Development Area and the Lindon Park Community Reinvestment Area. With the 700 N. Community Development Area the City is required to set aside 5% of the budget for housing preservation. Those housing preservation funds are required to be used within that project area. With the Lindon Park Community Reinvestment Area the City is required to set aside 10% of the project budget for housing. The funds for this project area are not required to be used in this particular project area.

The 700 N. CDA was created in 2013. The project area is 283 acres of which approximately 140 acres are undeveloped. The city has seen new development consist of new housing (detached single family, senior housing and future multi-family housing as part of a development agreement), office space, minimal retail, and office warehouse. A majority of the property along the main corridor of the project area is vacant. The city adopted a master plan for the corridor in 2021 and is actively working with developers on proposals for the area. UDOT and UTA recently completed the Central Corridor Study that identifies the corridor for future expansion of Bus Rapid Transit with two stations along the corridor.

The Lindon Park CRA was created in 2022 and the project area involves one specific property that will be developed as a new car dealership. The project area is 6.8 acres. This commercial area is primary built-out as a commercial center and research business park.

Implementation:

- For the 700 N. CDA, the city is will use the 5% set aside funds to help off-set costs to support moderate income housing. The City has adopted zoning for the area, developed a small area master plan, and supported the Central Corridor Study for Bus Rapid Transit. Timelines to utilize the funds are somewhat flexible in that the city cannot control when a developer will propose a development for the project area. However, developers currently have much of the corridor property under contract. The City is committed to using and demonstrating utilization of CDA funds to create or subsidize moderate income housing through the participation agreement process.
 - The city will complete an annual review starting at the beginning of 2023 with the RDA board to present how the set aside funds are being utilized to create or subsidize moderate income housing.
 - Beginning in 2023, city staff will present to the RDA Board/City Council potential ways in which the city could use set aside funds to participate with developers.
 - The city will actively work with developers on project proposals in order to support the utilization of set aside funds.
- For the Lindon Park CRA, the City has additional flexibility in how to use these set aside funds. Due to the area surrounding the Lindon Park CRA being nearly built-out there probably will not be an opportunity for housing in the project area. The City has the option to combine this funding with the 700 N. CDA, set up a housing fund, or partner with another entity like a housing authority to utilize the set aside funds for to create or subsidize moderate income housing.
 - The city will complete an annual review starting at the beginning of 2023 with the RDA board to present how the set aside funds are being utilized to create or subsidize moderate income housing.
 - Beginning in 2023, city staff will present to the RDA Board/City Council potential ways in which the city could use set aside funds to participate with developers.
 - The city will actively work with developers on project proposals in order to support the utilization of set aside funds.

Strategy Four: Reduce, waive, or eliminate impact fees related to moderate income housing

Lindon City charges impact fee for parks, public safety, sewer, water, stormwater and roads (the road impact fee is only charged for the 700 N. Area).

- Starting in 2023 city staff will prepare a recommendation to the city council for reducing impact fees related to moderate income housing.
- In 2023, the council will review city staff recommendations for reducing impact fees and consider the reductions for adoption.
- The city will track, as a benchmark, the impact reduction in impact fees will have on helping to create moderate income housing in Lindon.

Strategy Five: Implement zoning incentives for moderate income units in new developments

Previously Lindon City has worked with developers on a number of residential subdivisions to modify public infrastructure and lot size requirements. For example, the city worked with Ivory Homes and Fieldstone homes to decrease the street right-of-way widths, decrease lot sizes, increase density and increase housing type availability. Within the last year, the city modified an existing residential zone to allow multi-family townhome development in commercial zones and modified street right-of-way requirements for those developments.

The city is interested in evaluating other zoning incentives such as parking reductions and density incentives to facilitate the creation of moderate income housing.

- During 2023 city staff will research best practices and prepare a recommendation to the planning commission and city council on zoning incentives for moderate income housing.
- In 2024, the city council will review city staff recommendations for zoning incentives and consider those zoning incentives for adoption.