

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, January 10, 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: Rob Kallas, Commissioner
Pledge of Allegiance: Scott Thompson, Commissioner

PRESENT

EXCUSED

Sharon Call, Chairperson
Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
Steven Johnson, Commissioner
Scott Thompson, Commissioner
Jared Schauers, Commissioner
Renee Tribe, Commissioner
Mike Florence, Economic Development Director
Mary Barnes, Associate Planner
Kathryn Moosman, Recorder

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 December 13, 2022 were reviewed.

COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF DECEMBER 13, 2022 AS PRESENTED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

4. Miscellaneous Application Approval – Farrer Sports Court Setback Modification – 28 S. 250 W. The applicant requests a sports court setback modification from the planning commission, pursuant to Lindon City Code 17.44.150 (Parcel ID #48:428:0017)

Mary Barnes, Associate Planner, led this agenda item stating the applicant, Andy Farrer (who is in attendance) built his existing pickleball/sports court in 2020. She explained the setback from 250 W. (east setback) is about 12’5”, and the setback from 40 S (south setback) is about 21-24 ft. She noted according to LCC 17.44.150, sport court fencing shall not be allowed

2 in the required 30 ft front yard setback. She stated because 28 S. 250 W. is a corner lot, it
essentially has two front yards (the yard facing 250 W. and the yard facing 40 S.). She further
4 explained according to LCC 17.44.150, the Planning Commission may modify the setback
requirement to be less than 10 ft when specific requirements are met and typically, this
6 modification is only applied to the side and rear setbacks. However, in consultation with the
Lindon City Attorney, the code language is general enough that the planning commission can
8 grant a modification to the setbacks in the front yard. The code does not specifically state that the
modification request should only apply to the rear and side yard.

10 Ms. Barnes noted the applicant is requesting a modification to the requirement to allow
the existing sport court in question to come into compliance and be placed along the front
12 property lines of 28 S. 250 W. with a reduced setback. She pointed out this lot does have an odd
lot configuration, which should be considered. The sports court fencing is 9'7" tall and the court
14 does meet clear-view triangle requirements. Ms. Barnes then went over the code compliance
noting all requirements are met.

16 Ms. Barnes indicated the setback modification from the planning commission was
intended to be for rear and side yard setbacks only, however, the code language does not
18 specifically state that. In the future, the city may want to consider amending the code to ensure
sports courts are not able to be built in front yards with the exception of irregularly shaped lots.
20 In this case, the lot is oddly shaped, and a sports court may be the best use for this front corner of
the lot. She added the modification has not significantly affected the neighborhood and
22 permitting this modification will allow Mr. Farrer to be in compliance.

Ms. Barnes then presented an Aerial photo, Site Plan, Picture from 250 West and a
24 Picture from 40 South followed by some general discussion. She then turned the time over to the
applicant for comment. Mr. Farrer explained his request for this setback modification pointing
26 out he feels this will allow him to be in compliance and would be the best use. He noted this is
being done now because the home is for sale. He feels this does not pose a visual problem or
28 present any issues as this is an odd shaped lot.

Commissioner Kallas asked why this is being done retroactively. He pointed out we
30 don't want sports courts anywhere and we may want to look at not allowing this in the front
setbacks so we don't run up against this again. He is concerned about a new owner putting in a
32 green mesh on the fence in the future and then you have a visual issue.

Commissioner Marchbanks commented that there are circumstances where he is glad we
34 can let common sense prevail and move forward and just to make sure there is clear visual and
that never crossed his mind when this was being built; there is a clear visual as it is a chain link
36 fence and this has beautified an odd shaped lot. Commissioner Johnson stated he feels the bigger
issue would be the lighting pollution from sports courts to neighboring properties.

38 Douglas Olsen, neighbor of the property in question said there is not a visual problem (or
safety issue) there at all and there isn't a lighting issue either; there have not been any issues with
40 the sport court at all.

Following some additional discussion, the Commission were in agreement to approve this
42 request as recommended by staff with the conditions as listed in the motion.

Chairperson Call called for any further comments or discussion from the Commission.

44 Hearing none she called for a motion.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANTS
46 REQUEST TO MODIFY THE SPORTS COURT SETBACK REQUIREMENT FOUND IN

17.44.150 FOR THE PROPERTY LOCATED AT 28 S. 250 W. WITH THE FOLLOWING
CONDITIONS: A) THE SPORT COURT LIGHTING WILL NOT SHINE INTO ANOTHER'S
PROPERTY; AND B) ALL ITEMS OF THE STAFF REPORT. COMMISSIONER TRIBE
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY

5. Discussion Item – Commercial Design Standards Update. The planning commission and commercial design standards committee will discuss the progress of the ongoing commercial design standards update. CRSA consultants will present the standards.

Ms. Barnes also led this agenda item stating tonight the commercial design standards committee and the planning commission will discuss the progress of the ongoing commercial design standards update. She noted the CRSA consultants are in attendance to present the standards. She noted this item is for discussion only with no action being taken on the Commercial Design Standards.

Ms. Barnes then turned the time over to the CRSA consultants for their presentation at this time. Following the presentation, there was some general discussion regarding the information presented. Mr. Florence stated this will be scheduled as a public hearing for the next meeting. Chairperson Call thanked the consultants for the presentation and for the valuable information.

Chairperson Call called for any further comments or discussion from the Commission. Hearing none she moved on to the next agenda item.

6. New Business: Reports by Commissioners – Chairperson Call called for any new business or reports from the Commissioners.

Commissioner Johnson asked about construction trucks on 400 North. Mr. Florence gave an update on the issue. Commissioner Johnson also stated this will be his last term. He also asked about Lindon having term limits on the planning commission like other cities do. There was then some discussion on this issue. Commissioner Kallas spoke on the Farrer sports court discussed tonight. He pointed out that people need to understand we have codes and they should come to get the permits prior to the project and plan accordingly. Commissioner Schauers asked about the Lindon Nursery project and the fencing. Mr. Florence gave an update on the project noting part of the issue is they built the fence first.

7. Planning Director Report - General City updates. Mr. Florence stated we will have the election for Chair and Vice Chair at the next meeting. There will also be two flag lots coming to the next meeting. He also mentioned there plans in place for a building at the cemetery that will have storage, a bathroom and an office.

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

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ADJOURN –

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COMMISSIONER TRIBE MADE A MOTION TO ADJOURN THE MEETING AT
7:35 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – January 24, 2023

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Sharon Call, Chairperson

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Michael Florence
Community Development Director