

ORDINANCE NO. 2021-17-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING THE ZONING MAP TO INCLUDE THE PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRD) ZONE ON PROPERTY IDENTIFIED BELOW AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to amend the Lindon City zoning map; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goals of providing a variety of housing types where appropriate, and innovative development patterns and building methods that will result in more affordable housing should be encouraged; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goal of providing transitions between different land use and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goal of considered density increases only upon demonstration of adequate infrastructure and resource availability; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goal to encourage the establishment and development of basic retail and commercial stores which will satisfy the ordinary and special shopping needs of Lindon citizens, enhance the City's sales and property tax revenues, and provide the highest quality goods and services for area resident; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan to promote new office, retail, and commercial development along State Street; and

WHEREAS, the City Council finds certain changes are desirous in order to implement the City's moderate-income housing goals found in the City's general plan to allow for alternative housing types or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers; and

WHEREAS, on Sept 14, 2021, the Planning Commission held a properly noticed public hearing to hear testimony regarding an application to amend the zoning map filed by Elwood Holdings LLC; and

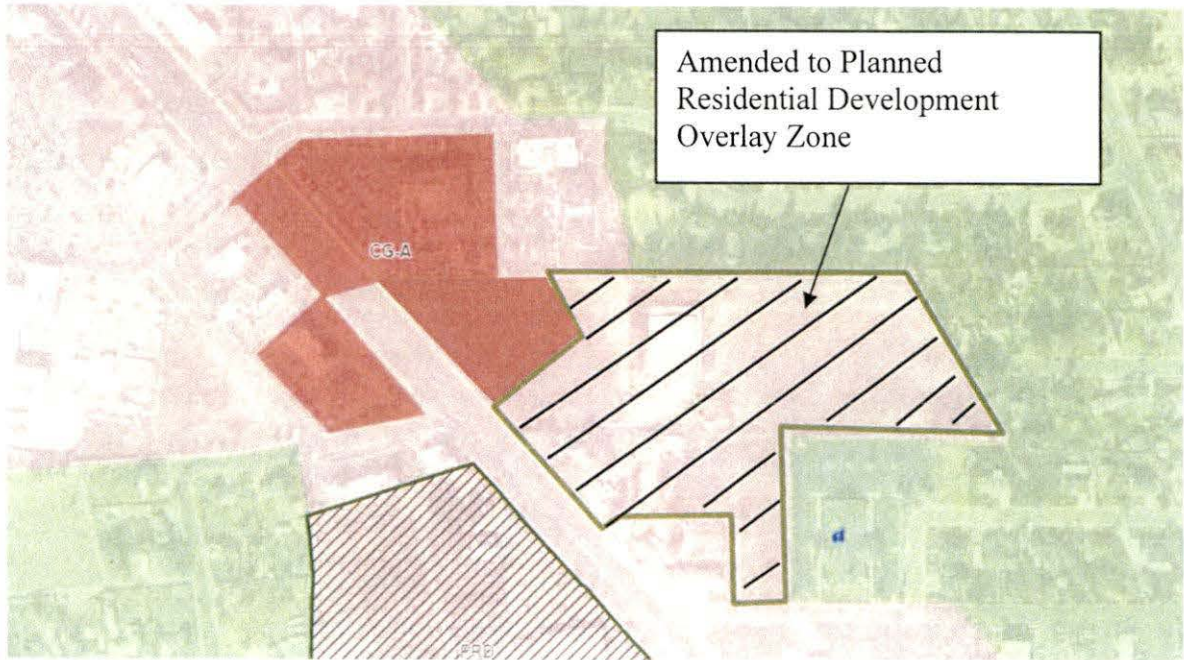
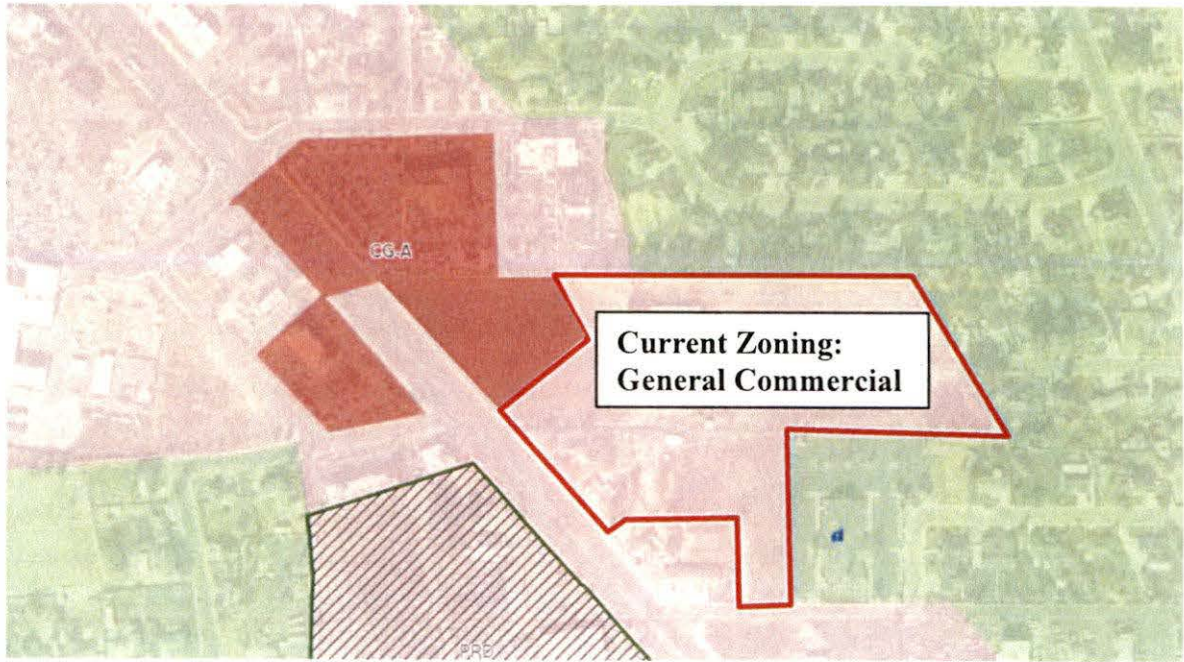
WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the recommended zone map amendment and conceptual site plan; and

WHEREAS, on Sept. 20, 2021 the City Council held a properly noticed public hearing to hear testimony regarding the zoning map amendment and 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 - Zone Map Amendment: The Lindon City Zoning Map is hereby amended as follows:

Parcel ID	Property Owner	Address
14:068:0304, 14:067:0169, 14:068:0277, and a portion of 14:067:0187	Elwood Holdings LLC	550 N. State Street and 310 W. 500 N.





Property to include Planned Residential Development Overlay Zone

SECTION II - Concept Plan Approval: The concept plan attached as Exhibit A is approved as a general layout and design of buildings, open space, parking, access and roads for the proposed development as required by Title 17.76.040. This general concept plan has been reviewed by the Lindon City Development Review Committee, Planning Commission and City Council as part of the zoning map amendment application. This general concept plan may be refined and modified through the site plan, conditional use, and subdivision approval process and in accordance with Title 17.76 – Planned Residential Development Overlay ordinance.


Section III – Conditions of Approval: All conditions of approval of the zone change as noted on the record and in the staff report are incorporated as conditions that shall be required of the proposed development.

Section IV – Severability: 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 V - Conflicting Provisions: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

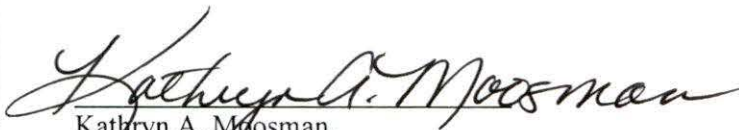
SECTION VI - Effective Date: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this 20 day of September, 2021



 Jeff Acerson, Mayor

ATTEST:


 Kathryn A. Moosman,
 Lindon City Recorder

SEAL



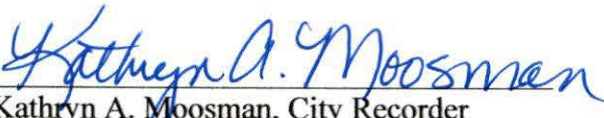
CERTIFICATE OF PASSAGE

STATE OF UTAH }
 }ss.
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed and adopted by the City Council of Lindon City, Utah on the 20th day of September, 2021 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING THE ZONING MAP TO INCLUDE THE PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRD) ZONE ON PROPERTY IDENTIFIED BELOW AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Lindon City, Utah, this 20th day of September, 2021.


Kathryn A. Moosman, City Recorder



AFFIDAVIT OF POSTING

STATE OF UTAH }
 }ss.
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that I posted the attached ordinance in three public places on the 21st day of September 2021.

The three public places are as follows:

1. Lindon City Police Department
2. Lindon City Community Development Office
3. Lindon City Center

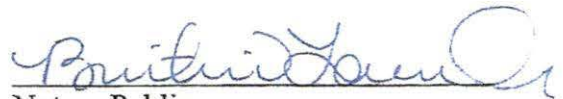
I further certify that the agenda of the meeting of the City Council containing notice of public hearing was published and posted according to law, and that copies of the ordinance so posted were true and correct copies of the original.


Kathryn A. Moosman, City Recorder

The foregoing instrument was acknowledged before me this 22 day of Sept, 2021 by Kathryn A. Moosman.

My Commission expires: January 7, 2025

Residing at: Utah County


Notary Public

