

**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-AB | 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<br>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 21 day  
of November, 2022.

Carolyn Lundberg  
Carolyn Lundberg, Mayor

ATTEST:

Kathryn A. Moosman  
Kathryn A. Moosman,  
Lindon City Recorder

SEAL

