



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
July 27, 2021

*This meeting may be held electronically
to allow a Councilmember to participate.*

6:00 P.M. REGULAR SESSION - COUNCIL CHAMBERS

1. CALL TO ORDER
2. INVOCATION/INSPIRATIONAL THOUGHT: Terry Peterson
3. PLEDGE OF ALLEGIANCE: Terry Peterson
4. SCHEDULED ITEMS
 - 4.1 **PUBLIC HEARING / ORDINANCE – Amending portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height standards within the North Village District (NVD) zones and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) Zones.**
Presenter: Jason Bench
5. ADJOURN

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Study Sessions, please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 801-229-7000)

This agenda is also available on the City's webpage at orem.org



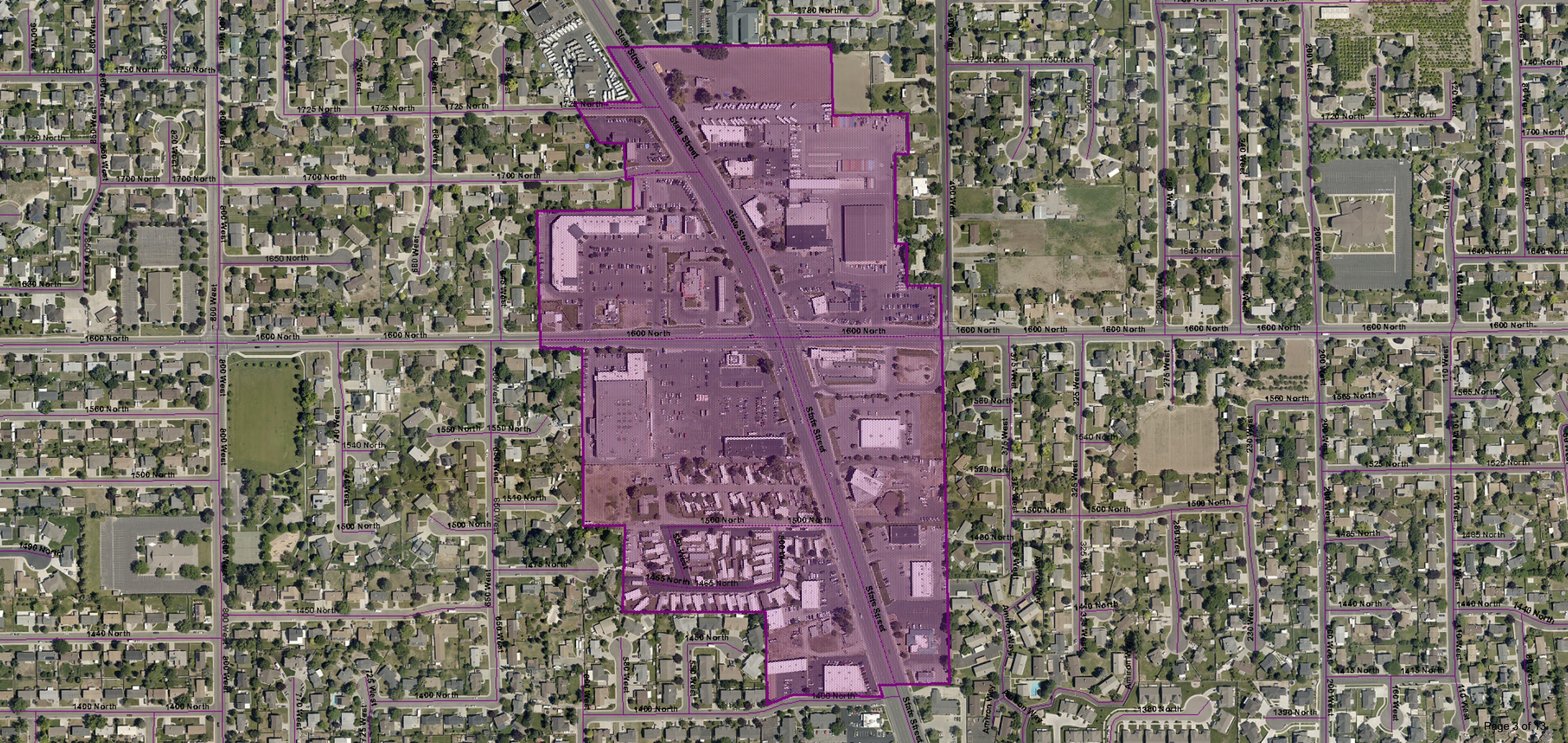
**CITY OF OREM
CITY COUNCIL
MEETING
JULY 27, 2021**

REQUEST:	PUBLIC HEARING / ORDINANCE – Amending portions of Section 22-24-5(F) of the Orem City Code pertaining to to overall height standards within the North Village District (NVD) zones and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) Zones.
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	Jason Bench, Planning Division Manager

REQUEST:

BACKGROUND:

RECOMMENDATION:



Section 22-24-5. North Village District (NVD) Zones

F. Design Standards.

1. **Building Height.** All buildings in the NVD-C zone shall be at least two stories in height. Buildings in the NVD-Res-B zone shall have a maximum height of 35 feet. ~~There is no maximum height requirement for the Buildings in the~~ NVD-C shall have a maximum height of 48 feet. Buildings in the ,—and NVD-E, and NVD-Res-A zones shall have a maximum height of 35 feet. The ground story of every building, except for buildings in the NVD-Res (A&B) zones, shall have a floor to ceiling height of at least 14 feet. In the NVD-C, NVD-E, and NVD-Res-A zones the height limitation shall not apply to belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, or properly screened mechanical appurtenances. In no case shall the height of belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, or properly screened mechanical appurtenances exceed a height of fifty-eight feet (58') measured from the average finished grade of the land immediately adjacent to the structure in the NVD-C zone and 45 feet in the NVD-E and NVD-RES-A zones. In no case shall that portion which exceeds the fifty-eight feet (58') or forty-five feet (45) height exceed fifty percent (50%) of the gross floor area of the uppermost floor of the building.

H. Parking.

1. Parking Requirements.

...

- b. For the “Core” and “Edge” zones, three parking stalls shall be provided for every one-thousand (1000) square feet of gross leasable floor area of nonresidential uses. Since any residential use in these zones is required to be part of a mixed-use development, no parking stalls shall be required for residential units included within the base residential density. The base residential density is calculated by dividing the total commercial parking requirement by three (3). For each residential unit in excess of the base residential density, a minimum of ~~1.75~~**2.25** parking stalls shall be provided (of which .10 stalls per unit shall be dedicated to visitor parking).



PUBLIC HEARING NOTICE

July 8, 2021

The Planning Commission and City Council will consider an amendment to Section 22-24-5(F) of the Orem City Code pertaining to overall height standards within the North Village District zones and Section 22-24-5(H) pertaining to parking standards for the North Village District (NVD) zones.

The proposed amendments would establish a maximum building height of 35 feet in the North Village Edge and Res-A zones and a maximum height of 48 feet in the North Village Core zone. The proposed amendments would also increase the parking requirement from 1.75 stalls per residential unit to 2.25 stall per unit in the NVD Core and Edge zones. The North Village District is located generally from 1400 North to 1750 North State Street. A location map is on the back side of this notice which details the three different zoning areas.

Additional information concerning the details of the proposed request are found online at www.orem.org/planning under the “Current Planning & Public Hearing Notices” box.

The Planning Commission will consider the proposed amendments at a public hearing on Wednesday, **July 21, 2021 at 4:30 p.m.** in the City Council Chambers at 56 North State Street.

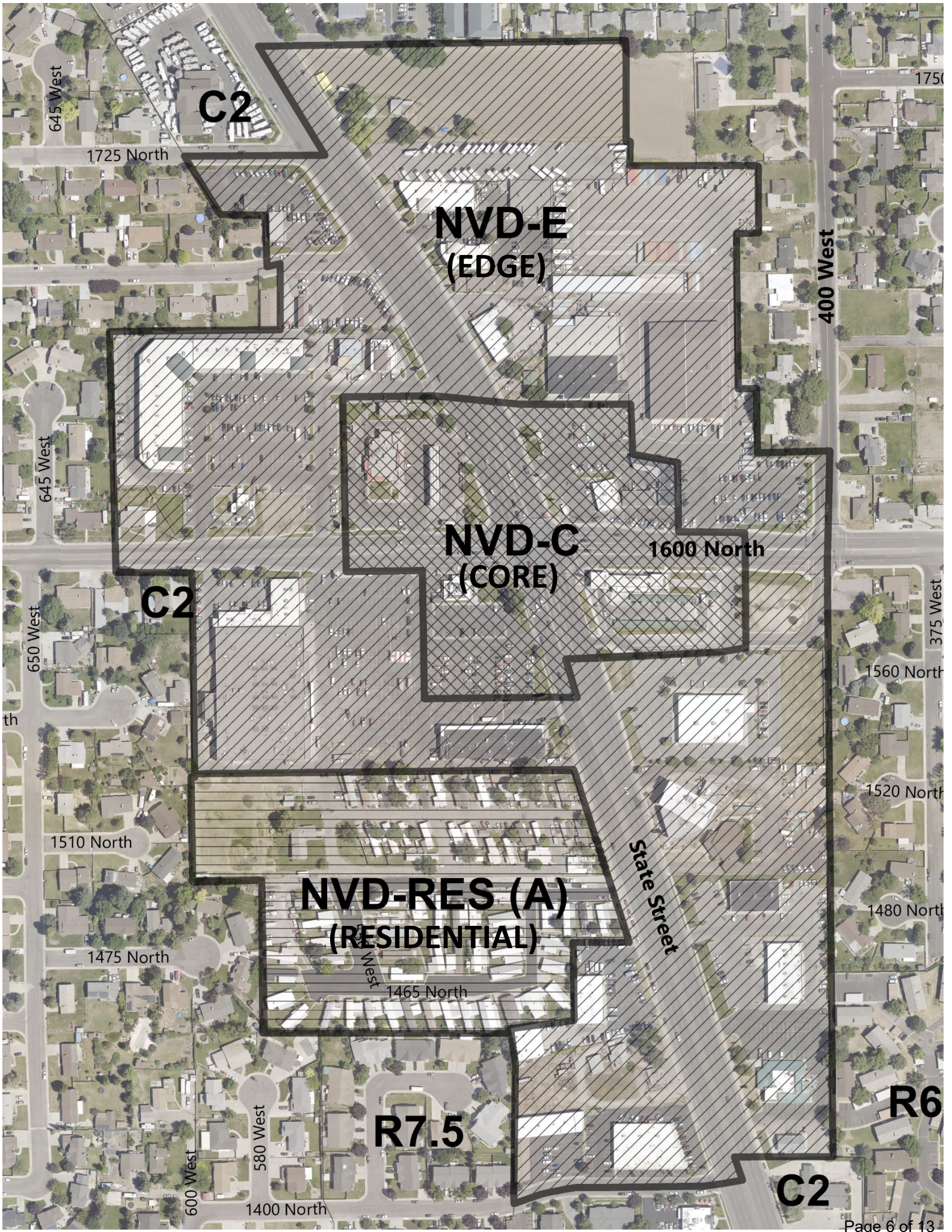
The City Council will consider the proposed amendments in a public hearing on **Tuesday, July 27, 2021 at 6:00 p.m.** in the City Council Chambers at 56 North State Street.

If you have questions pertaining to this request, please contact Jason Bench, Planning Division Manager with the Department of Development Services, at 56 North State Street, Room #105, (801) 229-7238, or by email at jwbench@orem.org.

ATTENTION: This notice has been delivered to all property owners within the North Village District. If you are aware of other persons who would be interested in this matter, you may wish to make them aware of these public hearings. Thank you.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PUBLIC HEARINGS.

If you need a special accommodation to participate in this public meeting, please call the City Offices: Voice 801-229-7183. The public is invited to attend all public meetings.



C2

**NVD-E
(EDGE)**

**NVD-C
(CORE)**

C2

**NVD-RES (A)
(RESIDENTIAL)**

R7.5

R6

C2

CITY OF OREM
CITY COUNCIL MEETING
JULY 27, 2021



REQUEST:	PUBLIC HEARING – Amending portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height limits within the North Village District (NVD) zones and amending portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones.
APPLICANT:	Development Services
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn

SITE INFORMATION:

- General Plan - MIX
- Current Zone - NVD

**PLANNING
COMMISSION
RECOMMENDATION**

Vote: 4 – 3 for
negative
recommendation

PREPARED BY:

Cheryl Vargas
Associate Planner

REQUEST:

Amending portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height limits within the North Village District (NVD) zones and amending portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones. The NVD zones are located generally at 1600 North State Street.

BACKGROUND:

At the request of the City Council, staff proposes an amendment to the NVD zones to establish a maximum height limit and to increase the parking requirement in the NVD-Core and NVD-Edge zones.

1. **Maximum height.** A height limit of thirty-five feet (35') is proposed for the NVD-Edge and NVD-Res(A) zones and a maximum height of forty-eight (48) feet in the NVD-Core zone.
2. **Parking Requirement.** The current parking requirement in the NVD-Core and NVD-Edge zones is 1.75 spaces per residential unit over the base residential density. The current requirement for the NVD-Res-A zone is 2.5 stalls for units with two or fewer bedrooms and 3.5 stalls for units with three or more bedrooms. The proposed amendments would also increase the parking requirement from 1.75 stalls per residential unit to 2.25 stall per unit in the NVD Core and Edge zones over the base residential density. No other changes to the parking requirement are proposed. The commercial parking requirement and the parking standards in the NVD-Res-A and NVD-Res-B would remain the same.

RECOMMENDATION:

The Planning Commission recommends the City Council deny the request to amend portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height limits within the North Village District (NVD) zones and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones. The NVD zones are located generally at 1600 North State Street.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING PORTIONS OF SECTION 22-24-5(F) OF THE OREM CITY CODE PERTAINING TO OVERALL HEIGHT LIMITS WITHIN THE NORTH VILLAGE DISTRICT (NVD) ZONES AND PORTIONS OF SECTION 22-24-5(H) PERTAINING TO PARKING STANDARDS IN THE NORTH VILLAGE DISTRICT (NVD) ZONES

WHEREAS on July 6, 2021, the Department of Development Services filed an application, at the request of the City Council, to amend portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height limits within the North Village District (NVD) zones and amending portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones. The NVD zones are located generally at 1600 North State Street; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on July 21, 2021, and the Planning Commission recommended that the City Council deny the request to amend the ordinance; and

WHEREAS a public hearing considering the subject application was held by the City Council on July 27, 2021; and

WHEREAS the City posted the City Council agenda in the Orem Public Library, the Orem City Webpage, and the City Offices at 56 N State Street; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds that it is in the best interest of the City to reduce the maximum allowable height for buildings in the North Village District zones and to increase the parking requirements for residential uses in the NVD Core and Edge zones.
2. The City Council hereby amends portions of Section 22-24-5(F) pertaining to maximum building heights and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones as shown in Exhibit "A" which is attached hereto and is incorporated herein by reference.

DRAFT

3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED and ORDERED PUBLISHED this 27th day of **July** 2021.

Richard F. Brunst, Jr., Mayor

ATTEST:

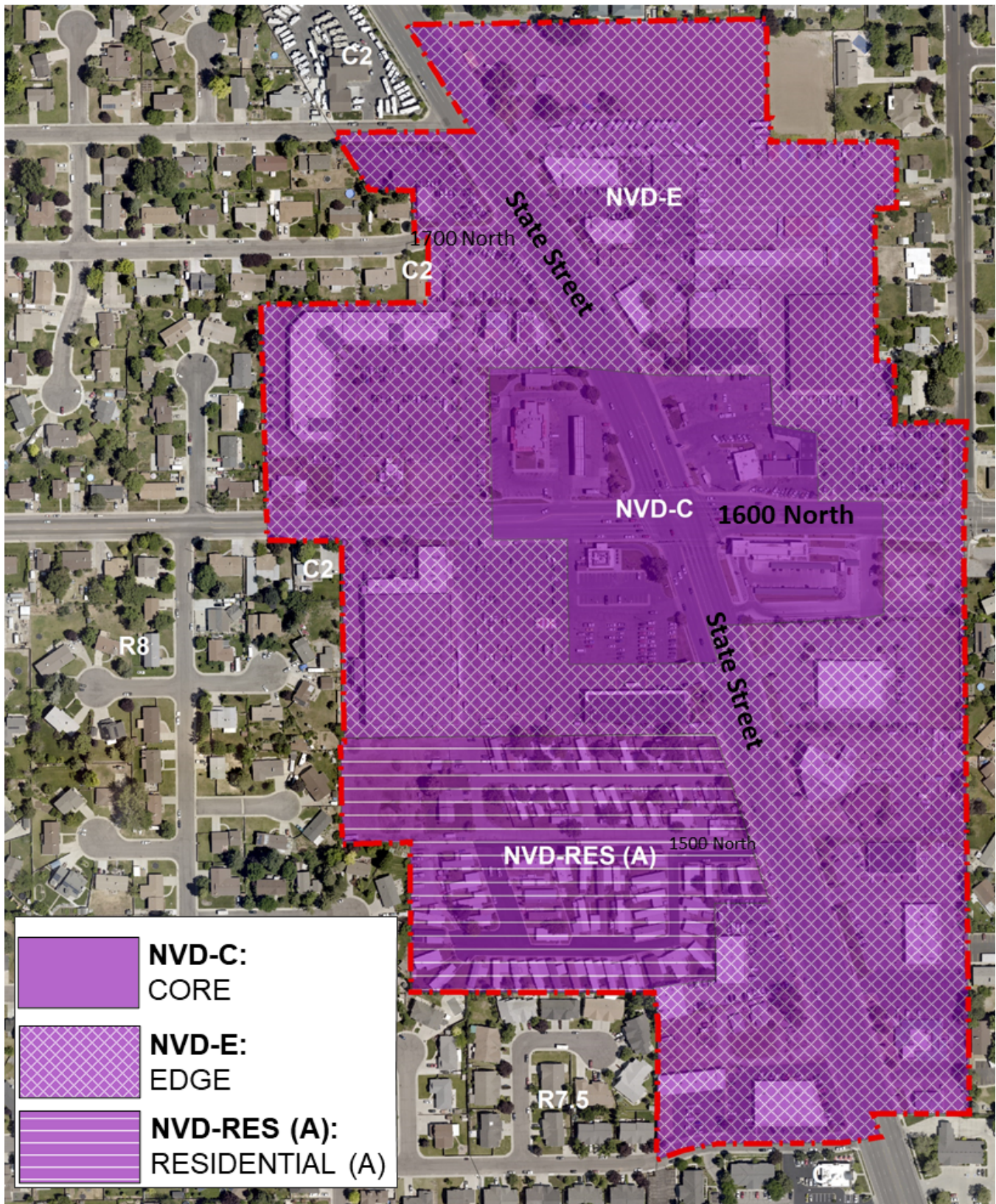
JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐
Jeff Lambson	☐	☐	☐
Debby Lauret	☐	☐	☐
Tom Macdonald	☐	☐	☐
Terry Peterson	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐

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EXHIBIT A

North Village (NVD) Zone



Section 22-24-5. North Village District (NVD) Zones

F. Design Standards.

1. **Building Height.** All buildings in the NVD-C zone shall be at least two stories in height. Buildings in the NVD-Res-B zone shall have a maximum height of 35 feet. ~~There is no maximum height requirement for the~~ Buildings in the NVD-C shall have a maximum height of 48 feet. Buildings in the , and NVD-E, and NVD-Res-A zones shall have a maximum height of 35 feet. The ground story of every building, except for buildings in the NVD-Res (A&B) zones, shall have a floor to ceiling height of at least 14 feet. In the NVD-C, NVD-E, and NVD-Res-A zones the height limitation shall not apply to belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, or properly screened mechanical appurtenances. In no case shall the height of belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, or properly screened mechanical appurtenances exceed a height of fifty-eight feet (58') measured from the average finished grade of the land immediately adjacent to the structure in the NVD-C zone and 45 feet in the NVD-E and NVD-RES-A zones. In no case shall that portion which exceeds the fifty-eight feet (58') or forty-five feet (45) height exceed fifty percent (50%) of the gross floor area of the uppermost floor of the building.

H. Parking.

1. Parking Requirements.

...

- b. For the “Core” and “Edge” zones, three parking stalls shall be provided for every one-thousand (1000) square feet of gross leasable floor area of nonresidential uses. Since any residential use in these zones is required to be part of a mixed-use development, no parking stalls shall be required for residential units included within the base residential density. The base residential density is calculated by dividing the total commercial parking requirement by three (3). For each residential unit in excess of the base residential density, a minimum of ~~1.75~~**2.25** parking stalls shall be provided (of which .10 stalls per unit shall be dedicated to visitor parking).

Agenda Item 3.2 is a request for the Planning Commission to amend portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height standards within the North Village District (NVD) zones and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones. The NVD zones are located generally at 1600 North State Street.

Staff Presentation: At the request of the City Council, staff proposes to amend the NVD zones to establish a maximum height limit and to increase the parking requirement in the NVD-Core and NVD-Edge zones.

1. **Maximum height.** A height limit of thirty-five feet (35') is proposed for the NVD-Edge and NVD-Res(A) zones and a maximum height of forty-eight (48) feet in the NVD-Core zone.

The proposed maximum height of thirty-five feet would be in addition to other, currently existing height limits that are already built into the NVD zone including the following:

- a. Any development within seventy-five feet (75') of a residential zone has a height limit of thirty-five feet (35').
 - b. All new development must be set back from residential zones a distance at least equal to the height of the building.
 - c. Buildings in the NVD-Res(B) zone have a maximum height of 35 feet.
 - d. A natural limit on building height based on the need to meet parking requirements, which are based on the square footage of the building. In other words, the larger a building, the more parking is required.
2. **Parking requirement.** The current parking requirement in the NVD-Core and NVD-Edge zones is 1.75 spaces per residential unit over the base residential density. The current requirement for the NVD-Res-A zone is 2.5 stalls for units with two or fewer bedrooms and 3.5 stalls for units with three or more bedrooms. The proposed amendments would also increase the parking requirement from 1.75 stalls per residential unit to 2.25 stall per unit in the NVD Core and Edge zones over the base residential density. No other changes to the parking requirement are proposed. The commercial parking requirement and the parking standards in the NVD-Res-A and NVD-Res-B would remain the same.

As background information, the current parking requirements for the NVD-Core and NVD-Edge zones were adopted by the City Council on October 8, 2019, and were based on the Orem City Parking Study (2019), developer recommendations, and city staff review including City Council discussions prior to the adoption of the current standards.

Recommendation: Staff recommends the Planning Commission should consider a recommendation to the City Council to amend portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height standards within the North Village District (NVD) zones and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones. The NVD zones are located generally at 1600 North State Street.

Chair Cochran asked if the Planning Commission had any questions for Mr. Bench.

Chair Cochran opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone. The following residents made comments. For details view the video at orem.org/meetings. An additional comment was emailed and is attached at the end of the minutes.

Jill Barrick
LaNae Millet
Danean Hutchings
Stephanie Visnaw
John Barrick
Katrina Bleyl
Marilee Whipple
Robert Farr
Kenneth Hoen

Ariana Barrens
Keith Walker
Annya Becerra

Mr. Spencer said he was concerned about the other districts and thinks the same thing may happen. This is something staff should look at. Mr. Cochran said when this was first proposed the step-backs were considered. Mr. Bench said in any district a building has to be set back equal to the height of the building.

Planning Commission Action: Ms. Bentley moved to forward a negative recommendation to the City Council to not amend portions of Section 22-24-5(F) of the Orem City Code pertaining to overall height standards within the North Village District (NVD) zones and portions of Section 22-24-5(H) pertaining to parking standards in the North Village District (NVD) zones. The NVD zones are located generally at 1600 North State Street. Ms. Mecham seconded the motion. Those voting aye: Marisa Bentley, Mickey Cochran, Shauna Mecham and Barry Roberts. Those voting nay: Carl Cook, Haysam Sakar, Ross Spencer. The motion passed.

From: **Heather Osmond** <heather@osmonddesigns.com>
Date: Wed, Jul 21, 2021 at 3:39 PM
Subject: Osmond Designs
To: jwbench@orem.org <jwbench@orem.org>

Hi Jason!

I heard that you were having a planning commission meeting today at 4:30 PM. I own the Osmond Designs Orem furniture and interior design store, and I wanted to express my support and desire to keep the current zoning as-is for my property. Feel free to share my message with any other planning commission committee members as well.

Please call me with any questions or concerns that you have!

Thank you!

Heather Osmond
Osmond Designs Owner