



CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street, Orem, Utah  
May 16, 2023

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

3:00 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

- 1 CITY COUNCIL TOUR-Water Reuse Project at Water Reclamation Facility and Station Area Plan at UTA FrontRunner Station (90 min)**  
Meet at City Center for shuttle
- 2 PRESENTATION: Transportation Master Plan - (45 mins)**  
*Presenter: Sam Kelly, City Engineer and John Dorney, Horrocks Engineering*
- 3 PRESENTATION: Year End School Safety Presentation (15 min)**  
*Presenter: Josh Adams, Police Chief*

1. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council will review the items on the agenda.

2. CITY COUNCIL REPORTS (BOARDS & COMMISSIONS, NEW BUSINESS, ETC.)

This is an opportunity for members of the City Council to raise issues of information or concern.

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

3. CALL TO ORDER
4. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION
5. PLEDGE OF ALLEGIANCE: BY INVITATION
6. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

**6.1 PRESENTATION: Oremfest Preview**

*Presenter: Karina Eckern, City Events Coordinator and Ashlie Mann, Oremfest Committee Member*

**6.2 PRESENTATION: Heritage Advisory Commission**

*Presenter: Peter Wolfley, Communications Manager, PIO and George Van De Water, Committee Chair*

**6.3 PRESENTATION: National Public Works Week-May 21-27**

*Presenter: Chris Tschirki, Public Works Director*

**6.4 PRESENTATION: National Police Week - May 14-20**

*Presenter: Josh Adams, Police Chief*

7. PERSONAL APPEARANCES - 15 MINUTES

Time has been set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the Agenda. Those wishing to speak are encouraged to show respect for those who serve the city. Comments should focus on issues concerning the city. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)

8. CONSENT ITEMS

**8.1 APPROVAL OF MEETING MINUTES**

Minutes from May 9, 2023

**8.2 RESOLUTION: Appointment of Kris Pease to NUVAS Special Service District**

*Presenter: Michael Paraskeva, Police Lieutenant*

**8.3 ORDINANCE: Amending various sections of the Orem City Code to replace the word Summerfest with the word Oremfest**

*Presenter: Steve Earl, City Attorney*

9. SCHEDULED ITEMS

**9.1 PUBLIC HEARING – ORDINANCE amending portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also amending the Orem General Plan by amending Section 2.1 (Land Use Classifications), enacting Section 2.1.6. (Public Facilities), enacting Section 3.1.6. (Public Facilities), amending Section 8.3 (Educational Support), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities.**

*Presenter: Jason Bench, Assistant Development Services Director*

**9.2 ORDINANCE: Amending section 12-9-6 (License Fee) of the Orem City Code exempting accessory dwelling units from the annual Rental Dwelling License renewal fee**

*Presenter: Ryan Clark, Acting Assistant City Manager and Development Services Director*

**9.3 RESOLUTION: CARE Tax Allocation**

*Presenter: Brandon Nelson, Finance Director and Trevor Bell, Budget Manager*

**9.4 RESOLUTION: Adopting a Policy Regarding City-Owned Flagpoles and City Social Media Accounts**

*Presenter: Steve Earl, City Attorney*

**9.5 RESOLUTION: Adopting Rules and Regulations for the Government of the City Council**

*Presenter: Steve Earl, City Attorney*



**9.6 ORDINANCE: Amending Section 2-3-10 (Functions of City Council) to authorize the City Council to retain separate legal counsel**

*Presenter: Steve Earl, City Attorney*

10. COMMUNICATION ITEMS

11. CITY MANAGER INFORMATION ITEMS

This is an opportunity for the City Manager to provide information to the City Council. These items are for information and do not require action by the City Council.

12. 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](http://orem.org)**



**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                             |
|------------------------------|-----------------------------|
| <b>REQUEST:</b>              | APPROVAL OF MEETING MINUTES |
| <b>APPLICANT:</b>            |                             |
| <b>NOTICES:</b>              |                             |
| <b>SITE<br/>INFORMATION:</b> |                             |
| <b>PREPARED BY:</b>          |                             |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**



**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                          |                                                                         |
|--------------------------|-------------------------------------------------------------------------|
| <b>REQUEST:</b>          | RESOLUTION: Appointment of Kris Pease to NUVAS Special Service District |
| <b>APPLICANT:</b>        |                                                                         |
| <b>NOTICES:</b>          |                                                                         |
| <b>SITE INFORMATION:</b> |                                                                         |
| <b>PREPARED BY:</b>      |                                                                         |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE OREM CITY COUNCIL APPOINTING KRIS PEASE AS THE  
CITY'S REPRESENTATIVE TO THE NORTH UTAH VALLEY ANIMAL SHELTER  
(NUVAS) BOARD OF DIRECTORS

WHEREAS the City has the right to appoint a member of the North Utah Valley Animal Shelter Board of Directors; and

WHEREAS the City Council desires to appoint Kris Pease as the City's member of the North Utah Valley Animal Shelter Board of Directors; and

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

1. The City Council hereby appoints Kris Pease to serve as the City's member of the North Utah Valley Animal Shelter Board of Directors.
2. This resolution shall become effective immediately upon passage.

PASSED and APPROVED this 16<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
David A. Young, Mayor

ATTEST:

\_\_\_\_\_  
Teresa McKittrick, City Recorder

| COUNCILMEMBER        | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                                                                                                                  |
|------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>REQUEST:</b>              | ORDINANCE: Amending various sections of the Orem City Code to replace the word Summerfest with the word Oremfest |
| <b>APPLICANT:</b>            |                                                                                                                  |
| <b>NOTICES:</b>              |                                                                                                                  |
| <b>SITE<br/>INFORMATION:</b> |                                                                                                                  |
| <b>PREPARED BY:</b>          |                                                                                                                  |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

## EXHIBIT A

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### Article 2-20. Summerfest Oremfest Advisory Committee

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#### Contents:

- 2-20-1. Committee Established.
- 2-20-2. Duties of the Committee.
- 2-20-3. Membership of Committee.
- 2-20-4. Appointment.
- 2-20-5. Term of Office.
- 2-20-6. Removal and Vacancy.
- 2-20-7. Voting.
- 2-20-8. Meetings.
- 2-20-9. Staff Assignments.
- 2-20-10. Compensation.
- 2-20-11. Recommendations.

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#### 2-20-1. Committee Established.

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The Summerfest Oremfest Advisory Committee of the City of Orem (referred to as the "Committee" in this Article) is hereby established.

(Ord. No. O-95-0026, Enacted, 05/02/1995)

Effective on: 4/10/1990

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#### 2-20-2. Duties of the Committee.

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The Committee shall act in an advisory capacity to the City Council and shall have the following duties and responsibilities.

- A. To recommend objectives, policies, procedures, programs, and expenditures of City funds related to the annual Orem-Summerfest Oremfest Activities.

(Ord. No. O-95-0026, Enacted, 05/02/1995)

- B. To report, on an annual basis, to the City Council regarding the schedule of activities for the upcoming Summerfest Oremfest activity and to report on the activities of the previous Summerfest Oremfest activity.

(Ord. No. O-95-0026, Enacted, 05/02/1995)

- C. To develop annual Summerfest Oremfest activities to promote the community spirit of Orem.

(Ord. No. O-95-0026, Enacted, 05/02/1995)

- D. To enlist the cooperation and participation of various volunteers and community organizations and clubs to develop programs in association with the annual Summerfest Oremfest Activities.

(Ord. No. O-95-0026, Enacted, 05/02/1995)

- E. At the direction of the City Council, the Committee may participate in the development of other special community events.

(Ord. No. O-95-0026, Enacted, 05/02/1995)

Effective on: 4/10/1990

## **2-20-8. Meetings.**

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- A. The Committee shall select one of its members to be Chairperson. The Chairperson shall conduct all meetings and shall serve for one (1) year. Elections for Chairperson shall be held annually. The chairperson may serve consecutive terms.

(Ord. No. O-95-0026, Enacted, 05/02/1995; Ord. No. O-2018-0002, Amended 01/09/2018; Ord. No. O-2019-0031, Amended 10/8/2019)

- B. The Committee shall select one of its members to be the Vice Chairperson. The Vice Chairperson shall take on the responsibilities of the Chairperson in his/her absence and shall serve for one (1) year. Elections for the Vice Chairperson shall be held annually at the first official Committee meeting following the Summerfest Oremfest Activities each year. The Vice Chairperson may serve consecutive terms.

(Ord. No. O-2018-0002, Enacted 01/09/2018)

- C. The Committee shall meet at least quarterly and may meet more often at the discretion of its Chairperson.

(Ord. No. O-95-0026, Enacted, 05/02/1995; Ord. No. O-2018-0002, Amended & Renumbered 01/09/2018)

- D. Committee business and discussion shall be conducted in open public meetings in accordance with legal requirements and City policies.

(Ord. No. O-95-0026, Enacted, 05/02/1995; Ord. No. O-2018-0002, Renumbered 01/09/2018)

- E. The Committee shall keep written minutes for each of its meetings. The minutes shall be reviewed for approval at the following Committee meeting.

(Ord. No. O-95-0026, Enacted, 05/02/1995; Ord. No. O-2018-0002, Renumbered 01/09/2018)

- F. The Committee may adopt by-laws, rules or procedures for the transaction of its business.

(Ord. No. O-95-0026, Enacted, 05/02/1995; Ord. No. O-2018-0002, Renumbered 01/09/2018)

G. The Committee may establish subcommittees to assist the Committee in their various duties.

(Ord. No. O-2018-0002, Enacted 01/09/2018; Ord. No. O-2019-0031, Amended 10/8/2019)

Effective on: 4/10/1990

## Article 12-5. Requirements for Specific Occupations

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### 12-5-12. Mobile Vendors.

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A mobile vendor may only be a food vendor, and must have all required licensing from the Utah County Health Department. All equipment related to food preparation must be in a self-contained unit such as the vehicle itself or an attached trailer. An operating mobile vendor may not interfere with vehicular or pedestrian circulation. A mobile vendor may not be parked longer than five (5) hours at any one location (or within 500 feet of said location) per day. Property owner approval is required. A mobile vendor may not park on any public street located within one thousand feet (1000') of the City Center Park or Scera Park during the annual **Summerfest Oremfest** celebration typically held in June of each year.

(Ord. No. 661, Revised, 04/10/90; Ord. No. 690, Renumbered, 07/23/91, 12-5-12; Ord. No. O-98-0005, Ren&Amd, 01/27/98, 12-5-13; Ord. No. O-2013-0024, Amended 10/08/2013; Ord. No. O-2015-0018, Amended 06/09/2015)



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING PORTIONS OF ARTICLE 2-20  
AND SECTION 12-5-12 OF THE OREM CITY CODE TO  
REFLECT CHANGES TO THE NAME OF OREM'S ANNUAL  
CELEBRATION "OREMFEST"

WHEREAS the City has recently changed the name of its annual summer celebration from Summerfest to "Oremfest"; and

WHEREAS the City Council desires to amend all references to Summerfest in the City Code to read "Oremfest; and

WHEREAS the City Council desires to amend certain sections in Article 2-20 and Section 12-5-12 of the Orem City Code to replace the word Summerfest with Oremfest; and

WHEREAS the City Council finds the proposed amendments to be in the best interest of the City; 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.

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

1. The City Council hereby amends certain sections of Article 2-20 and Section 12-5-12 of the Orem City Code to substitute the word "Oremfest" in place of the word "Summerfest" as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.
2. If any part of these ordinance amendments shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

3. All other ordinances, policies, and resolutions in conflict herewith are hereby repealed.
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 **16<sup>th</sup>** day of **May 2023**.

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David A. Young, Mayor

ATTEST:

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Teresa McKittrick, City Recorder

| COUNCILMEMBER        | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REQUEST:</b>              | PUBLIC HEARING – ORDINANCE amending portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also amending the Orem General Plan by amending Section 2.1 (Land Use Classifications), enacting Section 2.1.6. (Public Facilities), enacting Section 3.1.6. (Public Facilities), amending Section 8.3 (Educational Support), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities. |
| <b>APPLICANT:</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>NOTICES:</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>SITE<br/>INFORMATION:</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>PREPARED BY:</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

**CITY OF OREM**  
**CITY COUNCIL MEETING**  
**MAY 16, 2023**



|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REQUEST:</b>       | <b>6:00 P.M. SCHEDULED ITEM</b><br><b>PUBLIC HEARING:</b><br><b>ORDINANCE</b> – Amending portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone.<br><br><b>RESOLUTION</b> – Amending the Orem General Plan by amending Section 2.1 (Land Use Classifications), enacting Section 2.1.6. (Public Facilities), enacting Section 3.1.6. (Public Facilities), amending Section 8.3 (Educational Support), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities. |
| <b>APPLICANT:</b>     | Orem City                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>FISCAL IMPACT:</b> | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**NOTICES:**

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- Noticed 34,988 property owners throughout the City

**SITE INFORMATION:**

General Plan Designation:

**Varies**

Current Zone: C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12

Acreage: **Varies**

Neighborhood: **Varies**

**PLANNING  
COMMISSION  
RECOMMENDATION**

Approval 7-0

**PREPARED BY:**

Makayla Wagstaff  
Associate Planner

**REQUEST:** City staff propose amending portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone.

Staff also propose amending the Orem General Plan by amending Section 2.1 (Land Use Classifications), enacting Section 2.1.6 (Public Facilities), enacting Section 3.1.6 (Public Facilities) and amending Section 8.3 (Educational Support), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities.

**BACKGROUND:** City staff proposes the creation of the Public Facilities zone and the application of this zone to various properties that are currently used for public facilities in the City including public schools, public parks, City of Orem government buildings and other municipal facilities. The purpose of the proposed PF zone and the application of the PF zone to the properties described above is both to expressly allow the use of the designated properties for public facilities and also to ensure that properties that have historically been used for public facilities and have been paid for by Orem taxpayers will continue to be used for and/or preserved to meet the need for such public facilities in the future.

It is expected that Orem's population will continue to grow in future years through a combination of infill development, redevelopment and the

construction of new accessory dwellings. It is likely that Orem's population of school-age children will also increase in the future due both to the general increase in population as well as due to potential changes in future demographics. The demand for public facilities in the City including public schools, public parks and municipal government facilities is therefore likely to increase over time. It is thus critical to preserve properties that have historically been used for such public facilities to meet the need for such facilities by both current and future generations. If lands that have historically been used for public facilities are redeveloped for non-public uses, they will likely be lost forever for use by the public.

Rezoning the subject properties to the PF zone will also ensure that properties in which the public has a vested interest (due to their historic use as public facilities and their acquisition with taxpayer dollars) will be subject to a public hearing process and opportunity for citizen input before they could be redeveloped for non-public uses.

In order to accomplish the objectives described above, staff proposes the following amendments to the Orem City Code:

1. Amending Article 22-9 to create the Public Facilities (PF) zone and to enact other provisions pertaining to the PF zone.
2. Amending Appendix A of the Orem City Code to add the PF zone and to designate various Standard Land Use (SLU) codes as permitted, conditional or not permitted in the PF zone.
3. Amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. These properties include all properties in the City owned by the Alpine School District and the City of Orem.

Staff also propose to amend the Orem General Plan to add the Public Facilities designation to the Orem General Plan Land Use Classifications, to describe the purpose of the Public Facilities designation and to provide that one of the purposes of the General Plan is to preserve public lands that have historically been used for public facilities such as public schools, public parks and other municipal government facilities for the current and future use of such public facilities. The proposed amendments to the General Plan include the following:

1. Amending Section 2.1. (Land Use Classifications) to add public facilities to the major categories of land uses included in the General Plan.
2. Enacting Section 2.1.6. (Public Facilities) to create and describe the Public Facilities Land Use Classification.

3. Enacting Section 3.1.6 (Public Facilities) to add an additional subsection regarding public facilities under the Public Space heading of Section 3.1.

4. Amending Section 8.3 (Educational Support) by adding a paragraph regarding the need to preserve land that has historically been used for public schools in order to meet the need for future public school demand that may result from population growth and potential future changes in population demographics

**RECOMMENDATION:** The Planning Commission recommends the City Council, by ordinance, amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem to rezone various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown in the map attached hereto as Exhibit “A.”

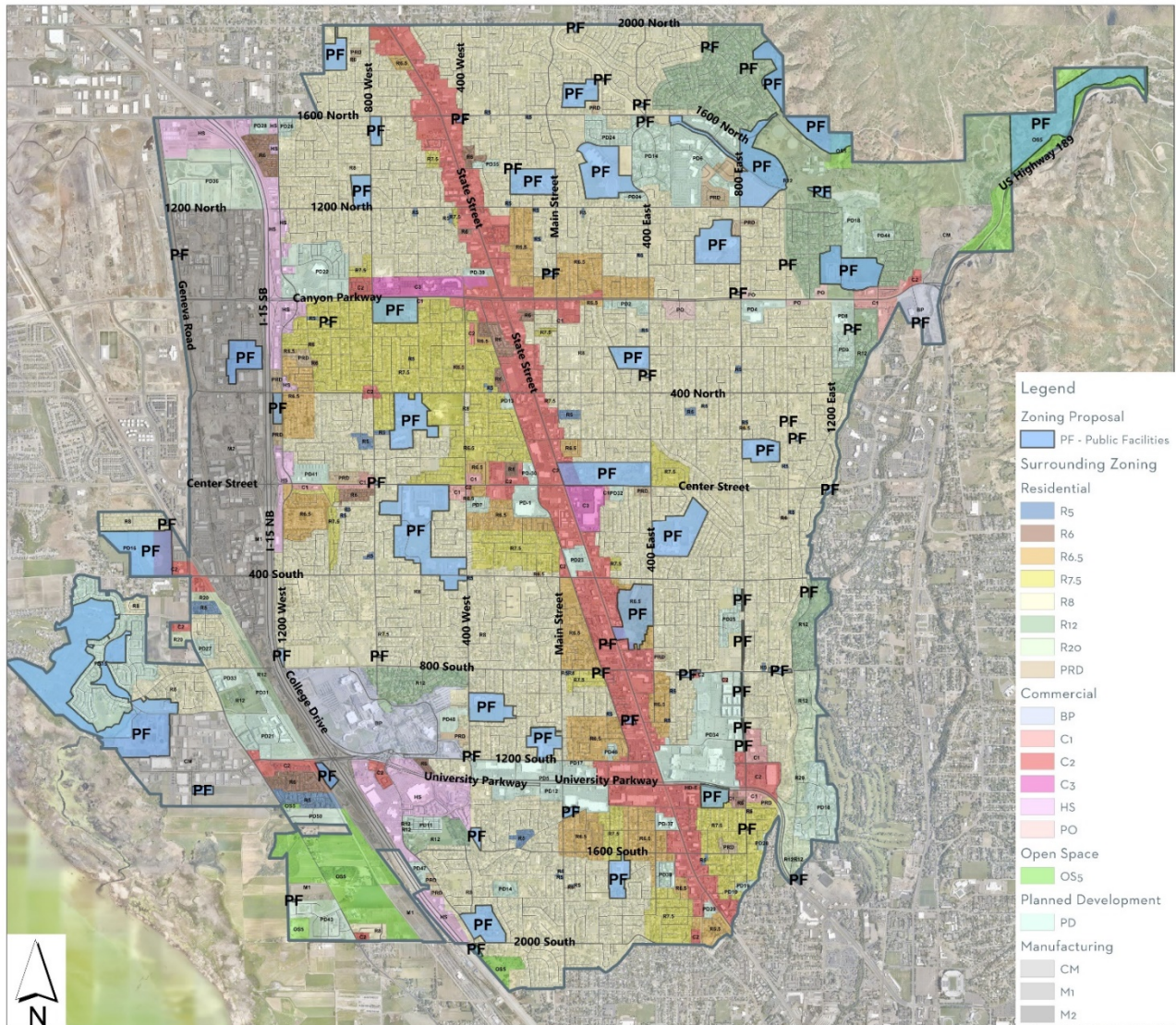
The Planning Commission also recommends the City Council, by resolution, amend the Orem General Plan by amending Section 2.1. (Land Use Classifications), enacting Section 2.1.6 (Public Facilities), enacting Section 3.1.6 (Public Facilities), and amending Section 8.3 (Educational Support); and amending the General Plan Map by changing the land use designation of various properties to Public Facilities as shown in the map attached hereto as Exhibit “B.”



# Exhibit “A”



## Proposed Public Facilities (PF) Zone

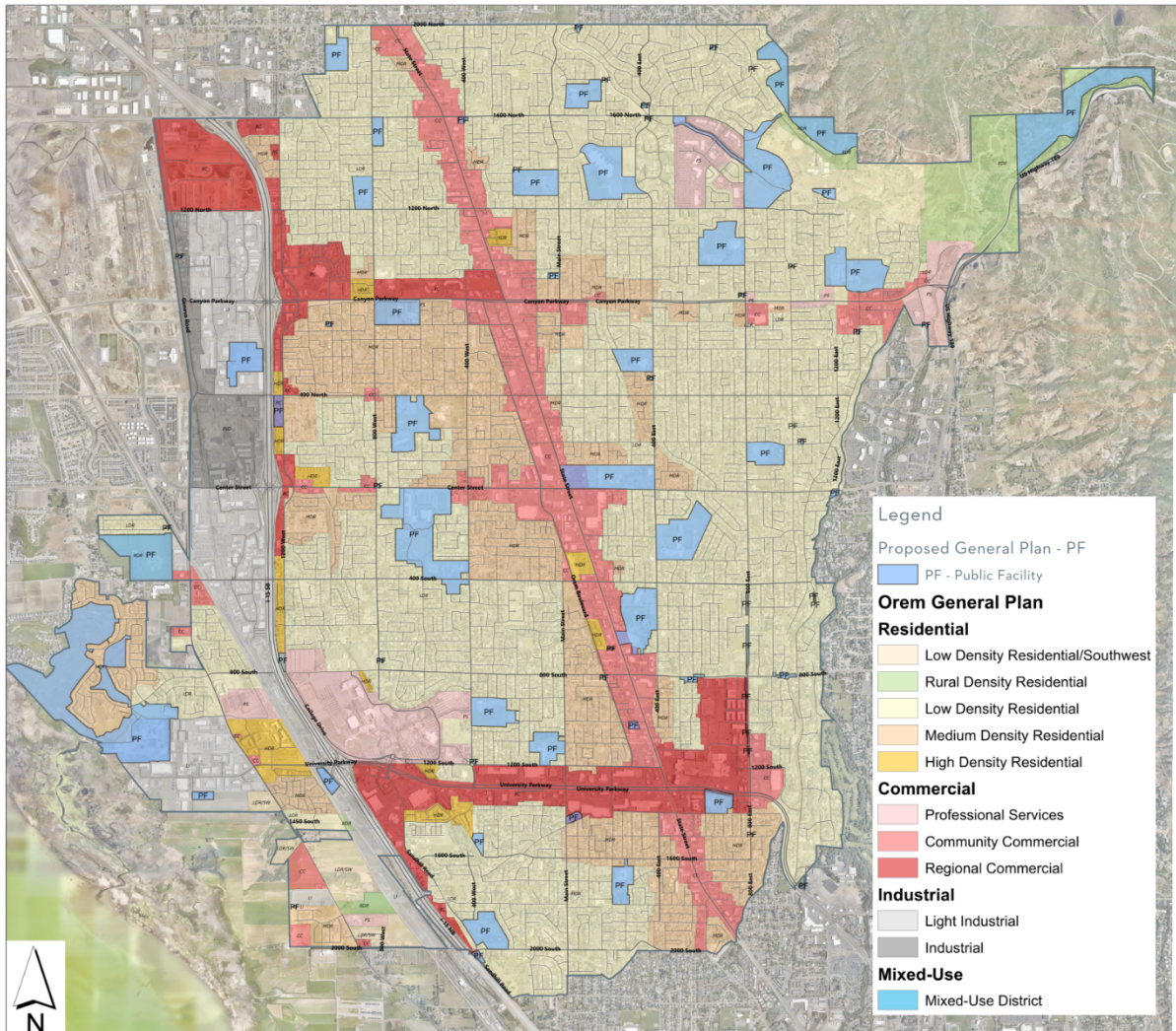




## Exhibit “B”



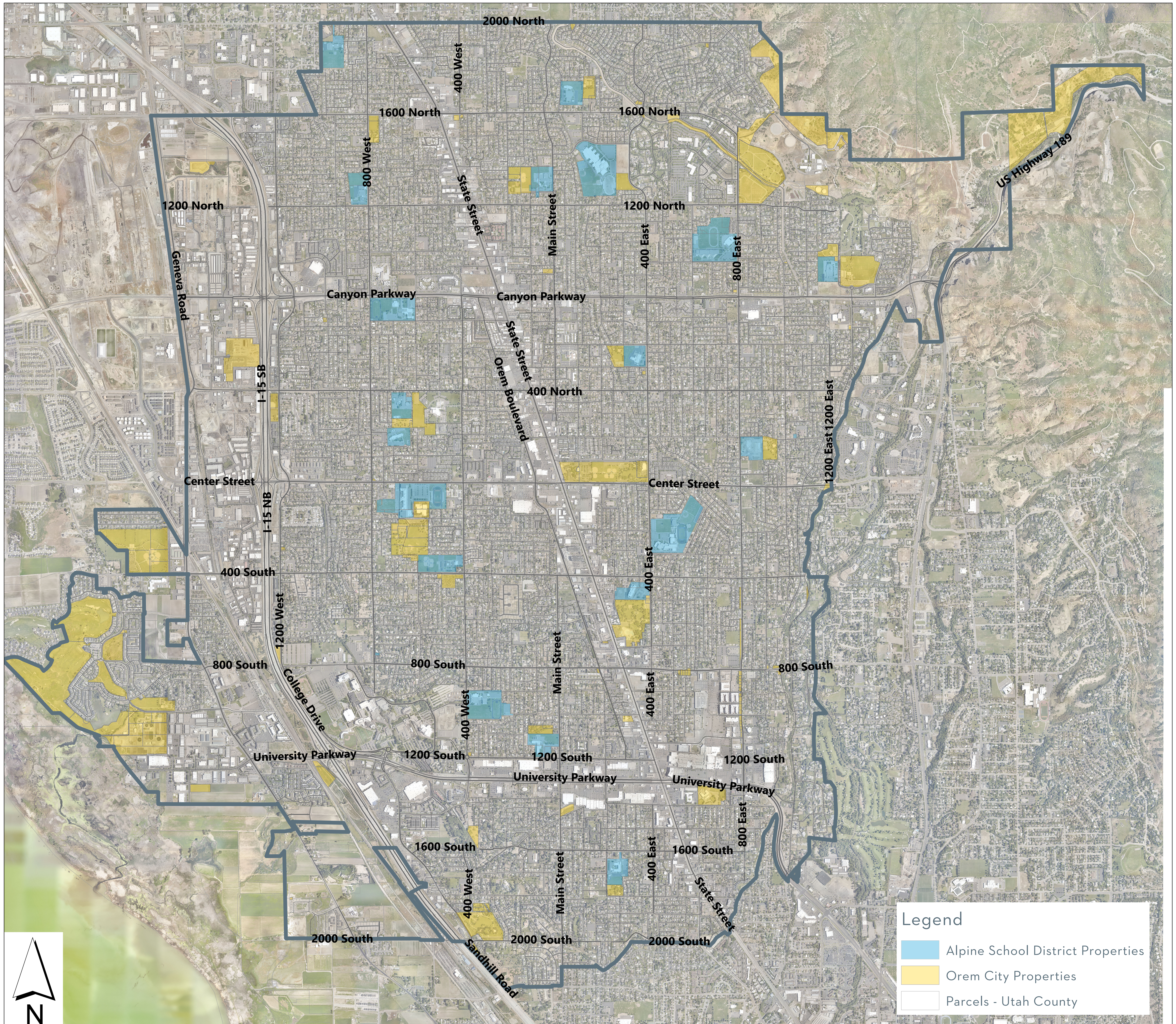
# Proposed Public Facilities (PF) General Plan Designation



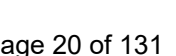


# Preserving Public Land in Orem

## - Property Ownership -

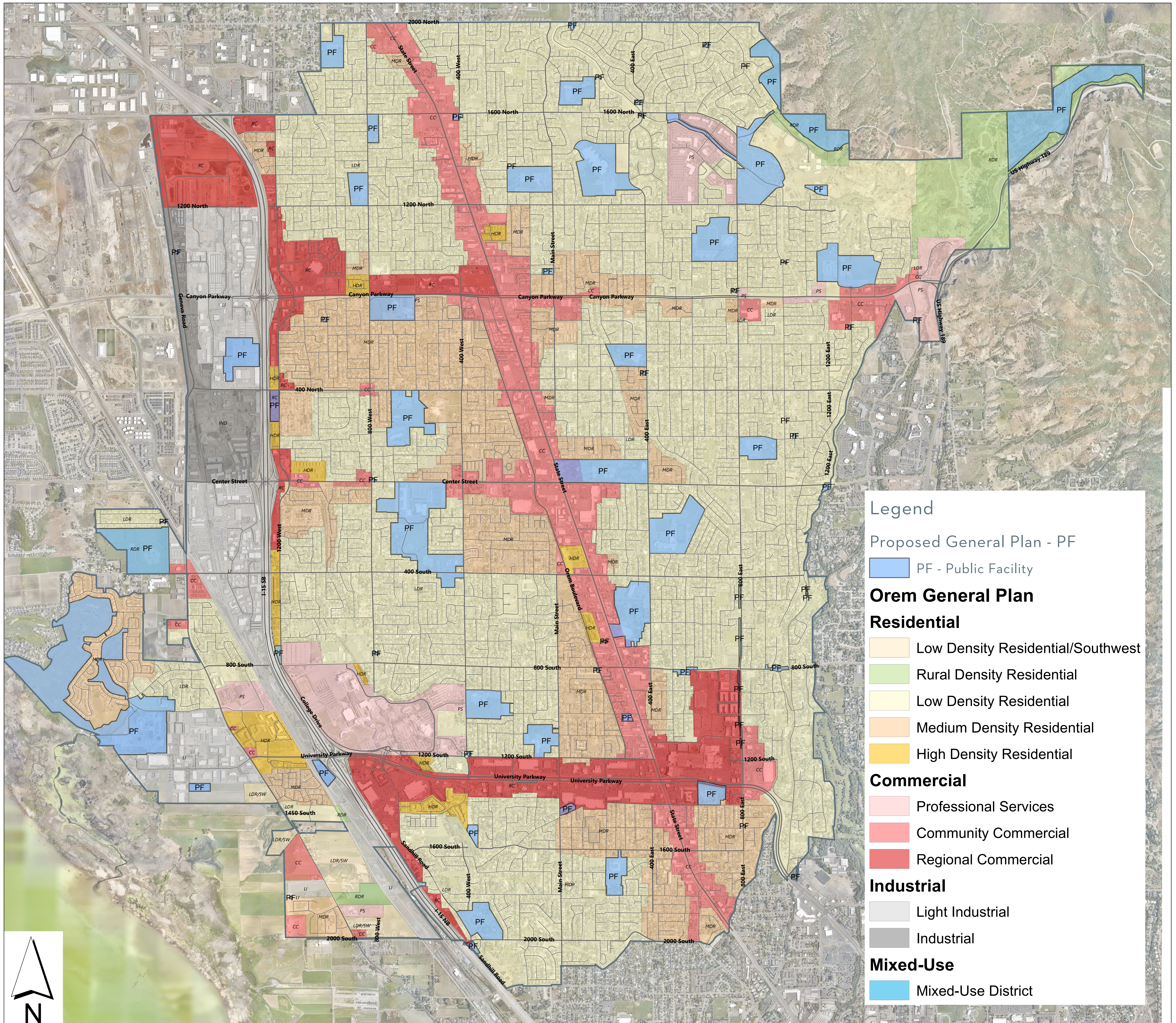








# Proposed Public Facilities (PF) General Plan Designation





# CODE OF ORDINANCES

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## CHAPTER 22. ZONING

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### Article 22-9. Manufacturing, ~~and~~ Research and Development ~~and Public~~ ~~Facilities~~ Zones

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#### Contents:

- ? 22-9-1. General Provisions.
- ? 22-9-2. M1 Zone.
- ? 22-9-3. M2 Zone.
- ? 22-9-4. CM Zone.
- ? 22-9-5. BP Zone.
- ? 22-9-6. PF Zone
- ? 22-9-76. Zone Development Standards.
- ? 22-9-87. Landscaping.
- ? 22-9-98. Miscellaneous Regulations for Manufacturing, ~~and~~ Research and Development ~~and Public~~  
~~Facilities~~ Zones.
- ? 22-9-109. Special Provisions.

#### 22-9-1. General Provisions.

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- A. The objective in establishing manufacturing and research and development zones is to provide areas within the City where accessibility to interstate transportation and arterial streets is convenient, and where the potential for aggregation of related or interdependent industries is significant. The objective in establishing a public facilities zone is primarily to provide and preserve areas in the City for public schools and municipal government facilities and related uses.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021,  
Amended, 06/12/2001)

- B. For permitted uses, nonpermitted uses, and uses which require a conditional use permit, refer to Article XIX.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021,  
Amended, 06/12/2001)

- C. Refer to the following Articles for additional regulations:
1. Article III, Nonconforming Uses.
  2. Article IV, Conditional Use Permits.
  3. Article XIV, Supplementary Regulations.

4. Article XV, Off-Street Parking.
5. Orem City Code, Sign Ordinance.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

#### 22-9-2. M1 Zone.

The M1 zone is established to provide areas where light intensity industrial activities and uses can be developed.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

#### 22-9-3. M2 Zone.

The M2 zone is established to provide areas where heavy intensity industrial activities and uses can be developed.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

#### 22-9-4. CM Zone.

The CM zone is established to provide areas where planned manufacturing parks may be developed. The zone is designed to provide for such uses on well-landscaped sites such that they can be located in proximity to residential uses.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

#### 22-9-5. BP Zone.

The BP zone is established to provide areas for scientific research, development and training, offices, and manufacturing incidental and accessory to such uses. The zone is designed to provide for such uses in a low intensity manner on well-landscaped sites.

#### 22-9-6. PF Zone.

The Public Facilities (PF) zone is established to provide areas for public schools, local government facilities and other uses incidental and accessory thereto. The PF zone is intended both to allow the current use of such facilities and to limit the use of properties within the PF zone to such uses in order to preserve areas that have historically been used for public school and local government uses for the future public use of such properties for schools and other public facilities.

## 22-9-76. Zone Development Standards.

| Zone Development Standards - Manufacturing, and Research and Development Zones                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                 |        |      |        |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------|------|--------|-------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | M1              | M2     | CM   | BP     | PF          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                 |        |      |        |             |
| Minimum Zone Area:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 5 Ac            | 10 Ac  | 5 Ac | 20 Ac  | <u>5 Ac</u> |
| Minimum Lot Area:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 1/4 Ac          | 1/4 Ac | 1 Ac | 1/4 Ac | <u>5 Ac</u> |
| Minimum <u>Frontage</u> :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No Restrictions |        |      |        |             |
| <b>Lot <u>Setbacks</u> (Minimum)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                 |        |      |        |             |
| Front:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 20'             | 20'    | 30'  | 40'    | <u>25'</u>  |
| Side:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0               | 0      | 20'  | 20'    | <u>20'</u>  |
| Side when adjacent to a <u>street</u> :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 20'             | 20'    | 30'  | 40'    | <u>20'</u>  |
| Side without one-hour firewall:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 20'             | 20'    | 20'  | 20'    | <u>20'</u>  |
| Rear:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0               | 0      | 20'  | 20'    | <u>25'</u>  |
| Rear when adjoining a parcel in a residential zone:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 40'             | 80'    | 40'  | 40'    | <u>25'</u>  |
| Maximum Structure Heights:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 48'             | 60'    | 48'  | 48'    | <u>48'*</u> |
| <p><b>NOTE:</b> In all manufacturing, <del>and</del> research and development <u>and public facilities zones</u> 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 seventy-five feet (75') measured from the average finished grade of the yard in which the <u>structure</u> is located. In no case shall that portion which exceeds the maximum structure height exceed fifty percent (50%) of the gross floor area of the uppermost floor of the <u>building</u>.</p> <p><u>*In all PF zones no portion of any building shall be located closer to a residentially zoned property than a distance equal to the height of that portion of the building. The maximum heights for structures in a PF zone which are set back less than one hundred fifty feet (150') from a residential zone shall be thirty-five (35') feet.</u></p> |                 |        |      |        |             |

## 22-9-87. Landscaping.

- A. In the BP and CM zones a bermed landscaping strip in width of at least the required setback shall be provided and maintained along the right-of-way line of dedicated streets, except as provided below:
  1. Where a parcel is a corner lot, the total landscaping required shall be equal to the length of the property (in feet) on the longer side adjacent to the street multiplied by the distance of the required setback. The amount (in square feet) of landscaping required by this formula shall be distributed as follows: Bermed, landscaped strips at least ten feet (10') in width shall be located on the right-of-way lines of both streets. The balance of landscaping required by the formula may be placed elsewhere on the parcel in accordance with an approved landscaping plan.
  2. Where a parcel has frontage on at least two (2) street but is not a corner lot, a landscaped strip in width less than the required setback may be allowed as follows:
    - a. A ten foot (10') strip may be allowed on streets other than arterial streets, provided the strip is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of

plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscape strips in width at least equal to the required setback of the zone.

- b. A five foot (5') strip may be allowed on streets other than arterial streets provided the strip is sloped down to the public right-of-way from a concrete or concrete block retaining wall with a minimum slope of 3:1 (three feet horizontal to one foot vertical) and is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscaped strips in width at least equal to the required setback of the zone.

3. No landscaping shall be required where vehicular accesses are permitted.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2019-0013, Amended 5/14/19)

- B. In the M1 and M2 zones there shall be provided and maintained a landscaped strip ten (10) feet in width, located on the right-of-way line of the street. The remaining setback area shall be maintained free of weeds and debris and may be used for parking or landscaping. The following exceptions to the requirement of this subsection shall apply to corner lots and other lots with double frontage:

1. Where a parcel is a corner lot, the total landscaping required shall be equal to the length of the property (in feet) on the longer side adjacent to the street multiplied by ten (10) feet. The amount (in square feet) of landscaping required by this formula shall be distributed as follows: Landscaped strips at least five feet (5') in width shall be located on the right-of-way lines of both streets. The balance of landscaping required by the formula may be placed elsewhere on the parcel in accordance with an approved landscaping plan.
2. Where a parcel has frontage on at least two (2) streets but is not a corner lot, a landscaped strip less in width than the required setback may be allowed as follows:
  - a. A five foot (5') strip may be allowed on streets other than arterial streets, provided the strip is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscaped strips at least ten (10) feet in width.
  - b. A five foot (5') strip may be allowed on streets other than arterial streets provided the strip is sloped down to the public right-of-way from a concrete or concrete block retaining wall with a minimum slope of 3:1 (three feet horizontal to one foot vertical) and is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscape strips at least ten (10) in width.
3. No landscaping shall be required where vehicular accesses are permitted.

- C. Trees authorized in [Appendix U](#) shall be planted in the landscaped areas adjacent to the right-of-way line in all manufacturing, ~~and~~ research and development ~~and public facilities~~ zones. The number of trees shall be one tree for every forty (40) linear feet of landscaping adjacent to any street right-of-way. The trees may be spaced evenly or clustered within the landscaped area required along the right-of-way

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-07-0008, Amended 01/23/2007)

- D. All required trees shall be at least one and one-half inches (1-1/2") in caliper, measured four feet (4') above the ground, and shall be at least eight feet (8') in height.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- E. The total number of required trees per lot shall be calculated as follows:

1. One (1) tree per thousand (1,000) square feet of landscaped area for the first one (1) acre of lot area.
2. One (1) tree per two thousand (2,000) square feet of landscaped area for the second through fifth acres of lot area.
3. One (1) tree per three thousand (3,000) square feet of landscaped area for any lot area in excess of five (5) acres.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- F. Each planting bed shall be at least three feet (3') long and three feet (3') wide. The plan showing the planting areas shall show the general location, number, and type of plants along with provisions for an irrigation system.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- G. Curbs shall be provided between landscaped areas and off-street parking areas.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

Effective on: 5/14/2019

#### 22-9-98. Miscellaneous Regulations for Manufacturing, ~~and~~ Research and Development and Public Facilities Zones.

- A. Where a manufacturing development adjoins any lot in any residential zone, there shall be provided and maintained along such property line a wooden, masonry or other decorative, sight obscuring fence.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- B. All manufacturing activities in the M1, M2, CM, and BP zones shall be conducted entirely within a building, except for loading and unloading, vehicle parking and refueling, itinerant merchants, and the sale of Christmas trees, plant materials, or other seasonal items. Manufacturing Park maintenance equipment may also be stored outside of buildings within an area enclosed with a sight obscuring fence. Any alternate location must be approved by the body approving the site plan.



- C. The storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence of at least six feet (6') in height; provided, however, that promotional displays and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. This subsection shall not apply to the sale of Christmas trees.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- D. No excessive or offensive dust, odor, smoke, intermittent light, or noise shall be emitted which is discernible beyond the zone boundary lines, except that which emanates from the movement of automobiles. A premise shall be maintained in such a manner as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- E. All off-street parking areas, loading areas, and vehicular traffic ways shall be paved.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- F. All outdoor lighting shall be designed to minimize direct glare to adjoining residences.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- G. A caretaker facility is a permitted use in the M1, M2, and CM Zones. The caretaker facility shall be an accessory use only, i.e. incidental to and customarily found in conjunction with the principal use, and shall:

1. Be attached to or located within any structure of the principal use, and not have a total square footage that exceeds one-thousand (1,000) square feet or ten percent (10%) of the total area of the building square footage on the site, whichever is less.
2. Not be rented or leased, but may be considered part of compensation for caretaker services.
3. Only be a minor part of the principal use.
4. Be customarily associated with that particular industry or business in other cities throughout the United States.
5. Have a minimum of two (2) parking spaces dedicated for the caretaker facility.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-95-0045, Amended, 07/25/1995; 4; Ord. No. O-00-0004, Amended, 02/08/2000; Ord. No. O-01-0021, Amended, 06/12/2001)

- H. The following additional requirements shall apply to development in the BP zone:

1. No more than thirty percent (30%) of the gross leaseable area (as defined in section [22-15-2](#)) of any building may be devoted to retail uses. However, buildings that are used solely as a restaurant and have at least 3,000 square feet are excluded from this restriction.
2. For the BP zone area located at approximately 800 North and University Avenue, all development west of the Provo River shall be consistent throughout each individual project area. For development east of the Provo River the architectural and design theme



may be different from the west side of the river, but shall be consistent throughout the east side development.

(Ord. No. O-04-0034, Enacted 7/13/2004; Ord. No. O-2022-0022, Amended 11/9/2022)

Effective on: 4/10/1990

## 22-9-109. Special Provisions.

- A. The requirements of this Article shall run with the land and be binding on successors, owners and tenants so long as the buildings are occupied or the use exists.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- B. The owners of a controlled manufacturing development or a research and development park which contains more than one parcel of record or which has more than one owner may be required by the Planning Commission to submit documents to the City Attorney which assure unified control of the development for approval as to form.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- C. The improvements as shown by any approved final site plan shall be started within a period of twelve (12) months after such plan is approved by the City and shall be completed and ready for occupancy within a period of twenty-four (24) months from the date the permit is issued. The completion date may be extended by twelve (12) additional months if the approved site plan includes five (5) acres or more.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- D. All building construction shall be in compliance with the International Building Codes as adopted by the City of Orem.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-05-0005, Amended, 2/8/2005)

- E. Any person who desires to occupy vacant floor space, or to change the use of floor space shall be required to first obtain a certificate of occupancy from the City. Any person constructing or altering a building in the manufacturing and research and development zones shall first obtain a building permit from the City for such construction or alteration, and then shall obtain a certificate of occupancy from the City before the building being constructed or altered is occupied.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- F. The certificate of occupancy shall contain statements that the building or proposed use of a building or land complies with the various ordinances of the City regulating building construction or uses. A record of all certificates shall be kept on file in the City and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected. No fee shall be charged for an original certificate.



(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- G. Every site shall conform to the approved site plan or amended site plan. No structures or improvements may be added to a site that are not included on the approved site plan. All improvements shown on the approved site plan or amended site plan shall be maintained in a neat and attractive manner. Failure to complete or maintain a site in accordance with this Chapter and with the approved site plan shall be a violation of this section. The City may initiate criminal and/or civil legal proceedings against any person, firm or corporation, whether acting as principal, agent, property owner, lessee, employee or otherwise, for failure to complete or maintain a site in accordance with this Chapter and with the approved site plan.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- H. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any manufacturing, ~~or~~ research and development or public facilities zone, except as authorized by the City Manager, on an approved site plan. Any such authorized storage shall be done entirely within a building or an area enclosed by an eight foot (8') sight obscuring fence.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- I. All solid waste storage facilities shall be located at the rear of the main building or within an area enclosed with a sight-obscuring fence or wall measuring one foot (1') higher than the height of the solid waste container. The minimum access width to a solid waste storage facility shall be fifteen feet (15').

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- J. All building sizes, heights and setbacks are also subject to the requirements of the building code adopted by the City Council, if more restrictive than this Chapter.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- K. Any person requesting development within the BP zone that lies within an area identified as a "surface fault rupture zone" as shown on the Map entitled "Utah County Natural Hazards Overlay Zones: Surface Fault Rupture and Earthquake Locations" with all boundaries, notations, and other data shown thereon as much a part of this Chapter as if fully described herein, shall submit with the Development Review Application a geologic report by a certified engineer that includes at least:

1. Maps that show the site location and regional setting of the development property.
2. A geologic map that illustrates actual or potential landslides, fault zones, shallow water tables, expansive or collapsible soils, debris flows, flood areas, and any other pertinent natural or artificial features that might influence the stability of the development property or adjacent property. Actual or probable surface and subsurface relations shall be shown



with those relations that are conjectural being clearly labeled as such. The proposed grading, filling, excavation, or structure to be erected shall be shown in relation to the geologic features described above. Any corrective or remedial action necessary to erect any structure shall be shown to be reasonably safe for human habitation.

3. Maps that use a scale of one inch (1") equaling one hundred feet (100') or larger, with contour lines at five foot (5') intervals. Existing contours shall be shown by dashed lines and proposed contours shall be shown by solid lines. Boring logs, cross-sections, test trench logs, soil sample descriptions, and test results shall be included.
  4. A written description of the proposed grading, filling, excavation, or structure.
  5. A written analysis of the effects of the proposed grading, filling, excavation, or erection of a structure in relation to the geologic conditions shown in the geologic maps.
  6. An analysis of the manner in which the structure will be made reasonably safe for human habitation.
  7. A list, including title, author and date, of all prior studies or reports that are relied upon to make this report.
  8. The original signature and the registration number of the responsible engineering geologist or geotechnical engineer, and a statement of the methods of study.
  9. Any other maps or information that the City Engineer may reasonably require.  
(Ord. No. O-94-0017, Enacted 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)
- L. The maximum structure height in the BP or PF Zone may be increased by the City Council with the issuance of a conditional use permit. Any person requesting structure height greater than forty-eight feet (48') shall file with the City a Development Review Application requesting a conditional use permit and shall comply with the requirements of this Section, Article IV of this Chapter, and Section 22-14-20 or Section 22-14-21 as applicable.

(Ord. No. O-94-0017, Enacted 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)



## Appendix A (PF Uses)

| SLU  |                                                                                                                                                                        | R5                                                  | R6                                                  | R6.5 | R7.5 | R8 | R12 | R20 | OS5/<br>ROS | PO | C1 | C2 | C3 | HS | M1 | M2 | CM | BP | PF                                                      |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------|------|------|----|-----|-----|-------------|----|----|----|----|----|----|----|----|----|---------------------------------------------------------|
| 1110 | Single Family                                                                                                                                                          | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | N  | N  | N  | N  | N  | N  | N  | N  | N  | P                                                       |
| 1261 | Residential Facilities for Disabled Persons                                                                                                                            | Permitted Use-See Sec. <a href="#">22-6-9(A)</a>    |                                                     |      |      |    |     |     | P           | N  | N  | N  | N  | P  | N  | N  | N  | P  | <a href="#">P</a><br><a href="#">See Sec. 22-6-9(A)</a> |
| 1262 | Youth Transitional Home                                                                                                                                                | Permitted Use-See Sec. <a href="#">22-6-9(E)</a>    |                                                     |      |      |    |     |     |             | N  | N  | N  | N  | P  | N  | N  | N  | N  | <a href="#">P</a><br><a href="#">See Sec. 22-6-9(E)</a> |
| 1281 | Assisted Living Facility for Elderly Persons                                                                                                                           | N                                                   | Permitted Use<br>See Sec. <a href="#">22-6-9(B)</a> |      |      |    |     |     | P           | N  | N  | P  | N  | P  | N  | N  | N  | N  | <a href="#">P</a><br><a href="#">See Sec. 22-6-9(B)</a> |
| 1285 | Residential Facility for Elderly Persons                                                                                                                               | Permitted Use<br>See Sec. <a href="#">22-6-9(C)</a> |                                                     |      |      |    |     |     | P           | N  | N  | P  | P  | P  | N  | N  | N  | N  | <a href="#">P</a><br><a href="#">See Sec. 22-6-9(C)</a> |
| 4712 | Cellular Communication Monopoles                                                                                                                                       | See Sec. <a href="#">22-13</a>                      |                                                     |      |      |    |     |     |             |    |    |    |    |    |    |    |    |    |                                                         |
| 4833 | Water Pressure Control Stations                                                                                                                                        | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | N  | P  | P  | P  | P  | P  | <a href="#">P</a>                                       |
| 4842 | Sewage Pressure Control Stations                                                                                                                                       | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | N  | N  | P  | P  | P  | P  | <a href="#">P</a>                                       |
| 6710 | City of Orem Governmental Services, Executive, Legislative, and Judicial Functions                                                                                     | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <a href="#">P</a>                                       |
| 6812 | Public Primary & Secondary Schools                                                                                                                                     | N                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | N  | N  | N  | N  | N  | N  | <a href="#">P</a>                                       |
| 6813 | Private Primary and Secondary Schools - permitted* if adjacent to or across the street from a Public Primary or Secondary School See Section <a href="#">22-6-9(H)</a> | N                                                   | N*                                                  | N*   | N*   | N* | N*  | N*  | N*          | P  | P  | P  | N  | N  | N  | N  | N  | N  | <a href="#">N*</a>                                      |
| 6814 | Charter Schools                                                                                                                                                        | N                                                   | N                                                   | N    | N    | N  | N   | N   | N           | P  | P  | P  | N  | N  | N  | N  | N  | N  | <a href="#">P</a>                                       |
| 7423 | Play Fields & Athletic Fields<br><a href="#">*Accessory to a public school or municipal facility</a>                                                                   | N                                                   | N                                                   | N    | N    | N  | N   | N   | C           | N  | N  | N  | N  | N  | N  | N  | N  | N  | <a href="#">N*</a>                                      |
| 7610 | Parks – General Recreation                                                                                                                                             | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <a href="#">P</a>                                       |
| 8120 | Orchards                                                                                                                                                               | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <a href="#">P</a>                                       |
| 9100 | All undeveloped & unused land area                                                                                                                                     | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <a href="#">P</a>                                       |



## Orem General Plan

### Section 2.1 Land Use Classifications.

The Land Use chapter provides policy guidelines for Orem City council, commissions, boards, and staff to use when dealing with land use decisions that require review, recommendations and approval. The purpose of this chapter is to focus on:

- General land use classifications,
- Planning sufficient land for residential, industrial, commercial, and public uses,
- Establishing guidelines for locating land uses, and
- Providing land use policies that manage growth.

Land use is divided into ~~five~~<sup>four</sup> major categories of residential, commercial, industrial, ~~and~~ mixed-use, and public facilities. Figure 2.1 displays the designated land uses of the City. A more detailed regularly updated land use map (and zoning map) is located in the appendix.

#### Section 2.1.6 Public Facilities.

The Public Facilities classification is established to provide areas for public schools, public parks, government facilities and other public uses. The Public Facilities classification is intended to apply to properties that have historically been used as public facilities such as public schools, public parks and other municipal government facilities. The Public Facilities classification is intended both to allow the operation of public facilities such as public schools, public parks and other municipal government facilities as well as to preserve properties that have historically been used for such purposes for the future public use of such properties for public schools, parks and other public facilities. A very low-density residential component of one (1) residential unit per five acres is also contemplated under the Public Facilities classification.

#### Section 3.1.6 Public Facilities.

The City of Orem recognizes the need to preserve public lands that have historically been used for public facilities such as public schools, public parks and other municipal government facilities. The City of Orem recognizes that Orem residents have paid for these public lands and facilities through the payment of taxes over the years. The City of Orem further recognizes that Orem's population will continue to grow and that demographics in the City are likely to change over time which will likely increase the demand for public facilities such as public schools, public parks and other government facilities. Given the investment in these lands and facilities by Orem taxpayers and the increasing demand for these facilities over the long-term, these lands should be preserved for the current and future use as public schools, public parks and other municipal government facilities.



### Section 8.3 Educational Support

It is the objective of the City of Orem to support, where possible, the educational institutions within the community, to emphasize the importance of education for all citizens

A close working relationship needs to be maintained with the Alpine School District to encourage and facilitate the improvement of elementary and secondary education in Orem. The City also needs to actively participate in and support the growth and development of Utah Valley University, to understand the needs and impacts of this continually growing campus.

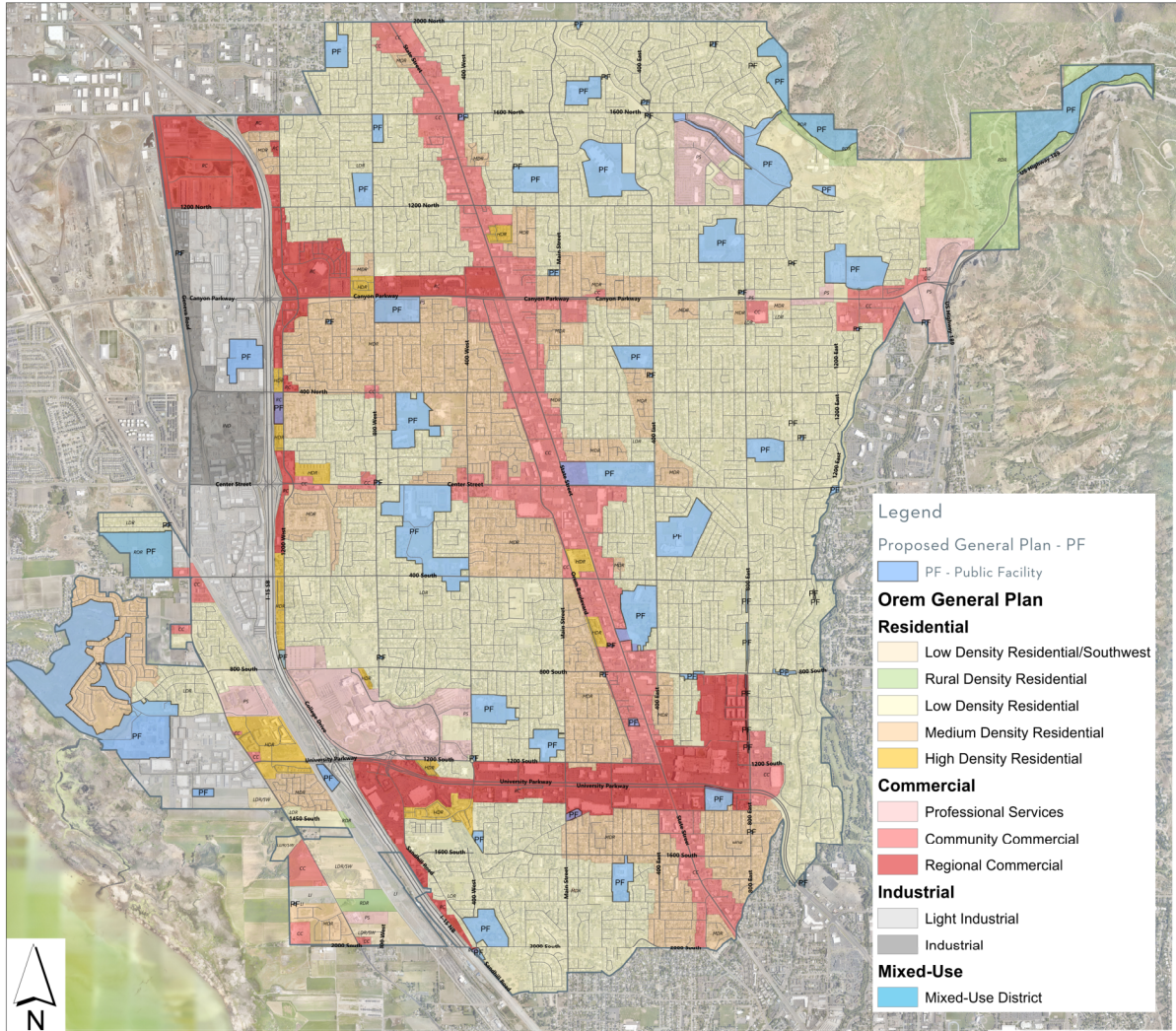
Included within this objective is the preservation of land that has historically been used for public schools for current and future public school use. The City recognizes that population growth and future changes in demographics are both likely to increase the demand for public schools in the City and that adequate space in the City needs to be preserved to meet both current and future public school demand.

Figure 2.1 Land Use Map





# Proposed Public Facilities (PF) General Plan Designation





## The Orem Mayor and City Council are considering a rezone of public properties to promote the preservation of public land in Orem.

- The City will hold a neighborhood meeting on March 29, 2023, at the Orem City Council Chambers at 7pm to discuss and consider the rezone of public properties such as parks, city buildings, and school properties to either the OS5 zone or to a new "public facilities" (PF) zone to be created as part of this proposal.
- Orem is largely built out so preserving public space for future generations is a top priority of the City Council.
- The purpose of this meeting is to discuss the possible rezoning of certain properties located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8, R12 as shown on the map on the reverse side to either the OS5 zone or to a new PF zone.

Pursuant to Orem City Code Section 22-1-5(G), this meeting is being held to discuss the project with you. This is an opportunity for you to review the plans and provide input and recommendations regarding the project. This application has not yet been reviewed by the City and is subject to change during the review process.



### NEIGHBORHOOD MEETING OREM CITY COUNCIL CHAMBERS MARCH 29, 2023 • 7 PM

Check [orem.org/meetings](https://orem.org/meetings) for any updates to this meeting.

**Please email [planning@orem.org](mailto:planning@orem.org) with any questions or concerns.**



OREM RESIDENT

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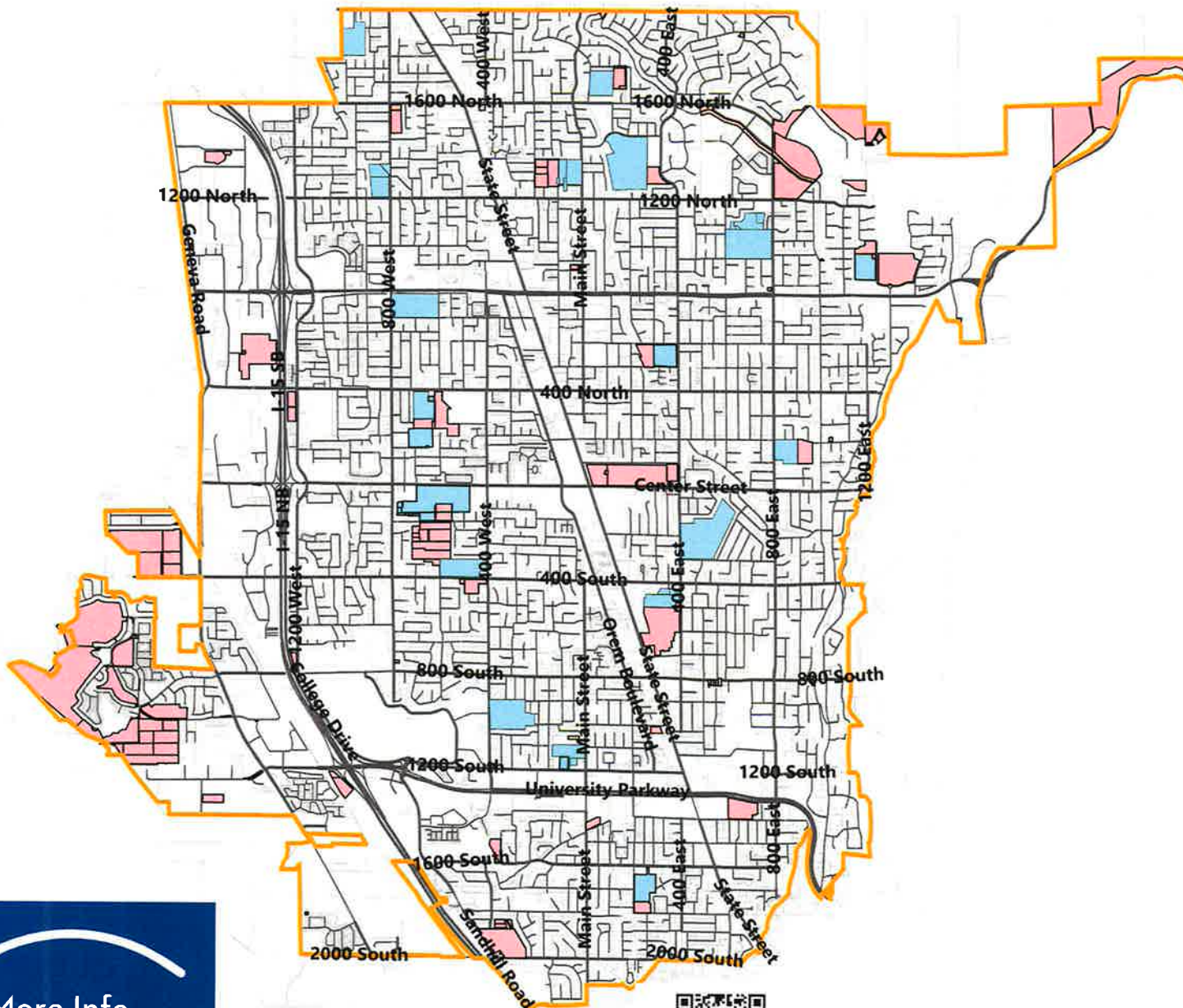
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More Info  
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[orem.org/planning](https://www.orem.org/planning) under "Current Planning (Public Hearing Notices)" tab



FAMILY CITY USA

# PRESERVING PUBLIC LAND IN OREM

Parcels Under  
Consideration for Rezone

- Legend -

-  City Park / Facility
-  Public School Property



3/29/23

Total = ~~##~~ 113

# SIGN-IN

| NAME                     | ADDRESS           | PHONE NUMBER | E-MAIL |
|--------------------------|-------------------|--------------|--------|
| Jason & Becca Anderson   | 763 S 560 E       |              |        |
| Gary & Virginia Burgess  | 1326 N. 1050 W.   |              |        |
| Karl Ludwig              | 115 E. 1000 S     |              |        |
| Rochelle Parker          | 37 E 1300 N       |              |        |
| Dewon Holtz              | 1442 S 1605 E     |              |        |
| Carolee & Colin Skinner  | 498 E. Heather Rd |              |        |
| Gary & Tamara Hubert     | 51 W 1250 N Dr    |              |        |
| Katrina & Lynden Bittner | 1397 N 80 West    |              |        |
| Nancy Parker             | 885 W. 1600 N.    |              |        |
| Matt Harding             | 246 N. 400 E.     |              |        |
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| NAME                  | ADDRESS             | PHONE NUMBER | E-MAIL |
|-----------------------|---------------------|--------------|--------|
| Paul Martin           | 970 E 350 S         |              |        |
| Cissy Rasmussen       | 930 E. 400 S. Orem  |              |        |
| Jaden Brigham         | 512 E 1864 S Orem   |              |        |
| Leon J Visnaw         | 399 W. 1560 N. Orem |              |        |
| Golleen Ferguson      | 63 N. 400 W Orem    |              |        |
| GREG Duerden          | 433 W 165 S Orem    |              |        |
| Dan LeBaron           | 1136 N. 75 E Orem   |              |        |
| Blyden Low Tansack    | 182 S - 70 W. Orem  |              |        |
| Jennifer Young        | 484 N. 606 E. Orem  |              |        |
| Eric Johnson          | 1785 N. 900 W. Orem |              |        |
| Devon Jensen          | 248 W 1310 N. Orem  |              |        |
| Paul & Virginia Mills | 1453 S. 680 E. Orem |              |        |
| Kendra Nield          | 557 S 670 E Orem    |              |        |
| Katie Hurd            | 1418 N 650 W Orem   |              |        |
| USA Wilkey            | 1326 N Main St Orem |              |        |



Page 39 of 131

## E-MAIL

NAME

## ADDRESS

**PHONE NUMBER**

## E-MAIL

Easton Wilkey

1326 N Main St

Karen Adanson

356 N. 700 E. Arden

Leslie Randle

3507 E 1840 N

John Young



3/29/23



# SIGN-IN

| NAME                | ADDRESS            | PHONE NUMBER | E-MAIL |
|---------------------|--------------------|--------------|--------|
| Benjamin Wheeler    | 478 E 450 S Orem   |              |        |
| Judith Skovron      | 665 N. 500 E. Orem |              |        |
| Diane Singleton     | 697 N. 600 E. Orem |              |        |
| Lynette Kern        | 934 N 1530 E Orem  |              |        |
| DAVID KERN          | "                  |              |        |
| Gary & Kristy Brown | 502 W 40N, Orem    |              |        |
| Michele Sorensen    |                    |              |        |
| Bethanne Newby      | 770 S. Woodmore Dr |              |        |
| Mike Keller         | 1816 W 761 S       |              |        |
| Blair Tucker        | 274 W 1500 N       |              |        |
| Elizabeth Kenealey  |                    |              |        |
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| NAME                    | ADDRESS             | PHONE NUMBER | E-MAIL |
|-------------------------|---------------------|--------------|--------|
| Annette Beader          | 15145 630 E. Orem   |              |        |
| Mary Astor              | 1490 S. 640 E       |              |        |
| Janelle Hale            | 115 W. 1130 N.      |              |        |
| Chris Huish             | 865 S 250 W         |              |        |
| Shelley Pierce          | 1819 N 490 W        |              |        |
| BARRY E BROWN           | 782 W 2000 S.       |              |        |
| Linda B. BROWN          | " " "               |              |        |
| Jenice Jenkins          | 378 W. Amiron Way C |              |        |
| Wayne Young             | 488 N 600 E         |              |        |
| Greg Carlisle           | 267 W 540 S.        |              |        |
| Debi Carlisle           | " "                 |              |        |
| Roy & Karen HARRACLOUGH | 141 W. 1800 South   |              |        |
| Drada Debbie Meares     | 943 N. 560 W        |              |        |
| Suzette Hill            | 1127 E. 500 N. Orem |              |        |
| JOHN DICKSON            | 951 E. 970 N. OREM  |              |        |
| Anna Greene             | 882 E 375 N OREM    |              |        |



3/29/23

# SIGN-IN

| NAME               | ADDRESS        | PHONE NUMBER | E-MAIL |
|--------------------|----------------|--------------|--------|
| Laura Redford      | 1875 N. 180 W  |              |        |
| Craig Whitehead    | 1833 N. 760 W  |              |        |
| John Reinhard      | 294 Daniel Dr  |              |        |
| KRISTEN JONES      | 1041 E. 720 N. |              |        |
| P.J. Eagar         | 616 N. 940 W.  |              |        |
| Crystal Muhlestein | 59 E. 1300 N.  |              |        |
| Betsy Thomas       | 1110 N. 50 W   |              |        |
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|------------------|-----------------|--------------|--------|
| Sean & Mgt       | 670 N 400 E     |              |        |
| Carl Tiebe       | 983 N 475 E     |              |        |
| JOHN GREENHAUGH  | 348 E 1040 N    |              |        |
| Jay Liechwy      | 345 W 1600 S    |              |        |
| David Spencer    | 899 N 550 E     |              |        |
| Julie Spencer    | 899 N 550 E     |              |        |
| Hunter Kozak     | 483 N 100 E     |              |        |
| Shelby Abbott    | 953 N 100 E     |              |        |
| David Nono       | 210 S 400 E     |              |        |
| Kira Mildenstein | 1045 N 475 E    |              |        |
| Reed Farnsworth  | 188 N. 200 E.   |              |        |
| Tim Christensen  | 1249 S 1100 E   |              |        |
| Heather Fry      | 1927 N. 205 W.  |              |        |
| Glenn Pague      | 1149 E 1130 N   |              |        |
| Wini Glickman    | 954 W. 570 N.   |              |        |
| Eric Wilkey      | 1326 N- Main St |              |        |



3/29/23

# SIGN-IN

| NAME                | ADDRESS              | PHONE NUMBER | E-MAIL |
|---------------------|----------------------|--------------|--------|
| Laura Gleason       | 324 N 750 E          |              |        |
| C. Young            | 173 S Countryside Ln |              |        |
| Margaret Blank      | 904 N 510 E          |              |        |
| James Taylor        | 1140 S. 150 W        |              |        |
| Eleni Wilding       | 1234 N. Gillman Cir  |              |        |
| Stephanie White     | 670 N 400 E          |              |        |
| Diane Holmes        | 876 E 1450 S         |              |        |
| Ken Holmes          | 876 E 1450 S         |              |        |
| Chris Black         | 234 S 1065 W         |              |        |
| Kelly & Janese Holt | 648 S. 670 E.        |              |        |
| Scott Williams      | 286 Heather Road     |              |        |
| Kim Poole           | 1458 N 75 E          |              |        |
| KELLY WARNICK       | 426 W. 400 S.        |              |        |
| Susanne J Davis     | 481 So. 450 W        |              |        |
| Raymond J. Carroll  | 690 N. 825 W         |              |        |
| Gerard E Spohr      | 414 So 1000 W        |              |        |



3/29/23

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| NAME              | ADDRESS      | PHONE NUMBER | E-MAIL |
|-------------------|--------------|--------------|--------|
| Gary Morley       | 120 E 2000 S |              |        |
| Wendi Hicken      |              |              |        |
| Brian Jensen      | 1511 N 230 W |              |        |
| Michael Thompson  | 36 E. 1348 N |              |        |
| David Janner      | 138 E 980 N  |              |        |
| Shanna Mechem     |              |              |        |
| Debi/Mike Preston | 59 W 2170 S  |              |        |
| M. K. Johnson     | 453 E 330 W  |              |        |
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| Sterling Hurd     |              |              |        |



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Total = ~~112~~ 113

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| NAME                     | ADDRESS           | PHONE NUMBER | E-MAIL |
|--------------------------|-------------------|--------------|--------|
| Jason & Becca Anderson   | 763 S 560 E       |              |        |
| Sam & Virginia Burgess   | 1326 N. 1050 W.   |              |        |
| Kira Ludwig              | 115 E. 1000 S.    |              |        |
| Rochelle Parker          | 37 E 1300 N       |              |        |
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| Katie Hurd            | 1418 N 650 W Orem   |              |        |
| USA Wilkey            | 1326 N Main St Orem |              |        |



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| NAME             | ADDRESS         | PHONE NUMBER | E-MAIL |
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| Heather Smy      | 1927 N, 205 W.  |              |        |
| Glenn Pague      | 1149 E 1130 N   |              |        |
| Wendy Hickman    | 954 W. 570 N.   |              |        |
| Eric Wilkey      | 1326 N- Maun St |              |        |



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| James Taylor        | 1140 S. 150 W       |              |        |
| Eleni Wilding       | 1234 N. Gillman Cir |              |        |
| Stephanie White     | 670 N 400 E         |              |        |
| Diane Holmes        | 876 E 1450 S        |              |        |
| Ken Holmes          | 876 E 1450 S        |              |        |
| Christ Black        | 234 S 1065 W        |              |        |
| Kelly & Janese Holt | 648 S. 670 E        |              |        |
| Scott Williams      | 286 Heather Road    |              |        |
| Kim Poole           | 1458 N 75 E         |              |        |
| KELLY WARNICK       | 426 W. 400 S.       |              |        |
| Susanne J Davis     | 481 So. 450 W       |              |        |
| Raymond J. Carroll  | 690 N. 825 W        |              |        |
| Gerald E. SouthSEA  | 414 S 1000 W        |              |        |

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| Brian Jensen      | 1511 N 230 W |              |        |
| Michael Thompson  | 36 E. 1348 N |              |        |
| DAVID JENSEN      | 138 E 980 N  |              |        |
| Shanna Meckam     |              |              |        |
| Debi/Mike Preston | 59 W 2170 S  |              |        |
| M. K. Johnson     | 453 E 330 N  |              |        |
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| Sterling Hurd     |              |              |        |





**D R A F T NEIGHBORHOOD MEETING  
CITY/SCHOOL PROPERTY REZONE  
March 30, 2023**

**Place:** City Council Chambers

At 6:45 p.m. the meeting began.

**Attendees:** Ryan Clark, Acting Assistant City Manager; Jason Bench, Acting Development Services Director; Grant Allen, Senior Planner; Makayla Wagstaff and Cheryl Vargas, Associate Planners; Brenn Bybee, Acting City Manager; David Young, Mayor; Jeffrey Lambson, Debby Lauret, LaNae Millett, Terry Peterson and David Spencer, City Council Members

One hundred thirteen (113) city residents attended the meeting to learn about the rezone proposition and to make comments regarding the proposition (see attached attendance lists).

Staff had prepared posters representing what the goal of the rezone proposal is, maps showing current city and school owned properties, maps showing proposed PF or OS5 zone locations as a separate zone and a poster listing the reasons to rezone the properties.

Below are the reasons to preserve public land in Orem:

- Preserving public land for future generations is a top priority for the City Council.
- Both city and school lands have been paid for with public dollars and it is vital to preserve these lands for the continued public benefit. If these lands are developed for non-public purposes, they will likely be lost forever for use by the public.
- This proposed zoning would ensure appropriate due diligence is followed before any public lands can be developed since any proposal to redevelop these lands will require a public hearing process before the City Council with opportunity for input from residents.

Staff was able to discuss this topic with the residents in attendance and answered many questions they had. Many were curious what the rezone would mean and wanted to find out more information. Staff and City Council members were able to answer those questions.

The lists of attendees and their comments are attached to these minutes.

The neighborhood meeting ended around 8:45 pm.



## **Neighborhood Meeting 3/29/2023 – Comments**

1. I want to start by saying I am an enormous supporter of parks, greenspaces and public services. I want every Orem family to have a park within a ten minute bike ride from their home. And I think we have that here. I live between SCERA and Westmore parks and use them ALL YEAR LONG. Thank you for prioritizing family-friendly spaces.

I hesitate, however, to support this re-zone. It feels like a move without a long-term plan or the finances to back it up.

I wonder what will happen to these spaces – held in limbo due to zoning – that the district can't sell and the city cannot afford. Will these just be abandoned buildings and green space the city will need to pay to maintain.

Do we really have research to project that Orem's population will justify using these spaces for schools in the future?

I'm concerned that this makes un-used vacant spaces that the city only has hopes to use, but can't actually afford and does not actually need.

2. I support parks and recreation and appreciate how many there are in our city. I take my family to a park at least once a week, often more. This rezoning feels unnecessary. We have many parks & the city owns the land. The city can already preserve these spaces. Then it becomes clear that it's about more than just preserving green space. I want to be able to trust that this is being done in good faith and with a desire to benefit the citizens. Instead it feels like an effort to force another entity into following the will of the City Council instead of working together.

I want to have our elected officials work together and our community heal. The conversations with the City Council members was a complete rehashing of Prop. 2. It was voted on and decided. These kinds of actions feel retaliatory.

3. Thank you for doing what you can to protect Orem lands and schools. We need to keep what we have and make sure our city can serve its population for generations to come.
4. I am concerned about the obvious intent of the City Council to control the actions of the Alpine School Districts elected officials regarding use of district property in the event of school closures. I am also very upset that no advance notice of discussion with Alpine District was held!
5. Please do NOT zone any of these lands as OS5!
6. If Orem is Family City USA – we need more affordable housing and zoning these properties as you are proposing is not allowing for more affordable housing to be built. Orem City has done a good job providing park space historically. There is not really more need for parks. It would be more efficient to upgrade the parks we have instead of holding land.
7. The proposed zoning changes across the ENTIRE city at the same time seems very wrong. Different parts of the city have different needs/concerns. Rezoning should look at quadrants of



the city at a time to address this issue. It also doesn't seem as forward thinking as presented because of these differences.

Also, doing all or nothing frustrates me and other citizens because of the lack of neighborhood input. The whole city is NOT one neighborhood (even though we would like it to be). It also sounds like it is a done deal and this meeting is simply a formality. After things are decided (PF or OS5) then we should be allowed to have another meeting with more feedback.

Have these changes been discussed with the district? Our city needs to work with the district leadership to figure this out. The animosity between these two groups is damaging our community more than any land issues.

8. This action seems very vindictive of Orem City toward Alpine School District. I do not necessarily feel like Orem City needs more parks. We do not need more public land that consumes water.
9. What is to stop re-zoning once the PZ is done?

If Alpine divides, what/who owns the schools?

10. We need to protect our school properties, current schools over time will get older and we have to be able to rebuild. We need to preserve public land so that Alpine School district cannot sell the property for housing.

We need the public to be involved with changes in our communities. Yes, please do it.  
-Rochelle Raney

11. I am in favor of rezoning our schools and park land to be public facilities. It is important that we maintain our green spaces for the future.  
-Katie Hurd

12. I support the purchase of land where Sharon Elementary currently sits and to convert it into open public park area. I am completely against any additional apartments being developed. They have ruined the close tight-knit feel Orem had.

I own property near 1200 W. 1200 N. and at 400 N. 400 E. and would love to see more green space here across Orem. Thank you!

13. I think what Orem is doing to keep green space is great!!

Make as much green as you can. Thank you.

14. We need to replace our failing sanitary and storm sewer systems in Orem. We need tax (property tax revenue) immediately! Who is going to fund the 60 plus million to replace our sewers?

It's going to be the one million dollar homes that will replace our diminishing school properties.



Put 20 – one million dollar homes on Sharon Elementary property, and build the tax base – for sewers!

-John Dickson

15. Tis seems to be in the interest of the city. I would like to see a better working relationship with the school district. I realize that takes two parties. I would like to see the City Council lead out on repairing this relationship.

Also, I'm concerned about the land being able to be used for private or charter schools.

16. I support parks & green spaces but I worry about "holding land" for 10+ years for future schools. What happens to the property in the interim? Who cares for it? Pays for it?

What plans & ideas are on the table for this property? It seems like that discussion should take place first.

17. Yes, do this.

-Sterling Hurd

18. I don't really understand the need to rezone. I am confused by the new zone and what it means for privately owned property, or property owned by the school district. This feels unnecessary to me. I don't support the zone changes, especially on this wide scale.

-Kendra Meld

19. Please – No more building apartments or multi-housing units as schools close or for any other reason! Thank you!

-Stable Family Community

20. Thank you for having this neighborhood meeting. I am impressed that the "neighborhood" includes all of Orem City. I am grateful for the foresight of whomever proposed these possible zoning changes to protect the lands where we currently have schools. I feel it keeps the possibility of good growth in Orem under control.

-Janelle Hale

21. I like the idea of applying the PF or OS5 zones as proposed.

-John Reinhard

22. I favor preserving Windor as PF zone. I live blocks away. Thanks!

-Devan Jensen

23. Thank you for stepping up and finding this option. This seems like the best way to preserve available properties in Orem and preserve our property values all while making sure we can provide for the education of our families. Thank you.

-Karen Adamson

24. Preserving public lands and creating a process for proposed changes is good governance and makes Orem a better place for its citizens. Do it!

-Brian Jensen



25. We want to keep our parks, open spaces, public lands (ie. Sleepy Ridge Golf Course!!) No more high density housing in prime space. We need room for our families/individuals to recreate & to make our city beautiful!

26. I'm concerned about closing schools with rising population. Something about that doesn't make sense to me. I believe it is critical to preserve the property to enable schools to be rebuilt in the future. I know that Orem City and Alpine School District are separate entities. I have lost faith entirely in ASD. I hope Orem City has more integrity and foresight to plan for the inevitable future!

-Kim Poole

27. Please preserve Orem land for our schools and our parks we need this way more than more homes, apartments & condos. Our children and future children deserve the priority more than income for Alpine School district.

-Suzette Hill

28. -State Street corridor – puts a lot of control with city but ignores individual rights.

-What right does the city have to control public school land?

-Isn't school land public land? Why rezone it?

29. I live this proposal. I think Orem needs more HIGH density housing and rezoning low density housing for public use especially for potential public schools and city parks is really really good.

I want PF zoning. I don't want low density housing.

Micaela the urban planning associate at the public hearing was terrific really helpful and smart and approachable! She was great.

I thought you were buying schools to know them down. Which I know now is not happening.

I recognize this is complicated but the flyers were not clear about why rezoning is important. I think you should focus on the preservation of schools and less low density housing.

30. The parts of Orem that make life livable are things like: parks, bike paths, hiking trails, museums, outdoor concert venues. I would hate to see all of these parcels of open space sold to the highest bidder and developed w/ no oversight. I love Orem. I live and work here for a reason. I take the bus, I ride a bike and I vote. I care about air quality and water and want to live in a city with a sense of place... an area that is unique.

31. Preserving public land in Orem should be a TOP priority. There is such a small amount of public land left here that we cannot afford to give up any preserved public land. The OS5 option DOES NOT serve the community in Orem. If residential zoning is needed in any of the lands it should be used to accommodate growth and affordable housing. It should not be developed as large lots that benefit only a few people.

32. I like it. Keep our schools and land!!! 😊



33. Your ordinance for OS5 promotes HOAs. DO NOT! Find a better vehicle eg. Maintenance district or another such concept for HOAs are an eventual evil you cannot & should not promote or encourage!  
-GC Duerden

34. Please consider adding as conditional uses in the PF zone:

- Museums
- Cemeteries
- Education for Universities, special training, etc.
- Nature preserves like aviaries, botanical gardens
- Other public amenities

Please do not approve OS5. It is far too limiting and exceeds the 37 additional acres recommended by the Orem Parks & Open Space Plan. Use your existing plans to inform these decisions.

35. Oldest home in Orem.  
-Colleen Ferguson

36. Tear down apt. houses in Orem. Do not allow anymore to be constructed.

City center park is excellent & is good for all ages of citizens 5 year old to 100 year old. Do not change it!!!

I am sure it is impossible to enlarge some of the small ones, however, if apartment bldgs. were leveled putting parks @ the there provide with many large parks possibly the size f central.

I know the govt. of the city will laugh at my proposal but I am not the only one who is not NOT please with all them in our city.

This gives a manner to give my opinion.

37. Considering how none of these lots are for high-density units, I am for this proposal. My concern is that too many low-density zones limit access for students, and the fact that this allows voting on properties that were to be built for low-density means I am in favor.

I will also say that this marketing was poor & unclear. I live with a college-educated person & neither of us understood the proposal or how buildings would be affected until we came in and asked the actual planners.

38. My question: Why is it necessary to change our current zoning of public facilities. It doesn't seem necessary. No more zoning that allows for high density housing, sky scrapers, or big malls. Also, as a younger Orem resident (under 25) I am interested in planting our families roots in a city that avoids high density housing and skyscrapers. I am increasingly concerned about the small yards, less greenspace, and higher buildings/businesses that result in a big city vibe instead of community & neighborhood approach. I'm not a trained civil engineer and I haven't been able to – in my research- understand exactly what the implications of this rezoning would have on



Orem – but it appears to me that it would lump city parks etc... into the same zoning type as research & development? If that's the case – or if this zoning change could result in more businesses/manufacturing in Orem then I am against it. We should be focusing on creating quality living spaces with large yards, parks, & communities. Thank you 😊

39. This is a great plan to save property for later public use in Orem.

40. Stop building high-rise apartments!!! Every apartment brings another car or two onto our roads, and brings voters to our city who have no permanent interest in our schools but just as much voting power as those of use who do!

41. No more high-density housing.

Save the land our schools are on.

Address potholes along 1600 N

Transparency of who are the special interests supporting city council members.

42. Very much in favor.

We need to protect our open space.

43. Change school property to the new proposed zone.

No new development.

44. Please DO NOT allow these prime properties to become a developer's cash cow – our families need schools – parks- public lands to achieve a good family friendly neighborhood that supports families!

45. I support the proposed plan. I would like to comment that I think our current mayor & city council are doing a great work & provide super service!! Thanks a million.

46. I am not in favor of this change. It adds un-needed additional steps to something that is currently straight forward under state code.

47. This mayor and city council are trying to do one more self serving terrible thing. Remember the Orem School District fiasco – this is equal to that mistake.

The city apparently does not believe in property rights. Zoning changes should handled by citizen property owners & not cities!!!!





Orem Planning &lt;planning@orem.org&gt;

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**RE: Public Land preservation in Orem**

1 message

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**Doug Goodall** <sunandsage1@gmail.com>  
To: "planning@orem.org" <planning@orem.org>

Wed, Apr 26, 2023 at 12:35 AM

To whoever this may concern:

I don't know if this is the correct address to be sending this but I noticed that I missed the meeting on March 29, 2023.

I have some suggestions for some open space preservation.

I would like to see the area along the Provo River Parkway between the Olmsted Hydroelectric Plant and Mount Timpanogos Park added to the Park. There are some picnic tables in that area that have not been maintained. This really seems like a good place to include in the Park.

There's a nicely wooded area just south of 1430 S and between the Lakeridge Condominiums and the Lexington Townhomes that could make a very nice park.

In the Denver area and other parts of Colorado, all waterways have some sort of a trail along side them. This could be a great thing to do in Orem.

--

Doug Goodall

Aka: Sunandsage





Orem Planning &lt;planning@orem.org&gt;

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**Vote No on rushed rezoning**

1 message

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**Janelle** <tulipansmiles@gmail.com>  
To: planning@orem.org

Wed, Apr 12, 2023 at 3:08 PM

To Whom it May Concern,

Just as it has been suggested that the ASD Board seems to be rushing the process to close multiple elementary schools in the Orem area, the choice to rezone the school properties to Public Facilities seems rushed as well.

As Orem Residents, we ask that you slow down your process to change the zoning. We also ask the Orem City Council to explain why you want to rezone the properties, how you see each property used in the future, and what short term and long term benefits are there for the Orem residents or the City Council.

I feel that the potential money that would come from selling the school site properties within Orem would be a great benefit for updating older schools or providing better parking lots for Orem schools. Also, the building of high quality homes in Orem would increase the stability and longevity of Orem. For these reasons I ask that the Orem City Mayor and Council slow down the process for rezoning the school properties and that a clearer, more detailed explanation for the rezoning be given.

Best regards,

Janelle Mock  
Orem Residentt





Orem Planning &lt;planning@orem.org&gt;

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**May 16, 2023 Public Hearing Public Facilities (PF) Down Zoning Proposal**1 message

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**John Dickson** <dicksonschedule@gmail.com>

Fri, May 12, 2023 at 3:55 PM

Reply-To: dicksonschedule@gmail.com

To: planning@orem.org

Dear Orem Public Servant Members,

Thank you for the great service you render to our community and the many hours you devote for the public well being.

David Spencer and the Assistant Manager and a dozen of my fellow Oremites have already discussed the following important topics at our first (PF) public meeting held Wednesday March 29, 2023:

In order for us to consider down zoning our developable lands to Public Facilities (PF) status we need to know if it may be more advantageous and wise to sell these public lands to single family home developers to generate enough tax base to help cover our infrastructure maintenance and future unexpected major events such as a large earthquake and/or flooding emergency rebuilding costs.

May we please get a report on May 16, 2023 by the Public Works Department on the status of our water and sewer systems.

Of special concern is the quality of our sanitary and storm drain sewer systems which are obviously in need of repair and upgrade.

Since leaking sanitary and storm sewers directly affect the quality of our aquifer(s) directly below the City of Orem, we would like to know the quantity and current depth of aquifers under the City of Orem, the amount of increase of the chlorine that has been added, if any, over the past few years and the quality and adequacy of our fresh water supply lines.

We would also like a report on the status of the sewer and water line replacement plans as well as any upgrade plans for our sewage treatment plants in the near future.

Without such report(s) might we be foolish and shortsighted to discuss adding more parks and public facility zoning when we may have a much greater and urgent need for single family home development of these lands to generate a much needed and sustainable tax base in order to maintain and enhance our City infrastructure.

We would look forward to your report(s).

Thanks again.

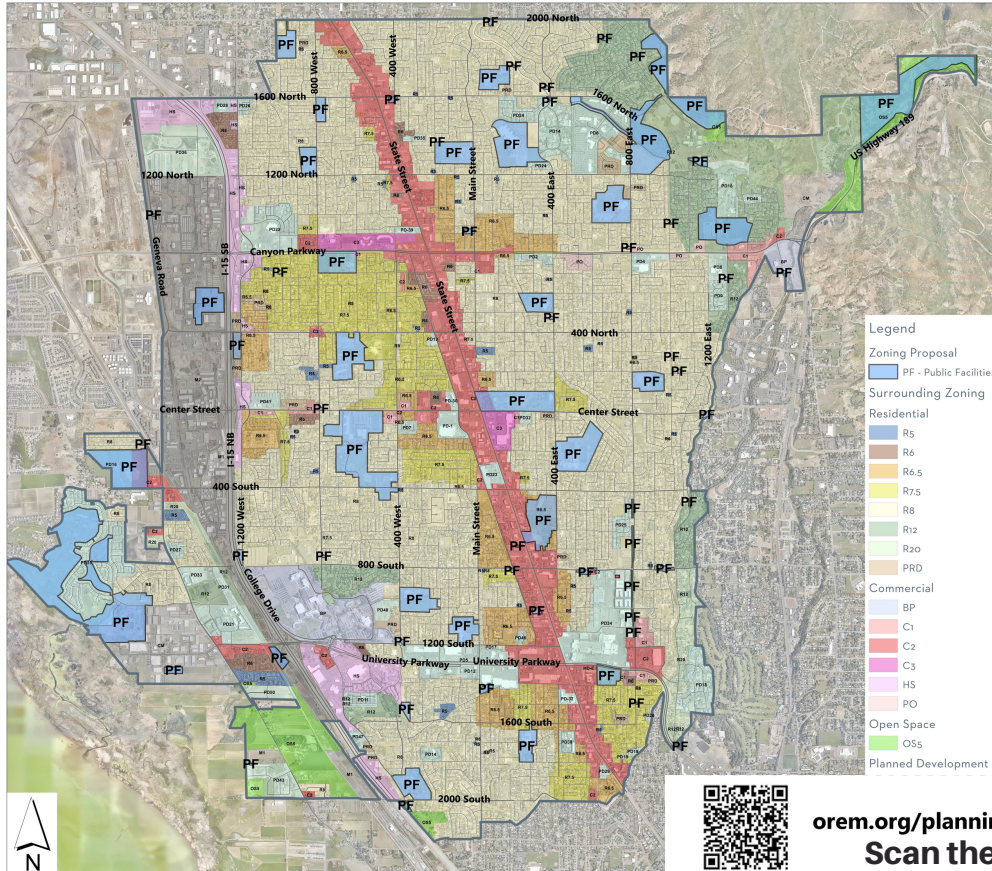
John Dickson  
951 E 970 N  
Orem, UT 84097  
m (813) 848-0025

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John Dickson  
(813) 848-0025



# Proposed Public Facilities (PF) Zone



## CITY COUNCIL PUBLIC HEARING

## Preserving Public Lands in Orem



[orem.org/planning](https://orem.org/planning) under "Current Planning (Public Hearing Notices)" tab  
Scan the QR Code for More Information



# The City Council will consider the following items in a public hearing.

PUBLIC HEARING - Amending portions of Article 22-9 of the Orem City Code by enacting Section 22-9-6 PF Zone and other minor modifications, and amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning various City of Orem properties and Public School properties located within the City of Orem in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown on the attached map.

PUBLIC HEARING - Amending portions of Section 2.1 Land Use Designation, and Section 8.3 Educational Support, and enacting Section 3.1.6 Public Facilities of the Orem General Plan; and amending the General Plan Map by changing various designation to Public Facilities.



## OREM CITY COUNCIL MEETING OREM CITY COUNCIL CHAMBERS MAY 16, 2023 • 6PM

Please email [planning@orem.org](mailto:planning@orem.org) with any questions or concerns.



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**CITY OF OREM**  
**PLANNING COMMISSION MEETING MINUTES**  
**April 12, 2023**

The following items are discussed in these minutes:

- **PUBLIC HEARING** - Forwarding a recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also, amending the Orem General Plan by amending Section 2.1 (*Land Use Classifications*), enacting Section 2.1.6. (*Public Facilities*), enacting Section 3.1.6. (*Public Facilities*), amending Section 8.3 (*Educational Support*), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities – Positive recommendation to the City Council

**REGULAR MEETING**

**Place:** Orem City Council Chambers

**At 5:00 p.m.** Chair Komen called the Planning Commission meeting to order and asked Mr. Low, Planning Commission member, to offer the invocation.

**Those present:** Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar, Planning Commission members; Ryan L. Clark, Acting Assistant City Manager/Development Services Director; Cheryl Vargas and Makayla Wagstaff, Associate Planners; Grant Allen, Senior Planner; Steve Earl, Legal Counsel and Terry Peterson, City Council Liaison

**Those excused:** Jason W. Bench, Acting Development Services Director/Planning Division Manager; Matt Taylor, Senior Planner and Sam Kelly, City Engineer

Chair Komen asked Ms. Wagstaff to introduce **Agenda Item 3.1:**

**Agenda Item 3.1** is a request by Orem City for the Planning Commission to forward a positive recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amend Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also, to amend the Orem General Plan by amending Section 2.1 (*Land Use Classifications*), enacting Section 2.1.6. (*Public Facilities*), enacting Section 3.1.6. (*Public Facilities*), amend Section 8.3 (*Educational Support*), and amend the General Plan Map by changing the land use designation of various properties to Public Facilities.

**Staff Presentation:** City staff proposes the creation of the Public Facilities zone and the application of this zone to various properties that are currently used for public facilities in the City including public schools, public parks, City of Orem government buildings and other municipal facilities. The purpose of the proposed PF zone and the application of the PF zone to the properties described above is both to expressly allow the use of the designated properties for public facilities and also to ensure that properties that have historically been used for public facilities and have been paid for by Orem taxpayers will continue to be used for and/or preserved to meet the need for such public facilities in the future.

It is expected that Orem's population will continue to grow in future years through a combination of infill development, redevelopment and the construction of new accessory dwellings. It is likely that Orem's population of school-age children will also increase in the future due both to the general increase in population as well as due to potential changes in future demographics. The demand for public facilities in the City including public schools,

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## DRAFT Planning Commission minutes for April 12, 2023

public parks and municipal government facilities is therefore likely to increase over time. It is thus critical to preserve properties that have historically been used for such public facilities to meet the need for such facilities by both current and future generations. If lands that have historically been used for public facilities are redeveloped for non-public uses, they will likely be lost forever for use by the public.

Rezoning the subject properties to the PF zone will also ensure that properties in which the public has a vested interest (due to their historic use as public facilities and their acquisition with taxpayer dollars) will be subject to a public hearing process and opportunity for citizen input before they could be redeveloped for non-public uses.

In order to accomplish the objectives described above, staff proposes the following amendments to the Orem City Code:

1. Amending Article 22-9 to create the Public Facilities (PF) zone and to enact other provisions pertaining to the PF zone.
2. Amending Appendix A of the Orem City Code to add the PF zone and to designate various Standard Land Use (SLU) codes as permitted, conditional or not permitted in the PF zone.
3. Amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. These properties include all properties in the City owned by the Alpine School District and the City of Orem.

Staff also proposes to amend the Orem General Plan to add the Public Facilities designation to the Orem General Plan Land Use Classifications, to describe the purpose of the Public Facilities designation and to provide that one of the purposes of the General Plan is to preserve public lands that have historically been used for public facilities such as public schools, public parks and other municipal government facilities for the current and future use of such public facilities. The proposed amendments to the General Plan include the following:

1. Amending Section 2.1. (*Land Use Classifications*) to add public facilities to the major categories of land uses included in the General Plan.
2. Enacting Section 2.1.6. (*Public Facilities*) to create and describe the Public Facilities Land Use Classification.
3. Enacting Section 3.1.6 (*Public Facilities*) to add an additional subsection regarding public facilities under the Public Space heading of Section 3.1.
4. Amending Section 8.3 (*Educational Support*) by adding a paragraph regarding the need to preserve land that has historically been used for public schools in order to meet the need for future public school demand that may result from population growth and potential future changes in population demographics

**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses to the City Council to amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem to rezone various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown in the map attached hereto as Exhibit “A.”

Staff also recommends that the Planning Commission forward a positive recommendation to the City Council to amend the Orem General Plan by amending Section 2.1. (*Land Use Classifications*), enacting Section 2.1.6 (*Public Facilities*), enacting Section 3.1.6 (*Public Facilities*), and amending Section 8.3 (*Educational Support*); and amending the General Plan Map by changing the land use designation of various properties to Public Facilities as shown in the map attached hereto as Exhibit “B.”

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

Chair Komen asked if the Planning Commission had any questions for Ms. Wagstaff or other staff. There was a discussion regarding the new zone. You may go to the recording for details. ([click here for recording](#))

- Has this type of zone change been done in other cities and is Orem's version modeled after other cities?
  - Yes, Lehi and Provo have a version of this.
- Would a new acquisition, like a fire station, be affected by this?
  - Yes, the property would be rezoned to the Public Facilities zone
- Can these properties be changed back to another zone?
  - Yes, after going through the public review process.
- The intent of this is a result of forward thinking and looking down the road.
  - Yes. The concern is for properties that have historically been used as public properties and they ought to be preserved for the public. Needs change over time, and growth and demographics can change over time as well. It is prudent and wise to protect those properties for future purposes. Once a property is redeveloped for other purposes, it is lost forever.
- More spaces is needed for public playgrounds and parks.
  - It has been estimated that Orem needs another 50+ acres for park space.
- One thing we know for sure is that growth will occur.

Chair Komen opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone. ([click here for recording](#))

1. Sissi Rasmussen
2. Karen Adamson
3. David Thomas
4. Rick Lewis
5. Crystal Muhlestein
6. Terry Peterson
7. Lyndon Brittner
8. Heather Fry
9. Dennis Clark

Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Earl requested to respond to a couple of issues raised in the public comments. 1) This action is not designed to de-value Alpine School District (ASD) property. Orem is simply trying to preserve the property for public schools and other facilities. 2) The question as to why there is a need to rezone City property as we already control it. Including City property does alert citizens that even city properties are for public use going forward. The City would have to go through a rezone process the same as anyone else. 3) The question as to why does the proposed Public Facilities zone does not include state/federal property. Under State law, the City does not have control over state or federal property. ([click here for recording](#))

Chair Komen gave the Planning Commission members time to ask questions and discuss the proposal: ([click here for recording](#))

- Regarding the zoning map with the strip of red going down the middle. That is State Street and is currently zoned commercial. That will not change.
- What is to prevent these closed, empty schools from standing empty and being an eye sore.
  - If rezoned to the Public Facilities zone, and it remains vacant, the property owner would have to maintain the property per the conditions of the zone. They could clear buildings off the property and leave it as a vacant lot, but they always have to meet the zoning maintenance requirements.
- By amending Appendix A, which will list the permitted uses of the property, other uses would be permitted on a property such as a charter school or other uses. The nuisance code deals with the maintenance of the property as with any property in the city.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

- The tone of the meeting seems to be in some people's mind that this is a totality nature against the ASD. The idea is we are just preserving public lands for future use. Someone mentioned this is hastily being moved forward, but it seems to allow us to better plan moving forward.
  - The City is trying to be forward thinking looking at 5, 10, 30 years ahead. Once that property is repurposed it will not be available in the future. There could be changes from public schools to private, charter and home schools, as no one knows what that will look like in the future.

Each Planning Commission member made a comment. ([click here for recording](#))

**Planning Commission Action:** Mr. Hawkes moved to forward a positive recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem to rezone various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown in the map attached hereto as Exhibit "A." Also, to amend the Orem General Plan by amending Section 2.1. (*Land Use Classifications*), enacting Section 2.1.6 (*Public Facilities*), enacting Section 3.1.6 (*Public Facilities*) and amending Section 8.3 (*Educational Support*); and amending the General Plan Map by changing the land use designation of various properties to Public Facilities as shown in the map attached hereto as Exhibit "B." Mr. Crismon seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously. ([click here for recording](#))

**Minutes:** The Planning Commission reviewed the minutes from the previous meeting. Chair Komen then called for a motion to approve the minutes of March 15, 2023. Mr. Carpenter moved to approve the meeting minutes for March 15, 2023. Mr. Hawkes seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

Mr. Clark mentioned that there will be another Planning Commission meeting next Wednesday, April 19, 2023.

**Adjourn:** Chair Komen called for a motion to adjourn. Mr. Low moved to adjourn. Chair Komen seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

**Adjourn: 6:10 p.m.**

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Ryan L. Clark  
Planning Commission Secretary

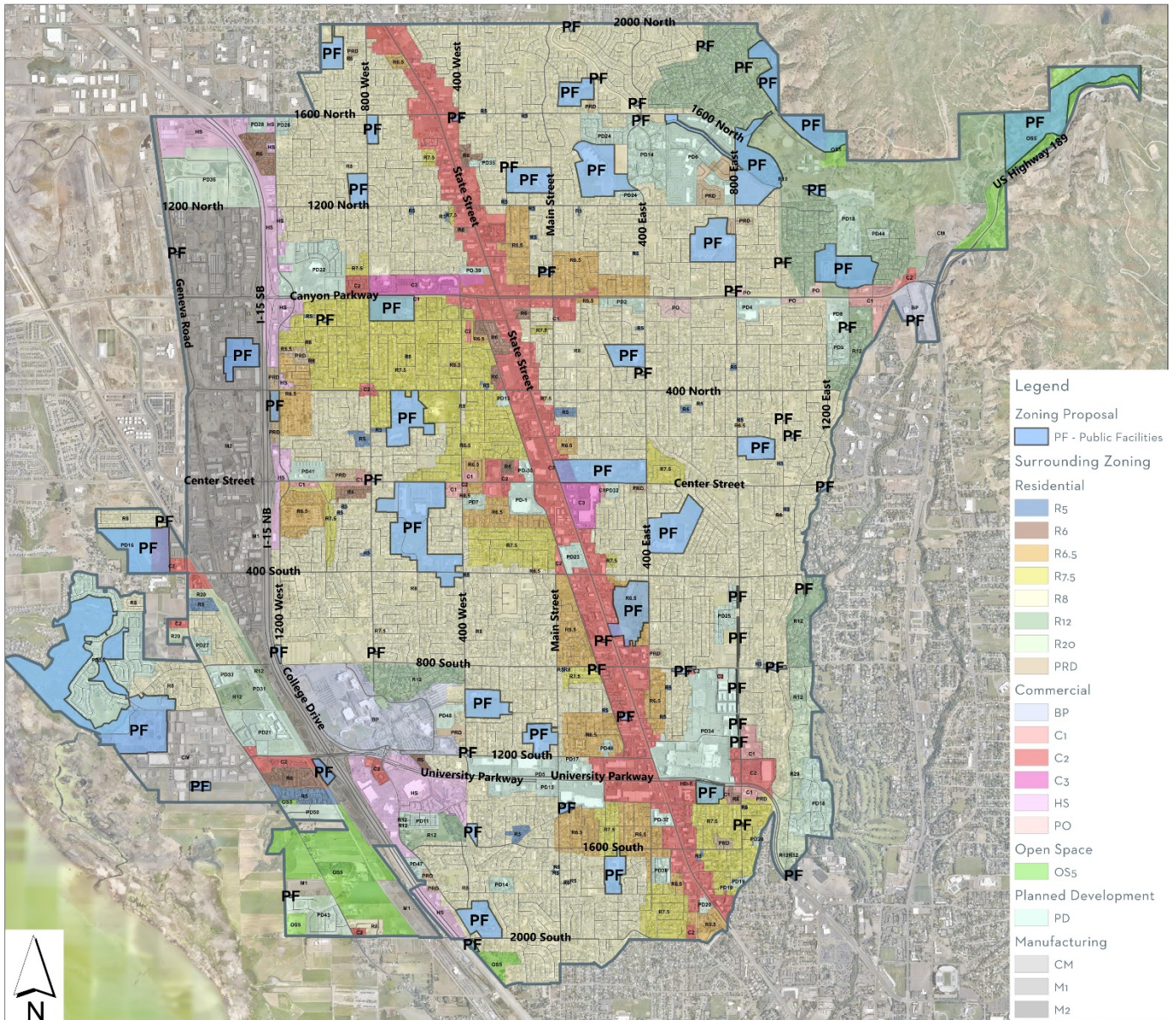
Approved: April 19, 2023



EXHIBIT A



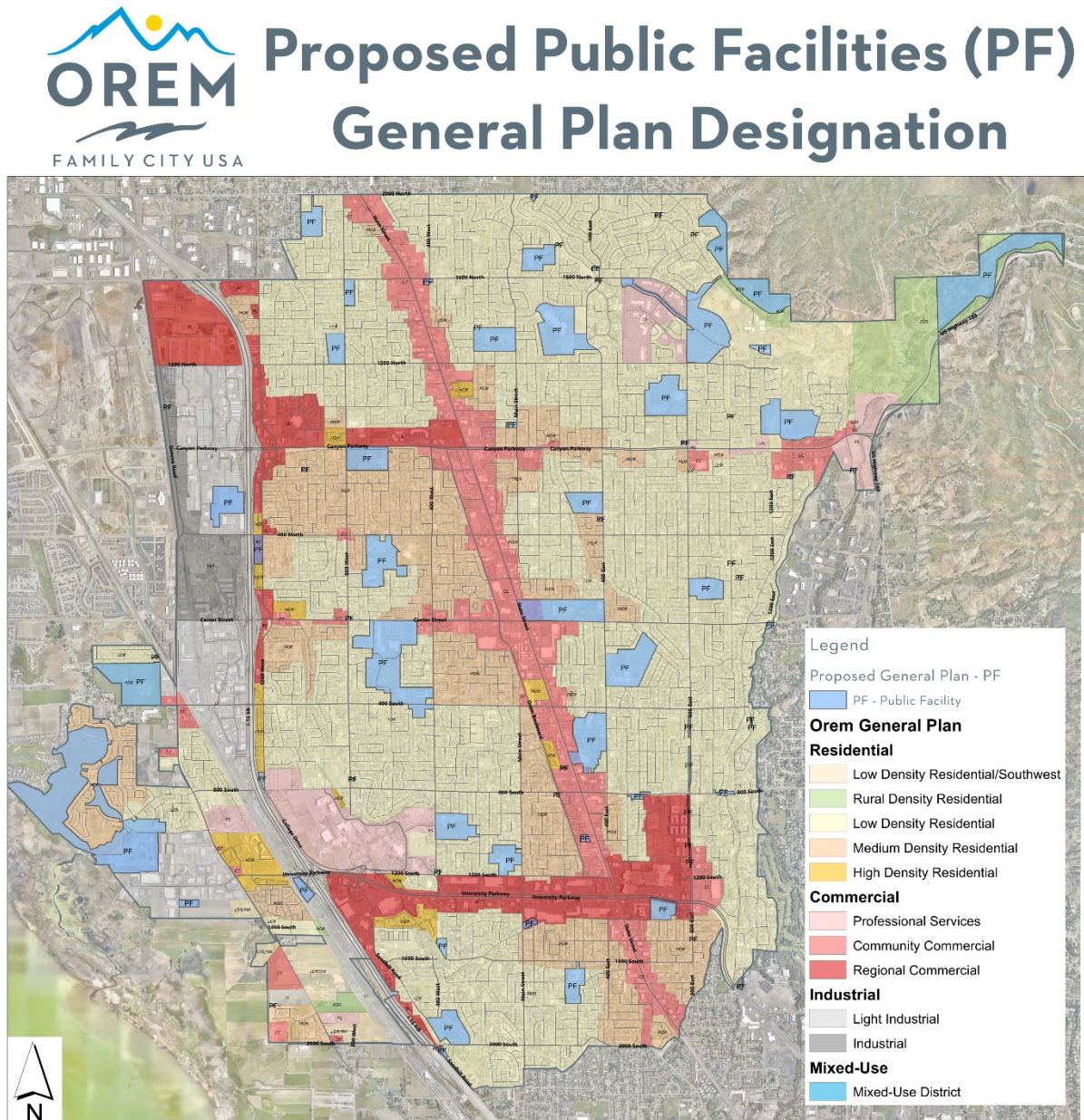
# Proposed Public Facilities (PF) Zone



A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)



EXHIBIT B



## PUBLIC COMMENTS

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## **Neighborhood Meeting 3/29/2023 – Comments**

1. I want to start by saying I am an enormous supporter of parks, greenspaces and public services. I want every Orem family to have a park within a ten minute bike ride from their home. And I think we have that here. I live between SCERA and Westmore parks and use them ALL YEAR LONG. Thank you for prioritizing family-friendly spaces.

I hesitate, however, to support this re-zone. It feels like a move without a long-term plan or the finances to back it up.

I wonder what will happen to these spaces – held in limbo due to zoning – that the district cannot sell and the city cannot afford. Will these just be abandoned buildings and green space the city will need to pay to maintain.

Do we really have research to project that Orem's population will justify using these spaces for schools in the future?

I'm concerned that this makes un-used vacant spaces that the city only has hopes to use, but cannot actually afford and does not actually need.

2. I support parks and recreation and appreciate how many there are in our city. I take my family to a park at least once a week, often more. This rezoning feels unnecessary. We have many parks & the city owns the land. The city can already preserve these spaces. Then it becomes clear that it's about more than just preserving green space. I want to be able to trust that this is being done in good faith and with a desire to benefit the citizens. Instead it feels like an effort to force another entity into following the will of the City Council instead of working together.

I want to have our elected officials work together and our community heal. The conversations with the City Council members was a complete rehashing of Prop. 2. It was voted on and decided. These kinds of actions feel retaliatory.

3. Thank you for doing what you can to protect Orem lands and schools. We need to keep what we have and make sure our city can serve its population for generations to come.
4. I am concerned about the obvious intent of the City Council to control the actions of the Alpine School Districts elected officials regarding use of district property in the event of school closures. I am also very upset that no advance notice of discussion with Alpine District was held!
5. Please do NOT zone any of these lands as OS5!
6. If Orem is Family City USA – we need more affordable housing and zoning these properties as you are proposing is not allowing for more affordable housing to be built. Orem City has done a good job providing park space historically. There is not really more need for parks. It would be more efficient to upgrade the parks we have instead of holding land.
7. The proposed zoning changes across the ENTIRE city at the same time seems very wrong. Different parts of the city have different needs/concerns. Rezoning should look at quadrants of the city at a time to address this issue. It also does not seem as forward thinking as presented because of these differences.

Also, doing all or nothing frustrates me and other citizens because of the lack of neighborhood input. The whole city is NOT one neighborhood (even though we would like it to be). It also sounds like it is a done deal and this meeting is simply a formality. After things are decided (PF or OS5) then we should be allowed to have another meeting with more feedback.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## **DRAFT Planning Commission minutes for April 12, 2023**

Have these changes been discussed with the district? Our city needs to work with the district leadership to figure this out. The animosity between these two groups is damaging our community more than any land issues.

8. This action seems very vindictive of Orem City toward Alpine School District. I do not necessarily feel like Orem City needs more parks. We do not need more public land that consumes water.

9. What is to stop re-zoning once the PZ is done?

If Alpine divides, what/who owns the schools?

10. We need to protect our school properties, current schools over time will get older and we have to be able to rebuild. We need to preserve public land so that Alpine School district cannot sell the property for housing.

We need the public to be involved with changes in our communities. Yes, please do it.

-Rochelle Raney

11. I am in favor of rezoning our schools and park land to be public facilities. It is important that we maintain our green spaces for the future.

-Katie Hurd

12. I support the purchase of land where Sharon Elementary currently sits and to convert it into open public park area. I am completely against any additional apartments being developed. They have ruined the close tight-knit feel Orem had.

I own property near 1200 W. 1200 N. and at 400 N. 400 E. and would love to see more green space here across Orem. Thank you!

13. I think what Orem is doing to keep green space is great!!

Make as much green as you can. Thank you.

14. We need to replace our failing sanitary and storm sewer systems in Orem. We need tax (property tax revenue) immediately! Who is going to fund the 60 plus million to replace our sewers?

It's going to be the one million dollar homes that will replace our diminishing school properties.

Put 20 – one million dollar homes on Sharon Elementary property, and build the tax base – for sewers!

-John Dickson

15. This seems to be in the interest of the city. I would like to see a better working relationship with the school district. I realize that takes two parties. I would like to see the City Council lead out on repairing this relationship.

Also, I'm concerned about the land being able to be used for private or charter schools.

16. I support parks & green spaces but I worry about "holding land" for 10+ years for future schools. What happens to the property in the interim? Who cares for it? Pays for it?

What plans & ideas are on the table for this property? It seems like that discussion should take place first.

17. Yes, do this.

-Sterling Hurd

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## **DRAFT Planning Commission minutes for April 12, 2023**

18. I don't really understand the need to rezone. I am confused by the new zone and what it means for privately owned property, or property owned by the school district. This feels unnecessary to me. I don't support the zone changes, especially on this wide scale.  
-Kendra Meld
19. Please – No more building apartments or multi-housing units as schools close or for any other reason!  
Thank you!  
-Stable Family Community
20. Thank you for having this neighborhood meeting. I am impressed that the “neighborhood” includes all of Orem City. I am grateful for the foresight of whomever proposed these possible zoning changes to protect the lands where we currently have schools. I feel it keeps the possibility of good growth in Orem under control.  
-Janelle Hale
21. I like the idea of applying the PF or OS5 zones as proposed.  
-John Reinhard
22. I favor preserving Windor as PF zone. I live blocks away. Thanks!  
-Devan Jensen
23. Thank you for stepping up and finding this option. This seems like the best way to preserve available properties in Orem and preserve our property values all while making sure we can provide for the education of our families. Thank you.  
-Karen Adamson
24. Preserving public lands and creating a process for proposed changes is good governance and makes Orem a better place for its citizens. Do it!  
-Brian Jensen
25. We want to keep our parks, open spaces, public lands (ie. Sleepy Ridge Golf Course!!) No more high density housing in prime space. We need room for our families/individuals to recreate & to make our city beautiful!
26. I'm concerned about closing schools with rising population. Something about that doesn't make sense to me. I believe it is critical to preserve the property to enable schools to be rebuilt in the future. I know that Orem City and Alpine School District are separate entities. I have lost faith entirely in ASD. I hope Orem City has more integrity and foresight to plan for the inevitable future!  
-Kim Poole
27. Please preserve Orem land for our schools and our parks we need this way more than more homes, apartments & condos. Our children and future children deserve the priority more than income for Alpine School district.  
-Suzette Hill
28. -State Street corridor – puts a lot of control with city but ignores individual rights.  
-What right does the city have to control public school land?  
-Isn't school land public land? Why rezone it?
29. I live this proposal. I think Orem needs more HIGH density housing and rezoning low density housing for public use especially for potential public schools and city parks is really really good.

I want PF zoning. I don't want low density housing.

Micaela the urban planning associate at the public hearing was terrific really helpful and smart and approachable! She was great.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

I thought you were buying schools to know them down. Which I know now is not happening.

I recognize this is complicated but the flyers were not clear about why rezoning is important. I think you should focus on the preservation of schools and less low density housing.

30. The parts of Orem that make life livable are things like: parks, bike paths, hiking trails, museums, outdoor concert venues. I would hate to see all of these parcels of open space sold to the highest bidder and developed w/ no oversight. I love Orem. I live and work here for a reason. I take the bus, I ride a bike and I vote. I care about air quality and water and want to live in a city with a sense of place... an area that is unique.
31. Preserving public land in Orem should be a TOP priority. There is such a small amount of public land left here that we cannot afford to give up any preserved public land. The OS5 option DOES NOT serve the community in Orem. If residential zoning is needed in any of the lands it should be used to accommodate growth and affordable housing. It should not be developed as large lots that benefit only a few people.
32. I like it. Keep our schools and land!!! 😊
33. Your ordinance for OS5 promotes HOAs. DO NOT! Find a better vehicle eg. Maintenance district or another such concept for HOAs are an eventual evil you cannot & should not promote or encourage!  
-GC Duerden
34. Please consider adding as conditional uses in the PF zone:

- Museums
- Cemeteries
- Education for Universities, special training, etc.
- Nature preserves like aviaries, botanical gardens
- Other public amenities

Please do not approve OS5. It is far too limiting and exceeds the 37 additional acres recommended by the Orem Parks & Open Space Plan. Use your existing plans to inform these decisions.

35. Oldest home in Orem.  
-Colleen Ferguson
36. Tear down apt. houses in Orem. Do not allow anymore to be constructed.  
  
City center park is excellent & is good for all ages of citizens 5 year old to 100 year old. Do not change it!!!  
  
I am sure it is impossible to enlarge some of the small ones, however, if apartment bldgs. were leveled putting parks @ the there provide with many large parks possibly the size f central.  
  
I know the govt. of the city will laugh at my proposal but I am not the only one who is not NOT please with all them in our city.  
  
This gives a manner to give my opinion.
37. Considering how none of these lots are for high-density units, I am for this proposal. My concern is that too many low-density zones limit access for students, and the fact that this allows voting on properties that were to be built for low-density means I am in favor.

I will also say that this marketing was poor & unclear. I live with a college-educated person & neither of us understood the proposal or how buildings would be affected until we came in and asked the actual planners.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

38. My question: Why is it necessary to change our current zoning of public facilities. It doesn't seem necessary. No more zoning that allows for high density housing, sky scrapers, or big malls. Also, as a younger Orem resident (under 25) I am interested in planting our families roots in a city that avoids high density housing and skyscrapers. I am increasingly concerned about the small yards, less greenspace, and higher buildings/businesses that result in a big city vibe instead of community & neighborhood approach. I'm not a trained civil engineer and I haven't been able to – in my research- understand exactly what the implications of this rezoning would have on Orem – but it appears to me that it would lump city parks etc... into the same zoning type as research & development? If that's the case – or if this zoning change could result in more businesses/manufacturing in Orem then I am against it. We should be focusing on creating quality living spaces with large yards, parks, & communities. Thank you ☺
39. This is a great plan to save property for later public use in Orem.
40. Stop building high-rise apartments!!! Every apartment brings another car or two onto our roads, and brings voters to our city who have no permanent interest in our schools but just as much voting power as those of use who do!
41. No more high-density housing.
- Save the land our schools are on.
- Address potholes along 1600 N
- Transparency of who are the special interests supporting city council members.
42. Very much in favor.
- We need to protect our open space.
43. Change school property to the new proposed zone.
- No new development.
44. Please DO NOT allow these prime properties to become a developer's cash cow – our families need schools – parks- public lands to achieve a good family friendly neighborhood that supports families!
45. I support the proposed plan. I would like to comment that I think our current mayor & city council are doing a great work & provide super service!! Thanks a million.
46. I am not in favor of this change. It adds un-needed additional steps to something that is currently straight forward under state code.
47. This mayor and city council are trying to do one more self serving terrible thing. Remember the Orem School District fiasco – this is equal to that mistake.
- The city apparently does not believe in property rights. Zoning changes should handled by citizen property owners & not cities!!!!



## **Emails received prior to Neighborhood meeting 3.29.23: Neighborhood meeting March 29**

External

Inbox



**Annette Balser**

Fri, Mar 24, 2:56 PM

I am interested in attending this meeting because I'm a dog owner. Would it be possible to discuss the possibility of reserving a small section of one or two parks for an enclosed dog run? This would be an opportune time to address this very much needed space for our pets.

## **Arbitrary and Capricious Rezoning Decision Affecting ASD and Excluding Orem Charter Schools**

External

Inbox



**Jonathan Bejarano** <jbejar86@gmail.com>

Sat, Mar  
25,  
10:14 PM

to me

Orem Planning Commission,

I am writing to express my concerns about the recent rezoning decision that impacts properties within the Alpine School District while excluding three local charter schools. The decision appears to be arbitrary and capricious, particularly in light of the failure of Proposition Two and the personal opinions expressed by an influential figure in our community.

As you know, Proposition Two aimed to address concerns about the quality of education in our area. However, it failed to pass, which indicates that the broader community did not support the proposed changes. Despite this outcome, the Planning Commission has proceeded to rezone properties in a manner that affects only the Alpine School District, without providing a clear rationale or evidence to support this decision.

Additionally, I have been informed that a prominent member of our community has publicly lamented about the perceived "evil" being taught in the Alpine School District. This individual's son holds a significant position of influence within the city, raising concerns about potential biases in the rezoning decision. The fact that three charter schools have been excluded from this rezoning process only exacerbates these concerns.

Unfortunately, I will not be able to attend the only scheduled public meeting on this matter due to a prior commitment. However, I kindly request that the Orem City Planning Commission reconsider the rezoning decision and ensure that the process is fair, transparent, and based on legitimate land use planning principles. The selective targeting of properties within the Alpine School District, without a valid justification, undermines public trust in the Planning Commission's decisions and raises questions about the impartiality of the decision-making process.

I also urge the Planning Commission to provide additional opportunities for residents and stakeholders to express their opinions and concerns, either through additional public hearings or by soliciting written input. This will allow for a more inclusive and thorough consideration of the matter at hand.

Thank you for your attention to this important matter. I am confident that, by revisiting the rezoning decision and

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

engaging in a more transparent and inclusive process, the Orem City Planning Commission can demonstrate its commitment to serving the best interests of our entire community.

Sincerely,  
Jonathan Bejarano

### Question about Neighborhood Meeting

External

Inbox



**Anna Steadman** <anna-steadman@sbcglobal.net>

Tue, Mar  
28,  
7:47 AM

to me

I received a flyer about the Neighborhood Meeting scheduled tomorrow, March 29th at 7 pm in the Orem City Council Chambers. I was able to use Google to find what an OS5 zone is. I found it is an Open Space Zone in Orem. But I would like to know what the new PF zone is. Can you explain this in a response email?

Thank you,  
Anna Steadman



**Anna Steadman**

Tue, Mar  
28,  
11:17 PM

to me

Thank you so much for taking the time to respond to my inquiry. I have one follow-up question, if you don't mind.

I noticed that many of the "highlighted" properties on the mailer are schools. What zone are the schools in prior to this adjustment? And how will the new PF and/or OS5 status change what will happen with those properties? And how do the two zones differ in their impact on properties, or is each zone designated for a different type of property (park versus school)?

Thank you again,  
Anna Steadman

### Re: Public facilities and open space rezoning?

External

Inbox



**Shauna Mecham** <shaunakb90@gmail.com>

Wed, Mar  
29,  
9:49 AM

to Debby, David, Ryan, me

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

FYI I haven't been able to find information about the neighborhood meeting tonight on [orem.org/meetings](http://orem.org/meetings) as indicated on the flyer, nor the transparency portal or anywhere else on Orem's website. It doesn't even appear on the facebook page. I'm glad the flyer went out, but it would be nice to have something online for those of us (like me) who lost it after a couple of weeks.

Thanks!

On Wed, Mar 22, 2023 at 3:49 PM Debby Lauret <[dlauret@orem.org](mailto:dlauret@orem.org)> wrote:

I was on a phone call with staff about the possibility of re-zoning all city and school properties with the idea of preserving them for future use.

Our lawyer discussed the pros/cons each different zone change. One had a 5 acre housing component, the other did not.

Dave Spencer and I had a few questions but decided it would be worthwhile to have a neighborhood meeting.

Sent from my iPhone

On Mar 22, 2023, at 2:06 PM, Shauna Mecham <[shaunakb90@gmail.com](mailto:shaunakb90@gmail.com)> wrote:

Thank you for your response. You could get ahead of the speculation by saying this is not an attempt to diminish ASD's potential earning or note the variety of uses a PF zone might include. I would happily pass that along. With what's happened recently, it's being read as another Orem attempt to control ASD.

On Wed, Mar 22, 2023 at 10:40 AM David Spencer <[dmspencer@orem.org](mailto:dmspencer@orem.org)> wrote:

Shauna, thanks for your email.

Please come to the neighborhood meeting to learn more about the proposed zoning.

Nothing has changed to date.

Thanks

David Spencer

On Wed, Mar 22, 2023, 8:52 AM Shauna Mecham <[shaunakb90@gmail.com](mailto:shaunakb90@gmail.com)> wrote:

Hello councilmembers,

Could you share some more depth on the reason for rezoning public facilities and open space? There's a great deal of suspicious speculation considering the Mayor's recent message, but I imagine the reason is more along the lines of "5 acre lots don't work here". Clarification is much appreciated.

Many thanks,

Shauna Mecham



David Spencer

Wed, Mar 29,  
11:19 AM

Shauna, this should be on our website. Thanks



Debby Lauret

Wed, Mar 29,  
12:16 PM

City just added it to our front page, Sent from my iPhone On Mar 29, 2023, at 11:19 AM, David Spencer <[dmspencer@orem.org](mailto:dmspencer@orem.org)>



*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

Shauna Mecham <shaunakb90@gmail.com>

Wed, Mar  
29,  
12:54 PM

to Debby, David, Ryan, me

Thank you all!

### Rezone Meeting 3/29/2023

External

Inbox



**Bronson  
Dameron**

Wed, Mar 29,  
4:38 PM

Hello, We got the mailer about the proposed rezone of public properties to preserve the public land left in Orem. My

### Challenge of Notice (10-9a-209)

External

Inbox



**Jonathan Bejarano**

Wed, Mar  
29,  
10:02 PM

to scearl@orem.org, me, cc@orem.org, kbrinkerhoff@alpinedistrict.org, propertyrights@utah.gov

Steve Earl:

I would like to give notice of challenge under UCA 10-9a-209 for Mailers sent out to Orem Residents.

These mailers included a map Which appeared to partially satisfy 10-9a-205. However, there was no date provided to an actual public hearing as required by (1)(a)

(1)

Each municipality shall give:

- (a) notice of the date, time, and place of the first public hearing to consider the adoption or any modification of a land use regulation; and

Since no opportunity was given to provide public comment today there was no public hearing.

UCA 10-9a-103

(53)

"Public hearing" means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Therefore I would like to challenge the notice provided by the City of Orem prior to any rezone.

Thanks,  
Jonathan Bejarano

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023



### PF zone: Where does it make sense and what should it include?

External

Inbox



Shauna Mecham <shaunakb90@gmail.com>

Mar 29,  
2023,  
2:07 PM

to dayoung, Jeffrey, Debby, David, tdpeterson, twmacdonald, lmillett, me, Ryan

Hello all. Thank you for your service to Orem and consideration of this important topic.

Cities perform best when they are allowed to adapt and change. Flexibility leads to resilience, and resilience increases health.

The proposed rezoning, if only for Open Space or Parks, would do little to address Oremites current parks and recreation desires (see slides below). If Orem wishes to rezone property for parks, I suggest they strategically choose locations that allow more residents to access parks within walking distance or include additional requested amenities like dog parks. I believe there are some great maps that show walking radius for the city to use as a guideline. There is a danger in having underutilized Open Space, which can become uncared for and grow into a place for illicit activity.

According to the [2021 Parks Survey](#), the #1 Desire of residents is walkability. A central component of walkability is having destinations that are within walking distance. If this is to be achieved, a PF zone with more flexibility than only recreational open space is necessary. Consider this success story of a [New Life for an Old School](#), for some inspiration.

For instance, [Provo's PF zone](#) includes:

#### Permitted Uses:

- Sewer, Water, Electric, Transportation, etc
- Government Services
- Education - Nursery through University, including professional education and special training
- Religious activities
- Cultural activities and nature exhibits
- Recreational activities
- Parks

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

Forest Reserves

### Conditional Uses:

Housing Authority household units (a Moderate Income Housing Plan option)

Residential for persons with a disability

(I would add senior living communities with public outdoor space, personally)

Transit

Ambulance services

Parking lots

Communications

Funeral parlor/cemetery

Medical/Health services (public or non-profit only)

Police

Dance Halls

Groups camps

Fishing activities

Public assembly

(I would add more non-profit uses, like this school-turned non-profit office space)

Thank you for your time. I look forward to talking with you tonight.

Shauna Mecham

### 2021 Orem Parks Survey

It is more important to update the parks Orem has than acquire new recreational space.

The #1 reason for choosing a park is its proximity to home, and residents want walkability more than anything else.

While there is room for some park expansion, what residents want most is walkability and more trails.

The number one factor in choosing a park is its proximity to home. 72% of residents said it is "Extremely" or "Very" important.

Athletic fields are the least-requested amenity. Walking and bike trails are the most-requested.



Shauna Mecham <shaunakb90@gmail.com>

Mar 29,  
2023,  
5:29 PM

to dayoung, Jeffrey, Debby, David, tdpeterson, twmacdonald, lmillett, me, Ryan

Sorry to bug you all again - the best decisions are made when informed by existing plans. I did more digging and found these helpful facts from the [Orem Parks, Trails, Recreation and Open Space Plan](#).

Page 23: 37 acres needed for build-out in 2050. Nothing more than what is currently under development is needed by 2030.

Page 17: Map of service areas for current parks, essential in determining gaps. (see below)

Page 29: A great set of implementation strategies, including future open space/parks that come from non-traditional park types, like nature parks, detention basin parks, urban plazas (*I like this one a lot*), and community gardens. The incentives for "spaces open to the public" on State St would have helped this effort.

This is my back-of-the-napkin estimation, but as you rezone I think Orem could use about 12 acres of school-adjacent land to meet future LOS goals. Please confer with your planners.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

37 acres needed

-7 (Developer-incentivised Space Open to the Public. A very rough guess for 2050 build-out)

-5 (Turn more of the planned trails into Greenways, where adjacent space is utilized instead of just week-whacked ie Murdock, 800 N, North Union Canal)

-12 (Strategically buy land for neighborhood or mini-parks where there are gaps in coverage. See map below.)

---

=12 acres needed

Options considering current zoning change:

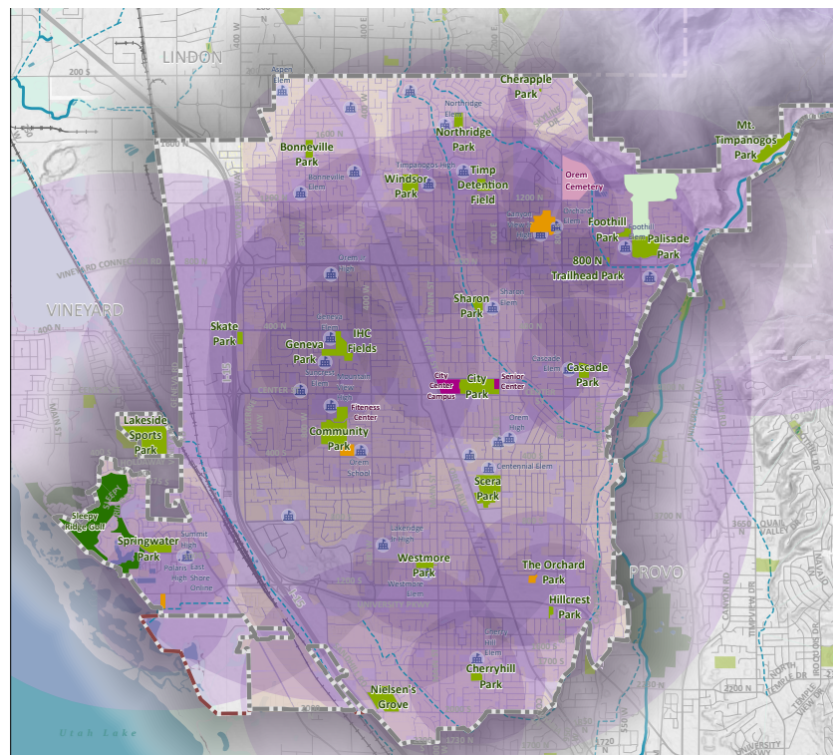
Preferred: Zone all proposed areas PF with the wide range of uses in the previous email and buy the land as needed and as it becomes available for parks

Alternate: Zone portions of schools as future Open Space to turn school-adjacent parks into future regional parks.

Only zone what you think Orem will need.

I hope this is at all helpful as you make this difficult decision.

Thanks again,  
Shauna Mecham



*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## **Emails received prior to Planning Commission meeting**

**4.12.23:**

### **Windsor Elementary School Property**

External

Inbox



Robert Lee <utoly2002@hotmail.com>

Thu, Mar 30,  
7:49 AM (13  
days ago)

to me, reddhead123@msn.com

Dear Orem City Council,

As an Orem City Resident, I am concerned about the pending closure of 2 school buildings in the Orem area and what might happen to the properties that they reside on. I am concerned that Alpine School district might close the schools and sell the properties do developers that might not have the neighborhood best interest in mind while developing said properties. I am concerned about losing open space that Orem city has very little of already. I am concerned about additional restricted access to the adjacent Windsor park should the lad be developed. I am concerned about the disruption of an established neighborhood that has existed for unchanged for decades. I already am against the closure of the School and since it appears that Alpine school district will move forward with this any way I would like the Orem City Council to explore any and ALL options that might help preserve the land for future use of all Orem residence's for decades to come.

I would support re-zoning the property to limit the use of said school property. I would support the City buying the property for city/resident use (additional soccer, football, pickleball, Sledding hills, the ideas are endless). I would potentially support a charter school takeover even. As long as the development isn't for 1. Business or 2. Residential.

I appreciate the recent meeting that was held on 3/29/2023 that stated the Orem city council was looking to preserve that area. I Support your efforts to make Orem more neighborhood friendly.

Thank you  
Robert Lee  
Orem, Utah  
801-836-5621  
Windsor area.

### **Windsor Elementary School and ASD**

External

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

Inbox



Richard C. Shipp <[richardcshipp@yahoo.com](mailto:richardcshipp@yahoo.com)>

Fri, Apr 7,  
8:19 PM (5  
days ago)

to me

Dear Orem City Mayor and Council,

I am very unhappy with the ASD, taxing us for years, and putting our taxes to work in other cities. It is not right.

I hope the following can be achieved:

- 1) A Law or Ordinance in Orem, that **Taxes** of Orem Citizens for ASD **must be spent in Orem City**.
- 2) Stop the destruction of **Windsor Elementary School** (and other smaller neighborhood schools in Orem) by ASD.
- 3) Have a City Ordinance in place that the **Green Space** that comprises Windsor Elementary School can't be changed. In other words, ASD **cannot sell the property** of Windsor Elementary School that results in the **loss of Orem's Green Space, VIOLATING the OREM MASTER PLAN**. (The Parks were placed specifically by Orem Schools, to create Green Space. ASD should not be allowed to violate the Master Plan.)
- 4) A Law or Ordinance that Alpine School District **cannot sell** Orem City Schools and/or property **without Orem City Approval** of the sale.

- - -

Our government was set up to be Of the People, By the People, and For the People. *That means that the **PEOPLE** are the first level of government. The **City** is the next level: answerable to the People.* After that, the County government, answerable to the Cities that comprise it. Then the State Government, answerable to the People, Cities, and Counties. Finally, and last—with very limited power—the Federal Government, (limited to powers strictly innumerate in the Constitution itself).

In my opinion, **I believe Orem City—as a level of government—can override the Alpine School District**. I hope Orem City will understand this, and take control of its rights and stop the overreach of ASD in Orem City school matters.

Sincerely,

Richard C. Shipp

**Richard C. Shipp**  
25 W 1480 N, Orem UT 84057  
801-225-1480 (USA)  
[RichardCShipp@yahoo.com](mailto:RichardCShipp@yahoo.com)

### Public comment: Charter school land

External

Inbox



*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

Anna Mortimer Greene <amortimer95@gmail.com>

Tue, Apr 11,  
7:28 AM (1  
day ago)

to me

Hello-

When I attended the neighborhood meeting I asked they aren't zoning the charter school property as PF and was told it's because it's currently zoned commercial and would devalue the land too much so the city would get sued.

I spoke with a gentleman at the Ombudsman's office and he said that as long as there is SOME use and it doesn't equate to only being the city that could use the land then it's not considered devaluing.

Because it's not considered devaluing or a taking all charter school properties should also be included in the PF zoning. They are also PUBLIC schools and provided for with our taxes. It is not appropriate to pick and choose which public properties to rezone.

Thank you,

Anna Greene

882 E 375 N, Orem, UT 84097

801-787-9767

### Public Comment- enough green space

External

Inbox



Anna Mortimer Greene <amortimer95@gmail.com>

Tue, Apr 11,  
7:36 AM (1  
day ago)

to me

One thing Orem did very well was preserve green space. Orem purchased land next to every elementary school and made a city park. There are also additional city parks not connected to elementary schools. Pretty much everywhere you live in Orem you can walk to a park, regardless of if there is an elementary school there anymore or not. Orem has lots of green space. In a 2021 study most residents, 80%, feel we have enough parks and instead prefer the parks we do have receive upgraded facilities. This rezoning of properties is unnecessary.

Source: <http://orem.org/wp-content/uploads/2021/06/Orem-Parks-2021-Deck-0413.pdf>

Sincerely,

Anna Greene

801-787-9767

882 E 375 N, Orem, UT 84097

### Vote NO on Rezoning All of Orem's Public School Land

External

Inbox

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



**DRAFT Planning Commission minutes for April 12, 2023**



Laura Avenius Eliason <lafavenius@gmail.com>

Mon,  
Mar 27,  
9:40 PM

to me, tdpeterson, dayoung

Hello Planning Commission, Mayor, and Planning Commission City Council Rep,  
I request that you vote NO on your consideration of rezoning all school properties in Orem to OS-5 or a new PF zone. I am a parent of children that attend school in Orem, and a resident of North Orem.

Orem has beautiful park land and wonderful open space. Don't punish my children and all of Orem's students by depriving our school district of desperately needed funds.

My concern with rezoning all public school land to OS-5 or this new PF zone is that it will directly harm my children's education. Alpine School District works very hard to deliver quality education for the children of Orem. Orem's schools are under capacity. While some may feel a small school is best, I have seen first hand the negative effect of shrinking school populations. Less programming, and less dollars from the state leads to less funding for many many things, fewer parent volunteers, and more.

Orem's schools need the funds from the sale of school properties that are no longer needed! These funds will be directly reinvested in my children and the children of Orem's education.

I would encourage the City of Orem to work with our Alpine School District.

If you are concerned that funds from a sale (for example the land at Windsor Elementary to Ivory Homes for \$6 Million) aren't going to reach Orem students please work with the District on ensuring that they do.

Don't punish my children and all of Orem's students by depriving our school district of desperately needed funds.

I also would like to express sadness that you decided to hold this meeting the same night as ASD scheduled another important meeting about Orem's schools. The strain that the current Mayor and his council have placed on Orem parents is unreal. Family City USA has never felt less like Family City USA.

Thank you,  
Laura Eliason



Laura Avenius Eliason <lafavenius@gmail.com>

Tue, Apr 11,  
2:58 PM (21  
hours ago)

to me

Hello,  
Including my previous email below in light of your meeting this week. Please do not do this.  
I'll also add that this will

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

1. harm our children in Orem
2. harm our property values by creating blight in neighborhoods where schools are being closed. Windsor elementary will just sit empty. The school district will not be able to sell the land for a fair price and therefore will hold onto it. Empty schools are terrible!!

Thank you

Laura Eliason

From: **Richard C. Shipp** <[richardcshipp@yahoo.com](mailto:richardcshipp@yahoo.com)>

Date: Fri, Apr 7, 2023 at 8:19 PM

Subject: Windsor Elementary School and ASD

To: [planning@orem.org](mailto:planning@orem.org) <[planning@orem.org](mailto:planning@orem.org)>

Dear Orem City Mayor and Council,

I am very unhappy with the ASD, taxing us for years, and putting our taxes to work in other cities. It is not right.

I hope the following can be achieved:

- 1) A Law or Ordinance in Orem, that **Taxes** of Orem Citizens for ASD **must be spent in Orem City**.
- 2) Stop the destruction of **Windsor Elementary School** (and other smaller neighborhood schools in Orem) by ASD.
- 3) Have a City Ordinance in place that the **Green Space** that comprises Windsor Elementary School can't be changed. In other words, ASD **cannot sell the property** of Windsor Elementary School that results in the **loss of Orem's Green Space, VIOLATING the OREM MASTER PLAN**. (The Parks were placed specifically by Orem Schools, to create Green Space. ASD should not be allowed to violate the Master Plan.)
- 4) A Law or Ordinance that Alpine School District **cannot sell** Orem City Schools and/or property **without Orem City Approval** of the sale.

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Our government was set up to be Of the People, By the People, and For the People. *That means that the **PEOPLE** are the first level of government. The **City** is the next level: answerable to the People.* After that, the County government, answerable to the Cities that comprise it. Then the State Government, answerable to the People, Cities, and Counties. Finally, and last—with very limited power—the Federal Government, (limited to powers strictly innumerate in the Constitution itself).

In my opinion, **I believe Orem City—as a level of government—can override the Alpine School District**. I hope Orem City will understand this, and take control of its rights and stop the overreach of ASD in Orem City school matters.

Sincerely,

Richard C. Shipp

**Richard C. Shipp**

**25 W 1480 N, Orem UT 84057**

**801-225-1480 (USA)**

**[RichardCShipp@yahoo.com](mailto:RichardCShipp@yahoo.com)**

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

From: Anna Mortimer Greene <[amortimer95@gmail.com](mailto:amortimer95@gmail.com)>  
Date: Tue, Apr 11, 2023 at 7:28 AM  
Subject: Public comment: Charter school land  
To: [planning@orem.org](mailto:planning@orem.org) <[planning@orem.org](mailto:planning@orem.org)>

Hello-

When I attended the neighborhood meeting I asked they aren't zoning the charter school property as PF and was told it's because it's currently zoned commercial and would devalue the land too much so the city would get sued.

I spoke with a gentleman at the Ombudsman's office and he said that as long as there is SOME use and it doesn't equate to only being the city that could use the land then it's not considered devaluing.

Because it's not considered devaluing or a taking all charter school properties should also be included in the PF zoning. They are also PUBLIC schools and provided for with our taxes. It is not appropriate to pick and choose which public properties to rezone.

Thank you,

Anna Greene  
882 E 375 N, Orem, UT 84097  
801-787-9767

From: Anna Mortimer Greene <[amortimer95@gmail.com](mailto:amortimer95@gmail.com)>  
Date: Tue, Apr 11, 2023 at 7:36 AM  
Subject: Public Comment- enough green space  
To: <[planning@orem.org](mailto:planning@orem.org)>

One thing Orem did very well was preserve green space. Orem purchased land next to every elementary school and made a city park. There are also additional city parks not connected to elementary schools. Pretty much everywhere you live in Orem you can walk to a park, regardless of if there is an elementary school there anymore or not. Orem has lots of green space. In a 2021 study most residents, 80%, feel we have enough parks and instead prefer the parks we do have receive upgraded facilities. This rezoning of properties is unnecessary.

Source: <http://orem.org/wp-content/uploads/2021/06/Orem-Parks-2021-Deck-0413.pdf>

Sincerely,

Anna Greene  
801-787-9767  
882 E 375 N, Orem, UT 84097

### PF Zoning for Planning Commission

External

Inbox



Shauna Mecham

Tue, Apr 11,  
10:28 AM (21 hours  
ago)

to me, Ryan

Hi Cheryl,

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*



## DRAFT Planning Commission minutes for April 12, 2023

Could you forward this to the planning commission? Thanks for all you do!

Hello all. Thank you for your service to Orem and consideration of this important topic.

Cities perform best when they are allowed to adapt and change. Flexibility leads to resilience, and resilience improves health.

According to the [2021 Parks Survey](#), the #1 Desire of residents is walkability. A central component of walkability is having destinations that are within walking distance. If this is to be achieved, a PF zone with more flexibility is preferable. Consider this success story of a [New Life for an Old School](#), for some inspiration.

For instance, [Provo's PF zone](#) includes the following. Items in red are not in Orem's proposed PF but would be beneficial.

**Provo Permitted Uses:**

Sewer, Water, Electric, Transportation, etc

Government Services

Education - Nursery through University, including professional education and special training

Religious activities

Cultural activities and nature exhibits

Recreational activities

Parks

Forest Reserves

**Provo Conditional Uses:**

Housing Authority household units (a Moderate Income Housing Plan option)

Residential for persons with a disability

Transit

Ambulance services

Parking lots

Communications

Funeral parlor/cemetery

Medical/Health services (public or non-profit only)

Police

Dance Halls

Groups camps

Fishing activities

Public assembly

(I would add more non-profit uses, like this [school-turned non-profit](#) community space, [Bike Collectives](#), or [Family Scholar Houses](#))

Thank you for your time,

Shauna Mecham

[shaunakb90@gmail.com](mailto:shaunakb90@gmail.com)



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE BY THE OREM CITY COUNCIL TO AMEND PORTIONS OF ARTICLE 22-9 OF THE OREM CITY CODE TO CREATE THE PUBLIC FACILITIES (PF) ZONE AND OTHER PROVISIONS PERTAINING TO THE PF ZONE; AMENDING APPENDIX A BY ENACTING STANDARD LAND USE CODES THAT ARE PERMITTED, CONDITIONAL AND NOT PERMITTED IN THE PF ZONE; AND AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING VARIOUS PROPERTIES CURRENTLY LOCATED IN THE C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 AND R12 ZONES TO THE PUBLIC FACILITIES (PF) ZONE.

WHEREAS on March 31, 2023, Development Services filed an application with the City of Orem requesting the City amend portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on April, 12, 2023, and the Planning Commission recommended that the City Council approve the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on May 16, 2023; and

WHEREAS thirty-four thousand nine hundred eighty-eight (34,988) notices were mailed to residents citywide; 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 this request will be in the best interest and general welfare of the City.
2. The City Council hereby amends portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown on Exhibit "A" which is attached and incorporated herein by reference;



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.
5. All other ordinances and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 16<sup>th</sup> day of **May 2023**.

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David A. Young, Mayor

ATTEST:

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Teresa McKittrick, City Recorder

| COUNCILMEMBER        | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



## CODE OF ORDINANCES

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### CHAPTER 22. ZONING

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#### Article 22-9. Manufacturing, ~~and~~ Research and Development ~~and~~ Public Facilities Zones

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##### Contents:

22-9-1. General Provisions.

22-9-2. M1 Zone.

22-9-3. M2 Zone.

22-9-4. CM Zone.

22-9-5. BP Zone.

22-9-6. PF Zone

22-9-76. Zone Development Standards.

22-9-87. Landscaping.

22-9-98. Miscellaneous Regulations for Manufacturing, ~~and~~ Research and Development ~~and~~ Public Facilities Zones.

22-9-109. Special Provisions.

##### 22-9-1. General Provisions.

- A. The objective in establishing manufacturing and research and development zones is to provide areas within the City where accessibility to interstate transportation and arterial streets is convenient, and where the potential for aggregation of related or interdependent industries is significant. The objective in establishing a public facilities zone is primarily to provide and preserve areas in the City for public schools and municipal government facilities and related uses.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- B. For permitted uses, nonpermitted uses, and uses which require a conditional use permit, refer to Article XIX.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- C. Refer to the following Articles for additional regulations:

1. Article III, Nonconforming Uses.
2. Article IV, Conditional Use Permits.
3. Article XIV, Supplementary Regulations.
4. Article XV, Off-Street Parking.
5. Orem City Code, Sign Ordinance.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)



#### 22-9-2. M1 Zone.

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The M1 zone is established to provide areas where light intensity industrial activities and uses can be developed.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001 )

#### 22-9-3. M2 Zone.

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The M2 zone is established to provide areas where heavy intensity industrial activities and uses can be developed.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

#### 22-9-4. CM Zone.

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The CM zone is established to provide areas where planned manufacturing parks may be developed. The zone is designed to provide for such uses on well-landscaped sites such that they can be located in proximity to residential uses.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

#### 22-9-5. BP Zone.

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The BP zone is established to provide areas for scientific research, development and training, offices, and manufacturing incidental and accessory to such uses. The zone is designed to provide for such uses in a low intensity manner on well-landscaped sites.

#### **22-9-6. PF Zone.**

The Public Facilities (PF) zone is established to provide areas for public schools, local government facilities and other uses incidental and accessory thereto. The PF zone is intended both to allow the current use of such facilities and to limit the use of properties within the PF zone to such uses in order to preserve areas that have historically been used for public school and local government uses for the future public use of such properties for schools and other public facilities.



## 22-9-76. Zone Development Standards.

| Zone Development Standards - Manufacturing, and Research and Development Zones                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                 |        |      |        |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------|------|--------|-------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | M1              | M2     | CM   | BP     | PF          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                 |        |      |        |             |
| Minimum Zone Area:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 5 Ac            | 10 Ac  | 5 Ac | 20 Ac  | <u>5 Ac</u> |
| Minimum Lot Area:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 1/4 Ac          | 1/4 Ac | 1 Ac | 1/4 Ac | <u>5 Ac</u> |
| Minimum <u>Frontage</u> :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No Restrictions |        |      |        |             |
| <b>Lot <u>Setbacks</u> (Minimum)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                 |        |      |        |             |
| Front:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 20'             | 20'    | 30'  | 40'    | <u>25'</u>  |
| Side:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0               | 0      | 20'  | 20'    | <u>20'</u>  |
| Side when adjacent to a <u>street</u> :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 20'             | 20'    | 30'  | 40'    | <u>20'</u>  |
| Side without one-hour firewall:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 20'             | 20'    | 20'  | 20'    | <u>20'</u>  |
| Rear:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0               | 0      | 20'  | 20'    | <u>25'</u>  |
| Rear when adjoining a parcel in a residential zone:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 40'             | 80'    | 40'  | 40'    | <u>25'</u>  |
| Maximum Structure Heights:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 48'             | 60'    | 48'  | 48'    | <u>48'*</u> |
| <p><b>NOTE:</b> In all manufacturing, <del>and</del> research and development <u>and public facilities zones</u> 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 seventy-five feet (75') measured from the average finished grade of the yard in which the <u>structure</u> is located. In no case shall that portion which exceeds the maximum structure height exceed fifty percent (50%) of the gross floor area of the uppermost floor of the <u>building</u>.</p> <p><u>*In all PF zones no portion of any building shall be located closer to a residentially zoned property than a distance equal to the height of that portion of the building. The maximum heights for structures in a PF zone which are set back less than one hundred fifty feet (150') from a residential zone shall be thirty-five (35') feet.</u></p> |                 |        |      |        |             |

## 22-9-87. Landscaping.

- A. In the BP and CM zones a bermed landscaping strip in width of at least the required setback shall be provided and maintained along the right-of-way line of dedicated streets, except as provided below:
  1. Where a parcel is a corner lot, the total landscaping required shall be equal to the length of the property (in feet) on the longer side adjacent to the street multiplied by the distance of the required setback. The amount (in square feet) of landscaping required by this formula shall be distributed as follows: Bermed, landscaped strips at least ten feet (10') in width shall be located on the right-of-way lines of both streets. The balance of landscaping required by the formula may be placed elsewhere on the parcel in accordance with an approved landscaping plan.
  2. Where a parcel has frontage on at least two (2) street but is not a corner lot, a landscaped strip in width less than the required setback may be allowed as follows:
    - a. A ten foot (10') strip may be allowed on streets other than arterial streets, provided the strip is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of



plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscape strips in width at least equal to the required setback of the zone.

- b. A five foot (5') strip may be allowed on streets other than arterial streets provided the strip is sloped down to the public right-of-way from a concrete or concrete block retaining wall with a minimum slope of 3:1 (three feet horizontal to one foot vertical) and is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscaped strips in width at least equal to the required setback of the zone.

3. No landscaping shall be required where vehicular accesses are permitted.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2019-0013, Amended 5/14/19)

- B. In the M1 and M2 zones there shall be provided and maintained a landscaped strip ten (10) feet in width, located on the right-of-way line of the street. The remaining setback area shall be maintained free of weeds and debris and may be used for parking or landscaping. The following exceptions to the requirement of this subsection shall apply to corner lots and other lots with double frontage:

1. Where a parcel is a corner lot, the total landscaping required shall be equal to the length of the property (in feet) on the longer side adjacent to the street multiplied by ten (10) feet. The amount (in square feet) of landscaping required by this formula shall be distributed as follows: Landscaped strips at least five feet (5') in width shall be located on the right-of-way lines of both streets. The balance of landscaping required by the formula may be placed elsewhere on the parcel in accordance with an approved landscaping plan.
2. Where a parcel has frontage on at least two (2) streets but is not a corner lot, a landscaped strip less in width than the required setback may be allowed as follows:
  - a. A five foot (5') strip may be allowed on streets other than arterial streets, provided the strip is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscaped strips at least ten (10) feet in width.
  - b. A five foot (5') strip may be allowed on streets other than arterial streets provided the strip is sloped down to the public right-of-way from a concrete or concrete block retaining wall with a minimum slope of 3:1 (three feet horizontal to one foot vertical) and is developed in accordance with a detailed landscaping plan approved by the City. In its review, the City shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscape strips at least ten (10) in width.
3. No landscaping shall be required where vehicular accesses are permitted.



- C. Trees authorized in [Appendix U](#) shall be planted in the landscaped areas adjacent to the right-of-way line in all manufacturing, ~~and~~ research and development ~~and public facilities~~ zones. The number of trees shall be one tree for every forty (40) linear feet of landscaping adjacent to any street right-of-way. The trees may be spaced evenly or clustered within the landscaped area required along the right-of-way

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-07-0008, Amended 01/23/2007)

- D. All required trees shall be at least one and one-half inches (1-1/2") in caliper, measured four feet (4') above the ground, and shall be at least eight feet (8') in height.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- E. The total number of required trees per lot shall be calculated as follows:

1. One (1) tree per thousand (1,000) square feet of landscaped area for the first one (1) acre of lot area.
2. One (1) tree per two thousand (2,000) square feet of landscaped area for the second through fifth acres of lot area.
3. One (1) tree per three thousand (3,000) square feet of landscaped area for any lot area in excess of five (5) acres.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- F. Each planting bed shall be at least three feet (3') long and three feet (3') wide. The plan showing the planting areas shall show the general location, number, and type of plants along with provisions for an irrigation system.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- G. Curbs shall be provided between landscaped areas and off-street parking areas.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

Effective on: 5/14/2019

#### 22-9-98. Miscellaneous Regulations for Manufacturing, ~~and~~ Research and ~~Development and Public Facilities~~ Zones.

- A. Where a manufacturing development adjoins any lot in any residential zone, there shall be provided and maintained along such property line a wooden, masonry or other decorative, sight obscuring fence.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- B. All manufacturing activities in the M1, M2, CM, and BP zones shall be conducted entirely within a building, except for loading and unloading, vehicle parking and refueling, itinerant merchants, and the sale of Christmas trees, plant materials, or other seasonal items. Manufacturing Park maintenance equipment may also be stored outside of buildings within an area enclosed with a sight obscuring fence. Any alternate location must be approved by the body approving the site plan.



- C. The storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence of at least six feet (6') in height; provided, however, that promotional displays and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. This subsection shall not apply to the sale of Christmas trees.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- D. No excessive or offensive dust, odor, smoke, intermittent light, or noise shall be emitted which is discernible beyond the zone boundary lines, except that which emanates from the movement of automobiles. A premise shall be maintained in such a manner as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- E. All off-street parking areas, loading areas, and vehicular traffic ways shall be paved.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- F. All outdoor lighting shall be designed to minimize direct glare to adjoining residences.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended, 06/12/2001)

- G. A caretaker facility is a permitted use in the M1, M2, and CM Zones. The caretaker facility shall be an accessory use only, i.e. incidental to and customarily found in conjunction with the principal use, and shall:

1. Be attached to or located within any structure of the principal use, and not have a total square footage that exceeds one-thousand (1,000) square feet or ten percent (10%) of the total area of the building square footage on the site, whichever is less.
2. Not be rented or leased, but may be considered part of compensation for caretaker services.
3. Only be a minor part of the principal use.
4. Be customarily associated with that particular industry or business in other cities throughout the United States.
5. Have a minimum of two (2) parking spaces dedicated for the caretaker facility.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-95-0045, Amended, 07/25/1995; 4; Ord. No. O-00-0004, Amended, 02/08/2000; Ord. No. O-01-0021, Amended, 06/12/2001)

- H. The following additional requirements shall apply to development in the BP zone:

1. No more than thirty percent (30%) of the gross leaseable area (as defined in section [22-15-2](#)) of any building may be devoted to retail uses. However, buildings that are used solely as a restaurant and have at least 3,000 square feet are excluded from this restriction.
2. For the BP zone area located at approximately 800 North and University Avenue, all development west of the Provo River shall be consistent throughout each individual project area. For development east of the Provo River the architectural and design theme



may be different from the west side of the river, but shall be consistent throughout the east side development.

(Ord. No. O-04-0034, Enacted 7/13/2004; Ord. No. O-2022-0022, Amended 11/9/2022)

Effective on: 4/10/1990

## 22-9-109. Special Provisions.

- A. The requirements of this Article shall run with the land and be binding on successors, owners and tenants so long as the buildings are occupied or the use exists.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- B. The owners of a controlled manufacturing development or a research and development park which contains more than one parcel of record or which has more than one owner may be required by the Planning Commission to submit documents to the City Attorney which assure unified control of the development for approval as to form.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- C. The improvements as shown by any approved final site plan shall be started within a period of twelve (12) months after such plan is approved by the City and shall be completed and ready for occupancy within a period of twenty-four (24) months from the date the permit is issued. The completion date may be extended by twelve (12) additional months if the approved site plan includes five (5) acres or more.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- D. All building construction shall be in compliance with the International Building Codes as adopted by the City of Orem.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-05-0005, Amended, 2/8/2005)

- E. Any person who desires to occupy vacant floor space, or to change the use of floor space shall be required to first obtain a certificate of occupancy from the City. Any person constructing or altering a building in the manufacturing and research and development zones shall first obtain a building permit from the City for such construction or alteration, and then shall obtain a certificate of occupancy from the City before the building being constructed or altered is occupied.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- F. The certificate of occupancy shall contain statements that the building or proposed use of a building or land complies with the various ordinances of the City regulating building construction or uses. A record of all certificates shall be kept on file in the City and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected. No fee shall be charged for an original certificate.



(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- G. Every site shall conform to the approved site plan or amended site plan. No structures or improvements may be added to a site that are not included on the approved site plan. All improvements shown on the approved site plan or amended site plan shall be maintained in a neat and attractive manner. Failure to complete or maintain a site in accordance with this Chapter and with the approved site plan shall be a violation of this section. The City may initiate criminal and/or civil legal proceedings against any person, firm or corporation, whether acting as principal, agent, property owner, lessee, employee or otherwise, for failure to complete or maintain a site in accordance with this Chapter and with the approved site plan.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- H. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any manufacturing, ~~or~~ research and development or public facilities zone, except as authorized by the City Manager, on an approved site plan. Any such authorized storage shall be done entirely within a building or an area enclosed by an eight foot (8') sight obscuring fence.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- I. All solid waste storage facilities shall be located at the rear of the main building or within an area enclosed with a sight-obscuring fence or wall measuring one foot (1') higher than the height of the solid waste container. The minimum access width to a solid waste storage facility shall be fifteen feet (15').

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- J. All building sizes, heights and setbacks are also subject to the requirements of the building code adopted by the City Council, if more restrictive than this Chapter.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-94-0017, Amended, 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- K. Any person requesting development within the BP zone that lies within an area identified as a "surface fault rupture zone" as shown on the Map entitled "Utah County Natural Hazards Overlay Zones: Surface Fault Rupture and Earthquake Locations" with all boundaries, notations, and other data shown thereon as much a part of this Chapter as if fully described herein, shall submit with the Development Review Application a geologic report by a certified engineer that includes at least:

1. Maps that show the site location and regional setting of the development property.
2. A geologic map that illustrates actual or potential landslides, fault zones, shallow water tables, expansive or collapsible soils, debris flows, flood areas, and any other pertinent natural or artificial features that might influence the stability of the development property or adjacent property. Actual or probable surface and subsurface relations shall be shown with those relations that are conjectural being clearly labeled as such. The proposed grading, filling, excavation, or structure to be erected shall be shown in relation to the geologic features described above. Any corrective or remedial action necessary to erect any structure shall be shown to be reasonably safe for human habitation.



# DRAFT

3. Maps that use a scale of one inch (1") equaling one hundred feet (100') or larger, with contour lines at five foot (5') intervals. Existing contours shall be shown by dashed lines and proposed contours shall be shown by solid lines. Boring logs, cross-sections, test trench logs, soil sample descriptions, and test results shall be included.
4. A written description of the proposed grading, filling, excavation, or structure.
5. A written analysis of the effects of the proposed grading, filling, excavation, or erection of a structure in relation to the geologic conditions shown in the geologic maps.
6. An analysis of the manner in which the structure will be made reasonably safe for human habitation.
7. A list, including title, author and date, of all prior studies or reports that are relied upon to make this report.
8. The original signature and the registration number of the responsible engineering geologist or geotechnical engineer, and a statement of the methods of study.
9. Any other maps or information that the City Engineer may reasonably require.

(Ord. No. O-94-0017, Enacted 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)

- L. The maximum structure height in the BP or PF Zone may be increased by the City Council with the issuance of a conditional use permit. Any person requesting structure height greater than forty-eight feet (48') shall file with the City a Development Review Application requesting a conditional use permit and shall comply with the requirements of this Section, Article IV of this Chapter, and Section 22-14-20 or Section 22-14-21 as applicable.

(Ord. No. O-94-0017, Enacted 06/28/1994; Ord. No. O-01-0021, Amended, 06/12/2001)



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## Appendix A (PF Uses)

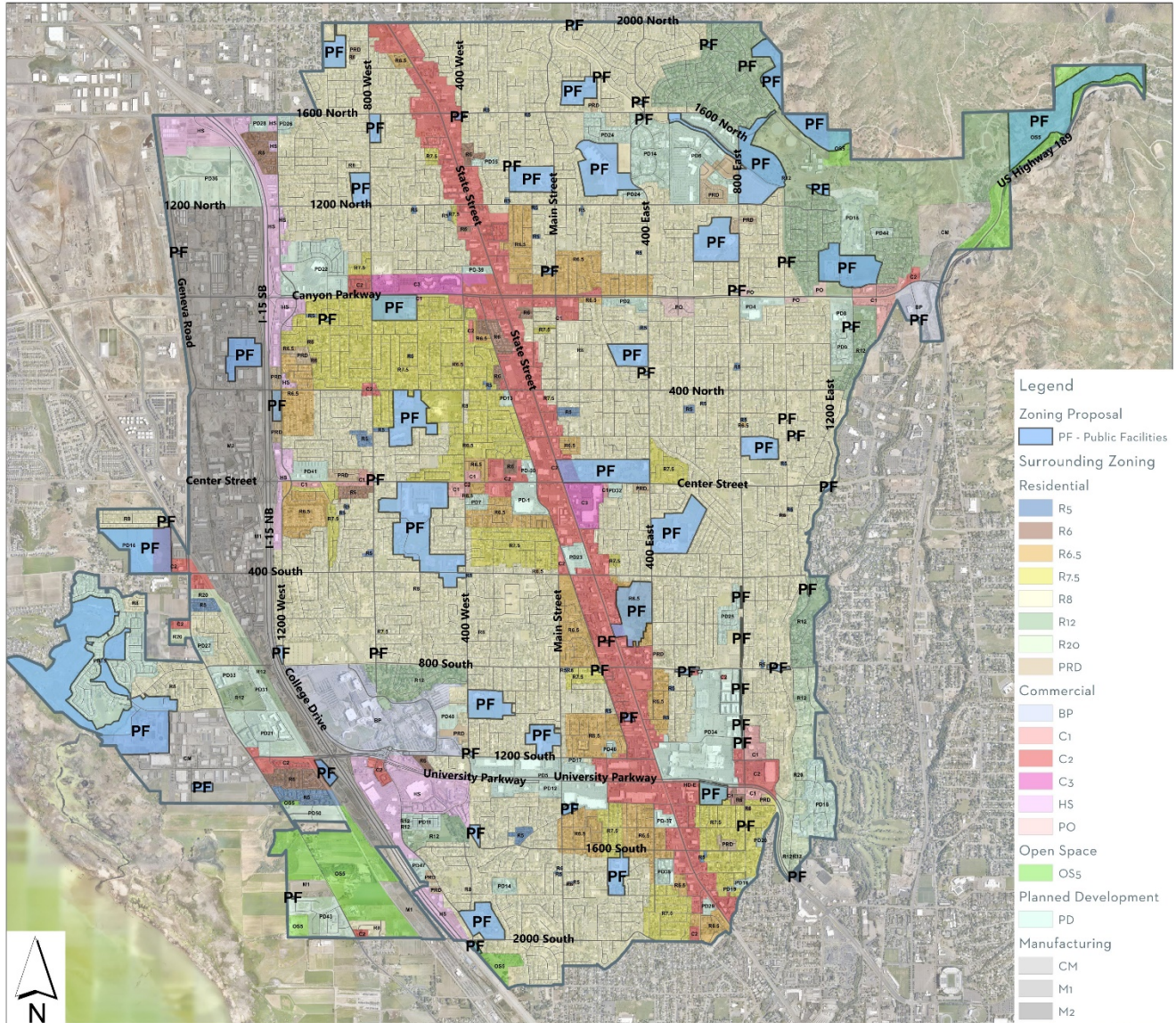
| SLU  |                                                                                                                                                                        | R5                                                  | R6                                                  | R6.5 | R7.5 | R8 | R12 | R20 | OS5/<br>ROS | PO | C1 | C2 | C3 | HS | M1 | M2 | CM | BP | PF                                             |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------|------|------|----|-----|-----|-------------|----|----|----|----|----|----|----|----|----|------------------------------------------------|
| 1110 | Single Family                                                                                                                                                          | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | N  | N  | N  | N  | N  | N  | N  | N  | N  | <u>P</u>                                       |
| 1261 | Residential Facilities for Disabled Persons                                                                                                                            | Permitted Use-See Sec. <a href="#">22-6-9(A)</a>    |                                                     |      |      |    |     |     | P           | N  | N  | N  | N  | P  | N  | N  | N  | P  | <u>P</u><br><a href="#">See Sec. 22-6-9(A)</a> |
| 1262 | Youth Transitional Home                                                                                                                                                | Permitted Use-See Sec. <a href="#">22-6-9(E)</a>    |                                                     |      |      |    |     |     |             | N  | N  | N  | N  | P  | N  | N  | N  | N  | <u>P</u><br><a href="#">See Sec. 22-6-9(E)</a> |
| 1281 | Assisted Living Facility for Elderly Persons                                                                                                                           | N                                                   | Permitted Use<br>See Sec. <a href="#">22-6-9(B)</a> |      |      |    |     |     |             | P  | N  | N  | P  | N  | P  | N  | N  | N  | <u>P</u><br><a href="#">See Sec. 22-6-9(B)</a> |
| 1285 | Residential Facility for Elderly Persons                                                                                                                               | Permitted Use<br>See Sec. <a href="#">22-6-9(C)</a> |                                                     |      |      |    |     |     | P           | N  | N  | P  | P  | P  | N  | N  | N  | N  | <u>P</u><br><a href="#">See Sec. 22-6-9(C)</a> |
| 4712 | Cellular Communication Monopoles                                                                                                                                       | See Sec. <a href="#">22-13</a>                      |                                                     |      |      |    |     |     |             |    |    |    |    |    |    |    |    |    |                                                |
| 4833 | Water Pressure Control Stations                                                                                                                                        | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | N  | P  | P  | P  | P  | P  | <u>P</u>                                       |
| 4842 | Sewage Pressure Control Stations                                                                                                                                       | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | N  | N  | P  | P  | P  | P  | <u>P</u>                                       |
| 6710 | City of Orem Governmental Services, Executive, Legislative, and Judicial Functions                                                                                     | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <u>P</u>                                       |
| 6812 | Public Primary & Secondary Schools                                                                                                                                     | N                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | N  | N  | N  | N  | N  | N  | <u>P</u>                                       |
| 6813 | Private Primary and Secondary Schools - permitted* if adjacent to or across the street from a Public Primary or Secondary School See Section <a href="#">22-6-9(H)</a> | N                                                   | N*                                                  | N*   | N*   | N* | N*  | N*  | N*          | P  | P  | P  | N  | N  | N  | N  | N  | N  | <u>N*</u>                                      |
| 6814 | Charter Schools                                                                                                                                                        | N                                                   | N                                                   | N    | N    | N  | N   | N   | N           | P  | P  | P  | N  | N  | N  | N  | N  | N  | <u>P</u>                                       |
| 7423 | Play Fields & Athletic Fields<br><a href="#">*Accessory to a public school or municipal facility</a>                                                                   | N                                                   | N                                                   | N    | N    | N  | N   | N   | C           | N  | N  | N  | N  | N  | N  | N  | N  | N  | <u>N*</u>                                      |
| 7610 | Parks – General Recreation                                                                                                                                             | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <u>P</u>                                       |
| 8120 | Orchards                                                                                                                                                               | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <u>P</u>                                       |
| 9100 | All undeveloped & unused land area                                                                                                                                     | P                                                   | P                                                   | P    | P    | P  | P   | P   | P           | P  | P  | P  | P  | P  | P  | P  | P  | P  | <u>P</u>                                       |



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# Proposed Public Facilities (PF) Zone





RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE OREM CITY COUNCIL AMENDING THE OREM GENERAL PLAN BY AMENDING SECTION 2.1 (*LAND USE CLASSIFICATIONS*), ENACTING SECTION 2.1.6. (*PUBLIC FACILITIES*), ENACTING SECTION 3.1.6. (*PUBLIC FACILITIES*), AMENDING SECTION 8.3 (*EDUCATIONAL SUPPORT*), AND AMENDING THE GENERAL PLAN MAP BY CHANGING THE LAND USE DESIGNATION OF VARIOUS PROPERTIES TO PUBLIC FACILITIES.

WHEREAS on November 7, 2022, Development Services filed an application with the City of Orem requesting the City amend the Orem General Plan by amending Section 2.1 (*Land Use Classifications*), enacting Section 2.1.6. (*Public Facilities*), enacting Section 3.1.6. (*Public Facilities*), amending Section 8.3 (*Educational Support*), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on April 12, 2023, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on May 16, 2023; and

WHEREAS thirty-four thousand nine hundred eighty-eight (34,988) notices were mailed to residents citywide; and

WHEREAS the agenda of the City Council meeting at which the request was heard was posted at the Orem Public Library, on the Orem City webpage, at the City Offices at 56 North State Street and at [utah.gov/pmn](http://utah.gov/pmn); 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 the surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds this request is in the best interest of the City in that it will more fully promote the objectives and purposes of the Orem Genral Plan; and



2. The City Council hereby amends the Orem General Plan by amending Section 2.1 (*Land Use Classifications*), enacting Section 2.1.6. (*Public Facilities*), enacting Section 3.1.6. (*Public Facilities*), amending Section 8.3 (*Educational Support*), and amending the General Plan Map by changing the land use designation of various properties to Public Facilities as shown on Exhibit “A” which is attached and incorporated herein by reference.
3. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. All other resolutions and policies in conflict herewith, either in whole or part, are hereby repealed.
5. This resolution shall take effect immediately upon passage and publication in a newspaper of general circulation in the City.

PASSED, APPROVED and ordered PUBLISHED this 16th day of May 2023.

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David Young, Mayor

ATTEST:

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Teresa McKittrick, City Recorder

COUNCIL MEMBERS VOTING “AYE”

COUNCIL MEMBERS VOTING “NAY”

| COUNCILMEMBER     | AYE                      | NAY                      | ABSTAIN                  |
|-------------------|--------------------------|--------------------------|--------------------------|
| Mayor David Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



## Orem General Plan

### Section 2.1 Land Use Classifications.

The Land Use chapter provides policy guidelines for Orem City council, commissions, boards, and staff to use when dealing with land use decisions that require review, recommendations and approval. The purpose of this chapter is to focus on:

- General land use classifications,
- Planning sufficient land for residential, industrial, commercial, and public uses,
- Establishing guidelines for locating land uses, and
- Providing land use policies that manage growth.

Land use is divided into ~~five~~<sup>four</sup> major categories of residential, commercial, industrial, ~~and~~ mixed-use, and public facilities. Figure 2.1 displays the designated land uses of the City. A more detailed regularly updated land use map (and zoning map) is located in the appendix.

#### Section 2.1.6 Public Facilities.

The Public Facilities classification is established to provide areas for public schools, public parks, government facilities and other public uses. The Public Facilities classification is intended to apply to properties that have historically been used as public facilities such as public schools, public parks and other municipal government facilities. The Public Facilities classification is intended both to allow the operation of public facilities such as public schools, public parks and other municipal government facilities as well as to preserve properties that have historically been used for such purposes for the future public use of such properties for public schools, parks and other public facilities. A very low-density residential component of one (1) residential unit per five acres is also contemplated under the Public Facilities classification.

#### Section 3.1.6 Public Facilities.

The City of Orem recognizes the need to preserve public lands that have historically been used for public facilities such as public schools, public parks and other municipal government facilities. The City of Orem recognizes that Orem residents have paid for these public lands and facilities through the payment of taxes over the years. The City of Orem further recognizes that Orem's population will continue to grow and that demographics in the City are likely to change over time which will likely increase the demand for public facilities such as public schools, public parks and other government facilities. Given the investment in these lands and facilities by Orem taxpayers and the increasing demand for these facilities over the long-term, these lands should be preserved for the current and future use as public schools, public parks and other municipal government facilities.

### Section 8.3 Educational Support

It is the objective of the City of Orem to support, where possible, the educational institutions within the community, to emphasize the importance of education for all citizens

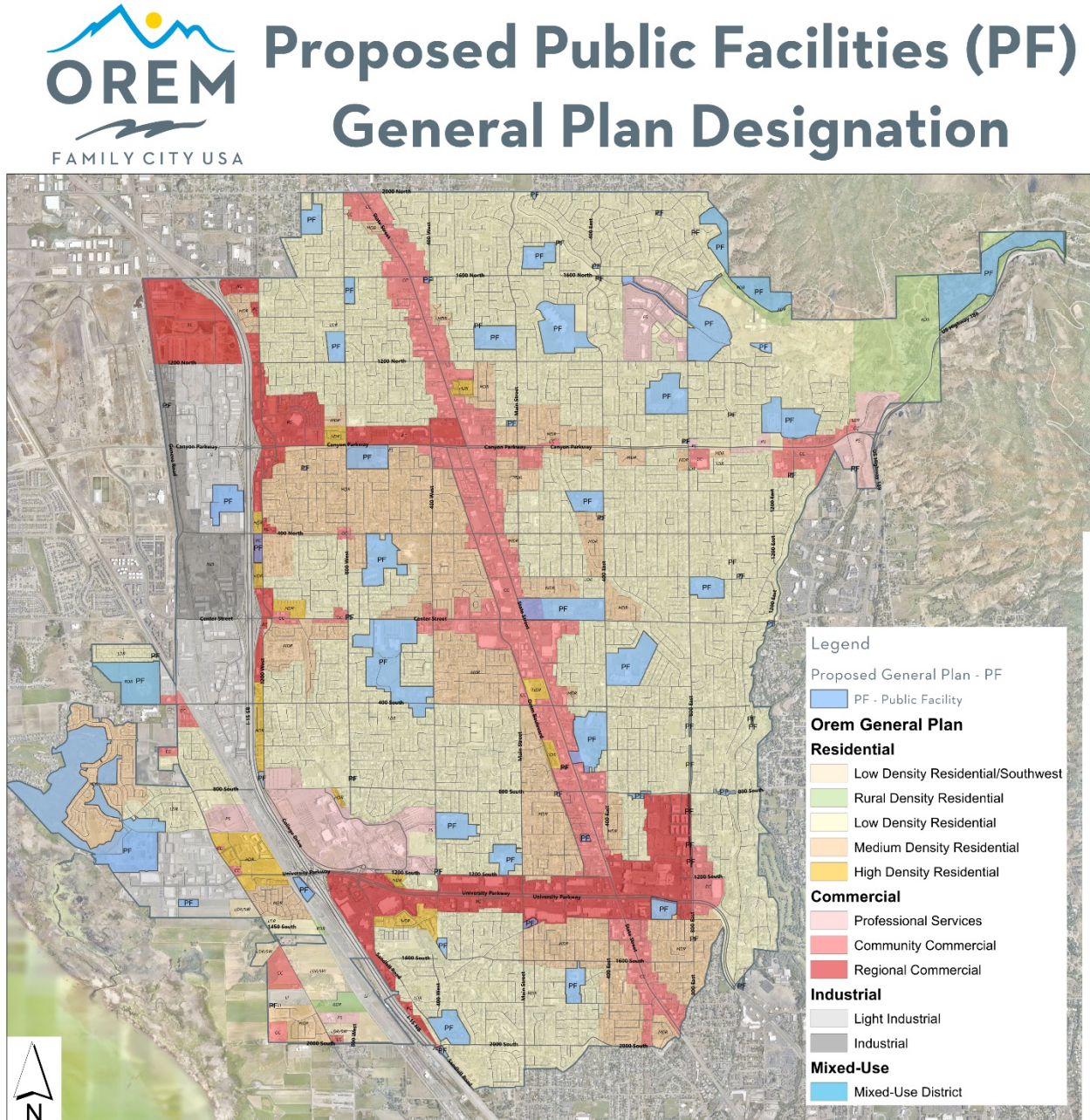
A close working relationship needs to be maintained with the Alpine School District to encourage and facilitate the improvement of elementary and secondary education in Orem.

The City also needs to actively participate in and support the growth and development of Utah



Valley University, to understand the needs and impacts of this continually growing campus. Included within this objective is the preservation of land that has historically been used for public schools for current and future public school use. The City recognizes that population growth and future changes in demographics are both likely to increase the demand for public schools in the City and that adequate space in the City needs to be preserved to meet both current and future public school demand.

Figure 2.1 Land Use Map







**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                          |                                                                                                                                                               |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REQUEST:</b>          | ORDINANCE: Amending section 12-9-6 (License Fee) of the Orem City Code exempting accessory dwelling units from the annual Rental Dwelling License renewal fee |
| <b>APPLICANT:</b>        | Ryan Clark                                                                                                                                                    |
| <b>NOTICES:</b>          |                                                                                                                                                               |
| <b>SITE INFORMATION:</b> |                                                                                                                                                               |
| <b>PREPARED BY:</b>      | Ryan Clark, Development Services Director                                                                                                                     |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE OREM CITY COUNCIL AMENDING A  
PORTION OF SECTION 12-9-6 (LICENSE FEE) OF THE OREM  
CITY CODE PERTAINING TO RENTAL DWELLING LICENSE  
FEES FOR ACCESSORY DWELLING UNITS

WHEREAS Section 12-9-6 of the Orem City Code establishes rental dwelling license fees for rental dwellings in the City; and

WHEREAS Section 12-9-6 requires a rental dwelling license fee both for the initial license application and for annual renewal of the license; and

WHEREAS the City Code allows accessory dwelling units to be built and maintained within single-family dwellings that are owner-occupied; and

WHEREAS the City currently has several hundred licensed accessory dwelling units; and

WHEREAS accessory dwelling units are often occupied by the children, parents or other relatives of the owner of the house who lives in the primary dwelling and often pay no rent to the owner of the house; and

WHEREAS because the primary dwelling in a house with an accessory dwelling unit is required to be owner-occupied, it is reasonable that such owner be exempted from paying the annual rental dwelling license renewal fee; and

WHEREAS the City Council desires to exempt the owners of dwellings containing a legal accessory dwelling unit from the requirement to pay an annual rental dwelling license renewal fee; and

WHEREAS the City Council held a public meeting on May 16, 2023, to consider the proposed amendment to Section 12-9-6 of the Orem City Code that would exempt homes with an accessory dwelling unit from the annual rental dwelling license renewal fee; 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 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 the request to amend Section 12-9-6 is reasonable and in the best interest of the City because the primary dwelling in houses with accessory dwelling units are owner-occupied (in contrast to most rental dwelling units) and the accessory dwelling units are frequently occupied by relatives of the owner who often pay no rent to the owner.
2. The City Council hereby amends Section 12-9-6 of the Orem City Code to read as shown in Exhibit "A" which is attached hereto and is incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.
5. This ordinance shall take effect July 1, 2023.

PASSED, APPROVED and ORDERED PUBLISHED this 16<sup>th</sup> day of May 2023.

---

David A. Young, Mayor

ATTEST:

---

Teresa McKittrick, City Recorder

| COUNCILMEMBER        | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



## Exhibit “A”

### 12-9-6. License Fee

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The fee for a rental dwelling license shall be in an amount established by resolution or ordinance of the City Council. The rental dwelling license fee shall be paid with the initial application and shall thereafter be paid annually and shall be due and payable on or before the date the rental dwelling license expires. A rental dwelling license shall be delinquent if the annual renewal license fee is not paid on or before after the date that such license expires. The owner of a house with a legal Accessory Dwelling Unit (ADU) is required to pay the licensing fee for the initial license application and is not required to pay the licensing fee on an ongoing annual basis. If a house with a legal ADU is sold to a new owner, the new owner is required to apply for a new license and pay the initial application fee. A rental dwelling that meets all the requirements of Section 22-6-8(F)(I) (for a person aged sixty- five or older who owns and occupies a simple family dwelling) is exempt from the fee for a rental dwelling license, but is subject to all other licensing requirements.





**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                                 |
|------------------------------|---------------------------------|
| <b>REQUEST:</b>              | RESOLUTION: CARE Tax Allocation |
| <b>APPLICANT:</b>            |                                 |
| <b>NOTICES:</b>              |                                 |
| <b>SITE<br/>INFORMATION:</b> |                                 |
| <b>PREPARED BY:</b>          |                                 |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**



DRAFT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY  
OF OREM, UTAH, PROVIDING FOR THE DISTRIBUTION  
OF FISCAL YEAR 2023-2024 CARE TAX REVENUES.

WHEREAS On November 8, 2005, Orem residents voted to support the Cultural Arts and Recreation Enrichment Tax (CARE tax); and

WHEREAS the Orem City Council subsequently enacted the CARE tax and the CARE tax became effective on April 1, 2006; and

WHEREAS on November 5, 2013, Orem residents voted to continue their support of the Cultural Arts and Recreation Enrichment Tax (CARE tax); and

WHEREAS the Orem City Council recognizes that recreation and the arts enrich the quality of life in a community; and

WHEREAS the Orem City Council desires to encourage and support the advancement of recreational and cultural facilities and cultural arts organizations in Orem; and

WHEREAS the purpose of this ordinance is to provide for the distribution of the Fiscal Year 2023-2024 CARE tax revenues

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

1. The Orem City Council hereby authorizes the distribution of Fiscal Year 2023-2024 CARE tax revenues to the entities and in the amounts set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

2. No CARE tax revenues shall be distributed to an entity for operational expenses until the entity has signed a contract with the City meeting the requirements of the City's CARE tax program policies and procedures.

3. The City may choose to only pay seventy-five percent (75%) of the CARE tax distribution awarded to individual Major Grant recipients upon signing of the contract between the City and the Major Grant recipient (but no sooner than July 1, 2023). If this option is elected, the City would pay the remaining twenty-five percent (25%) of the CARE tax distribution awarded to individual Major Grant recipients after the City has received its final CARE tax distribution (which is in August) from the State of Utah. If the final total CARE tax distributions from the State of Utah are less than the total amount of CARE tax distributions awarded to all CARE tax recipients pursuant to this ordinance, then the City will withhold the twenty five percent (25%) payment to Major Grant recipients until the City Council has had a chance to reallocate all grant awards based on the final amounts distributed from the State of Utah.



# DRAFT

4. CARE tax revenues in future fiscal years will also be awarded after a competitive application process based on merit and availability of funds. Receipt of CARE tax funding in this round of applications does not guarantee CARE tax funding in future fiscal years.

5. The City Manager is hereby authorized to sign any documents required to proceed with the distribution of CARE tax revenues as set forth in this ordinance.

6. All acts, orders, resolutions, ordinances, and parts thereof, in conflict with this ordinance are hereby rescinded.

7. If any portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

8. This ordinance shall become effective immediately after a summary of this ordinance has been published or posted as required by law.

PASSED, APPROVED, and ORDERED PUBLISHED this 16<sup>th</sup> day of **May 2023**.

---

CITY OF OREM, by  
David A. Young, Mayor

ATTEST:

---

Teresa McKittrick, City Recorder

| COUNCIL MEMBERS      | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom W. Macdonald     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry D. Peterson    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David M. Spencer     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



# “EXHIBIT A”

| Mini Arts Grants                  | Proposed Award |
|-----------------------------------|----------------|
| Cantorum Chamber Choir            | \$ 4,500       |
| Centro Hispano                    | \$ 2,500       |
| Chauntenette Women’s Chorus       | \$ 4,000       |
| Fit to Recover                    | \$ 4,500       |
| Garden Valley Pipe Band           | \$ 3,000       |
| Grassroots Shakespeare            | \$ 4,500       |
| Heart and Soul                    | \$ 3,000       |
| Military History Days, Inc.       | \$ 4,500       |
| National Institute for Story      | \$ 2,500       |
| Ngoma y’Africa Cultural Center    | \$ 4,000       |
| Resonance                         | \$ 3,000       |
| Roots of Freedom Foundation       | \$ 4,800       |
| The Orem Chorale                  | \$ 4,000       |
| Utah Baroque Ensemble             | \$ 3,500       |
| Utah Brazilian Festival           | \$ 4,000       |
| Utah Chinese Association          | \$ 4,000       |
| Utah Cultural Alliance Foundation | \$ 1,000       |
| Utah Shakespeare Festival         | \$ 1,500       |
| Utah Theater Bloggers Association | \$ 500         |
| Wasatch Chorale                   | \$ 2,000       |
| Wasatch Contemporary Dance        | \$ 2,500       |
| World Folkfest                    | \$ 2,500       |
| Mini Grants Subtotal:             | \$70,300       |
|                                   |                |
| Mid-Major Arts Grants             | Proposed Award |
| Colonial Heritage Foundation      | \$ 9,800       |
| Timpanogos Symphony Orchestra     | \$ 9,999       |
| Utah Live Concerts Foundation     | \$ 9,900       |
| Utah Symphony & Opera             | \$ 9,000       |
| Utah Valley Symphony              | \$ 5,000       |
| Mid-Major Grants Subtotal:        | \$43,699       |



| <b>Major Arts Grants</b>                     | <b>Proposed Award</b> |
|----------------------------------------------|-----------------------|
| SCERA                                        | \$ 842,675            |
| Utah Metropolitan Ballet                     | <u>\$ 25,000</u>      |
| Major Grants Subtotal:                       | \$ 867,675            |
|                                              |                       |
| <b>City-Related Arts Grants</b>              | <b>Proposed Award</b> |
| SCERA Shell Facility Improvements            | <u>\$ 195,000</u>     |
| City-Related Arts Grants Subtotal:           | \$ 195,000            |
|                                              |                       |
| <b>Arts Grand Total:</b>                     | <b>\$1,176,674</b>    |
|                                              |                       |
| <b>City Recreation Grants</b>                | <b>Proposed Award</b> |
| Lakeside Sports Complex - Turf Soccer Fields | \$ 1,032,000          |
| Co-Sponsored Groups                          | \$ 50,000             |
| Orem Heritage Trackless Train                | \$ 50,000             |
| Scera Park Improvements                      | <u>\$ 25,000</u>      |
| <b>City Recreation Grants Grand Total:</b>   | <b>\$ 1,157,000</b>   |
|                                              |                       |
| <b>City Parks Grants</b>                     | <b>Proposed Award</b> |
| Lakeside Sports Complex - Turf Soccer Fields | \$ 1,032,000          |
| Orem Heritage Trackless Train                | \$ 50,000             |
| Scera Park Improvements                      | <u>\$ 75,000</u>      |
| <b>City Parks Grants Grand Total:</b>        | <b>\$ 1,157,000</b>   |
|                                              |                       |
| <b>Total Administration Allocation:</b>      | <b>\$ 48,000</b>      |
|                                              |                       |
| <b>CARE Tax Grand Total:</b>                 | <b>\$ 3,538,674</b>   |



**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                                                                                             |
|------------------------------|---------------------------------------------------------------------------------------------|
| <b>REQUEST:</b>              | RESOLUTION: Adopting a Policy Regarding City-Owned Flagpoles and City Social Media Accounts |
| <b>APPLICANT:</b>            |                                                                                             |
| <b>NOTICES:</b>              |                                                                                             |
| <b>SITE<br/>INFORMATION:</b> |                                                                                             |
| <b>PREPARED BY:</b>          |                                                                                             |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION BY THE OREM CITY COUNCIL ADOPTING A  
POLICY FOR THE DISPLAY OF FLAGS ON CITY-OWNED FLAG  
POLES AND PROFILE PICTURES AND COVER PHOTOS ON CITY  
SOCIAL MEDIA ACCOUNTS

WHEREAS the City Council desires to adopt a policy regarding the display of flags on City-owned flagpoles as well as the display of flags, emblems and logos in the profile picture and cover photo of City social media accounts; and

WHEREAS the purpose of this policy is to direct the exercise of the City's own speech on City-owned flagpoles and City social media accounts; and

WHEREAS the proposed policy would limit the display of flags on City-owned flagpoles to the United States Flag, the Armed Forces Flags, the POW/MIA Flag, the State Flag, the Ceremonial State Flag, the Orem City Flag, the Oremfest flag and the UVU Flag; and

WHEREAS the proposed policy would also limit the display of logos, emblems, and flags as part of the City's profile picture and cover photo in any City Social Media Account to the Orem City Flag, the City Logo, the City Seal, the Oremfest flag, the United States Flag, the State Flag, the Ceremonial State Flag, the Armed Forces Flags, the POW/MIA Flag, the UVU Flag, the official Orem Police and Fire Department badges and other Orem City logos and badges approved in the Orem City Brand Usage and Style Guide approved by the City Council; and

WHEREAS a public meeting considering the subject application was held by the City Council on May 16, 2023; 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 RESOLVED 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 adopt a policy directing the exercise of the City's own speech on City-owned flagpoles and City social media accounts.
2. The City Council hereby adopts the policy concerning the display of flags on City-owned flagpoles and City social media accounts as shown in Exhibit "A" which is attached hereto

and by reference is made a part hereof. The City Council further directs that the provisions of this policy be incorporated into the Employee Handbook.

3. The policy adopted by the City Council by this resolution may only be amended by a subsequent resolution duly enacted by the City Council.

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

4. This resolution shall take effect immediately upon passage.

PASSED and APPROVED this 16th day of May, 2023.

\_\_\_\_\_  
David A. Young, Mayor

ATTEST:

\_\_\_\_\_  
Teresa McKittrick, City Recorder

COUNCILMEMBER      AYE   NAY   ABSTAIN

|                      |                          |                          |                          |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Exhibit “A”**



## Exhibit “A”

### **Policy Regarding Flags on City-Owned Flagpoles and Profile Picture and Cover Photo Displays on City Social Media Accounts**

#### **Policy**

The purpose of this policy is to direct the exercise of the City’s own speech on City-owned flagpoles and City social media accounts. It shall be the policy of the City of Orem to limit the display of flags on City-owned flagpoles and the display of flags, emblems and logos on the profile picture and cover photo of City social media accounts as set forth below.

1. For the purpose of this policy, the following terms are defined as follows:

**Armed Forces Flags** means the flags of the United State Armed Forces including the Army, Navy, Air Force, Marine Corp, Coast Guard and Space Force.

**Ceremonial State Flag** means the current state flag that will become the ceremonial flag of the State of Utah described in UCA § 63G-1-503 on March 9, 2024.

**City Flagpole means** a pole owned and controlled exclusively by the City that is used or designed to allow for the flying or displaying of one or more flags.

**City Logo** means the logo of the City of Orem, as approved by the City Council

**City Seal** means the official seal used by the City of Orem.

**Covered Person** is a City employee acting within his or her scope of employment or within his or her official duties.

**Emblem** means a sticker, seal, badge, plaque, stamp, logo or symbol.

**Orem City Flag** means the flag representing the City of Orem as approved by the Orem City Council.

**Oremfest Flag** means a flag depicting Oremfest approved by the Orem City Council for public display.

**POW/MIA Flag** means the flag described in 36 U.S.C. § 902 and displayed at the times outlined therein.

**City Social Media Accounts** means those social media platforms owned and/or controlled by the City or a department of the City including, but not limited to, the City’s or a City department’s Facebook, Twitter, Instagram, LinkedIn, and YouTube accounts.

**State Flag** means the flag of the State of Utah described in UCA § 63G-1-501.

**United States Flag** means the flag described in 4 USC § 1.

**UVU Flag** means a flag designated by Utah Valley University for public display.

2. **Permitted Flags on City Flagpoles.** Only the following flags may be flown or displayed on City Flagpoles: the United States Flag, the Armed Forces Flags, the POW/MIA Flag, the State Flag, the Ceremonial State Flag, the UVU Flag, the Orem City Flag and the Oremfest flag. The City shall have exclusive control over which of said flags are displayed on any City Flagpole at any given time.

3. **Profile Pictures and Cover Photos on City Social Media Accounts.** No logos, emblems, or flags may be displayed as part of the City’s profile picture or cover photo on any City Social Media Account other than the Orem City Flag, the City Logo, the Oremfest flag, the City Seal, the United States Flag, the State Flag, the Ceremonial State Flag, the Armed Forces Flags, the POW/MIA Flag, the UVU Flag, the official Orem Police and Fire Department badges and other

Orem City logos and badges approved in the Orem City Brand Usage and Style Guide approved by the City Council. This provision is limited to the profile picture and cover photo on Orem Social Media Accounts and does not apply to posts made by Covered Persons on City Social Media Accounts (as opposed to the profile picture display) or to comments made by individuals in connection with any such posts.





**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                                                                                   |
|------------------------------|-----------------------------------------------------------------------------------|
| <b>REQUEST:</b>              | RESOLUTION: Adopting Rules and Regulations for the Government of the City Council |
| <b>APPLICANT:</b>            |                                                                                   |
| <b>NOTICES:</b>              |                                                                                   |
| <b>SITE<br/>INFORMATION:</b> |                                                                                   |
| <b>PREPARED BY:</b>          |                                                                                   |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

## **RULES & REGULATIONS FOR THE GOVERNMENT OF THE COUNCIL**

1. **Authority:** UCA § 10-3-1215 (Rules and regulations for government of council-repealed but still applicable in the Council-Manager form of government) provides that “[T]he council shall have power to make and enforce any additional rules and regulations for the government of the council, the preservation of order, and the transaction of the business of the council as may be necessary.”
2. **Administrative Matters of City Council & Reaching a Consensus of a Majority of the City Council:** The City Council adopts these Rules & Regulations for Government of the Council (“Council Rules & Regulations”) for the purpose of administering the day-to-day business of the Council.
  - 2.1 All administrative decisions and directions of the City Council shall be made/given by a consensus of no less than a majority of the entire City Council (“a consensus”).
  - 2.2 Council Members must comply with the Open and Public Meetings Act (UCA § 52-4-101) when seeking to reach a consensus. Council Members may verbally speak to other Council Members to seek a consensus, but at no time shall more than three Members be present together to discuss a consensus, electronically or otherwise.
  - 2.3 In accordance with Utah Code § 52-4-210, nothing in these Council Rules & Regulations shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.
  - 2.4 With a consensus of a majority of the entire City Council, the Council may make administrative decisions related to the business of the Council, including, but not limited to:
    - 2.4.1 Initiating, negotiating, executing, renewing or terminating a professional services agreement;
    - 2.4.2 Initiating, negotiating, executing, renewing or terminating an employment agreement, and setting hourly fees, determining compensation, bonuses and benefits of those employed by the Council;
    - 2.4.3 Determining the oversight structure of those contractors and employees as described in 2.4.1 and 2.4.2;
    - 2.4.4 Approving an item to be placed on the City Council agenda;
    - 2.4.5 Making an assignment for one or more Council Members to attend a meeting or function relating to City business; and



2.4.6 Making or publishing a statement on behalf of the City Council, as described in Section 4.

2.5 The effective date on all agreements shall be the date specified in the agreement, unless another effective date is established by the Council at the time the City Council approves the agreement, whether approval is by a consensus or by a City Council vote.

2.6 The Council may direct the City Manager to utilize the human resources department, purchasing and accounts payable systems of the City to assist the Council in actions taken under these Council Rules & Regulations.

4. **Official Statements of the Council:**

4.1 After a vote has been taken by the Council at a City Council meeting, Members who cast a vote in the majority may together make an Official Statement of the Council concerning the subject of the vote.

4.2 Nothing in this Section 4 should be read to abridge, modify, restrict, burden, interfere with or otherwise limit the individual speech of any Council Member.

5. **Effective Date; Conflict with State Law:** These Council Rules & Regulations shall be in effect until such time as they are amended or new Council Rules & Regulations are adopted by the City Council. Portions of these Council Rules & Regulations may be temporarily suspended or amended pursuant to executive orders or emergency proclamations made during a declared emergency. In case of conflict between the State law and these Council Rules & Regulations, State law shall prevail. Failure to follow these Council Rules & Regulations does not invalidate an otherwise valid Council action.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE OREM CITY COUNCIL ENACTING RULES AND REGULATIONS  
FOR THE GOVERNMENT OF THE CITY COUNCIL

WHEREAS the City Council has power to make and enforce rules and regulations for the government of the City Council, the preservation of order, and the transaction of the business of the City Council as may be necessary; and

WHEREAS the City Council desires to enact certain rules and regulations relating to the government of the City Council including rules and regulations pertaining to requiring a consensus of a majority of the entire City Council to make administrative decisions related to the business of the Council in compliance with the requirements of the Utah Open and Public Meetings Act and other matters.

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

1. The City Council hereby adopts Rules and Regulations for the Government of the City Council as shown in Exhibit "A" which is attached hereto and by reference is made a part hereof.
2. This resolution shall become effective immediately upon passage.

PASSED and APPROVED this 16<sup>th</sup> day of May, 2023.

\_\_\_\_\_  
David A. Young, Mayor

ATTEST:

\_\_\_\_\_  
Teresa McKittrick, City Recorder

| COUNCILMEMBER        | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



## Exhibit “A”



**CITY OF OREM  
CITY COUNCIL  
MEETING  
MAY 16, 2023**

|                              |                                                                                                                               |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <b>REQUEST:</b>              | ORDINANCE: Amending Section 2-3-10 (Functions of City Council) to authorize the City Council to retain separate legal counsel |
| <b>APPLICANT:</b>            |                                                                                                                               |
| <b>NOTICES:</b>              |                                                                                                                               |
| <b>SITE<br/>INFORMATION:</b> |                                                                                                                               |
| <b>PREPARED BY:</b>          |                                                                                                                               |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**



AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING  
SECTION 2-3-10 (FUNCTIONS OF CITY COUNCIL) OF THE  
OREM CITY CODE TO AUTHORIZE THE CITY COUNCIL TO  
RETAIN SEPARATE LEGAL COUNSEL

WHEREAS the City Council may desire from time to time to retain separate legal counsel in addition to and apart from the City Attorney to provide advice and counsel to the City Council on various matters of concern to the City Council; and

WHEREAS the City Council desires to clarify in the City Code that the City Council has authority to retain such separate legal counsel and to specify that such separate legal counsel shall be appointed by and may be removed by the City Council and that such separate legal counsel shall take direction from and report directly to the City Council and not the City Manager; and

WHEREAS the City Council also desires to specify that the separate legal counsel shall either be an at will employee of the City exempt from the protections described in Utah Code Section 10-3-1105(1)(a) or may be retained on a contract basis as a legal consultant without having status as an employee of the City; and

WHEREAS the City Council considered the proposed amendment at a public meeting on May 16, 2023; and

WHEREAS the agenda of the City Council meeting at which the subject application was heard was posted at the Orem Public Library, on the Orem City webpage and at the City offices at 56 North 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; 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 the request to amend Section 2-3-10 of the Orem City Code to authorize the City Council to retain separate legal counsel and describing how such separate legal counsel may be retained and to whom such separate legal counsel reports is in the best interest of the City.

2. The City Council hereby amends Section 2-3-10 of the Orem City Code to read as shown in Exhibit “A” which is attached hereto and incorporated herein by reference.
3. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.
4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
5. All other ordinances or policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 16<sup>th</sup> day of May, 2023.

---

David A. Young, Mayor

ATTEST:

---

Teresa McKittrick, City Recorder

| COUNCILMEMBER        | AYE                      | NAY                      | ABSTAIN                  |
|----------------------|--------------------------|--------------------------|--------------------------|
| Mayor David A. Young | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeff Lambson         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Debby Lauret         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Macdonald        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LaNae Millett        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Terry Peterson       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Spencer        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



## Exhibit A

### **2-3-10. Functions of City Council.**

The City Council shall pass ordinances and resolutions, make policy directives, appropriate funds, review city administration, specifically, the performance of the City Manager, and perform all duties that may be required of it by law. The City Council may retain separate legal counsel in addition to and apart from the City Attorney. Such separate legal counsel shall be appointed by and may be removed by the City Council and shall take direction from and report directly to the City Council and not the City Manager. The separate legal counsel shall either be an at will employee of the City exempt from the protections described in Utah Code Section 10-3-1105(1)(a) or may be retained on a contract basis as a legal consultant without having status as an employee.