CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
September 23, 2025

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

3:30 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

1. WORK SESSION ITEMS

1.1 TOUR - Library and Police Remodel (60 min)

1.2 PRESENTATION - Sports Tourism / Ironman Bid (30 min)
Presenter: Bryce Merrill, Library and Recreation Director

1.3 PRESENTATION - Engineering Projects Update (30 min)
Presenter: Taggart Bowen, City Engineer

1.4 PRESENTATION - 501(c)(4) Update (20 min)
Presenter: Steve Earl, City Attorney

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.

3. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council will review the items on the agenda.

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

4. CALL TO ORDER

5. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION

6. PLEDGE OF ALLEGIANCE: BY INVITATION

7. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

7.1 PRESENTATION - Mayor's Message
Moment of Silence
Presenter: Mayor David Young

7.2 Presentation - Constitution Remarks
Presenter: Bill Peterson, Post 72 Quartermaster

7.3 PRESENTATION - Constitution Month Awards
Presenter: Pete Wolfley, Communications Manager, PIO

7.4 PRESENTATION - Legislative Report

Presenter: David Shallenberger, Utah State Representative

7.5 REPORT - Libary Advisory Commission

Presenter: Bryce Merrill, Library and Recreation Director and Library Advisory Commission Members

7.6 PRESENTATION - Top Work Places

Presenter: Amy Peterson, HR Manager and Jennica Jones, Strategies and Innovations Manager

7.7 PRESENTATION - New Youth Council Introductions / Swearing In

Presenter: Jennica Jones, Strategies and Innovations Manager

8. 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.)

9. SCHEDULED ITEMS

9.1 PUBLIC HEARING - ORDINANCE - Request to Amend the Text of Article 22-21-Special Exceptions for Multi-Family Dwellings.

The proposed amendment adjusts the requirements that allow single-family zoned properties in certain circumstances to be developed as multi-family.

Presenter: Jared Hall, City Planner

I move to approve or deny by Ordinance the request to amend the text of article 22-21-Special Exceptions for Multi-Family Dwellings.

10. FINANCIAL INFORMATION

This item is for information purposes only. Find the financial statement in the City Council meeting packet.

10.1 MONTHLY FINANCIAL STATEMENT

July 2025

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 TO CLOSED SESSION IN THE SUMMIT CONFERENCE ROOM

To discuss pending or reasonably imminent litigation; the character or professional competence of an individual; or the purchase or lease of real property.

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

OREM

Legislative

CITY COUNCIL

September 23, 2025

Item 9.1

PUBLIC HEARING

Request for Text Amendment, Article 22-21: Special Exception for Multifamily Dwellings

The applicant proposes adjustments to the text of Article 22-21 regarding requirements for the development of some properties for multi-family projects.

Prepared By:
Jared Hall

Applicant:
John Zumbrennen

Notices

Posted in 2 public places

Posted on City Webpage and City hotline

Posted at Utah.gov/pmn

Action

The Council may:

Approve the proposed text amendment.

Deny the proposed text amendment.

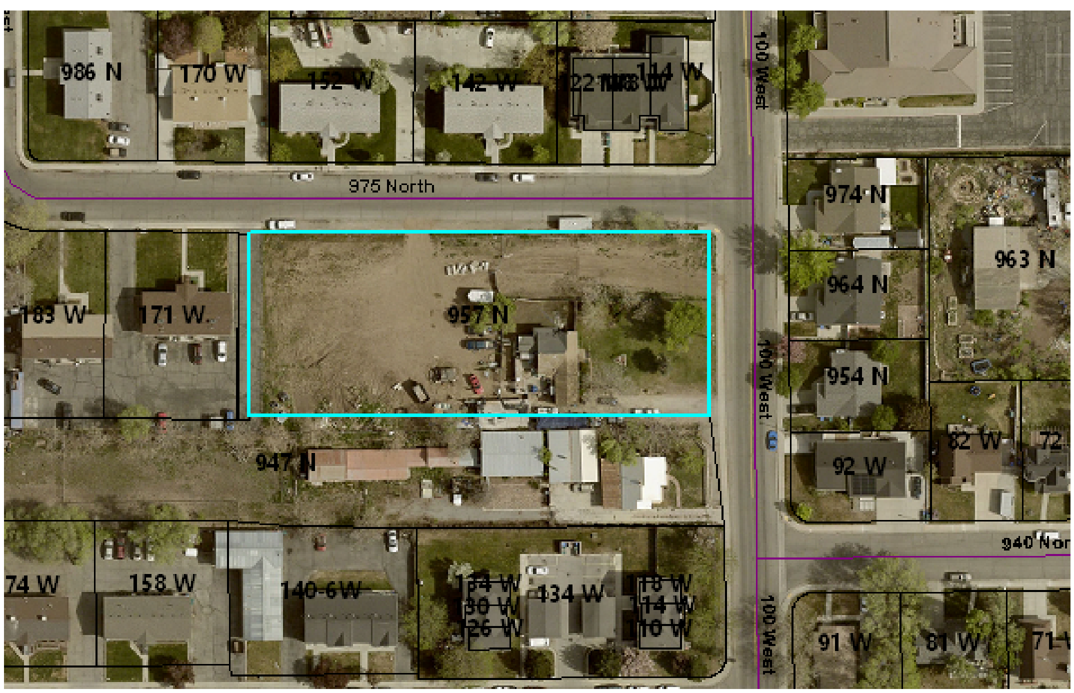
Continue the hearing to a future date to allow for further review, additional information, or public comment as may be needed to make a decision.

REQUEST:

Article 22-21 of the Orem City Code is a special exception for the development of multifamily dwellings in the R6, R6.5, and R7.5 Zones under very limited circumstances. The applicant, John Zumbrennen, requests several amendments to the text of Article 22-21 affecting changes to the requirements for properties to be considered eligible.

BACKGROUND:

Mr. Zumbrennen owns a parcel of property which he had previously been preparing for multifamily development. The property is zoned R8, and multifamily development is not an allowable use. Article 22-21 allows a special exception for the multi-family development of parcels in single-family zoning under very specific circumstances. Mr. Zumbrennen would like to expand those circumstances to include the property that he had intended to develop. For reference, his property is shown below.



PLANNING COMMISSION ACTION:

The Planning Commission reviewed the proposed amendments to the text of Article 22.21 at a public hearing on June 4, 2025. The Commission voted to continue the hearing to July 7, 2025, and then again to August 6, 2025, to allow the clarification of proposed language related to defined blocks and additional mapping. At the hearing on August 6th, the Commission voted to recommend DENIAL of the proposed text amendments to the City Council with five votes in favor and one abstaining.

REVIEW:

Although they are often brought by planning or other staff, requests to amend the text of the ordinance may be brought by any applicant or property owner. Much like reviewing requests to change the zoning of a property, the effect of any change to the text of the zoning ordinance should be considered for all properties it can potentially impact, and not only for the property that may have brought about the requested change.

Article 22-21 Overview and Proposed Amendments : Article 22.21 allows a special exception for multifamily dwellings on a parcel in the R6, R6.5, or R7.5 Zones under certain circumstances. Special Exceptions are reviewed by the Board of Adjustments. Mr. Zumbrennen's requested changes can be divided into three parts:

1: Eligibility - What properties can be considered for the exception.
2: Density - What density would be allowed for properties over 20,000 ft^2.
3: Materials - Allowing some additional materials in the architectural requirements.

Proposed Changes to Eligibility:

Section 22-21-2(A)(3): The lot must be at least 8,000 ft^2, but not more than 20,000 ft^2.

Proposed: not less than 8,000 ft^2 and not more than 48,000 ft^2.
Mr. Zumbrennen's property is .99 acres, which is larger than the current requirement.

Section 22-21-2(C): The lot must be located on a city block where all other lots are occupied by multifamily dwellings.

Proposed: substitute "all other lots" for "at least 75% of other lots" on the block are occupied by multi-family dwellings.
The applicant's property is not completely surrounded by multi-family development, but there is considerable multi-family and non-residential development in the area.

Section 22-21-2(C) continued: For purposes of this section, a block is defined as an area that is completely surrounded by public streets.

Proposed: add language: "However, if the block on which the lot is located is greater than 10 acres, then at least seventy-five percent (75%) of other lots that are within a contiguous area of at least three-hundred (300) feet drawn on the block and around the lot must be occupied by multifamily dwellings, and the lot must comply with Section 22-21-2(A)(3) and (7)."
The applicant's property is contained within a very large block - well over ten acres as defined by the ordinance. His property could be eligible if this amendment were approved. The intent of this "large block" requirement is to limit the numbers of other properties that could become eligible for the exception.

Proposed Changes to Density:

22-21-3(A):

Density. Maximum density is allowed as follows:

1) 2 units from 8,000 to 9,999 ft^2
2) 3 units on lots from 10,000 to 11,999 ft^2
3) 4 units on lots from 12,000 ft2 to 20,000 ft^2

Proposed: Lots over 20,000 ft^2 allow 1 unit per 2,950 ft^2 (14.75 units per acre) and the addition of a 5% density bonus of 2X6 exterior walls and energy efficient windows are used.

There is no current allowance for any lot over 20,000 ft^2 to be considered eligible, so some proscribed density is necessary. Mr. Zumbrennen had prepared a project for his parcel that fits his proposed density.

Exterior Finishing Materials:

22-21-3(H): Front elevations must include 60% brick, stone, cultured stone, stucco, or a combination of toe materials, and rear and side elevations must include those same materials for at least 40%.
Proposed: Include wood, and cement fiber board in the allowed materials.

22-21-3(J): Front facades must have offsetting facades of at least two feet, and units must be side by side and not stacked.
Proposed: Specify that front facades are those facing the street, make the requirement for offsetting facades an average of 20 inches.

Impacts: The criteria for those properties that would be eligible to be considered for the special exception under Article 22-21 are very narrowly written. Under the applicant's proposed changes, more properties would become eligible to apply for the exception, though he has taken steps to continue to propose amendments in a way that would continue to limit those numbers.

STATE REQUIRED PROCESS FOR LAND USE AMENDMENTS:
For land use amendments like the requested text amendments in this application, Utah State Code states that the "planning commission shall…

review and recommend to the [Orem City Council ("Council")] a proposed land use regulation that represents the planning commission's recommendation for regulating the use and development of land within all or any part of the area of the municipality. See Utah Code 10-9a-502(1)(d)(i).

The Council "may not make any amendment [to the land use ordinance or zoning map] unless the Council... first submits the amendment to the planning commission for the planning commission's recommendation." See Utah Code 10-9a-503(2).

The Planning Commission has voted to recommend denial of the proposed amendments.

<u>ALTERNATIVE ACTIONS</u>
After review and consideration of the application, the City Council may:

Approve the proposed text amendments.
Deny the proposed text amendments.
Continue the request to a future date for further review, additional information, or public comment as needed to make a recommendation.

<u>ALTERNATIVE MOTIONS:</u>

Motion to recommend approval or denial
"I move that the City Council **[choose: APPROVE** or **DENY]** the proposed amendments to the text of Article 22-21of the Orem City Code.

Motion to Continue the Request
"I move that the City Council continue this request for further consideration to (choose another date as appropriate).

OREDINANCE NO. ___________________

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING ARTICLE 22-21 OF THE CITY OF OREM RELATING TO PROPERTIES CONSIDERED ELIGIBLE FOR SPECIAL EXCEPTION TO ALLOW MULTIFAMLY DEVELOPMENT IN THE R6, R6.5, AND R7.5 ZONES.

WHEREAS on August 25, 2024, John Zumbrennen filed an application with the City of Orem requesting an amendment to Article 22-21 of the Orem City Code to alter the eligibility requirement that allow multifamily development in the R6, R6.5, and R7.5 Zones; and

WHEREAS public hearings considering the subject application were held by the Planning Commission on June 20th, July 7th, and August 6th, 2025; and

WHEREAS the agenda of the Planning Commission meetings at which the subject application was heard were posted at the Orem Public Library, on the Orem City webpage and at the Orem City offices at 56 North State Street; and

WHEREAS a public meeting to consider the subject application was held by the City Council on September 23rd, 2025; 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 to be in the best interest and general welfare of the City.
2. The City Council hereby amends Article 22-21 of the City Code of Orem as shown in Exhibit "A" which is attached hereto and incorporated herein by this 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 **23rd day** of **September 2025**.

____

David A. Young, Mayor

ATTEST:

____

Teresa McKitrick, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor David A. Young	☐	☐	☐
Jeff Lambson	☐	☐	☐
Jenn Gale	☐	☐	☐
Tom Macdonald	☐	☐	☐
LaNae Millett	☐	☐	☐
Chris Killpack	☐	☐	☐
David Spencer	☐	☐	☐

EXHIBIT A

Article 22-21 Special Exception for Multifamily Dwellings.

22-21-1. Purpose.

The purpose of this Article is to allow the development of Multifamily Dwellings on vacant lots adjacent to existing Multifamily Dwellings, subject to the standards and provisions contained herein.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

22-21-2. Criteria for Special Exception.

The Board of Adjustment may grant a special exception for a Multifamily Dwelling for a parcel in the R6, R6.5, or R7.5 zones only, under the following circumstances:

A. The lot meets all of the following criteria:

1. At least fifty percent (50%) of the front and side property lines of the lot are located directly across the street from or adjacent to a multifamily dwelling, a PRD in single ownership, or a commercial development;
2. The front of the lot is oriented in the same direction as at least one adjacent lot containing an existing multifamily dwelling or PRD in single ownership;
3. The lot is at least eight thousand (8,000) square feet and not more than ~~twenty thousand (20,000)~~ forty-eight thousand (48,000) square feet;
4. The lot width is equal to or greater than the minimum lot width required for the zone in which the lot is located;
5. The lot has not been previously developed;
6. The lot is a legal lot of record, does not contain any structures, and is not within a recorded subdivision plat; and
7. The lot was in existence on November 1, 1999, and has not been subdivided subsequent to that date.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-06-0022, Amended 10/24/2006)

B. The lot is surrounded on all property lines (including across the street) by multifamily dwellings, a developed nonresidential use (this does not include any agricultural use), or a commercial development and complies with Section 22-21-2(A)(3) and (7).; or;

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-06-0022, Amended 10/24/2006; Ord. No. O-07-0031, Amended 06/12/2007)

C. The lot is located on a city block where ~~all~~ at least seventy-five percent (75%) of other lots on the block are occupied by multifamily dwellings and complies with Section 22-21-2(A)(3) and (7). For purposes of this section, a city block is defined as an area that is completely surrounded by public streets. However, if the block on which the lot is located is greater than 10 acres, then at least seventy-five percent (75%) of other lots that are within a contiguous area of at least three-hundred (300) feet drawn on the block and around the lot must be occupied by multifamily dwellings, and the lot must comply with Section 22-21-2(A)(3) and (7).

No multifamily dwelling(s) shall be constructed under this exception until all other primary structures on the lot have been removed; however, if necessary, infrastructure can be put in place without removing primary structures, the removal may be postponed until occupancy of new structure is available. This could be done with phasing.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-06-0022, Amended 10/24/2006 (which deleted D, E, F, & G as well)

22-21-3. Development Requirements and Architectural Standards.

Any Multifamily Dwelling constructed pursuant to a special exception authorized by this Article shall comply with the following standards:

A. **Density**. The maximum number of dwelling units shall be as follows:

1. Two (2) on lots of 8,000 square feet up to but not including 10,000 square feet.
2. Three (3) on lots of 10,000 square feet up to but not including 12,000 square feet.
3. Four (4) on lots of 12,000 square feet up to and including 20,000 square feet.
4. Lots over 20,000 square feet allow one unit per 2,950 square feet.
5. Density Bonus: If 2x6 exterior walls and energy-efficient windows are used then a five percent (5%) density bonus will be allowed.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

B. **Height**. The maximum height for any Multifamily Dwelling shall be thirty-five feet (35').

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

C. **Setbacks**. The setbacks shall be the same as required by the zone in which the Multifamily dwelling is located.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

D. **Utilities**. The public sewer system and the public water supply shall serve all dwellings. All utilities shall be underground. Each Multifamily Dwelling is required to have a minimum of one meter ~~for natural gas and electricity~~ for each connected utility. Compliance with the provisions of CHAPTER 21 of the Orem City Code for water meter connections is required. No water or sewer lines shall be located under covered parking areas.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

E. **Parking**. A minimum of two and one-half (2½) off-street parking spaces per dwelling unit shall be provided for each Multifamily Dwelling. Parking spaces may not be constructed in the front or rear setback. However, if a driveway leads to a two-car garage, one (1) guest parking stall per driveway may be located in the front yard setback on the driveway. Parking may be located in the side-yard in accordance with the standards of Section 22-15-3(E)(4) of this Chapter. A driveway may be constructed in the front setback but may not be constructed in the rear setback unless it is also located in the side-yard setback. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). Parking spaces shall be paved with asphalt and/or concrete and shall be designed to provide for adequate drainage.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-07-0045, Amended 10/09/2007)

F. **Off-site Improvements**. The City shall require off-site curb, gutter and sidewalk along street rights-of-way bordering the lot when the proposed Multifamily Dwelling impairs off-site safety or surface water drainage and there is a nexus between the required improvements and the governmental purpose provided the amount of the improvements are roughly proportional to the amount of the off-site impact caused by the Multifamily Dwelling.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

G. **Storage Areas and Solid Waste Receptacles (Dumpsters)**. All outside storage areas, except RV storage areas, and all solid waste receptacles which are not located within the Multifamily Dwelling, shall be enclosed on at least three sides with the same materials as used on the exterior of the main building. Detached storage units may not exceed 100 square feet per dwelling unit.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

H. **Exterior Finishing Materials**. The front elevation of the Multifamily Dwelling shall have at least 60 percent (60%) of its exterior finishing materials of either brick, stone, cultured stone, stucco, wood, cement fiber board or a combination of these materials. The rear and side elevations shall have at least 40 percent (40%) of their exterior finishing materials of either brick, stone, cultured stone, stucco, cement fiber board or wood. Architectural trims do not count in the percentages required above.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

I. **Roof Pitch**. All Multifamily Dwellings shall have a minimum roof pitch of five rise to twelve run.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

J. **Front Facades**. The front of each Multifamily Dwelling facing the street shall have offsetting facades averaging of at least ~~two feet (2')~~ twenty inches (20"). Units shall be located side-by-side and shall not be stacked.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

K. **Entrances**. All entrances in the front elevation of any Multifamily Dwelling constructed pursuant to a special exception granted under this Article shall be located on the same level.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

L. **Orientation of Multifamily Dwelling(s)**. The Board of Adjustment may specify the orientation of the front of the proposed Multifamily Dwelling to ensure that the Multifamily Dwelling fits in and is compatible with the surrounding neighborhood and to reduce any negative impacts on adjacent single-family dwelling units.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

M. **Landscaping**. At least thirty (30) percent of the lot containing ~~a~~ multifamily dwelling(s) shall be landscaped. All areas within the lot not covered by buildings, driveways, sidewalks, structures, and parking areas, shall be permanently landscaped with trees, shrubs, lawn or ground cover and maintained in accordance with good landscaping practices. All landscaping shall have a permanent underground sprinkling system. At least one (1) deciduous tree a minimum of one and one-half (1 and 1/2) inch caliper measured six (6) inches above the rootball, one (1) evergreen tree at least six (6) feet in height measured above the rootball, and eight (8) shrubs at least two and one-half (2 and 1/2) gallons in size are required for every dwelling unit.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

N. **Drive Entrances**. No more than two drive entrances shall be allowed per lot. However, if the number of driveways desired is three (3) or four (4), each unit may have its own driveway if a transportation study by a qualified engineer and approved by the Orem City transportation engineer, proves there is little or no negative effect on increasing the number of driveways up to four (4) maximum. The maximum width of a combined-unit driveway is thirty-six (36) feet and the maximum width of a single-unit driveway is twenty (20) feet.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-07-0045, Amended 10/09/2007)

Article 22-21 Special Exception for Multifamily Dwellings.

22-21-1. Purpose.

The purpose of this Article is to allow the development of Multifamily Dwellings on vacant lots adjacent to existing Multifamily Dwellings, subject to the standards and provisions contained herein.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

22-21-2. Criteria for Special Exception.

The Board of Adjustment may grant a special exception for a Multifamily Dwelling for a parcel in the R6, R6.5, or R7.5 zones only, under the following circumstances:

A. The lot meets all of the following criteria:

1. At least fifty percent (50%) of the front and side property lines of the lot are located directly across the street from or adjacent to a multifamily dwelling, a PRD in single ownership, or a commercial development;
2. The front of the lot is oriented in the same direction as at least one adjacent lot containing an existing multifamily dwelling or PRD in single ownership;
3. The lot is at least eight thousand (8,000) square feet and not more than ~~twenty thousand (20,000)~~ forty-eight thousand (48,000) square feet;
4. The lot width is equal to or greater than the minimum lot width required for the zone in which the lot is located;
5. The lot has not been previously developed;
6. The lot is a legal lot of record, does not contain any structures, and is not within a recorded subdivision plat; and
7. The lot was in existence on November 1, 1999, and has not been subdivided subsequent to that date.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-06-0022, Amended 10/24/2006)

B. The lot is surrounded on all property lines (including across the street) by multifamily dwellings, a developed nonresidential use (this does not include any agricultural use), or a commercial development and complies with Section 22-21-2(A)(3) and (7).; or;

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-06-0022, Amended 10/24/2006; Ord. No. O-07-0031, Amended 06/12/2007)

C. The lot is located on a city block where ~~all~~ at least seventy-five percent (75%) of other lots on the block are occupied by multifamily dwellings and complies with Section 22-21-2(A)(3) and (7). For purposes of this section, a city block is defined as an area that is completely surrounded by public streets. However, if the block on which the lot is located is greater than 10 acres, then at least seventy-five percent (75%) of other lots that are within a contiguous area of at least three-hundred (300) feet drawn on the block and around the lot must be occupied by multifamily dwellings, and the lot must comply with Section 22-21-2(A)(3) and (7).

No multifamily dwelling(s) shall be constructed under this exception until all other primary structures on the lot have been removed; however, if necessary, infrastructure can be put in place without removing primary structures, the removal may be postponed until occupancy of new structure is available. This could be done with phasing.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-06-0022, Amended 10/24/2006 (which deleted D, E, F, & G as well)

22-21-3. Development Requirements and Architectural Standards.

Any Multifamily Dwelling constructed pursuant to a special exception authorized by this Article shall comply with the following standards:

A. **Density**. The maximum number of dwelling units shall be as follows:

1. Two (2) on lots of 8,000 square feet up to but not including 10,000 square feet.
2. Three (3) on lots of 10,000 square feet up to but not including 12,000 square feet.
3. Four (4) on lots of 12,000 square feet up to and including 20,000 square feet.
4. Lots over 20,000 square feet allow one unit per 2,950 square feet.
5. Density Bonus: If 2x6 exterior walls and energy-efficient windows are used then a five percent (5%) density bonus will be allowed.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

B. **Height**. The maximum height for any Multifamily Dwelling shall be thirty-five feet (35').

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

C. **Setbacks**. The setbacks shall be the same as required by the zone in which the Multifamily dwelling is located.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

D. **Utilities**. The public sewer system and the public water supply shall serve all dwellings. All utilities shall be underground. Each Multifamily Dwelling is required to have a minimum of one meter ~~for natural gas and electricity~~ for each connected utility. Compliance with the provisions of CHAPTER 21 of the Orem City Code for water meter connections is required. No water or sewer lines shall be located under covered parking areas.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

E. **Parking**. A minimum of two and one-half (2½) off-street parking spaces per dwelling unit shall be provided for each Multifamily Dwelling. Parking spaces may not be constructed in the front or rear setback. However, if a driveway leads to a two-car garage, one (1) guest parking stall per driveway may be located in the front yard setback on the driveway. Parking may be located in the side-yard in accordance with the standards of Section 22-15-3(E)(4) of this Chapter. A driveway may be constructed in the front setback but may not be constructed in the rear setback unless it is also located in the side-yard setback. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). Parking spaces shall be paved with asphalt and/or concrete and shall be designed to provide for adequate drainage.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-07-0045, Amended 10/09/2007)

F. **Off-site Improvements**. The City shall require off-site curb, gutter and sidewalk along street rights-of-way bordering the lot when the proposed Multifamily Dwelling impairs off-site safety or surface water drainage and there is a nexus between the required improvements and the governmental purpose provided the amount of the improvements are roughly proportional to the amount of the off-site impact caused by the Multifamily Dwelling.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

G. **Storage Areas and Solid Waste Receptacles (Dumpsters)**. All outside storage areas, except RV storage areas, and all solid waste receptacles which are not located within the Multifamily Dwelling, shall be enclosed on at least three sides with the same materials as used on the exterior of the main building. Detached storage units may not exceed 100 square feet per dwelling unit.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

H. **Exterior Finishing Materials**. The front elevation of the Multifamily Dwelling shall have at least 60 percent (60%) of its exterior finishing materials of either brick, stone, cultured stone, stucco, wood, cement fiber board or a combination of these materials. The rear and side elevations shall have at least 40 percent (40%) of their exterior finishing materials of either brick, stone, cultured stone, stucco, cement fiber board or wood. Architectural trims do not count in the percentages required above.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

I. **Roof Pitch**. All Multifamily Dwellings shall have a minimum roof pitch of five rise to twelve run.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

J. **Front Facades**. The front of each Multifamily Dwelling facing the street shall have offsetting facades averaging of at least ~~two feet (2')~~ twenty inches (20”). Units shall be located side-by-side and shall not be stacked.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

K. **Entrances**. All entrances in the front elevation of any Multifamily Dwelling constructed pursuant to a special exception granted under this Article shall be located on the same level.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

L. **Orientation of Multifamily Dwelling(s)**. The Board of Adjustment may specify the orientation of the front of the proposed Multifamily Dwelling to ensure that the Multifamily Dwelling fits in and is compatible with the surrounding neighborhood and to reduce any negative impacts on adjacent single-family dwelling units.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

M. **Landscaping**. At least thirty (30) percent of the lot containing ~~a~~ multifamily dwelling(s) shall be landscaped. All areas within the lot not covered by buildings, driveways, sidewalks, structures, and parking areas, shall be permanently landscaped with trees, shrubs, lawn or ground cover and maintained in accordance with good landscaping practices. All landscaping shall have a permanent underground sprinkling system. At least one (1) deciduous tree a minimum of one and one-half (1 and 1/2) inch caliper measured six (6) inches above the rootball, one (1) evergreen tree at least six (6) feet in height measured above the rootball, and eight (8) shrubs at least two and one-half (2 and 1/2) gallons in size are required for every dwelling unit.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004)

N. **Drive Entrances**. No more than two drive entrances shall be allowed per lot. However, if the number of driveways desired is three (3) or four (4), each unit may have its own driveway if a transportation study by a qualified engineer and approved by the Orem City transportation engineer, proves there is little or no negative effect on increasing the number of driveways up to four (4) maximum. The maximum width of a combined-unit driveway is thirty-six (36) feet and the maximum width of a single-unit driveway is twenty (20) feet.

(Ord. No. O-00-0003, Enacted, 01/25/2000; Ord. No. O-02-0044, Amended, 11/12/2002; Ord. No. O-04-0044, Amended, 9/28/2004; Ord. No. O-07-0045, Amended 10/09/2007)

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED JULY 2025

Percent of Year Expired: 8%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2026	% To Date FY 2025	Notes
10 GENERAL FUND								
Revenues	74,390,378	3,790,222	3,790,222			5%	5%	
Appr. Surplus - Prior Year	9,949,771	9,949,771	9,949,771			100%		
Std. Interfund Transactions	6,970,956	6,970,956	6,970,956			100%		
Total Resources	91,311,105	20,710,949	20,710,949		70,600,156	23%	21%	
Expenditures	91,311,105	13,974,527	13,974,527	1,881,946	75,454,632	17%	18%	
20 ROAD FUND								
Revenues	4,350,000							
Appr. Surplus - Prior Year	2,629,699	2,629,699	2,629,699			100%		
Total Resources	6,979,699	2,629,699	2,629,699		4,350,000	38%	45%	
Expenditures	6,979,699	284,487	284,487	1,246,494	5,448,718	22%	17%	
21 CARE TAX FUND								
Revenues	3,350,000	15,492	15,492			0%	1%	
Appr. Surplus - Prior Year	2,447,243	2,447,243	2,447,243			100%		
Total Resources	5,797,243	2,462,735	2,462,735		3,334,508	42%	21%	1
Expenditures	5,797,243	984,900	984,900	47,998	4,764,345	18%	27%	
24 TRANSPORTATION SALES TAX FUND								
Revenues	4,430,000							
Appr. Surplus - Current	500,000	500,000	500,000			100%		
Appr. Surplus - Prior Year	2,011,516	2,011,516	2,011,516			100%		
Total Resources	6,941,516	2,511,516	2,511,516		4,430,000	36%	20%	2
Expenditures	6,941,516	1,267,649	1,267,649	200,405	5,473,462	21%	20%	
30 DEBT SERVICE FUND								
Revenues	6,536,510	555,396	555,396			8%	8%	
Total Resources	6,536,510	555,396	555,396		5,981,114	8%	8%	
Expenditures	6,536,510	48,385	48,385		6,488,125	1%	1%	
45 CIP FUND								
Revenues	380,000	6,654	6,654			2%	20%	
Appr. Surplus - Prior Year	9,914,800	9,914,800	9,914,800			100%		
Total Resources	10,294,800	9,921,454	9,921,454		373,346	96%	98%	
Expenditures	10,294,800	245,069	245,069	2,813,070	7,236,661	30%	61%	3
51 WATER FUND								
Revenues	22,658,359	3,875,481	3,875,481			17%	17%	
Appr. Surplus - Prior Year	21,275,208	21,275,208	21,275,208			100%		
Total Resources	43,933,567	25,150,689	25,150,689		18,782,878	57%	66%	
Expenditures	43,933,567	4,323,435	4,323,435	9,081,713	30,528,419	31%	38%	
52 WATER RECLAMATION FUND								
Revenues	24,836,864	1,393,750	1,393,750			6%	16%	
Appr. Surplus - Prior Year	27,933,226	27,933,226	27,933,226			100%		
Total Resources	52,770,090	29,326,976	29,326,976		23,443,114	56%	71%	4
Expenditures	52,770,090	3,040,511	3,040,511	5,402,172	44,327,407	16%	24%	
55 STORM WATER FUND								
Revenues	7,038,893	679,287	679,287			10%	10%	
Appr. Surplus - Prior Year	9,052,217	9,052,217	9,052,217			100%		
Total Resources	16,091,110	9,731,504	9,731,504		6,359,606	60%	64%	
Expenditures	16,091,110	1,619,739	1,619,739	1,319,786	13,151,585	18%	27%	5
56 RECREATION FUND								
Revenues	4,569,937	574,324	574,324			13%	14%	
Appr. Surplus - Prior Year	663,687	663,687	663,687			100%		
Total Resources	5,233,624	1,238,011	1,238,011		3,995,613	24%	20%	
Expenditures	5,233,624	956,888	956,888	664,264	3,612,472	31%	23%	

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED JULY 2025

Percent of Year Expired: 8%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2026	% To Date FY 2025	Notes
57 SOLID WASTE FUND								
Revenues	5,470,000	469,255	469,255			9%	8%	
Appr. Surplus - Prior Year	240,964	240,964	240,964			100%		
Total Resources	5,710,964	710,219	710,219		5,000,745	12%	10%	
Expenditures	5,710,964	682,662	682,662	300,839	4,727,463	17%	12%	
58 STREET LIGHTING FUND								
Revenues	1,416,000	128,116	128,116			9%	10%	
Appr. Surplus - Prior Year	214,535	214,535	214,535			100%		
Total Resources	1,630,535	342,651	342,651		1,287,884	21%	28%	
Expenditures	1,630,535	563,134	563,134	140,147	927,254	43%	41%	
61 FLEET MAINTENANCE FUND								
Appr. Surplus - Prior Year	81,388	81,388	81,388			100%		
Std. Interfund Transactions	1,120,000	1,120,000	1,120,000			100%		
Total Resources	1,201,388	1,201,388	1,201,388			100%	100%	
Expenditures	1,201,388	330,422	330,422	51,101	819,865	32%	30%	
62 PURCHASING/WAREHOUSING FUND								
Appr. Surplus - Prior Year	32,536	32,536	32,536			100%		
Std. Interfund Transactions	530,000	530,000	530,000			100%		
Total Resources	562,536	562,536	562,536			100%	100%	
Expenditures	562,536	174,049	174,049	2,646	385,841	31%	29%	
63 SELF INSURANCE FUND								
Revenues	860,000	73,441	73,441			9%	9%	
Appr. Surplus - Current Year	50,000	50,000	50,000			100%		
Appr. Surplus - Prior Year	5,500	5,500	5,500			100%		
Std. Interfund Transactions	1,655,000	1,655,000	1,655,000			100%		
Total Resources	2,570,500	1,783,941	1,783,941		786,559	69%	71%	
Expenditures	2,570,500	983,502	983,502	1,345	1,585,653	38%	33%	
64 INFORMATION TECH FUND								
Revenues						100%	100%	
Appr. Surplus - Current Year	250,000	250,000	250,000			100%		
Appr. Surplus - Prior Year	309,271	309,271	309,271			100%		
Std. Interfund Transactions	3,914,537	3,914,537	3,914,537			100%		
Total Resources	4,473,808	4,473,808	4,473,808			100%	100%	
Expenditures	4,473,808	458,905	458,905	186,409	3,828,494	14%	16%	
65 FACILITIES MAINTENANCE FUND								
Appr. Surplus - Prior Year	6,711	6,711	6,711			100%		
Std. Interfund Transactions	2,200,000	2,200,000	2,200,000			100%		
Total Resources	2,206,711	2,206,711	2,206,711			100%	100%	
Expenditures	2,206,711	254,412	254,412	668,452	1,283,847	42%	44%	
74 CDBG FUND								
Revenues	886,494	1,360	1,360			0%		
Appr. Surplus - Prior Year	119,876	119,876	119,876			100%		
Total Resources	1,006,370	121,236	121,236			12%	14%	
Expenditures	1,006,370	95,286	95,286	36,631	874,453	13%	18%	
CITY TOTAL RESOURCES	265,252,076	115,641,419	115,641,419		148,725,523	44%	50%	
CITY TOTAL EXPENDITURES	265,252,076	30,287,962	30,287,962	24,045,418	210,918,696	20%	27%	

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED JULY 2025

Percent of Year Expired: 8%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2026	% To Date FY 2025	Notes

NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED JULY 2025

1) The current year revenues are higher in comparison to the prior year due to the current year carryovers ($2,447,243) being significantly higher than in the prior fiscal year ($869,853). The majority of this change is due to the Library Park Gardens & Playground project and the HeArt of Downtown Project which did not exist in the prior fiscal year.

2) The current year revenues are higher in comparison to the prior year due to the current year carryovers ($2,011,516) being significantly higher than in the prior fiscal year ($1,109,162). The majority of this change is due to Slurry Seals and Micro-surfacing projects which did not have any funds carried over in the prior fiscal year.

3) The current year expenditures are lower in comparison to the prior year due to the current year encumbrances ($2,813,070) being significantly lower than in the prior fiscal year ($14,051,189) at this date in time. The majority of this change is due to a large amount of encumbrances for the new city center in the prior year while those encumbrances have been reduced significantly as the project nears completion in the current year.

4) The current year revenues are lower in comparison to the prior year due to the current year carryovers ($27,933,226) being lower than in the prior fiscal year ($28,943,098) as well as a payment ($1,325,194) from Lindon for tertiary treatment being received in July 2024 while not yet received in FY 2026.

5) The current year expenditures are lower in comparison to the prior year due to the current year encumbrances ($1,319,786) being significantly lower than in the prior fiscal year ($2,874,537) at this date in time. The majority of this change is due to encumbrances for the 2000 S utilities project in the prior year while there are currently no encumbered projects to the same magnitude at this time in the current year.

Note: In earlier parts of a fiscal year, expenditures may be greater than the collected revenues in a fund. The City has accumulated sufficient reserves to service all obligations during such periods and does not need to issue tax anticipation notes or obtain funds in any similar manner. If you have questions about this report, please contact Brandon Nelson (229-7010).