

DRAFT Planning Commission minutes for August 6, 2025

CITY OF OREM PLANNING COMMISSION MEETING MINUTES August 6, 2025

The following items are discussed in these minutes:

- **CONSENT AGENDA ITEMS:**

- 3.1 Approval of Minutes for July 2, 2025 – Approved

- **PUBLIC HEARING:**

- **4.1 Public Hearing: 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

MEETING

Place: Orem City Council Chambers, 56 North State Street

At **5:33 p.m.** Chair Komen called the Planning Commission meeting to order. An invocation was offered by Gerald Crismon.

Those present: Mike Carpenter, Gerald Crismon, James (Jim) Hawkes, Rod Erickson, Madeline Komen, Britton Runolfson, Planning Commission members; Jared Hall, Planning Division Manager; Grant Allen, Matthew Taylor, Senior Planners; Grace Bjarnson and Rebecca Gourley, Associate Planners.

Those excused: Haysam Sakar, Planning Commission member; Gary McGinn, Development Services Director/Legal Counsel

Agenda Item 3, Consent Agenda: Chair Komen introduced the Consent Agenda. Jim Hawkes motioned the pass the agenda. Mike Carpenter seconded. The motion passed unanimously. Approved items:

- 3.1 Approval of Minutes for 7-2-2025 – Approved

Agenda Item 4.1 Request to Amend the Text of Article 22-21 – Special Exceptions for Multi-Family Dwellings.

Jared Hall presented the request for an amendment to Article 22-21, which alters the following:

22-21-2(A)(3), increases the lot size limit from 20,000 to 48,000

22-21-2(C), reduces the existing surrounding multifamily unit requirement for new multifamily developments in single family zones from 100% to 75%

22-21-2(C), alters the definition of a block by allowing non-public streets to qualify as “public streets” in the event a road does not allow a block to be circumnavigated

22-21-2(C), postpones the removal of existing structures during the construction of a new multifamily development, provided the infrastructure can be placed without required demolition

22-21-3(A)(4) and (3), allows lots over 20,000 square feet to have one unit per 2,950 square feet; and provides a density bonus if energy efficient windows are used

22-21-3(D), allows a meter to be stalled per each connected utility

22-21-3(H), allows wood and cement fiber board to be an acceptable exterior finishing material

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22-21-3(J), reduces the front of each multifamily dwelling facing the street to have an offsetting façade averaging twenty inches instead of two feet

A copy of the proposed changes has been added to the minutes per exhibit A for reference.

Staff turned the item on to the Commission for discussion. Chair Komen asked staff to clarify what the new proposed definition of a block would entail, and what homes would be counted toward the multifamily requirement. Jared Hall advised that the nearest streets would impact Mr. Zumbrennen's property under the new definition and greatly reduce the area of the block.

Chair Komen then reclarified that the item that was being voted on was the text amendment. The Commission invited Mr. Zumbrennen to speak.

Mr. Zumbrennen came forward and expressed that he had forwarded an application under the State Street District of the North Orem Neighborhood several years ago, but that the project had been halted due to a moratorium on the State Street Districts. He advised that despite the moratorium, townhomes and multifamily options were still optimal for the property he wishes to develop, due to nearby public transportation, the need for housing, the desire to improve the value of the surrounding neighborhood, and to have a return on his investments; hence, the proposed amendment to allow for multifamily development.

Rod Erikson asked about the parking plans for Mr. Zumbrennen's anticipated development. Mr. Zumbrennen said his property would provide two car garages and two driveways per unit and provided details on his stormwater plans.

Chair Komen asked questions regarding the vestment of Mr. Zumbrennen's previous application. Staff advised that they were unable to provide information, and that it would need to be addressed by the legal team at a later date.

PUBLIC COMMENT

Chair Komen then opened the item for Public Comment. The following individuals spoke:

- Tammy Moore, Neighbor: Ms. Moore expressed concern about traffic and crime in the area and explained that she would prefer to see the city preserve open space.
- Mike Nielson, Neighbor: Mr. Nielson advised that when he first built his home, the city had been more rural. He advised that the city is partially at fault for traffic and congestion and has concerns about the narrowness of the roads near Mr. Zumbrennen's desired development. Mr. Nielson was generally against the increase in density in the city.
- Rod Davis, Neighbor: Mr. Davis expressed his concern about the increase in density and traffic. He advised that the nearby streets are too narrow and there is a history of requiring less units rather than allowing more in the area.
- Rick Jeske, Neighbor: Mr. Jeske expressed concerns about the existing units along 134 West and 900 North, claiming that residents already use an excess of street parking. He advised that the text amendment would allow too much density, agitate the existing parking issues, and put pressure on an underperforming sewer sump in the area.
- Dick Allen, Neighbor: Mr. Allen expressed that he would like a new development in the 134 West 900 North region, but that a development the size of what the text amendment would allow was too large. He advised the road is too crowded, access is difficult, and the increase in traffic would endanger families with young children.

No further individuals came forward. The public comment session was closed at 6:21 PM.

Chair Komen invited the applicant to come forward for final comments.

Mr. Zumbrennen provided a summary of the neighborhood meeting he had held for this amendment and advised that the 20 individuals in attendance appeared to be generally optimistic of the project, with concerns for the tenant who currently lives on the property. He advised that he wanted to meet landscape requirements and exceed parking expectations, and reiterated that multifamily housing was the most logical type of housing to put on a lot with a long rectangular shape.

Chair Komen turned the item back to the Commission for further questions and final comments.

Britton Runolfson asked if the text amendment would be citywide or just for Mr. Zumbrennen's property. Staff clarified the text amendment is citywide.

Mike Carpenter expressed his concerns about the dramatic change the amendment would propose for the entire city. Jim

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Hawkes agreed. Britton Runolfson agreed and noted that the change would be too open ended with unpredictable long-term impacts. Rod Erikson advised that he was conflicted, as he agreed with the creation of smaller lots and affordable housing, but disagreed with the amendment's approach. Chair Komen advised that the amendment was poorly constructed, would agitate issues with the existing code, and was not a reasonable code to apply for all neighborhoods citywide.

Motion: Jim Hawkes motioned to forward a negative recommendation to City Council. Mike Carpenter seconded the motion.

Those voting yes: Britton Runolfson, Jim Hawkes, Mike Carpenter, Madeline Komen, Rod Erikson

Those abstaining: Jerry Crisman

The motion passed with 5 positive votes and 1 abstention.

Final Meeting Comments: Jared Hall reminded audience that a citywide notice will not be sent out. Residents must watch council agenda to see when the item will be voted on for City Council. Both Chair Komen and Britton Runolfson reminded the audience that the Planning Commission vote is advisory and the final vote will be with City Council

Adjournment: Chair Komen asked for a motion to adjourn. Rod Erikson motioned to adjourn, Jim Hawkes seconded. The motion passed unanimously.

The Regular Session adjourned at **6:24 p.m.**

Reviewed and Approved: August 20th, 2025

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 are occupied by multifamily dwellings and complies with Section 22-21-2(A)(1),(3) and (7). For purposes of this section, a city block is defined as an area that is completely surrounded by public streets or the equivalent, if roads do not allow the block to be circumnavigated.

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

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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)

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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)