

RESOLUTION NO. R-2025-0023

RESOLUTION OF THE CITY COUNCIL OF OREM, UTAH, ADOPTING A DETERMINATION OF IMPRACTICABILITY TO THE REQUIREMENTS OF UTAH CODE §10-21-203(1)(a) WHICH REQUIRES ADOPTION OF A STATION AREA PLAN FOR THE MAIN STREET PUBLIC TRANSIT STATION.

WHEREAS, Utah Code §10-21-203(1)(a) requires a municipality with a fixed guideway public transit station to develop and adopt a station area plan; and

WHEREAS, the Main Street Public Transit Station for the Utah Valley Express (UVX) falls under the requirements of Utah Code §10-21-203(1)(a)(i); and

WHEREAS, Utah Code §10-21-203(1)(b)(ii) specifically provides for a process whereby cities may determine that certain conditions exist that make satisfying a portion or all of the requirements of Utah Code §10-21-203(1)(a) impracticable; and

WHEREAS, pursuant to Utah Code §10-21-203(1)(b)(ii) conditions exist that make satisfying all of the requirements of Utah Code §10-21-203(1)(a) for the Main Street Public Transit Station impracticable due to existing development, land ownership, existing entitlements, and other factors as outlined in Exhibit A; and

WHEREAS, the City of Orem is vested with the authority under Utah Code §10-20-101 to provide for the health, safety, and welfare, and to promote the prosperity and protect the tax base of the municipality; and

WHEREAS, the City has implemented policies, plans, and ordinances that have established the Main Street Public Transit Station area as a vital, regional commercial hub, which now constitutes a "built-out" and stable area; and

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

PART I

1. Findings of Impracticability. The City Council of the City of Orem finds that, pursuant to Utah Code §10-21-203(1)(b)(ii), conditions exist that make satisfying all of the requirements of Utah Code §10-21-203(1)(a) for the Main Street Public Transit Station impracticable due to existing development, land ownership, existing entitlements, and other factors as outlined in Exhibit A attached hereto and incorporated herein by this reference; and

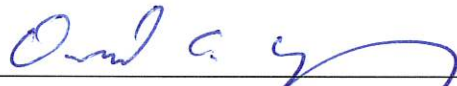
2. Determination of Impracticability. The City Council of the City of Orem hereby determines that adopting a station area plan for the Main Street Public Transit Station is impracticable as set forth in Utah Code §10-21-203(1)(b)(ii).

PART II

1. All other resolutions, ordinances and policies in conflict herewith, either in whole or in part, are hereby repealed.
2. This Resolution shall become effective immediately upon passage.
3. This resolution shall be submitted to the applicable metropolitan planning organization and the applicable public transit district as documentation for the City of Orem's compliance with the requirements of §10-21-203.

END OF RESOLUTION

PASSED and APPROVED this 9th day of December, 2025.



David A. Young, Mayor

ATTEST:



Teresa McKittrick, City Recorder



COUNCILMEMBER	YES	NO	ABSTAIN
---------------	-----	----	---------

David A. Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeff Lambson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Killpack	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Macdonald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaNae Millett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jenn Gale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EXHIBIT A

Main Street Station, Exceptions to Station Area Plan Requirements

Introduction

Utah Code section 10-21-203(1)(a)(i) dealing with station area plans requires the city to adopt Station Area Plans (SAPs) for all fixed guideway public transit stations located within the boundaries of the city however, Utah Code Section 10-21-203(1)(b)(ii) provides exceptions to the requirement for for Orem to do an SAPs. If Orem determines that conditions exist which make satisfying a portion or all of the requirements of Subsection 203(1)(a)(i) impracticable, because of conditions that relate to existing development, entitlements, land ownership, land uses that make opportunities for new development and long-term redevelopment infeasible, environmental limitations, market readiness, development impediment conditions, or other similar conditions, Orem would not be required to adopt an SAP.

Orem needs to adopt a resolution describing the conditions which exist that make satisfying the requirements of subsection 203(1)(a)(i) impracticable. This report sets out the existing conditions and the prior actions that make the development of an SAP impracticable under 10-21-203(1)(b)(ii).

Impracticability Determination for Station Area Plans (SAPs) at Main Street Station

Legal Context

Utah Code section 10-21-203(1)(a)(i) mandates that the City of Orem adopt Station Area Plans (SAPs) for all fixed guideway public transit stations located within the city's geographical boundaries. This requirement is a standard legislative measure aimed at promoting transit-oriented development (TOD) and maximizing the benefit of public transit investments.

However, the legislature has provided municipalities with an essential exception under Utah Code Section 10-21-203(1)(b)(ii). This provision recognizes that there may be existing conditions that make the full or partial satisfaction of the SAP requirement impracticable. Specifically, Orem is not required to adopt an SAP for a specific station if the City formally determines that conditions exist which make satisfying a portion or all of the requirements of Subsection 203(1)(a)(i) "impracticable."

Conditions for Impracticability

The statute specifies a range of conditions that can justify a determination of impracticability. These include, but are not limited to, conditions related to:

- **Existing Development:** The degree and nature of current construction and infrastructure on the site.
- **Existing Entitlements:** Vested property rights, approved development agreements, or existing zoning that severely limits new development options.
- **Land Ownership:** Highly fragmented or complex ownership patterns that impede coordinated redevelopment.
- **Existing Land Uses:** Current uses that are incompatible with TOD and have long-term economic viability, making significant change infeasible.
- **Opportunities for New Development and Long-Term Redevelopment Infeasibility:** A comprehensive assessment concluding that the potential for transformative development is extremely low.
- **Environmental Limitations:** Physical constraints such as floodplains, wetlands, or geotechnical issues that restrict development capacity.
- **Market Readiness:** A lack of current or foreseeable market demand to support the density, mix of uses, or scale typically associated with a successful SAP.
- **Development Impediment Conditions:** Other unforeseen or specific local factors that create significant barriers to implementing a standard SAP.
- **Other Similar Conditions:** A catch-all provision to account for unique local circumstances not explicitly listed.

The Necessity of a Resolution

To legally proceed without adopting an SAP, Orem is required to adopt a formal resolution. This resolution must meticulously describe the specific conditions that exist at the Main Street station area which make satisfying the requirements of subsection 203(1)(a)(i) impracticable.

Purpose of This Report

This report serves as the evidentiary basis for that required resolution. Its objective is to thoroughly document the historical context, existing physical conditions, and prior legislative or administrative actions that collectively demonstrate why the development of a meaningful and effective Station Area Plan for the Main Street area is considered impracticable under the authority granted by Utah Code Section 10-21-203(1)(b)(ii). By setting out these existing conditions and prior actions, the City establishes the legal justification for its determination and compliance with state law.

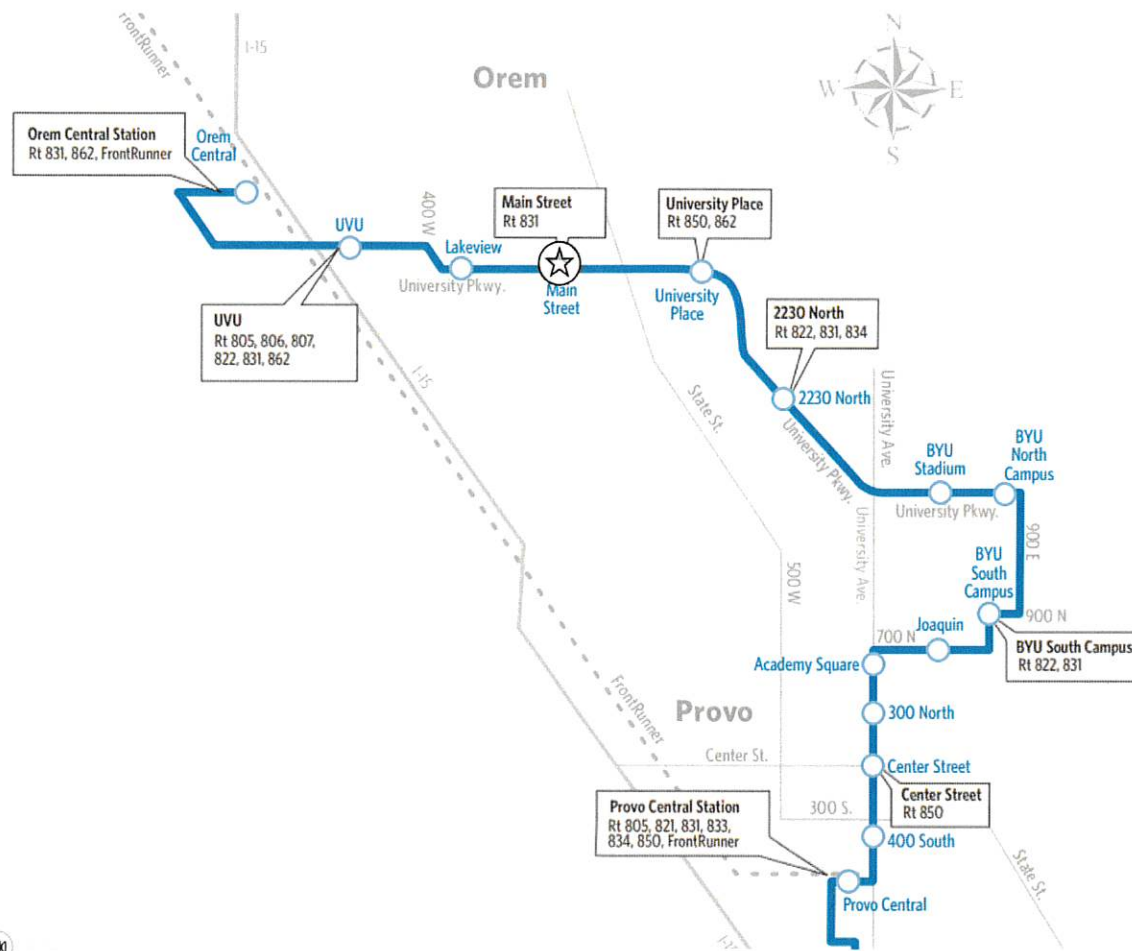
Summary Table of Stations and Justification for Exceptions

Station	Existing Development	Entitlements	Land Ownership	Existing Land Uses	Environmental Limitations	Market Readiness	Development Impediments	Other
Lakeview	✓			✓		✓	✓	✓
Main Street	✓			✓		✓	✓	✓
University Place	✓		✓	✓		✓	✓	✓

Section 1: Station Area Existing Conditions, Adopted Plans, and Investments

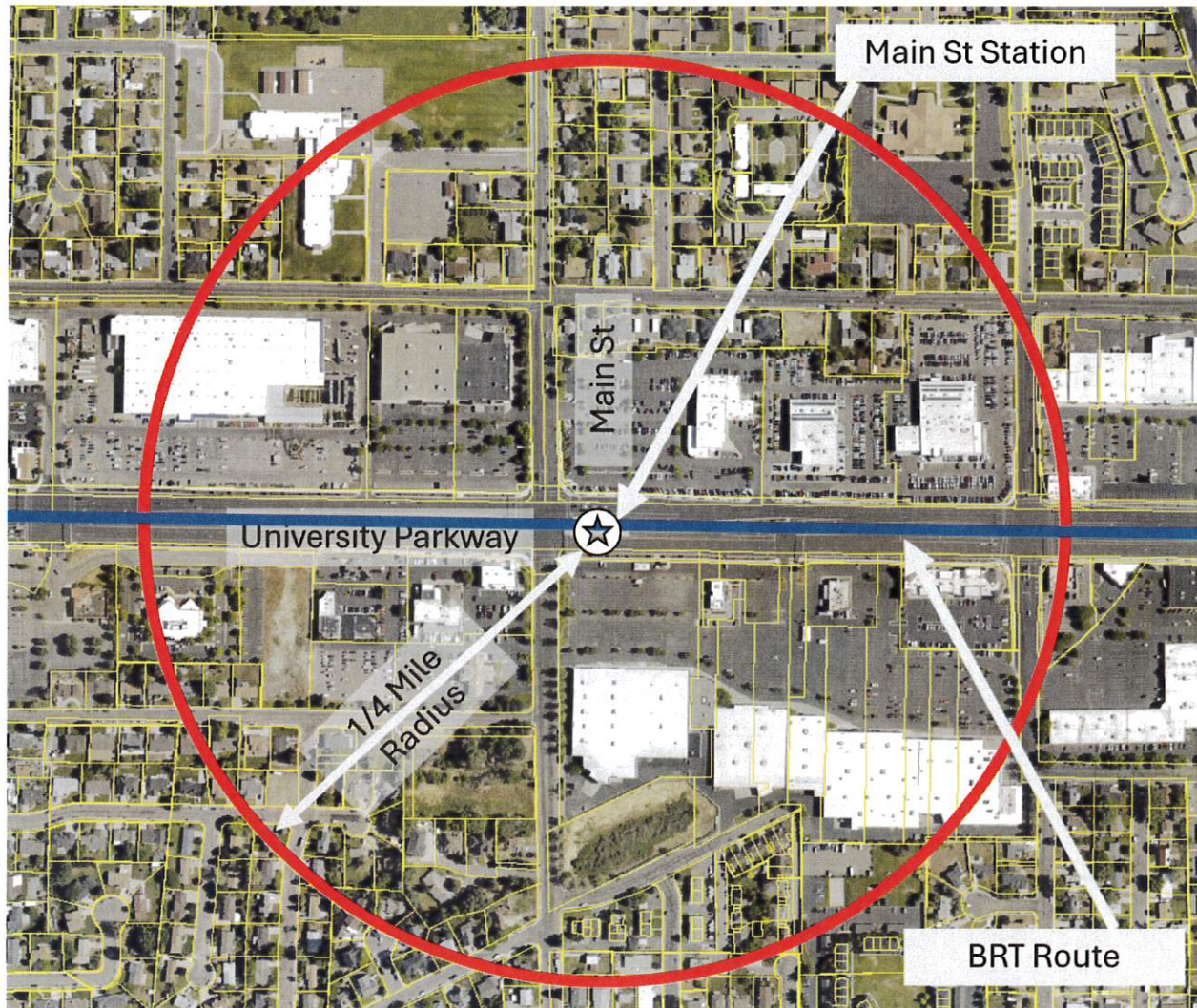
Location in Region

The Main Street Station is one of five Utah Valley Express (UVX) bus rapid transit stations located in Orem City, following the Utah Central Station. Twelve additional stations on the route serve Provo City. The UVX route connects the regional universities and technical institutes, including: Utah Valley University (UVU) in Orem, and Brigham Young University (BYU), Rocky Mountain University of Health Professions, and Mountainland Technical College. Additionally, the UVX connects ridership with a substantial number of retail and employment centers within Orem City. The route terminates in Provo and Orem City at FrontRunner commuter rail stations.



Station Area Existing Conditions

The Station is located in the City of Orem ("Orem") at 10 E University Parkway on the east side of the intersection and in the middle of the right-of-way. This analysis focuses on the area within one-quarter mile of the Station as required by State statute.



The Station Area is predominantly developed with retail establishments surrounding the station. The land uses in this area include:

- Big-box retail
- Restaurants
- Car dealerships
- Residential apartments
- Religious facilities
- Elementary school
- Single family homes
- Multi-family residential

The undeveloped property southwest of the station is bordered by low-density residential developments, is currently owned by the City of Orem and is being developed for a fire station. The vacant area immediately south of the existing retail is a storm-water detention facility.

Transportation Network

University Parkway is the primary retail corridor in Orem and Utah County, attracting significant traffic with major retailers, restaurants, and services..

Multi-Family Complexes: Within 1/4 Mile

Development	Units
Starcrest Apartments	54
Orchard Heights Townhomes	40
Four Plex (independent)	68

Additional Multi-Family Complexes: 1/4 Mile and 1/2 Mile From Station

Development	Units
4-8 Plex (independent)	308+
Park Avenue Condominiums	128

Adopted General Plan

The City has a general plan and designates the University Parkway corridor for Regional Commercial. This is intended to plan around the City's Regional Commercial zoning, the outcome being single-use retail and office space. The City is highly invested in this land use outcome for services to its residents, job opportunities, and the sales tax revenue vital to the City budget.

The map displays a residential area with a red circle indicating a 1/4 mile radius around a central point marked with a star. The map is divided into color-coded zones: LDR (Low Density Residential, green), MDR (Medium Density Residential, yellow), and RC (Residential Commercial, red). The central point is located at the intersection of University Parkway and Main Street. A white arrow points from the center to the text "1/4 Mile Radius".

Streets shown include:

- 200 West, 150 West, 1040 South, 1100 South, 135 South, 1200 South, 1400 South, 135 South, 1450 South, 1460 South, 1500 South, 1520 South, 1530 South, 1560 South, 1600 South
- 200 East, 225 East, 200 East, 200 East, 240 East, 240 East
- 50 East, 70 East, 100 East, 125 East, 175 East
- Main Street, University Parkway, Starcrest Drive, Ellen Circle, Anne Circle, Sara Circle, Virginia Circle, Hollow Drive

Zone labels: LDR, MDR, RC, MDR.

Pursuant to Utah Code § 10-21-203(1)(b)(i)(A), the City of Orem's existing adopted plans and existing investments substantially promote the objectives required in 10-21-203(6)(a).

- Increasing the Availability and Affordability of Housing (Objective (6)(a)(i)): The existing residential community accounts for 58.5% of the station area and includes substantial

multi-family housing (28.4 acres). This concentration promotes housing availability near transit. The General Plan's approach to housing, including its Moderate Income Housing Element, directly informs the city's strategy for meeting this objective. The high occupancy rate (estimated at 97% City-wide and 95% in the neighborhood) demonstrates that the existing housing is in high demand and successfully utilizing the station area location. Additional prior actions that contribute:

- Orem City Council allows internal Accessory Dwelling Units (ADUs) in single-family zones, promoting housing diversity and affordability.
- The ADU ordinance is updated to meet state mandates and the city's housing goals in the Moderate Income Housing Plan (MIH).
- There are substantial groupings of two- to four-unit apartment dwellings and multi-unit apartment complexes within the Station Area that contribute to housing affordability.
- The proximity to the Utah Valley Express (UVX) bus rapid transit station offers affordable transportation options, reducing reliance on private vehicles and lowering overall living costs.
- The area's walkability, bike lanes, and proximity to retail and essential services further reduce transportation costs, making it easier for residents to access what they need without traveling long distances.
- Promoting Sustainable Environmental Conditions (Objective (6)(a)(ii)): The City's General Plan and adopted zoning, which concentrates high-value commercial and residential uses around a fixed guideway transit station (UVX), inherently promotes this objective by
 - Orem has implemented rigorous water conservation goals, including a 20% reduction in water usage by 2030, supported by public education and advanced water metering technologies that track daily usage. This effort aligns with the city's ongoing adaptation to regional water conservation goals during periods of drought .
 - Orem City's Parks, Recreation, Trails, and Open Space Master Plan emphasizes the preservation and expansion of existing green spaces. This is particularly applicable to the Westmore Elementary Open Space and adjacent Westmore Park. These efforts not only enhance the quality of life but also contribute to better air quality and sustainable land use .
 - The city partners with Rocky Mountain Power on energy-saving initiatives, ensuring alignment with environmental goals for both residential and commercial properties in the Station Area.
 - Orem is committed to open space preservation, including the ongoing development of parks, trails, and water management infrastructure.
- Enhancing Access to Opportunities (Objective (6)(a)(iii)): The existing commercial base (33.6% of the area) and institutional land (7.9%, including University use) fulfill the objective of enabling employment and educational opportunities and maintaining connections between transit, employment, and commerce. This also promotes the existing horizontal mixed-use environment through the integration of major retail, office, institutional, and residential uses adjacent to a high-capacity transit corridor. Additionally:

- Orem's investment in the Utah Valley Express (UVX) bus rapid transit system directly connects residents to Utah Valley University (UVU), major employment centers, recreational spaces, and retail hubs, including University Parkway. This transit system significantly enhances mobility, providing easy access between residential areas and key city amenities.
- Although not always vertical, University Parkway embodies a horizontally mixed-use environment with a wide range of residential, commercial, and recreational uses. This layout creates a vibrant, dynamic area where residents can live, work, and shop within close proximity, enhancing convenience and accessibility.
- The proximity of the UVX station to UVU, one of the region's largest educational institutions, along with surrounding commercial and office developments, supports a high concentration of employment and educational opportunities within the station area.
- Orem has expanded access to high-speed broadband through partnerships like UTOPIA Fiber, which provides gigabit-speed internet to homes and businesses. This not only supports remote work and online education but also promotes business growth and digital connectivity throughout the City .
- Orem City's emphasis on preserving open spaces, such as parks and trails, ensures residents have access to recreational areas conveniently linked to transit and housing. Examples include:
 - Enhanced six-foot wide sidewalks, and nine-foot wide enhanced landscaping buffering along both sides of University Parkway.
 - The newly opened Hillcrest Park, located just two BRT stations east, is directly adjacent to the station and housing, enhancing both accessibility and quality of life.
- Promoting Increasing Transportation Choices and Connections (Objective (6)(a)(iv)): The City has adopted plans and made investments for transportation and active transportation by
 - Orem's Transportation Master Plan (TMP) prioritizes multi-modal transport through enhancements to the UVX bus rapid transit (BRT) system and ongoing efforts to improve pedestrian and bicycle infrastructure.
 - The UVX BRT system efficiently connects key locations like UVU and BYU to residential and commercial areas. Orem has determined that expanding transit infrastructure within this Station Area is unnecessary.
 - The TMP includes plans to improve bike lanes and pedestrian pathways, with ongoing efforts to secure funding to enhance street safety for non-vehicular transportation .
 - Orem revised its transportation focus to protect neighborhoods by reevaluating large-scale road projects and instead maintaining critical corridors like University Parkway and 400 West, ensuring manageable traffic without overburdening residential areas .

- Orem collaborates with UDOT and UTA to ensure local transportation strategies complement regional goals, ensuring smooth integration into Utah County's broader infrastructure.

Impracticability Due to Land Use

- **University Place & Orem Frontrunner:** Additional housing opportunities with direct access to station areas along the UVX line are a focus of both the Orem Frontrunner Station and of development activity and interest around the University Place area near 800 East. The City is working with the Woodbury Corporation in their efforts to develop housing around University Place that will support and enhance the commercial services available at the mall. Those residential uses will also have direct access to transit service due to their proximity to the University Place UVX Station. Likewise, student housing is a significant focus of the goals and objectives of the Orem Frontrunner Station Area Plan. The City is committed to pursuing those goals. These two areas effectively “book-end” the UVX corridor in Orem. Orem’s plan is to invest in these book-ends as a first phase and then to analyze and treat the entire corridor as a whole removing the immediate need for individual station area planning at the Main Street Station.
- **Economic Development Strategic Plan:** Within the next year, the City will undertake an update of the Economic Development Strategic Plan, which will include new targeted market analyses. The City continues to view this corridor as a critical commercial engine.
- **General Plan.** The City is in the process of updating the General Plan, which has and will continue to include critical review of the land uses and potentials of the UVX corridor, including the Main Street Station area. During 2024 and 2025, the City has held ten public meetings where land uses, including the existing and potential land uses within the UVX corridor, have been discussed at length. Work on updating the General Plan will continue during 2026.

Section 2: Findings of Impracticability

Pursuant to Utah Code §10-21-203(1)(b)(ii)(A), the City Council could adopt the following determinations and findings describing the conditions that make a Station Area Plan impracticable:

A. Existing Development, Entitlements, and Land Use

Orem's vision is clearly defined in its General Plan, which identifies this area as 'built-out' and successful. Preservation of this proven, stable economic hub is Orem's critical priority. Therefore, applying a redevelopment tool to this stable, fully-realized regional center is inherently impracticable.

The integration of high-density housing would not just displace successful businesses; it would

sabotage the city's primary economic engine. Orem's General Fund is critically reliant on sales tax, which constitutes 45% of its total revenue. This revenue stream is already documented as critical to city operations (EDSP, pp. 166-167, 315).

- **Stable Residential Neighborhoods (34.5% of Area):** 45.65 acres of this station area consists of a fully established residential community of apartments, condominiums, and single-family residences. City-wide multifamily rentals report an average occupancy rate estimated at 97% (GP, §4.3.2), while specific neighborhood plans confirm a 95% overall occupancy rate and undermines the city's own strategic goal of "preserving the single-family character of neighborhoods wherever possible (LCHNP, p. 20)."

- **Economically Critical Commercial (56.2% of Area):** Redeveloping the station area is fiscally impracticable. This area is not a candidate for high-density residential redevelopment; it is documented as the "cornerstone of Orem's economy" (EDSP, p. 7) and contains commercial properties with the "highest assessed values" in the city (LCHNP, p. 34). This action would directly jeopardize the municipal budget, which relies on sales tax for over "45%... of General Fund Revenue" (EDSP, p. 7).

Permanent Institutional & Support Uses (12.1% of Area): The institutional land within the area totals 16.06 acres, comprising 3.77 acres designated for Church use and 12.29 acres designated for public school use. Given that undeveloped land accounts for "less than 8% of the total land area in Orem" as of 2018 [GP, §2.3.4), the exclusion of these 11.9 institutional acres further demonstrates the severe constraint on land availability for new development.

B. Market Readiness

The objectives of a Station Area Plan (SAP), particularly those requiring the "long-term redevelopment" of the area for high-density housing, are impracticable. This finding is based on a documented market reality that the area is not "ready" for this type of transition, satisfying the conditions for impracticability under Utah Code.

Prohibitive Land Acquisition Costs

The Main Street Station Area is an area of "stable, high-value commercial uses" that establishes a fundamental land value that is prohibitive to mass redevelopment.

- The area is characterized by existing, committed land uses, with the total corridor already largely "developed" and change limited to redevelopment within already developed sites.
- This highly productive University Parkway corridor is the "cornerstone of Orem's economy" and generates 45.53% of the City's General Fund.
- The corridor is a "major retail destination" and accounts for "half of the traditional retail sales in the city".

- In 2020, the University Parkway Corridor held approximately 3.4 million square feet of retail space, comprising 50 percent of the city's total retail inventory.
- Redeveloping these stable, high-value, and high-revenue generating properties would require prohibitive land acquisition costs far exceeding the residual land value derived from proposed high-density housing, making wholesale property assembly and redevelopment financially infeasible.

Financially Non-Viable Mitigation Costs

The market for new, mixed-use redevelopment in the corridor is fundamentally unready due to development costs and financial gaps, which directly meet the standard for a "market readiness" or "development impediment condition".

- Office development in this central mixed-use corridor is explicitly "more expensive than developing on the urban fringe on greenfield sites".
- Current office lease rates in the corridor are "currently too low to cover the costs of new office construction in a redevelopment setting".
- This required new construction necessitates public subsidy to close the financial gap, as documented by the City's investment of Tax Increment Financing (TIF) to "overcome risk and financial gaps" at University Place.
- The absence of viable market economics is compounded when considering the additional cost of mandatory extreme mitigation (e.g., specialized soundproofing, filtration) for dense residential uses in a high-traffic, commercially intensive environment, which, when combined with the prohibitive land acquisition cost, renders the project financially non-viable and "destroys 'market readiness.'"
- Furthermore, the recommended planning objective for the area is to prioritize "Maintaining these strong centers," not forcing wholesale long-term redevelopment, directly supporting the determination of impracticability for a density-focused SAP.

C. Development Impediment Conditions

Key Obstacles Posed by University Parkway

- **Physical Severance and High Volume:** University Parkway is a seven-lane, high-volume regional arterial designed primarily for through traffic. It physically severs the station area, limiting the City's control over the corridor, as it is managed by the Utah Department of Transportation (UDOT).
- **Failing Traffic Performance:** The Parkway already operates at failing levels, with some segments performing at LOS E (Level of Service E) or worse (Orem Transportation Master Plan (TMP), §2.4.2).
- **"Situational Barrier":** The wide roadway and high traffic volume explicitly make University Parkway a "situational barrier." This results in pedestrian and bicycle travel being "difficult, uncomfortable, or unsafe" (BTMP §3.5.1, p. 89, 52p. 89, 90).

Solutions are Infeasible and Speculative

The municipality has **no practicable means to resolve this barrier** (LCHNP, p. 24) due to both physical and financial constraints:

- **Widening is Not Recommended:** Capacity improvements, such as widening the seven-lane arterial to nine lanes, are NOT recommended because they would have "extreme impacts" on existing businesses along the corridor (TMP, §2.7.2, City of Orem Transportation Master Plan, p. 476, 485).
 - **Cost Prohibitive:** Achieving better performance levels, specifically LOS C or better for acceptable traffic flow, is considered "potentially cost prohibitive" (TMP, §2.3.1, City of Orem Transportation Master Plan, p. 457).
-

Section 3: Conclusion of Impracticability

Based on the cumulative, structural, and permanent barriers described, the Orem City Council should determine that satisfying the full requirements of a Station Area Plan under Utah Code §10-21-203(1)(a) for the Main Street Station Area is impracticable.

These are not isolated challenges but cumulative, structural, and permanent barriers that make the core objectives of a SAP unachievable. The area's practical "built-out," stable, and high-value nature makes redevelopment synonymous with the fiscally catastrophic displacement of stable homes and the City's economic cornerstone.

This condition is compounded by the area's dominant physical and environmental barrier of a seven-lane, state-controlled arterial, which is jurisdictionally and financially beyond the City's power to mitigate. This permanent impediment creates the hostile gridlock and unmarketable environmental conditions that render the area fundamentally unsuitable for a transit-oriented plan.

Therefore, pursuant to Utah Code §10-21-203(1)(b)(ii)(B), the Orem City Council will satisfy the statute's requirements by adopting a resolution determining impracticability.