

**RESOLUTION NO. R-2025-0024**

**RESOLUTION OF THE CITY COUNCIL OF OREM, UTAH, ADOPTING A DETERMINATION OF IMPRACTICABILITY TO THE REQUIREMENTS OF UTAH CODE §10-21-203(1)(a)(i) WHICH REQUIRES ADOPTION OF A STATION AREA PLAN FOR THE UNIVERSITY PLACE 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 University Place 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 a portion or all of the requirements of Utah Code §10-21-203(1)(a) for the University Place 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 University Place 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 a portion or all of the requirements of Utah Code §10-21-203(1)(a) for the University Place 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

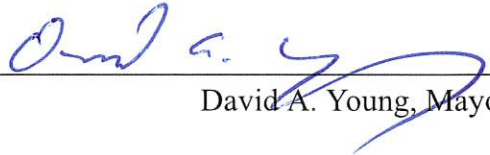
2. Determination of Impracticability. The City Council of the City of Orem hereby determines that adopting a station area plan for the University Place Public Transit Station is impracticable as set forth in Utah Code §10-21-203(1)(b)(ii).

## 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.

## 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
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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**

## **University Place 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 University Place 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 describe the specific conditions that exist at the University Place 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 University Place 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	✓		✓	✓		✓	✓	✓

### Station Area Plan Impracticability and Prior Actions Review UTA University Place Station at 570 E. University Parkway

## Station Area Plan Impracticability and Prior Action Review UTA University Place Station at 570 E. University Parkway November 2025

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### Executive Summary

The purpose of this review is to demonstrate that the Station Area Plan ("SAP") requirement is satisfied based on impracticability of certain conditions and prior actions taken by the City of Orem ("City"). This applies to the area within a one-quarter mile radius ("Station Area") of the Utah Transit Authority's fixed guideway public transit station at 570 E University Parkway ("University Place Station"), located in Orem, Utah ("Orem").

**Existing Conditions:** The majority of the University Place Station area falls within the University Place PD-34 Zone boundaries, with the remaining station area surrounded by additional commercial uses, public facilities, and some residential single-family neighborhoods. University Place, formally known as University Mall which was originally built in the early 1970s, is in year 10 of a \$500 million private investment redevelopment project. In addition to the existing retail, new retail anchors include RC Willey, Dillards, and Trader Joes, 914 apartment units, a 140 key Marriott Courtyard hotel, and 220,000 SF of Class A office have been added to the campus.

The owners of University Place are currently negotiating a lease with a new 107,000 SF anchor tenant that is anticipated to generate significant annual sales tax revenue for the City. In July of 2024, the first Cheesecake Factory in Utah County opened at University Place. Approximately 500 more residential units and 500,000 SF of office space are planned and entitled. Within the



surrounding station area, limited undeveloped land remains, constrained by existing mixed-use development, commercial, and some single-family residential neighborhoods to the south. University Parkway is a major commercial corridor for Orem and Utah County. Additional mixed-use development would increase traffic congestion, negatively impacting the area's economic vitality and reducing the effectiveness of the 800 East corridor to the east of the station.

**Impracticability and Prior Actions:** The following summarizes the impracticability of implementing a SAP and highlights prior actions by Orem City.

**Housing Availability and Affordability:** Redevelopment for moderate-income housing is impractical due to the established commercial and mixed-use environments, and existing single-family, PRD, and fourplexes. The University Place development has already built 900 apartments within the PD-34 zone and anticipates adding 500 more units in future expansion plans. Additionally, Orem promotes affordability with ADU policies and existing multi-family housing, supported by the UVX bus rapid transit system, reducing transportation costs for residents.

**Environmental Sustainability:** Limited undeveloped land requires low-impact development to conserve water and manage runoff. Higher-density development would increase impervious surfaces, impacting stormwater management and air quality. Orem's water conservation efforts aim for a 20% reduction by 2030.

**Access to Opportunities:** Near the University Place Station, this area already supports both horizontal and vertical mixed-use development, linking housing, retail, employment, and education. Further high-density development would strain infrastructure.

**Transportation Choices:** Expanding mixed-use development near 800 East would cause congestion, diminishing its role as a connector road. Additionally, extensive investment into addressing parking at the nearby University Place would require intensive investment, which in recent history, through parking challenges, has proved difficult to address through parking standards. University Parkway cannot support increased traffic, and Orem's *Transportation Master Plan* focuses on improving bike lanes and pedestrian pathways, while large-scale road expansion has been deemed impractical.

## Station Area Plan Requirement Summary

Cities with land within a one-quarter mile of an existing fixed guideway public transit station ("bus-rapid transit station") are now required to create a SAP in accordance with the City of Orem General Plan ("General Plan") and zoning ordinance to promote the following objectives set by Utah House Bill 462 - Housing Affordability Amendments in 2022:

- (i) increase the availability and affordability of housing, including moderate-income housing;
- (ii) promote sustainable environmental conditions;

(iii) enhance access to opportunities; and

(iv) increase transportation choices and connections.<sup>1</sup>

The SAP requirements are satisfied if a city determines that conditions exist that make satisfying a portion or all of the SAP requirements listed above impracticable. These conditions include "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."<sup>2</sup>

The SAP requirements are also satisfied if a city has taken actions prior to June 1, 2022, that substantially promote the SAP objectives and the city "can demonstrate that [those actions] are still relevant to making meaningful progress towards achieving those objectives."<sup>3</sup>

## **Section 1: Station Area and Existing Conditions**

### **Location in Region**

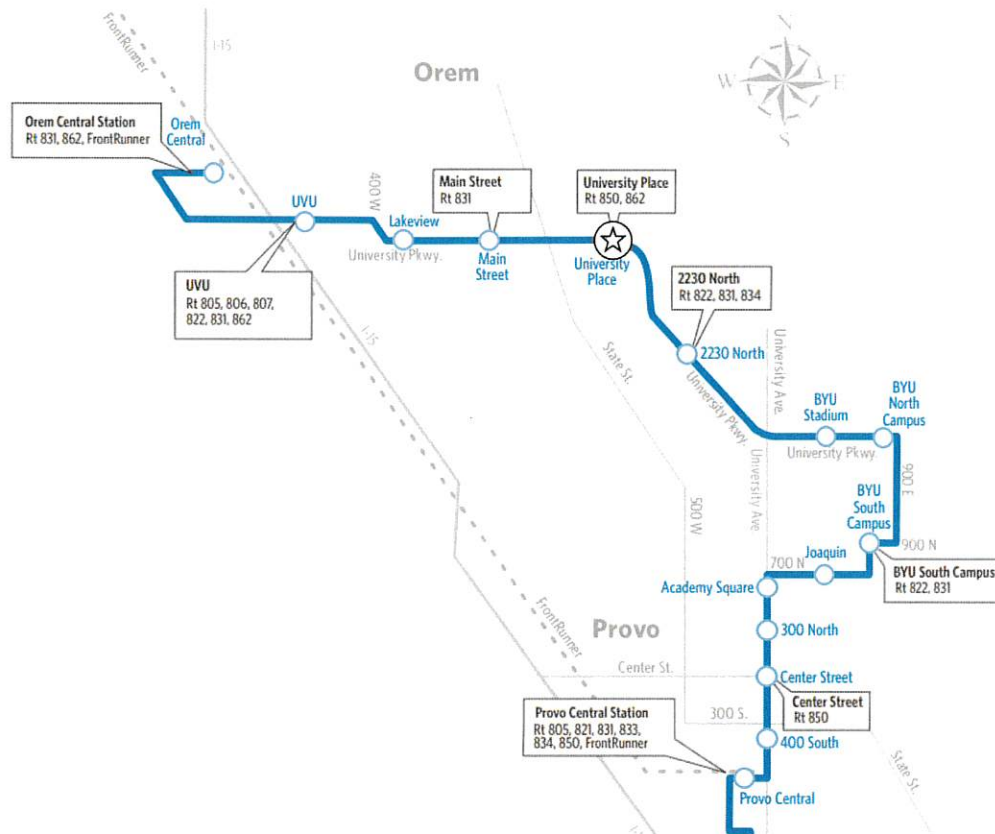
The University Place Station is one of five Utah Valley Express (UVX) bus rapid transit stations located in Orem City, following the Utah Central Station. Twelve additional stations on the route serve Provo City. The UVX route connects the regional universities and technical institutes, including: Utah 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.

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<sup>1</sup> Utah State Code§ 10-21-203(6)(a).

<sup>2</sup> Utah State Code§ 10-21-203(1)(b)(ii)(A).

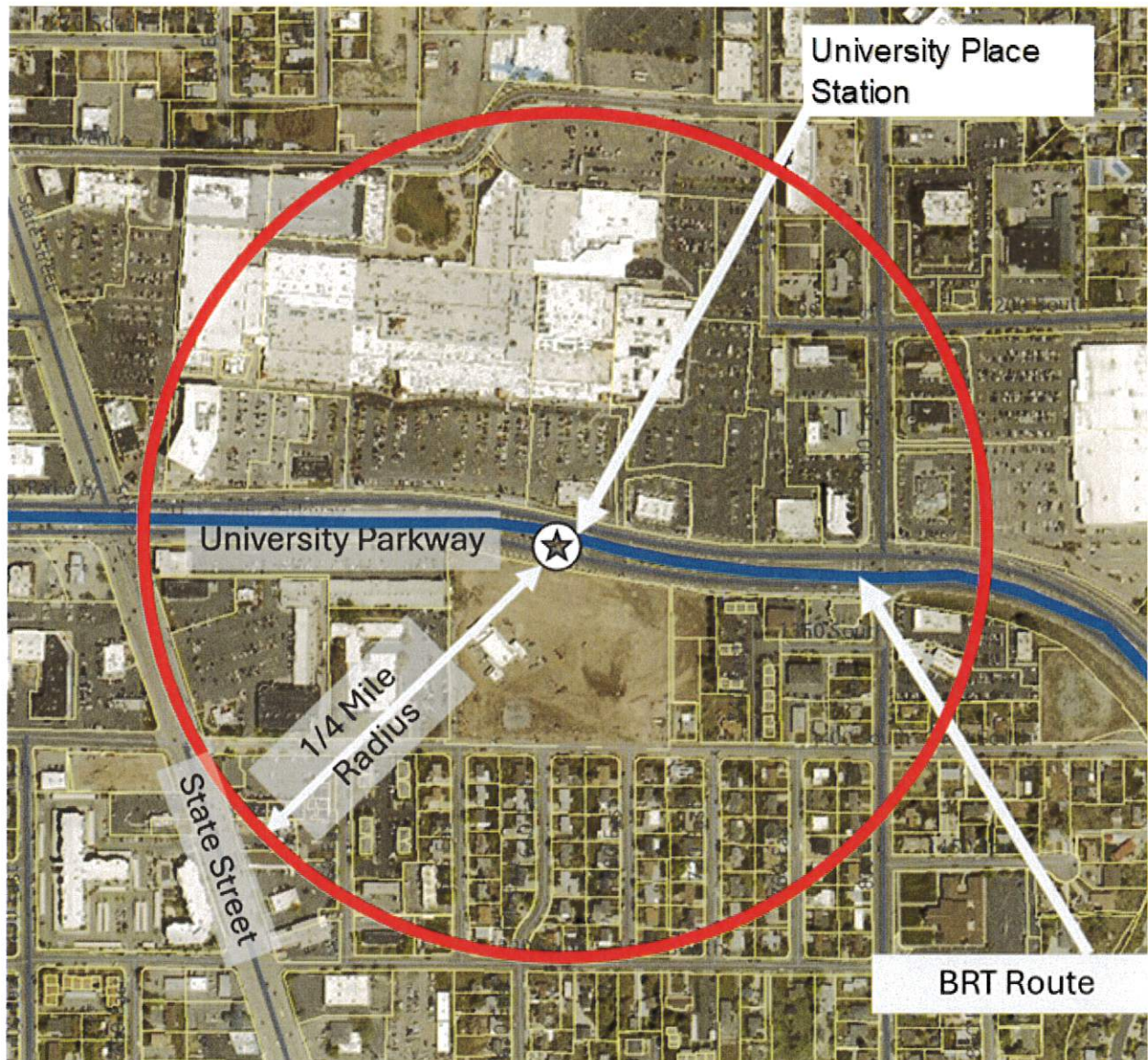
<sup>3</sup> Utah State Code§ 10-21-203(1)(b)(i)(A).



## Station Area Existing Conditions

The Station is located in the City of Orem ("Orem") at 570 E University Parkway south of the University Place and north of Hillcrest Park and in the middle of the right-of-way. This plan focuses on the area within one-quarter mile of the Station as required by State statute.





The Station Area and the immediate surrounding urban fabric is predominantly developed with commercial establishments surrounding the station. The land uses in this area include:

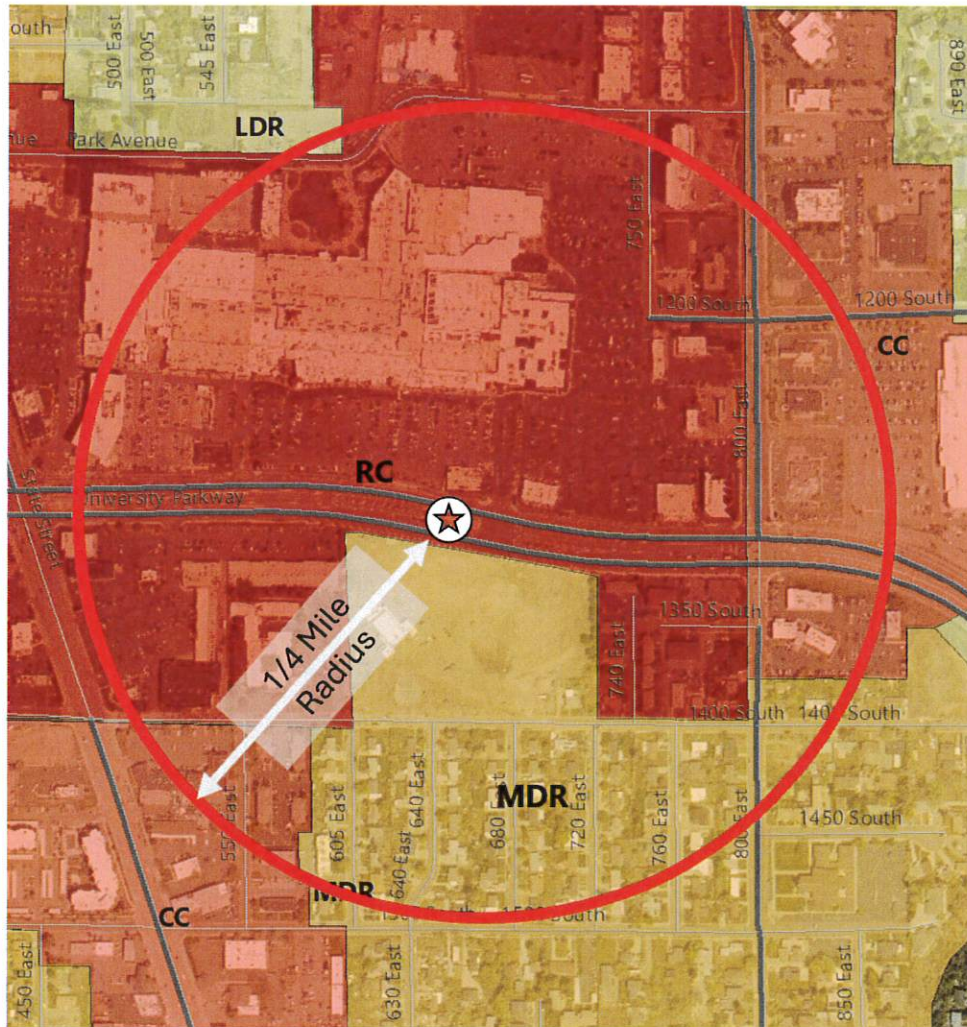
- Big-box retail
- Restaurants
- Hotels
- Office space
- Religious facilities
- Single family residential
- Residential apartments
- Multi-family residential

### Transportation Network



University Parkway is the primary retail corridor in Orem and Utah County, attracting significant traffic with major retailers, restaurants, and services. Further mixed-use development would likely worsen congestion, harming the area's economic vitality and livability. Similarly, 800 East is not designed for heavy traffic and would face increased congestion, reducing its effectiveness as a collector road for nearby neighborhoods. Maintaining 800 East's current service levels is crucial to support commercial access and preserve local residents' quality of life.

## OREM CITY GENERAL PLAN LAND USE MAP



## Section 2: Findings of Impracticability

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

The SAP requirements for the University Place Station Area are satisfied through a combination of prior actions and existing conditions that make satisfying certain requirements impracticable. These conditions and related information are listed below according to each SAP objective outlined in Utah State Code.

## Review of Impracticability and Prior Actions

### Increasing the Availability and Affordability of Housing, Including Moderate Income Housing (Utah State Code § 10-21-203(6)(a)(i)):

#### **Impracticability:**

- The Station Area around University Place Station is primarily developed as described previously in this report.
- As an established commercial hub, redevelopment for moderate-income housing is impracticable without compromising the City's ability to sustain its role as a vibrant economic center.
- Established single-family neighborhoods limit the potential for significant redevelopment.
- Additional multi-family development would strain infrastructure, worsen traffic, and reduce the livability of surrounding single-family neighborhoods.

#### **Prior Actions:**

- In addition to the existing retail, new retail anchors have been built in the PD-34 Zone including RC Willey, Dillards, and Trader Joes, 914 apartment units, a 140 key Marriott Courtyard hotel, and 220,000 SF of Class A office has been added to the campus.
- City of Orem building and opening the new Hillcrest Park, south of the station.
- Orem City 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).
- 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 (Utah State Code § 10-21-203(6)(a)(ii)):

#### **Impracticability:**

- Any future development in these areas must generate minimal traffic due to limited street access and incorporate low-impact development practices to conserve water resources, manage runoff, control erosion, and ensure proper storm drainage, thereby preserving environmental integrity and preventing infrastructure strain.
- Limiting high-density development conserves water resources by minimizing the need for new infrastructure and reducing water demand in already constrained areas. Low-impact development also ensures that stormwater is managed efficiently, contributing to overall water conservation efforts. An increase of hard surface area would undermine this provision.
- Limiting additional high-density development is critical for reducing motor vehicle trips and fuel consumption, as existing roadways are already heavily utilized due to nearby retail, commercial, and university activities. Increased development would lead to longer commutes, idling, and more emissions, worsening air quality.
- Large big-box stores with extensive rooftops and parking lots offer significant opportunities for renewable energy solutions, such as solar panel installations. These spaces can accommodate solar arrays and other energy-saving measures more easily than high-density developments, which may have less roof space and less flexibility for large-scale renewable energy integration.

**Prior Action:**

- 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. 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 (Utah State Code § 10-21-203(6)(a)(iii)):**

**Impacticability:**

- While Orem has made significant progress with the UVX bus rapid transit system and existing infrastructure, fully enhancing these connections is challenging due to space constraints and established land uses. The station areas are already built out with residential, commercial, and institutional developments, making large-scale modifications impractical without disrupting existing uses and traffic flow.

- The established nature of University Parkway and surrounding areas, with big-box retail, offices, and residential units, makes it difficult to rezone or redevelop for vertical mixed-use. Horizontal mixed-use is already in place, but encouraging new vertical high-density mixed-use developments would require significant redevelopment that could disrupt the existing commercial and residential balance, potentially straining infrastructure and increasing traffic.
- Existing development and high-density infrastructure constrain the ability to expand parks or trails without significantly impacting housing and commercial areas.

#### **Prior Action:**

- 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.
- The University Place Mall has already been redeveloped extensively adjacent to the University Place station, with future development plans currently in the planning stages. In addition, 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.
- 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 south of the University Place Station enhances access to open space, recreation, and quality of life.

#### **Increasing Transportation Choices and Connections (Utah State Code § 10-21-203(6)(a)(iv)):**

##### **Impracticability:**

- The existing roadways in the Station Area, including University Parkway and 800 East, serve as critical transportation links, connecting the station to surrounding commercial areas and residential neighborhoods. Further expanding mixed-use development in the PD-34 zone beyond the current zone limits will negatively impact 800 East which is not



designed to handle high volumes of through traffic and would lead to congestion and diminish its functionality as a collector road.

- University Parkway serves as a major retail and transportation corridor. Further development, especially high-density, would increase congestion, making it harder to maintain reliable traffic conditions, particularly on 800 East, which is already strained as a collector road.
- Orem's existing infrastructure constraints make it challenging to fully align with broader regional transportation plans, as the high traffic volumes and lack of available land limit flexibility for new projects.

#### **Prior Action:**

- 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 800 East, 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.

### **Section 3: Conclusion of Impracticability**

Based on the cumulative, structural, and permanent barriers described, the Orem City Council hereby determines that satisfying the full requirements of a Station Area Plan under Utah Code §10-21-203(1)(b)(ii) for the University Place Station Area is impracticable.

These are not isolated challenges but cumulative, structural, and permanent barriers that make the core objectives of a SAP satisfied due to existing development, entitlements, land ownership, and land uses.

The University Place Station Area in Orem is already well-developed with a mix of retail, residential, commercial, and institutional uses. Additionally, future development is already planned with current entitlements in place for future residential and commercial space within the PD-34 zone. Further high-density development is impractical without straining the existing infrastructure. Additionally, the possibility for redevelopment is low as General Plan priorities for the station area and surrounding areas are medium-density residential or low-density residential, and priorities for preservation of neighborhoods.

Orem City has taken proactive steps to support housing affordability, sustainable practices, and improved transportation, such as permitting Accessory Dwelling Units (ADUs), promoting water conservation, and enhancing the Utah Valley Express (UVX) transit system. These initiatives align with the city's broader goals of maintaining accessibility and reducing congestion while preserving the area's livability and economic vitality. 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.

Therefore, pursuant to Utah Code §10-21-203(1)(b)(ii)(B), the Orem City Council has satisfied the statute's requirements by adopting this Resolution.