

ORDINANCE NO. 0-2026-0027

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING THE FOLLOWING SECTIONS OF THE OREM CITY CODE BY UPDATING THE DEFINITIONS RELATED TO DWELLINGS, ACCESSORY DWELLING UNITS, AND ACCESSORY APARTMENTS: 19-5-3 – DEFINITION OF “DWELLING”, 21-1-2 – DEFINITION OF “ACCESSORY APARTMENT”, 21-2-2 – DEFINITION OF “MULTIPLE-FAMILY RESIDENCE”, 21-1-3(B)(3), 22-2-1 – DEFINITION OF “ACCESSORY APARTMENT”, 22-2-1 – DEFINITION OF “DWELLING, SINGLE-FAMILY”, 22-6-8(F), 22-6-9(F), 22-6-9(M), 22-7-4(D), 22-11-28(E), 22-11-29(M)(15), 22-11-31(B)(2)(d), 22-11-32(B)(2), 22-11-35(P), 22-11-56(H)(18), 22-12-7(O)(17), 22-14-15(D)(7), AND APPENDIX A – SLU 1111.

WHEREAS on July 28th, 2026, Jared Hall acting on behalf of the Orem City Planning Department, filed an application with the City of Orem requesting the City update the definitions related to dwellings, accessory dwelling units and accessory apartments by amending sections of Orem City Code including 19-5-3 - Definition of "dwelling", 21-1-2 - Definition of "accessory apartment", 21-2-2 - Definition of "multiple-family residence", 21-1-3(B)(3), 22-2-1 - Definition of "accessory apartment", 22-2-1 - Definition of "Dwelling, single-family", 22-6-8(F), 22-6-9(F), 22-6-9(M), 22-7-4(D), 22-11-28(E), 22-11-29(M)(15), 22-11-31(B)(2)(d), 22-11-32(B)(2), 22-11-35(P), 22-11-56(H)(18), 22-12-7(O)(17), 22-14-15(D)(7), and Appendix A - SLU 1111; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on August 5th, 2026; and

WHEREAS the Planning Commission forwarded a recommendation of approval to the City Council with five (5) votes in favor and none opposed; and

WHEREAS a public meeting to consider the subject application was held by the City Council on October 13th, 2026; and

WHEREAS notices of the public hearing and meetings for this text amendment application were posted in all required locations and within the timeline mandated by the State of Utah and by Orem City Code; 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 residential 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 in that it will more fully promote the objectives and purposes of the City's Zoning

Ordinances and General Plan by aligning the definitions of terms related to newly adopted standards for both interior and detached accessory dwelling units.

2. The City Council hereby amends the following sections of the Orem City Code: 19-5-3 - Definition of "dwelling", 21-1-2 - Definition of "accessory apartment", 21-2-2 - Definition of "multiple-family residence", 21-1-3(B)(3), 22-2-1 - Definition of "accessory apartment", 22-2-1 - Definition of "Dwelling, single-family", 22-6-8(F), 22-6-9(F), 22-6-9(M), 22-7-4(D), 22-11-28(E), 22-11-29(M)(15), 22-11-31(B)(2)(d), 22-11-32(B)(2), 22-11-35(P), 22-11-56(H)(18), 22-12-7(O)(17), 22-14-15(D)(7), and Appendix A - SLU 1111as shown by 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 after a summary of this ordinance has been published or posted as required by law.
5. All other ordinances and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 13th day of October 2026.

ATTEST:


Teresa McKitrick, City Recorder


~~Karen McCandless, Mayor~~
Jeff Lambson, Mayor Pro Tem

COUNCILMEMBER

Mayor Karen McCandless
Jeff Lambson
Jenn Gale
Quinn Mecham
LaNae Millett
Chris Killpack
Crystal Muhlestein

AYE NAY ABSTAIN

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EXHIBIT A

19-5-3. Definitions.

Dwelling shall mean any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as a residence by one or more families, but not including hotels, motels, bed and breakfast establishments, or residential or commercial buildings which are required to have off-street parking spaces such as apartments, condominium complexes, accessory ~~apartments~~ dwelling units, etc.

21-1-2. Definitions. The following words used in this Chapter shall have the following meanings unless a different meaning clearly appears from the context.

Accessory ~~Apartment Dwelling Unit.~~ ~~An apartment with an accessory apartment a single-family dwelling which is subordinate to the primary dwelling on the same lot or parcel and which has a permit from the City of Orem.~~

Multiple family residence. A residential building having more than one living unit, if the living units are not separately owned or titled. Examples of multiple family residences include townhouses, duplexes, dormitories and apartments. ~~Acessory apartments~~ Accessory Dwelling Units are excluded from the definition of "multiple family residence."

21-1-3(B)(3). Accessory ~~apartments~~ Dwelling Units. Accessory Dwelling Units shall be metered in one of the following ways:

- a. Common meter. The accessory ~~apartment~~ dwelling unit and the main dwelling are served by a common water meter. The bill for the water service shall be in the name of the owner of the main dwelling.
- b. Separate meters. The accessory ~~apartment~~ dwelling unit and the main dwelling are metered separately. The bill for each water service shall be in the name of the owner of the main dwelling

22-2-1. Definitions.

For the purpose of this Chapter, certain words and terms are defined as follows:

Accessory ~~Apartment Dwelling Unit~~ shall mean a single-family dwelling which is subordinate to the primary dwelling on the same lot or parcel, which has its own eating, sleeping, and sanitation facilities; ~~within a single-family dwelling.~~

Dwelling, Single-family shall mean a building or structure, or portion thereof, which is designed for a single dwelling unit and occupied by, or intended to be occupied by, a single family. Single-family dwellings may include accessory ~~apartments~~ dwelling units.

22-6-8. Zone Development Standards.

F. **Single Family.** Only one (1) single family dwelling may be constructed per lot in a residential zone. A single family dwelling shall only be occupied by one single family or by a group home conforming to the requirements listed in Section 22-6-9(A), (B), (C), (D) or (E). Only one (1) single family shall occupy an ~~accessory apartment~~ accessory dwelling unit.

22-6-9. Regulations Governing Particular Uses.

F. Home Day Care Services-Child & Adult (SLU Code 6263). [Home Day Care Services](#) include a (1) [Home Adult Day Care Facility](#), (2) [Home Child Day Care, Small](#), (3) [Home Child Day Care, Medium](#), and (4) [Home Child Day Care, Large](#), as defined in Section [22-2-1](#). Home Day Care Services are permitted in residential zones subject to the following requirements:

6. No Home Day Care Service may be operated in a dwelling that has an ~~accessory apartment dwelling unit~~.

M. Residential Preschool (SLU Code 6265). Preschools operating in residential zones are subject to the following requirements:

4. No Home Preschool Service may be operated in a dwelling that has an ~~accessory apartment dwelling unit~~.

22-7-4. Where Allowed, Types and Uses.

D. ~~Accessory apartments Accessory dwelling units~~ shall not be permitted in PRDs.

22-11-28. PD-16 Zone, 400 South 1800 West.

E. Prohibited uses. Any [use](#) not specifically listed in subparagraphs (C) and (D) above shall be prohibited.

Except as provided in Section [22-6-9\(C\)](#) of this Chapter, ~~accessory apartments-accessory dwelling units~~ shall not be permitted within any attached [dwelling](#).

22-11-29. PD-17 Zone, 1120 South Between 20 East and 150 East.

M. Development Standards and Requirements. The following development standards and requirement shall be required with all PD-17 developments.

15. ~~Accessory Apartments Accessory Dwelling Units~~. ~~Accessory apartments Accessory dwelling units~~ are not permitted within the PD-17 Zone.

22-11-31. PD-19 Zone, South Rim PRD, 1755 South 750 East.

B. Development Standards.

1. [PRD](#) Ordinance. The development standards and requirements set forth in [Article 22-7](#) of the Orem City Code shall apply to the PD-19 zone except as expressly modified below.

2.

d. ~~Accessory Apartments Accessory Dwelling Units~~. ~~Accessory apartments Accessory dwelling units~~ are not permitted within the PD-19 Zone.

22-11-32. PD-20, Jameson Pointe PRD, 1559 South 850 East.

B. Development Standards

1. [PRD](#) Ordinance. The development standards set forth in Article VII, PRD Ordinance, of [CHAPTER 22](#) of the Orem City Code shall apply to the PD-20 Zone, except for [building setbacks](#) which are established by the Final Development Plan in Appendix N.

2. ~~Accessory Apartments Accessory Dwelling Units~~. ~~Accessory apartments Accessory dwelling units~~ are not permitted within the PD-20 Zone

22-11-35. PD-22 Zone, Urban Village.

P. ~~Accessory Apartments~~ Accessory Dwelling Units. ~~Aceessory apartments~~ Accessory dwelling units shall be allowed in the PD-22 zone only under the following circumstances:

1. Allowed only in Townhouses. An accessory ~~apartment- dwelling unit~~ shall be allowed only in a “townhouse” style unit (non-stacked), and only in a unit that is attached to another unit on one side only.
2. Allowed only in Original Construction. An accessory ~~apartment- dwelling unit~~ shall be allowed only when the ~~apartment unit~~ is designated in a plat/site plan that is approved prior to completion of original construction and the issuance of a certificate of occupancy for the unit in which it is located. An accessory ~~apartment- dwelling unit~~ may not be added to a townhouse after the first certificate of occupancy is issued for that unit.
3. Owner Occupancy Required. An accessory ~~apartment- dwelling unit~~ shall be allowed only in owner-occupied townhouses as the term “owner-occupied” is defined in section 22-6-9(I)(1).
4. Number of Units. No more than one (1) accessory ~~apartment- dwelling unit~~ shall be allowed in a townhouse.
5. Parking. An accessory ~~apartment- dwelling unit~~ shall be treated as an additional unit for purposes of calculating the number of parking stalls required in the development.
6. Size. An accessory ~~apartment- dwelling unit~~ shall be at least 300 square feet in size and no larger than 900 square feet.
7. Building entrance. A separate entrance to the accessory ~~apartment- dwelling unit~~ shall not be allowed on the front facade of the unit in which it is located. The entrance to the accessory ~~apartment- dwelling unit~~ shall be located on the side of the unit in which it is located.
8. Compliance with Building Code. All construction shall comply with all building code requirements in effect at the time of construction.
9. Utility Meters. A townhouse with an accessory ~~apartment- dwelling unit~~ shall have no more than two (2) meters for each water, gas, and electricity utility service and each meter shall be in the property owner’s name.
10. Permit. Any person constructing or causing the construction of a townhouse that has an accessory ~~apartment- dwelling unit~~ must obtain an accessory ~~apartment- dwelling unit~~ permit from the ~~Development Services~~ Community Development Department and shall comply with the requirements of section ~~22-6-9(I)(8)(a-c)~~ 22-6-11(C)(7)(a-c).

22-11-56. PD-43 (Auburn Meadows) 2000 South Geneva.

H. Development Standards and Requirements. The following development standards shall apply to all development in the PD-43 zone.

1. Accessory Apartments Dwelling Units. Accessory ~~apartment~~ dwelling units are not permitted in the PD-43 zone.

22-12-7. Affordable Senior Housing (ASH) Overlay Zone.

O. Development Standards and Requirements. The following development standards and requirements apply to all affordable senior housing developments in the ASH zone.

17. Accessory Apartments Dwelling Units. Accessory ~~apartments~~ dwelling units are not permitted within the ASH zone.

22-14-15. Home Occupation Requirements.

D. Home Occupations. As a matter of public policy, commercial and industrial activities should be conducted in zones where such activities are specifically permitted. Except as otherwise specifically provided, it shall be unlawful to conduct a business or occupation in a residential dwelling unless a home occupation permit has been issued by the City. The Director of Finance may issue a home occupation permit to allow limited business activities to be conducted within a residential dwelling located in any zone in the City if the following requirements are met:

7. A home occupation may be allowed in a residential structure with an accessory ~~apartment~~ dwelling unit (whether in the main dwelling, accessory ~~apartment~~ dwelling unit, or both) only if the home occupation does not have (1) customers who come to the home, (2) deliveries to the home, or (3) an employee who lives outside the home. The existence of any of the above three factors after issuance of a home occupation permit shall be grounds for revocation of the permit.

APPENDIX A.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5 / ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
1000	RESIDENTIAL																	
1100	All Personal Residences, NEC	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1110	Single Family	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N
1111	Accessory ~~Apartments~~ <u>Dwelling Units</u>	N	See Sec. <u>22-6-9(F)</u> <u>22-6-11</u>								N	N	N	N	N	N	N	N
1112	Condominiums	See Sec. <u>22-7</u>								N	N	N	N	N	N	N	N	N