



AMENDED
CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
January 12, 2016

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

3:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM

1. **DISCUSSION – CARE Policies (30 min)**
Presenters: Steven Downs
2. **DISCUSSION – CARE Project Updates (45 min)**
Presenters: Karl Hirst and Steven Downs
3. **UPDATE – Storm Water Utility Master Plan (15 min)**
Presenters: Reed Price
4. **DISCUSSION – Sewer Base Rate Options (30 min)**
Presenters: Chris Tschirki

5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

PREVIEW UPCOMING AGENDA ITEMS

5. **Staff will present to the City Council a preview of upcoming agenda items.**

AGENDA REVIEW

6. **The City Council will review the items on the agenda.**

CITY COUNCIL - NEW BUSINESS

7. **This is an opportunity for members of the City Council to raise issues of information or concern.**

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

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: By Invitation

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 229-7074)

This agenda is also available on the City's Internet webpage at orem.org

APPROVAL OF MINUTES

8. MINUTES of City Council Meeting – November 17, 2015

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

9. **UPCOMING EVENTS**
10. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
CDBG Commission1 vacancy
11. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
12. **RECOGNITION – State Champions – Orem Youth Baseball**
- Orem All-Star Pony team (ages 13-14)
 - Orem All-Star Bronco team (ages 11-12)
 - Orem All-Star Mustang team (ages 9-10)

CITY MANAGER’S APPOINTMENTS

13. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

PERSONAL APPEARANCES – 15 MINUTES

14. **Time has been set aside for the public to express their ideas, concerns, and comments on items not on the Agenda. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)**

CONSENT ITEMS

15. **There were no Consent Items.**

SCHEDULED ITEMS

- CONTINUED ITEM – Sewer Base Rate**
16. **ORDINANCE – Amending the sewer base rate for multi-unit residential buildings and for non-residential buildings with a water meter size greater than ¾”**

PRESENTER: Chris Tschirki and Neal Winterton

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: The City of Orem presently charges a monthly “sewer base rate” for city sewer services. This charge is the same for all land uses and is charged by the total number of physical sewer connections that service the account, regardless of the number of residential or non-residential units associated with that account. This means, for example, that an account holder with a 12-plex with one sewer connection pays the same sewer base

rate as a single-family homeowner. Furthermore, a large commercial business pays the same base rate that a single-family homeowner pays. The sewer base rate is intended to compensate the City for the cost of making sewer service available at a particular connection point, including costs related to infrastructure and maintenance. The “sewer volume charge” is a separate charge that is based on actual sewage flow and is intended to compensate the City for the cost of handling and treating the user’s quantity of sewage flow.

Summary of Proposed Amendments:

Effective July 1, 2016, the City of Orem sewer base rates will change as follows:

1. Each residential living unit found in a single-family dwelling, multi-family dwelling, apartment complex, condominium complex, etc. will be charged a sewer base rate. In other words, a 12-plex would now be billed for 12 sewer base rates and not 1 sewer base rate.
2. Non-residential accounts will be charged a sewer base rate according to their water meter size and the associated industry standard American Water Works Association (AWWA) equivalent meter information.
3. Mixed-use developments will be charged by combining these two methods—paying for each residential living unit plus the equivalent meter size necessary to service the non-residential portion of the building.

The sewer base rate for single family residences and the sewer volume charge remain unchanged.

The new fees and charges information would read as follows:

Monthly Sewer Rates

Residential Base Rate ¹	\$9.32/Residential Living Unit (<i>unchanged</i>)
Non-Residential Base Rate ²	\$9.32 x AWWA Multiplier
Mixed-Use Base Rate ³	\$9.32/Residential Living Unit + Non-residential Component
Volume Charge ⁴	\$1.42/1,000 Gallons (<i>unchanged</i>)

¹ Each residential utility account will be assessed a sewer base rate according to the number of residential living units associated with the account. For example, a single-family dwelling will be billed for 1 sewer base rate, a duplex (including single-family dwellings with an accessory apartment) will be billed for 2 sewer base rates, a 4-plex will be billed for 4 sewer base rates, a 12-plex will be billed for 12 sewer base rates, etc.

² All non-residential utility account holders will be billed using a water meter size multiplier based on American Water Works Association (AWWA) guidelines. (Table 28-2 from American Water Works Association Manual of Water Supply Practices M1 – “Principles of Water Rates, Fees, and Charges” for water meters up to 3-inches in size and Table 2-2 from American Water Works Association Manual of Water Supply Practices M6 – “Water Meters – Selection, Installation, Testing, and Maintenance” for water meters larger than 3-inches in size.) The following table details the AWWA Multiplier for various

water meter sizes. All nonresidential utility account holders for water meter sizes 2” and larger may request an adjustment to the multiplier based on qualifying site-specific criteria.

Water Meter Size	¾"	1"	1½"	2"	3"	4"	6"	8"	10"
AWWA Multiplier	1.00	1.67	3.33	5.33	10.00	20.00	41.67	53.33	96.67

³ Mixed-use utility accounts will be assessed according to (1) the number of residential living units and (2) the non-residential component of the mixed-use development. The non-residential component is calculated by determining the equivalent water meter size required to service only the non-residential portion of the mixed-use development using the International Plumbing Code 2012 version, Appendix E201.1 (pressure range over 60) and E103.3(2). The AWWA multiplier associated with the equivalent water meter size will then be applied to determine the non-residential component of the sewer base rate.

⁴ Effective July 1 of each year, the monthly charge shall be based on the average winter water usage for the preceding winter months.

The City Council held a public hearing on this matter on December 8, 2015. After receiving public comment and discussing the matter, the City Council closed the public hearing and continued this matter to January 12, 2016.

RECOMMENDATION: The Director of Public Works recommends that the City Council, by ordinance with an effective date of July 1, 2016, (1) charge a sewer base rate for each residential living unit, and (2) amend the sewer base rate for non-residential buildings having a water meter size greater than ¾”.

6:00 P.M. PUBLIC HEARING – Building Projections in Setbacks

17. ORDINANCE – Amending Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to permitted projections into setbacks in a residential zone

PRESENTER: Jason Bench

REQUEST: Development Services requests the City amend Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to permitted building projections into setbacks in a residential zone.

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: City ordinances currently allow certain building projections such as bay windows, box windows and chimneys to encroach up to 24 inches into a residential setback. However, the current ordinance does not define bay windows or box windows and also does not provide any guidance on how many bay windows can encroach into a setback or how large those bay windows can be.

Because of the lack of clarity regarding the definition of these terms, City staff proposes to amend section 22-6-8 to more clearly specify what is allowed under that section. Specifically, the proposed amendment would clarify that only building projections that are “cantilevered” (are not supported by a foundation) may encroach into a setback. In

addition, the proposed amendment would limit the width of a building projection to ten feet and would limit the total number of building projections to two with a further limitation that no more than one building projection would be allowed for any elevation of a single family dwelling.

RECOMMENDATION: The Planning Commission recommends the City Council amend Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to permitted projections into setbacks in a residential zone. Staff supports the recommendation of the Planning Commission.

6:00 P.M. PUBLIC HEARING – Development Standards in the PRD zone

18. ORDINANCE – Amending a portion of Article 22-7 of the Orem City Code pertaining to development standards in the PRD zone

PRESENTER: Jason Bench

REQUEST: Development Services requests the City amend portions of Article 22-7 of the Orem City Code pertaining to development standards in the PRD zone.

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: City staff proposes to make several amendments to the PRD zone in order to improve developments in that zone. The principal changes being proposed along with an explanation for each proposed change are provided below.

1. Require a concept plan to be submitted with any application to rezone property to the PRD zone and make the concept plan binding.

Developers who request a rezone to the PRD zone have typically provided a concept plan showing the layout and architectural style of their proposed development. However, City Code does not actually require a developer to comply with the concept plan after a rezone to the PRD zone is approved. Thus, it is currently possible for a developer to show the City Council a certain plan at the time it requests a rezone and then do something entirely different after approval (within the confines of the PRD standards). Because PRD zones are intended to blend in with existing residential areas and because PRDs are generally allowed to have a density of at least seven units per acre, staff believes it is important for the City Council to have some assurance as to what will actually be built at the time they approve a PRD zone. Staff therefore proposes to make an approved concept plan part of Appendix “RR” and require a developer to substantially comply with the approved concept plan in developing the property.

2. Require all streets in a PRD to be public and to have a buffered sidewalk on each side of the street.

Developers of property in the PRD zone currently have the option to make streets in the PRD either public or private. The developers of many PRDs have chosen to develop with private streets because under the current ordinance, private streets are only required to have a minimum width of thirty-six feet (36’) while public streets are required to have a minimum width of forty-six feet (46’). However, private streets can become a maintenance issue for a homeowner’s association (HOA) when the time comes to repair or re-pave the

street. Often, the HOA will ask the City to take over a private street at such time because the HOA cannot afford the maintenance. However, because these private streets typically don't meet City standards for public streets, the City is hesitant to accept responsibility for them.

In order to address this issue, City staff proposes to require that all streets in a PRD be public and built to City standards and specifications for public streets. Public streets that are estimated to have average daily trips of 800 or less will be required to have a width of at least 32 feet while all other streets must have a width of at least 46 feet. Staff also proposes to require a buffered sidewalk to be constructed on both sides of all streets in a PRD. This is consistent with the requirements for other new residential development in the City and will improve walkability.

The proposed amendments also provide clarification regarding the required setbacks from public streets with buffered sidewalks and require all dwellings to follow the street setbacks shown on Appendix K of the Code which is the current sub-local street design standard.

3. Allow private drives in a PRD provided that no more than four units are accessed from a private drive.

Private drives are currently allowed in a PRD and may be constructed with a minimum width of only twenty-four feet (24'). Outside of the PRD zone, private drives are currently only allowed where needed to access deep lots and there is a restriction providing that no more than four deep lots may access a private drive. Consistent with this existing practice, staff believes that private drives should only be used in limited circumstances in a PRD zone where necessary to provide access to just a few units and should not be used as roads intended to provide significant traffic circulation. Therefore, staff proposes to allow private drives only where they provide access to no more than four units and only where approved by the City Council in the concept plan. There are thirteen locations in the City where the PRD zone has been approved. Only one of these locations has not been developed due to UVU purchasing the property and developing a parking lot.

RECOMMENDATION: The Planning Commission recommends the City Council amend a portion of Article 22-7 of the Orem City Code pertaining to development standards in the PRD zone as described above. Staff supports the recommendation of the Planning Commission.

19. RESOLUTION – A resolution of the City Council of the City of Orem outlining their support for adoption of the 2015 International Energy Conservation Code (IECC) and other possible air quality enhancements for Utah

PRESENTER: Ryan Clark

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: The valleys in Utah suffer from inversions each winter season. The inversions cause health problems and can also affect economic development efforts.

Businesses have eliminated Utah from their site selection searches because of the inversions.

The City of Orem, Provo City, Mountainland Association of Governments (MAG), Utah County, Utah County Health Department, and local business leaders are members of the Utah Valley Clean Air Task Force (UVCATF). The task force actively evaluates and implements solutions to reduce air pollution during the inversion season. Over the last two years the task force has encouraged the residents of the valley to reduce automobile emissions. The task force is also looking for solutions to reduce pollution from homes and buildings, which account for 39 percent of the pollutants in the air.

One way to reduce pollution from homes and buildings is to adopt energy-efficient building codes. The UVCATF has asked Orem, Provo, and MAG to support adoption of the 2015 International Energy Conservation Code as part of a planned update to the state building code by the Utah legislature in the upcoming legislative session.

RECOMMENDATION: The Economic Development Division Manager recommends the City Council, by resolution, consider the request to outline their support for adoption of the 2015 International Energy Conservation Code (IECC) and other possible air quality enhancements for Utah. In addition, it is recommended the City Council instruct staff to transmit copies of this resolution to the President of the Utah Senate, to the Speaker of the Utah House of Representatives, to the Clerk of the Legislature, and to the news media to include the Daily Herald, Salt Lake Tribune, and Deseret News.

20. RESOLUTION – Adopting the Canyon View, Orchard & Cascade Neighborhood Plan and amending the City of Orem General Plan to include the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C

PRESENTER: Jason Bench and Brandon Stocksdale

REQUEST: The Development Services Department requests the City Council approve, by resolution, the Canyon View, Orchard & Cascade Neighborhood Plan and amend the Orem City General Plan by adopting the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C.

POTENTIALLY AFFECTED AREA: Canyon View, Orchard, and Cascade Neighborhoods

BACKGROUND: This is the first neighborhood plan to be completed in the City of Orem’s Neighborhood Plan Program. The major goals of the plan include promoting community planning by working with residents to identify local concerns and needs, improving communication with residents, and applying Citywide plans at the neighborhood level. Three public open houses were held and a citizen-driven advisory committee was formed to help identify concerns, shape the vision statement, and assist in drafting the plan. Community outreach was also supported by the City’s MindMixer and mySidewalk pages. The major elements of the plan include an introduction, an inventory of existing conditions, future land uses, transportation, neighborhood preservation, and implementation.

Some of the major objectives of the plan include:

- Preserving the character of the neighborhoods while allowing for appropriate growth and redevelopment;
- Addressing current and future traffic congestion concerns;
- Improving non-vehicular access throughout the community;
- Maintaining and improving parks and recreational facilities;
- Improving coordination and ordinance enforcement; and
- Providing sufficient amenities throughout the neighborhoods.

The plan includes the following two specific recommendations:

1. Concentrating new commercial/retail development on the 800 North corridor while preserving existing single family neighborhoods.
2. Allowing appropriate infill development to accommodate growth and redevelopment within the context of the existing single family neighborhoods.

Each neighborhood plan serves as a guide for future planning decisions made by City staff, the Planning Commission, and the City Council based on the goals and vision established by the residents. It is intended that each neighborhood plan be updated at least every five years.

RECOMMENDATION: The Planning Commission recommended that the City Council approve the Canyon View, Orchard & Cascade Neighborhood Plan and amend the City of Orem General Plan by adopting the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C. City staff supports the Planning Commission recommendation.

COMMUNICATION ITEMS

- 21. Monthly Financial Summary – November 2015**

CITY MANAGER INFORMATION ITEMS

- 22. 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.**

ADJOURNMENT

RECOGNITION

State Champions

Orem Youth Baseball

- Orem All-Star Pony team
(ages 13-14)
- Orem All-Star Bronco team
(ages 11-12)
- Orem All-Star Mustang team
(ages 9-10)

CITY OF OREM
CITY COUNCIL MEETING
JANUARY 12, 2016



REQUEST:	ORDINANCE – Amending the Sewer Base Rate for Multiunit Residential Buildings and for Nonresidential Buildings with a Water Meter Size Greater Than $\frac{3}{4}$”
APPLICANT:	Chris Tschirki, Director of Public Works
FISCAL IMPACT:	Approximately \$1.1 Million

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

- General Plan Designation:
N/A
- Current Zone:
N/A
- Acreage:
N/A
- Neighborhood:
N/A
- Neighborhood Chair:
N/A

PREPARED BY:

Neal R Winterton
Water Resources
Division Manager

RECOMMENDATION:

The Director of Public Works recommends that the City Council, by ordinance with an effective date of July 1, 2016, (1) charge a sewer base rate for each residential living unit, and (2) amend the sewer base rate for nonresidential buildings having a water meter size greater than $\frac{3}{4}$ ”.

BACKGROUND:

The City of Orem presently charges a monthly “sewer base rate” for city sewer services. This charge is the same for all land uses and is charged by the total number of physical sewer connections that service the account, regardless of the number of residential or nonresidential units associated with that account. This means, for example, that an account holder with a 12-plex with one sewer connection pays the same sewer base rate as a single-family homeowner. Furthermore, a large commercial business pays the same base rate that a single-family homeowner pays. The sewer base rate is intended to compensate the City for the cost of making sewer service available at a particular connection point, including costs related to infrastructure and maintenance. The “sewer volume charge” is a separate charge that is based on actual sewage flow and is intended to compensate the City for the cost of handling and treating the user’s quantity of sewage flow.

SUMMARY OF PROPOSED AMENDMENTS:

Effective July 1, 2016, the City of Orem sewer base rates will change as follows:

1. Each residential living unit found in a single-family dwelling, multifamily dwelling, apartment complex, condominium complex, etc. will be charged a sewer base rate. In other words, a 12-plex would now be billed for 12 sewer base rates and not 1 sewer base rate.
2. Nonresidential accounts will be charged a sewer base rate according to their water meter size and the associated industry standard American Water Works Association (AWWA) equivalent meter information.
3. Mixed-use developments will be charged by combining these two methods—paying for each residential living unit plus the equivalent meter size necessary to service the nonresidential portion of the building.

The sewer base rate for single family residences and the sewer volume charge remain unchanged.

The new fees and charges information would read as follows:

Monthly Sewer Rates

Residential Base Rate ¹	\$9.32/Residential Living Unit (<i>unchanged</i>)
Nonresidential Base Rate ²	\$9.32 x AWWA Multiplier
Mixed-Use Base Rate ³	\$9.32/Residential Living Unit +
Nonresidential Component	
Volume Charge ⁴	\$1.42/1,000 Gallons (<i>unchanged</i>)

¹Each residential utility account will be assessed a sewer base rate according to the number of residential living units associated with the account. For example, a single-family dwelling will be billed for 1 sewer base rate, a duplex (including single-family dwellings with an accessory apartment) will be billed for 2 sewer base rates, a 4-plex will be billed for 4 sewer base rates, a 12-plex will be billed for 12 sewer base rates, etc.

² All nonresidential utility account holders will be billed using a water meter size multiplier based on American Water Works Association (AWWA) guidelines. (Table 28-2 from American Water Works Association Manual of Water Supply Practices M1 – “Principles of Water Rates, Fees, and Charges” for water meters up to 3-inches in size and Table 2-2 from American Water Works Association Manual of Water Supply Practices M6 – “Water Meters – Selection, Installation, Testing, and Maintenance” for water meters larger than 3-inches in size.) The following table details the AWWA Multiplier for various water meter sizes. All nonresidential utility account holders for water meter sizes 2” and larger may request an adjustment to the multiplier based on qualifying site-specific criteria.

Water Meter Size	¾"	1"	1½"	2"	3"	4"	6"	8"	10"
AWWA Multiplier	1.00	1.67	3.33	5.33	10.00	20.00	41.67	53.33	96.67

³ Mixed-use utility accounts will be assessed according to (1) the number of residential living units and (2) the nonresidential component of the mixed-use development. The nonresidential component is calculated by determining the equivalent water meter size required to service only the nonresidential portion of the mixed-use development using the International Plumbing Code 2012 version, Appendix E201.1 (pressure range over 60) and E103.3(2). The AWWA multiplier associated with the equivalent water meter size will then be applied to determine the nonresidential component of the sewer base rate.

⁴Effective July 1 of each year, the monthly charge shall be based on the average winter water usage for the preceding winter months.

The City Council held a public hearing on this matter on December 8, 2015. After receiving public comment and discussing the matter, the City Council closed the public hearing and continued this matter to January 12, 2016.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SEWER BASE RATE FOR MULTIUNIT RESIDENTIAL BUILDINGS WITH ONLY ONE SEWER SERVICE CONNECTION AND FOR NONRESIDENTIAL BUILDINGS WITH A WATER METER SIZE GREATER THAN ¾”

WHEREAS, the City of Orem charges municipal sewer users a “sewer base rate” and a “sewer volume charge”; and

WHEREAS, the sewer base rate is intended to compensate the City for the cost of making sewer service available at a particular connection point, including costs related to infrastructure and maintenance; and

WHEREAS, the sewer volume charge is based on actual sewage flow and compensates the City for the cost of handling and treating the user’s quantity of sewage flow; and

WHEREAS, the City currently charges one sewer base rate for each sewer connection, regardless of the number of residential or nonresidential users served by the single sewer connection; and

WHEREAS, the Orem City Council held a public hearing on December 8, 2015 to consider changing the manner that Orem assesses the sewer base rate; and

WHEREAS, the City Council received public comment at the December 8, 2015 public hearing and then closed the public hearing and continued this matter until January 12, 2016; and

WHEREAS, the City Council finds that the current method of assessing the sewer base rate has the effect of making single-family residential sewer users subsidize the rates of multiunit residential and nonresidential sewer users served by a single sewer connection; and

WHEREAS, the City Council finds that it is in the best interests of the health, safety and welfare of the community for each sewer user to pay a fair and nonsubsidized sewer base rate; and

WHEREAS, the City Council desires to delay implementation of the new base rate until July 1, 2016 to give affected sewer users an opportunity to prepare for the amended sewer base rate; and

WHEREAS, the Orem City Council desires to change the method of assessing the sewer base rate as set forth in this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, as follows:

1. Effective July 1, 2016, the sewer base rate for sewer users shall be as follows:

Residential Base Rate ¹	\$9.32/Residential Living Unit (<i>unchanged</i>)
Nonresidential Base Rate ²	\$9.32 x AWWA Multiplier
Mixed-Use Base Rate ³	\$9.32/Residential Living Unit + Nonresidential Component
Volume Charge ⁴	\$1.42/1,000 Gallons (<i>unchanged</i>)

¹Each residential utility account will be assessed a sewer base rate according to the number of residential living units associated with the account. For example, a single-family dwelling will be billed for 1 sewer base rate, a duplex (including single-family dwellings with an accessory apartment) will be billed for 2 sewer base rates, a 4-plex will be billed for 4 sewer base rates, a 12-plex will be billed for 12 sewer base rates, etc.

² All nonresidential utility account holders will be billed using a water meter size multiplier based on American Water Works Association (AWWA) guidelines. (Table 28-2 from American Water Works Association Manual of Water Supply Practices M1 – “Principles of Water Rates, Fees, and Charges” for water meters up to 3-inches in size and Table 2-2 from American Water Works Association Manual of Water Supply Practices M6 – “Water Meters – Selection, Installation, Testing, and Maintenance” for water meters larger than 3-inches in size.) The following table details the AWWA Multiplier for various water meter sizes. All nonresidential utility account holders for water meter sizes 2” and larger may request an adjustment to the multiplier based on qualifying site-specific criteria.

Water Meter Size	¾"	1"	1½"	2"	3"	4"	6"	8"	10"
AWWA Multiplier	1.00	1.67	3.33	5.33	10.00	20.00	41.67	53.33	96.67

³ Mixed-use utility accounts will be assessed according to (1) the number of residential living units and (2) the nonresidential component of the mixed-use development. The nonresidential component is calculated by determining the equivalent water meter size required to service only the nonresidential portion of the mixed-use development using the International Plumbing Code 2012 version, Appendix E201.1 (pressure range over 60) and E103.3(2) . The AWWA multiplier associated with the equivalent water meter size will then be applied to determine the nonresidential component of the sewer base rate.

⁴Effective July 1 of each year, the monthly charge shall be based on the average winter water usage for the preceding winter months.

2. The City Council hereby directs staff to include these sewer base rate modifications in the Fiscal Year 2016/2017 budget.

3. All acts, orders, resolutions and ordinances, and parts thereof, in conflict with this Ordinance are hereby rescinded.

4. If any part of this Ordinance is declared invalid, such decision shall not affect the validity of the remainder of this Ordinance.

5. This Ordinance shall become effective immediately upon passage and required publication.

PASSED AND APPROVED this **12th** day of **January** 2016.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"



Orem Sewer Base Rate



Background

Sewer Base Rate. Orem City presently charges users of the city sewer system a monthly “sewer base rate” for service. This charge is uniform for both residential, commercial, and industrial users.

Sewer Production Rate. The users are also charged a “production rate” based on the flows they contribute to the system. The production rate is based on the *average monthly water consumption* from November through March. This average monthly winter water consumption is the estimated amount of wastewater that would end up in and be treated at the Orem Water Reclamation Facility.



City of Orem - Service Bill

56 North State, Orem, Utah 84057 (801) 229-7275
 Office Hours: Mon - Thu 7:30 - 5:30, Fri 8:00 - 5:00
 billpay.orem.org or Pay by phone: (801) 229-7222

Scan the barcode or visit
 sign up.orem.org to receive email
 newsletters, text-message alerts,
 or social media updates!

SERVICE INFORMATION
Service Period: 10/30/2014 to 11/30/2014

ACCOUNT INFORMATION	
Previous Balance:	75.07
Payments Received:	-75.07
Credits:	
Balance Due Now:	\$0.00
Current Charges Due: 12/29/2014	73.84

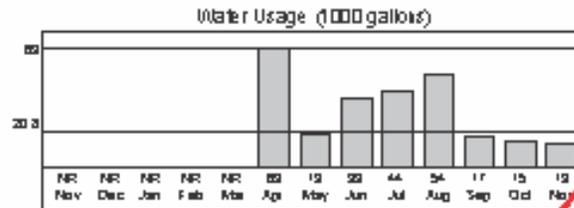
NAME
 ADDRESS

Previous Read	Current Read	Consumption
9675	9688	13

Total Amount Due:
 Due Date:

CURRENT CHARGES

Water Usage \$0.58/1,000 gal	13.94
Water Usage \$0.58/1,000 gal	7.54
Sewer Base Rate	9.32
Sewer charge \$1.42/1,000 gal	12.78
City Franchise Tax	2.91
Garbage charge (1)	10.50
Recycling (1)	3.05
Green Waste Fee (1)	5.55
Storm Sewer	5.00
Street Lighting	3.25



This is the Sewer Base Rate. This value is fixed each month. For this bill, this charge represents one (1) sewer base rate or \$9.32.

This is the Production Rate. This value is derived from the average monthly winter water consumed from November through March and varies from year to year. For this bill, this charge represents 9,000 gallons/month and is calculated as follows:
 $\$1.42/1,000 \text{ gal} \times 9,000 \text{ gallons} = \$12.78.$

CURRENT TOTAL 73.84



Problem

1. Presently, *Orem City charges the same base rate to each account holder.* It does not charge multi-family housing such as apartments and condominiums or commercial properties with multiple units an individual base rate for each unit. The present sewer base rate is \$9.32 per month *per account holder.*

2. Following cost-of-service principles, the current Orem sewer base rate includes fixed costs associated with operating the system (i.e. costs that do not vary with wastewater production). While a few of these fixed costs can be equitably distributed on a per customer basis (e.g. billing costs), the majority of these *fixed costs are associated with maintaining the infrastructure* and manpower necessary to provide capacity in the system for potential flows.



Problem (cont.)

3. As such, distribution of these costs should be based on the *potential* for wastewater flow from each account holder and larger customers should pay a larger share of the base rate than smaller customers. As it is currently structured, the Orem base rate structure results in individual homeowners subsidizing larger customers such as commercial properties and multi-unit developments.



Solution

- Each residential living unit found in a single-family dwelling, multi-family, dwelling, apartment complex, condominium complex, etc. will be charged a sewer base rate. In other words, a 12-plex would now be billed for 12 sewer base rates and not 1 sewer base rate.
- Commercial and industrial units will be charged a sewer base rate based using their water meter size and the industry standard American Water Works Association (AWWA) equivalent meter information.
- Mixed-use developments will be charged accordingly by combining these two methods and on a case-by-case basis.



Benefit

As the City begins the process of developing a capital improvement program for the City's sewer system and the required funding for that program, this change will help develop additional funding. This was conservatively estimated to be \$500,000 annually but this has since been *calculated to be \$1,100,000*. This will help offset needed rate increases and address the issue of fairness.



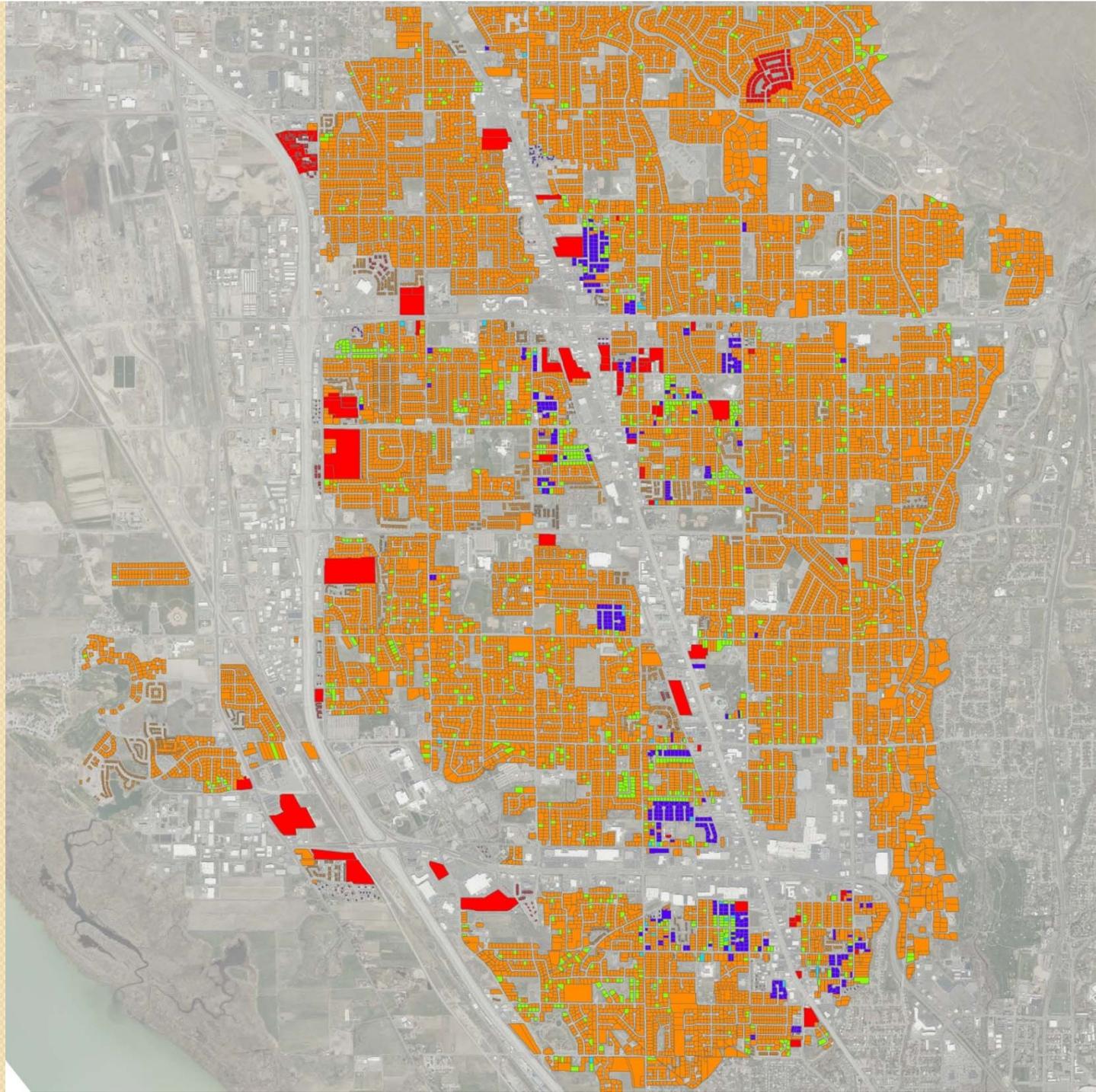
Implementation Plan - updated

- December 2014 – Presented concept to City Council.
- February 2015 – Hired a GIS graduate to identify all non-residential and residential units within the City.
- Auguts 2015 – Completed study.
- September 2015 – Presented study findings to PWAC.
- October 2015 – Present study findings to City Council.
- November 10, 2015 – Formally adopt new billing policy.
- January 1, 2016 – Implement new billing policy.

Study Results

- **21,847** Utility Billing Database entries checked in office and in field.
- **20,141** Residential
- **1,706** Non-Residential

- **27,472** Total Residential Units, which means that **7,331** Residential Units are not billed for a sewer base rate.



Study Results

- Projected residential annual increase: **\$800,000**
 - Projected non-residential annual increase: **\$300,000**
-
- Projected total annual increase: **\$1,100,000**
 - The base rate is established to distribute costs associated with maintaining the infrastructure necessary for potential flows. The production rate or commodity charge is established to normalize actual usage.

Existing Fees and Charges

Sewer Rates

Monthly, All Uses:

Base Rate¹ \$9.32/connection

Volume Charge \$1.42 /1,000 gallons

¹Effective July 1 of each year, the monthly charge shall be based on the average winter water usage for the preceding months of November through April.

Proposed Fees and Charges

Monthly Sewer Rates

Residential Base Rate ¹	\$9.32/Living Unit
Non-Residential Base Rate ²	\$9.32 × AWWA Multiplier
Mixed-Use Base Rate ³	\$9.32/Living Unit + Non-Residential Component
Volume Charge ⁴	\$1.42/1,000 Gallons

¹ Each residential utility account will be assessed a sewer base rate according to the number of living units associated with the account. For example, a single-family dwelling will be billed for 1 sewer base rate, a duplex (including single-family dwellings with an accessory apartment) will be billed for 2 sewer base rates, a 4-plex will be billed for 4 sewer base rates, a 12-plex will be billed for 12 sewer base rates, etc.

² All non-residential utility account holders will be billed using a water meter size multiplier in accordance with American Water Works Association (AWWA) guidelines as shown in the following table.

Meter Size	¾"	1"	1½"	2"	3"	4"	6"	8"	10"
AWWA Multiplier	1.00	1.67	3.33	5.33	10.00	20.00	41.67	53.33	96.67

³ Mixed-use utility accounts will be assessed using a combination of the residential and non-residential base rates.

⁴ Effective July 1 of each year, the monthly charge shall be based on the average winter water usage for the preceding winter months.



How will this affect future Sewer Master Plan rates?

Staff recommends to eliminate the \$0.21/1,000 gallon increase in Year 1. This would result in a \$1.68/month reduction of the monthly bill for an average home in Orem.



Utility Bill Sample Language

“Attention Utility Account Holders

On **January 1, 2016**, the City of Orem will assess all residential utility accounts a sewer base rate according to the number of living units associated with the account. For example, a duplex will be billed for 2 sewer base rates, a 4-plex will be billed for 4 sewer base rates, a 12-plex will be billed for 12 sewer base rates, etc. Single family dwellings will continue to be billed one (1) sewer base rate. All non-residential utility account holders will be billed using a water meter size multiplier in accordance with American Water Works Association (AWWA) guidelines. Please visit www.orem.org for more specific information, examples, and frequently asked questions and answers.”



Frequently Asked Questions

Q: What is the proposed sewer base rate policy change beginning **January 1, 2016?**

A: Presently, utility account holders pay one sewer base rate regardless of the number of actual living units connected to the public sewer system. In effect, an account holder of a single-family dwelling may be paying the same amount as an account holder of multiple living units. Beginning **January 1, 2016**, all residential utility account holders will be charged a sewer base for each living unit.

Q: How will this affect me if I own a single-family dwelling?

A: An account holder for a single-family dwelling will not be affected by this policy change. The current sewer base rate of \$9.32 will continue to be charged to your account each month. In the event the sewer base rate changes, you will be billed for that rate.

Q: Why is this change needed?

A: The simple answer is fairness to all users. Paying for the privilege of or ability to discharge to the public sewer system should be charged among all account holders in a fair and equitable manner. This is a necessary step towards that end.



Frequently Asked Questions

Q: How is sewer charged each month?

A: There are two sewer charges each month: a Sewer Base Rate and a Sewer Production Rate.

Q: What is the Sewer Base Rate?

A: The sewer base rate is the monthly charge for the availability of being connected to a public sewer system. The amount is fixed each month, whether the facilities are utilized or not. The privilege of having the ability to discharge to the public sewer system is the basis for a fixed monthly base rate. Revenues collected from the fee are generally used to maintain and replace the sewer collection system. Presently, the sewer base rate is \$9.32 per month.

Q: What is the Sewer Production Rate?

A: Sometimes referred to as the commodity charge, the sewer production rate is associated with conveying and treating discharges to the public sewer system. Each winter, the sewer production for each account holder is measured by using the winter water consumption associated with that account. The amount charged depends on the volume of discharge. Therefore, those who produce more will pay more. Revenues collected from this fee are generally used to operate, maintain, and replace the Orem Water Reclamation Facility. Presently, the rate is \$1.42/1,000 gallons.



Frequently Asked Questions

Q: How will this affect me if I own a 4-plex?

A: An account holder for a 4-plex will be billed 4 times the base rate. The current sewer base rate of \$9.32 per living unit will result in a \$37.28 monthly charge. In the event the sewer base rate changes, you will be billed for 4 times that rate.

Q: How will my mixed-use sewer base rate charge be affected by this?

A: Accounts that are associated with mixed uses of residential and non-residential will be evaluated on a case-by-case basis. However, each residential living unit will be assessed one sewer base rate and the non-residential portion of the mixed-use development will be assessed according to the minimum required meter size for that development.

Q: How will this affect me if I own a 12-plex?

A: An account holder for a 12-plex will be billed 12 times the base rate. The current sewer base rate of \$9.32 per living unit will result in a \$111.84 monthly charge. In the event the sewer base rate changes, you will be billed for 12 times that rate.

Frequently Asked Questions

Q: How will this affect me if I have an account with 100 units?

A: An account holder with 100 units will be billed 100 times the base rate. The current sewer base rate of \$9.32 per living unit will result in a \$932.00 monthly charge. In the event the sewer base rate changes, you will be billed for 100 times that rate.

Q: How will my business sewer base rate charge be affected by this?

A: Because non-residential account holders do not have living units, your business will be charged according to American Water Works Association (AWWA) guidelines. Accordingly, a multiplier associated with your meter size will be applied to the sewer base rate according to this schedule.

Meter Size	¾"	1"	1½"	2"	3"	4"	6"	8"	10"
AWWA Multiplier	1.00	1.67	3.33	5.33	10.00	20.00	41.67	53.33	96.67

Frequently Asked Questions

Q: How do other cities apply sewer base rates?

A: Every city is different but Orem surveyed American Fork, Lindon, Ogden, Pleasant Grove, and Provo. Only Provo currently bills similar to Orem but is very interested in changing their billing structure to what Orem is proposing. (In FY 2016, Provo increased to its rate from \$5.88 to \$7.31).

Budget Highlight from Provo City FY2016 Wastewater Fund

- FY 2016 included a utility rate increase of 24.4% or an average of \$5.78 per month for a residential customer.

Frequently Asked Questions

City	Sewer Base Rate	Assessment Method	Examples		
			Single Family Home	Multi-family Residential 4-plex	Business
Orem (Currently)	\$9.32	Per Account	\$9.32	\$9.32	\$9.32
Orem (Proposed)	\$9.32 (Pending Capital Facility Plan and Financial Plan)	Per Dwelling Unit or Non-residential meter size	\$9.32	\$37.28 (4 x \$9.32)	\$31.03 ($\$9.32 \times \text{AWWA multiplier } 3.33$ for 1-1/2" water meter)
American Fork	\$35.55	Per "unit"	\$35.55	\$142.20 (4 x \$35.55)	\$35.55 each business.
Lindon	\$16.97	Per "unit" for residential AND non-residential	\$16.97	\$67.88 (4 x \$16.97)	\$16.97 each business.
Ogden	\$28.58	Meter Size (both residential and non-residential)	\$28.58	\$47.30 1" meter	\$66.02
Pleasant Grove	\$24.14	Per "unit" for residential AND non-residential	\$24.14	\$96.56 (4 x \$24.14)	\$24.14 each business.
Provo	\$7.31	Per Account	\$7.31	\$7.31	\$7.31



Questions?

Frequently Asked Questions

Q: How do other cities apply sewer base rates?

A: Every city is different but Orem surveyed American Fork, Lindon, Ogden, Pleasant Grove, and Provo. Only Provo currently bills similar to Orem but is very interested in changing their billing structure to what Orem is proposing. (Update: Provo increased to \$7.31 from \$5.88)

Budget Highlight from Provo City FY21016 Wastewater Fund

- FY 2016 included a utility rate increase of 24.4% or an average of \$5.78 per month for a residential customer.

City	Sewer Base Rate	Assessment Method	Examples		
			Single Family Home	Multi-family Residential 4-plex	Business
Orem	\$9.32	Per Account	A single family home pays \$9.32 per month for a sewer base rate.	A 4-plex that has one account pays \$9.32 per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$9.32 per month for a sewer base rate TOTAL , regardless of number of businesses or meter size.
Orem (Proposed)	\$9.32 (Pending Capital Facility Plan and Financial Plan)	Per Dwelling Unit or Non-residential meter size	A single family home pays \$9.32 per month for a sewer base rate.	A 4-plex that has one account pays \$37.28 (4 x \$9.32) per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$31.03 (\$9.32 x AWWA multiplier 3.33) per month for a sewer base rate.
American Fork	\$35.55	Per "unit"	A single family home pays \$35.55 per month for a sewer base rate.	A 4-plex that has one account pays \$142.20 (4 x \$35.55) per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$35.55 per month for a sewer base rate for each business .
Lindon	\$16.97	Per "unit" for residential AND non-residential	A single family home pays \$16.97 per month for a sewer base rate.	A 4-plex that has one account pays \$67.88 (4 x \$16.97) per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$16.97 per month for a sewer base rate for each business .
Ogden	\$28.58	Meter Size (both residential and non-residential)	A single family home pays \$28.58 per month for a sewer base rate.	A 4-plex that has one account with a 1" meter pays \$47.30 (according to fee schedule) per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$66.02 (according to fee schedule) per month for a sewer base rate.
Pleasant Grove	\$24.14	Per "unit" for residential AND non-residential	A single family home pays \$24.14 per month for a sewer base rate.	A 4-plex that has one account pays \$96.56 (4 x \$24.14) per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$24.14 per month for a sewer base rate for each business .
Provo	\$5.88	Per Account	A single family home pays \$5.88 per month for a sewer base rate.	A 4-plex that has one account pays \$5.88 per month for sewer base rate.	A business or business complex with a 1-1/2" meter pays \$5.88 per month for a sewer base rate TOTAL , regardless of number of businesses or meter size.

CITY OF OREM
CITY COUNCIL MEETING
 JANUARY 12, 2016



REQUEST:	6:00 P.M. PUBLIC HEARING – BUILDING PROJECTIONS IN SETBACKS ORDINANCE – Amending Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to permitted projections into setbacks in a residential zone
APPLICANT:	Development Services
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers

SITE INFORMATION:

General Plan Designation:
 N/A
 Current Zone:
 N/A
 Acreage:
 N/A
 Neighborhood:
 N/A
 Neighborhood Chair:
 N/A

PLANNING COMMISSION RECOMMENDATION
5-0 for approval

PREPARED BY: David Stroud, AICP Planner
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REQUEST:

Development Services requests the City amend Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to permitted building projections into setbacks in a residential zone.

BACKGROUND:

City ordinances currently allow certain building projections such as bay windows, box windows and chimneys to encroach up to 24 inches into a residential setback. However, the current ordinance does not define bay windows or box windows and also does not provide any guidance on how many bay windows can encroach into a setback or how large those bay windows can be.

Because of the lack of clarity regarding the definition of these terms, City staff proposes to amend section 22-6-8 to more clearly specify what is allowed under that section. Specifically, the proposed amendment would clarify that only building projections that are “cantilevered” (are not supported by a foundation) may encroach into a setback. In addition, the proposed amendment would limit the width of a building projection to ten feet and would limit the total number of building projections to two with a further limitation that no more than one building projection would be allowed for any elevation of a single family dwelling.

Advantages:

- Clarifies what types of building projections are allowed into a setback.
- Clarifies the number and size of building projections that are allowed.

Disadvantages:

- More definitively prohibits building projections that are supported by a foundation which some builders may see as a disadvantage.

RECOMMENDATION:

The Planning Commission recommends the City Council amend Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to permitted projections into setbacks in a residential zone. Staff supports the recommendation of the Planning Commission.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-6-8(C)(3) AND SECTION 22-6-8(E) OF THE OREM CITY CODE PERTAINING TO PERMITTED PROJECTIONS INTO SETBACKS IN A RESIDENTIAL ZONE

WHEREAS on October 28, 2015, Development Services filed an application with the City of Orem requesting the City amend Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to building projections into setbacks in a residential zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on December 9, 2015, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on January 12, 2015; and

WHEREAS the agenda of the City Council meetings at which the public hearing on the subject application was heard was posted at the Orem Public Library, on the Orem City webpage, at the City Offices at 56 North State Street and at utah.gov/pmn; 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; 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 is in the best interest of the City because it clarifies what types of building projections are allowed into a required setback in a single-family residential zone.
2. The City Council hereby amend Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to projections into setbacks in a residential zone as shown on Exhibit "A" which is attached hereto and incorporated herein by reference.
3. This ordinance shall take effect immediately upon passage.
4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
5. All other ordinances, resolutions and polices in conflict herewith, either in whole or part, are hereby repealed.

DRAFT

6. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City.

PASSED, APPROVED and ORDERED PUBLISHED this 12th day of January 2016.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

DRAFT

EXHIBIT A

22-6-8(C)(3)

Setbacks. No portion of a principal building or dwelling shall violate the required setbacks except as noted herein.

a. Cantilevered extensions of a building (extensions that are not supported by a foundation) which may include but are not limited to Rroof overhangs, bay windows, box windows, chimneys, covered stairwells, and stairs, (collectively referred to as “projections”) may encroach into atthe required setbacks a total of no more than twenty-four inches (24”) provided that the width of any such projection is no more than ten (10) feet. A single-family residential structure may have no more than two (2) such projections into a required setback and each such projection must be located on a separate elevation. Eaves and projections shall not encroach over a public utility easement. Porches and the roofs over them may project up to five feet (5’) into a required front or rear yard setback. Nothing herein shall be construed to permit the encroachment of a projection into a required setback where such encroachment is prohibited by an applicable building code.

b. Covered decks/patios and decks/patios extending from upper floors of the main structure shall comply with the setback requirements of the zone. Uncovered decks/patios may extend to the side and rear property lines provided that the deck/patio floor level does not exceed eighteen inches (18”) in height above the grade. If the uncovered deck/patio exceeds eighteen inches (18”) in height above the grade, it shall be set back at least ten feet (10’) from the side and rear lot lines.

c. The Director of Development Services may approve a setback that is less than that required by this Article, provided that:

- i. the corresponding setback on at least seventy percent (70%) of the lots within a distance of three hundred feet (300’) in all directions, excluding lots within planned residential developments, is less than that required above; and
- ii. The reduced setback is no less than the average of all the corresponding yard setbacks in “(1)” above.

~~**E. Covered Decks and Patios.** Covered decks/patios and decks/patios extending from upper floors of the main structure shall comply with the setback requirements of the zone. Uncovered decks/patios may extend to the side and rear property lines provided that the deck/patio floor level does not exceed eighteen inches (18”) in height above the grade. If the uncovered deck/patio exceeds eighteen inches (18”) in height above the grade, it shall be set back at least ten feet (10’) from the side and rear lot lines.~~

CITY OF OREM
NOTICE OF CITY COUNCIL
PUBLIC HEARING

The City Council will hold the following public hearings on Tuesday, January 12, 2016, in the City Council chambers of the Orem City Center at 56 North State Street, Orem, Utah, to consider the following:

January 12, 2016

6:00 p.m.

- Amending Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to projections into a setback. The Development Services Department filed the application.

- Amending Article 22-7 of the Orem City Code pertaining to development requirements and standards of the PRD zone. The Development Services Department filed the application.

The proposed amendments are available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed changes, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL
PLANNING COMMISSION MEETINGS**

If you need a special accommodation to participate in the Planning Commission Meeting,
please call the City Recorder's office at 229-7074.

22-6-8(C)(3)

Setbacks. No portion of a principal building or dwelling shall violate the required setbacks except as noted herein.

a. Cantilevered extensions of a building (extensions that are not supported by a foundation) which may include but are not limited to Rroof overhangs, bay windows, box windows, chimneys, covered stairwells, and stairs, (collectively referred to as "projections") may encroach into ~~at~~ the required setbacks a total of no more than twenty-four inches (24") provided that the width of any such projection is no more than ten (10) feet. A single-family residential structure may have no more than two (2) such projections into a required setback and each such projection must be located on a separate elevation. Eaves and projections shall not encroach over a public utility easement. Porches and the roofs over them may project up to five feet (5') into a required front or rear yard setback. Nothing herein shall be construed to permit the encroachment of a projection into a required setback where such encroachment is prohibited by an applicable building code.

b. Covered decks/patios and decks/patios extending from upper floors of the main structure shall comply with the setback requirements of the zone. Uncovered decks/patios may extend to the side and rear property lines provided that the deck/patio floor level does not exceed eighteen inches (18") in height above the grade. If the uncovered deck/patio exceeds eighteen inches (18") in height above the grade, it shall be set back at least ten feet (10') from the side and rear lot lines.

c. The Director of Development Services may approve a setback that is less than that required by this Article, provided that:

i. the corresponding setback on at least seventy percent (70%) of the lots within a distance of three hundred feet (300') in all directions, excluding lots within planned residential developments, is less than that required above; and

ii. The reduced setback is no less than the average of all the corresponding yard setbacks in "(1)" above.

~~E. **Covered Decks and Patios.** Covered decks/patios and decks/patios extending from upper floors of the main structure shall comply with the setback requirements of the zone. Uncovered decks/patios may extend to the side and rear property lines provided that the deck/patio floor level does not exceed eighteen inches (18") in height above the grade. If the uncovered deck/patio exceeds eighteen inches (18") in height above the grade, it shall be set back at least ten feet (10') from the side and rear lot lines.~~

CITY OF OREM
CITY COUNCIL MEETING
 JANUARY 12, 2016



REQUEST:	6:00 P.M. PUBLIC HEARING – DEVELOPMENT STANDARDS IN THE PRD ZONE ORDINANCE – Amending a portion of Article 22-7 of the Orem City Code pertaining to development standards in the PRD zone
APPLICANT:	Development Services
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers

SITE INFORMATION:

General Plan Designation:
 N/A
 Current Zone:
 N/A
 Acreage:
 N/A
 Neighborhood:
 N/A
 Neighborhood Chair:
 N/A

**PLANNING COMMISSION
 RECOMMENDATION**

5-0 for approval

PREPARED BY:

David Stroud, AICP
 Planner

REQUEST:

Development Services requests the City amend portions of Article 22-7 of the Orem City Code pertaining to development standards in the PRD zone.

BACKGROUND:

City staff proposes to make several amendments to the PRD zone in order to improve developments in that zone. The principal changes being proposed along with an explanation for each proposed change are provided below.

1. Require a concept plan to be submitted with any application to rezone property to the PRD zone and make the concept plan binding.

Developers who request a rezone to the PRD zone have typically provided a concept plan showing the layout and architectural style of their proposed development. However, City Code does not actually require a developer to comply with the concept plan after a rezone to the PRD zone is approved. Thus, it is currently possible for a developer to show the City Council a certain plan at the time it requests a rezone and then do something entirely different after approval (within the confines of the PRD standards). Because PRD zones are intended to blend in with existing residential areas and because PRDs are generally allowed to have a density of at least seven units per acre, staff believes it is important for the City Council to have some assurance as to what will actually be built at the time they approve a PRD zone. Staff therefore proposes to make an approved concept plan part of Appendix “RR” and require a developer to substantially comply with the approved concept plan in developing the property.

2. Require all streets in a PRD to be public and to have a buffered sidewalk on each side of the street.

Developers of property in the PRD zone currently have the option to make streets in the PRD either public or private. The developers of many PRDs have chosen to develop with private streets because under the current ordinance, private streets are only required to have a minimum width of thirty-six feet (36’) while public streets are required to have a minimum width of forty-six feet (46’). However, private streets can become a maintenance issue for a homeowner’s association (HOA) when the time comes to repair or re-pave the street. Often, the HOA will ask the City to take over a private street at such time because the HOA cannot afford the maintenance. However, because these private streets typically don’t meet City standards for public streets, the City is hesitant to accept responsibility for them.

In order to address this issue, City staff proposes to require that all streets in a PRD be public and built to City standards and specifications for public streets. Public streets that are estimated to have average daily trips of 800 or less will be required to have a width of at least 32 feet while all other streets must have a width of at least 46 feet. Staff also proposes to require a buffered sidewalk to be constructed on both sides of all streets in a PRD. This is consistent with the requirements for other new residential development in the City and will improve walkability.

The proposed amendments also provide clarification regarding the required setbacks from public streets with buffered sidewalks and require all dwellings to follow the street setbacks shown on Appendix K of the Code which is the current sub-local street design standard.

3. Allow private drives in a PRD provided that no more than four units are accessed from a private drive.

Private drives are currently allowed in a PRD and may be constructed with a minimum width of only twenty-four feet (24'). Outside of the PRD zone, private drives are currently only allowed where needed to access deep lots and there is a restriction providing that no more than four deep lots may access a private drive. Consistent with this existing practice, staff believes that private drives should only be used in limited circumstances in a PRD zone where necessary to provide access to just a few units and should not be used as roads intended to provide significant traffic circulation. Therefore, staff proposes to allow private drives only where they provide access to no more than four units and only where approved by the City Council in the concept plan. There are thirteen locations in the City where the PRD zone has been approved. Only one of these locations has not been developed due to UVU purchasing the property and developing a parking lot.

Advantages:

- A concept plan that a developer is required to follow will allow the City to know exactly what will be built and will provide greater assurance that a PRD development is compatible with surrounding neighborhoods.
- Requiring all streets in a PRD to be public will eliminate future road maintenance issues for HOAs and will ensure that streets in PRDs are properly maintained.
- Requiring a buffered sidewalk on both sides of all streets in a PRD will improve pedestrian safety and walkability; and

Disadvantages:

- Requiring streets to be public and requiring buffered sidewalks in the PRD zone will likely increase development costs.

RECOMMENDATION:

The Planning Commission recommends the City Council amend a portion of Article 22-7 of the Orem City Code pertaining to development standards in

the PRD zone as described above. Staff supports the recommendation of the Planning Commission.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING A PORTION OF ARTICLE 22-7 OF THE OREM CITY CODE PERTAINING TO DEVELOPMENT STANDARDS IN THE PRD ZONE

WHEREAS on November 2, 2015, Development Services filed an application with the City of Orem requesting the City amend a portion of Article 22-7 of the Orem City Code pertaining to development standards in the PRD zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on December 9, 2015, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on January 12, 2015; and

WHEREAS the agenda of the City Council meeting at which the public hearing on the subject application was heard was posted at the Orem Public Library, on the Orem City webpage, at the City Offices at 56 North State Street and at utah.gov/pmn; 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; 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 is in the best interest of the City because it will provide greater assurance that PRDs are compatible with surrounding neighborhoods, will improve the quality of streets in PRDs and will improve pedestrian safety and walkability.
2. The City Council hereby amends a portion of Article 22-7 of the Orem City Code pertaining to development regulations in the PRD zone as shown on Exhibit "A" which is attached hereto and incorporated herein by reference.
3. This ordinance shall take effect immediately upon passage.
4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
5. All other ordinances, resolutions and polices in conflict herewith, either in whole or part, are hereby repealed.

DRAFT

6. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City.

PASSED, APPROVED and ORDERED PUBLISHED this 12th day of January 2016.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

DRAFT

EXHIBIT A

Section 22-7-5

22-7-5. Concept Plan, Site Plan and Final Plat.

A. Concept Plan. A concept plan shall be submitted with every application to apply the PRD zone to a parcel of property. The concept plan shall at a minimum include the following:

1. A layout of all parking areas, amenities, open spaces, landscaped areas, drive accesses, proposed building footprints, building heights and the orientation of all buildings;
2. Architectural renderings that illustrate the architectural style(s), materials, and designs to be employed in the development;
3. The number of residential units per acre;
4. A topographic map of the subject property and adjacent property within three hundred feet (300') of the subject property;
5. A tabulation of the total land area and percentage thereof designated for various proposed uses;
6. A general circulation plan indicating public vehicular and pedestrian ways;
7. Any additional information that the City may deem necessary to determine whether the proposed PRD zone is in the interest of the public health, safety and welfare.

All development in a PRD zone shall be developed in substantial conformance with the concept plan approved as part of the PRD zone application. An approved concept plan shall be made a part of Appendix "RR" of the Orem City Code. An approved concept plan may be modified in the same manner as an amendment to the zoning ordinance.

AB. Site Plan.

1. Anyone desiring to develop a PRD in the PRD zone shall first submit a Development Review Application for site plan approval. The applicant shall provide all requirements of the site plan to the City before the City considers the application submitted and before action is taken. The application for a site plan shall include all necessary fees and documentation required by this Article.
2. The Development Review Committee shall review the site plan and give its recommendations to the Planning Commission.
3. The Planning Commission is the final approving authority for all PRD site plans.

BC. Final Plat.

1. The site plan must be approved by the Planning Commission before the final plat can be approved.
2. The developer shall submit a Development Review Application for final plat approval of all or part of the PRD together with all required fees. The final plat shall be prepared by the developer's surveyor and engineer.
3. The Development Review Committee shall review the final plat and give their recommendations to the Public Works Director.
4. The ~~Public Works Director~~ City Engineer is the final approving authority for final plats and shall approve the application request if it meets the requirements of the approved site plan and all applicable City ordinances.
5. Failure to submit a final plat within two (2) years of the date of approval of the site plan shall terminate all proceedings and render approval of the site plan null and void. The final plat shall expire and be void one (1) year after approval by the City, unless the Office of the Utah County Recorder has recorded the plat.

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Section 22-7-12(D)

D. **Setbacks.** The following setbacks for primary structures shall apply in the PRD zone:

1. Except as provided below, setbacks from any property not part of the PRD and from all public streets shall be at least twenty-five (25) feet. The setback when adjacent to a separated sidewalk shall be thirty-two (32) feet to the garage and twenty-nine (29) feet to all other parts of the structure as measured from the back of curb. The side setback adjacent to a separated sidewalk shall be twenty-four (24) feet from back of curb.

2. Single story units in a PRD built at a gross density of six (6) units per acre or less shall be set back at least twenty feet (20') from any other property not a part of the PRD and at least twenty-five feet (25') from a dedicated street.

3. Setbacks from Interstate 15 right-of-way and commercially zoned properties shall be at least 10 feet.

4. All garages shall be set back a minimum of eighteen feet (18') from a private street.

All primary structures within the PRD zone shall be set back at least eight (8) feet from all other primary structures.

Section 22-7-12(G)

G. Landscaping.

1. All land within a PRD not covered by buildings, driveways, sidewalks, structures, and patios shall be designated as common area and shall be permanently landscaped with trees, shrubs, lawn, or ground cover and maintained in accordance with good landscaping practice. All required setback areas adjacent to public or private streets shall be landscaped. Deciduous trees shall be planted and maintained in the landscape strips located between the curb and the sidewalk adjacent to a public street with at least one tree for every forty feet and spaced no more than forty feet apart. However, trees in a landscape strip may be clustered in situations where the City Engineer determines that such clustering is necessary to avoid interference with public utilities. All landscaping shall have a permanent underground sprinkling system. No other fencing shall be permitted.

2. At least fifty percent (50%) of the net acreage (area of the development less public and private streets) of the entire development shall remain permanently landscaped. However, for a PRD located north of Center Street and between Interstate 15 and 1200 West, and for PRDs located between 1660 South and 1746 South between Sandhill Road and Interstate 15, the minimum landscaped area shall be forty percent (40%) of the net acreage of the entire development.

3. At least one (1) deciduous tree at least two (2) inch caliper measured four feet (4') above the ground, one (1) evergreen tree at least five (5) gallons in size, and sixteen (16) evergreen shrubs at least five (5) gallons in size are required for every two dwellings.

Section 22-7-12(L)

L. Streets.

1. For the purposes of this Article the following definitions apply:

a. **Public Street** shall mean a right-of-way owned and maintained by the City, that has a width of at least forty-six feet (46').

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_____ b. **Private Street** shall mean a vehicular right-of-way owned and maintained privately ___ that _____ has a right-of-way width of less than forty-six feet (46') and no less than thirty-six ___ feet (36') in width.

_____ c. **Private Drive** shall mean a vehicular right-of-way owned and maintained privately ___ that is less than thirty-six feet (36') in width and is no less than twenty-four feet (24') in ___ width.

2. ~~The minimum~~All streets in a PRD approved after January 6, 2016, shall be public. All streets that are shown on the Orem Transportation Master Plan shall be developed as public streets according to the size and general location shown on the Orem City Master Street Plan. The Planning Commission has the authority to require streets in a PRD to connect with other public streets outside the PRD where such connection is necessary for good traffic circulation in the area. ~~public street shall conform to the buffered sidewalk requirements outlined in Section 17-7-1, of the Orem City Code.~~

3. A ~~private-public~~ street that is projected to have average daily traffic (ADT) of 800 or less shall have a minimum right of way width of at least thirty-two feet (32'). All other public streets shall have a right of way width of at least forty-six feet (46'). All public streets in a PRD shall be paved with either concrete or asphalt, ~~include a six foot (6') wide concrete curb, gutter, and sidewalk on one side of the street and a two foot (2') side concrete curb and gutter on the other side.~~ and shall be constructed in conformance with City standards and specifications. All public streets shall also include curb and gutter on both sides and shall be dedicated to the City.

4. A buffered sidewalk shall be constructed and maintained on both sides of a public street. The buffered sidewalk shall be public and shall consist of a sidewalk at least five feet in width separated from the street by a landscaped planter strip at least eight feet in width. The Planning Commission may waive the buffered sidewalk requirement if it finds that compliance with the requirement would be functionally or aesthetically inconsistent with existing development located near or adjacent to the PRD.

54. A private drive shall be ~~allowed only if the following conditions are met:~~

_____ a. ~~Development of a part of the PRD with a public street is not practicable. paved with either concrete or asphalt and shall not access or service more than four units.~~

5. ~~All streets that are shown on the Orem Transportation Master Plan shall be developed as public streets according to the size and general location shown on the Orem City Master Street Plan. The Planning Commission has the authority to require streets in a PRD to connect with other public streets outside the PRD where such connection is necessary for good traffic circulation in the area. However, private streets and private drives may be permitted provided that:~~

ba. The ~~private drivey~~ will not extend to or provide service to another property or parcel not included in the PRD unless there is no reasonable way to access existing parcels contiguous to a ~~private-public~~ street.

cb. The ~~private drivey~~ will not provide access or travel between, or otherwise connect with two (2) or more public streets unless the street or ~~drivey~~ way is designed to discourage through traffic.

de. The ~~private drivey is are~~ designed by a qualified civil engineer and constructed to City ~~s~~Standards and ~~s~~Specifications.

ed. The ~~private drivey is are~~ designated on the final plat as ~~a~~ perpetual rights-of-way and public utility easements.

_____ fe. All access points from public streets have ~~"Private Street" or "Private Drive" signs~~ _____ installed.

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g. The private drive has a minimum width of twenty-four feet (24') and a maximum width of thirty-six feet (36') and is paved with either concrete or asphalt.

h. The private drive does not access or service more than four units.

6. A private drive may be required ~~The City Council may require private streets/drives~~ to be wider than the minimum width if necessary to insure traffic and pedestrian safety ~~and or~~ to reduce traffic congestion.

CITY OF OREM
NOTICE OF CITY COUNCIL
PUBLIC HEARING

The City Council will hold the following public hearings on Tuesday, January 12, 2016, in the City Council chambers of the Orem City Center at 56 North State Street, Orem, Utah, to consider the following:

January 12, 2016

6:00 p.m.

- Amending Section 22-6-8(C)(3) and Section 22-6-8(E) of the Orem City Code pertaining to projections into a setback. The Development Services Department filed the application.

- Amending Article 22-7 of the Orem City Code pertaining to development requirements and standards of the PRD zone. The Development Services Department filed the application.

The proposed amendments are available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed changes, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL
PLANNING COMMISSION MEETINGS**

If you need a special accommodation to participate in the Planning Commission Meeting,
please call the City Recorder's office at 229-7074.

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CITY OF OREM
CITY COUNCIL MEETING
 JANUARY 12, 2016



REQUEST:	RESOLUTION – A resolution of the City Council of the City of Orem outlining their support for adoption of the 2015 International Energy Conservation Code (IECC) and other possible air quality enhancements for Utah
APPLICANT:	Economic Development Division Manager
FISCAL IMPACT:	N/A

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

- General Plan Designation:
N/A
- Current Zone:
N/A
- Acreage:
N/A
- Neighborhood:
N/A
- Neighborhood Chair:
N/A

PREPARED BY:

Ryan Clark
 Economic Development
 Division Manager

RECOMMENDATION:

The Economic Development Division Manager recommends the City Council, by resolution, consider the request to outline their support for adoption of the 2015 International Energy Conservation Code (IECC) and other possible air quality enhancements for Utah. In addition, it is recommended the City Council instruct staff to transmit copies of this resolution to the President of the Utah Senate, to the Speaker of the Utah House of Representatives, to the Clerk of the Legislature, and to the news media to include the Daily Herald, Salt Lake Tribune, and Deseret News.

BACKGROUND:

The valleys in Utah suffer from inversions each winter season. The inversions cause health problems and can also affect economic development efforts. Businesses have eliminated Utah from their site selection searches because of the inversions.

The City of Orem, Provo City, Mountainland Association of Governments (MAG), Utah County, Utah County Health Department, and local business leaders are members of the Utah Valley Clean Air Task Force (UVCATF). The task force actively evaluates and implements solutions to reduce air pollution during the inversion season. Over the last two years the task force has encouraged the residents of the valley to reduce automobile emissions. The task force is also looking for solutions to reduce pollution from homes and buildings, which account for 39 percent of the pollutants in the air.

One way to reduce pollution from homes and buildings is to adopt energy-efficient building codes. The UVCATF has asked Orem, Provo, and MAG to support adoption of the 2015 International Energy Conservation Code as part of a planned update to the state building code by the Utah legislature in the upcoming legislative session.

Advantages

- New home owners would save an average of \$297 per year in utility costs.
- Pollutants including CO2, PM2.5, and ozone would be reduced.
- Energy demand from new construction would be reduced, mitigating the need for new infrastructure.

Disadvantages

- Increase in construction costs range from approximately \$1,000 to \$3,000 for a typical home.

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ORDINANCE NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OREM OUTLINING THEIR SUPPORT FOR ADOPTION OF THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) AND OTHER POSSIBLE AIR QUALITY ENHANCEMENTS FOR UTAH

WHEREAS the Utah Governor's Office of Energy Development reports that adoption of the 2015 International Energy Conservation Code (IECC) would save each new Utah homeowner \$297 per year; and

WHEREAS analysis conducted by the Pacific Northwest National Laboratory finds that the 2015 IECC is cost-effective for new commercial buildings and homes, resulting in positive cash flow within two years for new home buyers; and

WHEREAS air pollution gravely threatens the health of the people of Utah County as well as economic development; and

WHEREAS homes and buildings now account for 39% of air pollution in Utah according to the Utah Division of Air Quality; and

WHEREAS energy-efficient new homes and commercial buildings represent an important long-term air pollution reduction strategy by reducing energy consumption and resulting pollution emissions over the 100+ year life of building structures; and

WHEREAS adoption of the 2015 IECC would reduce CO₂ pollution in Utah by an estimated 5.06 million metric tons by 2040, the equivalent of taking over 84,000 cars off of the road every year; and

WHEREAS adoption of the 2015 IECC would reduce by 1,502 tons Utah's emissions of direct pollution and precursors of PM_{2.5} and ozone, both grave health threats, by 2050; and

WHEREAS improved energy efficiency will also buffer against spikes in utility rates by reducing demand for energy by 7.57 trillion BTU, consequently mitigating the need for utility companies to build new energy infrastructure and pass those costs on to consumers; and

WHEREAS it is far more cost-effective to build-in energy efficient air pollution reduction technologies during construction, rather than retrofitting a home after it is constructed; and

WHEREAS after considering the facts presented to the City Council of the City of Orem, the Council finds that the City of Orem should adopt a resolution stating its interest in state legislators adopting the 2015 IECC for Utah, and such action reasonably furthers the health, safety and general welfare of the citizens of the City of Orem.

DRAFT

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

1. The City Council is interested in state legislators adopting the 2015 IECC for Utah.
2. The City Council instructs the City of Orem Recorder to transmit duly authenticated copies of this resolution to the President of the Utah Senate, to the Speaker of the Utah House of Representatives, to the Clerk of the Legislature, and to the news media of Utah to include the Daily Herald, Salt Lake Tribune, and Deseret News.

PASSED, APPROVED and ORDERED PUBLISHED this 12th day of January 2016.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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Guest editorial: Why update our building code?

Daily Herald 6 November 2015

Houses and buildings last 50 to 100 years, so how we build them is important. Spending a little more to build them stronger and more energy efficient can save owners and residents thousands of dollars over the life of a building, and reduce pollution.

Building codes are the rules contractors have to follow when they build a structure. Building code updates ensure all builders follow best practices and incorporate new technology to save owners money in the long run, and dramatically reduce pollution caused by heating homes and generating electricity for their use.

Legislators redo Utah's building code every three years, and it is now time for them to update the old, heavily amended, crazy-quilt 2012 building code to lock in benefits of the 2015 update for our houses and buildings.

An important part of the building code is the section that pertains to energy, known as the International Energy Conservation Code (IECC). It requires high standards of insulation, windows, doors, air ducts and fittings.

Of course, these improvements cost a little more, and some home builders understandably worry about that.

To find out the economic impact of adopting the 2015 IECC here in Utah, the Governor's Office of Energy Development commissioned the Pacific Northwest National Laboratory to conduct an independent analysis. Experts there calculated the 2015 energy code would save the average new Utah homeowner almost \$300 per year.

Even better, this same analysis reports the 2015 IECC would result in "positive cash flow" for new homebuyers within two years. That means that in only two years, their house payment plus utility costs would be less for a home upgraded to the 2015 IECC than it would be for a house built to our old 2012 code. That is really fast payback.

So are Utahns willing to pay a little more for a house that will have lower utility bills and help them save money over time? The vast majority say that they are. A recent statewide survey conducted by Envision Utah found that 91 percent of Utahns are willing to pay more for homes that save energy and pollute less.

Speaking of pollution, how much of it comes from our houses and buildings? In Utah County, homes and commercial structures emit about 40 percent of our total air pollution.

It is true that vehicles now cause more air problems — almost 60 percent of the total — but that figure is predicted to shrink as new vehicles become cleaner and more efficient to comply with federal standards, and as Tier 3 (lower sulfur) gasoline is phased in and we all begin to use it.

This means homes and buildings will become the primary source of pollution — roughly 60 percent by 2050 — unless policies like updated energy codes are adopted,

Adoption of the 2015 IECC, however, would by 2050 reduce Utah's most harmful emissions by 1,502 tons, dramatically reducing both PM 2.5 and ozone pollution. And it would reduce CO2 pollution by 5.5 million tons, the equivalent of taking more than 84,000 cars off the road every year.

Even though national maximum standards for PM 2.5 and ozone exist, physicians tell us no safe level exists for either, especially for the 8 percent of Utah children with asthma.

Unquestionably, incorporating energy-efficient and cleaner technologies during construction is far more cost effective than trying to retrofit a home later.

Some builders and developers complain their customers are often unwilling to spend more for long-range benefits that are not clear to them. That is understandable. Who would spend more for a fuel-efficient car with no sticker on the window saying exactly how many miles per gallon the car will get? And that is also a good reason why all new homes should have some sort of energy rating as well.

Last year Rep. Craig Powell's bill to require an energy rating for new structures was not adopted, but the Utah Association of Realtors agreed to include a field in the Multiple Listing Service (MLS) of homes for sale that would give prospective buyers and sellers the ability to post and receive such ratings as part of the advertising process.

It's not on the MLS yet, but this is something all home buyers should insist on.

While we are on the subject of what average people can do, let's encourage our legislators to vote for an update of the Utah building code that is as good as the 2015 International Energy Conservation Code, or better.

The Business and Labor Interim Committee is now considering what it will recommend regarding the energy code, and the full Legislature will consider an energy code update during the 2016 general session beginning in January.

Don Jarvis is chair of the Provo City Sustainability and Natural Resources Committee. His opinions do not necessarily reflect city policy.

CITY OF OREM
CITY COUNCIL MEETING
 JANUARY 12, 2016



REQUEST:	RESOLUTION – Adopting the Canyon View, Orchard & Cascade Neighborhood Plan and amending the City of Orem General Plan to include the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C
APPLICANT:	Development Services Department
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- E-mailed to newspapers
- Mailed 3,443 notices

SITE INFORMATION:

Proposed General Plan Designation:
 N/A
 Proposed Zone:
 N/A
 Acreage:
1,258 acres
 Neighborhoods:
Canyon View, Orchard, and Cascade
 Neighborhood Chairs:
Bob Davis (Cascade)
Brook & Danette Gardner (Orchard/Orem East)

PLANNING COMMISSION RECOMMENDATION
Vote: 5-0

PREPARED BY: Brandon Stocksdale Long Range Planner

REQUEST:

The Development Services Department requests the City Council approve, by resolution, the Canyon View, Orchard & Cascade Neighborhood Plan and amend the Orem City General Plan by adopting the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C.

BACKGROUND:

This is the first neighborhood plan to be completed in the City of Orem’s Neighborhood Plan Program. The major goals of the plan include promoting community planning by working with residents to identify local concerns and needs, improving communication with residents, and applying Citywide plans at the neighborhood level. Three public open houses were held and a citizen-driven advisory committee was formed to help identify concerns, shape the vision statement, and assist in drafting the plan. Community outreach was also supported by the City’s MindMixer and mySidewalk pages. The major elements of the plan include an introduction, an inventory of existing conditions, future land uses, transportation, neighborhood preservation, and implementation.

Some of the major objectives of the plan include:

- Preserving the character of the neighborhoods while allowing for appropriate growth and redevelopment;
- Addressing current and future traffic congestion concerns;
- Improving non-vehicular access throughout the community;
- Maintaining and improving parks and recreational facilities;
- Improving coordination and ordinance enforcement; and
- Providing sufficient amenities throughout the neighborhoods.

The plan includes the following two specific recommendations:

1. Concentrating new commercial/retail development on the 800 North corridor while preserving existing single family neighborhoods.
2. Allowing appropriate infill development to accommodate growth and redevelopment within the context of the existing single family neighborhoods.

Each neighborhood plan serves as a guide for future planning decisions

made by City staff, the Planning Commission, and the City Council based on the goals and vision established by the residents. It is intended that each neighborhood plan be updated at least every five years.

Advantages:

- Goals, objectives, and actions were developed based on an extensive public input process making it a community-driven plan;
- Provides long range goals, plans, and recommendations for the future development of these specific neighborhoods;
- As part of the Orem General Plan, it will be a guiding document to help City staff, the Planning Commission, and the City Council to make future decisions regarding these neighborhoods;
- Increases the ability of City staff to coordinate projects and planning outreach with neighborhoods and residents throughout Orem.

Disadvantages:

- None.

RECOMMENDATION:

The Planning Commission recommended that the City Council approve the Canyon View, Orchard & Cascade Neighborhood Plan and amend the City of Orem General Plan by adopting the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C. City staff supports the Planning Commission recommendation.

DRAFT

RESOLUTION NO. _____

A RESOLUTION OF THE OREM CITY COUNCIL APPROVING THE CANYON VIEW, ORCHARD & CASCADE NEIGHBORHOOD PLAN AND AMENDING THE CITY OF OREM GENERAL PLAN BY ADOPTING THE CANYON VIEW, ORCHARD & CASCADE NEIGHBORHOOD PLAN AS APPENDIX C

WHEREAS the City of Orem continues to experience tremendous growth and redevelopment and the City seeks to preserve the nature of Orem’s single family neighborhoods to the greatest extent possible; and

WHEREAS a neighborhood plan has never been developed for the Canyon View, Orchard and Cascade neighborhoods; and

WHEREAS City staff has worked to create a neighborhood plan for the Canyon View, Orchard and Cascade neighborhoods based on an extensive public outreach effort designed to obtain public input which efforts included mailing notices to all residents, businesses, and properties in the study area, holding three neighborhood meetings, launching two public engagement websites, presenting at three “Back to School” nights at local elementary schools, and forming an Advisory Committee made up of volunteer community stakeholders to guide the plan’s development; and

WHEREAS the City of Orem planning staff and the neighborhood plan Advisory Committee worked together to identify concerns and goals for these neighborhoods and develop a plan to guide the future growth and development of these neighborhoods; and

WHEREAS the Department of Development Services proposes that the neighborhood plan for the Canyon View, Orchard and Cascade neighborhoods be adopted as Appendix C of the Orem General Plan; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on December 9, 2015 and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on January 12, 2016; and

WHEREAS the agenda of the City Council meeting at which the public hearing on the subject application was heard was posted at the Orem Public Library, on the Orem City webpage and at the City Offices at 56 North State Street and at utah.gov/pmn; and

DRAFT

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; and the special conditions applicable to the request.

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

1. The City Council finds this request is in the best interest of the City because it provides a community-developed vision and long range plan for the development of the Canyon View, Orchard, and Cascade neighborhoods by providing general guidelines regarding transportation improvements, land uses, economic development, and urban design.

2. The City Council hereby adopts the Canyon View, Orchard & Cascade Neighborhood Plan and amends the City of Orem General Plan by adopting the Canyon View, Orchard & Cascade Neighborhood Plan as Appendix C of the Orem General Plan which is attached hereto as Exhibit A and incorporated herein by reference.

3. This resolution will take effect immediately upon passage.

4. All other resolutions and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this 12th day of **January** 2016.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

DRAFT

Canyon View, Orchard & Cascade Neighborhood Plan

[DRAFT]



December 2015

Advisory Committee Members:

Joseph Backman, Foothill Elementary School Principal
Margaret Black, Orem City Councilmember
Bonnie Call, Orchard Neighborhood Resident
Boyce Campbell, Cascade Elementary School Principal
Mickey Cochran, Orchard Neighborhood Resident
Bob Davis, Cascade Neighborhood Resident
Diane Fraser, Canyon View Neighborhood Resident
Lakshmi Johal-Dominguez, Cascade Neighborhood Resident
Lynnette Larsen, Orem Planning Commission
Katrina Larson, Canyon View Neighborhood Resident
Wade Lott, Canyon View Junior High School Principal
Megan Menlove, Canyon View Junior High School Assistant Principal
Aimee Monson, Cascade Neighborhood Resident
Steven Nelson, Orchard Neighborhood Resident
Aaron Orullian, Beautification Commission Chair
Brian Peterson, Canyon View Neighborhood Resident
Hal Shearer, Canyon View Neighborhood Resident
Aaron Stevenson, Orchard Elementary School Principal
Leah Wallen, Canyon View Neighborhood Resident
Stephanie Whyte, Orchard Neighborhood Resident
Liz Woolf, Cascade Neighborhood Resident

Orem City Staff:

Bill Bell, Development Services Director
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Brandon Stocksdales, Long Range Planner
Chris Hupp, Planning Intern
Ryan Clark, Economic Development Director
Paul Goodrich, Transportation Engineer
Sgt. Bill Crook, Orem Police Dept., Neighborhood Preservation Unit
Steven Downs, Assistant to the City Manager

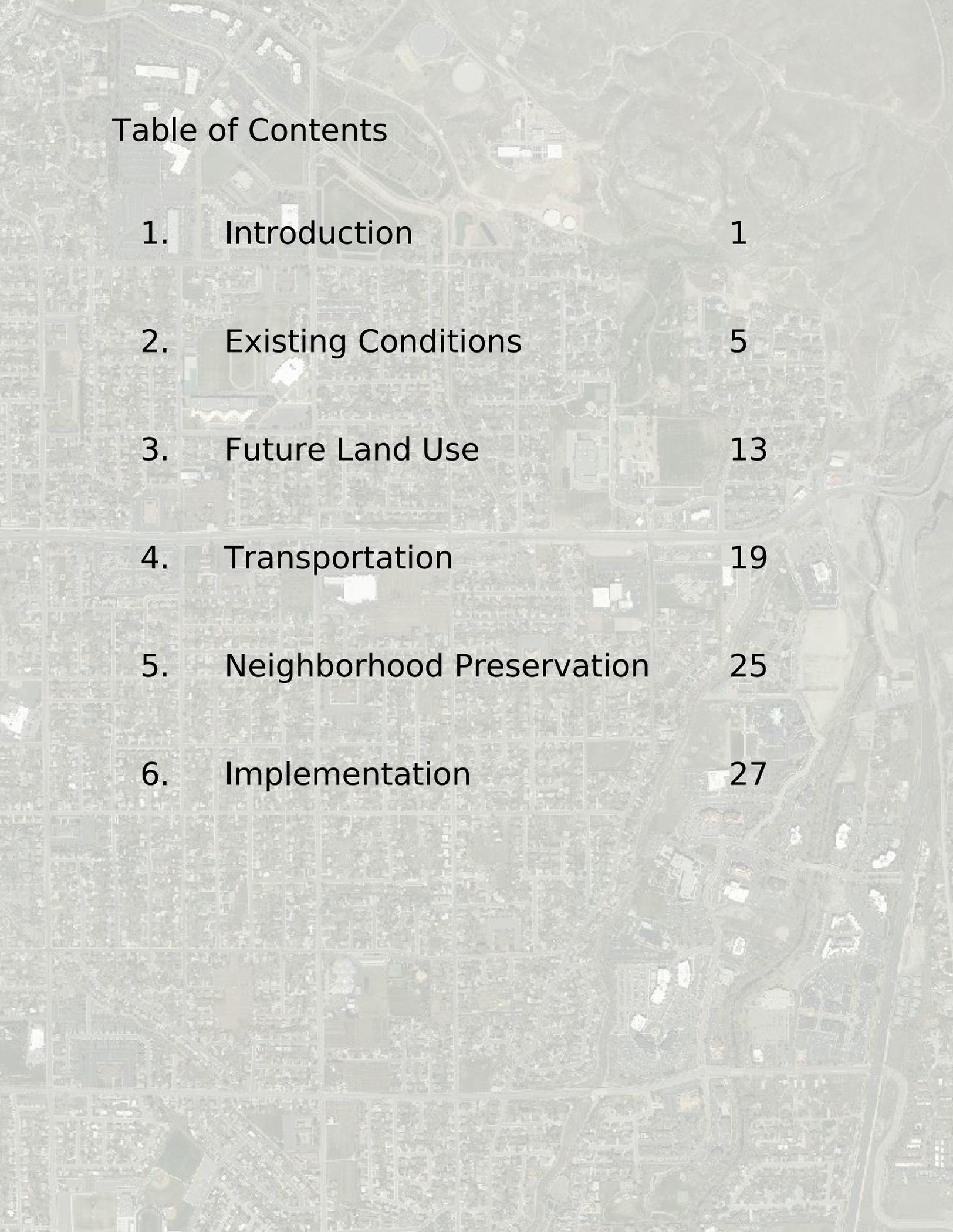


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1 Introduction

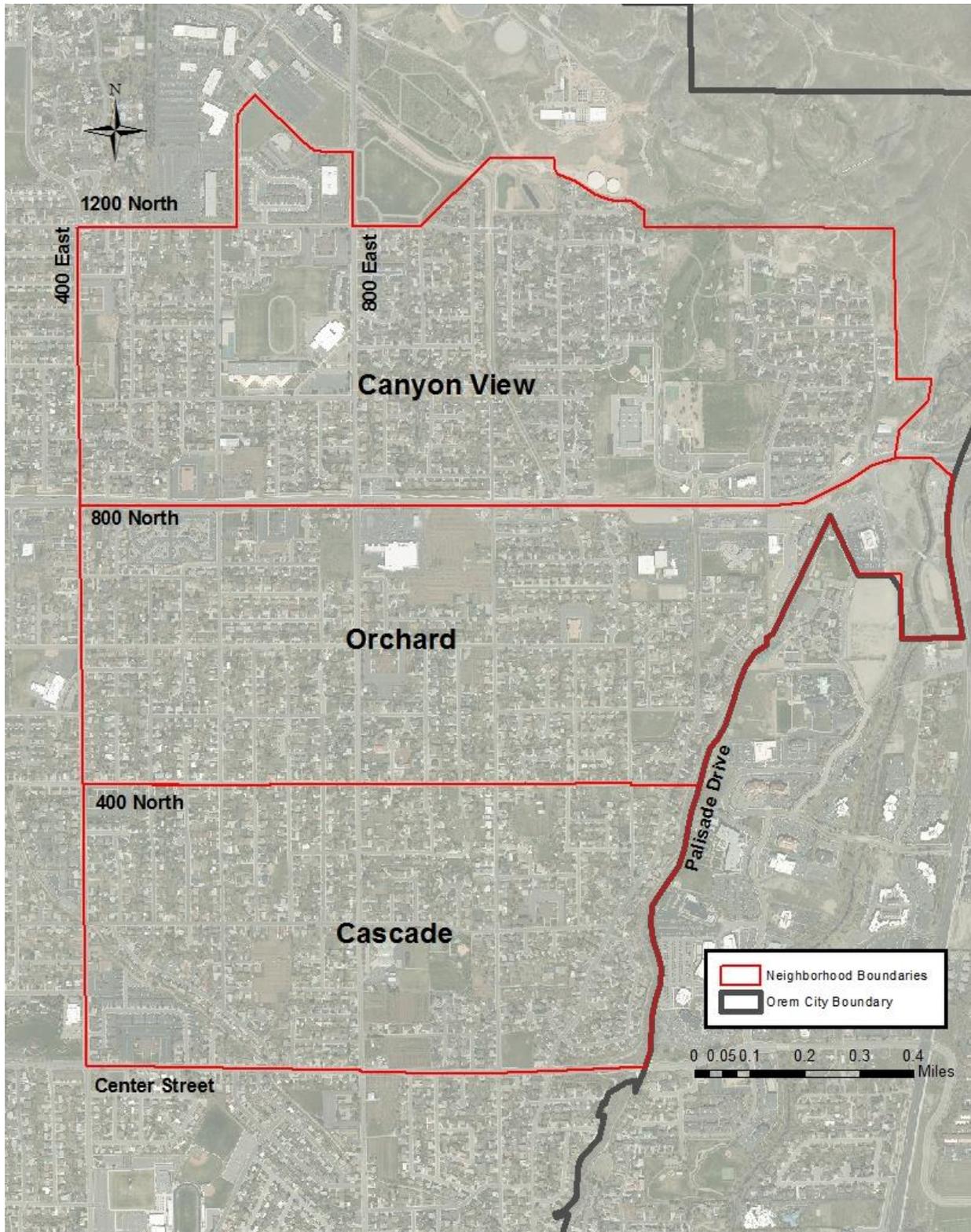


Figure 1.1 – Canyon View, Orchard & Cascade neighborhood boundaries.

Purpose

The Canyon View, Orchard, and Cascade Neighborhood Plan (Plan) serves as a guide for the future of these three neighborhoods in northeast Orem. This Plan was adopted as a part of the City of Orem’s General Plan to establish the vision, goals, and objectives that will shape the character of these neighborhoods by identifying current concerns and anticipating the future needs of the neighborhoods.

This document seeks to establish an inventory of existing conditions, create a unifying vision, and provide the framework for the balance of appropriate growth and preservation in each neighborhood. It is the goal of the Orem City Council and planning staff to encourage communication and greater harmony in the community. The Plan is the result of collaborative work between Orem residents, community leaders, local business owners, and City staff.

This is the first neighborhood plan completed in the City of Orem’s Neighborhood Plan Program. The plan was started in November 2014 with a presentation to the City Council and subsequent background research completed by planning staff. Public open houses were held on January 22, 2015, April 9, 2015, and November 19, 2015. An Advisory Committee was formed with representatives from the community and City staff to identify and address concerns, guide the planning process, and promote the Plan throughout the three neighborhoods. Monthly Advisory Committee meetings were held beginning in March 2015. Advisory Committee members and City staff also attended neighborhood Back to School Nights to reach out to residents and gather feedback regarding the Plan.

The three neighborhoods in this Plan were grouped together based on similar land uses, development history, and geography in the northeast area of the City at the entrance to Provo Canyon as seen in Figure 1.1. This allows the Plan to better address larger issues that may occur in similar neighborhoods while focusing on a small enough geographic area to concentrate on specific needs and opportunities. This helps the City of Orem to identify local concerns and provide goals, objectives, and programs to aid community leaders as they address these concerns.

Vision & Goals

The vision statement was developed by residents and the Advisory Committee to guide the goals of the Plan.

While the Canyon View, Orchard, and Cascade neighborhoods are largely built-out and established areas of the City, new growth and redevelopment

VISION STATEMENT

Our goal is to enhance our quality of life by improving public safety and awareness; expanding transportation options through making streets safer for pedestrians, children, and bicyclists; increasing access to parks and open space; and making wise land use choices to consider future growth as we create homes that support the preservation and beautification of our neighborhoods.

1 Introduction

continues to occur. This Plan will help address a number of issues associated with these neighborhoods, including:

- Preserving the character of the neighborhoods while allowing for appropriate growth and redevelopment;
- Addressing current and future traffic congestion concerns;
- Improving non-vehicular access throughout the community;
- Maintaining and improving parks and recreational facilities;
- Improving coordination and ordinance enforcement; and
- Providing sufficient amenities throughout the neighborhoods.

Neighborhood History

Nearly all of the current neighborhoods in Orem are built on the former agricultural lands of the Provo Bench. The area was covered in rich orchards where peaches, cherries, strawberries, tomatoes, and other fruits and vegetables were grown and shipped to Salt Lake City on the Salt Lake and Utah Railway. During World War II, the federal government built an internment camp near the current sites of the Canyon View Junior High and Orchard Elementary



schools to hold nearly 200 interned Japanese-Americans and later 60 European prisoners of war who were brought in to help harvest fruit from local orchards.

While many of the older neighborhoods in Orem were built further to the south along State Street and the western edge of the City to support Geneva Steel, some of the first subdivisions in the northeastern part of the City began developing in the early 1970s. Many were built in the Cascade and Orchard neighborhoods with more recent development occurring in the Canyon View neighborhood following the development of the WordPerfect business campus in the mid-1980s (see Figure 1.2). This area was redeveloped as the Canyon Park Technology Center in the early 2000s, and with over one million square feet of office space, is a major employment center in the City. It

hosts numerous companies including Fishbowl Inventory, the UVU Culinary Arts Institute, LexisNexis, Bluehost, Agilix Labs, and others.

Most of the area has developed into mature single family neighborhoods with interspersed schools, parks, and churches. Community commercial services followed development, including the Harmon's shopping center at 800 East 800 North built in the late 1990s. This shopping center includes a grocery store, restaurants, bank, and other shops and is the major retail component of these neighborhoods.

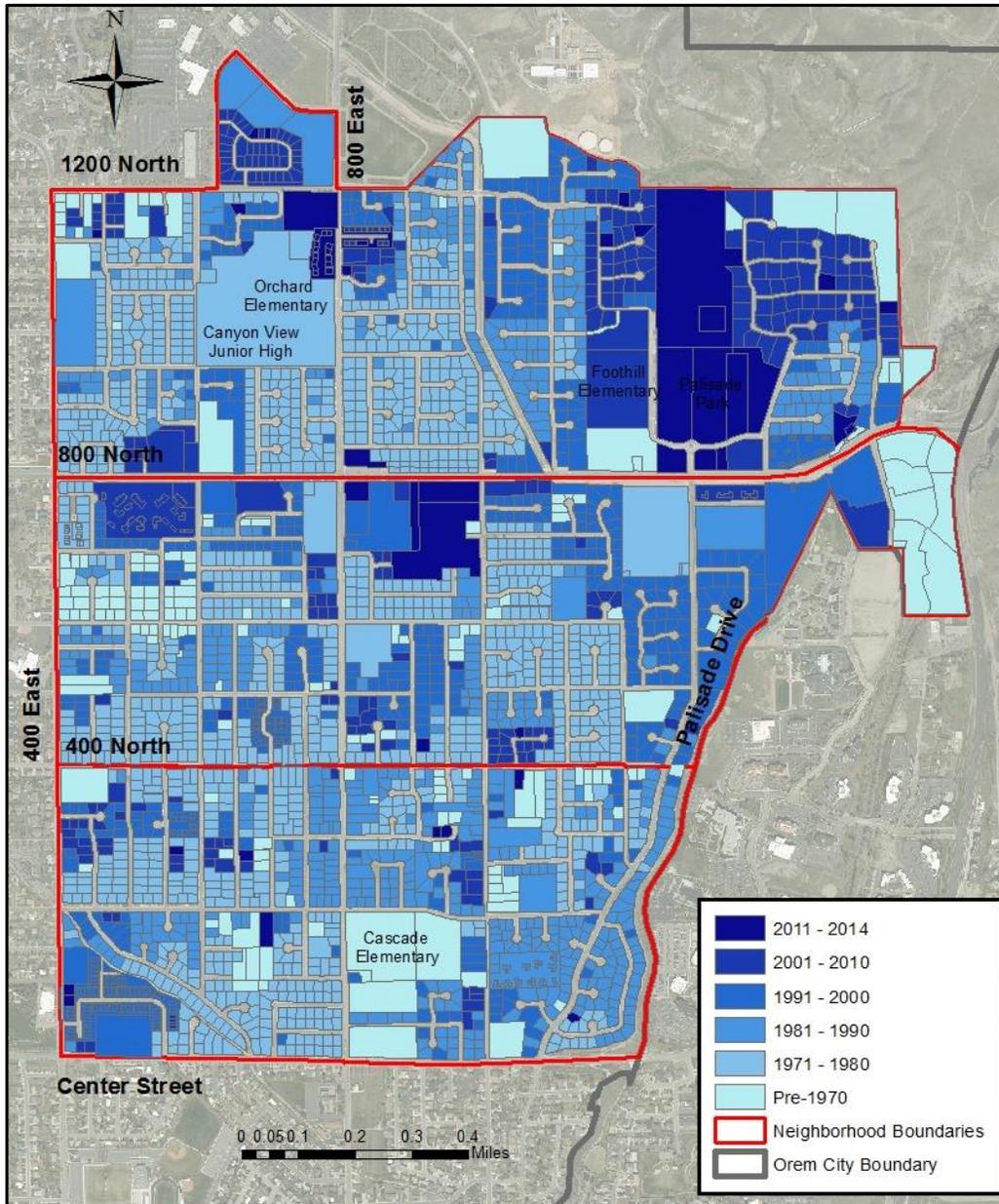


Figure 1.2 – Development history in the neighborhoods.

2 Existing Conditions

Land Use

The predominant land use within the Canyon View, Orchard, and Cascade neighborhoods is single family housing (see Figure 2.1). While most of the neighborhoods are zoned R8, which requires a minimum 8,000 square foot residential lot; there are a few areas which allow for slightly higher density developments. Some examples include the Da Vinci Place development on 1200 North adjacent to the Canyon Park Technology Center and the Evergreen development adjacent the City Center Park on 400 East. These developments allow for smaller lots and townhome construction which increases the overall density of the developments while maintaining the character of the single family housing stock of the neighborhoods through similar structures, building heights, and design.

Nonresidential land use designations in the neighborhoods include Commercial, Business Park, Professional Office, and Planned Development zones concentrated mainly along 800 North. These developments include offices in the Stratford Park Office Condominiums, Far West offices, the Dastrup office building, and Canyon View Business Park. Several multi-story offices are located near the mouth of Provo Canyon, including the former Xactware and Clearlink buildings. The Orchards is a shopping center located at the intersection of 800 North and 800 East which is anchored by a Harmon's grocery store and provides other retail services to the neighborhoods. The Sandersen Mortuary is located nearby. In addition, the Provo Canyon Behavioral Hospital and Cirque Lodge treatment facilities are located on Palisade Drive near 800 North. The Central Utah Water Conservancy District owns property along the Provo River on the south side of 800 North which is currently undeveloped. Another significant employment and retail center is the Riverwoods, located down the hill from these neighborhoods in the City of Provo along University Avenue.

There are currently nine LDS chapels and the Orem Community Church in the neighborhoods, in addition to four public schools: Cascade Elementary, Foothill Elementary, Orchard Elementary, and Canyon View Junior High. Each elementary school has an adjoining city park, in addition to the newly completed Palisade Park, which opened in the spring of 2015.

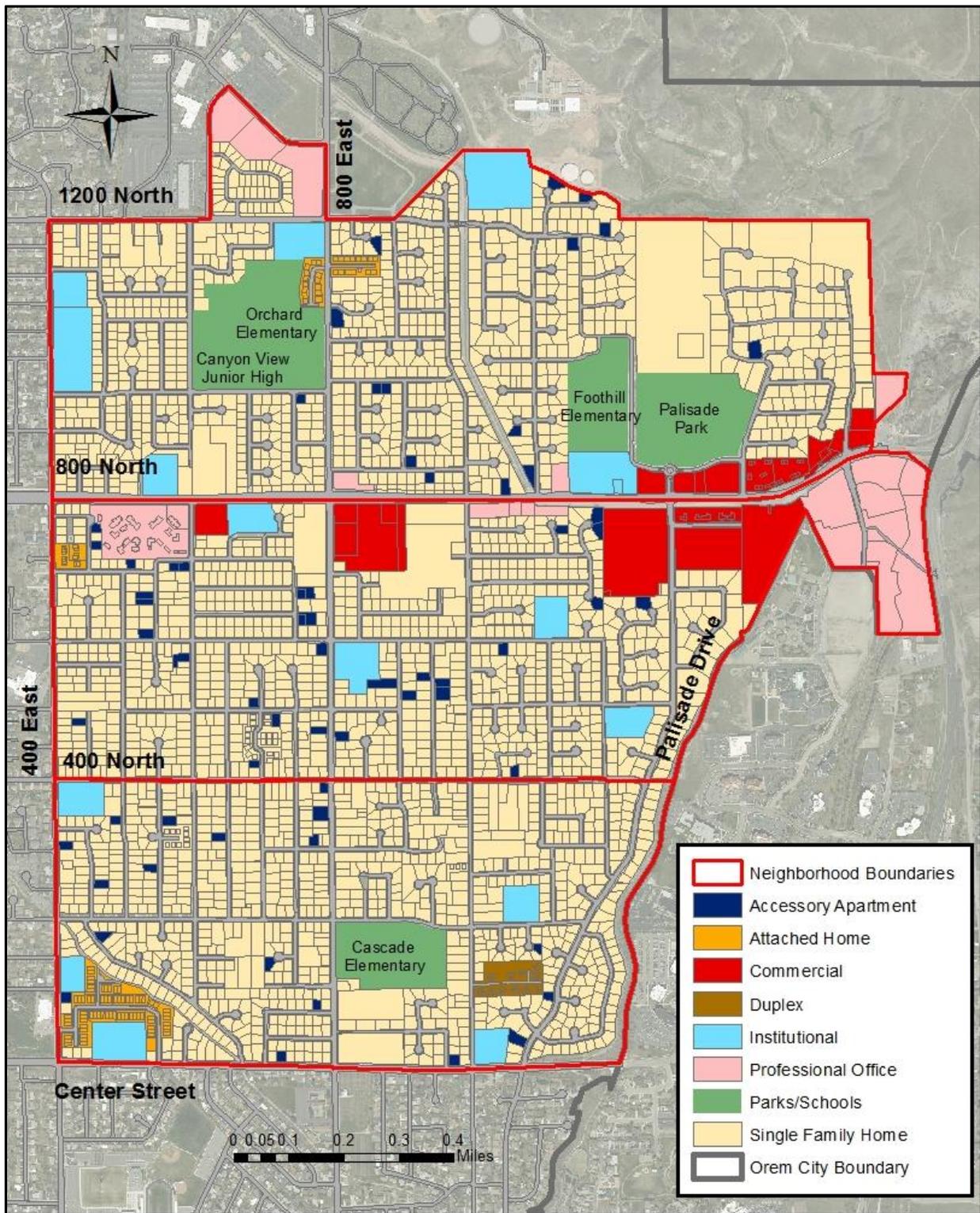


Figure 2.1 – Land uses and housing types in the neighborhoods.

2 Existing Conditions

Demographics

Demographic information for the neighborhoods was gathered from the 2012 American Community Survey of the U.S. Census and the 2010 decennial US Census. This data provides insights into the current needs and future growth trends for the neighborhoods.

Housing Units

Of the 2,654 housing units in these neighborhoods, 93% are single family detached homes. Other housing types in the neighborhoods include accessory apartments, attached homes, and duplex units, as shown in Figure 2.2.

Occupancy Status

The majority of residents in the Canyon View, Orchard and Cascade neighborhoods own the houses they live in. Of the 2,654 housing units in the area in 2012, approximately 2,281 are owner-occupied and 373 are renter-occupied. This is a rental rate of 14%, which is considerably lower than the city average of 37.6% according to the 2010 U.S. Census. Orem's homeownership rate is close to the national rate of 65% in 2010.

Population Density

The neighborhoods in the northeast corner of Orem generally have a lower density than other areas of the City. Overall, the densities in these neighborhoods are low and comparable to single family neighborhoods found throughout the City and County. These densities can be seen in Figure 2.3 on page 8.

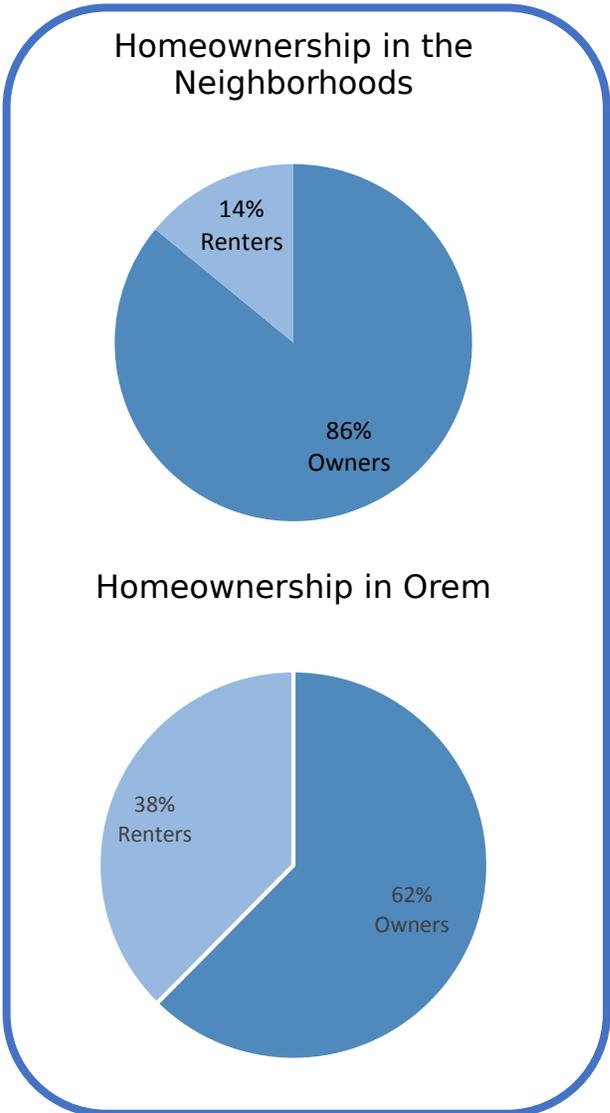
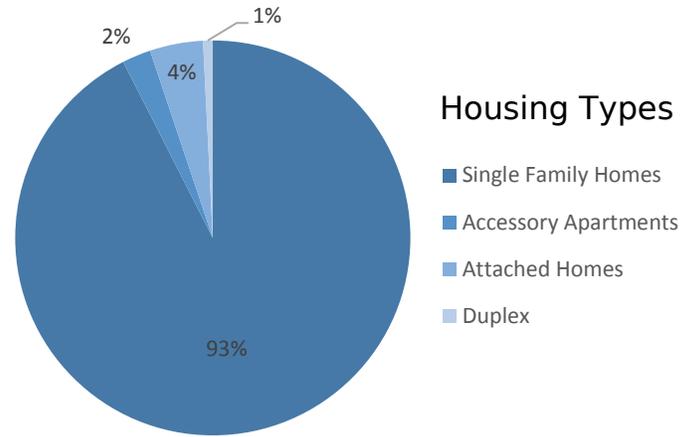


Figure 2.2 – Housing Types and Homeownership Rates in the Canyon View, Orchard & Cascade Neighborhoods

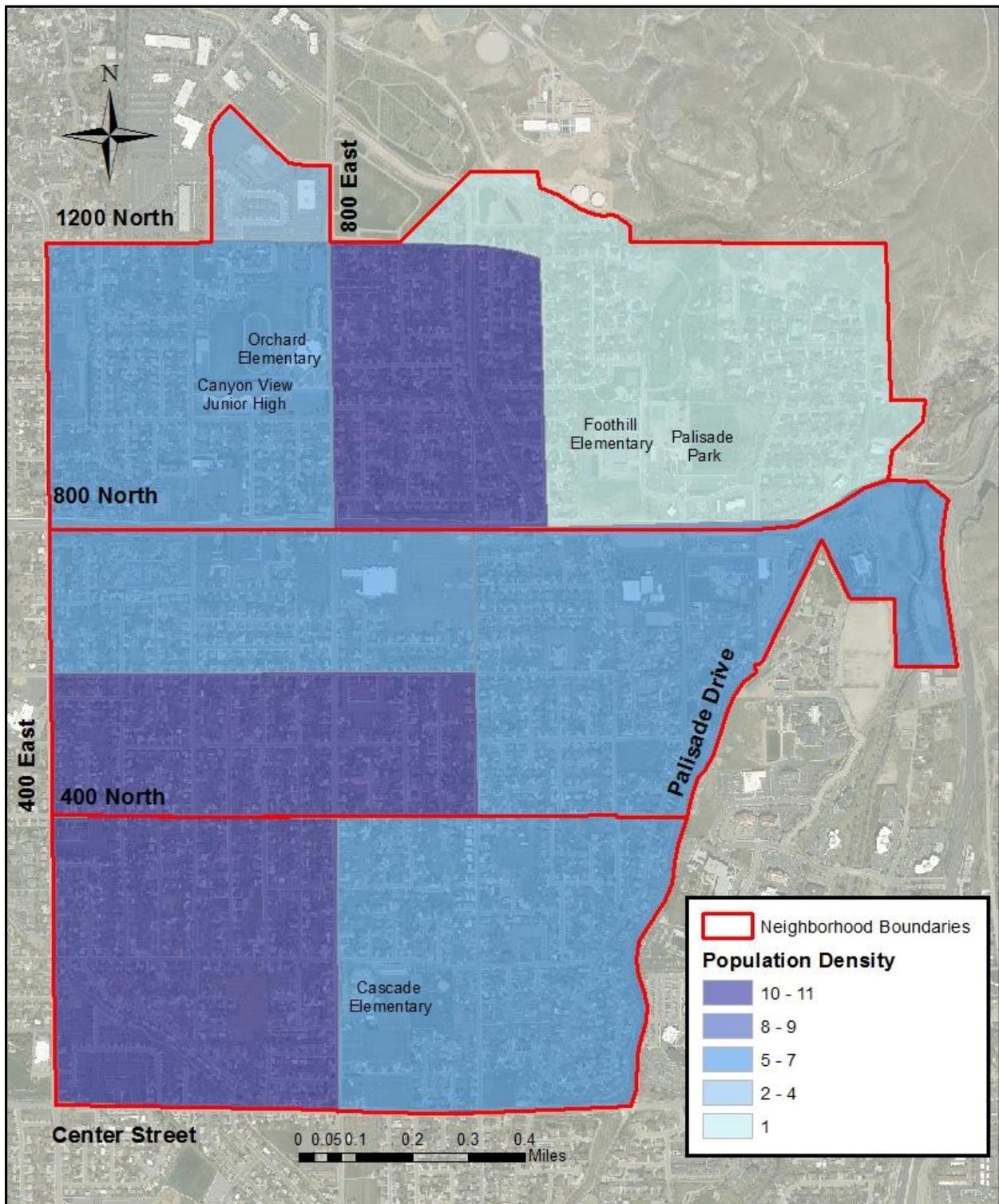


Figure 2.3 – Population per acre in 2010.

2 Existing Conditions

Summary of Existing Plans

❖ **City of Orem General Plan 2011**

The City of Orem General Plan outlines the major goals and visions for the City and was last updated in 2011. The General Plan addresses issues related to land use, transportation, housing, urban design, economics, public facilities, and parks. Some of the major policies from the General Plan related to these neighborhoods include:

- Using Professional Office zones to establish low-impact professional space to buffer neighborhoods from collector or arterial-class roads;
- Using Community Commercial zones to provide necessary retail needs to communities at appropriate locations throughout the City;
- Promoting active transportation methods such as bicycle and foot paths where safe or appealing to increase connections between parks, open spaces, and schools;
- Utilizing low-density residential zones (R8, R12, and R20) and single-family homes as the backbone of housing stock in the City;
- Supporting low density Planned Residential Development (PRD) zones to create diverse and quality housing for citizens by supporting more density built to higher standards;
- Improving the design of streets to create a family-oriented community by using elements such as trees, crosswalks, water features, landscaping, lighting, and signage to make streets safer and more attractive places to gather and walk. The City also seeks to balance the need to maintain vehicle traffic flows while calming traffic to improve safety.

❖ **Bikes & Trails Master Plan 2010**

City staff worked with Mountainland Association of Governments, Alpine School District, the Utah Transit Authority, Utah County Health Department, and Utah Department of Transportation to outline a plan to build better bicycle and pedestrian facilities throughout Orem. The plan seeks to use “complete streets” principles to design safer streets that support improved bicycle and pedestrian infrastructure, including the following:

- Create a cohesive city-wide bike trail system for recreational and utilitarian users;
- Improve connectivity between Orem and neighboring communities;
- Implement an accessible network of pedestrian infrastructure, including sidewalks, curb ramps, and trails;
- Achieve “Bicycle Friendly Community” Platinum status by 2025;
- Improve bike connectivity to transit service by accommodating bikes on transit vehicles, improving connection links, and providing bike storage facilities at destinations; and

- Support Safe Routes to School and other educational efforts to improve bike safety and usage.

The plan outlines appropriate right of way alignments and delineates bike paths which are further discussed in the Transportation section of this plan and will be helpful in implementing these facilities throughout the neighborhoods.

❖ **Economic Development Strategic Plan**

This plan was completed in 2014 and identifies the 800 North corridor between 400 East and University Avenue as one of the City's 19 major economic districts; some of the key points in the report include:

- This area does not generate significant sales volumes due to the local nature of the retail establishments;
- Nearly 83% of all sales in this area are in the food and beverage categories related to local shopping needs; and
- Nearby Canyon Park Technology Center remains a major employment center.

One of the plan's city-wide goals is to stabilize the City of Orem's dependence of sales tax revenue by increasing employment opportunities and added property value to office space. This may be possible through expanded use of the Professional Office (PO) zoning which was developed specifically for the corridor which may bring a more balanced mix of office users and employers to retail-sales based businesses on 800 North.

❖ **Street Connection Master Plan 2014**

This plan outlines the City's long term goals to complete street connections and missing road segments throughout the City. Key areas are outlined to be completed as need warrants and development occurs. One of the major goals of the plan is to promote the completion of these connections with new development to relieve the taxpayer of the cost of completing these streets. A number of connections were completed throughout the neighborhoods in recent years. These connections create a more walkable neighborhood environment and help with overall connectivity. Further connections will be developed as remaining orchards develop. These connections are outlined in orange in Figure 2.3 on page 11.

2 Existing Conditions

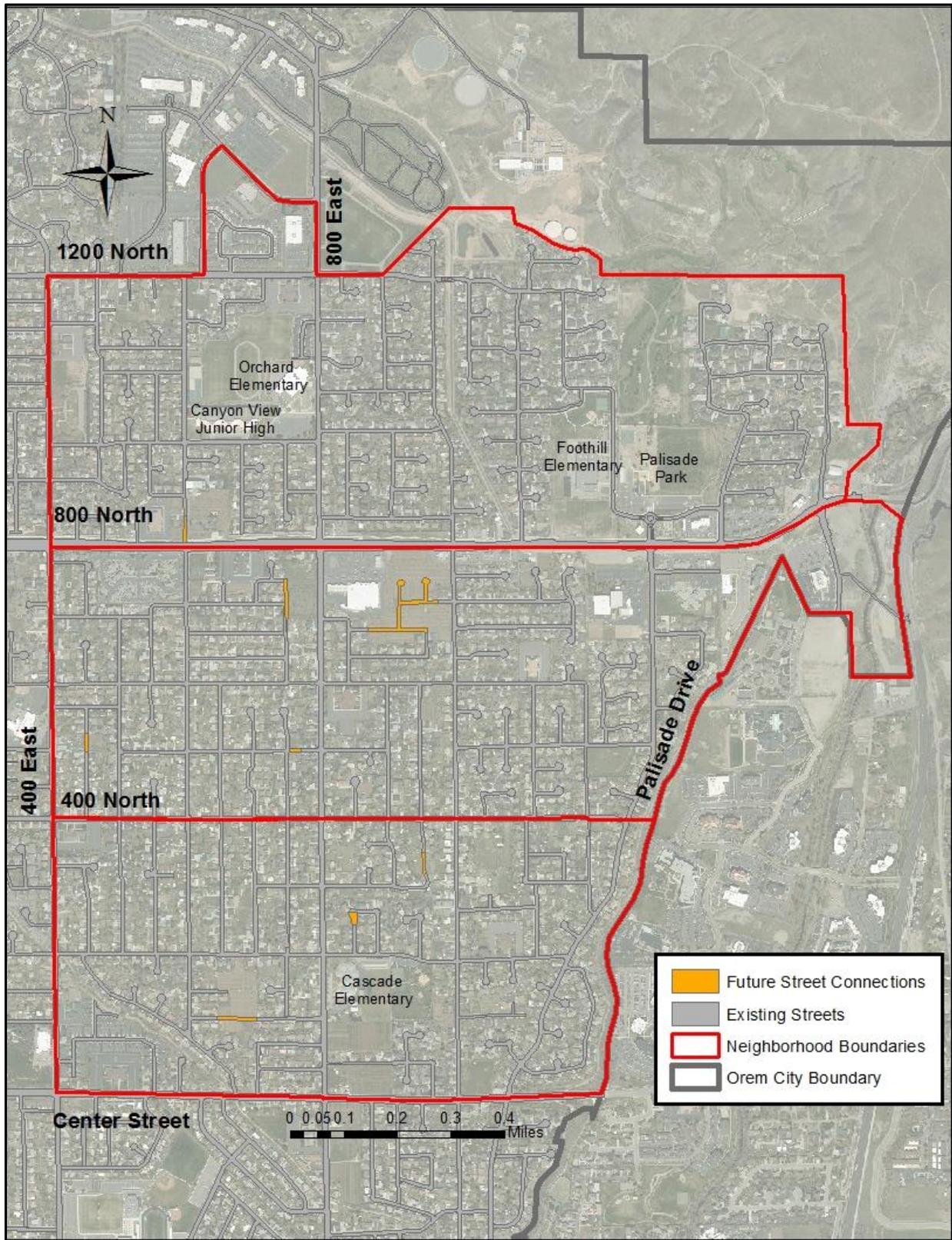


Figure 2.4 – Street Connection Master Plan future road connections.

Neighborhood Strengths:



Local Parks



Good Schools



Murdock Canal Trail



Established Family Neighborhoods



Mountain Views



Proximity to Employment

Neighborhood Concerns:



Missing Sidewalks



School Crossing Improvements



Vacant Lots



Local Speed Limits



Intersection Improvements



Dog Park

3 Future Land Uses

Objectives:

- Preserve the single family nature of the neighborhoods through low density development and appropriate infill.
- Maintain retail and office uses along the 800 North corridor.
- Increase greenspace as remaining areas develop.

While most of the land within these neighborhoods has been developed into low density housing, office, and retail uses, a limited number of vacant areas remain for future development. A number of one to three acre parcels exist throughout the neighborhoods which are owned by the LDS church as future meetinghouse sites.

Most future development in the neighborhood will likely be the result of redevelopment of existing properties. Careful steps should be taken to ensure the preservation of the existing nature of the neighborhoods. The use of legal accessory apartments (often basement apartments), deep lot houses, twin homes, cottage apartments, and Planned Residential Developments similar to the Da Vinci development may be appropriate ways to accommodate population growth in the neighborhoods while maintaining the single family nature. There are a few remaining remnant orchards scattered throughout the neighborhoods which may be subdivided in the future for housing. The Crandall Fruit Farm located at 800 East Center Street is the only orchard in the neighborhoods currently included in the Agriculture Preservation Overlay. The Central Utah Water Conservancy property at the mouth of the canyon may also be the site of future development.

Most of the commercial and professional office spaces along the 800 North corridor are already developed, and the Professional Office (PO) zone was specifically crafted with design guidelines to encourage appropriate development adjacent to these neighborhoods. These uses should be continued along this corridor to maintain a buffer for residential areas. Maximum building heights should remain in place to ensure development is compatible with the current neighborhoods.



Twin Homes



Accessory Apartments



Cottage Apartments



Neighborhood Office

Parks & Recreation

Objectives:

- Provide public open space in each neighborhood.
- Improve access to trails and parks throughout the neighborhoods by completing sidewalk connections and improving pedestrian street crossings.
- Seek future opportunities for trail development on the Stratton Canal and Union Canals.



Neighborhood parks, open space, and access to trails were identified as major quality of life factors for residents of the Canyon View, Orchard, and Cascade neighborhoods.

A 2014 city-wide survey showed overwhelming support for the CARE tax, which was renewed in 2013 as a way to fund recreational and cultural facilities in Orem.

A number of recreational improvements are currently being completed within these neighborhoods. A splash pad will be constructed in the new Palisades Park in the spring of 2016. In addition, the playground at Cascade Park will be replaced by the spring of 2017. As new development occurs in the neighborhoods, opportunities should be identified where additional park facilities can be provided for residents, especially in the Orchard neighborhood which

3 Future Land Uses

currently lacks a park. The majority of residents stated they would prefer to see more, smaller parks built in the future. Smaller “pocket parks” may provide an opportunity to enhance existing neighborhoods. Potential locations for future pocket parks may include the Murdoch Canal Trailhead at 800 North and 1100 East (see Figure 3.2), near the Harmon’s shopping center on 800 North, or as part of future developments on the few remaining orchards in the area. These smaller facilities can be worked into future developments at significantly lower cost while providing public access to open space, enhancing community identity, and connecting the existing green space network in the neighborhoods.

Many residents have expressed the desire for a dog park to be located in Orem. The City Parks Department is currently considering a location in the city for a facility. While Cascade Park was briefly considered as a viable option, concerns raised by local residents have made this location a less likely option at this time.

Another amenity sought by residents was better access to community gardens. While the City of Orem does not currently operate community gardens in its parks, opportunities may arise in the future. A number of community groups have recently developed community gardens and welcome community participation, including gardens at the Intermountain Healthcare’s Orem Community Hospital and the Orem Community Church.



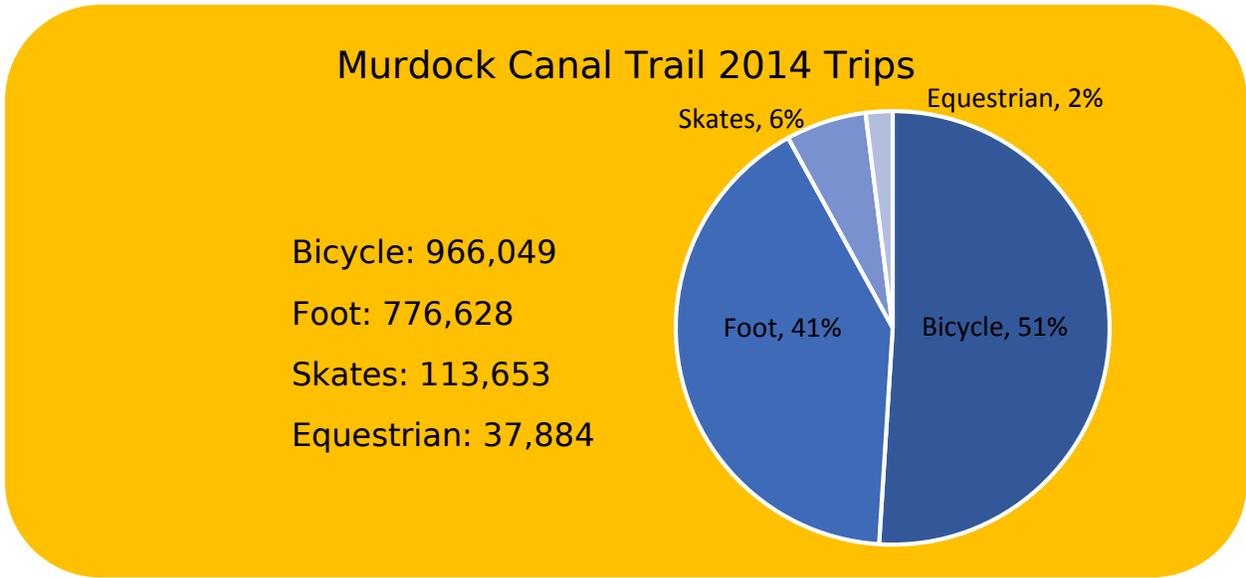
Dog Park



Splash Pad



Community Gardens



The Murdock Canal Trail is a valuable asset to the Orem community and these neighborhoods (see Figure 3.1). Many residents expressed hope that an expansion of the trail network would be possible. The North Union Canal currently operates through the Cascade and Orchard neighborhoods and may present the opportunity for another such facility in the future (see Figure 3.3).

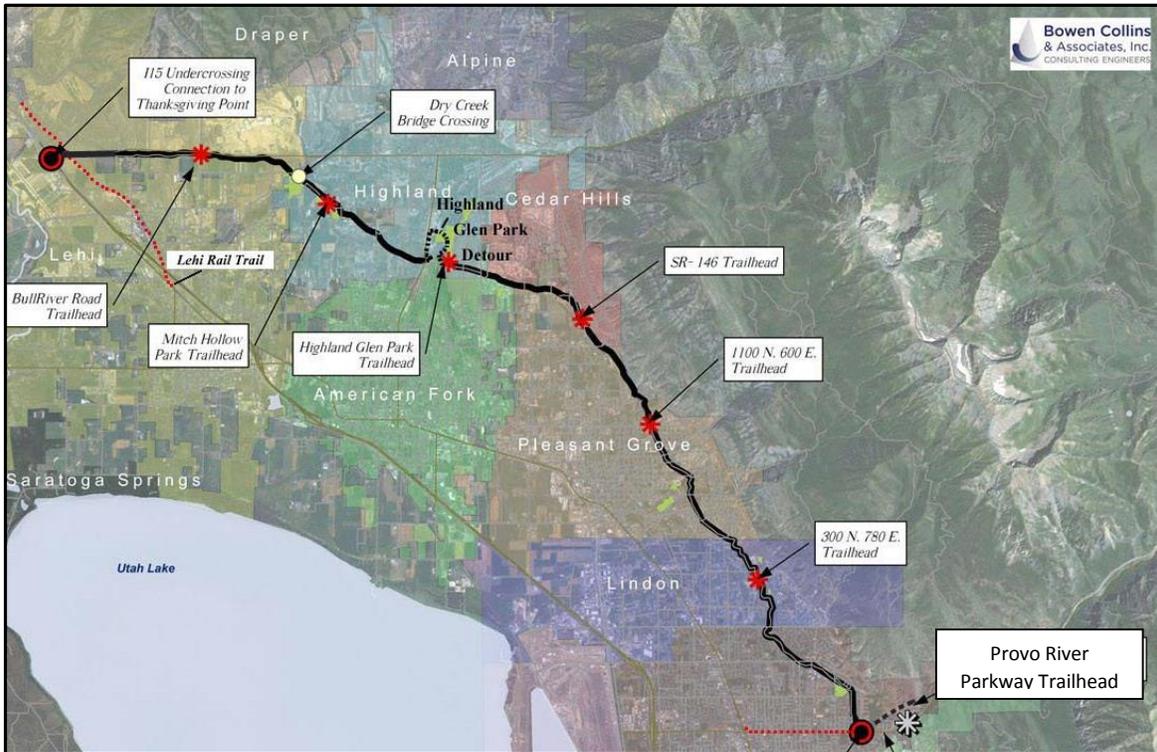


Figure 3.1 Murdock Canal Trail in Utah County.

3 Future Land Uses



Figure 3.2 – Pocket park concept design at the Murdock Canal Trailhead at 800 North and 1000 East.

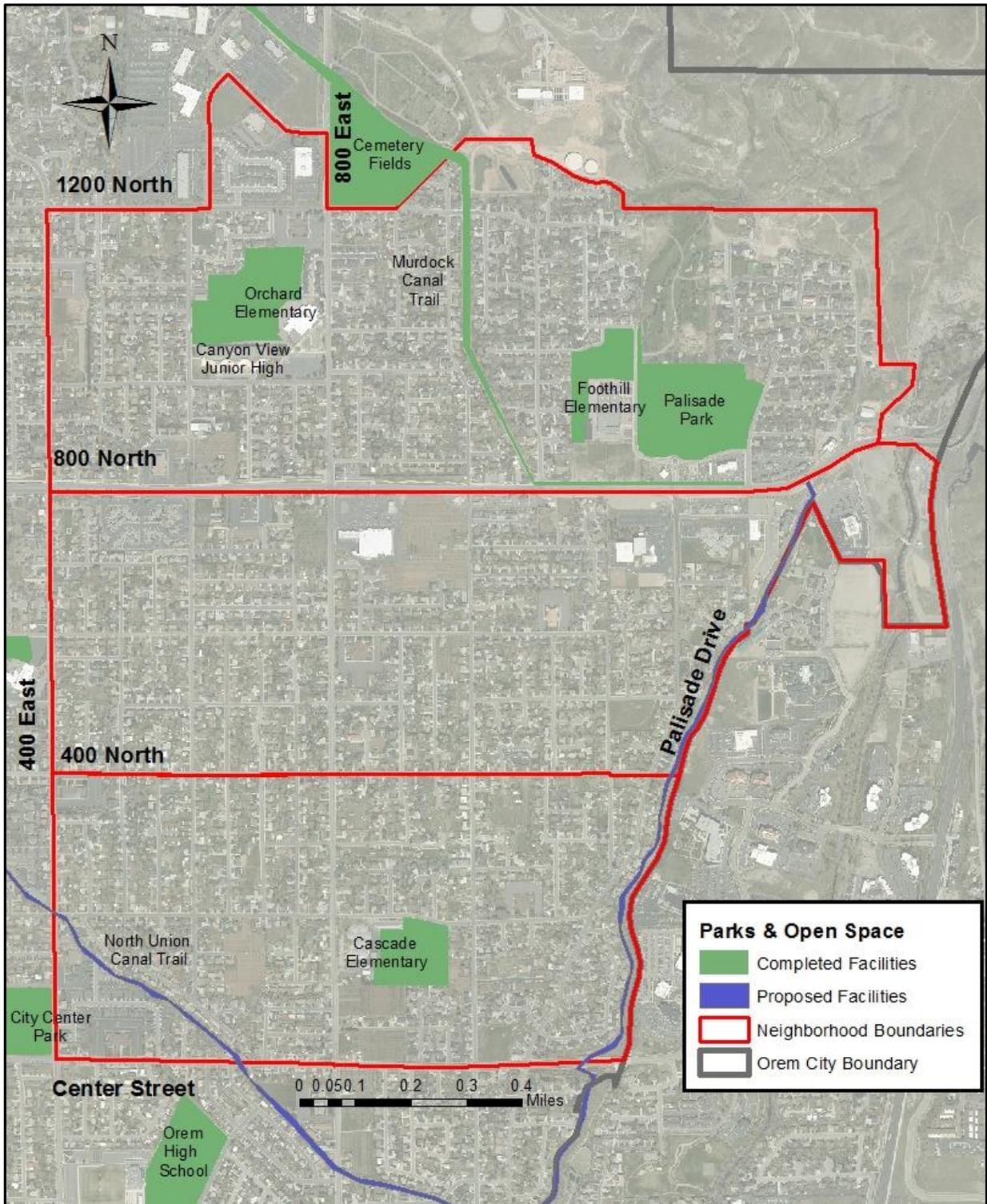


Figure 3.3 – Parks and Open Space in the neighborhoods.

4 Transportation

Objectives:

- Improve safety around schools and parks.
- Improve nonvehicle transportation options and safety, including for bikes and pedestrians.
- Improve trail and sidewalk facilities.
- Maintain traffic capacities on major streets and utilize traffic calming techniques in the neighborhoods.

Existing Trends

These neighborhoods, like most of Orem's development, were centered on auto-centric developments with separated land uses, often requiring cars to meet most of the daily transportation needs. The neighborhoods preserved the high-level grid network with the neighborhood connector streets (such as 400 North, 400 East, 800 East, etc.) and a sub-local block level is recognizable throughout the neighborhoods (see Figure 4.1) which makes it easier to accomplish local trips, such as to school or neighbor's houses, possible by foot or bike.



Figure 4.1 – Example of the sub-local street grid network in the Cascade and Orchard neighborhoods.

The current Average Daily Trips (ADTs) for vehicles on neighborhood roads is given in Figure 4.2 below. Capacity issues were identified on 800 East north of Center Street and the overall capacity is being studied in the Orem Transportation Master Plan Update 2015 to provide recommendations of accommodation needs for the future.

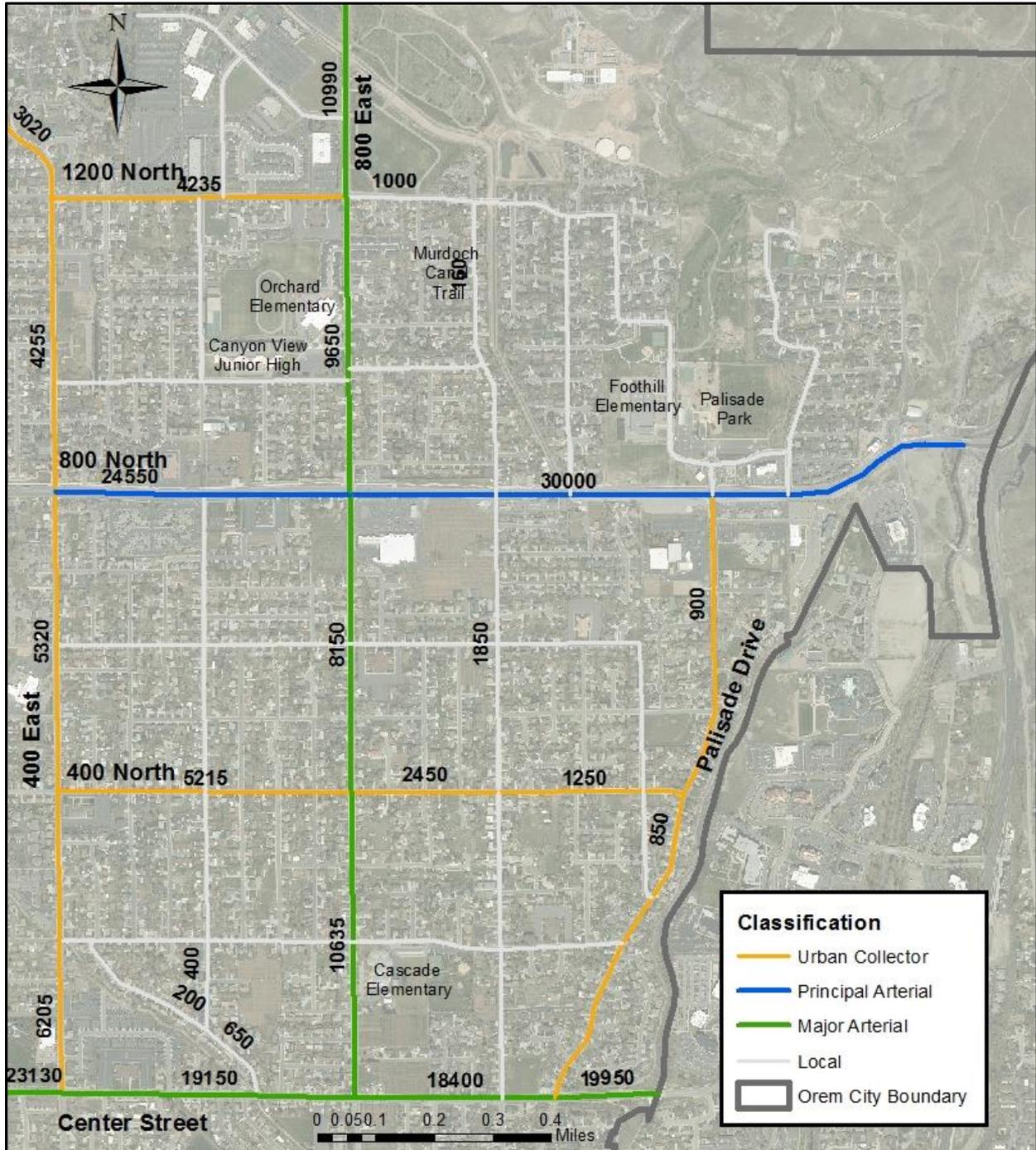


Figure 4.2 – Average Daily Trips (ADTs) for neighborhood roads by road type in 2015.

4 Transportation

Concerns

Transportation concerns were some of the most significant points of feedback received from the public regarding the Plan. A number of concerns related to automobile traffic, intersection improvements, speed limits, pedestrian crossings, and bicycle facilities were identified. A consolidated list is presented below:

Roads

- Intersection improvements at 400 North and 800 East;
- Intersection improvements at 950 North and 800 East;
- Increased speed limits from 25mph to 35mph on major neighborhood roads (such as 400 East, 400 North, and 1200 North);
- Widen 800 East from 800 South to 800 North;
- Speed bumps on Palisade Drive;
- Lane demarcation on 800 North in front of Harmon's;
- Signalized intersection on 800 North at 1560 East; and
- Signalized intersection on Center Street at Palisade Drive.

Parking

- Murdock Canal Trail parking concerns on 1100 East and 1200 North near canal;
- Parking near Foothill and Orchard Elementary Schools and parks;
- Parking at Canyon View Junior High during sporting events and weekends;
- Cyclist parking on 1560 East at the Provo Canyon Trailhead.

Bicycles

- Better bike parking and storage facilities near parks, schools, and retail;
- Improved bike lanes throughout the neighborhoods and to key destinations outside the neighborhoods such as the SCERA, City Center, and Recreation Center;
- Reflective paint applied to bulb-outs near school crossings to prevent accidents; and
- Improve bike facilities and trails on 800 North.

Pedestrians

- HAWK (High-intensity Activated crosswalk beacon) signals at Orchard Elementary, Cascade Elementary, and the Senior Friendship Center;
- Encourage mow strips and buffered sidewalks to protect pedestrians from traffic;
- Complete missing sidewalk connections in neighborhoods; and
- Complete missing sidewalk on 800 North between 1000 East and Palisade Drive.

The transportation concerns identified in this Plan were incorporated into the Orem Transportation Master Plan Update 2015 which was developed concurrently with this plan. Identification is the first step in providing fund sources and solutions to the problems. In some instances, improvements identified in this plan have already begun. For example, the City of Orem is working with the Alpine School District to install a HAWK signal on 800 East near Orchard Elementary School and with UDOT to secure funding to make the necessary sidewalk and stormwater improvements on 800 North.

Traffic calming is another major concern in the neighborhoods, particularly around school zones and crossings. Future transportation improvements should seek to mitigate these concerns through “Complete Streets” designs and consider elements such as bulb outs, medians, roundabouts, pedestrian crossing islands, bike lanes, and raised crossings to accommodate non-vehicle transportation options through the neighborhoods.



Raised Crosswalks



HAWK Signals



Medians



Roundabouts



Crosswalk Bulb-outs



Bike Lanes

4 Transportation

Bike Lanes

The Orem Bicycle and Pedestrian Plan of 2010 identifies future bike lanes and trail facilities for the City of Orem. The plan also provides proposed right of way cross sections to implement bike lanes on Orem streets. Examples of different bike lane right of way alignments can be seen in Figure 4.4. Other alignments include shared bike lanes with traffic, roads with parking on both sides of the road, and other modifications as necessary to safely accommodate both vehicles and bicycles, depending on the available right of way space (see Figure 4.5).

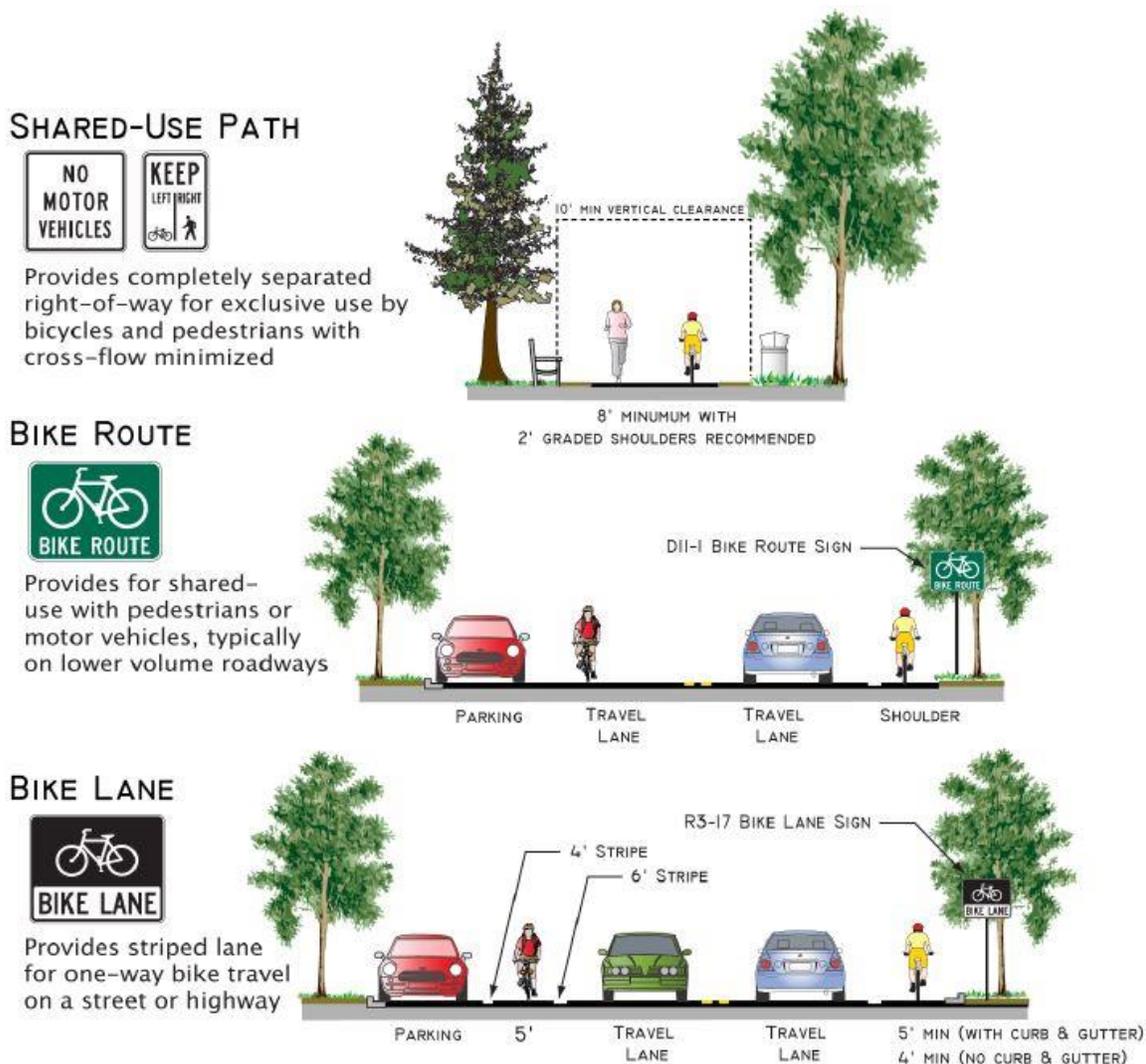


Figure 4.4 – Potential bike path alignments.

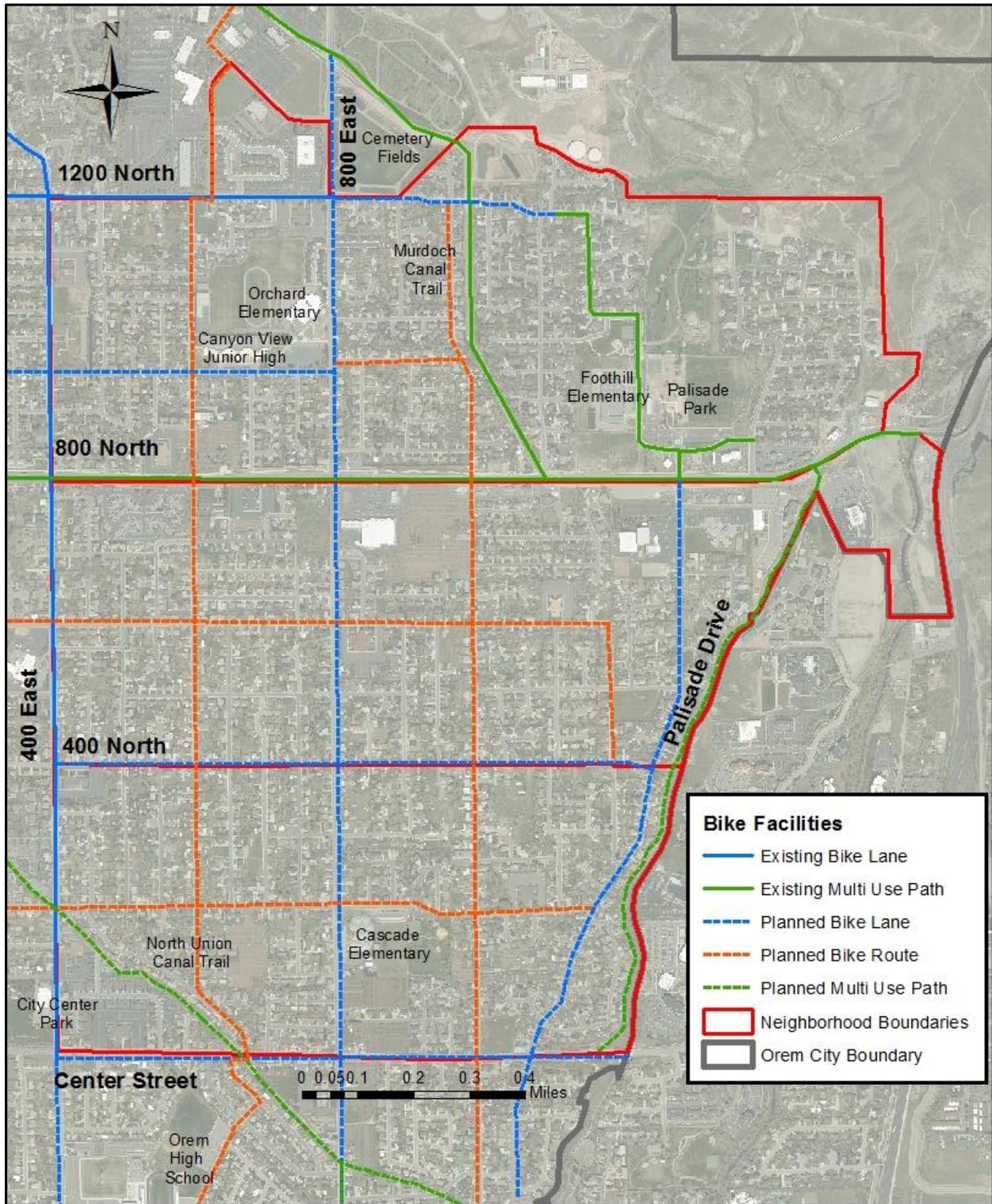


Figure 4.5 – Future bike facilities to be constructed in the neighborhoods.

5 Neighborhood Preservation

Objectives:

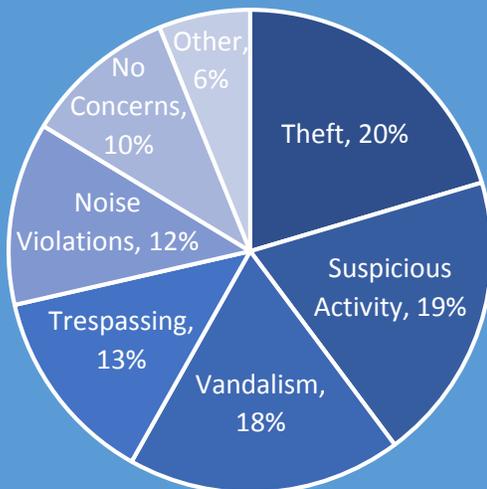
- Maintain the quality of existing housing stock and encourage compatible development through proper code enforcement.
- Support community outreach through neighborhood clean ups, activities, and community gardens.

One of the most frequent concerns raised by residents was the long term maintenance and upkeep of their neighborhoods. In surveys carried out in neighborhood meetings and through Orem’s MindMixer website, major concerns identified by residents included:

- Clamping down on absentee landlords;
- Ensuring property maintenance; and
- Maintaining neighborhood safety.

Surveys showed 63% of residents were not aware that Orem Police Department has a Neighborhood Preservation Unit (NPU). As a result of feedback from this plan, the Orem planning staff, NPU, and other relevant agencies now hold weekly coordination meetings to identify, discuss, and resolve neighborhood preservation concerns. Increased communication with the Orem Neighborhoods In Action (NIA) program provide opportunity for neighborhood clean ups and service projects. Furthermore, an online outreach and complaint form was launched to provide residents with an easy way to communicate concerns to city staff.

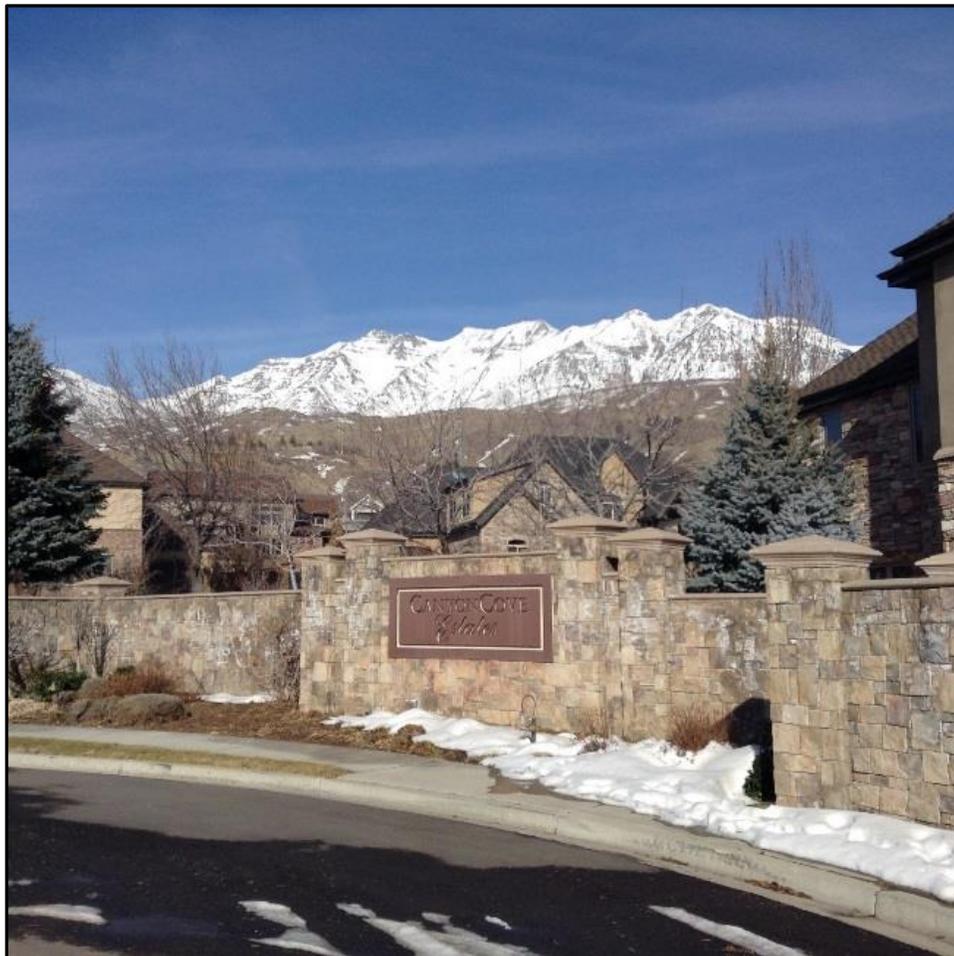
When asked about crime related concerns, residents responded that activities they were most concerned with included:



Neighborhood Preservation Unit
Online Resource:
<http://npu.orem.org>

Historic Preservation

While a few historically designated homes exist throughout the City of Orem, there are not presently designated historic districts or neighborhoods in this area. When presented to the public, historic preservation was not identified as a major priority at this time. Currently, individual owners of historic homes may seek historic designations for their properties through the Utah Department of Heritage and Arts, which sets specific requirements for state historic designations.



6 Implementation

Adoption

The Canyon View, Orchard, and Cascade Neighborhood Plan is a guiding document for the future of these specific neighborhoods. Upon adoption by the City Council in January 2016, the Plan was integrated into the City of Orem's General Plan as an appendix and its goals incorporated into the relevant elements to address the neighborhoods' needs. As a part of the General Plan, this Plan provides better guidance to City staff, the Planning Commission, and City Council as future developments and improvements are considered in these neighborhoods.

Each Neighborhood Plan should be regularly evaluated by City staff in its implementation of the goals and policies. A formal update of the Plan should occur at least every five years. During this time, an effective public engagement process should be used including noticing residents, holding open houses and stakeholder meetings, and reforming the Advisory Committee. The update should focus on evaluating the effectiveness of the Plan, identifying new priorities or concerns, and updating elements of the Plan as needed. It may also be appropriate at this time to redraw neighborhood boundaries or complete more detailed plans for individual neighborhoods.

Funding Sources

❖ **Orem Capital Improvement Plan (CIP)**

It is intended that proposed improvements be identified by City staff and included in the city's Capital Improvement Plan during future budget meetings to allocate funding for specific projects within the neighborhoods. Examples of such projects include possible bike lane extensions, park improvements, sidewalk repairs, or road connection completions. This allows staff to prioritize improvements for the neighborhoods and secure funding with necessary departments to complete projects.

❖ **Grants**

There are currently limited grant or funding opportunities available from the City of Orem or the State of Utah to assist in local improvements to infrastructure and neighborhood development. It is one of the goals of the neighborhood program to raise awareness and seek funding opportunities to assist Orem residents in enhancing and preserving their neighborhoods. Some of the current available funding sources include:

- ❖ **Orem Community Development Block Grant** – This program can provide funds to assist households with limited or fixed incomes to complete emergency home improvements. Applications can be completed in the City Manager's office at the Orem City Center.
- ❖ **UDOT Safe Routes to School Program** – This program seeks to address public safety and health concerns by encouraging students living within two

miles of school to safely walk or bike to school. The funding can be used for educational outreach and infrastructure improvements, such as new sidewalks, pavement markings, and signage. Annual applications are accepted by the UDOT School and Pedestrian Safety Manager for funding opportunities.

- ❖ **UDOT Transportation Alternatives Program (TAP)** – This program is administered in Orem by the Mountainland Association of Governments (MAG) and helps to design and construct pedestrian, bicycle, and Americans with Disabilities Act (ADA) facilities.
- ❖ **Recreation Trails Program (RTP)** – This federally-funded program is administered by the Utah Department of Natural Resources to help with trail development and maintenance. This may provide opportunities for future trail development in and around these neighborhoods in Orem.

Code Enforcement

Many concerns raised by residents in the Canyon View, Orchard, and Cascade neighborhoods were associated with neighborhood preservation. The development of this neighborhood plan has led to better communication between City departments and between the Orem Neighborhood Preservation Unit (NPU) and Orem residents. The Orem NPU is responsible for city code enforcement within neighborhoods while the city planning staff is responsible for code enforcement for commercial properties. Furthermore, the Neighborhoods in Action and Orem Beautification Commission seek opportunities to engage in clean ups and service projects to improve the aesthetics of neighborhoods.

Neighborhood Communication

The Neighborhood Plan Program has created more opportunities for City staff and local residents to work together to identify and mitigate concerns throughout the neighborhoods of Orem. It is one of the primary objectives of this plan to continue such communication

with residents, and a number of options have been developed, including:

- Regular neighborhood plan evaluations;
- Regular neighborhood plan updates;
- Citizen involvement in the Orem Neighborhood in Action Program;
- Increasing City communication through social media and online sources; and
- Utilizing public outreach tools like mySidewalk.

City of Orem Outreach Tools:
mySidewalk

<https://cityoforem.mysidewalk.com>

City of Orem Website
www.orem.org

6 Implementation

Implementation Table

The implementation table included below serves as the benchmark for successful completion of ideas proposed in this neighborhood plan. The goals listed are found in the Introduction section of this plan. Under each goal, a relevant objective from different elements of the plan are included with action items that a department or division should complete. The timeline is divided into time horizons to help organize successful completion.

Timeline Horizons:

On-Going – Continuous

Short-Term – 0-2 years

Mid-Term – 2-5 years

Long-Term – 5+ years

Goal/Objective/Action	Department	Implementation Timeline				
		On-Going	Short-Term	Mid-Term	Long-Term	
Goal 1. Preserve the character of the neighborhoods while allowing for appropriate growth and redevelopment.						
a.	Objective: Preserve the single family nature of the neighborhoods through low density development and appropriate infill.	Development Services	X			
	Action 1: Amend the City of Orem General Plan to include appropriate housing types in the residential neighborhoods.	Planning Division		X		
	Action 2: Review Planned Residential Development (PRD) and Planned Development (PD) requirements to ensure appropriate infill design standards.	Planning Division		X		
b.	Objective: Maintain retail and office uses along the 800 North corridor.	Development Services	X			
	Action 1: Amend the City of Orem General Plan and Map to encourage the Professional Services (PS) and limited Community Commercial (CC) uses along 800 North.	Planning Division		X		

Goal/Objective/Action		Department	Implementation Timeline			
			On-Going	Short-Term	Mid-Term	Long-Term
Goal 2. Address current and future traffic congestion concerns.						
a.	Objective: Maintain traffic capacities on major streets and utilize traffic calming techniques in the neighborhoods.	Development Services				X
	Action 1: Incorporate traffic concerns into the Orem Transportation Master Plan.	Engineering Division		X		
	Action 2: Complete a traffic calming study on neighborhood collectors.	Planning Division / Engineering Division			X	
Goal 3. Improve non-vehicular access throughout the community.						
a.	Objective: Improve nonvehicle transportation options and safety, including bikes and pedestrians.	Engineering Division	X			
	Action 1: Review implementation of Bike & Trails Master Plan.	Engineering Division / Planning Division		X		
	Action 2: Work with community organizations to promote safe bicycle practices and education.	Planning Division / Police Department	X			
b.	Objective: Improve safety around schools and parks.	Engineering Division/ Planning Division	X			
	Action 1: Partner with Cascade Elementary School and Alpine School District to complete a pedestrian safety study on 800 East.	Development Services		X		
	Action 2: Install appropriate traffic calming devices near schools and city parks.	Engineering Division			X	
c.	Objective: Improve trail and sidewalk facilities.	Development Services			X	
	Action 1: Apply for funding opportunities to support new trail and bike lane completion.	Planning Division / Engineering Division		X		

6 Implementation

Goal/Objective/Action		Department	Implementation Timeline			
			On-Going	Short-Term	Mid-Term	Long-Term
	Action 2: Install a new trail over the North Union Canal.	Engineering Division / Planning Division				X
	Action 3: Improve the Murdoch Canal Trailhead at 800 North 1100 East.	Engineering Division			X	
Goal 4. Maintain and improve parks and recreational facilities.						
	Objective: Increase green space as remaining properties develop.	Development Services / Public Works	X			
a.	Action 1: Review and update open space requirements in the PD and PRD zones to include access to appropriate public open space and amenities in residential neighborhoods.	Planning Division		X		
	Action 2: Identify potential new green space locations in the neighborhoods in the Orem General Plan.	Planning Division			X	
Goal 5. Improve coordination of ordinance enforcement.						
	Objective: Maintain the quality of existing housing stock and encourage compatible development through proper code enforcement.	Development Services / Police Department	X			
a.	Action 1: Improve coordination between NPU, Development Services, and residents.	Planning Division/ Building Inspection Division / Police Department	X			
	Action 2: Improve City communication with residents through the Neighborhood in Action Program.	Planning Division / City Manager's Office		X		

Goal/Objective/Action		Department	Implementation Timeline			
			On-Going	Short-Term	Mid-Term	Long-Term
	Action 3: Better enforce ordinances with absentee landlords.	Planning Division / Police Department		X		
Goal 6. Provide sufficient amenities throughout the neighborhoods.						
a.	Objective: Improve current recreational facilities and find ways to incorporate new parks into the neighborhoods.	Planning Division / Public Works / Recreation Department			X	
	Action 1: Identify potential new open space opportunities and recreational facilities for the neighborhoods.	Recreation Department / Development Services			X	

6 Implementation

Glossary

Arterial road: major roads designed to provide service primarily for through-traffic movements in the most efficient manner. An example in these neighborhoods is 800 North.

Bicycle Friend Community: a designation by the League of American Bicyclists which promotes bike-friendly policies and recognizes cities for efforts to improve bicycle infrastructure, safety, and education. A “platinum” rating is the highest grade awarded.

Collector road: roads designed to serve both through and local access functions in relatively equal proportions. They are frequently used for shorter through movements throughout the community. An example in these neighborhoods is 400 East.

Connectivity: the directness of links and access of a transportation network. Improved connectivity seeks to address both vehicular and non-vehicular transportation modes by improving streets, sidewalks, trails, bike paths.

General Plan: the long range guiding policy document for a city; outlines the major goals and objectives for a city often including elements such as land use, transportation, housing, recreation, and other policy areas. Provides guidance for the community, city staff, and City Council when considering zone changes and new developments.

Local road: roads designed to provide access to private properties and public facilities at slower speeds, such as in neighborhoods. An example in these neighborhoods is 200 North.

Mountainland Association of Governments (MAG): the Metropolitan Planning Organization (MPO) for Utah, Summit, and Wasatch Counties; responsible for working with cities to complete regional transportation and other planning projects.

Planned Development (PD) zone: a zoning designation in the City of Orem designed to provide flexibility to allow unique and innovative developments that would not be possible under the City’s existing zoning classifications. It is often used to create mixed use or multifamily developments, such as townhomes or condos.

Planned Residential Development (PRD) zone: a zoning designation established to promote medium density residential uses in the City.

Professional Office (PO) zone: an established zone created to serve as a buffer between residential uses and traffic associated with arterial and collector streets. It encourages nonretail professional and service uses that are compatible with adjacent residential uses and is commonly used along the 800 North corridor in Orem.

R8 zone: a residential zone established to promote low density residential uses with a minimum lot size of 8,000 square feet. This is the most common residential zone in the City of Orem.

R12 zone: a residential zone established to promote low density residential estates with a minimum lot size of 12,000 square feet per lot.

R20 zone: a residential zone established to promote rural and low density residential estates with a minimum lot size of 20,000 square feet per lot.

Utah Department of Transportation (UDOT): The state level agency responsible for planning and maintaining the interstates and highways in Utah. Many of the major roads in Orem, such as State Street, 800 North, Geneva Road, and University Parkway are under UDOT jurisdiction.

Utah Transit Authority (UTA): The state level agency responsible for planning and maintaining the transit services in Utah. Transit options provided in Utah County include buses, bus rapid transit, light rail, and commuter rail services.

Walkable: suited for walking; efforts are made to make communities more pedestrian friendly through improved pedestrian facilities such as sidewalks and trails and to consider non-vehicular access when making land use and transportation planning decisions.

Zoning Ordinance: the legal framework by which the City of Orem seeks to promote the health, safety, morals, and general welfare of the community and to implement the general plan for the orderly and controlled growth of the City. Zoning ordinances are adopted by the City Council and provide the legal requirements by which development occurs in the City.

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED NOVEMBER 2015

Percent of Year Expired: 42%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2016	% To Date FY 2015	Notes
10 GENERAL FUND								
Revenues	47,073,467	3,584,601	14,233,990			30%		
Appr. Surplus - Prior Year	2,790,599		2,790,599			100%		
Std. Interfund Transactions	4,236,636		4,236,636			100%		
Total Resources	54,100,702	3,584,601	21,261,225		32,839,477	39%	40%	
Expenditures	54,100,702	3,097,083	23,016,640	1,111,441	29,972,621	45%	44%	
20 ROAD FUND								
Revenues	2,545,000	460,172	764,450			30%		
Appr. Surplus - Prior Year	853,229		853,229			100%		
Total Resources	3,398,229	460,172	1,617,679		1,780,550	48%	52%	
Expenditures	3,398,229	222,284	1,418,403	829,654	1,150,172	66%	61%	
21 CARE TAX FUND								
Revenues	1,850,000	177,496	499,528			27%		
Appr. Surplus - Prior Year	2,188,179		2,188,179			100%		
Total Resources	4,038,179	177,496	2,687,707		1,350,472	67%	66%	
Expenditures	4,038,179	57,360	1,118,312	45,100	2,874,767	29%	29%	
30 DEBT SERVICE FUND								
Revenues	7,256,314	464,807	2,149,746			30%		
Appr. Surplus - Current	720,000		720,000					
Appr. Surplus - Prior Year	43,434		43,434			100%		
Total Resources	8,019,748	464,807	2,913,180		5,106,568	36%	53%	
Expenditures	8,019,748	1,314,876	1,475,734		6,544,014	18%	42%	1
45 CIP FUND								
Revenues	260,000	111,756	199,674			77%		
Appr. Surplus - Prior Year	4,562,250		4,562,250			100%		
Total Resources	4,822,250	111,756	4,761,924		60,326	99%	86%	2
Expenditures	4,822,250	244,876	557,327	119,382	4,145,541	14%	118%	2
51 WATER FUND								
Revenues	12,468,440	843,467	6,858,695			55%		
Appr. Surplus - Prior Year	2,858,833		2,858,833			100%		
Total Resources	15,327,273	843,467	9,717,528		5,609,745	63%	69%	
Expenditures	15,327,273	445,855	6,121,899	355,688	8,849,686	42%	48%	
52 WATER RECLAMATION FUND								
Revenues	7,080,500	621,698	2,930,359			41%		
Appr. Surplus - Prior Year	1,132,177		1,132,177			100%		
Total Resources	8,212,677	621,698	4,062,536		4,150,141	49%	57%	
Expenditures	8,212,677	438,905	3,213,281	616,480	4,382,916	47%	47%	
55 STORM SEWER FUND								
Revenues	3,110,500	267,024	1,424,757			46%		
Appr. Surplus - Prior Year	661,108		661,108			100%		
Total Resources	3,771,608	267,024	2,085,865		1,685,743	55%	50%	
Expenditures	3,771,608	78,756	1,287,435	597,966	1,886,207	50%	44%	
56 RECREATION FUND								
Revenues	1,794,750	58,092	675,817			38%		
Appr. Surplus - Current Year	175,000		175,000			100%		
Appr. Surplus - Prior Year	1,775		1,775			100%		
Total Resources	1,971,525	58,092	852,592		1,118,933	43%	47%	
Expenditures	1,971,525	118,184	905,865	148,140	917,520	53%	55%	
57 SOLID WASTE FUND								
Revenues	3,406,000	299,429	1,493,889			44%		
Appr. Surplus - Prior Year	121,558		121,558			100%		
Total Resources	3,527,558	299,429	1,615,447		1,912,111	46%	43%	
Expenditures	3,527,558	233,852	1,303,660	235	2,223,663	37%	40%	

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED NOVEMBER 2015

Percent of Year Expired: 42%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2016	% To Date FY 2015	Notes
58 STREET LIGHTING FUND								
Revenues	1,555,000	75,629	1,052,051			68%		
Appr. Surplus - Prior Year	278,995		278,995			100%		
Total Resources	1,833,995	75,629	1,331,046		502,949	73%	71%	
Expenditures	1,833,995	35,117	348,035	194,852	1,291,108	30%	32%	
61 FLEET MAINTENANCE FUND								
Std. Interfund Transactions	640,000		640,000			100%		
Total Resources	640,000		640,000			100%	100%	
Expenditures	640,000	34,817	330,956	10,962	298,082	53%	51%	
62 PURCHASING/WAREHOUSING FUND								
Revenues		15	75			100%		
Appr. Surplus - Current Year	50,000		50,000			100%		
Std. Interfund Transactions	310,000		310,000			100%		
Total Resources	360,000	15	360,075		-75	100%	100%	
Expenditures	360,000	22,799	206,981	3,795	149,224	59%	50%	
63 SELF INSURANCE FUND								
Revenues	500,000	38,797	222,806			45%		
Std. Interfund Transactions	1,225,000		1,225,000			100%		
Total Resources	1,725,000	38,797	1,447,806		277,194	84%	83%	
Expenditures	1,725,000	27,793	1,004,746	620	719,634	58%	61%	
64 INFORMATION TECH FUND								
Revenues		678	3,390			100%		
Appr. Surplus - Prior Year	52,096		52,096			100%		
Std. Interfund Transactions	2,178,000		2,178,000			100%		
Total Resources	2,230,096	678	2,233,486		-3,390	100%	N/A	
Expenditures	2,230,096	114,541	673,993	122,167	1,433,936	36%	N/A	
74 CDBG FUND								
Revenues	817,988	9,099	41,951			5%		
Appr. Surplus - Prior Year	94,877		94,877			100%		
Total Resources	912,865	9,099	136,828			15%	42%	3
Expenditures	912,865	21,834	272,305	8,835	631,725	31%	19%	
CITY TOTAL RESOURCES	110,827,614	6,936,453	54,160,392		55,891,185	49%	51%	
CITY TOTAL EXPENDITURES	110,827,614	6,359,274	42,233,544	3,848,298	64,745,772	42%	45%	

NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED NOVEMBER 2015:

- 1) Current year expenditures are lower (as percentages) due to the almost \$2.9 million Midtown Village SID bond payoff that occurred in the prior fiscal year. There is no such payment in the current fiscal year.
- 2) Current year revenues are higher & current year expenditures are lower (as percentages) due to the almost \$2.8 million that was transferred into the fund in the prior fiscal year which was then carried over into the new fiscal year.
- 3) The current year revenues are lower in comparison to the prior year due to significantly less capital funds being carried over into the new fiscal year. The Beverly Subdivision capital project was primarily completed in the prior fiscal year.

<p>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 Richard Manning (229-7037) or Brandon Nelson (229-7010).</p>
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