CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
September 29, 2020

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

NOTICE OF ALL-ELECTRONIC MEETING & OPPORTUNITY FOR PUBLIC PARTICIPATION

Pursuant to Mayor Richard F. Brunst's Proclamation dated September 1, 2020, the Orem City Council meeting on September 29, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

To view the meeting: please go to orem.org/meetings.

To make a comment: Please submit your comment through:

orem.org/comments
OR
CityCouncilPublicComments@orem.org

Comments will be accepted before and during the meeting. All comments received will be entered into the record and forwarded to each City Council member for review. Comments will also be read aloud during the live meeting when required by law or when time permits. Once an item has been voted on, that item will be closed to additional comments.

Thank you for your cooperation during these challenging times.

4:00 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

PRESENTATION - Valley Visioning (15 min)
Presentation
Presenter: Leota Coyne

UPDATE - UTA Services (15 min)
Update of UTA Services
Presenter: Kent Millington, Board of Trustee

DISCUSSION - City Retention Schedule (5 min)
Presentation and Discussion of a proposed City of Orem Retention Schedule for sections of the Public Works Department.
Presenter: Jackie Lambert, Deputy City Recorder
1.Cemetery.docx
6.Parks.docx
7.Public Utilities.docx
8.Volunteers.docx

DISCUSSION - Orem City Center (30 min)
Discussion
Presenter: Mayor Brunst & Jamie Davidson

1. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS
The City Council will review the items on the agenda.

2. CITY COUNCIL REPORTS (BOARDS & COMMISSIONS, NEW BUSINESS, ETC.)
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

3. CALL TO ORDER

4. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION - MAYOR BRUNST

5. PLEDGE OF ALLEGIANCE: BY INVITATION - MAYOR BRUNST

6. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

6.1. REPORT - Library Advisory Commission
The Library Advisory Commission will provide an annual update of the Commission and Library activities for the City Council's consideration.
Presenter: Suzanne Whitaker, Commission Chair

7. PERSONAL APPEARANCES – 15 MINUTES
Time has been set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the Agenda. Those wishing to speak are encouraged to show respect for those who serve the city. Comments should focus on issues concerning the city. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)

8. CONSENT ITEMS

8.1. APPROVAL OF MEETING MINUTES

Minutes of Special City Council Meeting - September 1, 2020
Minutes of City Council Meeting - September 8, 2020
09.01.2020.ccmin--Draft.docx
09.08.2020.ccmin--Draft.docx

8.2. RESOLUTION - Approval of certain sections of the City of Orem Public Works Department Retention Schedule

The City Recorder recommends the City Council adopt the Resolution.
RES-- Records Retention Schedule Approval.doc
2.Engineering, Sanitation, Street, Traffic.docx
3.Fleet.docx
4.Geo Spatial.docx
5.Maintenance.docx

8.3. RESOLUTION - Amending the City Council Meeting Policies and Procedures.

The City Attorney recommends that the City Council, by resolution, amend the City Council Meeting Policies and Procedures.
cc meeting policies and procedures.2020.dr03b.resolution.docx
cc meeting policies and procedures.2020.dr03b.exhibit a.docx
cc meeting policies and procedures.2020.dr03b.rso.v.2009.pdf

9. SCHEDULED ITEMS

9.1. PUBLIC HEARING

ORDINANCE – The applicant requests the City amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone)

The Planning Commission recommends the City Council, by ordinance, amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone).
Presenter: Jason Bench
Agenda-Rezone-505W400N.docx
Map.pdf
Vicinity Map_IHC.pdf
Proposed Rezone Maps.pdf
DRC Application and Written Description - Orem Community Hospital - 5.28.2020.pdf
Neighborhood Meeting Minutes.pdf

Mailer Front.pdf
Mailer Back.pdf
Mailing Labels.docx
Hospital Rezone_Planning Commission Minutes 9.2.20.docx
Resolution-Rezone-IHC.docx

9.2. PUBLIC HEARING

ORDINANCE – Annexing 1.86 acres of property located generally at 1526 South 1250 West and amending the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amending Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5

The Planning Commission recommends the City Council, by ordinance, annex 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amend Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5.

Presenter: Jason Bench

Agenda-Annexation-Welch.docx
Map of Property.pdf
Annexation Maps.pdf
Annexation Plat.pdf
Petition for Annexation.pdf
County Evaluation.pdf
Welch Cache Park Annexation PC Minutes DRAFT 9.16.20.docx
DRC Application - Welch Cache Park Annexation.pdf
Resolution-Annexation-Welch.docx

9.3. PUBLIC HEARING

ORDINANCE – Amending Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map

The Planning Commission recommends the City Council, by ordinance, amend Section 22-11-35(L)(1) of the Orem City Code pertaining to allowable density for residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

Presenter: Jason Bench

Agenda-PD22-TransferResidentialDensity.docx
Vicinity Map.pdf
Location Map.pdf
Proposed_Text_PD-22_Density_modification_and_Appendix_Q.pdf
PD-22 Amended (Proposed) Drawings.pdf
Northgate Village_Appendix Q_Existing pages.pdf
Proposed Concept Plan.pdf

Street View.pdf
Elevations1 (Review only).pdf
Elevations2 (Review only).pdf
Elevations3 (Review only).pdf
Elevations4 (Review only).pdf
Neighborhood mtg Minutes_Attendance Role 8-10-20.docx
Neighborhood Meeting Notice_Applicant.pdf
20200821_1_MailerFront.pdf
20200821_1_MailerBack.pdf
20200821_1_Labels.docx
Villa d'Este PC Minutes 9.2.20.docx
DRC Application_PD-22 - Villa D'Este 7.23.20.pdf
Resolution-PD22-TransferResidentialDensity.docx

9.4. PUBLIC HEARING

ORDINANCE – The Applicant requests the City amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone

The Planning Commission recommends the City Council, by ordinance, amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone.

Presenter: Jason Bench

Agenda-AppendixA-TowYards.docx
Tow_yard_fee_proposed_changes.docx
Planning Commission Minutes_SLU 6422 - Tow Yards 9.2.20.docx
Resolution-AppendixA-Towing.docx

9.5. PUBLIC HEARING

ORDINANCE – Development Services requests the City amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units

The Planning Commission recommends the City, by ordinance, amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.

Presenter: Jason Bench

Agenda-ClimateControlledStorage.docx
Ordinance-ClimateControlledStorageUnits-NumberLimit2.docx
Climate Controlled Storage_Planning Commission Minutes 9.2.20.docx
Resolution-ClimateControlledStorage.docx

9.6. PUBLIC HEARING

ORDINANCE - Amending the Current Fiscal Year 2020-2021 Budget and Amending the Compensation Program of the City.

The City Manager recommends the City Council hold a public hearing to discuss amending the current Fiscal Year 2020-2021 Budget, and, by ordinance, amend the Fiscal Year 2020-2021

Budget.
Presenter: Brandon Nelson
ORD - Budget Amendments - FY 2021 - Aug-Sept 2020.docx
Budget Amendments FY 2021 - Aug-Sept.pdf

10. COMMUNICATION ITEMS

11. CITY MANAGER INFORMATION ITEMS

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.

12. ADJOURN

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 801-229-7000)

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

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SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 1: Cemetery Records

8.101: CEMETERY BURIAL REPORTS

These historical records document burials, interments, and disinterments. Information identifies burial rights, permits, ownership of plots, layout, location of and information about deceased persons and related records. Documents are required from mortuary with information on the individual being buried.

RETENTION – Permanent digital, retain hard copy for 2 years then destroy

8.102: CEMETERY PLOT BUY BACK FILES

These are documents requesting that the city buy back cemetery plots.

RETENTION - Permanent digital, retain hard copy for 2 years then destroy

8.103: CEMETERY PLOT PURCHASE CONTRACTS

This is the contract issued when individuals choose to pay off plots within one year and not at the time of purchase.

RETENTION - Permanent digital, retain hard copy for 2 years then destroy

8.104: CEMETERY PERMISSION TO BURY DOCUMENTS

These are documents giving permission to bury in a plot that is not in the deceased's name.

RETENTION - Permanent digital, retain hard copy for 2 years then destroy

8.105: CEMETERY TRANSFER OF PLOTS

These records document transfer plots from one individual to another or from one location to another.

RETENTION - Permanent digital, retain hard copy for 2 years then destroy

8.106: CEMETERY WORK BOOK TICKETS

These are handwritten tickets used by cemetery on any plot purchased or burial.

RETENTION - Permanent digital, retain hard copy for 2 years then destroy

8.107: CERTIFICATE OF BURIAL RIGHTS

Also called deeds, these are copies of actual deeds issued to owners of cemetery plots. They are used to keep an accurate record of plot ownership and whether they have perpetual care. They include deed number, date issued, name of owner, amount of ground purchased, description of grave purchased, amount paid, and receipt number.

RETENTION – Permanent

8.108: DISINTERMENT FILES

These files are documentation of disinterment from the Orem cemetery.

RETENTION – Permanent digital, hard copy may be sent to State Archives

8.109: GRAVE MARKER INSTALLATION REQUEST

The files are documentation from the monument companies to set headstones.

RETENTION – Permanent digital files, retain hard copy for 2 years then destroy

8.110: GRAVE OPENING ORDERS

These are a signed authorization to dig graves. They are used to guarantee a body is interred in a specific burial plot and to generate the interment and lot records. They include time order was received, deed number, date, lot owner's name, authorization signature, address and telephone number, name of person being interred, location of grave by plot, block, grave number, and tier.

RETENTION – Permanent

8.111: INTERMENT/DISINTERMENT REGISTERS

These registers serve as a cross-reference to plat books. They are arranged numerically by interment number. They include cemetery cards, interment number, name of deceased, permit number, date interred, certificate number, date of death, location of grave by plot, lot, tier, name of undertaker, owner of lot, and pertinent information on removal (if applicable).

RETENTION – Permanent

8.112: INTERMENT REPORTS

These are copies of a monthly report submitted by the sexton to the Health Department's local registrar when deceased was buried in the cemetery. They are used to verify a report was made. They include "name of the decedent, place of death, date of burial, and name and address of the funeral director or other person making the interment" (UCA 26-2-18(2) (1997)).

RETENTION – Permanent

8.113: LOT BOOKS/FILES

These books or files contain the exact location of all persons buried in the cemetery. They

include plot, lot, grave location, and lot ownership record.

RETENTION – Permanent digital, retain hard copy until scanned then destroy

8.114: MAP BOOKS

This is a live program which contains maps of the cemetery and is used daily to locate specific grave sites. The program also includes index, plat, and lot pages which serves as a key to locating specific graves. This record is constantly updating.

RETENTION – Permanent

***MISCELLANEOUS CEMETERY DOCUMENTS *Does this include anything different than what is already listed above? If not, it can be deleted…**

Every document collected and saved since the opening of the cemetery.

RETENTION - Permanent

8.115: RECEIPT BOOKS

These are receipts issued for money received for burial lots, deeds, and lot sales. They are used to record money generated by the cemetery. They include date, receipt number, name of person making payment, amount received, fees involved, credits, cash sales, and may include the address of person making payment.

RETENTION - Permanent

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 6: Parks Records

8.601: CONSTRUCTION PROJECT FILES

These project files document the actual construction for park development, park renovation, and other recreational facility improvements. They are used for reference while projects are in progress and after completion. They include final drawings of all park/recreational facility development projects along with specifications, as-built construction drawings, and related correspondence. They may also include property acquisition records including original deeds.

RETENTION – Permanent, may be transferred to the State Archives after park closure

8.602: EMPLOYEE INFORMATION FILES (SEASONAL/FLEXIBLE)

These are copies of seasonal/flexible employees. Application does not have employees' social security number, but does have key assignments and copies of certification/training records.

RETENTION – Retain until administrative need ends, then destroy

8.603: INVENTORY OF KEYS

A record of keys that are given out to full time and seasonal/flexible employees to access buildings in city parks.

RETENTION – Retain for 1 year, then destroy

8.604: MAINTENANCE COMPLAINTS

These files contain a record of complaints or requests received from the general public concerning municipal parks and recreational facilities. They are used to verify that action was taken to resolve issues. They include date, name, telephone, and address of requesting person; type of request; and comments of foreman handling request.

RETENTION - Retain for 1 year after resolution of complaint, then destroy

8.605: PARKS FACILITY FILES

These files contain information concerning each of the city parks. They are used to maintain a record of construction projects in each park for historical and informational purposes. They include correspondence, architectural drawings, contracts, specifications, newspaper clippings, histories of individual parks, and photographs.

RETENTION - Permanent, may be transferred to the State Archives

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 6: Parks Records

8.606: PARKS AND PARKWAYS INSPECTION FILES

These are inspections records of all facilities in the parks and of the parkways.

RETENTION – Retain for 2 years, then destroy

8.607: PESTICIDE LICENSE/CERTIFICATE RECORDS

These files contain information concerning licenses/certificates for employees that have passed and received their pesticide license.

RETENTION – Retain for 3 years after expiration of permit or license, then destroy

8.608: SUPERVISOR'S DAILY/WEEKLY REPORTS

These report forms are compiled daily or weekly by each crew supervisor. They are used for budget planning and developing future plans. They include date, crew name, purpose of job, list of crew members, hours worked, pay amount per hours worked, total cost of labor, equipment used, and amount of rental equipment.

RETENTION – Retain for 1 year, then destroy

8.609: TREE INVENTORY GIS PROGRAM

This is an ongoing data base inventory of all City-owned trees, maintained by city horticulturist/urban forester.

RETENTION - Permanent

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 7: Public Utilities Records

8.701: BACKFLOW PREVENTION TEST REPORTS

These tests report the results obtained from the testing of backflow preventer equipment. The reports show maintenance work performed, parts replaced, and repairs made.

RETENTION - Retain for 3 years after subsequent test, then destroy

8.702: BACTERIOLOGICAL QUALITY ANALYSES REPORTS

These forms record water samples taken from various locations throughout the distribution system and sources of supply (raw or processed) for bacteriological tests. They include location, date of collection, name of person taking sample, type of sample taken, date of analysis, name of lab, person responsible for performing analysis, analytical method used, and results of the analysis. The State Health Department receives copies of these test forms and retains them for 40 years.

RETENTION - Retain for 5 years after subsequent test, then destroy

8.703: BILLING ADJUSTMENT RECORDS

These records document adjustments made in utility billings for debit, credits, refunds, returned checks and abatements. They include customer's name and address, type of adjustments and justification, total amount changed, and authorizing signatures.

RETENTION – Retain for 3 years, then destroy

8.704: BILLING RECORDS

These records relate to billing transactions and are used for audit purposes. They include accounts deleted, accounts transferred, routes billed, adjustments posted, reported balances, direct billing authorizations, and other records related to utility billing functions.

RETENTION – Retain for 3 years, then destroy

8.705: BILLING REGISTER

This register is an itemized list of customer accounts. It includes name of customer, service address, meter reading, water usage, water and other charges, payments, adjustments, prior balance due, and current balance due. The register is used for reference purposes.

RETENTION – Retain for 3 years, then destroy

Section 7: Public Utilities Records

8.706: CHEMICAL/RADIOLOGICAL ANALYSES

These forms verify water quality and show the various locations of sampling points of water taken from the distribution system and sources of supply for chemical and radiological tests. They include location, date of collection, name of person taking sample, type of sample taken, date of analysis, name of lab, person responsible for performing analysis, method used, and results. The State Health Department receives copies of these test forms and retains them for 40 years.

RETENTION - Retain for 10 years after subsequent test, then destroy

8.707: COMPLAINT FILES

These files contain customer complaints concerning utility problems which require research and a resolution. They include complaint, results of investigation, meter sheets, and method of resolution.

RETENTION – Retain for 3 years after resolution of issue, then destroy

8.708: CONNECTION BOOKS

These books document the extension of or connection between specific property and municipal utilities. They represent the most comprehensive guide to the system. They act as the system's master listing of all diagrams of connections in the system.

RETENTION - Permanent

8.709: CROSS CONNECTION CONTROL SURVEY FILES

These files monitor potential or actual water system health hazards within specific premises. They are used to determine compliance with state laws, schedule surveys, and to write reports. They include various reports, surveys, and related correspondence.

RETENTION - Retain for 3 years after destruction of premise, then destroy

8.710: CUSTOMER APPLICATION RECORDS

These are applications completed by customers requesting water, sewer, or electric service. They are used for billing purposes. The applications include customer's name, address, and telephone number; meter information, date and approval signature(s).

RETENTION – Retain for 3 years after account closed, then destroy

8.711: CUSTOMER DEPOSIT CARDS

Section 7: Public Utilities Records

These cards provide a record of customers required to pay a deposit to receive service. They include date, amount of deposit, name and address, account number, date signed, date account closed, and amount of deposit confiscated and reason.

RETENTION – Retain for 3 years after account closed, then destroy

8.712: DAILY FILTER LOG

This log records a daily instrument table of information regarding filter operations required by Utah code.

RETENTION - Retain for 5 years, then destroy

8.713: DAILY OPERATIONAL LOG

This log records daily information on plant operations such as rate of flow, chemical inventories and chemicals used, chlorine residual testing results, and turbidity amount in water. It is required by 40 CFR 130.4. An annual summary is submitted to the State Health Department.

RETENTION - Retain for 2 years, then destroy

8.714: DAILY PUMP STATION WELL REPORTS

This is a daily monitoring report of a water system. This report shows the time pumps or wells are started and stopped, hours run, power used and amount of water pumped. A summary report is usually created from these daily reports.

RETENTION - Retain for 2 years (provided summary report is compiled), then destroy

8.715: DISCHARGE MONITORING AND WATER RECLAMATION PLANT REPORTS

These are monthly and quarterly reports on the daily operations of treatment plants. They are submitted to the State Bureau of Water Pollution and to the Environmental Protection Agency (EPA). These reports are a record of the average amount of pollution discharged into the waters of the municipality from National Pollutants Discharge Elimination System (NPDES) permit holders. They document the daily operations of the Water Reclamation Plant such as sewage flow, grit removal, chlorine usage, residuals, digester gas products, and lab analytical results (40 CFR 122.41(j)(2) (1996)).

RETENTION – Retain for 5 years after creation, then destroy

8.716: DITCH FLOW DAILY REPORTS

Section 7: Public Utilities Records

These records report the daily amounts delivered to various water companies. The amounts are summarized monthly and annually. They are used for litigation purposes and to verify amounts delivered. The records include name of company, date, amount of water delivered, and amount required.

RETENTION - Retain for 7 years or 4 years after litigation is settled provided summary report is compiled, then destroy

8.717: ENVIRONMENTAL PROTECTION AGENCY (EPA) GRANT FILES

These are project files maintained by the municipality for monies granted to the state of Utah and then distributed to individual local government entities. The files document the expenditures of these funds. They include a detailed listing of disbursements, receipts, grant modifications, related correspondence, and a copy of the original grant (40 CFR 30.501). The State Health Department's copy is maintained permanently.

RETENTION - Retain for 3 years after final audit, then destroy

8.718: METER BOOKS

These books record the readings of customer's water, sewer or electric meters by municipal employees. They are used for billing purposes. The books include name of employee reading meter, meter readings, date read, account number, billing code, final reading, reasons for turnoff, if meter was pulled or reinstalled, and meter charges.

RETENTION - Retain for 3 years, then destroy

8.719: METER LOCATION RECORDS

These records contain information about all meters (water). They are used to locate meters for service and billings. They include address, work order number, size of meter, contractor, owner, plumber and date installed.

RETENTION – Retain 1 year after final action, then destroy

8.720: METER REPAIR AND TESTING FILES

These records document the installation, repair, testing, and replacement of meters. They include address, work order number, date of initial installation, dates of testing and repair, and remarks.

RETENTION - Retain for 1 year after final action, then destroy

Section 7: Public Utilities Records

8.721: NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS

These are permits issued under the Clean Water Act permitting the discharge of specific pollutants under controlled conditions (40 CFR 122.28 (2008)). This applies to municipalities with a population of 100,000 or greater.

RETENTION - Permanent, may be transferred to the State Archives

8.722: PUMP STATION WELL SUMMARY REPORTS

This is the summary information compiled from the daily monitoring report of a water system. The information includes the time pumps or wells are started and stopped, hours run, power used and amount of water pumped.

RETENTION - Permanent

8.723: SEWER MAIN LOCATION PLATS

These are plat drawings of each municipal street detailing all sewer mains in the municipality system by area number. They are used to locate sewer mains. The plats include drawings of all sewer mains in municipal system showing depth of sewer mains, percentage of grade, location of lateral connections and sewer manholes, and size of lines.

RETENTION - Retain until updated or superseded, then destroy

8.724: VIDEO INSPECTION REPORTS

These are video reports taken by special monitoring cameras located at critical parts of the sewer lines. They are used to monitor conditions of the sewer lines.

RETENTION - Retain for 3 years or until updated or superseded, then destroy

8.725: WATER CONSUMPTION MONTHLY REPORTS

These reports consist of monthly statistics of daily water consumption. They are used for research and litigation purposes and to assist in predicting future flows and peak demands. The reports include water consumption in million gallons, and cubic feet from treatment plants, springs, artesian wells, pumped wells, and reservoirs along with precipitation amounts.

RETENTION - Retain for 1 year (provided annual report is compiled), then destroy

8.726: WATER FLOW ANNUAL RECORDER CHARTS

These charts are taken from recording stations in streams or wells for annual periods. They are used to determine water flows. The charts include water flow according to gauge flows, height,

or level of aquifer in well on an annual basis.

RETENTION - Permanent

8.727: WATER FLOW WEEKLY RECORDER CHARTS

These charts are taken from recording stations in streams or wells for weekly periods. They are used to determine water flows. The charts include water flow according to gauge flows, height, or level of aquifer in well, during a weekly period.

RETENTION - Retain for 3 years (provided annual chart is compiled), then destroy

8.728: WATER MAIN CHARTS AND INDEXES

These charts show the locations of all water mains, valves, hydrants, and water services to property owners in a given area.

RETENTION - Permanent

8.729: WATER STOCK PURCHASE FILES

These files document municipal purchase of water stock from irrigation companies and/or individuals. Each year the municipality is billed for the annual assessment of water stock. The files are used to verify purchase and for yearly assessment purposes.

RETENTION - Retain for 10 years after sale of stock, then destroy

8.730: WATER TREATMENT PLANT OPERATIONAL REPORTS

This is a copy of a monthly report submitted to the State Department of Health verifying drinking water standards (40 CFR 130.4)(1989). They are used to monitor compliance with water quality standards and to verify standards were met. The reports include daily and total monthly amounts, minimum, maximum, and averages for filter operation, filter rate in gallons per minute, length of filter run; filter head loss; and minutes of backwash; amounts and kinds of chemicals used. The State Health Department maintains their copy for 10 years.

RETENTION – Retain for 5 years, then destroy

8.731: WORK ORDERS

These files contain customer complaints concerning utility problems which require research and a resolution. They include complaint, results of investigation, meter sheets, and method of resolution.

RETENTION - Retain for 3 years after date of resolution, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 8: Volunteer Records

8.801: ADOPT A SPOT FILES

Application and agreement created between volunteer and Orem Public Works to document who is participating; the policy and procedures of Orem Public Works; and what is expected when volunteering with Orem Public Works. Original copy retained by Orem Public Works.

RETENTION – Retain for 1 year, then destroy

8.802: COURT-ORDERED COMMUNITY SERVICE RECORDS

Application and agreement created between court-appointed volunteer and Orem Public Works to document who is participating; the policy and procedures of Orem Public Works; and what is expected when volunteering with Orem Public Works. Original copy retained by Orem Public Works. Includes copy of time sheet; original is given to volunteer doing the court-ordered hours to take back to the courts.

RETENTION – Retain for 3 years, then destroy

8.803: EAGLE SCOUTS PROJECT APPLICATIONS

Application and agreement created between Eagle Scout candidate and Orem Public Works to document who is participating; the policy and procedures of Orem Public Works; and what is expected when volunteering with Orem Public Works. Original copy retained by Orem Public Works. Includes copy of Eagle Project Workbook if presented by scout; scout takes original copy back to the Boy Scouts of America.

RETENTION – Retain for 1 year, then destroy

8.804: PESTICIDE SPRAYING RECORDS

Form used by volunteer coordinator to document when a pesticide is used by the volunteer coordinator in a park or along a roadway. Original copy retained by Orem Public Works Includes license/certificate for employees that have passed and received their pesticide license.

RETENTION - Retain for 3 years after expiration of permit or license, then destroy

8.805: TOOL LENDING LIBRARY CHECKOUT

Equipment checkout forms to document who is participating; the policy and procedures of Orem Public Works; and what tools are borrowed. Original copy retained by Orem Public Works.

RETENTION – Retain for 1 year, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 8: Volunteer Records

8.806: VOLUNTEER SERVICE RECORDS

Document created to track what projects were worked on, who participated, the number of participants, and how many hours were completed.

RETENTION – Retain for 3 years, then destroy

DRAFT

CITY OF OREM
SPECIAL CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 1, 2020

This meeting was held electronically
to allow Councilmembers and Staff to participate.

5:00 P.M. SPECIAL SESSION – COUNCIL CHAMBERS

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Sam Kelly, City Engineer; Ernesto Lazalde, IT Division Manager; Pete Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT Mayor Brunst

NOTE: Due to some technical difficulties, there is no audio for the first few minutes of the meeting where Mayor Brunst read the following:

"Pursuant to Mayor Richard F. Brunst's Proclamation dated August 3 2020, the Orem City Council meeting on August 11, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

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To view the meeting: please go to orem.org/meetings.

To make a comment: Please submit your comment through:

orem.org/comments

OR

CityCouncilPublicComments@orem.org

Comments will be accepted before and during the meeting. All comments received will be entered into the record and forwarded to each City Council member for review. Comments will also be read aloud during the live meeting when required by law or when time permits. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times."

No additional Mayor's items were discussed at this time.

SCHEDULES ITEMS

RESOLUTION – Authorizing the purchase of the former Hillcrest Elementary School property from Alpine School District

Mayor Brunst said the property of the former Hillcrest Elementary School they were discussion was approximately 9.33 acres and had been appraised for $5.6 million. The school building was still in place on the property. He mentioned that Utah Code specified that the land could be used for certain purposes only, such as a town hall, park, community center, the creation of private or public jobs, office space, and others. Mayor Brunst said some of the allowed uses to not match city zoning designations. He added that if the City were to resell the property in the future, the proceeds of the sale would be split between the City and the Alpine School District.

Mayor Brunst said two appraisals of the property had been completed, one ordered by Alpine School District and a second ordered by the City. The appraisals said the highest and best use of the property would be for commercial office space, though one mentioned residential development. He said they City would need to change the zoning if residential development were to go in on this property and the City was not proposing or even supporting that kind of development in this area.

Mr. Davidson said that years ago the City had entered into an agreement with the Alpine School District to lease the property for the purpose of a city park. As part of that agreement, it was outlined that the City would have first right of refusal to purchase the acreage the city park was on if the Alpine School District were to sell. He said he understood the District was not interested in splitting the land into parcels though the City may wish to separate pieces of the property.

Mayor Brunst said he saw a few options: 1) to purchase the whole 9.33 acres and section off a city park and find other use for the remaining property, or 2) purchase only the 1.61 acres of the park

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alone. He thought homeowners whose homes abutted the property may wish to sell property to the City, allowing for a park of approximately 2.5 acres. Mayor Brunst said the City would be responsible for asbestos testing and abatement on the building if the purchase was for 9.33 acres. The school was built in 1954 with an addition built in 2003, and the older part of the school building was not in ideal condition. He shared other concerns about the state of the building and liability issues, as well as additional costs the City would incur as part of their due diligence. Mayor Brunst said he personally was in favor of putting in a nice park on the property, but was not in favor of purchasing the full 9.33 acres.

Mr. Sumner asked for clarifications on the two appraisals. Mayor Brunst said the appraisal conducted by the Alpine School District put the price of the building at $3 million but the one the City conducted assigned no value to the building because of its state.

Mrs. Lauret said the newer addition built in 2003 was a gymnasium and cafeteria, and wondered if that portion of the building could be used well by the City. Mayor Brunst said it would require a new HVAC system, but was in good shape otherwise.

Mr. Lambson asked about the acreage of other parks throughout the city compared to the approximately 2.5 acres the Mayor talked about. Mr. Davidson the City's webpage had a parks guide that detailed the acreage of each park. 2.5 acres for a park would be on the small side comparatively, with most if not all city parks in excess of 3 acres. Mr. Peterson said it was difficult to do apples to apples comparisons without taking into account the additional acreage next to each park that was owned by Alpine School District. So 2.5 acres for a park was not enough for the residents in the area to have a neighborhood park.

In response to Mr. Spencer's concerns about liability and the due diligence conditions, Mayor Brunst said the City would assume the liabilities of the asbestos and environmental studies outcomes for the whole building and property. Mr. Davidson said there was high potential for an asbestos issue in that building, and the mitigation of asbestos was factored into the valuation and appraisal of the property. Mr. Stephens said if they found the results of the due diligence testing to be unacceptable, the City had the right to cancel the contract.

Mrs. Lauret asked Mr. Davidson to clarify the funding mechanism for the purchase. Mr. Davidson shared a chart and said the money for the purchase would come from two sources. The first was park impact fees, the current balance of which was $1.8 million. The second source was the City's Redevelopment Agency, specifically the RDA 85-03B and RDA 85-03A areas, the latter covering the property they would purchase. Mr. Davidson said the purchase arrangement would be between the City and the Alpine School District, so the proposal was to borrow the money from the RDA 85-03B and add it to contributions from RDA 85-03A and combine with park impact fees to reach the $5.605 million cost. Over time, they could repay the loan from the RDA by entering into a long-term lease to a permitted user or selling a portion of the property and using proceeds of the sale or using future park impact fee dollars.

Mr. Lambson asked if any CDBG dollars would be available for this particular project. Mr. Davidson said that parts of the Hillcrest neighborhood did qualify for CDBG money so that would be available. In response to a question from Mayor Brunst, Mr. Davidson said he did not plan to use COVID related CARES money for this project.

There was continued discussion about the property in question and the homes directly adjacent.

Mr. Peterson read the following letter sent to him by Mary McCann, an Orem resident in the Hillcrest neighborhood:

> Dear Mayor and City Council,
>
> It has come to my attention that the City of Orem has the option to buy the former Hillcrest Elementary School property and that money could be allocated for a beautiful city park. I think that is a brilliant idea, a wonderful use of tax-payer money, and would be a fantastic boost to the City of Orem.
>
> As you know, it was a devastating loss to the people of South Orem to lose Hillcrest Elementary School. This area of Orem has always been family-centered. The loss of a small neighborhood school felt like the final blow to the citizens of the area who have had to watch apartment buildings, mall expansions, parking lots, and other businesses fill the area. South Orem is beginning to feel like a small concrete jungle. It is commercial. It is busy. It is crowded. To fill the space off of University Parkway with grass, trees, a walking path, pavilions, playground equipment, a splash pad, tennis and/or pickle ball courts, or anything that suggests that Orem is still a family-centered community would be a boost aesthetically and physically.
>
> It would also be a financial boost to Orem. That particular area of South Orem is full of older homes. Some are well-maintained, others are falling to ruin. But because they are small and older, those homes could be affordable to young families in what is an increasingly unaffordable Utah Valley. I feel that a nice city park there would increase home values, lower crime rates, and draw in younger, new families to help build Orem, strengthen schools, and provide a new generation of backbone to the city.
>
> I realize that there is an existing park in that area. Some have suggested that it gets so little use that it is not worth putting in a nicer park. I would like to suggest that the reason that the park is lightly used is primarily that unless you live in the area, you wouldn't even know it exists, and if you do know it exists, it is not inviting. It is fronted by a dilapidated tennis court that looks like something out of Compton. Honestly, it looks like a place you could run a drug deal. Behind that there is a hidden pavilion. Frankly, it's a little scary. I wouldn't let my kids play there alone. The rest of the area is blocked by the school building and parking lot. I think people are unsure whether they can even use the playground equipment since it's clearly on school property. The park is hidden and run-down. And, beside the elementary school, equipment, it offers very little enticement. I live only one mile from this park and yet I drive my children and grandchildren to parks in Provo rather than go to the existing Hillcrest park. It has no appeal and no absolutely no draw. A beautiful park with more to offer would draw people not only from the area, but from North Orem and Provo as well.
>
> At its core, Orem's strength has come from strong families. When we refuse to use tax-payer money to support and entice good, strong families to live here, we will lose the very thing that Orem has meant to so many. People in South Orem feel that tax money has been disproportionately spent in North Orem. We often feel forgotten. South Orem is the heart

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of Orem and, since it blends into Provo, it is an important link in communities. Provo has done a very good job of investing in the beauty of its city. Parks, tree-lined streets, restoring historic downtown, honoring the spirit of Center Street and South University, and creating a feeling of warmth has been one of Provo's strengths. Sadly, when you leave Provo, drive up University Ave and enter Orem, there is a tactical feeling of loss. A beautiful park, right at that crossroads, could go a tremendous way to welcoming people to what could be a beautiful Orem.

I appreciate your service to Orem, and ask for your consideration in this matter.

Sincerely,
Mary McCann

Mr. Peterson agreed with Ms. McCann when she said residents in south Orem felt that the City spent money disproportionately in north Orem. The people in the southeast area needed a local park to go to, and he felt they could build a beautiful park for this community, and that it was more than just a matter of dollars and cents.

Mayor Brunst said there were many beautiful parks throughout the city that all residents could enjoy, including residents in the southeast part of Orem. He felt they could built a beautiful park on 2.5 acres. Mayor Brunst wanted to emphasize and clarify that the property would not be used for high density housing, and that it did not work well for commercial development either as it could cause disruptions along the corridor.

Mr. Sumner said he agreed with the sentiments shared by Mr. Peterson, and said the City Council should not deprive the southern residents of their own community park. He felt it should be equal to other parks in the City. Mr. Lambson agreed that green space was what the area needed, not more concrete. Mrs. Lauret commented the existing gym on the property could be a good opportunity to expand youth basketball programming.

Mr. Macdonald said he appreciated the discussion with the Council, and felt they could more toward a decision. He said it seemed they had two scenarios before them: to purchase some of the property, or to purchase the full 9.33 acres. Mr. Davidson added that the City had the opportunity to go through the due diligence and potentially back out of the sale if they saw fit.

Mr. Macdonald offered to have Mr. Peterson make the motion for the resolution. There was some clarification needed, so **Mr. Macdonald moved**, by resolution, to authorize the purchase of the former Hillcrest Elementary School property from Alpine School District, indicating that the purchase would be of the approximately 9.33 acres available. **Mr. Peterson seconded** the motion. Those voting aye: Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. Those voting nay: Richard F. Brunst. The motion **passed, 6-1.**

ADJOURNMENT

Mayor Brunst moved to adjourn the meeting**. Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed.**

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The meeting adjourned at 5:54 p.m.

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CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 8, 2020

This meeting was held electronically
to allow Councilmembers and Staff to participate.

3:00 P.M. WORK SESSION – CITY COUNCIL CONFERENCE ROOM

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner
APPOINTED STAFF	Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Ernesto Lazalde, IT Division Manager; Pete Wolfley, Communications Specialist; Neal Winterton, Water Resource Division Manager; Reed Price, Maintenance Division Manager; Kena Mathews, Community Services Manager and JoD'Ann Bates, City Recorder.

NOTE: The referenced report and presentation documents for each discussion may be viewed at orem.org/meetings under "City Council Presentations"

DISCUSSION – Utility Master Plan

Mr. Tschirki stated the Water, Sewer, and Storm Water Master Plans were approved by the Orem City Council in 2016 after an 18-month development process that included engineering analyses by Bowen, Collins & Associates, professional staff engagement, public involvement, and formal presentations to the Public Works Advisory Commission and Orem City Council. These capital facility plans were used by Orem's Financial Advisor, Lewis, Young, Robertson, and Burningham to develop financial models and multiple supporting utility rate solutions. These updated master plans will include additional analyses pertaining to State Street nodes, southwest density increases, irrigation canal abandonment, and Vineyard City water disconnection. An overview and discussion about guiding principles will take place.

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Mr. Larson of Bowen, Collins & Associates reviewed and discussed the overall Water, Sewer and Storm Water Master plan and challenges they face over the next 5 years being:

1. New regulatory requirements;
2. Aging infrastructure and
3. Future growth.

He continued to discuss solutions to the master plans challenges to include:

1. Identifying required improvements
2. Exploring funding alternatives
3. Executing the plan

Mr. Larson reviewed the required improvements.

- Required Improvements - Water:
  - New Storage Reservoir
  - Additional well capacity
  - Reuse
- Required Improvements – Sewer:
  - Nutrient Removal
  - Struvite
  - Hydrogen Sulfide Corrosion
- Required Improvements – Storm Water:
  - Sump Removal
  - Irrigation/Drainage Separation
  - West Union Canal Abandonment

General discussions ensued regarding valuation, replacement and budgets of improvement projects.

Mr. Larson continued to review funding alternatives to include:

- Impact fees
- Bonding vs. pay as you go
- Rate increases

General discussions ensued regarding funding options and what they felt would work best for the City and the residents.

Mr. Larson reviewed what they recommended be reviewed and revised every 5 years to include:

- Changes to Southwest Annex Densities
- Updated growth and land use data
- Vineyard City water no longer served by Orem
- Canal abandonments
- Concerns regarding rate increases
- Potential Favorable bonding conditions
- Escalating construction costs

Master Plan Update:

- Update master plans to confirm necessity and timing of recommended improvements
- Update financial plan to determine if bonding should be incorporated
- Update rates and impact fees based on results above.

Mayor Brunst thanked them for their time and information and indicated they look forward to seeing this come back before the council in the future.

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DISCUSSION – Revisions to the City Council Meeting Policies and Procedures

Mr. Stephens said that state requires them to have policies and procedures as to how they would conduct their City Council meetings. This was last adjusted in 2009 and he felt it was time to look at some of the items that he feels need to be changed or updated. Mr. Stephens reviewed some of the proposed adjustments.

General discussion continued regarding the proposed changes to the City Council Policies and Procedures. Mr. Stephens indicated he would bring back the proposed changes to the Council for approval at a later date.

DISCUSION – CARES Act Expenditures

Mr. Downs reviewed some dates and information regarding Coronavirus Aid Relief Fund and Economic Security Act. The intent of the funding is for necessary expenditures due to the public health emergency. The following is some of the needs that are being met with this act.

- Community Action Services
  - Rent, Mortgage, and Utility Assistance
- Utah County by way of MAG (Mountainland Association of Governments)
  - Economic Support Fund.
- Identified Needs:
  - Persona protective equipment
  - Signage for city facilities
  - Additional cleaning, sanitation and disinfectant supplies
  - Police & fire needs
  - Equipment and software to support telecommuting capabilities
  - Furniture & workspace improvements
  - Facility improvements
  - Payroll costs for Timpanogos Hospital COVID testing
  - Economic Support to restaurant through “Taste of Orem Event”
  - Support for the School District

Mr. Downs reviewed some plans that had been discussed to spend the funds, regulations in spending those funds and deadline dates they will need to keep in mind.

DISCUSION – CARES Act CDBG-CV Funding Recommendations

Ms. Mathews stated the funds that have been received have been for extra Community Development Block Grants (CDBG) funds due to the Coronavirus and will be presented as additional requests during the regular session. These requests have been previously approved by the CDBG committee.

DISCUSION – City Retention Schedule

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Mrs. Bates stated this is the next section of the ongoing approval for the overall retention schedule. This will cover some of the Public Works Division mainly being Sanitation, Street and Traffic Engineering, Fleet, Geospatial and Maintenance.

Agenda Review & Preview of Upcoming Agenda Items

The City Council reviewed the evening's agenda. Discussion ensued regarding the scheduled items that would be considered.

City Manager Information Items

Mr. Davidson shared the following information with the Council:

- The city has submitted an earnest money offer to the Alpine School District last week and they have 30 days to respond. Their focus right now is in the agreement and the due diligent phase. If they do accept the agreement with the city, they will go through an environmental review and financing and have some real conversations as to what to do with the property. Staff will be compiling proposed costs and bring that back to the City Council for further review and discussion.
- They are narrowing down recruitment efforts for the position of Police Chief. The supplemental questionnaire submissions have been reviewed and it is their recommendations they move forward with 5 of the 7 that responded to the questionnaires. He would like to have them come into the City Center for a series of interviews and assessments which the council will be involved in once those are set up.
- Today at 5:30 am the Fitness Center opened up the lap pool and this afternoon the leisure pool has been signed off and been able to open. He thanked all those that have been working throughout the weekend in order to make this happen.
- Reminder of the upcoming Utah League of Cities and Town Annual Conference via a virtual conference the week of September 22nd through the 25th.
- Reminder of the upcoming joint meeting with Provo City on Thursday at noon via a zoom meeting.
- Financially the city continues to move forward based on the recent tax projections which are not as resilient and strong and usual specifically for the road allocations.
- The City has not had any significant damage due to the recent windstorm and will continue to monitor that as the weather proceeds throughout the night.

Mayor Brunst indicated he was fortunate enough to attend the groundbreaking of the Orem City Temple. They had the full area presidency in attendance along with 30 other individuals.

City Council Reports (Boards and Commissions, New Business, Etc.)

Mr. Lambson reported on the following committees:
stated he works with the

- CARE Tax:
  - Continues work to help local business of Orem
- Resource Stewardship Committee:

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- Working with local farmers
- Activities outside around the area to help with covid
- In process of creating some education stations for youth and pre-teens
- Running a contest regarding renewable energy for businesses.

- Utah Lake Commission:
  - Algae bloom
  - Phragmite
  - Nesting boxes for Off sprays
- Transportation Advisory Committee:
  - Continue to do a great job

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

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner
APPOINTED STAFF	Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Sam Kelly, City Engineer; Ernesto Lazalde, IT Division Manager; Pete Wolfley, Communications Specialist; and JoD'Ann Bates, City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT	Jeff Lambson
PLEDGE OF ALLEGIANCE	Darla Lambson

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Mayor Brunst read the following to begin the meeting:

"Pursuant to Mayor Richard F. Brunst's Proclamation dated September 1, 2020, the Orem City Council meeting on September 8, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social

distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.
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orem.org/comments
OR
CityCouncilPublicComments@orem.org
Comments will be accepted before and during the meeting. All comments received will be entered into the record and forwarded to each City Council member for review. Comments will also be read aloud during the live meeting when required by law or when time permits. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times."

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the agenda. Those wishing to make a comment provided staff with written comments.
The public comments submitted were read into the record. Comments that were submitted for "Public Appearance" are attached to the end of the minutes in their entirety.

No public comments were received.

CONSENT ITEMS

- Approval of the August 11, 2020 City Council Meeting Minutes
- Appointments to Boards and Commissions:

- Orem Neighborhood Advisory Commission - Appointments:
Sunday Meservy
David Moulton
Mark Seastrand
Karen McCandless
- Public Works Advisory Commission - Reappointment:
Jim Michaelis
- Summerfest Committee - Reappointment:
John Whitaker
Katrina Bleyl
Mr. Davidson asks for the advice and consent of the City Council for the following appointments:
- Board of Adjustment Appointments:
David Moulton to replace current seat held by Mickey Cochran
Juan Carlos Iglesias to fill a current vacancy.

- RESOLUTION – Approval of the City of Orem Finance Department Retention Schedule.
- RESOLUTION – Updating the City's Policy regarding shitting off utility accounts.

Mayor Brunst moved to approve the Consent Agenda as listed. **Mrs. Lauret seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed.**

SCHEDULES ITEMS

PUBLIC HEARING
RESOLUTION –Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and approval of a substantial amendment to the 2019-2020 Annual Action Plan

Mr. Kenneth Ransom, CDBG Advisory Commission Chairperson stated in response to the Coronavirus Pandemic (COVID-19), the U.S. Department of Housing and Urban Development Community Development Block Grant provided the City of Orem with a CDBG allocation of $411,983 to be used to prevent, prepare for, and respond to COVID-19. Based on the recommendations from the CDBG Advisory Commission, the City of Orem would like to allocate $132,000 for COVID-related Senior Friendship Center improvements and approximately $5,000 to Community Action Services and Food Bank for COVID-related technology needs. The balance of the funding of approximately $202,032.66 will be noticed and allocated at a future date.

Mayor Brunst opened the public hearing at 6:11 p.m.

Karen McCandless:
I want to express my appreciation to the CDBG Commission for its recommendation of allocating $5,000 to Community Action Services and Food Bank to help with COVID-related technologies. I also appreciate your consideration of its recommendation.
We at Community Action are seeing a significant increase in the number of community members who need help with basic needs. Fortunately, Community Action has been able to remain open to serve our community. We do not know what the future holds and there may be a time when we would have to temporarily close.
We will be using the money to purchase hardware and software so our employees can continue to serve our community remotely. While we cannot provide food pantry services remotely, we can provide rent, utility, mortgage, and emergency shelter assistance remotely, provided we have the necessary technology. The technology will not only be able to be used if we are closed but can be used while we are open to minimize contact with the public.
Again, thank you for your consideration.
Hearing no further comments, Mayor Brunst closed the public hearing at 6:12 p.m. and brought the discussion back to the City Council.

Mayor Brunst moved to approve by resolution Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and substantial amendments to the 2019-2020 Annual Action Plan**. Mr. Spencer seconded** the motion. Those voting aye: Richard

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F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed.**

COMMUNCIATION ITEMS

The Monthly Financial Summary for July 2020 was included in the packets distributed to the Council.

CITY MANAGER INFORMATION ITEMS

The City Manager had no information items.

ADJOURNMENT

Mayor Brunst moved to adjourn the meeting**. Mr. Lambson seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed.**

The meeting adjourned at 6:15 p.m.

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF OREM, UTAH
APPROVING A RECORDS RETENTION SCHEDULE

WHEREAS pursuant to Utah Code § 63G-2-701, the City of Orem has enacted Article 2-26 Records Access and Management establishing information practices for the City including classification, designation, access, denials, segregation, appeals, management retention and amendment of City records; and

WHEREAS Orem City Code Section 2-26-15.B. requires the City Records Officer to classify, designate and schedule City records for retention; and

WHEREAS the City is in the process of scheduling its records for retention; and

WHEREAS this scheduling is an ongoing process that will be periodically submitted to the City Council of Orem, Utah (Orem City Council) for approval; and

WHEREAS the Orem City Council has reviewed the proposed records retention schedule attached hereto as Exhibit A and hereby finds that adopting the proposed records retention schedule to be in the best interest of the public's health, safety and general welfare.

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

1. The Orem City Council hereby adopts the City Records Officer's proposed records retention schedule which is attached hereto as Exhibit A and incorporated herein by reference.

2. This resolution shall take effect immediately upon passage.

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

PASSED AND APPROVED this **11th** day of **August 2020**.

_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 2: Engineering, Sanitation, Street Maintenance, and Traffic Engineering Records

8.201: CAPITAL PROJECT STATUS REPORT

This is a monthly report of all current capital improvement projects. The report includes information on funding (comparing amounts), extra work orders, and over-run authorizations for each project.

RETENTION – Retain 1 year, then destroy

8.202: CLASS "C" ROAD FUNDING PROJECT FILES

These project files document the funding for Class "C" roads. Class "C" funding is money allocated to each municipality from the Transportation Fund. The files include amount of funds allocated and how they were spent for each project (man-hours, vehicle usage, and material used).

RETENTION - Retain for 3 years after claim, audit, or litigation settled, then destroy

8:203: COMPLAINT FILES

These files document complaints received and how they were responded to by the department (e.g., streets, sanitation, traffic signals). They include name and address of complainant, date received, description of problem, and action taken.

RETENTION – Retain 2 years or until resolution of issue, then destroy

8.204: CONCRETE MAINTENANCE RECORDS

These records document the replacement of concrete maintenance necessary when the municipality is responsible for damage caused by municipal vehicles (e.g. garbage trucks, snow plows) or problems caused by storm damage or other acts of nature. Maintenance may either be done by the municipality or contractors through the bidding process. These records are used for budget purposes and indicate the completion of the project. They may include a card file, copies of receipts, pay vouchers, contracts, bids, correspondence, extra work orders, estimates, sketch or diagram, photographs, council district information, and proof of mailing estimate.

RETENTION - Retain for 7 years, then destroy

8.205: DRAINAGE MAINTENANCE AGREEMENTS

These are agreements between the municipality and canal or irrigation companies. The agreements allow water be diverted into drainage systems maintained by these companies. The

municipality pays them for this service. The agreements include date, company's name and address, provisions of the agreement, payments to be made, and signatures of municipal council, and company representative.

RETENTION - Permanent

8.206: DRAINAGE SYSTEM REPAIR LIST

This is a list of all drainage facilities in the system. It is used to prioritize which drains need maintenance. It includes size, type and condition of drainage pipe, type of clean out box, location of facility and condition, depth from flow line to top of lid on road surface and a brief description of the problem.

RETENTION - Retain until superseded, then destroy

8.207: DRAWINGS AND DIAGRAMS

These are drawings and blueprints of engineering “as-built” projects. They are used by the public and city personnel to establish existing information for all city locations. They include drawings of street construction, sidewalks, storm drains, waterlines, reservoirs, public facilities, and other city building projects, providing date, legend, city title, scale and actual drawings.

RETENTION – Permanent, may be transferred to the State Archives

8.208: ENCROACHMENT AGREEMENTS

These are agreements between the municipality and property owners allowing them to extend fences or plants (bushes and trees) within the municipal right of way. The municipality reserves the right to revoke the agreement and to require the property owner to remove the fences or plants upon request. The agreements include date, licensee's name and address, agreement terms, licensee's notarized signature, and signatures of the city council chair and city manager.

RETENTION - Permanent

8.209: EXCAVATION PERMIT APPLICATIONS

These applications are used by individuals and contractors requesting to work in the municipal right-of-way for demolitions or excavations. The application includes job address, date, owner/agent name and job address, a location description of intended excavation, size, purpose, and agreement to comply with all state laws and municipal ordinances.

RETENTION - Retain for 1 year after expiration, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 2: Engineering, Sanitation, Street Maintenance, and Traffic Engineering Records

8.210: EXCAVATION PERMIT BILLINGS

These billings are sent to contractors for the inspections of excavations on the municipal right-of-way. The permits may be issued over the telephone with parties having agreements with the municipality and are then billed for inspections. The billings include contractor's name and address, date permit issued, location, inspection date, and inspection costs.

RETENTION - Retain for 3 years, then destroy

8.211: FLOOD CONTROL PERMIT APPLICATIONS

These applications are completed by developers and homeowners requesting a permit to construct within a flood plain. They are also required for the construction of any facility or discharge of any runoff into specific municipal-wide facilities. The permit provides that the structure or operation covered could be stopped, removed or destroyed by the municipality in a flood emergency and that all structures are subject to municipal inspection at permittee's cost. The applications include firm's or individual's name, address, and telephone number; proposal's description, including construction type, purpose, location (including engineering calculations, and any special conditions); grantee's signature; date; recommendations on whether request should be approved or denied; and (if approved) director's signature.

RETENTION - Permanent, may be transferred to the State Archives

8.212: INTERLOCAL AGREEMENTS

These are agreements between the county and municipalities within the county to provide public works services. They include date, city's name, provisions of the agreement, payments to be made, and signatures of the city and county representatives.

RETENTION - Permanent

8.213: INTERSECTION CASE FILES

These files record data on all municipal streets. They are used by traffic engineers and technicians when investigating a particular intersection to determine appropriate traffic regulations. They contain traffic volume (counts taken either mechanically or manually), requests or complaints received which required a study and response concerning specific intersections and work order outline to be done at specific intersections, and a traffic accident history.

RETENTION - Retain for 7 years, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 2: Engineering, Sanitation, Street Maintenance, and Traffic Engineering Records

8.214: MAPS AND PLATS

These are city maps and plats for surveys and maintenance of city property and facilities. They are used for research purposes by the public, other city departments, and title companies. They include townships and range, rights-of-way, monument markers, lot measurements, street names, centerline measurements, blocks, and subdivision names.

RETENTION - Retain until superseded, then destroy

8.215: MATERIALS TEST RESULTS

These reports contain the results of sieve analysis and nuclear density tests on asphalt, road base concrete, and soils. They are used for conformance of specifications for approval of various materials used on municipal construction projects. Reports are also used for reference on future municipal project work. Reports include date, type of material, weight of material, amount of tests performed, and results of tests (sieve analysis results, percent of compaction, and cylinder compressive tests).

RETENTION - Retain for 3 years after project completed, then destroy

8.216: PERMITS TO WORK IN A PUBLIC WAY

These are permits issued for private companies to work on city property ("public way") for demolitions, excavations, blasting, crane operations, barricade installations, concrete construction (curb, gutter, sidewalks), or the moving of heavy equipment. They include job address, date, name of owner/agent at job address, state license classification, diagram of work required, checklist of existing utilities and construction and traffic control.

RETENTION - Retain for 1 year after bond expires, then destroy

8.217: RESURFACING BILLINGS

These billings are sent to contractors and public utilities for resurfacing municipal roads, alleys, or other public places. Persons are required to restore the pavement surface after the completion of excavations on the municipal right-of-way. Persons doing excavation work may request the municipality to restore the surface and are then charged the costs. The billings include contractor's name and address, date, completion date, location, road width, cut width, total square footage, amount, and total balance.

RETENTION - Retain for 4 years, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 2: Engineering, Sanitation, Street Maintenance, and Traffic Engineering Records

8.218: REVIEW FILES

This is a duplicate set of plans submitted by developers for subdivisions, and commercial or industrial complexes. It is used to verify compliance with ordinances and design criteria for streets and alleys. They include plans and related correspondence.

RETENTION - Retain for 3 years after completion of project, then destroy

8.219: SIGNALIZED INTERSECTION RECORDS

These records are registers, card files, and similar records providing an inventory of all traffic signs, signal equipment and the timing set-up of each signalized intersection. They are used to determine compliance with safety guidelines and as a record of changes on a historical basis. They include information concerning poles, signal head information, and signal control.

RETENTION - Retain for 7 years after signal device removed, then destroy

8.220: SPECIAL ASSESSMENT PLATS

These plats show the location of properties that are affected by special assessments. Plats are used for reference and for compilation of the tax roll. They include footage, actual property lines, township and range, rights-of-way, monument markers, lot measurements, blocks, subdivision names, and color coding to indicate properties being assessed.

RETENTION - Retain for 5 years after district is completed, then destroy

8.221: STREET CLEANING RECORDS

These files document all street cleaning projects. They include reports, logs or similar records documenting street cleaning operations.

RETENTION - Retain for 1 year, then destroy

8.222: STREET MAINTENANCE RECORDS

These files document the repairs and maintenance work on municipal streets, street lights, and sidewalks. They include reports, logs, or similar records, completed on a daily, weekly, and/or monthly basis.

RETENTION - Retain for 3 years, then destroy

8.223: TRAFFIC DRAWINGS

Section 2: Engineering, Sanitation, Street Maintenance, and Traffic Engineering Records

These are original drawings or area maps of streets. They are used to determine whether changes are needed in school zones, pedestrian crossings, intersections, signalized intersections, and street stripping. Drawings are used as a reference tool for the performance work.

RETENTION - Retain for 4 years after revised, then destroy

8.224: TRAFFIC SIGNAL CONFLICT MONITOR LOG

This is a log showing when each conflict monitor was serviced (a safety device that functions to avoid two opposite green lights showing at the same time). It is used for maintenance purposes. The log includes location, type of conflict monitor and date serviced.

RETENTION - Retain for 7 years, then destroy

8.225: TRAFFIC TROUBLE CONTROL REPORT

This report is generated by telephone calls from private citizens or police departments concerning traffic signals that require repairs. Report is necessary for verification in litigation cases. It includes location, name of person reporting, date, time, report of trouble, description of trouble found, repair made, by whom, time arrived and time completed.

RETENTION - Retain for 7 years or until litigation completed, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 3: Fleet Records

8.301: AUCTION VEHICLE RECORDS
Vehicles/equipment that is sold at auctions, competitive bidding, or destruction.

RETENTION – Retain for 5 years after disposition of asset, then destroy

8.302: AUTOMOTIVE SERVICE EXCELLENCE CERTIFICATION COPIES
Official employment document; the Fleet Mechanic keeps originals.

RETENTION – Permanent

8.303: AUTOMOBILE TITLES
Records which prove governmental ownership of the vehicle. Fleet mechanic keeps a photocopy of signed over title in vehicle folder.

RETENTION – Retain for 2 years, then destroy

8.304: FLEET EDUCATION INFORMATION
Teaching aids, such as manuals, textbooks, etc.

RETENTION – Retain until end of project, then transfer to archives

8.305: FLEET SERVICES SAFETY MEETING RECORDS
Weekly fleet safety training meeting documents.

RETENTION – Transitory, retain until no longer needed

8.306: SPACE UTILIZATION REPORTS
These are reports on the amount of floor space in municipal buildings. They are used for planning purposes. The report includes number of rooms, square footage per room, and room capacity.

RETENTION – Retain until superseded or obsolete, then destroy

8.307: VEHICLE BID SPECIFICATIONS
Specifications for various vehicles purchased by the City.

RETENTION – Retain 4 years, then destroy

Section 3: Fleet Records

8.308: VEHICLE EMISSION CERTIFICATION FILES

Vehicle emission certification for both the city shop and its mechanics as required by UCA.

RETENTION – Retain 3 years after disposition, then destroy

8.309: VEHICLE FILTER RECORDS

Daily maintenance records on all municipal vehicles.

RETENTION – Retain 2 years, then destroy

8.310: VEHICLE FLEET WORKLOAD REPORTS

Requests for maintenance, service, cleaning, or repair.

RETENTION - Transitory, retain until no longer needed

8.311: VEHICLE MAINTENANCE RECORDS

These records document the inspection, repair and maintenance of government-owned vehicles. Information includes vehicle identification, usage, and related records. Daily maintenance records on all municipal vehicles, used to provide maintenance history and include work order number, dates, maintenance performed, mileage of vehicle, problem type, driver's name, and action taken.

RETENTION – Retain for 3 years after disposition of asset, then destroy

8.312: VEHICLE WIRING DIAGRAMS

Fleet accesses most diagrams through online subscriptions. Vehicle specific shop manuals and wiring diagrams are sold with the surplus vehicle or are thrown away when vehicle is sold.

RETENTION - Transitory, retain until no longer needed

8.313: VEHICLE SCHEDULING CALENDAR

Daily log of city vehicles brought to Fleet for repair.

RETENTION – Retain 3 years, then destroy

8.314: VEHICLE REGISTRATION CERTIFICATES

Motor vehicle registration forms document ownership.

RETENTION – Retain until after final action, then destroy

Section 3: Fleet Records

8.315: WORK ORDER AUTHORIZATION FORMS

These are authorization forms for repair or maintenance work on department vehicles, equipment, or municipally-owned facilities or structures.

RETENTION – Retain for 3 years, then destroy

8.316: WORK ORDER LOG

This is a log of all work orders. It is used for reference to verify that work was performed. Includes work order number, work order request, dates received and completed, record of trouble calls, and work completed.

RETENTION – Retain for 3 years, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 4: Geospatial Records

8.401: AERIAL PHOTOGRAPHIC MAPS

These are large aerial photographs of the municipality, used for informational purposes. The photographs are taken periodically to illustrate changes in development. The maps may include zoning boundary lines.

RETENTION - Permanent

8.402: BOUNDARIES RECORDS

These geospatial records of administrative boundaries include county, municipal, precinct, tax district, subdivision, and other important municipal boundaries.

RETENTION – Permanent, may transfer to State Archives

8.403: INLAND WATER RECORDS

These geospatial records contain information pertaining to hydrologic features located in Utah municipalities. These are lakes, streams, ponds, and watersheds.

RETENTION - Permanent, may transfer to State Archives

8.404: LOCATION RECORDS

These geospatial records contain information pertaining to geodetic networks and control points. They include latitude and longitude coordinates.

RETENTION - Permanent, may transfer to State Archives

8.405: PLANNING AND CADASTRE RECORDS

These geospatial records contain information pertaining to reference locations (or points on the earth) and planning and zoning information.

RETENTION - Permanent, may transfer to State Archives

8.406: PROPERTY ADDRESSING

These are geospatial point features include a point id (address) , point type, capture method, last update, last editor, last address used at the location, street name, unit number (for multiple buildings on one parcel), and the reason for changing an address. This is to be kept on an ongoing basis for addressing properties as they are subdivided or annexed into American Fork City.

Section 4: Geospatial Records

RETENTION - Permanent

8.407: TRANSPORTATION RECORDS

These geospatial records contain information pertaining to the transportation routes in Utah municipalities. These include street centerlines, street locations, street names, and railroad routes.

RETENTION - Permanent, may transfer to State Archives

8.408: UTILITIES AND COMMUNICATION RECORDS

These geospatial records contain information pertaining to utilities found in Utah municipalities. These may include telephone infrastructure, electricity transmission lines, storm sewer pipes, and septic tanks.

RETENTION - Permanent, may transfer to State Archives

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 5: Maintenance Records

8.501: AMERICANS WITH DISABILITIES ACT RECORDS

These records document compliance with the Americans with Disabilities Act (ADA). They include surveys of municipal buildings to determine accessibility for the physically handicapped, federal regulations, proposals for implementing the act, correspondence, resolutions, and solutions to access problems.

RETENTION - Retain for 15 years, then destroy

8.502: AS-BUILT CONSTRUCTION PLANS AND SPECIFICATIONS

Final plans and specifications for approved and constructed buildings, facilities, road and bridges. Documents construction of new buildings or facilities as well as renovation of owned buildings and rented buildings.

RETENTION - Permanent, may be transferred to the State Archives

8.503: BUILDINGS AND GROUNDS MAINTENANCE LOG

This log records all repairs made to municipal buildings and grounds. It is used to verify that repairs were made.

RETENTION - Retain for 3 years after completion of repairs, then destroy

8.504: EQUIPMENT MAINTENANCE AND REPAIR RECORDS

These are records of service repair and maintenance of municipal equipment, including office machines and furniture.

RETENTION - Retain for 2 years, then destroy

8.505: GASOLINE SALES TICKETS

These are logs, reports, or similar records documenting mileage and gasoline, oil, and diesel fuel used by the municipal vehicles. (Copies of credit card sales slips used to verify the purchase of gasoline.)

RETENTION - Retain for 2 years, then destroy

8.506: HYDRANT MAINTENANCE CARD FILES

These card files (or other similar discrete media) document the maintenance of fire hydrants. They are used to locate fire hydrants and to verify annual inspections which document they are functioning properly. They include location, notations and dates of annual inspections indicating

physical characteristics, operations, flow check, pressure and leakage.

RETENTION – Retain for 1 year after final action, then destroy

8.507: HYDRANT MAINTENANCE INVENTORIES

These inventories are regularly updated and reprinted to document the maintenance of fire hydrants. They are used to locate fire hydrants and to verify annual inspections which document they are functioning properly. They include location, notations and dates of annual inspections, indicating physical characteristics, operation, flow check, pressure, and leakage.

RETENTION – Retain for 2 years, then destroy

8.508: MILEAGE CERTIFICATES

These are certificates issued by the dealer/manufacturer certifying the mileage is accurate on each municipally purchased vehicle.

RETENTION - Retain for 3 years, then destroy

8.509: SPACE UTILIZATION REPORTS

These are reports on the amount of floor space in municipal buildings. They are used for planning purposes. The report includes number of rooms, square footage per room, and room capacity.

RETENTION - Retain until superseded or obsolete, then destroy

8.510: VEHICLE ASSIGNMENT RECORDS

These are assignment logs, reports, authorization, and similar records relating to the assignment and use of vehicles by municipal employees or officials.

RETENTION - Retain for 1 year, then destroy

8.511: VEHICLE MAINTENANCE RECORDS

These records document the inspection, repair and maintenance of government-owned vehicles. Information includes vehicle identification, usage, and related records. (Daily maintenance records on all municipal vehicles. They are used to provide a maintenance history and include work order number, dates, maintenance performed, mileage of vehicle, problem type, driver's name, and action taken.)

RETENTION - Retain 3 years after disposition of asset, then destroy

SCHEDULE 8 – PUBLIC WORKS DEPARTMENT

Section 5: Maintenance Records

8.512: WORK ORDER LOG

This is a log of all work orders. It is used for reference to verify that work was performed. Includes work order number, work order request, dates received and completed, record of trouble calls and work completed.

RETENTION - Retain for 3 years, then destroy

8.513: WORK ORDERS

These are authorization forms for repair or maintenance work on department vehicles, equipment, or municipally owned-facilities or structures. These files may also contain customer complaints concerning utility problems which require research and a resolution. They may include complaint results of investigation, meter sheets, and method of resolution. These files document complaints received and how they were responded to by the department (e.g., streets, sanitation, traffic signals). They include name and address of complainant, date received, description of problem, and action taken

RETENTION - Retain for 3 years or until resolution of any litigation, whichever occurs later, then destroy

Agenda Item No: 8.3

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Greg Stephens
Submitting Department: Legal
Item Type: Resolution
Agenda Section:

Subject:
RESOLUTION - Amending the City Council Meeting Policies and Procedures.

Suggested Action:
The City Attorney recommends that the City Council, by resolution, amend the City Council Meeting Policies and Procedures.

Presenter:

Background:
The City Council reviewed the City Council Meeting Policies and Procedures in a work session on September 8, 2020. The proposed resolution incorporates the amendments discussed by the City Council in the work session.

Potentially Affected Area:

Attachments:
cc meeting policies and procedures.2020.dr03b.resolution.docx

cc meeting policies and procedures.2020.dr03b.exhibit a.docx

cc meeting policies and procedures.2020.dr03b.rso.v.2009.pdf

DRAFT

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY COUNCIL MEETING POLICIES AND PROCEDURES.

WHEREAS, U.C.A. §10-3-606 requires city councils to adopt rules of order and procedure governing the conduct of city council meetings; and

WHEREAS, the Orem City Council periodically reviews its City Council Meeting Policies and Procedures to comply with State law and to consider amendments that help facilitate efficient and fair public meetings; and

WHEREAS, the Orem City Council reviewed the City Council Meeting Policies and Procedures in a work session on September 8, 2020 and desire to make the changes specified in this resolution.

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

1. The City Council hereby adopts the proposed amendments to the City Council Meeting Policies and Procedures that are attached hereto as Exhibit "A" and incorporated herein by reference.
2. All resolutions and policies in conflict herewith are hereby repealed.
3. This Resolution shall take effect immediately upon passage.

DRAFT

PASSED and APPROVED this **29th** day of **September**, 2020.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

Exhibit "A"
CITY COUNCIL MEETING
POLICIES AND PROCEDURES

1. PURPOSE

1.1 Meeting Policies and Procedures: These Meeting Policies and Procedures of the City Council of the City of Orem are intended for the government of the City Council, the preservation of order, and the orderly transaction of City Council business.

2. AUTHORITY

2.1 City Code: The City of Orem Code provides that the Council may determine its own procedure policies. These policies shall be in effect until such time as they are amended or new policies are adopted by the City Council. Portions of these policies may be temporarily suspended or amended pursuant to executive orders or emergency proclamations made during a declared emergency. In case of conflict between State law and these policies, State law shall prevail. Failure to follow these policies does not invalidate an otherwise valid City Council action.

3. GENERAL RULES

3.1 Public Meetings: All official meetings of the Council (except where State or local law allows for closed sessions) shall be open to the public.

3.2 Location: The location of all regular, special, emergency, and work session meetings, unless publicly noticed differently, shall be in the Council Chambers or the Council Conference Room in the Orem City Center, 56 North State Street, Orem, Utah.

3.3 Quorum: Four members of the Council shall constitute a quorum. A minimum of four votes shall be necessary to take any action, except where more votes are required by Section 7.2, or fewer votes are required pursuant to State law.

3.4 Recognition by the Mayor: All Council members, staff, and individuals from the general public shall be recognized by the Mayor before addressing the Council on any issue.

3.5 Minutes: The City Recorder shall prepare minutes of each City Council meeting and the City Council shall review and approve minutes of each City Council meeting as set forth in State law.

3.6. Meeting Agendas: The City Manager shall set a meeting agenda in advance of each City Council meeting. The following items shall be included in the meeting agenda:

A. Items requiring City Council review or approval pursuant to an application process set forth in City ordinance or State law.

B. Items brought forth by City staff and approved by the City Manager that require City Council review or approval.

C. Items requested by the concurrence of at least four Council members.

4. TYPES OF MEETINGS

4.1 Regular Meetings: The Council shall meet in accordance with the annual meeting schedule as approved or as amended.

4.2 Special Meetings: Special City Council meetings may be called with the consent of at least four members of the Council.

4.3 Emergency Meetings: Emergency Meetings may be called by the Mayor or by a request of at least four members of the Council to consider matters of an emergency or otherwise urgent nature. The best practicable public notice shall be given for an Emergency Meeting.

4.4 Closed Door Meetings: The Council may adjourn to a Closed Door Meeting to discuss topics provided for under State law. Adjournment to a Closed Door meeting requires a two-thirds vote of the Council members present.

4.5 Work Sessions: The Council may meet informally in Work Sessions (open to the public) to review and discuss upcoming agenda items, to review City programs, to receive progress reports on current programs or projects, and to discuss policy issues. No final vote may be taken in a Work Session, although the Council may give general direction to staff regarding items not requiring a vote or items that will be brought back later for a formal vote.

4.6 Retreats: The Council may meet informally in Retreats (open to the public) to discuss a variety of issues facing the City. While broad general direction may be given, no final vote may be taken in a Retreat.

4.7 Electronic Meetings: The City Council may conduct electronic meetings where one or more of its members participate by means of a telephonic or telecommunications conference pursuant to Section 52-4-207 of the Utah Code. If the Mayor determines in writing that meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location, all requirements related to anchor locations listed below shall be waived and the City Council may conduct an electronic meeting without an anchor location pursuant to State law and subsection 4.7(K).

A. Members so participating shall be considered present at the meeting for all purposes, and shall be afforded every opportunity to participate in the discussion of the items on the agenda and cast their vote on issues coming to the Council for a vote.

B. The anchor location as described in State law shall be the Orem City Council Chambers or the Council Conference room located in the City Center at 56 N. State Street in Orem.

C. Public notice of the electronic meeting shall be given pursuant to Section 52-4-207 of the Utah Code by:

1. Posting written notice at the anchor location;

2. Posting notice on the Utah Public Notice Website; and

3. Providing written or electronic notice to (a) at least one newspaper of general circulation within the state; or (b) a local media correspondent.

D. In addition to giving public notice as described above, the City shall provide notice of the electronic meeting to the members of the City Council at least 24 hours before the meeting so that they may participate in the meeting and be counted as present for all purposes, including the determination that a quorum is present. All notices to the City Council shall include a statement that one or more members of the City Council will be participating electronically, a description of how the member(s) so participating will be connected to the electronic meeting, and the regularly published agenda for that meeting.

E. No council meeting may be held electronically unless at least one Council member is present at the anchor location. The meeting shall be conducted from the anchor location by the mayor or the mayor pro tem. However, if neither the mayor nor the mayor pro tem is present at the anchor location, the Council shall select from its membership at the anchor location a mayor pro tem for the sole purpose of conducting the electronic meeting.

F. Immediately prior to opening the meeting, the mayor or mayor pro tem shall communicate with the person who is participating electronically and ensure that he or she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line shall be kept open, unless the council member participating electronically wishes to withdraw from the meeting.

G. If a council member who participates electronically withdraws from the meeting, the rest of the meeting agenda may be completed provided there is still a quorum of the council present at the anchor location or there are sufficient other council members participating electronically to comprise a quorum with those at the anchor location.

H. The public may attend and monitor the open portions of the meeting at the anchor location, and may participate in all public hearings to the same extent normally allowed.

I. Prior to taking a vote on any issue, the mayor or mayor pro tem shall inquire of the council member participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, and shall allow that member the opportunity to make any comments he or she desires.

J. The minutes of the meeting shall designate the name of each Council member who participated electronically, the nature of the electronic communication, and the duration of the council member's participation.

K. As provided in Utah Code Section 52-4-202 (as amended), the City Council may convene and conduct an electronic meeting without an anchor location if the Mayor (1) makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location; (2) states in the written determination the facts upon which the determination is based; (3) includes in the public notice for

the meeting, and reads at the beginning of the meeting, the information described in (1) and (2); and (4) includes in the public notice information on how a member of the public may view or make a comment at the meeting. For City Council meetings held without an anchor location, the City shall provide means by which the public may hear, or view and hear, the open portions of the meeting and shall provide a means by which members of the public may provide comments by electronic means to the public body.

5. ORDER OF BUSINESS

5.1 Work Session (Premeeting): The general rule for the order of business in work sessions (premeetings) shall be as follows:

A. DISCUSSION ITEMS, REPORTS and UPDATES – items scheduled for discussion or review by the City Council

B. AGENDA REVIEW and PREVIEW OF UPCOMING AGENDA ITEMS– the City Council will review items on that night's regular City Council agenda and items scheduled for future City Council meeting agendas.

C. CITY COUNCIL NEW BUSINESS

D. CITY COUNCIL REPORTS – opportunity for City Council members to report on assignments, raise issues or concerns, or provide information.

5.2 Regular and Special Meetings: The general rule for the order of business in regular and special meetings shall be as follows:

A. CALL TO ORDER - by the Mayor

B. INVOCATION/INSPIRATIONAL THOUGHT - as designated by the Mayor

C. PLEDGE OF ALLEGIANCE - as designated by Mayor

D. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL - May include any of the following:

1. Presentations and Commendations.
2. Appointments to Boards and Commissions.
3. Announcements.
4. Upcoming Community Events.
5. Upcoming Agenda Items.
6. Reports by Council members on assignments.
7. Recognition and Walter C. Orem Award.
8. Reports.
9. Proclamations.

Generally, these items do not require formal Council action. The exceptions are proclamations and appointments to boards and commissions. Appointments are

recommended by the Mayor with the advice and consent of the City Council. City proclamations are approved by the Council.

E. CITY MANAGER APPOINTMENTS - The City Manager appoints members of the Planning Commission, Board of Adjustment, and Board of Building and Fire Code Appeals with the advice and consent of the City Council.

F. PERSONAL APPEARANCES - Time is set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the agenda. Those wishing to speak should sign in before the beginning of the meeting. No formal action is taken on items brought up during personal appearances, but the Council may direct staff to follow-up on an item raised during personal appearances and/or schedule the item for formal action at a future City Council meeting. Individual comments during personal appearances should be limited to three minutes.

G. CONSENT ITEMS - Items that have been previously reviewed by the Council, items that have previously received a preliminary approval by the Council and other items that are fairly routine but require final approval by the Council.

H. SCHEDULED ITEMS - Items that the Council may wish to discuss or for which members of the public may wish to respond or for which a presentation would be made.

Scheduled items may include the following:

1. Formal Items - ordinances, resolutions, agreements and other obligations of the City that must be approved by at least four affirmative votes.

2. Discussion Items - Policy, procedural or other legislative or consensus building deliberations which do not include a formal action by the Council, but may include direction given to staff for future formal consideration.

3. Presentation Items - Informational presentations which do not require formal Council action but may include direction given to staff for future formal consideration.

4. Report Items - Final reports or updates of current programs by staff members or other representatives which do not require formal action by the Council.

I. COMMUNICATION ITEMS - Items received by the Mayor, any Councilmember, or the City Manager which are intended for the entire Council. Action or discussion on the communication item may take place if the Council desires.

J. CITY MANAGER INFORMATION ITEMS - 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.

K. ADJOURNMENT - A motion to adjourn requires a second and at least four affirmative votes.

5.3 Emergency Meetings: The general rule as to the order of business in emergency meetings shall be as follows:

A. Call to order - by the Mayor

B. Invocation/Inspirational Thought

C. Meeting Items

D. Adjournment

5.4 Work Sessions: In order to not interfere with regularly scheduled City Council meetings, work sessions will generally be held at specifically scheduled dates and times set by the City Council as it deems necessary. Work Sessions may be held as part of a regularly scheduled meeting when there is a short agenda and the work session may be held at the end of the agenda.

5.5 Retreats: Off-site retreats will be scheduled by the Council as it deems necessary.

6. PRESIDING OFFICER AND DUTIES

6.1 Mayor as the Presiding Officer: The Mayor, if present, shall act as Presiding Officer at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall elect a temporary Mayor Pro Tem who will then preside at that meeting.

6.2 Call to Order: Meetings of the Council shall be called to order by the Mayor or, in the Mayor's absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Manager for the election of a temporary Mayor Pro Tem.

6.3 Preservation of Order: The Mayor shall preserve order and decorum; prevent attacks on personalities or the impugning of member's motives; and confine debate to the question under discussion.

6.4 Points of Order: The Mayor shall determine all points of order.

6.5 Time Limits: The Mayor shall have the power to set time limits on input and discussions at the Mayor's discretion.

6.6 Substitution for Mayor: The Mayor may call upon the Mayor Pro Tem, or in the absence of the Mayor Pro Tem, upon any other member of the Council to temporarily preside at the meeting in order to cover the recusal or other temporary absence of the Mayor.

6.7 Motion to be Clear: The Mayor shall ensure that all motions submitted for a vote are clearly understood by the Council.

6.8 Call for Vote: The Mayor shall call for a vote. The vote shall be a roll call vote when required by State law or City ordinance. The Mayor shall announce the result of the vote.

7. TYPES OF MOTIONS AND RECONSIDERATION

7.1 Motions Require a Second: All motions require a second before they can be discussed or acted upon.

7.2 Motions Requiring a Two-thirds Vote: Motions to hire the City Manager or expel a member of the Council or the public shall require a motion, a second, and a two-thirds vote of the Council. A motion to adjourn to a closed-door meeting shall require a motion, a second, and a two-thirds vote of the Council members present.

7.3 Motion to Approve: All motions shall require a second and a minimum of four affirmative votes to be approved.

7.4 Motions to Amend: Any motion being considered by the Council may be amended by permission of the maker of the motion and concurrence of the second, or by a motion to amend, a second and at least four affirmative votes.

7.5 Motions to Continue: The Council may approve a motion to continue any item for further discussion or consideration. Public Hearings and Show Cause Hearings must be continued to a specific date and time and should not generally be continued beyond forty-five (45) days without resetting and renoticing the hearing.

When the applicant for an agenda item makes a request for continuance, the following policy will be used:

A. A request to continue the agenda item will be granted if the applicant makes the request at least seven (7) days in advance of the meeting in which the item was scheduled to be heard. The applicant has the responsibility to notify the affected property owners (those who are required by State law, City ordinance, or City noticing policy to be notified) of the continuance and the date and, if applicable, the time when the item is scheduled to be on the City Council agenda.

B. If the request is made less than seven (7) days in advance of the meeting in which the item was scheduled to be heard, the Mayor and the Mayor Pro Tem, or their designees, will determine whether or not there is a sufficient reason to continue the item.

1. If the Mayor and Mayor Pro Tem, or their designees, determine that there is not sufficient reason, the item will remain on the agenda and be considered by the City Council.

2. If the Mayor and Mayor Pro Tem, or their designees, determine that there is sufficient reason to continue the item to a future agenda, staff will notify the applicant of the decision. During the meeting for which the item was scheduled to be heard, the City Council, by motion, will select the date, and if applicable, the time to which the item is to be rescheduled.

The applicant shall have the responsibility to notify the affected residents (those who are required by City ordinance or policy to be notified) of the continuance and the date and, if applicable, the time when the item is scheduled to be on the City Council agenda.

C. If the applicant requests a continuation during the meeting for which the item is scheduled, the City Council will make the determination if there is sufficient reason to continue the item to a later date.

D. If the applicant requests a continuation and it is determined that there is not sufficient reason to continue the item, and the applicant withdraws the application in lieu of proceeding, the application will not be considered by the City Council until the applicant files a new application and pays the required fees. The new application must follow the same process as any new application.

7.6 Motions to Table: The Council may table an issue, without scheduling it for future consideration, with a motion, second and four affirmative votes.

7.7 Motions which do not receive at least four votes on either side: Motions which do not receive at least four votes for or against the proposition being voted upon are not approved and have the effect of being denied. However, the applicant or any council member may request that the item be brought back to the Council at a subsequent meeting to be decided by sufficient members to get four votes one way or the other. The subsequent action is not considered a reconsideration.

7.8 Motions to Reconsider a Decision: Any two Council members who voted in the majority on a motion approved or denied may request a reconsideration of the action.

The request must be made by making a motion to reconsider at the same meeting in which the original motion was approved or denied or by requesting within seven days of that meeting that there be a motion to reconsider heard at the next regularly scheduled council meeting. If a properly made motion to reconsider passes, the actual reconsideration of the item shall take place only after appropriate legal notice is given.

After a motion for reconsideration has been acted on, no other motion for reconsideration on that issue shall be allowed within a twelve (12) month period without unanimous consent of the entire Council. Following the twelve (12) months, the item may be considered as a new item.

7.9 Question on the Motion: After a motion and a second, any member of the Council may call for a question on the motion. Once a question has been called, the Mayor shall call for a vote to determine if the Council wishes to terminate discussion on the item. Unless at least four (4) members of the Council vote to terminate discussion, discussion will continue until another "Question on the Motion" or until the Council is ready to vote. If at least four (4) members of the Council vote to terminate discussion, the Council shall then vote on the original motion. The Mayor shall make sure that the original motion is clear before calling for a vote on the motion.

8. ORDINANCES, RESOLUTIONS, and AGREEMENTS

8.1 Ordinances: The City Council may pass a law to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition as allowed by State law. Ordinances are generally passed as part of the City Code.

8.2 Resolutions: The Council may express a formal opinion or the will of the Council without it becoming a part of the City Code. A resolution may be used to do any of the following:

A. Adopt official policies.

B. Approve requests or grant permits relating to the development of property.

C. Take official action relating to financial matters.

D. Take any administrative action which the Council is authorized by law to take.

E. Regulate the use and operation of municipal property.

F. Make an official declaration.

8.3 Agreements: The Council may enter into an agreement between the City and one or more parties agreeing to do or not to do an act or take a course of action.

8.4 Form: Ordinances, Resolutions, and Agreements shall be in written form, approved by the City Attorney.

8.5 Funding: All Ordinances, Resolutions, and Agreements authorizing an expenditure of money shall include the amount and purpose of the expenditure.

8.6 Adoption of Ordinance, Resolution, or Agreement: The City Council shall adopt any Ordinance, Resolution, or Agreement by a motion, second and at least four affirmative votes.

The effective date of all Ordinances shall be after publication or posting as required by State law. The effective date of Resolutions shall be immediately upon passage unless the City Council establishes a specific effective date.

The effective date on all Agreements shall be the date specified in the Agreement, unless another effective date is established by the City Council at the time the City Council approves the Agreement.

9. CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS

9.1 Citizen Committees, Boards and Commissions: The City Council may create policy advisory committees, boards, and commissions with such duties as the Council may specify which are not inconsistent with the City Code and law.

9.2 Member Approval: The members of the policy advisory committees, boards, and commissions are nominated by the Mayor, or, in limited instances, by the City Manager, and then approved by the City Council.

9.3 Ad-hoc Citizen Committees: The Mayor, with the advice and consent of the City Council, may appoint Ad-hoc Citizen Committees to address policy issues of specific concern. Ad-hoc Committees shall continue for a temporary and limited duration.

10. PUBLIC HEARINGS

10.1 Purpose of Public Hearings: The purpose of public hearings is to provide for public input to the City Council on issues on a specific day and time in order for the City Council to be better informed prior to making a decision on the issue.

10.2 Before the Public Hearing:

A. Notification should be given in compliance with State and local law.

B. Written material submitted by citizens and interested groups must be submitted by 12:00 Noon of the Thursday before the hearing if they want copies to be distributed in the agenda packets. Citizens and interested groups may distribute copies of materials to the City Council at any time.

10.3 Order of Public Hearings:

A. The Mayor shall conduct all Public Hearings. The Mayor should review the rules and procedures for conducting public hearings at the start of the public hearing.

B. The public hearing shall first be opened to the appropriate staff member who will present and discuss with the Council the issue at hand.

C. Upon completion of the staff member's report, and questions from the Council, the Mayor may request the applicant to discuss with the Council the issue at hand and present additional or more specific information.

D. Following the applicant's presentation, and any questions from the Council, the Mayor shall open the hearing to the public. Any person desiring to address the Council shall first be recognized by the Mayor.

E. The Mayor should courteously limit repetition. The Mayor should retain flexibility for additional comments but only on new information.

F. Under the discretion and the authority of the Mayor, the public hearing shall be closed. No further remarks by the public will be heard unless approved by the Mayor or by vote of 2/3 of the Council members present at the meeting.

G. The Council may continue a public hearing or close the public hearing and continue Council consideration to another specific date and time. A public hearing should not generally be continued for longer than forty-five (45) days without renoticing and reconvening the hearing.

H. Upon completion of the public hearing and of any further discussion and/or deliberation of the Council, the Council shall take appropriate action on the issue.

10.4 Manner of Addressing the Council: Persons addressing the Council shall use the microphone and shall state their names in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person shall be permitted to enter into any discussion, either directly or through the members of the Council unless first recognized by the Mayor. No questions will be asked the Council members except through the Mayor.

10.5 Questions from Council members: The Council members may at any time during a public hearing request clarification or additional input from the staff members, applicants, or the general public.

11. RULES OF CONDUCT

11.1 Disorderly Citizens: Any person, including staff, making personal, impertinent, or slanderous remarks, or who shall become boisterous, while addressing the Council may be considered disorderly by the Council and may be expelled by a two-thirds vote of the Council.

11.2 Disorderly Council Members: The Council, on a two-thirds vote, may expel any member of the Council for disorderly conduct.

CITY OF OREM

CITY COUNCIL MEETING

POLICIES AND PROCEDURES

ADOPTED	APRIL 5, 1988	RESOLUTION # 1600-88
AMENDED	MAY 9, 1989	RESOLUTION # 1846-89
AMENDED	AUGUST 14, 1990	RESOLUTION # 2101-90
AMENDED	JUNE 18, 1991	RESOLUTION # 2208-91
AMENDED	FEBRUARY 8, 1994	RESOLUTION #R-1994-0006
AMENDED	MARCH 7, 2000	RESOLUTION #R-2000-0010
AMENDED	SEPTEMBER 5, 2000	RESOLUTION #R-2000-0057
AMENDED	DECEMBER 2, 2003	RESOLUTION #R-2003-0038
AMENDED	JUNE 9, 2009	RESOLUTION #R-2009-0016

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CITY COUNCIL MEETING
POLICIES AND PROCEDURES

1. PURPOSE

1.1 Meeting Policies and Procedures: These Meeting Policies and Procedures of the City Council of the City of Orem are intended for the government of the City Council, the preservation of order, and the orderly transaction of City Council business.

2. AUTHORITY

2.1 City Code: The City of Orem Code provides that the Council may determine its own procedure policies. These policies shall be in effect until such time as they are amended or new policies are adopted by the City Council. Portions of these policies may be temporarily suspended or amended pursuant to executive orders or emergency proclamations made during a declared emergency. In case of conflict between State law and these policies, State law shall prevail. Failure to follow these policies does not invalidate an otherwise valid City Council action.

3. GENERAL RULES

3.1 Public Meetings: All official meetings of the Council (except where State or local law allows for closed sessions) shall be open to the public.

3.2 Location: The location of all regular, special, emergency, and work session meetings, unless publicly noticed differently, shall be in the Council Chambers or the Council Conference Room in the Orem City Center, 56 North State Street, Orem, Utah.

3.3 Quorum: Four members of the Council shall constitute a quorum. A minimum of four votes shall be necessary to take any action, except where more votes are required by Section 7.2, or fewer votes are required pursuant to State law.

3.4 Recognition by the Mayor: All Council members, staff, and individuals from the general public shall be recognized by the Mayor before addressing the Council on any issue.

3.5 Minutes: The City Recorder shall prepare ~~draft~~minutes of each City Council meeting and the City Council shall review and approve minutes of each City Council meeting as ~~soon as is practical, and minutes~~set forth in State law.

3.6. Meeting Agendas: The City Manager shall set a meeting agenda in advance of each City Council meeting. The following items shall be ~~brought to the Council for approval within forty-five (45) days after~~included in the meeting. ~~Once~~ agenda:

A. Items requiring City Council review or approval pursuant to an application process set forth in City ordinance or State law.

B. Items brought forth by City staff and approved by the ~~written minutes are in a form ready to be presented to the Council, they are considered a public record per State law. Written minutes~~City Manager that ~~are made available to the public before~~require City Council review or approval ~~by the City Council shall be clearly identified as "awaiting formal approval".~~.

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C. Items requested by the concurrence of at least four Council members.

4. TYPES OF MEETINGS

4.1 Regular Meetings: The Council shall meet in accordance with the annual meeting schedule as approved or as amended.

4.2 Special Meetings: Special City Council meetings may be called with the consent of at least four members of the Council.

4.3 Emergency Meetings: Emergency Meetings may be called by the Mayor or by a request of at least four members of the Council to consider matters of an emergency or otherwise urgent nature. The best practicable public notice shall be given for an Emergency Meeting.

4.4 Closed Door Meetings: The Council may adjourn to a Closed Door Meeting to discuss topics provided for under State law. Adjournment to a Closed Door meeting requires a two-thirds vote of the Council members present.

4.5 Work Sessions: The Council may meet informally in Work Sessions (open to the public) to review and discuss upcoming agenda items, to review City programs ~~of the City~~, to receive progress reports on current programs or projects, and to discuss policy issues. No final vote may be taken in a Work Session, although the Council may give general direction to staff regarding items not requiring a vote or items that will be brought back later for a formal vote.

4.6 Retreats: The Council may meet informally in Retreats (open to the public) to discuss a variety of issues facing the City. While broad general direction may be given, no final vote may be taken in a Retreat.

4.7 Electronic Meetings: The City Council may conduct electronic meetings where one or more of its members participate by means of a telephonic or telecommunications conference pursuant to Section 52-4-~~7.8 of the Utah Code.~~207 of the Utah Code. If the Mayor determines in writing that meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location, all requirements related to anchor locations listed below shall be waived and the City Council may conduct an electronic meeting without an anchor location pursuant to State law and subsection 4.7(K).

A. Members so participating shall be considered present at the meeting for all purposes, and shall be afforded every opportunity to participate in the discussion of the items on the agenda and cast their vote on issues coming to the Council for a vote.

B. The anchor location as described in State law shall be the Orem City Council Chambers or the Council Conference room located in the City Center at 56 N. State Street in Orem.

C. Public notice of the electronic meeting shall be given pursuant to Section 52-4-~~6~~207 of the Utah Code by:

1. Posting written notice at the anchor location;

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~~1.~~2. Posting notice on the Utah Public Notice Website; and

~~2~~3. Providing written or electronic notice to (a) at least one newspaper of general circulation within the state; ~~and~~or (b) a local media correspondent.

D. In addition to giving public notice as described above, the City shall provide notice of the electronic meeting to the members of the City Council at least 24 hours before the meeting so that they may participate in the meeting and be counted as present for all purposes, including the determination that a quorum is present. All notices to the City Council shall include a statement that one or more members of the City Council will be participating electronically, a description of how the member(s) so participating will be connected to the electronic meeting, and the regularly published agenda for that meeting.

E. No council meeting may be held electronically unless at least one Council member is present at the anchor location. The meeting shall be conducted from the anchor location by the mayor or the mayor pro tem. However, if neither the mayor nor the mayor pro tem is present at the anchor location, the Council shall select from its membership at the anchor location a mayor pro tem for the sole purpose of conducting the electronic meeting.

F. Immediately prior to opening the meeting, the mayor or mayor pro tem shall communicate with the person who is participating electronically and ~~insure~~ensure that he or she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line shall be kept open, unless the council member participating electronically wishes to withdraw from the meeting.

G. If a council member who participates electronically withdraws from the meeting, the rest of the meeting agenda may be completed provided there is still a quorum of the council present at the anchor location or there are sufficient other council members participating electronically to comprise a quorum with those at the anchor location.

H. The public may attend and monitor the open portions of the meeting at the anchor location, and may participate in all public hearings to the same extent normally allowed.

I. Prior to taking a vote on any issue, the mayor or mayor pro tem shall inquire of the council member participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, and shall allow that member the opportunity to make any comments he or she desires.

J. The minutes of the meeting shall designate the name of each Council member who participated electronically, the nature of the electronic communication, and the duration of the council member's participation.

K. As provided in Utah Code Section 52-4-202 (as amended), the City Council may convene and conduct an electronic meeting without an anchor location if the Mayor (1) makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who

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may be present at the anchor location; (2) states in the written determination the facts upon which the determination is based; (3) includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in (1) and (2); and (4) includes in the public notice information on how a member of the public may view or make a comment at the meeting. For City Council meetings held without an anchor location, the City shall provide means by which the public may hear, or view and hear, the open portions of the meeting and shall provide a means by which members of the public may provide comments by electronic means to the public body.

5. ORDER OF BUSINESS

~~**5. ORDER OF BUSINESS**~~

5.1 ~~Study~~Work Session (Premeeting): The general rule ~~as~~for the order of business in ~~study~~work sessions (premeetings) shall be as follows:

A. DISCUSSION ITEMS, REPORTS and UPDATES – items scheduled for discussion or review by the City Council

~~A.~~B. AGENDA REVIEW and PREVIEW OF UPCOMING AGENDA ITEMS– the City Council will review items on ~~the~~ that night's regular City Council agenda and items scheduled for future City Council meeting agendas.

~~B.~~C. CITY COUNCIL ~~– New Business~~NEW BUSINESS

~~C.~~D. ~~Any special reports or presentations~~CITY COUNCIL REPORTS – opportunity for City Council members to report on assignments, raise issues or concerns, or provide information.

5.2 Regular and Special Meetings: The general rule ~~as to~~for the order of business in regular and special meetings shall be as follows:

A. CALL TO ORDER - by the Mayor

B. INVOCATION/INSPIRATIONAL THOUGHT - as designated by the Mayor

C. PLEDGE OF ALLEGIANCE - as designated by Mayor

~~D. APPROVAL OF MINUTES - of preceding meeting(s).~~

~~E~~D. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL - May include any of the following:

1. Presentations and Commendations.
2. Appointments to Boards and Commissions.
3. Announcements.
4. Upcoming Community Events.
5. Upcoming Agenda Items.
6. Reports by Council members on assignments.
7. Recognition and Walter C. Orem Award.

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8. Reports.

9. Proclamations.

Generally, these items do not require formal Council action. The exceptions are proclamations and appointments to boards and commissions. Appointments are recommended by the Mayor with the advice and consent of the City Council. ~~Proclamations~~City proclamations are approved by the Council.

~~F~~E. CITY MANAGER APPOINTMENTS - The City Manager appoints members of the Planning Commission, Board of Adjustment, and Board of Building and Fire Code Appeals with the advice and consent of the City Council.

~~G~~F. PERSONAL APPEARANCES - Time is set aside for the public to express their ideas, concerns, and comments on items not ~~on the agenda.~~scheduled as public hearings on the agenda. Those wishing to speak should sign in before the beginning of the meeting. No formal action is taken on items brought up during personal appearances, but the Council may direct staff to follow-up on ~~items~~an item raised during personal appearances and/or schedule ~~them with necessary public notice~~the item for formal action at a future ~~meetings. Comments~~City Council meeting. Individual comments during personal appearances should be limited to three minutes.

~~H~~G. CONSENT ITEMS - Items that have been previously reviewed by the Council, items that have previously received a preliminary approval by the Council and other items that are fairly routine but require final approval by the Council.

~~I~~H. SCHEDULED ITEMS - Items that the Council may wish to discuss or for which members of the public may wish to respond or for which a presentation would be made.

Scheduled items may include the following:

1. Formal Items - ordinances, resolutions, agreements and other obligations of the City that must be approved by at least four affirmative votes.

2. Discussion Items - Policy, procedural or other legislative or consensus building deliberations which do not include a formal action by the Council, but may include direction given to staff for future formal consideration.

3. Presentation Items - Informational presentations which do not require formal Council action but may include direction given to staff for future formal consideration.

4. Report Items - Final reports or updates of current programs by staff members or other representatives which do not require formal action by the Council.

~~J~~I. COMMUNICATION ITEMS - Items received by the Mayor, any Councilmember, or the City Manager which are intended for the entire Council. Action or discussion on the communication item may take place if the Council desires.

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~~K~~J. CITY MANAGER INFORMATION ITEMS - 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.

~~L~~K. ADJOURNMENT - A motion to adjourn requires a second and at least four affirmative votes.

5.3 Emergency Meetings: The general rule as to the order of business in emergency meetings shall be as follows:

A. Call to order - by the Mayor

B. Invocation/Inspirational Thought

C. Meeting Items

D. Adjournment

5.4 Work Sessions: In order to not interfere with regularly scheduled City Council meetings, work sessions will generally be held at specifically scheduled dates and times set by the City Council as it deems necessary. Work Sessions may be held as part of a regularly scheduled meeting when there is a short agenda and the work session may be held at the end of the agenda.

5.5 Retreats: Off-site retreats will be scheduled by the Council as it deems necessary.

6. PRESIDING OFFICER AND DUTIES

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6.7 Motion to be Clear: The Mayor shall ensure that all motions submitted for a vote are clearly understood by the Council.

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B. If the request is made less than seven (7) days in advance of the meeting in which the item was scheduled to be heard, the Mayor and the Mayor Pro Tem, or their designees, will determine whether or not there is a sufficient reason to continue the item.

1. If the Mayor and Mayor Pro Tem, or their designees, determine that there is not sufficient reason, the item will remain on the agenda and be considered by the City Council.

2. If the Mayor and Mayor Pro Tem, or their designees, determine that there is sufficient reason to continue the item to a future agenda, staff will notify the applicant of the decision. During the meeting for which the item was scheduled to be heard, the City Council, by motion, will select the date, and if applicable, the time to which the item is to be rescheduled.

The applicant shall have the responsibility to notify the affected residents (those who are required by City ordinance or policy to be notified) of the continuance and

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the date and, if applicable, the time when the item is scheduled to be on the City Council agenda.

C. If the applicant requests a continuation during the meeting for which the item is scheduled, the City Council will make the determination if there is sufficient reason to continue the item to a later date.

D. If the applicant requests a continuation and it is determined that there is not sufficient reason to continue the item, and the applicant withdraws the application in lieu of proceeding, the application will not be considered by the City Council until the applicant files a new application and pays the required fees. The new application must follow the same process as any new application.

7.6 Motions to Table: The Council may table an issue, without scheduling it for future consideration, with a motion, second and four affirmative votes.

7.7 Motions which do not receive at least four votes on either side: Motions which do not receive at least four votes for or against the proposition being voted upon are not approved and have the effect of being denied. However, the applicant or any council member may request that the item be brought back to the Council at a subsequent meeting to be decided by sufficient members to get four votes one way or the other. The subsequent action is not considered a reconsideration.

7.8 Motions to Reconsider a Decision: Any two Council members who voted in the majority on a motion approved or denied may request a reconsideration of the action.

The request must be made by making a motion to reconsider at the same meeting in which the original motion was approved or denied or by requesting within seven days of that meeting that there be a motion to reconsider heard at the next regularly scheduled council meeting. If a properly made motion to reconsider passes, the actual reconsideration of the item shall take place only after appropriate legal notice is given.

After a motion for reconsideration has been acted on, no other motion for reconsideration on that issue shall be allowed within a twelve (12) month period without unanimous consent of the entire Council. Following the twelve (12) months, the item may be considered as a new item.

7.9 Question on the Motion: After a motion and a second, any member of the Council may call for a question on the motion. Once a question has been called, the Mayor shall call for a vote to determine if the Council wishes to terminate discussion on the item. Unless at least four (4) members of the Council vote to terminate discussion, discussion will continue until another "Question on the Motion" or until the Council is ready to vote. If at least four (4) members of the Council vote to terminate discussion, the Council shall then vote on the original motion. The Mayor shall make sure that the original motion is clear before calling for a vote on the motion.

8. ORDINANCES, RESOLUTIONS, and AGREEMENTS

8.1 Ordinances: The City Council may pass a law to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition as allowed by State law. Ordinances are generally passed as part of the City Code.

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8.2 Resolutions: The Council may express a formal opinion or the will of the Council without it becoming a part of the City Code. A resolution may be used to do any of the following:

A. Adopt official policies.

B. Approve requests or grant permits relating to the development of property.

C. Take official action relating to financial matters.

D. Take any administrative action which the Council is authorized by law to take.

E. Regulate the use and operation of municipal property.

F. Make an official declaration.

8.3 Agreements: The Council may enter into an agreement between the City and one or more parties agreeing to do or not to do an act or take a course of action.

8.4 Form: Ordinances, Resolutions, and Agreements shall be in written form, approved by the City Attorney.

8.5 Funding: All Ordinances, Resolutions, and Agreements authorizing an expenditure of money shall include the amount~~, source,~~ and purpose of the expenditure.

8.6 Adoption of Ordinance, Resolution, or Agreement: The City Council shall adopt any Ordinance, Resolution, or Agreement by a motion, second and at least four affirmative votes.

The effective date ~~on~~of all Ordinances ~~and~~shall be after publication or posting as required by State law. The effective date of Resolutions shall be immediately upon passage~~,~~ unless the City Council establishes a specific effective date~~; or, in the case of Ordinances, upon publication~~.

The effective date on all Agreements shall be the date ~~of execution by~~specified in the ~~Mayor~~Agreement, unless another effective date is established by the City Council at the time the City Council approves the Agreement.

9. CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS

9.1 Citizen Committees, Boards and Commissions: The City Council may create policy advisory committees, boards, and commissions with such duties as the Council may specify which are not inconsistent with the City Code and law.

9.2 Member Approval: The members of the policy advisory committees, boards, and commissions are nominated by the Mayor, or, in limited instances, by the City Manager, and then approved by the City Council.

9.3 Ad-hoc Citizen Committees: The Mayor, with the advice and consent of the City Council, may appoint Ad-hoc Citizen Committees to address policy issues of specific concern. Ad-hoc Committees shall continue for a temporary and limited duration.

10. PUBLIC HEARINGS

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10.1 Purpose of Public Hearings: The purpose of public hearings is to provide for public input to the City Council on issues on a specific day and time in order for the City Council to be better informed prior to making a decision on the issue.

10.2 Before the Public Hearing:

A. Notification should be given in compliance with State and local law.

~~B. The notice should include a prominent description of the public hearing rules and procedures.~~

~~C~~B. Written material submitted by citizens and interested groups must be submitted by 12:00 Noon of the Thursday before the hearing if they want copies to be distributed in the agenda packets. Citizens and interested groups may distribute copies of materials to the City Council at any time.

10.3 Order of Public Hearings:

A. The Mayor shall conduct all Public Hearings. The Mayor should review the rules and procedures for conducting public hearings at the start of the public hearing.

B. The public hearing shall first be opened to the appropriate staff member who will present and discuss with the Council the issue at hand.

C. Upon completion of the staff member's report, and questions from the Council, the Mayor may request the applicant to discuss with the Council the issue at hand and present additional or more specific information.

D. Following the applicant's presentation, and any questions from the Council, the Mayor shall open the hearing to the public. Any person desiring to address the Council shall first be recognized by the Mayor. ~~The Mayor shall try to provide equal time to those favoring and opposing the issue.~~

E. The Mayor should courteously limit repetition. The Mayor should retain flexibility for additional comments but only on new information.

F. Under the discretion and the authority of the Mayor, the public hearing shall be closed. No further remarks by the public will be heard unless approved~~,~~ by ~~motion,~~the Mayor or by vote of 2/3 of the Council members present at the meeting.

G. The Council may continue a public hearing or close the public hearing and continue Council consideration to another specific date and time. A public hearing should not generally be continued for longer than forty-five (45) days without renoticing and reconvening the hearing.

H. Upon completion of the public hearing and of any further discussion and/or deliberation of the Council, the Council shall take appropriate action on the issue.

10.4 Manner of Addressing the Council: Persons addressing the Council shall use the microphone and shall state their names in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person shall be permitted to enter into any discussion, either directly or through

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the members of the Council unless first recognized by the Mayor. No questions will be asked the Council members except through the Mayor.

10.5 Questions from Council members: The Council members may at any time during a public hearing request clarification or additional input from the staff members, applicants, or the general public.

11. RULES OF CONDUCT

11.1 Disorderly Citizens: Any person, including staff, making personal, impertinent, or slanderous remarks, or who shall become boisterous, while addressing the Council may be considered disorderly by the Council and may be expelled by a two-thirds vote of the Council.

11.2 Disorderly Council Members: The Council, on a two-thirds vote, may expel any member of the Council for disorderly conduct.

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Agenda Item No: 9.1

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Jake Harding
Submitting Department: Development Services
Item Type: Zoning Map Amendment
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – The applicant requests the City amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone)

Suggested Action:
The Planning Commission recommends the City Council, by ordinance, amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone).

Presenter:
Jason Bench

Background:

Potentially Affected Area:
Suncrest

Attachments:
Agenda-Rezone-505W400N.docx

Map.pdf

Vicinity Map_IHC.pdf

Proposed Rezone Maps.pdf

DRC Application and Written Description - Orem Community Hospital - 5.28.2020.pdf

Neighborhood Meeting Minutes.pdf

Mailer Front.pdf

Mailer Back.pdf

Mailing Labels.docx

Hospital Rezone_Planning Commission Minutes 9.2.20.docx

Resolution-Rezone-IHC.docx

CITY OF OREM

CITY COUNCIL MEETING

SEPTEMBER 29, 2020

REQUEST:	**ORDINANCE**–Amending the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amending Section 22-5-3(A) of the Orem City Code and the zoning map of the City of Orem by rezoning approximately 23 acres located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezoning approximately 0.79 acres to the HO (Hospital Overlay zone).
APPLICANT:	IHC Health Services
FISCAL IMPACT:	None

NOTICES:
- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
-Mailed **265** notices within **500** feet of the properties.
- Posted at utah.gov/pmn

SITE INFORMATION:
General Plan Designation: **LDR**
Current Zone: R8
Acreage: **23.75**
Neighborhood: **Suncrest**

PLANNING COMMISSION RECOMMENDATION
Vote: 7-0 for approval

PREPARED BY:
Jake Harding
Associate Planner

REQUEST:
The applicant requests the City Council amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) of the Orem City Code and the zoning map of the City of Orem by rezoning approximately 23 acres of property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezoning approximately 0.79 acres to the HO (Hospital Overlay zone).

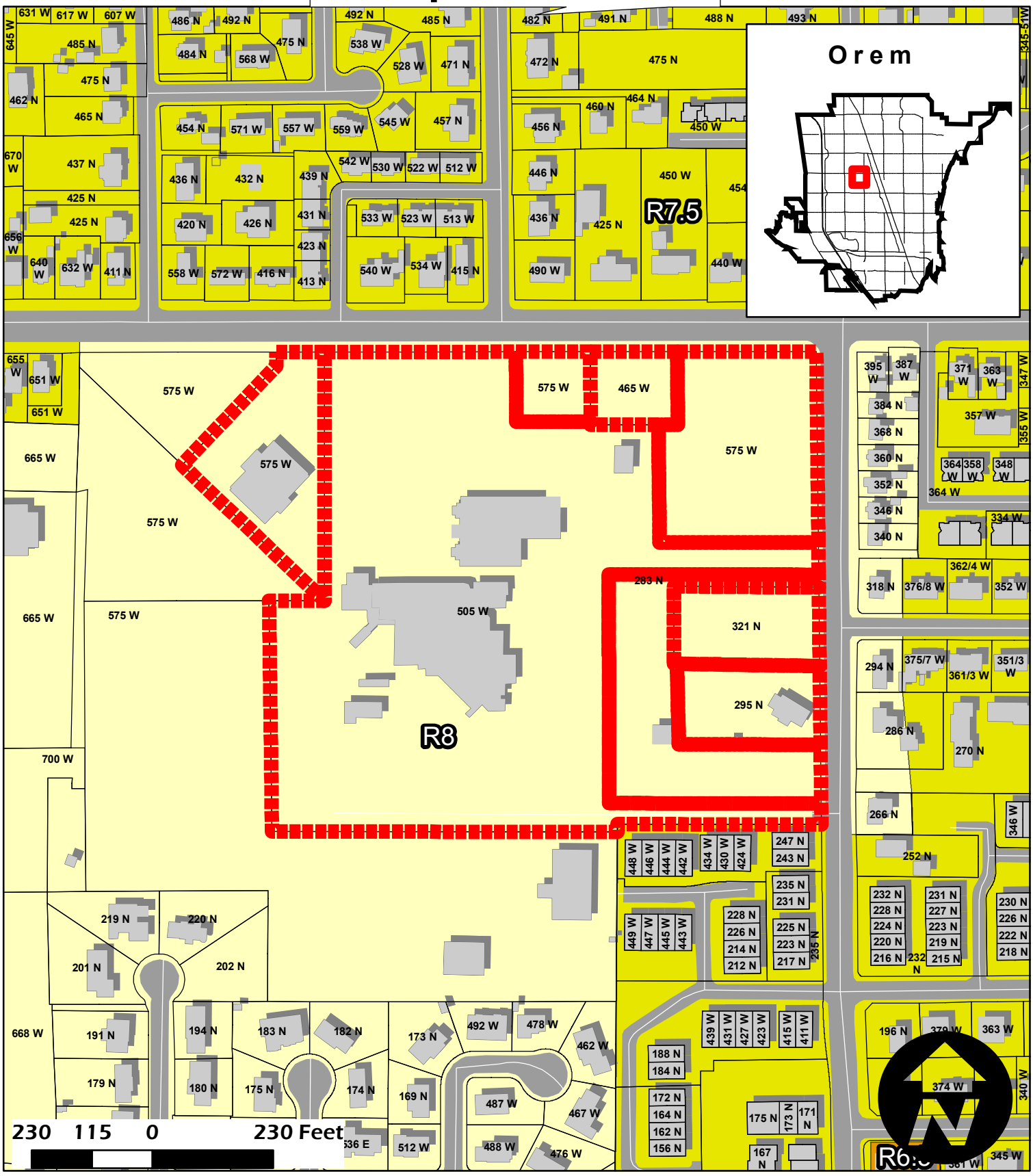
BACKGROUND:
The applicant proposes to amend the general plan land use designation and to change the zoning on the subject property as described above in order to make the classifications of its property more consistent with the classifications of the surrounding property (which is largely in the R7.5 zone). One property that the applicant owns was previously excluded from the hospital overlay because the hospital did not own it at the time. That property is proposed to be included in the Hospital Overlay Zone as part of this rezone request.

The applicant has no plans to change the existing hospital site now or in the future. A neighborhood meeting was held on August 10, 2020. The minutes of that meeting are part of the agenda summary for the Council's review.

The Planning Commission discussion centered around how the nature of this request is a minor change and that the zone would remain as a detached single-family zone with the potential for slightly smaller lots.

RECOMMENDATION:
The Planning Commission recommends the City Council, by ordinance, amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning approximately 23 acres of property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezoning approximately 0.79 acres to the HO (Hospital Overlay zone).

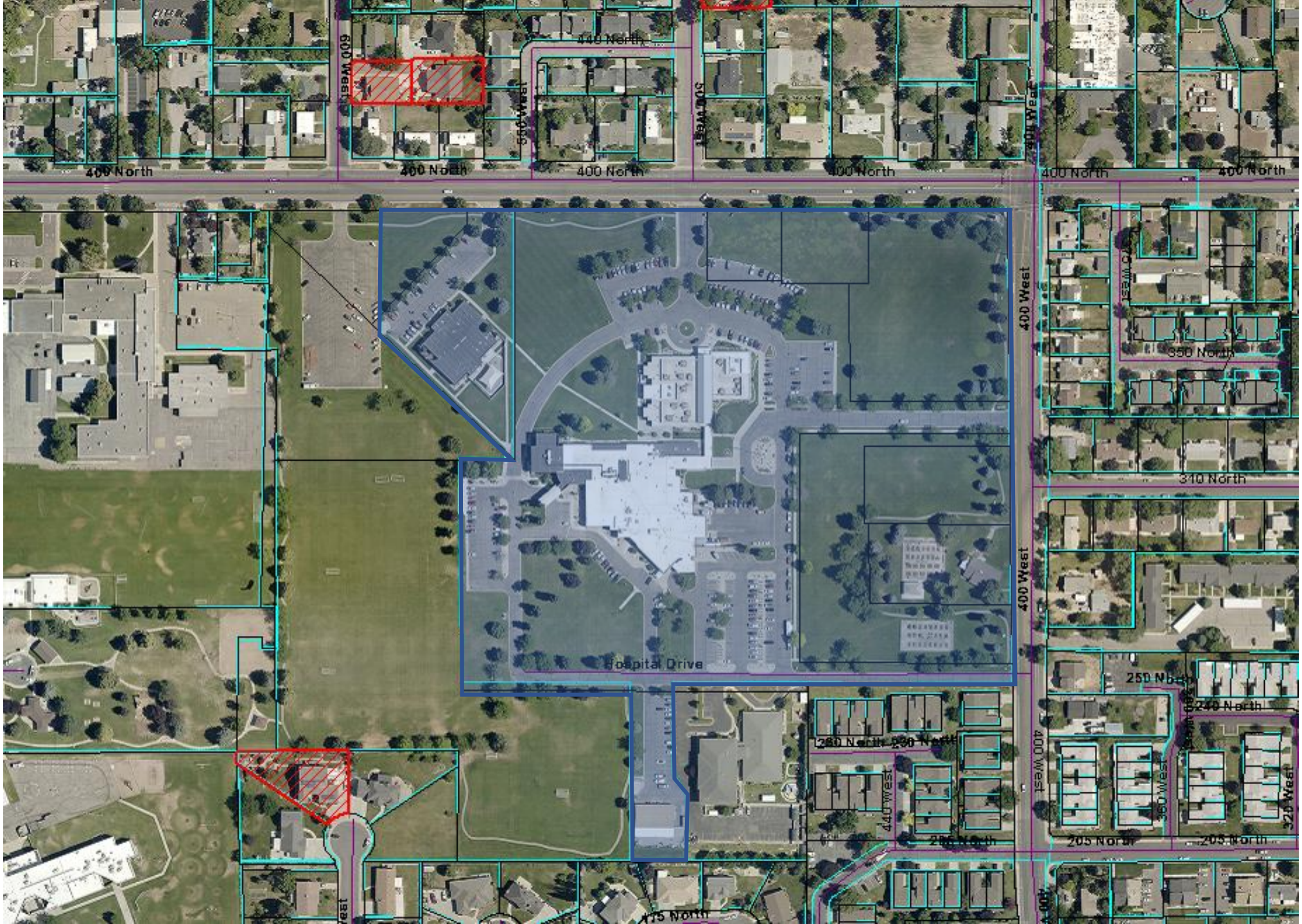
Hospital Rezone



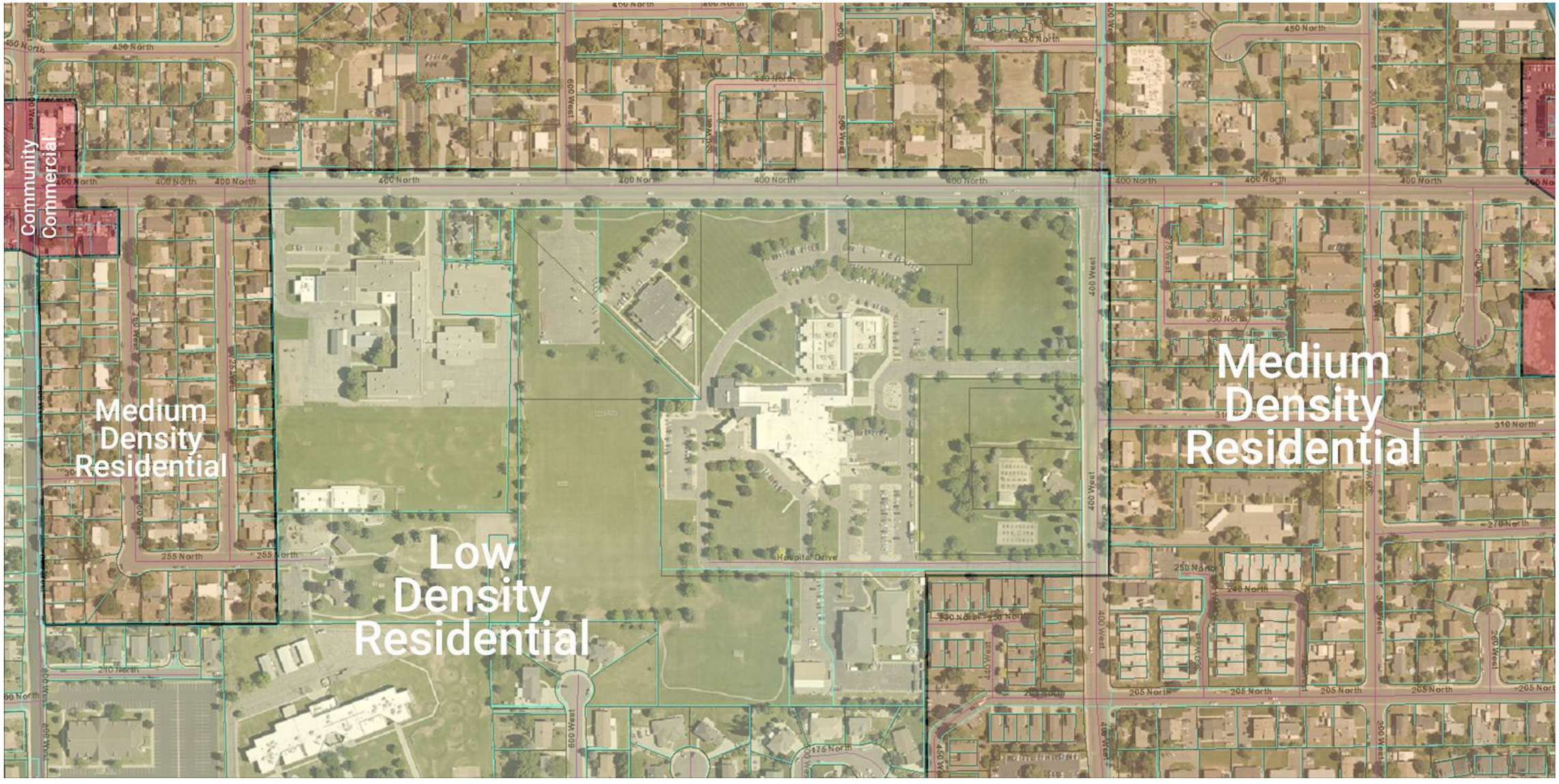
Hospital Rezone
Proposed R7.5 zone
21.19 acres

NEIGHBORHOOD
Suncrest

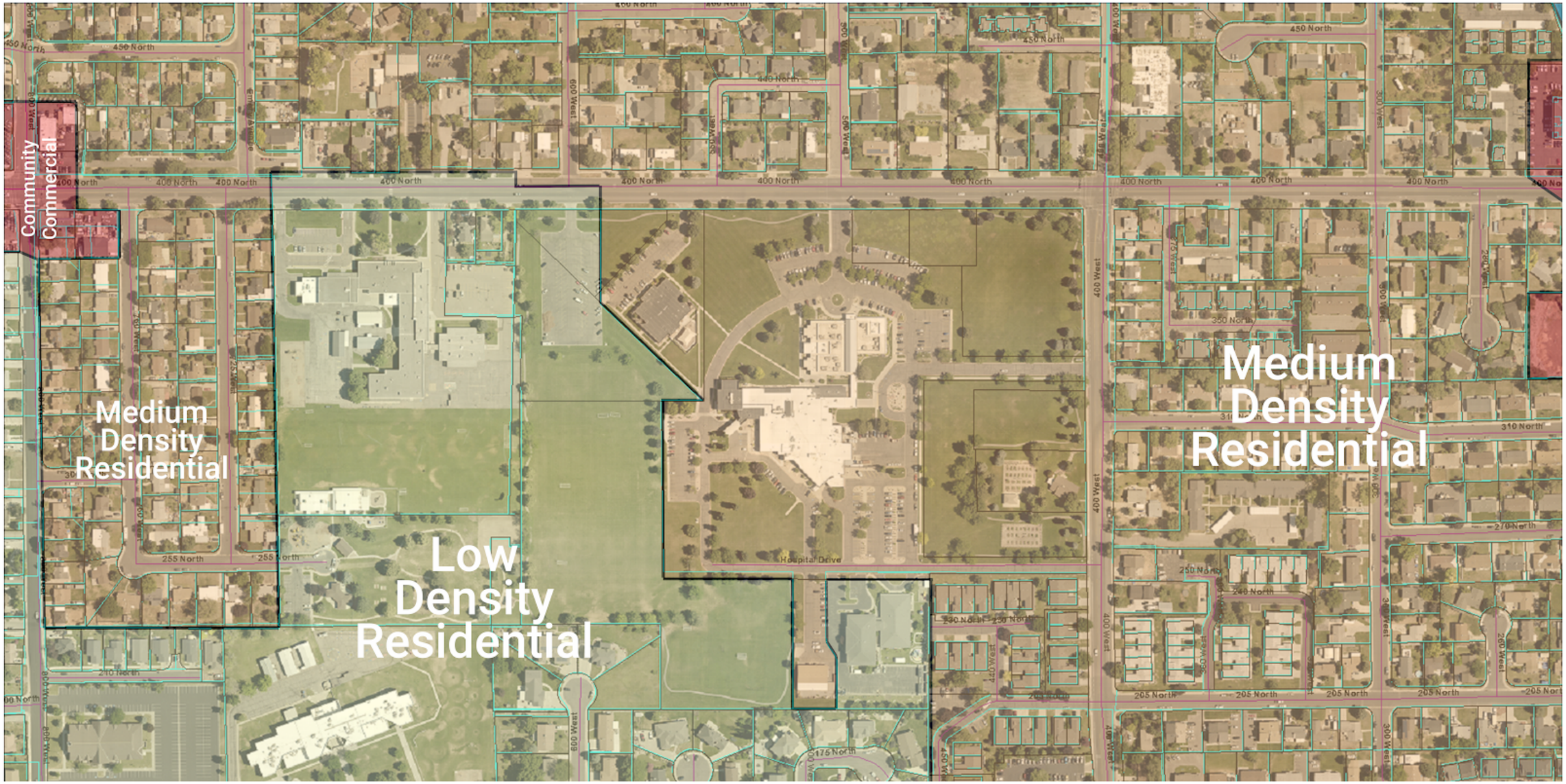
Legend
Hospital
Parcels
Buildings


400 North
600 West
500 West
400 West
350 North
310 North
Hospital Drive
250 North
240 North
205 North
440 West
360 West
325 West

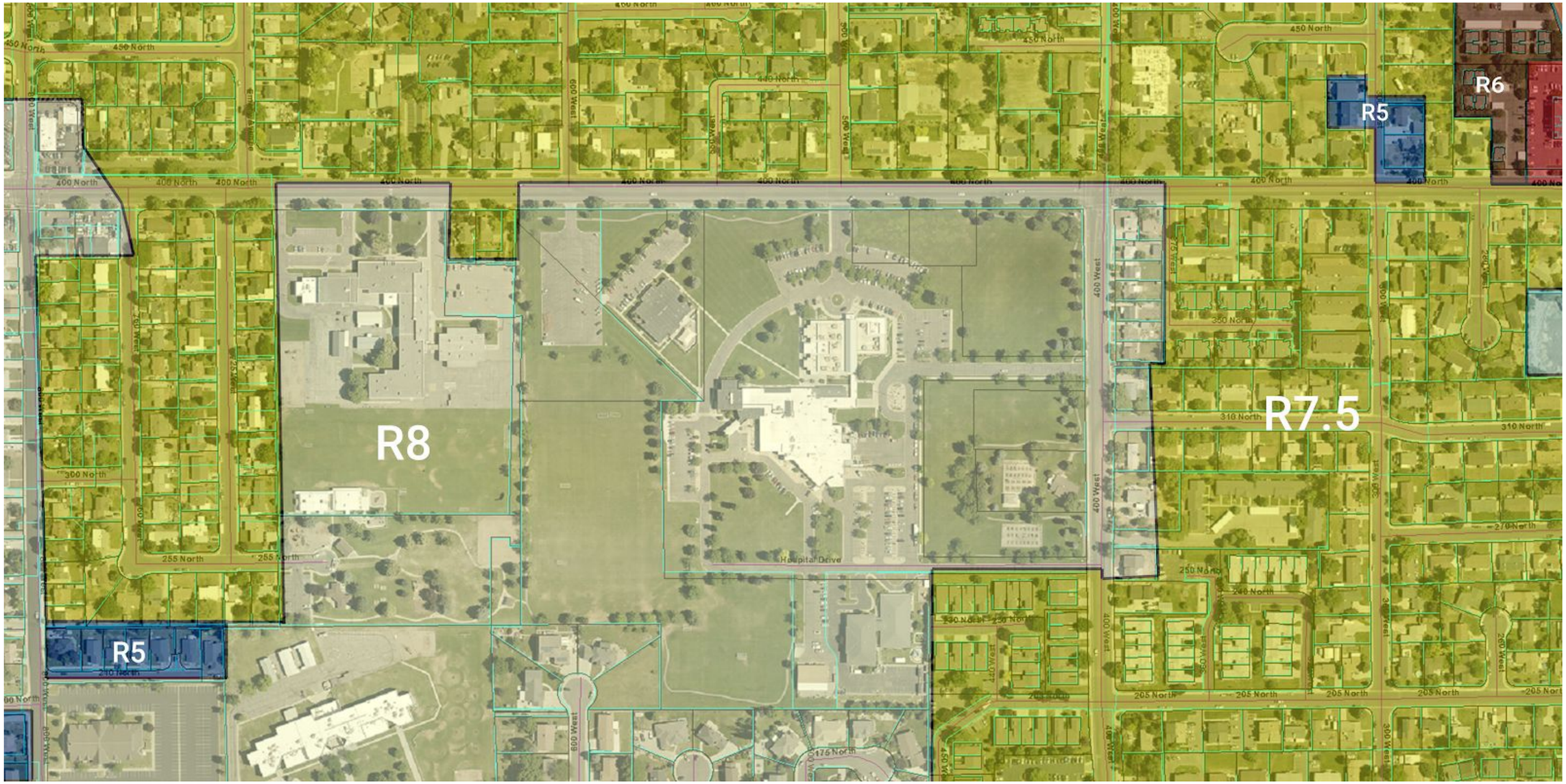
Existing General Plan:



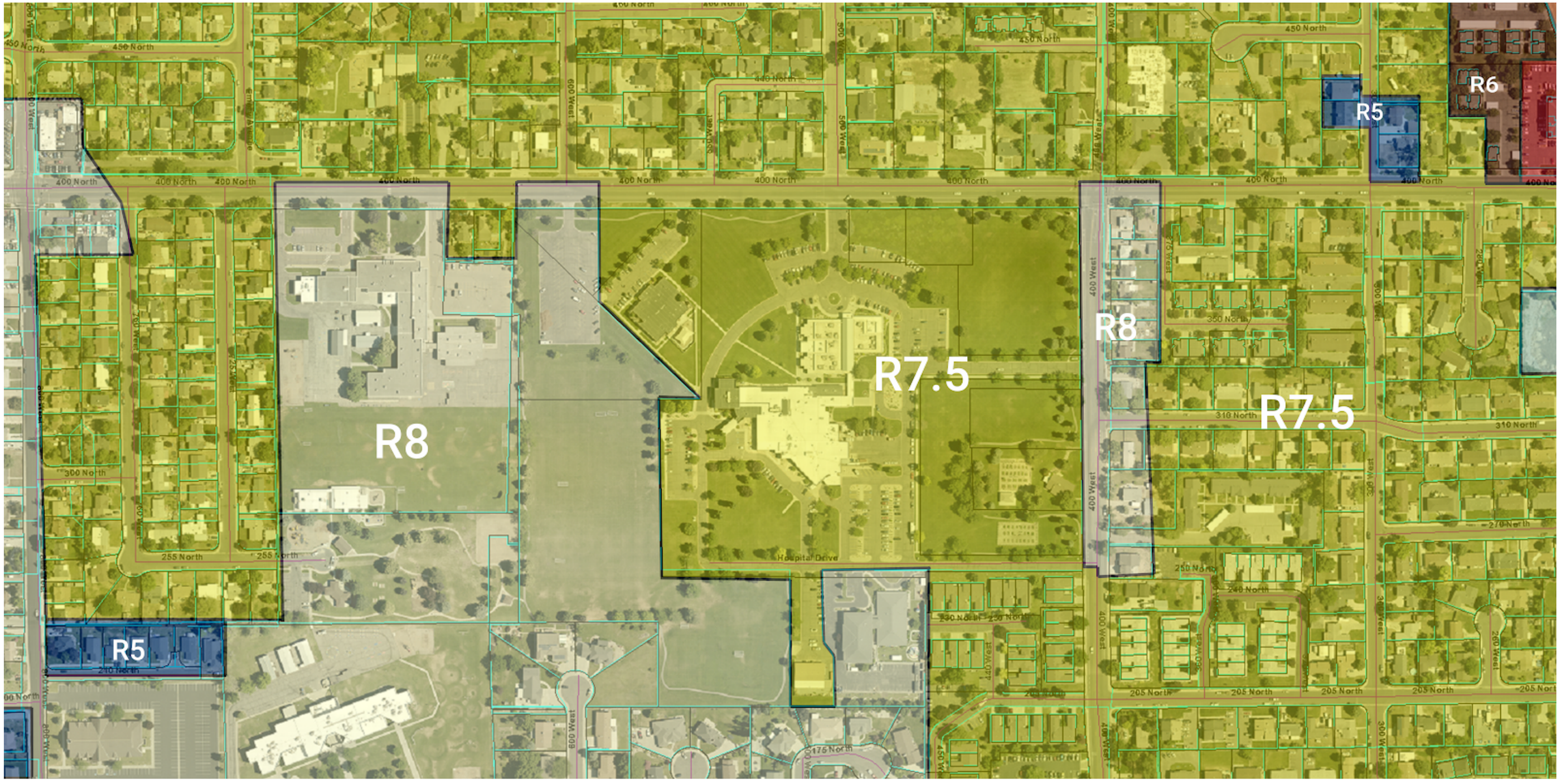
Proposed General Plan:



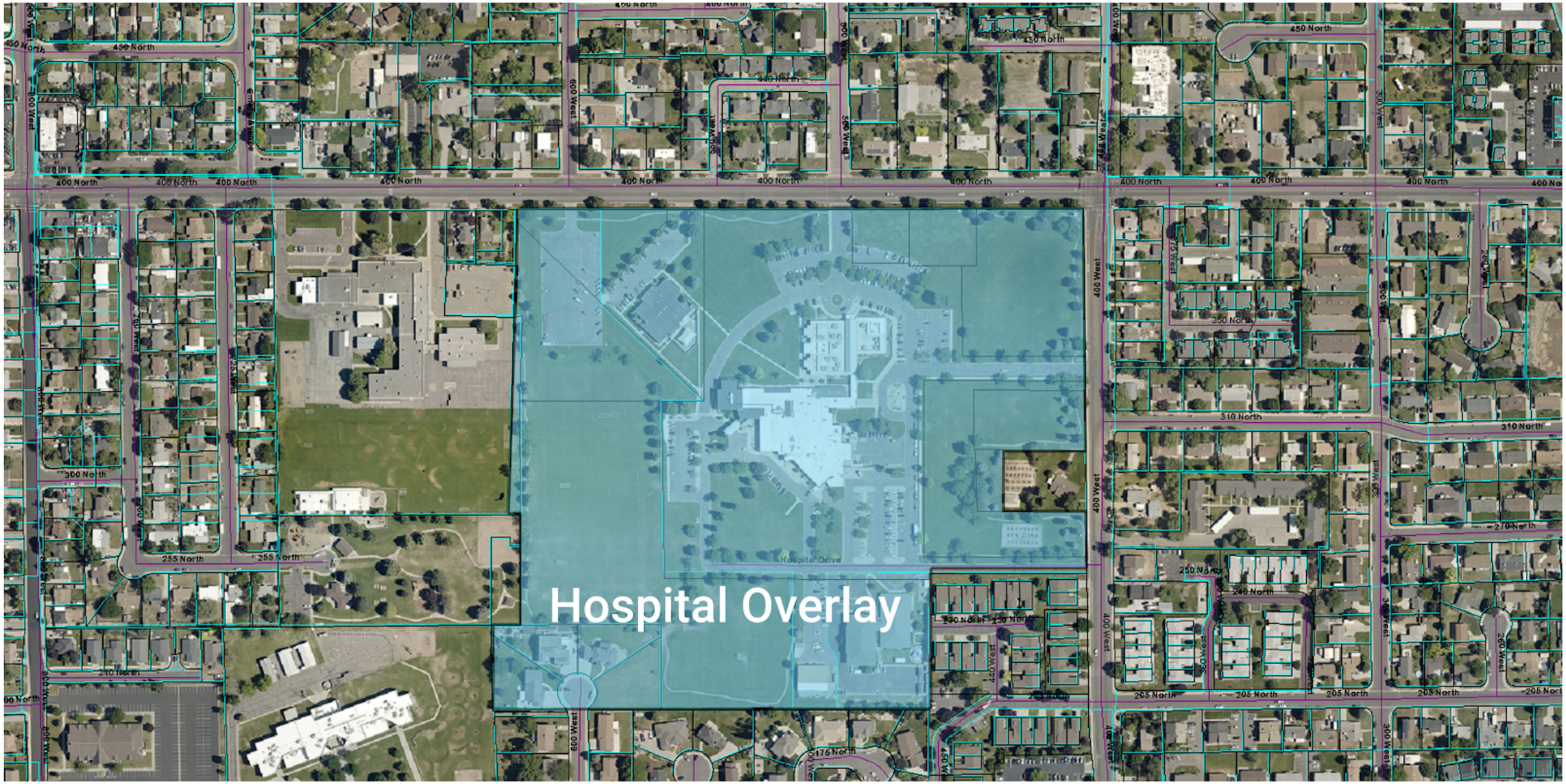
Existing Zoning:



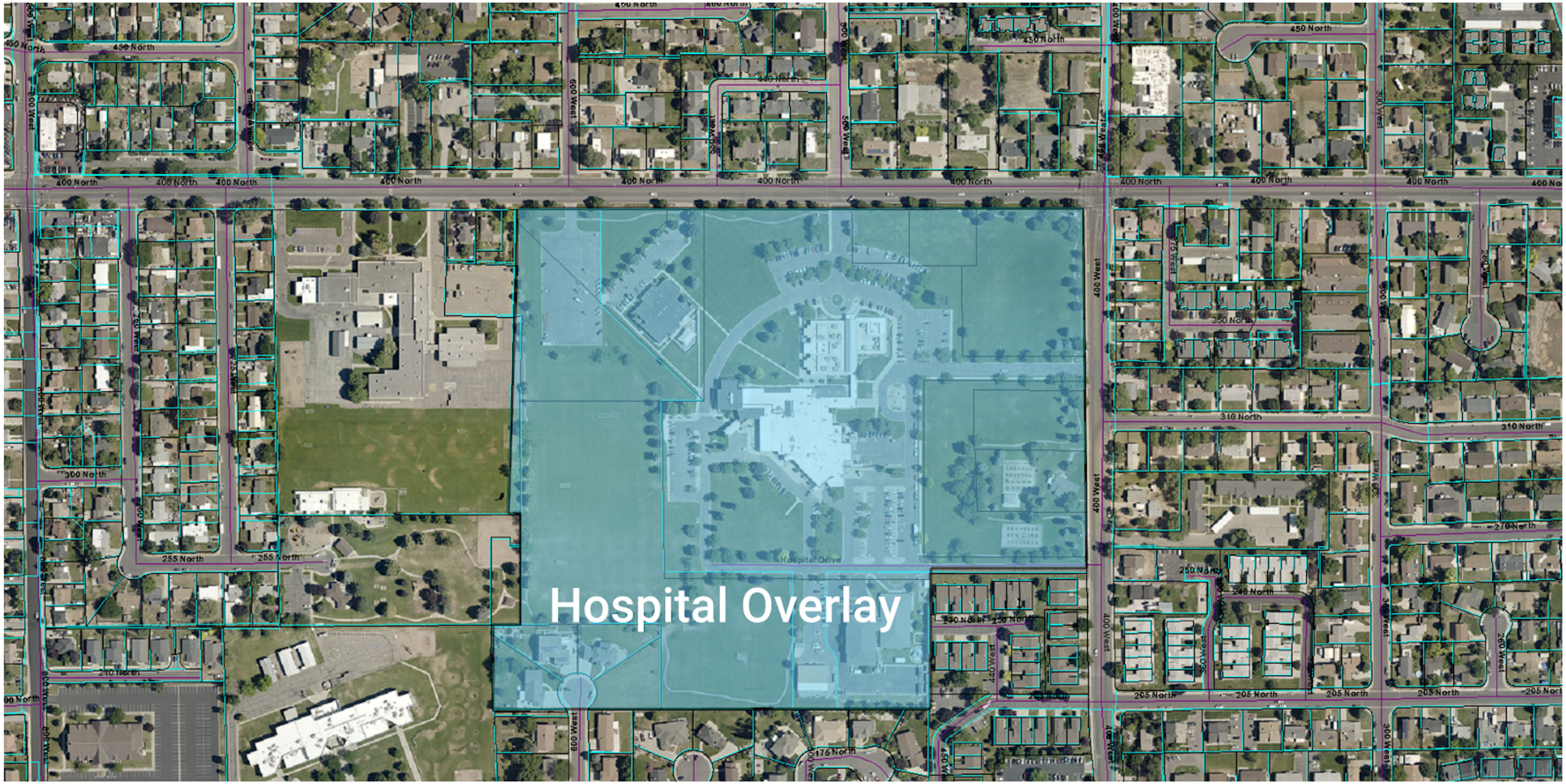
Proposed Zoning:



Existing Hospital Overlay:



Proposed Hospital Overlay:



Development Review Committee (DRC) Application
Ordinance Amendment

#13182

Development Services Department 56 North State Street, Orem, Utah (801) 229-7183 www.orem.org

Applicant Information

Name: IHC Health Services, Inc.		**Phone:** 801-442-3987	
Address: 36 S. State St., 21st Floor		**Email:** tom.uriona@imail.org	
City: Salt Lake City		**State:** Utah	**Zip:** 84111

Project Information

Project Name	Orem Community Hospital Rezone with Hospital Overlay
Project Address	331 N. 400 W., Orem, Utah

	Request	Fees	Total
	Subdivision Text	$1,160	
	Zoning Text*	$1,160	
	Sign Text Amendment	$1,160	
	Rezone*	$1,228 + $689 sign fee	1228.-
	New PD Zone Text*	$3,685 + $689 sign fee	
	Land Use Map Change	$1,057 + $689 sign fee	
	General Plan Text Change	$1,057 + $689 sign fee	
	Neighborhood Notice	TBD at time of submittal, if needed	
	Public Notice	$100 each for PC and CC, if needed	100.-
	Development Agreement UT Co. Fees	TBD at time of recordation	
	Total		1328.-

Required Copies

Two (2) full-size copies no larger than 24" x 36", one (1) 11" x 17" and a PDF and/or Word of all applicable drawings and plans. Files can be emailed to Cheryl Vargas at chvargas@orem.org or submitted on disc/flash drive prior to the deadline.

General Notes, Signature, and Contact Person

Deadline. The deadline for filing a DRC application is Monday noon for first review the following Thursday. In the case of a Monday holiday, the deadline is Tuesday at noon. Contact information to inquire about the status of an application: 801.229.7183

Filing Fee Notice. Applications filed after July 1 are subject to fee changes regardless of the fee listed on the application used at the time of submittal.

***DRC Application.** The DRC application must be complete at the time of submittal or it may not be accepted. An application to amend Chapter 22 or the zoning map shall expire if the application has not been approved or scheduled for review and approval by the approving authority within twelve months after the date it was submitted. An application to amend Chapter 22 or the zoning map shall also expire immediately following the passage of six months of no activity with respect to the application. Upon expiration, an application for an amendment to Chapter 22 including a zone map shall be considered null and void and a new application must be submitted, and fees paid. (22-1-5)

Neighborhood Meeting. The applicant shall hold a neighborhood meeting in accordance with City Code for the following requests: General Plan amendments, Zoning Ordinance amendments, commercial developments adjacent to a residential zone, all non-residential uses in a residential zone.

Planning Commission/City Council Meetings. Once the Development Review Committee determines your application is complete and complies with all applicable City ordinances, it shall be forwarded to the Planning Commission if required, and City Council, if required. The City Council is the final approving authority of conditional use permits, appeals, City Code amendments, General Plan amendments, fence modifications, and site plans in the following zones: PD-1, PD-4, PD-5, PD-15, PD-16, and PD-21.

Applicant's Signature: Clay L. Ashdown

Contact Person: Tom Uriona	**Phone:** 801-442-3987	**Email:** tom.uriona@imail.org	

Office Use Only

28 August 2019

Date Filed: 5-20-2020	**Fees Paid:** $1328.00	**Received By:** TB	**Receipt #:** 2020-276984

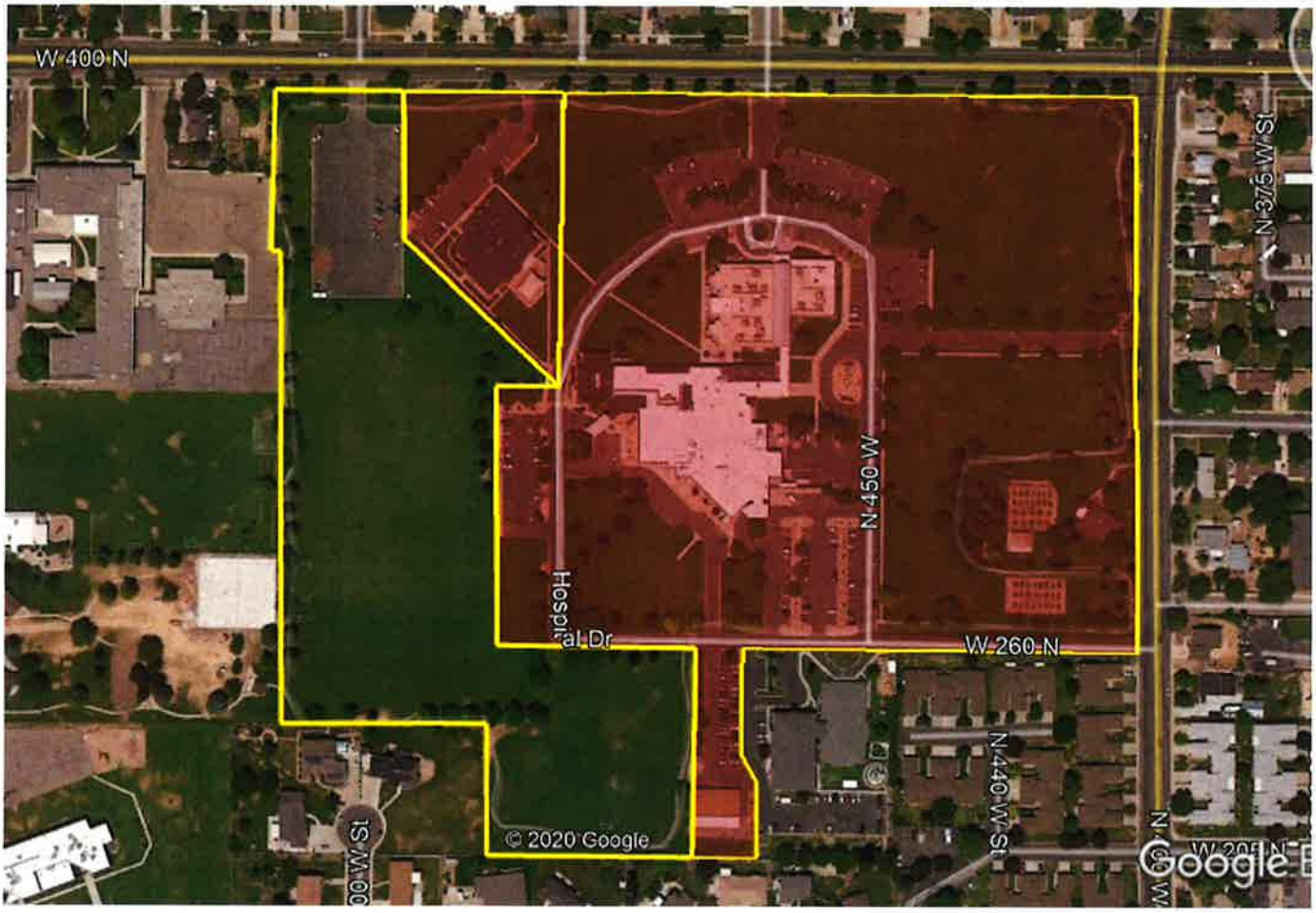
Rezone Written Description Exhibit

IHC Health Services, Inc. owns parcel #'s 18:003:0065 & 18:003:0066 located on the southwest corner of 400 North and 400 West. These two parcels are currently zoned as R-8 with a Hospital Overlay, with the exception of a small portion of parcel # 18:003:0065 which is not included in the Hospital Overlay. IHC Health Services, Inc. acquired this remnent small parcel subsequent to the Hospital Overlay being placed on the orignial hospital campus.

IHC Health Services, Inc. is proposing a rezone of the underlying zone from R-8 to R-7.5 for parcel #'s 18:003:0065 & 18:003:0066, but retaining the Hospital Overlay plus incorporating the small area in parcel # 18:003:0065 not included in the Hospital Overlay. This new zoning and Hospital Overlay correction is to reflect current zoning/land use classification in the surrounding neighborhood and to include the entire hospital and clinic campus within the Hospital Overlay.

The other Intermountain owned parcel 18:003:0067, where the soccer fields are located, will retain its current zoning and Hospital Overlay.

Zone Amendment Map Exhibit (rezone highlighted in red)



INTERMOUNTAIN HEALTHCARE OREM COMMUNITY HOSPITAL REZONE MEETING MINUTES

Date: August 12, 2020 (6:00 P.M.)
Moderator: Tom Uriona, Senior Director Real Estate Intermountain Healthcare
Meeting Location: Virtual meeting via phone and/or computer - WebEx

Attendees (By Computer or Phone):

Brian Baxter	Lenny Lyons	Steve Cox	Doug Padilla
Jolene Rogers	Brian Hall	Scott B. (Kids on Move)	Kristen Lindsay or Monson
Brandon Garner	SMB	801-687-****	385-335-****
385-292-****	801-634-****		

Minutes:
Tom Uriona began the virtual meeting at 6:00 pm and waited a few minutes before beginning the rezoning presentation. Tom then provided a brief history of the Orem Community Hospital development and its current operational status. Tom utilized an exhibit (see attached) of the proposed rezone area which was provided to the community, in the mailing to the community members, and explained the need to expand the Hospital Overlay to include the entire medical campus as a result of acquisition of property subsequent to the original Hospital Overlay placement. Tom also explained the reason for the rezone of the area highlighted in yellow on the exhibit, from R-8 to R-7.5, is to bring that area in harmony with the General Plan and current zoning of adjacent properties. Tom indicated that Intermountain does not have any plans to change the current medical service uses at the campus. He further indicated that, in the future when the existing hospital and clinic improvements may need to be replaced, a redevelopment of the medical service improvements could be undertaken with the land available at the campus; that Intermountain will need the flexibility to redevelop, for medical services, its property in the future as the Orem community grows. Lastly, Tom explained there is no rezone requested for the soccer fields parcel.

Questions:
. What is the purpose of the rezone? Response: To be consistent with the current surrounding neighborhood zones of R-7.5 and R-6.5.

. How will the rezone affect parking, specifically to the south by Kids on the Move? Response: There will be no effect on parking with the Hospital Overlay in effect.

. Will re-zone affect the hospital? Response: There is no effect to the medical services because of the Hospital Overlay.

Comments from the Attendees:
Good with the proposal.
Love that the hospital has not gone vertical.
Not sure you need zone change.
Garden area good for community relations.

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org

City Council Chambers, 56 N State Street

City Council
Tue, Sep 29, 2020
6:00 pm

Planning Commission
Wed, Sep 2, 2020
4:30 pm

IHC Health Services, Inc. requests the City amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone). Additional information can be viewed on Orem.org/planning under "Current Planning (Public Hearing Noticing)" tab.

310 N OREM LLC
9852 LEBANON GREENS DR
ST LOUIS, MO 63127

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org

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ASHLEY APARTMENTS LC
671 N 1170 E CIR
AMERICAN FORK, UT 84003

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org

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ZABRISKIE PROPERTIES #4 LLC
778 N 320 W
AMERICAN FORK, UT 84003

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org

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BOARD OF EDUCATION OF ALPINE SCHOOL DISTRICT
50 N CENTER
AMERICAN FORK, UT 84003

NOTICE OF ALL-ELECTRONIC MEETING

To minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's March 18, 2020 Executive Order, the Orem City Planning Commission meeting on September 2, 2020 and the City Council meeting on September 29, 2020 will be an all-electronic meeting. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at orem.org/meetings. If you want to make a comment, please use: orem.org/comments.

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

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NOTICE OF ALL-ELECTRONIC MEETING

To minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's March 18, 2020 Executive Order, the Orem City Planning Commission meeting on September 2, 2020 and the City Council meeting on September 29, 2020 will be an all-electronic meeting. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at orem.org/meetings. If you want to make a comment, please use: orem.org/comments.

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

KIDS ON THE MOVE INC
PO BOX 1764
OREM, UT 84057

IHC HEALTH SERVICES INC
%INTERMOUNTAIN HEALTHCARE
PO BOX 3390
SALT LAKE CITY, UT 84110

HOAGLAND, DENNIS ROY & DAVID WAYNE (ET AL)
PO BOX 7099
PROVO, UT 84602

RUIZ, MIGUEL
PO BOX 970625
OREM, UT 84097

HINCKLEY RENTALS LLC
19 N LONE PEAK DR
ALPINE, UT 84004

OC MALI INVESTMENTS L L C
42 W 530 S
OREM, UT 84058

BOARD OF EDUCATION OF ALPINE SCHOOL DISTRICT
50 N CENTER
AMERICAN FORK, UT 84003

UTAH COUNTY
51 S UNIVERSITY
PROVO, UT 84601

LOPEZ, CHARLEEN B
51 W CENTER ST # 248
OREM, UT 84057

SMITH, CRAIG P & KATHLEEN J
55 W 620 S
OREM, UT 84058

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

ANDERSON, MARYANNE
57 W 400 N
LINDON, UT 84042

CRANDALL, BRIAN K & BETH
61 S 1150 E
LINDON, UT 84042

FERGUSON, B PAUL
63 N 400 W
OREM, UT 84057

HALL, ROBERT JEFFREY & KATHERINE
85 N 1200 E
OREM, UT 84097

TIMPANOGOS VIEW LC
115 N 1170 E
SPRINGVILLE, UT 84663

JEFF LAMBSON
156 E 1060 N
OREM, UT 84057

AITKEN, GARY A & MICHELLE L
169 N 500 W
OREM, UT 84057

ROGERS, LAWRENCE DAVID & JOLENE ALBISTON (ET AL)
172 N 450 W
OREM, UT 84057

WILSON, ANDREA & KEVIN A
173 N 500 W
OREM, UT 84057

HAIGHT, DAVID LEONARD & NANCY S
174 N 555 W
OREM, UT 84057

STODDARD, ROBERT J & KERRI
175 N 555 W
OREM, UT 84057

HOBSON, CHRISTOPHER & JACKIE
179 N 600 W
OREM, UT 84057

BILLINGS, ARTHUR W III
180 N 400 W
OREM, UT 84057

PETERS, STANLEY L
180 N 600 W
OREM, UT 84057

PADILLA, DOUGLAS F & H LYNETTE
182 N 555 W
OREM, UT 84057

LINDSAY, M KRISTEN
183 N 555 W
OREM, UT 84057

STUTZ, DENNIS G & CHARLENE D
184 N 450 W
OREM, UT 84057

DAVIS, GERALDINE
--OR CURRENT RESIDENT--
188 N 450 WEST
OREM, UT 84057

WILLIAMS, VERN LE ROY & ANITA JEAN
191 N 600 W
OREM, UT 84057

COLYAR, MONTY W & CHERYL N
194 N 600 W
OREM, UT 84057

JOHNSON, RALPH KAY & JOYCE
196 N 400 W
OREM, UT 84057

MITCHELL, SCOTT R & CRYSTAL D
201 N 600 W
OREM, UT 84057

MONSON, M KRISTEN
202 N 600 W
OREM, UT 84057

CARLSON, WILLIAM R & KRISTINA LEE
212 N 440 W
OREM, UT 84057

MEMMOTT, MARLA
214 N 440 W
OREM, UT 84057

BREWER, COLLEEN P
215 N 360 W
OREM, UT 84057

SWENSON, DAMON P & TIFFANY
216 N 400 W
OREM, UT 84057

SPENCER, JAMES R & SHAUNA
217 N 320 W
OREM, UT 84057

CLARK, MERRILEE H
217 N 400 W
OREM, UT 84057

BUTT, ELAINE
218 N 360 W
OREM, UT 84057

SORENSEN, MARIE B & WAYNE
219 N 360 W
OREM, UT 84057

PARKER, CHRISTOPHER JOHN & RACHELE (ET AL)
219 N 600 W
OREM, UT 84057

NGUYEN, LE MY
220 N 400 W
OREM, UT 84057

SKABELUND, STEVEN R & VANETTE D
220 N 600 W
OREM, UT 84057

HATCH, JOYCE ANN (ET AL)
221 N 320 W
OREM, UT 84057

RAMSEY, MICHAEL H & KATHRYN W
222 N 360 W
OREM, UT 84057

DENT, CHRISTINE BOMAN (ET AL)
223 N 360 W
OREM, UT 84057

LO, TAI KIN & TSZ KWAN
223 N 400 W
OREM, UT 84057

REEVES, GORDON V
224 N 400 W
OREM, UT 84057

REEVES, GORDON V
--OR CURRENT RESIDENT--
224 N 400 WEST UNIT#3
OREM, UT 84057

WRIGHT, DAYLENE
225 N 320 W
OREM, UT 84057

HUTCHINSON, TERESSA
225 N 400 W
OREM, UT 84057

POPE, SHARON F
226 N 360 W
OREM, UT 84057

YOUNG, ANNA
226 N 440 W
OREM, UT 84057

POPE, SHARON F
--OR CURRENT RESIDENT--
226 N 360 WEST UNIT#12
OREM, UT 84057

MATHURIN, ROSE
227 N 360 W
OREM, UT 84057

BJORK, DALE & ANNA
228 N 400 W
OREM, UT 84057

KOYLE, LOIS (ET AL)
228 N 440 W
OREM, UT 84057

GENTRY, GEORGE ALBERT & ADELA DARANCOU
229 N 320 W
OREM, UT 84057

CAREY, CHARLES
230 N 360 W
OREM, UT 84057

WATSON, CHARLES FOSTER MONTAGUE & SHEILA PERRY (ET AL)
232 N 400 W
OREM, UT 84057

HOWE, TYLER & ELVIRA
241 COURTNEY LN
ORINDA, CA 94563

BRADTKE, JOHN S & BROOK D
252 N 400 W
OREM, UT 84057

MARTIN, MARK E
270 N 400 W # 5
OREM, UT 84057

GERMAINE, ZOEI & REMI
294 N 400 W
OREM, UT 84057

WRIGHT, GARY N & SAUNDRA E
328 W 350 N
OREM, UT 84057

TOWNSEND, ANDREW & ASHLEY
330 W 310 N
OREM, UT 84057

MERRELL, RICHARD L & SUSAN A
--OR CURRENT RESIDENT--
334 W 240 NORTH
OREM, UT 84057

FORD, ROGER L & KAREN (ET AL)
--OR CURRENT RESIDENT--
338 W 240 NORTH
OREM, UT 84057

KOCHERHANS, SHIRLEY L
231 N 360 W
OREM, UT 84057

CHRISTENSEN, MERRITT L
233 N 320 W
OREM, UT 84057

KIM, IL MEE
243 N 400 W
OREM, UT 84057

TOBEY, SHAWN D & WENDY
266 N 400 W
OREM, UT 84057

VALDERRAMA, CENOBIO N & DEBORAH L (ET AL)
--OR CURRENT RESIDENT--
286 N 400 WEST
OREM, UT 84057

DAVIS, MARK ALAN & JOLEEN B
--OR CURRENT RESIDENT--
318 N 400 WEST
OREM, UT 84057

SHOELL, MARILYN BURROWS
329 W 310 N
OREM, UT 84057

IHC HEALTH SERVICES INC
--OR CURRENT RESIDENT--
331 N 400 WEST
OREM, UT 84057

VOSS, RICKY D & VICKY L
334 W 350 N
OREM, UT 84057

SCOTT, RAYMOND & KATHRINE
339 W 310 N
OREM, UT 84057

SANCHES, JOHN & ANGIE
231 N 400 W
OREM, UT 84057

K A WASHBURN 1990 TRUST 12-13-1990 (ET AL)
235 N 400 W
OREM, UT 84057

FREELAND, TERESA L
247 N 400 W
OREM, UT 84057

MARTIN, MARK E
--OR CURRENT RESIDENT--
270 N 400 WEST
OREM, UT 84057

SORENSEN, DIX & DEBORAH J
289 N 300 E
OREM, UT 84057

MILES, ALICE E & PAUL L (ET AL)
--OR CURRENT RESIDENT--
327 W 350 NORTH
OREM, UT 84057

JACKSON, RALPH M & CHARLENE A
330 W 240 N
OREM, UT 84057

ROBINSON, PEGGY S
333 W 350 N
OREM, UT 84057

MERRELL, RICHARD L & SUSAN A
334 W 240 N # 22
OREM, UT 84057

HAWKINS, MICHAEL RAY & DOUGLAS CRAIG
--OR CURRENT RESIDENT--
340 N 400 WEST
OREM, UT 84057

NEBEKER, R KYLE & NICOLE
340 W 310 N
OREM, UT 84057

HOLMAN, JANE
342 W 240 N ST
OREM, UT 84057

DETWEILER, DONNELL B
342 W 350 N
OREM, UT 84057

DETWEILER, DONNELL B
--OR CURRENT RESIDENT--
342 W 350 SOUTH
OREM, UT 84057

DOBBERFUHL, STEPHANIE
342 W 400 N
OREM, UT 84057

WEAVER, MAX B & LILO
343 W 350 N
OREM, UT 84057

CHRISTENSEN, JEFFREY SCOTT
--OR CURRENT RESIDENT--
345 W 400 NORTH
OREM, UT 84057

SALAZAR, RAFAEL (ET AL)
346 N 400 W
OREM, UT 84057

KEELE, PEGGY M (ET AL)
346 W 240 N
OREM, UT 84057

CASTANEDA, DONOVAN (ET AL)
347 W 400 N
OREM, UT 84057

STRONG, NOLA GAYLE
348 W 350 N
OREM, UT 84057

GALLAGHER, DIANE C
349 W 350 N
OREM, UT 84057

FAIRBANKS, JACQUELINE & SCOTT M
349 W 450 N
OREM, UT 84057

310 N OREM LLC
--OR CURRENT RESIDENT--
351 W 310 NORTH
OREM, UT 84057

LEON, MANUEL
351 W 400 N
OREM, UT 84057

BRYANT, JORDAN & TAYLOR
352 N 400 W
OREM, UT 84057

STRONG, JUANITA S
--OR CURRENT RESIDENT--
352 W 310 NORTH
OREM, UT 84057

YOUNG, LYMAN T & KAYLENE F
352 W 400 N
OREM, UT 84057

TIMPANOGAS VIEW LC
--OR CURRENT RESIDENT--
355 W 400 NORTH
OREM, UT 84057

BARFUSS, MARGARET ANN
357 W 350 N
OREM, UT 84057

TIMPANOGOS VIEW LC
--OR CURRENT RESIDENT--
357 W 400 NORTH
OREM, UT 84057

MELBA INVESTMENTS LLC
358 W 350 N
OREM, UT 84057

POULSEN, TROY & ANNALEE
--OR CURRENT RESIDENT--
358 W 450 NORTH
OREM, UT 84057

C - 5 PROPERTIES LLC
--OR CURRENT RESIDENT--
360 N 400 WEST
OREM, UT 84057

KUOPIO PROPERTIES LLC
--OR CURRENT RESIDENT--
361 W 205 NORTH
OREM, UT 84057

ALBRECHT, CONAN C & LAUREL H (ET AL)
--OR CURRENT RESIDENT--
361 W 310 NORTH
OREM, UT 84057

THOMASON, ANNETTE J
--OR CURRENT RESIDENT--
362 W 310 NORTH
OREM, UT 84057

VIEHWEG, LUNA JOY & ROSS GORDON (ET AL)
363 W 350 N
OREM, UT 84057

UTAH COUNTY
--OR CURRENT RESIDENT--
363 W 400 NORTH
OREM, UT 84057

DEMURA, YELENA
364 W 350 N
OREM, UT 84057

WILDER, KEVIN & TARA R
368 N 400 W
OREM, UT 84057

HUDSON, VALERIE M
375 W 310 N
OREM, UT 84057

OC MALI INVESTMENTS L L C
--OR CURRENT RESIDENT--
379 W 205 NORTH
OREM, UT 84057

RUIZ, MIGUEL
--OR CURRENT RESIDENT--
387 W 400 NORTH
OREM, UT 84057

HINCKLEY RENTALS LLC
--OR CURRENT RESIDENT--
411 N 400 WEST
OREM, UT 84057

RUTLAND, DESMOND II & RACHEL
413 N 550 W
OREM, UT 84057

HOWE, TYLER & ELVIRA
--OR CURRENT RESIDENT--
416 N 600 WEST
OREM, UT 84057

BOWEN, BARBARA
423 W 205 N
OREM, UT 84057

DEARING, JAN M & KEVIN J
--OR CURRENT RESIDENT--
425 N 400 WEST
OREM, UT 84057

COLE, JAMES E & JOAN C
427 W 205 N
OREM, UT 84057

FLORES, ELITA L (ET AL)
--OR CURRENT RESIDENT--
371 W 400 NORTH
OREM, UT 84057

THOMASON, ANNETTE J
--OR CURRENT RESIDENT--
376 W 310 NORTH
OREM, UT 84057

VALDERRAMA, CENOBIO N & DEBORAH L (ET AL)
384 INTERNATIONAL WY
ALPINE, UT 84004

MESA VISTA INC
394 W 400 N
OREM, UT 84057

YOUNG, RUSSELL JAY & ALICE ANN P
411 N 600 W
OREM, UT 84057

ASHLEY APARTMENTS LC
--OR CURRENT RESIDENT--
415 N 500 WEST
OREM, UT 84057

BROWN, BURKE R & TONI L
420 N 600 W
OREM, UT 84057

CLOWARD, CLYDE C & VERNA B
424 W 230 N
OREM, UT 84057

MECHAM, ANTHON W & MARIE (ET AL)
425 N 600 W
OREM, UT 84057

SHAW, R T & NANCY REBECCA (ET AL)
430 W 230 N
OREM, UT 84057

CAPUA FAMILY LLC
--OR CURRENT RESIDENT--
374 W 170 NORTH
OREM, UT 84057

HOAGLAND, DENNIS ROY & DAVID WAYNE (ET AL)
--OR CURRENT RESIDENT--
376 W 400 NORTH
OREM, UT 84057

ABBOTT, MORGAN
384 N 400 W
OREM, UT 84057

BRINKMAN, RICHARD D & CLAUDINE F
395 W 400 N
OREM, UT 84057

JOHNSON, JACK PRESTON & MAURINE
411 W 205 N
OREM, UT 84057

TUIA, MAUREEN
415 W 205 N
OREM, UT 84057

PALMER, KIP & SUZANNE
423 N 550 W
OREM, UT 84057

HALL, ROBERT JEFFREY & KATHERINE
--OR CURRENT RESIDENT--
424 W 400 NORTH
OREM, UT 84057

FARIAS, ANA ALEJANDRA (ET AL)
426 N 600 W
OREM, UT 84057

HALL, ROBERT JEFFREY & KATHERINE
--OR CURRENT RESIDENT--
431 N 400 WEST
OREM, UT 84057

IVERS, CINDY V (ET AL)
431 N 550 W
OREM, UT 84057

PIPKIN, DONNA
431 W 205 N
OREM, UT 84057

LEMUS, BERENICE
432 N 600 W
OREM, UT 84057

RISER, TAI W & JOLENE
434 N 500 W
OREM, UT 84057

TALBOT, WILBURN D & DEANNA M
434 W 230 N
OREM, UT 84057

MESA VISTA INC
--OR CURRENT RESIDENT--
434 W 400 NORTH
OREM, UT 84057

SARVER, AMMON J & JULIE D
436 N 600 W
OREM, UT 84057

WHITE, JOHN D & DEBORAH L
437 N 600 W
OREM, UT 84057

BOUTSUNNY UT LLC
--OR CURRENT RESIDENT--
439 N 550 WEST
OREM, UT 84057

MILLIGAN, PATRICK L & KAYE P (ET AL)
439 W 205 N
OREM, UT 84057

SMART, JAMES L & IRENE B
440 N 1200 E
OREM, UT 84097

ANGULO, AYMEE
440 W 400 N
OREM, UT 84057

STOCKING, VON K & DONNA H
442 W 230 N
OREM, UT 84057

TERRY, DALE L & ARLO C
--OR CURRENT RESIDENT--
443 W 230 NORTH
OREM, UT 84057

CRANDALL, BRIAN K & BETH
--OR CURRENT RESIDENT--
444 W 230 NORTH
OREM, UT 84057

YATES, TARA P
445 W 230 N
OREM, UT 84057

SHORTER, S RICK & CHRISTY
446 N 500 W
OREM, UT 84057

OTTE, LINDA M (ET AL)
446 W 230 N
OREM, UT 84057

HALTON, MARILYN T
447 W 230 N
OREM, UT 84057

PIERCE, DANIEL & ANN
448 W 230 N
OREM, UT 84057

LLOYD, JOY ANN
449 W 230 N
OREM, UT 84057

K & J DEARING PROPERTIES LLC
--OR CURRENT RESIDENT--
450 W 400 NORTH
OREM, UT 84057

WESTON LC
--OR CURRENT RESIDENT--
450 W 450 NORTH
OREM, UT 84057

ROBISON, SARAH ANNE
--OR CURRENT RESIDENT--
452 W 450 NORTH
OREM, UT 84057

ROBISON, SARAH ANNE
452 W 450 N # 2
OREM, UT 84057

ALLRED, JOSEPH L
454 N 600 W
OREM, UT 84057

JENSEN, DONALD D
456 N 500 W
OREM, UT 84057

HARDING, DOUGLAS CLARK & LINDA GORDON
456 W 450 N
OREM, UT 84057

NEWELL, GARY H & NANCY P
457 N 500 W
OREM, UT 84057

NELSON, NANCY G (ET AL)
--OR CURRENT RESIDENT--
458 N 680 WEST
OREM, UT 84057

TAYLOR, CINDY LYNNE & GREGORY GORDON
458 W 450 N
OREM, UT 84057

RODRIGUEZ, ANTONIO & MARTINA
460 N 400 W
OREM, UT 84057

ALAS, ANA & MICHAEL ANTHONY (ET AL)
460 N 500 W
OREM, UT 84057

ASMUS, JARED C & SHELLY
460 N 680 W
OREM, UT 84057

BOCANEGRA, MARK HAROLD & JAMIE
462 N 680 W
OREM, UT 84057

LAMBERT, D DAVID
462 W 175 N
OREM, UT 84057

CORBETT, STEPHANIE (ET AL)
462 W 450 N
OREM, UT 84057

FLORES, RICARDO VELASCO
464 N 500 W
OREM, UT 84057

KNAPP, CLARK A
--OR CURRENT RESIDENT--
464 W 450 NORTH
OREM, UT 84057

SORENSEN, DIX & DEBORAH J
--OR CURRENT RESIDENT--
465 N 400 WEST
OREM, UT 84057

SALMA INVESTMENT LLC
--OR CURRENT RESIDENT--
465 N 600 WEST
OREM, UT 84057

SORENSEN, PAUL HARVEY
466 W 400 N
OREM, UT 84057

DAMERON, OTT H & CYNTHIA S (ET AL)
467 W 175 N
OREM, UT 84057

JENSEN, DONALD D
--OR CURRENT RESIDENT--
470 N 500 WEST
OREM, UT 84057

DAVIS, GERALDINE
470 W 40 N
OREM, UT 84057

MABEY, ERIC M & LINDA L
471 N 500 W
OREM, UT 84057

KRATZER, TAY & IRINA (ET AL)
475 N 600 W
OREM, UT 84057

KIDS ON THE MOVE INC
--OR CURRENT RESIDENT--
475 W 260 NORTH
OREM, UT 84057

HALL, BRIAN G & REINA L
478 W 175 N
OREM, UT 84057

BEHUNIN, LELAND E & VIDA (ET AL)
485 N 500 W
OREM, UT 84057

LEE, DOUGLAS M & LORILYNN S (ET AL)
487 W 175 N
OREM, UT 84057

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

MORALES, MARIA & PASCUAL
490 W 400 N
OREM, UT 84057

KIRKHAM, JOANN S (ET AL)
492 W 175 N
OREM, UT 84057

LONG, KAREN
512 W 440 N
OREM, UT 84057

SMITH, CRAIG P & KATHLEEN J
--OR CURRENT RESIDENT--
513 W 440 NORTH
OREM, UT 84057

SMITH, CRAIG P & KATHLEEN J
--OR CURRENT RESIDENT--
522 W 440 NORTH
OREM, UT 84057

SMITH, CRAIG & KATHLEEN
--OR CURRENT RESIDENT--
523 W 440 NORTH
OREM, UT 84057

JONES, AARON W & CYNTHIA M
528 W 460 N
OREM, UT 84057

PILCHER, TONI
530 W 440 N
OREM, UT 84057

REYNOLDS, LESLIE & R LANCE
--OR CURRENT RESIDENT--
533 W 440 NORTH
OREM, UT 84057

DAVIS, KEVIN W & LARIE B
534 W 400 N
OREM, UT 84057

COX, STEVEN D & RHONDA L
540 W 400 N
OREM, UT 84057

HIXSON, ZACHARY D & SAMANTHA B
542 W 440 N
OREM, UT 84057

ADAMS, LYNN E & JOY K
545 W 460 N
OREM, UT 84057

GARNER, BRANDON MICHAEL & MICHELLE BROWN
557 W 460 N
OREM, UT 84057

BUNNELL, KENNY LYNN & TRACY ANN
558 W 400 N
OREM, UT 84057

SINGH, AJMER (ET AL)
--OR CURRENT RESIDENT--
559 W 460 NORTH
OREM, UT 84057

LOPEZ, CHARLEEN B
--OR CURRENT RESIDENT--
571 W 460 NORTH
OREM, UT 84057

HOWE, TYLER T & ELVIR A
--OR CURRENT RESIDENT--
572 W 400 NORTH
OREM, UT 84057

C - 5 PROPERTIES LLC
578 S EAGLE DR
MAPLETON, UT 84664

POULSEN, TROY & ANNALEE
617 E 920 N
OREM, UT 84097

WARWOOD, NAOMI
632 W 400 N
OREM, UT 84057

NIELSEN, IAN Z & SHELBY P
640 W 400 N
OREM, UT 84057

DEBBY LAURET
641 S 1920 W
OREM, UT 84059

FLORES, ELITA L (ET AL)
642 LOCUST AV
LINDON, UT 84042

JOHNSON, LONNIE K & VIRGINIA M
651 W 400 N
OREM, UT 84057

RUBIO, AMBROSIO & MARIA LAURA (ET AL)
--OR CURRENT RESIDENT--
655 W 400 NORTH
OREM, UT 84057

BOARD OF EDUCATION OF ALPINE SCHOOL DISTRICT
--OR CURRENT RESIDENT--
665 W 400 NORTH
OREM, UT 84057

ALPINE SCHOOL BOARD OF EDUCATION
--OR CURRENT RESIDENT--
668 W 150 NORTH
OREM, UT 84057

ZABRISKIE PROPERTIES #4 LLC
--OR CURRENT RESIDENT--
670 W 400 NORTH
OREM, UT 84057

ASHLEY APARTMENTS LC
671 N 1170 E CIR
AMERICAN FORK, UT 84003

JENKINS, GREG A
676 W 400 N
OREM, UT 84057

JENKINS, DOUGLAS H & RONILYNN
--OR CURRENT RESIDENT--
682 W 400 NORTH
OREM, UT 84057

JENKINS, DOUGLAS H & RONILYNN
696 W 400 N
OREM, UT 84057

NELSON, NANCY G (ET AL)
698 S 750 W
SPANISH FORK, UT 84660

OREM CITY CORPORATION
--OR CURRENT RESIDENT--
700 W 255 NORTH
OREM, UT 84057

BRENT SUMNER
744 WEST 550 SOUTH
OREM, UT 84058

STRONG, JUANITA S
765 S 240 E
SALEM, UT 84653

ZABRISKIE PROPERTIES #4 LLC
778 N 320 W
AMERICAN FORK, UT 84003

MC CABE, ELIZABETH M (ET AL)
801 N 150 E
SPRINGVILLE, UT 84663

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

MAYOR RICHARD F. BRUNST, JR.
900 E HIGH COUNTRY DRIVE
OREM, UT 84097-2389

MILES, ALICE E & PAUL L (ET AL)
944 E 150 S
SPRINGVILLE, UT 84663

RUBIO, AMBROSIO & MARIA LAURA (ET AL)
974 N 100 W
OREM, UT 84057

KNAPP, CLARK A
1078 W 800 N
LEHI, UT 84043

TERRY PETERSON
1125 LYNNWOOD DRIVE
OREM, UT 84097

DAVIS, MARK ALAN & JOLEEN B
1180 E CENTER
SPRINGVILLE, UT 84663

TERRY, DALE L & ARLO C
1290 E 300 N
PRICE, UT 84501

BOUTSUNNY UT LLC
1422 N 230 W
OREM, UT 84057

SALMA INVESTMENT LLC
1700 SANDHILL RD # F305
OREM, UT 84058

WESTON LC
1797 N 120 E
OREM, UT 84057

KUOPIO PROPERTIES LLC
1867 N 1500 W
PROVO, UT 84604

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057-2101

CHRISTENSEN, JEFFREY SCOTT
2267 N 600 W
PLEASANT GROVE, UT 84062

FORD, ROGER L & KAREN (ET AL)
2508 N EXPEDITION LN
WASHINGTON, UT 84780

ALBRECHT, CONAN C & LAUREL H (ET AL)
2934 CREST RD
EAGLE MOUNTAIN, UT 84005

REYNOLDS, LESLIE & R LANCE
3165 N 600 E
PROVO, UT 84604

JENKINS, DOUGLAS & RONILYNN
4115 N 200 E
PROVO, UT 84604

IHC HEALTH SERVICES INC
%WOOD, JAMES F
4766 S HOLLADAY BLVD
HOLLADAY, UT 84117

HAWKINS, MICHAEL RAY & DOUGLAS CRAIG
8312 HOLLOW WHARF DR
LAS VEGAS, NV 89128

THOMASON, ANNETTE J
9252 W 7750 N
LEHI, UT 84043

DEARING, JAN M & KEVIN J
9808 N 6000 W
HIGHLAND, UT 84003

310 N OREM LLC
9852 LEBANON GREENS DR
ST LOUIS, MO 63127

SINGH, AJMER (ET AL)
12082 TUSCANY CREEK WAY
DRAPER, UT 84020

Agenda Item 3.6 is a request by IHC Health Services for the Planning Commission a to amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone).

Staff Presentation: The applicant is simply proposing these rezones and general plan amendment to be more consistent with the current surrounding neighboring R7.5 zone. One property that the applicant owns was previously excluded from the hospital overlay because the hospital did not own it. That property is proposed to be included in the Hospital Overlay Zone as part of this rezone to clean up the overlay.

The applicant has no plans to change the existing hospital site now, or in the future.

A neighborhood meeting was held on August 10, 2020. The minutes of that meeting are attached in this packet. A few comments from that meeting are as follows:

- "Good with the proposal."
- "Love that the hospital has not gone vertical."
- "Not sure you need zone change."
- "Garden area is good for community relations."

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone).

Mr. Sakar commented that the proposed adjustments of the Hospital Overlay zone make sense, however, it did not make sense to him why the hospital would want to change the General Plan and the Zoning Map to become Medium Density if they were not planning to sell their property.

Chair Cochran asked if the applicant was on the line. Tom Uriona introduced himself. Chair Cochran asked if he would address Mr. Sakar's comment.

Mr. Uriona answered that the purpose behind the rezone is purely asset management on the part of IHC for the property to bring the property to what they think is a more consistent zoning with the surrounding properties. He confirmed that there are no plans to change or sell the property in the foreseeable future. He stated that the intentions of IHC are to hold the existing properties for either the future expansion of the hospital or for the company to redevelop the properties and sell them off at some distant future date. In the long term, if redevelopment were to happen, it would mean that IHC has determined that they don't need all of the property for medical use. IHC does not know yet what the future of this property will be. This rezone is purely asset management of the site to bring it into what IHC thinks is conformity with the surrounding properties. They intend to keep the soccer fields as R8 for the foreseeable future as well.

Mr. Sakar commented that zone changes such as this are normally done because there is some future change that is being asked for. He asked how the neighbors feel about this request. He noted that this change would increase the value of the property. He also wanted it clearly noted on the record that there are no plans for the site to develop.

Chair Cochran noted that the R7.5 zone does surround this property. The only portion that is not R7.5 is Geneva Elementary School, which is zoned R8. If the school was to request to be rezoned to R7.5, that gap would be closed. He asked if Geneva Elementary School was SITLA land.

Mr. Bench stated that he did not know.

Chair Cochran asked if the Commission had any more questions for Mr. Bench or Mr. Uriona.

Mr. Spencer noted that the R8 zone and the R7.5 zones are very similar. He asked Mr. Bench what the practical difference was between them.

Mr. Bench answered that the requirements for the two zones are almost identical, the only two differences are that minimum lot sizes are slightly smaller and that minimum frontage requirements are slightly smaller. The density difference between the zones is slightly higher and insignificant. It would be a minor change that is very comparable to the R8 zone.

Mr. Clark did a quick calculation and noted that a developer could get 58 lots with this property being zoned R7.5 as opposed to 54.5 lots if it was zoned R8. Those numbers do not include roads and other infrastructure. The density increase would be minimal.

Mr. Bench said that the R7.5 zone is a single family zone. Medium density or high density residential developments would not be allowed. In order to have that kind of development, they would need to go back through the rezone process if they wanted a PRD or something like it. The R7.5 zone is a single family detached zone.

Chair Cochran acknowledged that the proposed rezone would not make any dramatic changes.

Mr. Sakar thanked Mr. Bench for the clarification and agreed with Chair Cochran that the proposed rezone would not make any drastic changes and would not harm anyone if approved.

Mr. Bench said the change should be insignificant.

Chair Cochran opened the public hearing.

Two comments were received prior to the meeting. Chair Cochran asked Mr. Clark to read in the first comment.

The first comment was as follows:

"To the Orem City Planning Commission:

We attended the public information meeting hosted by IHC and appreciated having the dialog. Our thoughts are summarized thusly:

1. IHC represented that it has no near- or long-term intention of changing the usage of the land that is currently hospital property. If this stated intention holds true, then why is there a need to rezone to higher density housing? This question was asked in the meeting, but we did not hear a convincing reason.
2. Adjacent property is zoned R8 and we believe that the IHC property should remain the same. If IHC changes its represented plans and ultimately decides to sell the property, we believe that the property should remain R8 Residential.
3. In the event that IHC decides to sell the property in the future, a decision can be made at that time whether more housing density is needed in the city. We do not see any reason that this zoning decision should need to be made at this time. In summary: IHC has been a good neighbor here, but we see no compelling reason to grant this rezoning request.

Thank you,
Brian and Reina Hall"

Chair Cochran believed that the density issue had already been addressed. He reiterated that if this property is changed to R7.5, it would remain single family residential and will not become an apartment complex or townhome project. All that's changing is the lot size is slightly smaller.

Mr. Bench noted that these properties also have the Hospital Overlay zone.

Chair Cochran stated that he believed that IHC made a reasonable request. Their property is currently R8. If they want the property to be zoned R7.5, they can make that request. The proposed changes would not really change the existing zoning much. He asked Mr. Uriona to clarify again that this request was a property management decision.

Mr. Uriona clarified that it was. He agreed that he believed the request was reasonable. The intention of IHC is to bring a portion of their campus in line with the majority of the surrounding zoning while still leaving a buffer.

Chair Cochran asked Mr. Clark to read in the second comment.

The second comment was from 'Kristen,' and was read in as follows:

"Why is the Hospital Overlay including the homes and the empty privately owned lot in the southwest corner? What would happen to those properties? I am a neighbor and have concerns about this."

Mr. Clark described the existing Hospital Overlay. It appeared to be covering a few homes in a culdesac in the aerial image provided in the presentation. Mr. Clark asked if the Overlay is intended to be in that manner.

Mr. Harding clarified that what was shown was the existing Hospital Overlay. The four homes in the culdesac are a part of that existing overlay at the present time.

Chair Cochran asked what information the City had regarding those homes being in the Hospital Overlay.

Mr. Bench answered that the zoning allows for single family homes. He did not know if the hospital owned those homes. The Hospital Overlay would not prohibit or restrict someone from building a single family home on a lot. He indicated that if IHC does not own those properties, that the City might consider removing them from the Hospital Overlay Zone. He was not sure why the City included those lots as part of the Overlay Zone at the time it was created. He assumed it was because the property was once a part of the hospital campus many years ago.

Chair Cochran asked if Mr. Uriona had any clarification on the matter.

Mr. Uriona said that IHC does not own those properties. He surmised that those properties may have at one time been a part of the original campus and that portion was sold off with the Overlay Zone still attached to it. He indicated that IHC would not have any concern if the Overlay Zone was adjusted to remove those homes from it. IHC owns the vacant land surrounding those properties, but not those homes.

Chair Cochran asked Mr. Bench what the process would be for changing the Overlay Zone.

Mr. Bench said that the City could make an application to change the Overlay Zone to take the homes out of it. It would need to be a separate application from the one before the Commission and could not be voted on that evening. Since we know that the hospital does not own those properties, it wouldn't make any sense to keep these homes within the Overlay Zone.

Mr. Uriona agreed and again stated that IHC would not have any concern if the Overlay Zone was adjusted to remove those homes from it.

Mr. Bench said that staff may propose it as a clean up going forward.

Chair Cochran asked for verification that removing the four homes from the Overlay Zone was not an issue that could be addressed tonight.

Mr. Bench confirmed it. The hospital is not proposing to remove the homes from the Overlay Zone at this time. He understood the resident's concerns. Because that change is not part of the proposal or IHC's property, it could not be a part of this rezone tonight.

Ms. Jensen confirmed that the four homes in question may have originally been a part of the hospital campus, and are not now. She asked if there was any reason this Overlay Zone being on top of these homes might be a negative issue and if it might prevent the Commission from passing the proposal that evening.

Mr. Bench said that he could not see a reason why not to pass the proposed rezone. He committed that City staff would fix the issue going forward, but it doesn't affect those homeowners or the hospital. It was an oversight made years ago, but it does not affect this application before the commission.

Ms. Jensen understood that there could be some worry from the neighbors for the potential for higher density housing in the future. But she also understood that the proposed rezone is actually matching the density of the neighborhood. She also understood that IHC has no plans for the property for the foreseeable future and is trying to cover themselves if something were to happen in the future. She expressed her thoughts that even though there is some worry from the neighbors, that there really shouldn't be because the hospital is proposing this rezone to match the neighborhood. She did not see a problem with this proposed rezone.

Chair Cochran asked if there were any other comments or questions from the Commission. When there were none, he closed the public hearing and called for a motion on the item.

Planning Commission Action: Mr. Staker moved to forward a positive recommendation to the City Council to amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning the property located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezone approximately 0.79 acres to the HO (Hospital Overlay zone). Chair Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer, and Mike Staker. The motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING THE OREM GENERAL PLAN MAP BY CHANGING THE LAND USE DESIGNATION ON APPROXIMATELY 23.75 ACRES FROM LDR (LOW DENSITY RESIDENTIAL) TO MDR (MEDIUM DENSITY RESIDENTIAL) AND AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING APPROXIMATELY 23 ACRES LOCATED GENERALLY AT 505 WEST 400 NORTH FROM R8 TO THE R7.5 ZONE AND REZONING APPROXIMATELY 0.79 ACRES TO THE HO (HOSPITAL OVERLAY) ZONE

WHEREAS on May 20, 2020, IHC Health Services filed an application with the City of Orem requesting the City amend the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning approximately 23 acres located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezoning approximately 0.79 acres to the HO (Hospital Overlay zone); and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on September 2, 2020; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 29, 2020; and

WHEREAS the agendas of the Planning Commission meeting and the City Council meeting at which the subject application was heard were posted at the Orem Public Library, on the Orem City webpage and at the City offices at 56 North State Street; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; 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 make

the Orem General Plan land use designation and zoning classification for the subject property more consistent with property in the surrounding area; and

2. The City Council hereby amends the Orem General Plan map by changing the land use designation on approximately 23.75 acres from LDR (Low Density Residential) to MDR (Medium Density Residential) and amends Section 22-5-3(A) and the zoning map of the City of Orem by rezoning approximately 23 acres located generally at 505 West 400 North from the R8 zone to the R7.5 zone and rezoning approximately 0.79 acres to the HO (Hospital Overlay) zone as shown in Exhibit A, which is attached hereto and incorporated herein by reference.

3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

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

PASSED and APPROVED and ORDERED PUBLISHED this 29th day of September 2020

_____
Richard F. Brunst, Jr., Mayor

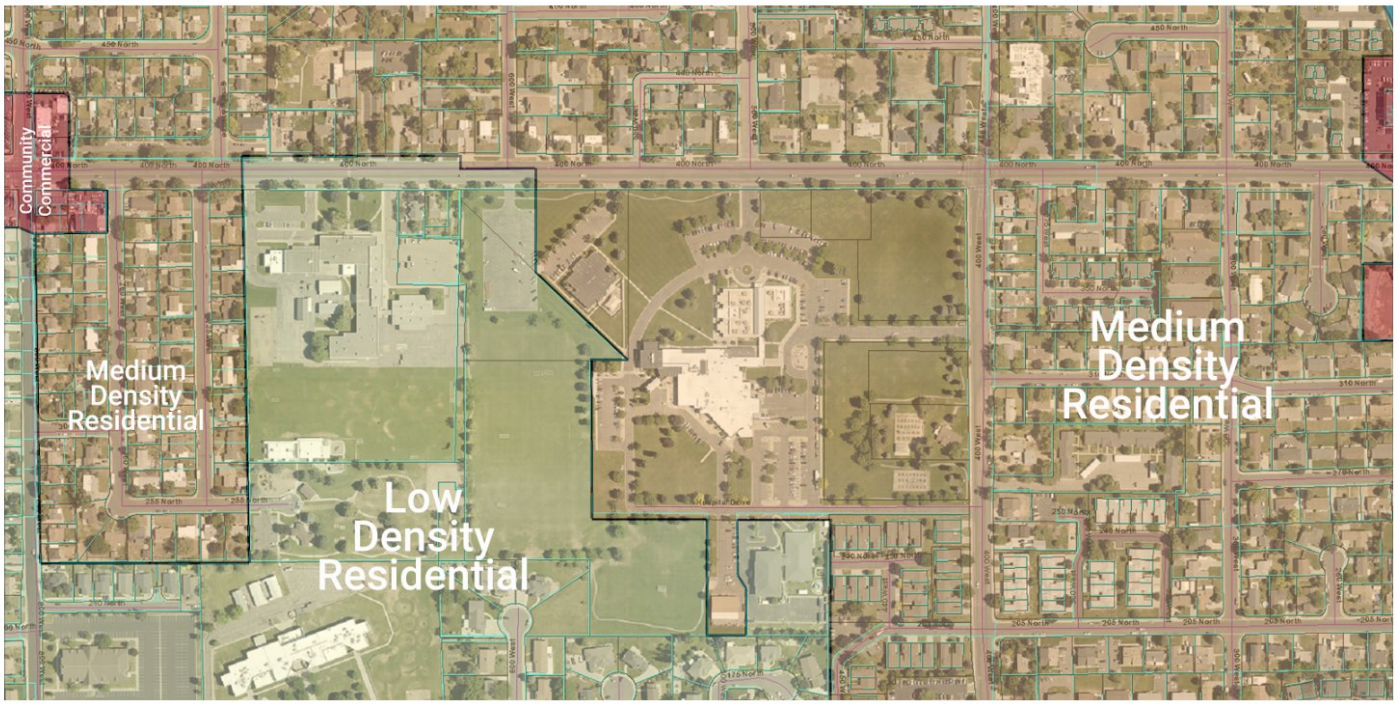
ATTEST:

JoD'Ann Bates, City Recorder

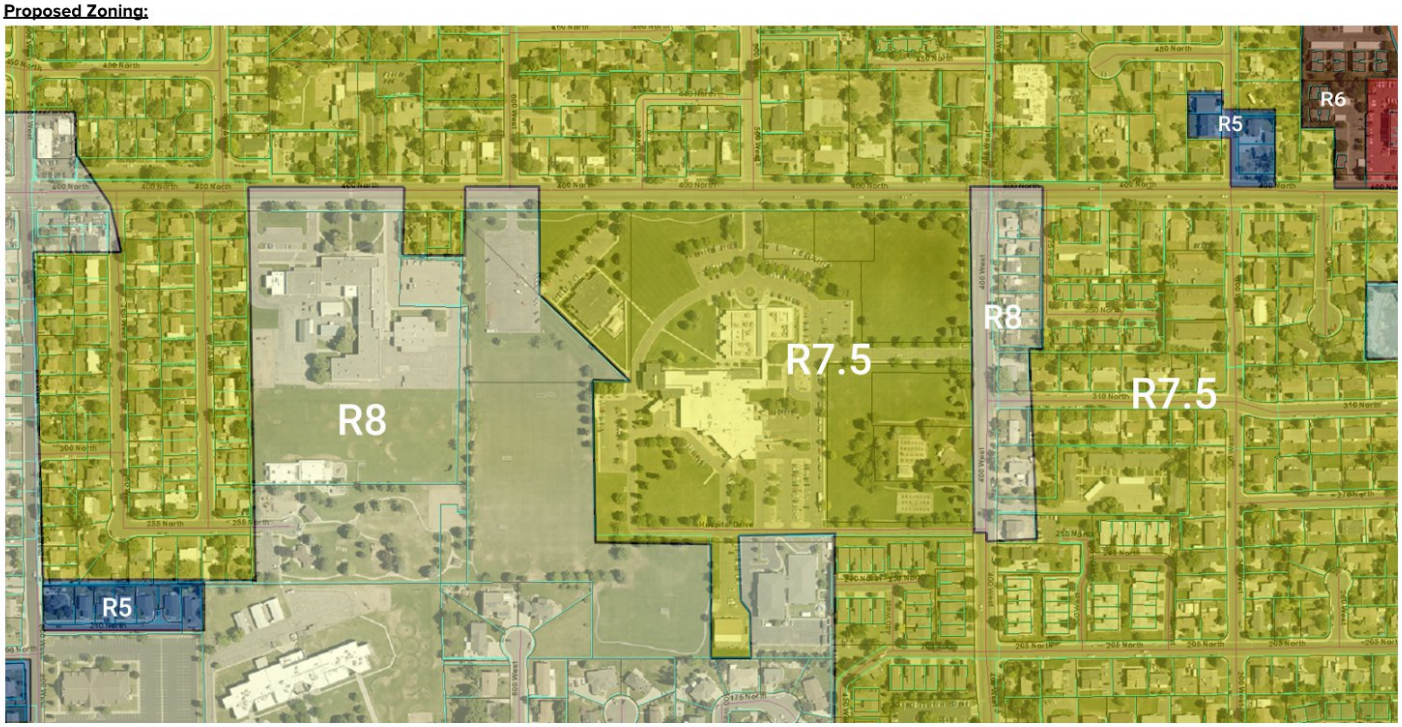
COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

Exhibit “A”

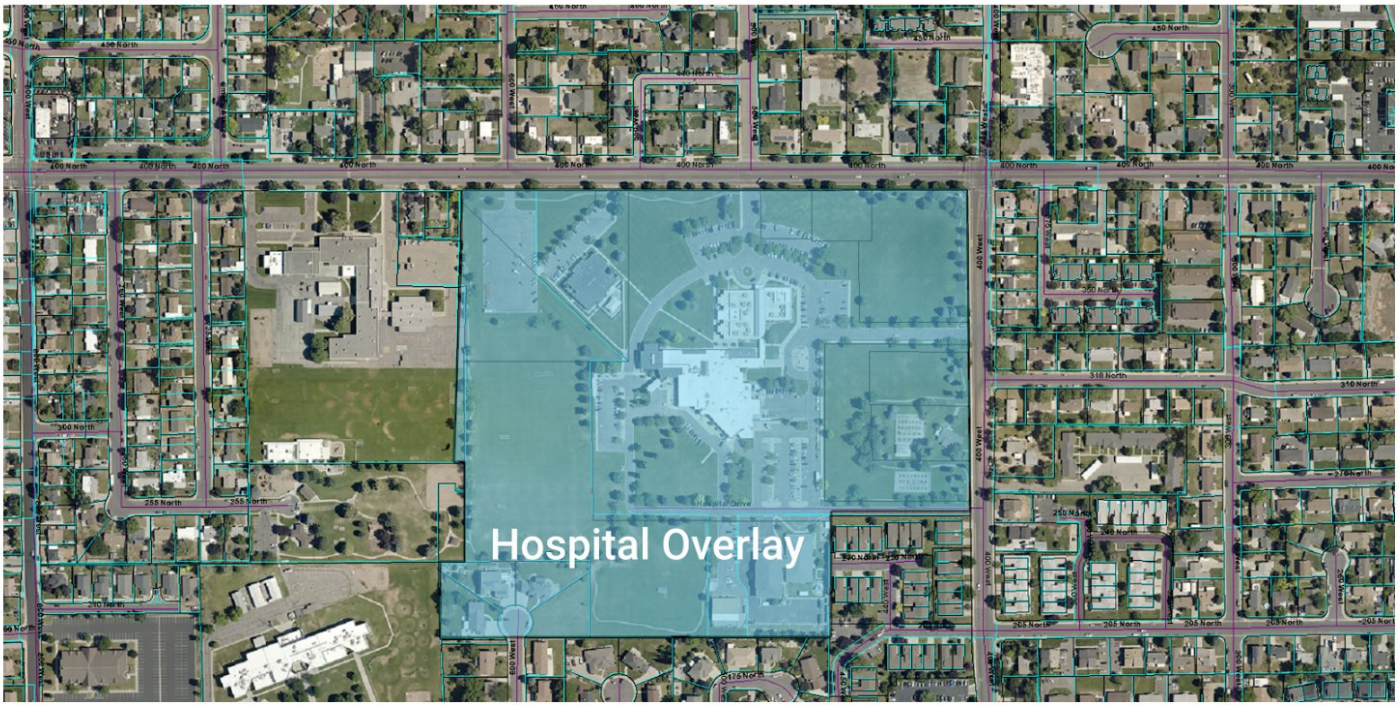
Proposed General Plan:



Proposed Zoning:



Proposed Hospital Overlay:



Agenda Item No: 9.2

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Jake Harding
Submitting Department: Development Services
Item Type: Public Hearing
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – Annexing 1.86 acres of property located generally at 1526 South 1250 West and amending the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amending Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5

Suggested Action:
The Planning Commission recommends the City Council, by ordinance, annex 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amend Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5.

Presenter:
Jason Bench

Background:

Potentially Affected Area:
Lakeview

Attachments:
Agenda-Annexation-Welch.docx

Map of Property.pdf

Annexation Maps.pdf

Annexation Plat.pdf

Petition for Annexation.pdf

County Evaluation.pdf

Welch Cache Park Annexation PC Minutes DRAFT 9.16.20.docx

DRC Application - Welch Cache Park Annexation.pdf

Resolution-Annexation-Welch.docx

CITY OF OREM

CITY COUNCIL MEETING

SEPTEMBER 29, 2020

REQUEST:	**ORDINANCE** – Annexing 1.86 acres of property located generally at 1526 South 1250 West and amending the Orem General Plan map by applying the LDR/SW (Low Density Residential/Southwest) land use designation to the property, and amending Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5.
APPLICANT:	Cache Park LLC (Mark Steffensen managing member)
FISCAL IMPACT:	None

NOTICES:
-30 day protest period
-Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn

SITE INFORMATION:
General Plan Designation: **LDR/SW (Proposed)**
Proposed Zone: OS5
Acreage: **1.86**
Neighborhood: **Lakeview**

PLANNING COMMISSION RECOMMENDATION
Vote: 4-0 for approval

PREPARED BY:
Jake Harding
Associate Planner

REQUEST:
The applicant requests the City Council annex 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by applying the LDR/SW (Low Density Residential/Southwest) land use designation to the subject property, and amend Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5.

BACKGROUND:
The applicant submitted a petition for annexation into the City of Orem a few months ago. The City Council accepted the application on June 8, 2020. After an application for annexation has been accepted, the state law allows a 30-day period for the City and the County to determine that the proposed annexation meets applicable requirements. After that period, a 30-day protest period begins to run. This 30-day period ended on September 2, 2020.

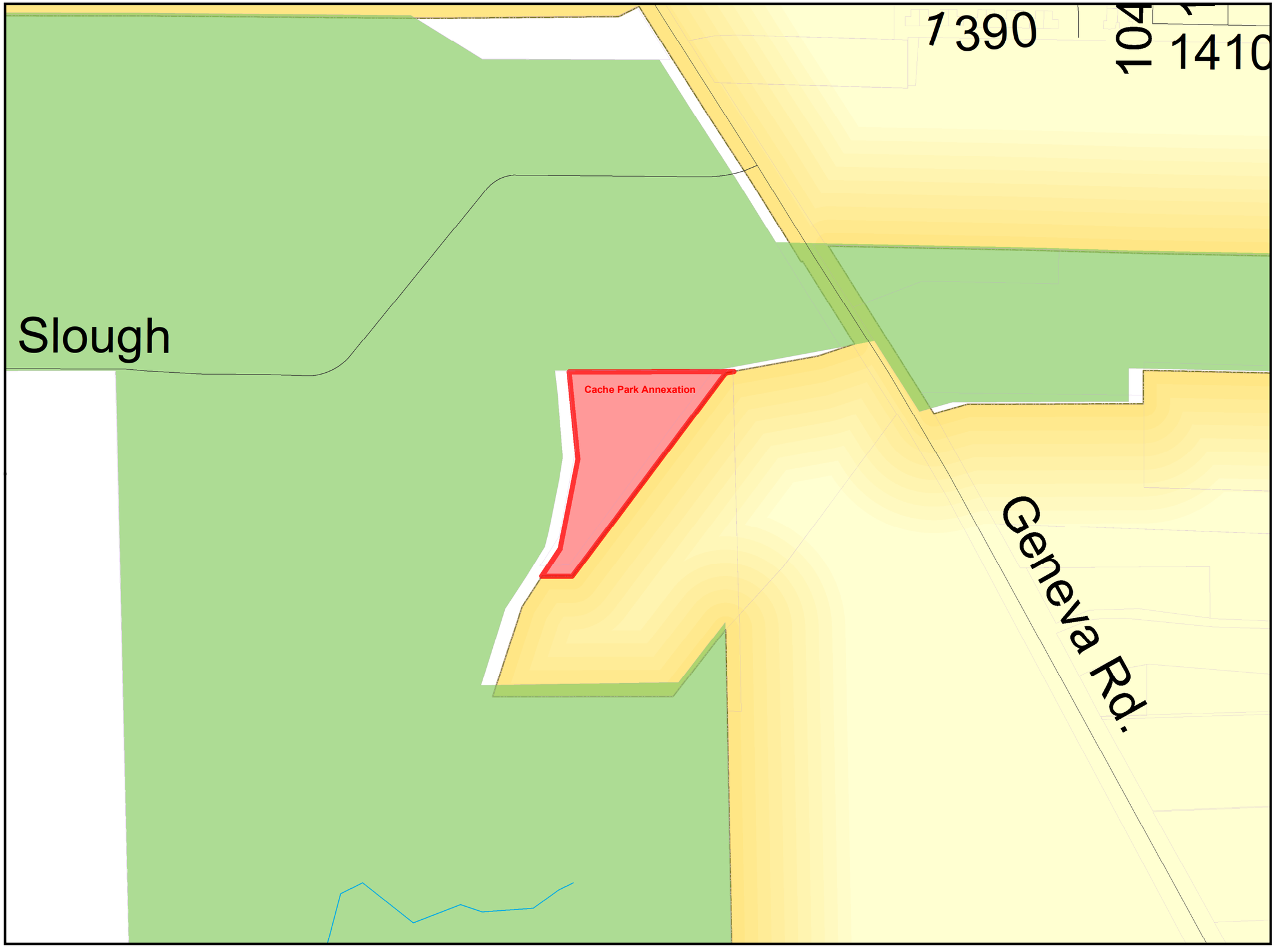
During the 30-day protest period, one comment was received by the City. The comment was made by the neighbor immediately to the west of this property. They came in person to the Development Services desk to express their concern about the irrigation ditch running through the proposed annexation property to their property. They were concerned as to whether their access to the ditch might be removed or limited by this annexation. Staff explained that if the annexation were to happen, their water rights would not be infringed upon and would be reviewed at the time of development

Staff recommends the property be designated in the General Plan as LDR/SW (Low Density Residential/Southwest) consistent with the recently adopted general plan land use designation category for the area and zoned to the OS5 zone. The City has not received any plans to develop the property at this time.

RECOMMENDATION:
The Planning Commission recommends the City Council, by ordinance, annex 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by applying the LDR/SW (Low Density Residential/Southwest) land use designation to the property, and amend Section 22-5-3(A) and the zoning map of the Orem City Code by zoning the property OS5.

Orem Annexation Petition

CACHE PARK ANNEXATION



N
W E
S

- I-15
- State Roads
- Local Roads
- Railroads
- Township Lines
- Section Lines
- County Boundary
- Property Lines
- Incorporated Cities
- Agricultural Covenants

Annexation Petitions

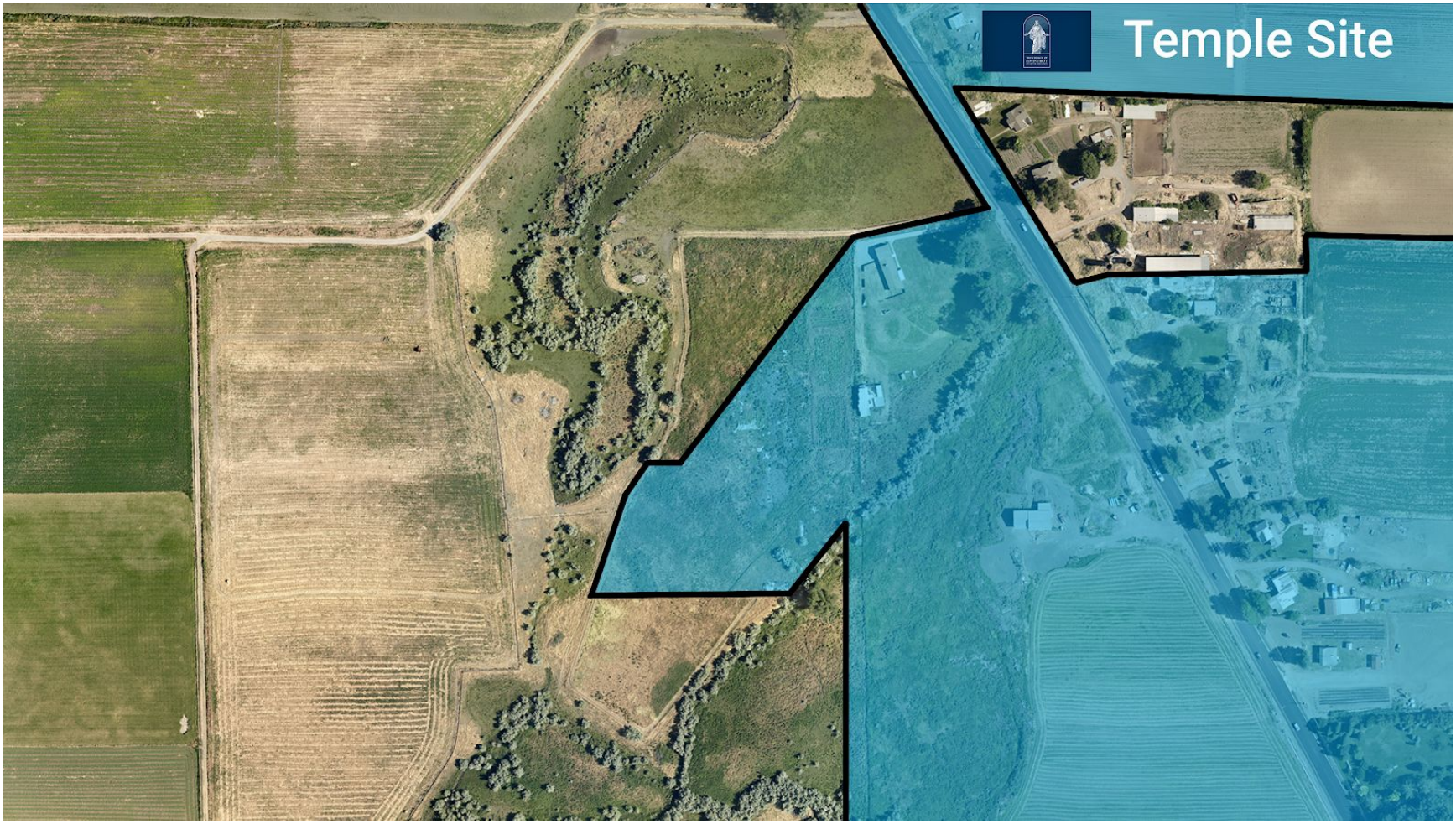
- Previously Filed Petitions
- Cache Park Annexation

Utah County
HEART of UTAH

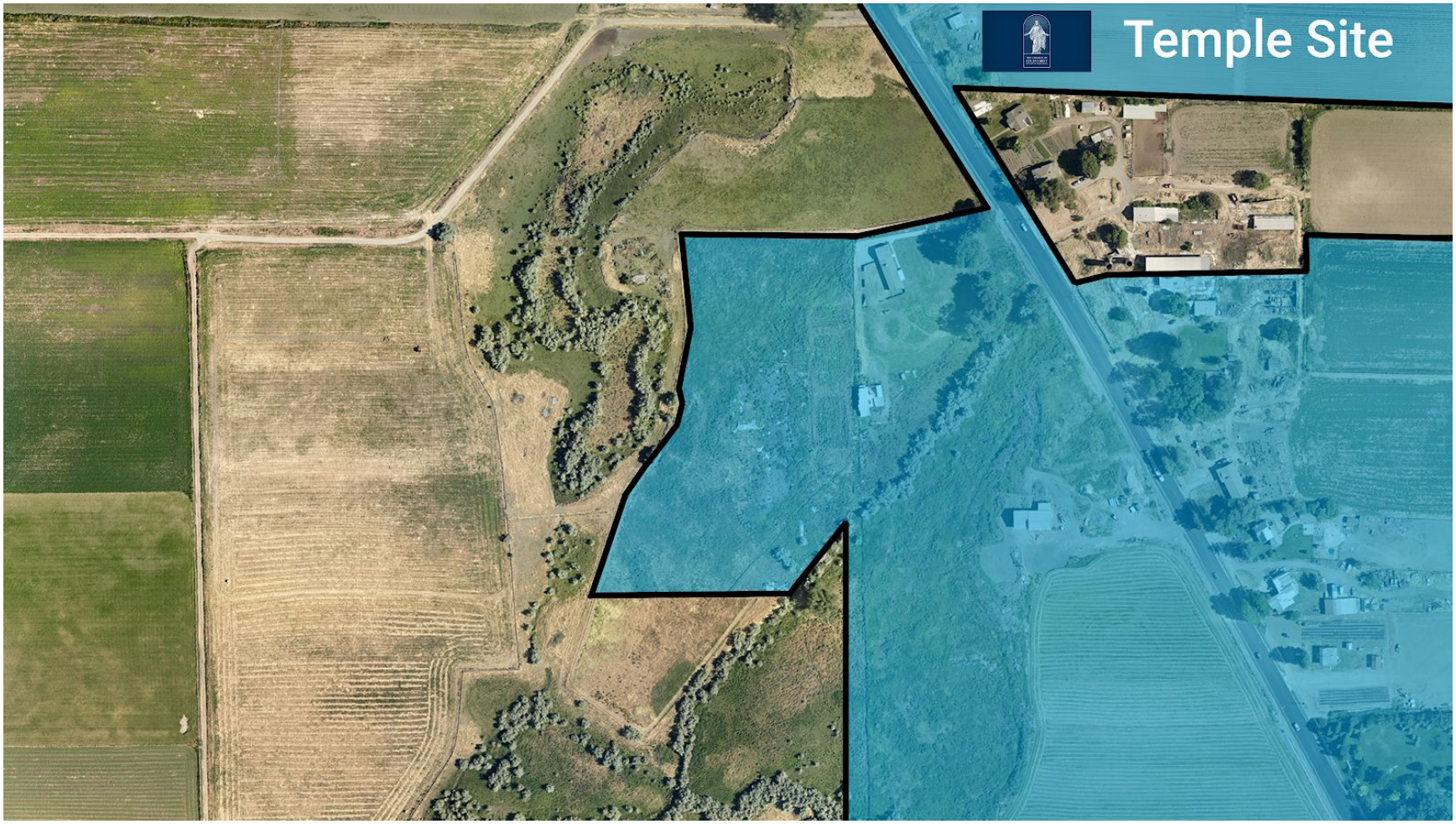
Utah County Public Works
Mapping Division
2855 South State Street
Provo, UT 84606
801-851-8626

8/12/2020 -- 2:23:48 PM
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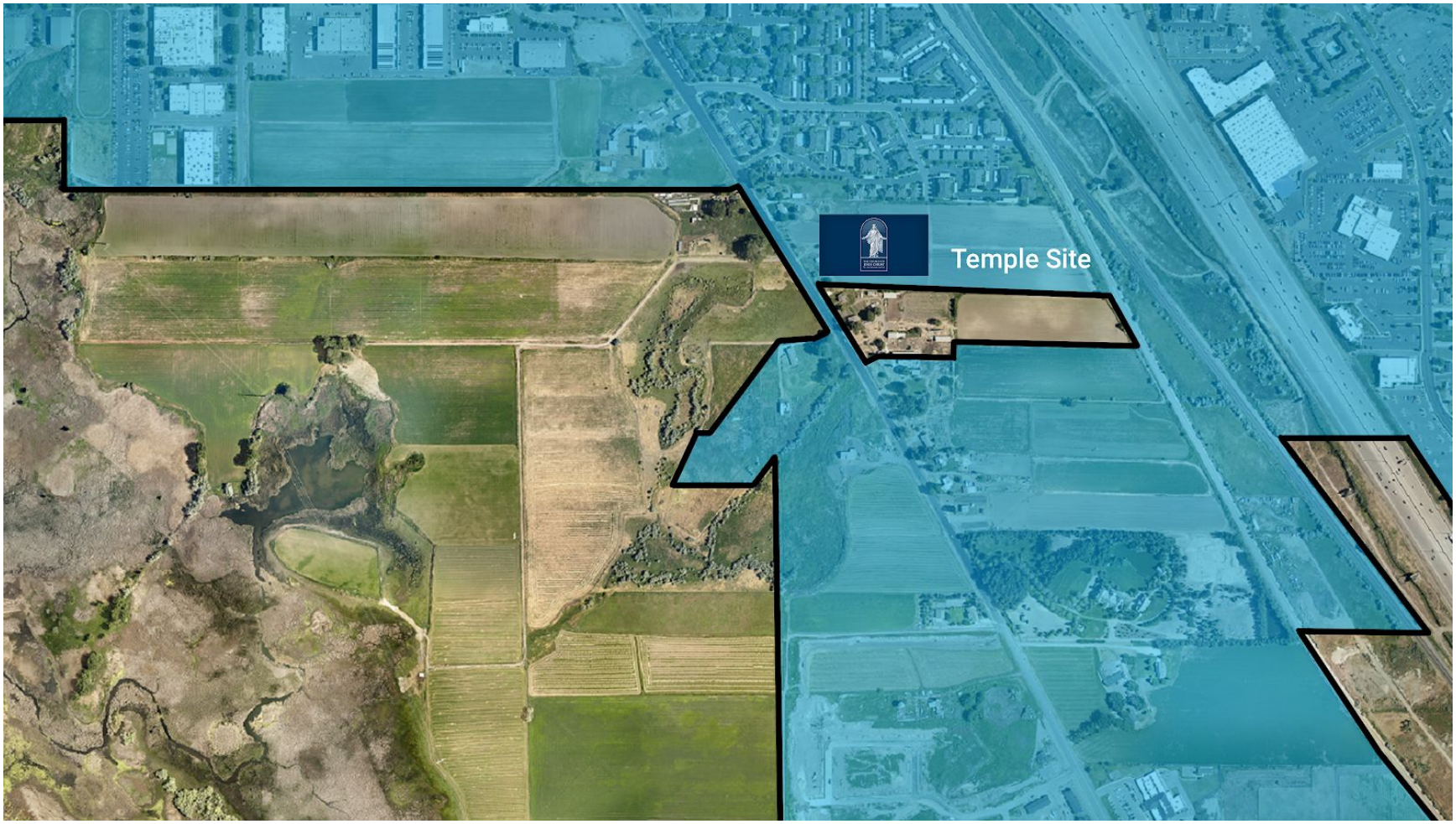
Existing City Boundaries



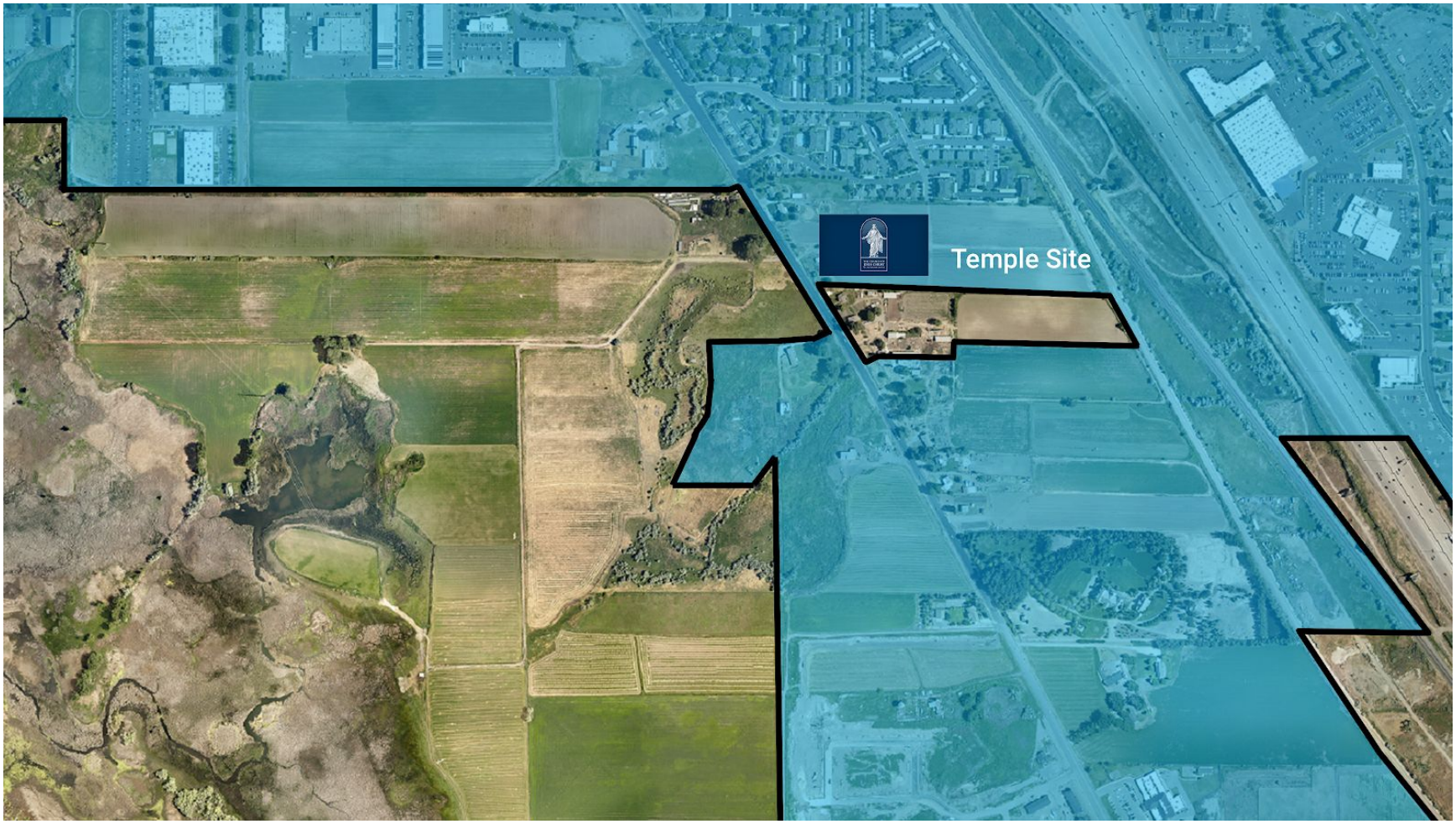
Proposed City Boundaries

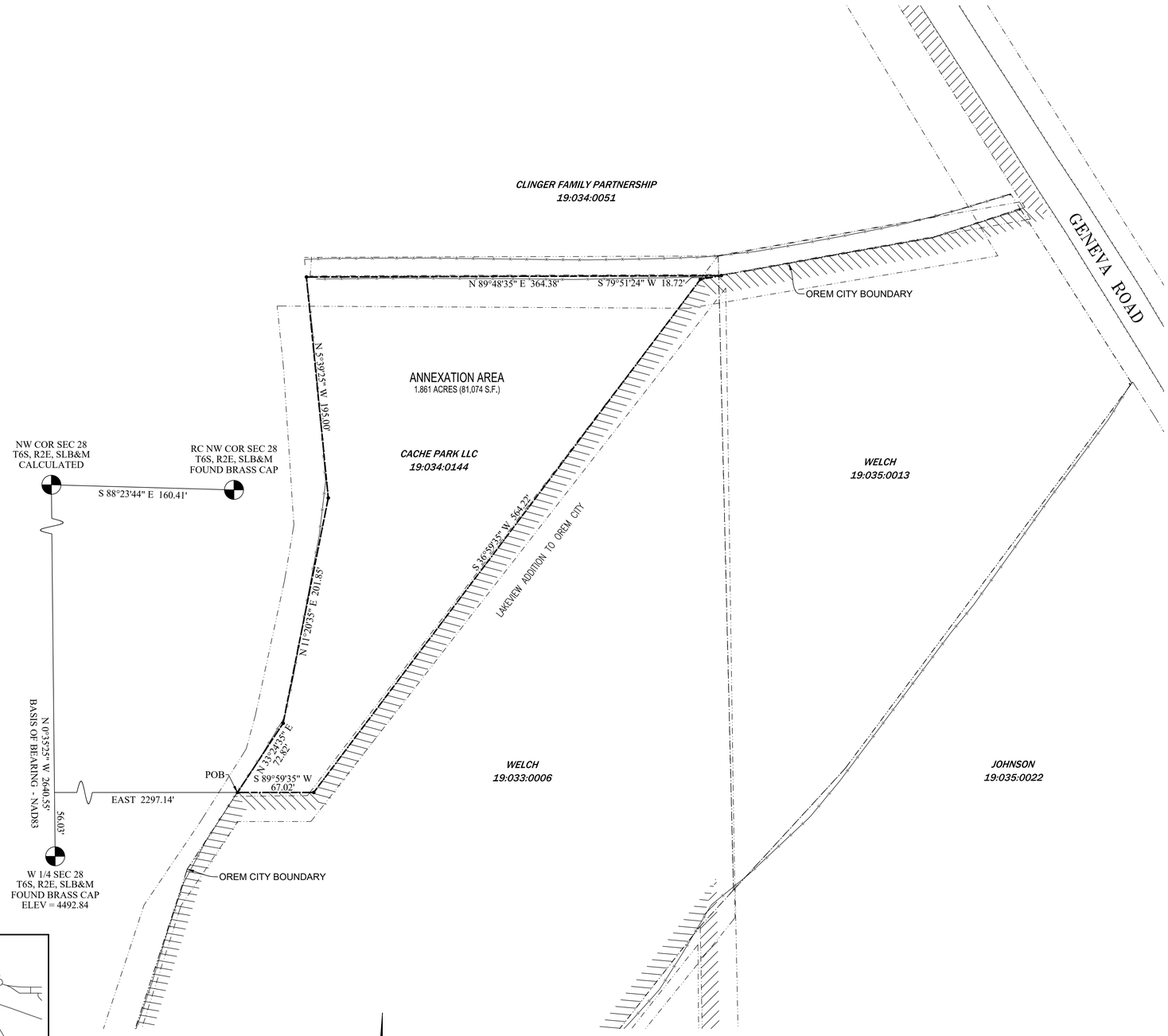


Existing City Boundaries - Vicinity Scale



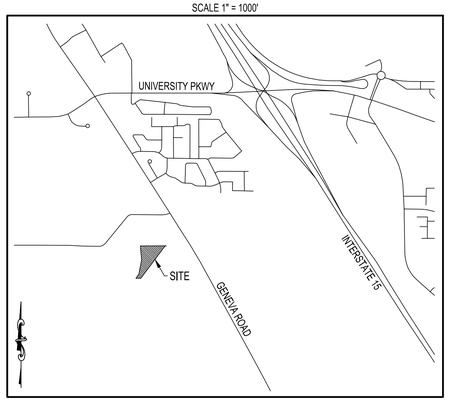
Proposed City Boundaries - Vicinity Scale





VICINITY MAP

SCALE 1" = 1000'



SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6418780 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT OF ANNEXATION TO THE CORPORATE LIMITS OF OREM CITY, UTAH COUNTY, UTAH IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

DATE

SURVEYOR'S NAME (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT LOCATED NORTH 0°35'25" WEST ALONG SECTION LINE 56.03 FEET AND EAST 2297.14 FEET FROM THE WEST QUARTER CORNER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE ALONG A FENCE LINE THE FOLLOWING FOUR COURSES AND DISTANCES: 1) NORTH 33°24'35" EAST 72.82 FEET, 2) NORTH 11°20'35" EAST 201.85 FEET, 3) NORTH 5°39'25" WEST 195.00 FEET, AND 4) NORTH 89°48'35" EAST 364.38 FEET; THENCE ALONG THE LAKEVIEW ADDITION TO OREM CITY THE FOLLOWING THREE COURSES AND DISTANCES: 1) SOUTH 79°51'24" WEST 18.72 FEET, 2) SOUTH 36°59'35" WEST 564.22 FEET, AND 3) SOUTH 89°59'35" WEST 67.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.861 ACRES, MORE OR LESS.
BASIS OF BEARING: UTAH STATE PLANE COORDINATE SYSTEM NAD 1983, CENTRAL ZONE.

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE THE UNDERSIGNED OREM CITY COUNCIL HAVE ADOPTED A PETITION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREIN AND HAVE SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT INTO OREM CITY, UTAH AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HEREWITH ALL IN ACCORDANCE WITH THE UTAH CODE SECTION 10-2-418 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE CACHE PARK ANNEXATION.

DATED THIS ____ DAY OF _____, A.D. ___.

MAYOR

ATTEST

CLERK-RECORDER
(SEE SEAL BELOW)

FINAL LOCAL ENTITY PLAT

CACHE PARK
ANNEXATION

LOCATED IN SECTION 28,
TOWNSHIP 6 SOUTH, RANGE 2 EAST, SLB&M
OREM CITY, UTAH COUNTY, UTAH
SCALE: 1" = 50 FEET

COUNTY SURVEYOR'S CERTIFICATE

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. § 17-23-20 AS AMENDED.

COUNTY SURVEYOR DATE

COUNTY SURVEYOR'S SEAL	SURVEYOR'S SEAL	CLERK-RECORDER SEAL	UTAH COUNTY RECORDER

PETITION FOR ANNEXATION

WE THE UNDERSIGNED owners of certain real property lying contiguous to the present municipal limits of the City of Orem, Utah, hereby submit this PETITION FOR ANNEXATION and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated (UCA).
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of the City of Orem and the annexation there of will not leave or create an unincorporated island or peninsula.
3. The signatures affixed hereto are those of the owners of private real property that:
   a. Is located within the area proposed for annexation;
   b. Covers a majority of the private land area within the area proposed for annexation;
   c. Covers 100% of the private land area within the are proposed for annexation if the area is within:
      i. An agricultural protection area
      ii. A migratory bird production area
   d. Is equal in value to at least one third (⅓) of the value of all private real property within the area proposed for annexation; and
   e. Lies contiguous to the present boundary of the City of Orem's corporate limits, is described in Exhibit "A," and which is incorporated herein by this reference, and is at:
   1526 South Geneva Road, Orem, Utah 84058.
4. The manner in which it was established that at least one third (⅓) of the value of all the private property sought to be annexed is owned by the signers of this petition is shown in the attached Exhibit "B," and is incorporated herein by this reference.
5. The **total** acres and **total** assessed value of **all** the lands sought to be annexed are 1.861 acres and $ 87,800 assessed value. Values of lands owned by the signers of this petition are as follows:

OWNER OF RECORD	PARCEL SIZE (Acres)	ASSESSED VALUE	UTAH COUNTY TAX ID NUMBER
Cache Park LLC	1.861	$87,800	19:034:0144

6. The petitioners have caused an accurate plat or map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith.
7. This PETITION FOR ANNEXATION does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted.
8. This PETITION FOR ANNEXATION does not propose annexation of all or part of an area proposed to be incorporated in a request for a feasibility study under Section 110-2-103 UCA or a petition under Section 10-2-125 UCA if:
   a. The request or petition was filed before the filing of this PETITION FOR ANNEXATION.
   b. The request, a petition under Section 10-2-109 UCA based on that request, or a petition under Section 10-2-125 UCA is still pending on the date this PETITION FOR ANNEXATION was filed.
9. The names and mailing addresses of all the owners of the parcels of land located within the City of Orem within 300 feet of the area proposed for annexation are:

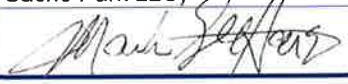
OWNERS OF RECORD	MAILING ADDRESS
Welch Family Trust	1265 East 530 North, American Fork, Utah 84003
Dale C Johnson	1738 South Geneva Road, Orem, Utah 84058
Clinger Family Partnership	140 West 400 South, Provo, Utah 84601

Continued on reverse side.

WHEREFORE, the petitioners hereby request that this petition be considered by the Orem City Council at its next regular meeting, or as soon thereafter as possible, that a resolution be adopted as required by law accepting this PETITION FOR ANNEXATION for further consideration, and that the governing body take such steps as required by law to complete the annexation herein petitioned.

Dated this 15th day of June, 2020.

The petitioner(s) hereby sign(s) this PETITION FOR ANNEXATION and designate no more than five of the signers as "Sponsor," one of whom has been designated "Contact Sponsor/Petitioner," and has provided the mailing address and phone number of each sponsor.

	PETITIONER(S)	ADDRESS	PHONE
CONTACT SPONSOR/PETITIONER PRINT NAME:	Mark Steffensen (managing member of Cache Park LLC)	5148 Cottonwood Lane, Holladay, Utah 84117	801-580-8718
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
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PETITIONER PRINT NAME:			
SIGNATURE			

Utah County
HEART of UTAH

Gary Ratcliffe, PLS
Utah County Surveyor

2855 South State Street
Provo, UT 84606

TEL: 801-851-8600
FAX: 801-851-8612

ANNEXATION PETITION EVALUATION

Municipality	Orem	**Review Date**	8/12/2020
Annexation Name	Cache Park Annexation	**Reviewed By**	Melanie Rainey

The above referenced annexation petition has been examined by the Office of the Utah County Surveyor pursuant to Utah Code 10-2-405(4) to determine its status in relation to the following eight items of the Code. A map showing the petition boundary is included herewith. Additional documentation that may be needed pursuant to UCA 10-2-405(2)(a) may be obtained at the address above. Protests to the Boundary Commission can only be made by Governmental Entities.

YES	NO	ITEM
X		1) Is the proposed annexation a contiguous, unincorporated area? UCA 10-2-402(1)(b)(i)
X		2) Is the proposed annexation contiguous to the annexing municipality? UCA 10-2-402(1)(b)(ii)
	X	3) Does the proposed annexation petition leave or create an unincorporated island or peninsula? UCA 10-2-402(1)(b)(iii)
X		4) Is the proposed annexed within the proposed annexing municipality's expansion area? UCA 10-2-402(1)(b)(iv)
	X	5) Is the proposed annexation within an Agriculture Protection Area? UCA 10-2-403(3)(b)(i)(B)(II)(Aa)
X		6) Does the petition include an accurate map prepared by a licensed surveyor? UCA 10-2-403(3)(c)(i)
	X	7) Does the proposed annexation include all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted? UCA 10-2-403(4)
X		8) Does the proposed annexation depict a name that is sufficiently unique to distinguish the plat from all other recorded plats in the county? UCA 17-23-20(4)(e)

Please Note: As defined in UCA 59-2-305.5(2), a boundary action is not effective until the required documents are recorded.

Agenda Item 3.6 is a request by John Welch for the Planning Commission to annex 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amend Section 22-5-3(A) of the Orem City Code and the zoning map by zoning the property OS5.

Staff Presentation: The applicant applied for the annexation a few months ago. The City Council accepted the application on June 8, 2020. After an application for annexation has been accepted, the State allows a 30 day period for the City and the County to determine that the annexation meets applicable requirements. After that period, a 30 day protest period for neighbors to voice their opinions and concerns. This 30 day period ended on September 2, 2020.

During the 30 day protest period. One comment was received by Orem City. The comment was made by the neighbor immediately to the west of this property. They came in person to the Development Services desk to express their concern about the irrigation ditch running through the proposed annexation property to their property. They were concerned as to whether their access to the ditch might be removed or limited by this annexation happening. The Department explained to them that if the annexation were to happen, their water rights would not be infringed upon and would be reviewed at the time of development

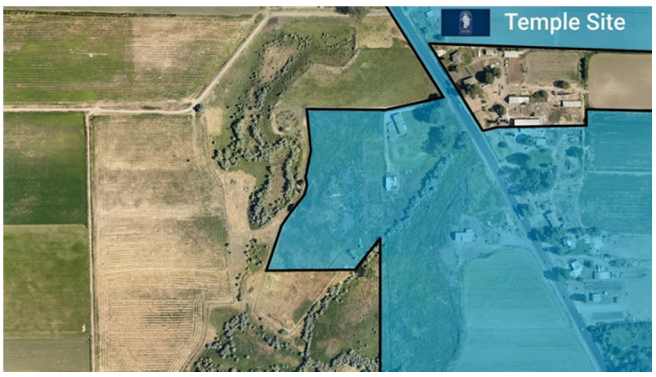
The proposed annexation property would be designated in the General Plan as LDR/SW (Low Density Residential/Southwest) and would be zoned as OS5.

The City has not received any plans to develop the property at this time.

Existing City Boundaries



Proposed City Boundaries



Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission vacate Lot 9 of Victory Heights, Plat A and approve the final plat of Victory Heights, Plat H located at 1110 North 75 East in the R8 zone.

Chair Cochran asked if the Planning Commission had any questions for Mr. Harding.

Chair Cochran invited the applicant to speak via telephone. Mark Steffenson introduced himself. Mr. Cook asked what is the current general plan designation. Mr. Bench said it is currently Utah County. Mr. Cook asked what does the zone mean, is OS5 not a holding zone. Mr. Bench said it is a holding zone. Staff is anticipating that the owner will come back through the rezoning process to change it to a PRD or R8 zone. This just gets it into the City, holds it knowing they will come back for a rezone. Mr. Cook said the intent then is that it will be low density residential. Mr. Bench said yes, as a PRD it would be seven units or less per acre assuming the PRD gets approved.

Chair Cochran then opened the public hearing and invited those who wanted to make a comment on this item to send in their comments via email or chat.

A comment was made by the neighbor immediately to the west of this property. They came in person to the Development Services desk to express their concern about the irrigation ditch running through the proposed

annexation property to their property. They were concerned as to whether their access to the ditch might be removed or limited by this annexation happening. The Department explained to them that if the annexation were to happen, their water rights would not be infringed upon and would be reviewed at the time of development.

When there were no more comments/chats, Chair Cochran closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Mr. Cochran moved to forward a positive recommendation to the City Council for the annexation of 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amend Section 22-5-3(A) of the Orem City Code and the zoning map by zoning the property OS5. Ms. Jensen seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen and Barry Roberts. The motion passed unanimously.

Orem City Development Review Committee (DRC) Application
Miscellaneous and Appeals

Development Services Department 56 North State Street, Orem, Utah (801) 229-7183
www.orem.org

Applicant Information			
Name: John Welch		**Phone:** 8017358703	
Address: 1265 E 530 N		**Email:** JWELCH@GMAIL.COM	
City: AMERICAN FORK		**State:** UT	**Zip:** 84003

Project Information	
Project Name	
Project Address	

	Request	Fees	Total
	Temporary Site Plan Approval	$446	
	Concrete/Masonry Fence	$377	
	Daycare/Preschool Fence	$190	
	Conditional Use Permit	$1,203 + $689 sign fee + notice fee	
	Fence Modification/Waiver	$504 + notice fee	
	Appeal to City Council	$1229 + notice fee	
	Appeal to Planning Commission	$1126+ notice fee	
	Appeal to Board of Adjustment	$906 + notice fee	
	Driveway Entrance Modification	$175	
X	Annexation	$3,297 + $900 PC & CC newspaper notice + $689 sign fee	$4,886
	Street Vacation	$1,674 + $150 newspaper notice	
	Special Exception for Multi-family	$1,462 + notice fee	
	Total		

Required Copies

Two (2) full-size copies no larger than 24" x 36", one (1) 11" x 17" and a PDF and/or Word of all applicable drawings and plans. Files can be emailed to Cheryl Vargas at chvargas@orem.org or submitted on disc/flash drive prior to the deadline.

General Notes, Signature, and Contact Person

Planning Commission/City Council Meetings. Once the Development Review Committee determines your application is complete and complies with all applicable City ordinances, it shall be forwarded to the Planning Commission if required, and City Council, if required. The City Council is the final approving authority of conditional use permits, appeals, City Code amendments, General Plan amendments, fence modifications, and site plans in the following zones: PD-1, PD-4, PD-5, PD-15, PD-16, and PD-21.

Neighborhood Meeting. The applicant shall hold a neighborhood meeting in accordance with City Code for the following requests: General Plan amendments, Zoning Ordinance amendments, commercial developments adjacent to a residential zone, all non-residential uses in a residential zone.

DRC Application. The DRC application must be complete at the time of submittal or it may not be accepted.

Filing Fee Notice. Applications filed after July 1 are subject to fee changes regardless of the fee listed on the application used at the time of submittal.

Deadline. The deadline for filing a DRC application is Monday noon for first review the following Thursday. In the case of a Monday holiday, the deadline is Tuesday at noon. Contact information to inquire about the status of an application: 801-229-7183

Applicant's Signature:

Contact Person: John Welch **Phone:** 8017358703

Office Use Only

Date Filed: 6/8/2020	Fees Paid: $4,886	Received By:	Receipt #:

7 February 2019

ORDINANCE NO.

AN ORDINANCE BY THE OREM CITY COUNCIL ANNEXING 1.86 ACRES OF PROPERTY LOCATED GENERALLY AT 1526 SOUTH 1250 WEST AND AMENDING THE OREM GENERAL PLAN MAP BY DESIGNATING THE PROPERTY LDR/SW (LOW DENSITY RESIDENTIAL/ SOUTHWEST), AND AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY ZONING THE PROPERTY OS5.

WHEREAS on June 8, 2020, Mark Steffensen (managing member of Cache Park, LLC) filed a petition for annexation with the City of Orem requesting the City annex 1.86 acres of property located generally at 1526 South 1250 West and amend the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amend Section 22-5-3(A) and the zoning map by zoning the property OS5; and

WHEREAS the City Council accepted the petition on June 8, 2020; and

WHEREAS the City Recorder, in consultation with the City Attorney, has determined that the proposed annexation complies with all provisions of state law; and

WHEREAS the 30-day protest period has elapsed and no protests that would affect the proposed annexation have been received; and

WHEREAS a public hearing considering the proposed annexation was held by the Planning Commission on September 16, 2020; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 29, 2020; and

WHEREAS the agendas of the Planning Commission meeting and the City Council meeting at which the subject application was heard were posted at the Orem Public Library, on the Orem City webpage and at the City offices at 56 North State Street; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan, 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.

2. The City Council hereby approves the annexation of 1.86 acres of property located generally at 1526 South 1250 West and amends the Orem General Plan map by designating the property LDR/SW (Low Density Residential/Southwest), and amends Section 22-5-3(A) and the zoning map of the City of Orem by zoning the property OS5 as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.

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

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

PASSED and APPROVED and ORDERED PUBLISHED this 29th day of September 2020

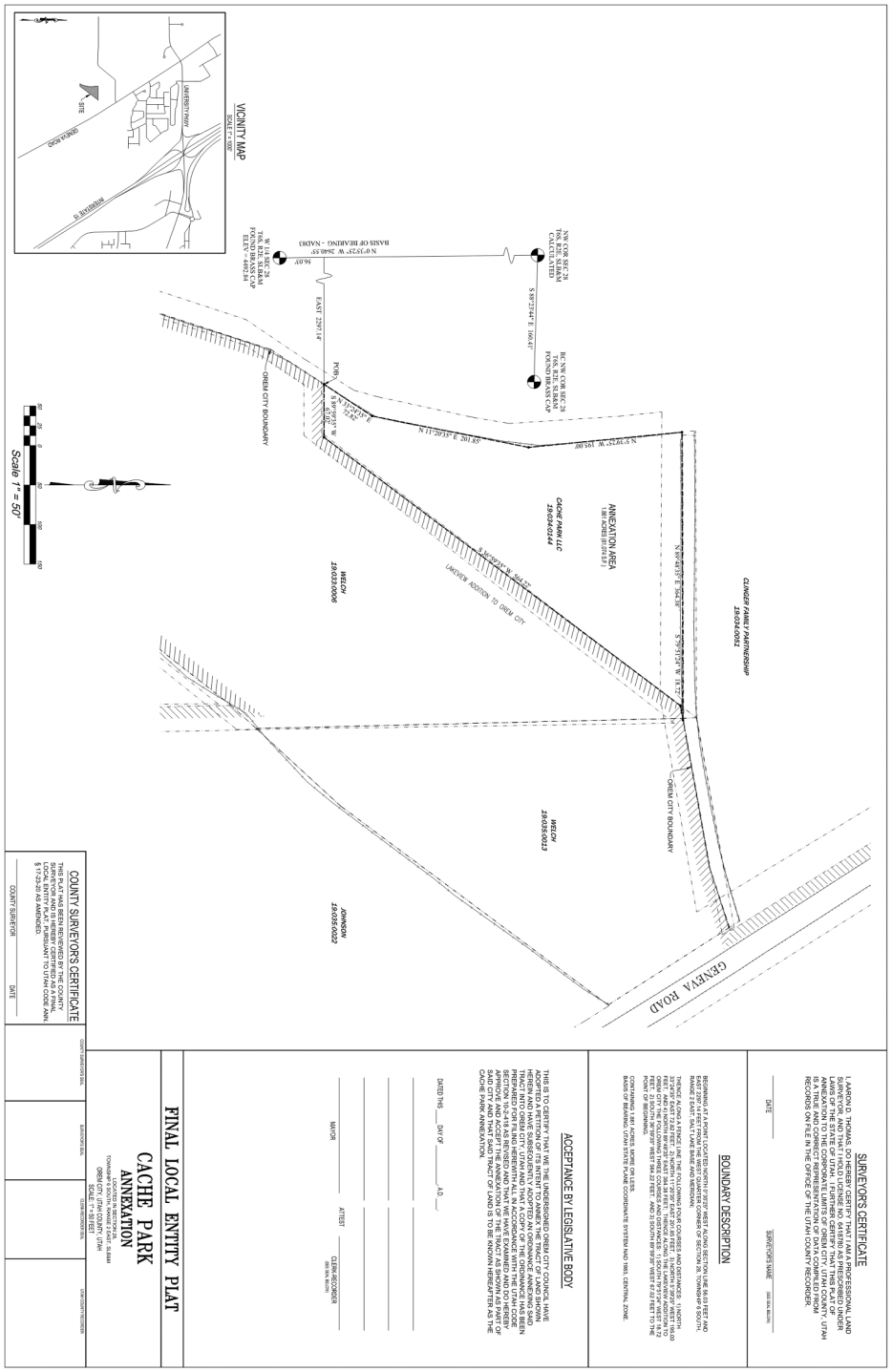
_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

Exhibit “A”


SURVEYOR'S CERTIFICATE
I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12151766 AS PRESCRIBED BY LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT OF ANNEXATION TO THE CORPORATE LIMITS OF OREM CITY, UTAH COUNTY, UTAH HAS BEEN PREPARED FROM A SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT IT IS CORRECT AND ACCURATE AS SHOWN ON THIS PLAT AND THAT THE MONUMENTS HAVE BEEN LOCATED AS REPRESENTED ON THIS PLAT AS DETERMINED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.
DATE
SURVEYOR'S NAME
BOUNDARY DESCRIPTION
BEGINNING AT A POINT LOCATED SOUTH 89°44'19" EAST 2297.14 FEET ALONG THE SECTION LINE AND SOUTH 2648.57 FEET FROM THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 11°20'10" EAST 201.85 FEET; THENCE NORTH 00°57'25" WEST 105.00 FEET; THENCE NORTH 89°44'19" EAST 944.38 FEET; THENCE SOUTH 00°57'25" EAST 1,215.27 FEET; THENCE SOUTH 89°22'44" EAST 20.48 FEET; THENCE SOUTH 00°57'25" EAST 196.00 FEET; THENCE SOUTH 89°22'44" EAST 1,000.00 FEET TO THE CENTERLINE OF 1600 NORTH STREET IN OREM CITY; THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE COURSES AND DISTANCES: 1) SOUTH 89°22'44" WEST 94.72 FEET; 2) SOUTH 89°22'44" WEST 1,000.00 FEET; AND 3) SOUTH 89°59'29" WEST 67.22 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.881 ACRES, MORE OR LESS.
BASIS OF BEARING: UTAH STATE PLANE COORDINATE SYSTEM NAD 1983, CENTRAL ZONE
ACCEPTANCE BY LEGISLATIVE BODY
THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE WAS DULY AND REGULARLY ADOPTED A PETITION OF ITS INTENT TO ANNEX THE TRACT OF LAND SHOWN HEREIN AND HAVE SUBSEQUENTLY ADOPTED AN ORDINANCE ANNEXING SAID TRACT OF LAND TO OREM CITY, UTAH COUNTY, UTAH AND THAT A PLAT HAS BEEN PREPARED FOR FILING HEREWITH ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED, AND THAT THE LEGISLATIVE BODY OF OREM CITY, UTAH COUNTY, UTAH DOES APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE CACHE PARK ANNEXATION.
DATED THIS ___ DAY OF _____, A.D. ____
MAYOR
ATTEST
CLERK-RECORDER
FINAL LOCAL ENTITY PLAT
CACHE PARK
ANNEXATION
LOCATED IN SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SLB&M
OREM CITY, UTAH COUNTY, UTAH
SCALE: 1" = 50 FEET
COUNTY SURVEYOR'S CERTIFICATE
THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY APPROVED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. § 17-23-20 AS AMENDED.
COUNTY SURVEYOR
DATE
SURVEYOR (AS-NEW)
SURVEYOR (AS-BUILT)
OWNER/DEVELOPER
OWNER/DEVELOPER
VICINITY MAP
SCALE: 1" = 1000'
SITE
OREM BLVD
HERITAGE BLVD
CANYON PKWY
BASIS OF BEARING - NAD83
N 0°15'57" W 2648.57'
16.60'
NW COR SEC 26 T5S, R2E, SLB&M CALCULATED
S 89°22'44" E 100.48'
EAST 2297.14'
POB
S 89°22'44" E 1000.00'
S 89°59'29" W 67.22'
N 11°20'10" E 201.85'
N 00°57'25" W 105.00'
N 89°44'19" E 944.38'
S 89°22'44" W 94.72'
S 00°57'25" E 1215.27'
S 89°22'44" W 20.48'
S 00°57'25" E 196.00'
OREM CITY BOUNDARY
ANNEXATION AREA
1.881 ACRES (81,934 S.F.)
CACHE PARK LLC
1850450044
CLAWSER FAMILY PARTNERSHIP
1850440001
WELCH
1850330006
WELCH
1850350013
JOHNSON
1850350002
LAKEVIEW ADDITION TO OREM CITY
GENEVA ROAD
Scale 1" = 50'

Orem
Annexation
Petition
CACHE PARK
ANNEXATION
Slough
Geneva Rd.
Cache Park Annexation
I-15
State Roads
Local Roads
Railroads
Township Lines
Section Lines
County Boundary
Property Lines
Incorporated Cities
Agricultural Covenants
Annexation Petitions
Previously Filed Petitions
Cache Park Annexation
Utah County
HEART of UTAH
Utah County Public Works
Mapping Division
2855 South State Street
Provo, UT 84606
801-851-8626
8/12/2020 - 2:23:43 PM
H:\Petitions\Petition Maps\mxd

Agenda Item No: 9.3

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Cheryl Vargas
Submitting Department: Development Services
Item Type: Public Hearing
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – Amending Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map

Suggested Action:
The Planning Commission recommends the City Council, by ordinance, amend Section 22-11-35(L)(1) of the Orem City Code pertaining to allowable density for residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

Presenter:
Jason Bench

Background:

Potentially Affected Area:
Timpview

Attachments:
Agenda-PD22-TransferResidentialDensity.docx

Vicinity Map.pdf

Location Map.pdf

Proposed_Text_PD-22_Density_modification_and_Appendix_Q.pdf

PD-22 Amended (Proposed) Drawings.pdf

Northgate Village_Appendix Q_Existing pages.pdf

Proposed Concept Plan.pdf

Street View.pdf

Elevations1 (Review only).pdf

Elevations2 (Review only).pdf

Elevations3 (Review only).pdf

Elevations4 (Review only).pdf

Neighborhood mtg Minutes_Attendance Role 8-10-20.docx

Neighborhood Meeting Notice_Applicant.pdf

20200821_1_MailerFront.pdf

20200821_1_MailerBack.pdf

20200821_1_Labels.docx

Villa d'Este PC Minutes 9.2.20.docx

DRC Application_PD-22 - Villa D'Este 7.23.20.pdf

Resolution-PD22-TransferResidentialDensity.docx

CITY OF OREM **CITY COUNCIL MEETING** SEPTEMBER 29, 2020	
REQUEST:	**ORDINANCE**–Amending Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.
APPLICANT:	Bruce Dickerson
FISCAL IMPACT:	None

NOTICES:
-Posted in 2 public places
-Posted on City webpage
-Posted on the State noticing website
-Faxed to newspapers
-Mailed 228 notices to property owners within 500 feet.

SITE INFORMATION:
General Plan Designation: **Regional Commercial Residential**
Current Zone: PD22
Acreage: **3.24**
Neighborhood: **Timpview**

PLANNING COMMISSION RECOMMENDATION
Vote: 7-0 for approval

PREPARED BY:
Cheryl Vargas
Associate Planner

REQUEST: Bruce Dickerson requests the City amend Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD-22 *Urban Village* zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

BACKGROUND: The applicant owns the property at 1140 West 950 North in the PD22 zone. The property was originally owned by the Church of Jesus Christ of Latter-Day Saints and the concept plan for the PD22 zone contemplated a church being developed on this property. The applicant would like to make the ordinance amendments described above to allow residential development to now go on the property.

The applicant would like to build residential condominiums on the property similar to the Villa D'Este Condominiums located to the east of this property. To make this possible, three maps in Appendix Q need to be amended. These maps include the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

In the PD22 zone, a maximum of seven hundred residential dwelling units are allowed. The applicant proposes to reallocate some allowed, but unused, residential units from the Mixed-Use area (112 units) and the Mix-Use Towers area (19 units) and transfer those units to the Residential Only Area. The applicant would also like to amend Appendix Q to include the subject property as part of the Residential Only area. The total number of allowed residential units in the zone would remain the same.

The proposed amendment to the text of the PD22 zone is shown below.

Section 22-11-35(L)

L. **Additional Development Standards and Requirements.** The following development standards and requirements shall apply to all development within the PD-22 zone:

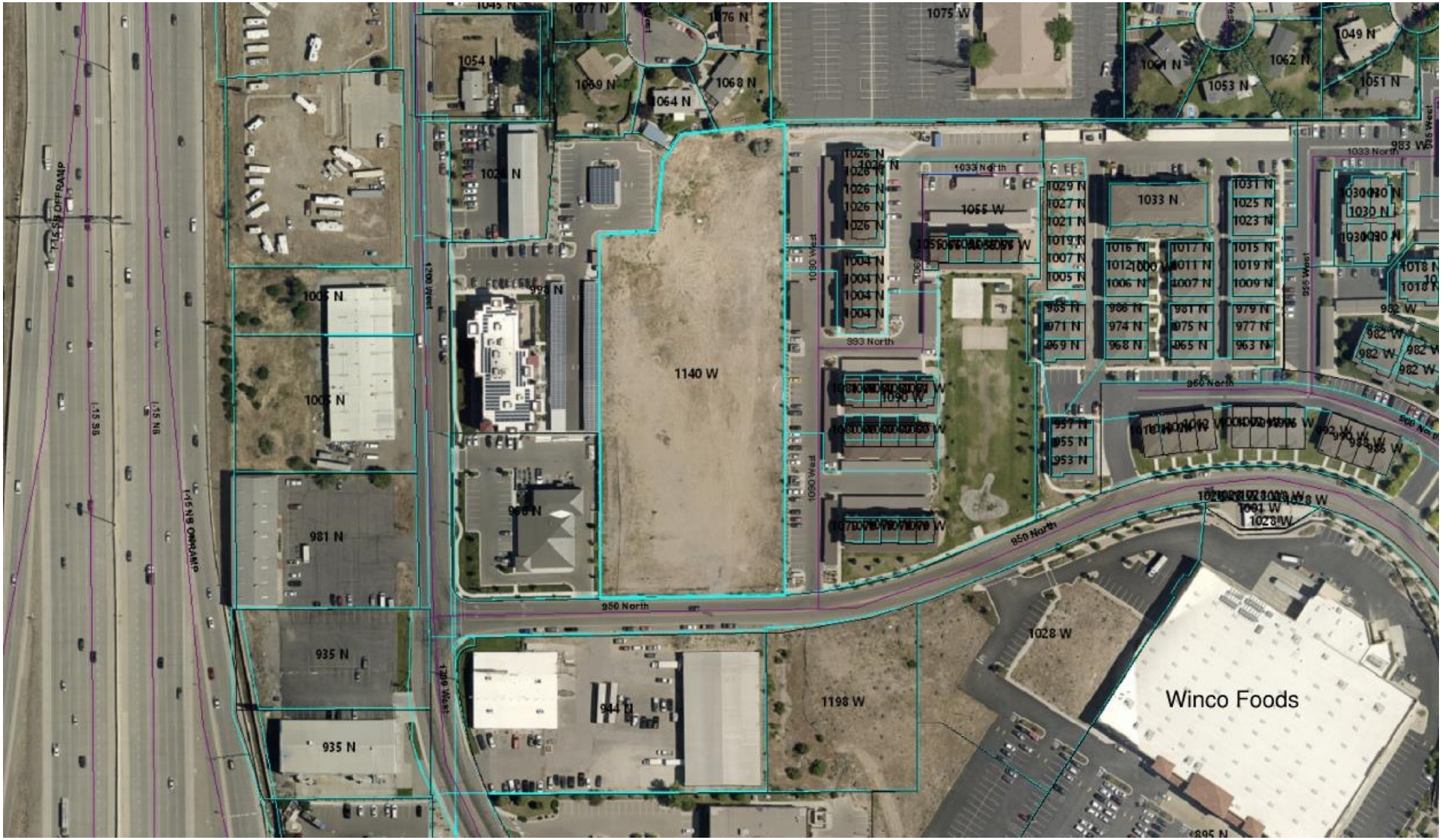
1. **Allowable Density for Residential Units.** A maximum of seven hundred (700) residential dwelling units shall be allowed in the PD22

zone. These units shall be allowed in the PD-22 zone. These units may be located in the development as follows:

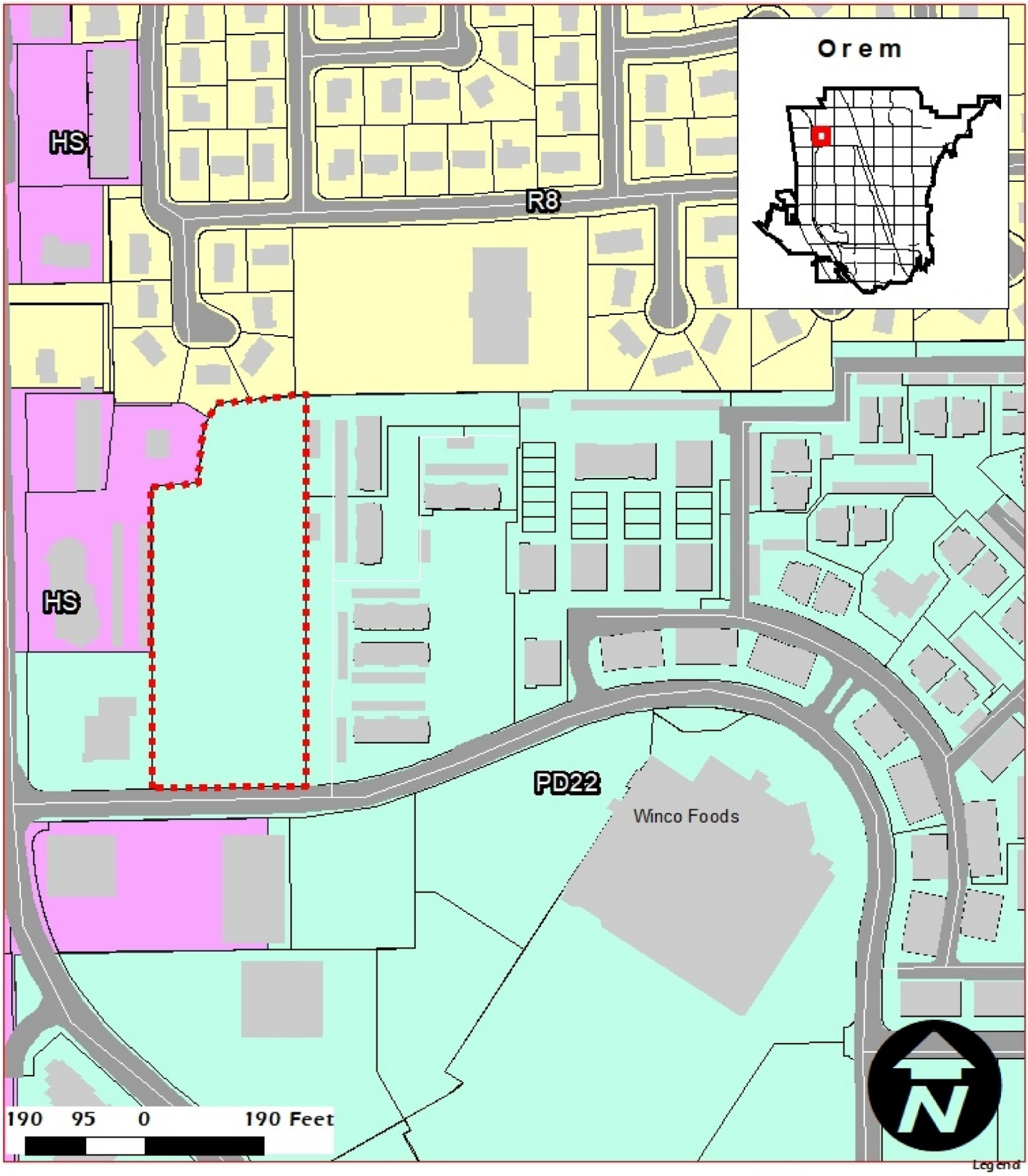
Allowable Density for Residential Units – PD-22 zone	
Unit Location	**# of Units**
Residential Only Area	Up to 561
Mixed-use Towers Area	Up to 139

The proposed amendment to the three maps that are part of Appendix Q are included as part of the agenda summary packet.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD-22 *Urban Village* zone and amend portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.


1140 W
1198 W
1028 W
Winco Foods
950 North
850 North
933 North
1033 North
1300 West
1090 West
956 West
I-15 SB OFFRAMP
I-15 NB OFFRAMP
I-15 SB
I-15 NB

Villa d'Este



Zoning Ordinance Map Amendment
PD22
3.24 Acres

NEIGHBORHOOD
Timpview

Villa d'Este
Buildings
Parcels

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

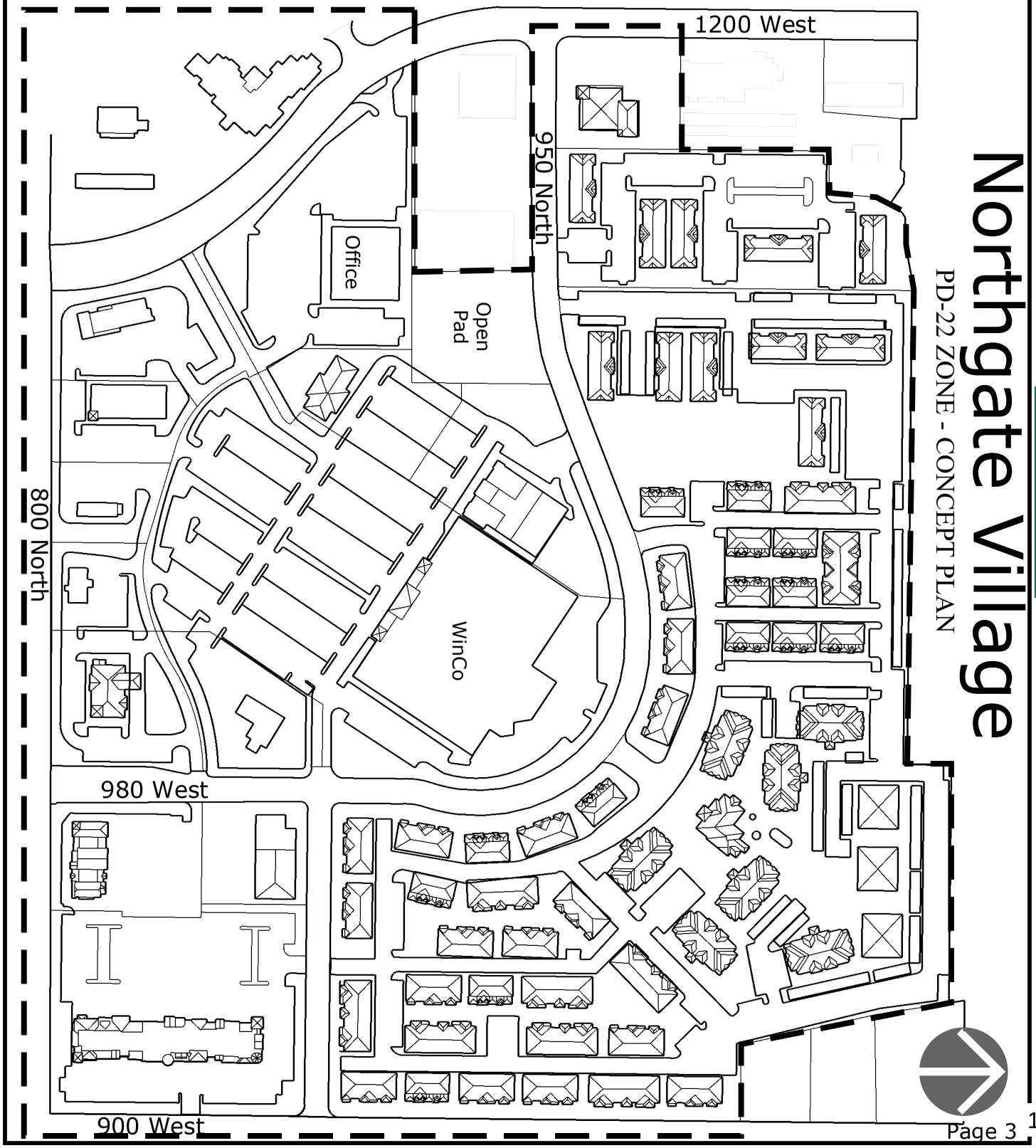
Section 22-11-35(L)

L. **Additional Development Standards and Requirements.** The following development standards and requirements shall apply to all development within the PD-22 zone:

1. **Allowable Density for Residential Units.** A maximum of seven hundred (700) residential dwelling units shall be allowed in the PD-22 zone. These units may be located in the development as follows:

Allowable Density for Residential Units – PD-22 zone	
Unit Location	**# of Units**
Residential Only Area	Up to 561~~430~~
~~Mixed-use Area~~	~~Up to 112~~
Mixed-use Towers Area	Up to 139~~158~~

~~If the "Residential Only Area" is developed with less than 430 residential units, the difference between what is developed in the Residential Only Area and 430 may be moved to either the "Mixed-use Area" or the "Mixed-use Towers Area".~~

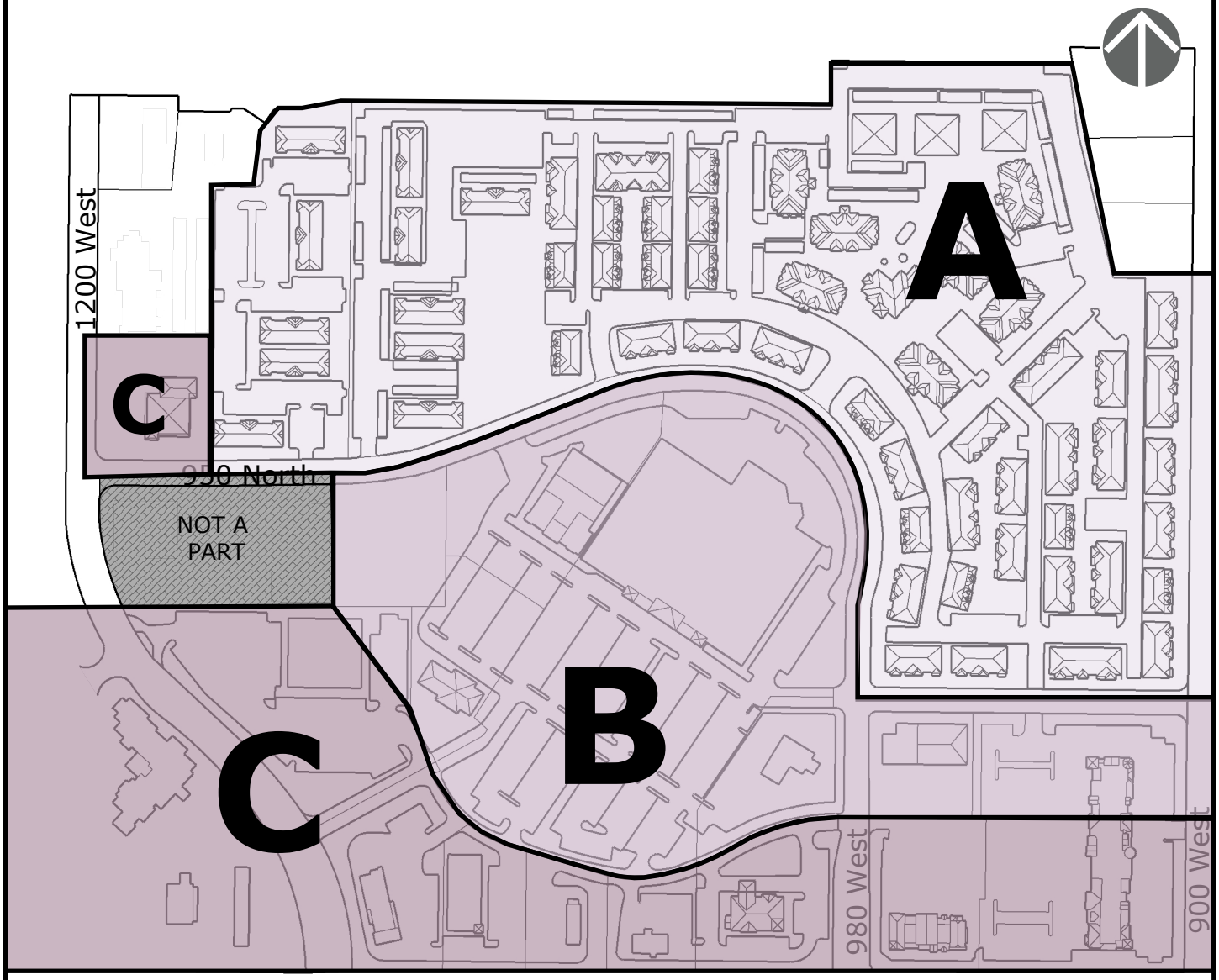


Amended Drawing

Amended Drawing

Commercial/Retail Area Designation Plan

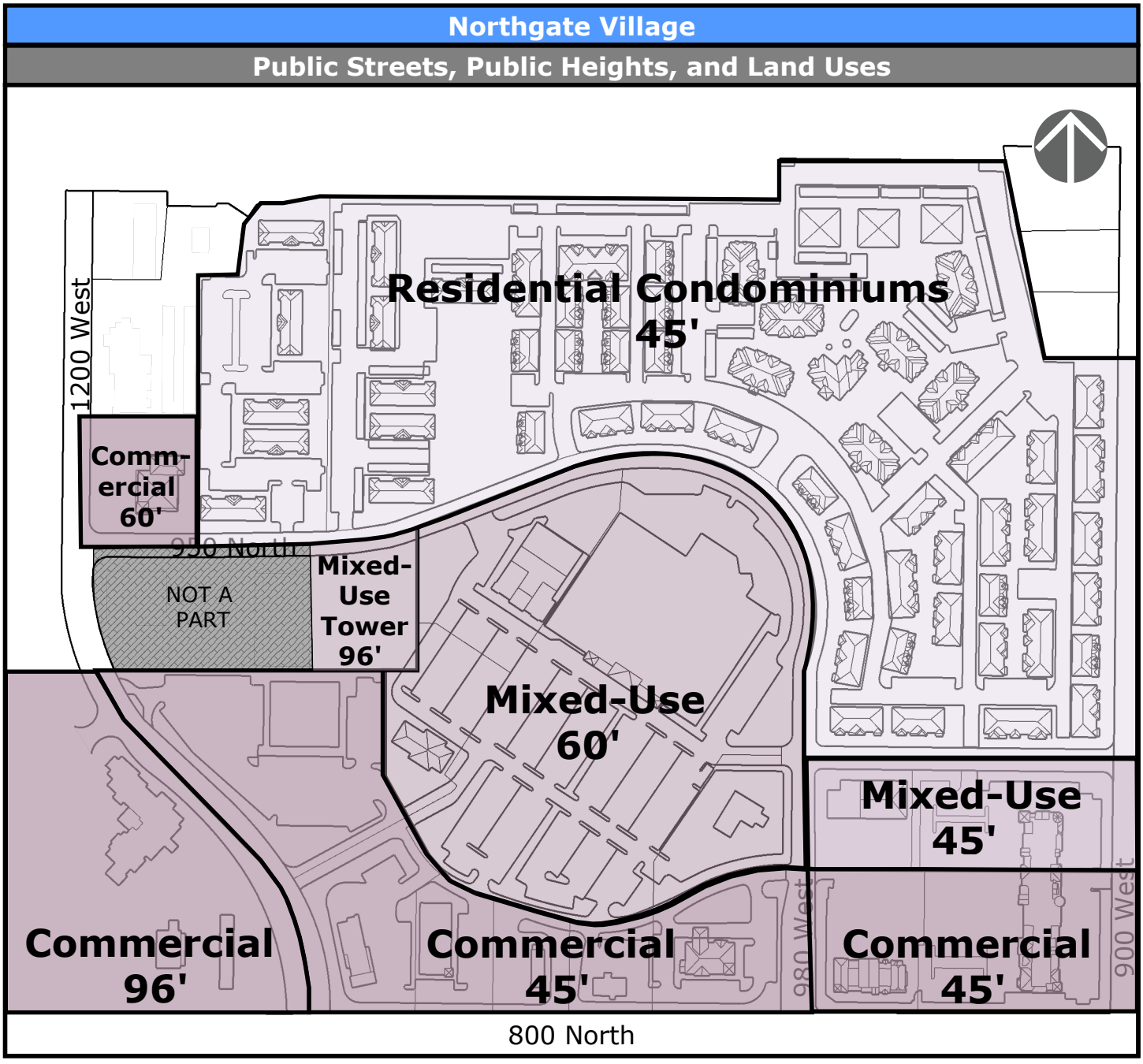
Northgate Village



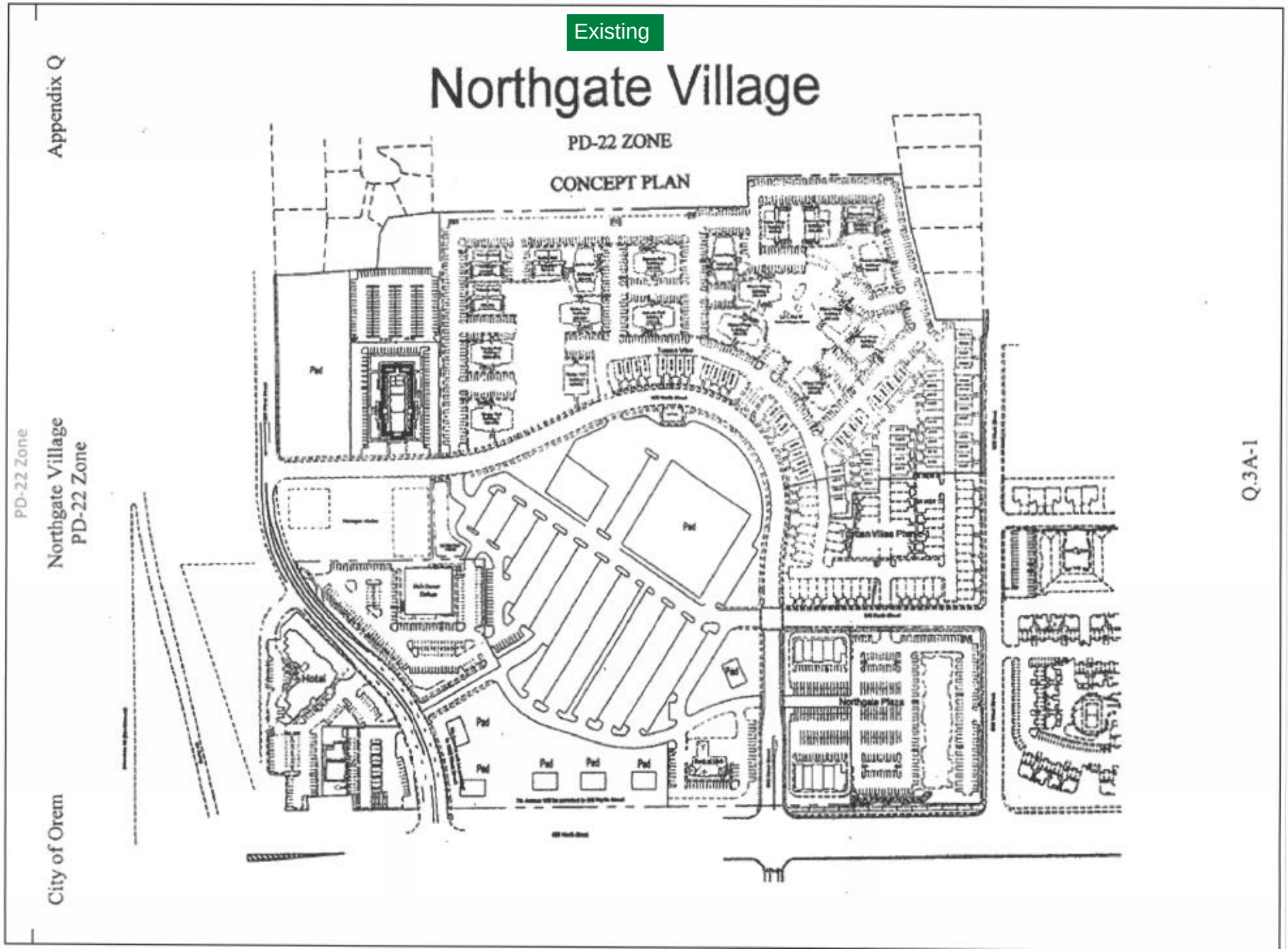
Area A Residential and condominium.	**Area B** Consists of mixed-uses such as main floor commercial areas -- offices and retail -- along with upper floors of the office, retail, and condominiums. At least 50% of the ground floor area will be dedicated to retail businesses.	**Area C** Consists of offices and retail businesses with some multilevel buildings. At least 70% of the ground floor area will be dedicated to retail business.

Amended Drawing

Public Streets, Building Heights, and Land Uses



Existing

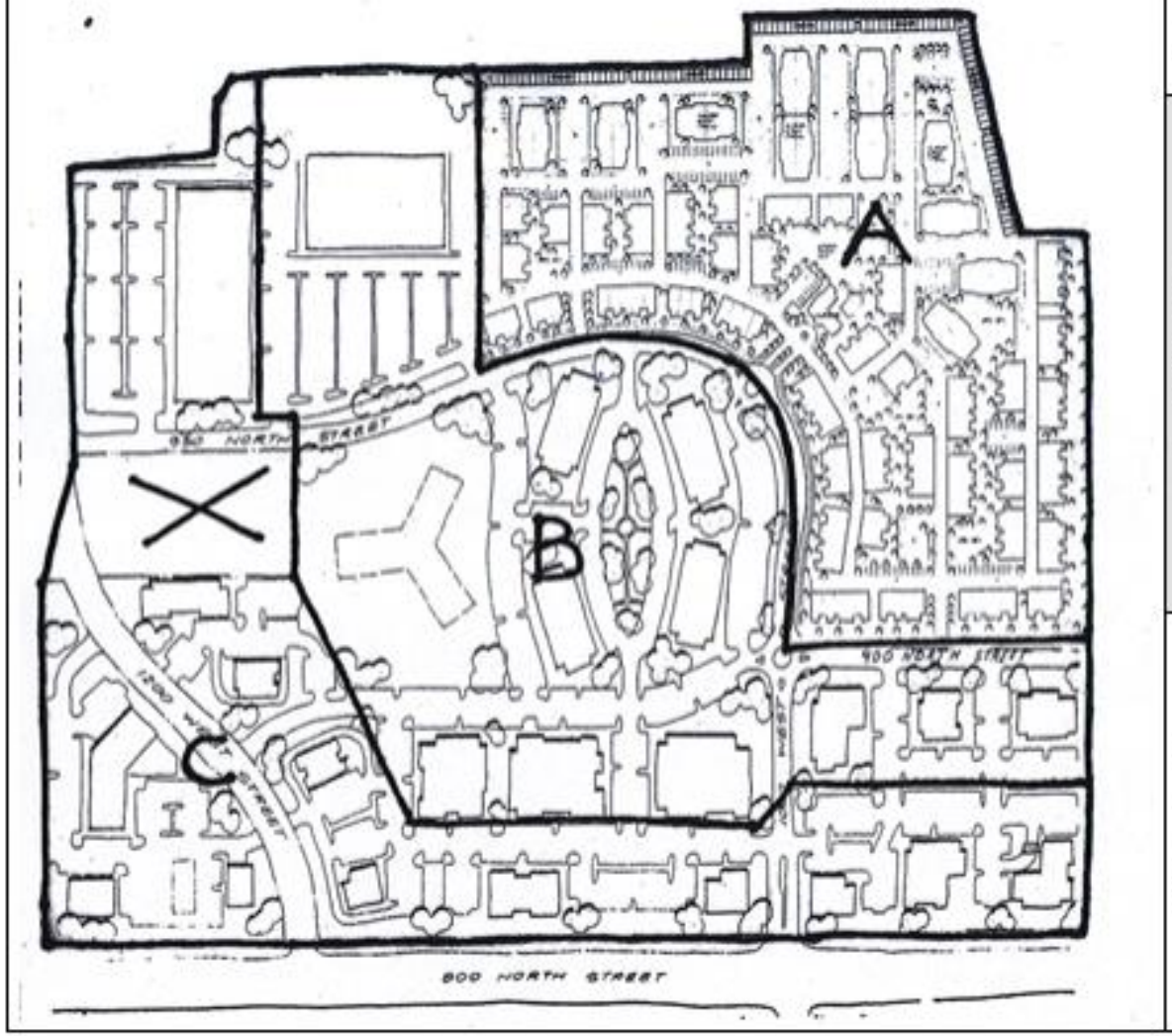


Existing

Commercial/Retail Area Designation Plan

Existing

Northgate Village



Area A Residential/Condominium Area

Area B Consists of mixed uses such as main floor commercial areas—offices and retail—along with upper floors of the office, retail, and condominiums. At least 50% of the ground floor area will be dedicated to retail business

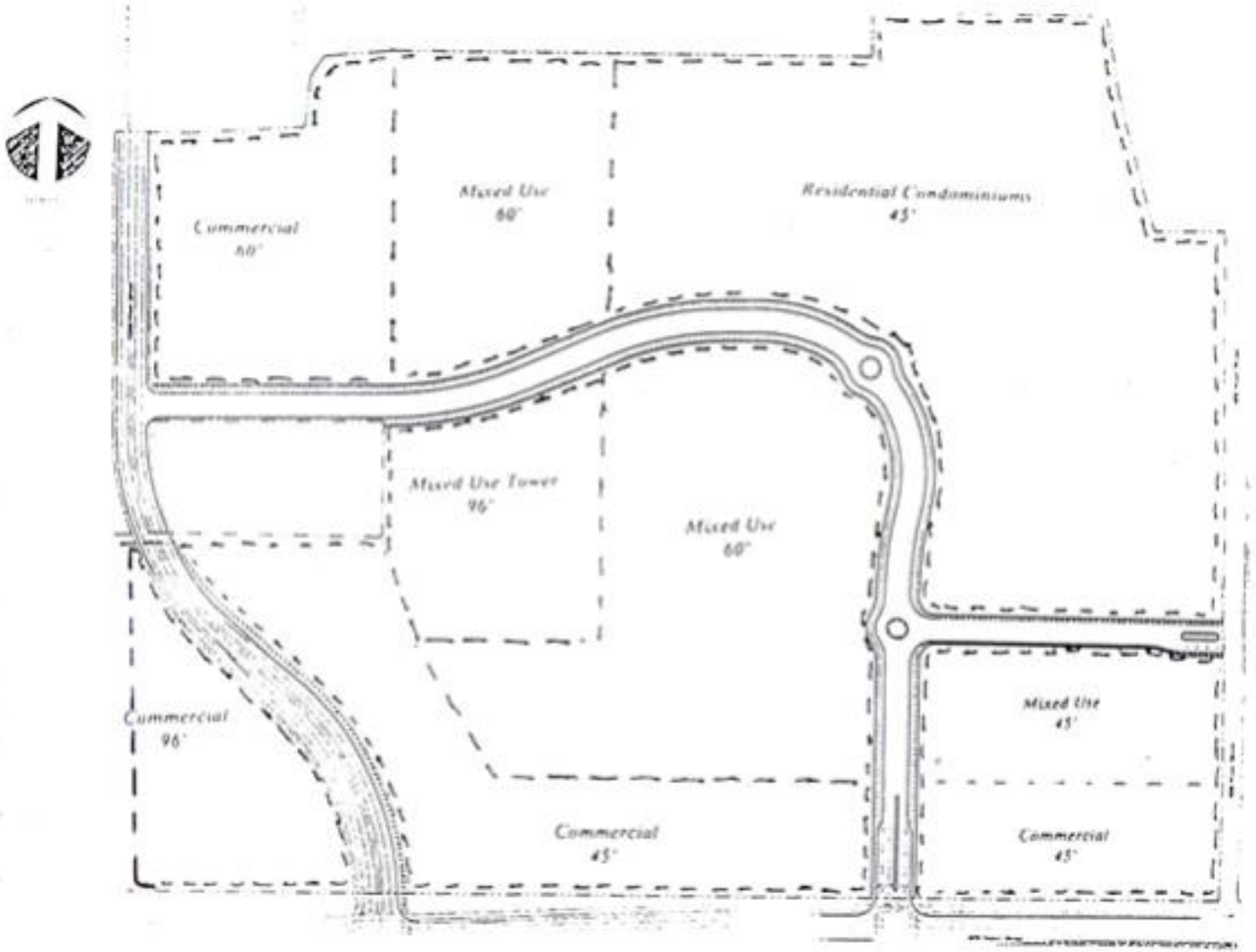
Area C consists of offices and retail businesses with some multilevel buildings. At least 70% of the ground floor area will be dedicated to retail business.

Existing

Existing

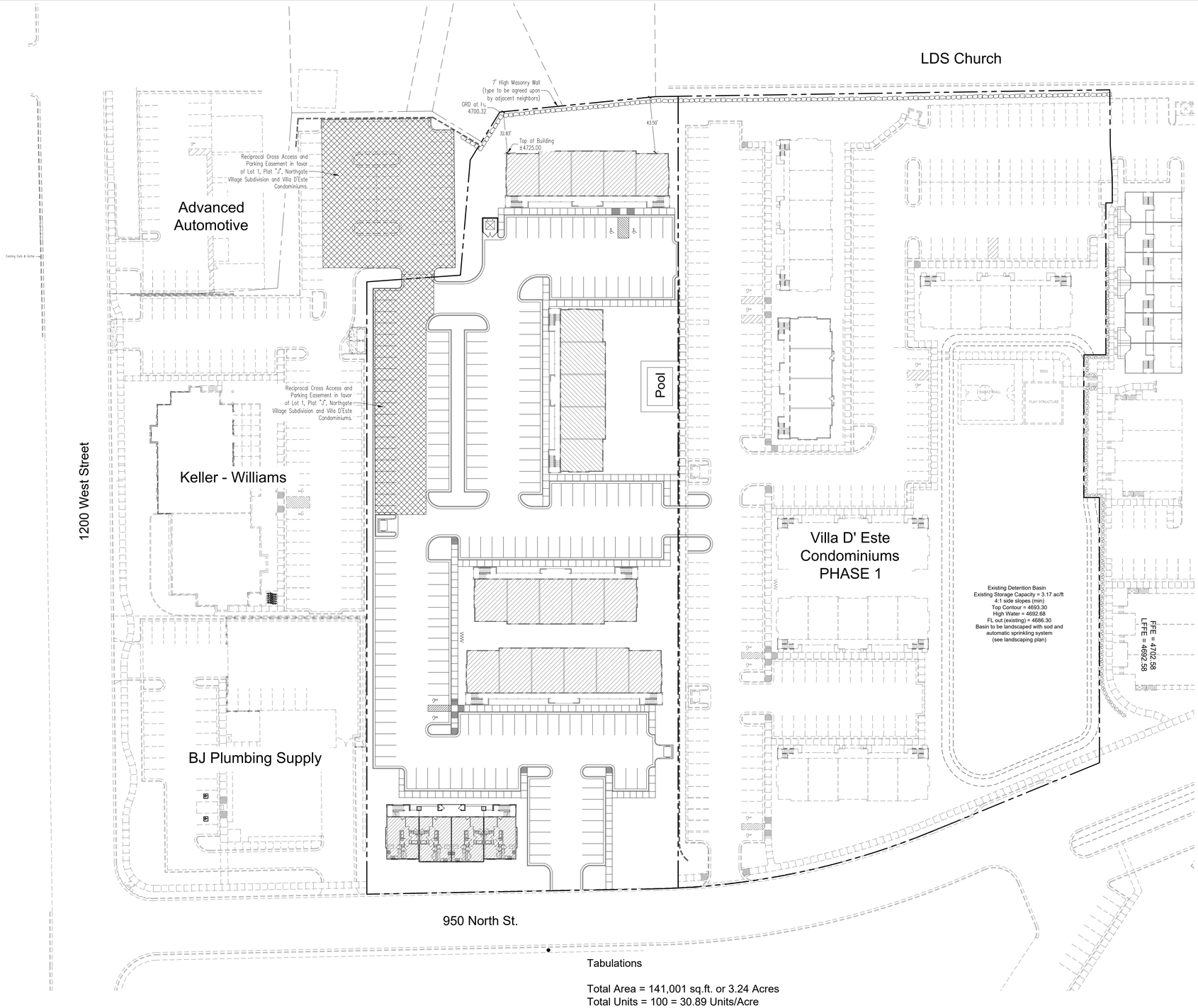
Northgate Village

Public Streets, Public Heights, and Land Uses



Existing

NORTH
1" = 40'



Tabulations

Total Area = 141,001 sq.ft. or 3.24 Acres
Total Units = 100 = 30.89 Units/Acre

Parking Tabulations

Phase 1 parking required = 232
Phase 1 provided parking = 252
Phase 2 parking required = 200
Phase 2 provided parking = 197 spaces (on-site) with 22 Shared with Keller Williams.
Total parking provided = 219 (2.19 spaces/unit)

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

Know what's below. 811
Call 811 before you dig.
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UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

CAUTION!!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. the information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

Villa D' Este Phase 2

Concept Plan

Orem Utah

Revisions

Date	8-18-2020
Scale	1" = 40'
By	By
Tracing No.	L -

Sheet No.
C - 2.0


Street View







Villa d'Este II

Minutes for 8/10/20 Neighborhood Meeting

ATTENDANCE:

Bruce R Dickerson

Jerry Anderson

Janie Morley

Brady Deucher

Scott & Barb Elder / Elder Family Holdings

Clay Winder w/ Keller Williams

Ryan Morley

Gary Broduer

AJ & Linda Winkelman

Kaia Johnson

Peter Fry

Andrus & Margie

Cole Deucher

Bruce Present project along with positive experience with previous projects, FHA approval, City approval and in favor, budget, etc.

Parking: 2 per building, tow those not belonging to the project. (Peter Frost had comments against it sharing amenities.). Kaia in favor or towing and sharing amenities. Other thoughts on parking situation were caused by the project new door. 2. Maybe two separate HOA's, shared amenities.

Possibly 4 months to get thru city approval?

Cross Traffic with Keller Williams. Twenty Parking stalls the we could share a cross easement on.

Everybody was in favor of the project. They loved it being mostly owner-occupied.

Most everyone hoped that we priced the new units in the low $200,000.00, closer to $230,000.00. Bruce Said HE HOPED THEY WOULD LOW $200,000.00

Skyline Development
270 East 930 South
Orem, Utah
Phone 801-592-8393

7/31/2020

Dear Neighbor;

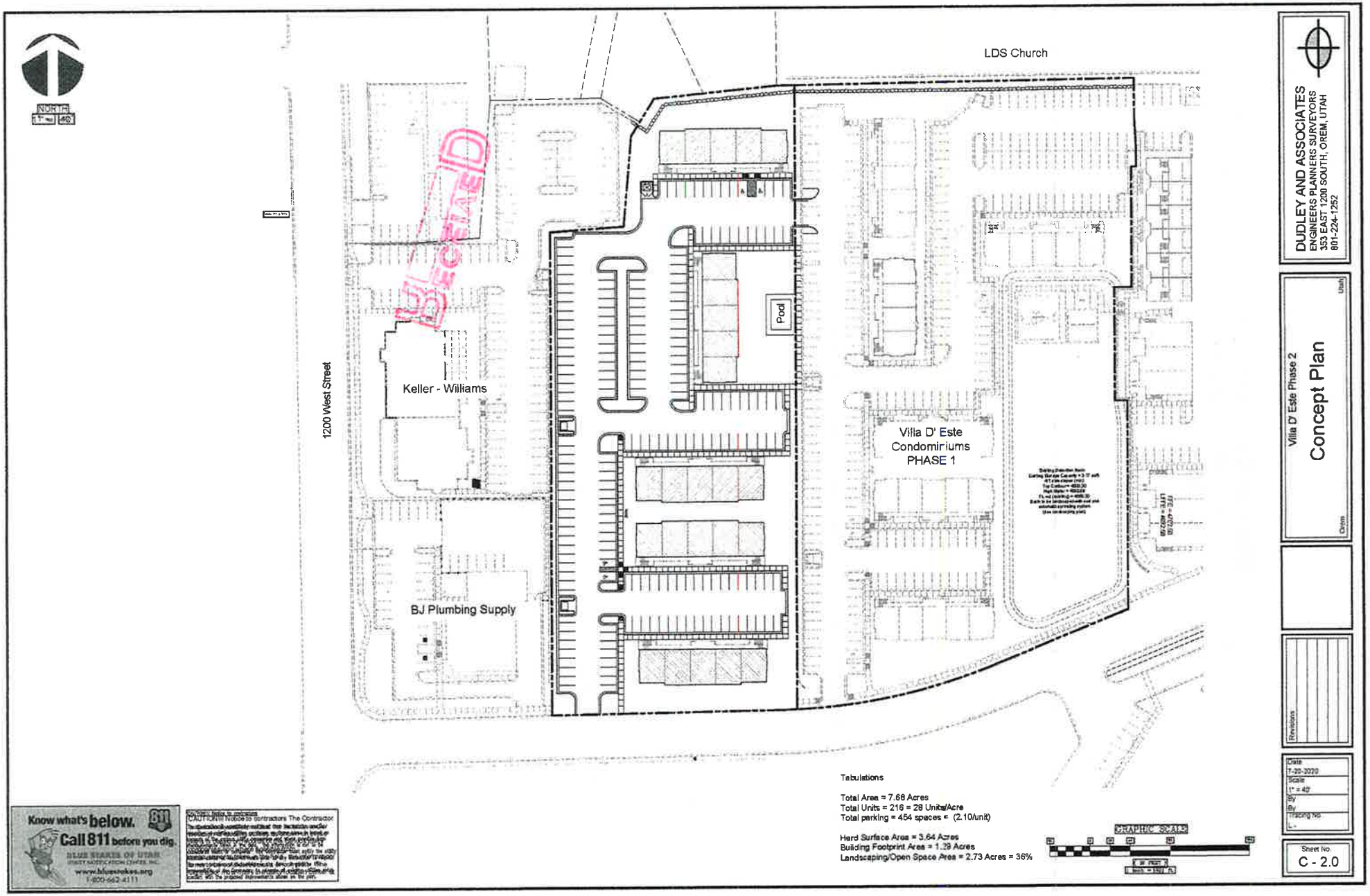
Skyline Development is helping **Hopeful V LLC**, as the developer and contractor of **Villa Phase II**. **(See enclosed Map)** We are working with the **Hopeful V LLC** of said project, and are seeking to inform you about the future of this development. Therefore, we are holding a neighborhood meeting at **the Villa Pavilion 7:00 P.M. Aug. 10. Please wear your masks.**

We hope you will be able to attend.

Thank You,

Bruce R. Dickerson

RECEIVED 8/8/2020


NORTH
1" = 40'
LDS Church
1200 West Street
Keller - Williams
BJ Plumbing Supply
Pool
Villa D' Este
Condominiums
PHASE 1
Tabulations
Total Area = 7.66 Acres
Total Units = 216 = 28 Units/Acre
Total parking = 454 spaces = (2.10/unit)
Hard Surface Area = 3.64 Acres
Building Footprint Area = 1.29 Acres
Landscaping/Open Space Area = 2.73 Acres = 36%
GRAPHIC SCALE
DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252
Villa D' Este Phase 2
Concept Plan
Revisions
Date
7-20-2020
Scale
1" = 40'
By
By
Tracking No.
Sheet No.
C - 2.0
Know what's below.
Call 811 before you dig.
BLUE STAKES OF UTAH
www.bluestakes.org
1-800-662-4111

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

City Council Chambers, 56 N State Street

City Council
Tue, Sep 29, 2020
6:00 pm

Planninc Commission
Wed, Sep 2, 2020
4:30 pm

The Planning Commission will consider an amendment to Section 22-11-35(L)(1) of the Orem City Code pertaining to allowable density for residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code.

In addition, the City Council will hold a public meeting on September 29, 2020 to consider the proposed amendments outlined above.

Addition information can be viewed on Orem.org/planning under "Current Planning (Public Hearing Noticing)" tab.

MAYO, DAVID (ET AL)
6630 CASTLE DR
BLOOMFIELD HILLS, MI 48301

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

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Addition information can be viewed on Orem.org/planning under "Current Planning (Public Hearing Noticing)" tab.

MAGNUSON, KIM S TEE & MARK D TEE (ET AL)
2090 1/2 HODESHA CT
GRAND JUNCTION, CO 81507

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

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TJ HOMES LLC
1407 S FLANDERS ST
AURORA, CO 80017

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

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NORTHGATE HOTEL LLC
%URRUTIA, SHARON
PO BOX 1327
EAGLE, ID 83616

NOTICE OF ALL-ELECTRONIC MEETING

To minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's March 18, 2020 Executive Order, the Orem City Planning Commission meeting on September 2, 2020 and the City Council meeting on September 29, 2020 will be all-electronic meetings. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at orem.org/meetings. If you want to make a comment, please use: orem.org/comments or PlanningCommissionPublicComments@orem.org

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

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NORTHGATE HOTEL LLC
%URRUTIA, SHARON
PO BOX 1327
EAGLE, ID 83616

UTAH DEPARTMENT OF TRANSPORTATION
PO BOX 148420
SALT LAKE CITY, UT 84114

AND7 LLC
PO BOX 1633
PROVO, UT 84603

LLEWELLYN, ROBERT BLAKE & GAYLEN
PO BOX 354
SALEM, UT 84653

RNB INVESTMENTS LC
PO BOX 525
PRICE, UT 84501

WINCO FOODS LLC
%TAX DEPARTMENT
PO BOX 5756
BOISE, ID 83705

ANDREW INVESTMENTS 1 LC
PO BOX 921
SPANISH FORK, UT 84660

SMITH, ERIC C & BONNIE L
%FIVE POINT FUNDING
PO BOX 9593
SALT LAKE CITY, UT 84109

WINKELMAN, ARTHUR JAY & LINDA SUE (ET AL)
27 N 420 E
OREM, UT 84097

CORP OF PRES BISHOP CHURCH OF JESUS CHRIST OF LDS
50 E NORTH TEMPLE
SALT LAKE CITY, UT 84150

CORP OF THE PRES BISHOP CHURCH OF JESUS CHRIST OF L D S
50 E NORTH TEMPLE # 22
SALT LAKE CITY, UT 84150

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

LLEWELLYN, ROBERT BLAKE & GAYLEN
70 W CENTER ST
SALEM, UT 84653

HALL, ROBERT J & KATHERINE
85 N 1200 E
OREM, UT 84057

HAGLER, LEWIS GRANT & SARAH E
96 MARRCREST S
PROVO, UT 84604

COMMON AREA
100 E CENTER
PROVO, UT 84606

TURTLE HALL LLC
113 S 300 W
SALEM, UT 84653

JEFF LAMBSON
156 E 1060 N
OREM, UT 84057

URRY, BRIAN (ET AL)
168 N 1200 E
OREM, UT 84097

PALETTA, JUSTIN & NICOLE (ET AL)
170 S 1600 W
MAPLETON, UT 84664

HAUB, DEVIN N & JULIANNE J
174 S 400 W
OREM, UT 84058

WILLIAMSON RENTALS LC (ET AL)
195 S GENEVA RD
LINDON, UT 84042

METWORKS INC
225 N 900 E
AMERICAN FORK, UT 84003

SOELBERG PROPERTIES INC
248 MOUNTAIN WAY DR
OREM, UT 84058

HALLADAY, DOUGLAS DAVID (ET AL)
248 N 500 E
OREM, UT 84097

ANDERSEN, CORY
270 E 930 S
OREM, UT 84058

MONTY, TROY
320 S WESTFIELD CIR
ALPINE, UT 84004

OREM CITY
351 W CENTER
PROVO, UT 84601

1200 MILLER LC
%LEWIS, MATT
380 TECHNOLOGY CT STE 100
LINDON, UT 84042

MILLER 1200 LLC
380 S TECHNILOGY CT STE 100
LINDON, UT 84042

SUELDO, JORGE
446 W 165 S
OREM, UT 84058

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

OLSEN, JACK D & GAE H
538 N 80 W
LINDON, UT 84042

MORLEY, JANA
544 W 1100 N
MAPLETON, UT 84664

C & L LYMAN PROPERTIES LLC
553 S 70 E
OREM, UT 84057

RG DEVELOPMENT LC
569 S 700 W
MAPLETON, UT 84664

WHITE HAWK PROPERTIES LLC
573 S 600 W
MAPLETON, UT 84664

DEBBY LAURET
641 S 1920 W
OREM, UT 84059

PLANNED PARENTHOOD ASSOCIATION OF UTAH
654 S 900 E
SALT LAKE CITY, UT 84102

ARGENT PARTNERS LLC - SERIES 2 - TUSCAN 1018
658 N BELLA VISTA DR
OREM, UT 84097

BLACK, IRENE & IRENE BLACK (ET AL)
682 E 250 N
AMERICAN FORK, UT 84003

BRENT SUMNER
744 WEST 550 SOUTH
OREM, UT 84058

WINKLER, LIUDMILA
806 S FOX TRAIL LN
OREM, UT 84059

HOLMSTEAD, BYRON D & JAN B
809 156TH ST NE
ARLINGTON, WA 98223

NORTHGATE HOTEL LLC
--OR CURRENT RESIDENT--
873 N 1200 WEST
OREM, UT 84057

WINCO FOODS LLC
--OR CURRENT RESIDENT--
895 N 980 WEST
OREM, UT 84057

VINEYARD FLAGSHIP 87 LLC
--OR CURRENT RESIDENT--
898 N 1200 WEST UNIT# 101-210
OREM, UT 84057

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

MAYOR RICHARD F. BRUNST, JR.
900 E HIGH COUNTRY DRIVE
OREM, UT 84097-2389

NGHII JT LLC (ET AL)
--OR CURRENT RESIDENT--
901 N 1200 WEST
OREM, UT 84057

STUBALZABUL LLC
935 N 1200 W
OREM, UT 84057

5 STAR BUILDING PRODUCTS LLC
944 N 1200 W
OREM, UT 84057

WILLIAMSON, CHASE D & JORDYN
--OR CURRENT RESIDENT--
953 N 1030 WEST
OREM, UT 84057

WILLIAMSON, CHASE D & JORDYN N
955 N 1030 W
OREM, UT 84057

WILLIAMSON, JORDYN & CHASE D
957 N 1030 W
OREM, UT 84057

URRY, BRIAN (ET AL)
--OR CURRENT RESIDENT--
968 N 1030 WEST
OREM, UT 84057

JBR INVESTMENTS LLC
968 N 1200 W
OREM, UT 84057

URRY, BRIAN (ET AL)
--OR CURRENT RESIDENT--
969 N 1030 WEST
OREM, UT 84057

URRY, BRIAN (ET AL)
--OR CURRENT RESIDENT--
971 N 1030 WEST
OREM, UT 84057

URRY, BRIAN (ET AL)
--OR CURRENT RESIDENT--
974 N 1030 WEST
OREM, UT 84057

RM LAND LLC (ET AL)
--OR CURRENT RESIDENT--
981 N 1200 WEST
OREM, UT 84057

URRY, BRIAN (ET AL)
--OR CURRENT RESIDENT--
986 N 1030 WEST
OREM, UT 84057

SMILES REAL ESTATE LLC
1002 S 300 W
LEHI, UT 84043

TREJO, MANUELA
1004 N 1090 W # 103
OREM, UT 84057

FELL, BARRY J & BRITTANY A
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 202
OREM, UT 84057

RIEBEN, BRAEDON JOHN
1004 N 1090 W # 301
OREM, UT 84057

MCKEAN, CASSIDY
1004 N 1090 W UNIT 304
OREM, UT 84057

WHITE HAWK PROPERTIES LLC
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 403
OREM, UT 84057

HAMMOND, SUZANNE STRATFORD (ET AL)
--OR CURRENT RESIDENT--
1005 N 1200 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1009 N 1030 WEST
OREM, UT 84057

SMITH, CASEY J & AMANDA M
--OR CURRENT RESIDENT--
985 N 1030 WEST
OREM, UT 84057

RED AND BROWN OREM LLC
986 N 1200 W
OREM, UT 84057

CASTANEDA, JUAN GABRIEL
1004 N 1090 W # 101
OREM, UT 84057

PETERSON, BRANDON & HENRY
1004 N 1090 W # 104
OREM, UT 84057

EGGETT, MAKAELA BREANN
1004 N 1090 W # 203
OREM, UT 84057

MORLEY, DAVID S & JANA
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 302
OREM, UT 84057

HUNSAKER, SHAYNE & LINSY
1004 N 1090 W # 401
OREM, UT 84057

KIGGINS, KYNSIE L
1004 N 1090 W # 404
OREM, UT 84057

MCCANN, MARC & JESSICA
1006 N 1030 W
OREM, UT 84057

MCCANN, MARC & JESSICA
1012 N 1030 W
OREM, UT 84057

SMITH, CASEY J & AMANDA M
985 N 1030 W # 6
OREM, UT 84057

HAMMOND, SUZANNE STRATFORD (ET AL)
--OR CURRENT RESIDENT--
1001 N 1200 WEST
OREM, UT 84057

C & L LYMAN PROPERTIES LLC
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 102
OREM, UT 84057

TURTLE HALL LLC
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 201
OREM, UT 84057

PALETTA, JUSTIN & NICOLE (ET AL)
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 204
OREM, UT 84057

WINKLER, LIUDMILA
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 303
OREM, UT 84057

HALLADAY, DOUGLAS DAVID (ET AL)
--OR CURRENT RESIDENT--
1004 N 1090 WEST UNIT# 402
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1005 N 1030 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1007 N 1030 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1013 N 1030 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1015 N 1030 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1017 N 1030 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1021 N 1030 WEST
OREM, UT 84057

LUNDELL, MARGUERITE ANNE
1026 N 1090 W # 101
OREM, UT 84057

WINKELMAN, ARTHUR JAY & LINDA SUE (ET AL)
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 104
OREM, UT 84057

WINKELMAN, ARTHUR JAY & LINDA SUE (ET AL)
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 202
OREM, UT 84057

BLACK, IRENE & IRENE BLACK (ET AL)
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 205
OREM, UT 84057

WRIGHT, GARHET
1026 N 1090 W # 303
OREM, UT 84057

BRADBURY, STEVEN M & TIFFANY
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 401
OREM, UT 84057

WALTON, GENTRY
1026 N 1090 W # 404
OREM, UT 84057

MCCANN, MARC & JESSICA
1016 N 1030 W
OREM, UT 84057

ARGENT PARTNERS LLC - SERIES 2 - TUSCAN 1018
--OR CURRENT RESIDENT--
1018 W 950 NORTH
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1025 N 1030 WEST
OREM, UT 84057

HAGLER, LEWIS GRANT & SARAH E
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 102
OREM, UT 84057

METWORKS INC
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 105
OREM, UT 84057

SOELBERG PROPERTIES LLC
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 203
OREM, UT 84057

HOLMSTEAD, BYRON D & JAN B
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 301
OREM, UT 84057

RG DEVELOPMENT LC
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 304
OREM, UT 84057

MAASS, ERIC & SHERLE
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 402
OREM, UT 84057

ELDER FAMILY HOLDINGS LLC
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 405
OREM, UT 84057

HALL, ROBERT J & KATHERINE
--OR CURRENT RESIDENT--
1016 W 950 NORTH
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1019 N 1030 WEST
OREM, UT 84057

LARSEN, JAMES GREGORY
1026 N 1200 W
OREM, UT 84057

WINKELMAN, ARTHUR JAY & LINDA SUE (ET AL)
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 103
OREM, UT 84057

RG DEVELOPMENT LC
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 201
OREM, UT 84057

WINKELMAN, ARTHUR JAY & LINDA SUE (ET AL)
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 204
OREM, UT 84057

BRADBURY, STEVEN M & TIFFANY
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 302
OREM, UT 84057

RICHARDS, BRYCE HUNTER (ET AL)
1026 N 1090 W # 305
OREM, UT 84057

TURTLE HALL LLC
--OR CURRENT RESIDENT--
1026 N 1090 WEST UNIT# 403
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1027 N 1030 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
1027 W 1033 NORTH
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1029 N 1030 WEST
OREM, UT 84057

WILLIAMSON RENTALS LC (ET AL)
--OR CURRENT RESIDENT--
1031 N 1030 WEST
OREM, UT 84057

POWELL, KAYLYNN & KEITH
1049 W 1100 N
OREM, UT 84057

LARSEN, JAMES GREGORY
1054 N 1200 W
OREM, UT 84057

JOHNSON, DEVIN & JAMIE
1055 W 1033 N
OREM, UT 84057

YU, CHUNG H (ET AL)
1055 W 1033 N APT 103
OREM, UT 84057

WATSON, KALIMA & HANNAH
1055 W 1033 N # 105
OREM, UT 84057

CHICHIA, CARLOS
1055 W 1033 N # 203
OREM, UT 84057

CARLSON, DANIELLE
1055 W 1033 N UNIT 204
OREM, UT 84057

SACREN, JEAN
1055 W 1033 N # 403
OREM, UT 84057

JWR SERVICES LLC
--OR CURRENT RESIDENT--
1058 W 1100 NORTH
OREM, UT 84057

EKINS, JOHN D & CHRISTIE
1061 N 1035 W
OREM, UT 84057

MCKEETH, CORBIN P & HANNAH L
1064 N 1160 W
OREM, UT 84057

SMITH, KELLY D & MARY ANNE
1068 N 1160 W
OREM, UT 84057

ARMENTA, JOSE RAMIRO (ET AL)
1069 N 1035 W
OREM, UT 84057

LONG, MARK D
1069 N 1160 W
OREM, UT 84057

CORP OF THE PRES BISHOP CHURCH OF JESUS CHRIST OF L D S
--OR CURRENT RESIDENT--
1075 W 1100 NORTH
OREM, UT 84057

PEREZ, NORBERTO (ET AL)
1076 N 1160 W
OREM, UT 84057

MCDANIEL, DOUGLAS WAYNE & KRISTINE
1077 N 1160 W
OREM, UT 84057

JIMENEZ, MIGUEL A & ROSANA
1078 W 1100 N
OREM, UT 84057

MAYO, DAVID (ET AL)
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 101
OREM, UT 84057

SMITH, ERIC C & BONNIE L
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 102
OREM, UT 84057

LESTARI, FARLEY & SILVANIA MARIA
1079 W 965 N # 103
OREM, UT 84057

BLACK, R JAY & IRENE (ET AL)
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 104
OREM, UT 84057

SUELDO, JORGE
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 105
OREM, UT 84057

GAMMELL, BRANDI
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 201
OREM, UT 84057

CALDWELL, BRADLEY R & REBECCA L
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 202
OREM, UT 84057

SOELBERG PROPERTIES INC
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 203
OREM, UT 84057

RNB INVESTMENTS LC
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 204
OREM, UT 84057

BOSMAN, ANITA H
1079 W 965 N # 205
OREM, UT 84057

MORLEY, RYAN
1079 W 965 N # 301
OREM, UT 84057

FRANKS, JEFFREY & MARISOL
1079 W 965 N # 302
OREM, UT 84057

DE LA CRUZ, GLORIA
1079 W 965 N # 303
OREM, UT 84057

FRY, PETER M
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 304
OREM, UT 84057

POZO, GABY & MICHAEL ERIK
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 305
OREM, UT 84057

CUTLER, PRESTON (ET AL)
1079 W 965 N # 401
OREM, UT 84057

BACCUS, LINDSAY
1079 W 965 N # 402
OREM, UT 84057

MITCHELL, LANE ROBISON
1079 W 965 N # 403
OREM, UT 84057

HAROLDSEN, CLARISSA
1079 W 965 N # 404
OREM, UT 84057

METEKINGI, JULIET E & TAPUA
--OR CURRENT RESIDENT--
1079 W 965 NORTH UNIT# 405
OREM, UT 84057

FOWLER, VALIAN (ET AL)
1080 W 965 N # 102
OREM, UT 84057

JARROW, ZACHARY O & YOANI
1080 W 965 N # 104
OREM, UT 84057

MACK, CODY V
1080 W 965 N # 201
OREM, UT 84057

NAGDASEVA, ALEXANDRA
1080 W 965 N # 204
OREM, UT 84057

PEACOCK, COLTER
1080 W 965 N # 205
OREM, UT 84057

BEATTIE, BAYLEE & MATTHEW
1080 W 965 N # 301
OREM, UT 84057

MENDENHALL, KAIA
1080 W 965 N UNIT 305
OREM, UT 84057

BAASANBYAMBA, ARIUNSANAA
1080 W 965 N # 402
OREM, UT 84057

SHEPHERD, CASEY
1080 W 965 N # 403
OREM, UT 84057

ALLEN, DALLAS C
1081 W 993 N # 101
OREM, UT 84057

BALLARD, BRYAN
1081 W 993 N UNIT 102
OREM, UT 84057

WILLIAMS, CHRISTIAN A & WARLA E
1081 W 993 N # 105
OREM, UT 84057

BRODEUR, GARY L & SUSAN J
1081 W 993 N # 201
OREM, UT 84057

BALLARD, BRYAN
1081 W 993 N # 202
OREM, UT 84057

JACKSON, JILLIAN
1081 W 993 N # 205
OREM, UT 84057

RUBIO, MARGIE DANIELA CASALLAS (ET AL)
1081 W 993 N # 301
OREM, UT 84057

GREEN, TAYLOR
1081 W 993 N # 304
OREM, UT 84057

HOOPER, ALBA MARINA
1081 W 993 N # 305
OREM, UT 84057

RIVERA, DAVID E MORALES
1081 W 993 N # 402
OREM, UT 84057

RHODES, SKYLAR
1081 W 993 N # 404
OREM, UT 84059

SOELBERG, SAMANTHA & CHRISTIE
1081 W 993 N # 405
OREM, UT 84057

PLANNED PARENTHOOD ASSOCIATION OF UTAH
--OR CURRENT RESIDENT--
1086 N 1200 WEST
OREM, UT 84057

CHATWIN, WESLEY T & MYSTIE D
1087 N 1160 W
OREM, UT 84057

ASAY, MARK FOSTER & MARILYN KAY
1088 N 1160 W
OREM, UT 84057

MURRAY, DEWARD NEIL & JILENE (ET AL)
1088 W 1100 N
OREM, UT 84057

DILLEY, LESLIE R & ANGELA F
1091 W 1130 N
OREM, UT 84057

SPENCER, SUSAN K & SCOTT M
1098 W 1100 N
OREM, UT 84057

KCJ INC
--OR CURRENT RESIDENT--
1102 N 1200 WEST
OREM, UT 84057

D & C WHATCOTT FAMILY TRUST 10-23-2018 (ET AL)
1103 W 1130 N
OREM, UT 84057

MARTINEZ, ELIANA
1105 S 1420 E
PROVO, UT 84606

KCJ INC
--OR CURRENT RESIDENT--
1106 N 1200 WEST
OREM, UT 84057

CHANTRY, BRIAN N & JENNIFER C
1109 N 1125 W
OREM, UT 84057

KCJ INC
--OR CURRENT RESIDENT--
1110 N 1200 WEST
OREM, UT 84057

ORTIZ, SALVADOR C & AMADA S
--OR CURRENT RESIDENT--
1110 W 1100 NORTH
OREM, UT 84057

GASSMAN, JEFFREY & TAUNI
1112 N 1165 W
OREM, UT 84057

HALE, DAVID B & JANELLE
1115 W 1130 N
OREM, UT 84057

JOHNSON, WILLIAM R & ROSEMARY
1117 N 1125 W
OREM, UT 84057

LEDEZMA, FILIBERTO S
1118 N 1165 W
OREM, UT 84057

S A B B LLC
1118 N 1200 W
OREM, UT 84057

NGHII JT LLC (ET AL)
%URRUTIA, SHARON
1119 E STATE ST STE 220
EAGLE, ID 83616

CANNON, TRESSA J & TODD R
1120 W 1100 N
OREM, UT 84057

TERRY PETERSON
1125 LYNNWOOD DRIVE
OREM, UT 84097

ELDER FAMILY HOLDINGS LLC
1132 N 1450 E
OREM, UT 84097

DAGOSTINI, DANTE K
1135 W 1100 N
OREM, UT 84057

CORP OF PRES BISHOP CHURCH OF JESUS CHRIST OF LDS
--OR CURRENT RESIDENT--
1140 W 950 NORTH
OREM, UT 84057

CANO, JAVIER
1146 W 1100 N
OREM, UT 84057

MDG COMPANIES LLC
1191 N CHIMNEY ROCK RD
HEBER CITY, UT 84032

VINEYARD FLAGSHIP 87 LLC
1250 E 200 S STE 1D
LEHI, UT 84043

BETHERS, LARRY & VERNETTA
1370 W 1460 N
PROVO, UT 84604

TREE PROPERTIES LLC
1407 N MANILA CT
PLEASANT GROVE, UT 84062

TJ HOMES LLC
1407 S FLANDERS ST
AURORA, CO 80017

CALDWELL, BRADLEY R & REBECCA L
1445 S 100 W
OREM, UT 84058

JWR SERVICES LLC
1491 W 13200 S
RIVERTON, UT 84065

GAMMELL, BRANDI
1662 E SPRING CREEK DR
SPRINGVILLE, UT 84663

ORTIZ, SALVADOR C & AMADA S
1751 N 980 W
OREM, UT 84057

CUTLER, CHARLEEN (ET AL)
1805 COBBLESTONE DR
PROVO, UT 84604

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057-2101

MAGNUSON, KIM S TEE & MARK D TEE (ET AL)
2090 1/2 HODESHA CT
GRAND JUNCTION, CO 81507

EB WEBB LLC
2150 N CENTER ST
LEHI, UT 84043

KCJ INC
%CHORNIAK, HAZEL
2310 SKYLINE MOUNTAIN RESORT
FAIRVIEW, UT 84629

BS2 INVESTMENTS LLC
2370 W 780 S
LEHI, UT 84043

FELL, BARRY J & BRITTANY A
2623 W 1210 N
PROVO, UT 84601

HAMMOND, SUZANNE STRATFORD (ET AL)
%HAMMOND, SUZANNE STRATFORD TRUSTEE
4898 W CHILLY PEAK DR
RIVERTON, UT 84096

MAYO, DAVID (ET AL)
6630 CASTLE DR
BLOOMFIELD HILLS, MI 48301

POZO, GABY & MICHAEL ERIK
12523 VARENNA ST
HERRIMAN, UT 84096

MAASS, ERIC & SHERLE
16678 W WOODLANDS AVE
AVONDALE-GOODYEAR, AZ 85338

BRADBURY, STEVEN M & TIFFANY
33578 ROSEWOOD CIR
TEMECULA, CA 92592

Agenda Item 3.5 is a request by Bruce Dickerson for the Planning Commission to amend Section 22-11-35(L)(1) of the Orem City Code pertaining to allowable density for residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

Staff Presentation: The applicant would like to change the land use for the property located at 1140 West 950 North in the PD22 zone. The property was originally owned by the Church of Jesus Christ of Latter-Day Saints and the land use was designated as "Church". The Church is selling the property so that designation no longer applies.

On the overall plan for the PD22 zone, this location is listed as Commercial and a small portion as Mixed Use. The applicant would like to build residential condominiums similar to the Villa D'Este Condominiums located to the east of this property. The applicant would like to change to land use from a mixture of Commercial/Mixed Use to Residential.

Three maps currently in Appendix Q will be modified to show this change These maps include the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

In the PD22 zone, a maximum of seven hundred residential dwelling units are allowed. They propose to take the allowable 112 Mixed Use units plus 19 Mix-Use Towers units and add that 131 units to the Residential Only Area. The number of overall units will remain the same, but more units would be allocated to the Residential Only area. The applicant proposes to make the following changes:

Section 22-11-35(L)

L. Additional Development Standards and Requirements. The following development standards and requirements shall apply to all development within the PD-22 zone:

1. Allowable Density for Residential Units. A maximum of seven hundred (700) residential dwelling units shall be allowed in the PD22 zone. These units shall be allowed in the PD-22 zone. These units may be located in the development as follows:

Allowable Density for Residential Units – PD-22 zone	
Unit Location	**# of Units**
Residential Only Area	Up to **561** ~~430~~
~~Mixed-use Area~~	~~Up to 112~~
Mixed-use Towers Area	Up to **139** ~~158~~

~~If the "Residential Only Area" is developed with less than 430 residential units, the difference between what is developed in the Residential Only Area and 430 may be moved to either the "Mixed-use Area" or the "Mixed-use Towers Area".~~

Recommendation: Staff recommends the Planning Commission forward a recommendation to the City Council to amend Section 22-11-35(L)(1) of the Orem City Code pertaining to allowable density for residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map.

Chair Cochran asked if there were currently 430 units built in the residential only area.

Mr. Bench affirmed it.

Chair Cochran had thought that the applicant wanted to construct 131 units. He asked if Bruce Dickerson was on the line and to clarify if he actually wanted to construct 131 new units in this development instead of 100 as presented by Mr. Bench.

Mr. Dickerson introduced himself and said that Mr. Bench was correct, he only wanted to construct 100 units, not 131.

Chair Cochran asked for clarification from Mr. Bench. It seemed to him that if this reallocation was to occur, Mr. Dickerson could build up to 131 units.

Mr. Bench said that was not correct. The proposed 561 units for the Residential Only Area would represent the existing residential units and the proposed 100 units. It would not allow for any more than that. The remaining 139 available units would need to be used by the only remaining open pad in this zone, which is directly south of the property in question.

Chair Cochran asked Mr. Dickerson if there was anything he wanted to add to the discussion. Mr. Dickerson did not have anything to add.

Chair Cochran then asked the Commission if they had any questions or comments for Mr. Bench or Mr. Dickerson.

Mr. Cook brought up a concern. He noted that the existing 'Mixed Use Area' was originally allocated 112 units and was proposed to be dissolved. He also noted that the existing 'Mixed Use Towers Area' was originally allocated 158 units and was proposed to be reduced to 139 units. He asked if the applicant owned the open pad. He also asked if by approving this change, the Commission would be taking away the ability of someone else to construct in favor of this particular development.

Mr. Bench described that the 'Mixed Use Area' was originally designated with this plan. Since that designation, it has been entirely built out and does not contain any residential. All these areas with the potential to be built as mixed use were not. Instead, the individual property owners chose to build this entire area as commercial only. Therefore, Mr. Dickerson is taking these units from an area that is not being used as residential at all. If the proposal was to pass, it would leave 139 units for the only remaining unbuilt pad in this zone. In order to build 139 units on this pad would require an extensive amount of density that would require multiple stories in the form of a high rise. This pad is really small and in the opinion of City staff, reallocating some units from this small pad would not significantly limit the potential of this property for a residential tower. It may not even be possible for the applicant to be able to use all 139 units there at this time. The property owner of that open pad was notified of both the neighborhood meeting that was required to be held prior to application and the Planning Commission meeting. He has not reached out to comment.

Mr. Cook asked for clarification if a high rise is a permitted use in that area. He was concerned that another request for a change might need to be made.

Mr. Bench answered that in the original plan for this area, that pad was designated as a 'Mixed Use Tower Area' with a maximum allowed height of ninety-six feet (96') from the beginning. It was always designed to have a high rise tower on it.

Chair Cochran asked the Commission if they had any questions or comments for Mr. Bench or Mr. Dickerson. When there were none, he opened the public hearing and invited those who wanted to make a comment on the item to send in their comments via email or chat.

Mr. Clark read in the following comment from Janelle Rich Hale, “What does the tower mean?”

Mr. Bench answered that the tower area does allow for a ninety-six foot (96’) tall structure. In the opinion of the City, that is a tower. Whoever builds on that vacant pad could construct a ninety-six foot (96’) tall structure that could contain the remaining 139 units for this area. Whether those are condos or apartments, those are permitted in the current zoning.

Chair Cochran indicated that he liked height.

Mr. Clark reminded the Commission that whatever is constructed there would still have to meet parking requirements. In order to use all 139 available units would be extremely difficult and expensive.

Chair Cochran agreed. He asked Mr. Clark if anymore public comments had been received. When there were none, he closed the public hearing and called for a motion on the item.

Planning Commission Action: Chair Cochran moved to forward a positive recommendation to the City Council to amend Section 22-11-35(L)(1) of the Orem City Code pertaining to allowable density for residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land Uses map. Ms. Jensen seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer, and Mike Staker. The motion passed unanimously.

Development Review Committee (DRC) Application
Ordinance Amendment

13328

Development Services Department, 56 North State Street, Orem, Utah (801) 229-7183 www.orem.org

Applicant Information			
Name: Bruce Dickerson		**Phone:** 801-226-8005	
Address: 270 East 930 South		**Email:**	
City: Orem		**State:** Utah	**Zip:** 84058

Project Information	
Project Name	Villa D'Este
Project Address	950 North 1100 West

	Request	Fees	Total
	Subdivision Text	$1,160	
	Zoning Text*	$1,160	
	Sign Text Amendment	$1,160	
X	Rezone*	$1,228 + $689 sign fee	1917 –
	New PD Zone Text*	$3,685 + $689 sign fee	
	Land Use Map Change	$1,057 + $689 sign fee	
	General Plan Text Change	$1,057 + $689 sign fee	
	Neighborhood Notice	TBD at time of submittal, if needed	
	Public Notice	$100 each for PC and CC, if needed	
	Development Agreement UT Co. Fees	TBD at time of recordation	
	Total		$ 1917.00

Required Copies

A PDF and/or Word document of all applicable drawings and plans (paper copies are not required). Files may be emailed to Cheryl Vargas at chvargas@orem.org and/or Jake Harding at jrharding@orem.org. They may also be submitted on disc/flash drive prior to the deadline.

General Notes, Signature, and Contact Person

Deadline. The deadline for filing a DRC application is Monday noon for first review the following Thursday. In the case of a Monday holiday, the deadline is Tuesday at noon. Contact information to inquire about the status of an application: 801.229.7183

Filing Fee Notice. Applications filed after July 1 are subject to fee changes regardless of the fee listed on the application used at the time of submittal.

***DRC Application.** The DRC application must be complete at the time of submittal or it may not be accepted. An application to amend Chapter 22 or the zoning map shall expire if the application has not been approved or scheduled for review and approval by the approving authority within twelve months after the date it was submitted. An application to amend Chapter 22 or the zoning map shall also expire immediately following the passage of six months of no activity with respect to the application. Upon expiration, an application for an amendment to Chapter 22 including a zone map shall be considered null and void and a new application must be submitted, and fees paid. (22-1-5)

Neighborhood Meeting. The applicant shall hold a neighborhood meeting in accordance with City Code for the following requests: General Plan amendments, Zoning Ordinance amendments, commercial developments adjacent to a residential zone, all non-residential uses in a residential zone.

Planning Commission/City Council Meetings. Once the Development Review Committee determines your application is complete and complies with all applicable City ordinances, it shall be forwarded to the Planning Commission if required, and City Council, if required. The City Council is the final approving authority of conditional use permits, appeals, City Code amendments, General Plan amendments, fence modifications, and site plans in the following zones: PD-1, PD-4, PD-5, PD-15, PD-16, and PD-21.

Applicant's Signature: Bruce Dickerson agent

Contact Person: Bruce Dickerson	**Phone:** 801-226-8005	**Email:**

Office Use Only 28 May 2020

Date Filed: 7/20/20	**Fees Paid:** 1917.00	**Received By:** CV	**Receipt #:** 2021-019985

D R A F T

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-11-35(L)(1) OF THE OREM CITY CODE PERTAINING TO THE LOCATION OF RESIDENTIAL UNITS IN THE PD-22 URBAN VILLAGE ZONE AND AMENDING PORTIONS OF APPENDIX Q OF THE OREM CITY CODE PERTAINING TO THE OVERALL CONCEPT PLAN FOR NORTHGATE VILLAGE, THE COMMERCIAL/RETAIL AREA DESIGNATION PLAN, AND THE PUBLIC STREET, BUILDING HEIGHTS, AND LAND USES MAP.

WHEREAS on July 20, 2020, Bruce Dickerson filed an application with the City of Orem requesting the City amend Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD-22 Urban Village zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and the Public Streets, Building Heights, and Land uses map; and

WHEREAS the applicant requests the amendments described above to enable the construction of residential units on the property at 1140 West 950 North; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on September 2, 2020; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 29, 2020; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds this request is in the best interest of the City because it will allow the development of the property at 1140 West 950 North with residential units while not increasing the number of allowable residential units in the PD-22 zone.
2. The City Council hereby amends Section 22-11-35(L)(1) of the Orem City Code pertaining to the location of residential units in the PD-22 (Urban Village) zone and amending portions of Appendix Q of the Orem City Code pertaining to the overall concept plan for Northgate Village, the Commercial/Retail Area Designation Plan, and

D R A F T

the Public Streets, Building Heights, and Land Uses map as shown in Appendix A which is attached hereto and incorporated herein by reference.

3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED and ORDERED PUBLISHED this **29th** day of **September** 2020.

_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

EXHIBIT A

Section 22-11-35(L)

L. Additional Development Standards and Requirements. The following development standards and requirements shall apply to all development within the PD-22 zone:

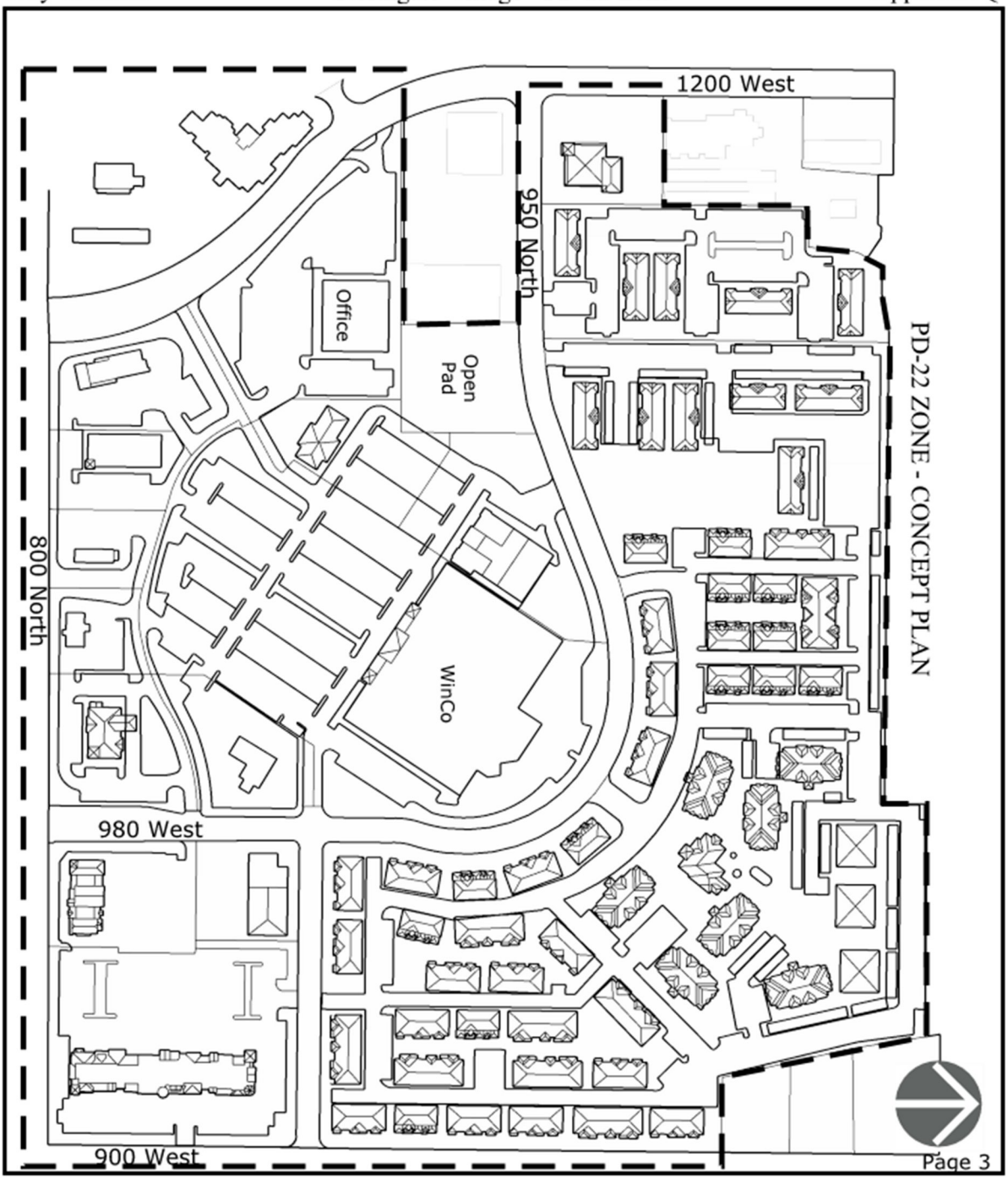
1. Allowable Density for Residential Units. A maximum of seven hundred (700) residential dwelling units shall be allowed in the PD22 zone. These units shall be allowed in the PD-22 zone. These units may be located in the development as follows:

Allowable Density for Residential Units – PD-22 zone	
Unit Location	**# of Units**
Residential Only Area	Up to 561
Mixed-use Towers Area	Up to 139

~~If the~~

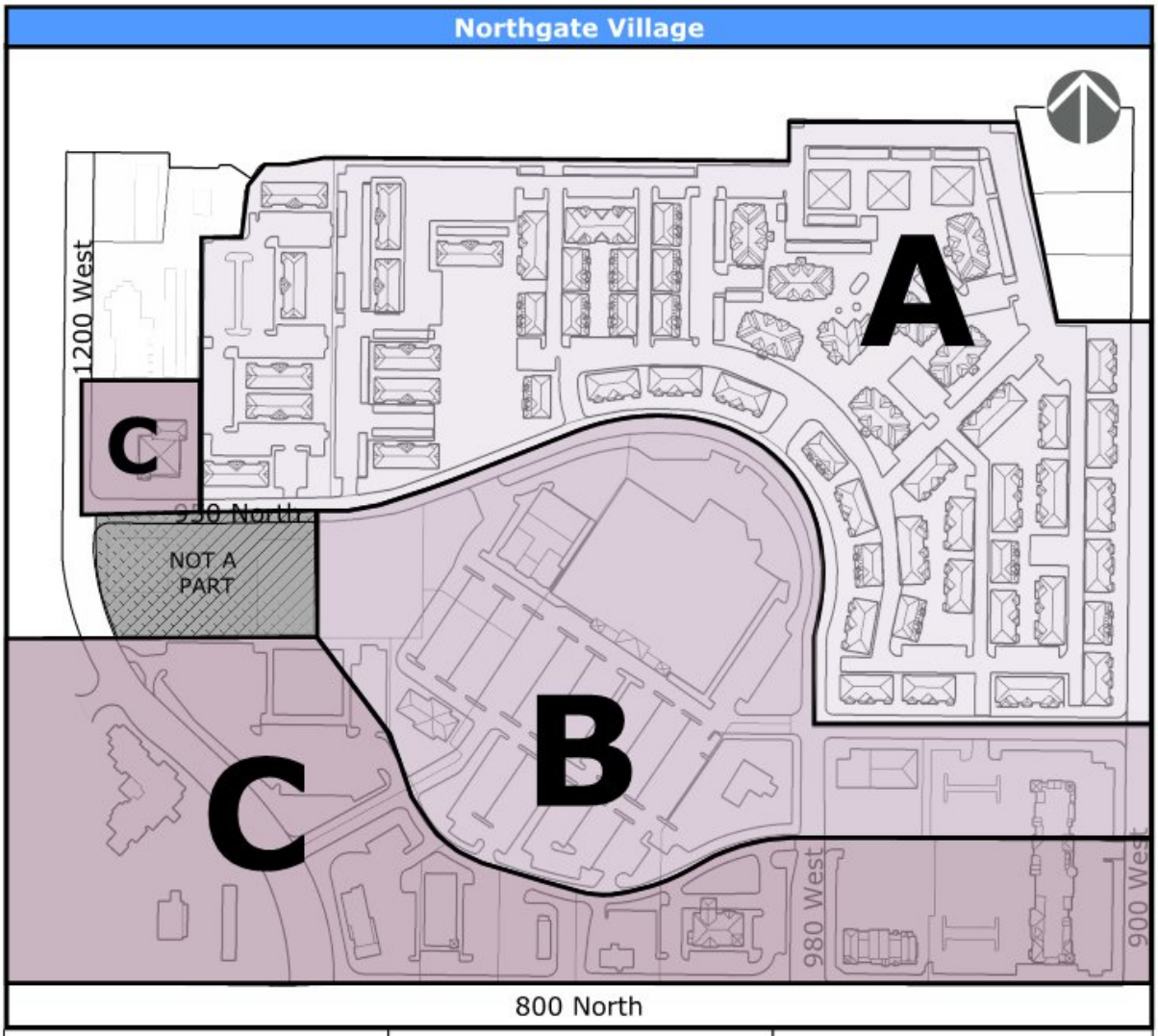
PD-22 Zone

City of Orem | Northgate Village - PD-22 Zone | Appendix Q



OREM

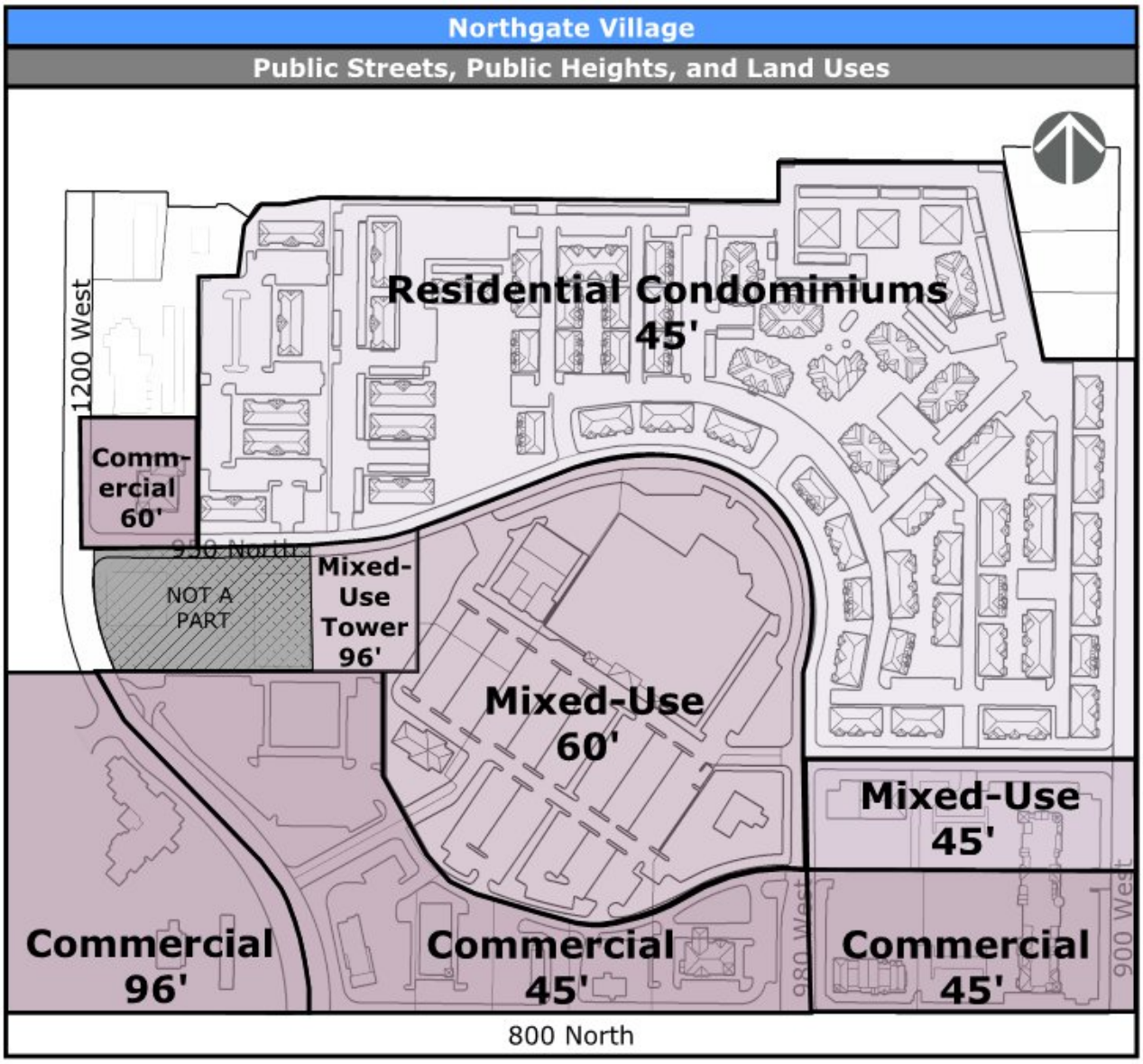
Commercial/Retail Area Designation Plan



Area A Residential and condominium.	**Area B** Consists of mixed-uses such as main floor commercial areas -- offices and retail -- along with upper floors of the office, retail, and condominiums. At least 50% of the ground floor area will be dedicated to retail businesses.	**Area C** Consists of offices and retail businesses with some multilevel buildings. At least 70% of the ground floor area will be dedicated to retail business.

OREM

Public Streets, Building Heights, and Land Uses



Agenda Item No: 9.4

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Cheryl Vargas
Submitting Department: Development Services
Item Type: Public Hearing
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – The Applicant requests the City amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone

Suggested Action:
The Planning Commission recommends the City Council, by ordinance, amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone.

Presenter:
Jason Bench

Background:

Potentially Affected Area:

Attachments:
Agenda-AppendixA-TowYards.docx

Tow_yard_fee_proposed_changes.docx

Planning Commission Minutes_SLU 6422 - Tow Yards 9.2.20.docx

Resolution-AppendixA-Towing.docx

CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 29, 2020**	
REQUEST:	**ORDINANCE**–Amending Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 *Towing Services Business (with building)* as a permitted use in the M2 zone.
APPLICANT:	Business Licensing
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: **Varies**
Current Zone: M2
Acreage: **Varies**
Neighborhood: **Varies**

PLANNING COMMISSION RECOMMENDATION
Vote: 7-0 for approval

PREPARED BY:
Cheryl Vargas
Associate Planner

REQUEST: Business Licensing requests the City Council amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 *Towing Services Business (with building)* as a permitted use in the M2 zone.

BACKGROUND: Standard Land Use (SLU) Code 6421 of Appendix A of the Orem City Code currently references impound yards. However, SLU 6421 does not distinguish between impound yards that have a building as part of the yard and those that do not.

The Business Licensing department proposes to amend Appendix A to add new SLU 6422 for Towing Services Business (with building) to distinguish such uses from SLU 6421 which refers only to impound yards.

Making the distinction between tow yards that have a building and those that do not, would be helpful to Business Licensing because the two different types of yards are treated differently for purposes of business licensing. Some towing companies have their offices in another city and are licensed in that city. If a towing business is licensed in another city and has just a yard with no building in Orem, they are not required to pay a business license fee in Orem.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 *Towing Services Business (with building)* as a permitted use in the M2 zone.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5/ ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6422	Towing Services Business (with building)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N

Proposed charges for Impound Yard with NO Office: only permitted in the M2 zone

NEW	RENEWAL
$210 Business Licensing Base Fee	$85 Business Licensing Base Fee
$36 Disproportionate Service Fee	$36 Disproportionate Service Fee
$28.08 Street Light Fee	$28.08 Street Light Fee

*no inspection fee is charged to yards with no building

Proposed charges for Impound Yard with Building: only permitted in the M2 zone

NEW	RENEWAL
$210 Business Licensing Base Fee	$85 Business Licensing Base Fee
$110 Disproportionate Service Fee	$110 Disproportionate Service Fee
$28.08 Street Light Fee	$28.08 Street Light Fee
$105 Inspection fee	

We are charging per business license not per impound yard. Sharing a yard is permitted but each business must pay for their own license at that yard.

Agenda Item 3.8 is a request by the Department of Business Licensing for the Planning Commission to forward a positive recommendation to the City Council to amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone.

Staff Presentation: Public Safety often needs the services of various towing companies throughout the City. In order for a towing company to get on the list used by Public Safety they need a business license and an impound yard in Orem. Business licensing needs a way to differentiate between different types of towing facilities for business licensing purposes.

Some tow yards may have a yard and an office in another city and they will have a business license in that city. There are businesses that have an impound yard in Orem, but they have no office facilities, so no business license in Orem has been required. This new SLU code will allow Business Licensing to differentiate between those with offices and a towing yard in Orem and those that just have the impound yard in Orem.

This will also enable the various towing companies to be added to the rotation list used by Public Safety when their services are needed.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone.

- There was discussion about if an Orem business license would be required of these new businesses.
- There was discussion about the fee that would be charged for these types of businesses.
- Whether this policy would be reciprocal with other cities.

Chair Cochran asked if the Commission had any questions for Mr. Bench. When there were none, he opened the public hearing. When there were no public comments, he closed the public hearing and entertained a motion from the Commission.

Planning Commission Action: Mr. Spencer moved to forward a positive recommendation to the City Council to amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone. Mr. Roberts seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer, and Mike Staker. The motion passed unanimously.

D R A F T

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING APPENDIX A OF THE OREM CITY CODE BY ENACTING STANDARD LAND USE CODE 6422 *TOWING SERVICES BUSINESS (WITH BUILDING),* AS A PERMITTED USE IN THE M2 ZONE.

WHEREAS on August 11, 2020, Business Licensing filed an application with the City of Orem to amend Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 *Towing Services Business (with building)*, as a permitted use in the M2 zone; and

WHEREAS the applicant proposes to create a new land use code to differentiate between towing facilities that have a yard and a building and towing facilities that have just a yard but no building for business licensing purposes; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on September 2, 2020; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 29, 2020; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds that the proposed amendment is in the best interest of the City because it will differentiate between towing facilities that have both a yard and an office building and towing facilities that have just a yard but no office building for business licensing purposes.
2. The City Council hereby amends Appendix A of the Orem City Code by enacting Standard Land Use Code 6422 Towing Services Business (with building) as a permitted use in the M2 zone as shown in Exhibit A which is attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

D R A F T

PASSED, APPROVED and ORDERED PUBLISHED this **29th** day of **September** 2020.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

D R A F T

EXHIBIT A

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5/ ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6422	Towing Services Business (with building)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N

Agenda Item No: 9.5

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Cheryl Vargas
Submitting Department: Development Services
Item Type: Public Hearing
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – Development Services requests the City amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units

Suggested Action:
The Planning Commission recommends the City, by ordinance, amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.

Presenter:
Jason Bench

Background:

Potentially Affected Area:
Citywide

Attachments:
Agenda-ClimateControlledStorage.docx

Ordinance-ClimateControlledStorageUnits-NumberLimit2.docx

Climate Controlled Storage_Planning Commission Minutes 9.2.20.docx

Resolution-ClimateControlledStorage.docx

CITY OF OREM CITY COUNCIL MEETING SEPTEMBER 29, 2020	
REQUEST:	**ORDINANCE**--Amending Section 22-8-17(7), *Additional Provisions for Specific Uses*, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.
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: C2, State Street Districts
Acreage: **N/A**
Neighborhood: **N/A**

PLANNING COMMISSION RECOMMENDATION
Vote: 7-0 for approval

PREPARED BY:
Cheryl Vargas
Associate Planner

REQUEST: Development Services requests the City Council amend Section 22-8-17(7), *Additional Provisions for Specific Uses*, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.

BACKGROUND: This request is to clarify language in the Code for Climate Controlled Storage unit developments. The current language states that no more than two (2) climate-controlled storage businesses/buildings may be located in the C2 zone.

When the limit on climate-controlled storage buildings in the C2 zone was created in 2015, the intent was to prevent these types of uses from crowding out retail uses along the State Street corridor.

In 2018, the five State Street District zones were created. These five zones included a significant amount of land that had been in the C2 zone. Most of these new zones allowed all of the same uses that were permitted in the C2 zone. One of the two climate-controlled storage uses that had been in the C2 zone was included in the North Village District zone. This opened the door to confusion about whether the limit on climate-controlled storage uses applied to the new State Street District zones.

The proposed amendment will clarify that the limit of two climate-controlled storage units is a limit on the combined total of such uses in the C2 zone and all of the State Street District zones.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Section 22-8-17(7), *Additional Provisions for Specific Uses*, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.

22-8-17. Additional Provisions for Specific Uses.

Climate Controlled Storage units are defined as storage units that are offered for sale, lease, or use as a primary purpose of the building in which they are located and at least forty percent of which units are climate controlled with heating and cooling. In addition to the provisions of all other applicable ordinances, the following additional requirements shall apply to climate controlled storage units:

1. A building housing climate controlled storage units shall have a minimum of two stories with the square footage of the second level equal to at least eighty percent of the first floor.
2. No garage door or door accessing a unit shall face a public street.
3. The area of storage units accessed from the exterior of the building shall not exceed twenty percent of the gross leaseable space of the ground floor.
4. At least forty percent of the units shall be climate controlled with heating and cooling.
5. The ground floor exterior finish materials shall be split-face block, brick, or other cementations material. The second floor exterior finishing materials shall be split-face block, brick, stucco, textured block, or glass.
6. The architecture and finishing materials shall be designed, constructed, and maintained to make all storage unit access doors blend in with the adjacent walls to the greatest extent practicable. The color of all exterior storage unit doors shall match the color of the ground floor façade. No storage building façade shall be more than fifty feet in length without a visual break that creates the appearance of a change in material or depth. This shall be achieved through a change in building material, building projection, or relief measuring at least three inches in width and depth or another architectural variation that meets the intent of this sub-part. All exterior storage unit doors shall be recessed a minimum of twelve inches (12”) from the building façade.
7. No more than two (2) climate-controlled storage buildings may be located in the combined area of the C2 zone and all of the State Street District zones.
8. All building facades shall have the appearance of an office and/or retail building through the use of doors, windows, awnings, and other appropriate building elements as approved by the Planning Commission.

Agenda Item 3.7 is a request by the Department of Development Services for Planning Commission to forward a positive recommendation to the City Council to amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.

Staff Presentation: This request is to clarify language in the Code for climate controlled storage units. The current language states that no more than two (2) climate-controlled storage buildings may be located in the C2 zone. With the addition of "or within any State Street District Zone", the intent of the ordinance will be made clear. Businesses that are allowed in the C2 zone are also allowed in the State Street Districts, so clarifying the language will help clear up any questions that may arise.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units.

Chair Cochran asked if the Commission had any questions for Mr. Bench. When there were none, he opened the public hearing. When there were no public comments, he closed the public hearing and entertained a motion from the Commission.

Planning Commission Action: Mr. Cook moved to forward a positive recommendation to the City Council to amend Section 22-8-17(7), Additional Provisions for Specific Uses, of the Orem City Code pertaining to location requirements for Climate Controlled Storage units. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer, and Mike Staker. The motion passed unanimously.

D R A F T

ORDIANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-8-17(7), *ADDITIONAL PROVISIONS FOR SPECIFIC USES,* OF THE OREM CITY CODE PERTAINING TO LOCATION REQUIREMENTS FOR CLIMATE CONTROLLED STORAGE BUILDINGS

WHEREAS on August 11, 2020, Development Services filed an application with the City of Orem to request amending Section 22-8-17(7), *Additional Provisions for Specific Uses,* of the Orem City Code pertaining to location requirements for Climate Controlled Storage uses; and

WHEREAS the applicant proposes to clarify language in the Code for climate controlled storage buildings to make it clear that no more than two (2) climate controlled storage businesses may be located in the combined area of the C2 zone and all of the State Street District zones; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on September 2, 2020; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 29, 2020; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds that the proposed amendment is in the best interest of the City because it will clarify that no more than two climate controlled storage uses are allowed in the combined area of the C2 zone and all of the State Street District zones.
2. The City Council hereby amends Section 22-8-17(7), *Additional Provisions for Specific Uses*, of the Orem City Code pertaining to location requirements for Climate Controlled Storage buildings as shown in Exhibit A which is attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

D R A F T

PASSED, APPROVED and ORDERED PUBLISHED this **29th** day of **September** 2020.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

Section 22-8-17(7)

22-8-17. Additional Provisions for Specific Uses.

Climate Controlled Storage units are defined as storage units that are offered for sale, lease, or use as a primary purpose of the building in which they are located and at least forty percent of which units are climate controlled with heating and cooling. In addition to the provisions of all other applicable ordinances, the following additional requirements shall apply to climate controlled storage units:

1.A building housing climate controlled storage units shall have a minimum of two stories with the square footage of the second level equal to at least eighty percent of the first floor.

2.No garage door or door accessing a unit shall face a public street.

3.The area of storage units accessed from the exterior of the building shall not exceed twenty percent of the gross leaseable space of the ground floor.

4.At least forty percent of the units shall be climate controlled with heating and cooling.

5.The ground floor exterior finish materials shall be split-face block, brick, or other cementations material. The second floor exterior finishing materials shall be split-face block, brick, stucco, textured block, or glass.

6.The architecture and finishing materials shall be designed, constructed, and maintained to make all storage unit access doors blend in with the adjacent walls to the greatest extent practicable. The color of all exterior storage unit doors shall match the color of the ground floor façade. No storage building façade shall be more than fifty feet in length without a visual break that creates the appearance of a change in material or depth. This shall be achieved through a change in building material, building projection, or relief measuring at least three inches in width and depth or another architectural variation that meets the intent of this sub-part. All exterior storage unit doors shall be recessed a minimum of twelve inches (12") from the building façade.

7.No more than two (2) climate-controlled storage buildings may be located in the combined area of the C2 zone and all of the State Street District zones.

8.All building facades shall have the appearance of an office and/or retail building through the use of doors, windows, awnings, and other appropriate building elements as approved by the Planning Commission.

Agenda Item No: 9.6

City Council Agenda Item Report

Meeting Date: September 29, 2020
Submitted by: Brandon Nelson
Submitting Department: Finance
Item Type: Ordinance
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE - Amending the Current Fiscal Year 2020-2021 Budget and Amending the Compensation Program of the City.

Suggested Action:
The City Manager recommends the City Council hold a public hearing to discuss amending the current Fiscal Year 2020-2021 Budget, and, by ordinance, amend the Fiscal Year 2020-2021 Budget.

Presenter:
Brandon Nelson

Background:
The Fiscal Year 2020-2021 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants or donations received from Federal, State, and other governmental or private entities or organizations; interest earnings on unspent 2019 G.O. Bond funds; impound yard business licensing fees; accessory apartment fee; a new public safety salary structure; and a 3% employee merit pay adjustment increase for those employees not a part of the new public safety program.

A new SLU code was introduced for impound yards and thus, the business licensing fees associated with this change have been added and/or modified based on whether an office is located on the property or not. A summary of these fees can be found as Exhibit B.

A new fee is proposed to be added for those desiring to remove a legal accessory apartment. The fee for this affidavit to rescind a legal accessory apartment is to cover the costs associated with staff time to record such a removal in city and county records. A summary of the fee can be found as part of Exhibit C.

Management has worked with various public safety personnel at all levels to develop a new salary structure (referred to as the Public Safety Hybrid Step Program) for both police and fire personnel. An outline of this program can be found as Exhibit D for the Police Department and Exhibit E for the Fire Department. Sworn Public Safety personnel would no longer participate in the merit based system. Thus, this program will be replace all grades and ranges for positions shown in Exhibit “D” and “E” of this budget amendment and as listed in the Compensation & Benefits section (Exhibit C) of the FY 2020-2021 Adopted Budget document.

Potentially Affected Area:
City-wide

Attachments:
ORD - Budget Amendments - FY 2021 - Aug-Sept 2020.docx

Budget Amendments FY 2021 - Aug-Sept.pdf

D R A F T

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AMENDING THE FISCAL YEAR 2020-2021 BUDGET.

WHEREAS On June 16, 2020, the City Council adopted a final budget following State law; and

WHEREAS the City Council held a public hearing on September 29, 2020, to receive input from the public regarding proposed amendments to the Fiscal Year 2020-2021 budget; and

WHEREAS the budget has been revised as deemed appropriate to accommodate unexpected revenues and expenses.

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

1. The Council hereby amends the Fiscal Year 2020-2021 Budget as shown in Exhibit "A", Exhibit "B", Exhibit "C", Exhibit "D", and Exhibit "E", which are attached hereto and incorporated herein by reference.

2. The City Manager is directed to implement these budget amendments in accordance with State laws and appropriate City procedures.

3. This ordinance shall take effect immediately upon publication.

PASSED AND APPROVED this **29th** day of **September 2020**.

CITY OF OREM, by
Richard F. Brunst, Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCIL MEMBERS	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2020-2021

REVENUES

Account Number	Note	Description	Previous Budget	Current Budget
		GENERAL FUND		
10-3130	3,4	Sales Taxes	$ 19,075,000.00	$ 20,075,000.00
10-3316-004	1	Library - Local Arts Agency Grant	2,500.00	3,500.00
10-3316-006	1	Library - Book Festival Partner Grant - UHC	-	4,500.00
10-3318-024	1	Internet Crimes Against Children Grant - ICAC	-	15,000.00
10-3318-030	1	Grant - Sexual Assault Kit Initiative (SAKI)	-	8,600.00
10-3318-031	1	Grant - DOJ - COPS Hiring Program	-	375,000.00
10-3319	1	VOCA Grant	133,182.00	134,906.59
10-3341	1	EMS Grant	-	410.00
10-3341-006	1	Grant - UDOH Lactation Accommodation	-	1,400.00
10-3690-003	1	Misc Revenues - Police Department Donations	-	450.00
10-3690-005	1	Misc Revenues - Police Department Fundraisers	-	500.00
10-3690-020	1	Misc Revenues - Police Evidence Forfeitures	-	54,573.94
10-3698	1	Library - Donations	-	783.00
10-3995-013	1	Cont. From - Fund 73 - Orem Foundation	-	4,675.00
10-3995-013	1	Cont. From - Fund 73 - Orem Foundation	4,675.00	4,925.00
Total			$ 19,215,357.00	$ 20,684,223.53
Net Fund Increase				$ 1,468,866.53
		MAJOR CRIMES TASK FORCE (MCTF)		
25-3424-009	1	MCTF - Evidence Revenues	-	12,763.00
Total			$ -	$ 12,763.00
Net Fund Increase				$ 12,763.00
		CAPITAL IMPROVEMENT PROJECT FUND		
45-3322	1	Grant - UOR - Bike Skills Park Phase 2	-	21,000.00
Total			$ -	$ 21,000.00
Net Fund Increase				$ 21,000.00
		CAPITAL IMPROVEMENT PROJECT FUND - 2019 G.O. BONDS		
47-3610	5	Interest Earnings - G.O. Bonds	$ -	$ 22,362.90
Total			$ -	$ 22,362.90
Net Fund Increase				$ 22,362.90
		OREM FOUNDATION TRUST FUND		
73-3910-003	1	Donations - Orem Library	$ -	$ 250.00
73-3910-004	1	Donations - Orem City	-	4,675.00
Total			$ -	$ 4,925.00
Net Fund Increase				$ 4,925.00
		COMMUNITY & NEIGHBORHOOD SERVICE FUND		
74-3342	2	Grant - CARES Act - CDBG	$ -	$ 411,983.00
74-3921	1	Grant - Community Development	908,253.00	1,019,053.00
Total			$ 908,253.00	$ 1,431,036.00
Net Fund Increase				$ 522,783.00
Total City Funds			$ 20,123,610.00	$ 22,176,310.43
Net City Funds Increase				$ 2,052,700.43

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2020-2021

EXPENDITURES

Account Number	Note	Description	Previous Budget	Current Budget
		GENERAL FUND		
Human Resources				
10-4120-240-010	1	Supplies - UDOH Lactation Accommodation Grant	-	1,400.00
Public Safety Administration				
10-6510-230-010	1	Employee Development - Fundraising	-	500.00
10-6510-250	1	Equipment	1,700.00	56,273.94
Patrol Services				
10-6520-110	1	Salaries & Wages - Permanent	3,422,928.00	3,682,928.00
10-6520-150	1	Fringe Benefits	2,667,071.00	2,782,071.00
Investigation Services				
10-6530-140-030	1	Overtime - SAKI Grant	-	8,600.00
10-6530-230-008	1	Employee Development - ICAC Grant	-	7,500.00
10-6530-250-008	1	Equipment - ICAC Grant	-	7,500.00
10-6530-450-003	1	Public Safety Supplies - SWAT	4,000.00	4,450.00
Victims Advocates				
10-6532-240-019	1	Supplies - VOCA Grant	-	1,724.59
Support Services				
10-6550-250-012	1	Equipment - VIPS	-	4,675.00
EMS Grant				
10-7043-741-001	1	Equipment - EMS Grant	5,850.10	6,260.10
Library Administration				
10-8510-240-006	1	Supplies - UHC - Book Festival Grant	-	2,000.00
10-8510-310-003	1	Prof. & Technical Services - Local Arts Agency Grant	2,500.00	3,500.00
10-8510-310-006	1	Prof. & Technical Services - UHC - Book Festival Grant	-	1,500.00
Technical Services				
10-8520-463-001	1	Child Collection	100,150.00	100,933.00
Patron Services				
10-8530-480-006	1	Special Dept. Supplies - UHC - Book Festival Grant	-	1,000.00
10-8530-743-001	1	Furniture	42,916.12	43,166.12
Non-Departmental				
10-9910-150-004	3,4	Grade or Other Payroll Increases	43,166.12	1,043,166.12
Total			$ 6,290,281.34	$ 7,759,147.87
Net Fund Increase				$ 1,468,866.53
		MAJOR CRIMES TASK FORCE (MCTF)		
25-6531-623	1	Equip/Facility Lease/Rent	-	12,763.00
			$ -	$ 12,763.00
Net Fund Increase				$ 12,763.00
		CAPITAL IMPROVEMENT PROJECT FUND		
45-6034-732-879	1	Bike Skills Park Phase 2	-	21,000.00
Total			$ -	$ 21,000.00
Net Fund Increase				$ 21,000.00
		CAPITAL IMPROVEMENT PROJECT FUND - 2019 G.O. BONDS		
47-8015-720-306	5	Fitness Center Capital Project	$ 10,662,169.00	$ 10,684,531.90
Total			$ 10,662,169.00	$ 10,684,531.90
Net Fund Increase				$ 22,362.90
		OREM FOUNDATION TRUST FUND		
73-8591-920-002	1	Cont. To - Fund 10 - Orem Library	$ -	$ 250.00
73-8591-920-004	1	Cont. To - Fund 10 - Orem City	-	4,675.00
Total			$ -	$ 4,925.00
Net Fund Increase				$ 4,925.00
		COMMUNITY & NEIGHBORHOOD SERVICE FUND		
74-4133-730-534	1	Wasatch Mental Health: WM Receiving Center	-	10,800.00
74-4133-730-535	1	Neighborhood Housing Services Senior Project	-	100,000.00
74-9911-310	2	Professional & Technical Services	-	411,983.00
Net Fund Increase			$ -	$ 522,783.00
				$ 522,783.00
Total City Funds			$ 16,952,450.34	$ 19,005,150.77
Net City Funds Increase				$ 2,052,700.43

BUDGET AMENDMENTS
FISCAL YEAR 2020-2021

NOTES

These notes are attached to the budget amendments summary to describe the amendments to the Fiscal Year 2020-2021 City of Orem Budget that have been proposed at this point in the fiscal year. Please contact Brandon C. Nelson, CPA, Finance Director, at 801-229-7010, if you have any questions or concerns.

1) The City receives grant or donation funds during the year to aid many different operations such as the Police Department (COPS, Major Crimes Task Force Grants, Internet Crimes, Victims of Crime), Library (Local Arts Agency and Book Festival), and Public Works (Bike Skills Park). These entries represent the adjustments necessary to adjust the appropriate budgets.

2) The City's Community and Neighborhood Services division has been allocated CARES Act funds from HUD. This amendment adds these revenues to the City's budget as well as setting up an expenditure account to hold the funds until specific use of these funds has been identified.

3) It is proposed that a 3% employee merit based adjustment pay increase be added to the FY 2020-2021 budget. This increase would add approximately $555,000 in payroll costs to the current budget and would go into effect with the pay period beginning October 4, 2020.

4) It is proposed that new Public Safety pay structures (referred to as the Public Safety Hybrid Step Program) be adopted and replace all grades and ranges for positions shown in Exhibits D & E and currently listed in the Compensation & Benefit Programs section of the FY 2020-2021 Adopted Budget (see Exhibit C). This increase would add approximately $445,000 in payroll costs to the current budget.

5) The 2019 General Obligation Bonds holding account earns interest on any unused funds. Thus, these additional funds need to be added to the funds available for use on the fitness center and/or library hall projects.

EXHIBIT "B"

Proposed charges for **Impound Yard** with NO Office: only permitted in the M2 zone

NEW	RENEWAL
$210 Business Licensing Base Fee	$85 Business Licensing Base Fee
$36 Disproportionate Service Fee	$36 Disproportionate Service Fee
$28.08 Street Light Fee	$28.08 Street Light Fee

*no inspection fee is charged to yards with no building

Proposed charges for **Impound Yard with Building**: only permitted in the M2 zone

NEW	RENEWAL
$210 Business Licensing Base Fee	$85 Business Licensing Base Fee
$110 Disproportionate Service Fee	$110 Disproportionate Service Fee
$28.08 Street Light Fee	$28.08 Street Light Fee
$105 Inspection fee	

We are charging per business license not per impound yard. Sharing a yard is permitted but each business must pay for their own license at that yard.

EXHIBIT "C"

DEVELOPMENT SERVICES MISCELLANEOUS FEES

Fee Description	Proposed Fee
Rescind Affidavit (Accessory Apartment)	$50.00

EXHIBIT "D"

2020 Police Hybrid Step Proposal

	Entry	Step 1	Step 2	Step 3
	$46,560	$47,957	$49,396	$50,877
	$22.38	$23.06	$23.75	$24.46
Police Officer I		3.00%	3.00%	3.00%

	Entry	Step 1	Step 2	Step 3
	$53,167	$54,762	$56,405	$58,097
	$25.56	$26.33	$27.12	$27.93
Police Officer II	4.50%	3.00%	3.00%	3.00%

	Entry	Step 1	Step 2	Step 3
	$60,711	$62,533	$64,409	$66,341
	$29.19	$30.06	$30.97	$31.89
Senior Police Officer	4.50%	3.00%	3.00%	3.00%

	Entry	Step 1	Step 2	Step 3
	$68,331	$70,381	$72,492	$74,667
	$32.85	$33.84	$34.85	$35.90
Master Police Officer	3.00%	3.00%	3.00%	3.00%

	Entry	Step 1	Step 2	Step 3
	$75,414	$77,676	$80,007	$82,407
	$36.26	$37.34	$38.46	$39.62
Sergeant	1.00%	3.00%	3.00%	3.00%

	Entry	Step 1	Step 2
	$84,055	$86,576	$89,174
	$40.41	$41.62	$42.87
Master Sergeant	2.00%	3.00%	3.00%

	Entry	Step 1	Step 2	Step 3
	$90,066	$92,767	$95,551	$98,417
	$43.30	$44.60	$45.94	$47.32
Lieutenant	2.00%	3.00%	3.00%	3.00%

	Entry	Step 1	Step 2
	$100,385	$102,393	$104,441
	$48.26	$49.23	$50.21
1st Lieutenant	2.00%	2.00%	2.00%

	Entry	Step 1	Step 2	Step 3
	$106,530	$109,726	$113,017	$116,408
	$51.22	$52.75	$54.34	$55.97
Captain	2.00%	3.00%	3.00%	3.00%

Step and career ladder plan is subject to funding availability.

Steps will shift when a Market increase is budgeted and approved by the City Council.

Officers will move through the range based on their anniversary date in the current position.

Hard floor and hard ceiling.

EXHIBIT "E"

2020 Fire Hybrid Step Proposal

Firefighter Paramedic I (FFP1)	Entry	Step 1	Step 2	Step 3
	$48,984	$50,454	$51,967	$53,526
	$16.78	$17.28	$17.80	$18.33
		3.00%	3.00%	3.00%

Firefighter Paramedic II (FFP2)	Entry	Step 1	Step 2	Step 3
	$55,935	$57,613	$59,341	$61,121
	$19.16	$19.73	$20.32	$20.93
	4.50%	3.00%	3.00%	3.00%

Senior Firefighter Paramedic (SFFP)	Entry	Step 1	Step 2	Step 3
	$62,955	$64,844	$66,789	$68,793
	$21.56	$22.21	$22.87	$23.56
	3.00%	3.00%	3.00%	3.00%

Master Firefighter Paramedic (MFP)	Entry	Step 1	Step 2	Step 3
	$70,857	$72,982	$75,172	$76,675
	$24.27	$24.99	$25.74	$26.26
		3.00%	3.00%	2.00%

Fire Engineer (FFE)	Entry	Step 1	Step 2	Step 3
	$70,857	$72,982	$75,172	$76,675
	$24.27	$24.99	$25.74	$26.26
		0.00%	3.00%	2.00%

Fire Captain (FC)	Entry	Step 1	Step 2	Step 3
	$78,975	$81,345	$83,785	$86,299
	$27.05	$27.86	$28.69	$29.55
	3.00%	3.00%	3.00%	3.00%

Senior Fire Captain (SFC)	Entry	Step 1
	$88,887	$91,317
	$30.44	$31.27
	3.00%	2.73%

Fire Battalion Chief (FBC)	Entry	Step 1	Step 2	Step 3
	$94,057	$96,878	$99,785	$102,778
	$32.21	$33.18	$34.17	$35.20
	3.00%	3.00%	3.00%	3.00%

Senior Battalion Chief (SBC)	Entry	Step 1
	$105,861	$109,037
	$36.25	$37.34
	3.00%	3.00%

Step and career ladder plan is subject to funding availability.

Steps will shift when a Market increase is budgeted and approved by the City Council.

Firefighters will move through the range based on their anniversary date in the current position.

Hard floor and hard ceiling.

Engineer and Master Paramedic are promoted positions