CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
May 24, 2022

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

1. 3:00 P.M. ON SITE TOUR - ALTA SPRINGS

**On Site Tour of Alta Springs - The City Council will meet at the Mnt. Timpanogos Park, Provo Canyon.**
Information

2. 4:30 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

**DISCUSSION - City Center Park Cell Tower (15 min)**
Discussion
*Presenter: Steve Earl, Assistant City Attorney*

**UPDATE - Hillcrest Park (30 min)**
Discussion
*Presenter: Lane Gray, Capital Projects Manager*

3. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council will review the items on the agenda.

4. 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

5. CALL TO ORDER

6. INVOCATION/INSPIRATIONAL THOUGHT: Rajan Zed, President, Universal Society of Hinduism

7. PLEDGE OF ALLEGIANCE: Mayor Young

8. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

**8.1 ANNUAL REPORT - Summerfest Committee**
*Presenter: Steven Downs, Deputy City Manager and Katrina Bleyl, Chairperson*

**8.2 ANNUAL REPORT - Heritage Advisory Commission**
*Presenter: Russ Sneddon, Advisory Board Member*

9. 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.)

10. CONSENT ITEMS

**10.1 ORDINANCE - FISCAL YEAR 2022/2023 CARE TAX REVENUES**

**10.2 RESOLUTION - Fines for Civil Infractions**

**10.3 RESOLUTION - Appointment of a Representative to the Utah Lake Authority**

11. SCHEDULED ITEMS

**11.1 APPOINTMENT TO BOARDS AND COMMISSIONS:**
**- Neighborhood Advisory Board**
**Linda Parkinson, Appointment**
*Presenter: Mayor and City Council Members*

**11.2 PUBLIC HEARING / RESOLUTION - The City will receive public comment on the Community Development Block Grant (CDBG) Projected Use of Funds for Fiscal Year 2022-2023**
*Presenter: Ken Ransom, CDBG Advisory Commission Chairperson, and Kena Mathews, Community Services Manager.*

**11.3 MOTION / CONDITIONAL USE PERMIT – Approval of a T-Mobile stealth location of cell antennas and equipment located on top of Alpine Credit Union at 1510 North State Street in the C2 zone.**
*Presenter: Jason Bench, Planning Division Manager*

12. COMMUNICATION ITEMS

**12.1 MONTHLY FINANCIAL SUMMARY - April 2022**
**For Review Only**

13. 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.

14. ADJOURN

**14.1 MOTION ADJOURN TO A CLOSED MEETING - Meeting to be held in Conference Room #107, Orem City Hall, 56 North State Street, Orem Utah. City Council to adjourn to a closed meeting for a strategic session to discuss**

**pending or reasonably imminent litigation, pursuant to Utah Code Section 52-4-205(1)(c).**

**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**

| | |
|---|---|
| **CITY OF OREM**<br>**CITY COUNCIL MEETING**<br>**MAY 24, 2022** | |
| **REQUEST:** | ORDINANCE - FISCAL YEAR 2022/2023 CARE TAX REVENUES |
| **APPLICANT:** | |
| **NOTICES:** | |
| **SITE INFORMATION:** | |
| **PREPARED BY:** | |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE
DISTRIBUTION OF FISCAL YEAR 2022/2023
CARE TAX REVENUES

WHEREAS on November 8, 2005, Orem residents voted to support the Cultural Arts and Recreation Enrichment Tax (CARE tax); and

WHEREAS the Orem City Council subsequently enacted the CARE tax and the CARE tax became effective on April 1, 2006; and

WHEREAS on November 5, 2013, Orem residents voted to continue their support the Cultural Arts and Recreation Enrichment Tax (CARE tax); and

WHEREAS the City Council recognizes that recreation and the arts enrich the quality of life in a community; and

WHEREAS the City Council desires to encourage and support the advancement of recreational and cultural facilities and cultural arts organizations in Orem; and

WHEREAS the purpose of this ordinance is to provide for the distribution of the Fiscal Year 2022/2023 CARE Tax Revenues.

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

1. The Orem City Council hereby authorizes the distribution of Fiscal Year 2022/2023 CARE tax revenues to the entities and in the amounts set forth in Exhibit "A," which is attached here and incorporated herein by reference.

2. No CARE tax revenues shall be distributed to an entity for operational expenses until the entity has signed a contract with the City meeting the requirements of the City's CARE Program Policies and Procedures.

3. The City will pay seventy-five percent of the CARE tax distribution awarded to individual Major Grant recipients upon signing of the contract between the City and the Major Grant recipient (but no sooner than July 1, 2022). The City will pay the remaining twenty-five percent of the CARE tax distribution awarded to individual Major Grant recipients after the City has received its final CARE tax distribution from the State of Utah. If the final total CARE tax distribution from the State of Utah to the City is less than the total amount of CARE tax distributions awarded to all CARE tax recipients pursuant

to this ordinance, then the City will withhold the twenty-five percent payment to Major Grant recipients until the City Council has had a chance to reallocate Major Grant awards based on the final amounts distributed from the State of Utah.

4. CARE tax revenues in future fiscal years will also be awarded after a competitive application process based on merit and availability of funds. Receipt of CARE tax funding in this round of applications does not guarantee CARE tax funding in future years.

5. The City Manager is hereby authorized to sign any documents required to proceed with the distribution of CARE tax revenues as set forth in this ordinance.

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

7. If any portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

8. This ordinance shall become effective immediately after a summary of this ordinance has been published or posted as required by law.

PASSED, APPROVED, and ORDERED PUBLISHED this **24th** day of **May** 2022.

_____

David Young, Mayor

ATTEST:

_____

JoD'Ann Bates, City Recorder

COUNCIL MEMBERS VOTING "AYE"

_____

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_____

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_____

_____

COUNCIL MEMBER VOTING "NAY"

_____

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# EXHIBIT "A"

| **Mini & Mid-Major Grants** | **PROPOSED ALLOCATION** |
|---|---|
| Garden Valley Pipe Band | $ 3,000 |
| Grassroots Shakespeare | $ 4,000 |
| National Institute for Story | $ 3,000 |
| Roots of Freedom Foundation | $ 4,000 |
| Timpanogos Symphony Orchestra | $2,500 |
| Tools of Freedom | $ 3,000 |
| Utah Cultural Alliance Foundation | $ 1,500 |
| Utah Shakespeare Festival | $ 1,500 |
| Utah Theatre Bloggers Association | $ 500 |
| Cantorum Chamber Choir | $ 5,000 |
| Chauntenette's Women's Chorus | $ 4,500 |
| Colonial Heritage Foundation | $ 9,000 |
| Fit To Recover | $4,500 |
| Ngoma y'Africa Cultural Center | $4,000 |
| The Orem Chorale | $ 4,000 |
| Utah Baroque Ensemble | $ 4,000 |
| Utah Brazilian Festival | $ 4,000 |
| Utah Chinese Association | $4,000 |
| Utah Live Concerts Foundation | $6,000 |
| Utah Symphony & Opera | $ 9,000 |
| Wasatch Contemporary Dance | $ 3,900 |

| | |
|---|---|
| **Major Grants** | |
| Utah Metropolitan Ballet | $ 25,000 |
| SCERA | $ 759,936 |
| **City-Related Arts** | |
| Orem Heritage Museum Historic Photos Digitization Project | $10,000 |
| Sound & Risers - Library Hall | $64,000 |
| SCERA Pool Branding & Art Refresh | $100,000 |
| SCERA Arts District Public Art | $36,000 |
| **Arts Grand Total:** | **$1,079,836** |
| **City Recreation** | |
| Fitness Center Swimwall | $225,000 |
| SCERA Pool Splash Pad | $600,000 |
| SCERA Pool Drains | $225,000 |
| Co-Sponsored Groups | $ 30,000 |
| **Recreation Grand Total:** | **$1,080,000** |
| **City Parks** | |
| Hillcrest Park | $250,000 |
| Lakeside 2 Lighted Fields | $620,000 |
| City Center Park WiFi Improvements | $5,000 |
| **Parks Grand Total:** | **$875,000** |
| **Administration** | |
| Administration | $ 46,200 |
| **Overall Grand Total:** | **$3,081,036** |

| | |
|---|---|
| | **CITY OF OREM**<br>**CITY COUNCIL MEETING**<br>**MAY 24, 2022** |
| **REQUEST:** | RESOLUTION - Fines for Civil Infractions |
| **APPLICANT:** | |
| **NOTICES:** | |
| **SITE INFORMATION:** | |
| **PREPARED BY:** | |

**REQUEST:**

**BACKGROUND:**

This resolution sets fees for parking violations under the City's administrative civil infractions code. The current fees were established by resolution back in 2002, and this resolution updates them according to what the City Council believes is appropriate based on safety concerns. This resolution also brings the late fee provisions into compliance with state law.

**RECOMMENDATION:**

**RESOLUTION NO. _____**

**A RESOLUTION OF THE OREM CITY COUNCIL ADOPTING FEES FOR THE VIOLATION OF CIVIL INFRACTIONS ADOPTED IN CHAPTERS 19 AND 9 OF THE OREM CITY CODE**

**WHEREAS**, the City has adopted provisions in Chapters 19 and 9 of the City Code making the violation of parking and other regulations civil infractions; and

**WHEREAS** the City Council shall establish the fees to be imposed for civil infractions under Chapters 19 and 9 by resolution pursuant to Orem City Code 19-6-6(B); and

**WHEREAS**, the City Council last established the fees to be imposed in 2002 and desires to update some of the fees; and

**WHEREAS**, the City Council desires to establish late fees that comply with the requirements of state law; and

**WHEREAS** the City Council has reviewed the proposed fees and finds that their adoption is beneficial and necessary for the health, safety, and welfare of the citizens of Orem;

**NOW, THEREFORE, BE IT RESOLVED THE CITY OF OREM, UTAH AS FOLLOWS:**

1. The Orem City Council hereby approves and adopts the following fees for the violation of infractions designated in the Orem City Code as civil infractions:

| | |
|---|---|
| Fire Lane/Fire Hydrant parking infractions<br>Parking within 30 feet of a stop sign<br>Parking – obstructing traffic | $50.00 |
| Handicapped parking violations | $150.00 |
| All other parking violations | $25.00 |
| All other civil infractions under Chapters 9 and 19 | $25.00 |

2. A late fee of 25% of the initial fee amount shall be imposed if the fee is not paid within 14 days.

3. This resolution shall take effect on July 1, 2022, the beginning of the City's next fiscal year.

4. All other resolutions and polices in conflict herewith in whole or in part are hereby repealed.

PASSED AND APPROVED this 12th day of May, 2022.

_____
David A. Young, Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

| COUNCILMEMBER | AYE | NAY | ABSTAIN |
|---|---|---|---|
| Mayor David A. Young | ☐ | ☐ | ☐ |
| Jeff Lambson | ☐ | ☐ | ☐ |
| Debby Lauret | ☐ | ☐ | ☐ |
| Tom Macdonald | ☐ | ☐ | ☐ |
| LaNae Millett | ☐ | ☐ | ☐ |
| Terry Peterson | ☐ | ☐ | ☐ |
| David Spencer | ☐ | ☐ | ☐ |

| | |
|---|---|
| | **CITY OF OREM**<br>**CITY COUNCIL MEETING**<br>**MAY 24, 2022** |
| **REQUEST:** | RESOLUTION - Appointment of a Representative to the Utah Lake Authority |
| **APPLICANT:** | |
| **NOTICES:** | |
| **SITE INFORMATION:** | |
| **PREPARED BY:** | |

**REQUEST:**

**BACKGROUND:**

This year's Utah Legislature created the Utah Lake Authority (ULA) which before May 1st, 2023, will replace the Utah Lake Commission. As per (11-65-201), the ULA is an independent, nonprofit, separate body corporate and politic, with perpetual succession; a political subdivision of the state and a public corporation, as defined in Section 63E-1-102. The full Bill is found on the legislative website at: https://le.utah.gov/~2022/bills/static/HB0232.html Title 11-65-302(3) of

HB232 requires that appointments to the Governing Board of the ULA be made no later than June 1st of 2022. Board membership of the ULA is outlined in (11-65-302); lines 586-587 & 595-596 indicate the "initial members appointed by the Utah County Council of Governments shall include; an individual who is an elected officer of the city of Orem designated by the legislative body of the city of Orem".

**RECOMMENDATION:**

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|---|---|
| | **CITY OF OREM**<br>**CITY COUNCIL MEETING**<br>**MAY 24, 2022** |
| **REQUEST:** | APPOINTMENT TO BOARDS AND COMMISSIONS:<br>- Neighborhood Advisory Board<br>Linda Parkinson, Appointment |
| **APPLICANT:** | |
| **NOTICES:** | |
| **SITE INFORMATION:** | |
| **PREPARED BY:** | |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

# NEIGHBORHOOD COMMISSION APPLICAITON

Last Name: Parkinson

First Name: Linda

Address:

City: Orem

State: Utah

Zip Code: 84058

Phone #

Accepting Text? Yes

Qualifications:

I have lived in Orem for close to 25 years and have seen many changes. I feel an obligation to give back and to be more informed about my community and involved in the decision-making process. I would be grateful for the opportunity to serve the community that has served me for so many years.

My neighbors and I have concerns about the increase of multi-unit housing developments in Orem which increases traffic and congestion, and causes parking concerns. Neighbors are also concerned about businesses encroaching on residential areas.

Linda Parkinson

| | |
|---|---|
| | **CITY OF OREM**<br>**CITY COUNCIL MEETING**<br>**MAY 24, 2022** |
| **REQUEST:** | PUBLIC HEARING / RESOLUTION - The City will receive public comment on the Community Development Block Grant (CDBG) Projected Use of Funds for Fiscal Year 2022-2023 |
| **APPLICANT:** | |
| **NOTICES:** | |
| **SITE INFORMATION:** | |
| **PREPARED BY:** | Kena Mathews, Community Services Manager |

**REQUEST:**

**BACKGROUND:**

The City of Orem will be receiving approximately $641,951 in 2022-2023 CDBG funding plus program income revenues of $24,808.16. Unspent funding from previous years may also be available for reallocation during FY 2022-2023, and is estimated at $65,645.95. The total amount for allocation in FY 2022-2023 is estimated to be approximately $775,214.05 although this amount is subject to change based on HUD allocation amount and unspent funding from previous years. The CDBG Advisory Commission recommends that the Orem City Council allocates the 2022-2023 CDBG funding allocation for the following projects: City of Orem Victim Services $28,161.04, City of Orem Homeless Services $3,970.54, City of Orem Code Enforcement $115,000, Section 8 Loan Payment $94,000, City of Orem CDBG Administration $128,390.20, City of Orem Neighborhood Preservation $5,000, Orem Senior Friendship Center Roof Replacement $168.914.10, City of Orem Critical Home Repair and Home Rehabilitation Program $100,000, Mountainlands Community Health Center $18,501.06, Utah Valley Family Support $24,905.46, Kids on the Move $8,301.82, and Community Health Connect $12,452.73.

**RECOMMENDATION:**

The Community Services Manager recommends that the City Council hold a public hearing to receive public comment and approve a resolution for the projected uses of the funds for the 2022-2023 Community Development Block Grant and review the recommendations of the CDBG Advisory Commission.

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND USE OF FUNDS AS REQUIRED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FISCAL YEAR 2022-2023

WHEREAS the City of Orem qualifies as an Entitlement Community under the Department of Housing and Urban Development's Community Development Block Grant Program and has been allocated an $641,951 for the 2022-2023 program year; and

WHEREAS the City of Orem is required by the U. S. Department of Housing and Urban Development to submit a formal request for funding entitled a STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS for new and reprogrammed funding; and

WHEREAS the City Council of the City of Orem (City Council) has established a Community Development Block Grant Citizen Advisory Commission to gather citizen input on project proposals; and

WHEREAS the Citizen Advisory Commission has gathered such input and has prepared a STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS for review and approval by the City Council; and

WHEREAS the City Council held public hearings on April 12, 2022, and May 24, 2022, to consider citizen comments regarding CDBG expenditures and has reviewed these suggestions and proposals in a manner fair to all residents of Orem and pursuant to law.

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

1. The Community Development Block Grant Statement of Community Development Objectives and Projected Use of Funds, which is attached hereto as "Exhibit A" and incorporated herein by this reference, is hereby adopted and shall be submitted to the United States Department of Housing and Urban Development as part of Orem's formal request for the 2022-2023 grant amount of $641,951 as well as reprogrammed funds in the estimated amount of $64,645.95.

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 **24th** day of **May** 2022.

_____

David A. Young, Mayor

ATTEST:

_____

JoD'Ann Bates, City Recorder

| COUNCILMEMBER | AYE | NAY | ABSTAIN |
|---|---|---|---|
| Mayor David A. Young | ☐ | ☐ | ☐ |
| Jeff Lambson | ☐ | ☐ | ☐ |
| Debby Lauret | ☐ | ☐ | ☐ |
| Tom Macdonald | ☐ | ☐ | ☐ |
| Terry Peterson | ☐ | ☐ | ☐ |
| David Spencer | ☐ | ☐ | ☐ |
| LaNae Millett | ☐ | ☐ | ☐ |

**EXHIBIT A**

**Final Statement of Community Development**

**Objectives and Projected Use of Funds**

**Program Year 47**

**July 1, 2022 through June 30, 2023**

**City of Orem, Utah**

The City of Orem intends to meet the requirement of seventy percent benefit to low and moderate-income persons in the aggregate use of funds to be expended during the program year 2022-2023.

The Community Development Block Grant is designed to assist communities in efforts to improve living conditions for low and moderate-income residents. Each eligible activity must meet at least one of the national objectives established by the Department of Housing and Urban Development (HUD). Activities must benefit fifty-one percent low and moderate-income persons in a given census tract or block group, improve designated areas of slum and blight, or address an urgent community need.

The activities identified below meet at least one of the national objectives established by HUD. They also meet local objectives specific to the City of Orem.

The targeted local objectives include the following:

1. Housing (affordable, accessible, assistance, and improvements)
2. Public Services to Low and Moderate Income Residents
3. Public Infrastructure (streets, water, sewer, facilities, parks, and improvements)
4. Develop Economic Infrastructure
5. Efficient Oversight and Operations of the CDBG Program
6. Neighborhood Preservation
7. Urgent Need

The HUD national objectives include the following:

| **HUD Defined-Outcome/Objective Codes** | **Availability/Accessibility** | **Affordability** | **Sustainability** |
|---|---|---|---|

| | | | |
|---|---|---|---|
| Decent Housing | DH-1 | DH-2 | DH-3 |
| Suitable<br>Living Environment | SL-1 | SL-2 | SL-3 |
| Economic Opportunity | EO-1 | EO-2 | EO-3 |

**Final Statement of Community Development**

**Objectives and Projected Use of Funds**

**Program Year 48**

**July 1, 2022 through June 30, 2023**

**City of Orem, Utah**

| Organization | Funding Allocation | Local Objective | National Objective |
|---|---|---|---|
| Orem Police Department Victim Services | $28,161.04 | 2 | SL-1 |
| Orem Police Department Homeless Services | $3,970.54 | 2 | SL-1 |
| Community Health Connect | $12,452.73 | 2 | SL-1 |
| Kids on the Move | $8,301.82 | 2 | SL-1 |
| City of Orem – Critical Home Repair & Home Rehabilitation | $100,000.00 | 1, 2, 6 | DH 1. 2.3 |
| City of Orem – Neighborhood Revitalization | $5,000.00 | 3,6 | SL 1, 3 |

| | | | |
|---|---|---|---|
| City of Orem – Senior Center Roof Repair | $168,914.10 | 3 | SL-1 |
| City of Orem – CDBG Administration | $128,390.20 | ALL | ALL |
| City of Orem – Section 108 Loan Repayment | $94,000.00 | 4 | EO-1, 2, 3 |
| City of Orem – Code Enforcement | $115,000.00 | 1, 3, 6 | SL 1, 3 |
| Mountainland Community Health Connect | $18,501.06 | 2 | SL-1 |
| Family Haven/Utah Valley Support | $24,905.46 | 2 | SL-1 |
| **Total** | **$707,596.95** | | |

**CDBG FINAL STATEMENT**

**FUNDING SOURCES**

**Program Year 48**

**July 1, 2022 through June 30, 2023**

**B-22-MC-49-0002**

**City of Orem, Utah**

CDBG FUNDING SOURCES AVAILABLE FOR USE:

| | |
|---|---|
| CDBG Fund Allocation | $641,951.00 |
| -Reallocation of funds previously received | $65,645.95 |
| **TOTAL** | **$707,596.95** |

The City of Orem intends to meet the requirement of seventy percent benefit to low and moderate-income persons in the aggregate use of funds to be expended during the program years through 2022-2023.

| | |
|---|---|
| | **CITY OF OREM**<br>**CITY COUNCIL MEETING**<br>**MAY 24, 2022** |
| **REQUEST:** | MOTION / CONDITIONAL USE PERMIT – Approval of a T-Mobile stealth location of cell antennas and equipment located on top of Alpine Credit Union at 1510 North State Street in the C2 zone. |
| **APPLICANT:** | |
| **NOTICES:** | |
| **SITE INFORMATION:** | |
| **PREPARED BY:** | Cheryl Vargas, Associate Planner |

**REQUEST:**

**BACKGROUND:**

**RECOMMENDATION:**

| CITY OF OREM<br>**CITY COUNCIL MEETING**<br>MAY 24, 2022 | |
|---|---|
| **REQUEST:** | **6:00 P.M. SCHEDULED ITEM**<br>CONDITIONAL USE PERMIT – Approval of a T-Mobile roof mounted cellular antenna (stealth) and equipment located on top of the Alpine Credit Union building at 1510 North State Street in the C2 zone. |
| **APPLICANT:** | T-Mobile/Rage Development |
| **FISCAL IMPACT:** | None |

**NOTICES:**
-Posted in 2 public places
-Posted on City webpage
-Posted on the State noticing website
-Faxed to newspapers
-Noticed 378 property owners with 1,000 feet

**SITE INFORMATION:**
General Plan Designation: **Low Density Residential**
Current Zone: C2
Acreage: **1.93**
Neighborhood: **Windsor**

| PLANNING COMMISSION RECOMMENDATION |
|---|
| Approval 7-0 |

**PREPARED BY:**
Cheryl Vargas
Associate Planner

**REQUEST:** The applicant requests the City approve a conditional use permit for a roof mounted cellular antenna (stealth) and equipment located on top of the Alpine Credit Union building at 1510 North State Street in the C2 zone.

**BACKGROUND:** The applicant is proposing to install a new roof mounted cellular antenna (stealth) and equipment on the Alpine Credit Union building to increase coverage for the surrounding areas. The applicant proposed a stealth enclosure to blend in with the existing façade of the building to reduce any impact to surrounding businesses and/or the residential community while still increasing the speed and coverage to T-Mobile's service in this community.

Due to height requirements, zoning/permitting requirements, financial considerations, etc., this is currently T-Mobile's only viable location according to the applicant. Based on the shape of the building and its multi-level rook decks, they can enclose this stealth design in a relatively small room (120 square feet) leaving it looking like it is a mechanical room on top of the structure and built to match the existing façade. This project does meet the ten feet or less height limit for roof top equipment. The C2 zone has an overall height limit forty-eight feet (48'). In addition, equipment on the roof can have an additional height of 10 feet provided the roof coverage does not exceed 30 percent. The proposed coverage of the existing mechanical equipment and the proposed enclosed antennas total four percent (4%) of the roof. The overall height of the proposed enclosure is fifty-five feet six inches which is below the fifty-eight feet allowed by ordinance as outlined in Section 22-8-8(A).

Section 22-13-9 (*Location and Type Priority)* of the City Code states that existing structures or stealth facilities are the first priority when locating cellular antennas. In addition, a regular (non-stealth) roof mounted antenna is a permitted use provided all applicable requirements are met.

Since the applicant is requesting enclosure of the antennas, it falls under the "stealth" requirements which does require a conditional use permit and certification by the City Council as a stealth facility.

The City Code defines "stealth facilities" as follows: Wireless facilities that have been designed to be compatible with the natural setting and surrounding structures, that camouflage or conceal the presence of antennas and/or towers,

and that have been certified as "Stealth Facilities" by the City Council.

Requirements for stealth facilities are outlined in Section 22-13-11(C) *Stealth Facilities*.

1. **Maximum Height.** The maximum height of a stealth facility shall be eighteen feet (18') higher than the maximum permitted structure height of the zone in which the stealth facility is located. The applicant may exceed the maximum structure height if otherwise allowed in this Chapter, or pursuant to a conditional use permit.
2. **Determination.** Not every disguised or screened wireless facility qualifies as a stealth facility. Whether or not a particular facility qualifies as a stealth facility shall be decided by the City Council as part of the conditional use permit approval process. In making the decision, the City Council shall consider the definition of Stealth Facilities set forth in this Article and shall consider whether the facility is disguised, blended or screened in a manner that eliminates any negative impact of the wireless facility. Each stealth facility certification applies to one location only. Because of differing circumstances specific to each site, an antenna that qualifies as a stealth facility in one location may not qualify as a stealth facility in a different location.

As stipulated in Article 22-4, The City Council is the final approving authority for all applications for conditional use permits. The City Council shall review the proposed site plan while considering the items set forth in Section 22-4-4…

Section 22-4-4. ***Factors to be Considered***.

A. Harmony of the request with the general objectives of the Master Plan, the Zoning Ordinance, and the particular zone in which the request is located.
B. Harmony of the request with existing uses in the neighborhood.
C. Development or lack of development adjacent to the site.
D. Whether or not the request may be injurious to potential development in the vicinity.
E. Present and future requirements for transportation, traffic, water, sewer and other utilities.
F. Suitability of the specific property for the proposed use.
G. Number of other similar conditional uses in the area and the public need for the conditional use.
H. Economic impact on the neighborhood.
I. Aesthetic impact on the neighborhood.
J. Safeguards afforded to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor.
K. Attempts by the applicant to minimize other adverse effects on people and property in the area.
L. Impact of the proposed use on the health, safety and welfare of the City, the area, and persons owning or leasing property in the area.

On May 4, 2022, the Planning Commission recommended the City Council approve the request as proposed.

**RECOMMENDATION:** The Planning Commission recommends the City Council, by resolution, approve the conditional use permit of a roof mounted cellular antenna (stealth) and equipment on top of the Alpine Credit Union building at 1510 North State Street in the C2 zone

232 feet
Location
State Street
1600 North
1500 North
1480 North
1465 North
1450 North
1440 North
1540 North
1560 North
1520 North
1580 North
400 West
375 West
325 West
275 West
280 West
550 West
500 West
Amiron Way
1555 N
1599 N
1588 N
1562 N
1549 N
1510 N
1484 N
1462 N
1469 N
1445 N
1425 N
1428 N
1497 N
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1428 N
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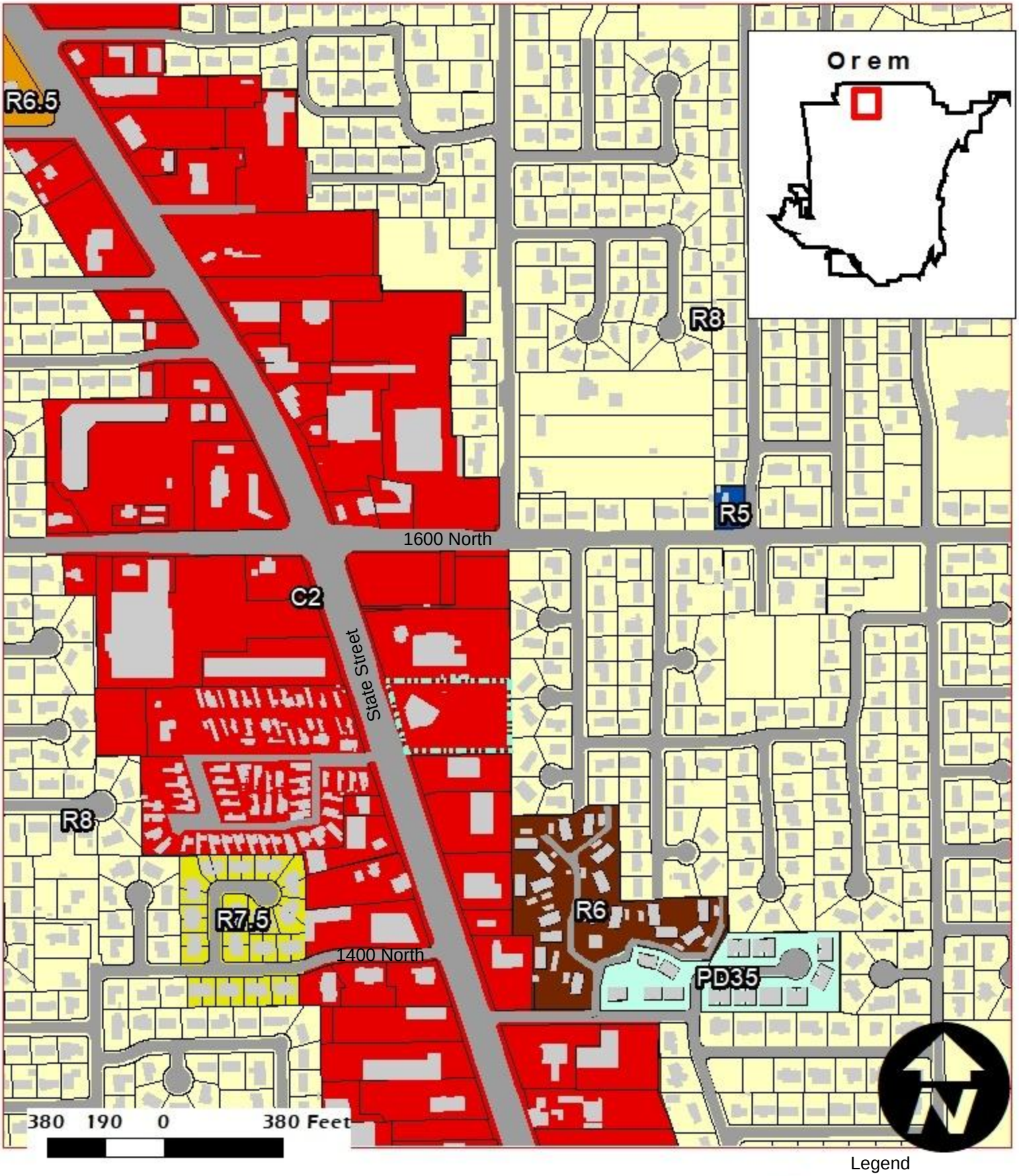
308 W
332 W
308 W
1423 N
584 W
572 W
460 W
396 W
382 W
370 W
356 W
324 W
324 W
308 W
276 W
262 W
240 W
407 W
391 W
361 W
345 W
345 N
311 W
311 W
297 W
273 W
263 W
398 W
411 W
399 W
398 W
388 W
397 W
385 W
362 W
339 W
299 W
298 W
288 W
274 W
260 W
396 W
384 W
361 W
335 W
303 W
265 W
249 W
395 W
383 W
580 W
579 W
589 W
548 W
546 W
538 W
532 W
524 W
518 W
514 W
512 W
513 W
348
332 W
Page 23 of 92

# T-Mobile Alpine Credit Union



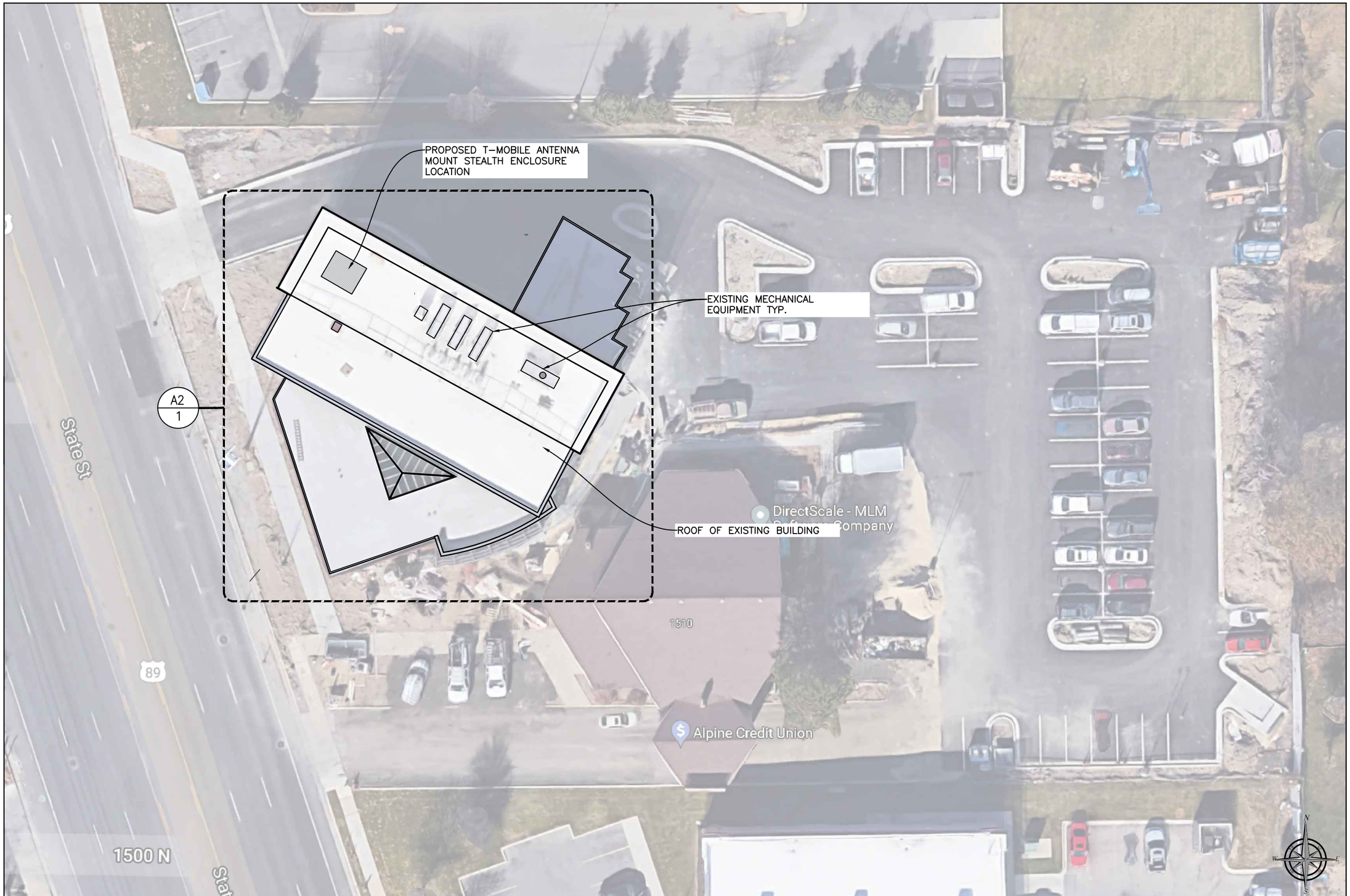

Legend

Conditional Use Permit
C2
1.93 Acres

NEIGHBORHOOD
Windsor

1510 N State Street
Buildings
Parcels

# Site Plan




**SITE LOCATION PLAN** 1

22"x34" SCALE: 1/16"=1'-0" | 11"x17" SCALE: 1/32"=1'-0"

T-Mobile

RAGE DEVELOPMENT LLC


SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677


DATE: 10/6/2021
DRAWN BY: JRC (21060)
CHECKED BY: Matthew Schjuter

**REVISIONS**

| DATE | DESCRIPTION | INT. |
|---|---|---|
| 10/6/21 | ZD (Prelim-Roof Plan) | JRC |
| 11/10/21 | ZD (Final.1) | JRC |
| 11/12/21 | ZD (Final - Skid Rev) | JRC |
| 2/4/22 | ZD (Photo Sims.) | JRC |
| 2/23/22 | ZD (Final.2) | JRC |
| 3/1/22 | ZD (Final.3) | JRC |

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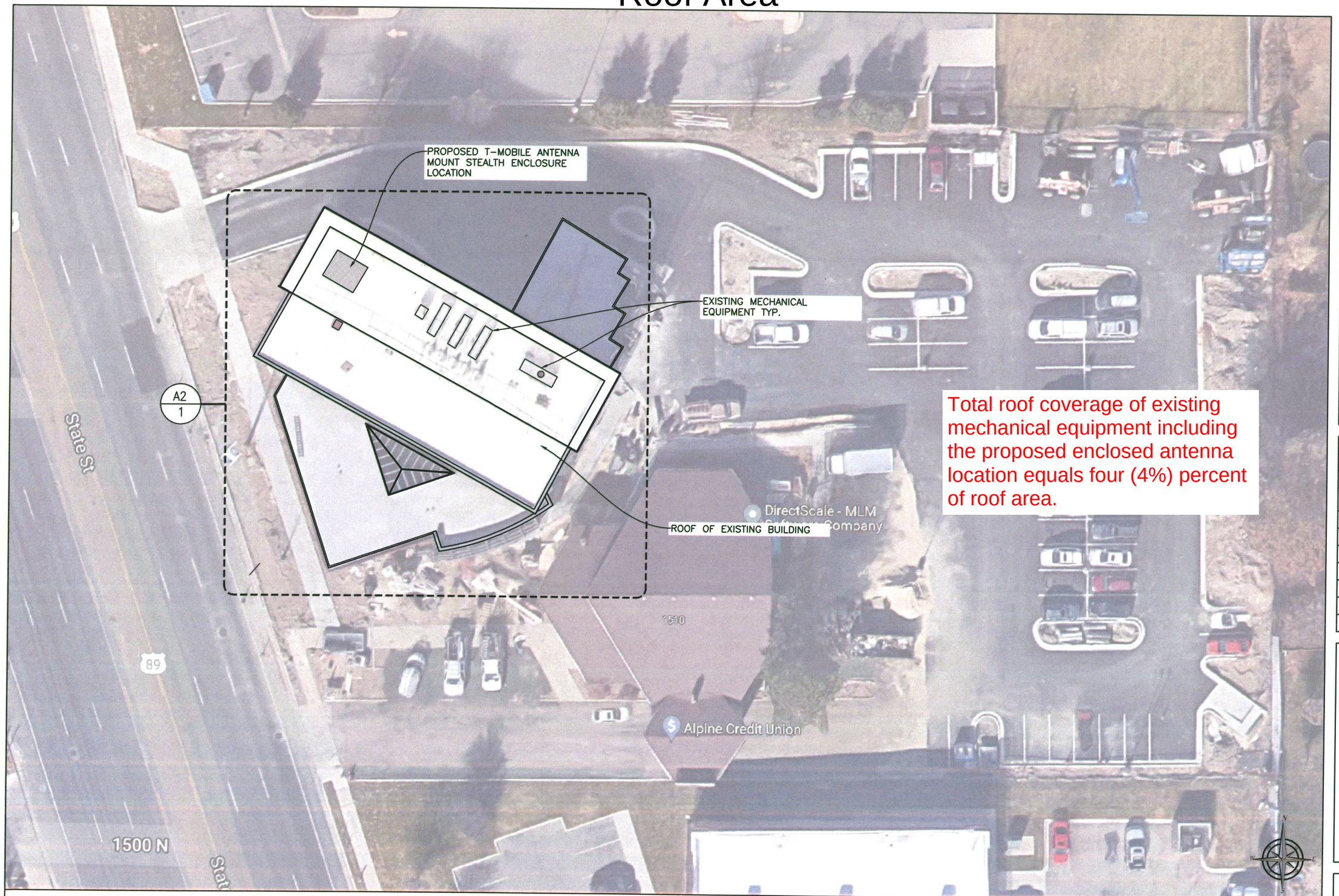
ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057

DRAWING TITLE: SITE LOCATION PLAN

DRAWING NO.: A1

# Roof Area




Total roof coverage of existing mechanical equipment including the proposed enclosed antenna location equals four (4%) percent of roof area.

**SITE LOCATION PLAN** 1

22"x34" SCALE: 1/16"=1'-0" | 11"x17" SCALE: 1/32"=1'-0"

T-Mobile

RAGE DEVELOPMENT LLC

SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677

DATE: 10/6/2021
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ALPINE CREDIT UNION
1510 N. STATE STREET
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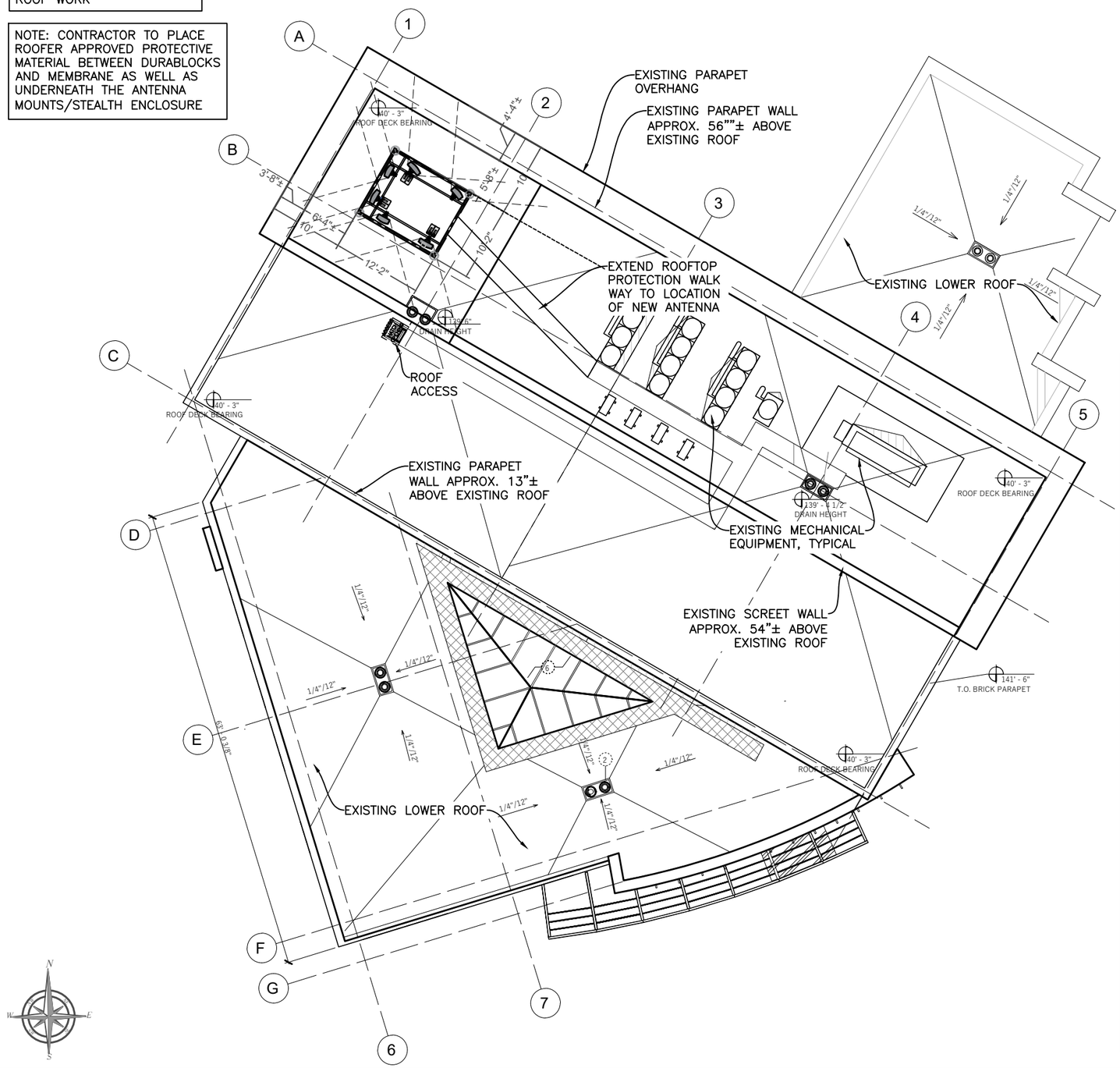
DRAWING TITLE: SITE LOCATION PLAN

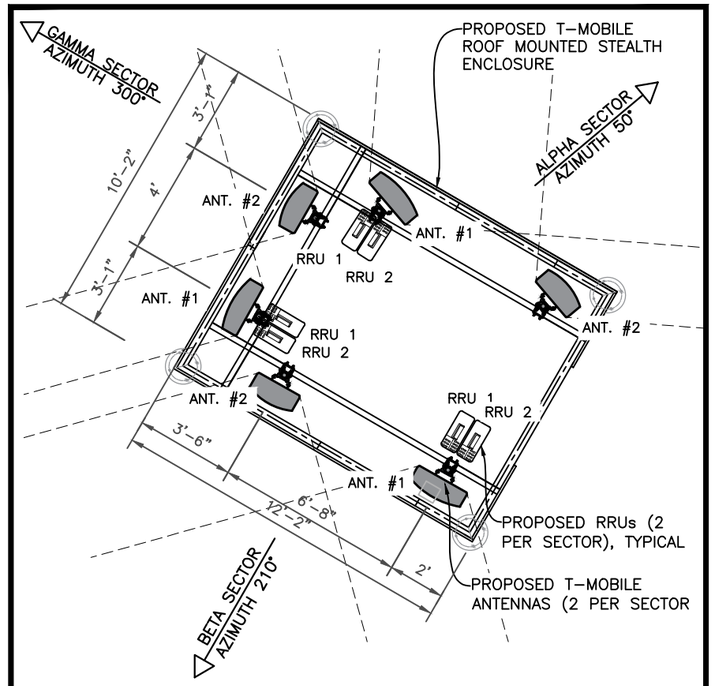
DRAWING NO.: A1

# Roof Plan

NOTE: CONTRACTOR TO USE BUILDING OWNER'S ROOFER FOR ALL PENETRATIONS AND ROOF WORK

NOTE: CONTRACTOR TO PLACE ROOFER APPROVED PROTECTIVE MATERIAL BETWEEN DURABLOCKS AND MEMBRANE AS WELL AS UNDERNEATH THE ANTENNA MOUNTS/STEALTH ENCLOSURE




ANTENNA/RRU SCHEDULE (SEE EQUIPMENT SCHEDULE A6)

POSITION #1: ANTENNA RFS–APXVAALL24 43–U–NA20 (OCTO) / RRU 4480 B71+B85 / RRU 4460 B25+B66

POSITION #2: ANTENNA ERICSSON–AIR6419 B41 (ACTIVE ANTENNA–MASSIVE MIMO)

## SECTOR PLAN TYPICAL

NOT TO SCALE

T-Mobile

RAGE DEVELOPMENT LLC


SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677


DATE: 10/6/2021

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**REVISIONS**

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| 3/1/22 | ZD (Final.3) | JRC |

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OREM, UTAH 84057

DRAWING TITLE: ROOF PLAN OPTION B

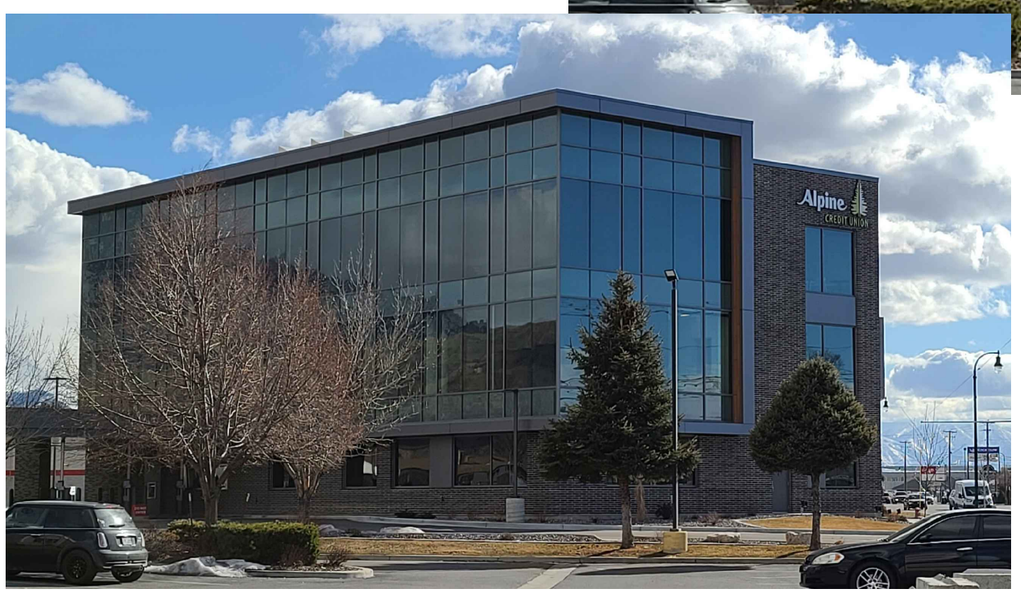
DRAWING NO.: A2

**ROOF PLAN** 1

22"x34" SCALE: 1/8" = 1'-0" | 11"x17" SCALE: 1/16" = 1'-0"

# Elevations

***PROPOSED - STEALTH ENCLOSURE***




***EXISTING***

***NORTHWEST ELEVATION*** **1**

22"x34" SCALE: 3/16"=1'-0" | 11"x17" SCALE: 3/32"=1'-0"

T-Mobile

RAGE DEVELOPMENT LLC

SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677

DATE: 10/6/2021

DRAWN BY: JRC (21060)

CHECKED BY: Matthew Schjuter

**REVISIONS**

| DATE | DESCRIPTION | INT. |
|---|---|---|
| 10/6/21 | ZD (Prelim-Roof Plan) | JRC |
| 11/1/21 | ZD (Prelim R1-Roof Plan) | JRC |
| 11/10/21 | ZD (Final.1) | JRC |
| 11/12/21 | ZD (Final - Skid Rev) | JRC |
| 2/4/22 | ZD (Photo Sims.) | JRC |
| | | |

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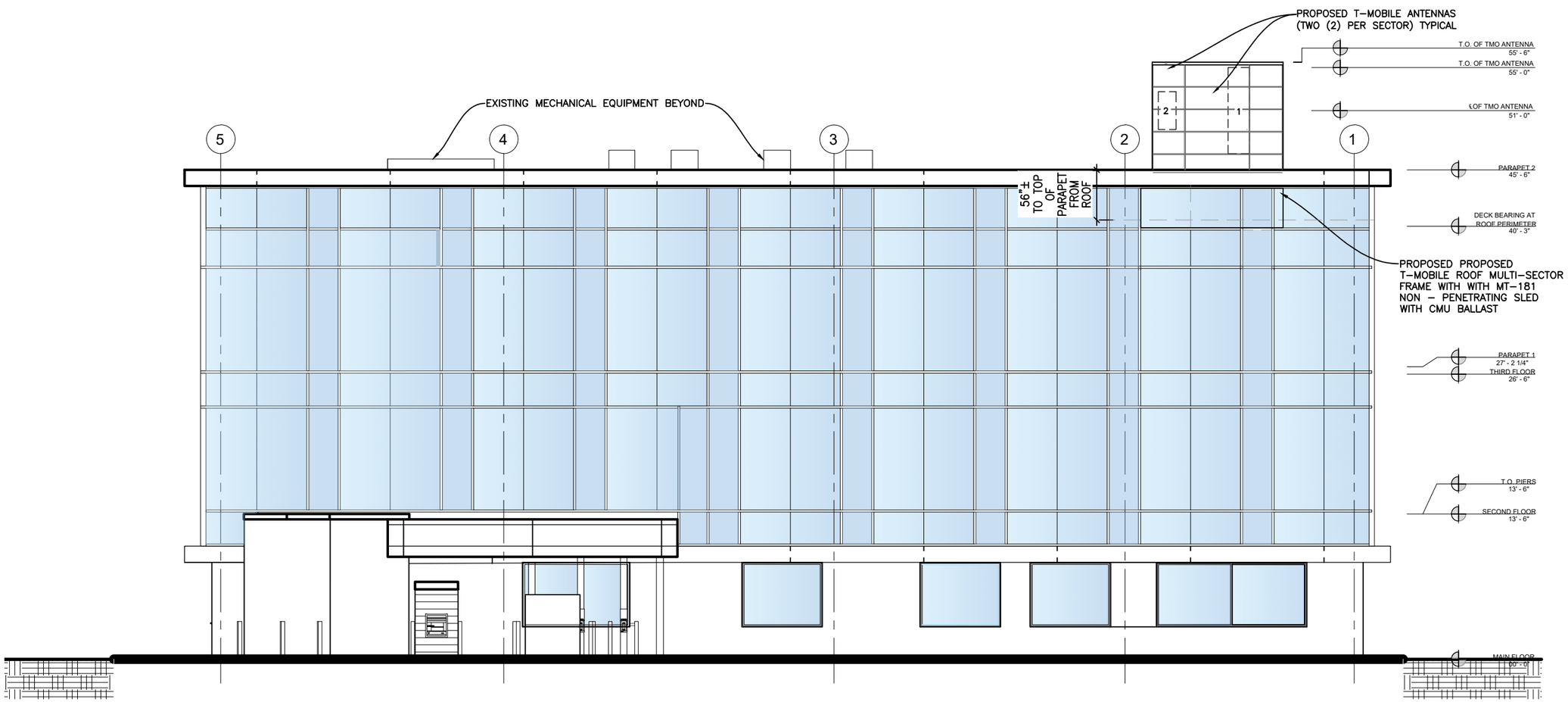
ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057

DRAWING TITLE: BUILDING ELEVATION

DRAWING NO.: PS1

# Elevations

ANTENNA/RRU SCHEDULE (SEE EQUIPMENT SCHEDULE A6)
POSITION #1: ANTENNA RFS–APXVAALL24 43–U–NA20 (OCTO) / RRU 4480 B71+B85 / RRU 4460 B25+B66
POSITION #2: ANTENNA ERICSSON–AIR6419 B41 (ACTIVE ANTENNA–MASSIVE MIMO)




**NORTHEAST ELEVATION** 1

22"x34" SCALE: 3/16"=1'-0" | 11"x17" SCALE: 3/32"=1'-0"

T-Mobile

RAGE DEVELOPMENT LLC


SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677


DATE: 10/6/2021
DRAWN BY: JRC (21060)
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ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057

DRAWING TITLE: BUILDING ELEVATION

DRAWING NO.: A4

For more information, contact Cheryl Vargas at
(801) 229-7183 or chvargas@orem.org

City Council Chambers, 56 N State Street

City Council
Tue, May 24, 2022
6:00 pm

Planning Commission
Wed, May 4, 2022
4:30 pm

## *** IMPORTANT DEVELOPMENT NOTICE ***

CONDITIONAL USE PERMIT – Approval of a T-Mobile stealth collocation of cell antennas and equipment located on top of Alpine Credit Union at 1510 North State Street in the C2 zone.

The applicant is proposing to install a new stealth collocation of cell antennas and equipment on the Alpine Credit Union building to increase coverage for the surrounding areas. The anntenna/equipment will be 10'2" D x 12'2" W x 10' H. It is stealth to tie in to the existing façade of the building to reduce any impact to surrounding businesses and/or the residential community while still increasing the speed and coverage to T-Mobile's service in this community.

OB-OK UTAH LLC
%CSG INC
230 N ST STE 1
DANVERS, MA 01923

For more information, contact Cheryl Vargas at
(801) 229-7183 or chvargas@orem.org

City Council Chambers, 56 N State Street

City Council
Tue, May 24, 2022
6:00 pm

Planning Commission
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## *** IMPORTANT DEVELOPMENT NOTICE ***

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ROBERTSON, DAVID L & LAUNI J (ET AL)
1235 BRADFORDSVILLE RD
LEBANON, KY 40033

**orem.org/planning** under "Current Planning (Public Hearing Notices)" tab

**orem.org/planning** under "Current Planning (Public Hearing Notices)" tab

GREENFIELD INVESTMENTS L C
PO BOX 1239
OREM, UT 84059

CLARK-HOLMAN LLC
%HOLMAN, MARAE
PO BOX 645
GARDEN CITY, UT 84028

FARNELL, LINDA (ET AL)
PO BOX 8
BELMONT, CA 94002

SUMNER, JACK C & ERIS Y
11 W 1880 N
OREM, UT 84057

CENTRAL BANK (ET AL)
75 N UNIVERISTY AVE
PROVO, UT 84601

DZJ HOLDINGS LC
90 N 100 E
PROVO, UT 84606

COMMON AREA
100 E CENTER ST
PROVO, UT 84606

JEFF LAMBSON
156 E 1060 N
OREM, UT 84057

ELOTES LLC
196 N 860 E
AMERICAN FORK, UT 84003

OB-OK UTAH LLC
%CSG INC
230 N ST STE 1
DANVERS, MA 01923

BOWEN, BARBARA (ET AL)
PO BOX 160
PLEASANT GROVE, UT 84062

MS BUSINESS PROPERTIES GROUP 2 LLC
PO BOX 699
PLEASANT GROVE, UT 84062

CHARMAN MOBILE HOME MANOR LC
PO BOX 970903
OREM, UT 84097

EAST WEST INVESTMENTS LLC
34 E 100 S
AMERICAN FORK, UT 84003

CENTRAL BANK (ET AL)
%SELF DIRECTED RETIREMENT SERVICES
75 N UNIVERSITY AVE
PROVO, UT 84601

JOHNSON, ALEXANDER & MALINDA
97 E 1200 N
OREM, UT 84057

CITY OF OREM THE
115 W WESTVIEW DR
OREM, UT 84058

DAVE YOUNG
173 S COUNTRYSIDE LANE
OREM, UT 84058

TBF PROPERTIES LLC
215 S OREM BLVD
OREM, UT 84058

WHITELEY, DENNIS O & ADELE W
239 E 600 N
ALPINE, UT 84004

GOLDING, GARY
PO BOX 459
LEHI, UT 84043

SCHULTZ, KIMBERLY (ET AL)
PO BOX 751
VINEYARD, UT 84059

ATM PROPERTIES LC
PO BOX 996
PLEASANT GROVE, UT 84062

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

LUNDBERG, CAROLYN & DEAN
77 E 640 N
LINDON, UT 84042

MMG HOLDINGS LLC (ET AL)
%ROWLEY, EMILY
99 W 225 N
LINDON, UT 84042

MCCORD, JACOB & HAILEY
153 W SWEETBRIAR LN
SALT LAKE CITY, UT 84105

JOHNSON, MARISA N & NATHAN D
175 E 350 N
OREM, UT 84057

PERLDREN ENTERPRISES LC
%PERL, TOM
229 W 620 S
OREM, UT 84058

TACO AMIGO INC
239 E STATE RD
PLEASANT GROVE, UT 84062

RICHARDSON, JAMES W & AMANDA I (ET AL)
249 W 1500 N
OREM, UT 84057

NORTON, BM & CM
260 W 1500 N
OREM, UT 84057

GILLMAN, HARLEY M & MARY G
263 W 1600 N
OREM, UT 84057

MONTGOMERY, KODEE
265 W 1500 N
OREM, UT 84057

BOYLE, DONALD & ANN
267 W 1400 N
AMERICAN FORK, UT 84003

INTERMOUNTAIN FIREPLACE STORE LLC
271 S 240 W
LINDON, UT 84042

SANCHEZ, MARIA L (ET AL)
273 W 1600 N
OREM, UT 84057

TUCKER, N BLAIR & DEBRA M
274 W 1500 N
OREM, UT 84057

BUNNELL, KARL & ANDREA
--OR CURRENT RESIDENT--
276 W 1600 NORTH
OREM, UT 84057

H & M PROPERTIES LC
--OR CURRENT RESIDENT--
279 W 1600 NORTH
OREM, UT 84057

LANAE MILLETT
288 W 1500 N
OREM, UT 84057

PASSEY, HOWARD B & LAURELEE (ET AL)
290 W 1380 N
OREM, UT 84057

SCHOW, DIANNE KAREN FAILS
296 W 1380 N
OREM, UT 84057

TIETJEN, BRUCE & CRYSTAL
--OR CURRENT RESIDENT--
297 W 1600 NORTH
OREM, UT 84057

THURSTON, THOMAS N
298 W 1540 N
OREM, UT 84057

MCFARLAND, JAMES ROBERT & DEBORAH
299 W 1540 N
OREM, UT 84057

COLEMAN, DAVID L & CAROL A
300 W 1500 N
OREM, UT 84057

KAUFFMAN, RICHARD STANTON & SHIRLEY ANN SIMMONS (ET AL)
302 W 1380 N
OREM, UT 84057

FAIRCHILD, DON M & KAREN S
303 W 1500 N
OREM, UT 84057

SONDRUP, THERON B & WINONA C
305 W 1440 N
OREM, UT 84057

LEUNG, KOON KI DICKY (ET AL)
307 W 1380 N
OREM, UT 84057

GOULDING, DEVIN K & ERICA
308 W 1440 N
OREM, UT 84057

GOMEZ, CARLOS J (ET AL)
308 W 1600 N
OREM, UT 84057

BARAL INVESTMENTS-LC
--OR CURRENT RESIDENT--
308 W AMIRON WAY UNIT# A
OREM, UT 84057

TINGEY PROPERTIES LLC
--OR CURRENT RESIDENT--
308 W AMIRON WAY UNIT# B
OREM, UT 84057

JOHNSON, MARY NICOLE & MARY NICOLE (ET AL)
308 W AMIRON WAY UNIT C
OREM, UT 84057

DEVEREAUX, KYLE & NATALIE
--OR CURRENT RESIDENT--
308 W AMIRON WAY UNIT# D
OREM, UT 84057

CONCEPT AMERICAN PROPERTY LLC
%NAZIR, ZAHID
313 E FAIRMONT HILL CT
DRAPER, UT 84020

SMITH, NICK F & COLETTE
314 W AMIRON WY APT A
OREM, UT 84057

JENSEN, KIRK R
314 W AMIRON WY APT B
OREM, UT 84057

COPE, LILIANA ISABEL
314 W AMIRON WY APT C
OREM, UT 84057

ZEPEDA, LILIAN E
314 W AMIRON WY APT D
OREM, UT 84057

GILES, JAMES A & CHRISTY L
324 W 1600 N
OREM, UT 84057

SCOTT, EVAN D
328 BLACKBURN ST
PASO ROBLES, CA 93446

SMITH, TUCKER JORDAN & LAUREN MARIE
328 W AMIRON WAY
OREM, UT 84057

SKARDA RENTAL LLC
--OR CURRENT RESIDENT--
328 W AMIRON WY UNIT# A
OREM, UT 84057

JOHNSON, ALEXANDER & MALINDA
--OR CURRENT RESIDENT--
328 W AMIRON WY UNIT# B
OREM, UT 84057

JENKINS, JANICE KAY (ET AL)
328 W AMIRON WAY # C
OREM, UT 84057

SMITH, TUCKER JORDAN & LAUREN MARIE
--OR CURRENT RESIDENT--
328 W AMIRON WAY UNIT# D
OREM, UT 84057

ARKENSTONE HOLDINGS LLC
--OR CURRENT RESIDENT--
332 W AMIRON WY UNIT# A
OREM, UT 84057

COLEMAN, ERIN M
--OR CURRENT RESIDENT--
332 W AMIRON WY UNIT# B
OREM, UT 84057

LOTT, LYNN C & CARLA
--OR CURRENT RESIDENT--
332 W AMIRON WY UNIT# C
OREM, UT 84057

STONELY, BROOKE & TODD
332 W AMIRON WAY # D
OREM, UT 84057

SILVA, ANDRES TORRES
335 W 1500 N
OREM, UT 84057

LARSON, DOLORES B (ET AL)
336 W 1500 N
OREM, UT 84057

PULLEY, LYNN R & BARBARA M (ET AL)
345 W 1600 N
OREM, UT 84057

BOWEN, BARBARA (ET AL)
--OR CURRENT RESIDENT--
348 W AMIRON WY UNIT# A
OREM, UT 84057

ATM PROPERTIES LC
--OR CURRENT RESIDENT--
348 W AMIRON WY UNIT# B
OREM, UT 84057

FISHER, GEOFF THOMAS & JENNIFER S
--OR CURRENT RESIDENT--
348 W AMIRON WAY UNIT# C
OREM, UT 84057

COPE, WINNIFRED
--OR CURRENT RESIDENT--
348 W AMIRON WAY UNIT# D
OREM, UT 84057

MEDIA HUB LLC
--OR CURRENT RESIDENT--
351 W 1360 NORTH
OREM, UT 84057

GOLDING, GARY
--OR CURRENT RESIDENT--
356 W 1600 NORTH
OREM, UT 84057

HODSON, DENNIS DON & DIANE (ET AL)
--OR CURRENT RESIDENT--
361 W 1500 NORTH
OREM, UT 84057

LANDON, DUSTIN
361 W 1600 N
OREM, UT 84057

SAMANTHA ANDERSON MANAGEMENT TRUST 03-11-2011 AMD (ET AL)
--OR CURRENT RESIDENT--
362 W 1500 NORTH
OREM, UT 84057

BARTON INVESTMENT LLC
367 W 900 N
SALT LAKE CITY, UT 84103

CITY OF OREM THE
370 W 1600 N
OREM, UT 84057

SPACKMAN, RYAN D & IRINA
382 W 1600 N
OREM, UT 84057

BATTY, GARTH E
383 W 1480 N
OREM, UT 84057

CANN PROPERTIES 384 LLC
--OR CURRENT RESIDENT--
384 W 1480 NORTH
OREM, UT 84057

WEBB, ROYCE S & ANN E
385 W 1520 N
OREM, UT 84057

LEUE, TIMOTHY SCOTT & JAMIE RENEE
395 W 1480 N
OREM, UT 84057

INVESTED LLC
--OR CURRENT RESIDENT--
397 W 1520 NORTH
OREM, UT 84057

VISNAW, LEON J & STEPHANIE L
399 W 1560 N
OREM, UT 84057

JEFFERY, ARTHUR A & E LORRAINE
411 W 1560 N
OREM, UT 84057

BRUGI, WILLIAM & JOANN C (ET AL)
436 S 600 W
OREM, UT 84058

OK-OB LLC
--OR CURRENT RESIDENT--
460 W 1600 NORTH
OREM, UT 84057

LONG, D B & SANDRA
488 N 400 W
AMERICAN FORK, UT 84003

BRUNT, JENNIFER LYNN MIDDLETON (ET AL)
508 W 1400 N
OREM, UT 84057

SHIMADA, LAWRENCE E
%SHIMADA, CONRAD S
513 W 1450 N
OREM, UT 84057

PAUL J JUDD INHERITANCE TRUST 08-24-2012 (ET AL)
388 W 1520 N
OREM, UT 84057

JESSEN, JOHN STUART & JENNIFER
396 W 1480 N
OREM, UT 84057

PETERSON, BRIAN & JESSICA
398 W 1520 N
OREM, UT 84057

CITY OF OREM
407 W 1600 N
OREM, UT 84057

CITY OF OREM
--OR CURRENT RESIDENT--
411 W 1600 NORTH
OREM, UT 84057

VARGAS, ANTONIO HERRERA (ET AL)
455 N 700 W
PROVO, UT 84601

GREENFIELD INVESTMENTS L C
--OR CURRENT RESIDENT--
475 W 1400 NORTH
OREM, UT 84057

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

WEIGHT, GARY H & JAYNE W
512 W 1350 N
OREM, UT 84057

WEEKS, DAVID W & ELIZABETH ANN
514 W 1400 N
OREM, UT 84057

PORTILLO, JORGE LUIS BELTRAN
391 W 1600 N
OREM, UT 84057

BOOTH, OLIVER & JACLYN
396 W 1600 N
OREM, UT 84057

MUTCH, CHRISTINA M
398 W 1560 N
OREM, UT 84057

SPARKS, TODD & SHAUNNA
--OR CURRENT RESIDENT--
411 W 1400 NORTH
OREM, UT 84057

MEDIA HUB LLC
412 E 1550 N
OREM, UT 84097

WIRICK, CARSON G (ET AL)
455 N CENTER ST
AMERICAN FORK, UT 84003

HAMILTON LAND LLC
485 W 1400 N
OREM, UT 84057

WASATCH SQUARE LLC
%HUTCHINGS, DANEAN
504 W 1400 N
OREM, UT 84057

SHIN, JUNGHWA (ET AL)
512 W 1450 N
OREM, UT 84057

WILKES, VICKY & RANDALL
514 W 1450 N
OREM, UT 84057

517 ASSOCIATES LLC
--OR CURRENT RESIDENT--
517 W 1400 NORTH
OREM, UT 84057

MACKEY, LENNA R (ET AL)
517 W 1450 N
OREM, UT 84057

JONES, ANNIE P
518 W 1450 N
OREM, UT 84057

RAMIREZ, CARLOS EUGENIO
522 W 1400 N
OREM, UT 84057

BARNEY, NICHOLAS TATE
523 W 1450 N
OREM, UT 84057

LOTT, WAYNE J & ANNE C (ET AL)
524 W 1350 N
OREM, UT 84057

DE WET, MAUREEN
524 W 1450 N
OREM, UT 84057

LOTT, WAYNE J & ANNE C (ET AL)
--OR CURRENT RESIDENT--
525 W 1400 NORTH
OREM, UT 84057

BRUGI, WILLIAM & JOANN C (ET AL)
--OR CURRENT RESIDENT--
527 W 1450 NORTH
OREM, UT 84057

JANSSON, TOREE M
528 W 1400 N
OREM, UT 84057

PEARSON, SUNNY & MARK
--OR CURRENT RESIDENT--
531 W 1400 NORTH
OREM, UT 84057

RUIZ, CHRISTOPHER (ET AL)
532 W 1450 N
OREM, UT 84057

NORMAN, HERBERT & TINA W
536 W 1350 N
OREM, UT 84057

MANCILLA, FRANCISCO M
538 W 1450 N
OREM, UT 84057

TAYLOR, ANITA S
539 W 1400 N
OREM, UT 84057

SEAMONS, QUINTON & AIMEE
--OR CURRENT RESIDENT--
545 W 1400 NORTH
OREM, UT 84057

LUNDBERG, CAROLYN & DEAN
--OR CURRENT RESIDENT--
546 W 1450 NORTH
OREM, UT 84057

NELSON, CLINT D
--OR CURRENT RESIDENT--
548 W 1450 NORTH
OREM, UT 84057

FERRELL, L LACHELLE
553 W 1400 N
OREM, UT 84057

WILSON, JAMES LAMAR & ROSS ROUNDY
559 E 2600 N
PROVO, UT 84604

TOLMAN, NATHAN K & SINAMAR T
559 W 1400 N
OREM, UT 84057

COOL HEAD PROPERTIES LLC
--OR CURRENT RESIDENT--
572 W 1600 NORTH
OREM, UT 84057

ALBERTCENTER LC
--OR CURRENT RESIDENT--
573 W 1600 NORTH
OREM, UT 84057

SCHWARTZ, RANDALL I
579 W 1475 N
OREM, UT 84057

OSMOND, HEATHER
580 N BALD MNT DR
ALPINE, UT 84004

VANHORN, EMMA T
580 W 1475 N
OREM, UT 84057

MMG HOLDINGS LLC (ET AL)
--OR CURRENT RESIDENT--
584 W 1600 NORTH
OREM, UT 84057

ALBERTCENTER LC
--OR CURRENT RESIDENT--
585 W 1600 NORTH
OREM, UT 84057

HARDING, JANET (ET AL)
587 N 600 E
PLEASANT GROVE, UT 84062

ASTLE, STEVEN LEE & COLLETTE
589 W 1475 N
OREM, UT 84057

HASKELL, DAVID F & EMILY R
592 W 1475 N
OREM, UT 84057

MAXFIELD, ROD & LIZ
--OR CURRENT RESIDENT--
609 W 1600 NORTH
OREM, UT 84057

ZEMP, JEREMY TREMAYNE &
HEATHER SHULER
610 W 1475 N
OREM, UT 84057

NEWMAN, MORGAN G
610 W 1510 N
OREM, UT 84057

WEAVER, BRIAN
611 W 1510 N
OREM, UT 84057

PINNEGAR, FRED C & STEFINEE E
612 W 1550 N
OREM, UT 84057

BROADBENT, NATHAN E & JULIE A
613 W 1550 N
OREM, UT 84057

GREENFIELD PROPERTIES LP
615 S STATE
OREM, UT 84058

INVESTED LLC
616 S 800 E
PRESTON, ID 83263

RFM REAL ESTATE LLC
621 WASHINGTON ST S
TWIN FALLS, ID 83301

DEBBY LAURET
641 S 1920 W
OREM, UT 84059

WALKER, BRANDON
653 W 2760 N
PLEASANT GROVE, UT 84062

LOTT, LYNN C & CARLA
701 N 300 W
LEHI, UT 84043

LI, TONY & TINA
789 N 350 W
LINDON, UT 84042

SKARDA, CHRISTOPHER
827 N 900 E
PLEASANT GROVE, UT 84062

JOHNSON, EDWARD A & DONNA M
846 E HIGH COUNTRY DR
OREM, UT 84097

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

PIGPEN PROPERTIES LLC
923 E ALPINE DR
ALPINE, UT 84004

FORT CREEK INVESTMENTS IV LLC
926 N FORT CANYON RD
ALPINE, UT 84004

R&M FAMILY INVESTMENTS III LLC
952 N FORT CANYON RD
ALPINE, UT 84004

COLEMAN, ERIN M
983 W 1230 N
OREM, UT 84057

CHRISTINE CHAVEZ REVOCABLE
TRUST 06-01-2001 THE (ET AL)
1003 W 570 N
OREM, UT 84057

DEVEREAUX, KYLE & NATALIE
1016 E ROUND MOUNTAIN DR
ALPINE, UT 84004

PINNELL, MATTHEW
1064 S RIVER RIDGE LN
SPANISH FORK, UT 84660

CANN PROPERTIES 384 LLC
1089 N 250 E
OREM, UT 84057

TERRY PETERSON
1125 LYNNWOOD DRIVE
OREM, UT 84097

R AND M GAPPMAYER LC
1156 S STATE ST # 202
OREM, UT 84097

ROBERTSON, DAVID L & LAUNI J (ET
AL)
1235 BRADFORDSVILLE RD
LEBANON, KY 40033

RUSS & CATHY WITT FAMILY LLC
1245 SOUTHFIELD RD
HEBER CITY, UT 84032

COOL HEAD PROPERTIES LLC
1255 E 10 S
LINDON, UT 84042

MOUNTAIN AMERICA FEDERAL CREDIT UNION
--OR CURRENT RESIDENT--
1340 N STATE ST
OREM, UT 84057

CROFT, COLBY R & STARLEE E
1354 N 500 W
OREM, UT 84057

WEEKS, HARRY E JR & JOY
1375 RENAISSANCE PL
PLEASANT GROVE, UT 84062

GANOWSKY, WILLIAM B & ARLENE S
--OR CURRENT RESIDENT--
1385 N AMIRON WY UNIT# A
OREM, UT 84057

GERBER, NATALIE
1385 N AMIRON WAY UNIT D
OREM, UT 84057

LI, TONY & TINA
--OR CURRENT RESIDENT--
1399 N AMIRON WAY UNIT# A
OREM, UT 84057

LI, TONY & TINA
--OR CURRENT RESIDENT--
1399 N AMIRON WAY UNIT# D
OREM, UT 84057

GONZALEZ, DAVID & TERRI L
--OR CURRENT RESIDENT--
1409 N AMIRON WY UNIT# A
OREM, UT 84057

COPE, WINNIFRED O
--OR CURRENT RESIDENT--
1409 N AMIRON WAY UNIT# D
OREM, UT 84057

CRAWFORD, ALAN BRENT
1412 N 580 W
OREM, UT 84057

WORLEY, JOHN C (ET AL)
1342 N 500 W
OREM, UT 84057

CLARK-HOLMAN LLC
--OR CURRENT RESIDENT--
1363 N STATE
OREM, UT 84057

MS BUSINESS PROPERTIES GROUP 2 LLC
--OR CURRENT RESIDENT--
1376 N STATE
OREM, UT 84057

MCCORD, JACOB & HAILEY
--OR CURRENT RESIDENT--
1385 N AMIRON WY UNIT# B
OREM, UT 84057

TACO AMIGO INC
--OR CURRENT RESIDENT--
1395 N STATE ST
OREM, UT 84057

SCOTT, EVAN D
--OR CURRENT RESIDENT--
1399 N AMIRON WY UNIT# B
OREM, UT 84057

RYAN CLARK
1405 N. 1430 WEST
PLEASANT GROVE, UT 84062

GANOWSKY, WILLIAM B & ARLENE S
--OR CURRENT RESIDENT--
1409 N AMIRON WY UNIT# B
OREM, UT 84057

CORDNER, BONNIE J
1410 N 550 W
OREM, UT 84057

WEEKS, HARRY E JR & JOY
--OR CURRENT RESIDENT--
1414 N 550 WEST
OREM, UT 84057

ROSS, LINDSAY & ROBERT B
1345 DANIEL DR
OREM, UT 84057

JACK'S TIRE INVESTMENT COMPANY INC
--OR CURRENT RESIDENT--
1369 N STATE ST
OREM, UT 84057

QQ UTAH COUNTY 2 LLC
1380 LEAD HILL BLVD STE 260
ROSEVILLE, CA 95661

LONG, D B & SANDRA
--OR CURRENT RESIDENT--
1385 N AMIRON WAY UNIT# C
OREM, UT 84057

BUEHLER, BRITAIN & SIERRA
1399 N AMIRON WAY
OREM, UT 84057

BUEHLER, BRITAIN & SIERRA
--OR CURRENT RESIDENT--
1399 N AMIRON WAY UNIT# C
OREM, UT 84057

BRUST, BLAKE COLTEN & TIARA NICOLE
1409 N 550 W
OREM, UT 84057

MCCORD, JACOB & HAILEY
1409 N AMIRON WAY # C
OREM, UT 84057

WASATCH SQUARE LLC
--OR CURRENT RESIDENT--
1411 N STATE ST
OREM, UT 84057

WILSON, DAVID RUSSELL (ET AL)
1415 N 550 W
OREM, UT 84057

BARTON INVESTMENT LLC
--OR CURRENT RESIDENT--
1416 N STATE ST
OREM, UT 84057

EAST WEST INVESTMENTS LLC
--OR CURRENT RESIDENT--
1417 N AMIRON WY UNIT# A
OREM, UT 84057

CROFT FAMILY LLC SERIES SEVEN
--OR CURRENT RESIDENT--
1417 N AMIRON WY UNIT# B
OREM, UT 84057

MILLGATE, CHERYL ANN & CHERYL ANN (ET AL)
1417 N AMIRON WY APT C
OREM, UT 84057

ATM PROPERTIES LC
--OR CURRENT RESIDENT--
1417 N AMIRON WAY UNIT# D
OREM, UT 84057

WHITESIDE, STEVEN M & ALLYSON L
1420 N 280 W
OREM, UT 84057

PETERSON, CAMERON & LISA
--OR CURRENT RESIDENT--
1420 N AMIRON WY UNIT# A
OREM, UT 84057

PERLDREN ENTERPRISES LC
--OR CURRENT RESIDENT--
1420 N AMIRON WY UNIT# B
OREM, UT 84057

FARNELL, LINDA (ET AL)
--OR CURRENT RESIDENT--
1420 N AMIRON WAY UNIT# C
OREM, UT 84057

GONZALEZ, DAVID & TERRI L
1420 N AMIRON WAY UNIT D
OREM, UT 84057

CORRY, WILLIAM NIEL & TERESA
1423 N 280 W
OREM, UT 84057

GALE, DEBORAH D
1423 N 550 W
OREM, UT 84057

GREER, RAYMOND R & DELONA L
1424 N 280 W
OREM, UT 84057

POULSEN, JOHN ENGFELT & KATHRYN GAY (ET AL)
1424 N 550 W
OREM, UT 84057

TAYLOR, SCOTT HOWARD & SHELLE KAY
1424 N 580 W
OREM, UT 84057

MOSS, JOVITA (ET AL)
1425 N 325 W
OREM, UT 84057

SHIMADA, CONRAD S (ET AL)
--OR CURRENT RESIDENT--
1425 N STATE ST
OREM, UT 84057

CONRAD, PAUL W & PAT WILLIAMS SMITH
1428 N 325 W
OREM, UT 84058

LINS MANAGEMENT LLC
1428 N STATE ST
OREM, UT 84057

WIRICK, CARSON G (ET AL)
--OR CURRENT RESIDENT--
1429 N 550 WEST
OREM, UT 84057

GARVIN, LANCE
1430 N 550 W
OREM, UT 84057

SCOTT, TYSON & TYSON C (ET AL)
--OR CURRENT RESIDENT--
1433 N AMIRON WY UNIT# A
OREM, UT 84057

BARAL INVESTMENTS LC
--OR CURRENT RESIDENT--
1433 N AMIRON WY UNIT# B
OREM, UT 84057

KENNARD, ELAINE (ET AL)
--OR CURRENT RESIDENT--
1433 N AMIRON WAY UNIT# C
OREM, UT 84057

MOULTON, JAMES R & JOANNE M
--OR CURRENT RESIDENT--
1433 N AMIRON WAY UNIT# D
OREM, UT 84057

PALMER, DWAINE K & NORIE
1435 N 280 W
OREM, UT 84057

ARKENSTONE HOLDINGS LLC
--OR CURRENT RESIDENT--
1435 N AMIRON WY UNIT# A
OREM, UT 84057

ARKENSTONE HOLDINGS LLC
--OR CURRENT RESIDENT--
1435 N AMIRON WY UNIT# B
OREM, UT 84057

ROCKRIDER HOLDINGS LLC
--OR CURRENT RESIDENT--
1435 N AMIRON WAY UNIT# C
OREM, UT 84057

JOHNSON, MARISA N & NATHAN D
--OR CURRENT RESIDENT--
1435 N AMIRON WAY UNIT# D
OREM, UT 84057

NUNEZ, JUAN LUIS & LUZ MARIA
1437 N 550 W
OREM, UT 84057

HIRSCHMANN, ERIC W & KARNA B
1438 N 280 W
OREM, UT 84057

CHRISTIANSON, AL & KRISTINE
1438 N 580 W
OREM, UT 84057

FRONCKOWIAK, MAURINE A
1438 N AMIRON WY APT A
OREM, UT 84057

WALKER, BRANDON
--OR CURRENT RESIDENT--
1438 N AMIRON WY UNIT# B
OREM, UT 84057

LAUREL KARLEEN ADAMS LIVING TRUST 08-11-2017 THE (ET AL)
1438 N AMIRON WAY APT C
OREM, UT 84057

ROBERTSON, DAVID L & LAUNI J (ET AL)
--OR CURRENT RESIDENT--
1438 N AMIRON WAY UNIT# D
OREM, UT 84057

MINER, ADAM & ERIN
1441 N 550 W
OREM, UT 84057

PRIDDIS, KRISTIN L (ET AL)
1443 N 580 W
OREM, UT 84057

CLINE, JOSEPH & AMBER
1444 N 580 W
OREM, UT 84057

ARKENSTONE HOLDINGS LLC
--OR CURRENT RESIDENT--
1445 B AMIRON WY UNIT# B
OREM, UT 84057

EVANS, GRANT ALVIN
--OR CURRENT RESIDENT--
1445 D AMIRON WY UNIT# D
OREM, UT 84057

BARAL INVESTMENTS-LC
--OR CURRENT RESIDENT--
1445 N AMIRON WY UNIT# A
OREM, UT 84057

BOWEN, BARBARA (ET AL)
--OR CURRENT RESIDENT--
1445 N AMIRON WAY UNIT# C
OREM, UT 84057

EVANS, GRANT ALVIN
1445 N AMIRON WAY APT D
OREM, UT 84057

WILSON, JIM & LINDA H (ET AL)
--OR CURRENT RESIDENT--
1447 N STATE ST
OREM, UT 84057

DECKER, ZSUZSANNA ILDIKO
1448 N AMIRON WAY # A
OREM, UT 84057

SKARDA, CHRISTOPHER
--OR CURRENT RESIDENT--
1448 N AMIRON WY UNIT# B
OREM, UT 84057

CROFT FAMILY LLC SERIES EIGHT
--OR CURRENT RESIDENT--
1448 N AMIRON WAY UNIT# C
OREM, UT 84057

CROFT FAMILY LLC SERIES NINE
--OR CURRENT RESIDENT--
1448 N AMIRON WAY UNIT# D
OREM, UT 84057

MARTIN, DAVID L & KRISTINE R
1449 N 325 W
OREM, UT 84057

JACKMAN, DREW FREDRICK & MERRI LU WILKEY
1451 N 280 W
OREM, UT 84057

GOLDING, MARION E & CYNTHIA A
1452 N 280 W
OREM, UT 84057

KNUDSEN, TYLER & TINA
1453 N 230 W
OREM, UT 84057

ELOTES LLC
--OR CURRENT RESIDENT--
1455 N AMIRON WY UNIT# A
OREM, UT 84057

DZJ HOLDINGS LC
--OR CURRENT RESIDENT--
1455 N AMIRON WY UNIT# B
OREM, UT 84057

CHADWICK, LINDA
1455 N AMIRON WY APT C
OREM, UT 84057

PINNELL, MATTHEW
--OR CURRENT RESIDENT--
1455 N AMIRON WAY UNIT# D
OREM, UT 84057

OMER LIVING TRUST 05-18-2020 THE (ET AL)
1458 N 325 W
OREM, UT 84057

DEWITT, JOSHUA (ET AL)
1461 N 325 W
OREM, UT 84057

KO, CHOONYEOB
1461 N AMIRON WY
OREM, UT 84057

ATM PROPERTIES LC
--OR CURRENT RESIDENT--
1461 N AMIRON WY UNIT# A
OREM, UT 84057

KO, CHOONYEOB
--OR CURRENT RESIDENT--
1461 N AMIRON WY UNIT# B
OREM, UT 84057

GARFF, PETER N & SHARON
--OR CURRENT RESIDENT--
1461 N AMIRON WAY UNIT# D
OREM, UT 84057

CONCEPT AMERICAN PROPERTY LLC
--OR CURRENT RESIDENT--
1462 N STATE ST
OREM, UT 84057

STINSON, DEENA K
1464 N 280 W
OREM, UT 84057

MITCHELL, SHIRLEE G (ET AL)
1464 N AMIRON WY
OREM, UT 84057

REED, LYNN & LANET
1464 N AMIRON WY # A
OREM, UT 84057

TINGEY PROPERTIES LLC
--OR CURRENT RESIDENT--
1464 N AMIRON WY UNIT# B
OREM, UT 84057

MITCHELL, SHIRLEE G (ET AL)
--OR CURRENT RESIDENT--
1464 N AMIRON WAY UNIT# C
OREM, UT 84057

GUERRERO, ADRIAN & ANDRES
1464 N AMIRON WAY # D
OREM, UT 84057

YOUNG, GLENDA (ET AL)
1465 N 280 W
OREM, UT 84057

WILSON, JAMES LAMAR & ROSS ROUNDY
--OR CURRENT RESIDENT--
1465 N STATE
OREM, UT 84057

MACE, ROURKE G & KATHRYN T (ET AL)
1467 N 230 W
OREM, UT 84057

MARKLE, KEVIN & ERIN
1472 N 325 W
OREM, UT 84057

BRIDGSTOCK, AUDREY
1473 N 325 W
OREM, UT 84057

HOUSE OF GAINES LLC
1474 N 375 W
OREM, UT 84057

MITTON, JOSHUA & KYLA
1477 N 280 W
OREM, UT 84057

KENNARD, ELAINE (ET AL)
1477 N AMIRON APT C
OREM, UT 84057

TAYLOR, DAVID SCOTT
1478 N 280 W
OREM, UT 84057

MIKKELSEN, WILLIAM C & LANA K
--OR CURRENT RESIDENT--
1481 N 230 WEST
OREM, UT 84057

OK-OB LLC
1481 N 430 E
OREM, UT 84097

ALBERTCENTER LC
1483 SPRINGDELL DR
PROVO, UT 84604

RUSS & CATHY WITT FAMILY LLC
--OR CURRENT RESIDENT--
1484 N STATE ST
OREM, UT 84057

DEROEST, HEIDI
1486 N 325 W
OREM, UT 84057

EDWARDS, BRADLEY C & SHAUNA H
1491 N 280 W
OREM, UT 84057

CHARMAN MOBILE HOME MANOR LC
--OR CURRENT RESIDENT--
1497 N STATE ST
OREM, UT 84057

ALPINE CREDIT UNION
1510 N STATE
OREM, UT 84057

JENSEN, BRIAN & STACY
1511 N 230 W
OREM, UT 84057

SCHOFIELD, LAMONT E (ET AL)
1511 S GENEVA RD
OREM, UT 84058

BARFUSS, TODD S
--OR CURRENT RESIDENT--
1514 N 325 WEST
OREM, UT 84057

WARNICK, JOSEPH & BRIANNA
1518 N 375 W
OREM, UT 84057

GOLAVAR, MARTIN
1521 N 325 W
OREM, UT 84057

JENSON, KENNETH J & FRANCES I
1527 N 230 W
OREM, UT 84057

OMER, JOSHUA MARK & KARISSA K
1528 N 325 W
OREM, UT 84057

MARKLE, KEVIN J
1530 N 375 W
OREM, UT 84057

TSCHIRKI, CHRISTOPHER R & GERI LYNN
1531 N 325 W
OREM, UT 84057

TANNER, CHARLES A
1542 N 375 W
OREM, UT 84057

DUNN, TIFFANY & MICHAEL
1543 N 325 W
OREM, UT 84057

CHARMAN MOBILE HOME MANOR LC
--OR CURRENT RESIDENT--
1545 N STATE ST
OREM, UT 84057

MCENTIRE, MARK & REBECCA
1547 N 230 W
OREM, UT 84057

TURNER, JEFFREY W
1547 N 375 W
OREM, UT 84057

FISHER, GEOFF THOMAS & JENNIFER S
1548 S 175 E
OREM, UT 84058

PIGPEN PROPERTIES LLC
--OR CURRENT RESIDENT--
1549 N STATE
OREM, UT 84057

HARDING, JANET (ET AL)
--OR CURRENT RESIDENT--
1554 N 375 WEST
OREM, UT 84057

HEHL, KEVIN PATRICK & LISA MARIE (ET AL)
1555 N 325 W
OREM, UT 84057

RFM REAL ESTATE LLC
--OR CURRENT RESIDENT--
1555 N STATE
OREM, UT 84057

6 COCO LLC
--OR CURRENT RESIDENT--
1562 N STATE ST
OREM, UT 84057

ZOLLINGER, JACOB D & TACI L
1564 N 325 W
OREM, UT 84057

PEREZ, ANA FABIOLA (ET AL)
1569 N 325 W
OREM, UT 84057

GILLMAN, HARLEY M & MARY G
1572 N 275 W
OREM, UT 84057

CALL, MAYO W & ELSIE C
1573 N 275 W
OREM, UT 84057

STEWART, DANIEL J & JACQUELINE A
1573 N 375 W
OREM, UT 84057

HERBERT, DANIEL & ANGELA
1574 N 375 W
OREM, UT 84057

MILLETT, PAUL E & HOLLY D
1576 N 325 W
OREM, UT 84057

QQ UTAH COUNTY 2 LLC
--OR CURRENT RESIDENT--
1588 N STATE ST
OREM, UT 84057

MIDGLEY ENTERPRISES INC
--OR CURRENT RESIDENT--
1599 N STATE ST
OREM, UT 84057

RENTERIA, FERNANDO A
1611 N 280 W
OREM, UT 84057

R AND M GAPPMAYER LC
--OR CURRENT RESIDENT--
1611 N STATE ST
OREM, UT 84057

QCSIF SIX LLC
--OR CURRENT RESIDENT--
1620 N STATE ST
OREM, UT 84057

REYES, CLAUDIA S
1623 N 280 W
OREM, UT 84057

MAXFIELD, ROD & LIZ
1624 N 1030 W
OREM, UT 84057

HEAPS, STEVEN R & SHERRY S (ET AL)
1630 N 400 W
OREM, UT 84057

BOYLE, DONALD & ANN
--OR CURRENT RESIDENT--
1635 N 280 WEST
OREM, UT 84057

UNITED RESOURSES INC
1636 N 240 W
OREM, UT 84057

OB-OK UTAH LLC
--OR CURRENT RESIDENT--
1637 N 400 WEST
OREM, UT 84057

WILSON, CAROL (ET AL)
1647 N 280 W
OREM, UT 84057

CULLIMORE, CRAIG L & CLEO FAYE
1650 N 400 W
OREM, UT 84057

BECERRA, ANNYA
1657 N 400 W
OREM, UT 84057

OSMOND DESIGNS OREM LLC
1660 N STATE ST
OREM, UT 84057

CROSS POINTE PUD OWNERS ASSOCIATION INC
--OR CURRENT RESIDENT--
1665 N STATE ST
OREM, UT 84057

ENGFELT ENTERPRISES LC
--OR CURRENT RESIDENT--
1666 N STATE
OREM, UT 84057

TBF PROPERTIES LLC
--OR CURRENT RESIDENT--
1667 N STATE
OREM, UT 84057

CONDIE, JAMES EARL & KRYSTI LOUISE
1669 N 400 W
OREM, UT 84057

NELSON, CLINT D
1671 E BROWNING AVE
SALT LAKE CITY, UT 84105

INTERMOUNTAIN FIREPLACE STORE LLC
--OR CURRENT RESIDENT--
1678 N STATE ST
OREM, UT 84057

WILD, LUCAS & KATIE
1683 N 400 W
OREM, UT 84057

JACOBSON, CRAIG M & DEANNE C
1684 N 400 W
OREM, UT 84057

GONZALEZ, SANTIAGO & RAMON
1698 N 400 W
OREM, UT 84057

517 ASSOCIATES LLC
1708 N 240 W
OREM, UT 84057

SPARKS, TODD & SHAUNNA
1735 SPRING CREEK RANCH RD
LEHI, UT 84043

JACK'S TIRE INVESTMENT COMPANY INC
1795 N MAIN ST
NORTH LOGAN, UT 84341

CITY OF OREM
1843 W 4000 S
ROY, UT 84067

BSB PROPERTIES LC (ET AL)
1862 N 1120 W
PROVO, UT 84604

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

GARFF, PETER N & SHARON
1946 PINNACLE DR
SAINT GEORGE, UT 84790

PETERSON, CAMERON & LISA
2086 N RASPBERRY DR
SARATOGA SPRINGS, UT 84045

COPE, WINNIFRED O
%ANDERSON, KAY
2400 N 34TH AVE APT 24
OMAHA, NE 68111

TINGEY PROPERTIES LLC
3049 APACHE LN
PROVO, UT 84601

TINGEY PROPERTIES LLC
3049 APACHE LN
PROVO, UT 84604

PEARSON, SUNNY & MARK
3052 MARKRIDGE RD
LA CRESCENTA, CA 91214

QCSIF SIX LLC
%IEQ MANAGEMENT INC
3065 S JONES BLVD STE 100
LAS VEGAS, NV 89146

GANOWSKY, WILLIAM B & ARLENE S
3590 GALVESTON AV
SIMI VALLEY, CA 93063

6 COCO LLC
5513 W 11000 N # 315
HIGHLAND, UT 84003

MOUNTAIN AMERICA FEDERAL CREDIT UNION
%FACILITIES DEPT
7181 CAMPUS VIEW DR
WEST JORDAN, UT 84084

MIDGLEY ENTERPRISES INC
7644 S STATE ST
MIDVALE, UT 84047

GONZALEZ, DAVID & TERRI L
9178 N HILLSIDE DR
CEDAR HILLS, UT 84062

CROFT FAMILY LLC SERIES SEVEN
9484 S OVERLEIGH CT
SOUTH JORDAN, UT 84095

TIETJEN, BRUCE & CRYSTAL
9501 N CANYON HEIGHTS DR
CEDAR HILLS, UT 84062

BUNNELL, KARL & ANDREA
%B & B UTAH PROPERTIES LLC
9831 N 6180 W
HIGHLAND, UT 84003

HODSON, DENNIS DON & DIANE (ET AL)
9844 N MEADOW LN
HIGHLAND, UT 84003

SEAMONS, QUINTON & AIMEE
9965 N WELLINGTON CT
HIGHLAND, UT 84003

SAMANTHA ANDERSON MANAGEMENT TRUST 03-11-2011 AMD (ET AL)
%WHITING, ERIC B
10610 S JORDAN GTWY # 200
SOUTH JORDAN, UT 84095

BARFUSS, TODD S
11576 S STATE ST # 204
DRAPER, UT 84020

ARKENSTONE HOLDINGS LLC
11830 PAYSON LN
OREGON CITY, OR 97045

ROCKRIDER HOLDINGS LLC
11919 N WESTFIELD COVE DR
HIGHLAND, UT 84003

MOULTON, JAMES R & JOANNE M
12244 TIMBERLINE DR
HIGHLAND, UT 84003

SCOTT, TYSON & TYSON C (ET AL)
27237 E SKYE DR
FARMINGTON HILLS, MI 48334

# CODE OF ORDINANCES

## CHAPTER 22. ZONING

### Article 22-4. Conditional Use Permits

**Contents:**


**22-4-1. Purpose.**
**22-4-2. Permit Required.**
**22-4-3. Procedure for Approval.**
**22-4-4. Factors to be Considered.**
**22-4-5. Duration.**
**22-4-6. Other Requirements.**
**22-4-7. Implementation.**
**22-4-8. Amendment or Revocation.**
**22-4-9. Violation.**


#### 22-4-1. Purpose.

Uses designated as conditional uses require special consideration from the City Council. These uses may or may not be appropriate for a specific piece of property. The purpose of this Article is to allow the City Council to evaluate the appropriateness of designated conditional uses on a case by case basis. The conditional use permit procedure allows the City Council to approve, deny or conditionally approve any request for a conditional use permit.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

#### 22-4-2. Permit Required.

No person or entity shall operate or conduct a use designated as a conditional use within the applicable zone without first obtaining a conditional use permit from the City.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

#### 22-4-3. Procedure for Approval.

A. **Application.** The applicant shall submit a completed application form and a site plan complying with the requirements of Section 22-14-20 to the Department of Development Services. In addition to the site plan, the applicant shall submit a written narrative which shall include, but not be restricted to, the following: the type of business proposed, hours and days of operation, square footage of buildings on the site, square footage

used by the conditional use permit, and if the conditional use is for educational services, then the narrative shall include the number of teaching stations, number of employees, the number of students for each teaching station, and the hours for each teaching station. Additional information the Development Review Committee finds pertinent to a project can also be required for submission. The applicant shall also pay a fee in an amount established by resolution of the City Council with the application.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0015, Amended, 02/25/1997; Ord. No. O-01-0021, Amended 06/12/2001)**

B. **Development Review Committee.** The Department of Development Services shall forward the proposed site plan to the Development Review Committee. The Development Review Committee shall review the proposed site plan to determine if it complies with the City Master Plan and with all City ordinances, resolutions and policies. If the proposed site plan is found to comply, it shall be forwarded to the Planning Commission for review. No proposed site plan for a conditional use permit shall be forwarded to the Planning Commission unless and until it complies with the City Master Plan and with all current City ordinances, resolutions and policies.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

C. **Planning Commission.** The Planning Commission shall review the proposed site plan while considering the factors set forth in Section 22-4-4. The Planning Commission shall act as a recommending body to the City Council on conditional use permit applications, and shall recommend approval, denial, or approval with specified conditions.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

D. **City Council.** The City Council shall be the final approving authority for all applications for conditional use permits. The City Council shall review the proposed site plan while considering the items set forth in Section 22-4-4. The application for a conditional use permit shall either be approved, denied or approved with conditions. The validity of the permit shall be conditioned upon strict compliance with applicable City ordinances, the approved site plan and any additional conditions or requirements imposed by the City Council.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

## 22-4-4. Factors to be Considered.

The following factors shall be weighed and considered when determining whether a conditional use permit application should be approved, denied, or approved with conditions:

A. Harmony of the request with the general objectives of the Master Plan, the Zoning Ordinance, and the particular zone in which the request is located.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

B. Harmony of the request with existing uses in the neighborhood.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

C. Development or lack of development adjacent to the site.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

D. Whether or not the request may be injurious to potential development in the vicinity.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

E. Present and future requirements for transportation, traffic, water, sewer and other utilities.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

F. Suitability of the specific property for the proposed use.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

G. Number of other similar conditional uses in the area and the public need for the conditional use.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

H. Economic impact on the neighborhood.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

I. Aesthetic impact on the neighborhood.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

J. Safeguards afforded to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

K. Attempts by the applicant to minimize other adverse effects on people and property in the area.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

L. Impact of the proposed use on the health, safety and welfare of the City, the area, and persons owning or leasing property in the area.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

## 22-4-5. Duration.

Unless otherwise specified by the City Council, and subject to the provisions in this Article relating to the amendment or revocation of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land. The City Council may grant a conditional use permit for a limited period of time, or grant a conditional use permit that will be subject to review at a later date(s), if it finds that a limited permit is necessary to protect the health, safety or welfare of the community.

**(Ord. No. 661, Revised, 04/10/1990; Ord No. O-01-0021, Amended 06/12/2001)**

## 22-4-6. Other Requirements.

An applicant or user of a conditional use permit shall be held to all of the requirements relating to site plan approval, improvement, bonding, maintenance and completion set forth in Section 22-14-20. The conditional use permit shall not be valid until the required bond has been posted. Nothing in this Article shall be interpreted to waive the bonding, licensing or permit requirements set forth in other City ordinances.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

## 22-4-7. Implementation.

A conditional use permit shall expire and become null and void if the permit has not been implemented by the recipient within one year of the date of approval. The permit shall be considered implemented if the recipient either engages or participates in the conditional use or completes substantial construction on the project for which the permit was granted.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

## 22-4-8. Amendment or Revocation.

A. **Interested party.** Any interested party may apply to the City for the amendment or revocation of a conditional use permit. For purposes of this section, "interested party" shall include the following persons or entities:

1. The owner or lessee of the property for which the conditional use permit was granted.
2. The City.
3. Any owner or lessee of property that lies within two hundred feet (200') of the property for which the conditional use permit was granted.
4. Any person that can show that the conditional use has a direct impact on his or her health, safety or welfare.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

B. **Fee.** Any person or entity, other than the City, seeking to amend or revoke a conditional use permit, shall pay a fee in an amount established by resolution of the City Council.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

C. **Procedure.** The procedure for amending or revoking a conditional use permit shall be the same as the original application procedure set forth in Section 22-4-3.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

D. **Justification.** A conditional use permit may be amended at the request of the holder of the permit upon a showing of good cause. A conditional use permit may be amended or revoked at the request of any other interested party if the City Council finds one or more of the following:

1. That the conditional use permit was obtained by misrepresentation or fraud.
2. That the use for which the permit was granted has ceased or has been suspended for six months.
3. That the holder or user of the conditional use permit has failed to comply with any of the conditions placed on the issuance of the permit.
4. That the holder or user of the conditional use permit has failed to comply with any City, State or Federal law governing the conduct of the use.
5. That the holder or user of the conditional use permit has failed to construct or maintain the site as shown on the approved site plan.
6. That the operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a Court of competent jurisdiction in any civil or criminal proceeding.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

E. **Hearing.** No conditional use permit shall be amended or revoked against the wishes of the holder or user of the permit without first giving him or her an opportunity to appear before the City Council and show cause as to why the permit should not be amended or revoked. Amendment or revocation of the permit shall not limit the City's ability to initiate or complete other legal proceedings against the holder or user of the permit.

**(Ord. No. 661, Revised, 04/10/1990; Ord No. O-01-0021, Amended 06/12/2001)**

## 22-4-9. Violation.

A violation of any of the terms of this Article or of any conditions imposed as part of a conditional use permit shall be unlawful, and may be remedied and/or punished as set forth in Sections 22-1-3 and 22-1-6.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-01-0021, Amended 06/12/2001)**

# CODE OF ORDINANCES

## CHAPTER 22. ZONING

### Article 22-13. Wireless Telecommunications.

**Contents:**


**22-13-1. Title.**
**22-13-2. Purpose.**
**22-13-3. Findings.**
**22-13-4. Definitions.**
**22-13-5. Applicability.**
**22-13-6. Application Requirements.**
**22-13-7. Approval Process.**
**22-13-8. Building Permits Required.**
**22-13-9. Location and Type Priority.**
**22-13-10. Permitted Uses and Locations.**
**22-13-11. Specific Regulations by Type.**
**22-13-12. Additional Conditional Use Permit Considerations.**
**22-13-13. Lease Agreement.**
**22-13-14. Safety.**
**22-13-15. Additional Requirements.**


### 22-13-1. Title.

This ordinance shall be known as the "Wireless Telecommunications Zoning Ordinance."

**(Ord. No. O-96-0024, Enacted 11/12/1996; Ord. No. O-01-0021, Amended 06/12/2001; Ord. No. O-01-0021, Amended 06/12/2001; Ord. No. O-01-0043, Amended 11/13/2001)**

### 22-13-2. Purpose.

The purposes of this ordinance are:

A. To regulate personal wireless services antennas, and related electronic equipment and structures.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. To provide for the orderly establishment of personal wireless services facilities in the City.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

C. To minimize the number of antenna support structures by encouraging the use of stealth facilities, by encouraging the co-location of multiple antennas on a single structure, by encouraging the location of antennas on pre-existing support structures, and by encouraging the use of City-owned property for antenna support structures.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

D. To establish siting, appearance, and safety standards that will help mitigate potential impacts related to the construction, use and maintenance of personal wireless services facilities.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

E. To comply with the Telecommunications Act of 1996 by establishing regulations that (1) do not prohibit or have the effect of prohibiting the provision of personal wireless services, (2) do not unreasonably discriminate among providers of functionally equivalent services, and (3) are not based on the environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communication Commission's regulations concerning such emissions.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-3. Findings.

The City Council makes the following findings:

A. Personal wireless services devices are an integral part of the rapidly growing and evolving telecommunications industry, and present unique zoning challenges and concerns for the City.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. The City needs to balance the interests and desires of the telecommunications industry and its customers to provide competitive and effective telecommunications systems in the City, against the sometimes differing interests and desires of others concerning health, safety, welfare, and aesthetics, and orderly planning of the community.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

C. The City has experienced an increased demand for personal wireless services facilities to be located in the City, and expects the increased demand to continue into the future.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

D. It is in the best interests of the City to have quality personal wireless services available, which necessarily entails the erection of personal wireless services facilities in the City.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

E. The unnecessary proliferation of personal wireless services facilities throughout the City creates a negative visual impact on the community.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

F. The visual effects of personal wireless services facilities can be mitigated by fair standards regulating their siting, construction, maintenance and use.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

G. The City owns numerous large parcels of property evenly spread throughout the City, where personal wireless services facilities can be located so as to be as inoffensive as possible to the residents and businesses of the City.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

H. Spacing personal wireless services facilities evenly throughout the city reduces the negative impact created by the proliferation of telecommunication towers.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

I. Because of the height and appearance of some personal wireless services facilities, surrounding properties bear a disproportionate share of the negative impacts of a telecommunications tower.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

J. A private property owner who leases space for a personal wireless services facility is the only one who receives compensation for the facility, even though numerous other property owners in the area are adversely affected by the location of the facility.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

K. Encouraging personal wireless services facilities to be located on City property, with lease payments paid to the City instead of an individual property owner, indirectly compensates all citizens of the community for the adverse impacts of the facilities, and is therefore the fairest method of distributing burden and benefit.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

L. Locating antennas on existing buildings and structures, or constructing an antenna as a stealth facility, creates less of a negative visual impact on the community than the erection of towers.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

M. Buildings and structures on public property are capable of being used to provide support for antenna arrays, thus reducing the proliferation of towers in all areas of the City.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

N. The public policy objectives to reduce the proliferation of telecommunication towers and to mitigate their impact can best be facilitated by encouraging the use of less visually intrusive antennas and permitting the locating of wireless communication systems on telecommunication towers and antenna support structures that are located on property owned, leased, or used by the City.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

O. The requirements set forth in this ordinance for the placement of personal wireless services facilities on property owned, leased or used by the City are necessary to protect the health, safety and general welfare of the community.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

P. Chapter 69-3, Utah Code Annotated, grants cities the authority to create or acquire sites to accommodate the erection of telecommunication towers in order to promote the location of telecommunication towers in a manageable area and to protect the aesthetics and environment of the area. The law also allows the City to require the owner of any tower to accommodate the multiple use of the tower by other companies where feasible and to pay the City the fair market rental value for the use of any City-owned site.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-4. Definitions.

The following words shall have the described meaning when used in this Article, unless a contrary meaning is apparent from the context of the word.

**Antenna.** A transmitting or receiving device used in telecommunications that radiates or captures radio signals.

**Antenna Support Structures.** Any structure that can be used for the purpose of supporting an antenna(s).

**City.** The City of Orem, Utah.

**City-owned Property.** Real property that is owned, leased or controlled by the City.

**Co-location.** The location of an antenna on an existing structure, tower or building that is already being used for personal wireless services facilities.

**Guyed Tower.** A tower that supports an antenna or antennas and requires guy wires or other stabilizers for support.

**Lattice Tower.** A self-supporting three or four-sided, open steel frame structure used to support telecommunications equipment.

**Monopole**. A single, self-supporting, cylindrical pole, constructed without guy wires or ground anchors, that acts as the support structure for antennas.

**Personal Wireless Services.** "Personal wireless services" has the same meaning as provided in Section 704 of the Telecommunications Act of 1996 (47 U.S.C. § 332(c)(7)(c)), which includes what is commonly known as cellular and PCS services.

**Personal Wireless Services Facilities.** Facilities for the provision of personal wireless services, hereafter referred to as "wireless facilities". Wireless facilities include transmitters, antennas, structures supporting antennas, and electronic equipment that is typically installed in close proximity to a transmitter.

**Private Property.** Any real property not owned by the City, even if the property is owned by another public or governmental entity.

**Roof Line.** On buildings without a pitched roof, the roof line shall mean the top of the exterior wall elevation. On buildings with a pitched roof, roof line shall mean the ridgeline of the roof.

**Roof Mounted Antenna**. An antenna or series of individual antennas mounted on a roof, mechanical room or penthouse of a building or structure.

**Stealth Facilities.** Wireless facilities that have been designed to be compatible with the natural setting and surrounding structures, that camouflage or conceal the presence of antennas and/or towers, and that have been certified as "Stealth Facilities" by the City Council.

**Tower.** A free-standing structure, such as a monopole tower, lattice tower, or guyed tower, that is used as a support structure for antenna(s).

**Wall Mounted Antenna.** An antenna or series of individual antennas mounted on the vertical wall of a building or structure.

**Wireless Facility(ies).** See Personal Wireless Services Facilities.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-5. Applicability.

This Article applies to both commercial and private low power radio services and facilities, such as "cellular" or PCS (personal communications system) communications and paging systems. Neither the term "wireless facility" nor the requirements of this Article shall apply to the following types of communications devices, although they may be regulated by other City ordinances and policies:

A. **Amateur Radio.** Any tower or antenna owned and operated by an amateur radio operator licensed by the Federal Communications Commission.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. **Satellite**. Any device designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service or direct satellite service.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

C. **Cable.** Any cable television headend or hub towers and antennas used solely for cable television services.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-6. Application Requirements.

Any person desiring to develop, construct or establish a wireless facility in the City shall submit an application for site plan approval to the City in accordance with the requirements of Section 22-14-20 of this Chapter.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-7. Approval Process.

The application shall be reviewed by the City in accordance with its standard site plan approval process. If the facility requires a conditional use permit, the review shall be in accordance with the City's standard conditional use permit approval process. The City shall process all applications within a reasonable time and shall not unreasonably discriminate among providers of functionally equivalent services. Any decision to deny a request to place, construct, or modify wireless facilities shall be in writing and supported by substantial evidence contained in a written record.

**Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-8. Building Permits Required.

No wireless facility shall be constructed until the applicant obtains a building permit from the City. No building permit shall be issued for any project for which a site plan, amended site plan or conditional use permit is required, until the site plan, amended site plan or conditional use permit has been approved by the appropriate authority. If the design or engineering of the antenna support structure is beyond the expertise of the Building Official, the City may require third party review by an engineer selected by the City prior to the issuance of a building permit. The applicant shall pay an additional fee to cover the cost of the third party review.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-9. Location and Type Priority.

A. **Priority of Antenna Site Locations.** Wireless facilities shall be located as unobtrusively as is reasonably possible. To accomplish this goal, the provider shall make a good faith effort to site antennas in the following order of priority:

1. **Existing Structures or Stealth Facilities.** First priority shall be granted to antennas located on existing structures or antennas qualifying as stealth facilities, as follows:
   a. **Existing Structures.** Lawfully existing buildings, structures and antenna support structures, provided that the buildings, structures or support structures are: (1) located in a nonresidential zone, or (2) located in a residential zone on property that is being used for nonresidential uses (e.g. government, school or church), or (3) located in a residential zone on a property that is being used for a multifamily residential building having eight (8) or more dwelling units; or
   b. **Stealth Facilities.** Antennas certified as stealth facilities as set forth in this ordinance.
2. **Monopoles on City-owned Property.** Monopoles constructed on City-owned property.
3. **Monopoles on Nonresidential Private Property.** Monopoles constructed on private property, provided that the private property is (1) located in a nonresidential zone, or (2) located in a residential zone on property that is used for a nonresidential use (e.g. government, school or church).
4. **Other.** Any combination of antenna type and location other than those listed above.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. **Burden of Proof.** If the applicant desires to locate antennas on a site other than the highest priority site, the applicant shall have the burden of demonstrating to the approving authority why it could not locate antennas on sites with a higher priority than the site chosen by the applicant. To do so, the applicant shall provide the following information to the approving authority:

1. **Higher Priority Sites.** The identity and location of any higher priority sites located within the desired service area.
2. **Reason for Rejection of Higher Priority Sites.** The reason(s) why the higher priority sites are not technologically, legally or economically feasible. The applicant must make a good faith effort to locate antennas on a higher priority site. The City may request information from outside sources to justify or rebut the applicant's reasons for rejecting a higher priority site.
3. **Justification for Proposed Site.** Why the proposed site is essential to meet the service demands of the geographic service area and the citywide network.

   If the applicant desires to construct a monopole, the applicant shall also submit a detailed written description of why the applicant cannot obtain coverage using existing buildings or structures or stealth facilities.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-10. Permitted Uses and Locations.

A. **Permitted Uses.** The following combinations of antenna types and locations are permitted uses, provided that the applicant complies with this Article and any other applicable laws and regulations:

1. **Existing Structures on City-owned Property.** Existing buildings, structures and antenna support structures located on City-owned property.
2. **Existing Structures on Private Property.** Wall and roof mounted antennas located on lawfully existing buildings and structures located on private property, provided that the private property is (1) located in a nonresidential zone, or (2) located in a residential zone on property that is used for a nonresidential use (e.g. government, school or church), or (3) located in a residential zone on property that is being used for a multifamily residential building having eight (8) or more dwelling units.
3. **Co-location.** Co-location on a lawfully existing antenna support structure located on private property.
4. **Monopoles in Industrial Areas.** Monopoles constructed in industrial or manufacturing zones.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. **Not Permitted Uses.** The following antenna types and antenna locations are not permitted, except upon a showing of necessity (inability to achieve coverage or capacity in the service area) by the applicant, in which case they shall be considered as conditional uses:

1. **Lattice Towers and Guyed Towers.** Lattice towers, guyed towers, and other nonstealth towers, with the exception of monopoles, are not permitted in any zone.
2. **Monopoles on Private Property in a Residential Zone.** Monopoles located on residentially zoned private property, if the residentially zoned property has a residential use (as opposed to a school, church, or other nonresidential use).

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

C. **Conditional Uses.** The following combinations of antenna types and locations shall be considered as conditional uses, provided that the applicant complies with this Article and other applicable laws and regulations:

1. **Stealth Facilities.** Antennas certified as stealth facilities by the City Council.

2. **Others.** Combinations of antenna types and locations other than those listed above as permitted or not permitted uses.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-11. Specific Regulations by Type.

Wireless facilities are characterized by the type or location of the antenna structure. There are four general types of antenna structures contemplated by this ordinance: wall mounted antennas; roof mounted antennas; stealth facilities; and monopoles. If a particular type of antenna structure is allowed by this ordinance as a permitted or conditional use, the minimum standards for that type of antenna are as follows, unless otherwise provided in a conditional use permit:

A. **Wall Mounted Antennas.**

1. **Maximum Height.** Wall mounted antennas shall not extend above the roof line of the building or structure or extend more than four (4) feet horizontally from the face of the building.
2. **Setback.** Wall mounted antennas shall not be located within twenty feet (20') feet of a residential zone.
3. **Mounting Options.** Antennas mounted directly on existing parapet walls, penthouses, or mechanical equipment rooms are considered to be wall mounted antennas if no portion of the antenna extends above the roof line of the parapet wall, penthouse, or mechanical equipment room.
4. **Color.** Wall mounted antennas, equipment and supporting structures shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Antennas and the supporting structure on the building shall be architecturally compatible with the building. Whip antennas are not allowed on a wall mounted antenna structure.
5. **Maximum Area.** The total area for all wall mounted antennas and supporting structures on any one building shall not exceed five percent (5%) of any exterior wall of the building.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-00-0007, Amended, 02/22/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. **Roof Mounted Antennas.**

1. **Maximum Height.** The maximum height of a roof mounted antenna shall be eighteen feet (18') above the roof line of the building.
2. **Setback.** Roof mounted antennas shall be setback from the exterior wall of the building or structure a distance at least equal to the height of the antenna above the roof.
3. **Mounting options.** Roof mounted antennas may be mounted directly on a roof, or on top of existing penthouses or mechanical equipment rooms if the total height of the antennas do not exceed eighteen feet (18') above the roof line of the building.
4. **Color.** Roof mounted antennas, equipment and supporting structures shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Antennas and supporting structures shall be architecturally compatible with the building.
5. **Combination of Wall and Roof Mounted Antennas.** Any building may have a combination of wall and roof mounted antennas meeting the requirements of this ordinance.

C. **Stealth Facilities.**

1. **Maximum Height.** The maximum height of a stealth facility shall be eighteen feet (18’) higher than the maximum permitted structure height of the zone in which the stealth facility is located. The applicant may

exceed the maximum structure height if otherwise allowed in this Chapter, or pursuant to a conditional use permit.

2. **Determination.** Not every disguised or screened wireless facility qualifies as a stealth facility. Whether or not a particular facility qualifies as a stealth facility shall be decided by the City Council as part of the conditional use permit approval process. In making the decision, the City Council shall consider the definition of Stealth Facilities set forth in this Article and shall consider whether the facility is disguised, blended or screened in a manner that eliminates any negative impact of the wireless facility. Each stealth facility certification applies to one location only. Because of differing circumstances specific to each site, an antenna that qualifies as a stealth facility in one location may not qualify as a stealth facility in a different location.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-00-0007, Amended, 02/22/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

D. **Monopoles.** If the applicant desires to construct a monopole, the applicant shall first submit a detailed written description of why the applicant cannot obtain coverage using existing buildings or structures or stealth facilities.

1. **Maximum Height and Width.** The maximum height of the monopole or monopole antenna shall be seventy-five feet (75'), although the approving body may, as a conditional use, allow an antenna or antenna support structure up to 110 feet (110’) in height, if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or to allow co-location, and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antenna itself shall not exceed ten feet (10') in height.
2. **Setback.** Monopoles shall be set back a minimum of 115% of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.
3. **Color.** Monopoles, antennas, and related support structures shall be painted a neutral color, or a color to match the background against which they are most commonly seen.
4. **Distance from other Monopoles.** Monopoles and towers shall be located at least one thousand feet (1000') from each other, except upon a showing of necessity by the applicant, or upon a finding by the approving authority that a closer distance would adequately protect the health, safety and welfare of the community. This distance requirement shall not apply to stealth facilities or to antennas attached to lawful structures such as transmission towers, utility poles, outdoor lighting structures, and water tanks.
5. **Location on Parcel.** Monopoles shall be located as unobtrusively on a parcel as possible, given the location of existing structures, nearby residential areas, and service needs of the applicant. Monopoles shall not be located in a required landscaped area, buffer area or parking area.
6. **Co-Location Requirement.** Unless otherwise authorized by the approving authority for good cause shown, every new monopole shall be designed and constructed to be of sufficient size and capacity to accommodate at least one additional wireless telecommunications provider on the structure in the future. Any conditional use permit for the monopole may be conditioned upon the agreement of the applicant to allow co-location of other personal wireless providers on such terms as are common in the industry.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-97-0012, Amended, 02/25/1997; Ord. No. O-98-0020, Amended, 04/28/1998; Ord. No. O-00-0007, Amended, 02/22/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-12. Additional Conditional Use Permit Considerations.

In addition to the conditional use permit considerations listed in Article 22-4 of this chapter, the approving authority shall also consider the following factors when deciding whether to grant a conditional use permit for a wireless facility:

A. **Compatibility.** Compatibility of the facility with the height, mass and design of buildings, structures and uses in the vicinity of the facility.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

B. **Screening.** Whether the facility uses existing or proposed vegetation, topography or structures in a manner that effectively screens the facility.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

C. **Disguise.** Whether the facility is disguised in a manner that mitigates potential negative impacts on surrounding properties.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

D. P**arcel Size.** Whether the facility is located on a parcel of sufficient size to adequately support the facility.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

E. **Location on Parcel.** Whether the structure is situated on the parcel in a manner that can best protect the interests of surrounding property owners, but still accommodate other appropriate uses of the parcel.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

F. **Location in General.** Whether location or co-location of the facility on other structures in the same vicinity is practicable, without significantly affecting the antenna transmission or reception capabilities.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

G. **Co-location.** The willingness of the applicant to allow co-location on its facility by other personal wireless services providers on such terms as are common in the industry.

**(Ord. No. O-96-0024, Enacted, 11/12/1996; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0043, Amended, 11/13/2001)**

## 22-13-13. Lease Agreement.

The City has no implied obligation to lease any particular parcel of City-owned property to an applicant. The City shall enter into a standard lease agreement with the applicant for any facility built on City property. The City Manager or designee is hereby authorized to execute the standard lease agreement on behalf of the City. The Lease shall contain the condition that the site plan and/or conditional use permit must first be approved by the approving authority before the lease can take effect, and that failure to obtain such approval renders the lease null and void.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

## 22-13-14. Safety.

A. **Regulation Compliance.**

1. **Compliance with FCC and FAA regulations.** All operators of wireless facilities shall demonstrate compliance with applicable Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) regulations, including FCC radio frequency regulations, at the time of application and periodically thereafter as requested by the City. Failure to comply with the applicable regulations shall be grounds for revoking a site plan or conditional use permit approval.
2. **Other licenses and permits**. The operator of every personal wireless services facility shall submit copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of the facility to the City, shall maintain such licenses and permits in good standing, and shall provide evidence of renewal or extension thereof upon request by the City.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

B. **Monopole Safety.**

1. **Protection Against Climbing.** Monopoles shall be protected against unauthorized climbing by removing the climbing pegs from the lower 20 feet of the monopole.
2. **Fencing.** Monopoles and towers shall be fully enclosed by a minimum 6-foot tall fence or wall, as directed by the City, unless the approving authority determines that a wall or fence is not needed or appropriate for a particular site due to conditions specific to the site.
3. **Security Lighting Requirements.** Monopoles and towers shall comply with the FAA requirements for lighting. As part of the conditional use permit consideration, the City may also require security lighting for the site. If security lighting is used, the lighting impact on surrounding residential areas shall be minimized by using indirect lighting, where appropriate.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

C. **Abandonment.** The City may require the removal of all antennas and monopoles if the facility has been inoperative or out of service for more than twelve (12) consecutive months.

1. **Notice.** Notice to remove shall be given in writing by personal service, or by certified mail addressed to the operator's last known address.
2. **Violation.** Failure to remove the antennas and monopoles after receiving written notice to remove is a violation of the terms of this Chapter. The City may initiate criminal and/or civil legal proceeding against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lessor, tenant, landlord, employee, employer or otherwise, for failure to remove antennas and monopoles in accordance with this Chapter. The City may seek a civil injunction requiring the removal of any structures on the site in accordance with this Chapter. The City may also remove such structures itself, and may bill its costs in removing the structures to the operator. Any lease agreement with the City may also stipulate failure to remove the antennas and monopoles after receiving written notice to do so pursuant to this Chapter automatically transfers ownership of the antennas, monopoles, support buildings and all other structures on the site to the City.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

D. **Emergency.** The City shall have authority to move or alter a wireless facility in case of emergency. Before taking any such action, the City shall first notify the owner of the facility, if feasible.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

## 22-13-15. Additional Requirements.

A. **Storage Areas and Solid Waste Receptacles.** No outside storage or solid waste receptacles shall be permitted on the site.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

B. **Equipment Enclosures.** All electronic and other related equipment and appurtenances necessary for the operation of any wireless facility shall, whenever possible, be located within a lawfully pre-existing structure. When a new structure is required to house such equipment, the structure shall be harmonious with, and blend with, the natural features, buildings and structures surrounding such structure.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

C. **Accessory Buildings.** Freestanding accessory buildings used with a wireless facility shall not exceed a combined total of 450 square feet and shall comply with the setback requirements for structures in the zone in which the facility is located.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

D. **Parking.** The City may require a minimum of one (1) parking stall for sites containing a monopole, tower, and/or accessory buildings, if there is insufficient parking available on the site.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

E. **Maintenance Requirements**. All wireless facilities shall be maintained in a safe, neat and attractive manner.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

F. **Landscaping.** All sites with a wireless facility shall be landscaped in accordance with the zone requirements where the facility is located.

**(Ord. No. O-01-0043, Enacted, 11/13/2001)**

# CODE OF ORDINANCES

## CHAPTER 22. ZONING

### Article 22-8. Commercial and Professional Office Zones

**Contents:**


**22-8-1. General Provisions.**
**22-8-2. Professional Office (PO) Zone.**
**22-8-3. C1 Zone.**
**22-8-4. Repealed.**
**22-8-5. C2 Zone.**
**22-8-6. HS Zone.**
**22-8-7. C3 Zone.**
**22-8-8. General Zone Development Standards.**
**22-8-9. Landscaping.**
**22-8-10. Miscellaneous Regulations for Commercial and Professional Office Zones.**
**22-8-11. Special Provisions.**
**22-8-12. Additional Provisions for the PO Zone.**
**22-8-13. Additional Provisions for the C2 Zone on 800 North.**
**22-8-14. Additional Provisions for the C3 Zone.**
**22-8-15. Additional Provisions for HS Zone**
**22-8-16. Commercial Child and Adult Day Care Facilities.**
**22-8-17. Additional Provisions for Specific Uses.**


### 22-8-1. General Provisions.

A. The objective in establishing commercial and professional office zones is to provide areas within the City where commercial and service uses may be located.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Amended, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

B. For permitted uses and uses which require a conditional use permit, refer to Article XIX.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Amended, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

C. Refer to the following Articles for additional regulations:

1. Article III, Nonconforming Uses.

2. Article IV, Conditional Use Permits.
3. Article XIV, Supplementary Regulations.
4. Article XV, Off-Street Parking.
5. Orem City Code, Sign Ordinance.
6. Orem City Code, Appendix A, for permitted use and conditional uses.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Amended, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

## 22-8-2. Professional Office (PO) Zone.

The PO zone is established to create a buffering effect between residential uses and traffic associated with arterial and collector streets; and to promote nonretail professional and service uses that are compatible with adjacent residential uses.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 22-8-3. C1 Zone.

The C1 zone is established to promote nonretail commercial uses, such as offices and financial institutions, as the primary use and to encourage development in such a manner so as to be compatible with adjacent residential uses.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-2; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 22-8-4. Repealed.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-3; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

## 22-8-5. C2 Zone: Purpose.

The purpose of the C2 zone is to:

A. Allow a wide range of commercial and retail development including offices, business and personal services, public spaces, and general community shopping;
B. Encourage commercial development that has a high degree of aesthetic appeal through the use of high-quality building materials, architectural requirements, massing, lighting, landscaping, and the relationship to streets and pedestrian ways;
C. Create an area that offers an inviting pedestrian experience through the creation of buffered sidewalks, maximum building setbacks from State Street, requiring direct building accesses from State Street, providing incentives for outdoor dining and public spaces, and landscaping requirements.
D. Promote convenient access to retail, employment centers, residences, and transit as well as links to other commercial developments and neighborhoods; and
E. Maintain an adequate buffer between commercial development and adjacent residential neighborhoods.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-4; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001: Ord. No. O-2017-0012, Amended 04/25/2017)**

## 22-8-6. HS Zone.

The HS zone is established to promote uses most commonly associated with the traveling public and general community shopping.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0035, Amended, 07/08/1997; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-5; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 22-8-7. C3 Zone.

The purpose of the C3 zone is to:

A. Encourage and enhance the development of commercial complexes with multiple tenants in a way that contributes to the positive character of the City of Orem and the surrounding region; and

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-6; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

B. Provide appropriate buffering between large-scale commercial development and adjacent residential development.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-6; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

## 22-8-8. Zone Development Standards.

A. **General Zone Development Standards**. The following development standards shall apply in the PO, C1, C2, C3, and HS zones.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-7; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-98-0040, Amended, 09/22/1998; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0035, Amended, 09/04/2001; Ord. No. O-02-0029, Amended, 08/27/2002; Ord. No. O-03-027, Amended, 08/26/2003; Ord. No. O-06-0014, Amended 7/25/2006; Ord. No. O-2010-0006, Amended 03/09/2010; Ord. No. O-2010-0031, Amended 12/14/2010; Ord. No. O-2014-0025, Amended 07/22/2014; Ord. No. O-2017-0012, Am&Ren 04/25/2017; Ord. No. O-2017-0031, Amended 11/14/2017; Ord. No. O-2022-0006, Amended 2/22/2022)**

| Zone Development Standards<br>Commercial and Professional Office Zones | | | | | |
|---|---|---|---|---|---|
| | PO | C1 | C2 | C3 | HS |
| Minimum Lot area in square feet unless listed as acres Setbacks (Minimum) | 18000****** | 7000 | 7000 | 3 acres* | ½ acre |
| From back of sidewalk adjacent to State Street or State Street Connector Street:<br>From all other streets: | 15'<br>20'** | 15'<br>20' | 15'<br>20'***** | 15'<br>30'** | 15'<br>20' |
| From an adjoining Property in a | 0 | 0 | 0 | 0 | 0 |

| Zone Development Standards<br>Commercial and Professional Office Zones | | | | | |
|---|---|---|---|---|---|
| | PO | C1 | C2 | C3 | HS |
| nonresidential zone: | | | | | |
| From an adjoining property in a residential zone****: | 25'**** | 10' | 10' | 40' | 10' |
| **Structure Heights.** | | | | | |
| Minimum: | 8' | 8' | 8' | 8' | 8' |
| Maximum: | 35' | 48' | 48'*** | 35'*** | 60' |

* Parcels smaller than three (3) acres shall only be allowed pursuant to Section 22-8-14(D).

** Building setbacks from 800 North in the PO and C3 zones shall be according to "Appendix I"§22 8-9 ZONING

*** Exception: The maximum height for structures located in the C3 zone which are set back no less than one hundred fifty feet (150') from a residential zone shall be forty-eight feet (48'). The maximum heights for structures in a C2 zone which are set back less than one hundred feet (100') from a residential zone shall be thirty-five (35') feet.

**** In all commercial zones no portion of any building shall be located closer to a residentially zoned property than a distance equal to the height of that portion of the building (applicable to all commercial zones listed above). However, no setback is required where the top of the structure is lower than the grade of the adjoining residential lot (as measured at some point within five feet of the property line) along the entire length of the property line between the two properties.

*****Building setbacks and landscaping requirements for lots located adjacent to State Street shall be measured from the back of an existing or required sidewalk. All buildings and parking lots shall be set back at least fifteen feet (15') from any required sidewalk adjacent to State Street (adjacent sidewalks include sidewalks separated from State Street by a landscape strip).

******The PO zone may not be applied to an area of less than one acre.

**NOTE**: In all commercial zones, except the PO and C3 zones, belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, and properly screened mechanical appurtenances may extend up to an additional ten feet above the maximum height allowed in the applicable zone. However, the combination of such items occupy more than thirty percent 30% of the area of the uppermost floor of the building.

**(Ord. No. O-2022-0006, Amended 2/22/2022)**

B. **Zone Development Standards for the State Street Corridor Area**. The following requirements shall apply to all development in the State Street Corridor Area including development in PD zones, unless the applicable PD zone contains a specific, contrary standard in which case the standard set forth in the applicable PD shall control. The "State Street Corridor Area" refers to all lots that have frontage on State Street or frontage on a State Street Connector Street (that portion of a public street that intersects with and is located within 500 feet of the State Street right-of-way line). If not specifically governed by a provision of this Section 22-8-8(B), the "General Zone Development Standards" of 22-8-8 (A) shall apply to development in the PO, C1, C2, C3, and HS zones.

**(Ord. No. O-2021-0005, Amended 3/9/2021)**

1. **Setbacks From State Street and From State Street Connector Streets**. All buildings and parking areas in the State Street Corridor Area shall be set back at least fifteen feet (15') from the back of the required sidewalk (the side furthest from the street) along State Street and State Street Connector Streets. There is no maximum setback from the State Street and State Street Connector Streets. Setbacks from other

streets and property lines shall be as set forth in 22-8-8(A). All area within the required fifteen foot setback shall be landscaped.

**(Ord. No. O-2021-0005, Amended 3/9/2021; Ord. No. O-2022-0006, Amended 2/22/2022)**

2. **Buffered Sidewalks**. Buffered sidewalks shall be installed and maintained along the entire length of property adjacent to State Street and State Street Connector Streets. Buffered sidewalks shall include both a landscaped planter strip area with trees next to the street, and a sidewalk.
   a. **Planter Strips**. Planter strips along State Street shall be at least fifteen feet (15') wide and may not be used for storm water detention or management (such as a low-impact development). Planter strips along State Street Connector Streets shall be at least eight feet (8') wide and may be used for storm water detention or management (such as a low impact development).
   b. **Sidewalks**. Sidewalks along State Street and State Street Connector Streets shall be a minimum of 8 feet wide and shall include ADA-compliant ramps at curb cuts and intersections with public and private streets. Landscaping such as tree grates and planter boxes may be incorporated into the required sidewalk area where approved by the City, provided a continuous minimum unobstructed width of 5 feet of sidewalk travel lane is maintained. Sidewalk widths shall be consistent with sidewalks on adjacent properties where possible (provided they also meet the 8-foot minimum width requirement), or shall otherwise taper to meet neighboring sidewalk widths to create a smooth transition across property lines.
   c. **Vegetation coverage**. Landscaped areas shall have a minimum of 50% living vegetation coverage. No vegetation coverage higher than 24 inches above grade shall be counted toward the total coverage requirement. No landscaping shall be required at vehicle access points, and vehicular accesses do not apply toward the total area required for vegetation coverage. Planter boxes, plants, and other vegetation outside of required landscaping areas are encouraged, but do not apply toward the total vegetation requirement.
   d. **Tree position and spacing**. Trees shall be planted and maintained in the planter strips along State Street and shall be spaced evenly one tree for every 40 linear feet (or fraction thereof) of landscaped frontage. Trees shall be planted in the planter strips along State Street Connector Streets and shall be spaced one tree for every 40 linear feet of landscaped frontage. Trees must be spaced to best align with neighboring properties and to maximize the potential number of trees that can be planted. Trees must also be planted in the planter strip no more than 4 feet in from the inside sidewalk edge.
   e. **Tree species**. Trees planted in the required planter strips along State Street and State Street Connector Streets shall consist of trees authorized in Appendix "U".
   f. **Accommodations for safety**. Landscaping requirements may be modified where the City traffic engineer determines a modification is necessary to accommodate deceleration lanes or to maintain clear vision areas.

**(Ord. No. O-2022-0006, Amended 2/22/2022)**

3. **Signs**. Monument signs shall be set back a minimum of eight (8') feet from the back of curb adjacent to State Street in order to accommodate any future widening without the need to relocate such signage.
4. **Amended Sites**. Notwithstanding the provisions of Section 22-14-20(G)(2) or any other provision of City Code except as provided below, any amendment to an existing site or development in the State Street Corridor Area must comply with the requirements of this Section 22-8-8(B). Except for the minor amendments described in 22-14-20(C)(3)(b)(1)-(3) and (5)-(10) and Section 22-14-20(H) relating to

modification of the landscaping requirement, an applicant proposing amendments to an existing site plan must bring the site into compliance with the requirements of this Section 22-8-8(B).

a. Permitted Modifications to Buffered Sidewalk Requirement. An amendment to an existing site that cannot fully comply with the buffered sidewalk requirement set forth above (eight (8) foot sidewalk and fifteen (15) foot planter strip—hereinafter referred to as the "Buffered Sidewalk Requirement") without removing part of a building lawfully existing as of [insert council adoption date], shall only be required to comply with the Buffered Sidewalk Requirement to the greatest extent possible within the area between the back of curb and the existing building.

   i. If the distance between the back of curb and the existing building is more than eight (8) feet, a buffered sidewalk shall be constructed and maintained with eight (8) feet of sidewalk and the balance of the area between the back of curb and the edge of sidewalk maintained as:

      1. a landscaped planter strip if there is five (5) feet or more between the back of curb and the sidewalk;

      2. decorative stamped concrete or pavers and tree grates (with trees) measuring at least four (4) feet wide and four feet long and spaced no more than forty (40) feet apart where there is less than five feet but more than two feet between the back of curb and the sidewalk. Tree grates may extend into the sidewalk area up to two (2) feet provided there remains at least five (5) feet of unobstructed sidewalk width and the tree grates are installed so as to create no trip hazards (the trees to be installed shall be selected from the list contained in Appendix U, Group A);

      3. decorative stamped concrete or pavers where there is less than two feet between the back of the curb and the sidewalk.

   ii. If the distance between the back of the curb and the existing building is eight feet or less, a sidewalk shall be constructed and maintained in said area. In no case shall a sidewalk be less than five (5) feet.

   iii. In no case shall any amended site increase the nonconformity of the site with respect to the Buffered Sidewalk Requirement.

   iv. A building existing within the Buffered Sidewalk Requirement area shall not be expanded either vertically or horizontally within the Buffered Sidewalk Requirement area.

   v. A tapered transition between areas with a full and reduced buffered sidewalk shall be designed and constructed to create an uninterrupted and continuous sidewalk. The area of the transition shall not exceed the 25 feet in length.

**(Ord. No. O-2022-0006, Amended 2/22/2022)**

5. **Architectural Features.**

   a. **Windows and Awnings.** Each street-facing, ground-story facade shall have a minimum percentage of 40% completely transparent window coverage that is readily visible to a depth of at least five feet into the building. All awnings shall be durable canvas or standing seam metal. Plastic awnings are not permitted.

      i. Except for ground floor display windows and transoms, windows on all stories of the building shall be vertical or square in proportion.

b. **Vertical Facade Articulation.** All street-facing facades shall have a vertical break of at least one foot for every 50 feet of building façade.

c. **Horizontal Weighting of Materials.** Building wall materials shall be combined on each facade horizontally only, with the traditionally heavier elements (material or weight) below lighter elements. For example, stone should not be above stucco, and brick should not be below concrete.

d. **Materials.**

i. Except as otherwise provided, all buildings shall be completed on street-facing facades with brick, split-face block, glass, stone, or fiber cement board (hereinafter referred to as "Tier 1 Materials"). Aluminum composite material panel systems, stucco, and exterior insulation and finishing systems (EIFS) (hereinafter referred to as "Tier 2 Materials") shall only be permitted as a trim on ground-level facades and shall only be allowed on up to a maximum of 40% of a street-facing facade and up to a maximum of 75% of a non-street facing façade.

ii. Standing seam metal (but no other metals) may be used for awnings. Sheet metal and corrugated metal and other metal finishes are only permitted for soffits, fascia, and similar minor architectural features (less than or equal to 5% coverage on any given elevation).

6. **Utility Enclosures.** Whenever possible, all utilities shall be buried. Utility access boxes and other utility appurtenances shall not be located within eight feet of the back of the curb. Utility access boxes and other utility appurtenances shall not be located within a planter strip, unless buried.
   a. Utility boxes within 15 feet of the back of sidewalk shall be screened with a fence or wall that completely screens the box from view of the street and sidewalk. The screening fence or wall must be architecturally compatible with the materials and design of the primary structure and shall in no case be lower than four feet in height or the height of the utility box, whichever is greater. Chain link fencing with slats may not be used for the screening required under this subsection. Access gates for utility boxes and appurtenances under this subsection shall not face State Street or a State Street connector street.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-7; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-98-0040, Amended, 09/22/1998; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0035, Amended, 09/04/2001; Ord. No. O-02-0029, Amended, 08/27/2002; Ord. No. O-03-027, Amended, 08/26/2003; Ord. No. O-06-0014, Amended 7/25/2006; Ord. No. O-2010-0006, Amended 03/09/2010; Ord. No. O-2010-0031, Amended 12/14/2010; Ord. No. O-2014-0025, Amended 07/22/2014; Ord. No. O-2017-0012, Am&Ren 04/25/2017, Ord. No. O-2017-0026, Amended, 09/12/2017; Ord. No. O-2019-0025, Amended 8/27/2019; Ord. No. O-2021-0005, Amended 3/9/2021; Ord. No. O-2022-0006, Amended 2/22/2022)**

Effective on: 9/17/2019

## 22-8-9. Landscaping.

A. **Landscaping requirements for all commercial areas**. The following requirements shall apply to development in all commercial zones except the PO and C3 zones. However, to the extent that any of these requirements conflict with the requirements for development in the State Street Corridor Area set forth in Section 22-8-8(B), the State Street Corridor Area standards shall apply. In all commercial zones, except the PO and C3 zones, a landscaped area shall be provided. Landscaped areas shall be at least as wide as the required setback and be maintained along the right-of-way line of dedicated streets, except as provided below:
   1. Where a parcel is a corner lot, the total landscaping required shall be equal to the length of the property (in feet) on the longer side adjacent to the street multiplied by the distance of the required setback. The amount (in square feet) of landscaping required by this formula shall be distributed as follows: Landscaped berms at least ten feet (10') in width shall be located adjacent to the right-of-way lines of both streets. The balance of landscaping required by the formula may be placed anywhere else on the parcel and need not be adjacent to a street.
   2. Where a parcel has frontage on at least two (2) streets but is not a corner lot, a landscaped strip in width less than the required setback may be allowed as follows:
      a. A ten foot (10') strip may be allowed on streets other than arterial streets, provided the strip is developed in accordance with a detailed landscaping plan approved by the Planning Commission. In its review, the Planning Commission shall consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscaped berms at least as wide as the required setback of the zone.
      b. A five foot (5') strip may be allowed on streets other than arterial streets provided the strip is sloped down to the public right-of-way from a concrete or concrete block retaining wall with a minimum slope of 3:1 (three feet horizontal to one foot vertical) and is developed in accordance with a detailed landscaping plan approved by the Planning Commission. In its review, the Planning Commission shall

consider the proposed location, number, size, and type of plants, the type of irrigation system proposed, the plan's compliance with the Orem Tree Planting Plan, and other similar factors. Frontage along arterial streets shall have landscaped berms at least as wide as the required setback of the zone.

3. No landscaping shall be required where vehicular accesses are permitted.
4. Notwithstanding anything herein to the contrary, landscaping for the areas shown in Appendix TT of the Orem City Code along the University Parkway frontage shall be provided and maintained as shown in Appendix TT. This subsection 4 shall not affect the requirements for any area not included in Appendix TT.
5. The owner of each property in a commercial zone (including PD zones that allow commercial uses) shall be responsible for the maintenance of all landscaping located between the back of street curb and the lot line and for the removal of snow, ice, weeds, dirt and debris from any public sidewalk located on the property or between the back of street curb and the property line.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017; Ord. No. O-2017-0015, Amended, 5/23/2017)**

B. Trees authorized in Appendix U shall be planted in the landscaped areas adjacent to the right-of-way line in all commercial and professional office zones. The number of trees shall be one tree for every forty (40) linear feet of landscaping adjacent to any street right-of-way. The trees shall be spaced evenly within the planter strip required along the right-of-way.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

C. All required trees, unless otherwise specified in this Article, shall be at least 2 inches in caliper, measured at 4 feet from grade, and shall be at least eight feet (8') in height , when planted.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

D. Each landscape area shall be at least five feet (5') long and five feet (5') wide. The plan showing the planting areas shall show the general location, number, and type of plants along with provisions for an irrigation system.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

E. Concrete curbs shall be provided between landscaped areas and off-street parking areas. Low-profile curbs are permitted to accommodate low-impact developments (LIDs) in all landscaped areas other than in planter strips along State Street.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

F. No Certificate of Occupancy shall be issued for any building on any portion of a development until the landscaping is in place or a bond, cash deposit, or equivalent, is deposited with the City conditioned on and guaranteeing the installation of all landscaping shown on the approved landscaped plan. All landscaped areas shall be maintained in a neat, clean, orderly and sightly condition. This shall include proper pruning, lawn mowing, weeding, removal of litter, fertilizing, replacing of dead plants and the regular watering of all plantings. Failure to maintain the landscaping as provided herein shall be a violation of this chapter .

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017)**

G. Landscaping within the PO and C3 Zones shall be as follows:

1. A landscaped area shall be installed and maintained along the right-of-way line of dedicated streets. The landscaped areas shall be at least twenty feet (20') wide in the PO Zone, and twenty-five feet (25') wide in the C3 Zone. These areas shall be varied in height to create a more natural look, and shall meander within the landscaped width.
2. In the C3 Zone, a ten (10) foot wide landscaped strip shall be provided along the masonry fence required in subparagraph (A) of Section 22-14-19(E) of this Chapter. Trees shall be Norway Maples, Littleleaf Lindens, or some other tree listed in Appendix "U", and shall be planted a distance of three feet (3') from the masonry fence required in subparagraph (A) of Section 22-14-19(E) of this Chapter. No impervious material shall be placed closer than three feet (3') from the trunk of the tree. Trees shall be at least two inches (2') in caliper, and shall be spaced no more than thirty feet (30') on center, unless otherwise specified in this Article. An underground sprinkling system shall be provided to each tree.
3. Landscaping adjacent to 800 North Street shall be:
   a. A minimum of thirty-one feet (31') in width on the south side of 800 North Street with a six foot (6') wide sidewalk, as shown on Appendix I , or
   b. A minimum of thirty-five feet (35') in width on the north side of 800 North Street with a ten foot (10') wide meandering sidewalk, set back a minimum of ten feet(10'), as shown on Appendix I.

All landscaped areas shall be maintained in accordance with good landscaping practices. All landscaping shall have an automatic underground sprinkling system. Landscaped areas shall have either deciduous trees of Norway Maples, Littleleaf Lindens, or some other tree listed in Appendix "U", with the deciduous trees at least two inches (2") in caliper (measured at 4 feet from grade) or the evergreen trees eight feet (8') in height with the number of trees being at least one (1) tree for every forty feet (40') of street frontage and residential lot line frontage.

4. Landscaped islands at the end of each row of parking shall be installed to delineate all on-site driveways. Each island shall have at least one (1) deciduous tree; when the site is in the C3 Zone and the landscaped island is within seventy-five (75) feet of a dedicated street right-of-way or within fifty (50) feet of a store front, no trees shall be required. In the C3 Zone all double rows of parking shall have either:
   a. A five foot (5') wide landscaped island located between each row of double row with at least one (1) deciduous tree planted for every fifty linear feet (50') of that landscaped island (rounded up to the nearest whole number), or
   b. A landscaped island, no smaller than eight feet (8') wide and thirty-two feet (32') long, located at least every one hundred and twenty-five feet (125'), measured from the end island closest to the building. Each island shall contain at least one (1) deciduous tree.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-8; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0012, Am&Ren 04/25/2017; Ord. No. O-2019-0013, Amended 5/14/19)**

Effective on: 5/14/2019

## 22-8-10. Miscellaneous Regulations for Commercial and Professional Office Zones.

A. **Storage of Merchandise.** The storage of merchandise outside an approved building shall be in an area approved as a part of the site plan and shall be within an area enclosed with a sight obscuring fence of at least

six feet (6') in height; provided, however, that promotional displays, vehicle sales lots, and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. This subsection shall not apply to the sale of Christmas trees. Landscaped areas shall not be used for the displaying of merchandise.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-00-0015, Amended, 03/21/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0027, Amended, 08/07/2001)**

B. **Maintenance of Premise.** No excessive dust, offensive odor, smoke, intermittent light, or noise shall be emitted which is discernible beyond the zone boundary lines, except that which emanates from the movement of motor vehicles. Premises shall be maintained in such a manner so as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-00-0015, Amended, 03/21/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-01-0027, Amended, 08/07/2001)**

C. **Site Lighting.** All lighting shall be designed to minimize direct glare to adjoining residences.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-9; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-00-0015, Amended, 03/21/2000; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 22-8-11. Special Provisions.

A. The requirements of this Article shall run with the land and be binding on successors, owners and tenants so long as the buildings are occupied or the use exists.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

B. The owners of a commercial or professional office development which contains more than one parcel of record or which has more than one owner may be required by the approving authority to submit documents to the City Attorney for approval which assure unified control of the development.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

C. Any person who desires to occupy vacant floor space, or to change the use of floor space shall be required to first obtain a certificate of occupancy from the City. Any person constructing or altering a building in the commercial or professional office zones shall first obtain a building permit from the City for such construction or alteration, and then shall obtain a certificate of occupancy from the City before the building being constructed or altered is occupied.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

D. A certificate of occupancy shall contain statements that the building or proposed use of a building or land complies with the various ordinances of the City regulating building construction or uses. A record of all certificates shall be kept on file in the City and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

E. If the City Manager determines that the developer, tenant, manager, owner or any other interested person, firm or corporation has failed to maintain the premises consistent with all applicable zoning, health, safety, and building codes and ordinances, the City shall so notify said persons, firms or corporation by written notice specifying the deficiency complained of, and unless such failure is corrected to the satisfaction of the City within thirty (30) days, such failure or deficiency shall be deemed to constitute a "public nuisance" which may be abated in any lawful manner including but not limited to the manner set forth in CHAPTER 8 of Title 10, Utah Code Annotated 1953, as amended.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

F. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial or professional office zone outside a building or area enclosed with a sight obscuring fence.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

G. All solid waste storage facilities shall be located at the rear of the main building or within an area enclosed with a sight-obscuring fence or wall. The minimum access width to a solid waste storage facility shall be fifteen feet (15').

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0001, Amended 01/07/1997; Ord. No. O-97-0047, Ren&Amd, 10/21/1997, 22-8-10; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended 06/12/2001)**

H. A caretaker facility is a permitted use in the C2 zone. The caretaker facility shall be an accessory use only, i.e. incidental to and customarily found in conjunction with the principal use, and shall:

1. Be attached to or located within any structure of the principal use, and be consistent with the architecture and appearance of the main building, and not have a total square footage that exceeds one-thousand (1,000) square feet or ten percent (10%) of the total area of the building square footage on the site, whichever is less.
2. Only be a minor part of the principal use.
3. Have a minimum of two (2) parking spaces dedicated for the caretaker facility.

**(Ord. No. O-2011-0015, Enacted 07/12/2011)**

## 22-8-12. Additional Provisions for the PO Zone.

The following additional standards and regulations shall apply to the PO Zone.

A. Architectural Styling. All structures shall have exterior elevations designed with a residential architectural styling. The minimum roof pitch shall be eight feet (8') of rise to twelve feet (12') of run. No more than thirty-five percent (35%) of the exterior of each structure shall be composed of glass, windows, and doors.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

B. **Floors Above Grade Level.** The maximum number of floors above the natural grade shall be two (2). No portion of any structure within one hundred feet (100') of a residential zone shall be more than one (1) floor (the single-floor roofline shall not exceed twenty-four feet [24’]) above the natural grade level.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

C. **Exterior Finishing Materials.** The exterior finishing materials for walls shall not include steel, T-111, aluminum, or vinyl. Soffits, facias, and other similar architectural features may be finished with painted metal. No asphalt roofing shingles shall be allowed.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

D. **Square Footage**. Except as provided herein, no structure which is more than one-story above grade shall have any one-floor level exceeding six thousand five hundred (6500) square feet. Structures with only story above grade shall not exceed seven thousand five hundred (7500) square feet. Site plans three (3) acres in size or larger may include single story buildings with footprints up to 10,000 square feet. Site plans five (5) acres in size or larger may include two story buildings above grade with a footprint up to seven thousand five hundred (7500) square feet.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

E. **Building Setbacks.** The minimum building setback from the back of curb line from 800 North Street shall be thirty-six feet (36') on the south side of 800 North Street and forty feet (40') on the north side of 800 North Street as shown on "Appendix I."

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

E. **Parking Setbacks.** The minimum parking setback from any public street right of way, except 800 North, shall be ten feet (10'). For developments along 800 North Street, the minimum parking setback from the 800 North Street back of curb line shall be thirty-one feet (31') on the south side and thirty-five feet (35') on the north side as shown on "Appendix I." The minimum parking setback from any adjoining residential lot line shall be ten feet (10').

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

G. **Sidewalk Easement.** The developer of any site in a PO Zone along 800 North shall dedicate a sidewalk easement ten feet (10') from the 800 North Street back of curb line. The easement shall be six feet (6') in width on the south side of 800 North Street and ten feet (10') in width on the north side of 800 North Street as shown on "Appendix I."

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

H. **Vehicular Access.** No site shall be designed in such a way as to prevent vehicles from exiting the site in a forward direction. No parking stall shall be designed to allow backing directly on to any public street.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

I. **Parkway Design**. The developer of any site in a PO Zone along 800 North shall install a landscaping berm and a side walk adjacent to the 800 North right of way as shown on "Appendix I." The developer/owner shall maintain the landscaping strip with acceptable landscaping practices. Landscaped strips shall contain berms and shall have either deciduous trees of Norway Maples, Littleleaf Lindens, or other variety as approved by the Urban Forester of the City of Orem with the trees at least two inches (2") in caliper with the number of trees being at least one tree for every thirty feet (30') of street frontage.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

J. **Acceleration/Deceleration Lane**. The developer shall dedicate to the City a Acceleration/ Deceleration lane adjacent to and parallel with the street if a shoulder lane does not exist.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

K. **Access to PO developments.** All new site plans in the PO zone on 800 North shall be restricted to one (1) vehicular access from 800 North Street. Except, however, a new site plan in the PO zone shall be allowed two (2) vehicular accesses from 800 North Street if the development has more than four hundred (400) feet of frontage along 800 North Street and that the second access be approved by the Planning Commission in a public hearing. The Planning Commission shall consider the following when determining whether to approve a second access from 800 North for a PO development:

1. A traffic impact analysis.
2. The recommendation of the City's Traffic Engineer.
3. The overall safety of the site.
4. The proximity of residences that may be impacted by the proposed access location.
5. The developer's plan to mitigate potential negative traffic impacts.
6. The necessity of the proposed access locations.

In no case shall a new site plan in a PO zone have more than two (2) vehicular accesses to 800 North.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-00-0028, Amended, 06/13/2000; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 22-8-13. Additional Provisions for the C2 Zone on 800 North.

A. All new site plans in the C2 zone on 800 North shall be restricted to one (1) vehicular access from 800 North Street. Except, however, a new site plan in the C2 zone shall be allowed two (2) vehicular accesses from 800 North Street if the development has more than four hundred (400) feet of frontage along 800 North Street and that the second access be approved by the Planning Commission in a public hearing. The Planning Commission shall consider the following when determining whether to approve a second access from 800 North for a C2 development:

1. A traffic impact analysis.
2. The recommendation of the City's Traffic Engineer.
3. The overall safety of the site.
4. The proximity of residences that may be impacted by the proposed access location.
5. The developer's plan to mitigate potential negative traffic impacts.
6. The necessity of the proposed access locations.

In no case shall a new site plan in a C2 zone have more than two (2) vehicular accesses to 800 North.

**(Ord. No. O-97-0047, Enacted, 10/21/1997; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 22-8-14. Additional Provisions for the C3 Zone.

The following provisions shall apply exclusively to the C3 zone:

A. **Public Meeting.** No C3 site plan or amended site plan may be approved without first holding a public meeting before the final approving body.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

B. **Access to C3 developments.** All accesses to a C3 development must be approved by the approving body. The approving body shall consider the following when determining the appropriateness of any access to a C3 development:

1. An independent traffic impact analysis, if required by the Development Review Committee.
2. The recommendation of the City's Traffic Engineer.
3. The overall safety of the site.
4. The proximity of residences that may be impacted by the proposed access location.
5. The developer's attempts to mitigate potential negative impacts to any residences.
6. The necessity of the proposed access locations.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

C. **Design.** The architecture, design theme, and construction materials of the building's front elevation shall be applied to all exterior walls of the building. The rear of a building and any portion of the building that traditionally gets less attention to aesthetics shall be enhanced by the same architecture and design theme as those portions of the building that get high visibility from the public. The following exterior finish materials are acceptable: brick, fluted block, colored textured block, stucco, and glass. Sheet metal, wood, and corrugated metal shall be prohibited except for trim, soffits, facia, mansards and similar architectural features. Other materials may be used if approved by the Planning Commission. In determining whether or not a particular finishing material is acceptable, the Planning Commission shall consider the following factors:

1. The visibility of the site from neighboring residential uses and adjacent streets.
2. The degree to which the proposed finishing materials are compatible with the appearance of neighboring residential uses.
3. The location of the proposed finishing materials on the building.
4. The degree to which a particular finishing material may be shielded by landscaping or some other feature.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

D. **Development Size in the C3 Zone.** Each development within the C3 zone shall consist of at least three (3) acres of land. No parcel within a C3 development shall be less than three (3) acres in size, unless conditions (1) **and** (2), or condition (3) are met:

1. The parcel smaller than three (3) acres is an integral part of a contiguous C3 development of at least three (3) acres; and
2. The parcel smaller than three (3) acres is developed simultaneously with or subsequent to a contiguous C3 development of at least three (3) acres; or
3. The parcel smaller than three (3) acres is a legal nonconforming lot with respect to size.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

E. **Loading and Unloading.** The hours of loading and unloading for any business that uses building entrances that face an adjacent residential zone shall be restricted to the hours between 7:00 a.m. and 9:00 p.m.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

F. **Solid Waste Pick-Up.** Solid waste pick-up shall not be between the hours of 9:00 p.m. and 7:00 a.m.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

G. **Existing Sites.** No expansion of any site plan shall be allowed, unless the expansion complies in all respects with the C3 Zone. All new development shall be in compliance with the C3 standards.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

H. **Site Lighting.** A site lighting plan shall be required. All site lighting shall be designed to;

1. Harmonize with the design and architecture of the buildings,
2. Discourage criminal activity on the site, and
3. Prevent direct light from exceeding beyond the site's perimeter.

Shielded lights shall be required if necessary to adequately reduce glare to adjacent residential developments.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O 98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

I. **Development of Gasoline Service Stations.** No gasoline service station shall be located closer than three hundred (300) feet to any adjacent parcel in a residential zone. The distance shall be measured from any building associated with said use to the nearest residential property line.

**(Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-12; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-99-0036, 22-8-14(J) repealed, Amended, 08/24/1999; Ord. No. O-01-0021, Amended, 06/12/2001 )**

## 22-8-15. Additional Provisions for HS Zone

The HS Zone is designed to promote high quality commercial developments that can take advantage of the zone's close proximity to I-15. The zone is also designed to encourage development that is sensitive to neighboring residential uses and to encourage development that will present a favorable image of the City from I-15. To accomplish these objectives, the following additional standards and regulations shall apply to the HS Zone.

A. The minimum lot size in the zone shall be one acre. The purposes of this requirement are:

1. To encourage the development of large, well-planned projects designed to serve the area over a long period of time, as opposed to small, hastily conceived projects that do little to add to the overall appearance or economic vitality of the area.
2. To discourage the conversion of existing houses into small, piecemeal commercial establishments.
3. To limit the number of drive accesses onto 1200 West.
4. To present a favorable image of the City from I-15.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-11; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

B. All buildings shall be completed on all sides with acceptable finishing materials. The following materials are acceptable: brick, fluted block, colored textured block, glass, synthetic stucco, and wood. Aluminum composite material panel system, sheet metal and corrugated metal may collectively be used as a finish material for up to, but no more than 20% of the area of any given elevation. In addition, sheet metal and

corrugated metal are permitted for trim, soffits, fascia, mansards and similar architectural features. Standing seam metal (but no other metals) may be used for awnings and awnings shall be counted toward the 20% area limitation for the metals listed above. Finishing materials other than those listed as acceptable above may be used if approved by the Planning Commission. In determining whether or not a particular finishing material is acceptable, the Planning Commission shall consider the following factors :

1. The visibility of the site from I-15 and neighboring residential uses.
2. The degree to which the proposed finishing materials are compatible with the appearance of neighboring residential uses.
3. The location of the proposed finishing materials on the building.
4. The degree to which a particular finishing material may be shielded by landscaping or some other feature.
5. Whether the proposed material is of equal or better quality and aesthetic appeal as the other acceptable finishing materials listed herein.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-11; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-98-0026, Amended, 05/26/1998; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-2017-0006, Amended 03/28/2017)**

C. In addition to the factors set forth in Section 22-4-4, the City Council shall weigh and consider the following factors when determining whether a conditional use permit application for the HS zone should be approved, denied, or approved with conditions:

1. Whether or not the proposed development presents a favorable image of the City from I-15.
2. Whether or not the proposed development is appropriate in a zone that is designed to encourage uses that can take advantage of the close proximity of I-15 and 1200 West.
3. Whether or not the proposed development is designed in a manner that minimizes the potential negative impact on neighboring residential uses.
4. If the proposed development involves manufacturing, whether or not the project is designed to protect neighboring uses from noise and other pollution, to be compatible with neighboring uses, to be safe, to be attractive, and to minimize negative impacts normally associated with manufacturing uses.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-11; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

D. All utilities shall be placed underground in this zone.

**(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-97-0047, Renumbered, 10/21/1997, 22-8-11; Ord. No. O-98-0011, Amended, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

E. **Youth Rehabilitation.** The following conditions and standards apply to uses under SLU Code 1271:

1. The facility shall conform to all applicable standards and requirements of the Utah State Department of Human Services.
2. The facility shall conform to all building, safety, health, and zoning requirements of the Orem City Code applicable to structures in the zone in which it is located.
3. Any facility located in an existing residential dwelling shall be capable of use as a youth rehabilitation facility without structural or landscaping alterations that would change the structure's residential character.

4. The facility must comply with the spacing/separation requirements outlined below. All required distances shall be measured in a straight line between the closest property lines of the lots on which they are located.
   a. The facility shall not be located closer than one (1) mile to any other youth rehabilitation facility.
   b. The facility shall not be located closer than 1000 feet to any school.
   c. The facility shall not be located closer than one-half mile to any other group home including a residential facility for disabled persons, an assisted living facility for elderly persons, a residential facility for elderly persons, a youth transitional home, an assisted living facility, or a transitional treatment home.
   d. The facility shall not be located closer than 200 feet to any residential dwelling if the facility admits individuals who have committed any sex-related offense, any act of sexual aggression, any offense involving a weapon, or any offense that resulted in serious bodily injury to another person. For purposes of this section, "sexually aggressive behavior" shall mean behavior that involves sexual activity in which the individual has used aggression, force, coercion, or exploitation of another for the purpose of sexual gratification, power or control. The exploitation or coercion may be due to age, size, position, physical and/or mental capacity, etc. Sexual activity includes penetration, touching, fondling, bumping, or rubbing against another for sexual satisfaction.
5. The facility shall have a landscaped front yard.
6. The facility shall have a sight-obscuring fence at least six feet in height enclosing the combined rear yard and side yard to the greatest extent possible without conflicting with the provisions of Orem City Code Section 22-14-19. No chain link fences shall be used in satisfaction of this requirement.
7. The facility shall be of a size, scale and design such that it is in harmony with other residential uses in the vicinity.
8. There shall be a maximum of ten (10) youth assigned to the facility at any one time.
9. At least eight off-street parking stalls shall be provided to serve the needs of residents, visitors, and staff members.
10. The lot on which the facility is located shall be at least one-half (1/2) acre.
11. No person over the age of twenty (20) may be a resident in the facility.
12. No individual whose tenancy the Owner knows or should know through the exercise of reasonable diligence would constitute a direct threat to the health or safety of other individuals or whose tenancy would likely result in substantial physical damage to the property of others shall be allowed as a resident in the facility. The owner or operator of the facility shall conduct an individualized assessment of each person who desires to become a resident of the facility to determine if such person would constitute a direct threat prior to allowing occupancy of the facility by such person. The assessment shall consider any prior criminal or violent acts of each individual, the amount of time that has elapsed since the commission of any such acts, and the treatment or medication received by the individual that may have eliminated the direct threat. The individualized assessment shall be performed by a licensed psychologist, social worker or other person qualified to make such a professional assessment. However, in the case of any resident or potential resident who has committed a sex-related offense or an act of sexual aggression, the individualized assessment shall include a psycho-sexual evaluation of such person performed by a duly licensed psychiatrist or an individual holding a PhD in psychology. The owner or operator of the facility shall be responsible to determine whether any resident or potential resident has committed a sex-related offense or an act of sexual aggression.

13. Prior to the initial occupancy of a youth rehabilitation home and at least quarterly thereafter, the Owner/person or entity licensed or certified by the applicable regulatory state agency shall certify in a sworn affidavit to the City that based on the individualized assessment performed for each resident, no person will or does reside in the facility whose tenancy would likely constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
14. Upon written request of the City, the Owner shall provide to the City any records that are reasonably necessary for the City to verify compliance with the requirements of this section. The Owner shall be entitled to redact any information that would constitute an unwarranted invasion of the privacy of any resident of the facility.
15. For purposes of this Section, the term "Owner" shall include any employee, agent, representative, lessee of the Owner or any other person or entity that the Owner has authorized or allowed to operate a youth rehabilitation home or similar facility on the property.

**(Ord. No. O-07-0032, Enacted 06/26/2007)**

## 22-8-16. Commercial Child and Adult Day Care Facilities.

A. Commercial child and commercial adult day care facilities are permitted uses in the C1, C2, and HS zones.

**(Ord. No. O-98-0015, Enacted, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

B. Any person requesting a commercial child or adult day care facility shall comply with the provisions of Section 22-14-20 of this Chapter.

**(Ord. No. O-98-0015, Enacted, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001 )**

C. In addition to the requirements of Section 22-14-20, the site plan shall show:
   1. Off-street loading and unloading areas of children and adults; and
   2. An area for out-of-door activities surrounded by a six foot (6') fence; the materials and type of such fences shall also be indicated.

**(Ord. No. O-98-0015, Enacted, 02/24/1998; Ord. No. O-01-0021, Amended, 06/12/2001)**

## 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.

**(Ord. No. O-2011-0004, Enacted, 02/08/2011; Ord. No. O-2012-0006, Amended 01/24/2012; Ord. No. O-2015-0024, Amended 07/28/2015; Ord. No. O-2020-0026, Amended 9/29/2020)**

Effective on: 4/10/1990

DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT FOR A ROOF MOUNTED CELLULAR ANTENNA (STEALTH) AND APPURTENANT EQUIPMENT ON THE ROOF OF THE ALPINE CREDIT UNION BUILDING AT 1510 NORTH STATE STREET IN THE C2 ZONE

WHEREAS on March 29, 2022, T-Mobile/Rage Development filed an application with the City of Orem for a conditional use permit for a roof mounted cellular antenna (stealth) and appurtenant equipment on the roof of the Alpine Credit Union building at 1510 North State Street in the C2 zone; and

WHEREAS a public meeting considering the subject application was held by the Planning Commission on May 4, 2022, and the Planning Commission recommended the City Council approve the request; and

WHEREAS a public meeting considering the subject application was held by the City Council on May 24, 2022; and

WHEREAS notices of the Planning Commission meeting and the City Council meeting at which the application was considered were mailed to 378 property owners within a 1,000 square foot radius of the property; 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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds that this request is reasonable and in the best interest of the public. The City Council also finds that the screening of the proposed cellular antenna will help mitigate any negative aesthetic impact.
2. The City Council hereby approves a conditional use permit for a roof mounted cellular antenna (stealth) and appurtenant equipment on top of the Alpine Credit Union building at 1510 North State Street in the C2 zone with the design and dimensions shown in Exhibit A which is attached hereto and incorporated herein by reference.
3. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.

DRAFT

4. This resolution shall take effect immediately upon passage.

PASSED and APPROVED this 24th day of **May 2022**.

_____
David A. Young, Mayor

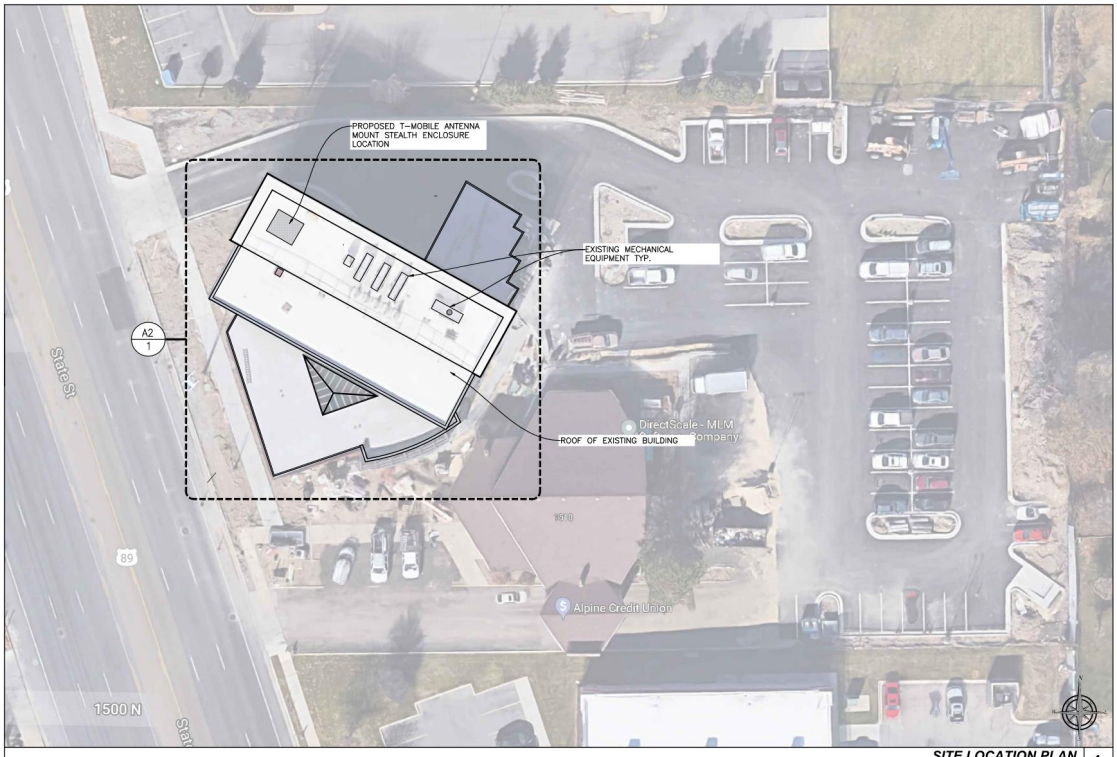
ATTEST:

_____
JoD'Ann Bates, City Recorder

| COUNCILMEMBER | AYE | NAY | ABSTAIN |
|---|---|---|---|
| Mayor David A. Young | ☐ | ☐ | ☐ |
| Jeff Lambson | ☐ | ☐ | ☐ |
| Debby Lauret | ☐ | ☐ | ☐ |
| Tom Macdonald | ☐ | ☐ | ☐ |
| LaNae Millett | ☐ | ☐ | ☐ |
| Terry Peterson | ☐ | ☐ | ☐ |
| David Spencer | ☐ | ☐ | ☐ |

DRAFT

EXHIBIT A




SITE LOCATION PLAN 1

22"x34" SCALE: 1/16"=1'-0" | 11"x17" SCALE: 1/32"=1'-0"

T-Mobile

RAGE DEVELOPMENT LLC

SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677

DATE: 10/6/2021
DRAWN BY: JRC (21060)
CHECKED BY: Matthew Schjuter

REVISIONS

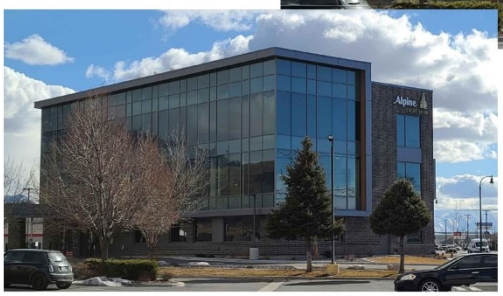
| DATE | DESCRIPTION | INT. |
|---|---|---|
| 10/6/21 | ZD (Prelim-Roof Plan) | JRC |
| 11/10/21 | ZD (Final.1) | JRC |
| 11/12/21 | ZD (Final - Skid Rev) | JRC |
| 2/4/22 | ZD (Photo Sims.) | JRC |
| 2/23/22 | ZD (Final.2) | JRC |
| 3/1/22 | ZD (Final.3) | JRC |

SL07019F
ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057

DRAWING TITLE: SITE LOCATION PLAN

DRAWING NO.: A1

PROPOSED - STEALTH ENCLOSURE




EXISTING

NORTHWEST ELEVATION 1

22"x34" SCALE: 3/16"=1'-0" | 11"x17" SCALE: 3/32"=1'-0"

T-Mobile

RAGE DEVELOPMENT LLC

SMITH HYATT ARCHITECTS
845 SOUTH MAIN, BOUNTIFUL, UTAH 84010
801-298-5777 FAX 801-298-1677

DATE: 10/6/2021
DRAWN BY: JRC (21060)
CHECKED BY: Matthew Schjuter

REVISIONS

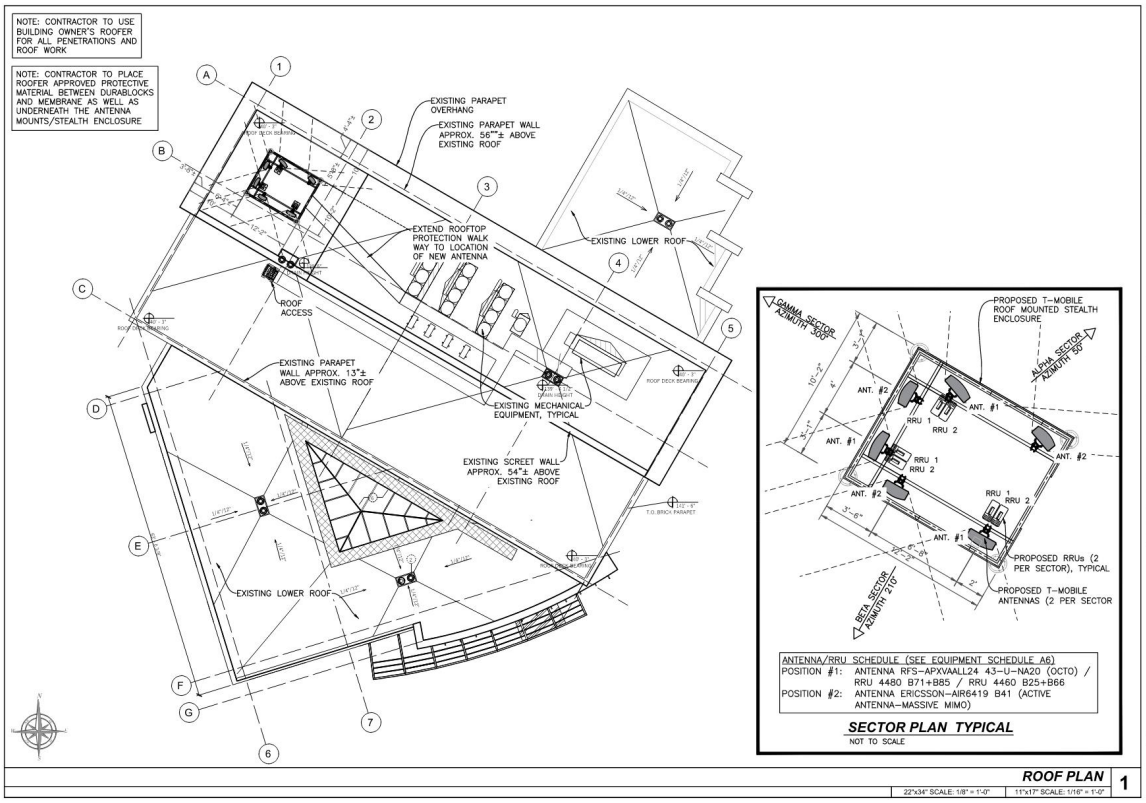
| DATE | DESCRIPTION | INT. |
|---|---|---|
| 10/6/21 | ZD (Prelim-Roof Plan) | JRC |
| 11/1/21 | ZD (Prelim R1-Roof Plan) | JRC |
| 11/10/21 | ZD (Final.1) | JRC |
| 11/12/21 | ZD (Final - Skid Rev) | JRC |
| 2/4/22 | ZD (Photo Sims.) | JRC |

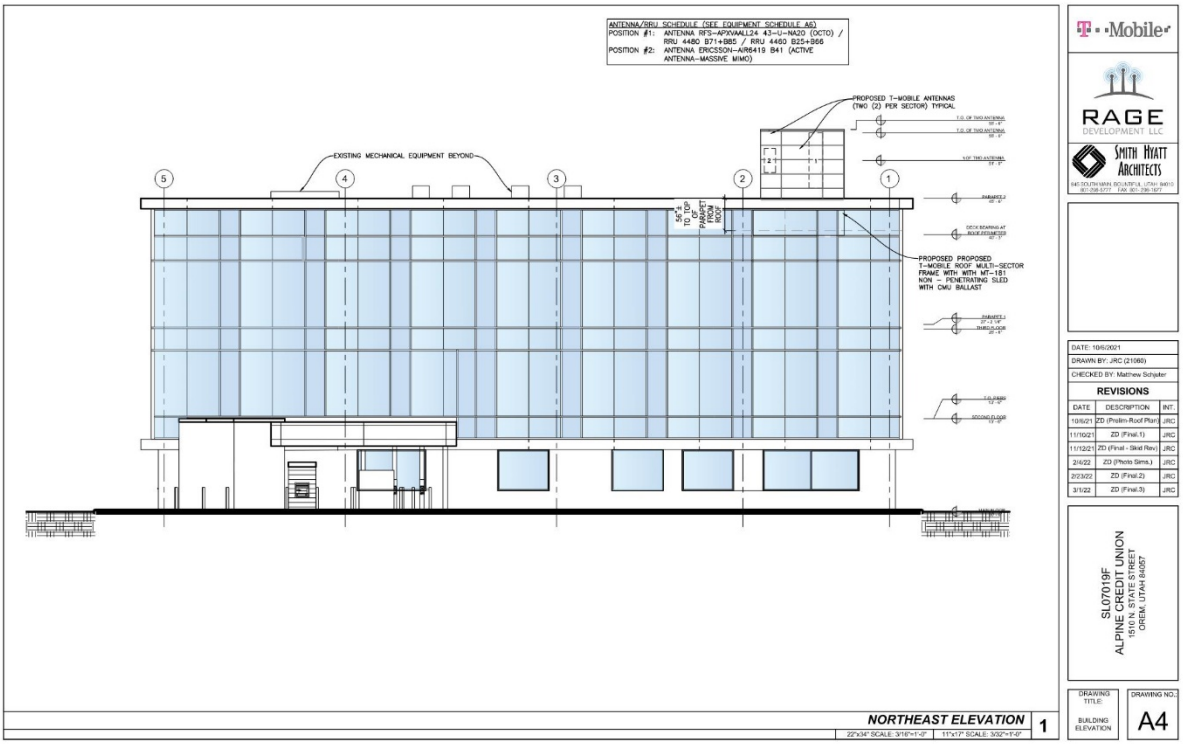
SL07019F
ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057

DRAWING TITLE: BUILDING ELEVATION

DRAWING NO.: PS1

DRAFT


NOTE: CONTRACTOR TO USE BUILDING OWNER'S ROOFER FOR ALL PENETRATIONS AND ROOF WORK
NOTE: CONTRACTOR TO PLACE ROOFER APPROVED PROTECTIVE MATERIAL BETWEEN DURABLOCKS AND MEMBRANE AS WELL AS UNDERNEATH THE ANTENNA MOUNTS/STEALTH ENCLOSURE
EXISTING PARAPET OVERHANG
EXISTING PARAPET WALL APPROX. 56"± ABOVE EXISTING ROOF
EXTEND ROOFTOP PROTECTION WALK WAY TO LOCATION OF NEW ANTENNA
EXISTING LOWER ROOF
ROOF ACCESS
EXISTING PARAPET WALL APPROX. 13"± ABOVE EXISTING ROOF
EXISTING MECHANICAL EQUIPMENT, TYPICAL
EXISTING SCREET WALL APPROX. 54"± ABOVE EXISTING ROOF
EXISTING LOWER ROOF
GAMMA SECTOR AZIMUTH 300°
ALPHA SECTOR AZIMUTH 50°
BETA SECTOR AZIMUTH 210°
PROPOSED T-MOBILE ROOF MOUNTED STEALTH ENCLOSURE
ANT. #1
ANT. #2
RRU 1
RRU 2
PROPOSED RRUs (2 PER SECTOR), TYPICAL
PROPOSED T-MOBILE ANTENNAS (2 PER SECTOR
ANTENNA/RRU SCHEDULE (SEE EQUIPMENT SCHEDULE A6)
POSITION #1: ANTENNA RFS-APXVAALL24 43-U-NA20 (OCTO) / RRU 4480 B71+B85 / RRU 4460 B25+B66
POSITION #2: ANTENNA ERICSSON-AIR6419 B41 (ACTIVE ANTENNA-MASSIVE MIMO)
SECTOR PLAN TYPICAL
NOT TO SCALE
ROOF PLAN
22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
1
T-Mobile
RAGE DEVELOPMENT LLC
SMITH HYATT ARCHITECTS
DATE: 10/6/2021
DRAWN BY: JRC (21060)
CHECKED BY: Matthew Schjuter
REVISIONS
DATE DESCRIPTION INT.
10/6/21 ZD (Prelim-Roof Plan) JRC
11/10/21 ZD (Final.1) JRC
11/12/21 ZD (Final - Skid Rev) JRC
2/4/22 ZD (Photo Sims.) JRC
2/23/22 ZD (Final.2) JRC
3/1/22 ZD (Final.3) JRC
SL07019F
ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057
DRAWING TITLE: ROOF PLAN OPTION B
DRAWING NO.: A2


ANTENNA/RRU SCHEDULE (SEE EQUIPMENT SCHEDULE A6)
POSITION #1: ANTENNA RFS-APXVAALL24 43-U-NA20 (OCTO) / RRU 4480 B71+B85 / RRU 4460 B25+B66
POSITION #2: ANTENNA ERICSSON-AIR6419 B41 (ACTIVE ANTENNA-MASSIVE MIMO)
PROPOSED T-MOBILE ANTENNAS (TWO (2) PER SECTOR) TYPICAL
EXISTING MECHANICAL EQUIPMENT BEYOND
PROPOSED PROPOSED T-MOBILE ROOF MULTI-SECTOR FRAME WITH WITH MT-181 NON - PENETRATING SLED WITH CMU BALLAST
NORTHEAST ELEVATION
22"x34" SCALE: 3/16"=1'-0"
11"x17" SCALE: 3/32"=1'-0"
1
T-Mobile
RAGE DEVELOPMENT LLC
SMITH HYATT ARCHITECTS
DATE: 10/6/2021
DRAWN BY: JRC (21060)
CHECKED BY: Matthew Schjuter
REVISIONS
DATE DESCRIPTION INT.
10/6/21 ZD (Prelim-Roof Plan) JRC
11/10/21 ZD (Final.1) JRC
11/12/21 ZD (Final - Skid Rev) JRC
2/4/22 ZD (Photo Sims.) JRC
2/23/22 ZD (Final.2) JRC
3/1/22 ZD (Final.3) JRC
SL07019F
ALPINE CREDIT UNION
1510 N. STATE STREET
OREM, UTAH 84057
DRAWING TITLE: BUILDING ELEVATION
DRAWING NO.: A4

# CITY OF OREM
## BUDGET REPORT FOR THE MONTH ENDED APRIL 2022

Percent of Year Expired: 83%

| Fund | Current Appropriation | Monthly Total | Year-To-Date Total | Encumbrances | Balance | % To Date FY 2022 | % To Date FY 2021 | Notes |
|---|---|---|---|---|---|---|---|---|
| **10 GENERAL FUND** | | | | | | | | |
| Revenues | 56,880,712 | 4,985,190 | 48,993,826 | | | 86% | 71% | |
| Appr. Surplus - Current | 778,225 | | 778,225 | | | 100% | | |
| Appr. Surplus - Prior Year | 18,337,649 | | 18,337,649 | | | 100% | | |
| Std. Interfund Transactions | 5,669,461 | | 5,669,461 | | | 100% | | |
| Total Resources | 81,666,047 | 4,985,190 | 73,779,161 | | 7,886,886 | 90% | 79% | |
| Expenditures | 81,666,047 | 4,321,400 | 51,246,148 | 1,938,764 | 28,481,135 | 65% | 65% | |
| **20 ROAD FUND** | | | | | | | | |
| Revenues | 3,332,500 | 2,626 | 2,285,673 | | | 69% | 73% | |
| Appr. Surplus - Prior Year | 2,141,745 | | 2,141,745 | | | 100% | | |
| Total Resources | 5,474,245 | 2,626 | 4,427,418 | | 1,046,827 | 81% | 83% | |
| Expenditures | 5,474,245 | 80,808 | 2,202,355 | 1,024,659 | 2,247,231 | 59% | 53% | |
| **21 CARE TAX FUND** | | | | | | | | |
| Revenues | 2,420,000 | 238,726 | 2,021,150 | | | 84% | 75% | |
| Appr. Surplus - Current | 200,000 | | 200,000 | | | 100% | | |
| Appr. Surplus - Prior Year | 1,196,780 | | 1,196,780 | | | 100% | | |
| Total Resources | 3,816,780 | 238,726 | 3,417,930 | | 398,850 | 90% | 91% | |
| Expenditures | 3,816,780 | 5,155 | 2,019,376 | 277,667 | 1,519,737 | 60% | 94% | 1 |
| **24 TRANSPORTATION SALES TAX FUND** | | | | | | | | |
| Revenues | 2,307,000 | 219,788 | 1,835,123 | | | 80% | 72% | |
| Appr. Surplus - Prior Year | 2,252,922 | | 2,252,922 | | | 100% | | |
| Total Resources | 4,559,922 | 219,788 | 4,088,045 | | 471,877 | 90% | 86% | |
| Expenditures | 4,559,922 | 81,456 | 2,052,841 | 340,038 | 2,167,043 | 52% | 40% | |
| **30 DEBT SERVICE FUND** | | | | | | | | |
| Revenues | 5,644,225 | 249,999 | 4,139,807 | | | 73% | 75% | |
| Appr. Surplus - Current | 807,917 | | 807,917 | | | 100% | | |
| Total Resources | 6,452,142 | 249,999 | 4,947,724 | | 1,504,418 | 77% | 78% | |
| Expenditures | 6,452,142 | 295,737 | 2,368,729 | | 4,083,413 | 37% | 32% | |
| **45 CIP FUND** | | | | | | | | |
| Revenues | 858,566 | 33,077 | 674,738 | | | 79% | 98% | |
| Appr. Surplus - Prior Year | 19,397,312 | | 19,397,312 | | | 100% | | |
| Total Resources | 20,255,878 | 33,077 | 20,072,050 | | 183,828 | 99% | 100% | |
| Expenditures | 20,255,878 | 20,382 | 1,151,609 | 1,822,562 | 17,281,707 | 15% | 35% | 2 |
| **51 WATER FUND** | | | | | | | | |
| Revenues | 17,961,733 | 2,081,667 | 15,208,712 | | | 85% | 77% | |
| Appr. Surplus - Current Year | 150,000 | | 150,000 | | | 100% | | |
| Appr. Surplus - Prior Year | 48,948,581 | | 48,948,581 | | | 100% | | |
| Total Resources | 67,060,314 | 2,081,667 | 64,307,293 | | 2,753,021 | 96% | 88% | |
| Expenditures | 67,060,314 | 822,531 | 15,091,118 | 2,467,519 | 49,501,677 | 26% | 31% | |
| **52 WATER RECLAMATION FUND** | | | | | | | | |
| Revenues | 13,443,194 | 1,159,607 | 11,245,218 | | | 84% | 82% | |
| Appr. Surplus - Prior Year | 22,479,169 | | 22,479,169 | | | 100% | | |
| Total Resources | 35,922,363 | 1,159,607 | 33,724,387 | | 2,197,976 | 94% | 91% | |
| Expenditures | 35,922,363 | 752,459 | 9,704,763 | 4,946,202 | 21,271,398 | 41% | 32% | |
| **55 STORM WATER FUND** | | | | | | | | |
| Revenues | 5,402,195 | 500,216 | 4,777,016 | | | 88% | 82% | |
| Appr. Surplus - Prior Year | 8,230,808 | | 8,230,808 | | | 100% | | |
| Total Resources | 13,633,003 | 500,216 | 13,007,824 | | 625,179 | 95% | 92% | |
| Expenditures | 13,633,003 | 312,329 | 3,598,535 | 794,855 | 9,239,613 | 32% | 36% | |
| **56 RECREATION FUND** | | | | | | | | |
| Revenues | 2,732,340 | 302,296 | 2,505,765 | | | 92% | 58% | |
| Appr. Surplus - Prior Year | 7,474 | | 7,474 | | | 100% | | |
| Total Resources | 2,739,814 | 302,296 | 2,513,239 | | 226,575 | 92% | 60% | |
| Expenditures | 2,739,814 | 151,511 | 2,298,223 | 59,589 | 382,002 | 86% | 78% | |

# CITY OF OREM
## BUDGET REPORT FOR THE MONTH ENDED APRIL 2022

Percent of Year Expired: 83%

| Fund | Current Appropriation | Monthly Total | Year-To-Date Total | Encumbrances | Balance | % To Date FY 2022 | % To Date FY 2021 | Notes |
|---|---|---|---|---|---|---|---|---|
| **57 SOLID WASTE FUND** | | | | | | | | |
| Revenues | 4,478,000 | 394,356 | 3,826,272 | | | 85% | 76% | |
| Appr. Surplus - Prior Year | 232 | | 232 | | | 100% | | |
| Total Resources | 4,478,232 | 394,356 | 3,826,504 | | 651,728 | 85% | 76% | |
| Expenditures | 4,478,232 | 277,643 | 3,311,901 | | 1,166,331 | 74% | 70% | |
| **58 STREET LIGHTING FUND** | | | | | | | | |
| Revenues | 965,000 | 75,176 | 796,071 | | | 82% | 73% | |
| Appr. Surplus - Prior Year | 1,619,639 | | 1,619,639 | | | 100% | | |
| Total Resources | 2,584,639 | 75,176 | 2,415,710 | | 168,929 | 93% | 89% | |
| Expenditures | 2,584,639 | 197,564 | 1,611,854 | 552,183 | 420,602 | 84% | 52% | 3 |
| **61 FLEET MAINTENANCE FUND** | | | | | | | | |
| Appr. Surplus - Current | 50,000 | | 50,000 | | | 100% | | |
| Appr. Surplus - Prior Year | 857 | | 857 | | | 100% | | |
| Std. Interfund Transactions | 850,000 | | 850,000 | | | 100% | | |
| Total Resources | 900,857 | | 900,857 | | | 100% | 100% | |
| Expenditures | 900,857 | 61,738 | 764,685 | 638 | 135,534 | 85% | 76% | |
| **62 PURCHASING/WAREHOUSING FUND** | | | | | | | | |
| Appr. Surplus - Current | 40,000 | | 40,000 | | | 100% | | |
| Appr. Surplus - Prior Year | 177 | | 177 | | | 100% | | |
| Std. Interfund Transactions | 380,000 | | 380,000 | | | 100% | | |
| Total Resources | 420,177 | | 420,177 | | | 100% | 100% | |
| Expenditures | 420,177 | 25,174 | 305,202 | 30,411 | 84,564 | 80% | 73% | |
| **63 SELF INSURANCE FUND** | | | | | | | | |
| Revenues | 765,000 | 54,136 | 614,397 | | | 80% | 68% | |
| Std. Interfund Transactions | 1,390,000 | | 1,390,000 | | | 100% | | |
| Total Resources | 2,155,000 | 54,136 | 2,004,397 | | 150,603 | 93% | 89% | |
| Expenditures | 2,155,000 | 71,195 | 1,882,220 | 1,439 | 271,341 | 87% | 90% | |
| **64 INFORMATION TECH FUND** | | | | | | | | |
| Revenues | 8,136 | 678 | 7,074 | | | 100% | | |
| Appr. Surplus - Prior Year | 385,420 | | 385,420 | | | 100% | | |
| Std. Interfund Transactions | 2,442,000 | | 2,442,000 | | | 100% | | |
| Total Resources | 2,835,556 | 678 | 2,834,494 | | 1,062 | 100% | 100% | |
| Expenditures | 2,835,556 | 170,998 | 1,997,908 | 81,716 | 755,932 | 73% | 64% | |
| **65 FACILITIES MAINTENANCE FUND** | | | | | | | | |
| Appr. Surplus - Prior Year | 337,613 | | 337,613 | | | 100% | | |
| Std. Interfund Transactions | 1,700,000 | | 1,700,000 | | | 100% | | |
| Total Resources | 2,037,613 | | 2,037,613 | | | 100% | 100% | |
| Expenditures | 2,037,613 | 179,339 | 1,650,350 | 120,806 | 266,457 | 87% | 75% | |
| **74 CDBG FUND** | | | | | | | | |
| Revenues | 1,194,711 | 77,575 | 714,897 | | | 60% | 45% | |
| Appr. Surplus - Prior Year | 454,813 | | 454,813 | | | 100% | | |
| Total Resources | 1,649,524 | 77,575 | 1,169,710 | | | 71% | 53% | |
| Expenditures | 1,649,524 | 15,445 | 683,155 | 48,278 | 918,091 | 44% | 47% | |
| **CITY TOTAL RESOURCES** | 258,642,106 | 10,375,113 | 239,894,533 | | 18,267,759 | 93% | 86% | |
| **CITY TOTAL EXPENDITURES** | 258,642,106 | 7,842,864 | 103,940,972 | 14,507,326 | 140,193,808 | 46% | 49% | |

# CITY OF OREM
## BUDGET REPORT FOR THE MONTH ENDED APRIL 2022

**Percent of Year Expired: 83%**

| Fund | Current Appropriation | Monthly Total | Year-To-Date Total | Encumbrances | Balance | % To Date FY 2022 | % To Date FY 2021 | Notes |
|---|---|---|---|---|---|---|---|---|

***NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED APRIL 2022:***

1) The current year expenditures are lower in comparison to the prior year due to the current year encumbrances ($277,667) being significantly lower than in the prior fiscal year ($1,804,076) at this date in time. Due to the Fitness Center construction project.

2) The current year expenditures are lower in comparison to the prior year due to the prior year costs related to the Hillcrest Elementary property purchase, Library Hall project, and Fitness Center project which we do not have in the current fiscal year.

3) The current year expenditures are higher in comparison to the prior year due to the current year street lighting Phase II construction project of $564,444. No such project occurred in the prior fiscal year.

Note: In earlier parts of a fiscal year, expenditures may be greater than the collected revenues in a fund. The City has accumulated sufficient reserves to service all obligations during such periods and does not need to issue tax anticipation notes or obtain funds in any similar manner. If you have questions about this report, please contact Brandon Nelson (229-7010).