



## Proposition Information Pamphlet for Ordinance 2025-6

### TO BE CIRCULATED WITH REFERENDUM PETITION SIGNATURE SHEETS

For the referendum that has been filed against the City of Orem **Ordinance 2025-006** entitled AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING ARTICLE 22- 5-3 (A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING THE PROPERTY LOCATED GENERALLY AT 710 WEST 2000 SOUTH FROM THE OPEN SPACE (OS-5) ZONE TO THE SINGLE FAMILY RESIDENTIAL (R8) ZONE (APPROXIMATELY 14.01 ACRES), passed by the City of Orem City Council on May 13, 2025 be referred to the voters for their approval or rejection at the Municipal General Election date to be held on November 3, 2026.

This pamphlet includes the following:

1. A copy of the referendum application (pg. 2)
2. A copy of Ordinance 2025-6 (pg. 7)
3. An argument submitted by the sponsors (pg. 11)
4. An argument submitted by the city (pg. 12)
5. A copy of the Fiscal and Legal Impact Statement provided by the City of Orem Budget Officer and Attorney (pg. 14)

# REFERENDUM APPLICATION

To the Honorable Teresa McKitrick, City Recorder:

We, the undersigned citizens of Orem Utah, respectfully apply to circulate a referendum petition pursuant to Utah Code 20A-7-602.

The decision being challenged is: O-2025-0006

An Ordinance by the Orem City Council amending article 22-5-3(A) and the zoning map of the City of Orem by rezoning the properties located generally at 710 West 2000 South from the Open Space (OS-5) zone to the single family residential (R8) zone (approximately 14.01 acres)

passed by the Orem City Council on May 13, 2025. A full copy of Ordinance O-2025-0006 is attached hereto and incorporated into this Referendum Petition Application by reference.

Each of the undersigned hereby certify:

- I have personally signed this petition:
- I am registered to vote in the State of Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk;
- My residence and post office addresses are written correctly after my name; and
- Persons gathering signatures for this referendum petition may be paid for gathering signatures

RECEIVED

MAY 16 REC'D

CITY RECORDER'S OFFICE

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

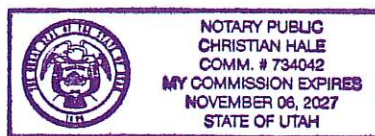
Address: \_\_\_\_\_

Orem, Utah 84058

On this 16 day of May, 2025, personally appeared before me

JAMES BROWN, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

\_\_\_\_\_  
Notary Public



Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

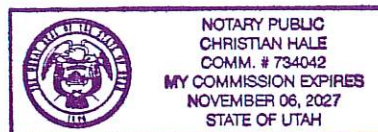
Address: \_\_\_\_\_

Orem, Utah 84058

On this 16 day of May, 2025, personally appeared before me

ORIMI ACKROYD, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

\_\_\_\_\_  
Notary Public



Signature:

JoAnna McKay Rhodes

Printed Name:

JoAnna McKay Rhodes

Address:

210 W. 2000 S.

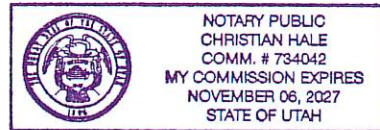
Orem, Utah 84058

On this 16 day of May, 2025, personally appeared before me

JOANNA MCKAY RHOADES, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

[Signature]

Notary Public



Signature:

Arnon D. Rhoades

Printed Name:

ARRON D. RHOADES

Address:

210 W. 2000 S.

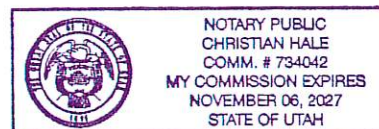
Orem, Utah 84058

On this 16 day of May, 2025, personally appeared before me

ARRON RHOADES, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

[Signature]

Notary Public





Signature:

Carolyn Nye

Printed Name:

CAROLYN NYE

Address:

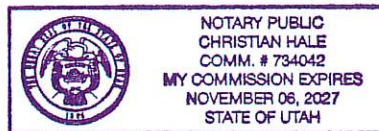
1823 SO. Alta Vista Dr.

Orem, Utah 84058

On this 16 day of May, 2025, personally appeared before me

CAROLYN NYE, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

[Signature]  
Notary Public



Signature:

[Signature]

Printed Name:

Katie Beth Brown Shields

Address:

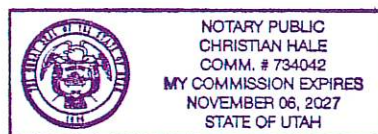
1777 S. 400 W.

Orem, Utah 84058

On this 16 day of May, 2025, personally appeared before me

KATIE BETH BROWN SHIELDS who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

[Signature]  
Notary Public



Signature:

Rick Nye

Printed Name:

Rick Nye

Address:

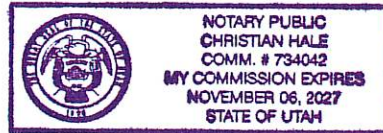
1823 SO. 250W.

Orem, Utah 84058

On this 16 day of MAY, 2025, personally appeared before me

RICK NYE, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

[Signature]  
Notary Public



Signature:

Mark Bowden

Printed Name:

MARK BOWDEN

Address:

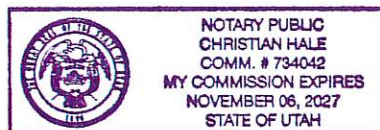
277W 2000 SO

Orem, Utah 84058

On this 16 day of MAY, 2025, personally appeared before me

MARK BOWDEN, who is personally known to me, or who produced satisfactory evidence of identity and duly acknowledged to me that s/he read the foregoing Referendum Petition Application, executed the same of his/her own volition and for the purpose set forth, and that s/he was acting under no constraint or undue influence whatsoever.

[Signature]  
Notary Public



ORDINANCE NO. O-2025-0006

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING ARTICLE 22-5-3 (A) AND THE ZONING MAP OF THE CITY OF OREM by rezoning the property located generally at 710 West 2000 South from the Open Space (OS-5) Zone to the Single Family Residential (R8) Zone (approximately 14.01 acres).

WHEREAS on February 11, 2025, Julie Smith filed an application with the City of Orem to amend Article 22-5-3 (A) and the zoning map of the City of Orem by rezoning the property located generally at 710 West 2000 South from the Open Space (OS-5) zone to the Residential (R8) zone (approximately 14.01 acres); and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on March 19, 2025 where the Planning Commission voted five votes to one vote with one abstaining to recommend denial of the application to the City Council; and

WHEREAS a public meeting considering the subject application was held by the City Council on May 13, 2025; and

WHEREAS notices were mailed to 159 property owners within a 1,000-foot radius of the property; and

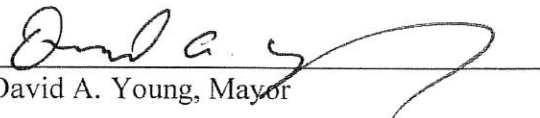
WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

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

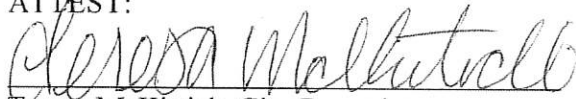
1. The City Council finds this request to be in the best interest and general welfare of the City.
2. The City Council hereby amends Article 22-5-3 (A) and the zoning map of the City of Orem by rezoning the property located generally at 710 West 2000 South from the Open Space (OS-5) zone to the Single Family Residential (R8) zone (approximately 14.01 acres) as shown in Exhibit "A" which is attached hereto and incorporated herein by this reference.
3. If any part of this ordinance shall be declared invalid, such a decision shall not affect the validity of the remainder of this ordinance.

4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.
5. All other ordinances and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 13<sup>th</sup> day of May 2025.

  
David A. Young, Mayor

ATTEST:

  
Teresa McKittrick, City Recorder

COUNCIL MEMBER

AYE      NAY      ABSTAIN

Mayor David A. Young  
Jeff Lambson  
Jenn Gale  
Tom Macdonald  
LaNae Millett  
Chris Killpack  
David Spencer

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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## EXHIBIT A

EXHIBIT A



Legend

Site Plan  
Zone: OS5  
Acres:14.18

NEIGHBORHOOD  
Lakeview

-  2000 South
-  Buildings
-  Parcel

### **An argument written by the sponsors in favor of the proposed referendum**

We, the residents of Orem, demand that our voices be heard and respected.

In a controversial 4-3 split vote, the City Council voted to rezone the land known as Wilkerson Farm—one of Orem's few remaining Open Space (OS-5) areas—to allow for 53 houses. This land is more than just open space.

City code states the OS-5 zone is "devoted to environmental preservation, agricultural production, or outdoor recreation". This farmland has produced hundreds of thousands of pounds of fresh fruits and vegetables each year. It has also supported local businesses, provided employment, and offered families educational and recreational experiences. A vote "AGAINST" this referendum upholds the intended purpose of the OS-5 designation.

Rezoning this land to residential use irresponsibly places future Orem residents in inhospitable, unhealthy, and unsafe conditions. This property immediately borders a FrontRunner commuter train line, followed by an industrial zone, a freight train line, and the freeway. Industry-standard land-use principles dictate transition or buffer zones between residential and industrial uses. An open space zone here creates such a buffer between a housing zone and an industrial zone. A vote "AGAINST" this referendum preserves an essential open space buffer zone for existing and future housing.

Landowners have rights within the current zoning of the property. Landowners do not have a guarantee of a zone change. Landowners have the right to petition the city to change the zone designation, but a zone change is not a property right, nor guaranteed. The land was purchased as an OS-5 zone and the owner has the right to develop according to the current zone.

Roads and infrastructure along Geneva Road, 2000 South, and Sandhill Road are already strained with significant traffic congestion, safety concerns, and parking shortages. Increasing density will intensify these issues, negatively impacting Orem residents' quality of life. A vote "AGAINST" the referendum stops additional traffic congestion.

Nearly 2,000 residents signed a petition opposing the rezone. Hundreds more attended multiple in-person meetings over several months. This referendum gives residents the opportunity to have their voices represented. A vote "AGAINST" this referendum overturns the City Council's narrowly passed rezoning decision.

## **An argument written by the City opposing the proposed referendum**

### **Why the Rezone Was Approved**

Orem's Council recently voted to rezone land known as Wilkerson Farms—from OS-5 (open space) to R8 (single-family residential). This decision came after a long process that included public input, legal review, and policy discussion. Many people care deeply about this land, and we understand why. It has been part of Orem's farming story for years. But the city has a duty to apply laws with fairness, respect private property rights, and make decisions that help Orem plan for the future.

### **Why Farming Is No Longer an Option**

We heard from many who wanted to "save the farm," and we respect those feelings and the desire to preserve open space. But facts shared during the zoning process showed that continued farming is no longer realistic. The property is too small to support a working farm and had already shifted from agriculture to seasonal events, signaling it wasn't financially sustainable. The Wilkersons, who farmed it but never owned it, no longer have a lease. Without a viable economic model, farming is no longer a workable use.

### **A Matter of Fairness**

Nearly every property surrounding this land is already zoned for housing or other development. Several other properties nearby have recently been rezoned from OS-5 to allow for residential development and an LDS temple. To require just this one landowner to keep their land as open space—while others around them are allowed to develop—would be unfair. Zoning laws should be applied fairly and consistently, not selectively based on emotion.

### **Orem's General Plan Calls for Housing**

Orem's General Plan, the city's long-term blueprint for growth, land use, and development, says this area should be used for low-density housing. While the plan isn't legally binding, it reflects the city's long-standing vision for the area. The property was bought with the understanding that homes would likely be allowed there. The R8 zoning fits that plan, allowing homes on lots of 8,000 square feet—like the immediately adjacent Payton's Crossing development and other neighborhoods throughout Orem.

### **A Fair Chance to Buy the Land Was Given**

Some have asked why the land couldn't be saved for the public to purchase. The truth is, there was time. The Wilkerson family had over a year to try to buy it. After that, the land was



for sale on the open market for nine months. No offer was made to purchase the property for farmland or open space. It would be unfair to block the owner's plans now.

### **This Helps Orem Families**

Orem, like much of Utah, is facing a housing shortage. Families are struggling to find places they can afford. While the homes built here may not be low-cost, they will add to the housing supply. That helps everyone. The developer will also make needed safety improvements to 2000 South, which will benefit the surrounding area.

### **Conclusion**

This decision wasn't easy. But it supports responsible growth, respects property rights, and helps more families find a place to call home in Orem.

## **Fiscal and Legal Impact Statement**

### **710 W 2000 South Rezone**

On May 13, 2025, the Orem City Council passed Ordinance No. O-2025-0006 (the “Ordinance”), to rezone the property (the “Property”) located generally at 710 W 2000 South from the OS-5 zone to the R8 zone. “The OS5 Zone is established to promote large lot developments at a density not to exceed one (1) dwelling unit per five (5) acres and to promote the preservation of open space by allowing clustered developments.” Orem City Code § 22-10-2(A). “The R8 Zone is established to promote low density residential uses with a minimum lot size of 8,000 square feet per lot.” Orem City Code § 22-6-2(C). The Ordinance is now the subject of a referendum petition. Utah Code § 20A-7-602.5 requires the City’s budget officer and legal counsel to prepare an estimate of the fiscal and legal impact of repealing the Ordinance.

### **FISCAL IMPACT OF REPEALING THE ORDINANCE**

If the Ordinance is repealed, and the single-family residential homes contemplated by the concept plan (and made a part of the R-8 zone) are not built, the total estimated fiscal impact would be as follows:

#### One-time Fiscal Impacts

\$ 1,231,416    Loss of Estimated Building Permit Fees

\$    15,000    Cost of Election

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\$ 1,246,416    Total of One-time Fiscal Impacts

#### Ongoing (Annual) Fiscal Impacts

\$    17,118    Loss of Estimated Annual Property Tax Revenues

\$ Unknown    Loss of Sales and Use Tax Revenue Attributable to Project Development

### **EFFECT ON TAX REVENUES**

If the Ordinance is repealed, and the project is not constructed, the City will lose the estimated increase in property tax of \$17,118 annually. If the Ordinance is repealed, there will be a loss in the sales and use taxes attributable to the new residents and employees who would spend money within the City. Aside from the effect on future property tax revenues and potential impact on sales and use tax revenues, repealing the Ordinance will not directly increase or decrease any taxes.

### **EFFECT ON BONDS**

No effect is anticipated on bonds, notes or other debt instruments. The City is not anticipating any issuance of bonds that would be secured in any way by this development.

### **ESTIMATED COST OR SAVINGS OF REPEAL**

The cost to the City of Orem would be approximately \$15,000 in election costs related to information packets and ballot inclusion costs.

**SOURCES OF FUNDING FOR EXPECTED COSTS**

The election costs would impact the City's General Fund as tax dollars would be used to pay for these additional costs.

**LEGAL IMPACTS**

It is not anticipated that repealing the Ordinance will have any significant effects on vested property rights, other laws or ordinances, or legal liabilities the City may incur.

**CONCISE EXPLANATION**

If the R-8 zone is repealed and the single-family homes are not constructed, the City would have a one-time loss of building permit fees of approximately \$1,231,416 and would incur election costs of approximately \$15,000. In addition, the City would lose approximately \$17,118 in annual property tax revenues and an indeterminate amount of annual sales and use tax revenues attributable to the project. No change in public debt or significant legal effects are anticipated with or without the repeal.