

ORDINANCE NO. 2023-27

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-12B-2: PERMITTED USES IN THE MANUFACTURING DISTRIBUTION ZONE, EXPANDING THE PERMITTED USES TO INCLUDE USE #7600 PARKS; INCLUDING AN EFFECTIVE DATE (PLEASANT GROVE CITY, APPLICANT).

WHEREAS, the applicant, Pleasant Grove City proposes to add use #7600 Parks, to the list of permitted uses in the Manufacturing Distribution (MD) Zone; and

WHEREAS, on October 12, 2023, the Pleasant Grove City Planning Commission held a public hearing to consider amending City Code Section 10-12B-2: Manufacturing Distribution Zone, permitted uses, by adding Use #7600, Parks, to the list of permitted uses in the Manufacturing Distribution (MD) Zone; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to Section City Code Section 10-12B-2: Manufacturing Distribution Zone, permitted uses, by adding Use #7600, Parks, to the list of permitted uses in the Manufacturing Distribution (MD) Zone is in the public's interest and is consistent with the written goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the amendment to Section 10-12B-2: Manufacturing Distribution Zone, permitted uses, by adding Use #7600, Parks, to the list of permitted uses in the Manufacturing Distribution (MD) Zone, be approved; and

WHEREAS, on November 7, 2023 the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the amendment to the Pleasant Grove Municipal Code is in the best interest of the public and is consistent with the goals and policies of the General Plan; and

WHEREAS, it is the legislative body's intent that the city code amendments shall be in the interest of the public; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah as follows:

SECTION 1. Modified Section 10-12B-2: TABLE OF PERMITTED, CONDITIONAL AND ACCESSORY USES, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-12B-2: PERMITTED, CONDITIONAL, AND ACCESSORY USES

A. Uses Listed Permitted: The following principal, private and commercial uses and structures, and no others, are permitted in the MD zone (see section [10-15-2](#) of this title for establishment of uses not specified).

B. Standard Land Use Code: All uses contained herein are listed by a four (4) digit number as designated in the standard land use code published and maintained by the community development department.

C. Permitted With Limitations: All such categories listed herein and all specific uses contained within them in the standard land use code will be permitted in the MD zone, subject to the limitations set forth therein:

Use Number	Use Classification
2170	Confectionery and related products
2185	Bottling and canning soft drinks and water
2200	Textile mill products
2300	Apparel and other similar finished products
2440	Wooden containers, manufacturing
2500	Furniture and fixtures manufacturing
2650	Paperboard containers and boxes, manufacturing
2700	Printing, publishing and related industries
2830	Pharmaceutical and nutritional supplements (including biological products, medicinal chemicals and botanical products)
3140	Miscellaneous plastic products, manufacturing
3250	Pottery and related products, manufacturing
3260	Concrete, gypsum and plaster products
3423	Construction, mining and materials handling machinery and equipment
3495	Screw machine products and bolts, nuts, screws, rivets and washers; metal stamping
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks

3900	Miscellaneous manufacturing
4200	Motor vehicle transportation
4600	Automobile parking
4700	Communications (except transmitting and relay towers)
4920	Transportation services and arrangements
5100	Wholesale trade (except drugs, chemicals and related products)
5200	Building materials, hardware, farm equipment and supplies
5461	Bakeries, manufacturing
5500	Automotive, marine craft, aircraft and accessories
5600	Wearing apparel and accessories, manufacturing
5710	Furniture, home furnishings, and equipment
5960	Farm and garden supplies
6240	Funeral, cemeteries and crematory services
6250	Apparel repair, alteration and cleaning pick up services, shoe repair services
6370	Warehousing or storage services
6400	Repair services
6514	Medical and dental laboratory services
6540	Research services
6600	Contract construction services
6700	Governmental services (except military)
6711	Administration office services
7600	Parks
8110	Field and seed crops
8120	Truck crops (including vegetables, berries and melons)

8130	Orchards and vineyards
8160	Pastures and rangelands
8170	Horticultural specialties

SECTION 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phases of this Ordinance.

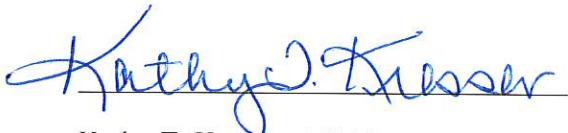
SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 4. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 7th day of November 2023.



Guy L. Fugal, Mayor

ATTEST:



Kathy T. Kresser, MMC
City Recorder



Motion: Council Member ANDERSEN

Second: Council Member JENSEN

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Guy L. Fugal	_____	_____	_____	_____
Dianna Andersen	<u>X</u>	_____	_____	_____
Brent Bullock	<u>X</u>	_____	_____	_____
Eric Jensen	<u>X</u>	_____	_____	_____
Cyd LeMone	<u>X</u>	_____	_____	_____
Todd Williams	_____	_____	_____	<u>X</u>

CERTIFICATE OF POSTING ORDINANCE

Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. 2023-27 was posted on the State (<http://pmn.utah.gov>) website on this 8th day of Nov, 2023.

Dated this 8th day of December, 2023.

Kathy T. Kresser
Kathy T. Kresser, MMC, City Recorder



City Council Staff Report

November 7, 2023

Item 9B

TEXT AMENDMENT PROPOSAL

REQUEST Request to amend City Code Section 10-12B-2: Permitted Uses of the Manufacturing Distribution Zone

APPLICANT City of Pleasant Grove

ZONE City Wide

STAFF RECOMMENDATION Approve the proposed amendment to the City Code.

ATTACHMENTS Proposed Text Amendment

3

Background

The development of a new park has been proposed on property located at approximately 430 North 600 West. This property is currently zoned as the Manufacturing Distribution (M-D) Zone, which does not include Use #7600: Parks.

Analysis

Use #7600 includes all types of parks, from general recreation parks (such as Discovery Park) and leisure and ornamental parks (such as a botanical garden) to campgrounds and undeveloped park land.

Parks, or even open space in general, is important for both residential and commercial areas to help beautify the surrounding area and to provide environmental and recreation benefits. Adding a park promotes the health and community engagement of the public and may even increase safety through environmental design.

Recommendation from Staff

Overall, Staff finds there is no detriment to the public safety or welfare and no negative impacts are anticipated by including this use in the M-D Zone. Staff recommends approval of the proposed code text amendment to add Use #7600: Parks to the M-D Zone.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on October 12, 2023.

5. Public Hearing: Code Text Amendment – Section 10-12B-2: Manufacturing Distribution Zone (City Wide)

Public Hearing to consider a request from Pleasant Grove City to amend City Code Section 10-12B-2, Permitted, Conditional, and Accessory Uses, by modifying the provisions and requirements for permitted principal uses within the Manufacturing Distribution (M-D) Zone, to permit Use #7600 (Parks).

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Patten moved the Planning Commission forward a recommendation of approval to the City Council for the request for a code text amendment to City Code Section 10-12B-2: Permitted Uses of the Manufacturing Distribution Zone by adding Use #7600 - Parks; and adopting the exhibits, conditions, and findings of the staff report, Commissioner Redding seconded the motion. Redding, Patten and Phillips voted "Aye". Fugal and Shirley voted "Nay". The motion carried with a 3 to 2 vote.

Motion by: Commissioner Patten

Seconded by: Commissioner Redding

AYE VOTES: Chair Phillips, Patten, Redding

NAY VOTES: Fugal, Shirley