

ORDINANCE NO. 2025-015

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-13D-3-E: CONDITIONAL USES IN THE RURAL COMMERCIAL OVERLAY ZONE (RCO); BY AMENDING THE QUALIFYING PROVISIONS FOR USE 5811 (RESTAURANTS); INCLUDING AN EFFECTIVE DATE (PAGE WESTOVER, APPLICANT).

WHEREAS, the applicant, Page Westover, proposes to amend the qualifying provisions for Use #5811, Restaurants, in the Rural Commercial Overlay Zone, in order to permit restaurants on properties within the Rural Commercial Overlay fronting onto 1100 North; and

WHEREAS, staff considers that the application to amend the qualifying provisions to Use #5811 to be consistent with the purpose and objectives of the zone, as 1100 North is categorized as a collector street; and

WHEREAS, under the current code, the Rural Commercial Overlay Zone provides opportunities for the redevelopment, beautification and community-oriented commercial use of historic properties in rural areas of the city; and

WHEREAS, on June 26, 2025, the Pleasant Grove City Planning Commission held a public hearing to consider amending Section 10-13D-3-E: Conditional Uses in the Rural Commercial Overlay Zone; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to Section 10-13D-3-E: Conditional Uses in the Rural Commercial Overlay Zone was 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 10-13D-3-E: Conditional Uses in the Rural Commercial Overlay Zone in the Pleasant Grove Municipal Code be approved; and

WHEREAS, on July 15, 2025, 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 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 10-13D-3-E: CONDITIONAL USES IN THE RURAL COMMERCIAL OVERLAY ZONE (RCO), of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-13D-3: PERMITTED AND CONDITIONAL USES:

- A. Uses Listed Permitted: Those uses or categories of uses as listed herein, and no others, are permitted in the rural commercial overlay 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 rural commercial overlay zone, subject to the limitations set forth.
- D. Permitted Principal Uses: The following principal uses and structures, and no others, except as otherwise listed as permitted or conditional uses in the R-R, rural residential zone, are permitted in the rural commercial overlay zone:

<u>Use Number</u>	<u>Use Classification</u>
5147	Wholesale of fruit, vegetables and plants, fresh.
5391	Dry goods and general merchandise (yarn shops, boutiques, crafts, etc.)
5430	Retail trade of fruit, vegetables and plants
5450	Dairy products (Off premises consumption only)
5460	Bakeries
5490	Retail Trade – Food NEC.
6299	Other personal services (wedding chapels and reception centers only)
6519	Other medical and health services, therapy counseling offices only. (Outpatient only, overnight stays are prohibited)
6800	Educational services
7100	Cultural activities

7230	Public assembly, miscellaneous purposes
7396	Dance halls and ballrooms only
7424	Recreation and community centers
7621	Developed park land, leisure and ornamental

E. Conditional Uses: The following uses and structures are permitted in the rural commercial overlay zone only after a conditional use permit has been issued, and subject to the terms and conditions thereof:

<u>Use Number</u>	<u>Use Classification</u>
1516	Bed and breakfast inn
5440	Candy, nuts and confectionery
5811	Restaurants ¹
5991	Florists
5995	Gifts, novelties, etc.
7900	Other cultural, entertainment and recreational activities, NEC

1. A restaurant can only be established if the following requirements are met:

- a) The site shall have frontage along 2600 North or 1100 North.
- b) A minimum of two (2) acres shall be required for a restaurant site.
- c) The square footage of the restaurant designated for food service (size) of the restaurant shall be determined and limited by the number of legal parking spaces provided on site.

Other similar uses not specifically listed above may be approved by the planning commission, with the issuance of a conditional use permit, upon findings that the proposed use most closely fits within one of the listed categories, and that any expected impacts will be no greater than that of other uses listed. (Ord. 2011-1, 3-29-2011; amd. Ord. 2016-2, 1-5-2016)

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 3th day of September 2019.



Guy L. Fugal, Mayor

ATTEST:



Wendy Thorpe, CMC - City Recorder



Motion: Council Member JENSEN

Second: Council Member ANDERSEN

<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>	_____	_____	_____
Steve Rogers	_____	_____	_____	<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. 2025-015 was posted on the State (<http://pmn.utah.gov>) website on this 16 day of July, 2025.

Dated this 16 day of July, 2025.

Wendy Thorpe

Wendy Thorpe, CMC, City Recorder

PROPERTY AERIAL MAP

