

ORDINANCE NO. 2026-004

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-6-2: DEFINITIONS. MODIFYING THE DEFINITION OF BUILDING HEIGHT APPLICABLE TO SECTIONS 10-9A-10 BUILDING HEIGHT IN THE RURAL RESIDENTIAL ZONE AND 10-9B-9 BUILDING HEIGHT IN SINGLE-FAMILY RESIDENTIAL ZONE, INCLUDING AN EFFECTIVE DATE (PLEASANT GROVE CITY APPLICANT).

WHEREAS, under the current code, building height is measured from the average elevation of the finished lot grade at each face of the building; and

WHEREAS, it is proposed to modify the definition of building height to take into consideration the original grade of the existing terrain, discouraging the elevation of the grade terrain with the purpose to increase the height of a building; and

WHEREAS, the proposed ordinance promotes fair and consistent building height measurement by utilizing the original (pre-development) grade of the site, protecting existing and adjacent residents from excessive building mass, loss of privacy, obstruction of views, and other adverse impacts, and ensuring that new development remains compatible with the established character of surrounding existing neighborhoods; and

WHEREAS, on April 9, 2026 the Pleasant Grove City Planning Commission held a public hearing to consider amending Section 10-6-2: Definitions, to modify the way building height is measured and calculated; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to Section 10-6-2: Definitions, Building Height, 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 10-6-2: Definitions, Building height in the Pleasant Grove Municipal Code be approved; and

WHEREAS, on April 28, 2026 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 1A. Modified Section 10-6-2: DENITIONS, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-15-47: ACCESSORY APARTMENTS:

10-6-2: DEFINITIONS:

For the purposes of this title, certain words and phrases shall have the following meanings:

ACCESSORY APARTMENT: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is: a) within or attached to a single-family residential building, or b) within a detached accessory structure associated with a single-family dwelling.

ACCESSORY BUILDING: A building or structure, the use of which is incidental to and subordinate to that of the main building or structure.

ACCESSORY USE: A use which is incidental and subordinate to the prescribed permitted use within any respective zoning provision when the principal use exists in the same parcel and zone. No accessory use shall be allowed on a particular parcel unless the permitted use is being actively utilized.

ACTIVITIES OF DAILY LIVING: Essential activities, including dressing, eating, grooming, bathing, toileting, ambulation, transferring and self-administration of medication.

ADULT DAYCARE SERVICES: Continuous care and supervision for three (3) or more adults for at least four (4) but less than twenty four (24) hours a day, that meet the needs of functionally impaired adults through a comprehensive program that provides a variety of health, social, recreational and related support services in a protective setting (see also Utah Code Annotated section 62A-2-101). May be constructed as an independent facility or combined with assisted living or higher level of care.

ALLEY: A public or private thoroughfare for the use of pedestrians and vehicles which affords, or is designated or intended to afford, a secondary means of access to abutting properties.

APARTMENT: A dwelling unit located in an apartment building occupied by one family.

APARTMENT BUILDING: See definition of Dwelling, Apartment.

AREA: The aggregate of the maximum horizontal cross section within given boundaries.

ASSISTED LIVING FACILITY: Step down from "congregate living units", as defined herein.

A. 1. A type I assisted living facility, which is a residential facility that provides assistance with activities of daily living and social care to two (2) or more elderly residents who:

- a. Require protected living arrangements;

b. Are capable of achieving mobility sufficient to exit the facility without the assistance of another person; and

2. A type II assisted living facility, which is a residential facility with a homelike setting that provides an array of coordinated supportive personal and healthcare services available twenty four (24) hours per day to residents who have been assessed under department rule to need any of these services.

B. Each resident in a type I or II assisted living facility shall have a service plan based on the assessment, which may include:

1. Specified services of intermittent nursing;
2. Administration of medication; and
3. Support services promoting residents, independence and self-sufficiency.

BED AND BREAKFAST: A residential building of historic or neighborhood significance in which not fewer than three (3) but not more than nine (9) rooms are rented out by the day, offering overnight lodgings to tourists, and where one meal shall be provided to overnight paying guests.

BED AND BREAKFAST INN: A building or buildings designed to accommodate up to eighteen (18) rooms for lodging on a nightly or weekly basis to paying guests. This use may be allowed in the R-R zone; provided, that there are at least five (5) acres per facility. A bed and breakfast shall provide meals to overnight guests only and shall not provide meals to others.

BLOCK FACE: All property fronting upon one side of a street between intersecting and intercepting streets, or between the street and the railroad right of way, waterway, terminus of a dead end street, city boundary, public park, or other natural boundary. An intercepting street shall determine only the boundary of the block face of the side of the street which it intercepts. Corner properties shall be considered part of two (2) block faces; one for each of the two (2) intersecting streets.

BOARDER OR ROOMER: A person living in any dwelling unit who is unrelated by blood or marriage to the owner or other occupants of the unit.

BOARDING AND ROOMING HOUSE: A building or portion thereof which is used to accommodate, for compensation, three (3) or more boarders or roomers who do not directly utilize kitchen facilities, not including members of the occupant's immediate family who might be occupying said building. The word "compensation" shall include compensation in money, services or other things of value. Also, for the purpose of this title, a rooming and boarding house includes childcare homes, retarded children homes, homes for unwed mothers, and lodging houses, arranged, designed for, used for, or occupied by not more than one family, and which building has at least one kitchen and one bathroom.

BUILDING: A permanently located structure for the shelter, housing or enclosure of any person, animal, article or chattel. When any portion thereof is completely separated from every other portion thereof by a division wall or firewall, without openings, each such portion shall be a separate building. "Building" shall not include any form of vehicle, even though immobilized.

Where this title requires, or where special authority granted pursuant to this title requires, that a use shall be entirely enclosed within a building, this definition shall be qualified by adding "and enclosed on all sides".

BUILDING, ATTACHED: Any buildings separated by six feet (6') or less shall be deemed "attached" for the purposes of this title and as such shall meet all requirements of this title as if it were one building, whether actually physically connected or not.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the finished lot grade at **between the natural grade and proposed finished grade along** each face of the building, to **a horizontal line extending from** the highest point of the roof; provided, that those structures set forth in section [10-15-9](#) of this title shall be excluded from said measurement. The height of a stepped or terraced building is the maximum height of any segment of the building.

BUILDING LINE: A line dividing a required yard from other portions of a lot.

BUILDING, MAIN: The principal building on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. Where a permissible use involves more than one structure designed or used for the primary purpose, as in the case of apartment groups, each such permitted building on one "lot", as defined by this chapter, shall be construed as constituting a main building.

CARPORT: A covered automobile parking space not completely enclosed by walls or doors. A carport shall be subject to all of the regulations described in this title for a private garage.

CENTERLINE OF STREET: That line designated as "centerline" in any street in the city by the records of the city engineer.

CHILD DAYCARE CENTER: A facility in which thirteen (13) or more children ages two (2) to thirteen (13) years are cared for in lieu of care ordinarily provided by parents in their own home.

COIN OPERATED AMUSEMENT VIDEO GAME CENTER (ARCADE): Any business establishment containing greater than three (3) coin operated amusement, electronic or video machines or games.

CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the city's surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

CONGREGATE LIVING UNITS: Living units for elderly persons arranged as private apartments or rooms in one building. May or may not include kitchenettes in private areas. Congregate units are characterized by having common dining and social areas, and having meals prepared by staff for the residents. Step down from independent living units.

COURT: An unoccupied space on the lot other than a required yard, designed to be partially surrounded by a building or group of buildings.

DAYCARE SERVICES: Care of a child for a portion of the day which is less than twenty four (24) hours, in his own home by a responsible person or outside of his home in a daycare center. This includes preschools.

DWELLING: A building or portion thereof designed or used for residential occupancy, including one-family, two-family, multi-family, apartment structures, manufactured and modular homes; but shall not include boarding, rooming or lodging houses, tents, trailers, mobile home parks, motels, motor courts, motor lodges, cottage camps or similar structures designed or used primarily for transient residential uses.

DWELLING, APARTMENT: A dwelling arranged, designed for, or occupied by five (5) or more families living independently of each other, and containing five (5) or more dwelling units.

DWELLING, GROUP: A group of two (2) or more detached dwellings located on a parcel of land in one ownership and having one yard or court in common.

DWELLING, MULTIPLE-FAMILY: A dwelling arranged, designed for, or occupied by three (3) or more families living independently of each other, and containing three (3) or more dwelling units.

DWELLING, ONE-FAMILY: A detached building arranged, designed for, used for or occupied by not more than one family, and which building has at least one kitchen and one bathroom.

DWELLING, ONE-FAMILY ATTACHED: A one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.

DWELLING, ONE-FAMILY DETACHED: A detached residential structure consisting of a single-dwelling unit only, separated from other units by open space or building setbacks.

DWELLING, ONE-FAMILY SEMI-DETACHED (TWIN HOME): A one-family dwelling attached to one other one-family dwelling by a common vertical wall, and each dwelling located on a separate lot. (The semi-detached dwelling is part of a two-family structure with the dwelling units side by side as opposed to one on top of the other.)

DWELLING, TWO-FAMILY: A building arranged, designed for, or occupied by two (2) families living independently of each other and containing two (2) dwelling units. Also known as a duplex if not platted to allow individual dwelling unit ownership, or as a twin home if platted to allow individual unit dwelling ownership.

DWELLING UNIT: One or more rooms in a dwelling designed for living and sleeping purposes, and having a kitchen and a bathroom.

ELDERLY PERSON: A person who is sixty (60) years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

FAMILY: Unless otherwise expressly provided herein, means any one of the following:

- A. One person living alone; or
- B. Two (2) or more persons all related by blood, by marriage, by adoption, by legal guardianship or foster children and up to two (2) other unrelated persons who do not pay rent or give other consideration for the privilege of staying with the family; or
- C. Up to four (4) related and/or unrelated persons living as a single housekeeping unit.

A "guest" under this definition is defined as a person who stays with a family for a period of less than thirty (30) days within any rolling one year period and does not utilize the dwelling as a legal address for any purpose.

For purposes of the definition of family, the term "related" shall mean a spouse, parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousins, great grandparent, and great grandchild. The term "related" does not include other, more distant relationships.

FAMILY (HOME) DAYCARE: Childcare within a home that provides care for not more than eight (8) children.

FAMILY (HOME) GROUP DAYCARE: Childcare within a home which provides care for at least eight (8) (including provider's own children), but less than thirteen (13) children.

FENCE: Includes any tangible manmade barrier, lattice work, or wall with the purpose of or having the effect of preventing passage or view across the fence line.

FLOOR AREA: The sum of all areas of several floors of the building, including basements, mezzanine, and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls or from the centerline of common walls separating buildings. The floor area, however, shall not include areas used for parking of vehicles and areas devoted exclusively to the housing of mechanical equipment for heating, ventilating and other service uses to the building.

FRONTAGE: All of that property abutting on one side of a street and lying between the two (2) nearest intersecting or intercepting streets, or between a street and a waterway, end of a dead end street or political subdivision boundary, measured along the street line. An intercepting street shall determine only the length of frontage along the side of the street which it intercepts.

GARAGE, PRIVATE: An accessory building or an accessory portion of the main building designed or used only for the shelter or storage of vehicles owned or operated by the occupants of the main building, and in which no occupation or business for profit is conducted.

GARAGE, PUBLIC: Any premises, except those described as private garage, used for the storage or care of self-propelled vehicles, or where any such vehicles are equipped for operation repairs, or kept for remuneration, hire or sale.

GARAGE/YARD SALE: A sale of personal belongings in a residential zone, which sale is conducted by a bona fide resident of the premises (see also subsection 10-16-2B of this title, temporary use exemptions).

GENERAL PLAN: A document that Pleasant Grove City adopts that sets forth general guidelines for proposed future development or the land within the municipality, as set forth in Utah Code Annotated section 10-9a-401 and 10-9a-402 et seq. "General plan" includes what is also commonly referred to as a "master plan".

GRADE, FINISHED: The finished grade of a site after reconfiguring grades according to an approved regrading plan related to building permit activity.

GRADE, NATURAL: The elevation of the surface of the ground which has been created through the action of natural forces and has not resulted from manmade cuts, fills, excavation, grading or similar earth moving processes. The topographic maps of Pleasant Grove City shall be the primary, though not exclusive, reference for determination of natural grade. Natural grade shall be determined in every instance where necessary by the city engineer.

GROUP HOME, LARGE: A residential facility set up as a single housekeeping unit and shared by seven (7) or more unrelated persons, exclusive of staff, who require assistance and supervision. A large group home is licensed by the state of Utah and provides counseling, therapy and specialized treatment through this temporary living arrangement, along with habilitation or rehabilitation services for physically or mentally disabled persons. A large group home shall not include persons who are diagnosed with substance abuse problems or who are staying in the home as a result of criminal offense.

GROUP HOME, SMALL: A residential facility set up as a single housekeeping unit and shared by up to six (6) unrelated persons, exclusive of staff, who require assistance and supervision. A small group home is licensed by the state of Utah and provides counseling, therapy and specialized treatment through this temporary living arrangement, along with habilitation or rehabilitation services for physically or mentally disabled persons. A small group home shall not include persons who are diagnosed with substance abuse problems or who are staying in the home as a result of criminal offense.

GUEST: Any person or persons staying, for a time period not to exceed sixty (60) days, within a dwelling unit without payment or compensation or remuneration to the owners, tenants or full time inhabitants of said dwelling unit.

GUESTHOUSE OR SERVANTS' QUARTERS: An accessory residential building located on the same lot as a principal residential structure to be used for temporary occupancy and having no kitchen facilities.

HUD CODE: The federal manufactured housing construction and safety standards act. This act was passed in 1974 and became effective June 15, 1976.

HANDICAPPED PERSON: A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments which is likely to continue indefinitely and which results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

HISTORIC BUILDINGS: Any building which is recommended as such by the city historic preservation commission to the state historic preservation officer as meeting the following standards:

A. The building is associated with events that have made a significant contribution to the broad patterns of our history; or

B. The building is associated with the lives of persons significant in our past; or

C. The building embodies distinctive characteristics of type, period or method of construction, whether it represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

D. The building has yielded or may be likely to yield information important in prehistory or history.

HOME OCCUPATION: The use of a portion of a dwelling as an office, studio or workroom for occupations which are customarily conducted in the home, and which are incidental to the primary use as a home or residence, and provided further that all conditions of chapter 21 of this title are satisfied.

HOSPITAL, NURSING OR REST HOME: A building or any portion thereof designed for the housing of sick, injured, convalescent or infirm persons; provided, that this definition shall not include rooms in any one-, two- or three-family dwelling, hotel or other building not ordinarily designed or intended to be occupied by said persons.

HOTEL: A building designed or used as the temporary abiding place of individuals who are lodged, with or without meals, for compensation and in which there are more than ten (10) sleeping rooms usually occupied singly, and in which no provision is made for cooking in any guestroom.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house and kept for company or pleasure and not for profit, such as dogs or cats, but not including a sufficient number of dogs to constitute a kennel. Household pets shall not include bovine animals, chickens or any animals which are capable of inflicting harm or discomfort or endangering the health, safety or welfare of any person or property.

INDEPENDENT LIVING UNITS: Living units for elderly persons who desire to independently manage a small, private unit. Units may be arranged in an apartment or condominium setting, or may be detached cottages. Independent units are typically characterized by having kitchen facilities in each living unit.

INFRASTRUCTURE: Basic rations and facilities on which the majority of the community or any part or subdivision of the community depends, such as: roads, sidewalks, utilities, stormwater management, communication systems, schools, etc.

JUNKYARD OR AUTOMOBILE WRECKING YARD: Any lot, land or area used for the storage, keeping, dismantling or abandonment of junk, automobiles, household furniture and appliances, machinery, scrap material, or parts thereof; provided, that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

KENNEL¹: Any premises wherein more than two (2) dogs or two (2) cats are raised, kept, housed or boarded; or any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling dogs or cats.

KITCHEN: Any room or other place used or intended or designed to be used for cooking or for the preparation of food. This includes refrigerators, stoves, cooking appliances, built in cabinets,

sinks, two hundred twenty (220) volt electrical service or natural gas supply lines, and any combination thereof, that would permit any room to be used as a kitchen.

LANDSCAPING: The lawns, shrubbery, trees, flowers and other plantings that beautify a residence or building of any sort, including xeriscape.

LIQUOR STORE: A facility for the sale of package liquor which is located on premises owned or leased by the state of Utah and is operated by Utah state employees. (This definition shall not be construed to include package agencies accessory to another main use, or to restaurants with minibottle licenses.)

LOT: Any of the following:

A. A parcel of real property shown as a delineated parcel of land with a number and designation on the final plat of a subdivision recorded in the office of the Utah County recorder; or

B. A parcel of land, the dimensions or boundaries of which are defined by a record of survey map recorded in the office of the Utah County recorder in accordance with the laws regulating the division of said land; or

C. A parcel of real property not delineated in subsection A or B of this definition and containing not less than the prescribed minimum area required in the zone in which it is located and which abuts at least one public street and is held under one ownership.

LOT AREA: The total area measured on a horizontal plane included within the lot lines of the lot or parcel of land.

LOT, CORNER: A lot situated at the intersection of two (2) or more streets, which street shall have angle of intersection of not more than one hundred thirty five degrees (135°) and a minimum frontage of thirty five feet (35') on both sides of corner.

LOT COVERAGE: The total horizontal area of a lot, parcel or building site covered by any building or occupied structure which extends above the surface of the ground level and including any covered automobile parking spaces. Covered patios, covered walkways; and covered recreation areas shall not be considered as lot coverage; provided, that said areas are not more than fifty percent (50%) enclosed.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

LOT, INTERIOR OR INTERIOR LOT: A lot other than a corner lot.

LOT LINE, FRONT: A line separating an interior lot from a street. In the case of a corner lot, any frontage may be the front line provided a buildable lot is created in connection with required setbacks for the zone in which the lot is located.

LOT LINE, REAR OR REAR LOT LINE: The recorded lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular or gore shaped lot, it shall mean a straight line ten feet (10') in length which is:

- A. Parallel to the front lot line or its chord; and
- B. Intersects the two (2) other lot lines at points most distant from the front lot line.

LOT LINE, SIDE OR SIDE LOT LINE: Any lot boundary line which is not a front lot line or a rear lot line.

LOT, THROUGH OR THROUGH LOT, OR DOUBLE FRONTAGE LOT: A lot having a frontage on two (2) parallel or approximately parallel streets. Said lots for purposes of this title shall have two (2) street frontages and two (2) front yards.

LOT WIDTH: The shortest distance across a lot or parcel of property measured along a line parallel to the front lot line, or parallel to a straight line connecting the ends of an arc which constitutes the front lot line, or the perpendicular distance from one side property line to the other side property line at fifty feet (50') from the front property line.

MAIN FLOOR LIVING AREA: The living area of a dwelling, measured from the outside wall line of a horizontal plane, which, when viewed from above with the roof removed, contains living area on one or more levels, which levels are located entirely above the finished ground level surrounding the dwelling. Living area which is shadowed by a level above shall not be included in the calculation of the main floor living area.

MANUFACTURED HOME: A factory built single-family dwelling that is manufactured or constructed under the authority of 42 United States Code section 5401, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. They bear a seal from the U.S. department of housing and urban development (HUD) certifying code compliance. When built in compliance with the standards for one-family dwellings established in sections [10-15-28](#) and [10-15-30](#) of this title, a manufactured home shall, for purposes of use restrictions, be considered a single-family dwelling.

MARKET: A retail store. For convenience of this title, a "neighborhood market" or "convenience market" shall be defined as a market with less than eighteen thousand (18,000) square feet of gross floor area. The term "supermarket" will be defined as a market with a gross floor area of eighteen thousand (18,000) square feet or more.

MOBILE HOME: A transportable, factory built home, designed to be used as a year round residential dwelling and built prior to enactment of the HUD code.

MODULAR HOME: Factory built housing certified as meeting the local or state building code as applicable to modular housing. Normally these homes are constructed in sections and assembled onto a permanent foundation at the building site. They are brought to the site on a flatbed truck, and are subject to the same standards as site built homes.

MOTEL: A building or group of buildings designed or used as the temporary abiding place of individuals or groups who are lodged on a daily basis, with or without meals, for compensation and in which there are more than ten (10) sleeping rooms usually occupied singly, and in which there may or may not be any provisions made for cooking in any guestroom.

NEC: Not elsewhere covered.

NONCONFORMING BUILDING OR STRUCTURE: A building or structure, or portion thereof, lawfully existing at the time this title became effective, which was designed, erected or structurally altered for a use that does not conform to the use regulations of the zone in which it is located.

NONCONFORMING USE: A use which was at one time, lawfully established and maintained but which, because the subsequent application of this title to it, no longer conforms to the use regulations of the zone in which it is located.

NURSERY, DAY CHILDCARE CENTER, PRESCHOOL: Any premises used for the care of six (6) or more children under the age of six (6) years who are not related within the second degree to the operator of said premises.

NURSING CARE FACILITY, SKILLED NURSING FACILITY: A healthcare facility, other than a general acute or specialty hospital, constructed, licensed and operated to provide elderly patient living accommodations, twenty four (24) hour staff availability, and at least two (2) of the following patient services (step down from assisted living):

A. A selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health related or paraprofessional personal care services;

B. A structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's habilitation or rehabilitation needs; or

C. A supervised living environment that provides support, training or assistance with individual activities of daily living.

OFFICES: A building, room or department wherein a business or service for others is transacted, but not including the storage or sale of merchandise on the premises.

PARCEL: See definition of Lot.

PARKING AREA OR PARKING LOT: An open area, other than a street or alley, used for the parking of more than four (4) automobiles whether free, for compensation, or as an accommodation. Required parking spaces shall not be provided within a required front yard or side yard adjacent to the street or a corner lot.

PARKING SPACE: An area nine feet by twenty feet (9' x 20') maintained for the parking or storage of an automobile or other vehicles, which is graded for drainage and is hard surfaced or porous surface.

PERSON: An individual, association, firm, copartnership, corporation, or any similar legal entity.

PLANNING COMMISSION: The planning commission of Pleasant Grove City as duly appointed under the provisions of state law.

PRINCIPAL BUILDING: See definition of Building, Main.

PROJECT PLANS: The plans, maps and documents necessary to fully describe the proposed project at each step of the approval process.

PUBLIC: That which is under the ownership of the United States government, Utah State, or any subdivision thereof, Utah County, or Pleasant Grove City (or any departments or agencies thereof).

RESIDENTIAL CARE FACILITY: See definition of assisted living facility, type I.

RESIDENTIAL FACILITY FOR ELDERLY PERSONS: A single-family or multiple-family dwelling unit that meets the following requirements:

- A. A residential facility for elderly persons may not operate as a business.
- B. A residential facility for elderly persons shall:
 - 1. Be owned by one of the residents or by an immediate family member of one of the residents or be a facility for which the title has been placed in trust for a resident;
 - 2. Be consistent with existing zoning of the desired location; and
 - 3. Be occupied on a twenty four (24) hour per day basis by eight (8) or fewer elderly persons in a family type arrangement.
- C. A residential facility for elderly persons may not be considered a business because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility.
- D. A residential facility does not include a healthcare facility as defined by Utah Code Annotated section 26-21-2 and any ordinance adopted under authority of Utah Code Annotated.

RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS: A single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a twenty four (24) hour per day basis by three (3) to eight (8) handicapped persons in a family type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Human Services and is operated by or operated under contract with that department.

RESIDENTIAL HOTEL: A hotel property in which the available accommodation units are condominium dwelling units for individual purchase which meet the following requirements:

- A. The occupancy of the condominium dwelling units by the individual unit owner shall not exceed more than sixty percent (60%) of a year (31 weeks) on an annual basis.
- B. When not being occupied by the individual unit owner, during the remaining minimum of forty percent (40%) of the yearly period, each unit shall be rented by the hospitality management company.
- C. All condominium/hotel units shall be collectively operated by the same hospitality management company.
- D. Each unit owner shall not rent their unit individually to an outside party, but rather must use the hospitality management company to rent their unit.

E. A City business license shall be obtained by the hospitality management company, and when any unit is rented, Transient Room Tax shall be collected by the City.

SPECIAL DISTRICT: All entities established under the authority of Utah Code Annotated title 17D and any other governmental or quasi-governmental entity that is not a county, municipality, school district or unit of the State.

STORY: That portion of a building included between the surface of any floor, and surface of the floor next above it; or if there be no floor above it then the space between such floor and the ceiling above it.

STREET: A thoroughfare which has been dedicated to the public and accepted by proper public authority, or a thoroughfare not less than twenty feet (20') wide, which has become a public thoroughfare by right of use and which affords the principal means of access to abutting property. Easements, walkways and alleys shall not be considered as "streets" for the purpose of this title. "Streets" include public rights-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

STRUCTURAL ALTERATIONS: Any change in the supporting member of a building such as bearing walls, columns, beams or girders, and floor joists or roof joists.

STRUCTURE: Anything constructed or erected which is either located on the ground or attached to something having a location on the ground.

STRUCTURE, SUBGRADE: Any structure which:

- A. Is located primarily below natural grade;
- B. Does not extend more than two and one-half feet ($2\frac{1}{2}'$), at any point, above natural grade;
- C. Is completely covered with a minimum of six inches (6") of soil capable of supporting vegetation on its horizontal surface where required by the landscaping provisions of the respective zone in which it is located;
- D. Is decoratively finished on any vertical surface not completely covered with soil;
- E. When within a required front or street side yard, is located entirely beneath a finish grade which:
 1. Does not exceed a twenty five percent (25%) slope; and
 2. Does not extend more than two and one-half feet ($2\frac{1}{2}'$) above natural grade at any point; and
 3. Is the same as the natural grade along any property line.

Subgrade structures are not subject to lot coverage or setback provisions of this title, provided they have sufficient soil coverage, as defined herein, and fully meet the landscaping requirements set forth in the provisions of any respective zoning district.

SUBDIVISION: A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on the installment plan or upon any and all other plans, terms and conditions.

B. "Subdivision" includes:

1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and

2. Except as provided in subsection C of this definition, divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

C. "Subdivision" does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable zoning ordinance;

2. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

a. No new lot is created; and

b. The adjustment does not result in a violation of applicable zoning ordinances; or

3. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property.

D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.

TINY HOMES: A single-family subordinated dwelling, which has its own eating, sleeping, and sanitation facilities within a detached accessory structure with a minimum area of one hundred ninety two (192) square feet, attached to a permanent foundation and permanently connected to all required utilities.

TRAVEL TRAILERS AND RECREATIONAL VEHICLES: A motorized or nonmotorized vehicle which is designed or used for temporary human habitation and for travel or recreational purposes, which does not at any time exceed eight feet (8') in width and forty feet (40') in length and which may be moved upon a public highway without a special permit or chauffeur's license, or both, without violating provisions of the vehicle code.

TWIN HOME: See definition of Dwelling, One-Family Semi-Detached (Twin Home) located on property that allows each dwelling to be sold individually.

USE: The purpose for which premises or a building therein is designed, arranged or intended, or for which it is or may be occupied or maintained.

USE, ACCESSORY: See definition of Accessory Use.

VARIANCE: A reasonable deviation from those provisions regulating the size or area of a lot or parcel of land, or the size, area, bulk or location of a building or structure under this title and authorized according to the procedures set forth in title 2, chapter 4 of this code.

VEHICLE, ABANDONED OR ABANDONED VEHICLE: A vehicle, licensed or unlicensed, that is left unattended on public property for a period of time in excess of seventy two (72) hours.

VEHICLE, INOPERABLE OR INOPERABLE VEHICLE: A vehicle that is unable to be legally driven on a public street. This includes unlicensed vehicles.

VEHICLE, JUNKED OR JUNKED VEHICLE: A vehicle, abandoned or not, that has no apparent value other than as parts or scrap.

VEHICLE, PARTIALLY DISMANTLED OR PARTIALLY DISMANTLED VEHICLE: A vehicle that has had a piece or part removed from it that renders the vehicle inoperable.

VEHICLE, WRECKED OR WRECKED VEHICLE: A vehicle that is inoperable due to a crash or collision with any other object.

VETERINARY HOSPITAL: An establishment for the care and treatment of animals, including household pets, livestock and commercial poultry, all facilities to be within a completely enclosed building, except for exercise runs and the parking of automobiles.

YARD: A space on a lot or parcel unoccupied and unobstructed by a building or structure from the finish grade upward except as otherwise provided in this title.

YARD, FRONT OR FRONT YARD: An open, unoccupied landscaped yard on the same lot with a building extending across the full width of a lot or parcel, having at no point a depth of less than the minimum required horizontal distance between the front lot line, or its tangent, and the closest permissible location of the main building. Said distance shall be measured by a line at right angles to the front lot line, or its tangent.

YARD, REAR OR REAR YARD: A yard extending across the full width of a lot or parcel, having at no point a depth of less than the minimum required horizontal distance between the rear lot line, or its tangent, and the closest permissible location of the main building. Said distance shall be measured by a line at right angles to the rear lot line, or its tangent. The area to the rear of the rear lot line of an interior triangular or gore shaped lot shall be considered a part of the required rear yard.

YARD, SIDE OR SIDE YARD: A yard between the main building and the side lot line extending from the required front yard, or the front lot line where no front yard is required to the required rear yard, or the rear lot line where no rear yard is required, the width of which side yard shall be measured horizontally from, and at right angles to, the nearest point on the side lot line toward the closest permissible location of the main building.

ZONE: A portion of the incorporated territory of Pleasant Grove City exclusive of streets, alleys and other public ways, which has been given a zone designation which provides for certain uses of the land, premises and buildings and within which certain yards and open spaces are required and certain height and other limitations are established for buildings; all as set forth and specified in this title.

ZONE MAP OR ZONING MAP: A map that graphically shows all zone boundaries and classifications within the City, as contained within this title. (Ord. 2015-40, 10-20-2015; amd. Ord. 2016-3, 1-5-2016; Ord. 2016-5, 2-2-2016; Ord. 2016-23, 10-18-2016; Ord. 2019-8, 6-4-2019)

SECTION 1B. Modified Section 10-9A-10: BUILDING HEIGHT IN THE RURAL RESIDENTIAL ZONE, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-9A-10: BUILDING HEIGHT IN THE RURAL RESIDENTIAL ZONE:

- A. No lot or parcel of land in the R-R zone shall have a main building or structure which exceeds a height of thirty five feet (35'). Chimneys, flagpoles or similar structures not used for human occupancy are excluded in determining height.
- B. **Applicability: The definition of "Building Height" shall apply to all new developments within the Rural Residential Zone; however, building permits within an approved subdivision prior to April 24, 2026, retain the right to have their height measured from the average elevation of the finished lot grade at each face of the building to a horizontal line extending from the highest point of the roof; provided, that those structures set forth in Section 10-15-9 of this title shall be excluded from said measurement. In no case shall a new development exceed thirty-five feet (35') as measured from the finished grade.**

SECTION 1C. Modified Section 10-9B-10: BUILDING HEIGHT IN THE SINGLE-FAMILY RESIDENTIAL ZONE, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

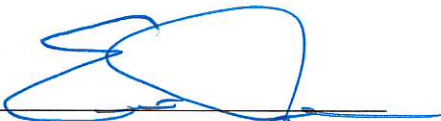
- A. No lot or parcel of land in an R-1 zone shall have a main building or structure used for dwelling or public assembly which exceeds a maximum height of thirty five feet (35'). Chimneys, flagpoles, church towers and similar architectural structures not used for human occupancy are excluded in determining height.
- B. Main residential buildings located in a legally subdivided lot (lots that are part of a subdivision) with a minimum area of 2.5 acres may exceed the maximum height of thirty-five feet (35') to a limit of forty-five feet (45') if all the following conditions are met:
 - 1. For every foot of height exceeding thirty-five feet (35') up to a maximum of forty-five feet (45'), the rear setback shall be increased by five feet (5').

2. For every foot of height exceeding thirty-five feet (35') up to a maximum of forty-five feet (45'), both side setbacks shall be increased by three feet (3').
 3. For every foot of height exceeding thirty-five feet (35') up to a maximum of forty-five feet (45'), the front setback shall be increased by five feet (5').
- C. Accessory structures, in the R-1 zones, shall not exceed the height of the dwelling or shall have a maximum height of twenty-five feet (25'), whichever is more restrictive. The height is to be based on the measurement of the average finished grade to the peak of the roof. The maximum height can only be allowed if the proper yard requirements, found in section [10-9B-7](#) of this article, have been met.
- C. **Applicability:** The definition of “Building Height” shall apply to all new developments within all Single-Family Residential Zones; building permits within an approved subdivision prior to April 24, 2026, retain the right to have their height measured from the average elevation of the finished lot grade at each face of the building to a horizontal line extending from the highest point of the roof; provided, that those structures set forth in Section 10-15-9 of this title shall be excluded from said measurement. In no case shall a new development exceed thirty-five feet (35') as measured from the finished grade.

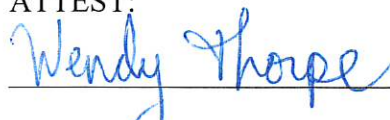
SECTION 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity 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 28th day of April 2026.


Eric Jensen, Mayor

ATTEST:


Wendy Thorpe, City Recorder



Motion: Council Member LeMone

Second: Council Member Phillips

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Eric Jensen	_____	_____	_____	_____
Dianna Andersen	_____	_____	_____	<u>X</u>
Steve Rogers	<u>X</u>	_____	_____	_____
Cyd LeMone	<u>X</u>	_____	_____	_____
Todd Williams	_____	_____	_____	<u>X</u>
Dustin Phillips	<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. 2026-004 was posted on the State (<http://pmn.utah.gov>) website on this 6 day of May, 2026.

Dated this 6 day of May, 2026.

Wendy Thorpe
Wendy Thorpe, CMC, City Recorder

City Council Staff Report

April 28, 2026

TEXT AMENDMENT PROPOSAL

REQUEST Request to amend City Code Section 10-6-2: Definitions, to revise the definition for “Building Height”, Section 10-9A-10: Building Height in the Rural Residential Zone, and Section 10-9B-9: Building Height in R-1 Zones. The purpose for this proposed text amendment is to amend the definition for “Building Height” in Section 10-6-2, and to provide an effective date in Sections 10-9A-10 and 10-9B-9.

APPLICANT Pleasant Grove City

ZONE City Wide

STAFF RECOMMENDATION Approve the proposed amendment to the City Code.

Background and Analysis

Over the past year, as new houses have been constructed, several concerned neighbors to a few of these developments have reached out to Staff regarding the permitted building height of these houses. These citizens are primarily concerned with their protections to density, safety, light, and air, and feel that some of these new houses are too tall and too imposing on their property.

In several of these cases, there have been a few developments where the ground level has been raised for utilities and drainage, and then a residence has been placed on top of the raised ground. Because of this, the building appears to be much taller than what neighboring properties have expected to be permitted, even though the building height meets code standards.

Staff has researched different ways to measure building height in response to these concerns, and Staff is open to finding a middle ground that gives that extra security to existing homeowners while still letting new development build in a way that is fair.

The current definition for “building height” is simple to understand, is easy for staff to measure, and is easy for developers to provide. However, this definition does not always satisfy neighbor concerns about the height of a building feeling too tall.

The zoning ordinances have historically permitted homes to be built up to 35 feet tall, which from an outside perspective does not seem to create any substantial impacts to light, air, space, or feel of a neighborhood; including situations where a two-story home is adjacent to a Rambler.

For significantly taller residences, in July 2024, a new provision was approved by the City Council that permitted some houses to exceed 35 feet in height as long as increased setbacks have been provided. This way, new houses on larger properties could have more flexibility in their design, but in a manner where adjacent property owners do not feel as if their property is being overshadowed.

Then, on January 8, Staff brought this item to the Planning Commission for its initial public hearing, where it received a recommendation of approval to the City Council. While this item was scheduled to go to City Council, Staff had further discussions with a few concerned developers, who requested that the City to provide an effective date for the change to building height to take effect. The importance of providing an effective date is most easily seen when comparing the proposed ordinance against existing homes.

Adding an effective date to the Rural Residential and Single-Family Residential Zones would preserve the ability for many existing homes to remain in conformance with the zoning ordinances and retain the ability to modify the height of their homes based on the current definition for building height. Only new structures whose building permits have been submitted after the effective date would need to follow the new definition for building height.

Proposed Text

Section 10-6-2: Definitions

BUILDING HEIGHT: The vertical distance measured from the average elevation of the finished lot grade at **between the natural grade and proposed finished grade along** each face of the building; to **a horizontal line extending from** the highest point of the roof; provided, that those structures set forth in section 10-15-9 of this title shall be excluded from said measurement. The height of a stepped or terraced building is the maximum height of any segment of the building.

Section 10-9A-10: Building Height in the Rural Residential Zone:

- A. No lot or parcel of land in the R-R zone shall have a main building or structure which exceeds a height of thirty five feet (35'). Chimneys, flagpoles or similar structures not used for human occupancy are excluded in determining height.
- B. **Applicability: The definition of "Building Height" shall apply to all new developments within the Rural Residential Zone; however, building permits within an approved subdivision prior to April 14, 2026, retain the right to have their height measured from the average elevation of the finished lot grade at each face of the building to a**

horizontal line extending from the highest point of the roof; provided, that those structures set forth in Section 10-15-9 of this title shall be excluded from said measurement. In no case shall a new development exceed thirty-five feet (35') as measured from the finished grade.

Section 10-9B-9: Building Height in Single-Family Residential Zones:

- A. No lot or parcel of land in an R-1 zone shall have a main building or structure used for dwelling or public assembly which exceeds a maximum height of thirty five feet (35'). Chimneys, flagpoles, church towers and similar architectural structures not used for human occupancy are excluded in determining height.
- B. Main residential buildings located in a legally subdivided lot (lots that are part of a subdivision) with a minimum area of 2.5 acres may exceed the maximum height of thirty-five feet (35') to a limit of forty-five feet (45') if all the following conditions are met:
 - 1. For every foot of height exceeding thirty-five feet (35') up to a maximum of forty-five feet (45'), the rear setback shall be increased by five feet (5').
 - 2. For every foot of height exceeding thirty-five feet (35') up to a maximum of forty-five feet (45'), both side setbacks shall be increased by three feet (3').
 - 3. For every foot of height exceeding thirty-five feet (35') up to a maximum of forty-five feet (45'), the front setback shall be increased by five feet (5').
- C. Accessory structures, in the R-1 zones, shall not exceed the height of the dwelling or shall have a maximum height of twenty-five feet (25'), whichever is more restrictive. The height is to be based on the measurement of the average finished grade to the peak of the roof. The maximum height can only be allowed if the proper yard requirements, found in section 10-9B-7 of this article, have been met.
- D. **Applicability:** The definition of “Building Height” shall apply to all new developments within all Single-Family Residential Zones; building permits within an approved subdivision prior to April 14, 2026, retain the right to have their height measured from the average elevation of the finished lot grade at each face of the building to a horizontal line extending from the highest point of the roof; provided, that those structures set forth in Section 10-15-9 of this title shall be excluded from said measurement. In no case shall a new development exceed thirty-five feet (35') as measured from the finished grade.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on April 9, 2026.

7. Public Hearing: Code Text Amendment – Sections 10-6-2, 10-9A-10, and 10-9B-9 (City Wide)

Public Hearing to consider the request of Pleasant Grove City to amend Section 10-6-2: Definitions, Section 10-9A-10: Building Height in the Rural Residential Zone, and Section 10-9B-9: Building Height in R-1 Zones. The purpose for this proposed text amendment is to amend the definition for "Building Height" in Section 10-6-2, and to provide an effective date in Sections 10-9A-10 and 10-9B-9. (Legislative Item)

RECOMMEND APPROVAL

MOTION: Commissioner Nelson moved that the Planning Commission forward a recommendation of APPROVAL to the City Council for a Code Text amendment to City Code Section 10-6-2: Definitions, to revise the definition for Building Height, and to Sections 10-9A-10 and 10-9B-9 to provide an effective date; and adopting the exhibits, conditions, and findings of the Staff Report.

Commissioner Shirley seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.

Motion by: Commissioner Nelson

Seconded by: Commissioner Shirley

AYE VOTES: Chair Martineau, Commissioners Shirley, Trickler, Nelson

NAY VOTES: