



**NOTICE OF PUBLIC MEETING  
OF THE  
PLEASANT GROVE CITY COUNCIL**

Notice is hereby given that the Pleasant Grove City Council will hold a meeting at **6:00 p.m. on Tuesday, October 6, 2015** in the City Council Chambers 86 East 100 South Pleasant Grove, Utah. This is a public meeting and anyone interested is invited to attend.

**AMENDED AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OPENING REMARKS**
- 4. APPROVAL OF MEETING'S AGENDA**
- 5. OPEN SESSION**
- 6. CONSENT ITEMS:** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion)
  - a.** City Council Meeting Minutes:
    - City Council Minutes for the September 15, 2015 meeting.
    - City Council Minutes for the September 22, 2015 Joint City Council and Planning Commission meeting.
  - b.** To consider for approval Change Order No 2 and Payment Request No. 7 for S&L Inc for the Shannon Fields Phase 2 Project.
  - c.** To consider for approval Payment Request No. 3 for Gerber Construction, Inc. for the Battle Creek Microhydro Power Generation Project.

***PLEASE NOTE: THE ORDER OF THE FOLLOWING ITEMS MAY BE SUBJECT TO CHANGE.***

- 7. BOARD, COMMISSION, COMMITTEE APPOINTMENTS:**
- 8. PRESENTATIONS:**
  - A.** Becca Mallory, Victim Advocate, Council update.
- 9. ACTION ITEMS WITH PUBLIC DISCUSSION:**

**A. Public Hearing** to consider for adoption an Ordinance (2015-40) amending sections 10-6-2: Definitions, 10-9B-6-1: Lot Area Per Dwelling, and 10-15-32: Twin Home Development Standards, modifying requirements for twin homes in the Pleasant Grove City Code; and providing for an effective date. (Pleasant Grove City Applicant) *Presenter: Director Young*  
**Note this item will be continued to the October 20, 2015 meeting.**

**B. Public Hearing** to consider for adoption an Ordinance (2015-41) amending section 10-11E-2-1: Permitted, Conditional and Accessory Uses, adding use 5511 to allow for new and used auto sales in the Downtown Village Zone Chapter of the Pleasant Grove City Code; and providing for an effective date. (Steve Tholl Applicant) *Presenter: Director Young*

**10. ACTION ITEMS READY FOR VOTE:**

- A.** To consider for approval for final plat for a 2 lot subdivision called Honeysuckle Estates being approx. 0.66 acres comprising 2 lots located at approx. 975 South Locust Avenue in the R1-9 (Single Family Residential) Zone. *Presenter: Director Young*
- B.** To consider for adoption a Resolution (2015-033) amending the fee schedule for rental of the Lions/Sportsmen Center, adopting the Policy and Procedure Manual; and providing for an effective date. *Presenter: Administrator Darrington*

**11. ITEMS FOR DISCUSSION – NO ACTION: (Public Comment allowed if needed)**

- A.** Discussion and possible action regarding the Police Department sewer line. *Presenter: Director Beaumont*

**12. DISCUSSION ITEMS FOR THE OCTOBER 20, 2015 CITY COUNCIL MEETING.**

**13. NEIGHBORHOOD AND STAFF BUSINESS.**

**14. MAYOR AND COUNCIL BUSINESS.**

**15. SIGNING OF PLATS.**

**16. REVIEW CALENDAR.**

**17. ADJOURN.**

**CERTIFICATE OF POSTING:**

I certify that the above notice and agenda was posted in three public places within Pleasant Grove City limits and on the State (<http://pmn.utah.gov>) and City ([www.plgrove.org](http://www.plgrove.org)) websites.

Posted by: /s/ Kathy T. Kresser, City Recorder

Date: October 2, 2015

Time: 5:30 p.m.

Place: City Hall, Library and Community Development Building.

**Public Hearing Notice was published in the Daily Herald on September 25, 2015.**

*Supporting documents can be found online at: <http://www.plgrove.org/pleasant-grove-information-25006/staff-reports-78235>*

\*Note: If you are planning to attend this public meeting and due to a disability, need assistance in understanding or participating in the meeting, please notify the City Recorder, 801-785-5045, forty-eight hours in advance of the meeting and we will try to provide whatever assistance may be required.

# INVOICE

NO. 6036

**GERBER CONSTRUCTION, INC.**  
815 EAST 675 SOUTH  
LEHI, UTAH 84043

(801)407-2009 Fax: 407-2058

**TO:** Pleasant Grove City  
Attn: Dean Lundell, Finance Director  
70 South 100 East  
Pleasant Grove, UT 84062

**DATE** August 31, 2015  
**JOB NO.** 1510  
**JOB NAME** Battle Creek Microhydro  
Power Generation Project

**JOB LOCATION** Pleasant Grove, Utah

#plegro

DESCRIPTION	PRICE	AMOUNT
PROGRESS BILLING NO. 3 ESTIMATE NO. 3		
TOTAL WORK COMPLETED TO DATE ( per attached pay schedule )		\$448,428.00
LESS PREVIOUS BILLED		<u>289,232.00</u>
TOTAL WORK COMPLETED THIS PERIOD		\$159,196.00
LESS RETENTION @ 5% ( Retention to date \$22,421.40)		<u>(7,959.40)</u>
NET AMOUNT DUE THIS INVOICE		<u>\$ 151,236.60</u>

**APPLICATION AND CERTIFICATE FOR PAYMENT**

TO: Pleasant Grove City

PROJECT NAME: Battle Creek Micro/Hydro

APPLICATION NO: 03

APPLICATION PERIOD TO: 09/01/2015

PROJECT NO:

CONTRACT DATE:

FROM: Gerber Construction Inc.  
815 East 675 South  
Lehi, UT 84043

CERTIFYING AGENT: Water Works Engineers LLC  
233 S Pleasant Grove Blvd  
Pleasant Grove, UTAH 84062

CONTRACT FOR: Base Contract

ORIGINAL CONTRACT AMOUNT \$535,300.00

CHANGE ORDERS \$0.00

REVISED CONTRACT AMOUNT \$535,300.00

TOTAL WORK COMPLETED AND STORED MATERIAL TO DATE \$448,428.00

**RETAINAGE:**

Work Completed 5 % \$22,421.40

Stored Materials 0 % \$0.00

TOTAL \$22,421.40

WORK COMPLETED AND STORED MATERIALS LESS TOTAL \$426,006.60

**RETAINAGE**

PREVIOUS CERTIFICATES FOR PAYMENT \$274,770.00

AMOUNT DUE \$151,236.60

REMAINING CONTRACT BALANCE (RETAINAGE INCLUDED) \$109,293.40

SUMMARY OF CHANGES	ADDS	DEDUCTS
Previous Totals	\$0.00	\$0.00
THIS MONTH	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00

The work covered by this Payment Requisition has been completed according to the contract.

(Firm) Gerber Construction Inc.

(Name) David Gerber

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

**CERTIFICATION**

I certify that the work covered by this Application for Payment has been completed according to the contract, and that the amount certified is:

\$0.00

(Firm) Pleasant Grove City

(Name) Cory Christiansen

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

APPLICATION FOR PAYMENT

APPLICATION NO.: 03  
 PERIOD TO: 09/01/2015  
 PROJECT NO.:

A	B	C	D	E	F	G	H	I	
LINE ITEM ID	DESCRIPTION	SCHEDULED VALUE	FROM PREVIOUS APPLICATION	WORK COMPLETED THIS PERIOD	STORED MATERIALS	WORK COMPLETED AND STORED MATERIALS TO DATE	% COMPLETE	BALANCE TO FINISH	RETAINAGE
0100	General Conditions	\$0.00		\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00
0110	Mobilization	\$13,000.00		\$0.00	\$0.00	\$13,000.00	100	\$0.00	\$0.00
0120	Demobilization	\$6,000.00		\$0.00	\$0.00	\$0.00	0	\$6,000.00	\$0.00
0130	Project Monthly Support	\$20,000.00		\$8,000.00	\$0.00	\$18,000.00	90	\$2,000.00	\$0.00
	\$5,000.00 PER Month		4.00						
				2.00					
0135	General Conditions Subtotal	\$39,000.00		\$8,000.00	\$0.00	\$31,000.00	79.487	\$8,000.00	\$0.00
0200	Site Work	\$0.00		\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00
0210	Demolition Existing Foundation	\$3,800.00		\$0.00	\$0.00	\$3,800.00	100	\$0.00	\$0.00
0220	Demo existing Fence	\$750.00		\$0.00	\$0.00	\$375.00	50	\$375.00	\$0.00
0225	Excavation & Backfill	\$8,880.00		\$888.00	\$0.00	\$8,880.00	100	\$0.00	\$0.00
0230	Temporary Barrier	\$1,680.00		\$0.00	\$0.00	\$1,680.00	100	\$0.00	\$0.00
0235	New Fencing	\$13,500.00		\$0.00	\$0.00	\$0.00	0	\$13,500.00	\$0.00
0240	Piping Materials	\$56,600.00		\$0.00	\$0.00	\$56,600.00	100	\$0.00	\$0.00
0245	Install 8" & 12" OF line	\$11,600.00		\$1,160.00	\$0.00	\$11,600.00	100	\$0.00	\$0.00
0250	12" PW line	\$10,960.00		\$0.00	\$0.00	\$9,864.00	90	\$1,096.00	\$0.00
0255	3/4" CLS & 1" PW lines	\$2,230.00		\$2,230.00	\$0.00	\$2,230.00	100	\$0.00	\$0.00
0300	Site Work Subtotal	\$110,000.00		\$80,512.00	\$0.00	\$95,029.00	86.39	\$14,971.00	\$0.00
0400	Concrete Building & Pads	\$59,000.00		\$53,100.00	\$0.00	\$56,050.00	95	\$2,950.00	\$0.00
0500	Masonry	\$27,000.00		\$27,000.00	\$0.00	\$27,000.00	100	\$0.00	\$0.00
0500	Metals	\$0.00		\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00
0510	Exterior Stairs	\$12,500.00		\$0.00	\$0.00	\$0.00	0	\$12,500.00	\$0.00
0515	Misc. Metals	\$9,500.00		\$4,750.00	\$0.00	\$9,500.00	100	\$0.00	\$0.00
0525	Metals Subtotal	\$22,000.00		\$4,750.00	\$0.00	\$9,500.00	43.182	\$12,500.00	\$0.00
0600	Framing	\$13,000.00		\$0.00	\$0.00	\$13,000.00	100	\$0.00	\$0.00
0700	Thermal & Moisture Protection	\$0.00		\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00
0705	Insulation	\$1,200.00		\$1,200.00	\$0.00	\$1,200.00	100	\$0.00	\$0.00
0710	Roofing	\$10,000.00		\$0.00	\$0.00	\$0.00	0	\$10,000.00	\$0.00
0720	Caulking	\$800.00		\$0.00	\$0.00	\$0.00	0	\$800.00	\$0.00
0730	Thermal & Moisture Protection Subtotal	\$12,000.00		\$1,200.00	\$0.00	\$1,200.00	10	\$10,800.00	\$0.00
0800	Doors & Openings	\$0.00		\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00
0810	Man Doors	\$6,700.00		\$3,350.00	\$0.00	\$5,025.00	75	\$1,675.00	\$0.00
0820	Overhead Door	\$5,200.00		\$0.00	\$0.00	\$0.00	0	\$5,200.00	\$0.00

APPLICATION FOR PAYMENT

APPLICATION NO.: 03  
 PERIOD TO: 09/01/2015  
 PROJECT NO.:

A	B	C	D	E	F	G	H	I	
LINE ITEM ID	DESCRIPTION	SCHEDULED VALUE	FROM PREVIOUS APPLICATION	WORK COMPLETED THIS PERIOD	STORED MATERIALS	WORK COMPLETED AND STORED MATERIALS TO DATE	% COMPLETE	BALANCE TO FINISH	RETAINAGE
0830	Access Hatch	\$2,100.00	\$2,100.00	\$0.00	\$0.00	\$2,100.00	100	\$0.00	\$0.00
0840	Doors & Openings Subtotal	\$14,000.00	\$5,450.00	\$1,675.00	\$0.00	\$7,125.00	50.893	\$6,875.00	\$0.00
0900	Painting	\$3,300.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$3,300.00	\$0.00
1300	Meters	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	100	\$0.00	\$0.00
1500	Mechanical	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00
1510	Pipe Supports	\$2,800.00	\$0.00	\$2,800.00	\$0.00	\$2,800.00	100	\$0.00	\$0.00
1515	Process Piping	\$63,800.00	\$57,420.00	\$5,104.00	\$0.00	\$62,524.00	98	\$1,276.00	\$0.00
1520	Turbine Building PW lines	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$5,000.00	100	\$0.00	\$0.00
1530	Turbine Building CLS Lines	\$3,000.00	\$0.00	\$3,000.00	\$0.00	\$3,000.00	100	\$0.00	\$0.00
1540	Turbine Building HVAC	\$7,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$7,000.00	\$0.00
1550	Work in Chlorine Building	\$3,500.00	\$0.00	\$3,500.00	\$0.00	\$3,500.00	100	\$0.00	\$0.00
1560	Install & Test Turbine	\$10,000.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00	25	\$7,500.00	\$0.00
1570	House Water Pump	\$3,900.00	\$0.00	\$3,900.00	\$0.00	\$3,900.00	100	\$0.00	\$0.00
1580	Mechanical Subtotal	\$99,000.00	\$57,420.00	\$25,804.00	\$0.00	\$83,224.00	84.065	\$15,776.00	\$0.00
1590	Electrical	\$117,000.00	\$5,000.00	\$100,300.00	\$0.00	\$105,300.00	90	\$11,700.00	\$0.00
Totals		\$535,300.00	\$289,232.00	\$159,196.00	\$0.00	\$448,428.00	83.77%	\$86,872.00	\$0.00

# City Council Staff Report

October 6, 2015

Item 9A

## City Code Text Amendment

**REQUEST** Allow New and Used Auto Sales in the Downtown Village Zone

**APPLICANT** Steve Tholl

**ADDRESS** Not Applicable

**ZONE** Downtown Village Commercial Sales and Mixed Use Overlay

**GENERAL PLAN** Commercial Sales

**STAFF RECOMMENDATION** Deny the Proposed Text Amendment

**ATTACHMENTS** Proposed text amendments to the Pleasant Grove City Code **3**  
Map of the Downtown Village Zone **23**

## Background

The applicant is requesting approval of a text amendment to allow use 5511: Motor vehicles, automobiles (new and used) in the Downtown Village Zone, Commercial Sales Subdistrict and in the Mixed Use Overlay with a General Plan designation of Commercial Sales.

## Analysis

The City Code states that the purpose of the Downtown Village Zone is to "...provide a district in which the primary function of the land is to create a livable and walkable downtown. The downtown village zone is to foster a revitalization of its commercial/retail base, while preserving the downtown's historical image, and increasing the livability, and protecting the existing single-family residents' quality of life. It is further intended to maintain the historical downtown village image as the "heart of the city" with which residents and visitors of the city can identify...The downtown village zone and its subdistricts are to be characterized by clean, well-lighted streets, ample pedestrianways, and vehicular parking lots for the convenience and safety of the public. Attractive, inviting and well maintained shops, stores, offices and other buildings are also characteristic of this zone, and are to follow the "turn of the twentieth century" design theme, as explained in this article. This will encourage an architectural theme which will strengthen the continuity of the downtown area and give it "character" with which the citizens of the city can identify."

A review of the permitted uses list in the Commercial Sales Subdistrict by Staff has revealed that auto sales are conspicuously absent from both the permitted or conditional uses. There are automobile-related uses that are permitted in the zone but automobile sales are not specifically included. This is due to a desire by the City Council to avoid automobile sales in the Downtown Village Zone in 2007 as part of the process to create the Zone.

Automobile sales are permitted in other zones within the city where the City Council has determined that they are appropriate. These zones include the General Commercial, The Grove Commercial Sales Subdistrict in a selected area, and The Grove Interchange Subdistrict. These zone areas are characterized by more intensive retail and/or industrial type uses and do not permit residential in connection with commercial. The Downtown Village Zone focus on walkability, shops, stores, offices, and other buildings, and a turn-of-the century design theme is intended to create a “village” feel. It is the opinion of Staff that automobile sales are likely to detract from the aesthetic and use mix intended by the establishment of the Downtown Village Zone.

## Recommendation

It is staff's opinion that allowing automobile sales in the Downtown Village Zone Commercial Sales Subdistrict does not meet intent of the General Plan or City Code for the Downtown Village Zone. The Planning Commission reviewed this proposal on September 24, 2015 and recommended that the City Council DENY the proposed text amendment.

## Model Motions

### APPROVAL

"I move the City Council approve the request of request by Steve Tholl for a proposed text amendment to the Pleasant Grove City Code, Sections 10-11E-2-1: Permitted, Conditional and Accessory Uses, adding use 5511: "Motor vehicles, automobiles (new and used)" in the Downtown Village Zone Commercial Sales Subdistrict in the Downtown Village Zone Chapter of the Pleasant Grove City Code; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions...

### CONTINUE

"I move the City Council continue the review of Steve Tholl for a proposed text amendment to the Pleasant Grove City Code, Sections 10-11E-2-1: Permitted, Conditional and Accessory Uses, adding use 5511: "Motor vehicles, automobiles (new and used)" in the Downtown Village Zone Commercial Sales Subdistrict in the Downtown Village Zone Chapter of the Pleasant Grove City Code, until (give date), based on the following findings:"

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

### DENIAL

"I move the City Council deny the request of Steve Tholl for a proposed text amendment to the Pleasant Grove City Code, Sections 10-11E-2-1: Permitted, Conditional and Accessory Uses, adding use 5511: "Motor vehicles, automobiles (new and used)" in the Downtown Village Zone Commercial Sales Subdistrict in the Downtown Village Zone Chapter of the Pleasant Grove City Code, based on the following findings:"

1. List findings for denial...

## PROPOSED TEXT AMENDMENTS TO THE PLEASANT GROVE CITY CODE

### 10-11E-2-1: PERMITTED, CONDITIONAL AND ACCESSORY USES:

D. Permitted Principal Uses: The following principal uses and structures, and no others, except as noted in subsection G of this section, are permitted in the downtown commercial subdistrict:

<u>Use Number</u>	<u>Use Classification</u>
1110	Single-family dwellings (except mobile homes)
1120	Two-family dwellings
3438	Computer training, instruction
4210	Bus transportation, excluding bus garaging and maintenance (4214)
4290	Motor vehicle transportation
4600	Automobile parking, excluding long term storage (4603)
4923	Travel agencies
5230	Paint, glass and wallpaper
5240	Electrical supplies
5250	Hardware and supplies, excluding swimming pool supplies (5256)
5311	Department stores (includes major and junior chain department stores)
5312	Discount department stores
5313	Surplus stores (inside only)
5330	Variety stores
5350	Direct selling organization
5390	Retail trade, general merchandise

5392		Computer supplies and parts, retail
5400		Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
5490		Miscellaneous retail food establishments
5496		Food to go, delivery and pick up (includes movable street vendors)
<u>5511</u>		<u>Motor vehicles, automobiles (new and used)</u>
5530		Service stations
5600		Apparel and accessories
5700		Furniture, home furnishings and equipment (no combined warehousing)
5743		Computer/fax equipment and services, retail
5810		Eating places (no alcohol served)
5910		Drug and proprietary stores
5930		Antiques and secondhand merchandise (indoor only), excluding secondhand auto parts (5935), junk dealers and salvage operation (5938), and secondhand stores NEC (5939)
5940		Books, stationery, art and hobby supplies
5950		Sporting goods, bicycles and toys
5969		Garden supplies (entirely within a building only)
5970		Jewelry
5990		Miscellaneous retail stores
6100		Banks, insurance and real estate (office only), excluding bank related functions (6112)
6210		Laundering; dry cleaning; and dyeing

6220		Photographic services
6230		Beauty and barber services
6250		Apparel repair; alteration and cleaning pick up services; shoe repair services
6291		Clothing rental
6292		Costume rental
6297		Health club facilities
6299		Personal services (wedding chapels and reception centers only)
6310		Advertising services (includes public relations, layout and copy preparation)
6320		Consumer and mercantile credit reporting services; adjustment and collection services
6330		Duplicating, mailing, stenographic and office services
6340		Dwelling and building services, excluding sewer maintenance, and cesspools (6345)
6350		News syndicate services
6360		Employment services
6381		Auction houses
6390		Business services, excluding commercial testing laboratories and service (6391), equipment rental and leasing services (6394), automobile, truck and trailer rentals (6397)
6420		Electrical appliance repair and services, excluding heavy appliance repair (6426)
6493		Watch, clock, jewelry repair, engraving

6494		Reupholstering and furniture repair
6496		Locksmiths and key shops
6497		Gunsmiths
6499		Miscellaneous small item repair
6500		Professional services (office only), excluding behavior, drug and alcohol treatment (6515)
6600		Contract construction services (office and retail only)
6710		Executive, legislative and judicial function
6720		Protective functions and related activities
6730		Postal services
6800		Educational services, excluding military academies (6819) and university, college, junior college, and professional school education (6820)
6900		Miscellaneous service organizations
7100		Cultural activities, excluding zoos (7124) and other nature exhibitions NEC (7125)
7210		Entertainment and assembly (subject to the standards of section 10-15-34 of this title), excluding drive-in movies (7213)
7230		Public assembly (subject to the standards of section 10-15-34 of this title)
7390		Amusements, excluding golf driving ranges (7393) and go-cart tracks (7394)
7398		Video rental shops
7414		Ice skating and skateboarding (subject to the standards of section 10-15-34 of this title)
7415		Rollerskating (subject to the standards of section 10-15-34 of this title)

7417		Bowling alleys
7420		Playgrounds and athletic areas
7451		Archery
7492		Picnicking areas
7600		Parks

Note: Please refer to subsection E of this section for additional uses.

E. Other Permitted Principal Uses: Uses permitted in the commercial sales zone (C-S, subsection 10-11C-2C of this chapter), shall be permitted on properties that are located within one hundred fifty feet (150') of State Street in the downtown village zone (DV).

F. Accessory Uses And Structures: Accessory uses and structures are permitted in the downtown commercial subdistrict, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal

use or structure permitted in the downtown commercial subdistrict.

2. Storage of materials used for construction of buildings, including the contractor's temporary office. Such use must be on the building site or immediately adjacent thereto. Such use shall be permitted only during the construction period and thirty (30) days thereafter.

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

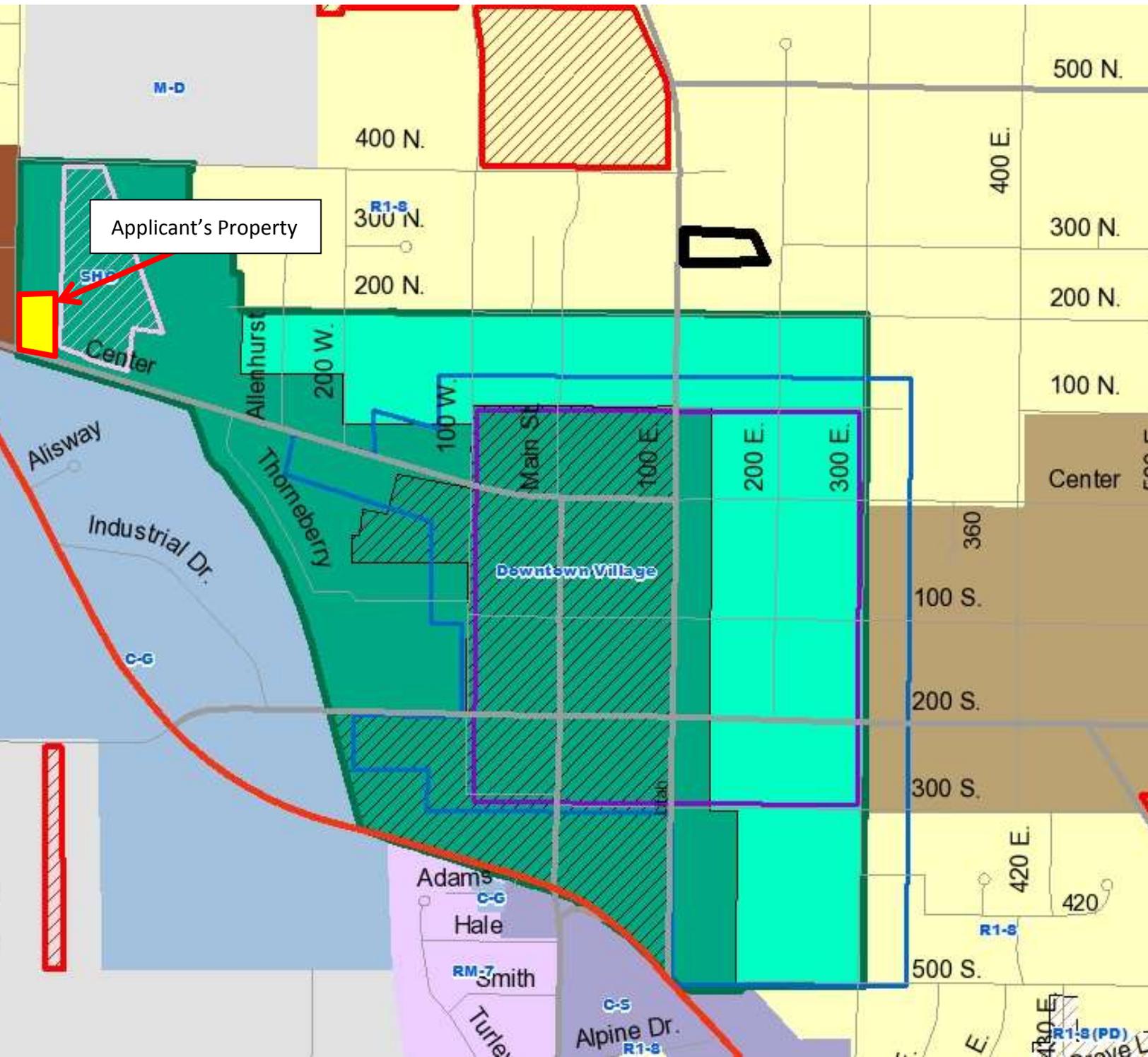
<u>Use Number</u>		<u>Use Classification</u>
4815		Electric utility company office
4825		Gas company office

5220		Heating and plumbing equipment (no outside storage)
5320		Mail and phone order houses
5340		Merchandise vending machine operators
5520		Automobile accessories, excluding tire recapping and vulcanizing
5594		Motorcycles, motor scooters, parts, accessories and supplies
5810		Eating places (with alcohol served)
5920		Liquor, package
5984		Ice dealers (automated machines or pick up stations only)
6391		Commercial testing laboratories and service
6411		Automobile repair (see section 10-15-24 of this title)
6416		Auto washing and polishing
6419		Automobile services, excluding repair and wash (motor clinics)
6498		Saw, knife, lawn mower and tool sharpening and repair
7900		Other cultural, entertainment and recreational activities
8224		Domestic pet kennels (indoor boarding and care of small domestic animals) (Ord. 2014-7, 3-4-2014)

NOTE: HIGHLIGHTED SECTIONS IN THE ABOVE TEXT AMENDMENT PROPOSAL ARE EITHER:

- **Underlined** (to be added)
- **Struck-Through** (to be removed)

# DOWNTOWN VILLAGE ZONE MAP



**ORDINANCE NO. 2015-41**

**AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTIONS 10-11E-2-1: DOWNTOWN VILLAGE ZONE, CONDITIONAL AND ACCESSORY USES, ADDING USE 5511 TO ALLOW FOR NEW AND USED AUTO SALES IN THE DOWNTOWN VILLAGE ZONE CHAPTER OF THE PLEASANT GROVE CITY CODE; INCLUDING AN EFFECTIVE DATE (STEVE THOLL, APPLICANT).**

**WHEREAS**, the applicant desires to redevelop his property located 600 West and Center Street for the use of auto sales; and

**WHEREAS**, the proposed provisions shall apply to all properties within the Downtown Village Zone; and

**WHEREAS**, on September 24, 2015 the Pleasant Grove City Planning Commission held a public hearing to consider amending section 10-11E-2-1; and

**WHEREAS**, at its public hearing the Planning Commission determined that the requested amendment to Section 10-11E-2-1 in the Downtown Village Zone chapter of the Pleasant Grove Municipal Code is not in the public's interest and consistent with the 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 10-11E-2-1 in the Downtown Village Zone chapter in the Pleasant Grove Municipal Code be denied; and

**WHEREAS**, on October 6, 2015 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.** Section 10-11E in the Downtown Village Zone, of the Pleasant Grove Municipal Code are hereby amended to read as follows:

**10-11E-2-1: PERMITTED, CONDITIONAL AND ACCESSORY USES:**

D. Permitted Principal Uses: The following principal uses and structures, and no others, except as noted in subsection G of this section, are permitted in the downtown commercial subdistrict:

<u>Use Number</u>	<u>Use Classification</u>
1110	Single-family dwellings (except mobile homes)
1120	Two-family dwellings
3438	Computer training, instruction
4210	Bus transportation, excluding bus garaging and maintenance (4214)
4290	Motor vehicle transportation
4600	Automobile parking, excluding long term storage (4603)
4923	Travel agencies
5230	Paint, glass and wallpaper
5240	Electrical supplies
5250	Hardware and supplies, excluding swimming pool supplies (5256)
5311	Department stores (includes major and junior chain department stores)
5312	Discount department stores
5313	Surplus stores (inside only)
5330	Variety stores
5350	Direct selling organization
5390	Retail trade, general merchandise
5392	Computer supplies and parts, retail
5400	Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
5490	Miscellaneous retail food establishments

5496	Food to go, delivery and pick up (includes movable street vendors)
<b>5511</b>	<b>Motor vehicles, automobiles (new and used)</b>
5530	Service stations
5600	Apparel and accessories
5700	Furniture, home furnishings and equipment (no combined warehousing)
5743	Computer/fax equipment and services, retail
5810	Eating places (no alcohol served)
5910	Drug and proprietary stores
5930	Antiques and secondhand merchandise (indoor only), excluding secondhand auto parts (5935), junk dealers and salvage operation (5938), and secondhand stores NEC (5939)
5940	Books, stationery, art and hobby supplies
5950	Sporting goods, bicycles and toys
5969	Garden supplies (entirely within a building only)
5970	Jewelry
5990	Miscellaneous retail stores
6100	Banks, insurance and real estate (office only), excluding bank related functions (6112)
6210	Laundering; dry cleaning; and dyeing
6220	Photographic services
6230	Beauty and barber services
6250	Apparel repair; alteration and cleaning pick up services; shoe repair services
6291	Clothing rental
6292	Costume rental
6297	Health club facilities
6299	Personal services (wedding chapels and reception centers only)

6310	Advertising services (includes public relations, layout and copy preparation)
6320	Consumer and mercantile credit reporting services; adjustment and collection services
6330	Duplicating, mailing, stenographic and office services
6340	Dwelling and building services, excluding sewer maintenance, and cesspools (6345)
6350	News syndicate services
6360	Employment services
6381	Auction houses
6390	Business services, excluding commercial testing laboratories and service (6391), equipment rental and leasing services (6394), automobile, truck and trailer rentals (6397)
6420	Electrical appliance repair and services, excluding heavy appliance repair (6426)
6493	Watch, clock, jewelry repair, engraving
6494	Reupholstering and furniture repair
6496	Locksmiths and key shops
6497	Gunsmiths
6499	Miscellaneous small item repair
6500	Professional services (office only), excluding behavior, drug and alcohol treatment (6515)
6600	Contract construction services (office and retail only)
6710	Executive, legislative and judicial function
6720	Protective functions and related activities
6730	Postal services
6800	Educational services, excluding military academies (6819) and university, college, junior college, and professional school education (6820)

6900	Miscellaneous service organizations
7100	Cultural activities, excluding zoos (7124) and other nature exhibitions NEC (7125)
7210	Entertainment and assembly (subject to the standards of section 10-15-34 of this title), excluding drive-in movies (7213)
7230	Public assembly (subject to the standards of section 10-15-34 of this title)
7390	Amusements, excluding golf driving ranges (7393) and go-cart tracks (7394)
7398	Video rental shops
7414	Ice skating and skateboarding (subject to the standards of section 10-15-34 of this title)
7415	Rollerskating (subject to the standards of section 10-15-34 of this title)
7417	Bowling alleys
7420	Playgrounds and athletic areas
7451	Archery
7492	Picnicking areas
7600	Parks

Note: Please refer to subsection E of this section for additional uses.

**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 6<sup>th</sup> day of October 2015.

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Cyd LeMone, Mayor Pro-Tem

ATTEST:

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Kathy T. Kresser,

# City Council Staff Report

October 6, 2015

Item 9C

## Final Plat Subdivision

**REQUEST** 2 lot subdivision comprising approximately 0.66 acres

**APPLICANT** Michael and Barbara Graf

**ADDRESS** 975 South Locust Avenue

**ZONE** R1-9 Single Family Residential

**GENERAL PLAN** Medium Density Residential

**STAFF RECOMMENDATION** Approve the Final Plat

**ATTACHMENTS** Relevant Pleasant Grove City Codes

<b>3</b>	<b>12</b>
Property Aerial Photo	<b>10</b>
Property Zoning Map	<b>11</b>

## Background

A previous application for the Preliminary Subdivision was received on May 4, 2015. The item was continued several times due to the drawn lots not being 85 feet (interior lot) and 95 feet (corner lot) wide measured at 50 feet from the front property line. The applicant applied for a lot width variance to go forward on August 20, 2015. This proposed preliminary subdivision was approved by the Planning Commission on August 13, 2015 with the condition that a variance for lot width be obtained by the Board of Adjustment prior to the lot going before the City Council for final approval. The request was denied by the Board of Adjustment on August 20, 2015 on the grounds that the lot line hardship was not self-imposed. The Board determined that the applicant's argument that they were unaware of the proposed extension of 1000 South east of Locust Avenue which resulted in the properties being unable to meet lot width was not valid because the applicant did not perform full due diligence and simply took the previous property owner at their word. This resulted in the applicant not being able to subdivide the property as it was represented to them at the time of sale. While this was an inconvenience to the applicant, it did not warrant the granting of a variance because the proposed extension of 1000 South was public knowledge and available to the applicant as part of the due diligence process.

After the variance application was denied, the City received an application from an independent applicant requesting that the definition for corner lots be modified to allow a corner property front line to be any frontage. This ordinance was approved by the City Council on September 15, 2015 and allowed the western property in the proposed Honeysuckle subdivision to be measured from north to south as opposed to the previous requirement to measure from east to west due to the southern property line being the narrowest, and therefore the front of the lot. This change in how the lot is

measured allowed the Honeysuckle subdivision lots to comply with the lot width requirement by making some modification to the plat lot lines. An application for the updated plat was received on September 3, 2015.

The Planning Commission approved the preliminary plat for Honeysuckle Estates on September 24, 2015.

## Analysis

The proposed subdivision includes 2 lots. Lot 1 will access Locust Avenue and lot 2 will access 1000 South. Lot dimensions and attributes are as follows:

Lot	Square Footage	Lot Width	Buildings to Remain	Lot Frontage	Building Pad Square Footage
1	10,864 (9,000 Min.)	140 ft. (95 Min.)	None	148.89 ft. (35 ft. Min.)	3,414 (1,000 Min.)
2	12,278 (9,000 Min.)	85 ft. (85 Min.)	None	85.09 ft. (35 ft. Min.)	6,230 (1,000 Min.)

As shown above, both lots meet the minimum dimensional requirements for the R1-9 Zone. Locust Avenue is a Collector Road and 1000 South is a Minor Arterial. The City Code restricts lots from accessing either street type. However, because there is no other reasonable access, the City Engineer has recommended that lot 1 access Locust Avenue and lot 2 access 1000 South. The accesses would be as far from the intersection of Locust Avenue and 1000 South as possible to reduce the potential for traffic conflicts.

## Recommendation

Because the lots within the subdivision meet all R1-9 Zone standards, Staff has determined that the proposed plat meets the intent of the City Code and recommends approval of this final plat with the following conditions:

1. All Final Planning, Engineering, and Fire Department requirements are met.

## Model Motions

### APPROVAL

"I move the City Council approve the request of Michael and Barbara Graf for approval of a 2 lot final plat called Honeysuckle Estates Plat A in the R1-9 (Single Family Residential) Zone; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. All Final Planning, Engineering, and Fire Department requirements are met.
2. List any additional conditions...

### CONTINUE

"I move the City Council continue the review of the request of Michael and Barbara Graf for approval of a 2 lot final plat called Honeysuckle Estates Plat A in the R1-9 (Single Family Residential) Zone, until (give date), based on the following findings:"

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

### DENIAL

"I move the City Council deny the request of Michael and Barbara Graf for approval of a 2 lot final plat called Honeysuckle Estates Plat A in the R1-9 (Single Family Residential) Zone, based on the following findings:"

1. List findings for denial...

## RELEVANT PLEASANT GROVE CITY CODES

### 10-9B-3: LOT AREA:

A. The minimum area of any lot or parcel of land in the R-1 zone shall be as indicated by the subzone used in conjunction with the R-1 zone designation. Subzones are designated by adding a suffix number to the R-1 zoning symbol. Such suffix number shall be the minimum lot area for the subzone, stated in thousands of square feet. For example, a subzone of the R-1 zone requiring lots or parcels to be a minimum of eight thousand (8,000) square feet would be designated on the zoning map as R-1-8. The minimum area of any lot or parcel of land in the R-1 zone shall be as indicated below for the subzone in which the lot or parcel is situated:

R-1-7		7,000 square feet
R-1-8		8,000 square feet
R-1-9		9,000 square feet
R-1-10		10,000 square feet
R-1-12		12,000 square feet
R-1-15		15,000 square feet
R-1-20		20,000 square feet

B. Certain lots in the R-1-10, R-1-12, R-1-15 and R-1-20 zones may be reduced in lot area subject to the regulations stated in subsection 10-9B-14E of this article (lot size averaging). (Ord. 2000-23, 7-18-2000)

### 10-9B-4: LOT WIDTH:

A. Each lot or parcel of land in the R-1 zone, except corner lots, shall have a width of not less than the following for the subzone in which said lot or parcel of land is situated:

R-1-7		70 feet
R-1-8		85 feet

R-1-9		85 feet
R-1-10		90 feet
R-1-12		90 feet
R-1-15		95 feet
R-1-20		100 feet

- B. Each corner lot or parcel in the R-1 zone shall be ten feet (10') wider than the minimum required for interior lots in the subzone in which it is located, except for the R-1-15 and R-1-20 zones.
- C. Lot widths for certain lots in the R-1-10, R-1-12, R-1-15 and R-1-20 zones may be reduced subject to the regulations stated in subsection 10-9B-14E of this article. (Ord. 2008-7, 4-1-2008)

**10-9B-5: LOT FRONTAGE:**

Each lot or parcel of land in the R-1 zones shall abut a public street for a minimum distance of thirty five feet (35'), on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to city standards. Frontage on a street end which does not have a cul-de-sac improved to city standards shall not be counted as meeting this requirement. (Ord. 2000-23, 7-18-2000)

**10-9B-6: PRIOR CREATED LOTS:**

Lots or parcels of land which were created prior to the application of this zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this article as long as they were in compliance with the zoning requirements when they were created. (Ord. 2000-23, 7-18-2000; amd. 2003 Code; Ord. 2004-19, 8-17-2004)

**10-9B-6-1: LOT AREA PER DWELLING:**

Not more than one single-family dwelling may be placed on a lot or parcel of land in the R-1 zone unless the planning commission approves a two-family dwelling with the same density. (Ord. 2000-23, 7-18-2000; amd. Ord. 2004-19, 8-17-2004)

**10-9B-7: YARD REQUIREMENTS:**

The following minimum yard requirements shall apply in the R-1 zones (note: All setbacks are measured from the property line):

- A. Front Yard: Each lot or parcel in the R-1 zone shall have a front yard of not less than twenty five feet (25'). In the R-1-7 zone only, each lot or parcel shall have a front yard of not less than twenty feet (20').
1. Lots located in the "hillside area", as defined by title 11, chapter 8 of this code, may have front yard setbacks of twenty feet (20') and twenty five foot (25') rear yards or a front yard of twenty five feet (25') and a rear yard of twenty feet (20'). The front and rear yard setback may vary between twenty feet (20') and twenty five feet (25') so long as the total combination of the setbacks is at least forty five feet (45').
  2. In new subdivisions, the owner/developer may vary the setbacks allowing a twenty foot (20') front yard and thirty foot (30') rear yard or thirty foot (30') front yard and a twenty foot (20') rear yard. The intent of allowing flexible setbacks is to stagger buildings to create character and interest, and encourage better design. Such standards must be determined at the time of subdivision approval and must be reflected in covenants and restrictions to be recorded at the county recorder's office with the recording of the final subdivision plat.
- B. Side Yard: Except as provided in subsections C, D and F of this section, each lot or parcel of land in the R-1 zone shall have a side yard of not less than ten feet (10'), the combined sum shall be a minimum of twenty feet (20'). In the R-1-7 zone only, each lot or parcel of land shall have a side yard of not less than eight feet (8').
- C. Corner Lots; Side Yard: On corner lots, the side yard contiguous to the street shall not be less than twenty five feet (25') and shall not be used for vehicle parking, except such portion as is devoted to driveway use for access to a garage or carport. In the R-1-7 zone only, the side yard contiguous to the street shall not be less than twenty feet (20').
- D. Side Yard Used For Access: When used for access to a garage, carport or parking area used to satisfy the minimum parking requirements of the zone, a side yard shall be wide enough to provide an unobstructed twelve foot (12') paved driveway.
- E. Rear Yard: Each lot or parcel shall have a rear yard of no less than twenty five feet (25'). In the R-1-7 zone only, each lot or parcel shall have a rear yard of no less than twenty feet (20').
1. Lots located in the "hillside area", as defined by title 11, chapter 8 of this code, may have front yard setbacks of twenty feet (20') and twenty five foot (25') rear yards or a front yard of twenty five feet (25') and a rear yard of twenty feet (20'). The front and rear yard setback may vary between twenty feet (20') and twenty five feet (25') so long as the total combination of the setbacks is at least forty five feet (45').
  2. In new subdivisions, the owner/developer may vary the setbacks allowing a minimum twenty foot (20') front yard, and thirty foot (30') rear yard or thirty foot (30') front yard and a twenty foot (20') rear yard. The intent of allowing flexible setbacks is to stagger buildings to create character and interest, and encourage better design. Such standards must be determined at the time of subdivision approval and must be reflected in covenants and restrictions to be recorded at the county recorder's office with the recording of the final subdivision plat. The front and rear yard

setbacks may vary between twenty feet (20') and thirty feet (30') so long as the total combination of the setbacks is a minimum of fifty feet (50'), except for in the R-1-7 zone.

F. Accessory Buildings: Minimum yard and design requirements for accessory buildings are as follows: (Ord. 2009-16, 10-6-2009)

1. Rear Yard/Interior Side Yard Accessory Building: Accessory buildings may be located in a rear yard/interior side yard no closer than six feet (6') from the dwelling and no closer than three feet (3') from the rear yard or interior side yard property line, except as required in subsection F2 of this section.
2. Height Considerations: Minimum setbacks from each property line, for accessory buildings exceeding fifteen feet (15') in height, shall be increased by one foot (1') for each foot of building height in excess of fifteen feet (15'). Refer to the table below:

<u>Height</u>	<u>Setback</u>
15 feet	3 feet
16 feet	4 feet
17 feet	5 feet
18 feet	6 feet
19 feet	7 feet
20 feet	8 feet
21 feet	9 feet
22 feet	10 feet
Staff can approve up to 25 feet or the height of the main dwelling, whichever is more restrictive	Over 10 feet

- a. Public Notice: A public notice, mailed to all property owners within one hundred feet (100'), shall be required for any accessory structure taller than eighteen feet (18'). Any affected property owner may file a protest petitioning the height. Protests shall be sent, in writing, to the community development department within ten (10) business days from the date the mailer was sent. If a protest is received regarding height, then the structure shall require

conditional use permit approval at a public hearing before the planning commission. If there are no petitions received by the community development department within ten (10) business days from the date the mailer was sent, then the permit shall be released.

3. Size Considerations: An accessory building shall not cover more than ten percent (10%) of the minimum lot area of the zone in which it is located and shall be smaller (incidental) to the main dwelling (the footprint of the home less the garage). An accessory structure, larger than ten percent (10%) of the minimum lot area of the zone, may be approved through issuance of a conditional use permit, at a public hearing, by the planning commission. The footprint of the structure must still be incidental to or smaller than the main dwelling, and shall still remain subject to all other restrictions of the zone. (Ord. 2009-5, 3-17-2009)
4. Design Guidelines: All accessory buildings shall require community development approval through the issuance of an accessory building permit prior to installation or construction. In addition to this, a building permit shall be required if the structure exceeds the square footage threshold as established in the international residential code (IRC) and international building code (IBC). All accessory buildings shall adhere to the following design requirements:
  - a. Permanent buildings have footings and a foundation, and are to be composed of steel, wood, vinyl, aluminum or cement fiber siding or other durable building materials as deemed appropriate by the building department official and the community development director. Any materials such as cloth, canvas and/or plastic shall not be permitted for permanent buildings.
  - b. Temporary buildings are those without footings or a foundation. They are designed for quick assembly and take down, and shall be allowed for up to ninety (90) days. Temporary canopies for events, such as weekend garage/yard sales, shall be exempt for up to seventy two (72) hours. Temporary commercial canopies may be allowed through a temporary use permit authorized through city hall.
  - c. Semipermanent buildings are movable (no footings or foundation) yet are composed of durable materials such as wood, steel, vinyl, aluminum or cement fiber siding. These buildings may be allowed indefinitely, however, shall require an accessory building permit with each new location on the lot or parcel.
  - d. Accessory buildings larger than five hundred (500) square feet shall match the main dwelling with architecturally similar materials, colors, and details. The planning commission may grant a waiver to deviations with the accessory building matching the main dwelling roofline and masonry, through the issuance of a conditional use permit, for buildings that are composed of acceptable durable materials, and having met the standards set forth in section 10-2-4 of this title. (Ord. 2009-16, 10-6-2009)
5. Corner Lots: Accessory buildings shall not be located closer than ten feet (10') from the street side property line in the rear yard of a residential corner lot. Additionally, all accessory buildings must be approved by the city engineer and comply with section 10-15-10, "Clear Vision Area; Corner Lots", of this title. (Ord. 2014-22, 6-3-2014)

6. Utility Easements: If the building encroaches upon any easements, letters shall be submitted in conjunction with a building permit, from all affected easement holders stating that:
- a. The easement has been abandoned and vacated by the affected entity; or
  - b. The easement holder is authorizing the placement of the permanent structure subject to the superior interest of the easement holder and may be required to be relocated at the property owner's expense to accommodate such interest.
7. Variance: Any request for an accessory building that deviates from the requirements of this section shall require conditional use permit approval, at a public hearing, before the planning commission. (Ord. 2008-5, 3-4-2008)

**10-15-30: ONE-FAMILY AND TWO-FAMILY DWELLINGS:**

- I. Minimum Floor Area: All single-family detached and two-family dwellings have a minimum aboveground main floor area and total finished square footage (exclusive of garage) as follows:

Zone	One Level Above Ground	Multi-Levels Above Ground	
	Total Minimum Sq. Ft.	Main Floor Minimum Sq. Ft.	Total Minimum Sq. Ft.
Grove-MH	900	700	1,600
RM-7	900	700	1,600
R-1-7	900	700	1,600
R-1-8	1,000	700	1,600
R-1-9	1,000	800	1,800
R-1-10	1,200	800	1,800
R-1-12	1,200	800	1,800
R-1-15	1,200	800	1,800
R-1-20	1,200	800	1,800
R-R	1,200	800	1,800
A-1	1,200	800	1,800

(Ord. 2013-4, 3-19-2013)

## **11-7-2: SUBDIVISION APPLICATION AND REVIEW PROCEDURE:**

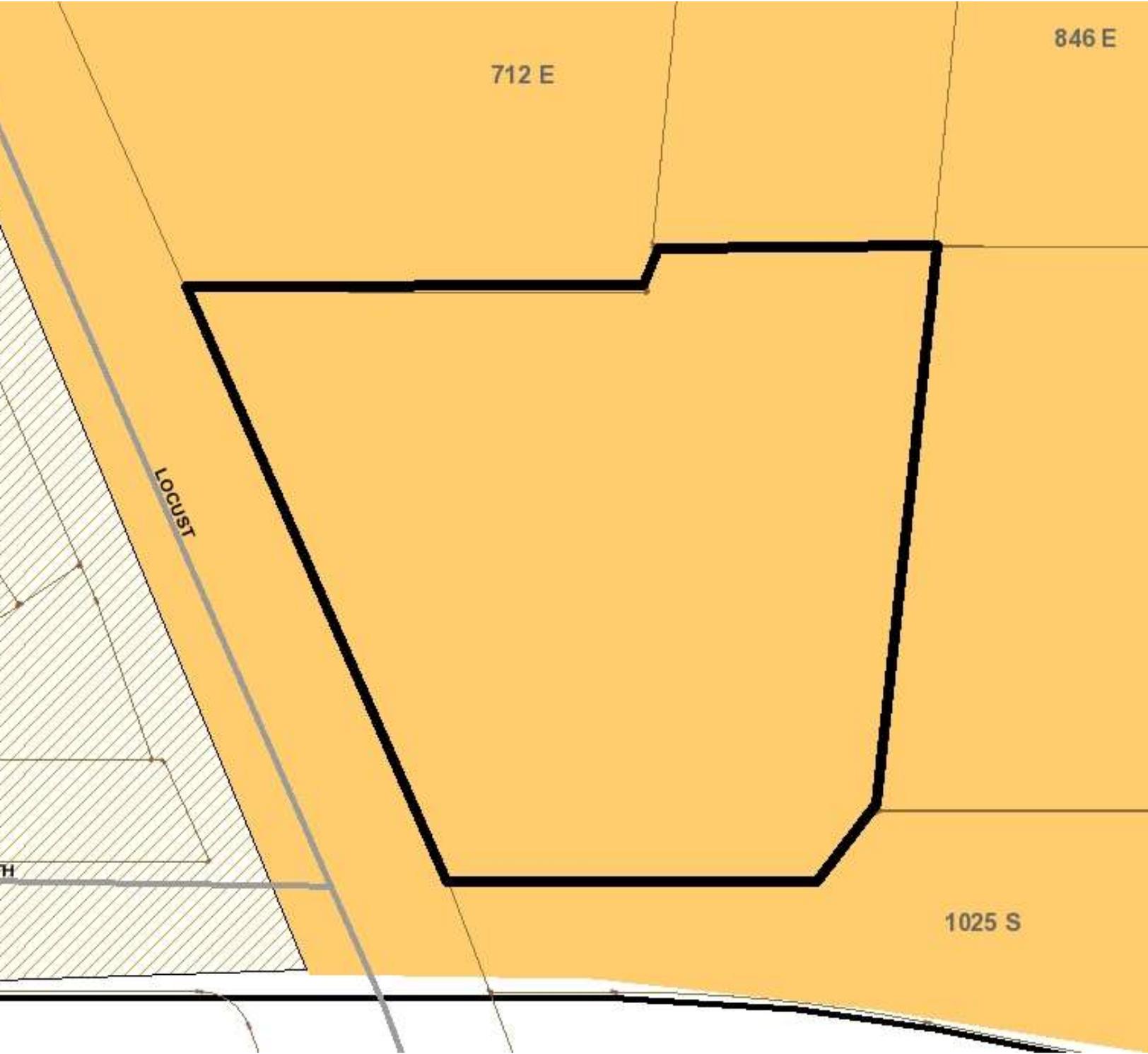
The following steps or procedures must be followed in order to obtain approval of a subdivision:

- A. Subdivider notifies community development director. Community development director furnishes subdivider with platting requirements affecting the land to be subdivided.
- B. Subdivider prepares concept plan and submits eight (8) copies, together with required fees, to community development director for review.
- C. Community development director, in conjunction with city engineer, and others as deemed appropriate, meets with the subdivider to review concept plan and make recommendations.
- D. Subdivider prepares preliminary plan and typical engineering drawings on D size sheets (24 inches by 36 inches), including streets, sewer, water, grading and drainage, and submits eight (8) copies of the same with required fees and supporting documentation to the community development director. The concept plan shall have been approved by the community development director before the city staff or planning commission shall review submittals for preliminary plan approval.
- E. Community development director, in conjunction with city engineer, and others as deemed appropriate, reviews preliminary plan and refers the plans to the planning commission with recommendations.
- F. Planning commission approves, disapproves or approves preliminary plan with modifications.
- G. Subdivider prepares and submits final plat and finalized engineering drawings on D size sheets (24 inches by 36 inches), together with required fees and supporting documentation to the community development director (1 permanently reproducible copy, and 8 prints of each sheet). The preliminary plan shall have been approved by the planning commission in a public meeting before the city staff or mayor shall review submittals for final plat approval.
- H. Community development director reviews final plat, in conjunction with the city engineer, and others as deemed appropriate, and refers the plat to the city council with recommendations.
- I. City council approves, disapproves or approves final plat with modifications.
- J. Subdivider posts bond or other security and executes the subdivision improvements agreement with city, guaranteeing required improvements.
- K. Subdivider surrenders water rights to the city in the amount determined by the city engineer.
- L. City records final plat in office of the county recorder within thirty (30) days. (Ord. 2000-23, 7-18-2000)

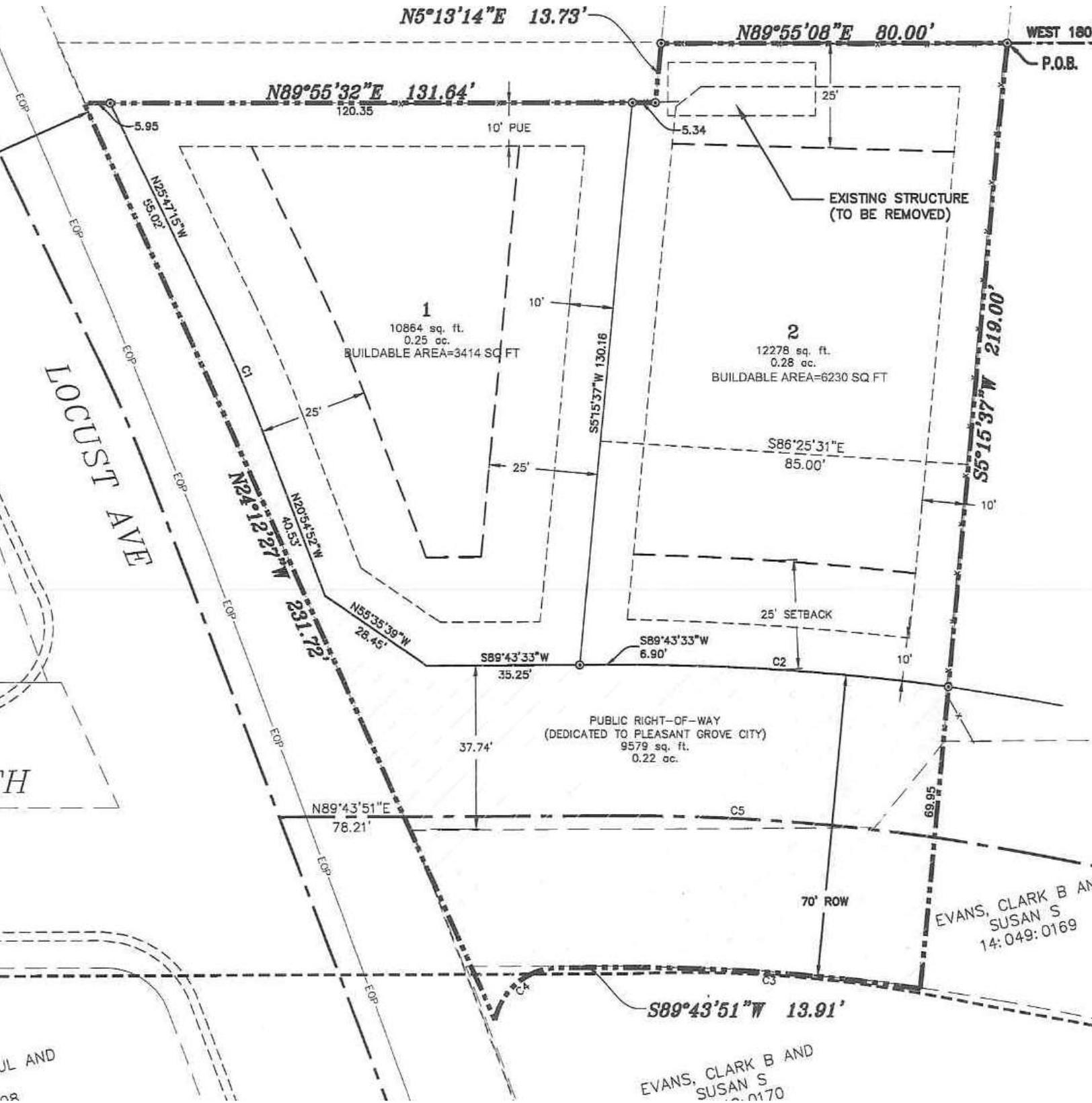
**PROPERTY AERIAL PHOTO**



PROPERTY ZONING MAP



**FINAL PLAT**



## **RESOLUTION NO. 2015-033**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A USE AGREEMENT WITH THE LIONS CLUB AND SPORTSMENS CLUB FOR THEIR USE OF THE LIONS/SPORTMEN CENTER, AMEND THE FEE SCHEDULE FOR RENTAL OF THE LIONS/SPORTSMAN CENTER AND ADOPT A POLICY AND PROCEDURE MANUAL FOR USE OF THE CENTER AND PROVIDE FOR AN EFFECTIVE DATE.**

**WHEREAS**, Pleasant Grove City owns and operates a certain facility known as the “Lions/Sportsmen Center”; and

**WHEREAS**, the City desires to enter into a Use Agreement with the Lions Club and Sportsmen Club for their use of the Lions/Sportsmen Center; and

**WHEREAS**, Utah State Code grants municipalities the power to establish a fee schedule for services; and

**WHEREAS**, the Pleasant Grove City Council has adopted a policy and fee schedule governing the rental of the subject facility; and

**WHEREAS**, the City Council has become aware of the need to amend the rental rate of the Lions Center due to increased wear and tear on the facility and the need to adopt a policy and procedure manual regarding the use of the Center; and

**WHEREAS**, after consideration of the current rental rate, the Pleasant Grove City Council finds and determines that it is not sufficient to cover the true costs of renting the facilities; and

**WHEREAS**, the City Council in the best interests of the health, safety and general welfare of its current and future residents to authorize the Mayor to sign the Use Agreement, amend the rental rate for rental of the Lion’s Center and adopt the policy and procedure manual for use of the Center.

**NOW, THEREFORE, BE IT RESOLVED** by the Pleasant Grove City Council as follows:

### **SECTION 1.**

The Mayor is authorized to sign the Use Agreement with the Lions Club and Sportsmen Club for their use of the Lions/Sportsmen Center, amend the rental rate for rental of the Lion’s Center and adopt the policy and procedure manual for use of the Center, attached hereto as Exhibits A and B.

**SECTION 2. SEVERABILITY.** The sections, paragraphs, sentences, clauses, and phrases of this Resolution 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 of constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Resolution.

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

**SECTION 4.** PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 6<sup>th</sup> day of October, 2015

\_\_\_\_\_  
Cyd LeMone, Mayor Pro-Tem

ATTEST:

\_\_\_\_\_  
Kathy T. Kresser, City Recorder, CMC

**SPECIAL SERVICE AGREEMENT**  
**SPORTSMEN/LIONS CLUB BUILDING**

**THIRD AGREEMENT**

This **AGREEMENT** is entered into this \_\_\_ day of \_\_\_\_\_, 2015, by and between Pleasant Grove City (City), a municipal corporation of the State of Utah, and the **SPORTSMEN** and **LIONS CLUB** are non-profit corporations, for the purpose of establishing the manner in which the Sportsmen/Lions Club building will be operated and maintained.

**WHEREAS**, the Sportsmen/Lions Clubs (“Clubs”) and the City entered into that certain lease agreement attached hereto and incorporated herein by reference as Exhibit “A” in September of 2003 for property located at 600 East Center Street, Pleasant Grove, Utah County, Utah; and

**WHEREAS**, said lease agreement was for a term of fifty (50) years; and

**WHEREAS**, it is the desire of Pleasant Grove City and the Clubs to enter into a third agreement regarding the continued use and maintenance of the premises; and

**NOW THEREFORE, BE IT AGREED BY THE PARTIES AS FOLLOWS:**

1. By mutual consent and desire, the Parties declare the agreement dated September 25, 2003 terminated.
2. The Sportsmen Club will be responsible to keep liability insurance on their activities in connection with the firing range located in the basement of the building. The Sportsmen Club will be responsible to provide proof of said insurance to the City annually.
3. The following groups will not be charged rent for official activities on the premises: Lions Club, Sportsmen Club, Muzzle Loaders Club; Air Gun Group and Center Stage.
4. The City agrees to place the premises on their regular maintenance rotation.
5. Rental charges and policies for the building will be consistent with the Parties agreed to policy and procedures. (Reference Sportsmen/Lions Clubs Policy and Procedures.
6. Scheduling the facility will be done through City Hall. Please call 801-785-5045 or contact Anna Manwell at [amanwell@pgcity.org](mailto:amanwell@pgcity.org) or Kathy Kresser at [kkresser@pgcity.org](mailto:kkresser@pgcity.org).
7. Rental Agreement, deposit and rental fee must be paid within 30 days of the reservation date. Cancellation of the reservation within 48 hours of the reservation date will be charged a \$50.00 fee.

8. The Lions Club agrees to let renter into and out of the building at designated times of the rental agreement; \$30.00 of the rental fee will be given to the Lions Club as compensation and will be paid quarterly.
  
9. Members of the Clubs renting the Center for private use will pay the \$250.00 deposit and the \$50 rental fee. Each Clubs key holder will be responsible for letting the member into and out of the building, sign the "Building Cleanup Checklist" and turn it into City Hall in order for the deposit to be refunded.
  
10. Municipal uses which include Elections, City Meetings etc. shall have first priority on scheduling. Pleasant Grove City will have final say on scheduling conflicts.
  
11. Parties agree to meet quarterly, March, June, September and December, to discuss scheduling and other issues. Pleasant Grove City will contact each party to schedule specific dates.
  
12. Key cards to the building will be supplied by the City.
  
13. The Clubs agree not to use the building for unlawful purposes or in a manner which would be contrary to the ordinances of Pleasant Grove City or the laws of the State of Utah or in conflict with any administrative regulation.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

**SPORTSMEN CLUB**

\_\_\_\_\_  
 Its: \_\_\_\_\_

**LIONS CLUB**

\_\_\_\_\_  
 Its: \_\_\_\_\_

**PLEASANT GROVE CITY**

\_\_\_\_\_  
 Its: \_\_\_\_\_

Insert picture of Lions Center.

**SPORTSMEN/LIONS CLUBS  
POLICY AND PROCEDURES MANUAL**

## SCHEDULING

1. Scheduling of the facility and rental agreements will be handled by City Hall.
2. Deposit and rental fees must be paid and rental form must be completed within 30 days of scheduling the facility. Cancellation of the reservation within 48 hours of the reservation date will be charged a \$50.00 fee.
3. Deposits will be returned after inspection of the building by the building manager. The amount of the deposit refund will be determined by the building manager. Deposits will be returned by check and may take up to 2 weeks.
4. The Lions Club agrees to let renter into and out of the building at the designated times of the rental agreement; \$30.00 of the rental fee will be given to the Lions Club as compensation and will be paid quarterly.
5. Each Clubs key holder will be responsible for letting the member renting the Center into and out of the building, sign the "Building Cleanup Checklist" and turn it into City Hall in order for the deposit to be refunded.
6. Municipal uses which include Elections, City Meetings etc. shall have first priority on scheduling. Pleasant Grove City will have final say on scheduling conflicts.

## RENTAL REQUIREMENTS

1. Rentals for the year cannot be made until after January 2 of the same year.
2. Rentals must be made 48 hours in advance.
3. Deposit, rental fees and rental agreement (see Rental Agreement form) must be completed before scheduling the building.
4. The City will notify the Lions Club member and custodial of rentals by email or phone.
5. The building will be cleaned by the renters and ready for the next use. Floors will be swept and mopped as necessary to make them clean for the next renter. Tables and chairs will be moved to storage areas. Bathrooms and Kitchen will be cleaned. Windows will be closed, stoves turned off, lights turned off, doors locked and the cleanup checklist reviewed and approved by the building manager or appropriate club officer.
6. All decorations are to be removed. Tape, nails, staples, or other material which may damage floors, walls or any part of the building will not be allowed. Damage to the building or incomplete cleaning will result in loss of all or part of the deposit. The amount to be withheld will be determined by the building manager.
7. Roller skates, playing ball or other activities that will damage the wood floor are not allowed.
8. **Children must be supervised at all times, both inside and outside the facility.**
9. The size of the building limits the number of people to 150. Rental hours are 8:00 a.m. and end (including cleanup) by 10:00 p.m.

10. Complaints about the noise or other disturbances to either the building manager or the Police will be in violation of this agreement and the function or party may be terminated. If party is terminated because of a complaint renter will not get the deposit returned.
11. Cooking is not an acceptable use of the kitchen. Renter may reheat food or serve food that has been cooked elsewhere.
12. **The consumption of alcoholic beverages in or around the building is not allowed.** Persons in violation of this rule will assume all legal liabilities and consequences of their actions which may include arrest and/or fines by the Police.
13. **Utah law does not allow smoking in the building or within 25 feet of the doors or windows.** Smoke damage and cleanup of cigarette butts may be deducted from the deposit. In addition, smokers are subject to tickets and fines by the Police.

### FEE SCHEDULE

<u>Deposit</u>	\$250
<u>Rental Fee</u>	
(Resident)	\$100 first 1 hour -\$50 per hour after - \$250 maximum
(Non-Resident)	\$125 first 1 hour - \$75 per hour after - \$350 maximum
(Commercial- Resident)	\$150 first 1 hour- \$100 per hour after - \$450 maximum
(Commercial- Non-Resident)	\$175 first 1 hour- \$125 per hour after - \$550 maximum

- Members of the Clubs renting the Center for private use will pay the \$250.00 deposit and a \$50.00 rental fee.
- Members of the Sportsmen Club may reserve the gun range for personal use at no charge. They will need to get the key from the Sportsmen Group.
- PG Police and other police departments may reserve the gun range at no charge.

# 2015 OCTOBER

CALENDAR YEAR / MONTH

SUNDAY

FIRST DAY OF WEEK

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	01	02	03
04	05	Neighborhood Chair Meeting 5:30 p.m. City Council Meeting	Curbside Recycling Pickup South Route	Planning Commission Meeting 7:00 p.m.	09	10
11	Columbus Day City offices are closed	No City Council Meeting	Curbside Recycling Puckup North Route	15	16	17
18	19	City Council Meeting 6:00 p.m.	Curbside Recycling Pickup South Route	Planning Commission Meeting 7:00 p.m.	23	24
EARLY VOTING AT CITY HALL						
25	26	City Council Meeting 6:00 p.m.	Curbside Recycling Puckup North Route	29	30	31
EARLY VOTING AT CITY HALL						
01	02	03	04	05	06	07



**NOTICE OF PUBLIC MEETING  
OF THE  
PLEASANT GROVE CITY COUNCIL**

Notice is hereby given that the Pleasant Grove City Council will hold a meeting at **6:00 p.m. on Tuesday, October 20, 2015** in the City Council Chambers 86 East 100 South Pleasant Grove, Utah. This is a public meeting and anyone interested is invited to attend.

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OPENING REMARKS**
- 4. APPROVAL OF MEETING'S AGENDA**
- 5. OPEN SESSION**
- 6. CONSENT ITEMS:** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion)
  - a. City Council Meeting Minutes:**

***PLEASE NOTE: THE ORDER OF THE FOLLOWING ITEMS MAY BE SUBJECT TO CHANGE.***

- 7. BOARD, COMMISSION, COMMITTEE APPOINTMENTS:**
- 8. PRESENTATIONS:**
  - A. Presentation to Jay Meacham for his service as a Council Member.**
- 9. ACTION ITEMS WITH PUBLIC DISCUSSION:**
  - A. Continued Item: Public Hearing** to consider for adoption an Ordinance (2015-40) amending sections 10-6-2: Definitions, 10-9B-6-1: Lot Area Per Dwelling, and 10-15-32: Twin Home Development Standards, modifying requirements for twin homes in the Pleasant Grove City Code; and providing for an effective date. (Pleasant Grove City Applicant) *Presenter: Director Young* (Continued from the October 6, 2015 meeting)
- 10. ACTION ITEMS READY FOR VOTE:**

- A. Consider the request for approval of a final plat called, North Field Estates Plat C, a 2 lot preliminary subdivision of approx. 1.49 acres on property located at approx. 975 West 1930 North in the R-R (Rural Residential) and R1-20 (Single Family Residential) Zones. (**NORTH FIELD NEIGHBORHOOD**) *Presenter: Director Young*
- B. To consider for adoption a Resolution (**2015-033**) requesting the recertification of the Pleasant Grove City Justice Court; and providing for an effective date. (**CITY WIDE IMPACT**) *Presenter: City Attorney Tina Petersen*
- C. To consider for approval and acceptance of a gift of 10 acres located at approximately \_\_\_\_\_ and approve the Mayor to sign a letter of acknowledgement of the valuation of the property and a 3 year sale restriction. *Presenter: Engineer Lewis*

**11. ITEMS FOR DISCUSSION – NO ACTION: (Public Comment allowed if needed)**

- 12. DISCUSSION ITEMS FOR THE OCTOBER 27, 2015 CITY COUNCIL MEETING.**
- 13. NEIGHBORHOOD AND STAFF BUSINESS.**
- 14. MAYOR AND COUNCIL BUSINESS.**
- 15. SIGNING OF PLATS.**
- 16. REVIEW CALENDAR.**
- 17. ADJOURN.**

**CERTIFICATE OF POSTING:**

I certify that the above notice and agenda was posted in three public places within Pleasant Grove City limits and on the State (<http://pmn.utah.gov>) and City ([www.plgrove.org](http://www.plgrove.org)) websites.

Posted by: /s/ Kathy T. Kresser, City Recorder

Date: October 2, 2015

Time: 5:30 p.m.

Place: City Hall, Library and Community Development Building.

***Public Hearing Notice was published in the Daily Herald on September 25, 2015.***

***Supporting documents can be found online at: <http://www.plgrove.org/pleasant-grove-information-25006/staff-reports-78235>***

\*Note: If you are planning to attend this public meeting and due to a disability, need assistance in understanding or participating in the meeting, please notify the City Recorder, 801-785-5045, forty-eight hours in advance of the meeting and we will try to provide whatever assistance may be required.