

ORDINANCE NO. 2022-8

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-11-D-16: MULTIPLE-FAMILY DEVELOPMENT REQUIREMENTS IN THE CS-2 (COMMERCIAL SALES-2) ZONE; BY MAKING A SERIES OF CHANGES INCLUDING ADDING REQUIREMENTS FOR VEHICULAR PARKING AND OPTIONAL DESIGN FEATURES; INCLUDING AN EFFECTIVE DATE (ICO DEVELOPMENT, APPLICANT).

WHEREAS, under the current code Multiple-family residential developments are listed as a conditional use in the CS-2 (Commercial Sales-2) Zone; and

WHEREAS, the applicant is proposing a series of changes to be able to build a single housing type, namely attached townhomes, on property of approximately 6 acres; and

WHEREAS, the current city code does not include the requirement of having driveways for multifamily residential developments consisting of townhomes; and

WHEREAS, staff worked with the applicant to propose an amendment to the code where an applicant can build a multi-family development in the form of townhomes as long as the residential units have driveways leading to a 2 car garage with the minimum dimensions of twenty- two feet (22') in length by twenty feet (20') in width; and

WHEREAS, on February 24, 2022, the Pleasant Grove City Planning Commission held a public hearing to consider amending Section 10-11-D-16: multiple-family development requirements in the CS-2 (Commercial Sales-2) Zone; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to Section 10-11-D-16: multiple-family development requirements in the CS-2 (Commercial Sales-2) Zone was in the public's interest and is consistent with the written goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the amendment to Section 10-11-D-16: multiple-family development requirements in the CS-2 (Commercial Sales-2) Zone in the Pleasant Grove Municipal Code be approved; and

WHEREAS, on March 1, 2022, 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

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

SECTION 1. , Title 10 Chapter 11 Article D Commercial Sales-2 (CS-2) Zone of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-11D-16: MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT REQUIREMENTS¹:

Proposed City Code 10-11D-16 F:

F. Setbacks:

1. Mixed use and multi-family residential uses: The minimum building setback is twenty five feet (25') from rear and side property lines and ~~forty feet (40') from street frontages~~ **twenty feet (20') from street frontages. No vehicular parking is allowed in the front setback.**

Proposed City Code 10-11D-16 D:

D. Optional Design Features: All multi-family and mixed use developments shall include a minimum of the following optional design features totaling at least twenty five (25) points (or 50 percent) of the total fifty (50) point values:

1. Solar Features (5 Points): All dwellings are designed with an active or passive solar feature. The solar features may include a solar water heater, trombe wall, earth insulation of a majority of the walls, the building designed so that the main exposure faces south and has windows to allow solar access, or other features as approved by the design review board.

2. Roof Materials (5 Points): If all roofs of main buildings are clad with forty (40) year architectural grade tile or slate shingles, bonus points could be granted.

3. Multipurpose Stormwater Detention (5 Points): Stormwater detention facilities are designed and used for multiple purposes which blend with the overall theme of the open space design, i.e., shape of the area is free flowing, the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible.

4. Special Features (5 Points): Special features such as fountains, streams, ponds, sculptures, buildings or other elements which establish a strong theme for the development and are used in highly visible locations in the development.

5. Common Building Or Facilities (5 Points): Development of a common building which shall be used for meetings, indoor recreation, daycare or other common uses as approved by the planning commission.

6. Extra Trees And Landscaping (5 Points): Design and planting at least twenty percent (20%) more than the minimum number of trees, shrubs and perennials per dwelling unit in the development.

7. Open Space (10 Points): Provision of ten percent (10%) more than the minimum required usable open space area.

8. Construction And Dedication Of A Park Or Trail (10 Points): Dedication of land for a public park, public access along a stream, or public access along a trail within the tract of the multi-family development. The city must be willing to accept the proposed dedication before points are awarded. Construction of a trail or park which has been dedicated to the city shall be according to city standards.

9. Xeriscaping (5 points): Water-wise landscaping design that consists of at least 70% of the xeriscaped area to contain plants, trees, and shrubs. This shall include low water plants and appropriate uses of turf to contribute to lowered maintenance.

Proposed City Code 10-11D-16 G:

G. Parking: All multi-family residential structures shall have as a minimum ~~two and a half (2.5) parking spaces per unit, including at least one parking space per unit as an enclosed garage~~ 2.33 parking spaces per unit, including two parking spaces per unit as an enclosed garage and for every 3 residential units one visitor parking shall be provided. The visitor parking shall be evenly distributed throughout the entire site. In addition, the following requirements shall apply:

1. Parking For Residents: The parking shall be dedicated for the sole use of the residents for their individual needs and discretion.

~~2. Detached Parking Structures: Detached parking structures shall only be located to the side or rear, not in the front, of residential buildings.~~

2. Driveways: Each residential unit shall have a driveway leading to the 2-car garage entrance. The minimum dimensions for a driveway shall be twenty two feet (22') in length by twenty (20') in width

3. Finish Materials: Garages and carports shall be built with the same finish materials and colors as the main structures and shall be architecturally similar (including rooflines) to the main structures or incorporated into their design and construction.

4. Dimensions: ~~Each single space within a garage shall have a minimum interior dimension of twenty two feet (22') in length by twelve feet (12') in width.~~ The minimum interior dimensions for the required 2 car garage per residential unit shall be twenty- two feet (22') in length by twenty feet (20') in width.

5. Garage Requirements: Garages shall have four (4) walls, a roof, a doorway at least nine feet (9') in width, and a door that is lockable.

~~6. Materials Similar To Main Structure To Be Used: The ends of carport structures shall be walled with similar exterior material, material ratios, and look as the main structures.~~

7. Paving And Striping: Driveways and uncovered parking areas shall be paved and striped with dimensions following the requirements of chapter 18 of this title.

8. Tandem Parking: No tandem parking (1 parking space behind another parking space) shall be permitted ~~unless both spaces are reserved for the same dwelling unit.~~

9. Recreational Vehicle Parking: No recreational vehicle parking is permitted anywhere on site whether inside or outside of a garage.

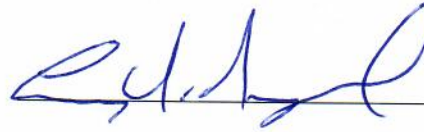
10. Current License Plate Required: No vehicles or trailers of any type without current license plates shall be parked or stored other than in a completely enclosed building.

11. Use Of Setback Or Buffer Areas Prohibited: No surface parking or maneuvering space is permitted within any required setback or landscape buffer, except that driveways providing access to the parking area may cross these areas. Driveways should be as nearly perpendicular to the street right of way as possible.

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 1th day of March 2022.



Guy L. Fugal, Mayor

ATTEST:



Kathy T. Kresser, MMC - City Recorder

Motion: Council Member Bullock

Second: Council Member Fugal



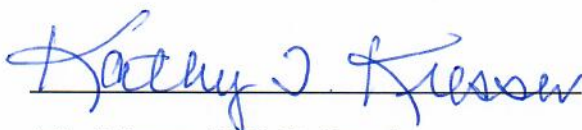
ROLL CALL	Yea	Nay	Abstain
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	<u>X</u>	_____	_____
Brent Bullock	<u>X</u>	_____	_____
Eric Jensen	<u>X</u>	_____	_____
Cyd LeMone	<u>X</u>	_____	_____
Todd Williams	<u>X</u>	_____	_____

CERTIFICATE OF POSTING ORDINANCE

Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. 2022-8 was posted on the State (<http://pmn.utah.gov>) website on this 7th day of March, 2022.

Dated this 7 day of March, 2022.



Kathy T. Kresser, MMC, City Recorder

City Council Staff Report

March 1, 2022

Item 9A

CODE TEXT AMENDMENT PROPOSAL

REQUEST	Request to amend City Code Section 10-11-D-16: Multiple-Family Development Requirements in the CS-2 Zone	
APPLICANT	Josh Smith – ICO Development	
ADDRESS	City Wide – CS-2 (Commercial Sales-2) Zone	
STAFF RECOMMENDATION	Recommend Approval of the staff version of the Proposed Ordinance Amendments	
ATTACHMENTS	Proposed text amendment	8
	Maps and Images	10

Background

The CS-2 Zone was established to provide areas in appropriate locations where a combination of businesses, commercial, entertainment and related activities may be established, maintained and protected. The regulations for this zone are designed to promote and encourage the development of shopping centers comparable to those in neighboring cities. The zone was established primarily as a commercial zone; however, after the initial development, it was decided to incorporate a residential component to the zone. This would allow for some type of infill or mixed-use development along a heavy transited road, such as in this specific case, State Street.

The residential component was meant to be secondary with development occurring in an organized form. As such, residential uses were intended to be incorporated to commercial uses only as infill developments. This, along with a surge of monotonous development around the City, was motivation for staff to draft language for provisions that would break up the mass of a single development type. One such provision that was added to the code was one that requires all developments above 5 acres to have a mix of apartments/condominiums, rows of townhomes and single-family dwellings.

As with many code amendments requests, the primary motivation behind this request is an imminent project development that cannot happen due to the restrictions or requirements of the City Code. In this application the applicant is requesting a variety of code amendments, from expanding the threshold that stops residential developments with frontage to a public street, to adjusting the requirements that trigger the three different types of housing and to amending the optional design features to include xeriscape landscape design.

Currently the tract of land owned by the applicant is not part of the Commercial sales Subdistrict, and it is the intent of the applicant to amend the City Code for residential uses in the CS-2 (Commercial Sales 2) Zones to later apply it to the property.

Analysis

The CS-2 (Commercial Sales-2) Zone is a zone intended for commercial uses and the residential portion of the ordinance shall be incidental to the commercial uses. Residential uses within a commercial zone shall only be use as an infill development; therefore, the City Code has multiple breaks and regulations to keep the zone mainly commercial and take advantage of the fact that the tracts of land classified as Commercial Sales -2 are located along public right of ways with easy access. With easy access, these tracts of land are ideally suited as locations where a combination of businesses, commercial, entertainment and related activities may be established, maintained and protected. The regulations of this zone are designed to promote and encourage the development of shopping centers.

The applicant is proposing a series of changes to the residential portion of the CS-2 (Commercial Sales 2) Zone in order to accommodate a future townhome development. The proposed changes vary and are described in the following paragraphs:

- **Type of multi-family development required when frontage is more than 200 ft.**

Current City Code 10-11D-16 E:

E. Developments located in the CS-2 Zone, which are greater than five (5) acres but less than eight (8) acres in size and do not have frontage of more than two hundred (200) feet along a street, may include only one type of housing so long as additional design features are included. The number of points required is determined by the total acreage as detailed in the table below:

Project Size	Points Required
5 acres up to less than 6 acres	10
6 acres up to less than 7 acres	17
7 acres up to less than 8 acres	22

Proposed City Code 10-11D-16 E:

E. "Developments located in the CS-2 Zone, which are greater than five (5) acres but less than eight (8) acres in size and do not have frontage of more than ~~two hundred (200) feet~~ **seven hundred and fifty (750) feet along a street**, may include only one type of housing so long as additional design features

are included. The number of points required is determined by the total acreage as detailed in the table below”

Project Size	Points Required
5 acres up to less than 6 acres	10
6 acres up to less than 7 acres	17
7 acres up to less than 8 acres	22

- **Setbacks**

Current City Code 10-11D-16 F:

F. Setbacks:

1. Mixed use and multi-family residential uses: The minimum building setback is twenty five feet (25') from rear and side property lines and forty feet (40') from street frontages.

Proposed City Code 10-11D-16 F:

F. Setbacks:

1. Mixed use and multi-family residential uses: The minimum building setback is twenty five feet (25') from rear and side property lines and ~~forty feet (40') from street frontages~~ **twenty feet (20') from street frontages. No vehicular parking is allowed in the front setback.**

- **Optional Design Features**

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D. Optional Design Features: All multi-family and mixed use developments shall include a minimum of the following optional design features totaling at least twenty five (25) points (or 50 percent) of the total fifty (50) point values:

1. Solar Features (5 Points): All dwellings are designed with an active or passive solar feature. The solar features may include a solar water heater, trombe wall, earth insulation of a majority of the walls, the building designed so that the main exposure faces south and has windows to allow solar access, or other features as approved by the design review board.

2. Roof Materials (5 Points): If all roofs of main buildings are clad with forty (40) year architectural grade tile or slate shingles, bonus points could be granted.

3. Multipurpose Stormwater Detention (5 Points): Stormwater detention facilities are designed and used for multiple purposes which blend with the overall theme of the open space design, i.e., shape of the area is free flowing, the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible.

4. Special Features (5 Points): Special features such as fountains, streams, ponds, sculptures, buildings or other elements which establish a strong theme for the development and are used in highly visible locations in the development.

5. Common Building Or Facilities (5 Points): Development of a common building which shall be used for meetings, indoor recreation, daycare or other common uses as approved by the planning commission.

6. Extra Trees And Landscaping (5 Points): Design and planting at least twenty percent (20%) more than the minimum number of trees, shrubs and perennials per dwelling unit in the development.

7. Open Space (10 Points): Provision of ten percent (10%) more than the minimum required usable open space area.

8. Construction And Dedication Of A Park Or Trail (10 Points): Dedication of land for a public park, public access along a stream, or public access along a trail within the tract of the multi-family development. The city must be willing to accept the proposed dedication before points are awarded. Construction of a trail or park which has been dedicated to the city shall be according to city standards.

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9. Xeriscaping (5 points): Water-wise landscaping design that consists of at least 70% of the xeriscaped area to contain plants, trees, and shrubs. This shall include low water plants and appropriate uses of turf to contribute to lower maintenance.

- **Parking**

Current City Code 10-11D-16 G:

G. Parking: All multi-family residential structures shall have as a minimum two and a half (2.5) parking spaces per unit, including at least one parking space per unit as an enclosed garage. In addition, the following requirements shall apply:

1. Parking For Residents: The parking shall be dedicated for the sole use of the residents for their individual needs and discretion.
2. Detached Parking Structures: Detached parking structures shall only be located to the side or rear, not in the front, of residential buildings.
3. Finish Materials: Garages and carports shall be built with the same finish materials and colors as the main structures and shall be architecturally similar (including rooflines) to the main structures or incorporated into their design and construction.
4. Dimensions: Each single space within a garage shall have a minimum interior dimension of twenty two feet (22') in length by twelve feet (12') in width.
5. Garage Requirements: Garages shall have four (4) walls, a roof, a doorway at least nine feet (9') in width, and a door that is lockable.
6. Materials Similar To Main Structure To Be Used: The ends of carport structures shall be walled with similar exterior material, material ratios, and look as the main structures.
7. Paving And Striping: Driveways and uncovered parking areas shall be paved and striped with dimensions following the requirements of chapter 18 of this title.
8. Tandem Parking: No tandem parking (1 parking space behind another parking space) shall be permitted unless both spaces are reserved for the same dwelling unit.
9. Recreational Vehicle Parking: No recreational vehicle parking is permitted anywhere on site whether inside or outside of a garage.
10. Current License Plate Required: No vehicles or trailers of any type without current license plates shall be parked or stored other than in a completely enclosed building.
11. Use Of Setback Or Buffer Areas Prohibited: No surface parking or maneuvering space is permitted within any required setback or landscape buffer, except that driveways providing access to the parking area may cross these areas. Driveways should be as nearly perpendicular to the street right of way as possible.

Proposed City Code 10-11D-16 G:

G. Parking: All multi-family residential structures shall have as a minimum ~~two and a half (2.5) parking spaces per unit, including at least one parking space per unit as an enclosed garage~~ **2.33 parking spaces per unit, including two parking spaces per unit as an enclosed garage and for every 3 residential units one visitor parking shall be provided. The visitor parking shall be evenly distributed throughout the entire site.** In addition, the following requirements shall apply:

1. Parking For Residents: The parking shall be dedicated for the sole use of the residents for their individual needs and discretion.

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Recommendation

Planning Staff recommends the Planning Commission forward a positive recommendation to Pleasant Grove City Council for the proposed City Code Amendments to Section 10-11D-16: Multiple-Family Residential Development Requirements.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on February 24, 2022.

3. Public Hearing: Text Amendment – Section 10-11D-16E: (City Wide)

Multiple-Family Residential Development Requirements Public Hearing to consider the request of Josh Smith to amend City Code Section 10-11D-16E: Multiple-Family Residential Development Requirements, by modifying the provisions and requirements for multi-family developments within the CS-2 (Commercial Sales-2) Zone.

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Fugal moved Planning Commission recommend that the City Council approve the request of Josh Smith – ICO Development for the proposed amendments to City Code Section 10-11-D-16: Multiple-Family Development Requirements in the CS-2 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

Commissioner Hargett seconded the motion.

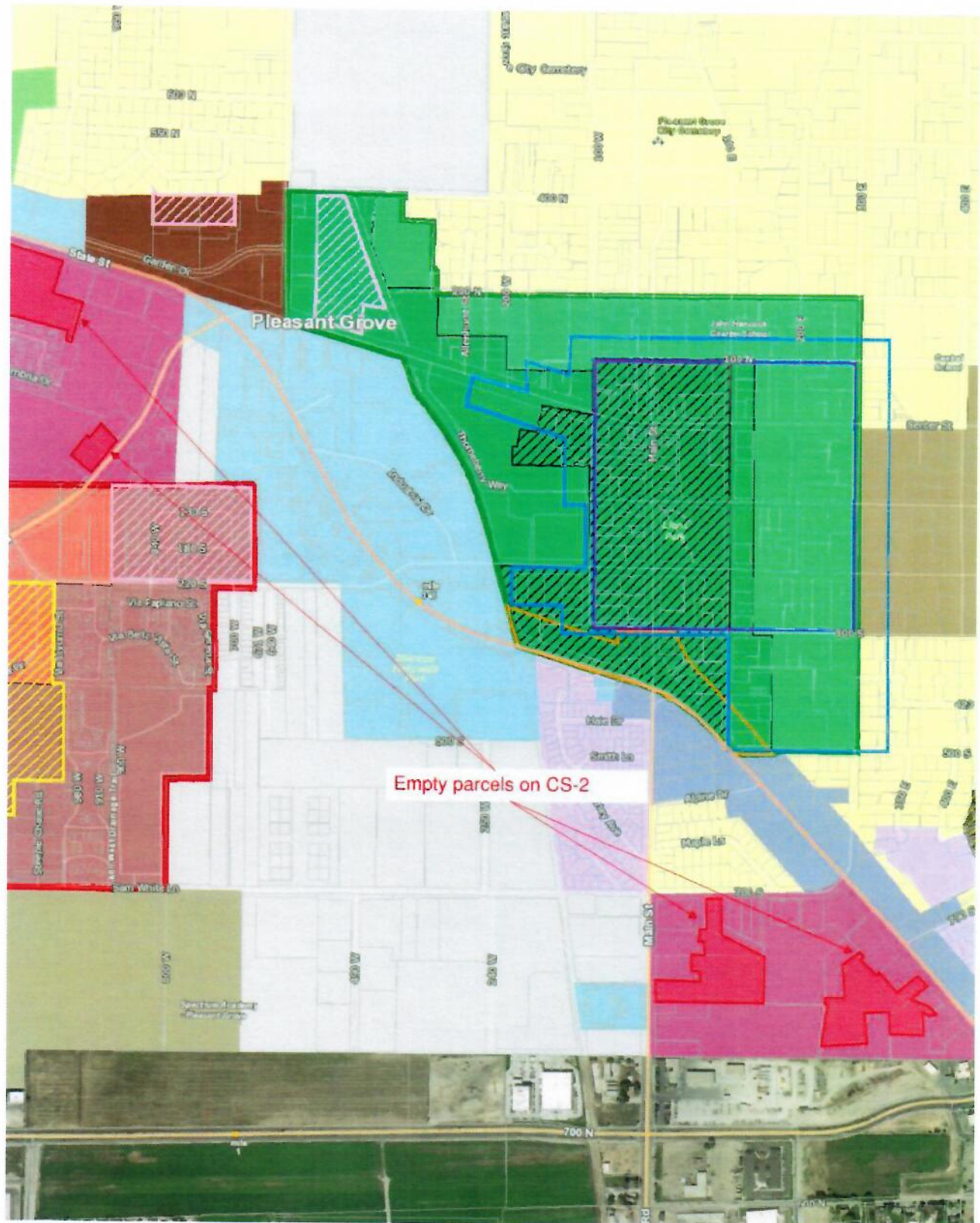
The Commissioners unanimously voted “Aye”. The motion carried.

Motion by: Commissioner Fugal

Seconded by: Commissioner Hargett

AYE VOTES: Chair Butler, Fugal, Steele, Martineau, Hargett

IMAGES



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 Authors: Daniel Cárdenas Jarquín - Community Development Director



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