

ORDINANCE NO. 2022-17

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-14-24-1-C2: THE GROVE COMMERCIAL SALES SUBDISTRICT, PERMITTED USES, EXPANDING THE PERMITTED USES TO INCLUDE USE #6496 LOCKSMITHS AND KEY SHOPS IN THE GROVE ZONE -COMMERCIAL SALES SUBDISTRICT; INCLUDING AN EFFECTIVE DATE (JARREN STAKER, APPLICANT).

WHEREAS, the applicant, Jarren Staker proposes to add use #6496, Locksmiths and key shops, to the list of permitted uses in the Grove Zone-Commercial Sales Subdistrict; and

WHEREAS, on August 11, 2022 the Pleasant Grove City Planning Commission held a public hearing to consider amending City Code Section 10-14-24-1-C2: The Grove Commercial Sales Subdistrict, permitted uses, by adding Use #6496, Locksmiths and key shops, to the list of permitted uses in the Grove Zone-Commercial Sales Subdistrict; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to Section City Code Section 10-14-24-1-C2: The Grove Commercial Sales Subdistrict, permitted uses, by adding Use #6496 Locksmiths and key shops, to the list of permitted uses in the Grove Zone-Commercial Sales Subdistrict 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 10-14-24-1-C2: The Grove Commercial Sales Subdistrict, permitted uses, by adding Use #6496, Locksmiths and key shops, be approved; and

WHEREAS, on September 6, 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 is consistent with the goals and policies of the General Plan; and

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

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

SECTION 1. Modified Section 10-11D-2: TABLE OF PERMITTED, CONDITIONAL AND ACCESSORY USES, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-24-1-C2: PERMITTED, CONDITIONAL, AND ACCESSORY USES

C. Permitted And Conditional Uses:

1. Land Use Code: Those uses or categories of uses as listed herein and no others are permitted in this zone. All other uses contained herein are listed by number as designated in the standard land use code published and maintained by the community development department. Specific uses are identified by a four (4) digit number in which all digits are whole numbers. When a general category number is listed, all use numbers which fall under that category are included (e.g., the land use number 5600 would include all uses having the first 2 digits of "56--"). (Ord. 2014-21, 5-27-2014)

2. Permitted Principal Uses: The following principal uses and structures are permitted in this zone:

Use Number		Use Classification
1511		Hotels
1512		Motels, except motor hotels
5230		Paint, glass and wallpaper (includes brushes, rollers, sprayers, etc.)
5240		Electrical supplies, except appliances
5250		Hardware and supplies
5310		Department stores
5330		Variety stores, limited price
5390		Other retail trade, general merchandise
5400		Food (includes groceries, candy, nut and confectionery, bakeries, etc.)
5511		Motor vehicles, automobiles (new)
5512		Motor vehicles, automobiles (used only), permitted only within the area west of North County Boulevard, between State Street and Center Street, as shown on the map attached to the ordinance codified herein
5520		Tires, batteries and accessories
5532		Convenience store with gasoline and general merchandise
5590		Retail trade; automotive, marine craft, aircraft and accessories
5600		Apparel and accessories (includes all clothing, shoes, custom tailoring, furriers, etc.)
5700		Furniture, home furnishings and equipment (includes appliances, electronics, office supplies, etc.)
5810		Eating places
5910		Drug and proprietary
5940		Books, stationery, art and hobby supplies
5950		Sporting goods, bicycles and toys

5970	Jewelry
5990	Miscellaneous retail trade
6100	Finance, insurance and real estate services (includes credit services, security and commodity services, holding and investment services, etc.)
6220	Photographic services
6230	Beauty and barber services
6297	Gymnasiums, athletic clubs, bodybuilding studios, spas, health clubs, aerobic centers, etc.
6377	Indoor climate controlled storage facilities, permitted only within the area west of North County Boulevard, between State Street and Center Street, as shown on the map attached to the ordinance codified herein
6419	Automobile service, except repair and wash (Includes lube, diagnostic, tune ups, parts and tire replacement services), permitted only for properties fronting State Street.
6496	Locksmiths and Key Shops
6500	Professional services (includes medical, health, legal, engineering, architectural and planning, research, data processing, etc., except 6516 - see conditional uses)
6730	Postal services
6910	Religious activities
7100	Cultural activities and nature exhibitions
7210	Entertainment assembly
7230	Public assembly, miscellaneous purposes
7390	Amusements (no alcohol served)
7620	Parks; leisure and ornamental (for scenic or leisure purposes, may include statues, monuments, etc.)

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.

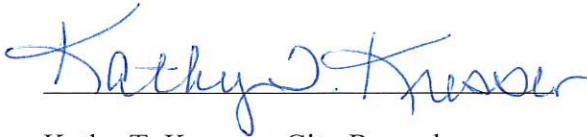
SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 4. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 6th day of September, 2022.



Guy L. Fugal, Mayor

ATTEST:



Kathy T. Kresser, City Recorder

MMC



Motion: Council Member ANDERSEN

Second: Council Member JENSEN

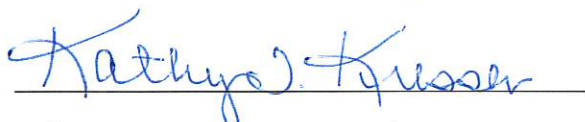
ROLL CALL	Yea	Nay	Abstain
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	<u>X</u>	_____	_____
Brent Bullock	<u>X</u>	_____	_____
Eric Jensen	<u>X</u>	_____	_____
Cyd LeMone	<u>X</u>	_____	_____
Todd Williams	<u>X</u>	_____	_____

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. 2022-17 was posted on the State (<http://pmn.utah.gov>) website on this 7 day of Sept, 2022.

Dated this 7 day of Sept, 2022.



Kathy T. Kresser, MMC, City Recorder

City Council Staff Report

September 6, 2022

Item 9A

TEXT AMENDMENT PROPOSAL

REQUEST	Request to amend City Code Section 10-14-24-1 C2: The Grove Commercial Sales Subdistrict, Permitted Uses
APPLICANT	Jarren Staker
ZONE	The Grove – Commercial Sales Subdistrict
STAFF RECOMMENDATION	Approve the proposed Code Text Amendment
ATTACHMENTS	Proposed Ordinance Amendments

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Background

The applicant is requesting approval of a Code Text Amendment to add Use #6496 (Locksmiths and key shops) to the list of permitted uses in The Grove – Commercial Sales Subdistrict.

Analysis

The purpose of The Grove – Commercial Sales Subdistrict is to “create attractive grove district commercial areas, allowing for a mix of land uses including office, retail and civic/public, and utilizing the highest quality architecture and site design. ... Development in this subdistrict should contribute to the creation of a unique "signature image" for the city that encourages pedestrian activity, social interaction and a quality shopping experience”.

A locksmith shop is a low-intensity use that generally has small manufacturing machinery that could be carried by hand and generates low noise, with the loudest noise of the building being the garage door. The major functions of a locksmithing shop are retail and service in nature: by carrying supplies for the creation of new keys, performing software management to service electronic or automobile keys, and providing on- and off-site service.

The parking ratio for retail in The Grove Zone is 1 parking space for every 200 square feet of gross floor area, plus an additional 1 space for each 400 square feet on additional floors. Since the majority of a locksmith shop is dedicated to retail uses with a small workshop in the back for additional storage and key manufacturing, a locksmithing use will follow this parking ratio. These parking spaces will be used by customers will typically spend a short time inside the shop. For customers who are shopping for new automobile keys, the customer pulls into the shop's drive bay. Otherwise, the applicant keeps work vehicles parked on the premises during off hours of the business, as the work vehicles are normally taken off-site to service customers who are away – sometimes as far as Saratoga Springs.

Because of its low intensity, Use #6496 is a permitted use within several other districts within the City of Pleasant Grove, such as The Grove – Mixed Housing Subdistrict. Because the proposed text amendment proposes a use Staff believes to be in harmony with the intent of the established Zone, is an allowable use within less intense zones, and no negative effects are anticipated, Staff recommends approval.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on August 11, 2022.

**6. Public Hearing: Code Text Amendment – Section 10-14-24-1:
(City Wide)**

Public Hearing to consider the request of Jarren Staker to amend City Code Section 10-14-24-1: The Grove Commercial Sales Subdistrict Requirements, by modifying the provisions and requirements for permitted principal uses within The Grove Commercial Sales Subdistrict, to permit Use # 6496 (Locksmiths and key shops).

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Patten moved the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to City Code Section 10-14-24-1: Permitted and Conditional Uses, by adding Use #6496, Locksmiths and Key Shops, to the list of permitted uses in The Grove – Commercial Sales Subdistrict; 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 Fugal seconded the motion.

The Commissioners unanimously voted "Aye". The motion carried.

Motion by: Commissioner Patten

Seconded by: Commissioner Fugal

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

PROPOSED TEXT AMENDMENT

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5700	Furniture, home furnishings and equipment (includes appliances, electronics, office supplies, etc.)
5810	Eating places
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Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner

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