

ORDINANCE NO. 2022-25

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-14-25-2-C: THE GROVE BUSINESS PARK (GBP) OVERLAY, PERMITTED PRINCIPAL USES, EXPANDING THE PERMITTED USES TO INCLUDE A SERIES OF MULTIPLE NEW USES (53 NEW USES AND REMOVING 5 USES) AS PERMITTED USES IN THE GROVE BUSINESS PARK (GBP) OVERLAY; INCLUDING AN EFFECTIVE DATE (ST. JOHN'S PROPERTIES, APPLICANT).

WHEREAS, the applicant, St. John's Properties proposes to add a series of multiple new uses (53 new uses) and to remove 5 uses, to the list of permitted uses in The Grove Business Park (GBP) Overlay Zone; and

WHEREAS, on November 17, 2022, the Pleasant Grove City Planning Commission held a public hearing to consider amending City Code Section 10-14-25-2-C: The Grove Business Park (GBP) Overlay - Permitted Principal Uses, by adding 53 new uses to the list of permitted uses in The Grove Business Park (GBP) Overlay; and

WHEREAS, at its public hearing the Planning Commission revised and modified the applicant's list of proposed uses and decided that the requested amendment to City Code Section 10-14-25-2-C: The Grove Business Park (GBP) Overlay - Permitted Principal Uses, as modified by the Planning Commission by removing 5 existing uses but only adding 48 new uses, 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 add new uses to Section 10-14-25-2-C: The Grove Business Park (GBP) Overlay - Permitted Principal Uses, as detailed on the attached list, be approved; and

WHEREAS, on December 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 10-14-25-2-C: THE GROVE INTERCHANGE SUBDISTRICT, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-25: THE GROVE BUSINESS PARK (GBP) OVERLAY:

10-14-25-2: PERMITTED, CONDITIONAL AND ACCESSORY USES:

C. Permitted Principal Uses: In addition to the permitted uses of the underlying zone, the following principal uses and structures are permitted in this overlay:

Use Number	Use Classification
2150	Bakery Products
2180	Beverage
2700	Printing, publishing and allied industries
2830	Pharmaceutical and nutritional supplements (including biological products, medicinal chemicals and botanical products)
3500	Professional, scientific, and controlling instruments: photographic and optical goods: watches and clocks
3510	Engineering, laboratory and scientific and research instruments and associated equipment
4731	Radio broadcasting (studios only)
4760	Recording and Sound Studios
4920	Transportation Services and Arrangements
5121	Wholesale trade of drugs, drug proprietaries and sundries (including pharmaceutical, nutritionals and essential oils)
5130	Dry Goods and Apparel
5140	Groceries and Related Products
5160	Electrical Goods
5170	Hardware, Plumbing, Heating Equipment, and Supplies
5180	Machinery, Equipment, and Supplies
5200	Building Materials, Hardware, Farm Equipment and Supplies
5300	General Merchandise
5400	Food
5590	Retail Trade – Automotive, Marine Crafts, Aircraft, and Accessories, NEC.
5610	Men's and Boy's Clothing and Furnishings
5620	Women's Ready to Wear
5630	Women's Accessories and Specialties
5640	Children's and Infant's Wear
5650	Family Clothing
5660	Shoes
5670	Custom Tailoring
5690	Retail Trade – Apparel and Accessories, NEC.
5710	Furniture, Home Furnishings, and Equipment

5720	Household Appliances
5730	Radios, Televisions, and Music Sound Systems and Supplies
5740	Office Equipment, Furniture, Machines and Supplies
5810	Eating places, including restaurants and cafeterias
5900	Miscellaneous Retail Trade, except uses 5981, 5982 and 5983
5910	Drug and proprietary retail
5990	Miscellaneous retail
6110	Banks
6220	Photographic Services
6230	Beauty and Barber Services
6250	Apparel Repair
6291	Clothing rental
6297	Athletic clubs, etc.
6310	Advertising Services
6330	Duplicating, Mailing, Stenographic and Office services
6340	Dwelling and Other Building Services. Office only
6360	Employment Services
6376	General warehousing and storage
6420	Electrical Appliance Repair and Services
6490	Repair Shops and Related Services, NEC
6500	Professional Services, except uses 6515 and 6516
6519	Massage clinic – licensed therapists
6540	Research services (including marketing, telemarketing, public relations and advertising services)
6600	Contract Construction Services
6710	Executive, Legislative, and Judicial Functions, Except Military
6830	Special Training and Schooling
7230	Public assembly uses: public assembly, miscellaneous purposes, including convention and exhibition halls
7390	Amusements, NEC
7420	Playgrounds and Athletic Areas
8221	Veterinarian Services
8222	Animal Hospital Services

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.

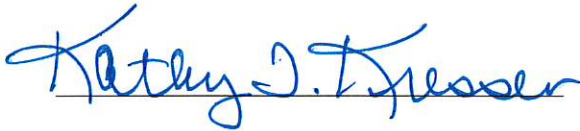
SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

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



Guy L. Fugal, Mayor

ATTEST:



Kathy T. Kresser, MMC
City Recorder



Motion: Council Member WILLIAMS
Second: Council Member LEMONE

ROLL CALL	Yes	No	Absent
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	_____	<u> X </u>	<u> X </u>
Brent Bullock	_____	<u> X </u>	<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. 2022-25 was posted on the State (<http://pmn.utah.gov>) website on this 7 day of Dec, 2022.

Dated this 19 day of Dec, 2022.

Kathy T. Kresser
Kathy T. Kresser, MMC, City Recorder



City Council Staff Report

December 6, 2022

Item 9A

TEXT AMENDMENT PROPOSAL

REQUEST	Request to amend City Code Section 10-14-25-2-C: The Grove Business Park Overlay Permitted Uses
APPLICANT	St. John's Properties
ZONE	The Grove Interchange Subdistrict
STAFF RECOMMENDATION	Approve the proposed Code Text Amendment
ATTACHMENTS	Proposed Ordinance Amendments (by applicant)

Background

On July 20, 2021, Pleasant Grove City Council held a public hearing and approved the request of Daniel Thomas for a rezone of approximately 6.93 acres of land to apply The Grove Business Park Overlay (GBP) Zone located in the Interchange Subdistrict in the Grove Zone.

The applicant is now requesting approval of a Code Text Amendment to add 53 new uses to the list of permitted uses in The Grove Business Park Overlay. Many of these uses fall under retail, office, and service categories. The applicant intends to fill out a commercial building suited for flex space with more uses than what is already permitted within the overlay.

Analysis

Purpose:

The purpose of The Grove Interchange Subdistrict is to “to provide for a mixture of research, office, retail, warehousing and certain specialized light manufacturing uses in a parklike atmosphere”, and “is to be characterized by attractively designed buildings and off street parking lots situated among spacious lawns, trees, shrubs and other landscape features, preserving as much as possible existing natural wetlands and associated vegetation.”

The GBP Overlay is generally a small area located near I-15 and Sam White Lane. Existing uses around this area include commercial businesses and automobile sales to the south, residential to the east, and offices and a church to the west and north. Eleven uses are currently permitted within the overlay (see Proposed Text Amendment – black text); because of its location and base zoning, this overlay was created to introduce some light manufacturing, office, and storage space through uses such as printing and publishing services, general warehousing and storage, and research services to the area. As this

Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner

overlay is adjacent to residential uses, pure manufacturing would not be permitted, but rather uses such as light manufacturing and/or storage in the back with retail or office in the front would be in harmony with the purposes of the overlay.

As commercial buildings are constructed in this area, the applicant has considered potential uses to add to this overlay that would allow for a greater pool of potential tenants while expanding on the existing uses and still meeting the purposes of the overlay. After discussing several potential uses with staff, refining the list to be as specific as possible, and avoiding uses that would not be in harmony with the purpose of the overlay, the applicant has provided a final list (see Proposed Text Amendment – red text) of all the uses they would like to add to the zone.

These uses largely fall under two categories: Trade, Wholesale & Retail; and Services. Several other uses fall under other categories, as seen by the pie chart.

With there being so many uses added, the parking ratio will depend on what specific uses are established within the commercial buildings. Office

spaces have a parking ratio of 1:300; Retail has a parking ratio of 1:200, and Warehousing has a parking ratio of 1:6000. These parking spaces will be accounted for on any commercial development, building permit, or business license that is submitted to staff for review.

Because the proposed text amendment proposes uses Staff believe to be in harmony with the intent of the established Zone, Staff recommends approval of the request as presented by the applicant.

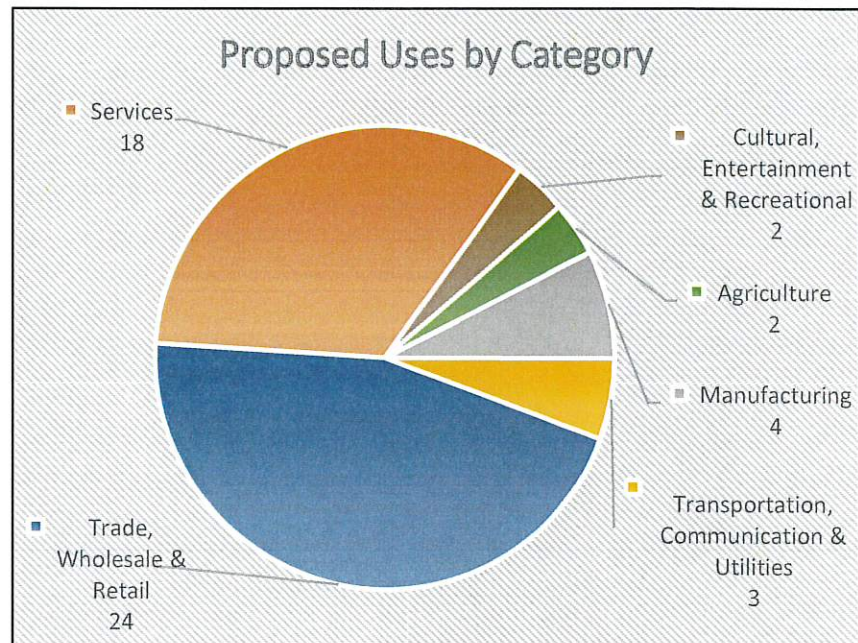


Figure 1

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on November 17, 2022.

1. Public Hearing: Code Text Amendment – Section 10-14-25-2: PERMITTED, CONDITIONAL AND ACCESSORY USES in The Grove Business Park Overlay (City Wide)

Public Hearing to consider the request of St. John's Properties to amend City Code Section 10-14-25-2: Permitted, conditional and accessory uses in The Grove Business Park (GBP) Overlay, by

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modifying the provisions, requirements, and list for permitted principal uses within The Grove Business Park (GBP) Overlay, located within The Grove Interchange Subdistrict, and adding a series of multiple new uses or categories to the list of permitted uses within the overlay zone.

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Fugal moved that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendments to City Code Section 10-14-25-2-C: Permitted, Conditional and Accessory Uses, by adding the proposed list of uses to the list of permitted uses in The Grove Business Park Overlay; as presented today to the staff 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. As Presented to staff:

2150- Bakery Products – Allow

2180- Beverage -Allow

2700- Printing, publishing, and allied industries – Already Allowed – Keep

2830- Pharmaceutical and nutritional supplements – Already Allowed - Keep

3140- Miscellaneous Plastic Products – **NOT ALLOWING**

3500- Profession, scientific and controlling instruments: photographic and optical goods: watches and clocks-Allow

~~3510- Engineering, laboratory and scientific and research instruments and associated equipment.~~

- (This is to be removed because it is now included in use #3500)

4731- Radio broadcasting (studios only) -Allow

4760- Recording and Sound Studios- Allow

4920- Transportation Services and Arrangements – Allow

5121- Wholesale trade of drugs, drug proprietaries and sundries- Already Allowed- Keep

5130- Dry Good and Apparel – Allow

5140- Groceries and related products- Allow

5160- Electrical Goods – Allow

5170- Hardware, Plumbing, Heating equipment and supplies- Allow

5180- Machinery, Equipment and Supplies - Allow

5190- Miscellaneous Wholesale and Trade, NEC – **NOT ALLOWING**

5200- Building materials, hardware, farm equipment and supplies- Allow

5300- General Merchandise – Allow

5400- Food – Allow

5590- Retail Trade- Automotive, Marine Crafts, Aircraft, and Accessories, NEC- Allow

5610- Men's and Boy's Clothing and Furnishings- Allow

5620- Women's Ready Wear – Allow

5630- Women's Accessories and Specialties- Allow

5640- Children's and Infant's Wear- Allow

5650- Family Clothing – Allow

5660- Shoes- Allow

5670- Custom Tailoring – Allow

5690- Retail Trade – Apparel and Accessories, NEC- Allow

5710- Furniture, Home Furnishings and Equipment- Allow

5720- Household Appliances- Allow
 5730- Radios, Televisions, and Music Sound Systems and Supplies- Allow
 5740- Office Equipment, Furniture, Machines and Supplies- Allow
 5800- Eating and Drinking Places -**NOT ALLOWING**
 5810- Eating Places, including restaurants and cafeterias- Already Allowed -Keep
 5900- Miscellaneous Retail Trade- Allow BUT **Eliminate 5981, 5982, 5983**, Keep 5984
~~5910- Drug and proprietary retail~~ - (This is to be removed because it is now included in use #5900)
~~5990- Miscellaneous Retail~~ - (This is to be removed because it is now included in use #5900.)
 6100- Finance, insurance and real estate service- ALLOW 6110 but **DON'T ALLOW ANYTHING ELSE**
 6220- Photographic Services-Allow
 6230- Beauty and Barber – Allow
 6250- Apparel Repair – Allow
 6291- Clothing Rental- Allow
 6297- Athletic Clubs, ETC- Allow
 6310- Advertising Services- Allow
 6330- Duplicating, Mailing, Stenographic and Office Services- Allow
 6340- Dwelling and Other Building Services- **OFFICE ONLY**-Allow
 6360- Employment Services
 6376- General Warehousing and Storage- Already Allowed- Keep
 6390- Business Services, NEC- **NOT ALLOWING**
 6420- Electrical Appliance Repair and Services- Allow
 6490- Repair shops and Related services, NEC- Allow
 6500- Professional Services- Allow BUT **Eliminate 6515 and 6516**
~~6519- Massage Clinic- licensed therapists~~ - (This is to be removed because it is now included in use #6500)
~~6540- Research Services~~ - (This is to be removed because it is now included in use #6500)
 6600- Contract Construction Services- Allow
 6710- Executive, Legislative, and Judicial Functions, except military – Allow
 6830- Special Training and Schooling-Allow
 6900- Miscellaneous Service Organizations-**NOT ALLOWING**
 7320- Public Assembly uses- Already Allowed- Keep
 7390- Amusements, NEC- Allow
 7420- Playgrounds and Athletic Areas- Allow
 8221- Veterinarian Services – Allow
 8222- Animal Hospital Services – Allow

Commissioner Martineau seconded the motion.

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

Motion by: Commissioner Fugal

Seconded by: Commissioner Martineau

AYE VOTES: Chair Butler, Martineau, Fugal, Patten, Shirley

Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner

Ordinance

ORDINANCE NO. 2022_____

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-14-25-2-C: THE GROVE BUSINESS PARK (GBP) OVERLAY, PERMITTED PRINCIPAL USES, EXPANDING THE PERMITTED USES TO INCLUDE A SERIES OF MULTIPLE NEW USES (53 NEW USES) AS PERMITTED USES IN THE GROVE BUSINESS PARK (GBP) OVERLAY; INCLUDING AN EFFECTIVE DATE (ST. JOHN'S PROPERTIES, APPLICANT).

WHEREAS, the applicant, St. John's Properties proposes to add a series of multiple new uses (53 new uses), to the list of permitted uses in The Grove Business Park (GBP) Overlay Zone; and

WHEREAS, on November 17, 2022, the Pleasant Grove City Planning Commission held a public hearing to consider amending City Code Section 10-14-25-2-C: The Grove Business Park (GBP) Overlay - Permitted Principal Uses, by adding 53 new uses to the list of permitted uses in The Grove Business Park (GBP) Overlay; and

WHEREAS, at its public hearing the Planning Commission revised and made amendments the list of proposed uses and decided that the requested amendment to City Code Section 10-14-25-2-C: The Grove Business Park (GBP), 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 10-14-25-2-C: The Grove Business park (GBP) Overlay, Permitted Principal Uses, by adding new uses as seen on the attached list, be approved; and

WHEREAS, on December 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:

Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner

SECTION 1. Modified Section 10-14-25-2-C: THE GROVE INTERCHANGE SUBDISTRICT, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-25: THE GROVE BUSINESS PARK (GBP) OVERLAY:

10-14-25-2: PERMITTED, CONDITIONAL AND ACCESSORY USES:

C. Permitted Principal Uses: In addition to the permitted uses of the underlying zone, the following principal uses and structures are permitted in this overlay:

Use Number	Use Classification
2150	Bakery Products (may involve home delivery)
2180	Beverage
2700	Printing, publishing and allied industries
2830	Pharmaceutical and nutritional supplements (including biological products, medicinal chemicals and botanical products)
3140	Miscellaneous Plastic Products
3500	Professional, scientific, and controlling instruments: photographic and optical goods: watches and clocks
3510	Engineering, laboratory and scientific and research instruments and associated equipment *NOTE: This item TO BE REMOVED as proposed Use 3500 includes this category – this line is included for the sake of showing what is currently existing.
4731	Radio broadcasting (studios only)
4760	Recording and Sound Studios
4920	Transportation Services and Arrangements
5121	Wholesale trade of drugs, drug proprietaries and sundries (including pharmaceutical, nutritionals and essential oils)
5130	Dry Goods and Apparel
5140	Groceries and Related Products
5160	Electrical Goods
5170	Hardware, Plumbing, Heating Equipment, and Supplies
5180	Machinery, Equipment, and Supplies
5190	Miscellaneous Wholesale Trade, NEC.
5200	Building materials, hardware, farm equipment and supplies
5300	General Merchandise
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5610	Men's and Boy's Clothing and Furnishings
5620	Women's Ready to Wear
5630	Women's Accessories and Specialties
5640	Children's and Infant's Wear
5650	Family Clothing
5660	Shoes
5670	Custom Tailoring
5690	Retail Trade – Apparel and Accessories, NEC.
5710	Furniture, Home Furnishings, and Equipment
5720	Household Appliances
5730	Radios, Televisions, and Music Sound Systems and Supplies
5740	Office Equipment, Furniture, Machines and Supplies
5800	Eating and Drinking Places
5810	Eating places, including restaurants and cafeterias *NOTE: This item TO BE REMOVED as proposed Use 5800 includes this category – this line is included for the sake of showing what is currently existing.
5900	Miscellaneous Retail Trade
5910	Drug and proprietary retail *NOTE: This item TO BE REMOVED as proposed Use 5900 includes this category – this line is included for the sake of showing what is currently existing.
5990	Miscellaneous retail *NOTE: This item TO BE REMOVED as proposed Use 5900 includes this category – this line is included for the sake of showing what is currently existing.
6100	Finance, insurance, and real estate service
6220	Photographic Services
6230	Beauty and Barber Services
6250	Apparel Repair
6291	Clothing rental
6297	Athletic clubs, etc.
6310	Advertising Services
6330	Duplicating, Mailing, Stenographic and Office services
6340	Dwelling and Other Building Services
6360	Employment Services
6376	General warehousing and storage
6390	Business Services, NEC

6420	Electrical Appliance Repair and Services
6490	Repair Shops and Related Services, NEC
6500	Professional Services
6519	Massage clinic - licensed therapists *NOTE: This item TO BE REMOVED as proposed Use 6500 includes this category – this line is included for the sake of showing what is currently existing.
6540	Research services (including marketing, telemarketing, public relations and advertising services) *NOTE: This item TO BE REMOVED as proposed Use 6500 includes this category – this line is included for the sake of showing what is currently existing.
6600	Contract Construction Services
6710	Executive, Legislative, and Judicial Functions, Except Military
6830	Special Training and Schooling
6900	Miscellaneous Service Organizations
7230	Public assembly uses: public assembly, miscellaneous purposes, including convention and exhibition halls
7390	Amusements, NEC
7420	Playgrounds and Athletic Areas
8221	Veterinarian Services
8222	Animal Hospital Services

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 December 2022.

Guy L. Fugal, Mayor

ATTEST:

Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner

Kathy T. Kresser, CMC - City Recorder

Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner