

ORDINANCE NO. 2023-12

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING CITY CODE SECTION 10-14 THE GROVE ZONING DISTRICT; BY ENACTING SECTION 10-14-28 CREATING A NEW OVERLAY IN THE GROVE DISTRICT: THE VALLEY GROVE MIXED-USE OVERLAY ZONE, IN THE PLEASANT GROVE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE (ST. JOHN PROPERTIES, APPLICANT).

WHEREAS, the applicant has requested the creation of a new overlay zone that will allow for very high density residential and mixed use development; and

WHEREAS, the purpose of said zone is to provide a mixture of retail, office, and very high density residential uses that are pedestrian-friendly while providing shopping and entertainment opportunities for residents as well as generate sales tax revenue and job opportunities within the City; and

WHEREAS, the applicant proposes to apply the aforementioned new overlay to properties in the Grove Zone, in the Interchange Subdistrict as well as in the Commercial Sales Subdistrict with an approximate area of 51.8 acres; and

WHEREAS, on June 22, 2023, the Pleasant Grove City Planning Commission held a public hearing to consider adding Section 10-14-28 THE VALLEY GROVE MIXED-USED OVERLAY ZONE to the Pleasant Grove Municipal Code; and

WHEREAS, at its public hearing the Pleasant Grove City Planning Commission decided that the requested amendments to the Pleasant Grove Municipal Code are in the public's interest and are consistent with the written goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove City Planning Commission recommended to the Pleasant Grove City Council that the request to add Section 10-14-28 THE VALLEY GROVE MIXED-USED OVERLAY ZONE to the Pleasant Grove Municipal Code be approved; and

WHEREAS, on July 6, 2023, 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 amendments to the Pleasant Grove Municipal Code are in the best interest of the public and are consistent with the written goals and policies of the General Plan.

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

SECTION 1. Section 10-14 THE GROVE ZONING DISTRICT of the Pleasant Grove Municipal Code is hereby amended by adding the Title 10 Chapter 14 Section 28 "Valley Grove Mixed-Use Overlay Zone", as follows:

10-14-28: VALLEY GROVE MIXED-USE OVERLAY ZONE (VGO):

10-14-28-1: PURPOSE AND OBJECTIVES:

The Valley Grove Mixed-Use Overlay Zone (VGO) is established to provide a mixture of retail, office and very high-density residential uses that are pedestrian-friendly and provide shopping and entertainment opportunities for residents as well as generate revenue and create job opportunities within the City.

10-14-28-2: PERMITTED USES:

A. 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
1150	Apartment (high rise), includes condominiums

10-14-28-3: RESIDENTIAL DENSITY:

The maximum residential density for the zone is twenty-six (26) units per net acre (land after dedication).

10-14-28-4: AREA OF ZONE:

The minimum project area to which the Valley Grove Mixed-Use Overlay Zone (VGO) shall be applied is forty (40) acres and the project area shall be located within the Grove Zone.

10-14-28-5: PARKING:

A. All projects shall comply with the parking requirements established in section 10-14-19 & 10-18: "Off Street Parking Standards", with the following exceptions:

1. Parking Lot stall dimensions within an enclosed parking structure: Each single space within an enclosed parking lot or structured parking facility shall have a minimum of eighteen feet (18') in length and nine feet (9') in width. The center drive aisle within an enclosed parking lot or structured parking facility shall have a minimum width of twenty-six feet (26'). A two (2) foot reduction in width for the center aisle can be approved by the Fire Department.
2. Multi-Family parking ratios: A minimum of 80% of the total number of parking stalls required shall be located within an enclosed parking structure:

Type of residential unit	Number of parking stalls required
Studios	1.5
1 bedroom	1.5
2 bedrooms	1.75

3 bedrooms

2

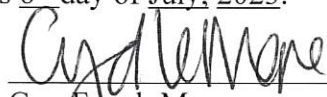
10-14-28-6: SETBACKS AND STREET LANDSCAPING BUFFERS:

- A. All areas defined as setbacks from the public right of way shall be fully landscaped.
- a. Setbacks from arterial roads (UDOT rights-of-way) shall be twenty (20) feet measured from the foundation to the right of way excluding the area occupied by the gutter, curb, park-strip, and sidewalk.
 - b. Setbacks from local roads shall be fifteen (10) feet measured from the foundation to the right of way excluding the area occupied by the gutter, curb, park-strip, and sidewalk.
- B. Drainage and detention facilities are allowed in all landscape buffers along Pleasant Grove Boulevard, Proctor Lane, North County Boulevard, and Interstate 15.

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.

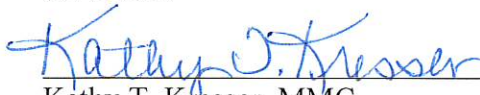
SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 4. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 6th day of July, 2023.


Guy Fugal, Mayor

Cyd Lemone Mayor Pro-Tem

ATTEST:


Kathy T. Kresser, MMC
City Recorder

(SEAL)



Motion: Council Member Andersen
Second: Council Member Bullock

ROLL CALL	Yes	No	Absent
Mayor Guy L. Fugal	☒	☐	☐
Dianna Andersen	☒	☐	☐
Brent Bullock	☒	☐	☐
Eric Jensen	☒	☐	☐
Cyd LeMone	☐	☒	☐
Todd Williams	☒	☐	☐

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. 2023-12 was posted on the State (<http://pmn.utah.gov>) website on this 16th day of July, 2023.

Dated this 16th day of July, 2023.

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



Planning Commission Staff Report

Jun 22, 2023

Item 2A

TEXT AMENDMENT PROPOSAL

REQUEST	Request to amend City Code Chapter 14: The Grove Zone by creating a new overlay zone, The Valley Grove Overlay.	
APPLICANT	St. John properties	
ZONE	The Grove Zone	
GENERAL PLAN	The Grove	
STAFF RECOMMENDATION	Approve the proposed amendment to the City Code.	
	Maps	6
ATTACHMENTS	Proposed Text Amendment	8
	Images	15

Background

In recent years Pleasant Grove City has considered the land use designation of The Grove as an area that would represent the city in terms of high architectural standards and landscape designs.

Eventually, The Grove area was divided into three different subdistricts: Mixed Housing, Commercial Sales and The Interchange. Of these subdistricts, The Commercial Sales Subdistrict was established to create attractive commercial areas for The Grove by allowing a mix of land uses, including office, retail and civic/public spaces where pedestrian activity, social interaction and quality shopping experiences would be encouraged. In contrast, the Mixed Housing Subdistrict was created to provide mixed residential opportunities in the zone as residential uses were not included in the Commercial Sales and the Interchange subdistricts.

In past years, Pleasant Grove City has adopted ordinances and processed rezones, in the form of overlay zones, which allow for mixed used developments. Pleasant Grove Planning Commission and City Council have been willing to entertain discussions regarding the development of residential uses where they are not currently allowed or permitting a higher density ratio in an allowed residential use in exchange for the inclusion of specific retail uses, sales tax generating uses, rather than office uses. The requirement of sales tax generation uses have been accomplished either by drafting the appropriate language in the code text or by development agreements.

The proposed ordinance amendment will create an overlay zone that could eventually be applied to any property within The Grove Commercial Sales Subdistrict with a proposed project of at least 40 acres.

Analysis

The proposed code text amendment proposes some changes to the current Zone. According to staff, the most drastic changes are as follows:

Uses: Residential uses are not currently allowed in the code. Commercial uses, which include office uses and retail uses, are permitted in the zone. The Commercial Sales Subdistrict does not have coverage requirements for either retail (sales tax generating) uses, or office uses. In contrast the Interchange Subdistrict limits the uses that do not generate sales tax, such offices, and professional services, to a 50% maximum. Establishing minimum requirements for sales tax generating uses has been a tool used by staff, boards, and council to have some flexibility in allowing residential uses or in increasing the density ratios.

The applicant is proposing an ordinance for a project that, based on the current acreage of approximately 44.5 Acres (current acreage is 51.8 Acres; however, 7.3 acres will be bought and occupied by UDOT for the construction of a frontage road parallel to I-15 along the Southwest boundary), would accommodate the development of 1155 luxury apartment units in possible three different buildings, giving a density of approximately 26 units per acre, wherever this overlay is applied, which in the case of St John Properties would be in the Commercial Sales Subdistrict as well as the Interchange Subdistrict. As mentioned above, currently the Commercial Sales Subdistrict neither the Interchange Subdistrict allow for residential uses, and the maximum density allowed in the Mixed Housing Subdistrict is just 12 units per acre.

In regards of the location of the proposed overlay, the applicant is proposing the area of implementation to be any property of forty (40) acres or more in The Grove Zone.

During multiple City Council working sessions, the applicant has had opportunities to approach the Council to go over the proposed project. From those meeting, Council directed staff to proceed with preparing a development agreement and drafting an ordinance that would be beneficial for the city and allow the applicant to work on the future proposed plans.

Setbacks: The requirements regarding the setbacks for structures, buildings and parking lot areas are established in The Grove Zone. In most of the cases, the required setbacks are 25 feet. The 25' distance is measured from the back of the curb on public roads, and the setback needs to be appropriately landscaped.

After meetings with staff, the applicant is proposing a new set of setbacks that would be measure from the end of the ROW (right of way) instead of the back of curb or the property line, allowing the viability of the future project without compromising the compatibility with its surroundings, especially with other projects along Pleasant Grove Boulevard.

Parking Ratios: The current parking ratio for any residential unit in the Grove Zone is 2 parking stalls for each residential unit. In most recent developments staff has worked with the developers to provide extra parking to accommodate visitor parking.

During the process of proposing the new overlay zone, the applicant has presented many proposals to staff to decrease the number of required parking stalls. Throughout the process, staff has review and considered multiple proposals regarding parking and in communion with the applicant have decided that the best approach for parking requirements in the zone is to itemize the parking requirements by the type of residential apartment resulting in the following table:

Type of residential unit	Number of parking stalls required
Studios	1.5
1 bedroom	1.5
2 bedrooms	1.75
3 bedrooms	2

Commercial Component: Regarding the retail component of the project, the area required for the sales tax generating uses will be determined by the development agreement.

The idea of creating a new overlay zone that complements the development agreement came from staff. Renderings of site plan proposal has been presented to the City Council a couple of times and staff considers that the presented version of the ordinance amendment meets all the requirements and covers the concerns expressed by Pleasant Grove City Council during the working sessions and public meetings.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on June 22, 2023.

5. Public Hearing: Code Text Amendment – Section 10-14: The Grove Zoning District. (City Wide)

Public Hearing to consider the request of St. John's Properties to amend City Code Section 10-14: The Grove Zone by creating a new overlay zone called Valley Grove Overlay (Section 10-14-28),

which provides for master-planned high-density residential uses in conjunction with commercial uses within The Grove Zone.

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Fugal moved the Planning Commission recommend that the City Council approve the request of St John Properties for the proposed amendments to City Code Chapter 14: The Grove Zoning District by creating a new overlay zone, The Valley Grove Overlay; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. The proposed ordinance shall be adopted concurrently with a development agreement.

Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

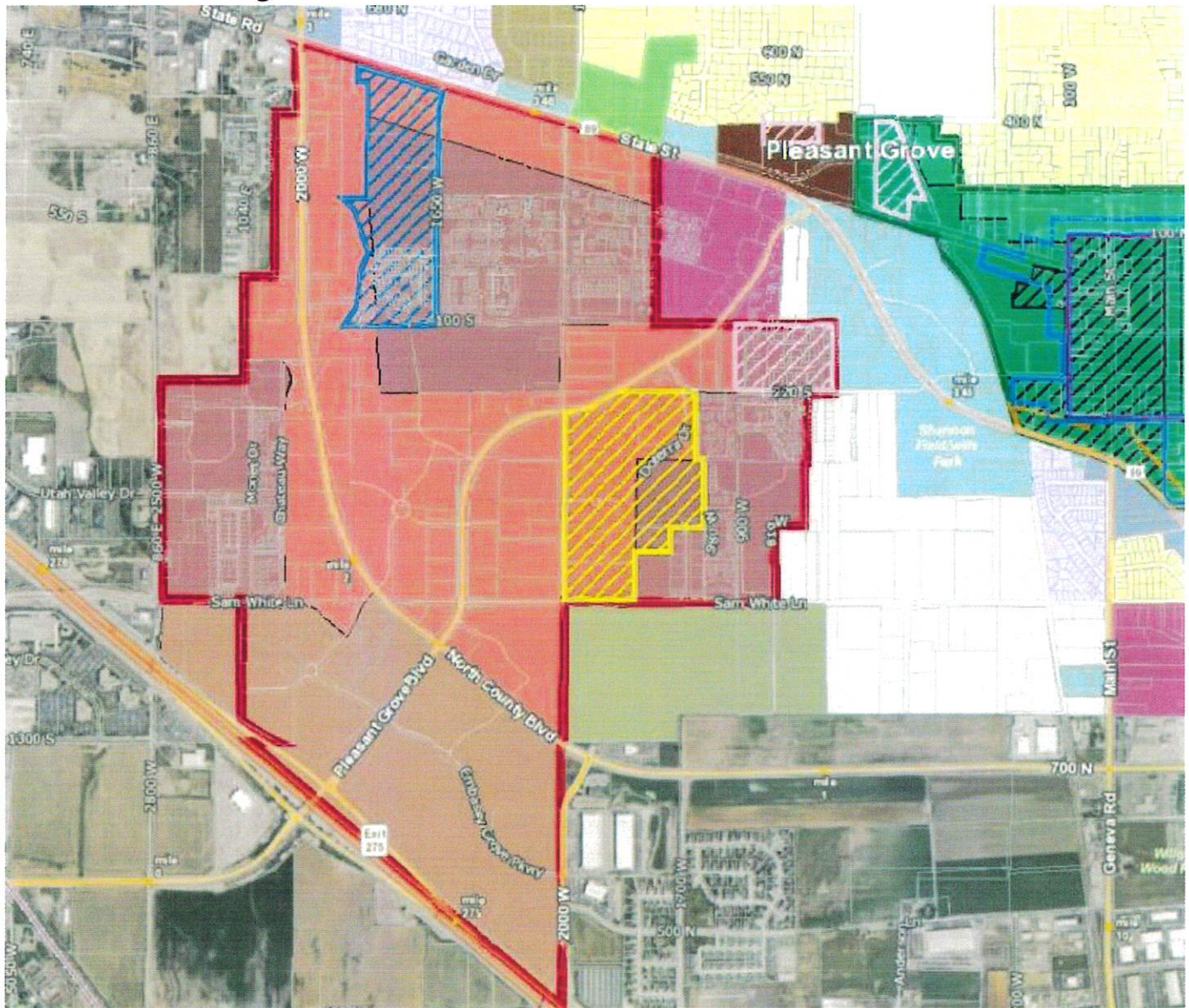
Motion by: Commissioner Fugal

Seconded by: Commissioner Martineau

AYE VOTES: Chair Phillips, Patten, Martineau, Fugal, Redding, Butler

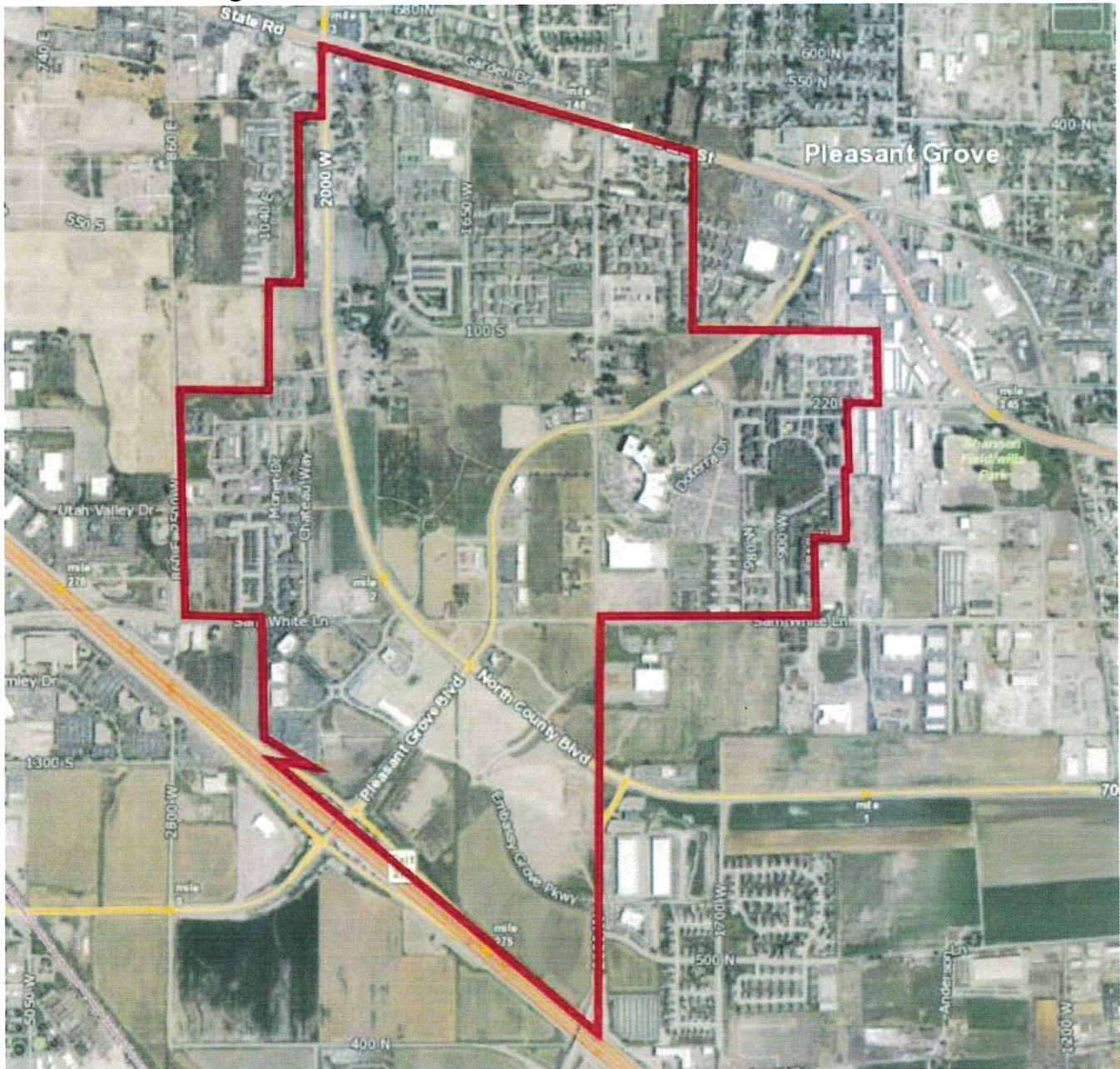
ZONING MAP

The Grove Zoning District



AERIAL VIEW

The Grove Zoning District



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10-14-28-4: AREA OF ZONE:

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10-14-28-5: PARKING:

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