

**ORDINANCE NO. O-2025-01**

**AN ORDINANCE AMENDING HIGHLAND CITY DEVELOPMENT CODE  
RELATED TO THE SETBACK REQUIREMENTS OF THE TOWN CENTER  
COMMERCIAL RETAIL DISTRICT ZONE**

WHEREAS, Highland City is authorized to enact land use regulations that govern the use and development of property;

WHEREAS, Highland City has previously adopted zoning regulations creating the Town Center Overlay zone, which created the Town Center Commercial Retail District and imposed regulations for the use and development of property within said District;

WHEREAS, the owner of Lot 3 within the Commercial Retail District has applied to have the Council amend certain setback regulations to facilitate the use of Lot 3;

WHEREAS, a duly noticed public hearing was held by the Planning Commission regarding the proposed amendments described herein on December 10, 2024, after which hearing the Commission recommended adoption of amendments to the regulations;

WHEREAS, the Highland City Council provided notice of and conducted a public hearing regarding the proposed amendments and to review the recommendation of the Planning Commission on January 7, 2025;

WHEREAS, the Highland City Council finds that the proposed amendments further the public welfare and are in the interest of the public.

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. The Highland Development Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 3. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the personnel policies referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

SECTION 4. This ordinance shall take effect immediately upon its adoption and publication, in accordance with law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this 7th day of January, 2025.



Kurt Ostler  
Mayor

ATTESTED:



Stephannie Cottle  
City Recorder



## Exhibit A

### Amendments to Chapter 3, Article 4.7, Town Center Overlay

#### 3-4713 Architectural Design

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5. Building Height and Location. Buildings shall be defined by District. It is the intent of this zone to create separate unique districts with specific determined uses and environments appealing to both automotive and pedestrian scales. This will be accomplished by defining the street edge and incorporating pedestrian elements to the street and buildings. In addition, buildings shall be designed and located to address the street it is located adjacent to. These important elements are defined as follows:

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- d. Town Center Commercial Retail District.

- i. Height. Height shall be measured from curb of the adjacent street to the highest point of a building which may be the top of the cornice or roof ridge. Buildings within the Town Center Commercial Retail District shall be a maximum of forty (40) feet tall as measured from the top of the curb on the closest adjacent public street.
- ii. Upper floors. Upper floor uses shall not exceed two (2) stories for a total of three (3) stories.
- ~~iii. Location. Any portion of all buildings within the Commercial Retail District shall be a maximum of fifteen (15) feet from an existing right-of-way, and the building front and front door shall be a maximum of ten (10) feet from Parkway East or Town Center Boulevard except as follows:~~
  - ~~(1) For property with frontage on SR 74 or SR 92 there shall be no maximum setback from any street (SR 74, SR 92, Town Center Boulevard and Parkway East), however a pedestrian connection from the right of way to the building entrance shall be provided. Said pedestrian access shall be a minimum of five (5) foot concrete path.~~