

ORDINANCE NO. O-2018-08

**AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING  
HIGHLAND CITY DEVELOPMENT CODE SECTION 3-4716 RESIDENTIAL  
USES AS SHOWN IN FILENAME TA-18-02.**

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held a public hearing on this Ordinance on April 18, 2018; and

WHEREAS, the City Council held a public hearing on this Ordinance on May 1, 2018.

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

SECTION 1. That Section 3-4716 Residential Uses is hereby amended as follows:

Section 3-4716 Residential Uses

....1....

- b. Walls. The vertical wall plane along the upper floors shall be articulated, varied, and architecturally designed to promote numerous opportunities for views from residential units and provide places for outdoor balconies and spaces.
  - i. ~~Balconies. A minimum of twenty five 25% of all residential units located on an upper floor (first floor of residential), which faces a parking area or designated right of way, shall be designed with a functional and practical balcony that faces onto that parking area or designated right of way.~~
- c. Windows. Only windows of high residential quality shall be used. ~~Window details as defined within the Commercial Design Standards and 3-4713 of this ordinance shall be included. The window pane for all residential windows shall be recessed a minimum of three (3) inches from the exterior facing wall.~~ **All windows shall be surrounded on all four sides with trim such as stucco band, siding trim or other material.**

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e. ....

- iv. If parking is provided by an attached/detached garage a driveway shall be provided with a minimum depth of twenty-two feet (22') **unless otherwise approved by the Council.**

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- g. Ground Floor Residential Design. Residential development (Residential and Live-Work units) located adjacent to Parkway East, Parkway West, Town Center Boulevard/Drive, Town Square Street East, Town Square Street West, or Town

Square Park Street that does not exclusively incorporate ground floor retail, other commercial, or office shall be designed with flexibility in such a way to provide for ground floor retail in the future **unless otherwise approved by the Council.**

- h. Minimum Residential Height. Uses proposed as exclusively attached residential shall be a minimum of ~~three (3)~~ **two (2)** stories in height only if located adjacent to Parkway East, Parkway West, Town Center Boulevard/Drive, Town Square Street East, Town Square Street West, or Town Square Park Street for the purpose of providing for future use on the ground floor.

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- ~~b. A minimum of ten percent (10%) and a maximum of seventeen percent (17%) of all multi-family projects shall qualify for moderate income housing as defined by State and Federal law provided for by the Developer.~~

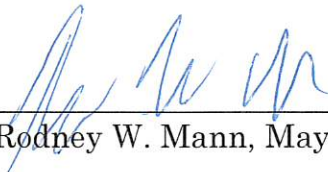
SECTION 2. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance shall take effect immediately upon its first posting or publication.

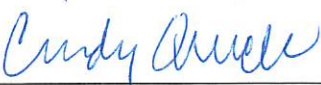
SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, May 1, 2018.

HIGHLAND CITY, UTAH

  
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 Rodney W. Mann, Mayor

ATTEST:

  
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 Cindy Quick, CMC  
 City Recorder



COUNCILMEMBER	YES	NO
Brian Braithwaite	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Dennis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kurt Ostler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>