

**ORDINANCE NO. 2020-19**

**AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING HIGHLAND CITY DEVELOPMENT CODE SECTION 3-4109 AS SHOWN IN FILENAME TA-20-12.**

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 May 26, 2020 and

WHEREAS, the City Council held a public hearing on this Ordinance on June 2, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

**SECTION 1. AMENDMENT** “3-4109” of the Highland Development Code is hereby *amended* as follows:

Amended Section 3-4109 Accessory Building

All accessory buildings within this zone shall conform to the following standards, setbacks and conditions:

***Section 3-4109 Accessory Building***

All accessory buildings within this zone shall conform to the following standards, setbacks and conditions:

2. Size. **All accessory buildings shall comply with the following size limitations:**
  - a. Accessory buildings shall not cover more than five percent (5%) of the total gross lot area, **except as provided below in subsection b.**
  - b. **Accessory buildings may cover up to seven percent (7%) of the gross lot area if the lot has at least two (2) acres.**
  - c. **The total area of all accessory buildings on a lot shall not exceed 8,000 square feet.**
  - d. **Any accessory building 3,000 square feet or larger shall be set back from the rear property line a minimum of sixty feet (60’) and be set back from the side property lines a minimum of twenty feet (20’).**
3. Height. **All accessory buildings shall comply with the following height limitations:**

- a. No accessory building shall be erected to a height greater than twenty-five feet (25') from grade, **except as provided below.**
  - b. **Accessory buildings may be erected to a maximum height of thirty-five feet (35') from grade if the following requirements are met:**
    - i. The lot has at least two (2) acres;
    - ii. The average height of the accessory building is twenty-five feet (25') from grade; and
    - iii. For each one foot (1') the accessory building exceeds twenty-five feet (25') in height from grade, the rear and side setback requirements are increased by two feet (2'), provided that in no event shall the rear setback requirement be increased beyond sixty feet (60').
4. **Setbacks.** All accessory buildings shall comply with the following setbacks, **unless a greater setback is otherwise required:**
- a. All accessory buildings shall be set back from the front property line a minimum of thirty feet (30') or consistent with the primary dwelling, whichever is less.
  - b. An accessory building shall be set back from the rear property line a minimum of ten feet (10').
  - c. All accessory buildings shall be set back from the side property line a minimum of ten feet (10').
    - i. All accessory buildings shall be set back at minimum an amount of twenty feet (20') from the side lot line which abuts a street or twenty feet (20') from the Parkway Detail.
  - d. All accessory buildings shall be placed no closer than six feet (6') from the main building. Said six feet shall be measured to the closest part of the structures including any roof overhang.
5. **Materials.** Accessory buildings shall be constructed out of exterior materials consistent with the primary dwelling if the lot is 1/2 acres or less.
6. Any accessory building used for a home occupation shall comply with the regulations governing a home occupation business.

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.

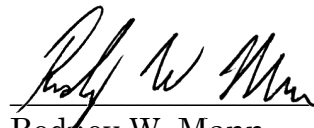
**SECTION 3: REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 4: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 5: EFFECTIVE DATE** This Ordinance shall be in full force and effect from June 16, 2020 and after the required approval and publication according to law.

PASSED AND ADOPTED by the Highland City Council, June 16, 2020

HIGHLAND CITY, UTAH



Rodney W. Mann  
Mayor

ATTEST:



Stephannie Cottle  
City Recorder



COUNCILMEMBER	YES	NO
Timothy A. Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brittney P. Bills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kurt Ostler	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kim Rodela	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott L. Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>