

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING HIGHLAND CITY DEVELOPMENT CODE SECTION 3-4351 PERMITTED USES AS SHOWN IN FILENAME TA-21-01.

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 January 26, 2021 and

WHEREAS, the City Council held a public hearing on this Ordinance on February 2, 2021.

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

SECTION 1. AMENDMENT "3-4351 Permitted Uses" of the Highland Development Code is hereby *amended* as follows:

3-4351 Permitted Uses

As noted in the following sections, the only uses allowed within the C-R Zone are as follows:

- ~~1.~~ **Main level retail is permitted as follows:**
 - ~~a.1.~~ Retail food stores, grocery and meat markets, bakeries, organic food stores, and other similar food and beverage sales facilities. Retail sales of alcoholic beverages are prohibited by City Ordinance 1977-9.~~;~~~~OR~~
 - ~~b.2.~~ Sports and Fitness Centers, day spa, dry cleaner and laundry, copy center, barber shop, beauty parlor.~~;~~~~OR~~
 - ~~c.3.~~ Florist, doughnut shop, candy store, nut or cheese store, stamp and coin store, ice cream/yogurt parlor.~~;~~~~OR~~
 - ~~d.4.~~ Convenience store, gas stations, freestanding fuel centers.~~;~~~~OR~~
 - ~~e.5.~~ Banks or credit unions (not to exceed 10% of the total area of a contiguous zone or master planned commercial center).~~;~~~~OR~~
 - ~~f.6.~~ Doctor's office, dentist's office, pharmacy, physical therapy, optical shop or eye products, hearing center and sales.~~;~~~~OR~~
 - ~~g.7.~~ Restaurants, catering, delicatessen. ~~;~~~~OR~~
 - ~~h.8.~~ Department stores, variety stores, jewelry and watch stores, home furnishings and appliances, book stores, retail sale of clothing, shoes and accessories, sporting goods stores, office supplies and furnishing, hardware and home improvement, nursery or plant sales, craft and hobby supplies, new and re-manufactured auto-parts and accessories, electronics, rental and sale of DVDs, CDs, games and videos, wireless phone and related products, computer services/sales, pet products and grooming.
 - ~~i.9.~~ Gasoline islands, canopies, as an accessory use to a permitted use defined above. A gasoline island, canopy or any gasoline use that is not attached to the structure of the primary use shall be subject to specific additional requirements as outlined in 3-4370.

- 10. Car washes subject to specific additional requirements as outlined in 3-4377.
- 11. Shipping, mailing, pickup, and return centers not exceeding 2,500 square feet in area.
- 12. General retail not otherwise prohibited.

□

2. ~~Second level professional office is permitted as follows:~~

a. ~~Any uses described above (3-4351(1)(a-i); or~~

b. 13. General office use, including, but not limited to, Architects, engineers, contractors, real estate offices, property managers, mortgage and title offices; insurance offices, law offices, stock brokerages and investment advisors, advertising and sales offices, accounting and tax preparation offices.

SECTION 4. 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 5: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 6: 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.

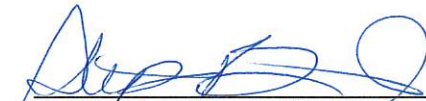
SECTION 7: EFFECTIVE DATE This Ordinance shall be in full force and effect from February 2, 2021 and after the required approval and publication according to law.

PASSED AND ADOPTED by the Highland City Council, February 2, 2021
HIGHLAND CITY, UTAH



Rodney W. Mann, Mayor

ATTEST:



Stephannie Cottle, City Recorder



COUNCIL MEMBER	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 checked="" type="checkbox"/>	<input type="checkbox"/>
Kim Rodela	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott L. Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>