

**ORDINANCE NO. O-2024-23**

**AN ORDINANCE AMENDING HIGHLAND CITY DEVELOPMENT CODE 3-612 RELATED TO FENCE REGULATIONS FOR DOUBLE-FRONTED LOTS**

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

WHEREAS, Highland City has previously adopted regulations regarding fences and retaining walls;

WHEREAS, the Highland City Council desires to further amend its fencing and retaining wall regulations to adjust requirements related to fencing along rear property lines of double-fronted lots to allow for greater flexibility in fencing options and increased privacy for residents.

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

SECTION 1. Section 3-612 of the Highland Development Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. The City Council directs staff to provide updated diagrams to correspond to current fencing regulations to be included where indicated within Exhibit A, and to publish such diagrams with such other information as staff determines is useful as a guide for fence permit applicants.

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 ordinance and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.


SECTION 4. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 5. 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 20th day of August, 2024.

  
Kurt Ostler  
Mayor

ATTESTED:

  
Stephannie Cottle  
City Recorder



COUNCILMEMBER	YES	NO
Brittney P. Bills	<input checked="" type="checkbox"/>	
Ron Campbell	<input checked="" type="checkbox"/>	
Doug Cortney	<input checked="" type="checkbox"/>	
Kim Rodela	<input checked="" type="checkbox"/>	
Scott L. Smith	<input checked="" type="checkbox"/>	

## EXHIBIT A

### 3-612. Fences, Theme Walls, Screen Walls, and Retaining Walls

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3. Fences. All fences shall comply with the following regulations in addition to all other applicable regulations set forth in this Chapter:

#### a. Location

i. Fences may be installed on the side and rear lot lines behind the front setback of the applicable zone. A fence along the side lot lines may extend into the front set back up to fourteen (14) feet from the back of curb if the fence is a maximum height of three (3) feet.

ii. A fence shall be set back a minimum of fourteen (14) feet from the back of curb on all sides that abut a street. This setback may be reduced to be six (6) feet from the back of the curb, up to ~~on~~ the property line, in the following circumstances:

(1) ~~if for all side and rear property line fencing, if~~ the fence is 66% open and is at least six (6) feet from the back of the curb; or-

(2) for rear property line fencing, the setback may be reduced if the portion of the property immediately adjacent to the street is less than fifty percent (50%) of the total length of the rear property line.

iii. All fences shall not exceed three (3) feet in height in the clear vision area and shall comply with the clear view area requirements as defined in Section 3-610 Clear View of Intersecting Streets.

iv. In no event shall a fence be installed within the front setback of the applicable zone parallel to a street.

#### b. Materials

i. Permitted: Vinyl, wood, open style metal fencing with the appearance of wrought iron, precast concrete, concrete, steel cable, gabion, stone, masonry, and hog/horse wire within wooden or metal beams and posts. Hog/horse wire without beams are permitted for animal enclosures required for large animals.

ii. Prohibited: Chain link and all other materials not listed above are prohibited.

#### c. Specific lot considerations

##### i. Typical Lot

[DIAGRAM]

~~(1) The setback along the street may be reduced to be on the property line if the fence is 66% open and is at least six(6) feet from the back of the curb.~~

ii. Corner Lot

[DIAGRAM]

(1) The setback along the side property line adjacent to a street may be reduced to be six (6) feet from the back of curb, up to on the property line, if the fence is 66% open ~~and is at least six (6) feet from the back of the curb.~~

iii. Double-Fronted Lot

[DIAGRAM]

(1) The setback along the rear property line adjacent to a street may be reduced to six (6) feet from the back of curb, up to the property line, if the fence is 66% open or if the portion of the property immediately adjacent to the street is less than fifty percent (50%) of the total length of the rear property line.

iiii. Lots adjacent to trails or open space ....

iv. Highways/arterial lot ....

vi. Lots with side or rear property lines adjacent to a golf course facility ....