

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING HIGHLAND CITY DEVELOPMENT CODE ARTICLE 4.9 PROFESSIONAL OFFICE (“P.O.”) AS SHOWN IN FILENAME TA-20-07

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 28, 2020 and

WHEREAS, the City Council held a public hearing on this Ordinance on May 19, 2020.

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

SECTION 1. Section “3-4902 Conditional Uses” of the Highland Development Code is hereby *amended* as follows:

...

~~7. Any other conditional uses or other types of professional services which the Planning Commission and City Council determine to be compatible with the intent of the Zone.~~

SECTION 2. Section “3-4903 Prohibited Uses” of the Highland Development Code is hereby *amended* as follows:

3-4903 Prohibited Uses

In the P.O. Zone, any use not expressly listed as a conditional use shall be evaluated by the planning commission for compatibility.

1. ~~Determination of Use. Whenever a use has not specifically been identified in the foregoing classification, it shall be the duty of the City Planning Commission to determine if said use~~
 1. ~~Is consistent with the intended use of the P.O. Zone; and~~
 2. ~~Is compatible with other listed uses; and~~
 3. ~~Is compatible with the uses of adjacent properties. Any person aggrieved by the determination may appeal that decision to the City Council.~~
2. 1. Residential occupancy is not allowed in the professional offices or storage sheds themselves, but living quarters for full-time employees having onsite responsibilities for this storage facility may be permitted as part of the conditional use process.

SECTION 3. 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SECTION 4: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: 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 6: EFFECTIVE DATE This Ordinance shall be in full force and effect from May 19, 2020 and after the required approval and publication according to law.

PASSED AND ADOPTED by the Highland City Council, May 19, 2020

HIGHLAND CITY, UTAH



Rodney W. Mann, Mayor

ATTEST:



Stephanie 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 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"/>