

NOTICE OF PENDING ORDINANCE

RESOLUTION 2023-09

16.13.100 MAXIMUM HEIGHT PROVISIONS FOR ALL BUILDINGS

The height of any building shall not exceed 35 feet... To allow for unusual conditions or appurtenances the following exceptions apply:

C. Church spires, bell towers, finials, and like architectural features as well as flag poles, may extend above the specified maximum height limit by up to 50 percent of the height limit (52 feet 6 inches for a 35-foot building), but shall not contain any habitable spaces above the maximum height.

E. Public buildings and churches may be erected to any height provided the building is set back from required building setback lines a distance of at least 1 foot for each additional foot of building height above the maximum height permitted.

10-9A-504

TEMPORARY LAND USE REGULATIONS

- (1)
 - (a) A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:
 - (i) the legislative body makes a finding of compelling, countervailing public interest; or
 - (ii) the area is unregulated.
 - (b) A temporary land use regulation under Subsection (1)(a) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval.
 - (c) A temporary land use regulation under Subsection (1)(a) may not impose an impact fee or other financial requirement on building or development.
- (2) The municipal legislative body shall establish a period of limited effect for the ordinance not to exceed six months.

PENDING ORDINANCE

- Office of the Property Rights Ombudsman
 - “A city may deny a land use application if there is an ordinance change pending when the application is made. An ordinance is considered pending when a formal proceedings have been initiated, such as publication on an agenda for a public meeting.”