

TOWN OF LEEDS

ORDINANCE 2009-01

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LEEDS TOWN LAND USE ORDINANCE 2008-04 RELATING TO THE APPROVAL OF HOME OCCUPATION BUSINESS APPLICATIONS.

WHEREAS, the Town Council has considered and evaluated the Home Occupation Business License Application and approval process for the Town of Leeds; and

WHEREAS, the Town Council finds it advisable to streamline the Home Occupation Business License Application approval process for the Town of Leeds; and

WHEREAS, the Town Council researched various Home Occupation Ordinances from different jurisdictions in Southern Utah; and

WHEREAS, the Town Council deliberated the above mentioned ordinances, considered comments and suggestions received from the Planning Commission; and proposed additions; and

WHEREAS, the Town Council wishes to designate the Town Planner, or other staff as they may designate from time to time (collectively "Town Planner"), as the approving official on all business licenses, except as expressly provided in this Ordinance; and

WHEREAS, Home Occupation Businesses were listed as section 7.6 in the Conditional Use Chapter 7 of the 2008-04 Land-Use Ordinance; and

WHEREAS, the Conditional Use Chapter 7 of the 2008-04 Land-Use Ordinance deemed it necessary for all Conditional Use applications to be approved by the Leeds Planning Commission and/or Town Council,

WHEREAS, the Town Council finds it reasonable that some Home Occupation Businesses, as listed in Section 24.2.5.1, should not require a Conditional Use Permit; and

WHEREAS, the Town Council finds it necessary to further define Home Occupation Businesses and list the Home Occupation Businesses which are and are not permissible without a Conditional Use Permit

WHEREAS, the Town Council finds the following sentence unnecessary to the Sign Chapter 22 section 22.2.2.6.: *"In order to grant a request for conditional use permit for a business sign in a residential zone, the type of business being conducted must be considered one for which a sign is critical to the success of the business."*; and

WHEREAS, the Town Council finds the approval of signs by ordinance and staff sufficient; and

WHEREAS, the Town Council finds it appropriate to amend the Land Use Ordinance 2008-04 regarding procedures for approving Home Occupation Businesses;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF LEEDS TOWN, UTAH, as follows:

The Land Use Ordinance 2008-04 of the Town of Leeds (the “Leeds Town Code”) is hereby amended as follows:

1. “Conditional Use” Chapter 7 of “The Land Use Ordinance 2008-04” of the Town of Leeds is hereby amended to remove Section 7.6 for Home Occupation Businesses, and adjust the numbering of subsequent sections. A copy of the final amended Chapter 7 is attached hereto, and is incorporated herein by this reference.
2. “The Land Use Ordinance 2008-04” of the Town of Leeds is hereby amended to create Chapter 24 for Home Occupation Businesses, to better define the Home Occupation approval process. A copy of the final amended Chapter 24 is attached hereto, and is incorporated herein by this reference.
3. “Sign” Chapter 22 section 22.2.2.6. of “The Land Use Ordinance 2008-04” of the Town of Leeds is hereby amended to remove the sentence *“In order to grant a request for conditional use permit for a business sign in a residential zone, the type of business being conducted must be considered one for which a sign is critical to the success of the business.”* A copy of the final amended Chapter 22 is attached hereto, and is incorporated herein by this reference.
4. “Sign” Chapter 22 section 22.2.2.6. of “The Land Use Ordinance 2008-04” of the Town of Leeds is hereby amended to include the phrase *“and is approved by staff”* to the following sentence: “Authorization for a business sign under this Section may be granted only after the applicant presents the information required by this Chapter, *and is approved by staff.*” A copy of the final amended Chapter 22 is attached hereto, and is incorporated herein by this reference.

Repealer: All provisions of the Leeds Town Ordinance which are in conflict with the terms of this Ordinance are hereby repealed. Ordinance 2008-08 is hereby amended.

Effective Date: This Ordinance shall become effective February 2, 2009.

PASSED AND ADOPTED by the Town Council, of Leeds, Utah, this 28TH day of January, 2009.

TRUDY LAW, MAYOR

ATTEST:

Debbie Shakespeare, Clerk/Recorder