

LEEDS, UTAH

LAND USE AND ZONING

ORDINANCE

Ordinance Number 2008-04

Adopted August 13, 2008
To become effective on August 14, 2008

This document is a complete revision of 2005 Land Use Ordinance. All portions of the previous Ordinance are replaced by this Ordinance.

Ordinance Number 2008-04 LAND USE ORDINANCE

An Ordinance of the Town Council of Leeds, Utah, adopting the Leeds Zoning and Land Use Ordinance for the Town of Leeds.

WHEREAS, the Planning Commission held a Public Hearing on June 26, 2008, to seek public input regarding the changes to the 2005 Land Use Ordinance, as Amended; and

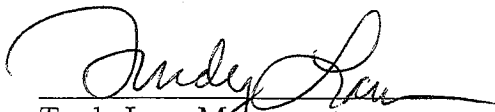
WHEREAS, the Planning Commission recommended changes to the Town Council following the Public Hearing, and the Town Council has met and discussed changes to the Land Use Ordinance over several meetings, having public input, and

WHEREAS, the Land Use Ordinance has clarified and more clearly defined issues of concern;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS TO ADOPT THE LEEDS LAND USE ORDINANCE THIS 13th DAY OF AUGUST, 2008.

BY VOTE:	YEA	NAY	ABSENT
MAYOR TRUDY LAW	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN JARED WESTHOFF	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN ALAN ROBERTS	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN KEITH SULLIVAN	<u> </u>	<u> </u>	<u>✓</u>
COUNCILMAN FRANK LOJKO	<u>✓</u>	<u> </u>	<u> </u>

This Ordinance was Adopted on August 13, 2008 and becomes effective on August 14, 2008.


 Trudy Law, Mayor
 Town of Leeds

Attest:

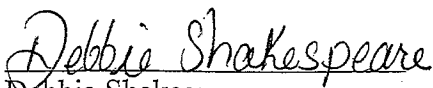

 Debbie Shakespeare
 Town Clerk

Table of Contents

Table of Contents	i
Chapter 1 General Provisions.....	1-1
1.0 Overview.....	1-1
1.1 Short Title	1-1
1.2 Interpretation.....	1-1
1.3 Conflicts.....	1-1
1.4 Effect Upon Previous Ordinance and Map	1-2
1.5 Purpose.....	1-2
1.6 Definitions.....	1-2
1.7 Land Use Authority.....	1-16
1.8 Building Permit Required	1-16
1.9 Inspections	1-16
1.10 Permits to Comply with Ordinance.....	1-16
1.11 Taking – Constitutional Takings Review and Appeal.	1-17
1.12 Power and Duties of Building Inspector.....	1-18
1.13 Enforcement Officer	1-18
1.14 Changes and Amendments.....	1-18
1.15 Penalties	1-19
1.16 Severability	1-19
1.17 Fees	1-20
1.18 Notices	1-20
Chapter 2-Planning Commission	2-1
2.1 Creation of a Planning Commission, Number of Members, Appointment.....	2-1
2.2 Terms of Office.....	2-1
2.3 Duties and Powers of Planning Commission.....	2-2
2.4 Vacancies and Removals for Cause.....	2-2
2.5 Compensation	2-3
2.6 Officers	2-3
2.7 Rules and Procedures.....	2-3
2.8 Quorum and Vote.....	2-3
2.9 Employees; Expenditures.....	2-3
Chapter 3-Board of Adjustment.....	3-1
3.1 Creation of the Board of Adjustment, Number of Members, Appointment	3-1
3.2 Terms of Office.....	3-1
3.3 Duties and Powers of Board	3-1
3.4 Vacancies and Removals for Cause.....	3-3
3.5 Compensation	3-3
3.6 Officers	3-3
3.7 Rules and Procedures.....	3-3

3.8 Employees; Expenditures.....	3-3
3.9 Appeal Process.....	3-4
3.10 Meetings.....	3-4
3.11 Quorum.....	3-5
3.12 Action to be Taken.....	3-5
3.13 Vote Necessary for Reversal and Granting of a Variance.....	3-5
3.14 Decision on Appeal.....	3-5
3.15 Burden of Proof.....	3-5
3.16 Rules.....	3-6
3.17 Judicial Review of Board's Decision - Time Limitations.....	3-6
Chapter 4-Supplementary and Qualifying Regulations.....	4-1
4.1 Effect of Chapter.....	4-1
4.2 Substandard Lots at Time of Ordinance Passage.....	4-1
4.3 Lots.....	4-1
4.4 Every Dwelling To Be on a Lot – Exceptions.....	4-2
4.5 Soil Analysis.....	4-2
4.6 Yard Space for One Building Only.....	4-2
4.7 Two Car Garage.....	4-3
4.8 Private Garage with Side Yard – Reduced Yards.....	4-3
4.9 Sale or Lease of Required Space.....	4-3
4.10 Sale of Lots Below Minimum Space Requirements.....	4-3
4.11 Yards To Be Unobstructed – Exceptions.....	4-3
4.12 Area of Accessory Buildings.....	4-3
4.13 Additional Height Allowed.....	4-4
4.14 Exceptions to Height Limitations.....	4-4
4.15 Minimum Height of Main Building.....	4-4
4.16 Maximum Height of Accessory Buildings.....	4-4
4.17 Clear View of Intersecting Streets.....	4-4
4.18 Maximum Height of Fences, Walls and Hedges.....	4-4
4.19 Water and Sewage Requirements.....	4-5
4.20 Curbs, Gutters and Sidewalks.....	4-6
4.21 Effect of Official Map.....	4-6
4.22 Lots and Dwellings on Private Streets – Special Provisions.....	4-6
4.23 Approval Time Limits.....	4-7
4.24 Tabled Actions.....	4-7
4.25 Maintain Natural Environment.....	4-7
4.26 Clean Construction Site.....	4-7
4.27 Appearance of Property.....	4-7
4.28 Minor Telecommunications Facility.....	4-7
4.29 Residential Private Streets.....	4-11
4.30 Continuation of Principal Streets.....	4-12
Chapter 5-Nonconforming Buildings and Uses.....	5-1
5.1 Maintenance Permitted.....	5-1
5.2 Repairs and Alterations.....	5-1

5.3	Additions, Enlargements, and Moving	5-1
5.4	Alterations Where Parking Is Insufficient	5-1
5.5	Restoration of Damaged Buildings	5-1
5.6	One-Year Vacancy	5-1
5.7	Continuation of Use	5-2
5.8	Occupation Within One Year	5-2
5.9	Change of Use	5-2
5.10	Nonconforming Use of Land	5-2
5.11	Abandonment of Nonconforming Structures or Land	5-2
5.12	Findings	5-2
Chapter 6	Parking Requirements	6-1
6.1	Off-Street Parking	6-1
6.2	Size	6-1
6.3	Access to Individual Parking Space	6-1
6.4	Number of Parking Spaces	6-1
6.5	Access Requirements	6-3
6.6	Location of Gasoline Pumps	6-4
6.7	Maintenance of Parking Lots	6-4
6.8	Residential Parking	6-8
6.9	Parking Heavy Equipment	6-6
Chapter 7	Conditional Uses	7-1
7.1	Purpose of Conditional Use Provisions	7-1
7.2	Permit Required	7-1
7.3	Application	7-1
7.4	Fee	7-1
7.5	Categories	7-1
7.6	Home Occupations	7-3
7.7	Development Plan	7-8
7.8	Planning Commission Action	7-8
7.9	Town Council Action	7-8
7.10	Conditional Use Evaluation Criteria	7-9
7.11	Expansion of a Conditional Use	7-11
7.12	Inspection	7-11
7.13	Revocation	7-12
7.14	Appeal	7-12
Chapter 8	Planned Unit Development	8-1
8.1	Purpose	8-1
8.2	Definition	8-1
8.3	Planned Unit Development Permit	8-1
8.4	Required Conditions	8-2
8.5	Uses Allowed	8-3
8.6	General Site Plan	8-3
8.7	Review by Planning Commission	8-3

8.8 Scope of Planning Commission Review.....	8-4
8.9 Construction Limitations	8-4
8.10 Walls or Fencing.....	8-5
8.11 Planned Unit Development Approval.....	8-5
Chapter 9-Performance Standards for Hazardous and Other Uses.....	9-1
9.1 Purpose.....	9-1
9.2 General Provisions	9-1
9.3 Performance Standards	9-1
9.4 Enforcement Provisions Applicable to All Uses	9-1
9.5 Nonconforming Uses	9-2
9.6 Location Where Determinations Are To Be Made for Enforcement of Performance Standards.....	9-2
9.7 Dangerous and Objectionable Elements	9-2
Chapter 10-Construction Subject to Geologic, Flood and Other Hazards.....	10-1
10.1 Purpose.....	10-1
10.2 Requirements	10-1
Chapter 11-Mobile Home Park, Mobile Home Subdivision and Recreational Vehicle Park Development Standards.....	11-1
11.1 Interpretation and Purpose	11-1
11.2 Intent	11-1
11.3 Location	11-1
11.4 Approval	11-2
11.5 Application.....	11-4
11.6 Standards and Requirements.....	11-6
11.7 Inspections	11-12
11.8 Non-Conforming Units	11-13
11.9 Premises	11-13
11.10 Utilities.....	11-13
11.11 Guarantees.....	11-14
11.12 Compliance With Other Regulations.....	11-14
11.13 Penalty.....	11-14
11.14 Severability Clause	11-14
Chapter 12-Zoning Districts	12-1
12.1 Establishment of Zoning Districts	12-1
12.2 Overlay Zones	12-2
12.3 Listing of Ordinance and Maps.....	12-3
12.4 Rules for Locating Boundaries	12-3
Chapter 13-Rural Residential Districts (R-R-20, R-R-1, R-R-2, & R-R-5).....	13-1
13.1 Purpose.....	13-1
13.2 Permitted Uses	13-1
13.3 Conditional Uses.....	13-2

13.4	Development Standards	13-3
13.5	Conditional Use Evaluation Criteria.....	13-4
13.6	Signs.....	13-4
13.7	Procedure To Obtain Conditional Uses Authorization	13-4
13.8	Other Provisions.....	13-4
Chapter 14-Residential Districts (R-1-10, R-1-20, R-1-1, R-1-2, & R-1-5).....		14-1
14.1	Purpose.....	14-1
14.2	Permitted Uses	14-1
14.3	Conditional Uses.....	14-1
14.4	Development Standards	14-2
14.5	Conditional Use Evaluation Criteria.....	14-3
14.6	Signs.....	14-3
14.7	Procedure To Obtain Conditional Uses Authorization	14-3
14.8	Other Provisions.....	14-3
Chapter 15-Multi-Family Residential Districts (R-M-7).....		15-1
15.1	Purpose.....	15-1
15.2	Permitted Uses	15-1
15.3	Conditional Uses.....	15-1
15.4	Development Standards	15-2
15.5	Conditional Use Evaluation Criteria.....	15-3
15.6	Signs.....	15-4
15.7	Procedure to Obtain Conditional Uses Authorization	15-4
15.8	Other Provisions.....	15-4
Chapter 16-Mobile Home District (M-H).....		16-1
16.1	Purpose.....	16-1
16.2	Permitted Uses	16-1
16.3	Conditional Uses.....	16-1
16.4	Development Standards	16-2
16.5	Conditional Use Evaluation Criteria.....	16-2
16.6	Signs.....	16-2
16.7	Procedure To Obtain Conditional Uses Authorization	16-2
16.8	Other Requirements	16-2
16.9	Mobile Home Park Development Standards.....	16-3
16.10	Mobile Home Subdivision Development Standards.....	16-3
16.11	Recreational Vehicle or Travel Trailer Development Standards	16-3
Chapter 17-Commercial District (C)		17-1
17.1	Purpose.....	17-1
17.2	Permitted Uses	17-1
17.3	Conditional Uses.....	17-2
17.4	Development Standards	17-3
17.5	Conditional Use Evaluation Criteria.....	17-4
17.6	Signs.....	17-4

17.7 Procedure To Obtain Conditional Use Authorization.....	17-4
17.8 Lighting.....	17-4
17.9 Parking.....	17-4
17.10 Special Provisions.....	17-4
Chapter 18-Open Space District (OS).....	18-1
18.1 Purpose.....	18-1
18.2 Permitted Uses.....	18-1
18.3 Conditional Uses.....	18-1
18.4 Development Standards.....	18-1
18.5 Conditional Use Evaluation Criteria.....	18-2
18.6 Signs.....	18-2
18.7 Procedure To Obtain Conditional Use Permits.....	18-2
18.8 Modifying Regulations.....	18-3
Chapter 19-Residential-Commercial-Historical (RCH).....	19-1
Chapter 20-Hillside Protection Overlay Zone (HPO).....	20-1
20.1 Purpose and Intent.....	20-1
20.2 Overlay Zone.....	20-2
20.3 Maps.....	20-2
20.4 Application Procedure.....	20-2
20.5 Required Reports.....	20-3
20.6 Approval Required Before Excavation.....	20-5
20.7 Bonding.....	20-5
20.8 Appeals.....	20-6
20.9 Development of Records.....	20-6
Chapter 21-Subdivisions.....	21-1
21.1 General.....	21-1
21.2 Application.....	21-1
21.3 Approval Process.....	21-2
21.4 Procedure.....	21-2
21.5 Authority to Delay Approval.....	21-3
21.6 Preliminary Plat.....	21-3
21.6.1 Description.....	21-3
21.6.2 Existing Conditions.....	21-4
21.6.3 Preliminary Map.....	21-5
21.6.4 Accompanying Data and Reports.....	21-7
21.6.5 Approval of Preliminary Plat.....	21-8
21.6.6 Expiration of Preliminary Plat Approval.....	21-9
21.7 Final Plat Requirements.....	21-9
21.8 Improvements and Improvements Standards.....	21-13
21.9 Performance Bonds.....	21-15
Bond Form.....	21-15
Instrument of Credit Form.....	21-17

21.10 Release of Security	21-17
21.11 Authorization to Start Construction.....	21-19
21.12 Fees, Inspections, Permits, Violations, Enforcements, and Penalties.....	21-19
21.13 Vacating or Amendment to Subdivision Plat.....	21-21
Chapter 22-Signs.....	22-1
22.1 Purpose and Objectives.....	22-1
22.2 Categories of Signs	22-1
22.3 Required Signs	22-5
22.4 Requirements	22-6
22.5 Flags.....	22-7
22.6 Sign Maintenance.....	22-7
22.7 Prohibited Signs.....	22-7
22.8 Code Compliance.....	22-8
Appendix A.....	app-1
A.1 Leeds Present Zoning Map	app-1
A.2 Leeds Expanded Area (Future) Zoning Map	app-2