

Town of Leeds
ORDINANCE 2025-05

MIXED USE (MU) ZONE

**AN ORDINANCE ADOPTING THE MIXED USE (MU) ZONE CHAPTER AS PART
OF THE TOWN OF LEEDS LAND USE CODE**

WHEREAS, pursuant to §10-9a-502(1), Utah Code Annotated 1953, as amended (“Utah Code”), the Leeds Planning Commission held a public hearing and thereafter made recommendations to the Leeds Town Council regarding a variety of proposed land use regulation changes, including adding Chapter 23.1 Village Commercial (VC) Zone to the land use code; and

WHEREAS, pursuant to §10-9a-(502)(2) Utah Code, the Town Council is required to “consider each proposed land use regulation that the Planning Commission recommends” to the Town Council and at a public meeting it may adopt the proposed land use regulation “after making any revision the legislative body considers appropriate”; and

WHEREAS, after multiple reviews, the Town Council concluded the Mixed Use Zone Chapter is consistent with the Town's General Plan and should be adopted with certain revisions;

NOW THEREFORE, be it ordained by the Town Council of Town of Leeds, UT as follows:

SECTION 1: Repealer. If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. Section "1.1.6 " is hereby amended as follows.

...

22. Church. A building ... the State of Utah.

23. Clinic, Dental or ... rooms for major surgery.

24. Club, Private. An organization, group or association supported by the members thereof, the sole purpose of which is to render a service customarily rendered for members and their guests but shall not include any service the chief activity of which is customarily carried on as a business; and does not include labor union organizations or similar labor or business organizations.

25. Cluster Dwelling. The ... requirement of the zone.

26. Commission. Commission shall ... forth in this Ordinance.

...

35. Driveway. A private ... requirements of this ordinance.

36. Dwelling. Any building ... mobile homes, or dormitories.

37. Dwelling, Single-family. A building arranged or designed to be occupied by one (1) family,

the structure having only one (1) dwelling unit. Any single-family dwelling with more than one kitchen must be treated as a single dwelling unit; and cannot be rented out under any circumstances.

38. Dwelling, Two-family. A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units. Each dwelling unit will have a separate entrance. Each dwelling unit will have its own bathroom and kitchen facilities. A casita on a single -family home parcel does not constitute a two-family dwelling unit.

39. Dwelling, Three-family ~~A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units.~~ A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units. Each dwelling unit will have a separate entrance. Each dwelling unit will have its own bathroom and kitchen facilities.

40. Dwelling, Four-family. A ... bathroom and kitchen facilities.

41. Dwelling, Multiple- family. A building arranged or designed to be occupied by more than four (4) families. Each dwelling unit will have a separate entrance. Each dwelling unit will have its own bathroom and kitchen facilities.

42. Dwelling, Group. Two ... spaces in common.

43. Dwelling Unit. One ... than one (1) family.

44. Dwelling Unit, Accessory. A subordinate residential living area with sleeping, bathroom and kitchen facilities created within a single-family dwelling, or a detached building on the same residential lot or parcel as the single -family dwelling, which meets the requirements of Town Code. The term includes, but is not limited to a casita, guesthouse or mother-in-law apartment/suite.

45. Dwelling Unit, Internal ... consecutive days in duration.

46. Dwelling Unit, Primary. ... by a common wall.

...

81. Manufactured/Mobile Home. A ... regulated as conventional housing.

82. Merger. The joining ... one (1) parcel.

83. Mixed-Use: Areas near single-family residential neighborhoods with a mix of single-family, townhouse and medium density multiple-family residential development, as well as limited neighborhood retail within a pedestrian/bicyclist friendly environment.

84. Mobile Home Park. A space designed and approved by the Town of Leeds for occupancy by mobile homes, to be under single ownership (including corporation) or management, and meeting all requirements of the Land Use Ordinance and Mobile Home Park Ordinance for mobile home parks.

~~84~~85. Mobile Homes Subdivision. A subdivision designed and intended for residential use where lots are to be individually owned or leased and occupied by mobile homes exclusively.

~~85~~86. Modular Home. A permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home is classed as a mobile home until it is placed on a permanent foundation and complies with all governing building codes.

~~86~~87. Motel. A group of attached or detached buildings containing individual sleeping rooms designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit. Lodgers may not reside at this location for more than thirty (30) days in any twelve (12) month period.

8788. Multi-Use Commercial Complex: An area of land, under unified control, master planned for development of a mix of land uses that are internally complementary and are compatible with and complement surrounding land uses by utilizing effective site, structure, circulation and Lanscaping design in a coordinated manner. For an annexed area that is assigned the MU Zone, the annexed area combined with contiguous land that has the MU Zoning designation shall have its Multi-Use Commercial Complex approved by an annexation and development agreement at the same time the area is annexed into the Town.

89. Natural Waterways. Those areas, varying in width, along streams, creeks, springs, gullies, or washes, which are natural drainage channels as determined by the Town Engineer, in which areas no building shall be constructed.

8890. Nonconforming Building or Structure. A building, structure, or portion thereof, lawfully existing at the time this Ordinance became effective, which does not conform to all the height, area, and yard regulations herein prescribed in the zone in which it is located.

8991. Nonconforming Use. A use, which lawfully occupied a building or land at the time this Ordinance became effective, and which does not conform to the use regulations of the zone in which it is located.

9092. Nursing Home. An institution providing long-term residence and care for the aged and infirm.

9193. Obstruction. A physical barrier that impedes or restricts a clean view of a person or object.

9294. Parking Lot. An open area, other than a street, used for the temporary parking of more than four (4) automobiles and available for public use.

9395. Parking Space. Space within a building, lot, or parking lot for the parking or storage of one (1) automobile.

9496. Plat, Final. A map of a subdivision, required of all subdivision of land, which is prepared for final approval and recordation, which has been accurately surveyed, so that streets, alleys, blocks, lots and other divisions thereof can be identified; such plat being in conformity with ordinances and codes of the Town of Leeds and the municipal land use development and management act set forth in Utah Code Annotated Title 10.

9597. Plat, Preliminary. The initial map of proposed land division or subdivision required for the subdivision process.

9698. Private Road. A roadway to provide access to two (2) or more dwellings and owned, installed and maintained by one or more private citizens or association, which use the private road as access to dwellings, commercial buildings or other facilities. Private Road as defined does not satisfy frontage requirement.

9799. Recreational Vehicle.

98100. A vehicle such as recreational trailer, tent camper trailer, truck camper, travel trailer, camp car, or other vehicle with or without motive power designed and or constructed to travel on public thoroughfares in accordance with provisions of the Utah Vehicle Code; and designed for human habitation.

99101. Recreational Vehicle Park. Any area, tract of land, land/or a separate designated section within a mobile home park where lots are rented or held for rent to one or more owners or users of

recreational vehicles. Ten percent (10%) of all spaces must be set aside for short term guests, not to exceed one (1) month. Fifty percent (50%) of the total spaces may be full time rentals/lease. May be designated together with Mobile Home Park as "Park."

~~100~~102. Remainder. That portion of an existing parcel which is not included as part of the proposed subdivision. The remainder is not required as part of the subdivision but must be shown on the required maps as part of the area surrounding the subdivision development.

~~101~~103. Retail Commercial Uses: The provision of goods, wears and merchandise to the general public. Retail commercial does not include the provision of professional offices or other services.

104. Roomer. One who occupies a hired room in another's house.

~~102~~105. Restaurant. Any business establishment where a variety of food is prepared and complete meals are served to the general public, located on premises having adequate culinary fixtures for food preparation and dining accommodations, and that is engaged primarily in serving meals to the general public.

~~103~~106. Salvage Yard. Any place, establishment or business maintained, used or operated for storing, keeping, buying, selling, recycling, or for the maintenance or operation of an automobile graveyard.

~~104~~107. School. Any building used primarily for the general education of minors including nursery schools, infant daycare centers, or trade or technical schools.

~~105~~108. Sign. Any device used for visual communication to the general public and displayed out-of-doors, but not including any flag, badge or ensign of any governmental agency.

~~106~~109. Sign, Advertising. A sign which directs attention to a use, product, commodity, or service unrelated to the premises.

~~107~~110. Sign, Business. A sign which directs attention to a use conducted, product or commodity sold, or service performed upon the premises.

~~108~~111. Sign, Identification. A sign displayed to indicate the name or nature of buildings or uses other than commercial or industrial uses located upon the premises.

~~109~~112. Sign, Name Plate. A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises

~~110~~113. Sign, Property. A sign related to the property on which it is located and offering such property for sale or lease, or advertising contemplated improvements, or announcing the name of the builder, owner, designer, or developer of the project, or warning against trespassing.

~~111~~114. Sign, Public Information. A sign erected by a public or non-profit agency, service club, etc., giving information to direct the public to both public and private facilities and major uses.

~~112~~115. Sign, Temporary. Temporary signs shall include any sign, banner, pennant, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a short period of time only.

~~113~~116. Small Animals. Animals kept as pets or for family food production, or recreational purposes such as dogs, cats, rabbits, and fowl.

~~114~~117. Stable, Private. A detached accessory building or structure for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale. A private stable is the building only and does not imply that horses are allowed.

~~115~~118. Stable, Public. Any stable (building or structure) where horses are boarded and/or kept for hire. A public stable is the building only and does not imply that horses are allowed.

~~116~~119. Story. The space within a building included between the surface of any floor and the surface of the ceiling next above.

~~117~~120. Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and that ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

~~118. Street. A public thoroughfare which affords principal means of access to abutting property, and is more than twenty-six (26) feet wide.~~121. Street. A public thoroughfare which affords principal means of access to abutting property and is more than twenty-six (26) feet wide.

~~119~~122. Structure. Anything constructed or erected, which required location on the ground or attached to something having a location on the ground.

~~120~~123. Structural Alteration. Any change in supporting members of a building, such as bearing walls, columns, beams or girders.

~~121~~124. Subdivider. Subdivider shall mean any individual, firm, association, syndicate, co-partnership, corporation, trust, or other legal entity, commencing to affect a subdivision for him or for another.

~~122~~125. Subdivider's Authorized Representative. Subdivider's Authorized Representative shall mean any person who has been designated by the subdivider, in writing, which designated has been filed with the Planning Commission as the authorized person to represent the subdivider.

~~123~~126. Subdivision. "Subdivision" means any land that is divided, subdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

1. Subdivision includes:

1. The division or ... parcel or lot; and
2. Except as provided ... agricultural, and industrial purposes.

2. Subdivision does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance~~;~~.
2. A boundary line agreement recorded with the Office of the County Recorder between owners of adjoining parcels adjusting the mutual boundary in accordance with §10-9a-524 of Utah State Code (as amended) if no new parcel is created~~;~~.
3. A recorded document, ... record revising the legal
4. descriptions of multiple parcels into one legal description encompassing all such parcels or joining a lot to parcel~~;~~.
5. A joining of one or more lots to a parcel~~;~~.
6. A road, street, ... highway dedication plat; or

7. A deed or ... street, or highway purpose.

~~124~~127. Subdivision Review Committee. An Administrative Land Use Authority that reviews and approves final subdivision applications for subdivisions containing single-family homes, two-family homes and/or townhouses.

~~125~~128. Temporary Use (for Recreational Vehicles). Overnight parking, twenty-four (24) hour camping in approved areas, or as otherwise defined by the Town Council.

~~126~~129. Through Lot. A lot having frontage on two (2) streets which are parallel or nearly so.

~~127~~130. Townhouse. Attached dwelling that shares at least one wall with adjacent properties, and that has a separate entrance. Townhouse owners own the interior, exterior, and the land upon which their dwelling sits.

~~128~~131. Trailer Camp or Mobile Home Park. Any area or tract of land used or designed to accommodate two (2) or more trailers, mobile homes, or camping parties.

~~129~~132. Transparent Material. Any material used for fencing or other purposes consisting of mesh, chain link, rail, or other unobstructed material.

~~130~~133. Use, Accessory. A subordinate use customarily incidental to and located upon the same lot occupied by a main use.

~~131~~134. Veterinary or Animal Hospital. A building and runs where both large and/or small animals are kept and/or treated by a licensed veterinarian.

~~132~~135. Wall. A masonry fence around a property or a portion of a property; the solid side of a structure or building.

~~133~~136. Width of Lot. The distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.

~~134~~137. Yard. A space on a lot other than a court, unoccupied and unobstructed from the ground upward, by buildings, except as otherwise provided herein.

~~135~~138. Yard, Front. A space on the same lot with a building, between the front line of the building (exclusive of steps) and the front lot line; and extending across the full width of the lot.

~~136~~139. Yard, Rear. A space on the same lot with a building, between the rear line of the building (exclusive of steps and chimneys) and the rear line of the lot and extending the full width of the lot.

~~137~~140. Yard, Side. A space on the same lot with a building, between the side line of the building (exclusive of steps or open stairways) and the side line of the lot and extending from the front yard line to the rear yard line.

~~138~~141. Zone. Synonymous to District.

HISTORY:

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SECTION 3: Amendment. Section "12.1.1 " is hereby amended as follows.

...

9. Residential

R-1-10 (1/4 acre)

10. Multiple Residential

R-M-7

11. Mobile Home (Includes Mobile Home and RV Park)	M <u>M</u> -H
12.	<u>Mixed</u> <u>Use</u>

MU

<u>13.</u> Commercial	C
13 <u>14.</u> Open Space	OS

~~14~~15. In accordance with the desires of the majority of the Leeds residents and of the Town Officials there is no Industrial Zone within the Town of Leeds. This decision was based on inputs from members of the Town who wanted Leeds to remain a residential community with commercial enterprises that would provide jobs for some of the residents and would provide the services that the community desired. This will prevent those activities that would create noises, odors, environmental problems and unsightly areas in an attempt to keep the Town an attractive residential community.

HISTORY:

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SECTION 4: Amendment. Section "23.1.1 Purpose" is hereby amended as follows.

1. Specified: The purposes of the mixed-use zone (MU) are to:

1. Provide for a mix of single-family and multi-family residential uses, together with appropriate scale, compatible commercial development, limited to projects of thirty (30) acres or larger, to serve the nearby neighborhood areas and the Town.
2. Through a planned center development process Multi-Use Commercial Complex (26.1.5.4), designate appropriate areas for each of the uses identified in subsection A1 1.1 of this section that may be included in the development in relationship to existing housing, roadways and interchanges.
3. Provide for the creation of developments that combine village scale residential and complementary retail that can serve as the center for surrounding residential neighborhoods.
4. Provide standards for site design, architecture, landscaping and circulation that are representative of the Town of Leeds rural agricultural heritage and encourage walking and bicycling for recreation and daily errands.
5. Provide for medium density residential development, where appropriate, to serve as a buffer between single-family and commercial development.
6. Preserve the residential character of Main Street and protect residential uses within and adjacent to MU zones.
7. Integrate the Town's Master Transportation Plan with internal traffic circulation and pedestrian pathways to ensure public safety.

2. Intent; Character: The mixed-use zone is intended to be used for developments of thirty (30) acres or larger that incorporate a generous mix of uses as described above. The character of the areas of Leeds in which the MU zone may be applied will differ depending on the size and location of the parcel proposed to be rezoned. While the MU zone may be applied to a property through a zoning request, the appropriate locations, proportions and mix of residential and nonresidential uses will be determined for each MU zoned area through a planned center development Multi-Use Commercial

Complex approval process, as set forth in this chapter, in order to ensure that the purposes of the MU zone are met.

SECTION 5: Amendment. Section "23.1.2 Conflicts" is hereby amended as follows.

This chapter provides additional provisions to those set forth in the other chapters of this title. In the event of conflict between other provisions of this title and this chapter, the provisions of this chapter shall apply.

SECTION 6: Amendment. Section "23.1.3 Definitions" is hereby amended as follows.

The following definitions shall have the meaning set forth below:

MIXED USE: Areas near single-family residential neighborhoods with a mix of single-family, townhouse and medium density multiple-family residential development, as well as limited neighborhood retail within a pedestrian/bicyclist friendly environment.

PLANNED CENTER DEVELOPMENT: An area of land, under unified control, master planned for development of a mix of land uses that are internally complementary and are compatible with and complement surrounding land uses by utilizing effective site, structure, circulation and landscaping design in a coordinated manner. For an annexed area that is assigned the MU Zone, the annexed area combined with contiguous land that has the MU Zoning designation shall have its planned center development approved by an annexation and development agreement at the same time the area is annexed into the Town.

RETAIL COMMERCIAL USES: The provision of goods, wares and merchandise to the general public. Retail commercial does not include the provision of professional offices or other services.

MULTI-USE COMMERCIAL COMPLEX: An area of land, under unified control, master planned for development of a mix of land uses that are internally complementary and are compatible with and complement surrounding land uses by utilizing effective site, structure, circulation and Lanscaping design in a coordinated manner. For an annexed area that is assigned the MU Zone, the annexed area combined with contiguous land that has the MU Zoning designation shall have its Multi-Use Commercial Complex approved by an annexation and development agreement at the same time the area is annexed into the Town.

SECTION 7: Amendment. Section "23.1.4 Attainable Housing" is hereby amended as follows.

1. Minimum Requirement: Developers must provide or set aside dwelling units equal in number to at least ten percent (10%) of the total number of dwelling units approved for the development for attainable housing subject to entering into an agreement with the Town; unless, at the sole discretion of, and by agreement with the Town, the developer provides:

1. _____ Open space;

2. _____ A fee in lieu thereof determined in consideration of factors set forth in Town _____

code; or

3. Some other public benefit;

4. A combination of 1, 2, and 3 above.

2. Exemption: Subdivisions resulting in two (2) or fewer additional dwelling are exempt from the minimum moderate-income housing requirements of this Section.

3. Additional Dwelling Units: The Town may approve additional dwelling units than what is conventionally allowed in the underlying zone as an incentive to a developer to provide attainable housing as defined.

SECTION 8: Amendment. Section "23.1.5 Allowed Uses" is hereby amended as follows.

The MU zone provides for a broad variety of land uses. The purpose of the MU zone is to provide for a mix of uses rather than a single type of use. The specific uses that will be allowed in an MU zoned area will depend on the location and character of the property to be zoned, the mix and intensities of the uses proposed, and on the character of the surrounding neighborhoods and land uses and will be determined through the review and approval of a planned center development. multi-use commercial complex.

1. A. Specified: Among the uses that may be considered for approval as part of a planned center development multi-use commercial complex are the following:

Agriculture.

Athletic or tennis club.

Bed and Breakfast.

Business and professional offices.

Church, temple, synagogue or other place of worship.

Convenience store (sale of grocery items, nonprescription drugs, no gasoline sales).

Daycare, preschool.

Dwellings, multiple family with no more than four (4) units.

Financial institutions.

Fitness center.

Funeral home.

Home occupations as identified in Town code.

Medical or dental clinic.

Neighborhood grocery.

Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry cleaning, hairstyling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).

Nursing home, convalescent center.

Pet store or pet grooming establishment.

Private school.

Public or quasi-public uses, material additions or modifications on a developed site.

Reception center.

Research services.

Residential facilities for the disabled.

Residential facilities for the elderly.

Restaurant.

Single-family dwellings.

Temporary uses.

Townhouses.

Two-family dwellings.

Uses customarily accessory to a listed use.

2. Commercial and residential dwellings intended for stays less than 30 days are not permitted.

This includes, but is not limited to:

- Bed and Breakfasts

- Hotels

- Motels

- Short-Term Rentals

SECTION 9: Amendment. Section "23.1.6 Impact Analysis Studies" is hereby amended as follows.

1. Traffic Impact Analysis: Upon request by the Town when circumstances warrant, aAn applicant for a planned center development Multi-Use Commercial Complex approval in the MU zone shall provide a thorough traffic impact analysis including parking capacity, prepared by a licensed professional engineer with traffic engineering expertise, which shall be reviewed by the Town engineer. Cost of the analysis, including all reviews and updates, shall be borne by the applicant. Analysis shall accompany developer agreement.

2. Community And Economic Impact Analysis:

1. Upon request by the Town when circumstances warrant, aAn applicant for a planned center development Multi-Use Commercial Complex approval in the MU zone shall provide a fiscal impact analysis, prepared by an expert acceptable to the Town. The purpose of assessing community and economic impact is to evaluate the projected benefits and costs to the public and private sectors of the community from the project, and to prescribe mitigation measures, if needed. Cost of the analysis, including all reviews and updates, shall be borne by the applicant.

2. At a minimum the fiscal impact analysis shall include the following:

1. The estimated net impacts and/or benefits to local employment, wages and salaries, retained profits, land values, property taxes and sales taxes.

2. The estimated net impacts of increased local consumer spending.

3. The projected net costs to the Town arising from increased demand for and required improvements to public services and infrastructure.

4. The value of improvements to public services and infrastructure to be provided by the project.

5. The impacts projected to occur because of the development.

3. The developer shall demonstrate the ability to complete the project and to achieve long term

financial stability. Final determination of the appropriateness of a particular building use and size will take into account the net benefits and impacts to the development itself, to the surrounding neighborhoods, and to the community as a whole.)

SECTION 10: Amendment. Section "23.1.7 Density and Dimensional Standards" is hereby amended as follows.

1. Residential Development: The minimum lot size for development of townhouse is five thousand (5,000) square feet. and single- and two-family dwellings is ten thousand (10,000) square feet. The minimum lot size for a two-family dwelling is twelve thousand (12,000) square feet. The minimum lot size for multiple-family dwellings is twelve fifteen thousand (12,000 15,000) square feet square feet for the first two (2) units, two thousand (2,000) additional square feet for each additional unit up to four (4) units and four thousand (4,000) additional square feet for each additional unit beyond four (4) units. Maximum residential density in the MU zone is nine (9) units per acre. Setback, height and other dimensional standards for residential development in the MU zone are as required in this title. Development Agreement may shall be required. For every multiple-family dwelling unit or town house there shall be an equal number of single-family dwelling or townhouse units.

2. High Density dwelling units shall make up no more than 10% of the total MU development. High Density is defined as more than 2 units per acre. The maximum residential density in a Multi-Use Commercial Complex shall be 2.75 units/acre.

3. The maximum height for any residential unit is 35 feet above the finished grade. Entirely below grade basements are not allowed; however, walkout basements are permitted where there are terrain constraints. No residential building shall be more than 2 levels, as a level, including any walkout basement area below the finished grade. Setback and other dimensional standards for residential development in the MU zone shall be as provided in the Multi-Use Commercial Complex planned center development.

4. Nonresidential Development:

1. Maximum Single Building Size:

1. The maximum building footprint for nonresidential structures in areas not abutting major arterial roadways and interchanges shall be seven thousand five hundred (7,500) gross square feet, not exceeding one story in height.

2. In areas abutting major arterial roadways and interchanges, the maximum building footprint shall be ten thousand (10,000) gross square feet per floor with a maximum height of two (2) stories, except as allowed by Subsection (B)(1)(c) of this section. ?

3. In some areas abutting major arterial roadways and interchanges, a single building with a footprint larger than ten thousand (10,000) square feet, but in no case larger than fifty-five thousand (55,000) square feet, may be appropriate as a part of a Multi-Use Commercial Complex planned center development that contains a mix of residential and nonresidential uses. In such areas, a special exception to the ten thousand (10,000) square foot maximum building footprint may be granted on planned center developments Multi-Use Commercial Complex's, where it can be shown that the overall project and its mix of uses enhance the character of Leeds, protect existing nearby

uses, do not overwhelm the surroundings, and will protect and contribute to the health, safety and welfare of the community.

2. Maximum Aggregate Retail Space: The maximum aggregate interior square footage dedicated to retail commercial uses in any one MU zone district shall be limited to one hundred fifty thousand (150,000) square feet. A special exception to this limitation may be granted where it is shown that exceeding the maximum is necessary to provide adequate retail space to meet the city's needs and general plan objectives:

1. The uses within the Multi-Use Commercial Complex planned center development are located in such a manner as to prevent adverse off-site impacts, such as noise, dust and fugitive light.

2. The Planning Commission determines, after consideration of all evidence that the proposed additional retail commercial uses above the one hundred fifty thousand (150,000) square foot limit will not cause any public street adjacent to the project to drop in its level of service from the level of service that would have been reached without the additional retail commercial use or uses; and

3. The Planning Commission determines, after consideration of all evidence, that the proposed additional retail commercial uses above the one hundred fifty thousand (150,000) square foot limit will not have an adverse impact on the long-term fiscal viability of the project.

3. Front Yard: Measured from property line or abutting a public street or a private street edge, no front yard setback is required on local or important local streets. On minor collectors and higher classification streets, the front yard setback is twenty-five feet (25').

4. Side Yards: Measured from face of building perpendicular to abutting property line, are not required except to provide access to parking and deliveries behind a building and as deemed necessary by the fire department for emergency access.

5. Rear Yard: No specified requirements, except that a minimum of thirty feet (30') shall be provided when adjacent to a low-density residential zone. If the rear yard abuts a minor collector or above street in the case of a double frontage lot, the rear yard setback is twenty-five feet (25').

6. Side Yard Corner: Same as front yard.

7. Lot Size: No requirement.

8. Lot Width: No requirement.

9. Building Height: Maximum building height shall not exceed two (2) stories, thirty-five feet (35') maximum. Nonresidential uses allowed through the Multi-Use Commercial Complex planned center development process are limited to single-story buildings or the first floor of multi-story buildings. However, the second story of a building with ground floor retail may be used for offices as well as residential.

SECTION 11: Amendment. Section "23.1.8 Design Standards" is hereby amended as follows.

The following design standards shall be implemented throughout the mixed-use zone in order to create a cohesive, attractive appearance that is inviting and pedestrian friendly, and which encourages travel by foot, bicycling, and future public transportation, in addition to traditional automobile transport.

1. Site Design:

1. Site design shall specifically encourage pedestrian friendly development by eliminating large block parking areas and encouraging landscaping and amenities which encourage pedestrian activity.

2. For residential uses, side load garages and/or garages set back from the primary front facade of the residence are encouraged.

2. Building Design: The height, size, bulk and arrangement of buildings within the MU zone should be designed to invite pedestrian circulation and offer an attractive streetscape. Building design should complement exterior design and be coordinated throughout the project area.

1. Buildings shall provide a clear visual division between all floors. The top floor of any building shall contain a distinctive finish, consisting of a roof, cornice or other architectural termination.

2. The facade of every residential floor greater than thirty (30) linear feet and visible from a street shall incorporate features designed to provide human scale and visual interest. Compliance can be achieved through balconies, alcoves or wall segments that create at least a two-foot (2') variation in plane for at least ten (10) linear feet for each thirty feet (30') of facade visible from a street.

3. For nonresidential buildings and the nonresidential floor of mixed-use buildings, approximately fifty percent (50%) of the linear frontage of any wall visible from a street shall incorporate windows, doors or display windows.

4. The sides and back of nonresidential and multi-family buildings shall receive similar architectural treatment as the front facade to include some openings, overhangs, features, decorative lighting, landscaping, etc., as deemed appropriate for its exposure to surrounding areas.

5. Building facades of multi-family dwellings shall incorporate colors and materials that are compatible with the neighborhood, including some stone, and shall attempt to screen garage doors from public view. The use of pitched roofs is encouraged.

3. Exterior Materials: Exterior materials shall be durable and require low maintenance, and be of the same or higher quality as surrounding developments, factory finished composite board siding, acrylic stucco (EIFS), standing seam metal roofing, cedar shake shingles, weathering steel, etc.

1. Details of proposed colors and materials, including color chips, samples and colored building elevations, shall be shown on building plans when a development project application is submitted.

2. Reflective surfaces shall not be used in locations which may produce excessive reflections or glare that may create a potential safety problem.

3. Tile, architectural grade asphalt shingles, standing seam metal or similar quality roofing materials shall be used on all visible pitched roofs.

4. Building Entry: Main building entrances shall be easily identifiable and form a transition between inside and outside areas. Building entries shall be provided with adequate lighting for security.

1. Buildings that are open to the public and are within thirty feet (30') of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural

design and shall be open to the public during all business hours.

2. Wherever practical, buildings shall incorporate arcades, roofs, alcoves, porticoes and awnings that protect pedestrians from the rain and sun. In plazas and courtyards, lighting shall incorporate fixtures and standards designed for pedestrian areas.

5. Exterior Uses, Storage and Equipment: All uses located in the zone shall be conducted entirely within a fully enclosed building, except for outdoor dining.

1. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use except as specifically approved by the planning commission in conjunction with a conditional use application.

2. Trash storage areas, mechanical equipment, transformers, meters and similar devices are not permitted to be visible from the street. Where site constraints would otherwise force these uses into visible locations they shall be screened by decorative walls, earthen berms, landscaping or architectural treatments capable of screening views from streets and sidewalks.

3. If in rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices or other architectural features.

4. In plazas and courtyards, lighting shall incorporate fixtures and standards designed for pedestrian areas that are compatible in design with adjacent properties.

5. All new utility transmission lines shall be placed underground.

6. Building standards must comply with Leeds Standard Specifications for Design and Construction.

SECTION 12: Amendment. Section "23.1.9 Pedestrian and Vehicle Circulation" is hereby amended as follows.

The following site design standards shall apply to all development within the neighborhood mixed use zone:

1. Bike Pathways: Bike pathways at least four feet (4') in width shall be provided in, out and through the MU area to allow easy access to nonresidential buildings. Sidewalks at least six feet (6') in width shall be provided along each public right of way.

2. Pedestrian Sidewalks: Pedestrian sidewalks along major roadways (i.e., Main Street) shall incorporate generous landscaped park strips separating vehicular traffic from pedestrian traffic. Crosswalks shall be clearly marked and, where appropriate, signalized. Special measures shall be incorporated to ensure safety for children as may be recommended by the Town engineer. These measures could include special signage, reflectors or flashing crosswalk indicator lights, handheld flags, etc.

3. Public Seating, Bicycle Racks: Public seating and bicycle racks shall be provided near entrances to all nonresidential buildings or groups of buildings.

4. Bikeway Standards: Bikeways shall meet standards consistent with the Southern Utah Regional Trail Standards. These bikeways shall provide safe and inviting access through MU areas and shall provide continued circulation of trails identified in any local or regional trail master plan, including planned equestrian trails.

SECTION 13: **Amendment.** Section "23.1.10 Landscaping" is hereby amended as follows.

The following site landscaping standards shall apply to all new development in the mixed-use zone. Species shall be selected from the approved plant list provided by WCWCD herein:

1. Street Trees: Street trees shall be provided on all street frontages at a maximum spacing of thirty feet (30') on center.

2. Planting Of Trees: Street trees shall be planted within a landscape strip of at least six feet (6') in width, between the roadway and sidewalk where feasible, and shall not be planted closer than three feet (3') from back of curb. Trees shall not be planted closer than two feet (2') from any hard surface paving or walkway. Sidewalk cuts for trees shall be at least ten (10) square feet in area.

3. Space Between Hard Surface and Trees: Space between hard surface and trees may be covered by permeable hard surfaces, such as grates, bricks on sand or paver blocks. As they grow, trees shall be pruned to provide at least eight feet (8') of clearance above sidewalks and twelve feet (12') above street roadway surfaces.

4. Distance Of Trees to Light Standards: Street trees shall be planted no closer than fifteen feet (15') to light standards.

5. Approved Landscape Plan: All areas of a developed site not occupied by buildings, required parking, driveways, walkways or service areas shall be landscaped according to an approved landscaping plan. These areas may also incorporate hardscape for patios, plazas and courtyards.

6. Parking Areas: Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each twelve (12) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.

7. Multi-Family Housing Areas: Multi-family housing areas shall be fully landscaped in accordance with the water efficient landscape provisions of Town code.

8. Review, Approval: All landscape plant materials must be specifically reviewed and approved by the Town.

SECTION 14: **Amendment.** Section "23.1.11 Parking" is hereby amended as follows.

Parking shall be provided in accordance with Town standards. In addition, the following provisions shall apply in the MU zone:

1. Location: Parking areas shall be located behind or at one side of buildings. Except as approved by the Town, for uses such as a grocery store, parking may not be located between a building and the street but may be located on the street within the public right of way.

2. Pedestrian Walkways: Where feasible, pedestrian walkways shall be incorporated into all parking lots of any size.

3. Bicycle Parking: Bicycle Parking shall be provided as follows:

1. Bicycle Parking must be located on the same lot as the use it serves.

2. Access to and from nearby public streets, sidewalks and trails for the target users of the bicycle parking.

3. Secure bicycle racks shall be provided at likely destination stops to encourage the use of bicycles as a way to access those destinations.

4. Shared Parking: Developments incorporating a mix of uses generally require fewer parking stalls due to shared patronage of retail stores and varying hours of peak use by office users and retail customers. For mixed use projects, developers shall provide an analysis of projected parking needs for consideration to justify any reduction in required parking stalls, with a maximum allowed reduction of twenty percent (20%).

5. Parking per resident shall be quantified at 2.5 spaces per residence: 2 spaces per unit, 0.5 as aggregate overflow.

SECTION 15: Amendment. Section "23.1.12 Paving" is hereby amended as follows.

1. Sidewalks and major crosswalks within the commercial areas of an MU zone shall incorporate variations in pavement to add interest, help slow traffic and increase safety. Pavements may include stained or textured concrete, colored and/or stamped concrete, brick, stone or CMU pavers. Nevertheless, the use of pervious surfaces are encouraged. Other appropriate areas for special paving would include outdoor patio areas and public plazas.

2. Sidewalks must be no less than 6 feet wide.

SECTION 16: Amendment. Section "23.1.13 Signage" is hereby amended as follows.

In an MU zone, businesses should be identified by an appropriate blend of the six (6) sign types that are permitted hereunder. These include monument, facade mounted, suspended/supported, projecting, awning/canopy and window signs.

1. Character: Sign character will be compatible with the character of surrounding neighborhoods.

2. Material: Wood and similar appearing material, metal, canvas-like materials and window stencil are the materials of preference. Plastic, lexan and other similar appearing materials will be allowed in limited amounts on individual signs. Repetitive use of signs utilizing pan channel letters is not allowed. No plastic face box signs shall be allowed.

3. Exterior Building Signs: All exterior building signs must present the name of the business for that tenant space and may include the business/company logo. The sign may identify products sold or produced by the business. Brand names and logos shall not be allowed in a sign unless they are specifically part of the name/trademark of the business in that tenant space.

4. Address Numbers: Address numbers shall be a maximum of six inches (6") in vertical dimension but may be larger if required by the city. The location of the address sign shall be in close proximity to the main entrance to the business/tenant space.

5. Sign Lighting:

1. Light may be cast directly onto the face of the sign by an external light source. In such instances, the light must be focused on the sign face.

2. Halo signs are permitted.

3. Backlighting through routed letters/copy or through the material that comprises the letters/copy in the sign face is permitted as long as the light source is screened from direct view.

4. Exposed neon tubing and/or individual light bulbs forming the sign copy shall not be permitted on any sign. Exposed neon signs shall be permitted inside a business/tenant space but shall not be placed within ten feet (10') of the inside surface of the storefront window.

6. Number: Number of signs permitted per business/tenant space shall be as follows:

1. Highway orientation: Up to two (2) of the six (6) sign types permitted.

2. Parking lot orientation: Up to two (2) of the six (6) sign types permitted.

3. Pedestrian area orientation: Up to three (3) of the six (6) sign types permitted.

7. Prohibited Signs: Handwritten and taped signs to storefronts are prohibited.

8. Temporary Or Promotional Signs: Individual business temporary event, sale or promotional signs are permitted for the duration of the sales event not to exceed thirty (30) days per sales event and four (4) times per year or alternatively in conjunction with planned sales events carried out by a retail business through its system of stores. Such signs shall be located in a window display area and shall not exceed fifteen (15) square feet.

9. Restaurants And Food Service Tenants: Restaurants and food service tenants shall be permitted one freestanding A-frame, signboard, which can be placed on the sidewalk, provided the sign does not interfere with pedestrian movement. The sign shall not exceed two feet (2') in width and three feet (3') in height.

10. Awnings, Canopies: Awnings and canopies are permitted without signs. Once letters and/or graphics are attached, it must comply with the provisions of this regulation.

11. Sign Types:

1. Facade Mounted Signs:

1. Up to two (2) facade mounted signs are permitted per tenant space with a maximum of one per twenty (20) linear feet of frontage.

2. Restaurants may have one additional facade mounted menu sign, which shall be a maximum of three (3) square feet in area.

2. Projecting Signs:

1. a. One pedestrian oriented projecting sign (shingle) may be attached to a building perpendicular to the facade facing a pedestrian sidewalk.

2. b. A projecting sign may extend up to four feet (4') from the facade.

3. c. Projecting signs shall not exceed twelve (12) square feet in size.

4. d. Projecting signs shall be a minimum of eight feet (8') above any pedestrian walkway.

3. Suspended Or Supported Signs:

1. One pedestrian area oriented suspended sign or more supported sign may be placed so as to be supported by building canopies of other elements near the entrance to the business/tenant space.

2. Signs shall be limited in size to one square foot of sign area for each four (4) linear feet of business/tenant space frontage, not to exceed twenty five (25) square feet in size. Letters will not exceed twelve inches (12") in height.

4. Window Signs:

1. A window sign may be up to eighteen inches (18") in height and four feet (4') wide.

2. A window sign may be stenciled on two (2) windows of the facade on which the sign will be located.

3. Storefront windows and doors shall be limited to a maximum of two (2) square feet of coverage with stickers, credit card decals, hours of operation, etc.

4. There may be one window sign listing the names of tenants of the second-floor commercial space near the entrance to the elevator/stairs to the second floor. This sign shall not exceed six (6) square feet in size.

5. A second-floor tenant may have two (2) stenciled window signs not to exceed six (6) square feet, one with a parking lot orientation and one with a pedestrian area orientation.

5. Awning/Canopy Signs:

1. The vertical drip of an awning or canopy may be stenciled with letters that are up to seven inches (7") in vertical dimension by any length. When the vertical drip of an awning exceeds the vertical dimension of the slope, then it may be stenciled with letters that are up to nine inches (9") in height.

2. The sloped portion of an awning may be stenciled with business logo or graphic representation of nine (9) square feet.

3. All awning or canopy signs shall be constructed of a canvas like material or architectural metal. Primary colors and glossy finishes on the fabric are not permitted.

6. Entry Arch Sign: An entry arch sign may be permitted for a Multi-Use Commercial Complex planned center development project, depending on the character and proximity of existing uses in the vicinity of the MU zone area.

7. Directional And Street Name Signs: Street name identification signs may be provided at key intersections. The street name signs shall be of a design that is compatible with the neighborhood.

SECTION 17: Amendment. Section "23.1.14 Site Furniture / Artwork" is hereby amended as follows.

The scale of the MU zone is established with the pedestrian in mind. Places to sit, gather, enjoy artwork and the outdoors should be provided to encourage people out of their automobiles.

1. Placement Of Benches: Benches should be provided at locations where they are most likely to be used, rather than at regular intervals along the sidewalk. They should be within view of the action, but out of the way of the pedestrian traffic.

2. Grouping Of Benches: Benches should not be lined up in a row but may be grouped in pairs, generally set at ninety (90) to one hundred twenty degrees (120°) from each other. Where possible, benches should be positioned to allow space for a wheelchair to be accommodated at one side.

3. Common Theme: Benches should be placed together with other street amenities such as light poles, kiosks, waste receptacles, planters, etc. All street amenities should share a common theme in

their design that is representative of the development.

4. Public Art: Public art may be provided at key locations in an MU zone area.

5. Mailboxes: Mailboxes should be grouped together where possible, away from public view, and in accordance with U.S. postal service requirements.

SECTION 18: Amendment. Section "23.1.15 Outdoor Lighting" is hereby amended as follows.

Outdoor lighting shall meet the requirements of the Town of Leeds set forth in said code. ORD 03-07

SECTION 19: Amendment. Section "23.1.16 Storm Drainage and Natural Springs" is hereby amended as follows.

1. Engineering; Landscaping: Storm drainage shall be engineered to Town standards and may include detention in parking areas and designated detention ponds. All detention pond areas shall be landscaped and stabilized as approved by the city engineer. Where detention is near drainage from natural springs, the streambed shall be reestablished with a streambed appearance approved by the Town's engineer.

2. Maintenance Of Drainage: Natural spring drainage shall be maintained above grade where possible.

SECTION 20: Amendment. Section "23.1.17 Fencing and Retaining Walls" is hereby amended as follows.

1. Between Residential, Commercial Areas: Fencing between primarily residential areas and commercial areas may be constructed up to seventy-two inches (72") in height. Appropriate materials include stone, precast molded concrete panels embossed and stained with a stone pattern (both sides of wall), wrought iron or colored masonry. Solid wood or solid vinyl fencing is not permitted. Fencing should be augmented by a substantial landscape buffer.

2. Perimeter Of Multi-Use Commercial Complex Planned Center Development Project: Fencing around the perimeter of a Multi-Use Commercial Complex planned center development project may be constructed up to forty-two inches (42") in height. Appropriate materials would include stone, rail fencing or combinations of those materials.

3. Multi-Family Areas: Fencing within multi-family areas within an MU zone between buildings or along streets is not permitted. Private patio areas may be screened with fencing not to exceed sixty inches (60") in height and not enclosing more than one hundred fifty (150) square feet in area. Generous landscaping should be provided around any such enclosures.

4. Single-Family Residential Areas: Fencing within single-family residential areas within an MU zone shall be governed by the residential sections of this code.

5. Retaining Walls Over Thirty Inches: If necessary, within an MU zone area, retaining walls over thirty inches (30") in height shall be constructed of landscape boulders, stone or concrete faced

with stone or cultured stone. Walls should generally not exceed four feet (4') in height unless terraced with a planting area at least three feet (3') wide between tiers.

SECTION 21: Amendment. Section "23.1.18 Project Review and Approval" is hereby amended as follows.

All projects proposed within the MU zone shall be reviewed and approved as a planned center development Multi-Use Commercial Complex pursuant to applicable sections of this chapter, for projects proposed to be phased, each individual phase approved must meet all of the standards and criteria of this chapter and the objectives of this mixed-use zone. Revisions to approved planned center development Multi-Use Commercial Complex projects must be reviewed and approved as new development applications subject to the applicable regulations then in effect.

SECTION 22: Enactment. Chapter "23.1 Mixed Use Zoning" is hereby enacted as follows.

SECTION 23: Amendment. Title "23 Mixed Use Zoning (MU)" is hereby amended as follows.

SECTION 24: Severability. If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 25: Effective Date. This ordinance being necessary for the peace, health, and safety of the City, shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the more remote from the date of passage thereof.

****Signatures On Next Page****

PASSED AND ADOPTED by Town of Leeds Town Council this _____.

BILL HOSTER, Mayor
Town of Leeds

Attest:

CARI BISHOP, Deputy Clerk
Town of Leeds

Town Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Bill Hoster	_____	_____	_____	_____
Michelle Peot	_____	_____	_____	_____
Kohl Furley	_____	_____	_____	_____
Danielle Stirling	_____	_____	_____	_____
Ron Cundick	_____	_____	_____	_____

RECORDED this _____.
PUBLISHED OR POSTED this _____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Clerk of Town of Leeds, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

- 1. Town Hall
- 2. U.S. Postal Office
- 3. Town Website
- 4. Utah Public Notice Website

on the above referenced dates.

CARI BISHOP, Deputy Clerk
Town of Leeds