

Town of Leeds

Agenda Town of Leeds Planning Commission Wednesday, May 4, 2016

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** on Wednesday, May 4, 2016 at 7:00 p.m. The Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Regular Meeting 7:00 p.m.

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes from March 30 and April 6, 2016.
6. Announcements:
7. Public Hearings:
8. Action Items:
9. Discussion Items:
 - a. Open Public Meeting Act Training.
 - b. Proposed amendments to the Land Use Ordinance 2015-04, Chapter 17, Commercial District
 - c. Alberta Pace discussion on Majestic Mountain Road Subdivision
10. Staff Reports
11. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2947 at *least* 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Clerk/Recorder does hereby certify that the above notice was posted May 3, 2016 at these public places being at **Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmmutah.gov> and the Town of Leeds website www.leadstown.org**



Kristi Barker, Clerk/Recorder

Town of Leeds

Planning Commission Special Meeting for March 30, 2016

1. Call to order:

Chairman Stirling called to order the continuation of the March 9th meeting in a Special meeting of the Planning Commission at 7:04pm on March 30, 2016, at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANIELLE STIRLING	<u>x</u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u>x</u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>

2. Invocation by Commissioner Poast.

3. Pledge of Allegiance by Commissioner Nelson.

4. Declaration of Abstentions or Conflicts:

Commissioner Nelson, I would like to read something into the record that was rather disturbing to me when I heard about it, about some letter I supposedly signed. The letter is immaterial, but to sign my name to anything that I did not have, in other words pen to paper; this was a discussion I had on the phone with, ok, that's cool and then all of a sudden it is on paper.

Commissioner Nelson then read the letter;

Town of Leeds attention, Town Council

After discussion with fellow members of the Planning Commission, we would like to express our support for Danielle Stirling to be a full-time member of the Planning Commission. A recent interim Chairmanship was incredibly successful and highlighted her strong qualities of leadership, insight and historical knowledge. We realize that others have been contacted for service, but we feel like she would be the right person to assist us in accomplishing our important duties this year and beyond.

Respectfully submitted,

John Poast

Darrell Nelson

Danny Swenson

Commissioner Nelson, while I might support this letter, I object to anybody putting anything in front of me I had nothing to do with.

Chair Stirling, as well as I did not either. I was not here for the meeting. That is the first time I ever heard verbatim from that at all. I appreciate it, if it was not something that you agreed with, that should be on the record as well.

Commissioner Swenson, nor did I.

Commissioner Poast, I am the culprit, I wrote that letter. I talked to the two gentlemen; I put down the names of those who I had talked to. I did not mean it as a signature block nor request a signature, but it does have the appearance of a signature and so for that, I apologize.

Commissioner Nelson, ok thank you.

5. Approval of Today's Agenda:

Commissioner Swenson moved to approve today's agenda. 2nd by Commissioner Lewis. All voted "Aye". Motion Passed.

6. Action Items:

a. Zone Change for Parcels L-3282-G and L-3284-B for Tuscan Lenders Group LC from Mixed Use (MXD) to Multiple Residential R-M-7, Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.), Residential R-1-1 (1 acre) on approximately 77 acres. Chair Stirling discussed the following items that Commissioners asked the applicants to address at the last meeting;

1. No road density or units on the map. That is complete.
2. Owner Identified in Capital Funding application. That is complete.
3. No sewer included on the map. No gray area for sewer zone identification. That is complete and it is now identified as R-R-1.
4. No Grapevine Wash, it now just says "formally known as Grapevine Wash".
5. Tuscan Lenders map fixed to same as the County. That is complete.

Chair Stirling, what I will go ahead and do is read into the minutes the emails that had gone back and forth so we can all be on the same page of what had gone on. Apparently there has been a discrepancy throughout this whole issue with what is actually recorded at the County vs, what is on the map. So let's go ahead and read this;

From: Ian Crowe Sent: Tuesday, March 01, 2016 9:57 AM

To: Brandee Walker

Subject: Re: Grapevine

All,

The attached boundary info should solve any acreage questions.

Ian

From: Jody K Burnett

Sent: Friday, March 11, 2016 12:05 PM

To: Bruce Baird

Subject: FW: Grapevine

Bruce,

One detail regarding Grapevine is the acreage calculations. Without further explanation, I'm not sure that the information Ian Crowe provided answers those questions. It reduces the total acreage calculation by your clients to 344.295 acres from 369.294, but that doesn't help us understand the difference between that and the County records showing a total of 358.09 acres. All of us want to have those questions answered well in advance of final action by the Town Council so would you please provide us with an explanation?

Thanks

Jody K Burnett

From: Bob Nicholson

Sent: Tuesday, March 29, 2016 12:37 PM

To: Jody K Burnett

Subject: RE: Grapevine acreage issue

Jody, see note below. Any suggestions on how to address the acreage discrepancy between the County recorders (which are probably not accurate) and the actual property survey done by Pratt Engineering. I think the property survey will be the accurate acreage. Any suggestions? Bob (p.s. will you attend the PC meeting tomorrow night or are you available

by phone?)

From: Brandee Walker

Sent: Tuesday, March 29, 2016 9:17 AM

To: Bruce Baird

Subject: RE: Grapevine

Bruce,

I want to address the Town's concern regarding the acreage discrepancy prior to tomorrow night's meeting. I reviewed the spread sheet that Jody sent (email below) and reviewed the survey that was prepared by Prat Engineering and it is confirmed that the County's records are slightly off due to the difference in Survey Section breakdown. The County ownership shows 358.09 acres but when the property was surveyed and the Section information collected and mapped, it was determined that the actual area on the ground is 369.296 acres. These discrepancies are very common, especially on a parcel of land this large and located in an area that hasn't been well surveyed in the past. I have attached the official record of survey map that was prepared by Pratt. Perhaps it would be beneficial for the Town to have a copy of it so they can see the actual survey breakdown. The survey map would supersede the County's records as it is accurate and County records rely on old boundary descriptions that a lot of times have not been field verify. Please let me know if you should have further questions.

Thank you,

Brandee Walker

Chair Stirling, just as long as we have that on the record and they did provide from Pratt Engineering, dated May 22, 2011, a record of survey. What I did is called the County to see what we could do, we don't want to hold this up by any means; however, what they requested is that we record a record of survey with the County to update the survey information. Is that something that you feel comfortable in doing?

Brandee Walker from Civil Science, in looking at Pratts survey, they titled it Encumbrance Survey, the development area; so I can't speak for the surveyor, obviously I am not him; however, I think the reason why they did that is because they didn't officially put caps in the ground. If they did, they would probably mark it a different way. State law requires you to record a plat, a record of survey plat if a survey is completed and caps are set in the ground. So I am assuming they went out there, broke down the sectional data, figured out what the ownership was but legally they didn't mark the ground. Within 30 days of doing that, by law you are required to file the plat. I think that is the difference, if you were to ask "hey can we go survey this" we would take their map in sectional break down and go out there and set caps for this map and at that point, yes we would be required file a record of survey plat. Do I think it is necessary, no.

Chair Stirling, in your opinion, what acreage do we go off of then.

Brandee Walker, it would be the Pratt, the 369 and then there was a discrepancy that Kristi and I talked about, the map added up to 367 and that was a rounding error. So we can bring 2 additional acres to that map prior to Council.

Chair Stirling indicated the numbers of acres on the applications vary from the map, Brandee will get it updated before the Council meeting.

Chair Stirling with the acreage discrepancy, until you actually put markers in the ground, there is really nothing else the Town has to do because we are using the Encumbrance Survey Development area from May 22, 2011 for the total acreage. Also, it would be helpful

to have the map separated into an individual map for each application rather than only one map for all 4 applications.

Commissioner Poast discussed the easement with Brandee. The easement it still is on the Pratt Survey but no longer on the applications map.

Bruce Baird thanked the staff for their thoroughness and for the consideration.

Chair Stirling indicated she appreciates that they took their recommendations.

Commissioner Swenson indicated most of the people that contacted him were concerned over the R-M-7 and asked Bruce Baird if he could do anything about changing the zone.

Bruce Baird replied that he has no authority to reduce density at this stage, this is a negotiated agreement and the R-M-7 was going to remain.

Chair Stirling discussed the requirements of the Land Use Ordinance, Chapter 15 (R-M-7).

Commissioner Lewis made a motion to recommend approval of the zone change. 2nd by Commissioner Nelson. Motion Passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANEILLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

- b. Zone Change for Parcel L-3281-A for Capital Funding LTD CO LLC from Mixed Use (MXD) to Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.) on approximately 25 acres.

Commissioner Nelson made a motion to recommend. 2nd by Commissioner Lewis. Motion Passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANEILLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

- c. Zone Change for Parcels L-3281, L-3285, L-3284-A-1, L-3286, L-3287 and L-3289 for MSH Investments LLC from Mixed Use (MXD) to Multiple Residential R-M-7, Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.), Residential R-1-1 (1 acre) on approximately 199 acres.

Commissioner Lewis made a motion to recommend approval. 2nd by Commissioner Nelson. Motion Passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANEILLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

COMMISSIONER: DARRELL NELSON

 x

COMMISSIONER: JOHN POAST

 x

COMMISSIONER: DARRYL LEWIS

 x

- d. Zone Change for Parcels L-3282-F, L-3282-D-2 and L-3179-A-3-B for MISI Investments LLC from Mixed Use (MXD) to Multiple Residential R-M-7, Residential R-1-10 (10,000 sq. ft.), Residential R-1-20 (20,000 sq. ft.), Residential R-1-1 (1 acre) on approximately 68 acres.

Commissioner Nelson made a motion to recommend approval. 2nd by Commissioner Lewis. Motion Passed in a Roll Call Vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANEILLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Chair Stirling, asked for the following three items to be addressed before they go before Town Council.

1. Bring 2 additional acres to the map
2. The map updated
2. Maps for individual applications

7. Adjournment:

Commissioner Nelson adjourned the meeting.

Time: 7:37pm.

APPROVED ON THIS _____ DAY OF _____, 2016

Darrell Nelson, Chair

ATTEST:

Kristi Barker, Clerk/Recorder

Town of Leeds

Planning Commission Meeting for April 6, 2016

1. Call to order:

Commissioner Nelson called to order the regular meeting of the Planning Commission at 7:02pm on April 6, 2016, at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u>x</u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>

Election of Planning Commission Chairman and Pro-tem.

Commissioner Poast nominated Darrell Nelson for the Planning Commission Chairman. 2nd by Commissioner Stirling. All voted "Aye". Motion passed.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Commissioner Stirling nominated Commissioner Poast as the Pro-tem. 2nd by Commissioner Swenson. All voted "Aye". Motion passed.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

2. Invocation by Commissioner Swenson.

3. Pledge of Allegiance by Commissioner Poast.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:

Commissioner Swenson moved to approve tonight's agenda. 2nd by Commissioner Poast. All voted "Aye". Motion Passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x			
COMMISSIONER: DANIELLE STIRLING	x			
COMMISSIONER: JOHN POAST	x			
COMMISSIONER: DANNY SWENSON	x			
COMMISSIONER: DARRYL LEWIS	x			

Commissioner Poast made a motion to approve Meeting Minutes of March 2, 2016. 2nd by Commissioner Lewis. All voted. Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x			
COMMISSIONER: DANIELLE STIRLING	x			
COMMISSIONER: JOHN POAST	x			
COMMISSIONER: DANNY SWENSON			x	
COMMISSIONER: DARRYL LEWIS	x			

Commissioner Stirling made a motion to approve Special Meeting Minutes of March 4, 2016. 2nd by Commissioner Lewis. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x			
COMMISSIONER: DANIELLE STIRLING	x			
COMMISSIONER: JOHN POAST	x			
COMMISSIONER: DANNY SWENSON	x			
COMMISSIONER: DARRYL LEWIS	x			

6. Announcements:

Chair Nelson, there will be a Planning Commission and Town Council members training from the Utah League of Cities and Towns (ULCT) by David Church on April 15th from 9:30am to 3:00pm at the old church in Virgin.

Chair Nelson, there is going to be a public awareness seminar on Tuesday, April 12th at 5:00pm at the Town Hall on how to protect water in your home. It is about cross connections and backflow devices.

7. Public Hearings:

- a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone. Bob Nicholson the Town Planner and Commission members discussed the Mixed-Use Ordinance and what some of the advantages and disadvantages are in having a Mixed-Use Zone.

Commissioner Stirling opened the Public Hearing for proposed Ordinance 2016-01, as well as, all that is in 7-a. 2nd by Commissioner Lewis. All voted "Aye". Motion Passed

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

Richard Kohler who is working with Alberta Pace indicated Alberta has a piece of property zoned Commercial that she applied for Mixed-Use Zoning located on Majestic Mountain Road. Richard indicated no other zone other than Mixed-Use allow for an Assisted Living or an Art Studio that would have residents living on the top floor as a permitted use and that is what Alberta is planning on building on the property.

Commissioners, Alberta Pace, Bob Nicholson, Angela Rohr, and Richard Kohler discussed it further.

Susan Savage discussed with Bob Nicholson and Commissioners what permitted uses are allowed in the different zones and what uses require a conditional use permit.

Commissioners and Bob Nicholson discussed the Mixed-Use Zoning Ordinance and if it is repealed, amending other Land Use Ordinances to contain some of the permitted uses listed in the Mixed-Use Zoning.

Richard Kohler, Bob Nicholson and Planning Commission discussed the Mixed-Use application that was submitted to the Town by Alberta Pace, the application will be put on hold. Planning Commission will look at amending some of the Land Use Ordinances to contain some of the permitted uses listed in the Mixed-Use Zone.

Chair Nelson made a motion to close the Public Hearing.

Commissioner Lewis, I so move. 2nd by Commissioner Stirling. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

8. Action Items:

- a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone.

Chairman Nelson asked Richard if this satisfies him.

Richard Kohler replied they are fine with leaving it Commercial and not applying for Mixed-Use if some of the uses are accommodated in the Commercial Zone.

Commissioner Stirling, one thing I want to make sure is on the record is there is a tremendous amount of specifications that have to deal with Commercial. I hope you are not expecting to come in and say "we want this, this and this" and in 6 weeks, we will go ahead and put it in the Ordinance because there are quite a few different Ordinances that specifically state setbacks from Residential to Commercial and the height of buildings for Commercial can only be like 35 feet.

Richard Kohler, what we would have been doing in the Mixed-Zone, we can do in Commercial. We have to do the same extra architectural thing in my mind that we would have had to do in the Mixed-Use to get the Commercial plat done. Chapter 26 governs both for the final map. It is just that the uses were enumerated in the one and not the other for us.

Commissioner Stirling made a motion to approve action item a, to repeal the Land Use Ordinance and everything included in 8, action item a. 2nd by Commissioner Lewis.

Commissioner Poast, in Chapter 26 on page 6, I noticed one other small reference to Mixed-Use under 26.4.2.2.

Commissioner Stirling amended the previous motion for proposed Ordinance 2016-01 to include adding any other reference to Mixed-Use Zone would also be deleted. 2nd by Commissioner Lewis. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

9. Discussion Items:

10. Staff Reports:

11. Adjournment:

Commissioner Swenson moved to adjourn the meeting. 2nd by Commissioner Poast. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

Time: 8:30pm.

APPROVED ON THIS _____ DAY OF _____, 2016

Darrell Nelson, Chair

ATTEST:

Kristi Barker, Clerk/Recorder

DRAFT

Draft amendment_{#2} to LEEDS ZONING CODE, CHAPTER 17 COMMERCIAL DISTRICT

(draft 4-29-16 by BN to include additional uses in the Com zone, including some uses from the former Mxd-Use zone)
(new uses underlined)

17.1. PURPOSE.

To provide an area within the Town of Leeds where a wide variety of goods and services can be provided.

17.2. PERMITTED USES.

17.2.1. Bakery

17.2.X Assisted Living Facility

17.2.Y Artist Studios

17.2.Z Public Park,

17.2.A Fitness Center/ Indoor Recreation Center

17.2.B Convenience market with gas pumps

17.2.C Child Nursery / preschool

17.2.D Residential unit (one) above ground floor commercial (retail or office)

17.2.2. Auto parts store where new and rebuilt auto parts can be purchased.

17.2.3. Automobile, new, and used sales.

17.2.4. Barber shop and/or beauty shop.

17.2.5. Professional offices.

17.2.6. Clinics, medical and/or dental.

17.2.7. Greenhouse and/or nursery; soil and lawn service.

17.2.8. Hobby and/or craft store.

17.2.9. Sporting goods and recreational items store.

- 17.2.10. Laundry and/or dry cleaners, laundromat.
- 17.2.11. Mobile homes and/or recreational vehicles sales and service. Also RV Rentals.
- 17.2.12. Motor boats new and used sales and service.
- 17.2.13. Post office.
- 17.2.14. Recreational vehicle park and campground.
- 17.2.15. Automotive repair garage
- 17.2.16. Tire sales and service.
- 17.2.17. Grocery store.
- 17.2.18. Pharmacy.
- 17.2.19. Restaurant and/or cafe.
- 17.2.20. Ice cream store.
- 17.2.21. Variety store.
- 17.2.22. Hardware store.
- 17.2.23. Office supply.
- 17.2.24. Shoe store.
- 17.2.25. Sign Sales.
- 17.2.26. Florist Shop.
- 17.2.27. Furniture sales and repair.
- 17.2.28. Fruit and/or vegetable stand.
- 17.2.29. Electric and or plumbing shop.
- 17.2.30. Clothing and accessories store.
- 17.2.31. Bank or financial institution.

17.2.32. Travel agency.

17.2.33. New and used book store.

17.2.34. Manufacturing and sale of confectionary goods.

Other uses similar to the above and judged by the Planning Commission to be in harmony with the intent and purpose of the zone.

17.3. CONDITIONAL USES.

17.3.1. Animal hospital, small animals only, providing that all activity be conducted within a completely enclosed building.

17.3.X ATV Rentals

17.3.2. Automobile repair and storage including paint, body and fender, brake, muffler, transmission work provided it all be conducted within an enclosed building. The storage is only on a temporary basis not to exceed six (6) months.

17.3.3. Gunsmith.

17.3.4. Hotels and motels.

17.3.5. Limited non polluting manufacturing.

17.3.6. Rental agency for home and garden tools.

17.3.7. Second hand store.

17.3.8. Storage rental units.

17.3.9. Propane station at service station only.

17.3.10. Public utilities.

17.3.11. Hospital.

17.3.12. Service station.

17.3.13. Uninhabited accessory building.

This building is not to be used to store retail merchandise, hazardous chemicals and must be less than five hundred (500) square feet in area and not more than twelve feet in height.

17.4. DEVELOPMENT STANDARDS.

17.4.1. Height Requirements.

No building or structure shall be erected to a height greater than thirty-five (35) feet without a conditional use permit and only then if the structure is more than 100 ft from the nearest residential zone.

17.4.2. Minimum area, width, and yard setback regulations.

District	Area	Width	Front	Side	Rear
C	10,000 sq. ft.	*	25 feet	10 feet	10 feet

* The width requirement varies depending on the placement of the buildings. In a mall type setting, the minimum width is zero, as many of the buildings will not be facing the street. In a single business, setting the minimum width requirement is 85 feet.

17.4.3. Several of the businesses listed as permitted uses and/or those listed as conditional uses (providing the use is approved) may be combined into a mall type setting. Only compatible businesses can be grouped together into a mall setting. In a mall setting, the setback requirements may change based on the number of business units, size of lot, available parking, and location.

17.4.4 **Site Plan: Must meet the requirements of the Commercial Site Development Plan Chapter 26 (Chapter 26).**

17.4.5 **Landscape Standards: Leeds Town encourages water-wise landscaping (xeriscaping) and the following landscape requirement is intended to promote town beautification and water conservation. The minimum landscape requirement consists of a landscape strip outside of the street right-of-way along the front of the property. The landscape strip shall have an average width of 10', but no less than 6' at the narrowest point. The driveway area may be excluded from the landscape area calculation for the purpose of determining the minimum required landscape area. The Town Council may approve an alternate landscape location if the applicant can demonstrate that the front of the property is not feasible to be landscaped. Also, along Main Street the Town Council may allow up to one-half of the landscape area to be located within the street right-of-way, provided that written permission for such is obtained from the Utah Dept. of Transportation (UDOT).**

17.4.5.1 **At least one-half (50%) of the required landscape area shall be covered with live foliage consisting of shrubs, trees, or ground cover. Landscape areas shall be provided with a permanent automatic irrigation system. The landscape area and irrigation system shall be maintained in good condition.**

17.4.5.2 The landscape requirement applies to all new development within the commercial zone, and the remodeling or expansion of existing development where there is an increase in the building's floor area by 50% or more.

17.4.5.3 Landscape definition: Any combination of living plants, such as trees, shrubs, ~~ground covers~~, flowers, grass, or other plants that are generally not considered to be weeds or noxious plants, along with non-vegetative ground cover such as rock or stone.

17.5. CONDITIONAL USE EVALUATION CRITERIA.

17.5.1. Conditional use evaluation criteria are contained in various Leeds Ordinances depending on the subject, and general criteria relating to a specific use can be found in Chapter 7 of this Ordinance. All criteria must be complied with to obtain a conditional use permit plus any additional conditions the Planning Commission or Town Council apply.

17.5.2. Businesses that produce heavy passenger car or truck traffic shall be required to have a complete traffic study performed by a professional specializing in traffic studies to determine if the amount and time of the heavy traffic would have a detrimental effect to the health, safety, and welfare of the Leeds residents, the Town or the neighborhood in general.

17.6. SIGNS.

See Sign Ordinance, Chapter 22.

17.7. PROCEDURE TO OBTAIN CONDITIONAL USE AUTHORIZATION.

See Chapter 7, Conditional Uses for requirements, criteria, and procedures.

17.8. LIGHTING.

All lighting must comply with the Leeds Lighting Ordinance.

17.9. PARKING.

Compliance with parking requirements in Chapter 6 is mandatory.

17.10. SPECIAL PROVISIONS.

17.10.1. All material and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing

fence or wall.—Where commercial development abuts residential property the commercial property developer shall provide a 6' tall solid masonry wall along the property line separating the commercial and residential properties. Within a front setback area along a public street the Town Council may require a wall up to 4 feet in height.

17.10.2. No trash, rubbish, weeds or other combustible materials shall be allowed to remain on any lot outside of approved containers in any commercial district. No junk, debris, abandoned or dismantled automobile or automobile parts or any other items that appear to be abandoned, or similar material shall be stored or allowed to remain on any lot in this district.

17.10.3. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall that will prevent the facility from being seen from a public street, parking lot, or residential housing.