

**TOWN OF LEEDS  
ORDINANCE NUMBER 2016-05**

**Amended and Restated Commercial District  
Chapter 17 of the Land Use Ordinance**

**AN ORDINANCE AMENDING CHAPTER 17 OF THE LEEDS, UTAH, LAND USE ORDINANCE  
2015-04**

**WHEREAS**, the Town Council has reviewed Chapter 17 (Commercial District) of the Town of Leeds, Utah, Land Use Ordinance 2015-04 and determined that it is advisable, and in the best interests of the Town and its residents, to revise and amend the provision of such chapter of the Leeds, Utah, Land Use Ordinance 2015-04; and

**WHEREAS**, the Planning Commission of the Town of Leeds has held a Public Hearing on the 6<sup>th</sup> day of July, 2016; and discussed the amendments to the Land Use Ordinance, Chapter 17, Commercial District; and

**WHEREAS**, the Planning Commission recommended to the Town Council approval of the amendments to the Land Use Ordinance, Chapter 17, Commercial District, on the 6<sup>th</sup> day of July, 2016.

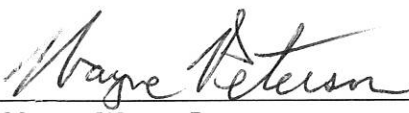
**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS, UTAH THAT THE COMMERCIAL DISTRICT ORDINANCE, TO BE CODIFIED AS CHAPTER 17 OF THE LAND USE ORDINANCE IS HEREBY AMENDED, THIS 13<sup>th</sup> DAY OF JULY, 2016, AS SET FORTH ON THE ATTACHMENT HERETO.**

The remaining sections of the Land Use Ordinance, Chapter 17, Commercial District not affected by this Ordinance remain unchanged.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
MAYOR: WAYNE PETERSON	x	_____	_____	_____
COUNCILMEMBER: ANGELA ROHR	x	_____	_____	_____
COUNCILMEMBER: RON CUNDICK	x	_____	_____	_____
COUNCILMEMBER: ELLIOTT SHELTMAN	x	_____	_____	_____
COUNCILMEMBER: NATE BLAKE	_____	_____	_____	x

**ORDINANCE 2016-05-** was adopted on July 13, 2016 and became effective on 14<sup>th</sup> day of July, 2016.

Signed:   
Mayor, Wayne Peterson

Attest:   
Clerk/Recorder, Kristi Barker

# LAND USE ORDINANCE 2008-04

## CHAPTER 17

### COMMERCIAL DISTRICT

#### (C)

Amended by Ordinance 2012-03, 2015-04, 2016-05

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#### **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.**

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

**17.2.3. Automobiles, 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.**

**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 recommended by the Planning Commission to the Town Council to be a use that is in harmony with the intent and purpose of the zone, and therefore should be allowed in the Commercial zone.**

**17.3. CONDITIONAL USES. See also section 17.7**

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

**17.3.2 ATV Rentals**

**17.3.3.** Automobile repair and storage, including paint, body and fender, brake, muffler and 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.

**17.3.4. Gunsmith.**

**17.3.5. Hotels and motels.**

**17.3.6. Limited non-polluting manufacturing.**

**17.3.7. Rental agency for home and garden tools.**

**17.3.8. Second-hand store.**

**17.3.9. Storage rental units.**

**17.3.10. Propane station at service station only.**

**17.3.11. Public utilities.**

**17.3.12. Hospital.**

**17.3.13. Service station.**

**17.3.14. Uninhabited accessory building.**

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

**17.3.15 Adult Oriented Business** in accordance with Land Use Ordinance 7.9.2.1

**Other uses similar to the above uses and recommended by the Planning Commission to the Town Council to be a use that is in harmony with the intent and purpose of the zone, and therefore should be considered as a conditional use in the Commercial zone.**

**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 feet 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 (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, 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. Where the elevation of the property changes significantly, the Town Council may approve or require a fence taller than six feet (6') to provide a visual screen or buffer for lights, noise, or related impacts. 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.