

LAND USE ORDINANCE 2008-04

CHAPTER 2

PLANNING COMMISSION

2.1. CREATION OF A PLANNING COMMISSION, NUMBER OF MEMBERS, APPOINTMENT.

The Leeds Planning Commission shall consist of five (5) members, each to be appointed by the Mayor with the advice and consent of the Leeds Town Council. The Mayor shall appoint with advice and consent of the Town Council a new member to the Planning Commission to fill the vacancy of the Planning Commission member whose term expires the end of June that year. The Mayor shall make the recommendation in May with the approval of the Town Council by the end of June. The appointed Planning Commission member's term of office shall start July 1 of that year. The Leeds Town Council may designate, by resolution the composition of the Leeds Planning Commission. It is the intent of this Ordinance that the Leeds Planning Commission not consist of members, all of whom are from the same field of expertise. The five (5) members of the Leeds Planning Commission shall be full time residents of the Town of Leeds and must remain residents during their term of office. Planning Commission Members moving out of the Town of Leeds during their term of office will result in an automatic resignation. Members of the Leeds Planning Commission shall hold no other public office or position within the Town of Leeds. Up to three (3) alternates may be appointed to the Planning Commission with the consent of the Town Council. Vacancies by members or alternates shall be appointed by the Leeds Mayor with approval and consent of Leeds Town Council for the unexpired term of any member whose term becomes vacant. The alternate members not sitting on the Planning Commission as a replacement member shall not be voting members. No more than two (2) alternates may sit as part of the Commission at any one time. When an alternate Planning Commission member is sitting on the Planning commission due to an absent Planning Commission member that alternate Planning Commission member has voting rights on all issues brought before the Planning Commission. All other conditions applying to members shall apply to the alternate members. The Leeds Mayor shall appoint a representative from among its members to act as a non-voting liaison between the Leeds Town Council and the Leeds Planning Commission.

2.2. TERMS OF OFFICE.

The terms of office for the five (5) Leeds Planning Commission members and alternates shall be for five (5) years. The Leeds Planning Commission members' terms shall be staggered so that only one (1) member's term shall expire June 30 of the year. The alternate members' term of office shall expire June 30 of the year. All three alternate

members' terms of office shall expire in different years, under certain conditions that may prevent some members from being appointed for a full five (5) years.

2.3. DUTIES AND POWERS OF PLANNING COMMISSION.

2.3.1. General Duties.

For statutory authority of the Planning Commission refer to the Utah Code Annotated 1953 as amended, Sections 10-9a-300 through 10-9a-611. The Leeds Planning Commission shall review all planning and land use matters including standards for off-street parking, access to lots both residential and non-residential, conditional uses, planned unit developments, enforcement provisions for performance standards, construction subject to hazardous building areas, matters associated with nonconforming use, mobile homes not connected to sewer systems, signs for mobile home parks and all conditional uses in each zone. The Leeds Planning Commission serves as a recommending body to the Leeds Town Council. All decisions of the Planning Commission are subject to review and appeal by the Town Council.

2.3.2. Specific Duties.

Among the specific duties of the Leeds Planning Commission are the following:

- 2.3.2.1.** Make, adopt, and certify the Leeds General Plan to the Leeds Town Council, Reference Utah Code Annotated Section 10-9a-401 et seq.
- 2.3.2.2.** Review and make recommendations on street plans to the Leeds Town Council, Reference Utah Code Annotated, Section 10-9a-407 et seq.
- 2.3.2.3.** Review and make recommendations on changes to the Land Use Ordinance to the Leeds Town Council, Reference Utah Code Annotated, Section 10-9a-501 et seq.
- 2.3.2.4.** Review and make recommendations for conditional use permits to the Leeds Town Council, Reference Utah Code annotated, Section 10-9a-507 et seq.
- 2.3.2.5.** Review and make recommendations for approval or disapproval of the Preliminary and Final Plat of all subdivisions to the Leeds Town Council.
- 2.3.2.6.** Perform other tasks as directed by the Leeds Town Council.

2.4. VACANCIES AND REMOVALS FOR CAUSE.

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of the Leeds Town Council. The Leeds Town Council shall have the right to remove any member of the Leeds Planning Commission for misconduct and may remove any member for cause. Cause shall include but not be limited to such things as misconduct, non-performance of duty, failure to attend fifty percent (50%) of scheduled meeting over any four (4) month period. Members moving out of the Town of Leeds automatically resign from the Planning Commission.

2.5. COMPENSATION.

The Leeds Planning Commission shall serve without compensation, except that the Leeds Town Council shall provide for reimbursement of the Leeds Planning Commission for actual expenses incurred, upon presentation of proper receipts and vouchers when approved by the Leeds Town Council prior to incurring the expense and upon written request to the Leeds Town Council by the Leeds Planning Commission Chair.

2.6. OFFICERS.

The Leeds Planning Commission shall elect a Chair and a Chair Pro-tem from among its members, whose terms shall be for one (1) year or until term of office expires whichever occurs first. New elections shall be held the first meeting in July each year. If the Chair or Chair Pro-tem leave the Planning Commission or resign as Chair or Chair Pro-tem, then a special election will take place with the term of office expiring at the next following end of June.

2.7. RULES AND PROCEDURES.

The Leeds Planning Commission may adopt such rules and procedures, as it may deem necessary for the proper conduct of its business with approval of the Leeds Town Council. The Leeds Planning Commission shall keep a record of its proceedings; such record shall be open to inspection by the public at all reasonable times. Copies of the Planning Commission proceedings and minutes shall be provided to the Leeds Town Council after each Leeds Planning Commission meeting.

2.8. QUORUM AND VOTE.

A quorum shall consist of three (3) members. Evidence shall not be presented unless a quorum is present. A minimum of three yes votes are required for any agenda item to be determined to pass.

2.9. EMPLOYEES; EXPENDITURES.

The Leeds Planning Commission may, upon the approval of the Leeds Town Council, employ experts and staff, including consultants and a secretary, and pay such expenses, exclusive of gifts, as may be reasonable and necessary for carrying out the duties defined

in this Ordinance, providing that such expenditures may not exceed the amount appropriated for the operation of the Leeds Planning Commission by the Leeds Town Council.