

# LAND USE ORDINANCE 2008-04

## CHAPTER 14

### RESIDENTIAL DISTRICTS (R-1-10, R-1-20, R-1-1, R-1-2, & R-1-5)

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#### 14.1. PURPOSE.

To provide and protect areas for low density, single-family Residential neighborhoods that do not contain farming or agricultural uses, while permitting the limited establishment of public and quasi-public uses which serve the requirements of families.

#### 14.2. PERMITTED USES.

**14.2.1. Single family dwelling.** An attached casita unit is permitted. See definitions.

**14.2.2. Casita.** See definitions.

**14.2.3. Accessory uses and buildings customarily incidental to the permitted use.** The total of all accessory buildings shall not exceed 1,000 square feet, twenty-five percent (25%) of the rear yard or not exceed the square footage of the main house whichever is less. All accessory buildings will be located in the rear yard. A building permit may be required.

**14.2.4. Park, Public or Private.**

#### 14.3. CONDITIONAL USES.

**14.3.1. Home occupation.**

**14.3.2. Public utilities, essential services.**

**14.3.3. Church.**

**14.3.4. School.**

**14.3.5. Cemetery.**

**14.3.6. Child day care or nursery.**

**14.3.7. Public building.**

**14.3.8. Accessory uses and buildings customarily incidental to the conditional use.**

**14.3.9. Alternate land use must comply with Land Use Overlay.**

**14.3.10. Unlawful uses.**

All uses other than those set forth as permitted or conditional uses above are unlawful.

**14.4. DEVELOPMENT STANDARDS.**

**14.4.1. Height requirement.**

No building may exceed two and one-half (2 ½) stories or thirty-five (35) feet in height from the natural ground level. No dwelling shall be less than one story in height.

**14.4.2. Minimum Area, Width, and Yard Requirements.**

District	Area	Width	Front Setback	Side Setback	Rear Setback	Corner Setback
R-1-10	10,000 sq. ft.	70 ft.	25 ft.	10 ft.	10 ft.	25ft./25ft.
R-1-20	20,000 sq. ft.	75 ft.	25 ft.	10 ft.	20 ft.	25ft./25ft.
R-1-1	1 acre	100 ft.	25 ft.	20 ft.	35 ft.	25ft./25ft.
R-1-2	2 acre	150 ft.	25 ft.	25 ft.	35 ft.	25ft./25ft.
R-1-5	5 acre	250 ft.	25 ft.	35 ft.	35 ft.	25ft./25ft.

**14.4.3. Modifying Regulations.**

**14.4.3.1. Side Yard.**

On corner lots, the side yard that faces on a street shall have the front setback applied to both the front and side.

**14.4.3.2. Rear yard.**

All accessory buildings shall be located at the rear of lot and at least 10 feet from the main building and shall comply with rear and side yard setbacks.

**14.4.3.3. Front yard width.**

A special exception to the width of the front yard may be requested when the lot is on a cul-de-sac or on a curve in the street that exceeds a thirty (30) degree bend in the street. However, in no case shall the front yard width be reduced by more than fifty (50) percent. All other setback requirements remain as above except that the front setback may be increased due to the granting of the special exception. With this special exception the front yard width is measured at the point of the front yard setback (as modified).

#### **14.5. CONDITIONAL USE EVALUATION CRITERIA.**

Conditional use evaluation criteria are contained in various Leeds Ordinances depending on the subject. 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.

#### **14.6. SIGNS.**

See Sign Ordinance.

#### **14.7. PROCEDURE TO OBTAIN CONDITIONAL USES AUTHORIZATION.**

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

#### **14.8. OTHER PROVISIONS.**

##### **14.8.1. Supplementary and Qualifying Regulations.**

Additional regulations that apply to this Land Use Ordinance can be found in Chapter 4.

**14.8.2.** Any new development that will have Covenants, Conditions & Restrictions (CC&Rs) shall write the CC&Rs so they do not conflict with the Ordinances of the Town of Leeds. The developer or homeowners association may make their covenants more restrictive but never make their covenants conflict with the Town Of Leeds Ordinances. The homeowners association or residents of a subdivision with CC&R's are responsible for enforcing the CC&R's, the Town of Leeds will not be responsible for enforcing any CC&R's.