

Ordinance Number 2008- 12

MIXED USE ORDINANCE

Chapter 23 of the Land Use Ordinance

An Ordinance of the Town Council of Leeds, Utah, adopting Chapter 23 (Mixed Use) to be added to the Leeds Land Use and Zoning Ordinance including replacing all previous amendments of Mixed Use thereto.

WHEREAS, the Planning Commission held a Public Hearing on May 7, 2008, to seek public input regarding the addition of a Mixed Use Zone to the Land Use Ordinance, as Amended; and

WHEREAS, following the public hearing, the Planning Commission recommended the addition of a Mixed Use Zone, Chapter 23, to be included in the Leeds Land Use and Zoning Ordinance, and

WHEREAS, the Town Council met on May 28, 2008 and incorporated changes requested by the Planning Commission to the Land Use and Zoning Ordinance, and

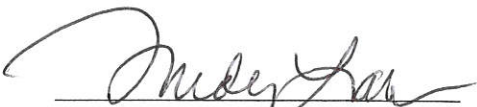
WHEREAS, the Town Council approved the Mixed Use Ordinance 2008-04-A to be included as Chapter 23 of the Leeds Land Use and Zoning Ordinance, and

WHEREAS, clarification and correction was needed regarding the addition of paragraph 23.5.4.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS TO ADOPT THE LEEDS LAND USE ORDINANCE THIS 10th DAY OF December, 2008.

BY VOTE:	YEA	NAY	ABSENT
MAYOR TRUDY LAW	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN JARED WESTHOFF	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN ALAN ROBERTS	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN KEITH SULLIVAN	<u>✓</u>	<u> </u>	<u> </u>
COUNCILMAN FRANK LOJKO	<u> </u>	<u>✓</u>	<u> </u>

This Ordinance was Adopted on December 10, 2008 and becomes effective on December 11, 2008.


Trudy Law, Mayor
Town of Leeds

Attest:

Debbie Shakespeare
Town Clerk/Recorder

LAND USE ORDINANCE 2008-12

CHAPTER 23

MIXED-USE ZONE (MXD)

23.1 Purpose

This chapter applies to all development in the Town of Leeds under the Mixed-Use Zone. The purpose of the Mixed-Use Zone is to:

1. Allow a mixture of complimentary and compatible land uses that may include housing, retail, offices, commercial services, and civic uses, to create economic and social vitality and to encourage the linking of trips;
2. Develop mixed-use areas that are safe, comfortable, and attractive to pedestrians;
3. Provide flexibility in the setting and design of new developments and redevelopment;
4. Reinforce streets as public places that encourage pedestrian and bicycle travel;
5. Provide roadway and pedestrian connections to residential areas;
6. Encourage efficient land use by facilitating more compact development and minimizing the amount of land that is needed for surface parking;
7. Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

23.2 Zone/Project Evaluation

All proposals to include a property within an MXD zone, and all development proposals within an existing MXD zone, shall at a minimum be evaluated based on their compatibility with:

1. The Town of Leeds General Plan
2. The Town of Leeds Land Use Ordinance
3. The purpose and characteristics of the MXD Zone
4. Sound planning practices
5. Surrounding land-uses
6. All other Town-approved studies

23.3 Permitted Uses

Underlined uses may not be located on individual pad sites or parcels. They must be part of a larger building or physically connected and integrated into the complex.

current survey and legal description, plus any other information typically required for site plan approval.

23.5.3. The general categories and uses to be established within a mixed-use project shall be specified and enumerated in the Development Plan. The approved Development Plan shall be considered an integral part of the zoning regulations for the area represented. Substantial variation between the Development Plan and the Final Site Plan would require review and recommendation from the Planning Commission and approval from the Town Council. Any change in the Development Plan shall be reviewed by Staff, and upon recommendation, reviewed by the Planning Commission and the Town Council.

23.5.4. The Town Council may approve a Development Agreement that incorporates the Development Plan and sets forth other provisions such as the future development process; the building, density, infrastructure, and other criteria; and, vested rights. The Development Agreement shall be recorded against the property. The Development Agreement may be part of an Annexation Agreement.

23.6. Setbacks

1. The entire building façade must abut front and street side property lines or be located within 15 feet of the public walkway.
2. The minimum rear setback is 10 feet from the property line.
3. No interior side setbacks are required in the MXD district, except when MXD-zoned property abuts a Residential zoned property, in which case the minimum side setback required in the MXD district shall be the same as required for a residential use on the abutting residential-zoned lot.

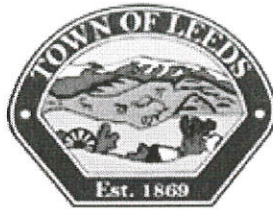
23.7. Building Height. The maximum building height shall be 35 (thirty-five) feet.

23.8. Commercial Establishment Size Limits

The gross floor area of commercial establishments in the MXD district shall not exceed 2000 (two-thousand) square feet.

23.9. Development Characteristics

1. Uses may be mixed within a building or within an overall development, or both. However, the Town encourages mixing uses within a building as much as possible. Furthermore, unless it is part of a large, integrated mixed-use development, the subdividing of land for stand alone parcels is discouraged, and the Town may deny the subdivision of land within the MXD zone if the Planning Commission or Town Council determines that the subdivision is contrary to the purpose and intent of this ordinance.
2. Developments within an MXD zone shall exhibit characteristics such as:
 - A. Wide sidewalks



TOWN OF LEEDS

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CERTIFICATE OF POSTING

I, Debbie Shakespeare, duly appointed and acting Clerk/Recorder for the Town of Leeds,
hereby certify that the forgoing ordinance 2008-12
was passed by the Leeds Town Council on the 10th day of December, 2008,
and that copies of the foregoing ordinance were posted at three public places within the Town
this 11th day of December 2008, which public places were:

Leeds Town Hall
Leeds Post Office
Leeds Market

Dated this 11th day of December 2008.

Debbie Shakespeare
Debbie Shakespeare, Clerk/Recorder