



## Agenda

### Town of Leeds Planning Commission

### Wednesday, February 5, 2025

**PUBLIC NOTICE** is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** on Wednesday, February 5, 2025, at 7:00 PM at the Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

If you are interested in participating remotely via Zoom, please contact Town Hall at 435-879-2447 or email the [clerk@leedstown.org](mailto:clerk@leedstown.org) for Zoom details.

#### Regular Meeting 7:00 pm

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Agenda:
  - a. Tonight's Agenda of February 5, 2025
  - b. Meeting Minutes of December 4, 2024
  - c. Meeting Minutes of December 4, 2024 Work Session
6. Announcements:
  - a. Business License Renewals
  - b. Dog Licenses
7. Discussion and Possible Action Items:
  - a. Review of Zone Change Application for "The Cove" at Silver Reef (Silver Pointe)
  - b. Animal Ordinance
  - c. Impact Fee Analysis
  - d. Accessory Dwelling Units (ADU)
8. Staff Reports
9. Adjournment

The Town of Leeds will provide reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 435-879-2447 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 February 4, 2025, at these public places: **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** at <https://www.utah.gov/pmnl/>, and the **Town of Leeds website** at <http://www.leedstown.org>.

  
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Michelle Rutherford, Town Clerk/Recorder

# Town of Leeds

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## Planning Commission Meeting for Wednesday, February 5, 2025

1. **Call To Order/Roll Call:** 7:07 pm

ROLL CALL:	<u>Present</u>	<u>Absent</u>
CHAIR: DANNY SWENSON	_____	<u>X</u>
CHAIRMAN PRO TEM: ALAN ROBERTS	<u>X</u>	_____
COMMISSIONER: CHUCK BENTLEY	<u>X</u>	_____
COMMISSIONER: KEN HADLEY	<u>X</u>	_____
COMMISSIONER: LAURIE SULLIVAN	<u>X</u>	_____
TOWN PLANNER: SCOTT MESSEL	<u>X</u>	_____

- 2. **Invocation:** Commissioner Roberts
- 3. **Pledge of Allegiance**
- 4. **Declaration of Abstentions or Conflicts:** None
- 5. **Agenda:**

- a. Tonight's Agenda of February 5, 2025  
Motion to approve made by Commissioner Bentley, 2<sup>nd</sup> by Commissioner Sullivan.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: DANNY SWENSON	_____	_____	_____	<u>X</u>
COMMISSIONER: CHUCK BENTLEY	<u>X</u>	_____	_____	_____
COMMISSIONER: KEN HADLEY	<u>X</u>	_____	_____	_____
COMMISSIONER: LAURIE SULLIVAN	<u>X</u>	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	<u>X</u>	_____	_____	_____

- b. Meeting Minutes of December 4, 2024 work Session  
Motion to approve made by Commissioner Sullivan, 2<sup>nd</sup> by Commissioner Bentley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: DANNY SWENSON	_____	_____	_____	<u>X</u>
COMMISSIONER: CHUCK BENTLEY	<u>X</u>	_____	_____	_____
COMMISSIONER: KEN HADLEY	_____	_____	<u>X</u>	_____
COMMISSIONER: LAURIE SULLIVAN	<u>X</u>	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	<u>X</u>	_____	_____	_____

- c. Meeting Minutes of December 4, 2024 Work Session  
Motion to approve made by Commissioner Sullivan, 2<sup>nd</sup> by Commissioner Bentley.

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: DANNY SWENSON	_____	_____	_____	<u>X</u>
COMMISSIONER: CHUCK BENTLEY	<u>X</u>	_____	_____	_____
COMMISSIONER: KEN HADLEY	_____	_____	<u>X</u>	_____
COMMISSIONER: LAURIE SULLIVAN	<u>X</u>	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	<u>X</u>	_____	_____	_____

6. Announcements:

a. Business License Renewals

Michelle Rutherford announced that Business License Renewals are now Past Due. Renewals were due by January 31<sup>st</sup> and will now be charged a Late Fee.

b. Dog Licenses

Michelle Rutherford announced that Dog License Renewals are also Past Due. All dogs should have been registered with the Town by January 31<sup>st</sup> and will now have a late fee assessed as well. We are pushing to get all dogs registered with the main goal of assuring that they are all vaccinated.

7. Discussion and Possible Action Items:

a. Review of Zone Change Application for “The Cove” at Silver Reef (Silver Pointe)

Scott Messel advised that they are requesting their own zone, allowed by State Code, which would become a Developers agreement. This would be a collaboration between the Town, the Developer, and the Town Council, in this case. Chairman Roberts explained that the confusion the Commission is having is that the developer has not provided which of Leeds’ zones they are requesting. Jared Westhoff spoke on behalf of The Cove. He explained that the binders provided to the Commissioner is “the attached” on the application in the section for “Requested zone”. He apologized for not making it more clear, and he explained what their intent was. The proposed zone involves a comprehensive zoning packet that includes setbacks, landscaping requirements, and a focus on desert landscapes. The zone is designed to protect sensitive areas and views, such as the hillside and views sheds. The plan is to create a custom zone that allows for a gross density of one unit per acre, with half of the property left open space and all units placed below the flat. This will allow for a better view of the hillside and avoid any sensitive areas. The current code and rezoning designations do not offer options for customizing the zone. Rick Sant’s approach to zoning led to massive lots with one area for housing, but this approach left sensitive areas within the lots. The goal is to remove this argument from future landowners, stating that the zone is sensitive and open space, but not just for individual use. This approach aims to protect sensitive areas, such as the hillside and views sheds, while allowing for the development of trails and other amenities. Many people enjoy using the trails, and we would like to preserve them for the development and the community. Current zoning designations don’t adequately address the property’s needs. We created a unique zone, and “the attached” is meant to be your binder.

Commissioner Bentley asked why they didn’t just use a PUD? Jared said they didn’t see that designation in the zoning that Leeds has. If they missed something, please help him out.

Scott Messel said Leeds does have a PUD. Commissioner Bentley said that is how he would have looked at it. Jared explained that they felt the development had so many technical issues, they felt it necessary to go this route to address every possible concern.

Chairman Roberts asked Jared what his requested density would be? He explained that they have 145 acres, so they’d like to have 144 lots within the clustered buildable area. The original Silver Point had 105 lots with mixed zoning between R-1-20 and R-1-1. This would combine all that density into what he called “The Cove Zone.”

Commissioner Sullivan asked about water and sewer. Jared said they are dealing with LDWA, they are on the LDWA Agenda for February 19<sup>th</sup>. They have a Will Serve letter for the old plan

and they want to go with this new plan because they feel that it is better. He said they have a Will Serve letter from Ash Creek. During my time on the town council, I realized the potential conflicts with neighbors if we used state money for sewer installation. State rules often require mandatory hookups within 300 feet of the sewer, which I believe we can avoid using private money. We aim to communicate clearly about this requirement and work with the town to ensure that those who prefer not to connect to the sewer are not forced.

Chairman Roberts explained that we needed some clarification on the application that was turned in. This is the first time he has seen a Zoning request like this. He is much more accustomed to seeing a PUD. Scott Messel said this is more like a hybrid PD. This is a very custom Zone for this particular development. Chairman Roberts asked if we need to have more communication between the developer and Town Staff before moving this on to Town Council, or is the developer asking for this to be sent through to Town Council as is, with the possibility of it being tabled or kicked back? Jared asked if the developer and staff could meet over the next couple of weeks and possibly get onto the March 5<sup>th</sup> Agenda for Public Hearing. If necessary to move forward to April, and then May, let's do it. Commissioner Bentley asked if the developer is expecting the Town to partner with them for the ongoing testing? Jared said no, they are asking that the Town govern them. Commissioner Bentley said he is concerned by the request and he doesn't feel the Town should be responsible for the future environmental issues. Scott advised that the Commissioners write down their questions and concerns. Jared understands that the Town does not want the environmental liability. They have confirmed the studies and are doing what they need to protect those sensitive areas. He explained what happened on the property when they were mining it and what they did during their remediation [Audio 20250205\_002 (0:32:30 – 0:37:00)] He stated that one of the best ways to make this safer and clean it up further, is to develop it. Commissioner Bentley asked who would be responsible when these homes are being built, when the footings are being poured, to make sure the testing is being completed? Jared said that most likely, the testing will be performed while they are grading for pads and roads, but they are required to do that testing per the Site Management Plan. The Developer pays for the monitoring. Commissioner Bentley explained that there will need to be special inspection fees and there are so many things outside of the norm with this project. Jared's advise to the Town is to adopt the Site Management Plan within any proximity to the Christy Mill Site or any other Mill Site up in Silver Reef. There was water migration as well as wind. Chairman Roberts asked that we set up a meeting between the development, Town staff, and both attorney's.

b. Animal Ordinance

Scott referred to an example of an animal ordinance he sent to the Commissioners. There have been several questions coming in to Staff. A lot of jurisdictions have an allowance for a number of chickens. He asked if the Commission is interested in looking at it. Chairman Roberts said a tremendous amount of time has been spent on this topic in the past, and it doesn't seem to go anywhere. Commissioner Bentley stated that he has seen Brigham City's Ordinances. The first thing they did was add a Ordinance Control Officer. Without that, things get out of control. We also need to respect that some Development's CC&Rs clearly state that certain animals are not allowed, and that those people bought there for that reason. If we are going to discuss this, all of these things need to be discussed. Chairman Roberts added that Leeds does already have Animal Ordinances. The enforcement of a violation is likely not going to happen. Scott explained that some Town's do require that a permit is obtained to get animals. Chairman

Roberts does not want to do any type of permitting for animals because he feels that is a violation of land rights.

c. Impact Fee Analysis

As discussed in the Work Session, our Impact and Application fees are very outdated. There was discussion about what fees need to be changed and what process is used to implement those changes. We need to adopt the newest IBC, we are currently using 1997 UBC. Our Facilities Plans for Parks, Roads, and Public Safety are way out of date and an analysis needs to be completed to update the Impact Fees we collect from developers.

d. Accessory Dwelling Units (ADU)

Scott wanted to have some discussion on ADU's to see what direction the Planning Commission would like to go in. Do we want to be proactive, or wait for the State to require us to change our code? His concern is with all of the development coming, do we want to make sure we have external ADUs covered. Commissioner Bentley advised that we wait on this. We already covered the terminology in the Ordinance in Town Council's hands right now.

8. Staff Reports: None

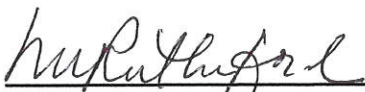
9. Adjournment: 8:18 pm

Approved this 5<sup>th</sup> Day of March, 2025.



Alan Roberts, Planning Commission Chair

ATTEST:



Michelle Rutherford, Clerk/Recorder