



G R E A T E R S A L T L A K E

Municipal Services District

Greater Salt Lake Municipal Services District - Planning & Development Services
2001 S. State Street #N3-600 • Salt Lake City, UT 84190 • (385) 468-6700

File # OAM2023-001040

ORDINANCE AMENDMENT

Request: Proposed amendment to section 19.12.030 of the Magna Zoning Ordinance to reduce the number of planning commission members from seven (7) with two (2) alternates to five (5) with two (2) alternates and to consider lowering the minimum number of “yes” votes necessary to carry an action of the commission from four (4) to three (3) attending members.

Public Body: Magna Metro Township Planning Commission

Meeting Date: December 14, 2023

Planner: Brian Tucker, Planning Manager

Planning Staff Recommendation: Approval

DESCRIPTION OF PROBLEM

Recently, a member of the Planning Commission had to resign due to health concerns. The Magna Township Council has passed a resolution changing the composition of the Magna Metro Township Council from seven (7) members with two (2) alternates to five (5) member with two (2) alternates. The Council initiated this change to ensure that enough Planning Commission members could be found to fill vacancies and to ensure that the Planning Commission could continue to routinely have enough members in attendance to constitute a quorum.

The composition of the Planning Commission is part of the Magna Municipal Code, Title 19 Zoning. Any changes to the ordinance must be made by the adoption of an ordinance and any amendments to Titles 18 Subdivisions, and Title 19 Zoning must be preceded by a recommendation from the Planning Commission. This item is intended to adopt the legislative intent found in the aforementioned resolution.

DESCRIPTION OF THE PROPOSED AMENDMENT

The attached ordinance would change the composition of the Magna Metro Township Planning Commission from seven (7) members with two (2) alternates to five (5) members with two (2) alternates. The ordinance would also change the minimum number of members that must be present to constitute

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a quorum from four (4) to three (3). Finally, in the current code the minimum number of votes necessary to carry any action is a majority of the members of the quorum but shall never be less than four (4). The proposed ordinance would reduce the minimum number of votes from four (4) to three (3) to carry any action.



STAFF RECOMMENDATION

Planning Staff recommends that the Magna Metro Township Planning Commission recommend that the Magna Metro Township Council adopt the attached ordinance.

Attachments:

1. Draft Ordinance

19.12.030 PLANNING COMMISSION

A. Appointment—Term.

1. The Planning Commission shall consist of five (5) members and up to two (2) alternate members, each of whom shall reside in the municipality. Members and alternate members shall be appointed by the mayor with the advice and consent of the Council.
2. Terms shall commence on March 1st of each year. Members shall serve three-year terms or longer until successors are appointed. Terms shall be staggered so that the terms of at least two members, and not more than three, expire each year.
3. If a member's term expires before a successor is appointed, the member shall continue to serve until a successor is appointed.
4. Members and alternate members may be reappointed for additional three-year terms by the mayor with the advice and consent of the Council.

B. Vacancy—Removal.

1. Any vacancy occurring on the Planning Commission by reason of death, resignation, removal or disqualification shall be filled by the Council for the unexpired term of such member.
2. The mayor, with the advice and consent of the Council, may remove a member of the Planning Commission for cause after filing written charges against the member. The member will be provided with a hearing on the charges if requested by the member being removed.

C. Organization—Procedures.

1. The Planning Commission shall elect a chairperson from its members who shall serve a one-year term. The chairperson is a voting member.
2. The Planning Commission shall elect a vice chairperson from its members who shall serve a one-year term. The vice chairperson is the designated chair pro-tempore and a voting member.
3. The Planning Commission may create and fill any other necessary offices it deems necessary and may adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purpose the Planning Commission considers necessary for its proper function.
4. A minimum of three (3) full and/or alternate members in attendance at the meeting is required to constitute a quorum.
5. The minimum number of "yes" votes necessary to carry an action of the commission shall be a majority of the members of the quorum in attendance but shall never be less than three (3).
6. Alternate members shall be designated to sit as voting members of the Planning Commission at any time one or more regular members are absent from the meeting. The designation of the alternate member to voting status shall be made by the chairman at the commencement of the meeting in accordance with the seniority of the alternate members in attendance at the time,

and any alternate so designated shall serve as a voting member until the conclusion of the meeting.

D. Powers and duties.

The Planning Commission shall:

1. Prepare and recommend a general plan and amendments to the general plan to the Council;
2. Prepare and recommend zoning ordinances and maps and amendments to zoning ordinances and maps to the Council;
3. Prepare and recommend subdivision ordinances and amendments to those ordinances to the Council;
4. Prepare and recommend condominium ordinances and amendments to those ordinances to the Council;
5. Review subdivision plats as set forth in Title 18 Subdivisions;
6. Approve or deny condominium plans and plats;
7. Approve or deny conditional use permits;
8. Advise the Council on matters that the Council directs;
9. To make, at the request of the Director, an interpretation of the zone map regarding the location of zone boundary lines;
10. To decide, at the request of the Director, the meaning of disputed terms or phrases within the text of the zoning regulations; and
11. Provide other functions as specified in this chapter or as directed by the Council.

E. Effect on present members.

Nothing in this chapter may be construed to affect the eligibility or qualifications to serve of any of the present members of the Planning Commission whose terms have not expired or to affect their eligibility for reappointment.