

OAM2024-001179



**Magna Drive-Thru Amendments, including facilities on Magna Main
Magna City Council
August 13, 2024**



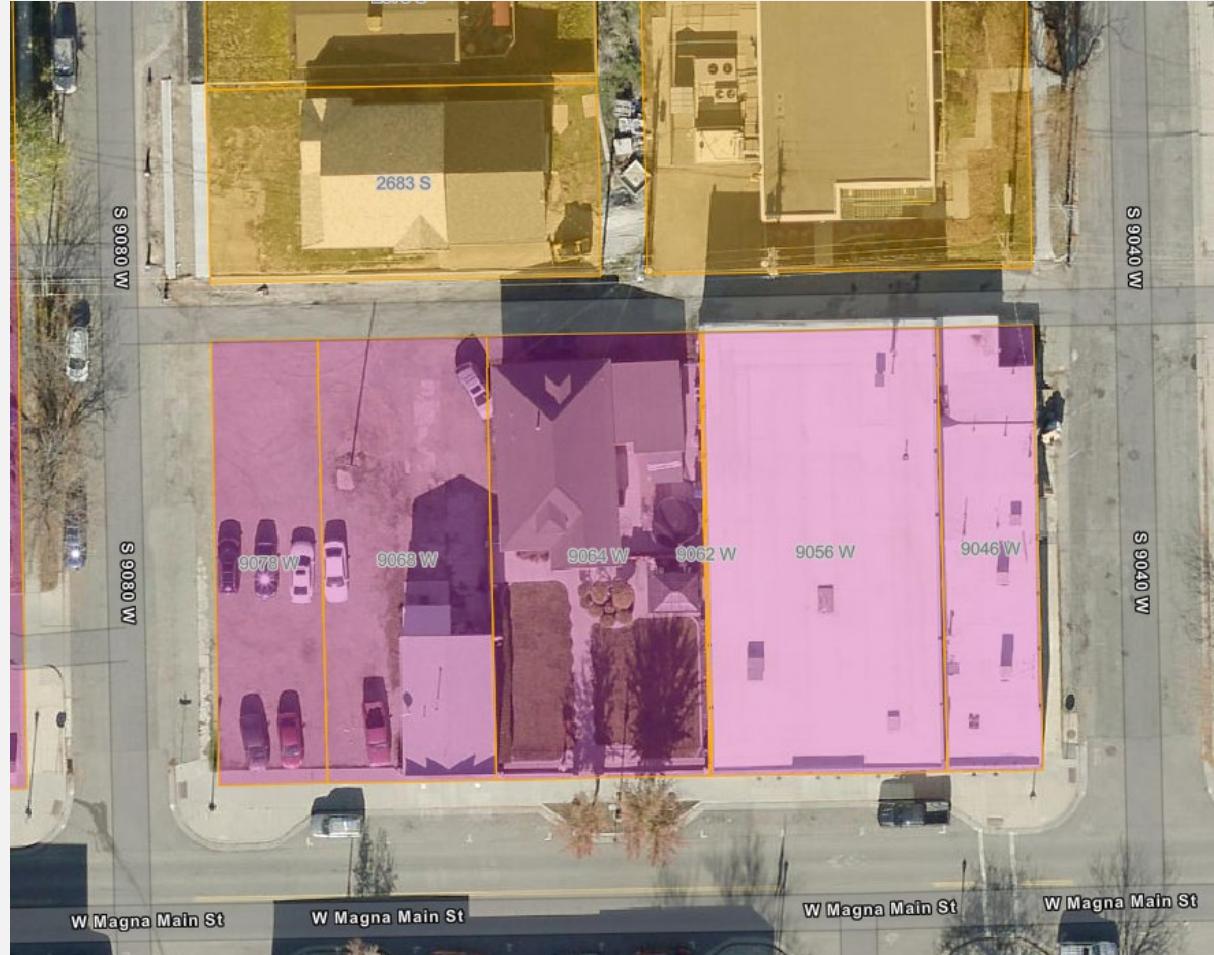
Background

(DH) Mixed Use zone was adopted in 2022

Building form and architectural requirements written to encourage a traditional look with buildings with no setback from the street and with anchor buildings on the street corners.

Drive-thru windows were excluded as not typical of a historical downtown, although they do and can exist in those areas.

The historic area does include a minimalist drive-thru window on a bank building, but that building would not comply with the now adopted DH Mixed Use standards.



Summary



Steve Andrews owns two properties on Magna Main Street at 9078 and 9068 West, home to We Witches.

Applicant wants to add a second building with a coffee/breakfast shop with two residential units upstairs.

Applicant concerned shop may not work if a drive-thru window is not included for the coffee/breakfast shop use.

(DH) Mixed Use, a zone that does not allow for drive-thru and drive-up facilities.

Summary

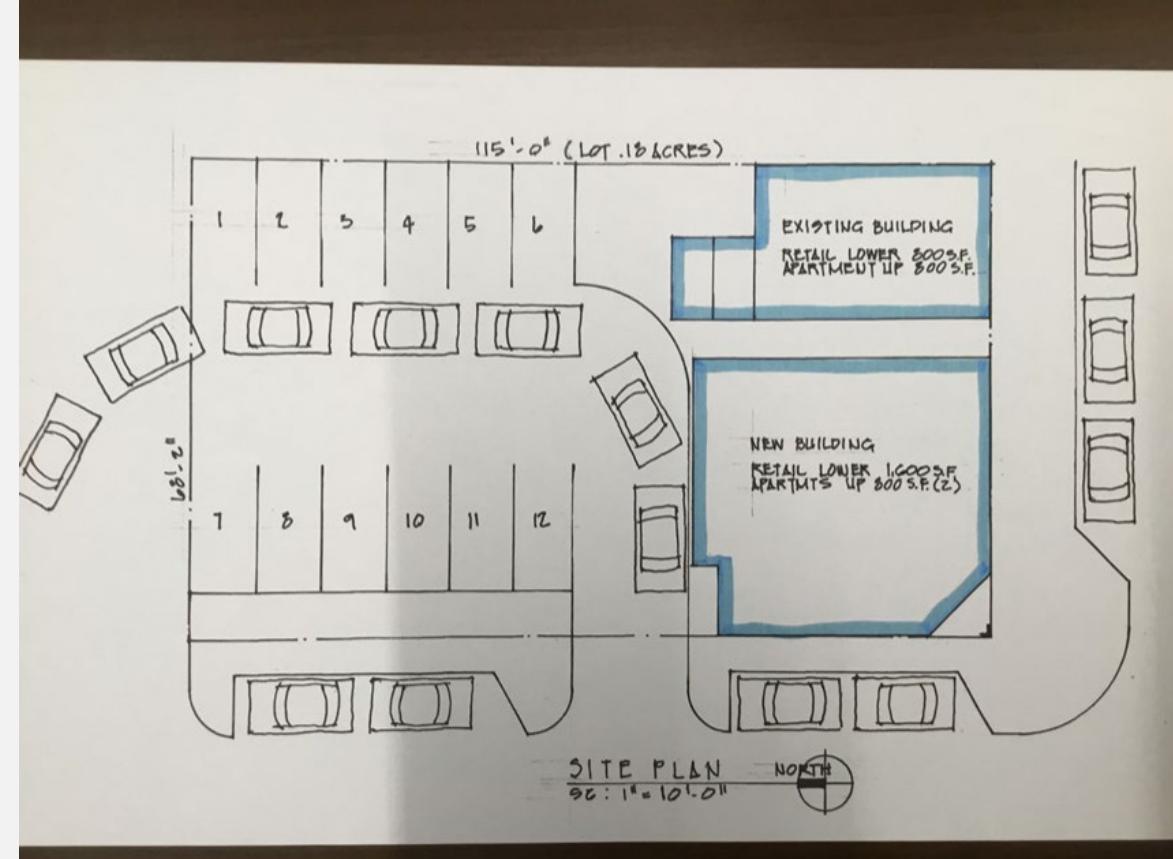


Applicant made an application to amend the ordinance to allow for drive-thru and drive-up facilities.

Staff have taken on the task of drafting the proposed ordinance

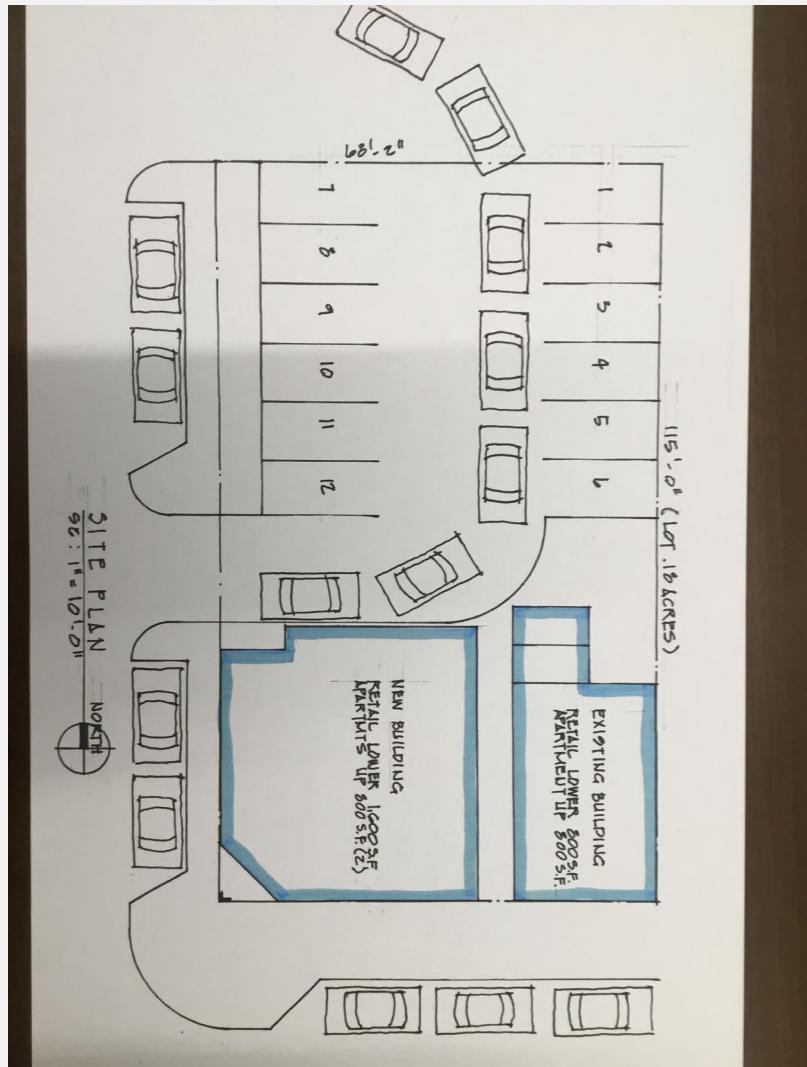
Staff attempted to provide a set of standards that could make drive-thru windows work in the downtown historic district context.

The policy decision allowing or disallowing drive-thru windows is a policy decision for the Council with a Planning Commission Recommendation





Suggested Preconditions



Staff suggest that if a drive-thru is to work in this area it should:

- Be located on the rear façade of the building,
- Not have direct access to Main Street for either the entrance or the exit,
- Have access from a side street or a public alley,
- Have no stacking/queuing that obstructs traffic on a public street,
- Be able to use the alley for access but should not block the alley for use by others, and
- Not be a nuisance to neighboring residential uses.

DH MIXED USE ZONE AMENDMENTS



Proposed ordinance amends Mixed-Use Zone Schedule of Permitted Uses to allow drive-thru and drive-up facilities as a permitted use Subject to:

- Specific use standards in Section 19.42.170, and
- Vehicle Stacking Standards in Section 19.48.100.

Planning Commission may allow for variations to the stacking and capacity standards in Sections 19.48.100 of Magna's code due to site constraints.

If a variation is permitted, the drive-thru or drive-up facility must be designed to ensure:

- Adequate on-site maneuvering and circulation areas,
- Stacking vehicles do not impede traffic on abutting streets, and
- Stacking lanes will not have nuisance impacts on abutting residential lots.

DH MIXED USE ZONE AMENDMENTS



Drive through window must also:

- Have no drive-thru window, order/menu board, or other aspect of the drive-thru or drive-up transaction on a street facing side of a building,
- Have no direct access to main street for either the entrance or exit,
- Make use of a side street or alley for the entrance and exit, and
- Not block a public alley with stacking/queuing customer vehicles.

Amendment for All Magna Drive Thru's



Staff noticed that some of the adopted standards could be improved for these facilities in general.

Staff proposes ordinance amendments to Magna Code,

- Section 19.42.170, Specific Use Standards for Drive-Thru, and
- Drive-Up Facilities, and Section 19.48.100, Vehicle Stacking Standards.



Residential Protection



Standards to reduce noise, lighting, and visual impacts on residential uses (19.42.170(D))

Proposed to include a requirement that drive-up/drive-thru windows and their stacking lanes be separated from residentially zoned properties by:

- An intervening building,
- A masonry wall, or
- By a major street.



Clarity



Subsection 19.48.100(A) would be amended to be consistent with the definitions section and for clarity.

Subsection 19.48.100(A)(2) clarifies the reasons for the sixty-foot distance between a burb cut and the entrance of a stacking/queuing lane. This should also help the public to understand what this language requires of them.

Subsection 19.48.100(B) renumbers the stacking capacity subsection for clarity.





Functionality

Subsection 19.48.100(A)(3) requires stacking/queuing lanes to be designed to avoid interfering with back out lanes unless site constraints rule out any alternative.

Subsection 19.48.100(A)(5) requires stacking/queuing lanes to be designed to avoid conflicts with the main entrance to the establishment unless site constraints rule out any alternative.

Subsection 19.48.100(A)(6) strongly discourages stacking/queuing lanes between the building and the street unless site constraints rule out any alternative.

Subsection 19.48.100(A)(7) requires a separate escape lane when more than nine stacking/queuing spaces are provided.



Drive Thru's in Historic Downtown



Staff finds that the proposed ordinance can be made compatible with the building form and architectural standards if:

- The facility is located on the rear façade of the building,
- The facility does not have direct access to Main Street for either the entrance or the exit, accessing the site from a side street or a public alley,
- Stacking/queuing does not obstruct traffic on a public street,
- Alley access does not block the alley for use by others, and
- The facility is sited in a manner that results in no foreseeable nuisance to neighboring residential uses.





Drive Thru's Generally

Proposed ordinance addresses weaknesses in the regulations for generally.

Staff finds that the amendments to Magna Code, Sections 19.42.170 and 19.48.100:

- Reduce noise, lighting, and visual impacts on abutting residential uses,
- Clarify standards that were not given a clear context in the existing code,
- Establishes more substantial requirements for the design of stacking/queuing lanes,
- Allow variations to the design standards when site constraints do not allow for strict compliance.



Recommendation



Magna Planning Commission recommend approval of the amendments to Magna Code, Sections 19.42.170 and 19.48.100 to the Magna Council.

Magna Planning Commission consider recommending the amendments to the DH Mixed Use zone to the Magna Council.



OAM2024-001210



Request: Amend Text Ordinance for Manufacturing Zone Setbacks
Areas Affected: Industrial Areas within Magna
Magna City Planning Commission
August 8, 2024



Analysis

- June 2023, Magna repealed and replaced Titles 18 and 19 of the Magna Code
- Subdivision and Zoning ordinances had been extensively rewritten by the Planning Staff to:
 - Ensure compliance with State Statute, which restricts the authority and powers of local government;
 - Encourage conformity with the Magna General Plan, which was adopted in 2020 and sets a vision for the community's future land uses;
 - Promote ease of use for both staff and residents by using clear and concise language and incorporating graphics where appropriate; and (to)
 - Meet the unique needs and preserve the character of the Magna community.



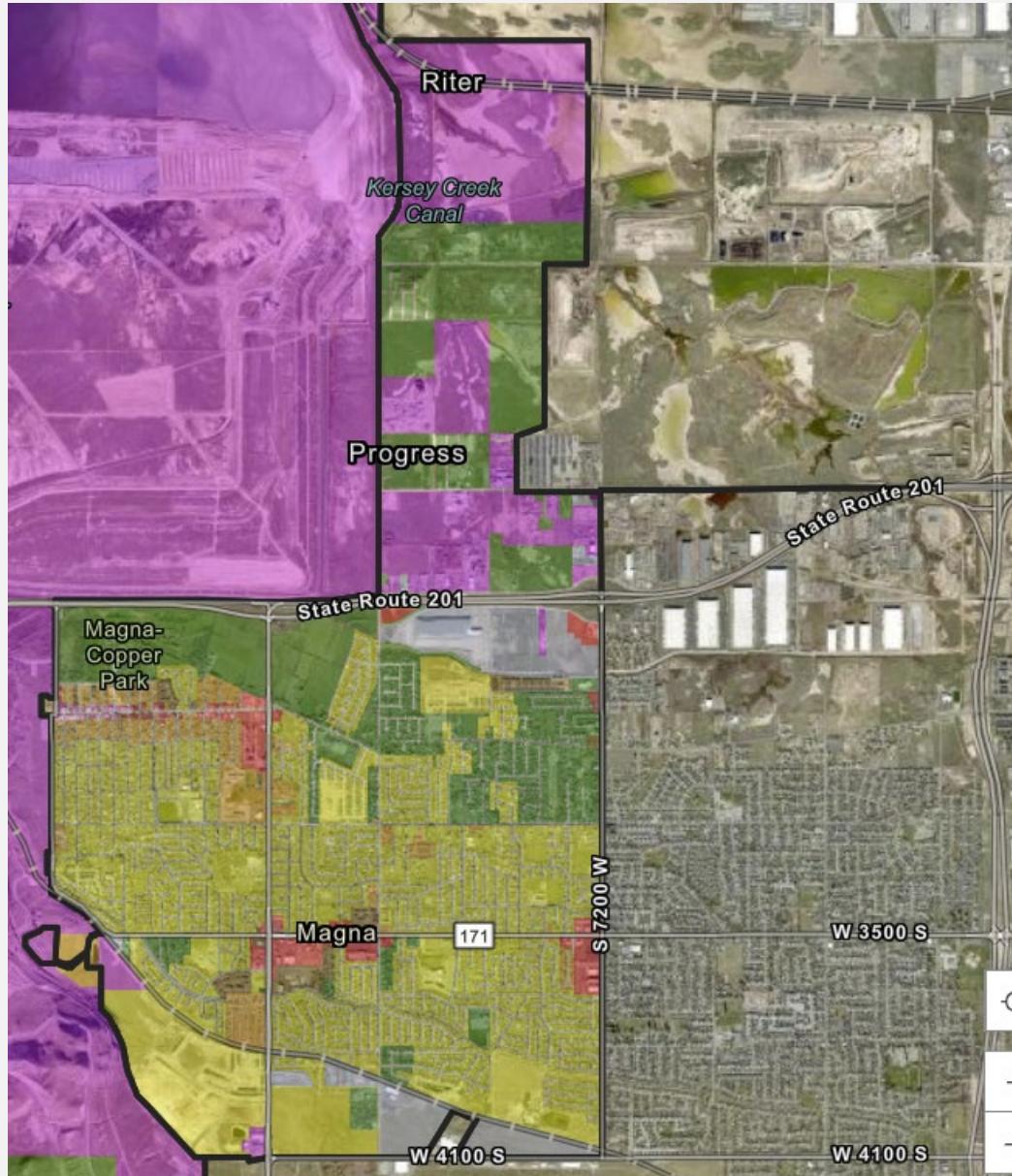
Analysis

- Adopted Manufacturing Zones require:
 - Side yard setbacks from between 20 and 25 feet, and
 - Rear yard setbacks from between 25 and 35 feet
- When near residential or commercial uses these are workable setbacks
- In manufacturing and industrial areas these are atypical and excessive setbacks
- Potential applicant brought this to the staff's attention
- After Consulting with City Manager, the staff have proactively drafted an amended ordinance



Comparison

	General			Commercial/Incompatible			Residential			
	Front	Side (C)	Side (I)	Rear	Front	Side	Rear	Front	Side	Rear
Midvale (Clean Industrial)	20	20	0	0						
West Valley City	20	20	0	0						
Salt Lake City (M-1 Light)	15	15	0	0						
Salt Lake City (M-2 Heavy)	25	15	20	35						
West Jordan (MP Park)	10	10	30/20	30/20	10	30	30	60	60	60
West Jordan (M-1 Light)	10	10	0	0	10	30	30	60	60	60
West Jordan (M-2 (Major))	10	10	0	0	10	30	30	60	60	60
Salt Lake County	20	20	0	0						
Magna Potential Revision										
M-1	20	20	0	0	20	20	20	30	30	30
M-2	25	25	0	0	20	25	25	30	30	30



- Heavy Manufacturing almost exclusively north of HWY 201 in the Inland Port Area
- Light Manufacturing areas mostly have a major street, canal or rail line between them and any incompatible uses



Recommendations

- Industrial and manufacturing zones rarely have significant side and rear yard setbacks when found in industrial or manufacturing parks and districts
- Significant side and rear yard setbacks are typically reserved for those areas adjacent to incompatible residential or commercial uses
- Staff propose that the side and rear yard setbacks be eliminated from the M-1 and M-2 zones when located in industrial parks or districts
- In those relatively rare occasions where the flex manufacturing zone is located adjacent to potentially incompatible uses a setback would be appropriate



Updated Ordinance

19.34.050 - Required Yards and Setbacks.

A. Development in the M-1 or M-2 Zones shall comply with the yard and setback standards shown in Table 19.34.050 and all other applicable standards in this Title.

Table 19.34.050: Required Yards and Setbacks for M-1 and M-2 Zones.

Standard	M-1	M-2
Front Yard and Side Yard, Corner Lot Setback (in feet)	Minimum: 20 Maximum: NA	Minimum: 25 Maximum: NA
Side Yard, Interior Lot Setback (in feet)	Minimum: 0 ^B Maximum: NA	Minimum: 0 ^B Maximum: NA
Rear Yard Setback (in feet)	Minimum: 0 ^B Maximum: NA	Minimum: 0 ^B Maximum: NA
Minimum Distance between Primary and Accessory Structures (in feet)	10	10
Side Yard, Interior Lot and Rear Yard Setback (in feet) from a residential zone boundary	Minimum: 30 ^C Maximum: NA	Minimum: 30 ^C Maximum: NA
Side Yard, Interior Lot and Rear Yard Setback (in feet) from a nonresidential or nonmanufacturing zone boundary	Minimum: 20 Maximum: NA	Minimum: 20 Maximum: NA

B. Required Setback to Contain Roof Drainage. All buildings located closer than five feet (5') from a property line shall be equipped with facilities for the discharge of all roof drainage onto the subject lot.

C. Residential Buffer. Masonry Wall and 8' landscaped buffer required between residential and non-residential uses in accordance with Section 19.50.050.B.

*See the attached draft ordinance for the redlined version.



Findings

Staff finds that:

1. The existing side and rear yard setbacks in the Manufacturing Zones are excessive when located in a manufacturing district or adjacent to other manufacturing, industrial, or warehousing uses.
2. Where manufacturing, industrial or warehousing uses are proposed adjacent to zones that are primarily residential or commercial, due to the incompatibility of uses, a substantial setback is appropriate.
3. Where buildings are allowed within five feet of a property line, drainage must still be routed to stormwater facilities on the subject parcel.



Recommendation

The MSD Planning Staff recommends that the Magna City Planning Commission provides a favorable recommendation to the Magna City Council to approve the attached ordinance.

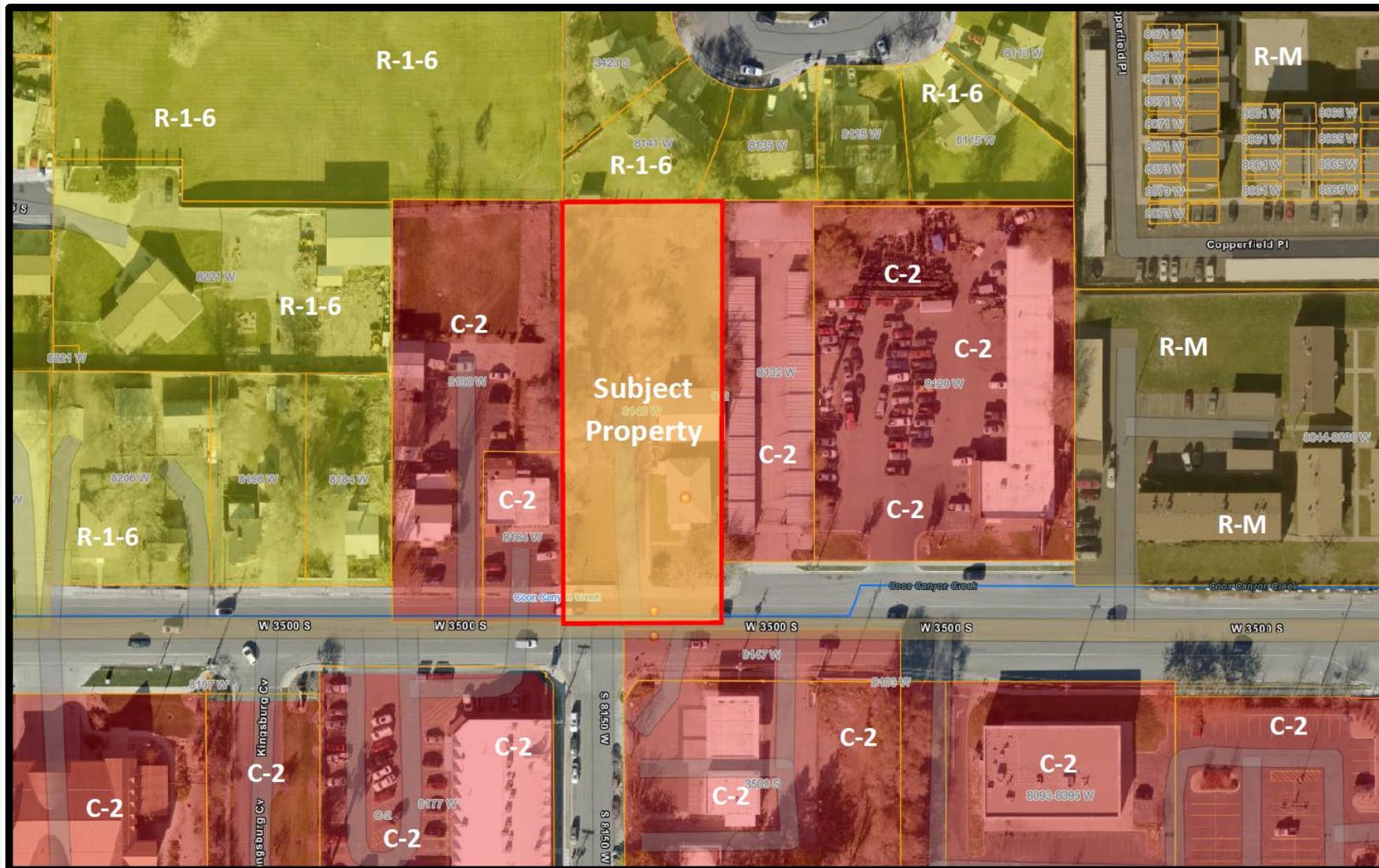
REZ2024-001216



**Rezone from C-2 (Commercial) Zone to C-1 (Commercial Zone)
8146 West 3500 South
Magna City Council
August 13, 2024**



Site Aerial View





Current Zoning/Proposed Zoning

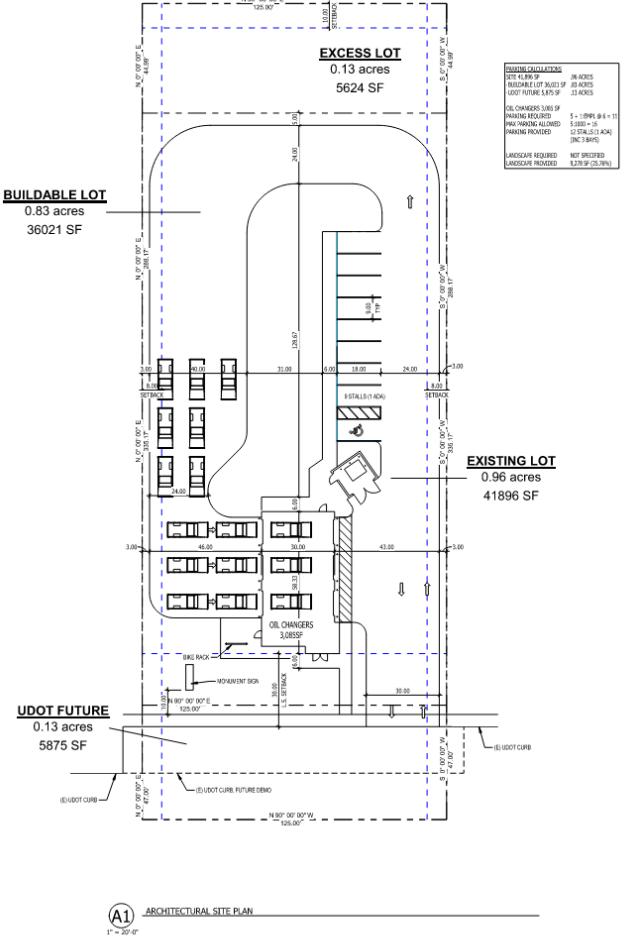
The applicant is requesting the proposed rezone because the current C-2 Zone requires a minimum of 3 acres for a “project area”, in order to develop the property.

If the property is successfully rezoned, the applicant intends to construct a quick lube oil service station on the subject property (which is a permitted use in both the C-2 & the C-1 Zones).

Development Plan



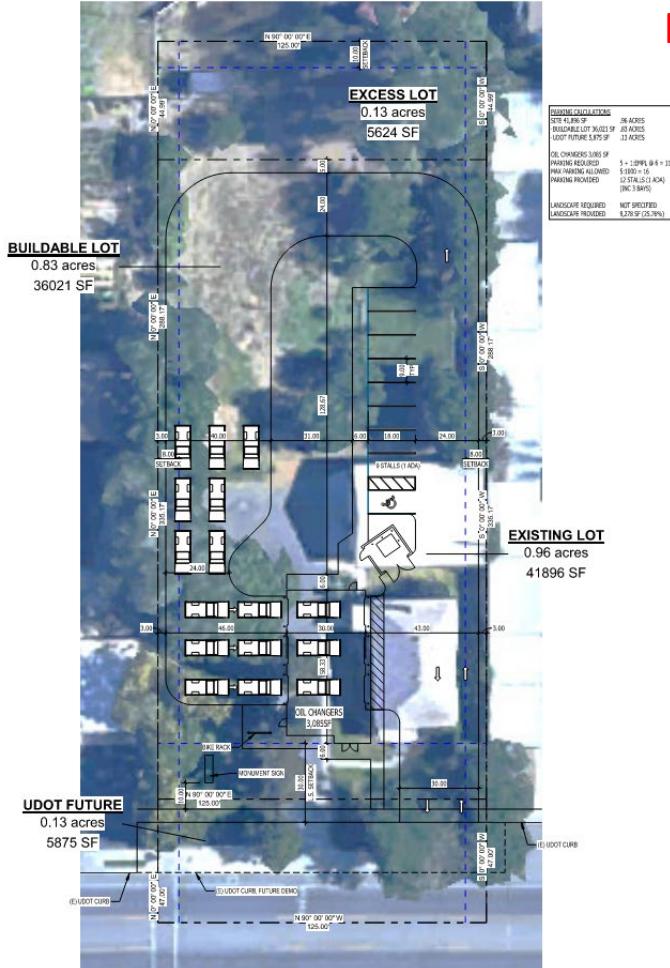
Not Reviewed



Existing Conditions



Not Reviewed





Analysis

The proposed rezone and anticipated use of the property is compliant with the purposes of the commercial zones within Magna City.

The intended use of the subject property is to be a freestanding commercial development on an .87-acre lot. This proposal complies with the purpose of the C-1 (Commercial) Zone.

The subject property is not compatible with the existing C-2 Zone, since it is less than 3 acres in size, and is not part of a commercial center (like the Arbor Park Commercial Development).



Recommendations

Planning Staff recommends that the Magna City Planning Commission analyzes the information contained in this report, prior to making a recommendation to the Magna City Council on the proposed rezone request from the C-2 (Commercial) Zone to the C-1 (Commercial) Zone.

The Magna City Planning Commission should consider motions to recommend approval, approval with condition, or denial of the rezone application.

As rezones are legislative decisions, planning staff recommends that the planning commission consider the intent and purpose of the adopted general plan, and whether this zone change will help to implement the goals and objectives of that plan.

REZ2024-001183

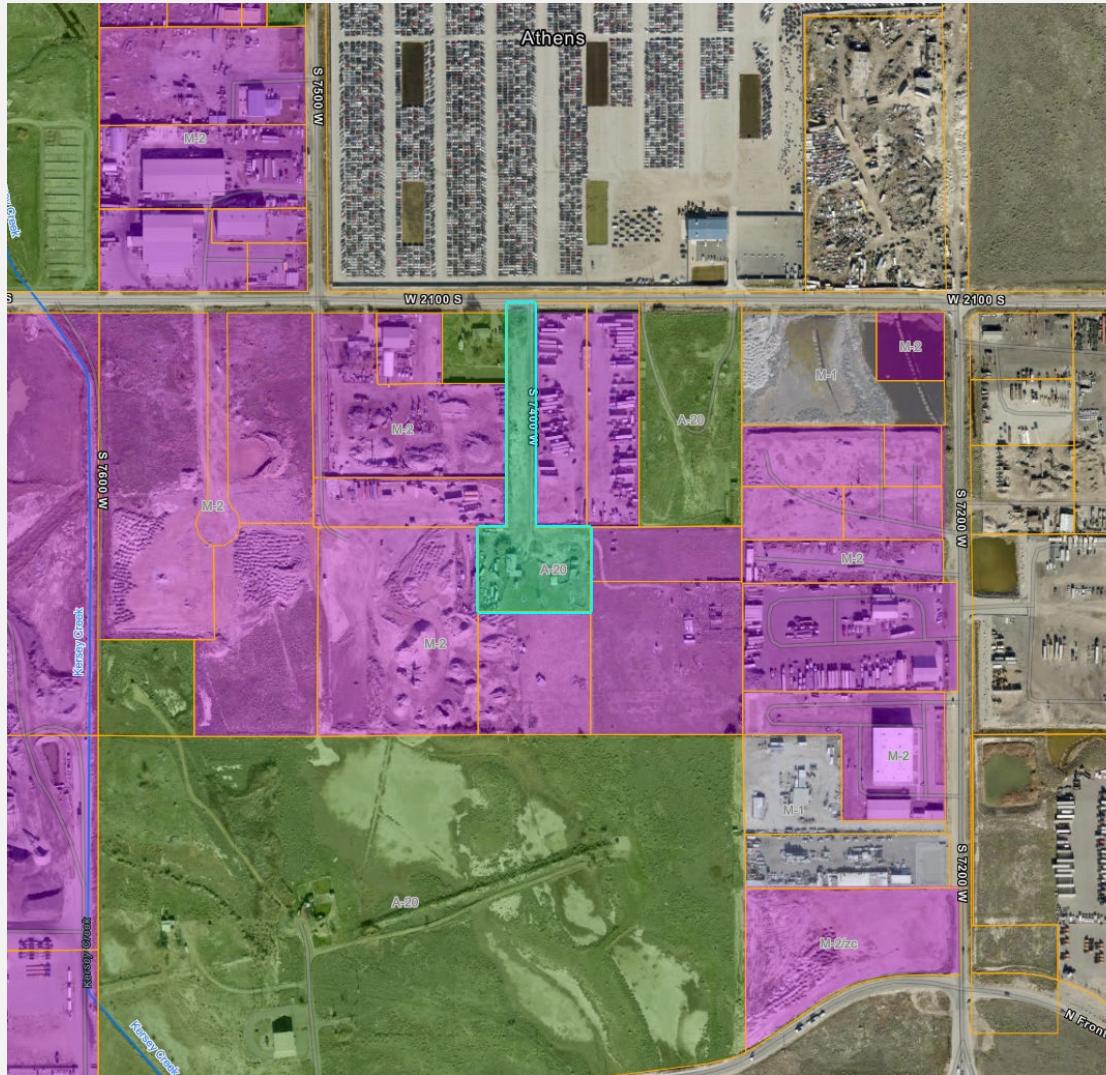


**Rezone from A-20 to M-2
2185 S 7400 W
Magna City Council
August 13, 2024**





Site Aerial View



Current Zoning



A-20





Proposed Zoning

M-2

- Minimum lot size 25,000 square feet
- Minimum lot width: 100 feet
- Maximum height: 80 feet
- Minimum setbacks:
 - Front: 25 feet
 - Side: 20 feet
 - Rear: 35 feet

Development Plan





Existing Conditions

2185 S 7400 W currently has a residence





Analysis

Requested zone and proposed use matches the Magna General Plan

No comments regarding detrimental affects regarding public health, safety, or welfare

M-2 zone is more compatible with industrial uses in the area

Rezone would not create nonconformity as the proposed use is industrial

- Meets flag lot requirements

Rezoning to M-2 follows development trend in the area



Recommendations

On August 8, 2024 the Magna Planning Commission recommended that the Magna City Council approve the rezone.

REZ2024-001105



**Rezone A-1/zc to R-1-5
7563 W 2820 S
Magna City Council
August 13, 2024**

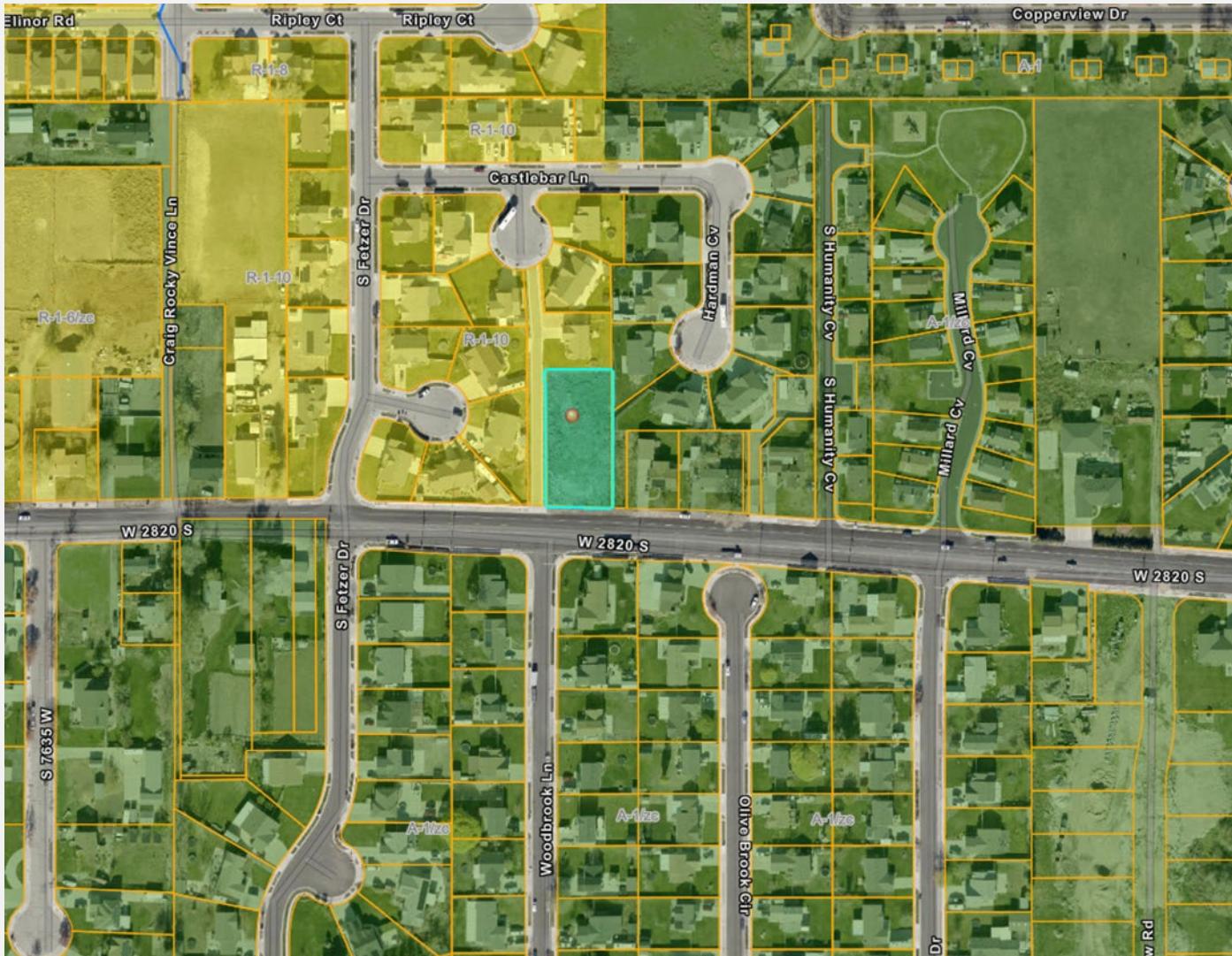
3
C



GREATER SALT LAKE
Municipal Services
District



Site Aerial View

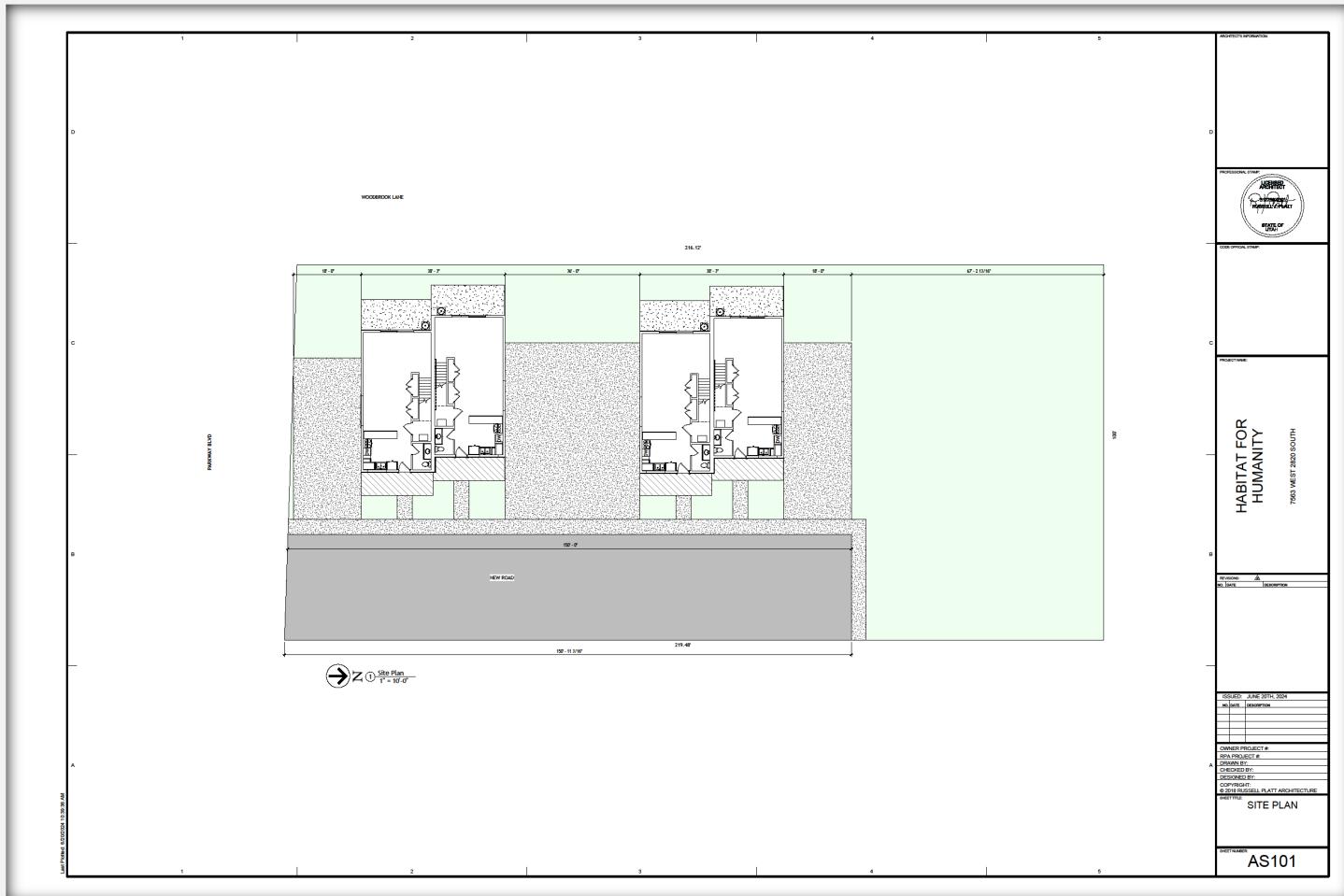


GREATER SALT LAKE
Municipal Services
District

Background



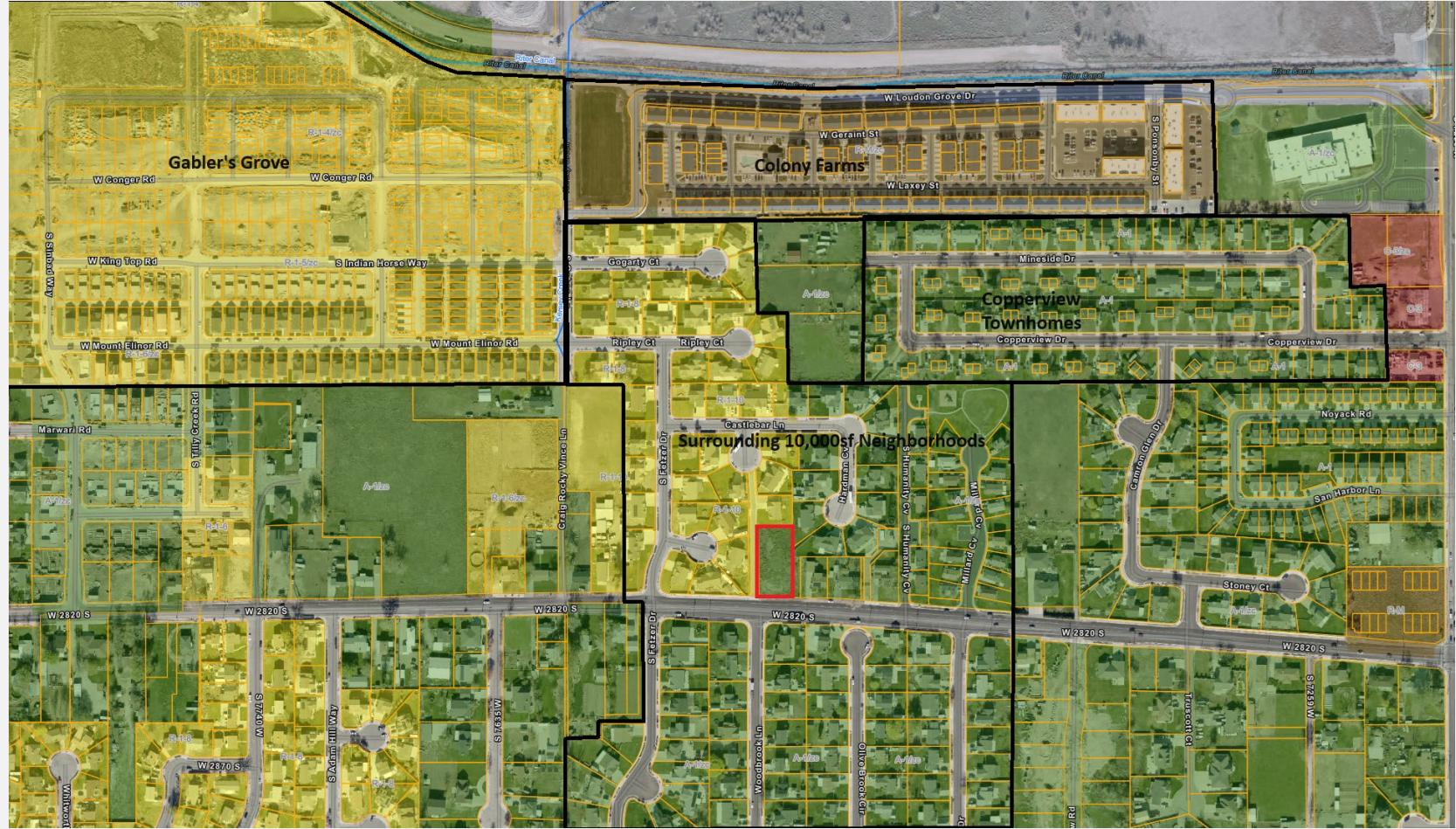
- Vacant .50 acre (21,780 sf) Parcel
- Currently Zoned A-1/zc
 - Zoning Condition prohibits dwelling groups and duplexes
- Applicant is asking for a rezone to build 2 twin home buildings



Background

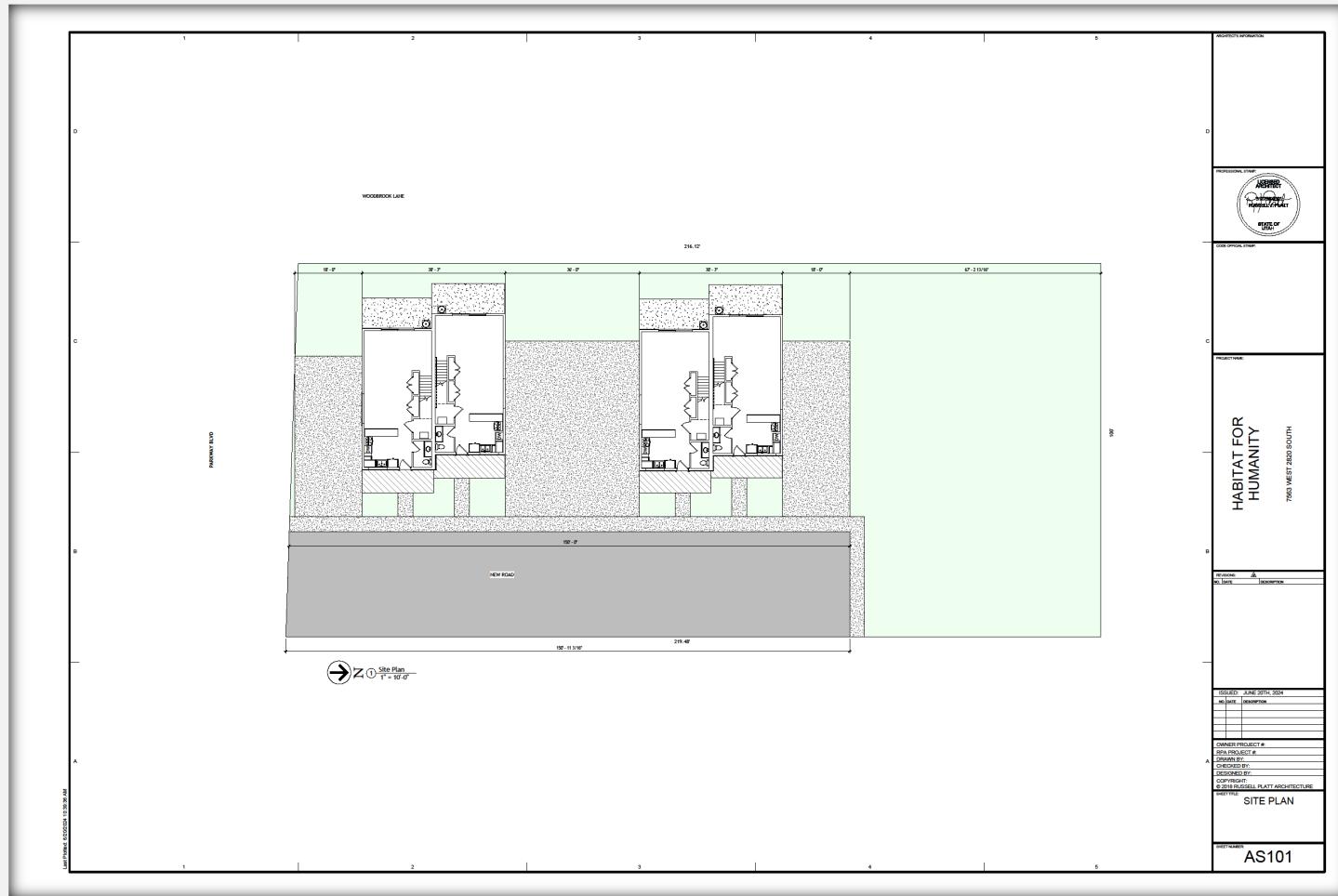


- Surrounded by 10,000 sf single family homes zoned R-1-10, R-1-8, and A-1/zc
- PUD's are located in the area.
 - Copperview Townhomes (500') A-1 zone,
 - Gabler's Grove (750') R-1-6, R-1-5 and R-1-4 zones, and
 - Colony Farms (1000') Residential Multifamily (RM) zone





Proposed Zoning



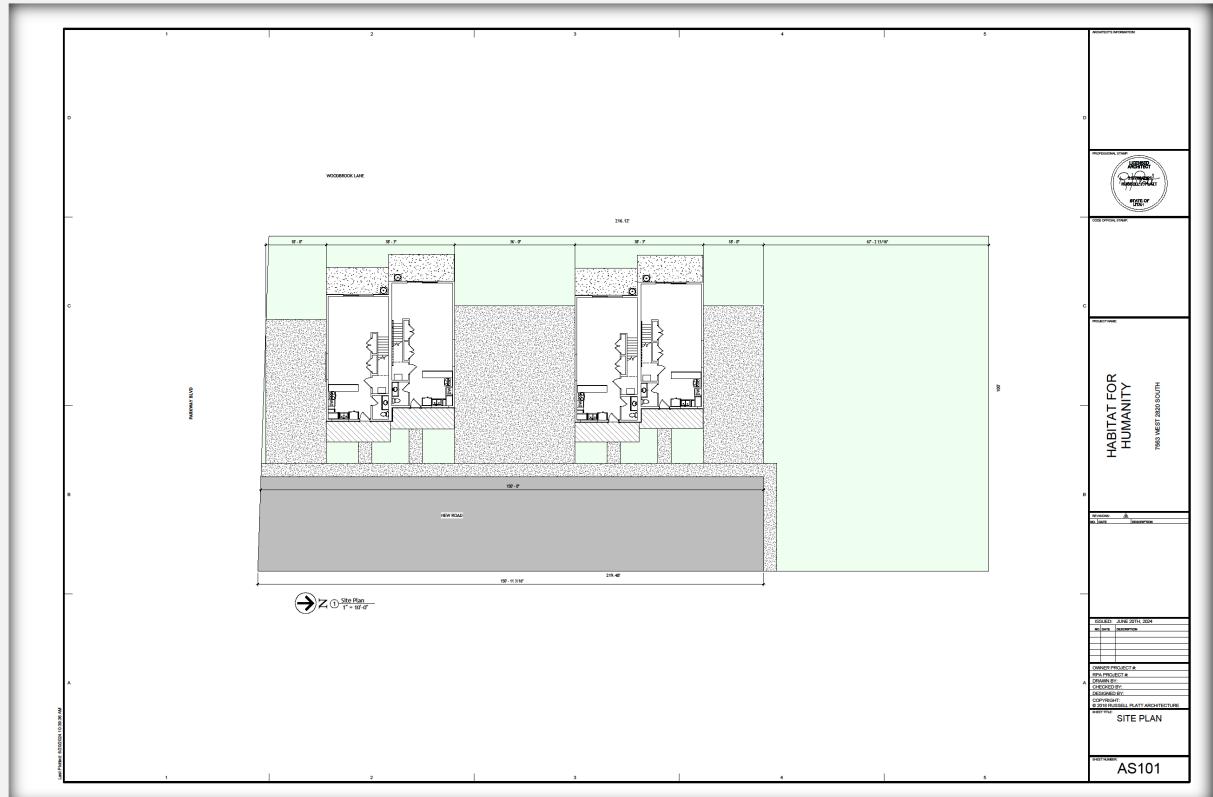
- Proposing a Rezone to R-1-5
- R-1-5 Zone Standards
 - 5,000 square foot minimum
 - 50' min lot width
 - 35' max height
- Standard setbacks
 - 20 feet to the front
 - 5 feet to the side
 - 20 feet to the rear
- PUD Requirements
 - Maximum density of 7 units per acre
 - 28' max height*

*19.18.030(L)(2)(a)



Needed Zoning

- In the R-1-5 a standard subdivision would allow 8 units per acre / 4 units per half acre ($21,780 \text{ sf} / 5000 = 4.36 \text{ du/acre}$)
- However, in the R-1-5 zone, PUD density is capped at 7 units per acre (Table 19.28.030)
- Staff mistakenly advised Applicant that an R-1-5 would work for 4 units
- Applicants need R-1-4 to build 4 units
- R-1-4 Zone Standards
 - 4,000 square foot minimum
 - 40' min lot width
 - Same setbacks and height
- PUD Requirements
 - Maximum density of 9 units per acre
 - 28' max height*



*19.18.030(L)(2)(a)



Analysis

General Plan Considerations:

- Magna's General Plan calls this area of Magna as a residential mixed density area ranging from R-1-8 to R-2-6.5

Review Criteria

- 1) Must be consistent with the general plan
- 2) Promotes health, safety, and welfare
- 3) The R-1-4/5 zones creates more flexibility
- 4) Is the amendment compatible with the intent and purposes of the general plan?
 - General Plan calls for R-1-8 to R-2-6.5. R-1-4 zone (9 DU/acre) allows less density than the R-2-6.5 zone (12 DU/acre).
- 5) Benefits citizens of Magna as a whole? Habitat for Humanity provides affordable mortgages/housing
- 6) This rezone would not create a nonconformity
- 7) Consistent with the trend of development in the area
 - Many newer projects in the SE portion of Magna tend to be Townhome PUD's. Single Family also constructed in the area.
- 8) Moderate Income Housing Plan
 - Fulfils Criteria F, zoning or rezoning for higher density near employment centers



Planning Commission:

- **On August 8, 2024 the Magna Planning Commission held a public hearing on the proposed rezone**
- **Motion to approve with a 2 voting aye and 2 nay.**
- **No additional motions made**

Potential Council Actions:

- **Deny the rezone**
 - Caps the total units at 2 single family (needs a PUD)
- **Approve the requested rezone to R-1-5**
 - Caps the total units at 4 with a subdivision
 - Allows 3 units with a PUD, townhomes allowed
- **Remand the action back to the Planning Commission with or without guidance**
 - Staff strongly recommends the Council remand to PC if contemplating R-1-4 rezone

REZ2024-001215



**A-20 to M-1
7750 W, 7764 W, 7650 W 2100 S
Magna City Council
August 13, 2024**



Site Aerial View



GREATER SALT LAKE
Municipal Services
District

Current Zoning



A-20



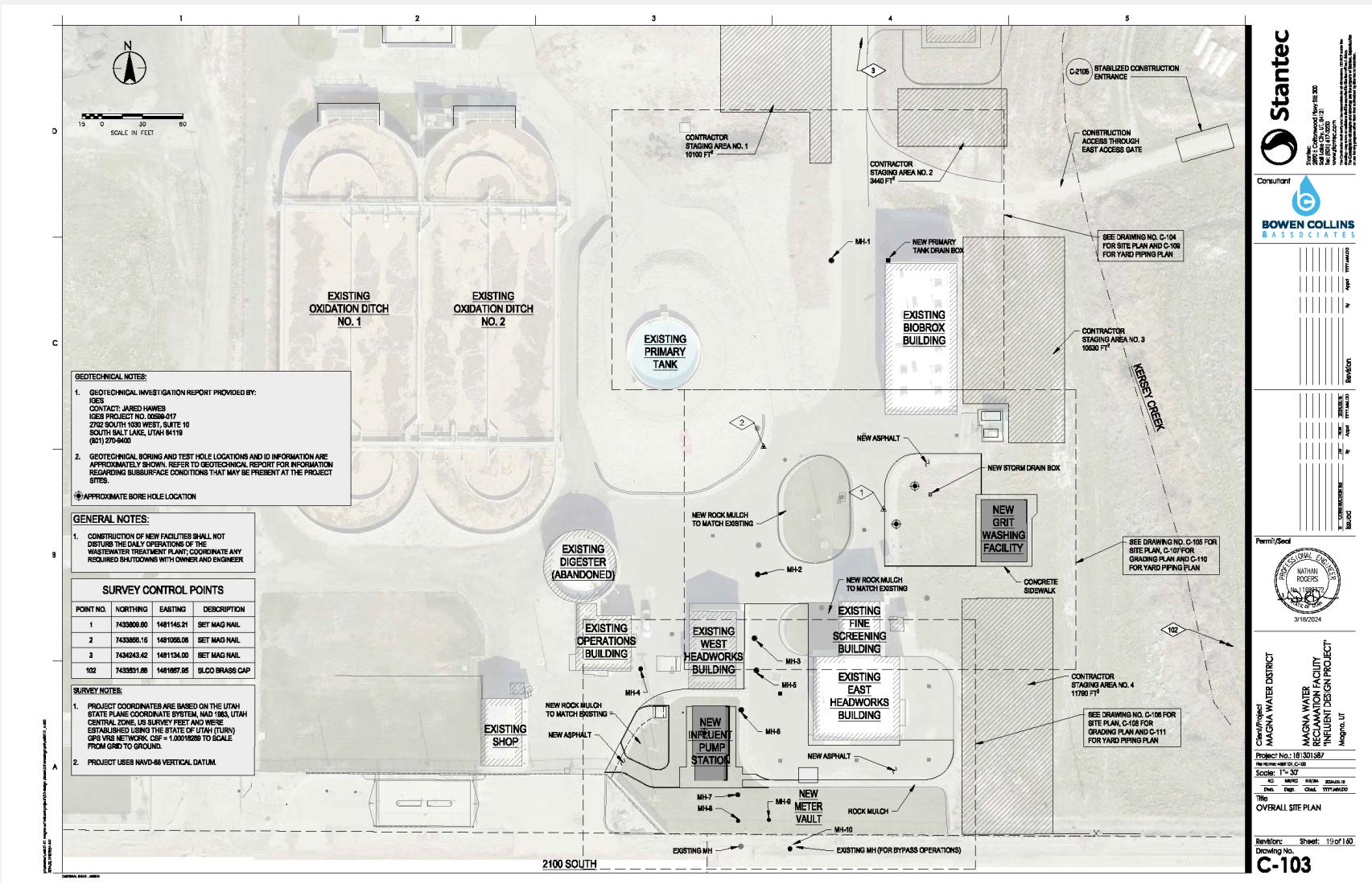
Proposed Zoning

M-1

- Minimum lot size: 12,000 square feet
- Minimum lot width: 75 feet
- Minimum setbacks:
 - 20 feet to the front and side
 - 25 feet to the rear
- Maximum height: 60 feet



Development Plan





Existing Conditions

These lots contain existing Magna Water District infrastructure

3 lots:

- 0.14 acres
- 17.5 acres
- 20.65 acres



Analysis

M-1 zone is compatible with the Magna General Plan

Promotes public health, safety, and welfare by allow Magna Water to put a building over the proposed pump by reducing the required setback

M-1 zone is more compatible with existing use than A-20

- A-20 zone does not allow for current use

M-1 zone is compatible with the intent and purposes of the Magna Land Use Code as it allows public utility uses

The proposed rezone would eliminate a zoning non-conformity

- Third smaller lot would need to be consolidated



Recommendations

On August 8, 2024 the Magna Planning Commission recommended that the Magna City Council approve the rezone.

