



## Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

[www.pwpds.slco.org](http://www.pwpds.slco.org)

# Magna Metro Township Planning Commission

## Public Meeting Agenda

**Thursday, July 11, 2019 6:30 P.M.**

### Location

MAGNA WEBSTER CENTER  
8952 WEST MAGNA MAIN STREET  
MAGNA, 84044  
(385) 468-6700

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.  
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

### BUSINESS MEETING

- 1) Approval of Minutes from the June 13, and June 20, 2019 meetings
- 2) General Plan Update – Max Johnson
- 3) Other Business Items (as needed)

### PUBLIC HEARINGS

**30855** – ADG Partners is proposing amendments to the overpressure area map and possible text amendments to the subdivision ordinance. **Location:** 3896 South Sennie Drive. **Planner:** Todd A. Draper, AICP

**30985**- Wright Development Group (Leslie Mascaro) is requesting approval for a rezone from A-1/zc (Agriculture) to C-2 (Commercial). **Acreage:** approx. 4.80 acres. **Location:** 7955 West U201 Hwy. **Planner:** Diana Martinez

**30752**- Magna Water District is requesting approval of a Conditional Use for a secondary water storage reservoir. **Acreage:** 5.4 acres. **Location:** 4088 South 8400 West. **Zone:** M-2. **Planner:** Diana Martinez.

### ADJOURN

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<b>File # 30855</b>
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## **Map Amendment and Ordinance Change Summary**

**Public Body:** Magna Metro Township Planning Commission

**Meeting Date:** July 11, 2019

**Parcel ID:** 14-33-328-013-0000

**Property Address:** 3896 S Sennie Dr

**Request:** Modification of the Special Development Standards Areas Map, Text amendment to the subdivision ordinance pertaining to Overpressure Areas as shown on the Special Development Standards Areas Map.

**Planner:** Todd A. Draper, AICP

**Planning Staff Recommendation:** Approval / Continuance

**Applicant Name:** ADG Partners, Ginger Romriell

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### **PROJECT DESCRIPTION**

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Developer proposed amendments to the special development standards area map and text amendments to the subdivision ordinance.

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### **SITE & VICINITY DESCRIPTION** (see attached map)

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The property that the Developer is interested in developing is in a residential area North of the rail line and South of Maytime Drive. The proposal continues to include impacts beyond the subject property that affect other properties in the .5 overpressure area.



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## GENERAL PLAN CONSIDERATIONS

The current Magna Township General Plan does not give any guidance with respects to the mapped overpressure areas in Magna Metro Township. The ongoing process for revising the General Plan has included some discussions about the effects of the overpressure areas but has not provided any a reliable direction on how to proceed.

A Master Plan report from 1987 that does exist, reviewed studies regarding overpressure areas and made recommendations for ordinance amendments and mapping. That report helped to guide the existing maps and regulations. Notably, however is that the recommended development standards areas are often incongruent with the location of the overpressure bands.

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## NEIGHBORHOOD RESPONSE

No response has been received as of the writing of this report. Additional response would be anticipated once the scope of the application has been completely decided and mailed notice is sent to affected property owners.



## PLANNING STAFF ANALYSIS

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Staff has reviewed the updated documentation and has provided copies to MDS legal counsel for their review. There are some identified concerns of staff with the proposal and its scope as currently proposed. They include:

1. Changes to the zoning ordinance are included in the proposed language. This exceeds what has been noticed for discussion and possible decision. New noticing would be required before these elements could be decided upon.
2. The proposal includes the addition of a requirement that restrictive covenants be put into place. The Municipality does not enforce restrictive covenants as they are civil matters between private property owners. All regulations should be part of ordinance.
3. Part of the revised language that has been proposed would negatively impact the County Parks property to the East, in that it would prohibit or restrict uses that included outdoor gatherings and impose additional requirements on their development.
4. Providing adequate notice to property owners buying a lot in an impacted area is important. Including a requirement to add a note on the subdivision plat prohibiting the construction of structures within the 0.5 PSI overpressure area is a potential way of accomplishing this.
5. In reading the original 1987 Master Plan, planning staff was not able to identify a justifiable reason for prohibiting subdivision of land in a 0.5 PSI overpressure area. The report recommended against residential uses being located in a 0.5 overpressure area, but large-scale industrial development and other employment centers were recommended.
6. In the 1987 Master Plan the overpressure areas on the special development standards map did not match up with the concentric circles of the actual overpressure bands. No explanation was given for this incongruity.
7. Proposed language gives additional oversight of government operations by Northrup (or its successor) and could place additional liability on the director and the municipality (i.e. determining what is "sufficiently distanced"). Unsure if this was intended or would be desirable for the Magna community.
8. Proposal includes special notification procedures that vary from current policies, and special records retention requirements outside the norm.
9. The purpose/need for this ordinance change was originally explained as a fix to issues with ordinance clarity in the 0.5 PSI area for this property only. Some of the proposed changes include changes that affect property in the .2 and .3 areas. This proposal also goes beyond the scope of the property in question. We would need to expand notice to existing property owners located in affected areas before proceeding with those elements. No studies or data has been included that would support the changes.

## **PLANNING STAFF RECOMMENDATION**

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Planning Staff recommends that the Magna Metro Township Planning Commission make a recommendation to the Magna Metro Township Council that approval be given for the proposed amendment to the special development standards area map to reflect the new locations of the .3 and .5 overpressure areas across this parcel only. This recommendation is based in part upon the following:

1. The updated overpressure area map provided by Northrup Gruman is based on a concentric circle model which is consistent with the Master Plan from 1987.
2. The circles on the updated map represent the outer boundary of the .5 area
3. The 1987 Master Plan did not provide a specific reason for the overpressure area map to not follow the Concentric Circle model.

Planning Staff recommends that the Magna Metro Township Planning Commission continue the discussion on the proposed ordinance change(s) to their Meeting on August 8, 2019. This is based upon the following:

1. The revised ordinance change proposal includes changes to the zoning ordinance. Discussions between staff and the developer were that the changes would be to the subdivision ordinance only.
2. Proper notice has not been given of zoning ordinance changes at this time.
3. No new studies or data to support the changes to zoning ordinances have been provided.
4. The proposed changes may negatively impact other properties outside of the subject property.

The Magna Metro Township Planning Commission might wish to pursue other alternatives directly at the meeting other than these recommendations.

#30855  
Zoning Map







ORDINANCE NO.: \_\_\_\_\_

DATE: \_\_\_\_\_

**MAGNA METRO TOWNSHIP**

**AN ORDINANCE AMENDING SECTIONS 15.14.010, 18.20.060 AND 19.76.270 OF THE MAGNA CODE OF ORDINANCES 2017, BY (1) MODIFYING THE SPECIAL DEVELOPMENT STANDARDS AREA MAP, AND (2) MODIFYING SUBDIVISION AND USE RESTRICTIONS REGARDING THE 0.5 PSI OVERPRESSURE AREA.**

BE IT HEREBY ORDAINED by the legislative body of the Magna Metro Township:

1. Amendment to Special Development Standards Areas Map regarding Parcel No. 14-33-328-013-0000.

The Special Development Standards Areas Map, as identified in Section 15.14.010 of the Magna Code of Ordinances 2017 regarding the overpressure areas surrounding the Northrop Grumman (formerly Hercules and ATK) Baccus Works, is amended regarding Parcel No. 14-33-328-013-0000, so that the 0.5 psi overpressure area shall be the area within a 3470 foot radius of any of the following GPS coordinates, and the 0.3 psi overpressure area shall be the area outside the 0.5 psi overpressure area but within a 5200 foot radius of the following GPS coordinate:

Area 1— N40d40'38.3" W112d04'20.0"

The attached map shows the 0.5 psi overpressure area and the 0.3 psi overpressure area as amended for Parcel No. 14-33-328-013-0000.

2. Amendment to Section 18.20.060 of the Magna Code of Ordinances 2017.

The third sentence of Section 18.20.060 of the Magna Code of Ordinances 2017, "New subdivisions shall not be approved in the 0.5 psi overpressure area.", is hereby deleted and replaced with the following:

New subdivisions containing any property in the 0.5 psi overpressure area shall include (i) subdivision plat notes prohibiting any lot containing any 0.5 psi overpressure area from being used for any use which is prohibited in the 0.5 psi overpressure area pursuant to Section 19.76.270 of the Magna Code of Ordinances 2017, as amended; and (ii) restrictive covenants recorded with the Salt Lake County Recorder's Office against all lots in the subdivision containing any 0.5 psi overpressure area, which prohibits any use which is prohibited in the 0.5 psi overpressure area pursuant to Section 19.76.270 of the Magna Code of Ordinances 2017, as amended. The plat notes and restrictive covenants pursuant to (i) and (ii) above shall specifically list the prohibited uses.

3. Amendment to Section 19.76.270 of the Magna Code of Ordinances 2017.

Section 19.76.270 of the Magna Code of Ordinances 2017, is hereby deleted and entirely replaced with the following (changed language is shown in underline):

- A. Development in the overpressure area as defined in Section 15.14.010 and shown on the special development standards areas map shall comply with Sections 15.14.030, 15.14.040, 15.14.050 and this section. The special development standards areas map is available in the development services division office during regular office hours.
- B. The following uses are prohibited in any lot or parcel containing 0.5 PSI overpressure area:
- (i) Any residential, lodging or sleeping use, whether of a temporary or permanent nature, including but not limited to, any dwelling, hotel, motel, resort hotel, apartment hotel, boardinghouse, lodging house, tourist court, apartment court, guestroom, nursing home, protective living arrangement, residential facility, or other structure or portion thereof used for permanent or temporary residential or lodging use.
  - (ii) Any daycare, school, church or educational use, including but not limited to any child nursery, daycare/preschool center, home daycare/preschool, church.
  - (iii) Any non-residential use which would involve outdoor gatherings of people, unless the Director determines that such gatherings are sufficiently distanced and situated from structures to mitigate the risk to humans associated with the overpressure area to an acceptable and reasonable level. Such determination shall only be made after the pre-development meeting pursuant to sub-Section F below.
  - (iv) Any structure having more than two floors above grade.
- C. Approval by the Director shall be obtained before construction or development begins within the 0.5 overpressure area. Development within an overpressure area shall not be approved unless the applicant demonstrates that the design of the project reasonably mitigates the risk to humans and property associated with the overpressure area to an acceptable and reasonable level. Application for such approval shall be made on forms furnished by the development services division, and may include, but not be limited to: Plans drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures; parking, walking, and gathering areas, and the location of the foregoing.
- D. The Director shall be responsible to:
- 1. Review all applications to determine if the proposed development is located in a 0.2, 0.3, or 0.5 overpressure area.



2. For all proposed development located fully or partially within the 0.5 overpressure area:

- i. Review all applications to determine that the overpressure requirements of this Code have been satisfied, including but not limited to Sections 15.14.030, 15.14.040, 15.14.050, 18.20.060, and this Section.
- ii. Conduct a pre-development meeting with the applicant to review the application and consider overpressure risks and design alternatives. The Director shall have authority to require design modification (a) to satisfy the overpressure requirements of this Code, and (b) to reduce the risk to humans and property associated with the overpressure area to an acceptable and reasonable level.
- iii. Provide the then current operator of the Northrop Grumman Bacchus Works property with the application, and not less than 14 days advance notice of the pre-development meeting pursuant to sub-Section ii above. Such notice shall be given to the following address:

Legal Counsel

ATK Launch Systems Inc.

Northrop Grumman Innovation Systems, Inc.

P0 Box 98, UT03-E2W2

Magna, UT 84044-0098

or to an updated address provided by the Bacchus Works operator. The Bacchus Works operator shall be entitled to submit comments to the Director, and to participate in the pre-development meeting.

- iv. Maintain an information file showing the approved design for the structures in the overpressure area.

4. This ordinance will take effect 15 days after its passage and upon at least one publication in a newspaper publishes in and having general circulation in Magna Metro Township of Salt Lake County, and if not so published within 15 days then it will take effect immediately upon its first publication.

APPROVED AND ADOPTED in Magna, Salt Lake County, Utah this \_\_\_\_ day of \_\_\_\_\_, 2019.

By: \_\_\_\_\_  
Dan W. Peay, *Chair*

ATTEST

\_\_\_\_\_  
Sherrie Swenson, *Metro Township Clerk/Recorder*

APPROVED AS TO FORM:

\_\_\_\_\_  
Magna Metro Township Attorney

VOTING

Councilmember Ferguson \_\_\_\_\_

Councilmember Hull \_\_\_\_\_

Councilmember Peay \_\_\_\_\_

Councilmember Peel \_\_\_\_\_

Councilmember Prokopis \_\_\_\_\_

Ordinance/summary published in newspaper on \_\_\_\_\_, 2019.

Effective date of Ordinance: \_\_\_\_\_.

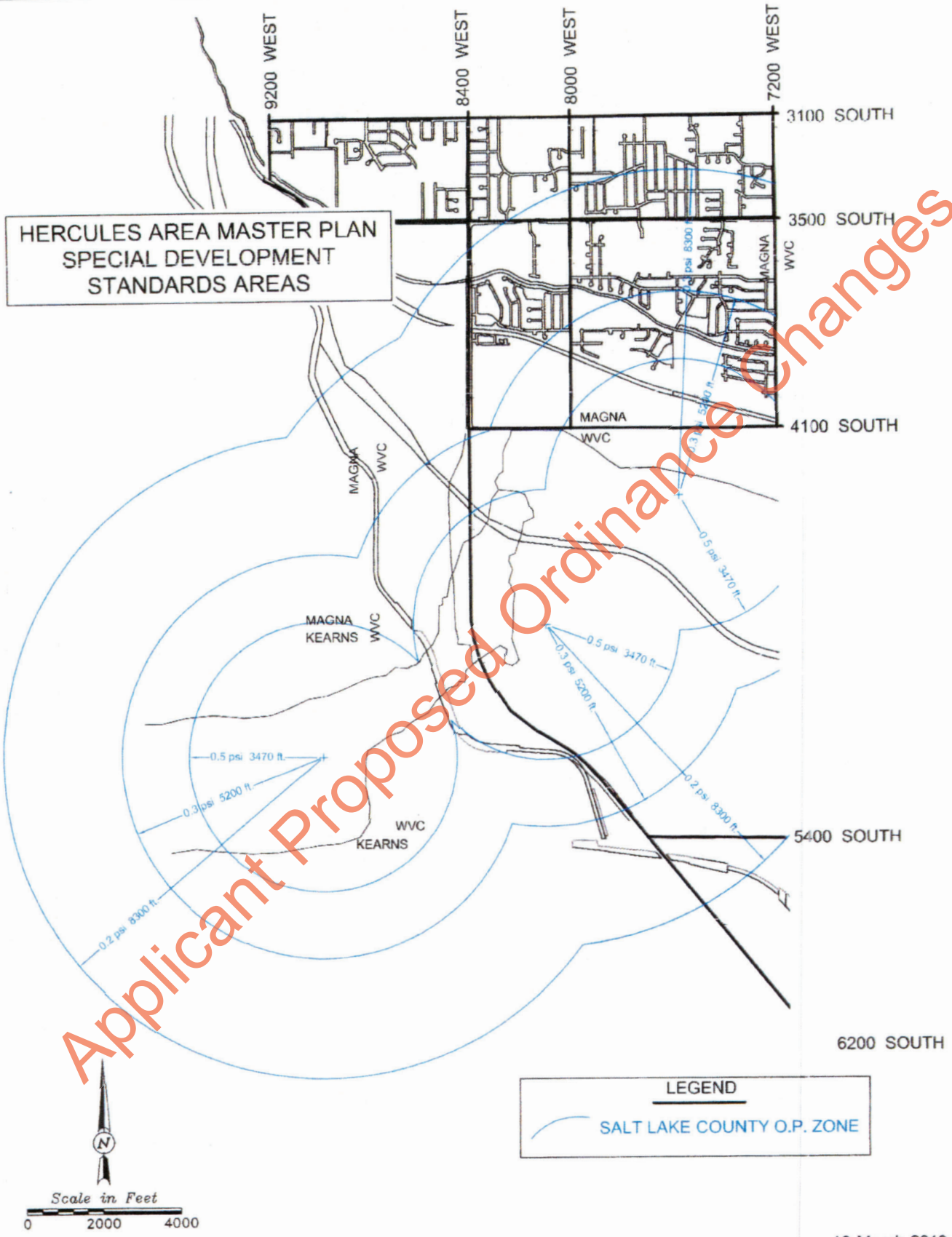


SUMMARY OF MAGNA METRO TOWNSHIP ORDINANCE NO. \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_, 2019, the Magna Metro Township Council adopted Ordinance No. \_\_\_\_\_, an ordinance amending the Magna Code of Ordinances 2017 (i) modifying the special development standards area map, and (ii) modifying subdivision and use restrictions regarding the 0.5 psi overpressure area.

Applicant Proposed Changes

HERCULES AREA MASTER PLAN  
SPECIAL DEVELOPMENT  
STANDARDS AREAS



19-March-2019



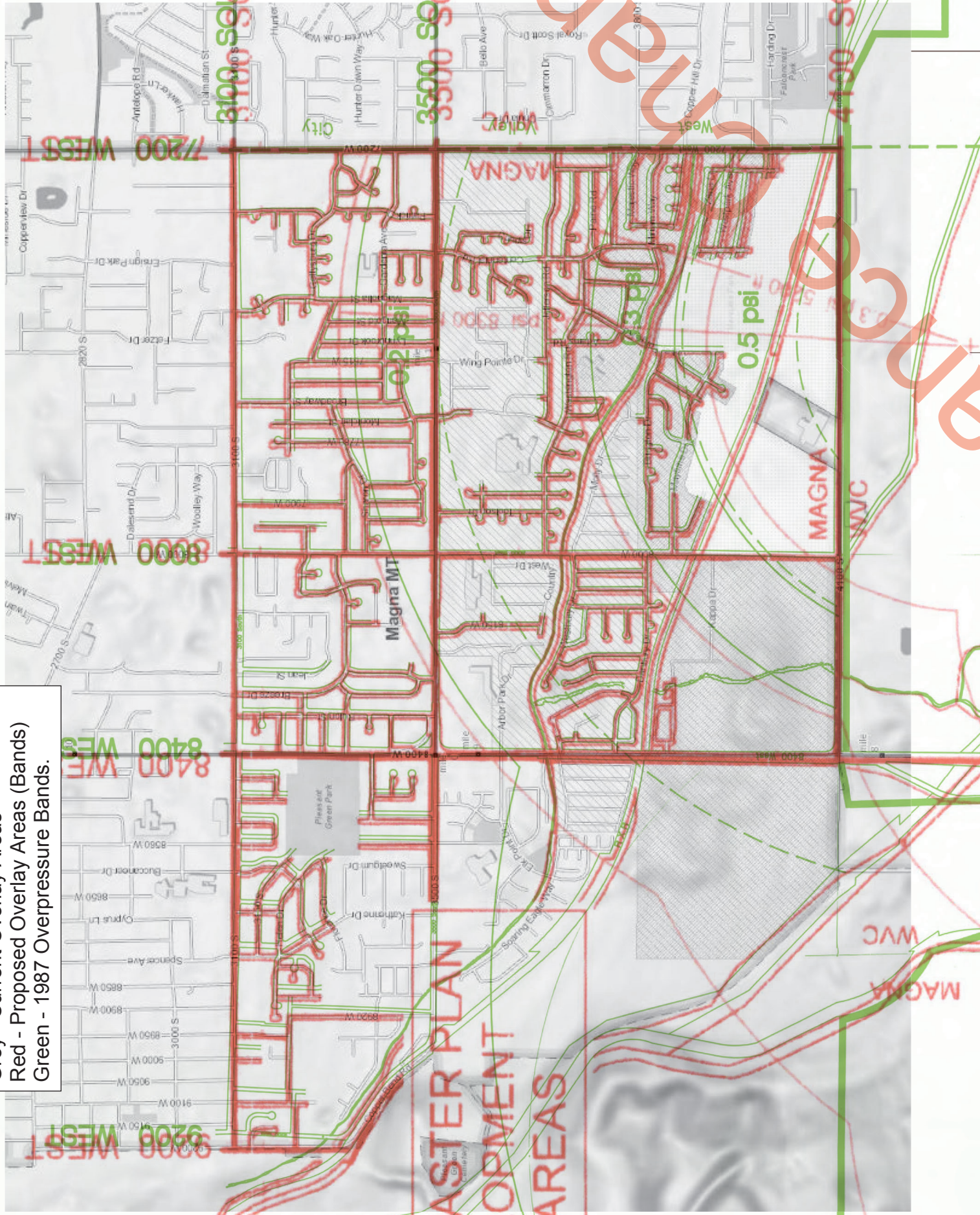


Overlay of 3 Maps:

Grey - Current Overlay Areas

Red - Proposed Overlay Areas (Bands)

Green - 1987 Overpressure Bands.







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<b>File # 30985</b>
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## **Rezone Summary and Recommendation**

**Public Body:** Magna Township Planning Commission

**Meeting Date:** July 11, 2019

**Parcel ID:** 14-21-300-023-0000/14-21-300-019-0000

**Current Zone:** A-1/zc

**Proposed Zone:** C-2

**Property Address:** 7955 W. U201 Hwy

**Request:** Rezone

**Planner:** Diana Martinez

**Planning Staff Recommendation:** Approval w/ zoning conditions

**Applicant Name:** Wright Development Group (Leslie Mascaro)

### **PROJECT DESCRIPTION**

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The applicant is proposing to rezone the property from the current A-1/zc (Agriculture -zoning conditions: exclude the use of duplexes and dwelling groups) to C-2 (Commercial).

### **SITE & VICINITY DESCRIPTION** (see attached map)

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The property is located on the northeast corner U-201 Highway and 8000 West. The property is vacant, and most of the immediate land around this property (to the west, south and east) is also currently vacant.

There are residential single-family dwellings approximately 850' to the south of this property, and single-family dwellings 400' to the southwest, across 8000 West.

U201 Highway separates this property from the manufacturing zoning to the north. There is also manufacturing zoning to the east.

### **GENERAL PLAN CONSIDERATIONS**

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The current General Plan for Magna Metro Township was adopted September 2012. The property is located on a mapped General Plan corridor which is planned for an area of "focused change" with an encouragement of compatible development.

**ZONE CONSIDERATIONS**

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Compliance with the General Plan and compatibility with the surrounding uses.	Yes
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**ISSUES OF CONCERN/PROPOSED MITIGATION**

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There are no issues of concern which have been identified with this proposal.

**NEIGHBORHOOD RESPONSE**

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No neighborhood response has been received as of the writing of this report.

**PLANNING STAFF ANALYSIS**

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The request is compatible with the General Plan Map and the goals of the Magna Community.

Staff believes the best land use for this property would be commercial use rather than residential use. Factors that support this belief are the following:

- The proximity of highway U-201, and the amount of traffic that comes off the highway into Magna.
- The retail and tax revenue potential for Magna Metro Township, that would be generated from commercial use rather than residential use.
- This property is more than 850’ from residential uses to the south, and over 400’ to the southwest.
- The surrounding properties will most likely be developed with commercial uses.

**PLANNING STAFF RECOMMENDATION**

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Staff recommends that the Magna Metro Township Planning Commission make a recommendation to the Magna Metro Township Council that the rezone request be approved with the following zoning conditions:

1. No duplexes, multi-family dwelling groups, group dwelling, PUD’s, or mobile home parks be developed on this property.
2. Applicant must complete a lot line adjustment with their property and the properties owned by Kennecott (Rio Tinto), prior to going before the Magna Metro Township Council for approval.



M-2

M-2

M-2

A-20

M-1

M-2

Clarification Canal

M-2

U201 Hwy

201

201

W 2400 S

W 2400 S

A-1/zc

W 2400 S

A-1/zc

M-1

A-1/zc

W Melville Dr

R-13

S Bryant Dr

R-13

S Melville Dr

8000 West

W Thoreau Dr

A-1/zc

Ritter Canal

R-13



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<b>File # 30752</b>
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## **Conditional Use Summary and Recommendation**

**Public Body:** Magna Metro Township Planning Commission

**Meeting Date:** July 11, 2019

**Parcel ID:** 14-32-300-002-0000

**Current Zone:** M-2

**Property Address:** 4088 So. 8400 W.

**Request:** Secondary Water Storage Reservoir

**Planner:** Diana Martinez

**Planning Staff Recommendation:** Approval w/conditions

**Applicant Name:** Magna Water Company (Clint Dilley)

### **PROJECT DESCRIPTION**

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The applicant is requesting approval to build a secondary water storage reservoir next to the existing water towers.

### **SITE & VICINITY DESCRIPTION** (see attached map)

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This property is located in the southwest corner of Magna. The surrounding land to the north and west is part of the newly approved Little Valley Gateway project.

The property to the direct south is Unincorporated County and is currently vacant.

The new High School will be built just to the northwest of this site.

### **GENERAL PLAN CONSIDERATIONS**

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The current General Plan for Magna Metro Township was adopted September 2012. The property is located on a mapped General Plan corridor which is planned for an area of "focused change" with an encouragement of compatible development.



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## **LAND USE CONSIDERATIONS**

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The property is part of the Little Valley Gateway project and has a designated area within that project.

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## **ISSUES OF CONCERN/PROPOSED MITIGATION**

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There are no issues of concern at the time of this report.

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## **NEIGHBORHOOD RESPONSE**

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As of the date of this application, no neighborhood response has been received.

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## **REVIEWING AGENCIES RESPONSE**

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Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

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## **PLANNING STAFF ANALYSIS**

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This request for a secondary water reservoir is a low-impact land use, which is a benefit to the community.

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## **PLANNING STAFF RECOMMENDATION**

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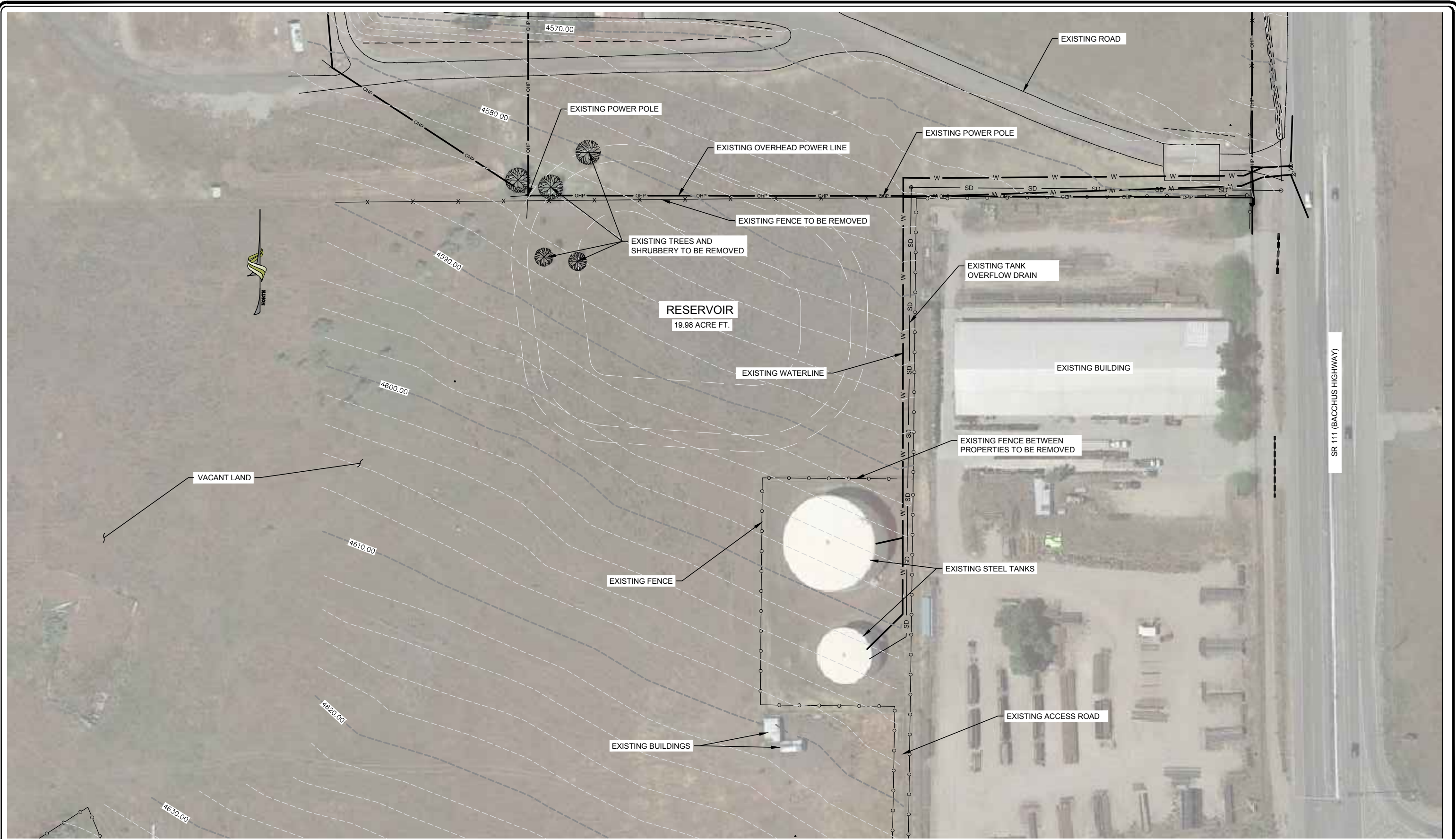
Staff recommends approval of this application, with the following conditions:

1. Applicant must complete a lot line adjustment to make this property a legal parcel. This must be completed prior to final approval of the application.
2. Receive and agree to the recommendations of the following agencies: United Fire, Grading, Drainage, Transportation Engineer, Geology, and Health and others. Final site plans shall reflect compliance with the requirements of these agencies.
3. Site to be fenced completely with a fencing material determined by the Planning Commission.











3341 SOUTH 4000 WEST  
WEST VALLEY CITY, UTAH 84120  
(801) 955-5605

50 EAST 100 SOUTH  
HEBER CITY, UTAH 84032  
(435) 654-6600

REVISION				
NO	DATE	REV. BY	REVISION	ISSUE



8885 W 3500 SOUTH  
MAGNA, UTAH 84044  
(801) 250-2118

PROJECT NAME:  
**ZONE 2 SECONDARY  
WATER RESERVOIR**

PROJECT LOCATION:  
**MAGNA, UTAH**

**SCALES**

11"x17": 1" = 100'  
24"x36": 1" = 50'

0 1'

BAR SCALE MEASURES 1" ON A  
FULL SIZE SHEET. ADJUST  
FOR A HALF SIZE SHEET.

DRAWN: SKD  
DESIGNER: KDC  
REVIEWED: DIO

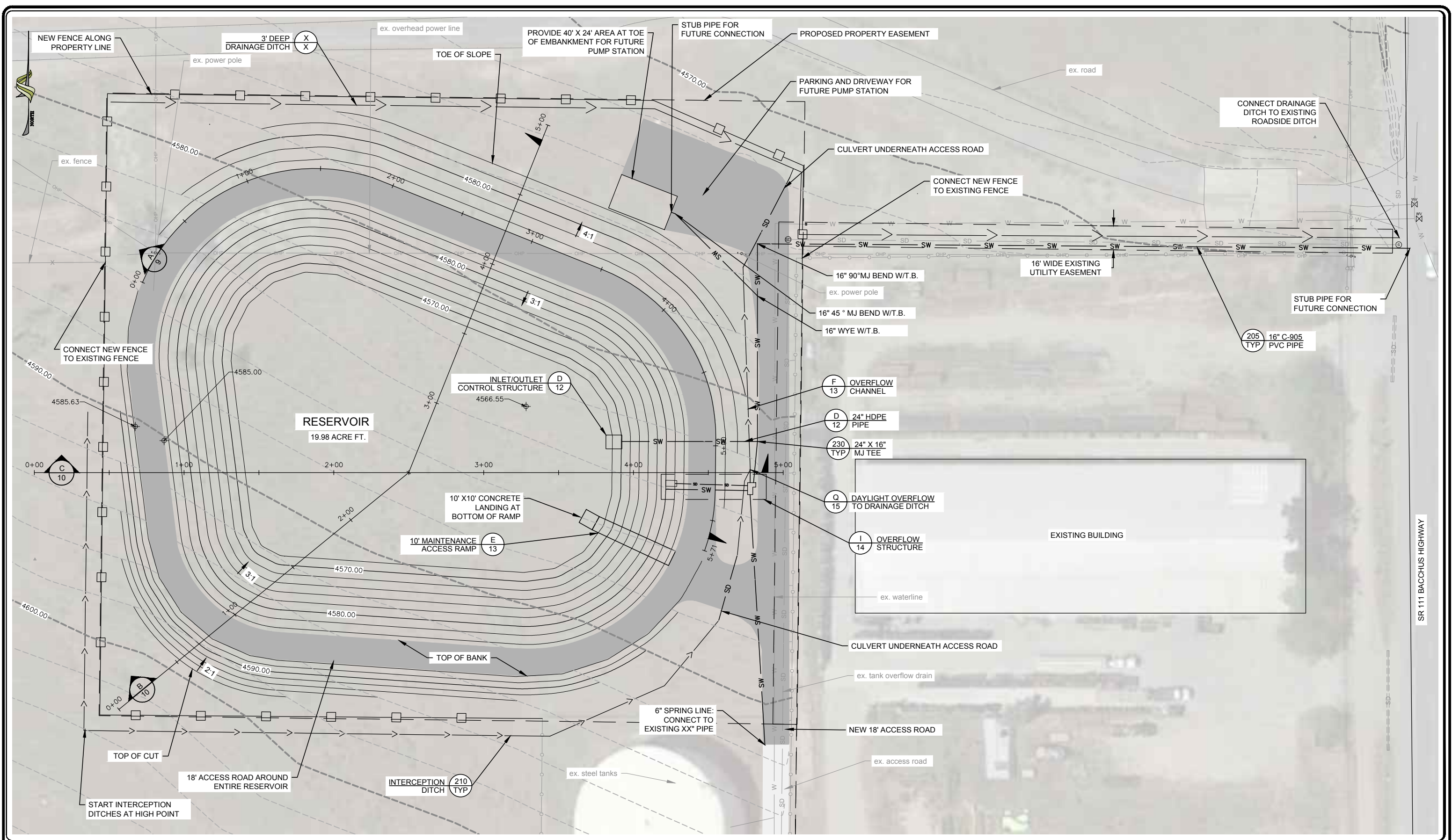
PROJECT #  
18-MW-269  
DATE:  
JUNE 2018

**SHEET TITLE**

**EXISTING SITE PLAN**

**4**





SR 111 BACCHUS HIGHWAY



3341 SOUTH 4000 WEST  
WEST VALLEY CITY, UTAH 84120  
(801) 955-5605

50 EAST 100 SOUTH  
HEBER CITY, UTAH 84032  
(435) 654-6600


REVISION				
NO	DATE	REV. BY	ISSUE	



8885 W 3500 SOUTH  
MAGNA, UTAH 84044  
(801) 250-2118

PROJECT NAME:  
**ZONE 2 SECONDARY  
WATER RESERVOIR**

PROJECT LOCATION:  
**MAGNA, UTAH**

SCALES  
11"x17": 1" = 60'  
24"x36": 1" = 30'  


DRAWN: SKD  
DESIGNER: KDC  
REVIEWED: DIO

PROJECT #  
18-MW-269  
DATE:  
JUNE 2018

SHEET TITLE  
**FINISHED SITE PLAN**

8