



**Planning and Development Services**  
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Case# REZ2021-000262

## Rezone Summary and Recommendation

**Public Body: Magna Council**

**Meeting Date: April 27, 2021**

**Parcel ID: 14-29-103-003-0000 & 14-29-103-004-0000**

**Current Zone: R-2-6.5 (Residential)**

**Proposed Zone: C-2 (Commercial)**

**Property Address: 8609 West Magna Main Street**

**Request: Rezone**

**Applicant Name: Unified Fire Department (Rep Steve Simmons)**

**MSD Planner: Diana Martinez**

**MSD Planning Staff Recommendation: Approval with zoning conditions**

### PROJECT DESCRIPTION

The applicant, Unified Fire Department (rep Steve Simmons), is proposing to rezone the subject properties in order to allow for a new fire station to be built on these lots. The subject properties are 0.57 acres in size. The proposed fire station building will not meet the required setbacks of the current R-2-6.5 (Residential) zone.

The majority of Magna Main Street is zoned commercial (either C-2 or C-3). Currently, there are a few remaining parcels along Magna Main Street with residential uses on them. These properties are zoned residential (either R-1-6/zc, R-M, or R-2-6.5).

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

The subject property is along the easterly end of Magna Main Street. There are a few parcels in this small section of Magna Main that are zoned R-2-6.5. The parcels to the direct east, and across Buccaneer Drive are zoned Commercial C-2, therefore the proposed rezone appears to be compatible and consistent with the existing zoning.

## GENERAL PLAN CONSIDERATIONS

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The new Magna General Plan was adopted on March 23, 2021. As per Magna's General Plan, the subject properties are located where there should be encouragement of development and redevelopment along Magna Main Street to strengthen its role as a historical center and urban district. Adopting zoning that addresses building form, setbacks, parking, landscaping, block structure, uses, and other components with Main Street to encourage appropriate redevelopment/development patterns to protect the historic character of Main Street while protecting property rights to encourage economic development.

## ZONE CONSIDERATIONS

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Requirement	Existing Zone R-2-6.5	Proposed Zone C-2
Height	35 feet	No more than six stories or not to exceed seventy-five feet
Front Yard Setback	25 feet	20 feet
Side Yard Setback	8 feet each side.	10 feet if adjacent to a residential land use, and if on a corner lot which faces a street shall not be less than 20 feet.
Rear Yard Setback	30 feet (15 feet with garage)	None, unless on a corner lot which rear upon the side yard of another lot in a residential zone, the minimum is ten feet.
Lot Width	60 feet min. at a distance 25 feet from the front lot line	None
Lot Area	8,000 sq. ft. for any main building	None

Compatibility with existing buildings in terms of size, scale and height.	yes
Compliance with Landscaping Requirements Verified.	n/a
Compliance with the General Plan.	yes

## ISSUES OF CONCERN/PROPOSED MITIGATION

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No issues of concern have been identified for the proposed rezone.

## NEIGHBORHOOD RESPONSE

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Notices were sent to the property owners within 300' of the subject property. No responses have been received as of the writing of this report.

## PLANNING STAFF ANALYSIS

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### 19.90.060 Conditions to Zoning Map Amendment

1. *In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:*
  1. *Uses;*
  2. *Dwelling unit density;*
  3. *Building square footage;*
  4. *Height of structures.*
2. *A zoning map amendment attaching any conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.*
3. *In the event any zoning condition is declared invalid by a court of competent jurisdiction, then the entire zoning map amendment shall be void. Any deletion in or change to zoning condition shall be considered an amendment to the zoning ordinance and shall be subject to the requirements of this chapter.*

### *HISTORY*

*Adopted by Ord. 17-01-03 on 1/17/2017*

## PLANNING STAFF RECOMMENDATION

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The MSD Planning Staff recommends that the Magna Council approve the proposed rezone of property from the R-2-6.5 (Residential) zone, to the C-2/zc (Commercial) zone, with the following zoning conditions:

1. That the only use allowed on this property is for public/quasi-public use for a fire station.
2. That the building height be restricted to thirty-five feet, as per Magna Ordinance 19.04.095 Height of Building.

## PLANNING COMMISSION RECOMMENDATION

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The Magna Planning Commission recommends that the Magna Council approve the proposed rezone of property from the R-2-6.5 (Residential) zone, to the C-2/zc (Commercial) zone, with the following zoning conditions:

3. That the only use allowed on this property is for public/quasi-public use for a fire station.
4. That the building height be restricted to thirty-five feet, as per Magna Ordinance 19.04.095 Height of Building.



