

MAGNA METRO TOWNSHIP

ORDINANCE NO. 21-09-03

DATE: September 28, 2021

**AN ORDINANCE OF THE MAGNA METRO TOWNSHIP COUNCIL
CREATING CHAPTER 19.15 OF THE MAGNA METRO TOWNSHIP CODE
TO AUTHORIZE ACCESSORY DWELLING UNITS IN CERTAIN
RESIDENTIAL ZONES AND TO ENACT RELATED REGULATIONS**

RECITALS

WHEREAS, Utah Code §10-2a-414(3) provides that a Salt Lake County ordinance will remain in effect as the ordinance of the Magna Metro Township (“**Magna**”) “until the metro township council amends or repeals the ordinance;” and

WHEREAS, Title 19 of the Magna Metro Township Code (the “**Code**”) governs zoning within Magna; and

WHEREAS, because the Salt Lake County originally adopted Title 19 prior to the incorporation of the Magna Metro Township, Title 19 as currently constituted is not specific to Magna and does not account for the metro township form of municipal government; and

WHEREAS, on November 19, 2019, Magna amended its general plan to include a moderate housing element to comply with the requirements of H.B. 295 and S.B. 34, which collectively enacted various moderate housing requirements for municipalities, including but not limited to requirements that municipalities of a certain size amend their general plans to include a moderate housing element; and

WHEREAS, the Magna moderate housing element calls for the development and adoption of an accessory dwelling unit (“**ADU**”) ordinance to assist in the creation of more moderate-income housing options in Magna; and

WHEREAS, of the various moderate housing options presented to the citizens of Magna during the development of the moderate housing element, the creation of an ADU ordinance and the reduction of regulations limiting the use of ADUs received the most support; and

WHEREAS, the Magna Metro Township Council (“**Council**”) instructed its planning and development staff to develop an ADU ordinance to implement the moderate housing plan’s ADU recommendations; and

WHEREAS, the Magna planning and development staff prepared a draft ordinance, which Magna’s attorney has reviewed, that would enact Chapter 19.15 of the Magna Metro Township Code to authorize and regulate ADUs in certain residential zones within Magna; and

WHEREAS, the Utah State Legislature passed H.B. 82 in the 2021 session mandating Interior Accessory Dwelling Units (IADUs) be permitted in all primarily residential zones and an ordinance is required to comply with the provisions of that law; and

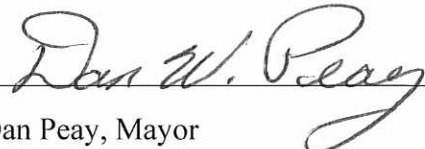
WHEREAS, after holding a public hearing and taking public comment pursuant to Utah Code Ann. § 10-9a-502, the Magna Planning Commission recommended that the Council adopt the ADU ordinance the planning and development staff developed; and

WHEREAS, the Council has reviewed the ordinance and determined that it furthers the goals of the moderate housing plan and will be in the best interest of Magna and its citizens.


NOW, THEREFORE BE IT RESOLVED BY THE MAGNA METRO TOWNSHIP COUNCIL that the attached ADU ordinance is adopted and will become effective upon publication pursuant to Utah Code Ann. § 10-3-711(1) and Utah Code Ann. § 10-3-712.

APPROVED and ADOPTED this 28th day of September, 2021.

MAGNA METRO TOWNSHIP COUNCIL

By: 
Dan Peay, Mayor

ATTEST


Sherrie Swensen, Clerk/Recorder

APPROVED AS TO FORM:


METRO TOWNSHIP ATTORNEY

VOTING

Council Member Hull voting	<u>Aye</u>
Council Member Peay voting	<u>Aye</u>
Council Member Peel voting	<u>Aye</u>
Council Member Pierce voting	<u>Aye</u>
Council Member Prokopis voting	<u>Aye</u>

(Complete as Applicable) Date of publication: <u>October 12, 2021</u> Effective date of ordinance: <u>October 12, 2021</u>
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