



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

Municipal Services District

To: Magna Township Planning Commission

From: Brian Tucker, MSD Planner

Date: March 10, 2022

Re: PUD acreage amendments: Projects involving multiple dwellings on less than 3 acres

Problem: MSD staff has repeatedly faced a problem with development proposals that involve multiple dwellings that are for sale (e.g., townhouse, attached single-family unit), when the site is less than 3 acres. The Magna zoning code currently only permits projects on smaller sites with multiple units if they are on one lot and for rent, rather than divided into separate lots and for sale.

Background: The Magna Municipal Code requires that a Planned Unit Development (PUD) have at least 3 acres. The PUD ordinance gives guidance on the standards for multi-family projects and creates a means by which those projects can be owner occupied. The Code also lists a number of uses, including multi-family, group dwellings, dwelling groups, single family project developments and residential development with any number of dwelling units per structure, per lot. These are all residential uses that can be approved based on the density tables in the applicable zone rather than lot size. In the case of dwelling groups and single-family project developments, the context of the code makes it clear that these projects are intended to be in one ownership, rather than each unit or dwelling being owner occupied. These uses also include language that provides some guidance on the requirements and standards by which they should be evaluated. This is not true of multi-family, group dwellings and residential development with any number of dwelling units per structure. These latter uses generally lack usable development standards or an approval process and cannot be made owner-occupied even though there is no clear reason they couldn't be. If the project area for one of these uses contained 3 acres, the MSD staff would use the PUD standards, but these projects often lack 3 acres and have been proposed with as little as .65 acres.

Proposal: Staff would like to amend the PUD ordinance, chapter 19.78 of the municipal code, to allow these uses to be processed as PUD's, using the PUD standards, including the ability to create owner occupied projects. Staff would like feedback from the Planning Commission on the desirability of such an amendment and on concerns that such an amendment would need to address.