



**MAGNA METRO TOWNSHIP COUNCIL**  
**Meeting Agenda**  
**March 8, 2022**

Webster Center  
8952 West Magna Main Street  
Magna, Utah 84044

**PUBLIC NOTICE IS HEREBY GIVEN** that the Magna Metro Township Council will hold a regular meeting on the **8<sup>th</sup> day of March 2022** at the Webster Center, 8952 West Magna Main Street Magna, Utah as follows:

**Portions of the meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.**

**This meeting will be held at the anchor location and electronically for members of the staff and/or public that may not want to attend due to continuing concerns regarding the COVID-19 pandemic or other health reasons. Seating is be limited and restricted to the Council, staff, participants, and limited numbers of the general public. The general public may attend electronically by following the information noted at the end of this agenda. \*\***

**6:00 PM – OPEN WORKSHOP MEETING**

1. Discussion / Clarification of Agenda Items
2. Discuss potential changes to the PUD ordinance to create a process to create owner occupied units out of multiple dwellings, group dwellings and other development types currently in the municipal code that allow more than one dwelling within a single structure but lack a means to subdivide those units and meaningful development standards *[Brian Tucker, Planner II]*
3. Legislative Update *[Audrey Wood, Lobbyist and Paul Ashton, Attorney]*
  - 3.1 Discuss Internal Accessory Dwelling Units (IADU) requirement for Business License
4. Other Business/Discussion Issues for Future Meetings
5. Close Workshop Meeting

**BUSINESS MEETING – (After up to a 10 Minute Break)**

1. CALL TO ORDER
2. Determine Quorum
3. Pledge of Allegiance
4. Unified Police Department Report *[Chief Del Craig]*
5. 4<sup>th</sup> of July Update *[Kari Duckworth]*
6. Approval of Minutes
  - 6.1 January 25, 2022
  - 6.2 February 8, 2022
  - 6.3 February 22, 2022

**7. PUBLIC COMMENTS (Limited to 3 minutes per person)**

Any person wishing to comment on any item not otherwise scheduled for public hearing on the agenda may address the Council at this point by stepping to the microphone and giving their name for the record. ***Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Governing Body.***

**8. PUBLIC HEARING- 7:00 PM**

**8.1** Discussion and Public Comments Regarding a Rezone Request of property located at 2645-2651 South 8900 West from R-2-6.5 (Medium Density Residential) to R-M (High-Density Residential) William Ford, Applicant [*Molly Gaughran, Planner*]

**ACTION:** Consider Approval of *Ordinance No. 22-O-03 An Ordinance Amending Title 19, Entitled “Zoning” of the Magna Metro Township Code of Ordinances, 2001, by Reclassifying Certain Property Located in Magna Metro township from the R-2-6.5 (Medium Density Residential) to R-M (High Density Residential) Zone*

**9. COUNCIL REPORTS**

**10. ADMINISTRATOR REPORT**

**11. ANNOUNCEMENTS**

**12. ADJOURN**

**\*\* To attend electronically, see below:**

**Magna Metro Township Council Meetings**

Tue, Mar 8, 2022 6:00 PM - 9:00 PM (MST)

**Please join my meeting from your computer, tablet, or smartphone.**

<https://meet.goto.com/228140445>

**You can also dial in using your phone.**

United States: [+1 \(408\) 650-3123](tel:+14086503123)

**Access Code: 228-140-445**

*Upon request with three (3) working days’ notice, the Greater Salt Lake Municipal Services District, in support of the Magna Metro Township, will make reasonable accommodations for participation in the meeting. To request assistance, please call (385) 468-6703 – TTY 711.*

***A copy of the foregoing agenda was posted at the following locations on the date posted below: Magna Metro Township website at [www.magnametrotownship.org](http://www.magnametrotownship.org) and the State Public Notice Website at <http://pmn.utah.gov>. Pursuant to State Law and Magna Ordinance, Councilmembers may participate electronically. Pursuant to Utah Code Ann. § 52-4-205, Parts of Meetings may be Closed for Reasons Allowed by Statute.***

***POSTED: March 7, 2022***



G R E A T E R   S A L T   L A K E

# Municipal Services District

To: Magna Township Council

From: Brian Tucker, MSD Planner

Date: March 8, 2022

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

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**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.



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**Chief Del Craig** reviewed traffic and parking issues and calls for service.



**Dave Sanderson** reviewed the Magna Metro Township financial report.



Council Member Hull, seconded by Council Member Prokopis, moved to approve the minutes of the Magna Metro Township Council meeting held on December 14, 2021. The motion passed unanimously.

**Mick Sudbury** stated the Council has previously discussed hiring an employee to help with Magna events. He thinks it is ridiculous to hire someone to plan events when the community should be involved. The Council contributes funds to various Magna organizations, and he recommends that each organization is given its own funds in their own account.

**Mark Elieson** stated he is concerned with how the MSD is paying for street sweepers. He watched a street sweeper, that was ran by two employees, go up and down his street four times. One sweep would have been sufficient, there is no reason to do it four times, it is excessive.

*Magna in Motion*

**Kari Duckworth** stated with events being cancelled because of COVID, she would like the Council to determine if it is okay to move forward with the planning of a 5K event. The last couple of events have not been well attended and to keep Magna in Motion relevant, she would like it to be more involved in Magna events.



DATE TUESDAY JANUARY 25, 2022

THEREFORE, BE IT RESOLVED, by the Council of Magna Metro Township, Magna, Utah:

SECTION 1. The Council hereby approves the Agreement between Magna Metro Township and LMS Unlimited, hereinafter known in Attachment A, and authorizes the Mayor to sign the contract to affect the same.

SECTION 2. This resolution shall take effect immediately upon passage.

APPROVED AND ADOPTED by the Magna Metro Township Council, Magna, Utah this 25<sup>th</sup> day of January, 2022.

MAGNA METRO TOWNSHIP:

/s/ DAN W. PEAY  
Mayor

ATTEST:

/s/ SHERRIE SWENSEN  
Salt Lake County Clerk  
Metro Township Clerk/Recorder

Council Member Hull, seconded by Council Member Pierce, moved to approve Resolution 2022-01-04. The motion passed unanimously.

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*Resolution 2022-01-05 – Contract with KMH Consulting*

**Paul Ashton** reviewed the following Resolution considering a contract with KMH Consulting LLC to perform certain legislative lobbying work on behalf of Magna:

RESOLUTION NO. 2022-01-05

Date: January 25, 2022

A RESOLUITON OF THE MAGNA METRO TOWNSHIP COUNCIL APPROVING  
THE CONTRACT OF KMH CONSULTING LLC TO PERFORM CERTAIN  
LEGISLATIVE LOBBYING WORK ON BEHALF OF MAGNA FOR THE 2022  
UTAH STATE LEGISLATIVE GENERAL SESSION

WHEREAS, the Magna Metro Township (“Magna”) is a municipality pursuant to Utah Code §§ 10-2a-402 *et. seq.*; and

WHEREAS, the Magna Metro Township Council (the “Council”) is the municipal legislative body for Magna pursuant to Utah Code §10-3b-501; and

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DATE TUESDAY JANUARY 25, 2022

Council Member Barney, seconded by Council Member Pierce, moved to approve the creation of an Equity, Diversity, and Inclusion Committee. The motion passed unanimously.

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## Feasibility Study and Process to Change Form of Government

**Paul Ashton** stated he recommends the Council conduct a feasibility study to help determine what form of government would be the best for Magna. The study can also help determine if Magna is in the position to leave the Greater Salt Lake Municipal Services District (MSD). This is a long process, and the citizens have to ultimately vote on the form of government. If the Council would like to move forward, he will work with Dave Sanderson, Financial Manager, to get an RFP out to begin the process of hiring someone to conduct the study.

**Council Member Hull** stated she would like to move forward with the feasibility study to help educate the Council on its options. She feels the metro townships are not looked at as equals and are not considered a city. If the metro townships had the autonomy, it would put them on an equal playing field. The legislature does not know what it created with the metro townships, and they do not listen to them.

**Council Member Barney** stated there is not a lot of say over how the taxes are spent, there is one person to advocate for the entire community. The MSD has not been transparent about where money goes and how much Magna is allocated. When he called to request that information, he was given the run around. The Magna Metro Township Council should be able to determine what it does with its own funding.

**Mayor Peay** stated he has never had a problem with the township being recognized in the various boards he serves on, and his vote counts just as much as other cities.

**Council Member Prokopis** stated he does not know if Magna could be a sustainable city; however, he does think it could happen in the future. A feasibility study needs to be completed before moving forward with any of these options.

**Council Member Pierce** stated she would like to move forward with a feasibility study. Residents in the community are not being represented equally.

Council Member Prokopolis, seconded by Council Member Hull, moved to direct Paul Ashton to work with Dave Sanderson on an RFP to begin the process of hiring an entity to conduct the feasibility study. The motion passed unanimously.

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### Use of CARES and ARPA Funding

The Council discussed the CARES Act and ARPA funding options and decided to get a plan in place to spend the funds.

DATE TUESDAY JANUARY 25, 2022

*Utah Code Section 10-3-606 – Rules of Order and Procedure*

**Council Member Barney** stated that Utah State Code requires the metro township to have rules of order in place.

The Council discussed what rules and procedures the Utah League of City and Towns created. They will review those to help determine which rules and procedures they would like to adopt.

## PC Zoning Requirements

This item was tabled and will be discussed at a future meeting.

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## Council Reports

*Unified Police Department (UPD) / Salt Lake Valley Law Enforcement Service Area (SLVLESA)*

**Council Member Prokopis** updated the Council on the UPD and SLVLESA Board meetings.

*Unified Fire Authority (UFA)*

**Council Member Hull** updated the Council on the UFA and UFSA Board meetings.

*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Peay** updated the Council on the MSD Board meeting.

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time,  
the meeting was adjourned.

SHERRIE SWENSEN

DATE TUESDAY JANUARY 25, 2022

METRO TOWNSHIP CLERK

By \_\_\_\_\_  
Deputy Clerk

CHAIR, MAGNA METRO TOWNSHIP COUNCIL

DATE TUESDAY FEBRUARY 8, 2022

THE MAGNA METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON TUESDAY, FEBRUARY 8, 2022, PURSUANT TO ADJOURNMENT ON TUESDAY, JANUARY 11, 2021, AT THE HOUR OF 6:00 P.M. AT THE WEBSTER CENTER AT 8952 WEST MAGNA MAIN STREET (2700 SOUTH), MAGNA, UT 84044.

COUNCIL MEMBERS PRESENT: ERIC BARNEY  
TRISH HULL  
AUDREY PIERCE  
STEVE PROKOPIS  
DAN PEAY, Mayor

OTHERS IN ATTENDANCE: PAUL ASHTON, LEGAL COUNSEL  
RORI ANDREASON, ADMINISTRATOR



**Mayor Peay**, Chair, presided.

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Council Workshop Meeting

The Council discussed the following agenda item:

- Magna United / Magna Community that Cares program
- Options for redistricting Magna Metro Township Council Districts
- Rules of order and procedure for the Magna Metro Township
- Lease with Webster Foundation
- Conflicts of interest forms
- Other business
  - Scooters
  - Cemetery
  - Meetings with the Magna Planning Commission on zoning issues
  - Lobbyist
  - 4<sup>th</sup> of July
  - Contributions & contribution ordinance
  - Staffing the Webster Center/appointments with Mayor Peay

Council Member Hull, seconded by Council Member Prokopis, moved to close the staff meeting and go into the public meeting. The motion passed unanimously.

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## Business Meeting



DATE TUESDAY FEBRUARY 8, 2022

THIS BEING THE TIME heretofore set for a public hearing to receive public comment regarding the following request:

Ordinance 22-O-01 amending Chapter 7.01 of the Magna Metro Township Municipal Code regarding cemeteries.

**Council Member Barney** stated he had some concerns. Without current plans to ensure the cemetery is always maintained by its own funding, there is a strong possibility that funding will need to be provided to sustain, support, fix, or remediate the cemetery. At that point, taxpayer dollars may come into play. It concerned him that the Magna Metro Township would give a cut rate to those outside of the municipality at a disadvantage to residents who are within the municipality. He did a lot of research and the cemeteries in Salt Lake, Utah, and Davis Counties are unanimous in residents being within the municipal boundaries.

Also, the ordinance says the fees are to be paid prior to burial, but other cemeteries say fees are to be paid prior to digging. Once the resources have already been expended to open the grave, that sets up the possibility of having to try to collect the money after. He suggested the ordinance say "prior to digging."

Additionally, he was concerned that height is to be determined by the cemetery staff, rather than it being in the ordinance. Other cemeteries in Salt Lake County have the height range from 32 inches to 38 inches, with the majority of them being at 36 inches. He did not have a preference on the height, but wanted it specified in the ordinance to prevent future problems of one person getting their requested height and another not being approved for a similar height.

Council Member Hull, seconded by Council Member Prokopis, moved to open the public hearing. The motion passed unanimously.

**Sharon Nichols**, Pleasant Green Cemetery Advisory Board, asked how the other cemeteries got out the information to the people requesting a headstone be put at the cemetery. People typically go to a monument company to pick out their monument before ever contacting the cemetery.

**Council Member Barney** stated he did go to monument websites, and they all specified that cemeteries have specific restrictions or requirements and to check with them before requesting a headstone.

**Ms. Nichols** stated she did not disagree with setting the height; she just wanted to make sure people could get that information before spending \$5,000-\$6,000 on a headstone that they cannot put on the grave. As far as paying before digging, that can be difficult since the cemetery does not have an office there. Ms. Andreason is working on getting an automated bill pay system up and running that might be able to address that dilemma.

Council Member Hull, seconded by Council Member Prokopolis, moved to close the public hearing. The motion passed unanimously.

DATE TUESDAY FEBRUARY 8, 2022

**Council Member Barney** asked if the cemetery staff was primarily dealing with funeral homes for payments.

**Ms. Nichols** stated 85 percent of business is done with funeral homes. The only other burials are cremation burials.

**Paul Ashton** suggested changing the ordinance to say payment should be made “before opening the grave.” The word “burial” is ambiguous.

Council Member Barney, seconded by Council Member Pierce, moved to amend the ordinance to change the line that states “all fees for digging are to be paid prior to burial” to “all fees for digging are to be paid prior to opening the grave.”

**Nunni Nichols**, NNW Enterprise, stated he did not see how this could work. People cannot get payment to the staff as quick as they need to dig the hole. Oftentimes, they are digging the night before the burial. Then, although they mark the site before digging, a lot of those sites are not diggable and they have to change the location. The Pleasant Green Cemetery is not like other cemeteries. NNW Enterprise's policy is that it will not put the body in the ground until it has a check, and it has never been a problem before.

**Council Member Prokopis** stated he thought this was a non-issue and did not want to handcuff the cemetery staff.

**Council Member Hull** stated once the Magna Metro Township gets the radar for the cemetery map, that will solve a lot of the problem.

**Council Member Barney** stated theoretically, if the cemetery is working with funeral homes, they are typically the ones who pay. He thought it was reasonable to expect payment when the call to dig a grave is made. He asked how long it would take for the online payment system to be set up.

**Ms. Nichols** stated she thought it would take about four weeks to get it up and tested.

Council Member Prokopolis, seconded by Council Member Pierce, made a motion to call for the question and end the discussion. The motion passed unanimously.

Council Member Barney, seconded by Council Member Pierce, moved to amend the ordinance to change the line that states “all fees for digging are to be paid prior to burial” to “all fees for digging are to be paid prior to opening the grave.” The motion passed 4 to 1, with Council Member Prokopis voting in opposition.

**Mr. Ashton** stated he talked to Mr. Nichols about a 36" height limit, and he thought that was a good height.

DATE TUESDAY FEBRUARY 8, 2022

**Council Member Pierce** stated she had no problem setting a standardized height, but she wanted a way for people to ask for a waiver if they wanted something taller. The height restriction would essentially cap the majority of monuments to that height.

Council Member Barney, seconded by Council Member Pierce, moved to amend Section 7.1.070(3)(a) to state single lot 40" in width, not to exceed 36 inches in height, unless a variance is granted by the Council, and added that same verbiage to the following line that says double lot 84" in width, and not to exceed 36 inches in height unless a variance is granted by the Council. The motion passed unanimously.

**Mr. Ashton** asked if the Council wanted to amend the ordinance on the boundaries.

**Council Member Barney** stated he could support the geography on the map as it sits now.

Council Member Hull, seconded by Council Member Prokopis, moved to approve the following Ordinance 22-O-01 as amended. The motion passed unanimously.

ORDINANCE NO. 22-O-01

DATE: February 8, 2022

AN ORDINANCE OF THE MAGNA METRO TOWNSHIP COUNCIL AMENDING  
CHAPTER 7.01 OF THE MAGNA METRO TOWNSHIP MUNICIPAL CODE  
REGARDING CEMETERIES.

WHEREAS, the Magna Metro Township ("Magna") is a Municipality pursuant to Utah Code §§ 10-2a-401 *et seq.*

WHEREAS, the Magna Metro Township Council desires to amend Chapter 7.01 of the Magna Metro Township Municipal Code regarding Cemeteries; and

WHEREAS, the Magna Metro Township Council feels this ordinance is in the best interest of the residents of the Magna Metro Township Council.

NOW, THEREFORE, BE IT ORDAINED by the Magna Metro Township Council, Magna, Utah:

Section 1. The Magna Metro Township Council hereby amends Chapter 7.01 of the Magna Metro Township Municipal Code regarding Cemeteries as found in Attachment A.

Section 2. This ordinance shall become effective upon publication or posting.

PASSED AND APPROVED by the Magna Metro Township Council in Magna, Utah this 8<sup>th</sup> day of February 2022.

ATTESTED:

FOR THE MAGNA METRO TOWNSHIP:





DATE TUESDAY FEBRUARY 8, 2022

WHEREAS, the Magna Water District has presented Magna with an interlocal agreement (subgrant agreement) with purchase information to request \$33,950.07 from Magna's CARES Act funds to cover Magna Water District's unbudgeted COVID-related costs, hereinafter known as Attachment A; and

WHEREAS, providing this financial assistance benefits Magna and softens the impacts caused to a service provider due to COVID-19; therefore be it

RESOLVED, the Magna Metro Township Council approves, and authorizes the Mayor to sign, the attached interlocal cooperation agreement with the Magna Water District (ATTACHMENT A) and authorizes the payment of \$33,950.07 to the Magna Water District to assist them in covering their unbudgeted COVID-related costs.

APPROVED AND ADOPTED by the Magna Metro Township Council in Magna, Utah this  
8<sup>th</sup> day of February, 2022.

ATTESTED:

FOR THE MAGNA METRO TOWNSHIP:

/s/ SHERRIE SWENSEN  
Sherrie Swensen  
Salt Lake County Clerk  
Metro Township Clerk/Recorder

/s/ DAN W. PEAY  
Dan W. Peay, Mayor

*Resolution 22-02-02*

**Mayor Peay** reviewed Resolution 22-02-02 approving the reappointment of J. Todd Richards as a regular Planning Commission member for a three-year term ending January 31, 2025.

Council Member Prokopis, seconded by Council Member Barney, moved to approve the following Resolution 22-02-02. The motion passed unanimously.

RESOLUTION NO. 22-02-02

DATE: February 8, 2022

A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL APPROVING  
THE REAPPOINTMENT OF J. TODD RICHARDS AS A REGULAR PLANNING  
COMMISSION MEMBER FOR A THREE-YEAR TERM ENDING JANUARY 31,  
2025

WHEREAS, the Magna Metro Township ("Magna") is a Municipality pursuant to Utah Code §§ 10-2a-401 et seq.

WHEREAS, pursuant to Ordinance 17-06-02, Planning Commission Members are appointed by the Metro Township Council to serve three-year terms;



DATE TUESDAY FEBRUARY 8, 2022

THEREFORE, BE IT RESOLVED by the Magna Metro Township Council, Magna, Utah:

Section 1. The Magna Metro Township Council hereby approves the reappointment of Ammon Lockwood as a Regular Planning Commission Member for the Magna Metro Township with the term ending January 31, 2025.

APPROVED AND ADOPTED by the Magna Metro Township Council, in Magna, Salt Lake County, Utah this 8<sup>th</sup> day of February 2022.

ATTESTED:

FOR THE MAGNA METRO TOWNSHIP:

/s/ SHERRIE SWENSEN  
 Sherrie Swensen  
 Salt Lake County Clerk  
 Metro Township Clerk/Recorder

/s/ DAN W. PEAY  
Dan W. Peay, Mayor

*Resolution 22-02-04*

**Mayor Peay** reviewed Resolution 22-02-04 approving the reappointment of Aaron Weight as a regular Planning Commission member for a three-year term ending January 31, 2025.

Council Member Prokopis, seconded by Council Member Barney, moved to approve the following Resolution 22-02-03. The motion passed unanimously.

RESOLUTION NO. 22-02-04

DATE: February 8, 2022

A RESOLUTION OF THE MAGNA METRO TOWNSHIP COUNCIL APPROVING  
THE REAPPOINTMENT OF AARON WEIGHT AS A REGULAR PLANNING  
COMMISSION MEMBER FOR A THREE-YEAR TERM ENDING JANUARY 31,  
2025

WHEREAS, the Magna Metro Township (“Magna”) is a Municipality pursuant to Utah Code §§ 10-2a-401 et seq.

WHEREAS, pursuant to Ordinance 17-06-02, Planning Commission Members are appointed by the Metro Township Council to serve three-year terms;

WHEREAS, on this date, the Magna Metro Township Council desires to reappoint Aaron Weight as a Regular Planning Commission member with a term ending January 31, 2025.

THEREFORE, BE IT RESOLVED by the Magna Metro Township Council, Magna, Utah:

DATE TUESDAY FEBRUARY 8, 2022

Section 1. The Magna Metro Township Council hereby approves the reappointment of Aaron Weight as a Regular Planning Commission Member for the Magna Metro Township with the term ending January 31, 2025.

APPROVED AND ADOPTED by the Magna Metro Township Council, in Magna, Salt Lake County, Utah this 8<sup>th</sup> day of February 2022.

ATTESTED:

FOR THE MAGNA METRO TOWNSHIP:

/s/ SHERRIE SWENSEN  
Sherrie Swensen  
Salt Lake County Clerk  
Metro Township Clerk/Recorder

/s/ DAN W. PEAY  
Dan W. Peay, Mayor

## Planning Commission Amendments

**Council Member Barney** reviewed the Planning Commission amendments to the PC Zoning requirements to require the “neighborhood” designation to require a percentage of two housing density ranges and address deficient 20’ minimum setback requirements. He wanted to address a housing gap in the community. The Magna Metro Township has a lot of entry level housing, but it needs more affluent, legacy-type housing. Requiring two housing densities in the neighborhood range (one being 4 units per acre) might drive that type of housing.

He also wanted to address the minimum setback of 20-feet. The typical full-size sport utility vehicle or truck is 20-22 feet long, so people living in these homes with a 20-foot setback cannot park a full-sized vehicle in their driveway without it hanging over the sidewalk. The Magna Metro Township Council has approved this minimum setback for Gabler's Grove, DR Horton, and now Mahogany Ridge, so a lot of units are going to have this problem for perpetuity. He would hope the Council could meet with Ivory Homes about Mahogany Ridge and maybe it would be willing to fix the problem.

**Council Member Prokopis** stated in hindsight, the parking situation is a nightmare in those developments. The Unified Fire Authority cannot get a fire truck down those streets when people are parked on both sides of the street.

**Council Member Hull** asked if it was too late to change the master agreement with Ivory Homes on Mahogany Ridge.

**Mr. Ashton** stated yes. Nothing can be changed for subdivisions that have already been approved, unless the developer does so voluntarily. All the Council can do is refer this matter to the Magna Planning Commission and have it bring back recommendations to the Council.

DATE TUESDAY FEBRUARY 8, 2022

Council Member Barney, seconded by Council Member Pierce, made a motion to refer this to the Planning Commission to consider amendments to the zoning requirements on Municipal Services District (MSD) parking issues. The motion passed unanimously.

## Ordinance

Council Member Hull, seconded by Council Member Barney, moved to approve the following Ordinance 22-O-02 as amended. The motion passed unanimously.

ORDINANCE NO. 22-O-02

DATE: February 8, 2022

AN ORDINANCE OF THE MAGNA METRO TOWNSHIP COUNCIL AMENDING  
CHAPTER 9.48 OF THE MAGNA METRO TOWNSHIP MUNICIPAL CODE  
REGARDING NOISE POLLUTION CONTROL

WHEREAS, the Magna Metro Township ("Magna") is a Municipality pursuant to Utah Code §§ 10-2a-401 et seq.

WHEREAS, the Magna Metro Township Council desires to amend Chapter 9.48 of the Magna Metro Township Municipal Code regarding Noise Pollution Control; and

WHEREAS, the Magna Metro Township Council feels this ordinance is in the best interest of the residents of the Magna Metro Township Council.

Utaah: NOW, THEREFORE, BE IT ORDAINED by the Magna Metro Township Council, Magna,

Section 1. The Magna Metro Township Council hereby amends Chapter 9.48 of the Magna Metro Township Municipal Code regarding Noise Pollution Control as found in Attachment A.

Section 2. This ordinance shall become effective upon passage, signature, and publication.

PASSED AND APPROVED by the Magna Metro Township Council, in Magna, Utah this 8<sup>th</sup> day of February 2022.

ATTESTED:

FOR THE MAGNA METRO TOWNSHIP:

/s/ SHERRIE SWENSEN  
Sherrie Swensen  
Salt Lake County Clerk  
Metro Township Clerk/Recorder

/s/ DAN W. PEAY  
Dan W. Peay, Mayor

DATE TUESDAY FEBRUARY 8, 2022



## Council Reports

*Unified Police Department (UPD) / Salt Lake Valley Law Enforcement Service Area (SLVLESA)*

**Council Member Prokopis** Council Member Prokopis stated SLVLESA's Board of Trustees met today and talked about alternative funding sources to offset the costs of policing, because it is up against the tax cap. Three options are being discussed – a fee-based system; raising the cap, which would take legislative action; and implementing a utility franchise tax. The board has enough funding for 2023, so it will have time to explore the other options. Then, the next UPD Board of Directors is next Thursday.

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*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Peay** stated the MSD Board of Directors is looking into bringing Public Works and Engineering from the County and putting them under the MSD. The MSD has indicated it would like to bring those together, but it will be the entity making that decision.

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*Unified Fire Authority (UFA)*

**Council Member Hull** stated the UFA Board of Directors meets next week. It is in the process of finding a new fire chief

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*Wasatch Front Waste and Recycling District (WFWRD)*

**Council Member Barney** stated today, the County Council adopted WFWRD's intent to reorganize as an independent district, and a public hearing for a final decision was set for March 22<sup>nd</sup>.

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*Magna Mosquito Abatement District*

**Council Member Pierce** stated at the last meeting, the Mosquito Abatement District discussed sending staff to upcoming conferences, and the budgeting for that. Also, it has submitted for its permitting for spraying in the spring.

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*Utah Inland Port Authority (UIPI)*

**Council Member Prokopis** read the following email he received a few days ago from Kirk Mendenhall:

"Hello Steve. In his opening remarks at the 2022 Utah Legislative session, House Speaker Brad Wilson said, let's strategically align the Inland Port Governing Board to match its statewide mission, suggesting he intends to reconfigure the Utah Inland Port Authority Board, so it has more rural members. Speaker Wilson also told reporters that fewer municipal representatives and more people with experience with industry and overseeing the development are needed on this board. As you know, the current board includes members from Salt Lake City, West Valley, Magna Township, and Salt Lake County. There is one rural representative, and the Governor has two representatives as well as legislative leaders, as well as the legislative leaders each have their own representative. I have now learned that legislation will be introduced this session that removes both Salt Lake City representatives from the UIPA board, as well as at least one of the representatives from Salt Lake County. Although not yet filed, I anticipate this may well occur at the eleventh hour of the session without public input, the same pattern that was followed when the UIPA was originally authored. I am opposed to the removal of any Utah Inland Port Authority Board members representing governments in Salt Lake County, including Magna. Most of UIPA's taxpayer backed construction projects will be in Salt Lake County where residents will bear the consequences of those projects. Most of the approximately \$190 million that UIPA controls will come from Salt Lake County taxpayers. UIPA already fails to provide accountability and transparency in the field. Diminishing Salt Lake County representation will only worsen the problem. All areas of Salt Lake County will suffer from increased air pollution and traffic, as well as numerous other environmental and health impacts from the Inland Port development. Salt Lake City, home to most of the port area has also sacrificed most of its property tax increment within the port jurisdiction. Those public funds will repay \$150 million in bonds that the Port Authority recently sold to build a transloading facility and rail links to the Union Pacific intermodal facility. People living in and around the Utah Inland Port jurisdiction, which includes Magna, are entitled to strong representation on the body making decisions that will impact their quality of life, property values, as well as the tax burden. As Magna's representative on the UIPA Board, I urge you to raise your voice in opposition to this blatant attempt to further disenfranchise Salt Lake County and potential Magna voters."

**Paul Ashton** asked Council Member Prokopis to forward that to staff, so they can get a copy to Cory Holdaway.

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### Other Council Reports

**Mayor Peay** stated he ordered the Christmas decorations, and they will be delivered in March. Then, Public Works will install them.



DATE TUESDAY FEBRUARY 8, 2022

**Council Member Barney** stated a number of the poles have broken bars or are missing knobs. He asked if Public Works would fix the poles.

**Mayor Peay** stated the MSD will repair those. It already repaired a lot of them before it put the banners up. However, it is expensive, and the Magna Metro Township will have to pay for that.



Closed

Council Member Hull, seconded by Council Member Barney, moved to go into closed to discuss the character, professional competence, or physical or mental health of an individual. The motion passed unanimously.

THERE BEING NO FURTHER BUSINESS to come before the Council at this time,  
the meeting was adjourned.

SHERRIE SWENSEN  
METRO TOWNSHIP CLERK

By \_\_\_\_\_  
Deputy Clerk

CHAIR, MAGNA METRO TOWNSHIP COUNCIL

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DATE TUESDAY FEBRUARY 22, 2022

**Chief Del Craig** stated he has reviewed the calls for service for 2021 and generated a report showing where the high call areas are. The report is sent to the COP team to keep an eye on those areas. A traffic safety plan is being put in place that will focus on crosswalks, school zones, and intersections. Officers will conduct crosswalk enforcement that will be funded by a highway safety grant. He would like the Councils input on what areas in their districts need to be enforced.

**Council Member Hull** stated drug take back day will on April 13.

**Chief Craig** stated the committee organizing the drug take back day is evaluating locations that will not interfere with businesses.



## Minutes

This item was pulled.



## Public Comments

**Jacqueline Sudbury** stated the development that is south of the Elk Run Nature Way has a fence in poor condition and she wants to know who is supposed to maintain the fence. The fence is unfinished wood and will not last long, something more permeant needs to be installed. She recommended that the Council make some code changes for Magna to deal with parking and congestion issues. In some of these areas fire trucks would not be able get down the street. There are apartments that do not have adequate parking and people are parking along the street. Residents that live in the DR Horton development are also parking on the street and not in their driveways.

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**Sara** (last name unknown) stated San Francisco has portable toilets for the public to use and believes that every city should have those available. With the influx of homeless individuals moving to Magna, there needs to be a place for them to use the restroom. She is tired of the people dealing drugs in her neighborhood, the needles laying around, drunks, and neighbors parking on her lawn. When her 81-year-old mother goes outside she is harassed by the neighbors who make racist comments to her and have threatened to kill Sara. The parking issues are a problem, an ambulance was unable to get down the street during an emergency where the man later died.

**Council Member Prokopis** stated that he received Sara's letter and distributed it to the other Council Members and UPD. He ensured her that the Council is working on those various issues.

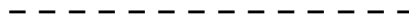
DATE TUESDAY FEBRUARY 22, 2022



## Community Stakeholder Reports

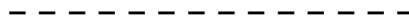
*Magna in Motion*

**Kari Duckworth** stated Magna in Motion is putting together a budget report showing where funds are being spent. She needs to know what items the Council wants presented and when it needs to be presented. They received grant money with the stipulation that it has three years to meet the goals set forth in the grant. One of the goals is organizing a farmers' market for Magna residents. She has the opportunity to work with West Valley City to organize a farmers' market that will benefit Magna and West Valley City. In the future they may be able to include Kearns and rotate the farmers' market between the cities. Residents use the walking path near the cemetery, and it would be beneficial to put a sign up with Magna in Motion's logo and how many steps have been taken. There is a community garden in the area that they would like to adopt a portion of. The food grown in its portion of the garden could be donated to families in need. The individual that helps organize the 5K has increased its fee to \$850.



*Magna Chamber of Commerce*

**Fonda Oliphant** stated they received ICAP funding that was funded through Salt Lake County with the purpose of identifying businesses that have been affected economically from COVID-19. The company that was hired to collect the information needs to hire a new employee, until that is complete the program is in limbo. The Chamber of Commerce intends to apply for new funding opportunities. She has heard the statement “needing to get the word out” regarding various issues that have been discussed. The Chamber of Commerce has a monthly newsletter, and they will include community announcements that the Council has.



### *Pleasant Green Cemetery*

**Sharon Nicholes** reviewed the February monthly report, stating there were three residential plots sold, and one adult burial with a Saturday upcharge. She has been working with Marla Howard, General Manager, Greater Salt Lake Municipal Services District (MSD), on setting up the ability to accept credit cards. They are working with a company to survey the cemetery using technology that can determine what is underground. There will be a demonstration at the cemetery; however, the cost is \$585 for two hours. She would like approval to use funds to pay for the demonstration to determine if it is worth surveying the entire cemetery. There are areas of the cemetery that are hard to dig into, the data gathered could help determine what areas of the cemetery can be sold. After the demonstration, the company will be able to provide a cost to complete the entire cemetery.

**Paul Ashton** stated there are a couple of options the Council has to approve the allocation of these funds. The procurement ordinance allows the mayor to approve the allocation of funds under a certain amount, this request could be approved under the mayor's discretion. By presenting the request for funding it allows the Council to express their opinions, ask questions, and then take a vote on the allocation.

The Council unanimously agreed to allocating the funds.

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**Mayor Peay** stated Dominion Energy is building a new plant in Magna and they want to get involved in the community. He spoke with them in the fall and looked at property that could be used for a dog park. Dominion Energy would like to set up a meeting in April or May to discuss the Councils expectations and what they can do to help. The Council will probably have to provide some of the funding for the dog park.



*Resolution No. 22-02-05 – 2022 Conflicts of Interest Disclosures*

Date: February 22, 2022

WHEREAS, in accordance with the Municipal Officers' and Employees' Ethics Act (§§ 10-3-1301, et seq., U.C.A., 1953 as amended) the Magna Metro Township Council ("the Council") have submitted their 2022 Conflicts of Interest Disclosures:





DATE TUESDAY FEBRUARY 22, 2022

*Utah Inland Port Authority*

**Paul Ashton** stated leadership at the legislature are creating bills to radically change the Utah Inland Port Authority. One bill will eliminate the board of trustees and replace it with a five-member board and three nonvoting members. The Senate President and House Speaker would each have appointees as well as an additional voting member they would jointly appoint with relevant business expertise. The governor would keep two members that are not government officials: one with economic development expertise and one from the business community. One of the three nonvoting members would be required to be a Salt Lake City Council Member whose district is within the port authority's jurisdiction. The other two nonvoting members will be chosen by the board and will need to have expertise in transportation and logistics. He met with lobbyists today and informed them that Magna has traditionally been supportive of the Inland Port Authority. With the Councils approval, he would like to additionally inform them that if the bills are passed and Magna does not have a seat on the board, the Council will not longer support it.

The Council unanimously agreed to direct Mr. Ashton to inform the legislature that it will not support the Inland Port Authority if Magna no longer has a seat on the board.

**Mr. Ashton** stated in addition, by removing Salt Lake City's voting membership on the board, the Inland Port Authority will get in exchange, a 25-year contract and a larger share of the future tax increment. There was no discussion on returning tax increment to Magna or West Valley. There are other boards that the legislature is trying to remove elected officials from. By removing the elected officials from the various boards, they believe they can avoid public comment and bypass the Open and Public Meetings Act requirements. There are organizations that do not think that will work because the Inland Port Authority is using taxpayer funds.

**Council Member Prokopis** stated he approves expanding the Inland Port Authority Board to include individuals with business expertise; however, he does not want Magna to be eliminated.

*Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)*

**Council Member Hull** stated the Board is looking at a seven to nine percent member fee increase next year due to inflation and providing a cost-of-living allowance (COLA) to employees. UFA fire station 102 had a liquefaction study completed and discovered that the old station was sitting on a liquefaction area. The soil will have to be stabilized to continue construction. The Millcreek City fire station construction was denied by FEMA because it sits on a floodplain. Since the Millcreek City fire station was part of the bond, UFA is having to work with the bond company to figure out how to use that money.

Fire school 101 will be held this year for any elected official that wants to go. UFA is working on a process to allow local government to name new fire stations. UFA Chief Dan Peterson is retiring, and a replacement will be announced in March.



DATE TUESDAY FEBRUARY 22, 2022

*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Peay** stated the MSD Board received a legislative update that took a big portion of the meeting. The MSD is in the process of hiring a chief financial officer.

*Magna United*

**Council Member Hull** stated she is working with Marla Howard, General Manager, Greater Salt Lake Municipal Services District (MSD), to move Magna United in house.

*Wasatch Front Waste and Recycling District*

**Council Member Barney** stated vouchers will soon be available at the Magna Library.

### *Magna Mosquito Abatement*

**Council Member Pierce** stated there was nothing to report.

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## Administrator Report

**Rori Andreason** stated she had nothing to report.

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## Other Announcements

**Council Member Pierce** stated she received a call from a constituent with concerns about the water department. She informed the constituent that the Council does not have authority over the water department, and the constituent should attend the Magna Water District Board meeting to express her concerns. The constituent had additional concerns about ongoing neighbor complaints and a dispute over property lines. She informed the constituent that the Council cannot enforce anything outside of the current codes in place, but the Council has been working on improving those codes. She also educated the constituent on what civil options were available. She instructed the constituent to contact the Salt Lake County Assessor's office

to see if they could come out and survey the property in dispute. She also provided contact information for other organizations that may be able to help the constituent resolve some of the issues.

**Council Member Hull** stated she talked to a citizen about the fence on 8000 West. The people that live along the fence are not doing anything to fix it. There is a code enforcement issue but there are not funds available. She would like to put this issue on a future agenda to discuss how repairs to the fence can be funded.

**Council Member Hull** stated in the past code enforcement would update the Council on issues they are working on. They have not been at a meeting in a long time and there are parking issues that need to be addressed.

**Paul Ashton** stated the Council needs to adopt a parking ordinance. Cities typically deal with parking issues by limiting the number of vehicles a home can have. After the legislative session is over, he will focus his attention to this issue.

**Council Member Hull** stated there are going to be more vehicles at a residence due to multiple families living in one house because the cost to rent or own is out of reach for a lot of people.

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DATE TUESDAY FEBRUARY 22, 2022

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time,  
the meeting was adjourned.

SHERRIE SWENSEN  
METRO TOWNSHIP CLERK

By \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
CHAIR, MAGNA METRO TOWNSHIP COUNCIL

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**Planning and Development Services**

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050  
Phone: (385) 468-6700 • Fax: (385) 468-6674 • [msd.utah.gov](http://msd.utah.gov)

**MEMO TO MAGNA METRO TOWNSHIP COUNCIL**  
**A REZONE FROM R-2-6.5 TO R-M**

**Public Body** Magna Metro Township Council  
**Parcel ID** 14-19-478-004-0000; 14-19-478-003-0000  
**Property Address** 2645-2651 South 8900 West, Magna, 84044  
**Request** Rezone from R-2-6.5 to R-M  
**Applicant** William R. Ford (Representing)  
**Meeting Date** March 8, 2022  
**MSD Planner** Molly Gaughran

**Project Description**

The applicant, William Ford, is requesting to rezone two parcels located at 2645-2651 South 8900 West, from R-2-6.5 (Medium Density Residential) to R-M (High-Density Residential). A rezone of the property would allow the property to be developed at a higher density. The land use requirements for development in the R-M could allow for up to 9 dwelling units on this site, notwithstanding other requirements such as off-street parking. The applicant proposes to combine the lots and develop eight dwelling units on the subject property. If potential issues are adequately addressed, the increased density would be supported by MSD Current Planning Staff for this property.

**Planning Commission Recommendation**

On February 10, 2022, Magna Metro Township Planning Commission forwarded a recommendation for approval to the Magna Metro Township Council for the rezone of the property at 2645-2651 South 8900 West to R-M/zc with the following zoning conditions:

1. That no building or structure exceed thirty-five feet in height; and
2. That no commercial uses shall be permitted, with the exception of home businesses.

**Attachments:**

1. Ordinance
2. Staff Report to Magna Metro Township Planning Commission

**MAGNA METRO TOWNSHIP  
ORDINANCE**

ORDINANCE NO. 22-O-03

Date: March 8, 2022

AN ORDINANCE, AMENDING TITLE 19, ENTITLED "ZONING" OF THE MAGNA METRO TOWNSHIP CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN MAGNA METRO TOWNSHIP FROM THE R-2-6.5 (MEDIUM DENSITY RESIDENTIAL) TO R-M (RESIDENTIAL) ZONE.

The Magna Metro Township, Salt Lake County, State of Utah, ordains as follows:

**Section 1:** Section, 19.06.020, The Zoning Map of the Magna Metro Township, Magna Municipal Code of Ordinances 2017, is hereby amended, as follows:

The property described in **Application REZ2021-000474** filed by William R. Ford and located at 2645 South 8900 West, within Magna Metro Township, is hereby reclassified from the R-2-6.5 zone to R-M zone, said property being described as follows:

PARCEL #: 14-19-478-004-0000; 14-19-478-003-0000

**LEGAL DESCRIPTION:**

LOTS 17 TO 21, INCL, BLK 2, LINCOLN ADDITION #1. TOGETHER WITH 1/2 VACATED ALLEY ABUTTING ON E. 4136-21 4501-0545 5432-0803, 5457-1606 THRU 1608 5457-1609 5693-1472 5693-14756009-2182 6103-0974 6118-1732 6147-2549 6254-1258 6364-2398 6792-2229.

CONTAINS 0.30 ACRES IN AREA.

LOT 22, BLK 2, LINCOLN ADD #1. TOGETHER WITH 1/2 VACATED ALLEY ABUTTING ON E. 4501-545 4718-0235, 5356-632, 633, 635 5356-0634 6136-2229.

CONTAINS 0.06 ACRES IN AREA.

Pursuant to Section 19.90.060 of the Magna Metro Township, Code of Ordinances, 2017, development of property is subject to the following conditions:

1. No building or structure exceed thirty-five feet in height; and
2. No commercial uses shall be permitted, with the exception of home businesses.

**Section 2:** The map showing such change shall be filed with the Magna Metro Township Planning Commission in accordance with Section 19.06.020 of the Magna Municipal Code of Ordinances, 2017.

**Section 3:** This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in the Magna Metro Township, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

**IN WITNESS WHEREOF**, the Magna Metro Township Council has approved and adopted this ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

FOR THE MAGNA METRO TOWNSHIP:

\_\_\_\_\_  
Dan W. Peay, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Paul H. Ashton  
Metro Township Attorney

ATTESTED

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk  
Metro Township Clerk – Recorder

VOTING:

Councilmember Barney voting \_\_\_\_\_

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

Mayor Peay voting \_\_\_\_\_

Councilmember Pierce voting \_\_\_\_\_

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

Effective Date of Ordinance:  _____
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Exhibit A. Site Map

2645-2651 South 8900 West, Magna, 84044





**Planning and Development Services**

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

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

[msd.utah.gov](http://msd.utah.gov)**File # REZ2021-000474**

## Rezone Summary and Recommendation

<b>Public Body</b>	Magna Metro Township Planning Commission
<b>Parcel ID</b>	14-19-478-004-0000; 14-19-478-003-0000
<b>Property Address</b>	2645-2651 South 8900 West, Magna, 84044
<b>Request</b>	Rezone to R-M
<b>Applicant</b>	William R. Ford (Representing)
<b>Meeting Date</b>	February 10, 2022
<b>Current Zone</b>	R-2-6.5
<b>MSD Planner</b>	Molly Gaughran

### PROJECT DESCRIPTION

The applicant, William Ford, is requesting to rezone two parcels located at 2645-2651 South 8900 West, from R-2-6.5 (Medium Density Residential) to R-M (High-Density Residential). A rezone of the property would allow the property to be developed at a higher density.

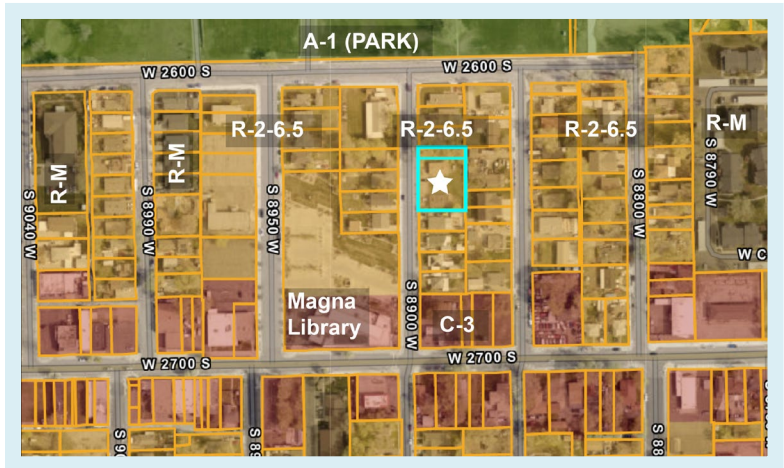
The applicant proposes to combine the lots and develop eight residential units on the subject property. The subject property is approximately 0.36 acre of land—the northern parcel being 0.06 acre and the southern parcel being 0.30 acre, more or less.

### SITE & VICINITY DESCRIPTION

The subject property is between 2600 South and 2700 South (Magna Main Street) on 8900 West Street. R-2-6.5 (Medium Density Residential) is the current zoning of the property, adjacent properties, and the majority of the surrounding neighborhood. Half of a block to the south of the property is Magna Main Street (C-3 zone, primarily) and the Magna Library. Half of a block to the north is Magna-Copper Park (A-1 zone).

The current land use on the subject property is residential, containing two duplexes for a total of four dwelling units. Most of the surrounding land uses are single-family residential, although there are several duplexes on surrounding streets. There are 12 properties in the neighborhood north of Magna Main Street that are zoned R-M with a range of densities from approximately 8 units/acre to 36 units/acre. The average density for properties zoned R-M in the area is 15 units/acre.

**Request:** Rezone R-2-6.5 to R-M



*Aerial parcel image and neighborhood vicinity of the subject property.*

## ISSUES OF CONCERN/PROPOSED MITIGATION

From a planning perspective, one concern with a rezone of this property to R-M, would be the allowance in the zone for a building to be up to 75 feet in height. The applicant does not propose a development of this height, but it would be allowed per the zoning code. A proposed mitigation is to utilize code section 19.90.060 to restrict the height of any development on this property to 35'. This would ensure development that is proposed on the site is to a compatible scale of the surrounding neighborhood, which has a maximum structure height of 35'.

Similarly, another concern with a rezone of this property to R-M, is the commercial permitted and conditional uses allowed in the R-M zone that may not be compatible with surrounding land uses. A proposed mitigation could be to utilize the same code section, 19.90.060, to prohibit commercial uses on the property, with the exception of home businesses.

## NEIGHBORHOOD RESPONSE

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

## GENERAL PLAN

The General Plan (2021) calls for both neighborhood stabilization and an upgrade to buildings and infill opportunities in the area. A rezone of this property complies with the General Plan, but the General Plan is neither strongly supportive nor strongly dissuading of such. A rezone would increase the density for the subject property, but would not dramatically change the density of the neighborhood, and would allow for a redevelopment project that could help to meet infill and redevelopment goals of the area. Below are specific sections of the General Plan in reference to this area of Magna.

**Request:** Rezone R-2-6.5 to R-M

### **The Historic Neighborhoods Area**

Magna Metro Township General Plan (2021) states the following regarding the neighborhood of the subject property:

*This area has the highest residential neighborhood densities in the Municipality at approximately 7 dwelling units per acre. Future development opportunities include possible development of the existing Cyprus High School site and limited infill opportunities. The most prevalent zoning designations are R-1-6 and R-2-6.5. Additionally, there is a multi-family residential development that is in an area zoned C-2 – Commercial.*

Magna Metro Township General Plan (2021) states the following for Future Land Use Considerations and Recommendations for the area:

*Provide for infill and replacement housing:*

- *Review current zoning and development provisions to ensure that infill and replacement housing is context sensitive*
- *Ensure zoning and development provisions ensure building mass, height, roof type and building materials are consistent with the surrounding neighborhood when the proposed project is located within an existing neighborhood*

### **The Future Land Use Map**

The subject property is located in the Neighborhood Stabilization Area of the Future Land Use Map.

### **Implementation & Work Plan**

NO.	ACTION	IMMEDIATE	2-5 YEARS	5+ YEARS	LEAD AGENCY / ORGANIZATION
Area 5: The Historic Neighborhoods Area (South of SR-201 to 3100 South, between 8400 West and western boundary)					
40	Implement Magna Main Street Catalytic Area strategies (above)	✓			Planning Commission
41	Continue to pursue and implement grants and opportunities to stabilize and upgrade buildings on Magna Main Street and in the Old Magna Neighborhood	✓	✓		MSD/ Planning Commission/ Magna Council
42	Work with Granite School District to identify a strategy for future use of the Cyprus High School Catalytic Area	✓			Magna Council
43	Advance efforts to capitalize on recently established historic district status	✓	✓		Magna Council
44	Create a study group to evaluate the expansion of the historic district to include part or all of the Old Magna Neighborhood	✓			Magna Council
45	Consider adoption of design guidelines for infill and replacement housing in the Old Magna Neighborhood to ensure preservation of the historic character of the area	✓			Planning Commission
46	Identify sources of funding to address gaps in sidewalk infrastructure as identified in the 2020 Magna Metro Township Transportation Master Plan.	✓			Magna Council
47	Identify sources of funding to address storm drainage needs in the Old Magna Neighborhood	✓			Magna Council
48	Increase code enforcement to ensure housing stock stability and enhance community pride.	✓			MSD
49	Identify funding source to improve former recreation center site as a neighborhood park	✓			Magna Council

## 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 of the 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.*

### **19.90.030 Determination Of Council**

*The county [Magna Metro Township] council, after review of the recommendation of the planning commission, may approve, deny, alter, or remand for further review and consideration any application for zone change referred to the council by the planning commission.*

### **19.44 R-M Residential Zone / 19.32 R-2-6.5 Medium Density Residential**

#### **Permitted Uses; Conditional Uses**

Conditional uses allowed in the R-M zone that are not allowed in the R-2-6.5 zone are the following: Airport; Apartments; Apartments for elderly persons; Banks; Bed and breakfast homestay (provided it is located on a lot which has a minimum area of ten thousand square feet); Bed and breakfast inn, which may include conference meeting rooms; Boardinghouse; Electrolysis of hair; Gymnastics, dance, dramatic, cosmetic, modeling and art studios for instructional purposes only; Hospital; Hotel; Lodging house; Massage (every massage technician shall be licensed by the state); Medical, optical and dental laboratories, but not to include the manufacture of pharmaceutical or other products for general sale or distribution, and also not to include the use of animals; Mobile home park; Nursing home; Office, business and/or professional; Parking lot; Rail transit mixed-use (provided it meets certain requirements); Reception center and/or wedding chapel; Reiki business (provided it meets certain requirements); Residential development with any number of dwelling units per structure per lot, pursuant to Section 19.44.040; Shared parking; and Tanning studio.

- ➔ **Finding:** The existing development complies with both zones. Compliance with allowed uses in the zone would be confirmed during the Land Use Permit phase for any new development. An eight-unit dwelling would be allowed as a Conditional Use, requiring the conditional use procedures as outlined in Chapter 19.84 Conditional Uses.

**Other Requirements**

REQUIREMENT	EXISTING ZONE (R-2-6.5)	PROPOSED ZONE (R-M)
<b>MINIMUM LOT AREA</b>	4,000 square feet for a lot containing 1 unit of a two-family dwelling. 6,000 square feet for a single-family dwelling. 6,500 square feet for a two-family dwelling. 8,000 square feet for any other main building.	5,000 square feet for each one-family dwelling, with 750 additional square feet for each additional dwelling unit in a dwelling structure having more than one dwelling unit.
<b>MINIMUM LOT WIDTH</b>	60 feet at a distance 25 feet from the front lot line.	50 feet at a distance 25 feet back from the front lot line.
<b>FRONT YARD</b>	25 feet.	25 feet.
<b>SIDE YARD (INTERIOR)</b>	8 feet.	For dwellings, 8 feet minimum for each side and 18 feet minimum for both side yards. 20 feet minimum for each side for other main buildings.
<b>REAR YARD</b>	15 feet with garage/ 30 feet without garage.	30 feet.
<b>BUILDING HEIGHT</b>	35 feet. 20 feet for accessory buildings.	Six stories or 75 feet. 20 feet for accessory buildings.
<b>COVERAGE RESTRICTIONS</b>	No accessory building or group of accessory buildings shall cover more than twenty-five percent of the rear yard.	No accessory building or group of accessory buildings shall cover more than twenty-five percent of the rear yard.
<b>DENSITY</b>	Single-family dwellings—7.0 units per acre Two-family dwellings—12.0 units per acre	Single-family dwellings—7.0 units per acre Two-family dwellings—12.0 units per acre Three-family dwellings—15.0 units per acre Four-family dwellings—18.0 units per acre Multi-family dwellings—25.0 units per acre* Rail transit mixed-use—No maximum

- ➔ **Finding:** The existing development complies with all requirements of the existing and proposed zones. Compliance with the requirements for any new developments would occur at the time of the Land Use Permit.
- ➔ **Note on Density:** The allowable density for multiple dwellings be determined by the planning commission on a case by case basis, considering the following factors: recommendations of agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan.

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## **PLANNING STAFF ANALYSIS Cont.**

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The rezone of these parcels to R-M will allow for a higher density on the property. The land use requirements for development in the R-M could allow for up to 9 dwelling units on this site, notwithstanding other requirements such as off-street parking. A rezone would also allow for a number of uses that are not currently allowed. If potential issues are adequately addressed, the increased density would be supported by MSD Current Planning Staff for this area. MSD Long Range Planning staff is also looking at this area to be included in a forthcoming Downtown Historic Plan, and offered support of such density in this area due to the proximity to Magna Main Street.

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## **PLANNING STAFF RECOMMENDATION**

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The MSD Planning Staff recommends that the Planning Commission forward a recommendation for approval to the Magna Council for the rezoning of the property at 2645-2651 South 8900 West to R-M/zc with the following zoning conditions:

1. That no building or structure exceed thirty-five feet in height; and
2. That no commercial uses shall be permitted, with the exception of home businesses.



2635 S 8900 W &  
2645-2651 S 8900 W  
Magna, 84044



111'

Existing  
Zone:  
R-2-6.5

150'

EXISTING  
DUPLEX

EXISTING  
DUPLEX

0000 W

S 8900 W

S 8900

# LETTER OF INTENT

Earl Lee Vincent  
7 Rollingwood Lane  
Sandy, UT 84092  
(801) 553-3519

November 16, 2021

To whom it may concern:

I've purchased the vacant property just North of the lots of 2645 and 2651 South 8900 West, Magna, UT 84044. These two lots each have a duplex built on them. Said duplex's need extensive repairs in order to continue to rent each.

My intent is to tear down the two duplexes, add the vacant lot to the two above stated lots, and build an 8-Plex on the property.

Thank you,

Earl Lee Vincent