



# MAGNA TOWNSHIP PLANNING COMMISSION – MARCH 16, 2023

## PUBLIC HEARINGS

REZ2023-000816 – The Magna Metro Township Council has initiated a public process to explore rezoning property located on Magna Main Street (2700 South), located between 8800 West and 9200 West from the existing C-3 (Commercial) and R-2-6.5 (Medium Density Residential) to the Downtown Historic District (DH) Mixed Use Zone. Acres: 22.5. Location: Magna Main Street, between 8800 West and 9200 West, 9180 West between 2600 South and 2700 South, and 8950 West, between 2600 South and 2700 South (See attached map).

Planner: Brian Tucker (Motion/Voting)

- BUSINESS MEETING
- I) Other Business Items. (As Needed)



## REZ2023-000816

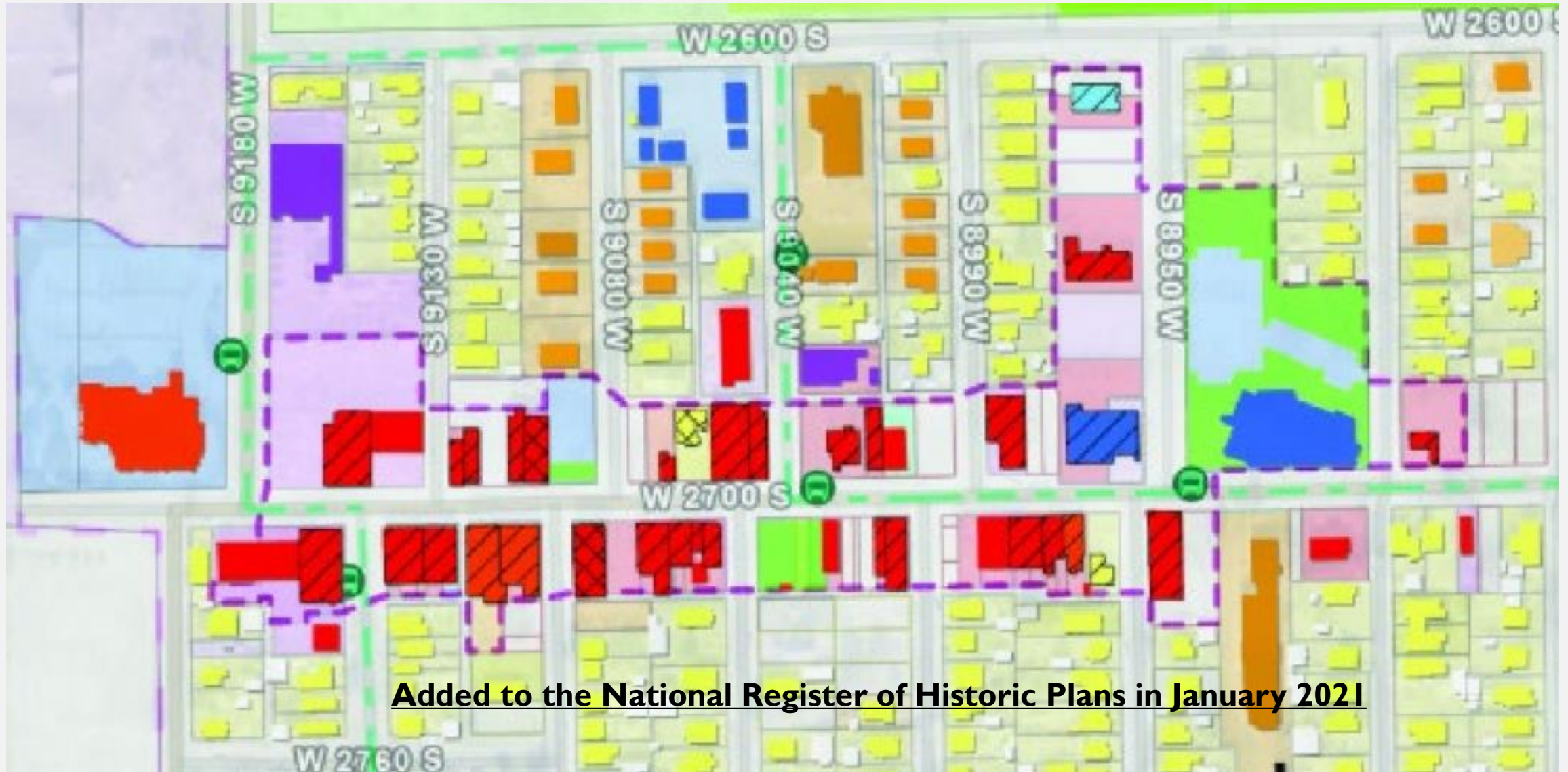
- The Magna Metro Township Council has initiated a public process to explore rezoning property located on Magna Main Street (2700 South), located between 8800 West and 9200 West from the existing C-3 (Commercial) and R-2-6.5 (Medium Density Residential) to the Downtown Historic District (DH) Mixed Use Zone
- Acres: Up to 22.5 acres
- Location: Location: Magna Main Street, between 8800 West and 9200 West, 9180 West between 2600 South and 2700 South, and 8950 West, between 2600 South and 2700 South
- Planner: Brian Tucker (Motion/Voting)

# BACKGROUND



- Magna Main Street is largely zoned C-3
- The C-3 zone was applied to Main Street when it was part of Salt Lake County
- Purpose of the C-3 zone is to “provide areas in the county [sic] for commercial uses, warehousing and wholesale businesses”
- The C-3 zone allows uses that are not typical of walkable, thriving downtowns
- The C-3 zone does not allow the construction of building types compatible with the historic building types due to setback and other requirements
- In July 2022, the Magna Council adopted a Downtown Historical Mixed-Use Zone to encourage building forms and businesses more compatible to a historical downtown area
- In February, the Magna Council passed a resolution to “initiate the process to define and rezone Magna Main Street Historic District and place it under the newly created Historic District Zone”

# HISTORIC DOWNTOWN COMMERCIAL DISTRICT



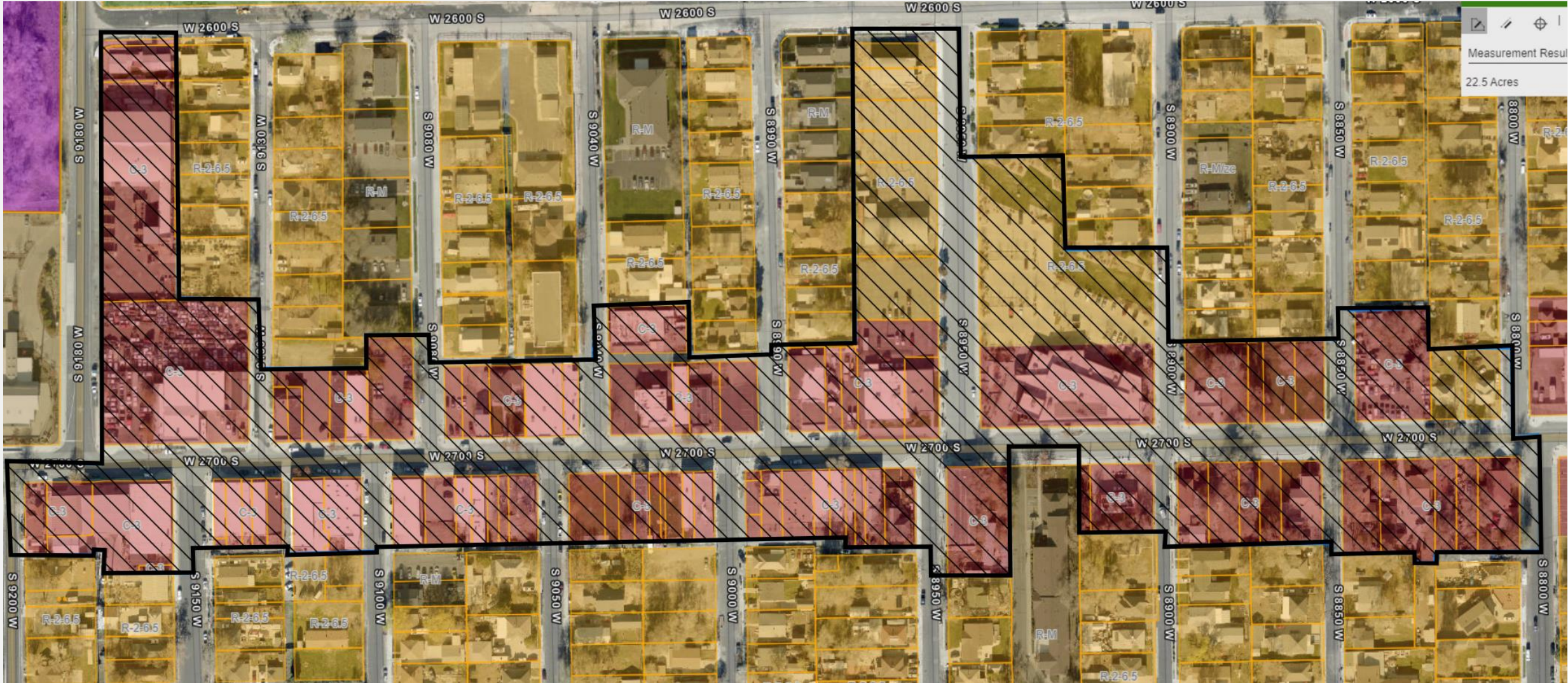
**Added to the National Register of Historic Plans in January 2021**

# MAIN STREET REZONE STUDY AREA

- As a result of the Council's resolution, Staff have identified a study area that includes all of the Commercial Downtown Historic District identified on the Nation Register of Historic Places, all of the adjacent C-3 property, and all Main Street adjacent property from 8800 West to 9200 West
- Notice of the Public Hearing was sent to 90 property owners within the study area, 174 property owners within 300' of the study area and 18 affected entities in compliance with Utah Code 10-9a-205
- Only the property within the study area should be considered for rezoning unless additional notice is sent, and an additional Public Hearing is held



# MAIN STREET REZONE STUDY AREA



## WHAT IF MY PROPERTY IS REZONED?

- Many, if not most, of the existing businesses will continue to be allowed under the new zone. These include:
  - Retail,
  - Specialty Retail,
  - Service Commercial,
  - Restaurants,
  - Entertainment and Theater,
  - Similar traditional, walkable storefront uses
- Zoning is generally not retroactively applied – Architectural Standards will be applied to new construction, rebuilds, exterior remodels and, in some circumstances, to additions

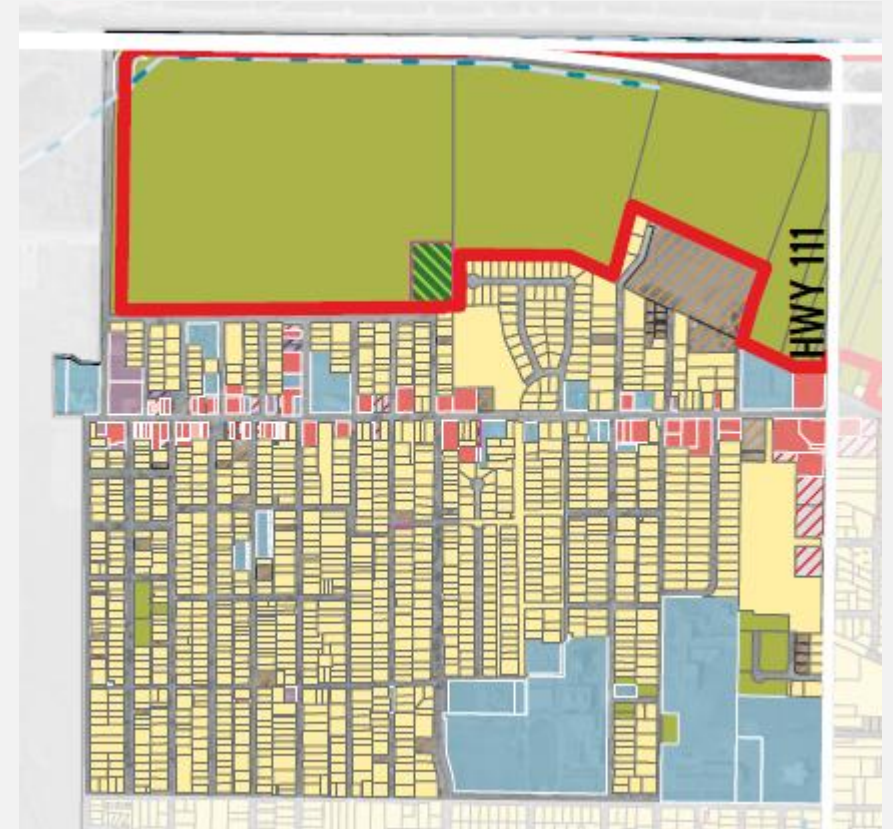
## WHAT IF MY PROPERTY IS REZONED?

- With two exceptions, the single-family homes within the study area are already non-conforming (under the existing C-3 Zone)
- Businesses that are not listed as permitted uses under the new zone will become non-conforming uses (grandfathered) if they were legally established
- Non-conforming uses are allowed to continue as long as they are not abandoned for 1 year



# GENERAL PLAN ANALYSIS - CONSIDERATIONS

- Magna Main Street is identified as a Historic Preservation Area in the 2021 Magna General Plan
- General Plan indicates that Magna should “*Create and adopt an Illustrative Plan, Regulating Plan, Building Form Standards and Public Space Standards for Magna Main Street*”
- General Plan indicates that the neighborhoods immediately north and south of Main Street be included within an extended historic district plan
- A Magna Main Street District Plan is in the works and is anticipated to be completed in Fall 2023
- This District Plan should guide land use decisions within the plan area
- Ideally the district plan would be completed prior to large scale rezoning efforts



THE HISTORIC NEIGHBORHOODS AREA

# ZONING ANALYSIS – BUILDING FORM



- The C-3 zone was applied to Main Street when it was part of Salt Lake County primarily because it is the only “C” zone not requiring a 20’ front setback
- C-3 zone requires side setbacks, which are not typical in a traditional downtown where “zero lot lines”, and buildings sharing a common wall pervade
- Allows buildings to 75’ in height
- Requires 50’ wide lots in an area where 17’-25’ lot widths are common
- C-3 zone requires a developer to build a building that is incompatible with current building stock

# BUILDING STANDARDS COMPARISON

## Height and Setbacks

Height/Stories

Front Setback Requirement

Side Yard Setback, Interior

Side Yard Setback, Corner Lot

Rear Yard Setback

## Current C-3 Zone

75'/6 stories

None

10' Min

20' Min

None/10' Res or Ag Zone

## DH Mixed Use Zone

50'/Min 2, Max 4 Stories<sup>1</sup>

0' Min/10' Max

0' Min/10' Max<sup>3</sup>

0' Min/10' Max

10' Min/20' Max

## Width, Coverage/FAR

Minimum Width

Lot Coverage/FAR

## Current C-3 Zone

50' at front setback<sup>4</sup>

60% Maximum

## DH Mixed Use Zone

18' at front setback<sup>4</sup>

Minimum 1.5:1 FAR

## Design Standards

Design/Architectural Standards

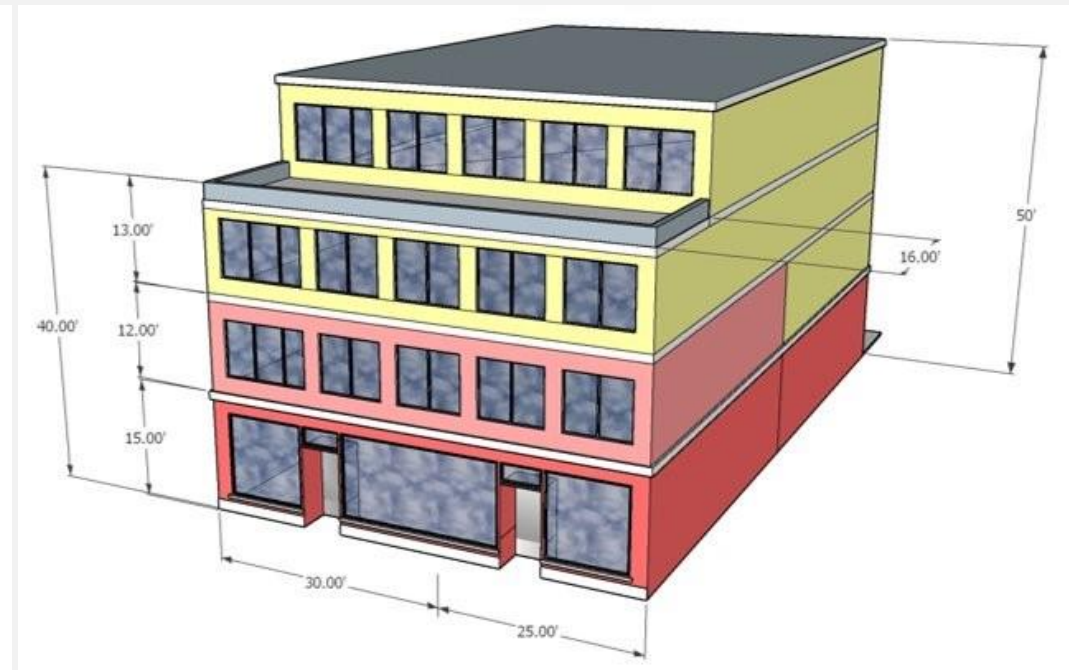
## Current C-3 Zone

None

## DH Mixed Use Zone

Substantial, See Ch 19.55,  
and Table 19.55.050

# DH MIXED USE BUILDING EXAMPLES



# ZONING ANALYSIS - USE COMPARISON

## DH Mixed Use

- Primarily Retail, Specialty Retail, Commercial Services, Commercial Office, Theater and other Entertainment Uses, Restaurants and other similar establishments
- Commercial Office on upper floors
- Mixed Use Residential – Apartments/Condo's above 1<sup>st</sup> floor

## C-3 Commercial

- Mixed Use residential not allowed
- Many of the same retail and service commercial uses allowed
- Non-traditional downtown uses such as warehouse and storage, impound lots, lumber yards, car washes, auto repair, mobile home parks, recycling collection points, drive in theaters, and auto sales, among others

## OTHER CONSIDERATIONS

As part of a larger effort to modernize Magna's Zoning Ordinance and tailor it to Magna's needs, it is anticipated that within 30-45 days of this hearing, Magna will adopt a Title 19 that includes a Neighborhood Mixed Use Zone, a Corridor Mixed Use Zone and a Downtown Historic District (DH) Mixed Use Zone with some minimal policy revisions.

When Title 19 is adopted, Magna will have two additional mixed-use zones, giving the community additional choices for portions of the Township where the Downtown Historic District (DH) Mixed Use Zone may not be the best fit.

# SCENARIO I

Rezone Scenario 1.



# SCENARIO I

- Benefits of Scenario I
  - Protects the largest area for mixed use development and requires high architectural quality until district plan adopted
- Drawbacks to Scenario I
  - Unlikely that the District Plan will recommend that entire area to be (DH) Mixed Use. As a result, some of these properties could be the subject of multiple re-zones, frustrating property owners.
  - Area between 8800 West and 8900 West has only 1 identified historical property, 1 car repair business and fifteen vacant or residential properties – Including this area means that 10 existing land uses become or remain non-conforming
  - Are these two blocks, part of a less commercial central portion of Main Street, more suited to the upcoming Neighborhood Mixed Use Zone?

Rezone Scenario 1.





# SCENARIO 2

Rezone Scenario 2.



# SCENARIO 2

Rezone Scenario 2.



- Benefits of Scenario 2
  - Protects a large area like Scenario 1, but excludes the block that would lead to additional non-conformities
  - Allows for a more specifically tailored zone for that block in the future
- Drawbacks to Scenario 2
  - Unlikely that the District Plan will recommend that entire area to be (DH) Mixed Use. Again, some of these properties could be the subject of multiple re-zones
  - Area between 8850 West and 8900 West has only 1 identified historical property – does this primarily residential area better fit the forthcoming Neighborhood Mixed Use Zone?
  - Should any rezone of property outside of the historical area recognized on the National Historic Register be rezoned to a Downtown Historical (DH) Mixed Use Zone prior to the adoption of the Magna Main Street District Plan?

# SCENARIO 3

Rezone Scenario 3.



# SCENARIO 3

- Benefits of Scenario 3
  - Protects the core historic district from development under the inadequate C-3 zone
  - The (DH) Mixed Use zone was written to match the historic character of these buildings and create additional vibrancy in the downtown
  - Several property owners have already re-zoned to or initiated a re-zone to (DH) Mixed Use. Those owners find this zone to be more flexible and better suited to the market than the C-3, and the resulting development plans are consistent with what the community expects for this area
- Drawbacks to Scenario 3
  - Revisions to Title 18 and 19 are coming soon and the district plan is underway. While a re-zone under this scenario is not likely to contradict the recommendations of the plan or the revised zoning, there could be additional items that the PC and Council want to consider before taking action

Rezone Scenario 3.



## SCENARIO 4

### No Change Scenario

- Wait until Historic Neighborhoods Area Plan is complete
- Historic Neighborhoods Plan informs rezone or rezones within the Plan Area
- Estimated Completion, Fall 2023
- Applicants for building permits encouraged to rezone to DH Mixed Use Zone

## STAFF RECOMMENDATION

- Because the Magna Main Street District Plan has not been completed or adopted, the Planning Staff Recommends that Scenario 3 be implemented
- There is little harm in adopting Scenario 3 since it is unlikely that the Magna Main Street District Plan will recommend an area smaller than the identified historical district, which is the district the (DH) Mixed Use Zone was created for
- When the Magna Main Street District Plan is adopted, it will be easier to expand the area subject to the (DH) Mixed Use Zone than it will to contract it