

# Dakota Lane Subdivision

## Street Improvement Exception Request

Parcel ID: 14-28-126-035-0000

Current Zone: A-1/zc

Property Address: 7736 W 2820 S

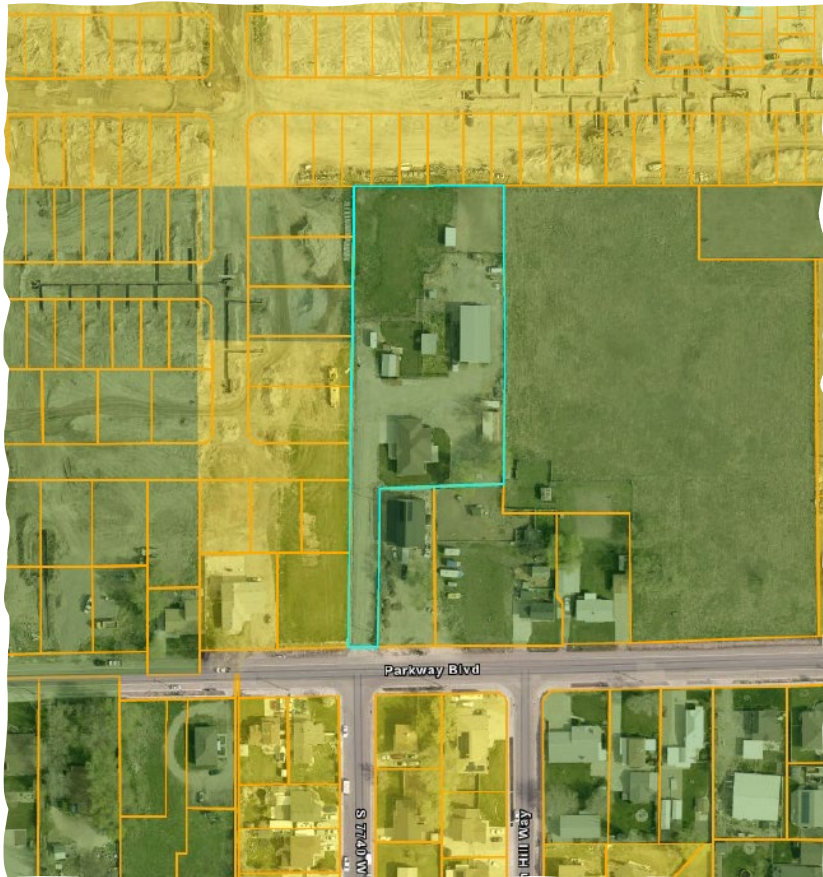
Request: Exception from Right-of-Way Improvements

Planner: Shad Cook Planning Staff Recommendation: Recommend approval to Magna Council

Applicant Name: Chris Taylor

# Dakota Lane Subdivision

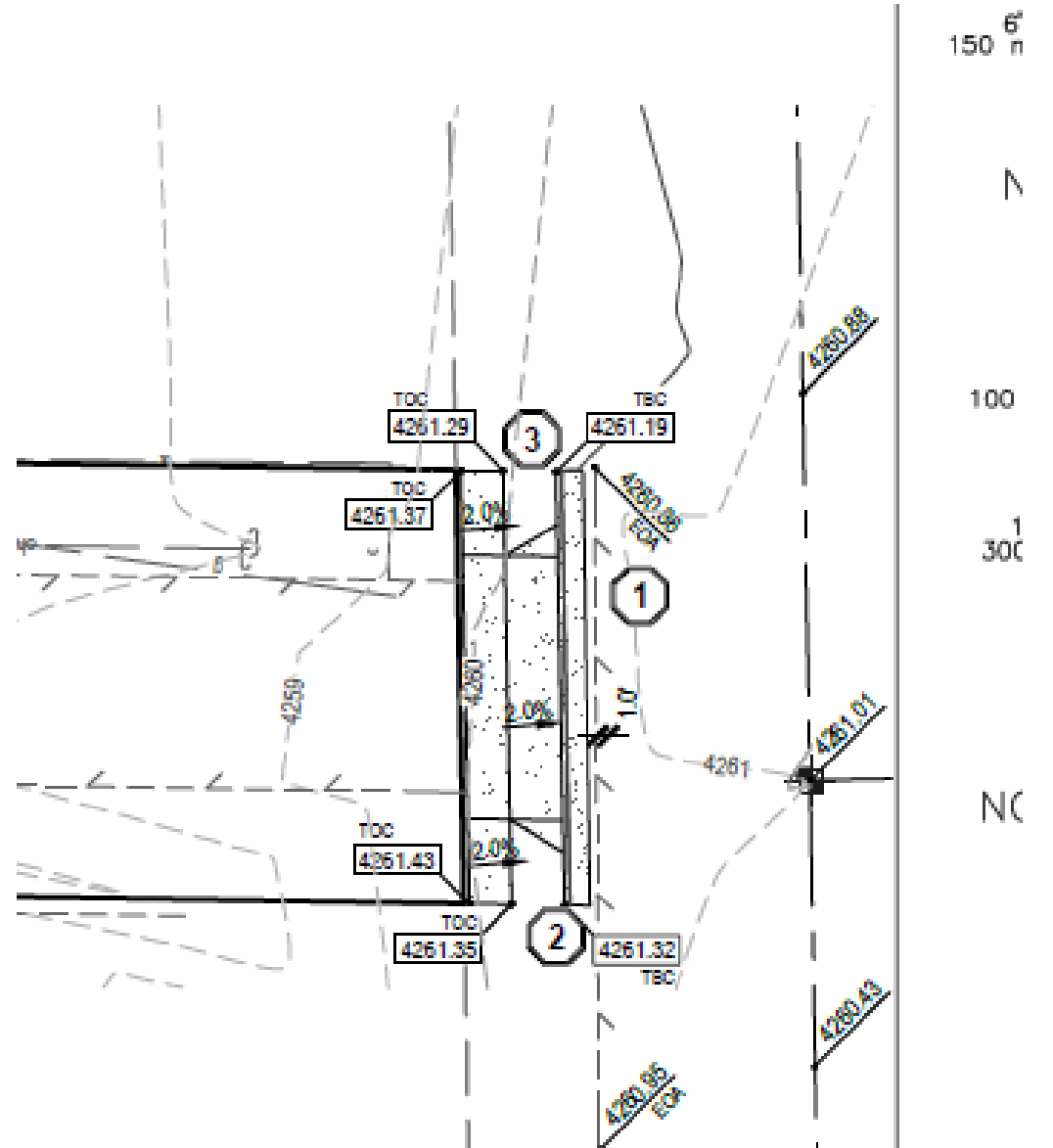
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- The Dakota Lane Preliminary Subdivision Plat was approved by the Magna Planning Commission in October 2021.
- Final agency approval for the subdivision was granted in November 2022.
- A grant will fund a UDOT improvement project along 2820 S, which covers the frontage of this subdivision.
- The applicant is requesting that the project be exempt from installation and/or bonding requirements.

# Staff Analysis

- Developers are generally responsible installing street improvements.
- The ordinance allows for exceptions from this requirement where exceptional conditions exist.
- The Council may grant the exception after receiving recommendation from the Planning Commission.
- The exception cannot cause a substantial detriment to the public good. No concerns regarding public safety were identified by reviewing agencies.
- The project seems to meet the standards necessary for an exception to be granted.



# Agency Response

Salt Lake County Engineering provided a letter (see staff report), in which they recommend approval of the exception with the condition that the project complies with the forthcoming Permit To Enter and Construct.

## Planning Staff Recommendation

Planning staff recommends that the Magna Planning Commission forward a recommendation of approval to the Magna Council with the following conditions:

1. That the applicant works with MSD staff and outside review agencies to comply with final plat procedures prior to plat recordation of the associated Dakota Lane subdivision.
2. That the applicant complies with the forthcoming Permit to Enter and Construct as suggested by Salt Lake County Engineering.



# MAGNA METRO TOWNSHIP PLANNING COMMISSION

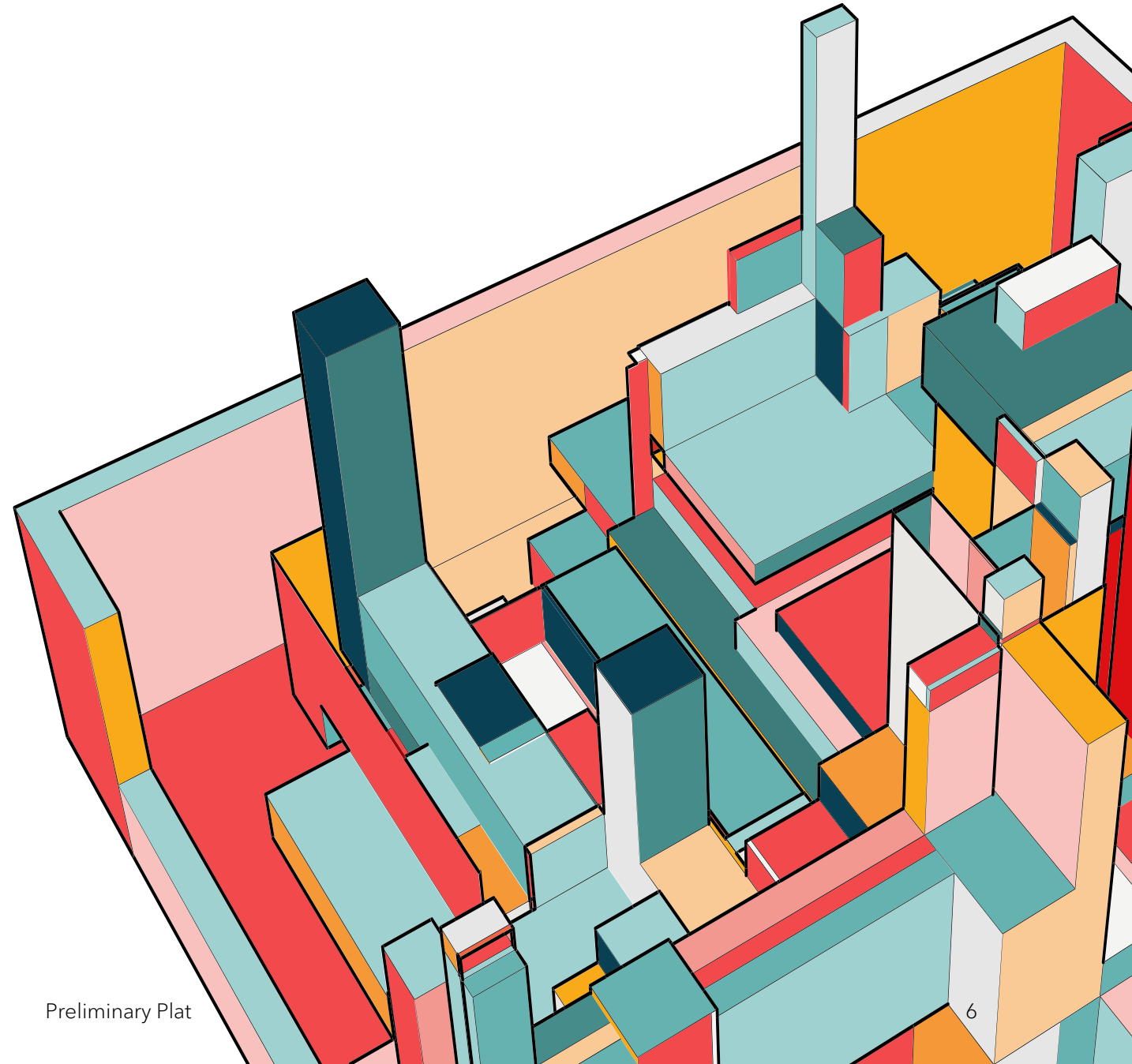
April 13, 2023



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# PUD2022-000659

- Ben Hansen (Ivory Homes) is requesting preliminary plat approval for the Mahogany Ridge (Phase 1) Planned Unit Development (PUD) Subdivision. **Acreage:** 78.48 acres. **Location:** 8230 West 4100 South. **Zone:** P-C (Planned Community) Zone. **Planner:** Jeff Miller (Motion/Voting)



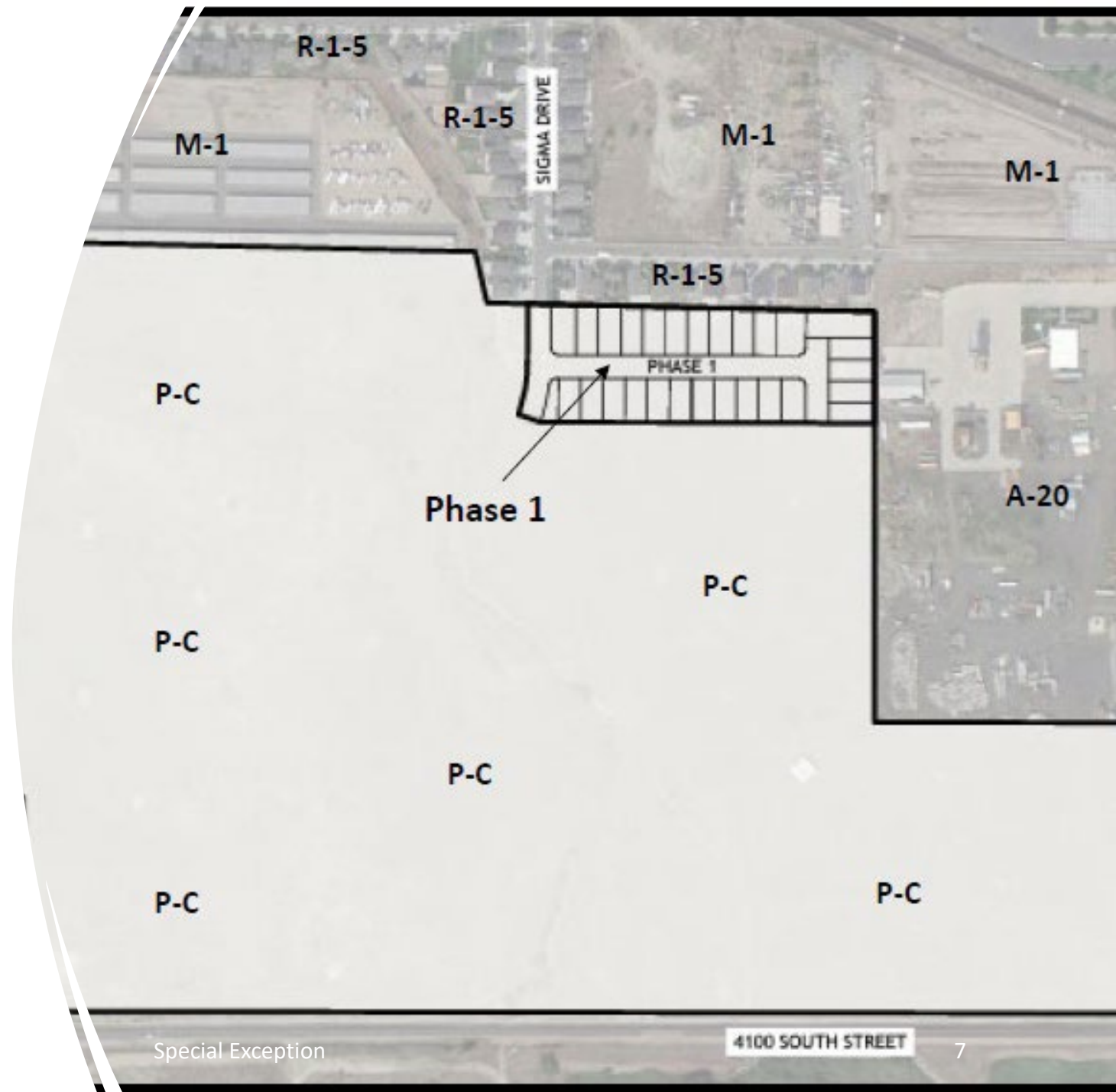
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Preliminary Plat

# AERIAL MAP

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Special Exception

4100 SOUTH STREET

# EXISTING SITE







# STAFF ANALYSIS

- This is the 1<sup>st</sup> phase of the Mahogany Ridge Planned Community, which was approved in 2021.
- Development Standards for this project are contained in the P-C Zoning Ordinance and the Master Development Agreement, which was adopted on October 5, 2021.
- Phase 1 includes a Parcel A, which will be used as open space within the development.
- At full build out, the Mahogany Ridge Planned Community will include a variety of housing types and lot sizes.
- All reviewers have provided approval for the proposed preliminary plat, including planning staff.



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# HEARING AND DISCUSSION

The applicant has met the criteria to allow for the planning commission to approve the preliminary plat for the Mahogany Ridge (Phase 1) PUD Subdivision. Planning Staff recommends that the Magna Metro Township Planning Commission approves the preliminary plat, subject to the following conditions of approval:

1. The applicant will work with MSD Staff and outside reviewing agencies to comply with the final plat procedure (as outlined in 18.18.010 (D), prior to plat recordation.
2. Buidling Permits will not be issued until all required improvements have either been installed and/or bonded fo and the subdivision plat has been recorded.

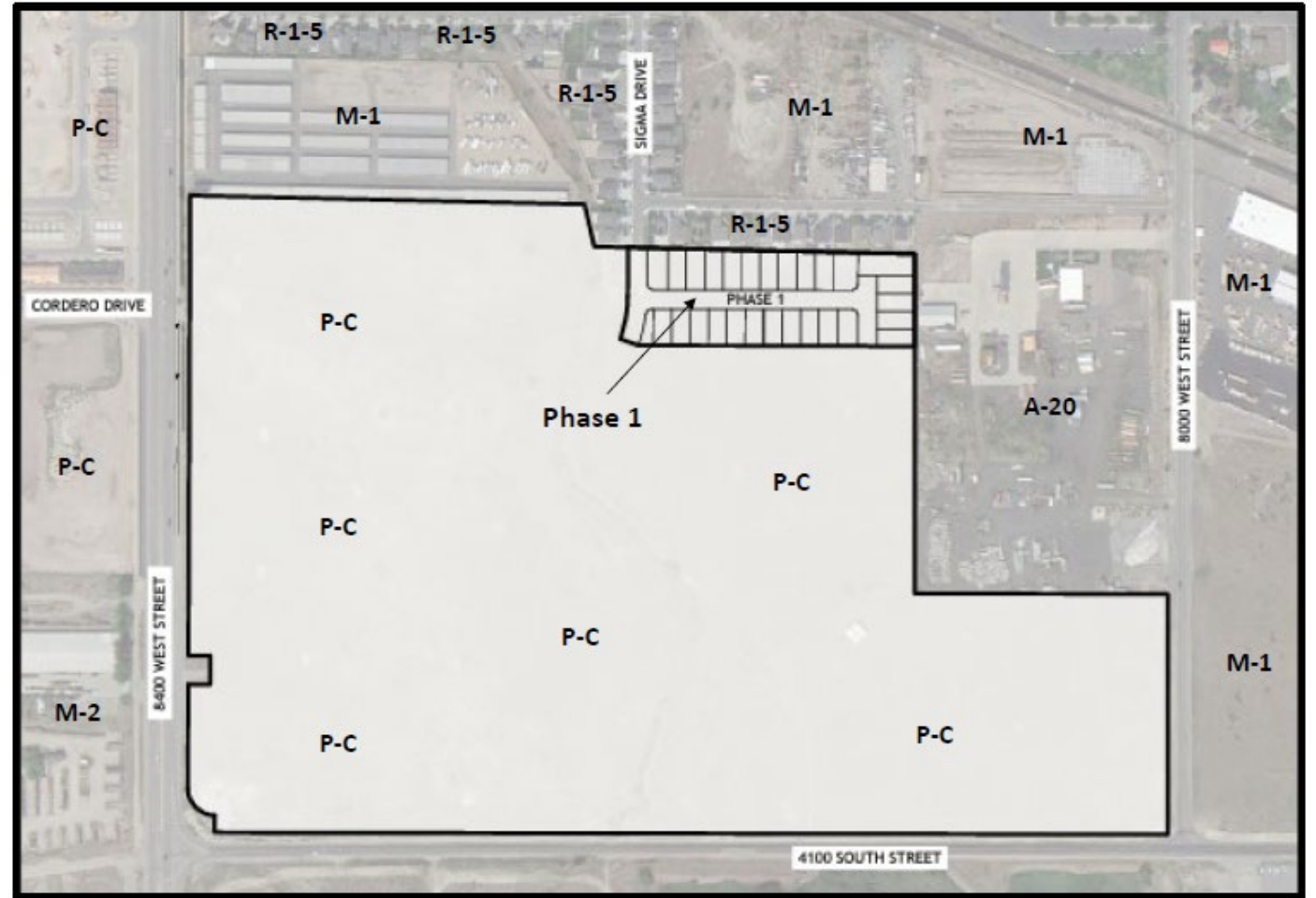


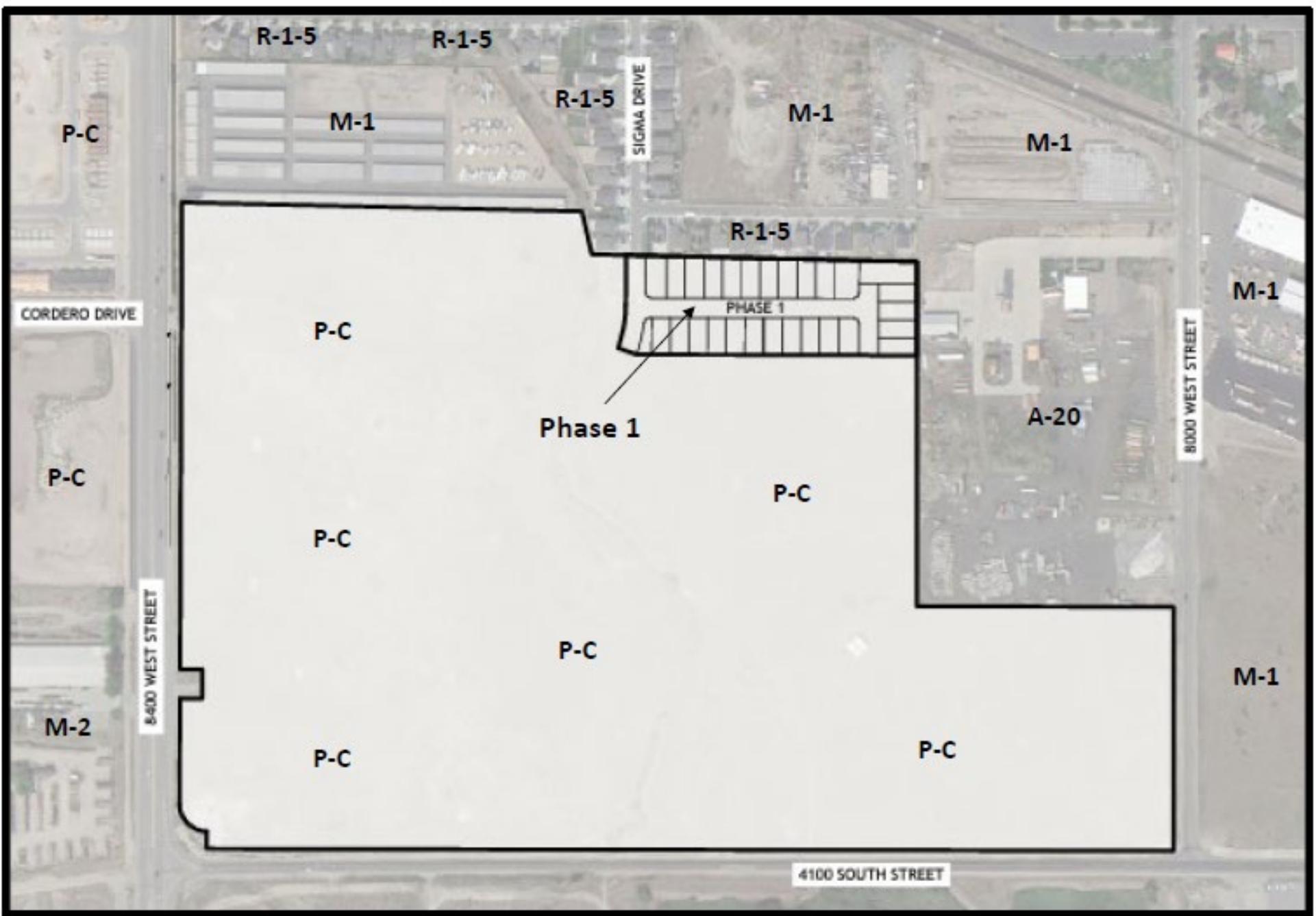
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# HEARING & DISCUSSION

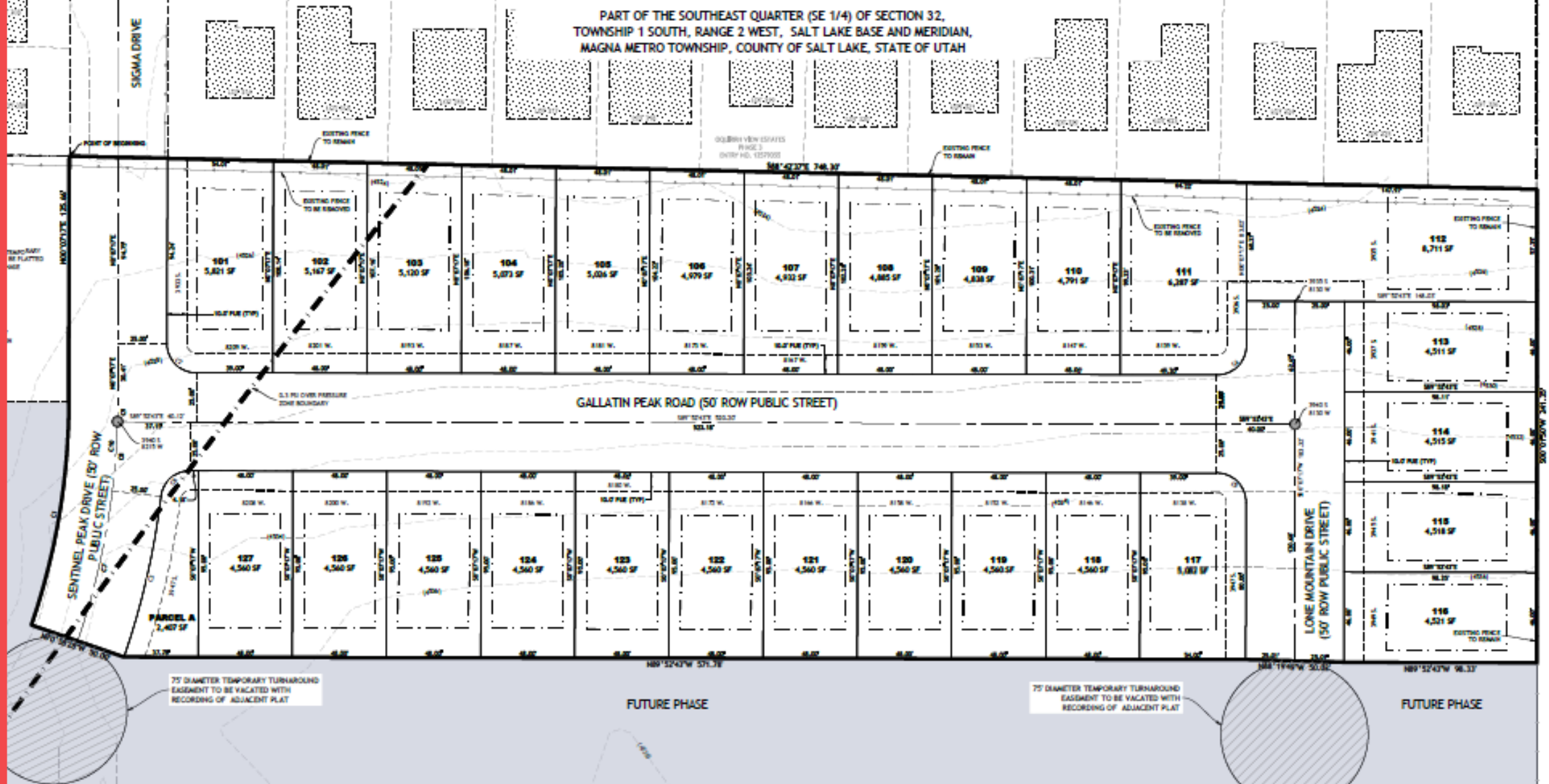




Preliminary Plat

# MAHOGANY RIDGE PHASE 1

PART OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 32,  
TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,  
MAGNA METRO TOWNSHIP, COUNTY OF SALT LAKE, STATE OF UTAH



# Zone Change Application



Application: REZ2023-000825  
Magna Metro Township Planning Commission  
Date: April 13, 2023



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# Site Vicinity Map



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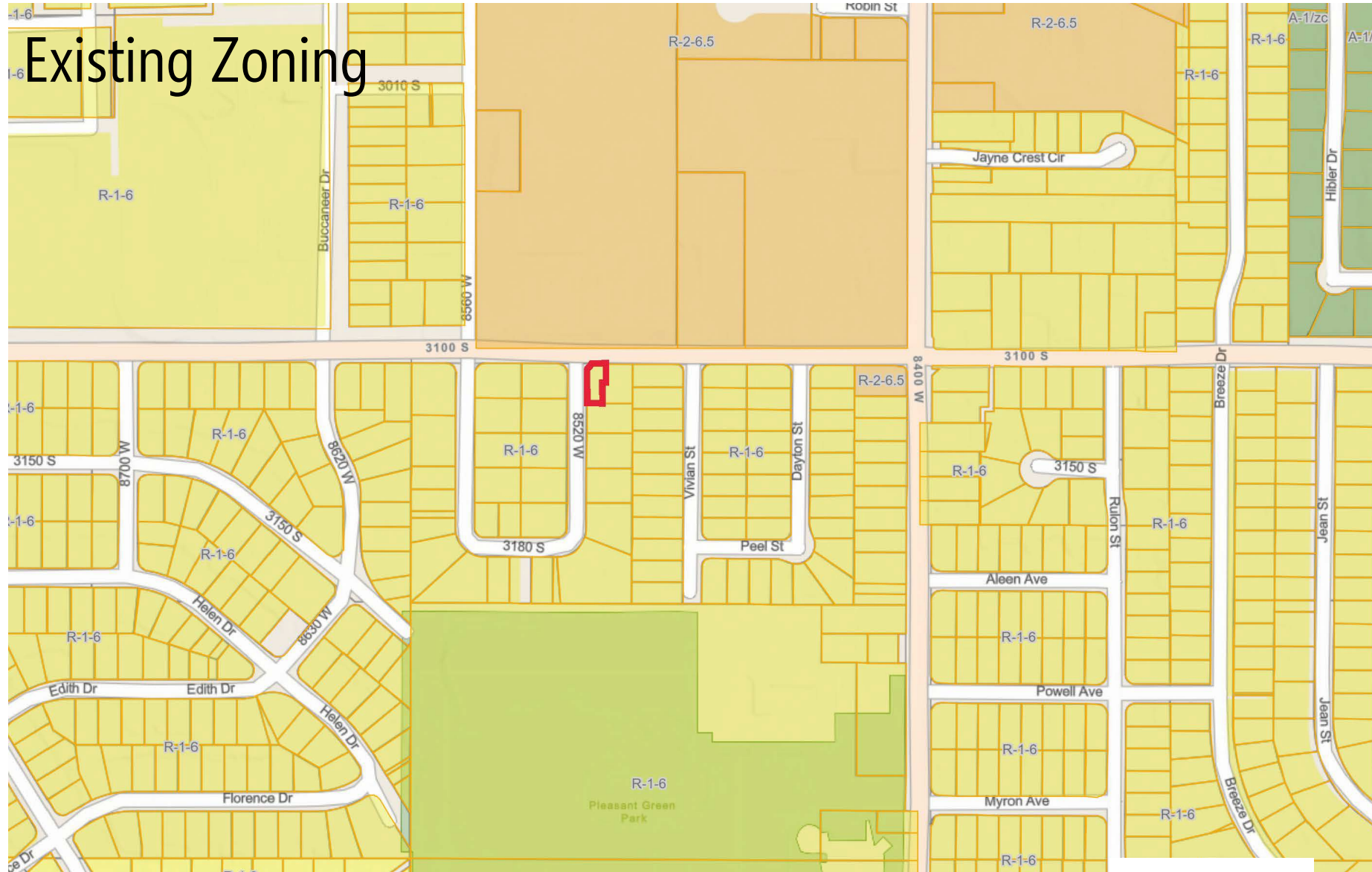
# Existing Site

1  
7

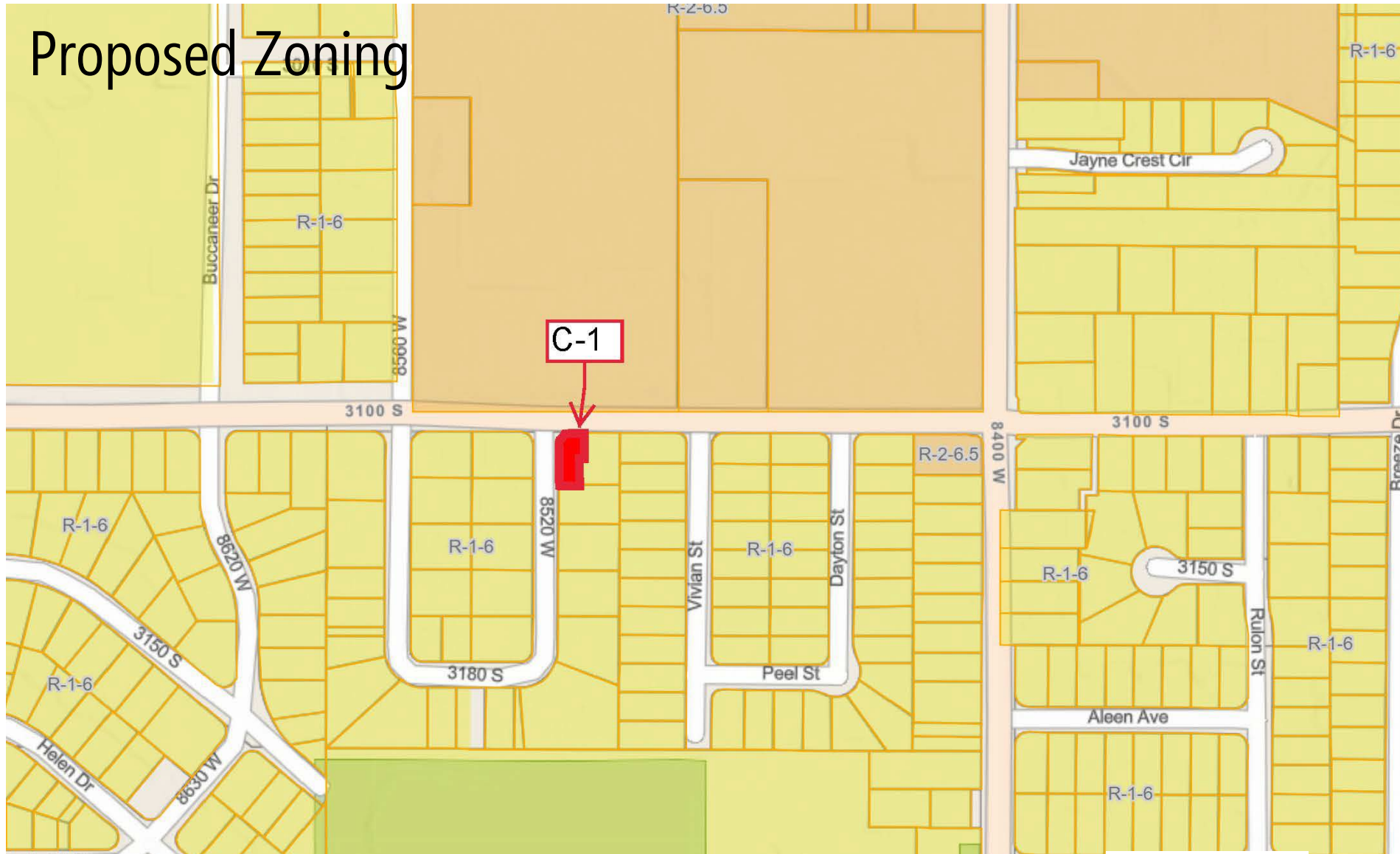


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# Existing Zoning

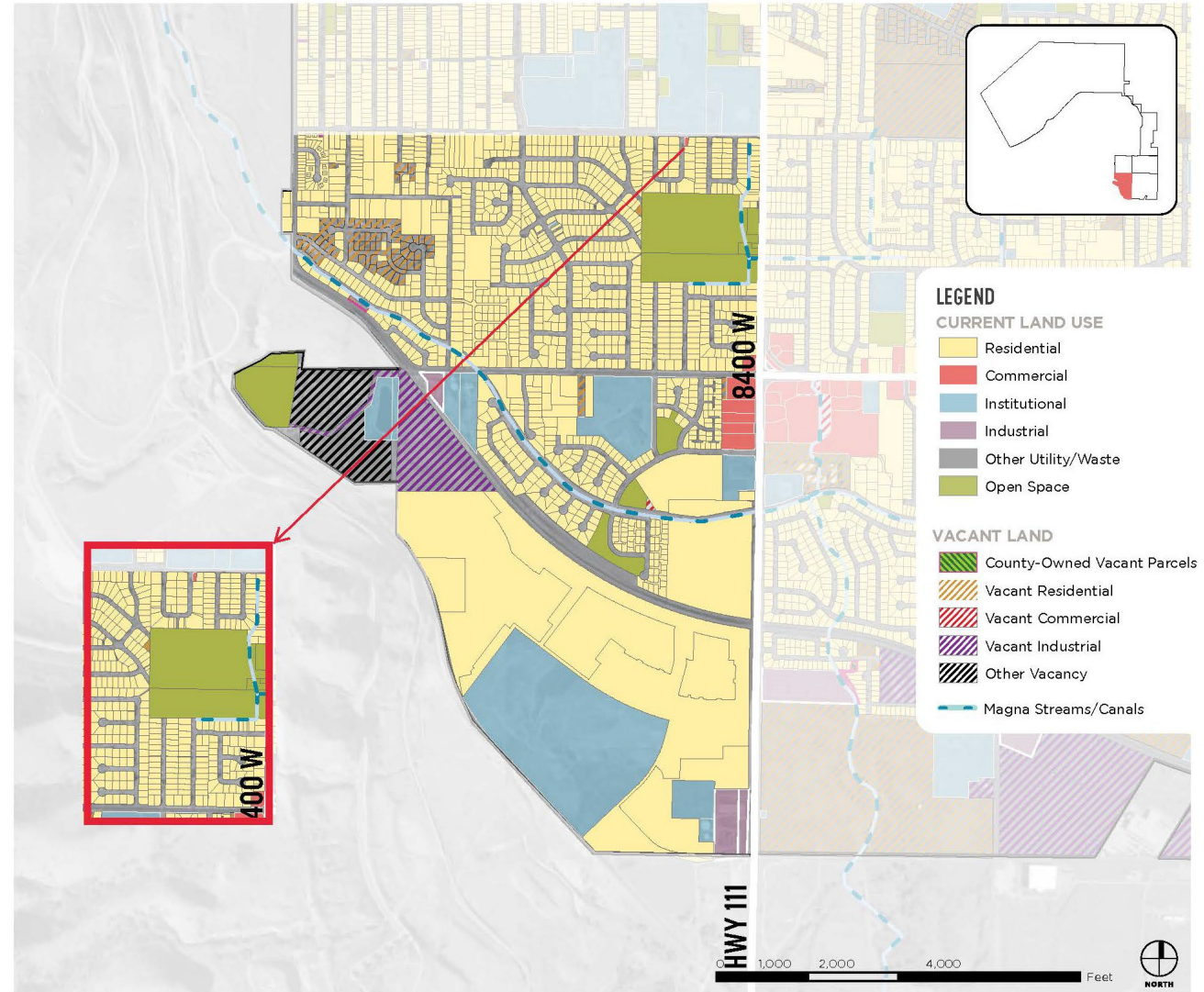


# Proposed Zoning



# Analysis

- Has been used as a commercial business (sandwich shop/restaurant) since it was built in the 1950s.
- Is shown in the general plan as a commercial property.
- Conditions may be imposed to prohibit land uses that would be incompatible with nearby land uses, traffic patterns, or site constraints (per 19.90.060 of the Magna Code).



# Recommendation

**Planning Commission Options:** The planning commission is an advisory board to the Magna Metro Township Council regarding rezone applications. When a rezone is brought before the planning commission for review, the planning commission may take any of the following actions:

1. **Recommend Approval** of the rezone as requested to the Magna Metro Township Council.
2. **(STAFF RECOMMENDATION) Recommend Approval With Conditions** of the rezone as to the Magna Metro Township Council as follows: Permitted uses shall be limited to the following:
  - A. Retail shops and services (excluding gas station, motor vehicle repair, or motor vehicle rental or sales);
  - B. Personal Care Services
  - C. Restaurant/mobile restaurant/food cart/catering.
3. **Recommend Denial** of the rezone (with reasons given by the planning commission).





# Public Hearing: Magna Titles 18 & 19

April 13th, 2023.

# Public Hearing

Tonight's public hearing is being held to meet state code requirements and receive input from the public regarding drafted Titles 18 & 19 of Magna Municipal Code.

**Following the public hearing, the Planning Commission may make a recommendation to the Council regarding the adoption of these ordinances.**



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# Zoning & Subdivisions

## What is Zoning?

“A police power measure in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards.” (Sacramento, Calif.)

## What is Subdivision?

“The process of laying out a parcel of raw land into lots, blocks, streets, and public areas.” (Handbook for Planning Commissioners in Missouri)





Includes the division of existing lots.

**Tools for protecting public health, safety, and welfare,  
and for implementing the vision of the General Plan.**



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# Background: Project Purpose

-  Ensure compliance with State Statute
-  Encourage conformity with the Magna General Plan
-  Promote ease of use
-  Meet Magna's unique needs and preserve sense of place



# Background: Modernization of the Ordinance

- Eliminated Zones not used in Magna.
- Existing ordinance filled with extensive lists of permitted and conditional uses. Uses consolidated to group similar uses together in easily navigable use tables.
- Typical ordinance elements such as fencing, lot coverage, front yard maximum paving, and other standards that were absent in the existing ordinance have been addressed.
- Short and insufficient definitions chapter greatly expanded to include each use listed in a use table.
- Use standards lacking in the previous ordinance. Use standards for many more uses have been created to eliminate the need for conditional uses.
- Site Development Standards consolidated into one chapter; updated to modern best practices.
- Subdivision approval process updated to reflect State Code and actual staff practice.
- Application, plan, and plat standards updated and consolidated into one chapter.
- New ordinance written to be more navigable for both the staff and the public.





# Content: Subdivisions TOC

## **Title 18**

- Chapter 18.02: Title, Purpose, and Applicability
- Chapter 18.04: Subdivision Plans and Plats Required
- Chapter 18.06: General Regulations
- Chapter 18.08: Procedure for Approval of a Subdivision
- Chapter 18.10: Documentation Requirements
- Chapter 18.12: Design Standards
- Chapter 18.14: Required Improvements
- Chapter 18.16: Performance Guarantees
- Chapter 18.18: Subdivision Amendments
- Chapter 18.20: Filing Professional Surveys
- Chapter 18.22: Health Department Regulations
- Chapter 18.24: Fees, Administration, and Enforcement
- Chapter 18.26: Violations and Penalties



# Content: Zoning TOC

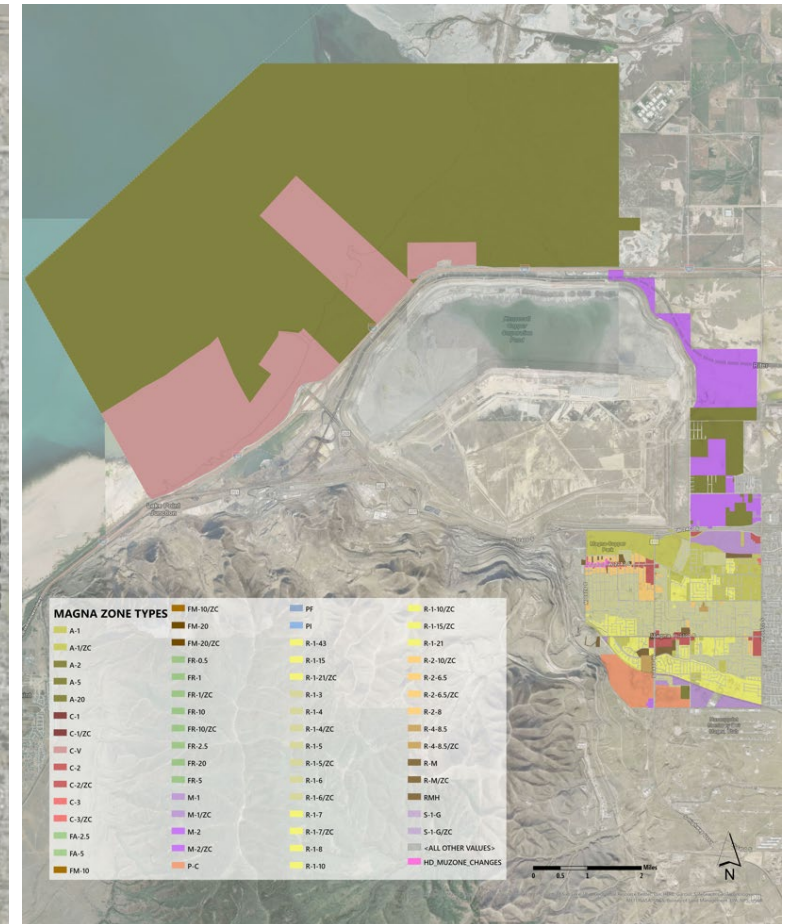
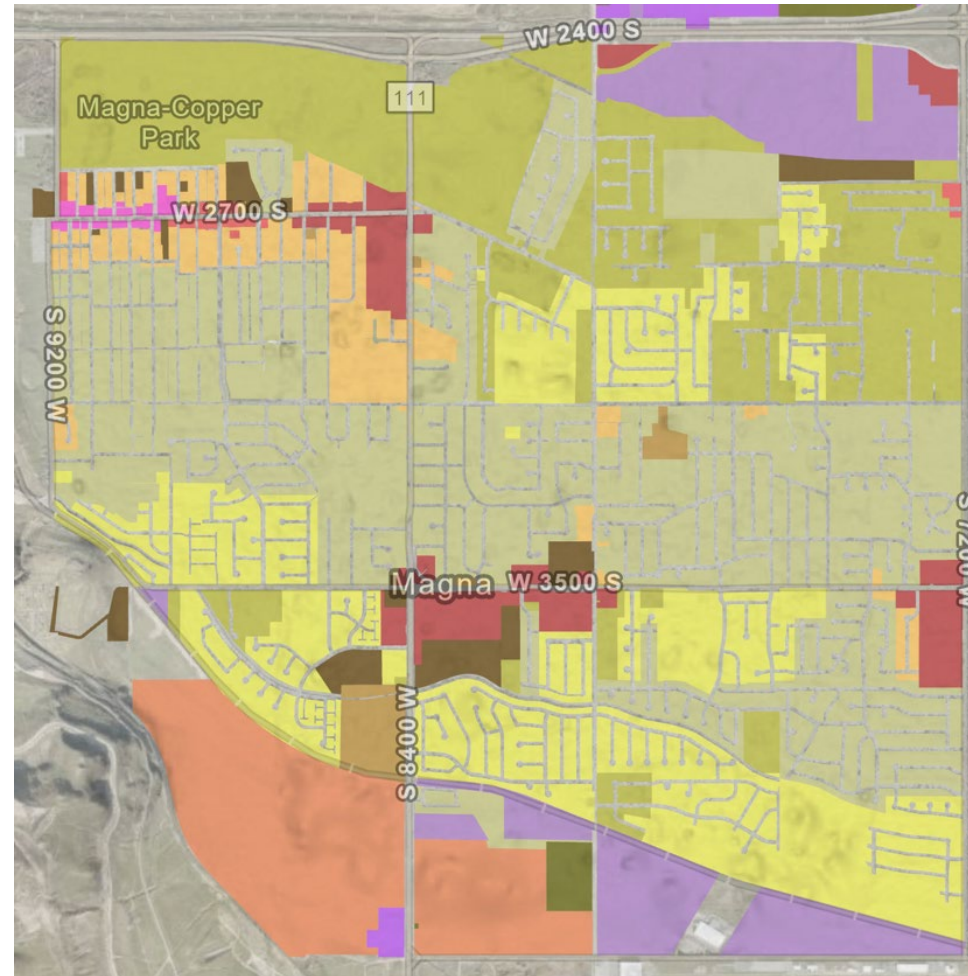
## Title 19

- Chapter 19.02: Title, Purpose, and Applicability
- Chapter 19.04: Definitions
- Chapter 19.06: Nonconformities
- Chapter 19.08: Enforcement
- Chapter 19.10: Procedures for Analyzing Takings Claims
- Chapter 19.12: Administrative Bodies, Powers, and Duties
- Chapter 19.14: Zones, Zoning Map, and Boundaries
- Chapter 19.16: Land Use Processes and Procedures
- Chapter 19.18: Planned Unit Developments
- Chapter 19.20: Variance, Exceptions, and Appeals
- Chapter 19.22: Parks and Recreation Zone
- Chapter 19.26: Agricultural Zones
- Chapter 19.28: Single-Family Residential Zones
- Chapter 19.30: Med- and High-Density Residential Zones
- Chapter 19.32: Commercial Zones
- Chapter 19.34: Manufacturing Zones
- Chapter 19.36: Mixed-Use Zones
- Chapter 19.40: Residential Mobile Home Park Zone
- Chapter 19.42: Specific Use Standards
- Chapter 19.44: Temporary Use Standards
- Chapter 19.46: Site Development Standards
- Chapter 19.48: Off-Street Parking and Mobility Standards
- Chapter 19.50: Landscaping, Screening, and Water-Efficiency Standards
- Chapter 19.52: Signs
- Chapter 19.54: RESERVED
- Chapter 19.56: Floodplain Hazard Regulations
- Chapter 19.58: Geological Hazards Ordinance
- Chapter 19.60: Airport Overlay Zone
- Chapter 19.64: Annexation
- Chapter 19.69: Planned Community Zone



# Zones: Magna Current Zoning Map

Tonight's public hearing is concerning **text amendments ONLY**. No change to the zoning map is currently being proposed.



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# Zones: Parks & Rec

**Purpose:** Create a new zoning district that can be used to protect existing or future parks and recreational spaces.

Zone	Primary Uses	Max Height	Min Lot Size	Future Application
Parks and Recreation Zone (PR)	Public or Commercial Recreation; Open Space; Trails; Community Gardens	35'-45' (depending on lot size)	NA	Could be applied at Magna-Copper Park, Copper Club Golf Course, Pleasant Green Park, Pleasant Green Cemetery and Magna Regional Park





# Zones: Agricultural

**Purpose:** Provide limited agricultural opportunities within primarily residential zones. (This is a legacy zone in Magna; new applications of Agricultural Zones are unlikely)

Zones	Primary Uses	Max Height	Min Lot Size	Future Application
Agricultural Zone (A-1)	Single-Family Residential; Small-Scale Agriculture; Gardening; Keeping of Fowl; Open Space/Buffer	35'	1 Acre/ 10,000 sq.ft.	These are likely to remain legacy zones in Magna. A-1 to 1 acre minimum. Development should happen under "R" Zones. Existing 10,000 sf lots can continue under this zone. Future expansion of "A" Zones are unlikely.
Agricultural Zone (A-20)			20 acre	



# Zones: Single-Family Residential

**Purpose:** Provide neighborhoods where single-family housing is the dominant use and residents experience a comfortable, healthy, safe, and pleasant environment.

Zones	Primary Uses	Max Height	Min Lot Size	Max Density	Future Application
R-1-3	Single-Family Residential; Accessory Dwelling Units; Home Occupations ; Day Cares; Parks; Schools	30-35' depending on slope	3,000 sq.ft.	11 du/acre	Residential neighborhoods throughout Magna. Most single-family zones are already applied.
R-1-4			4,000 sq.ft.	9 du/acre	
R-1-5			5,000 sq.ft.	7 du/acre	
R-1-6			6,000 sq.ft.	6 du/acre	
R-1-7			7,000 sq.ft.	5 du/acre	
R-1-8			8,000 sq.ft.	4.5 du/acre	
R-1-10			10,000 sq.ft.	4 du/acre	
R-1-21			21,780 sq.ft.	2 du/acre	



# Zones: Med- and High-Density Residential

**Purpose:** Promote a mix of housing opportunities and support the implementation of Magna's Moderate Income Housing Plan.

Zones	Primary Uses	Max Height	Min Lot Size	Max Density	Future Application
Two-Family Residential Zones (R-2)	Single-Family Residential (including Townhomes); ADUs; Duplexes; Home Occupations	35'	6,000 sq.ft. (1 Dwelling)  3,250 sq.ft. per dwelling (2+ Dwellings)	12 du/acre	Locations currently zoned R-2; limited expansion
Four-Family Residential Zones (R-4)	Single-Family Residential (including Townhomes); ADUs; Duplexes; Triplexes; Fourplexes; Home Occupations	35'	5,000 sq.ft. (1 Dwelling)  3,000 sq.ft. per dwelling (2+ Dwellings)	18 du/acre	Locations currently zoned R-4; limited expansion
Multi-Family Residential Zone (RM)	Townhomes; ADUs; Duplexes; Triplexes; Fourplexes; Multi-Family Dwellings	35'	5,000 sq.ft. (1 Dwelling)  2,750 sq.ft. per dwelling (2+ Dwellings)	25 du/acre	Locations currently zoned RM; expansion as needed to support commercial centers



# Zones: Commercial

**Purpose:** Provide places in Magna for a wide range of commercial and retail trades / uses, offices, business and professional services, and other uses that contribute to economic stability and opportunity for residents.

Zone	Primary Uses	Max Height	Min Lot Size	Future Application
General Commercial (C-1)	Most Retail and Service Uses; Food and Drink; Offices; Recreation; Institutional Uses	45'	NA. There is a minimum project area of 3 acres in the C-2 Zone.	Commercial clusters throughout Magna, primarily smaller parcels along corridors and near intersections
Shopping Center Commercial (C-2)	Most Retail and Service Uses; Food and Drink; Lodging; Offices; Recreation; Institutional Uses	60'		Existing commercial plazas in Magna, including Arbor Park Shopping Center, Smiths, and similar multi-tenant centers
Visitor and Tourism (C-V)	Retail and Service Uses, primarily geared toward travelers	45'		Near Great Salt Lake and Saltair, future application in areas where tourism is encouraged

Note: C-3 Zone remains as a legacy zone, new development is not encouraged in the C-3



# Zones: Manufacturing

**Purpose:** Provide places in Magna for industrial, warehousing, wholesale, and other uses that contribute to economic stability and opportunity for residents. Implement the Inland Port vision.



Zone	Primary Uses	Max Height	Min Lot Size	Future Application
Flex (M-1)	Light Industrial; Intensive or Medical Offices; Laboratories; Child Care; Open Space; Accessory Uses to Support Employees	60'	12,000 sq.ft.	Areas that serve as a buffer between residential uses and Heavy Industrial Uses
Heavy (M-2)	Heavy Industrial; Agricultural Products and Meat Processing; Storage Yards; Water Treatment Facilities; Solar and Wind Energy Systems	80'	25,000 sq.ft.	Inland Port Area, primarily north of Hwy 201



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# Zones: Mixed-Use 1 (existing)

**Purpose:** The DH Zone is intended to promote a mixture of uses consistent with the District's historic role in Magna. Commercial uses predominate the ground floor with office or residential on the upper floors.



Zone	Primary Uses	Max Height	Min Lot Size	Max Density	Future Application
Downtown Historical (DH) Mixed Use Zone	Retail and specialty retail, service commercial, restaurants, entertainment and theaters on the ground floor. Medium density residential and infill office on the upper floors.	50' w/16' stepback over 40'	NA	25 du / acre	This zone is intended for application only in Magna's Downtown Historical area.



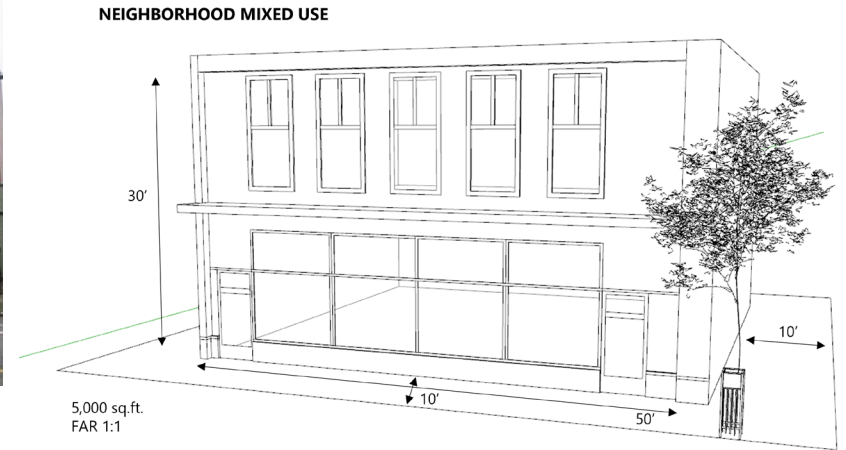
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# Zones: Mixed-Use 2

**Purpose:** Allow for a small-scale, horizontal or vertical mixture of uses to serve the daily needs of neighborhood residents. Support the vision of the Neighborhood Mixed-Use Character Area.



Example of Neighborhood Mixed-Use Development (Portland Zoning Ordinance)



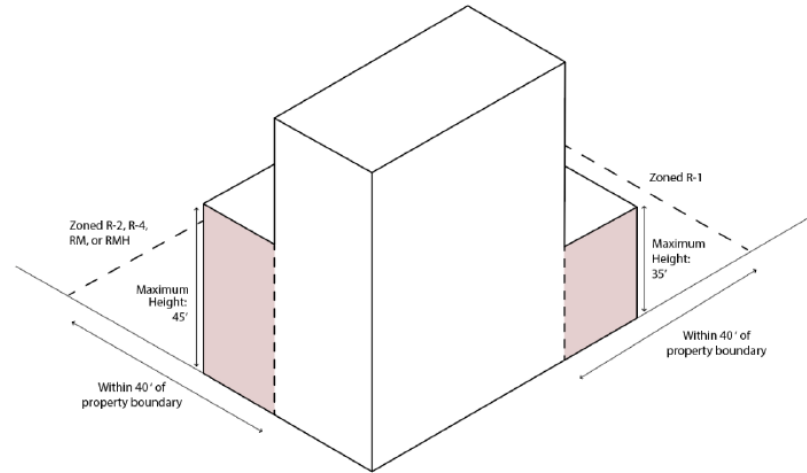
Zone	Primary Uses	Max Height	Min Lot Size	Max Density	Future Application
Neighborhood Mixed Use Zone (NMU)	Single-Family Residential (including Townhomes); ADUs; Duplexes; Triplexes; Fourplexes; Neighborhood Commercial Uses (Banks, Child Care, Laundry Cleaning, Post Office); Offices; Institutional Uses	35'	NA	15 du / acre	Neighborhood Mixed Use Character Area (Magna General Plan) and other locations where neighborhood commercial and diverse housing choices are desired.



# Zones: Mixed-Use 3

**Purpose:** Promote compact and walkable development, diverse housing options, and proximity to goods and services along transit corridors.

Figure 19.36.050 B: Step-down Heights Illustrated.



Example of four-story mixed-use along a major corridor (City of Vancouver, 2023)



Zone	Primary Uses	Max Height	Min Lot Size	Max Density	Future Application
Corridor Mixed Use Zone (CMU)	Multi-Family Residential; Townhomes; Triplexes; Fourplexes; Most Retail and Service Uses; Food and Drink; Lodging Accommodations; Offices; Recreation; Institutional Uses; Medical and Dental Clinics; Park & Ride; Drive-Thru Facilities	60'	NA	30 du / acre	This zone is intended for future application, as desirable, along Major Corridors, especially where Core Bus Routes are located. This may include application on 3500 S, 8400 W, or the east end of Magna Main.



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# Zones: Residential Mobile Home Park

**Purpose:** Provide appropriate areas for the development and preservation of mobile home parks and mobile home subdivisions, which provide additional opportunities for housing choice and affordability.

Zone	Primary Uses	Max Height	Min Lot Size	Future Application
Residential Mobile Home Park (RMH)	Mobile Home Park or Mobile Home Subdivision; Agriculture; Child Care; Community Garden; Parks	25'	The minimum lot area for a mobile home park or mobile home subdivision is 5 acres.	Legacy Zone. Existing RMH Areas expected to be rezoned. RMH Zone then removed from Ordinance.



# Key Changes: Specific-Use Ordinance

EXAMPLE

1. Use definitions were categorized, reduced, and re-defined. All standards were removed from the definitions (Chapter 19.04).
2. A new chapter was created to house standards for specific uses. This reduces redundancy in each zoning chapter and adds objective criteria as the community moves away from conditional uses.
3. Added standards improve compatibility between uses and elevate quality of development.
4. Specific Use Standards eliminate the need for most Conditional Use Permits

## **19.42.090 - Bed and Breakfast Inn.**

A bed and breakfast inn, where allowed as a permitted or conditional use in the applicable zone, is also subject to the following standards:

- A. The structure shall have a residential appearance;
- B. The structure shall be limited to a maximum of two stories in height;
- C. The structure must contain a minimum of five (5) guestrooms, but not more than fifteen (15) guestrooms.
- D. Guests using the accommodations or lodging must pay compensation;
- E. A bed and breakfast inn may not provide cooking facilities in any individual guestroom;
- F. The access to the site and the on-site parking shall be available for use and maintained, including snow removal, throughout the entire year; and
- G. A bed and breakfast inn located in the C-1, C-2, C-3, and NMU zones may include a restaurant and conference rooms.



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# Key Changes: Off-Street Parking Ordinance

1. Required off-street parking spaces for each use were organized into an easy-to-use table.
2. Maximum parking standards were added to reduce inefficient use of land.
3. New standards for bike parking and e-charging stations were added.
4. A process was added whereby the Director or Designee may waive or modify parking requirements to accommodate the reuse of existing buildings or structures.
5. Off-street loading and unloading standards were added.
6. Vehicle stacking standards were expanded.
7. New requirements were added for mobility and pedestrian circulation within parking lots.

Table 19.48.150: Off Street Parking Requirements.

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
RESIDENTIAL				
Household Living	Single-Family	2 spaces per dwelling unit	NA - but no more than 50% of any front or rear yard space may be paved.	Spaces may be arranged one behind another
	Two-Family	1 space per dwelling unit	3 spaces per dwelling unit	
	Three- and Four-Family			
	Multi-Family	1 space per studio apartment; 1.5 spaces per 1 bedroom unit; 2 parking spaces per dwelling unit for any units with 2 or more bedrooms; plus guest parking as determined by Director or designee	2 spaces per dwelling unit for all unit types; no more than 1 guest space per 3 units	



# Key Changes: Landscaping Ordinance

1. Landscape irrigation and efficient water usage standards were added.
2. Standards for the removal or replacement of existing trees were added / expanded.
3. A standard for the maximum area of turf on a property (35%) was set.
4. Screening and parking lot landscaping standards were expanded and enhanced.
5. New guidance for the landscaping of park strips was added, and turf / lawn was prohibited in park strips of less than 8' depth.
6. Standards were added related to the type of trees that could be planted (prohibiting noxious species or those that interfere with utilities).
7. Water-efficiency standards for car washes were added.
8. Weed abatement and tree-trimming standards were revised and moved from Title 9 to this Chapter.

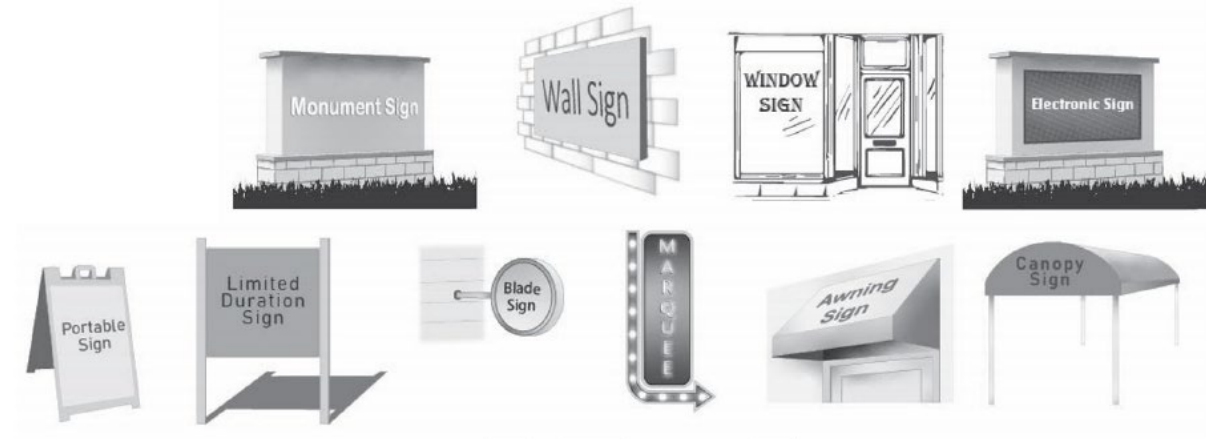


Water-efficient landscape examples (Localscapes, 2023).



# Key Changes: Sign Ordinance

1. Language was brought up-to-date with recent case law (content-neutrality).
2. Pole signs (previously called ground signs) were prohibited.
3. Requirements for a sign plan as well as assigned review authorities were clarified.
4. Lists of exempt and prohibited signs were expanded.
5. Additional sign types were defined, and illustrations added.
6. Standards for allowed sign types were added and expanded.
7. A section was included to allow for future sign plans and guidelines for specific areas within the municipality.



# Key Changes: Subdivision Ordinance

1. All subdivision–related definitions were moved into the Definitions Chapter in Title 19 (19.04).
2. A new process was established that allows the Director (of MSD PDS) to act as the land use authority for subdivisions of 5 or fewer lots when no new street is created.
3. The Planning Commission is now designated as the land use authority for all other preliminary plat approvals.
4. An optional step was added in the subdivision application process, allowing applicants to meet with staff for a “Concept Review” prior to submitting an application.
5. Additional design standards were added to improve the quality of subdivisions (block length, cul-de-sac and flag-lot standards, frontage, fencing requirements).
6. Language related to performance guarantees was updated to reflect current state code requirements and to protect the municipality.



# Review & Analysis: Drafting Methods

1

Project team members were assigned chapters to research and draft. They **reviewed model codes, planning best practices, general plans, and community existing conditions.**

2

Team members **reviewed each other's work at weekly meetings.** Drafts were revised accordingly.

3

Model ordinance chapters were sent to the **legal team for review** and further revision.

4

The team member assigned to each community reviewed the Model Ordinance Chapters and **tailored them to meet community needs.** They then worked with the PCs and Councils to revise drafts.



# Review & Analysis: Rounds of Revision

In addition to the Commission and Council, the drafted ordinances were reviewed by:





- MSD Current Planning Team (All Chapters)
- MSD and Magna Legal Team (All Chapters)
- MSD Code Enforcement Team (19.48, 19.50)
- SLCo District Attorney's Office (Chapter 19.52)
- International Sign Association and Sign Research Foundation (Chapter 19.52)
- SLCo Engineering (Title 18 and Chapter 19.48)
- Salt Lake County Recorder's Office (Title 18)



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# Staff Findings

Project Goals	Met?	Notes
<b>Consistency with State Code Requirements (LUDMA)</b>		All noticing requirements met; additional items from 2023 Legislative Session to be addressed.
<b>Conformity with Magna General Plan</b>		Additional zoning districts added to support the land use vision of the Magna General Plan. Other standards were modified to enhance walkability and community identity.
<b>Ease of Use for Staff and Residents</b>		Land use processes were clearly articulated. Graphics used where appropriate to illustrate key standards. Simple, non-legal language used to the extent possible. Ordinances were 'ground-truthed' by Code Enforcement and Current Planning.
<b>Meet the Unique Needs and Preserve the Character of Magna</b>		Magna's unique circumstances were accounted for in the Ordinances. Two additional mixed-use zones were created for use in Magna. Created a combination masonry wall/landscape buffer between residential and non-residential uses. Allowed longer blocks if walkthroughs are provided. Exempted ornamental grasses from weed regulations.



# Staff Recommendation

Staff recommends that the Planning Commission make a:

**Recommendation of adoption with revisions which include:**

- 1. Incorporating new State Code Language in HB 406 and 450;**
- 2. Modifying graphics as needed with referencing or further explanation; and**
- 3. Making any other grammar, formatting, or referencing revisions (as needed).**



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# Next Steps

1. Make any revisions as needed following the Planning Commission recommendation.
2. Schedule a Council meeting to consider and vote on the Title 18 and 19 revisions.
3. Once adopted, the Magna Council will decide how to pursue map amendments. They could:
  - Approve map revisions on a case-by-case basis as property owners request re-zones.
  - Initiate a process to re-zone all or part of the community to a new or different zoning district.
  - (This is a separate process which would require additional noticing and public hearings)
4. Staff will begin collecting notes based on changing State Codes, interactions with the public, and PC and Council requests. Staff will recommend revisions to Titles 18 and 19 on an annual or another semi-regular basis.

