

# MAGNA METRO TOWNSHIP

Ordinance No. 2024-O-03

Date: February 27, 2024

## **AN ORDINANCE OF THE MAGNA METRO TOWNSHIP COUNCIL AMENDING MINIMIM LOT SIZE AND PARKING REQUIREMENT PROVISIONS FOR DETACHED ACCESSORY DWELLING UNITS**

**WHEREAS**, the Greater Salt Lake Municipal Services District provides services to the five Metro Townships in the Salt Lake Valley, unincorporated areas, and the Town of Brighton; and

**WHEREAS**, the Magna Metro Township is a municipality and has authority to regulate detached accessory dwelling units in general pursuant to Utah Code Ann. Subsection 10-3c-103 (2);

**WHEREAS**, Magna Metro Township has authority to amend zoning ordinances pursuant to Utah Code Ann. § 10-9a-503 in accordance with the Municipal Land Use, Development, and Management Act, ("MLUDMA"), Title 10, Section 9a, Utah Code, to regulate the construction and location of detached accessory dwelling units; and

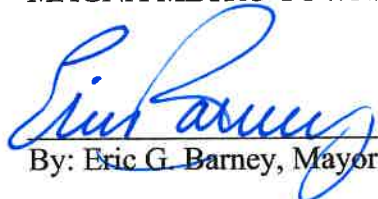
**WHEREAS**, the Council deems it necessary to amend its ordinances in order to allow for the conversion of previously built accessory buildings to accessory dwelling units and to allow Kearns residents a reasonable opportunity to build accessory dwelling units; and for the protection and preservation of the public health, safety and general welfare.

**BE IT ORDAINED BY THE MAGNA METRO TOWNSHIP COUNCIL** as follows:

1. Title 19 Zoning: The following Sections 19.42.030(B)(2) and 19.42.030(E) are hereby repealed and replaced in their entirety with the revised Sections 19.42.030(B)(2) and 19.42.030(E) attached hereto as **Exhibit A**.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of February 2024.

MAGNA METRO TOWNSHIP COUNCIL

  
By: Eric G. Barney, Mayor

## **EXHIBIT A**

### **19.42.030(B)(2) Allowable Areas and Zones**

2. Detached Accessory Dwelling Units (DADU) are a permitted use in the R, A and PC zones as identified in the use tables in this Title. A detached ADU may be constructed on lots with an area of 8,000 square feet or greater. Detached ADUs in a PC Zone are permitted on lots with a minimum area of 6,000 square feet if Magna has approved design standards for the same.

### **19.42.030(E) Parking Requirements**

- E. Parking Requirements. In addition to the required parking for the existing home, the property owner shall demonstrate that one (1) on-site parking space is available for an IADU or AADU, and that two (2) on-site parking spaces are available for a DADU. A property owner bears the burden of showing by a preponderance of the evidence that sufficient parking is available. If a garage is converted to create an IADU, AADU or DADU, a replacement on-site parking space is required for the primary dwelling in a number equal to the parking spaces eliminated by such ADU.

ATTEST

APPROVED AS TO FORM

  
Lannie Chapman, Clerk/Recorder  
Salt Lake County

  
Magna Metro Township Attorney

Voting:

|                         |                   |
|-------------------------|-------------------|
| Mayor Barney            | voting <u>yes</u> |
| Council Member Prokopis | voting <u>yes</u> |
| Council Member Hull     | voting <u>yes</u> |
| Council Member Sudbury  | voting <u>yes</u> |
| Council Member Pierce   | voting <u>yes</u> |

**SUMMARY OF**  
**MAGNA METRO TOWNSHIP**  
**ORDINANCE NO. 2024-O-03**

On February 27, 2024, the Magna Metro Township Council enacted Ordinance No. 2024-O-03 adopting an amendment to Title 19 Zoning, repealing and replacing Section 19.42.030 (B)(2), reducing the minimum lot size requirement for detached accessory dwelling units to 8,000 square feet and Section 19.42.030(E), requiring 2 additional parking spaces for each detached accessory dwelling unit.

A complete copy of Ordinance No. 2024-O-03 is available in the office of the Magna Township Clerk, 2001 South State Street, N2-700, Salt Lake City, Utah. The official zoning map of the Magna Metro Township is maintained by the Greater Salt Lake Municipal Services District and is available for viewing at [MSD.utah.gov](http://MSD.utah.gov).

*(Complete as Applicable)*

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: March 12, 2024

Effective date of ordinance: March 12, 2024