

**MAGNA CITY
ORDINANCE NO. 2024-O-16**

Ordinance No. 2024 -O-16

Date: December 10, 2024

**AN ORDINANCE OF THE MAGNA COUNCIL AMENDING SUBSECTIONS
19.04.020, 19.28.060, 19.48.040, AND 14.12.110 OF THE MAGNA CODE OF
ORDINANCES RELATED TO OFF STREET PARKING REGULATIONS**

RECITALS

WHEREAS, Magna is a municipality and has authority to adopt land use regulations, pursuant to Utah Code § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to increase the area on a lot or parcel available for the parking of cars and light trucks to ensure that public streets are passable in all weather conditions, and for the protection and preservation of the public health, safety and general welfare;

WHEREAS, the Magna Planning Commission held a public hearing on October 3rd, 2024 to consider amending subsections 19.04.020, 19.28.060, 19.48.040, and 14.12.110 of the magna code of ordinances related to off street parking regulations (the “Proposed Action”) in accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission has recommended that the Council amend its land use ordinances to increase the area on a lot or parcel available for the parking of cars and light trucks to ensure that public streets are passable in all weather conditions, and for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY THE MAGNACITY COUNCIL as follows:

1. Section 19.04.020 General Definitions, is hereby adopted as set forth in Exhibit A.
2. Section 19.28.060 Lot Coverage, is hereby adopted as set forth in Exhibit B.
3. Section 19.48.040 Standards for Parking in R-1 and R-1 Residential Zones, is hereby adopted as set forth in Exhibit C.
4. 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.
5. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not

limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.

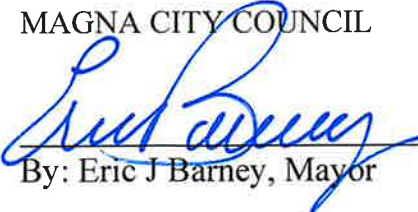
6. Effective Date. This Ordinance will take effect immediately upon posting pursuant to Utah Code § 10-3-712.

This Ordinance is effective upon posting as required by law.

[Execution on following page]

ADOPTED AND APPROVED at a duly called meeting of the Magna City Council on this 10th day of December 2024.

MAGNA CITY COUNCIL


By: Eric J Barney, Mayor

ATTEST


Nicole Smedley, Recorder

APPROVED AS TO FORM:


Paul Ashton, City Attorney

Voting:

Council Member Barney	voting	<i>Aye</i>
Council Member Prokopis	voting	<i>Aye</i>
Council Member Hull	voting	<i>excused</i>
Council Member Pierce	voting	<i>Aye</i>
Council Member Sudbury	voting	<i>Aye</i>

(Complete as Applicable)

Date ordinance summary was published to the Utah Public Notice website per Utah Code §10-3-711: December 20, 2024

Effective date of ordinance: December 20, 2024

EXHIBIT A

19.04.020 General Definitions.

A. General terms used in Title 19 are defined as follows:

1. "Affected Entity" means a county, municipality, local district, special service district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility, property owner, property owners association, or the Utah Department of Transportation, if:
 - a. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land; b. The entity has filed with the municipality a copy of the entity's general or long-range plan; or c. The entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this Ordinance or Utah Code.
2. "Affected Area" means the parcel or parcels that are the subject of a land use application, subdivision application, or rezone. The affected area is the minimum extent to which public notice must be given. Additional notice must also be given as required by Magna Municipal Code, Utah Code, or federal law.
3. "Agent" means a person with written authorization to represent a property owner or applicant.
4. "Animal Rights" means the keeping of livestock and fowl, limited to one animal unit and their seasonal offspring for each ten thousand square feet (10,000 sq. ft.).
5. "Animal Unit" means a proportionate combination of the following:
 - a. One (1) cow, or one (1) horse, or one (1) pig, or one (1) llama, or one (1) other similar large animal.
 - b. Four (4) adult sheep or feeder lambs, or two (2) alpacas (similar to llama).
 - c. Two (2) goats.
 - d. Ten (10) chickens, or ten (10) ducks, or ten (10) pigeons, or ten (10) similar small fowl, subject to the standards and requirements of this Title, Salt Lake County Animal Services, and Salt Lake County Health Department that ensure that domesticated fowl do not adversely impact the neighborhood surrounding the property on which the domestic fowl are kept. For regulations regarding the keeping of chickens, see Chapter 19.42.
 - e. Twelve (12) rabbits, or twelve (12) similar small animals.
 - f. Two (2) large birds such as ostriches, or emus, or peacocks.
 - g. Four (4) turkeys.

- h. The total animal units located on a given parcel or animal operation shall be determined by adding the animal units for each animal type. For the purpose of determining compliance, said definition does not include the unweaned offspring of any residing animal which is less than six (6) months in age.
6. "Appeal Authority" means the same as "Land Use Hearing Officer."
 7. "Applicant" means the person who makes formal application for a license, permit, subdivision or submits any application pursuant to Titles 18 or 19 Of the Magna Municipal Code.
 8. "Benchmark" means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.
 9. "Boundary Line Agreement" means an agreement to establish the location of a boundary between adjoining properties if the location of the boundary is ambiguous, uncertain, or disputed.
 10. "Buffer, Riparian" means an area along the course of any watercourse or roadway or boundary line to be maintained without the disturbance of buildings or structures other than fencing, if allowed.
 11. "Business Day" means a day in which normal business operations are conducted. Saturdays, Sundays, Holidays and days Planning and Development Services are not open are not considered business days.
 12. "Concept Plat / Drawing" means a drawing that shows the overall concept of a proposed development, as further defined in these regulations.
 13. "Conditional Use" means a land use that has unique characteristics or negative effects that may not be compatible in an area without conditions to mitigate or eliminate the detrimental impacts. A land use listed as a conditional use is a use of land for which a conditional use permit is required pursuant to this Title.
 14. "Conservation Easement" means an easement that perpetually prohibits further development or use inconsistent with, or harmful to, the enhancement, preservation, and protection of a defined area for the benefit of fish, wildlife, plants, or other similar ecosystems, or preserves such areas predominantly in their natural scenic or open condition; but which may, in the sole discretion of the conservation easement holder, permit recreational and/or agricultural uses which do not involve significant alteration or development of the restricted area in a manner which is inconsistent with, or harmful to, the preservation and protection of the restricted area.
 15. "Council" means the Magna Metro Township Council, unless otherwise clearly indicated. The Magna Metro Township Council may also be referred to as the Magna Council or municipal council.
 16. "Culinary Water Authority" means the department, agency, or public entity with the responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

17. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
18. "Development Code" means Titles 18 and 19 of the Magna Municipal Code.
19. "Development Review Committee (DRC)" means Planning and Development Services Staff, in consultation with agencies contracted with the municipality for engineering, health, fire, and surveying reviews and services. Comments from other affected entities, service providers or other reviewing agencies may also be solicited as needed.
20. "Director" means the Greater Salt Lake Municipal Services District Director of Planning and Development Services, unless otherwise clearly indicated.
21. "Drive Approach" means an area of the public right-of-way located between the roadway and property adjacent to the public right-of-way that is intended to provide access for vehicles from the roadway to the adjacent property.
22. "Driveway" means a path of ingress and egress constructed within and adjoining a roadway, connecting the roadway with adjacent or nearby property in accordance with Magna Municipal Code. A "driveway" is an unobstructed access from a public or private right of way to an adjacent or nearby property that does not interfere with vehicular or pedestrian travel within the right of way.
23. "Driveway, Cross Access" means a service drive providing vehicular access between two or more contiguous sites, so the driver need not enter the public street system.
24. "Driveway, Multifamily" means a driveway providing access to more than four dwelling units.
25. "Driveway, Private" means a driveway limited to the use of the owner or a group of owners who share the use and maintain the access and those having express or implied permission from the owner or owners, but not by other persons.
26. "Driveway, Shared" means a driveway serving more than one lot.
27. "Dwelling" means any building or structure, or portion thereof, intended for residential use.
28. "Dwelling, Primary" means a single-family dwelling that:
 - a. Is detached;
 - b. Is occupied as the primary residence of the owner of record; and
 - c. "Dwelling, Primary" includes a garage if the garage:
 - i. Is a habitable space; and
 - ii. Is connected to the primary dwelling by a common wall.

29. "Dwelling Unit" means one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping. Buildings with more than one (1) kitchen or set of cooking facilities are considered to contain more than one (1) dwelling unit unless the additional cooking facilities are clearly accessory to a dwelling unit as determined by the development services director. Factors for determining whether cooking facilities are accessory to a dwelling unit may include but are not limited to:
- a. A building design which allows all occupants ready access to all portions of the building including cooking facilities;
 - b. No portion of the building containing cooking facilities may be separated from the remaining rooms to form a separate dwelling unit; and
 - c. There is only one (1) electric and/or gas meter for the building.
30. "Easement" means the quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.
31. "Facility Company" means a company not regulated by the public service commission that provides a service including but not limited to cable television or telecommunications.
32. "Family" means one of the following groups of individuals, but not more than one group at the same time:
- a. An individual living alone; or
 - b. Two (2) or more people, all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children, and up to two (2) other unrelated persons who do not pay rent; or
 - c. Up to four (4) related or unrelated individuals who live and cook together as a single housekeeping unit; or
 - d. Two (2) unrelated individuals and any children of either of them living as a single housekeeping unit.
33. "Good Cause" means incapacitating illness; death; lack of proper notice; unavailability due to unavoidable, unpreventable, or extenuating emergency or circumstance; if a required act causes an imminent and irreparable injury; or acts of nature adverse to performing required acts.
34. "Graffiti" means inscriptions, drawings, paintings, or other visual defacing of buildings, structures, or natural features, without the consent of the owner thereof, and which is not otherwise authorized and permitted in municipal ordinances.
35. "Guest" means a person paying for staying or receiving services at a bed and breakfast, hotel, motel, resort, or similar facility.

36. "Guestroom" means a room that is designed for double occupancy by guests, for sleeping purposes.
37. "Hard surface" means any asphalt or concrete surface of an approved thickness, or other approved surface, but excluding rock, gravel, grass, or dirt.
38. "Health Department" means the Health Department of Salt Lake County, Utah.
39. "Inoperable Vehicle" means a vehicle that is not currently registered or licensed in the State of Utah or in another state, or which has been dismantled or wrecked to the point of being non-drivable.
40. "Land Trust" means a private non-stock, non-profit corporation that has as its purpose the preservation.
41. "Land Use Application" means an application required by the zoning or subdivision ordinances.
42. "Land Use Authority" means the person, board, commission, agency, or other body designated by the Magna Municipal Council to act upon a land use application.
43. "Land Use Decision" means any final decision of the Council, Planning ~~Commission~~ Commission, or final administrative decision of the Director or other official responsible for the enforcement of zoning and subdivision regulations.
44. "Land Use Hearing Officer" means the "Appeal Authority" created pursuant to Utah Code § 10-9a.701 to hear appeals to zoning decisions applying to the zoning ordinance as provided in Section 19.16.020 and for decisions by the Planning Commission. The Land Use Hearing Officer is also the appeal authority for subdivision appeals subject to Section 18.08.040 of the Magna Municipal Code. The Land Use Hearing Officer is also charged with the powers and duties enumerated in Section 19.12.040.C
45. "Legal Lot of Record" means any land parcel that existed, as recorded in the Office of the Salt Lake County Recorder, with a separate property identification number as provided by the Office of the Salt Lake County Recorder and Office of the Salt Lake County Assessor, prior to December 17, 1952, and all land parcels that were legally created for the purposes of development pursuant to the applicable zoning and subdivision requirements and the laws of the State of Utah after the date of the first Subdivision Ordinance enactment.
46. "Local Jurisdiction" means the municipality, or other political subdivision adopting this Ordinance.
47. "Membrane Covered Frame Structure" means a non-pressurized building wherein the structure is composed of a rigid framework to support a tensioned membrane that provides the weather barrier.
48. "Minor Local Street" means a street, existing or proposed, often of limited continuity, the primary purpose of which is to provide access to property and serve the local needs of a neighborhood. A minor local street carries low volumes of traffic at the lowest speed limits.

49. "Monument" means a permanent survey marker established by the Salt Lake County Surveyor and/or a survey marker set in accordance with the Salt Lake County Surveyor's specifications and referenced to Salt Lake County survey monuments.
45. "Municipal Engineering Division" means the division or personnel hired by or contracted with the municipality to provide engineering services. The "Municipal Engineering Division" is also referred to as the "Municipal Engineer" or "Municipal Engineering".
51. "Municipal Flood Control Division" means the division or personnel hired by or contracted with the municipality to provide flood control and water quality services.
52. "Municipal Geologist" means the personnel hired by or contracted with the municipality to provide geologic hazard review and geology services.
53. "Natural Condition" means the topography and vegetation of the area that is unaltered by clearing and grading during construction and protected in perpetuity.
54. "Noncomplying Structure" means a building or other structure or portion thereof lawfully constructed in compliance with the zoning ordinance existing at the time of construction, that no longer conforms to the height, area, and/or yard regulations in the zone in which it is located due to changes to the zoning ordinance or to the subsequent public acquisition of land for public improvements. A "Noncomplying Structure" may also be referred to as a "Nonconforming Structure."
55. "Nonconforming Use" means a use which lawfully occupied a building or land at the time the ordinance codified in this Title became effective and which does not conform with the use regulations of the zone in which it is located.
56. "Nonconforming Lot" means a legally established lot or parcel that met the applicable area, width and other applicable requirements in effect at the time the lot or parcel was created, but which fails by reason of such adoption, revision or amendment of the zoning ordinance, to conform to the present requirements of the zone in which it is located.
57. "Owner" includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof having a majority fee simple interest in real property, or a majority interest through any other form of ownership.
58. "Parcel of Land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.
59. "Pavement" includes the paved portion of a street, including paved shoulders and on street parking areas. "Pavement does not include curbs, gutters, park strips, sidewalks, trails, and driveways.
60. "Paved" means ground covered with stone, brick, concrete, asphalt, or other approved surface, installed over a compacted base course, making a permanent surface that is firm, smooth, and level. A graded natural surface, or one covered with rolled stone or overlaid with compacted or loose gravel is not considered a paved surface.
61. "Permitted Use" means any use allowed in a zone and subject to the restrictions applicable to that zone.

62. "Planning and Development Services" means the Planning and Development Services Department of the Greater Salt Lake Municipal Services District. "Planning and Development Services" may also be referred to as the Planning and Development Services Department.
63. "Planning Commission" means the Magna Planning Commission.
64. "Portable Storage Container" means a transportable, weather-resistant, commercially leased or rented storage structure or container that is designed and used primarily for the storage of goods, items, and materials placed outside of the primary structure on a property. Portable Storage Container includes CONEX and other Shipping Containers. Portable Storage Container does not include yard waste containers, construction debris containers, or containers with a storage capacity less than two-hundred (200) cubic feet.
66. "Pre-Existing Lot" means a lot that was created prior to the adoption of this Ordinance, through a recorded subdivision plat, deed, sales contract, or survey, and a lot that met the zoning and subdivision regulations in effect at the time of its creation. For the purposes of this Title, a pre-existing lot is a nonconforming lot and shall be regulated in the same manner as nonconforming lots.
66. "Pre-Existing Structure" means a structure that was legally constructed prior to the adoption of this ordinance. For the purposes of this Title, a pre-existing structure is a nonconforming structure and shall be regulated in the same manner as nonconforming structures.
67. "Pre-Existing Use" means a use that was legally established prior to the adoption of this Ordinance and has not been abandoned for more than one year. For the purposes of this Title, a pre-existing use is a nonconforming use and shall be regulated in the same manner as nonconforming uses.
68. "Provisional Parking" means an area or areas within a parking lot where parking spaces which are shown on the approved parking plan are landscaped rather than paved.
69. "Public Works Operations" means the division or personnel hired by or contracted with the municipality to provide road construction and maintenance, snow removal and other related services.
70. "Road" can be used interchangeably with the word street.
71. "Road, Private" means the same as "Street, Private"
72. "Record of Survey Map" means a map of a survey of land prepared in accordance with Utah Code.
73. "Residential Roadway" means a public local residential road that:
- a. Will serve primarily to provide access to adjacent primarily residential areas and property;
 - b. Is designed to accommodate minimal traffic volumes or vehicular traffic;
 - c. Is not identified as a supplementary to a collector or other higher system classified street in an approved municipal street or transportation master plan;

- d. Has a posted speed limit of 25 miles per hour or less;
 - e. Does not have higher traffic volumes resulting from connecting previously separated areas of the municipal road network;
 - f. Cannot have a primary access, but can have a secondary access, and does not abut lots intended for high volume traffic or community centers, including schools, recreation centers, sports complexes, or libraries; and
 - g. Primarily serves traffic within a neighborhood or limited residential area and is not necessarily continuous through several residential areas.
74. "Sanitary Sewer Authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.
75. "Standards and Specifications" means the construction and design requirements and standards of the municipality for the construction and installation of public infrastructure and improvements. The documents shall be approved by the Municipal Engineer and approved by Resolution of the Council.
76. "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. "Permanent construction" does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not as part of the main structure.
77. "Street" means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare, not less than twenty-five feet wide, which has been made public by right of use and which affords the principal means of access to abutting property. Street does not include alleys or trails. May sometimes be referred to as road.
78. "Street, Private" means an access way, other than a driveway, similar to and having substantially the same or similar function as a public street, providing access to one or more properties, but held in private ownership. A "private street" is limited to the use of the owner or group of owners who share the use and maintain the street without the assistance of public entities. "Street, Private" and "Road, Private" can be used interchangeably.
79. "Streetlight" means a raised light installed within or adjacent to the street right-of-way, turned on or lit at a certain time every night. Modern lamps may also have light-sensitive photocells to turn them on at dusk and off at sunrise or activate automatically in foul weather.

80. "Structure" means anything constructed or erected which requires location on the ground or attached to something having a location on the ground.

81. "Structural Alterations" means any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

82. "Subdivision" means any land that is divided, resubdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

a. "Subdivision" includes:

- i. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- ii. Except as provided in Subsection B, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

b. "Subdivision" does not include:

- i. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance; ii. A boundary line agreement recorded with the county recorder's office between owners of adjoining parcels adjusting the mutual boundary in accordance with Utah Code § 10-9a-524 if no new parcel is created; iii. A recorded document, executed by the owner of record:

(a) Revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels; or

(b) Joining a lot to a parcel;

(c) A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code, §§ Sections 10-9a-524 and 10-9a-608, if:

(i) No new dwelling lot or housing unit will result from the adjustment; and

(ii) The adjustment will not violate any applicable land use ordinance;

(d) A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:

(i) Is in anticipation of future land use approvals on the parcel or parcels;

(ii) Does not confer any land use approvals; and

- (iii) Has not been approved by the land use authority;
- (iv) A parcel boundary adjustment;
- (v) A lot line adjustment;
- (vi) A road, street, or highway dedication plat;
- (vii) A deed or easement for a road, street, or highway purpose; or
- (viii) Any other division of land authorized by law.

83. "Subdivision Amendment" means an amendment to a recorded subdivision in accordance with Utah Code §10-9a-608, that:

- a. Vacates all or a portion of the subdivision; b. Alters the outside boundary of the subdivision; c. Changes the number of lots within the subdivision; d. Alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or e. Alters a common area or other common amenity within the subdivision.

84. "Subject Property" means the land area for which an approval is required to comply with this Ordinance.

85. "Substantial improvement" means:

- a. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure, either:
 - i. Before the improvement or repair is started; or ii. If the structure is damaged and is being restored, before the damage occurred.
- b. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
- c. The term does not, however, include either:
 - i. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or ii. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

86. "Trails" means a system of public recreational pathways located within the municipality for use by the public for walking, biking and/or horseback riding as designated.

87. "Utility Company" means a company regulated by the public service commission that provides a service including but not limited to electricity, telephone, or gas.

88. "Utilities or Improvements" means all types of necessary utilities such as gas lines, culinary and secondary water lines, storm drainage systems, sanitary sewer systems, electrical power, cable, and telephone with all poles, wires, pipes, and structures as necessary to provide services, and surface improvements such sidewalks, curbs, gutters, and streets.
89. "Vehicle" means a self-propelled device used for transporting persons or things, including, but not limited to, automobiles, watercraft, motorcycles, snowmobiles, and recreation vehicles. Does not include heavy machinery.
90. "Vehicle, Commercial" means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:
- a. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting;
 - b. Vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicles;
 - c. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature;
 - d. Vehicles with more than two axles; or
 - e. Vehicles with a payload capacity of more than eight thousand five hundred (8,500) pounds.

EXHIBIT B

19.28.060 Lot Coverage

- A. No combination of buildings, including accessory structure and other structures, may cover more than forty percent (40%) of the area of the lot or parcel of land.
- B. No accessory structure or group of accessory structures may cover more than twenty-five percent (25%) of the rear yard.
- C. The combined coverage area of all impervious surfaces, including buildings, driveways, paved walkways, patios, decks, and other structures, may not exceed 60% of the area of the lot. Concrete, asphalt and other impervious surfaces may not cover more than fifty percent (50%) of the yard area between a structure and a property line. This includes both the required setback area and any other yard area between the main building and the property boundary. Any lot less than forty feet (40') wide may install one driveway that exceeds the fifty percent (50%) impervious surface rule as long as that driveway does not exceed twenty feet (20') in width.

EXHIBIT C

19.48.040 Standards For Parking In R-1 And R-2 Residential Zones

- A. Residential Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 or R-2 zone.
1. The number, location, and width of driveways shall comply with the specifications set forth in Sections 14.12.110 and 14.36.060.
 2. Driveways over one hundred fifty feet (150') in length are subject to approval by the Fire Authority.
 3. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this Title.

~~There shall be a hard surfaced driveway from the public or private road or drive to each required parking space (See Table 19.48.150). Each required parking space shall also be hard surfaced. The drive and parking surfaces shall consist of a permanent, durable, hard surface such as concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. A pervious surface may be used, subject to applicable municipal ordinances and policies.~~

- B. Except as provided in subsection C, Paved or gravel parking areas or driveways may not occupy more than fifty percent (50%) of the area of a front or rear yard. Any lot less than forty feet (40') wide may install one driveway that exceeds the fifty percent (50%) parking or driveway rule as long as that driveway does not exceed twenty feet (20') in width.

C. Parking areas in the front yard may exceed 50% of the front yard area under the following conditions:

1. The combined coverage area of all impervious surfaces, including buildings, driveways, paved walkways, patios, decks, and other structures, may not exceed 60% of the area of the lot; and
2. The parking areas in the front yard do not exceed 60% of the front yard area; and
3. The municipal engineer verifies that the site plan as proposed will not adversely impact the municipal or local storm drain system; and
4. A landscape planting area of at least 500 square feet is maintained in the front yard.

- D.C. Front Yard Parking. Parking or storage of motor vehicles in the unpaved portion of the front yard of a residential use or residentially-zoned property is prohibited. A legal driveway in the front yard may be used for parking, provided the public sidewalk is not blocked.

- E. Driveway Surfacing. There shall be a hard-surfaced driveway from the public or private road or drive to each required parking space (See Table 19.48.150). Each required parking space shall also be hard surfaced except for parking pads as provided in this Subsection.

1. The drive and parking surfaces shall consist of a permanent, durable, hard surface such as concrete, asphalt, brick, pavers, stone, or block.
2. A pervious surface, including permeable concrete or permeable asphalt may be used, subject to applicable municipal ordinances and policies.
3. A parking pad, consisting of six inches of compacted gravel over a weed barrier, may be located between a paved driveway and the nearest side lot line in a front yard, provided the gravel parking pad is not within the clear view area of intersecting streets. Motor vehicles and recreational vehicles may be parked or stored on said gravel parking pad provided the parking pad is kept weed free. No other parking pad is permitted in the front yard area.
4. Parking pads, consisting of six inches of compacted gravel over a weed barrier, may also be located in a side yard or rear yard provided they are accessible by a driveway surfaced in accordance with this part. These parking pads must be located behind a view obscuring fence or gate.
5. Gravel parking pads must be kept weed free.

~~D. Recreational Vehicles. Recreational vehicles parked or stored on residential property in any R-1 or R-2 zone shall:~~

- ~~1. Be parked or stored on a paved surface in the front yard, side yard, or rear yard of a dwelling. Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of six inches of compacted gravel. This area shall be kept weed free.~~

FE. Commercial Vehicles. Commercial vehicles may not be parked or stored on residential property in an R-1 or R-2 zone, except in the following circumstances:

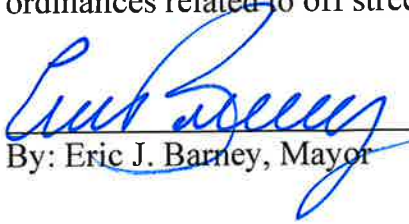
1. Commercial vehicles may be parked on a property in conjunction with lawfully permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.
2. One commercial vehicle may be parked behind the front line of the dwelling and screened from view from public streets or neighboring properties with an opaque fence that is at least six feet (6') tall, provided it is parked on a paved surface. The commercial vehicle may not exceed Class 5 (two (2)-axle, six (6)-tire single unit trucks) in Federal Highway Administration vehicle classification.
3. One commercial vehicle may be parked in the front yard or side yard of a dwelling in the R-1 or R-2 Zones upon issuance of a permit by PDS, as long as all of the following criteria are met:
 - a. No other commercial vehicle is parked or stored on the property;
 - b. The operator of the vehicle is required to be on call twenty-four (24) hours a day to use the vehicle in response to an emergency;
 - c. The commercial vehicle is parked on a paved surface;
 - d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and

e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

GF. Clear View Triangles. In accordance with Subsections 19.46.120 D and E, no vehicle may be parked in a manner that obstructs the clear view triangle of an intersecting street or a driveway.

SUMMARY OF
MAGNA CITY
ORDINANCE NO. 2024-O-16

On December 10, 2024, the Magna Council enacted Ordinance No. 2024-O-16, amending subsections 19.04.020, 19.28.060, 19.48.040, and 14.12.110 of the magna code of ordinances related to off street parking regulations.


By: Eric J. Barney, Mayor

ATTEST


Nicole Smedley, Recorder

APPROVED AS TO FORM


Paul Ashton, City Attorney

Voting:

Council Member Barney	voting	Aye
Council Member Prokopis	voting	Aye
Council Member Hull	voting	excused
Council Member Pierce	voting	Aye
Council Member Sudbury	voting	Aye

A complete copy of Ordinance No. 2024-O-16 is available in the office of the Magna Recorder, 2001 South State Street, N2-700, Salt Lake City, Utah.