



G R E A T E R S A L T L A K E
**Municipal Services
District**

Copperton Metro Township Council - May 17, 2023

OAM2022-000737

Ordinance Summary and Recommendation

Request: Decision regarding the repeal and replacement of Title 18 Subdivisions and Title 19 Zoning of the Copperton Metro Township Code of Ordinances.

Planners: Curtis Woodward, Kayla Mauldin

Summary of Recommendation: Staff recommends the Planning Commission receive public input and vote on a recommendation regarding Title 18 Subdivisions and Title 19 Zoning, either as presented or with amendments as agreed upon by the member of the Metro Township Council.

PROJECT DESCRIPTION

Case History: The ordinances were drafted and sent to the planning commission members for review in 3 phases, beginning in September, 2022, with discussion meetings being held with the planning commission to discuss concerns and possible edits. A final combined set of ordinances was published for public notice, and a public hearing was held by the Metro Township Planning Commission April 11, 2023. During that meeting, several changes were discussed that had been suggested as a result of State Legislation as well as input from affected entities. After reviewing the amended drafts, the planning commission recommended their own changes (see below) and forwarded the ordinances to the Metro Council for approval.

On April 19, 2023, the Copperton Metro Township Council considered and discussed the proposed ordinances as recommended by the Planning Commission. During that meeting, there was a discussion regarding potential changes to the Accessory Dwelling Units, and the item was continued until the Council Meeting of May 17, 2023. Planning Staff drafted some potential changes based on the discussion, and sent them out for review on April 20th.

Additional suggestions for edits were received from Jay Springer with Smith Hartvigsen on April 19 (Subdivisions) and April 30 (Zoning). Planning Staff have worked at revising the draft ordinances based on his recommendations, with the proposed edits having been sent out to the Council and Planning Commission members on May 11, 2023. A summary of the edits is provided as an attachment to this staff report (along with the formal adoption ordinances).

PLANNING RECOMMENDATION

On April 11, 2023, the Copperton Metro Township Planning Commission voted to Recommend Approval of Titles 18 Subdivisions, and 19 Zoning as presented to them during the public hearing with the following Amendments:

1. Remove the larger animals, cows, sheep, and goats, from the definition of "Family Food Production."
2. Amend Table 19.28.020 - Uses Allowed in Single Family Residential Zones to clarify the "Animals and Fowl for family food production established after May 1, 2023" is not allowed (making existing properties with those listed animals nonconforming uses).

ATTACHMENTS:

1. Title 18 Summary of Edits
2. Title 19 Summary of Edits
3. Adoption Ordinance

Summary of Title 18 Changes (Copperton)

1. Various edits from the attorneys, including:
 - Capitalization, punctuation, formatting of numbers, sentence structure, etc.
 - “Shall” vs. “may” and other legal terms, proper names, etc.
 - Changes to convert generic “municipality” terms from state code carry-overs to Copperton or Metro-specific
2. Changes to bring the code in line with Utah Code to match the agricultural exemption verbiage.

Summary of Title 19 Changes (Copperton)

1. Various edits from the attorneys, including:
 - Capitalization, punctuation, formatting of numbers, sentence structure, etc.
 - “Shall” vs. “may” and other legal terms, proper names, etc.
 - Changes to convert generic “municipality” terms from state code carry-overs to Copperton or Metro-specific
2. ADU changes, including:
 - Amending the definition to account for the possibility of short-term rentals.
 - Setbacks for 3 types of ADU: Internal, Attached, and Detached
 - Parking requirement for detached ADU reduced to one space
 - Removal of the “may not receive rent” for an owner who is temporarily absent due to military, medical, or religious reasons
 - Allowance for short-term rental of an ADU subject to licensing regulations
3. Cross-references to other applicable standards added to the zone chapters.
4. “Home Daycare/Preschool” in the land use tables changed to “Child Care, Licensed Family” and “Child Care, Residential” per changes to Utah Code definitions and the definitions chapter (19.04).
5. Accessory Structure size limits removed because limits as to lot coverage, height, already address that issue.
6. “Accumulation of Junk” prohibition added to the general site standards (used to be based on the definitions section).
7. Clarification that ornamental grasses intended to be grown in “tufts” over 6 inches are exempt from the height limits for lawns.

ALSO NOTE: THE CHART WITH SPECIFIC AMOUNTS FOR CIVIL PENALTIES FOR ZONING VIOLATIONS WAS REMOVED FROM TITLE 19, WITH THE UNDERSTANDING THAT THEY WOULD BE MOVED TO TITLE 12, CODE ENFORCEMENT AND COMMUNITY ENHANCEMENT; HOWEVER THE REVISED TITLE 12 IS STILL A WORK IN PROGRESS. IT IS THEREFORE RECOMMENDED THAT THE METRO COUNCIL EITHER ADOPT 19.94.070.A - B INTO THE COPPERTON FEE SCHEDULE; OR ADOPT IT INTO THE NEW ORDINANCE AS SECTION 19.08.050.A - B (see below).

19.94.050 Civil Penalties

A. Civil Penalties. Violations of the provisions of this title shall result in civil penalties pursuant to the following schedule:

**CIVIL PENALTIES FOR VIOLATION OF ZONING REGULATIONS
WARNING PERIOD: 28 DAYS FOR ALL VIOLATIONS**

Type of Zone	Classification of Violation	Fine Per Day (after warning period)
Residential Zones R-1's R-2's R-4-8.5 FR's F-1 RMH	Conditional use without a permit Other violations	\$25
	Nonpermitted use Violation of permit or approval	\$50
Mixed Zones R-M MD's FM's S-1-G	Conditional use without a permit Other violations	\$50
	Nonpermitted use Violation of permit or approval	\$100
Commercial/Manufacturing Zones C's M's O-R-D	Conditional use without a permit Other violations	\$100
	Nonpermitted use Violation of permit or approval	\$200
Agricultural Zones A's FA's	Conditional use without a permit Other violations	\$25
	Nonpermitted use Violation of permit or approval	\$50
Overlay Zones AOZ HPZ	Violation of provisions	\$100

B. Daily Violations. Each day a violation is continued or maintained after receipt of notice shall give rise to a separate civil penalty for each day of violation.

ORDINANCE 2023-_____

Ordinance No. _____

Date: _____

**AN ORDINANCE OF THE COPPERTON METRO TOWNSHIP COUNCIL
AMENDING LAND USE PROVISIONS ON ZONING AND SUBDIVISIONS**

RECITALS

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 Copperton Metro Township adopted each county ordinance in effect at the time of its incorporation pursuant to Utah Code Ann. Subsection 10-2a-414(3) and has authority to amend or repeal the county ordinance when it determines it is necessary; and

WHEREAS, the Copperton Metro Township is a municipality and has authority to regulate land use, development and subdivisions in general pursuant to Utah Code Ann. Subsection 10-3c-103 (2);

WHEREAS, Copperton Metro Township has authority to adopt Zoning and Subdivision Ordinances pursuant to Utah Code Ann. § 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, (“MLUDMA”), Title 10, Section 9a, Utah Code, to regulate land use and development; and

WHEREAS, the Council deems it necessary to amend its ordinances in order to facilitate land use and development patterns in harmony with the Copperton General Plan; and for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY THE COPPERTO METRO TOWNSHIP COUNCIL as follows:

1. Title 19 of the Copperton Metro Township Code is hereby repealed and replaced in its entirety with the version attached hereto as Exhibit A.
2. Title 18 of the Copperton Metro Township Code is hereby repealed and replaced in its entirety with the version attached hereto as Exhibit B.
3. 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.

4. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED this _____ day of _____, 2023.

COPPERTON METRO TOWNSHIP COUNCIL

By: Sean Clayton, Mayor

ATTEST

Lannie Chapman, Clerk

Voting:

- Council Member Bailey voting ____
- Council Member Clayton voting ____
- Council Member Olsen voting ____
- Council Member Severson voting ____
- Council Member Stitzer voting ____

Summary of published ordinance:

Date of publication: _____
Effective date of ordinance: _____

SUMMARY OF
COPPERTON METRO TOWNSHIP
ORDINANCE NO. 2023-XX

On _____, 2023, the Copperton Metro Township Council enacted Ordinance No. 2023-____, adopting Zoning and Subdivision ordinances and repealing the prior ordinance of the Salt Lake County Council adopted for Copperton in 2012, prior to Copperton’s incorporation as a municipality in 2017.

COPPERTON METRO TOWNSHIP COUNCIL

By: Sean Clayton, Mayor

ATTEST

APPROVED AS TO FORM:

Lannie Chapman, Clerk

METRO TOWNSHIP ATTORNEY

Voting:

- Council Member Bailey voting ____
- Council Member Clayton voting ____
- Council Member Olsen voting ____
- Council Member Severson voting ____
- Council Member Stitzer voting ____

A complete copy of Ordinance No. 2023-____ is available in the office of the Copperton Metro Township Clerk, 2001 South State Street, N2-700, Salt Lake City, Utah.