

Motion Sheet for Special Exception – Expansion of a Nonconforming Use

Petition Number: PLNPCM2017-00134

Motion to recommend approval (Staff recommendation):

Based on the findings listed in the staff report, testimony and the proposal presented, I move that the Planning Commission approve the special exception request for expanding a nonconforming use (the commercial parking lot) located at approximately 75 S 2400 West. The Commission finds that the project complies with the review standards as demonstrated in Attachment E of the staff report.

Motion to recommend denial:

Based on the information in the staff report, testimony and the proposal presented, I move that the Planning Commission deny the special exception request for expanding a nonconforming use (the commercial parking lot) located at approximately 75 S 2400 West. The Commission finds that the project does not comply with the review standards for special exceptions in 21A.52.060.

1. (The Planning Commission shall make findings on the standards specifically stating which standard or standards are not being met)

21A.52.060: General Standards and Considerations for Special Exceptions

No application for a special exception shall be approved unless the planning commission, historic landmark commission, or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

- A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.*
- B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.*
- C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.*
- D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.*
- E. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.*
- F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.*
- G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.*