



Provo City Planning Commission

Report of Action

February 14, 2018

18-0001OA Peter Evans requests a Code Amendment to Section 14.19.020 to allow Dental Laboratories (SLU# 6515) as a Permitted Use in the Community Commercial (SC2) Zones. City-Wide Impact. 18-0001OA, Dustin Wright, 801-852-6414

The following action was taken by the Planning Commission on the above described item at its regular meeting of January 24, 2018:

RECOMMENDATION TO APPROVE

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Brian Smith

Second By: Andrew Howard

Votes in Favor of Motion: Brian Smith, Andrew Howard, Jamin Rowan, Ed Jones, Shannon Ellsworth, Dave Anderson
Dave Anderson was acting as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

RECOMMENDED TEXT AMENDMENT

The proposed amendment to the ordinance is Attachment 1 in the Staff Report.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- This item was City-wide or affected multiple neighborhoods.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- No public comment received.

APPLICANT RESPONSE

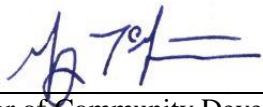
Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Applicant was not present at the hearing.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The type of use differs from a dental office in that the public is not coming to the site for dental work. The facility would make dentures and other similar items and then send them off to dental offices.



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS



**Planning Commission
Staff Report
Ordinance Amendment
Hearing Date: February 14, 2018**

ITEM 3* Peter Evans requests a Code Amendment to Section 14.19.020 to allow Dental Laboratories (SLU# 6515) as a Permitted Use in the Community Commercial (SC2) Zones. **City-Wide Impact.** 18-0001OA, Dustin Wright, 801-852-6414

<p>Applicant: Peter Evans Staff Coordinator: Dustin Wright</p> <p>Property Owner: N/A Parcel ID#: N/A Current Zone: Community Commercial (SC2) Acreage: N/A Number of Properties: N/A</p> <p>*Council Action Required: Yes</p> <p>Related Application(s):</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is February 28, at 6:00 p.m.</i></p> <p>2. Recommend Denial of the proposed ordinance amendment. <i>This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings</u>.</i></p>	<p>Current Legal Use: N/A</p> <p>Relevant History: N/A</p> <p>Neighborhood Issues: No issues have been made known to staff.</p> <p>Summary of Key Issues: Existing permitted uses in the SC2 zone does not allow this Standard Land Use (SLU) code.</p> <p>Staff Recommendation: Move to recommend approval to the Municipal Council for the proposed ordinance amendment in Attachment 1 of this report.</p>
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OVERVIEW

The applicant is requesting to add SLU code 6515 – Dental Lab Only to the list of permitted uses found in 14.19.020 of the Provo City Code. Currently, this use is not listed, but dental offices are a permitted use. SLU 6515 consists of dental labs and drug rehabilitation. It is not intended or requested to add drug rehabilitation to the permitted uses of this zone. To resolve this, the amendment would list SLU 6515 – Dental Lab Only.

FINDINGS OF FACT

- The SC2 zone currently does not list dental labs as a permitted use.
- SLU 6515 is for Dental Lab and Drug Rehabilitation.
- The applicant is requesting Dental Lab Only.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) *Public purpose for the amendment in question. **The proposed use would not negatively impact the public purpose.***
- (b) *Confirmation that the public purpose is best served by the amendment in question. **Allowing the use would provide greater flexibility for land uses in a zone where it would be compatible.***
- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives. **The proposed amendment would be compatible with the General Plan, and have similar impacts as other permitted uses in the zone.***
- (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated. **No issues with timing and sequencing.***

- (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies. **No potential issues are seen that would hinder articulated policies.***
- (f) *Adverse impacts on adjacent land owners. **There are no foreseen impacts by this amendment.***
- (g) *Verification of correctness in the original zoning or General Plan for the area in question. **N/A***
- (h) *In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies. **No conflicts.***

CONCLUSIONS

Staff finds that the proposed amendment to add dental labs to this zone would not have any greater impact than other permitted uses in the zone already. Allowing this use would provide greater flexibility to the permitted land uses.

STAFF RECOMMENDATION

Move to recommend approval to the Municipal Council for the proposed ordinance amendment in Attachment 1 of this report.

ATTACHMENTS

1. Proposed Ordinance Amendment

Attachment 1 – Proposed Ordinance Amendment

14.19.020. Permitted Uses.

(4) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the SC2 zone:

Use No.	Use Classification
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6515	Dental Lab Only
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