



Millcreek City Planning and Community Development

3330 South 1300 East

Millcreek, Utah 84106

Phone: (801) 214-2750

Inspections: (385) 468-6690

MAYOR'S MEETING STAFF MEMO

From: Robert May, Planner
To: Mayor's Meeting
Meeting Date: January 24, 2020 at 8am

RE: Mayor's approval for a sidewalk exception request that is part of a 2-Lot subdivision application located at 2525 East Neffs Lane

Applicant: Ryan Heath

File No.: EX-19-002

Request

Ryan Heath is requesting the Mayor's final approval to be exempt from providing required sidewalk along their property located at 2525 East Neffs Lane. The sidewalk exception request was part of a 2-lot subdivision that was approved by Planning Commission on September 16, 2019.

- On September 16, 2019 Millcreek Planning Commission recommended to the Mayor to grant the proposed sidewalk exception based on a recorded deferral agreement.
- On September 3, 2019, the East Millcreek Community Council voted to recommend denial of the proposed sidewalk exception based on their concern that Neffs Lane should have all public improvements installed, including sidewalk.
- The Public Works Director cannot justify recommending this lot for a sidewalk exception based on the following reasons:
 - The open irrigation ditch poses a risk with its proximity to the travel way.
 - Although your new home would be the first home with sidewalk on the North side of Neffs Lane, it is just a matter of time before other homes subdivide or rebuild, completing the missing segments of sidewalk.

Applicable Millcreek Codes

As per Section [14.12.025 Curb Ramps, Ramps And Sidewalks To Comply With Standards](#), "All public and private curb ramp, ramp and sidewalk development located within the city subject to the jurisdiction of the city shall meet the requirements of this chapter". However, residents do reserve the right to apply for an exception to the code in cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist.

As per Section [14.12.150 Exceptions](#), In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist, variations or exceptions to the requirements or this chapter may be approved by the mayor after receiving recommendations from the planning commission and the public works director; provided, that the variations or exceptions are not detrimental to the public safety or welfare.



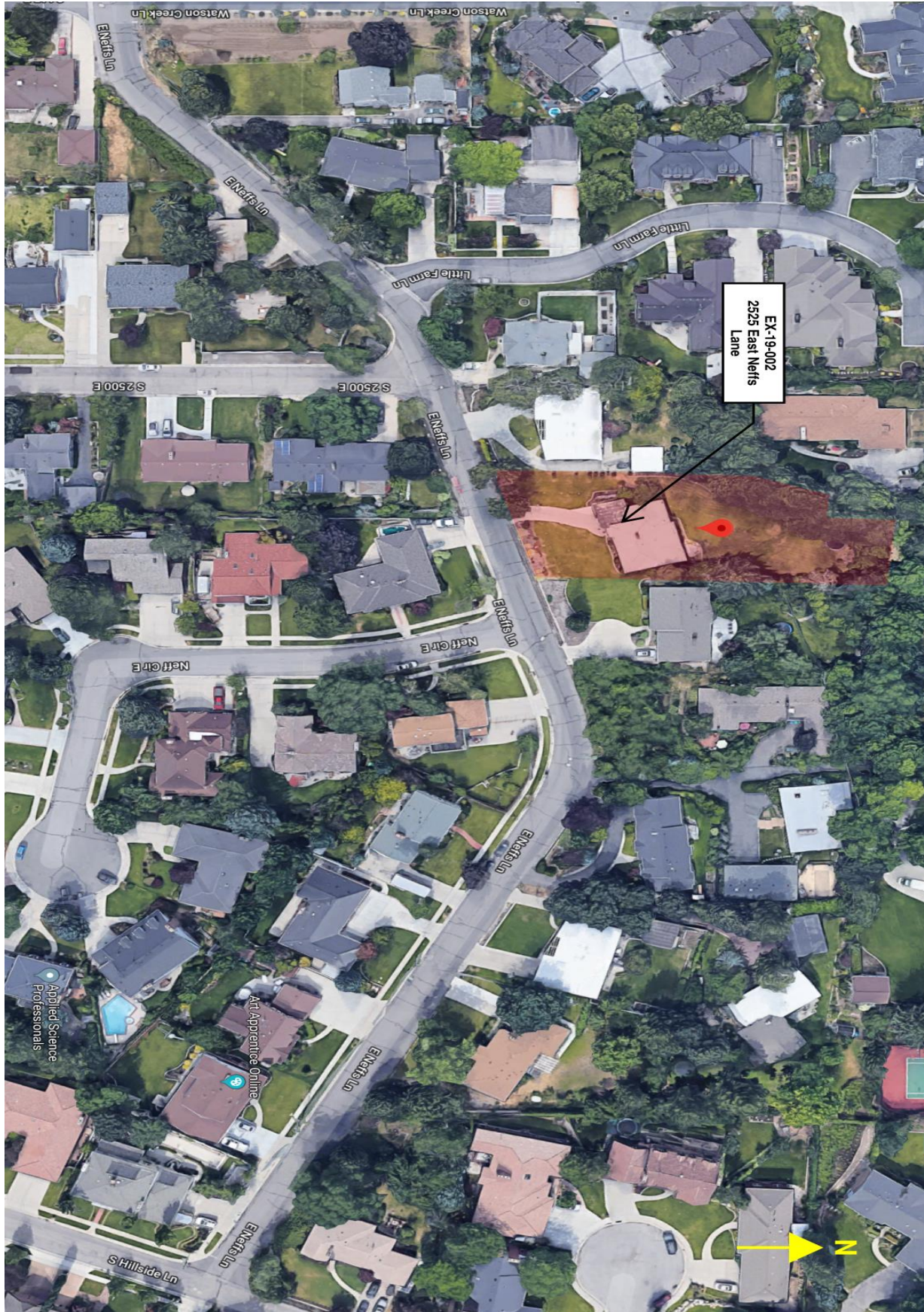
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PLANNING STAFF ANALYSIS AND FINDINGS

1. Staff finds that granting this exception does not create a substantial detriment to the public good, because the majority of the streets in the neighborhood do not have sidewalks.
2. Staff finds that granting this exception would not substantially impair the intent and purpose of the subdivision code, because all other subdivision and R-1-8 Zone requirements can be met.