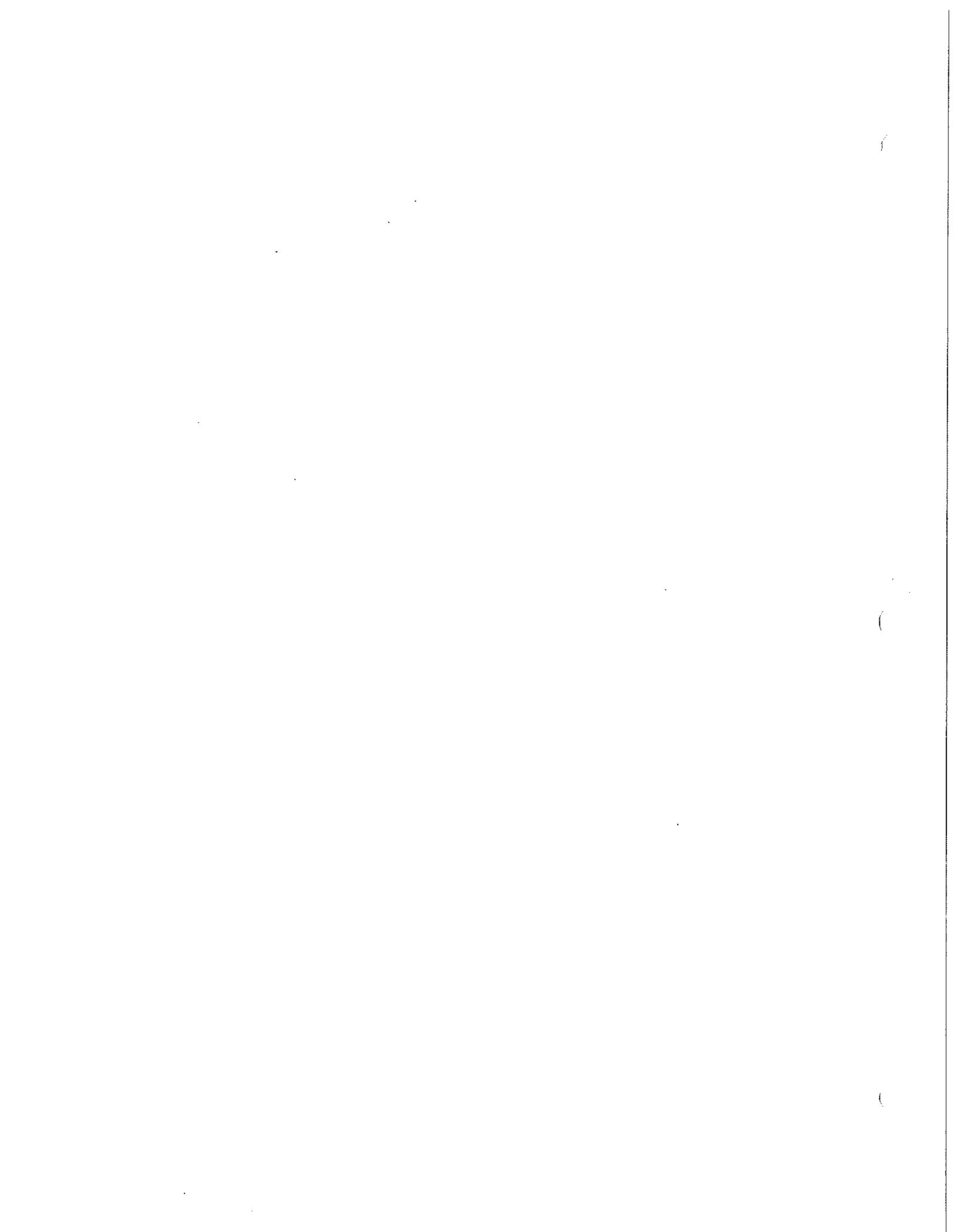


CHAPTER 14

PUBLIC IMPROVEMENTS COST ESTIMATE

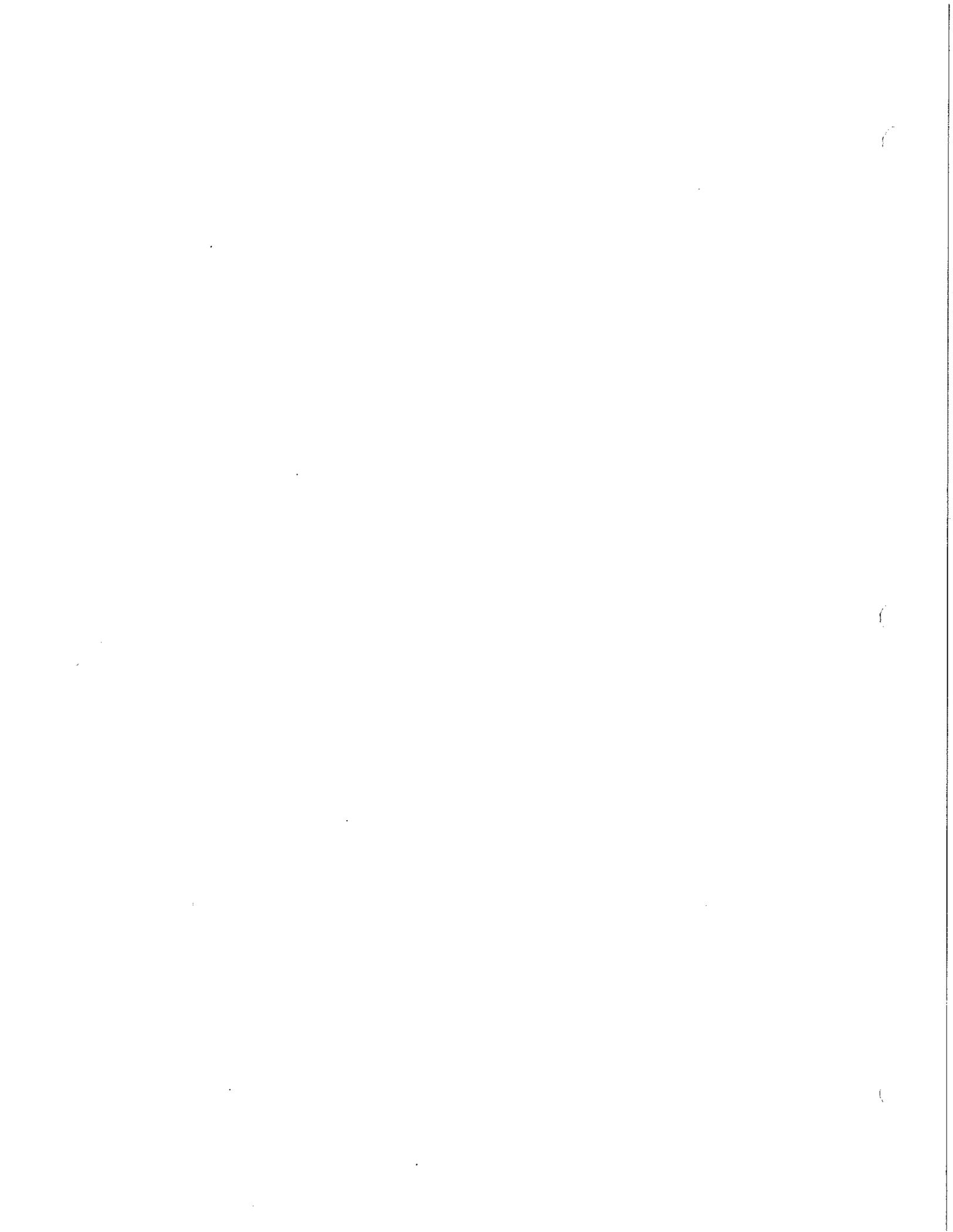


CHAPTER 14

PUBLIC IMPROVEMENTS COST ESTIMATE

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Chapter 14
Public Improvements Cost Estimate

14.1 General

Any applicant for final plat approval (the land subdivider) must provide the Engineering Division with an itemized cost estimate of all public improvements (as defined by State statues) associated with the subdivision (the Exhibit "A"). Cost estimates are to establish the amount of collateral provided by the applicant to secure the subdivision improvements agreement. An amount equal to 15% of the total cost estimate shall be added to the total cost to cover construction contingencies. Maintenance costs are not normally an issue in these agreements.

The developer shall guarantee all Public Improvements, including those to be constructed by an Improvement District.

After review and acceptance of the cost estimate by the Engineering Division, it is submitted to the Planning Department and the Final Plat is scheduled for a TBTTB hearing. That office reviews the subdivision improvement agreement and incorporates the Exhibit A from the approved public improvements cost estimate. This agreement must be signed by the subdivider prior to the TBTTB hearing scheduled for the Final Plat approval. Collateral must be provided by the applicant in the amount shown on Exhibit A (including contingencies).

14.2 Public Improvements

The scope of public improvements normally provided in subdividing land is discussed in this section.

14.2.1 Roadway

All sidewalk, curb and gutter for public R.O.W. within and adjacent to the subdivision shall be designed and constructed by the subdivider. All new public, local and collector roadways within and adjacent to the subdivision shall be designed and constructed by the subdivider. Participation in design and construction of new arterials and in

improvements to existing arterials in the subdivision vicinity shall be determined by relative impacts identified in the Traffic Impact Study submitted with the land use change actions pertaining to the subdivision.

14.2.2 Drainage

Drainage public improvements required are defined in the Bennett Storm Drainage Criteria Manual. Briefly, the minor storm (10 yr.) system (streets and sewer) for the onsite platted area shall be designed and constructed by the subdivider. The connection of the onsite local system to the major drainageway shall be designed and constructed by the subdivider. This may or may not be onsite. If the connection to the major drainageway is offsite, it may be advantageous for several property owners to jointly design and construct the connection to the major drainage way. (Note: Construction facilities for on site retention of storm water, may be applicable). The subdivider shall participate in the design and construction of the major drainageway within or serving the development as defined by the adopted Drainage Way Master Plan or as required by the Town of Bennett in the absence of a Master Plan.

14.2.2.1 Detention or Retention Ponds

Detention and or retention ponds (10 yr. and 100 yr.) for controlling stormwater runoff from the development, whether publicly or privately maintained, are considered public improvements because protection they afford to the adjacent or downstream property owners. As such the cost of constructing these ponds shall be estimated and included in the subdivision improvements agreements Exhibit A.

Note: The Town of Bennett has the responsibility to assure the land development provides necessary storm drainage

improvements, whether or not the Town will maintain these improvements (e.g., on site storm water detention ponds).

14.3 Utilities

The cost estimates for public improvements shall provide for all water and sanitary sewer facilities including trunk lines, metering stations, pump stations, lift stations, reservoirs, distribution mains and laterals within the public R.O.W. that are necessitated by the subdivision development. The cost estimate need not include the service taps and meters for individual utility users that are located off public R.O.W. Major service lines for non-residential users, located off Town R.O.W. shall also be included in the cost estimate.

14.4 Traffic Signs and Signals

14.4.1 Traffic Signals

If the subdivision Traffic Impact Study identifies the need for traffic signals as a consequence of the subdivision approval, whether that need is immediate or in the future, the subdivider shall be required to participate in the design and installation of the traffic signals. The extent of participation shall be determined by the Engineering Division or the Public Works Department. The estimated cost of participation shall be included in the public improvements cost estimate and shall become part of the subdivision improvements agreement. (See Section 16, Exhibit "A")

14.4.2 Traffic Signs

The cost of traffic signs for the subdivision shall be included in the subdivision improvements agreement as per Section 16, Exhibit "A". The subdivision streets shall not be opened for public use until the traffic signs are installed. The signing and striping plan must also be submitted so the Engineering Division or the Public Works

Department can validate the subdividers estimated sign costs.

14.5 Collateral

Collateral for the public improvements included in the subdividers agreement shall be in the form of an irrevocable letter of credit or performance bond for the total amount (including contingencies), as per Section 16 Exhibit "A". If the subdivision prefers not to provide collateral, a building permit restriction type of subdivision improvements agreement may be used in certain circumstances. The Town can provide details for this type of agreement.

14.6 Public Improvements for Other Land Use Action

Subdivision agreements, public improvements and collateral for public improvements are essential parts of the final plat approval process. Because policies regarding responsibility for public improvements have changed over time, there are Town land use change processes, other than the final platting process that require public improvements as a condition of TBTTB or Planning Commission approval. These are the final development plan approval process, the use by special review process, and the right-of-way vacation process. If the Town requires public improvements as a condition of TBTTB or Planning Commission approval for any of those processes, collateral shall be provided as described in Section 14.5 and in the Regulations.