

SUBJECT	ISSUED BY	LAST REVISION DATE	REVISION DATE
<b>DEVELOPMENT POLICY INFRASTRUCTURE GUIDELINES FOR NEW DEVELOPMENT</b>	City Commission	3-13-08	10-22-09

POLICY STATEMENT:

The City of Hays wants to encourage the orderly development of the City. In order to ensure that developing areas of the City are provided with adequate streets, alleys, parks, utility easements, water, sewer, storm sewer systems and/or other franchised utility services, the following policies are necessary to guide City staff and developers in the development process. The policies contained herein are in addition to any state or federal regulations and are intended to compliment the City's existing Subdivision Regulations, Code of Ordinances, KDOT Corridor Management Policy, and City of Hays Standard Details and Specifications for Public Works Construction Projects. Disputes between City staff and interested parties regarding applications and interpretation of these policies, after consideration by the City Manager, may be appealed to the Planning Commission for recommendation to the City Commission for final approval.”

The following categories are outlined indicating developer responsibilities as well as those responsibilities assumed by the City of Hays. It is the City’s desire to make this document as user friendly as possible.

Guidelines:

1) Sanitary Sewer Lines:

- a. The developer will be required to pay for 100% of the costs for the installation of all 8-inch sanitary sewer lines. If the City requires a line larger than 8 inches, the City will pay the difference in cost between the larger line and an 8-inch line.

At the discretion of the City Commission, the City will pay 100% of the cost for installation of major sanitary sewer trunk lines.

Major sanitary sewer trunk lines are designed and intended to carry a large volume of sewage, which is generated by those sewer mains which are connected to it.

Individual private service tap(s) into major sanitary sewer trunk lines are allowed for properties within the city limits or with an approved pre-annexation

agreement as long as all appropriate permits have been granted and fees paid.

- b. If a developer anticipates the use of a major sanitary sewer trunk line for individual taps to serve a properly recorded plat, the developer will be required to pay for the cost of an eight (8) inch line with the City paying for the difference in the cost between the eight (8) inch line and the larger line. If the development will occur along both sides of the trunk line, the developer will be required to pay 100% of the eight (8) inch cost. If the development is only on one side of the trunk line, the developer will be responsible for 50% of the eight (8) inch cost.
- c. All manholes and sanitary sewer lines shall be placed in existing or potential street right-of-way unless alleys are dedicated within the developing area, in which case the sewer lines may be placed in the alleys. At the discretion of the Director of Public Works, sewer lines may be placed in easements; however, all manholes shall be placed in street or alley right of way. The maximum distance between manholes shall be 600 feet. (See Section 13 for Backfill Requirements)
- d. When sewer lines are placed in the street or alley right-of-way, service laterals (taps) to service lots shall be installed prior to the final surfacing of the street or alley. Service laterals shall be installed at the time of installation for all lots and shall extend a minimum of five (5) feet beyond all rights-of-way and/or franchise utility easements into the lots.
- e. Service laterals (risers) shall be installed to within ten (10) feet of the surface of the ground (See Section 13 for Backfill Requirements and the Service Lateral Detail in the Standard Details and Specifications for Public Works Construction Projects.)
- f. The Director of Public Works shall review plans and specifications submitted by the developer, and make the final determination as to the location and sizing of sewer lines, and shall approve sanitary sewer line piping material.
- g. All sewer lines shall end at a manhole.
- h. Sewer lines serving a development shall be extended to the far side of the development so that the improvement will be positioned for the next development to extend the service in an orderly progression.
- i. Other requirements for the installation of sewer lines beyond those listed above will be specified by the Director of Public Works.

## 2) Water Lines

- a. The developer will be required to pay for 100% of the costs for the installation of all 8-inch water lines. If the City requires a line larger than 8 inches, the City will pay the difference in cost between the larger line and an 8-inch line.

At the discretion of the City Commission, the City will pay 100% of the cost for installation of major water distribution trunk lines.

- b. Major water distribution trunk lines are designed and intended to carry a large volume of water to water mains connected to it.

Individual private service tap(s) into major water distribution lines are allowed for properties within the city limits or with an approved pre-annexation agreement as long as all appropriate permits have been granted and fees paid.

- c. If a developer anticipates the use of a major water distribution line for individual taps to serve a properly recorded plat, then the developer will be required to pay for the cost of an eight (8) inch line with the City paying for the difference in the cost between the eight (8) inch line and the larger line. If the development will occur along both sides of the major water distribution line, the developer will be required to pay 100% of the eight (8) inch cost: if the development is only on one side of the major transmission line, the developer will be responsible for 50% of the eight (8) inch cost.
- d. All water lines shall be placed in existing or potential street right-of-way. At the discretion of the Director of Public Works, water lines may be placed in easements. (See Section 13 for Backfill Requirements)
- e. The Director of Public Works shall make the final determination as to the location and sizing of water lines. By mutual agreement of the developer and the Director of Public Works, water service taps, meter setters, and service lines shall be installed in conjunction with street, storm sewer, sanitary sewer and water improvements. When installed, water service lines shall extend a minimum of five (5) feet beyond all rights-of-way and/or franchise utility easements into the lots.
- f. All water mains shall be Class 50 cement lined ductile iron or C-900 PVC, unless the Director of Public Works approves other materials.
- g. Developers shall be required to loop water lines within a development, as specified by the Director of Public Works. The maximum distance of a dead-end line is 1,320 feet, or as determined by the engineer to meet or exceed minimum fire flow requirements for the planned development.

- h. Six inch (6") water lines may be allowed in cul-de-sacs and other dead-end runs after the last fire hydrant when no potential for future expansion exists. Use of 6" lines will be approved or denied by the Director of Public Works in the review process.
- i. Water lines serving a development shall be extended to the far side of the development so that the improvement will be positioned for the next development to extend the service in an orderly progression.
- j. Other requirements for the installation of water lines beyond those listed above will be specified by the Director of Public Works.

3) Alleys and Utility Easements:

Alleys:

Where alleys are platted, all franchised or public utilities, with the exception of storm sewer and water lines, are to be installed in the alleys. As part of the development improvements, alleys shall be graded for proper drainage and paved with rock (4" of compacted native limestone or other approved material). Grading plans and materials shall be approved by the Director of Public Works. For a typical 20' alley as required by the Subdivision Regulations, the improved surface shall be 16' in width. The developer and City will share the cost equally for construction of the rock alley. The developer may include his/her cost in the special assessment, if so created. Service laterals (taps) to service lots shall be installed prior to the final surfacing of the alley.

In subdivisions where alleys are not platted, all public utilities shall be placed in the street right-of-way and franchised utilities shall be placed in a 10' easement on each side of the street right-of-way. Service lines and crossings of franchised utilities shall be allowed in street right-of-way as required.

Utility Easements:

Utility easements shall be provided where necessary and shall normally be centered on lot lines. Easements along rear lot lines shall be twenty (20) feet in width and street light easements along side lot lines shall be ten (10) feet in width. Side lot easements, when needed for other than street lighting purposes, may exceed ten (10) feet. All easements shall be shown on the plat. Permanent easements shall not be obstructed by buildings or permanent, woody vegetation. No fences may be placed in storm drain easements. A property owner may otherwise erect fences and landscape on the easement at his or her own risk of loss.

4) Streets, Curb and Gutter and Sidewalks:

Streets:

- a. The developer shall pay for 100% of street construction costs including curb and gutter, but excluding intersections, which will be paid by the City-at-Large. The City-at-Large will pay the cost of any over sizing requirements, i.e. collector streets where paving greater than 40 feet in width and in excess of 6 inches in depth.

Arterial streets typically will be paid for by the City of Hays. Every effort will be made to apply for and receive approval for funding from the Federal Highway Surface Transportation Program administered through the Kansas Department of Transportation (KDOT) 5-Year Plan or other grant sources.

- b. The following street right-of-way requirements shall apply to all new development:

Residential streets -- 60 feet

Reverse Access Roads – 60 feet

Collector streets -- 70 feet

Industrial and Commercial (Business) streets -- 80 feet

Arterial streets -- 100 feet

- c. The following street pavement width requirements shall apply to all new development and shall be measured from back-of-curb to back-of-curb.

Residential streets -- 40 feet (see note below)

Reverse Access Roads – 33 feet

Collector streets -- 45 feet

Industrial and Commercial (Business) streets -- 45 feet

Arterial streets -- 53 feet

Note: The residential street width may be reduced to 31 feet following a detailed request by the developer, recommendation by the Planning Commission, and a majority vote approving the request from the City Commission.

On approved 31-foot streets, builders shall provide for two (2) off-street parking spaces for each dwelling unit. For example, for a single family dwelling unit, a double car driveway is considered two (2) off-street parking spaces. Reference Zoning Regulations.

- d. The City of Hays requires a Soils Investigation Report prior to any new street being designed. Based on the soils report, the engineer will design the street calling out the proper specifications for street construction materials. If soil stabilization is required, Kansas Department of Transportation (KDOT) standards will be used for approved stabilization materials. The developer is responsible for the cost of the Soils Investigation Report.

All streets in new developments shall be constructed to the following minimum specifications:

Residential – 6” non-reinforced concrete, or 6” asphalt 4” rock base

Reverse access roads – 7” non-reinforced dowelled joint concrete or 7” asphalt w/4” rock base

Collector/Industrial and Commercial (Business) – 7” non-reinforced dowelled joint concrete, or 7” asphalt 4” rock base

Major Arterial – 9” non-reinforced dowelled joint concrete

- e. Construction specifications shall be in accordance with the City of Hays Standard Details and Specifications for Public Works Construction Projects.
- f. Pavement markings where warranted shall be installed during initial construction and shall be paid for by the developer.
- g. Access Management shall be exercised with the goal of: 1) obtaining reasonable access to property while maintaining safe and efficient movement of traffic on arterial and collector streets, or 2) improving traffic flow by controlling/limiting access to arterial and collector streets. The Kansas Department of Transportation Corridor Management Policy as revised from time to time shall serve as the guide in determining access control requirements.

As a general rule, the following considerations shall apply:

- o Access management principles should be applied.
- o Direct access to arterial streets should be limited to intervals of 660 feet.
- o Access should be gained to an arterial street from a public street.
- o Access drives at major intersections (arterial-arterial, arterial-collector) should be located outside the influence of the intersection, generally 330 feet.
- o Drives adjacent to arterials on local streets should be limited to 100 feet.

- Left turns should be planned for and accommodated in the design of the street.
- Arterial rights-of-way should ultimately accommodate the appropriate street section with traffic lanes and sidewalks on either side of the street. A right-of-way width of approximately 100 feet will accommodate a five-lane roadway with sidewalks.
- Direct access to collectors should be limited to 330 feet.
- Turning movements should be accommodated. A continuous turn lane is an excellent technique that should be considered on collector streets.
- Collector rights-of-way should ultimately accommodate the appropriate street section with traffic lanes and sidewalks on both sides of the street.
- Parking setbacks along arterials and collectors will help to insure sight distance problems are not encountered.
- Drives adjacent to collectors on local streets should be limited to 100 feet.
- Offset Streets and drives should be avoided.

#### Curb and Gutters:

- a. The developer shall pay for the construction of curb and gutters in new developments as part of the street construction.
- b. In areas zoned industrial and commercial, and along arterial streets, standard barrier curbs shall be installed. In areas zoned residential, layback curbs shall be installed in accordance with the City of Hays Standard Detail and Specifications for Public Works Construction Projects.

#### Sidewalks:

Sidewalks are required in all new development. In residential subdivisions, sidewalks may be installed as houses are constructed within the development. On arterial streets, collector streets, reverse access roads, and other streets where the driving lane is immediately adjacent to the curb (no on-street parking), curbside sidewalks shall be at least 6-feet in width or the sidewalk shall be set back from the curb. In residential areas, curbside sidewalks (at least 5-feet wide) shall be installed. Set-back sidewalks may be allowed where warranted with the approval of the Director of Public Works. Construction of sidewalks for commercial property may be temporarily

waived with a signed "Letter of Exception" from the Director of Public Works where sidewalk may not be warranted or practical at the time.

5) Parks: (reserved)

6) Street Lights:

Street lighting for vehicular traffic safety will be installed at intersections, around curves and in other hazard areas, as determined by the Director of Public Works, and will be paid for by the City. The developer shall pay for any additional lighting. Street lighting approved by the City will be on wooden poles. Other types of poles (metal, decorative, etc.) may be installed at the developer's expense, with the approval of the Director of Public Works. The Director of Public Works must approve all street lighting plans and installations.

Street lighting within the City of Hays is operated and maintained by Midwest Energy. The City pays a monthly fee to Midwest Energy for each City Street Light operated and maintained by Midwest Energy.

7) Storm Sewers/Storm Water Management:

- a. The intent of this section is to require developers either to pay or finance through special assessments (Section 11, Option 2) the placement of storm sewer improvements that are needed to accommodate storm water runoff generated by a five-year storm in the area to be developed. Storm water improvements that are needed to transport storm water once deposited off the property, as well as any improvements to mitigate the effects of storm water on downstream users (i.e. additional storm water retainage or detainage, over sizing storm water pipes, etc.) will be evaluated and may be cost shared between the city-at-large and the developer. Storm sewer mains may be paid 100% by the city-at-large under K.S.A. 12-619, if it is determined by the City Commission that the benefit is to the community in general and not specifically to meet the sole needs of the proposed development.
- b. The developer must comply with storm water requirements as set forth in the City's Storm Water Management Ordinance (Chapter 53 of the City Code of Ordinances).
- c. Storm drainage plans shall be established in conjunction with the Platting and Subdivision process. The platting process shall include the dedication of drainage easements as required by the City's Subdivision Regulations. The developer shall submit a Storm Water Management Plan for the development to the Public Works Department for approval at the time of preliminary platting. The Storm Water Management Plan must be approved prior to

any permits being issued. In the event the original property changes ownership, the current owner retains responsibility for storm water management.

- d. The Director of Public Works shall review plans and specifications submitted by the developer, and make the final determination as to the location and sizing of storm sewer lines, and shall approve storm sewer line piping material.

8) Fire Protection Requirements:

Fire Department Access

Roads for fire truck access, water mains and fire hydrants are to be installed and operational during construction as specified in the city fire code.

Buildings that are set back more than 150' from city streets are required to have private fire lanes as specified in the city fire code.

Water Supplies for Firefighting

All water mains and fire hydrants are to be installed as specified by the city fire code and in accordance with city utility requirements and shall be paid for by the developer. Two-way fire hydrants are not permitted. The spacing of fire hydrants is to be as specified in the Kansas Department of Health and Environment Minimum Design Standards.

Water mains and fire hydrants to be installed in the city rights-of-way shall become the responsibility of the city after proper inspection, testing and acceptance.

Private water mains and fire hydrants are to be installed to supply automatic fire sprinkler systems or to protect buildings where adequate public fire hydrants are not accessible as specified in the city fire code. Prior to providing water service from the public supply, private water mains are to be inspected and approved by the city. Future inspection, testing and maintenance of private water mains and fire hydrants are the responsibility of the property owner.

Fire Hydrants and other appurtenances shall be according to the City of Hays Standard Details and Specifications for Public Works Construction Projects.

9) Utility Plans for Public Improvements

Prior to final approval of a plat for new development or replat of an existing subdivision, a general plan and preliminary cost estimate for street, storm water, sanitary sewage disposal, water supply, and other utility improvements to serve the

subdivision shall be submitted to the Director of Public Works for review and approval. Along with the plan and cost estimate, the developer shall prepare and submit a petition, signed by all property owners within the development, agreeing to participate in the cost of said future public improvements through the formation of a special benefit district, as authorized by K.S.A. 12-6a01et seq., for the purpose of financing the construction of public streets, storm sewer, sanitary sewer, installation of public water mains, and/or park improvements for the proposed development. The petition shall be properly recorded, and the property owners shall inform each and every future purchaser that this petition is binding upon all owners and successors in interest.

#### 10) Developer Agreement for Public Improvements

When improvements to public infrastructure are proposed without the establishment of a Special Benefit District, the developer shall submit a properly executed written agreement to undertake and complete, to the satisfaction of the City, all public improvements required. The Developer's Agreement for public improvements should include:

- the public improvements required,
- the name and address of engineer performing design and inspection work,
- include or incorporate by appropriate reference the plans and specifications for said improvements,
- detail any costs to be born by the City,
- identification of required permits, bid tabs, construction documents, material submittals and test results, construction observation and final inspection notes, as-built plans, and one-year warranty.
- set out the time limit for the completion of the work,
- the amount of bond or other acceptable surety to be posted as security for the satisfactory completion of the work, and
- the rights of the City, in the event the required work is not completed in a proper or timely manner, to perform or complete the work and recover the actual cost thereof from developer or developer's sureties.

The developer's agreement and bond for required public improvements shall be reviewed and approved as to the form and content by the Director of Public Works and the City Attorney. The developer's agreement shall be filed with the Ellis County Register of Deeds.

#### 11) Special Assessment:

The City, at its discretion, will permit developers to finance improvements through special assessments in one of the following ways: NOTE: Engineering services to be a part of the special assessment costs associated with a project shall be performed by an engineer acceptable to the City.

## OPTION 1

- a. The City will allow developers to finance 100% the specially assessed cost of construction of streets, curbs and gutters, park improvements, and the acquisition of property for public use through special assessments as provided by K.S.A. 12-6a01, et. seq. These special assessments shall be for a ten (10) year period.
- b. Developers will not be allowed to use special assessment Option #1 to finance the installation of water, sewer lines, storm water, or street lighting.
- c. No single developer can establish a special assessment district as herein provided while holding title to 25 or more unsold lots under an existing special assessment district.

## OPTION 2

- a. The City will allow developers to use special assessment to finance the installation of streets, curb and gutter, water lines, sanitary sewer lines, storm sewer lines, park improvements, and the acquisition of property for public use. Prior to award of bid for construction, the developer shall be required to pay, with cash, 30% of the total specially assessed cost of the improvements less the City-at-large contributions provided for elsewhere within this development policy. The remaining cost shall be assessed to the property owners through special assessments payable over 15 years
- b. No single developer can establish a special assessment district as herein provided while holding title to 25 or more unsold lots under an existing special assessment district unless approved by the City Commission..

In certain cases, the City provides funds to encourage economic activity and stimulate business growth. The City's procedures for granting such incentives are detailed in the Economic Development Policy.

### 12) Underground Utilities:

#### a. Electrical and Gas Utilities

1. All electrical distribution lines less than or equal to 34,500 volts, excepting substation tie lines, shall be installed below ground, according to utility company specifications, in developments with no alleys. In developments with alleys provided, the decision on placement of utilities below ground or above ground is at the option of the developer.

2. Developments with no alleys shall follow the guidelines presented in this section. An easement of 10 feet on each side of all streets, running parallel to the street, shall be required. Additional easements may be necessary for looping of electric and gas lines. Said easement shall be used for electric and gas installations, but may be used by Cable TV and telephone. A common trench may be used by the electric and gas utilities and is available for use by Cable TV and telephone. Electric and gas meters shall be installed at the house and on the same side of the house. The side of the house to be used shall be determined by the location of the utility equipment, (e.g., transformers, secondary pedestals, valve boxes, etc.). Contact the utility company for aid on providing for the utility equipment locations.
3. Developments with alleys shall follow the guidelines presented in this section. If the development utilizes overhead electric lines, certain easements may be necessary. Underground electrical service shall require 10' by 10' easements being placed in some lots for transformer placement. In either case, the electric service to the house shall be installed underground with electric and gas meters being placed in the alley. A common trench may be used for primary electric lines and gas mains in developments with underground utilities. The trench will be available for use by telephone and Cable TV. Easements 5 feet wide may be required occasionally to provide a route for street light wires.

b. Telecommunications

1. All telecommunication distribution lines shall be installed below or above ground at the option of the telecommunication company according to the telecommunication company specifications, in developments with no alleys or with alleys.
2. Developments with no alleys shall follow the guidelines presented in this section. An easement of 10 feet on each side of all streets, running parallel to the street, shall be required. Additional easements may be necessary for looping of utilities. Said easement shall be used for utility installation and may utilize a common trench for all utilities. Contact the utility companies for aid in providing for the utility equipment locations.
3. A common trench may be made available for use for all utility installation in developments with underground utilities. Service taps to the house may be installed in separate trenches.
4. Development with alleys shall follow the guidelines presented in this section. Buried cables will be placed at the edge of the traveled way.

Pedestals will be placed at property lines. If alley is being served by aerial cable, service will be provided by aerial wires from poles to house.

5. Permanent easements shall not be obstructed by buildings or permanent, woody vegetation. A property owner may otherwise erect fences and landscape on the easement at his or her own risk of loss.

13) Backfill Requirements for All Trenched Utility Lines, Water, Sewer, Gas, Electricity, Cable TV, Telecommunication, etc.

a. When installing utility lines within the street or alley right-of-way:

1. Ninety-five (95%) compaction of backfill is required if tamped backfill is used.
2. The contractor shall certify (if special assessment of said improvement is being used to pay for such improvements) that 95% compaction has been achieved.
3. If special assessment is not used to pay for the improvement or the utility improvement is performed by utility company forces, the developer or owner of said utility shall certify that 95% compaction has been achieved.
4. Results of tests performed shall be submitted to the City of Hays Public Works Department, indicating that 95% compaction has been achieved.

- b. When installing utility lines that are not within the street or alley right-of-way but in an open field area, 90% compaction shall be achieved. No certification is required, verification will be provided, via engineering contract inspections. In instances where boring is performed in place of trenching to install utility lines, the backfilling requirements are not applicable except in the areas where excavation has taken place to construct boring and receiving pits. If flowable fill is used for the entire depth, it shall be accepted in place of the 95% or 90% compaction requirements, respectively. If settlement occurs, the City will not be responsible for repairs to private property, driveways, sidewalks, etc. Corrective action related to settlement on private property should be directed to the contractor hired to do the work. It is understood that, by the above requirements, the City has taken reasonable steps to safeguard the interests of both public and private improvements.

14) Annexation:

- a. An individual or business located outside the city limits may submit a written application to the Planning, Inspection, Enforcement Superintendent asking for permission to connect a legally recorded lot or tract to a sanitary sewer line or water main.
- b. The requesting individual or business must file a Petition for Annexation or agree to enter into a Pre-annexation Agreement, which either annexes the property to be served with sanitary sewer and/or water service immediately or provides for the point in time when annexation will take place. The Petition for Annexation or Pre-annexation Agreement must be approved by the City Commission.

Once a property is connected to both public water and sewer services and/or property is contiguous with the City Limit on at least 3 sides, the City will consider annexing the property.

- c. The requesting individual or business must agree to comply with all zoning regulations, subdivision regulations and building codes, building permits, building inspections, and building and inspection fees now in force or as may be amended in the City of Hays for all improvements commenced after annexation or adoption of the Pre-annexation Agreement.

If the property under consideration for annexation is not part of an approved and properly recorded Subdivision Plat, the application must be accompanied by proof of survey completed by a land surveyor licensed by the State of Kansas and must contain the following information or documents:

1. Lot or tract dimensions and the relationship of the property to dedicated public right-of-way and the relationship of the property to two known Quarter Section Corners. Provided further that if the property in question is adjacent to a Quarter Section Corner, a monument must be set in accordance with the current City standards as part of the survey.
2. Dimensions of all permanent structures located on the lot/tract and their relationship to property lines.
3. The location of all public or private easements existing on the lot or tract.
4. The relationship of the property to the recognized FEMA Flood Insurance Rate Map (FIRM) with the panel number and effective date of that panel.
5. Signature and registration number of the person completing the survey.

6. Six (6) copies of the completed survey along with an electronic copy that is compatible with City software must accompany the application.
- d. The requesting individual or business must agree to participate in any Special Assessment District, which might be formed for the purpose of paving roads/street, and or extending public water mains or sanitary sewer lines to the property.
- e. The above conditions, as well as any conditions, which might be imposed by the City Commission at the time of application, shall apply to subsequent owners of the property for which the request is being made.
- f. Water and sewer service charges, as provided through ordinance and as amended from time to time, shall be assessed against properties, that connect to the public utility infrastructure.
- g. A non-refundable fee of \$200.00 shall be collected for the purpose of administering each application for connection.

15) Hike and Bike Trails - (Reserved)