

SUBJECT	ISSUED BY	LAST REVISION DATE	REVISION DATE
DEVELOPMENT POLICY INFRASTRUCTURE GUIDELINES FOR NEW DEVELOPMENT	City Commission	10-22-09	6-8-17

POLICY STATEMENT:

The City of Hays encourages the orderly development of the City in a manner that promotes financial strength and resiliency. 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 of infrastructure to serve legally platted subdivisions. The policies contained herein are in addition to any state or federal regulations and are intended to complement the City's Uniform Development Code (UDC), 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: Refer to UDC Sections 9.1.207 & 9.1.208
 - a. The developer will be required to pay for 100% of the costs for the installation of all sanitary sewer lines, manholes and appurtenances. At the discretion of the City Commission, the City may participate in the cost for installation of major sanitary sewer trunk lines.
 - b. 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 Water Resources, 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)

- c. 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 and shall extend a minimum of five (5) feet beyond all rights-of-way and/or franchise utility easements into the lots.
 - d. 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.)
 - e. As a minimum, Sanitary Sewer Mains shall be 8" diameter, SDR 35 PVC solid wall gravity pipe in accordance with the City of Hays Standard Details and Specifications for Public Works Construction Projects. The Director of Water Resources 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 material, manholes and appurtenances.
 - f. All sewer lines shall end at a manhole, or in certain instances, a cleanout upon approval from the City and KDHE.
 - g. 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, unless otherwise determined by the Director of Public Works and Director of Water Resources that the extension is not warranted.
 - h. Other requirements for the installation of sewer lines beyond those listed above will be specified by the Director of Water Resources.
- 2) Water: UDC Sections 9.1.207 & 9.1.208
- a. The developer will be required to pay for 100% of the costs for the installation of all water lines, valves, hydrants, service lines, meters, and appurtenances. At the discretion of the City Commission, the City may participate in the cost for installation of major water distribution trunk lines.
 - b. All water lines shall be placed in existing or potential street right-of-way. At the discretion of the Director of Water Resources, water lines may be placed in easements. (See Section 13 for Backfill Requirements)
 - c. The Director of Water Resources shall make the final determination as to the location and sizing of water lines. By mutual agreement of the developer and the Director of Water Resources, 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.

- d. As a minimum, water mains shall be 8" diameter in accordance with the City of Hays Standard Details and Specifications for Public Works Construction Projects. The Director of Water Resources must approve all pipe materials and appurtenances. Water mains smaller than 8" diameter 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 smaller mains will be approved or denied by the Director of Water Resources in the development review process.
- e. Developers shall be required to loop water mains within a development, as specified by the Director of Water Resources. Dead-end mains may be allowed if engineering study determines that minimum fire flow and water quality requirements are met.
- f. Water mains 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, unless otherwise determined by the Director of Public Works and Director of Water Resources that the extension is not warranted.
- g. Other requirements for the installation of water lines beyond those listed above will be specified by the Director of Water Resources.

3) Alleys and Utility Easements:

Alleys: Refer to UDC Section 9.1.208

- a. Where alleys are platted, all franchised and public utilities, with the exception of storm sewer and water mains, are to be installed in the alleys. As part of the development improvements, alleys designed and constructed to not convey stormwater shall be at a minimum paved with 4" of compacted crushed rock/concrete or other approved material. Alleys designed or constructed as a means to convey stormwater shall be inverted and constructed of concrete with a minimum thickness of 7 inches. 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 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.
- b. 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: Refer to UDC Section 9.1.204

- a. Utility easements shall be provided where necessary. Easements along rear lot lines shall be twenty (20) feet in width and street light easements alongside 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 water easements. A property owner who erects fences and landscape on the easement does so at his or her own risk of loss.

4) Streets, Curb and Gutter and Sidewalks:

Streets: Refer to UDC Sections 6.2.200, 9.1.206, and 9.1.208

- a. The developer shall pay for 100% of street construction costs including curb and gutter and ADA accessible ramps at intersections.
- b. Improvements to Arterial Streets will take place when the following conditions are met:
 - The property along the arterial is fully or substantially developed and annexed into the City of Hays
 - Traffic counts and/or road condition warrant improvements
 - Sufficient funds exist to complete the improvementA developer may choose to fund arterial street improvements, or the City Commission may require the developer to fund arterial street improvements if the future expected growth warrants the improvements. A petition for the creation of a benefit district may be submitted by affected property owners to fund arterial improvements.
- c. The following street right-of-way requirements shall apply to all new development:
 - Residential streets -- 60 feet
 - Collector streets -- 70 feet
 - Industrial and Commercial (Business) streets -- 80 feet
 - Arterial streets -- 100 feet
- d. The following minimum street pavement width requirements shall apply to all new development, unless otherwise approved by the City Commission:

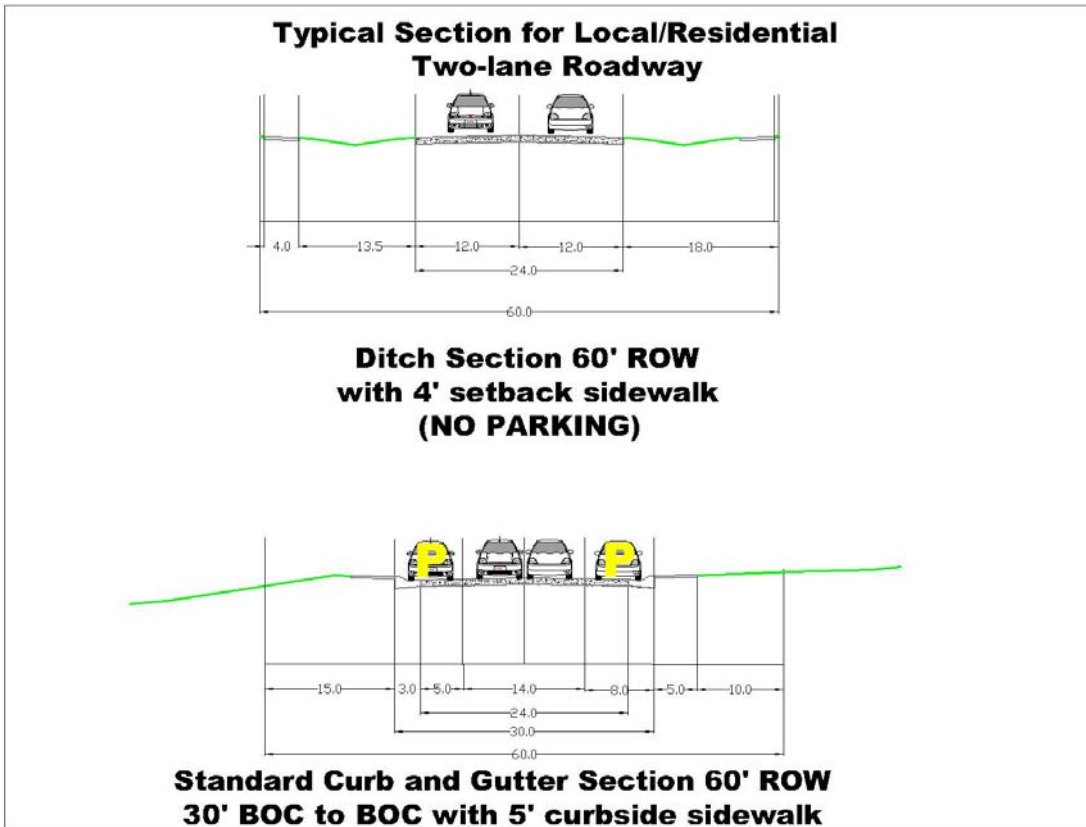
Residential (no curb & no parking) – two 12' lanes = 24'

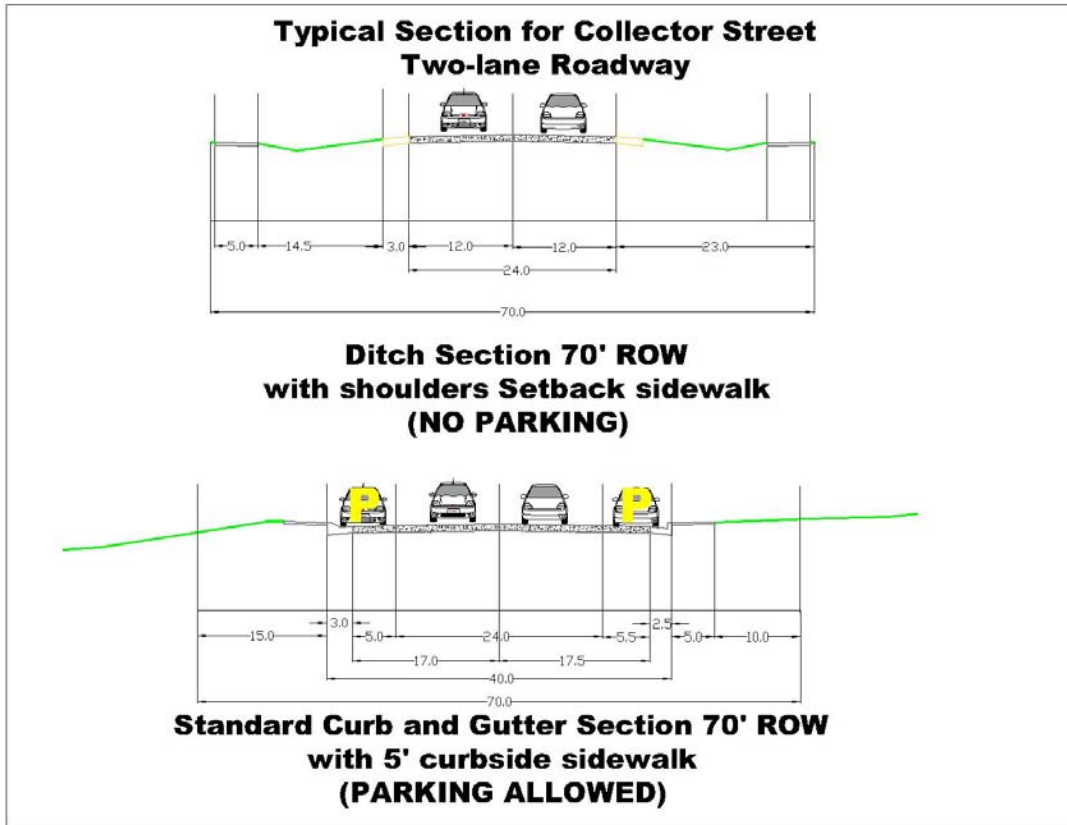
Residential (with curb & parking) - 30' BOC to BOC

Collector (no curb & no parking) – two 12' lanes = 24' (plus 3' minimum width gravel shoulders)

Collector (with curb and parking) – 40' BOC to BOC

Arterial Streets – Based on Engineering Study





- e. 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.
- f. In lieu of a Soils Investigation and subsequent subgrade and pavement design, the Director of Public Works may approve the construction of streets to the following minimum specifications:

Residential

6" non-reinforced concrete on 12" fly ash treated subgrade, OR
6" asphalt on 4" rock base with geogrid reinforcing fabric.

Collector/Industrial and Commercial (Business)

8" non-reinforced dowelled joint concrete on 12" stabilized subgrade,
OR
8" asphalt on 4" rock base with geogrid reinforcing fabric.

Arterial Streets – Per Pavement Design Analysis

- g. Construction specifications shall be in accordance with the City of Hays Standard Details and Specifications for Public Works Construction Projects.
- h. Pavement markings where warranted shall be installed during initial construction and shall be paid for by the developer.
- i. Access Management (UDC Section 5.3.100) 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:

- Access management principles should be applied.
- Direct access to arterial streets should be limited to intervals of 660 feet.
- Access should be gained to an arterial street from a public street.
- Access drives at major intersections (arterial-arterial, arterial-collector) should be located outside the influence of the intersection, generally 330 feet.
- Drives adjacent to arterials and collectors on local streets should be limited to intervals of 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 intervals of 330 feet.
- Turning movements should be accommodated. A continuous turn lane (3-lane configuration) is an excellent technique that should be considered on arterial and 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.
- Offset Streets and drives should be avoided.
- New development, redevelopment, or changes in use that are likely to impact peak hour traffic may require a traffic impact study (UDC Section 5.3.105)

Curb and Gutters: Refer to UDC, Sections 9.1.208.1.a & 9.2.301.G.3

- a. When utilized, the developer shall be responsible for the construction of curb and gutters in new developments as part of the street construction.
- b. When curb and gutter is installed, for 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: Refer to Section 6.2.301 of UDC

5) Parks: (reserved)

6) Street Lights:

- a. 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.
- b. Street lighting for vehicular and pedestrian 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 through the City Street Light lease agreement with Midwest Energy. 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.

7) Storm Sewers/Storm Water Management: Refer to UDC Sections 8.2.102 & 9.2.300

- a. The intent of this section is to require developers to pay the cost of construction of storm water management improvements needed to accommodate storm water runoff generated by the area to be developed.

- b. Storm water management 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 Uniform Development Code, Section 11.2.500. 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.
- c. The Director of Public Works shall review plans and specifications submitted by the developer, and make the final determination regarding the proposed storm water management plan.

8) Fire Protection Requirements:

Fire Department Access

- a. 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.
- b. 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

- a. 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 and current adopted Fire Code, and as approved by the City of Hays Fire Chief.
- b. 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.
- c. Private water mains and fire hydrants are to be installed to supply fire protection 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.

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

9) Utility Plans for Public Improvements: Refer to UDC Section 11.2.500

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 Public Works Department for review and approval by the Director of Public Works and Director of Water Resources. Along with the plan and cost estimate, and in lieu of Section 10 of this policy, the developer may 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. and discussed in Section 11 of this policy, for the purpose of financing the construction of public streets, storm water management systems, sanitary sewer, water, 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 or outside 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 in a timely manner. The Developer's Agreement for public improvements shall at a minimum 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 borne 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 schedule and 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.

If a developer pays the cost to install improvements that cross or serve property beyond the intended development, that developer may be entitled to reimbursement of a proportionate share of the original construction cost from any future user connecting to or benefiting from said improvements within 10 years of the improvements being accepted by the City. The Developer Agreement, ratified by the City Commission, is necessary to formalize the conditions for potential reimbursement.

The developer's agreement and bond for required public improvements shall be reviewed and approved as to the form by the City Attorney and executed by the City Manager. 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 use special assessments to finance 100% of the 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 unless approved by the City Commission.

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 to the City in cash, 30% of the total cost of the improvements. The remaining cost shall be assessed to the property owners through special assessments payable over a period not to exceed 20 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.

12) Franchised 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.
- 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 and may also be used by telecommunications. A common trench may be used by the electric and gas utilities and may also be available for use by telecommunications. 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 at a minimum 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. A common trench may be used for primary electric lines and gas mains in developments with underground utilities at the discretion of the utility provider. The trench may also be available for use by telecommunications and Cable TV. Easements 5 feet wide may be required occasionally to provide a route for street light conductors.

- b. Telecommunications

- 1. All telecommunication distribution lines shall be installed below ground, according to utility company specifications, in developments with no 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, run-

ning 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. Developments with alleys shall follow the guidelines presented in this section. Buried cables will be placed at the edge of the traveled way. Pedestals and poles will be placed at property lines.

c. Permanent Utility Easements

Permanent utility easements shall not be obstructed by buildings or permanent, woody vegetation. A property owner who erects fences and landscape on the easement does so 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. Backfill shall be compacted to ninety-five (95%) of maximum density in no more than six inch lifts.
 2. The contractor shall certify that 95% compaction has been achieved.
 3. 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, a minimum of 90% compaction shall be achieved. No certification is required, but verification shall be provided by engineering contract inspections or city inspector.
- c. 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.
- d. If flowable fill is used for the entire depth, it shall be accepted in place of the 95% or 90% compaction requirements, respectively.

- e. 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) Project Acceptance and Final Closeout Refer to UDC Section 9.1.208

- a. A set of approved plans shall be on file with the City at all times. Before construction starts, all plans and specifications of the developer and his engineer shall have been approved by the City to meet these minimum specifications. Any changes or revisions shall be accomplished with approval of the City and copies of such changes or revisions furnished to the City.
- b. As soon as practicable, after the completion of the entire work, it will be inspected by the City. The developer, contractor, and the engineer will be notified when the inspection will be made, and he, or his representative, shall be present. When the work is found satisfactory by the City, it will be accepted by the Public Works Director for maintenance by the City, and the contractor's year of guarantee shall begin.
- c. If the inspection reveals any defects, or if any defects show up within the year's guarantee, such defects shall be repaired and/or replaced as the City may require. The cost of such repairs and replacements shall be borne by the contractor with no cost to the City.
- d. Prior to final acceptance of the improvements, as-built drawings, in both paper and electronic copy that is compatible with City computer software must be provided to the City.