

CHAPTER 5

IMPROVEMENT REQUIREMENTS

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10-5-1: **RESPONSIBILITY OF SUBDIVIDER; COMPLIANCE WITH LAWS AND STANDARDS:**

- A. All required improvements such as streets, alleys, drainage easements and other facilities which are required as a condition to plat approval shall be the responsibility of the subdivider and shall meet "Idaho Rules For Public Drinking Water Systems And Wastewater Treatment Facilities" (IDAPA 58.01.08 and 58.01.02), "DEQ Storm Water Best Management Practices For Idaho Cities And Counties", the "Manual For Uniform Traffic Control Devices (MUTCD)", the "City Of Driggs Public Works Standards And Technical Specifications", and other ordinances and regulations of the city.
- B. Plans for the improvements herein required shall be prepared by a registered engineer. (Ord. 259-05, 10-4-2005)

10-5-2: **CONSTRUCTION DRAWINGS:** The subdivider shall submit construction drawings with the final plat for all improvements required in that portion of the subdivision contained in the final plat. (Ord. 259-05, 10-4-2005)

10-5-3: **DEVELOPMENT AGREEMENT:** Concurrent with the recording of the final plat, the subdivider shall record a development agreement between the subdivider and the city in the format adopted by the city. (Ord. 259-05, 10-4-2005)

10-5-4: **GUARANTEE OF IMPROVEMENTS:**

- A. Prior to recording the final plat, the subdivider shall file with the city clerk a surety bond in the form of a performance bond, letter of credit from a bank or other financial institution, cash, or other acceptable guarantee, to ensure actual construction of such improvements and their completion according to plans as submitted to and approved by the city. The improvements, when covered by a surety bond, shall be constructed within two (2) years from the date of recording of the final plat; provided, however, the city may extend the period one year upon a showing of just cause by the subdivider, and resubmission of the surety bond in an adjusted amount approved by the city. Such surety bond or other guarantee shall be in the amount of one hundred ten percent (110%) of the estimated cost of the improvements as determined by the city.
- B. Financial assurances shall be returned upon satisfactory completion of work as determined by the city. In the event construction is not completed or in the event construction is completed but not in substantial conformity with the approved plans for the project, the financial assurances shall forfeit to the city by the applicant. Forfeiture of the financial assurances shall not in any way require the city to complete the project nor shall forfeiture preclude the city from seeking other redress or remedy for failure to comply with the approved plans or for failure to complete the project, including, but not limited to, refusal to issue an occupancy permit or any other remedy at law or in equity, through judicial action or through any other action as may be determined by the council. (Ord. 259-05, 10-4-2005)

10-5-5: **RECORD PLANS AND SPECIFICATIONS:**

- A. Prior to acceptance by the city of any improvements installed by the subdivider, two (2) sets of prints and one digital copy of the as built plans and specifications shall be certified by the subdivider's engineer and filed with the city. Such plans shall be reproducible by standard means.

- B. Within thirty (30) days after completion of improvements and submission of as built plans in accordance with city specifications, the city shall certify completion and acceptance of construction and shall transmit a copy of said certification to the subdivider. If a surety agreement has been executed by the subdivider, the same shall be forwarded to the city clerk. The city clerk shall thereafter release said surety or guarantee upon application by the subdivider. (Ord. 259-05, 10-4-2005)

10-5-6: **TIME LIMITATIONS:** If the subdivider has not completed construction of all proposed improvements identified in the development agreement within five (5) years of the date of final plat approval, the city shall, at its discretion, commence proceedings for the vacation of the subject plat, in accordance with Idaho Code section 50-1306A. (Ord. 259-05, 10-4-2005; amd. 2010 Code)

10-5-7: **REQUIRED IMPROVEMENTS:**

- A. **Curb, Gutter And Streets:** Curbs and gutters shall be provided along all streets. All streets shall be paved with asphalt. Curb, gutter and street improvements shall comply with the "City Of Driggs Public Works Standards And Technical Specifications" (latest edition).
- B. **Sidewalks:** An approved hard surfaced sidewalk shall be provided on both sides of streets; except, that the city may permit one shared path in lieu of two (2) sidewalks along collector or arterial streets. Sidewalk and path designs shall be in compliance with the "City Of Driggs Public Works Standards And Technical Specifications" (latest edition).
- C. **Bike Lanes:** Bike lanes shall be provided on both sides of dedicated collector streets or arterial streets, in compliance with the "City Of Driggs Public Works Standards And Technical Specifications" (latest edition).
- D. **Stormwater Disposal:** Proper and adequate provision shall be made for disposal of stormwaters. The requirements for each particular subdivision shall be established by the council and adhere to the Idaho DEQ's "Catalog Of Storm Water Best Management Practices For Cities And Counties".
- E. **Water And Sewer Systems:** All public water supply and sewer systems shall comply with the "Idaho Rules For Public Drinking

Water Systems And Wastewater Treatment Facilities" (IDAPA 58.01.08 and 58.01.02), the "City Of Driggs Public Works Standards And Technical Specifications", and other ordinances and regulations of the city.

- F. Survey Monuments: Survey monuments shall be installed in accordance with Idaho Code section 50-1303 at all corners, angle points, and points of curve and all street intersections.
- G. Fire Hydrants: The location and specifications of fire hydrants required to serve the subdivision shall be approved by the county fire marshal and conform to the requirements of the "City Of Driggs Public Works Standards And Technical Specifications" (latest edition).
- H. Street Names And Signs: Street names and traffic control signs shall be erected by the developer in accordance with the "Manual Of Uniform Traffic Control Devices (MUTCD)" and the city standards and specifications, and shall, upon acceptance, be thereafter maintained by the city.
- I. Streetlights: Streetlights shall be installed by the subdivider at intersections throughout the subdivision in accordance with city adopted standards and specifications, unless waived after recommendation of the commission and approval of the council. The subdivider shall conform to the requirements of the city and the public or private utility servicing the area.
- J. Underground Utilities: All electric power, utility, and telecommunications lines, i.e., telephone, fiber optic, or any line which carries communication, shall be placed underground.
- K. Postal Delivery System: One or more cluster box units (CBU), approved for use by the USPS, shall be provided for residents in new subdivisions of five (5) lots or more. No mailboxes may be located in a sidewalk or right of way as to impede pedestrian or vehicular traffic. The city council may require a vehicle turnout for CBU access upon recommendation from the city public works director or the U.S. postmaster. (Ord. 259-05, 10-4-2005)