

CITY OF KINGMAN
STREETS AND SIDEWALKS DEVELOPMENT RULES AND REGULATIONS
SECTION 2-2(e) STREET IMPROVEMENT APPEAL PROCESS

Sec. 2-2. Construction of street improvements during development

- (e) Any appeals to this section shall be presented to the City Council for consideration and action. Appeals shall be submitted in writing to the City Planning Director.

The City Planning Director shall forward copies of the appeal to the City's Traffic Safety Committee for review and comment, and request the Public Works Director to place the item on the next Traffic Safety Committee agenda, for review and action. Upon receipt of the Traffic Safety Committee's recommendation and all other review comments, the City Planning Director will prepare a report to the City Council, outlining the required street improvements, the reason for the appeal, and the recommendation of the Traffic Safety Committee and other review comments, and place the appeal on the next regularly scheduled City Council meeting. (This paragraph amended by Ord. 1152, adopted 12/03/97)

The City Council may defer the required street improvements for the following reasons:

- (1) It is determined that the construction of the improvements would create a traffic hazard to the area.
- (2) The street(s) in question has (have) been identified as part of a major street construction project, and that the required improvements could not be built and salvaged in accordance with the proposed construction project.
- (3) The street has been identified as part of an improvement district.
- (4) The property affected will be developed in phases and it is beneficial to complete street improvements in conjunction with a later phase of the project (provided there is reasonable assurance that the project will be completed in a timely manner).
- (5) The property being developed fronts on a street that has been identified as needing horizontal and/or vertical adjustments.
- (6) The property fronts on a street that is 90% or more developed and such improvements would serve no benefit to the overall block, or

- (7) That drainage problems are such that the required street improvements would create drainage flow problems that need to be addressed by a comprehensive street redevelopment project. (This paragraph amended by Ord. 1351, adopted 10/21/02)

If the City Council makes a decision to grant a deferment, the Council may designate such conditions as it deems necessary to secure the intent and purpose of these regulations by requiring such guarantees and evidence that such conditions will be complied with. The granting of a deferment, along with any conditions and guarantees shall be adopted in resolution form and shall run with the land. The Council's decision shall be final and shall become effective upon passage of the resolution, and property owner signs the deferment agreement. The City Clerk shall record the Resolution and Deferment Agreement.

As an alternative to the construction of street improvements at the time of development and/or granting of a deferment, the City Council may accept a cash payment for the required improvement. The value of the street improvements shall be based on a cost estimate developed by the City Engineer, covering the work that would be required if the improvements were constructed as part of the property development, including curb, gutter, sidewalk, driveway curb cuts, handicap ramps, drainage appurtenances, "half width or match-up" pavement, pavement tapers and engineering and construction staking.

In determining the cost estimate the City engineer will take into account recent street improvement unit costs associated with similar City projects, and/or quotes for the improvements by licensed contractors.

In the case of Arterial and Collector Streets where justification for not constructing the improvements is the absence of an overall design or the desirability to include the improvements as part of a larger City project the calculations of the estimated improvement cost shall be based on contract unit prices for recent City projects of a similar nature and shall include the curb, gutter, sidewalk and driveways along the property frontage.

Said payment will be considered as payment in full toward or against any current or future obligations for these street improvements associated with this parcel, including but not limited to assessment districts and improvement district. Additional improvements that are constructed along this particular roadway for which the City Council will be assessing the abutting property owners, will be assessed and billed in the same manner as the Other properties. (Amended by Ord. 998, adopted 02/22/94; amended by Ord. 1351, adopted 10/21/02)



CITY OF KINGMAN
STREET IMPROVEMENT APPEAL APPLICATION FORM
CASE # SD-_____ - _____

CHECK ONE: DEFERRAL REQUEST PAYMENT IN LIEU OF IMPROVEMENTS

APPLICATION DATE: _____

APPLICANT NAME: _____

PROPERTY OWNER NAME (IF DIFFERENT) _____

MAILING ADDRESS: _____

APPLICANT PHONE #: _____

STREET(S) SUBJECT TO APPEAL REQUEST _____

PARCEL NUMBER(S) OF ADJACENT PROPERTY: _____

SUBMITTAL & PROCESSING INFORMATION

- ▶ Processing fee: None
- ▶ Fill out, sign, and return this application page
- ▶ Submit a letter with this application page to the City Planning and Zoning Administrator explaining reason for the appeal.
- ▶ If the request is for a deferral of street improvements, the reasons for the request should be keyed to the applicable portions of Section 2-2(e) 1 through 7 of the Streets and Sidewalks Development Rules and Regulations (see attached)
- ▶ Request will be forwarded to Traffic Safety Committee for review and to make a recommendation.
- ▶ Traffic Safety Committee will submit their recommendation for Council consideration and possible approval.

Applicant's signature: _____

Property owner's signature (if different) _____