



## PUBLIC IMPROVEMENTS

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An important challenge of any rapidly growing community is to have the level of public improvements keep pace with the growth of the community. New development, existing deficiencies, obsolescence, and the changing goals of the City generate the need for public improvements. The purpose of this chapter is to provide policies to guide the City in determining what improvements are needed, when they are needed, and who will pay for them.

One important element of the City's public facilities is planning for and providing an adequate supply of raw and treated potable water. Union Reservoir, located east of the City limits, is a key component of its raw water supply. As part of its long-term water supply strategy, the City is planning for the enlargement of Union Reservoir. This effort, which has been underway for more than 10 years, includes land acquisition, buffering, and plans for expansion of the storage capacity of the reservoir. The City's *Water Resources Master Plan* and *Treated Water Master Plan* are important elements of the City's ongoing planning efforts for its water supply.

Public improvements and their use are an integral part of everyday community life. Public improvements include utilities such as water pipelines, transportation facilities such as streets, and public buildings such as fire stations or the library.

Maps in the *Longmont Area Comprehensive Plan* identify some public improvements such as streets, parks, and primary greenways. Other public improvements are not shown either because their future locations are not always known, such as recreation centers and golf courses, or because other plans, such as the *Wastewater Master Plan*, identify them in greater detail.

This chapter describes how growth pays its fair share of the necessary public improvement costs and emphasizes the importance of providing clear public improvement policies and regulations for development to follow. It also describes the City's priority on maintenance and bringing existing facilities up to current standards.

Determining what a development's fair share is can be complex. Public improvements may be necessary to serve demands from existing development, demands from a specific new development, cumulative demands from all new development, or combinations of the three. Toward this end, this chapter identifies the need to bring the regulations regarding public improvement responsibilities and reimbursements into as clear and predictable a process as possible.

This chapter distinguishes two types of public improvements called "basic" and "neighborhood." Basic public improvements are facilities that have a direct relationship to the development of individual properties or projects such as local streets and small-diameter waterlines. Neighborhood public improvements are facilities that serve neighborhood or Citywide needs and have a reasonable relationship to each specific development within the neighborhood or City. Examples of neighborhood public improvements are arterial streets and large-diameter waterlines.

This chapter establishes two types of costs associated with public improvements. They are called "fair share" costs and "oversizing" costs. Fair share costs are the property owner's responsibility for the portion of the basic or neighborhood improvement that directly benefits the development of the



property. For example, a collector street is a basic public improvement that directly benefits the adjacent properties. A property owner's fair share is one-half the cost of a collector street for the length of the development's frontage on the collector street. The property owner on the other side of the collector street also has half the cost as his or her fair share. Together they pay for the collector street adjacent to their properties at the time they develop.

Oversizing costs cover the costs for the portion of neighborhood improvements that is assigned to all of the property owners in the neighborhood or City that reasonably benefit from the facility. Because the improvement serves both the development of individual properties and the neighborhood or City in general, the oversizing cost is calculated as the amount over and above the fair share costs associated with basic improvements. In other words, oversizing pays for the capacity above what is necessary to serve a specific development directly. The oversizing serves the neighborhood or Citywide demand. For example, the oversizing cost of an arterial street is the amount over and above the cost of a collector street.

In addition to identifying the types of public improvements and the ultimate cost responsibility, this chapter also addresses the timing issue of when the public improvements must be in place. The City Council establishes priorities for City-initiated public improvements through the adopted *Capital Improvement Program*. A development must have in place all of the public improvements, both basic and neighborhood, necessary to serve its future residents and employees and necessary for the development to function as an integrated, compatible part of the City. A property owner may choose to proceed with development of the property and provide the necessary basic and neighborhood public improvements at his/her expense or choose to wait until the City or other developers provide the improvements and pay only the property's fair share of the improvements.

If the property owner proceeds and constructs the improvements, the City will reimburse him or her for the oversizing costs associated with neighborhood improvements as funds become available through a reimbursement mechanism such as a community investment fee. Other property owners will also reimburse him or her for their fair share of the basic and neighborhood public improvements when their property develops.

Finally, this chapter emphasizes the importance of the City and property owners planning and budgeting for the maintenance and operation costs associated with public improvements once they are built.



## Public Improvements Goals, Policies, and Strategies

<b>GOAL PI-1:</b>	<b>Provide for the construction, improvement, and maintenance of public facilities in a manner appropriate for a modern, efficiently functioning City.</b>
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**POLICY PI-1.1:** Establish as the City's responsibility the funding of existing public improvement needs or those generated by obsolescence or the City's changing goals.

**Strategy PI-1.1(a):** Annually prepare and adopt a five-year *Capital Improvement Program* that reflects the City's priorities for capital construction consistent with the *Longmont Area Comprehensive Plan*.

**POLICY PI-1.2:** Assign responsibility to property owners for public improvement needs that new development generates, and establish a clear and predictable process for property owners to follow to provide these improvements when they develop their properties.

**Strategy PI-1.2(a):** Periodically review, and modify as appropriate, the *Land Development Code* and the *Public Improvement Design Standards & Construction Specifications* that together clearly describe when the City requires public improvements to serve development and the financial requirements and responsibilities for their design, construction, improvement, and maintenance.

**Strategy PI-1.2(b):** Use annexation impact reports, annexation agreements, and public improvements agreements to clearly identify and state the specific public improvement requirements and responsibilities of the City and of property owners.

**POLICY PI-1.3:** Construct basic improvements, meaning those improvements that have a direct relationship to the development of property, when the City determines they are necessary.

**Strategy PI-1.3(a):** Identify and define all public improvements that have a direct relationship to development of property as basic improvements.

**Strategy PI-1.3(b):** Require property owners to provide for basic public improvements at the time of development or redevelopment.

**Strategy PI-1.3(c):** Establish development's fair share cost as each property's proportionate share of the basic improvements plus any improvements necessary to serve the property specifically, such as deceleration lanes at driveways.

**Strategy PI-1.3(d):** Require property owners who benefit from basic improvements constructed by others to reimburse their fair share of the cost when they develop or redevelop.



**POLICY PI-1.4:** Construct neighborhood public improvements, meaning those improvements that serve neighborhood or Citywide needs and have a reasonable relationship to development within the neighborhood, when the City determines they are necessary.

**Strategy PI-1.4(a):** Identify and define all public improvements that serve neighborhood or citywide needs with a reasonable relationship to development as neighborhood public improvements.

**Strategy PI-1.4(b):** Require all those who benefit from neighborhood public improvements to participate in paying for the oversizing costs of those improvements.

**Strategy PI-1.4(c):** Reimburse any entity that fully provides a neighborhood public improvement for the oversizing costs as funds become available through a financing and reimbursement mechanism.

**Strategy PI-1.4(d):** Review proposals to provide neighborhood public improvements ahead of the City's schedule to determine if construction of the improvements at that time is in the City's interest, and if so, establish a reimbursement schedule for the oversizing costs.

**Strategy PI-1.4(e):** Collect funds for neighborhood public improvements through techniques such as a community investment fee in order to have funds available to reimburse oversizing costs that others paid and to fund other neighborhood public improvements at the time the City determines they are necessary.

**Strategy PI-1.4(f):** Consider alternative methods of financing public improvements, including the use of City-controlled special improvement districts.

**Strategy PI-1.4(g):** Coordinate development review with the St. Vrain Valley School District, including school site dedication or cash-in-lieu by developers, so that the necessary school facilities will be constructed when the school district determines that they are necessary.

**POLICY PI-1.5:** Provide adequate utility service to all areas within the City for the use and intensity that the zoning permits.

**Strategy PI-1.5(a):** Provide new City water and/or sanitary sewer service to properties within the City, and consider providing such service in limited situations outside the City only when City Council determines such extensions benefit the City's interests.

**Strategy PI-1.5(b):** Provide electrical service within the City and outside the City limits in a service area that is stipulated in agreements with other electric companies and that the Public Utilities Commission supports.



**Strategy PI-1.5(c):** Provide new City storm water facilities consistent with proper storm water management and storm water master plans.

**Strategy PI-1.5(d):** Design the wastewater system to flow without the installation of new wastewater lift stations with the exception of regional lift stations for the Quail and McLane Neighborhood Planning Areas and a portion of the East Side Neighborhood Planning Area that is just north of the St. Vrain River.

**Strategy PI-1.5(e):** Encourage the elimination of private sewage disposal systems within the City.

**Strategy PI-1.5(f):** Provide efficient water and sewer treatment at consolidated City facilities, and discourage the installation of multiple treatment plants within the Longmont Planning Area.

**Strategy PI-1.5(g):** Coordinate with surrounding water and sanitary sewer districts in the St. Vrain Valley Planning Area to review the impacts of development and the impacts of service area changes on both the City and the districts.

**POLICY PI-1.6:** **Protect and fully use the investment made in each public facility and provide for the maintenance and operating costs that are the City's responsibility.**

**Strategy PI-1.6(a):** Establish the City's responsibility in general to maintain and operate public improvements it accepts, and recognize that public improvements contribute to the high quality of life in Longmont.

**Strategy PI-1.6(b):** Establish the property owner's responsibility to maintain public improvements when the public improvement provides a direct benefit to the property and can be integrated with the on-site maintenance responsibilities of the development; for example, landscaping in the street right-of-way.

**Strategy PI-1.6(c):** Identify and plan for maintenance and operating costs through the budget and public improvement review processes before the City or developer constructs public improvements.

**Strategy PI-1.6(d):** Budget adequate funds for the maintenance and operation of public improvements consistent with the City's budget priorities and the City's acceptance of responsibility for the maintenance and operation of those improvements.

**Strategy PI-1.6(e):** Identify general responsibilities for the maintenance of each public improvement in the *Land Development Code* and the *Public Improvement Design Standards & Construction Specifications*, and where appropriate, reference these responsibilities in each public improvements agreement.

**Strategy PI-1.6(f):** Create a positive visual impact with public facilities through design, landscaping, and screening, and sustain the image through ongoing maintenance.



**Strategy PI-1.6(g):** Coordinate with other public improvement providers to provide cost-effective and efficient maintenance of public facilities.

**POLICY PI-1.7:** Provide for the integration of public improvements outside the City with City public improvements.

**Strategy PI-1.7(a):** Coordinate the planning, design and construction standards for public improvements outside the City but within the Municipal Service Area or Longmont Planning Area to facilitate possible integration with City public improvements.

**Strategy PI-1.7(b):** Use cooperative agreements with other public improvement providers so that all urban-level development within the Municipal Service Area or Longmont Planning Area installs public improvements consistent with the City's standards to facilitate possible integration with City public improvements.

**Strategy PI-1.7(c):** Connect all public improvements serving new development to the City's existing systems, and provide for the extension of the systems to adjoining parcels where the City considers such extensions to be appropriate.



## **Public Improvements Indicators**

**Policy Rationale:** The City’s goal for providing necessary public facilities for an efficiently functioning community is accomplished by a combined effort of public and private efforts. The public efforts are generally focused on maintaining existing facilities or addressing obsolescence. The private efforts ensure that adequate facilities are provided for new development.

**Benchmark Standards:** Drainage and water quality: Storm water discharge must meet or exceed federal standards. All necessary drainage facilities must be provided with new development, as further defined in Section 15.05.150 of the *Land Development Code*.  
 Utilities: Adequate utilities and appurtenances shall be provided with new development, as further defined in Section 15.05.150 of the *Land Development Code*.  
 Fire and Emergency Medical Response: Each building lot within a development shall be within a specified response time of a City fire station, as further defined in Section 15.05.150 of the *Land Development Code*.  
 Power: Power service shall be reliable as measured by system average interruption frequency index, customer average interruption duration index, and the momentary average interruption index as specified in the City’s Quality of Life Benchmarks.

**Indicators:**

- A. Construction of all new development includes water quality measures, which meet the City’s National Pollutant Discharge Elimination System (NPDES) regulations, to maintain the City’s discharge permit with the Colorado Department of Public Health and Environment (CDPHE).
- B. Verify that new development provides necessary public improvements
- C. Identify number of development proposals denied based on location outside of response time

**Methods, Sources:**

- A. City of Longmont Public Works Division
- B. City of Longmont Planning Division
- C. City of Longmont Fire Department