Chapter 12
Streets and Public Improvements
Chapter 12 - Street and Public Improvements

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12.1.1. Applicability

A. This Article applies to all development as set forth in Chapter 14 of this Title.

B. No building, structure, lot or site, in whole or in part, may be erected, constructed, moved, enlarged, developed or structurally altered until all required Improvement Plans, profiles and specifications have been reviewed and approved by the city or other applicable governmental approving agency.

C. No services or utilities may be extended or furnished to any development until the applicant has installed the improvements specified in this Land Development Code.

D. All streets and public improvements must conform with all adopted city plans, including the Comprehensive Plan, Transportation Plan and most current Public Works Standards and Technical Specifications Manual.

12.1.2. Phasing

A. Streets and public improvements may be constructed in phases, provided a phasing plan is approved as part of a Development Agreement.

B. Each phase must stand alone, meeting all the requirements of this Land Development Code without the need for improvements in later phases.

12.1.3. Improvement Plan and Guarantee

A. Streets and public improvements within a new subdivision shall be completed and accepted by the City of Driggs prior to a request to record the corresponding subdivision plat.

B. Where the city determines that landscaping in the public right-of-way cannot be installed due to inclement weather conditions, a performance bond in the amount of 125% of the value of the landscaping must be provided to the city in order to record the subdivision plat. The landscaping improvements must be installed within 12 months of issuance of the conditional letter of acceptance.

C. Upon approval of the improvement plans and where required, recording of the Development Agreement with the Teton County Recorder’s Office, the Developer or his or her authorized representative or engineer must schedule a Pre-Construction Meeting with the City Engineer, appropriate City staff, and the Developer’s contractor. No construction of public improvements can begin until after the Pre-Construction Meeting is held.

D. Upon completion of the Pre-Construction Meeting the Developer and contractor will receive a “Construction Permit” from the city.

1. The applicant will be provided with a copy of the improvement plans stamped “Approved”. The approved set of plans must be on site at all times that improvements are being installed or constructed.

E. The applicant must 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 guarantee acceptable to the City Council to ensure actual construction of such improvements and their completion according to plans as submitted to and approved by the city.

1. The improvements, when covered by a surety bond, must be constructed within two (2) years from the date of the Preliminary Plat Approval Letter; provided, however, the city may extend the period 1 year upon a showing of just cause by the Developer, and resubmission of the surety bond in an adjusted amount approved by the city. The financial sureties must be guaranteed for 6 months after the expiration date of the Preliminary Plat approval.

2. The surety bond or other guarantee shall be in the amount of 125% of the estimated cost of the
improvements, as determined by a Professional Engineer and approved by the city.

3. Financial assurances will be returned upon satisfactory completion of work as determined by the city. This determination is made with an inspection and the recording of the Final Plat.

4. 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 will be forfeited to the city. Forfeiture of the financial assurances does not in any way require the city to complete the project nor does 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 record the final plat or any other remedy at law or in equity, through judicial action or through any other action as may be determined by the City Council.

F. The applicant shall provide to the city copies of approvals or permits for any activity of the installation of improvements issued by any governmental agency or utility that has authority over these improvements or will take ownership thereof upon completion. Work shall conform to the conditions and requirements of these approvals or permits, and shall be completed and accepted prior to the recording of a Final Subdivision Plat.

G. Should work in accordance with these approvals necessitate changes to the Final Plat, those changes shall be completed, and approved by the Council, prior to recording the Final Plat.

12.1.4. Acceptance
Streets and public improvements will not be officially accepted until the following conditions are satisfied:

1. Improvements have been inspected by the city (and other applicable political subdivisions) and utility providers including but not limited to the Teton County Fire District and Eastern Idaho Public Health District 7;

2. Any necessary corrections are made in the field and on the approved construction drawings;

3. Two print copies and one digital copy of the as-built drawings, certified, stamped and signed by the design professional are provided to the city; and

4. The warranty required in the following section is provided to the City of Driggs.

12.1.5. Warranty
A. All streets and public improvements must have a warranty guaranteeing the work against defects for a period of two (2) years from the date of final acceptance.

B. The warranty must list the City of Driggs as a beneficiary. If the improvements are constructed at different times, then the guarantee must continue until two (2) years from the date of final acceptance of the improvement last completed.

C. A warranty surety must be provided in an amount of 10% of the estimated value of the warranted improvements.

12.1.6. Easements
A. Easements must be provided in locations and dimensions required by the city in order to:

1. Allow for adequate storm drainage facilities;

2. Allow for proper installation of water and sewer lines, whether immediately proposed or necessary for adequate service in the future;

3. Allow for cross-access between properties;
4. Allow for adequate transit facilities and access;
5. Allow for adequate pedestrian and bicycle access;
6. Allow for adequate right-of-way for street types;
7. Allow for adequate public access; and
8. Allow for adequate slope for roadway construction.

B. Easement widths will be specified by the city as necessary to accommodate existing and future needs as well as construction and repair of facilities.

12.1.7. Survey Monuments
Survey monuments must be installed in accordance with Idaho Code section 50-1303 at all corners, angle points, points of curve and street intersections.

12.1.8. Property Owners Association
In residential and commercial developments, common areas, private streets and stormwater management facilities associated with the development must be maintained by a property owners or homeowners association unless the facilities are dedicated to and accepted by the city. Documents of property owners or homeowners association creation (including articles of incorporation, by-laws, covenants and related documents) must be submitted to the Planning & Zoning Administrator with the Preliminary Plat submittal.

12.1.9. Postal Delivery System
One or more cluster box units (CBU), approved for use by the USPS, must be provided for residents in new residential developments with 5 units or more. No mailboxes may be located in a sidewalk or right-of-way as to impede pedestrian or vehicular traffic.

12.1.10. Intent
A. The intent of the block perimeter and connectivity regulations is to provide a well-connected street network.

B. Large blocks with limited connectivity discourage walking, contribute to street congestion and add driving distance that can negatively impact emergency services. New streets should be designed to consider future development.

C. The access regulations are intended to provide safe and convenient vehicular and pedestrian access between adjacent developments and to lessen traffic congestion. Pedestrian, bike and vehicular access should be safe, direct and convenient.

12.1.11. Blocks
The following table establishes the maximum block perimeter by district. In the event that a single block contains more than one zoning district, the most restrictive requirement applies.

<table>
<thead>
<tr>
<th>District</th>
<th>Block Perimeter (max)</th>
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<tr>
<td>Rural Districts</td>
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<tr>
<td>RC: By Average Lot Size on Block</td>
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<tr>
<td>40,000+ SF</td>
<td>8,000 feet</td>
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<tr>
<td>20,000 - 39,999 SF</td>
<td>6,000 feet</td>
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<tr>
<td>9,000 - 19,999 SF</td>
<td>5,000 feet</td>
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<tr>
<td>Less than 9,000 SF</td>
<td>3,000 feet</td>
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<td></td>
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<tr>
<td>RS-16</td>
<td>3,000 feet</td>
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<tr>
<td>RS-7, RS-5, RS-3, RM-1, RM-2</td>
<td>2,500 feet</td>
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<tr>
<td>Mixed Use Districts</td>
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<tr>
<td>RX, NX, DX, CC, CH, IX</td>
<td>3,000 feet</td>
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<tr>
<td>Industrial District</td>
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<tr>
<td>IL</td>
<td>4,000 feet</td>
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<tr>
<td>Civic and Open Space Districts</td>
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<tr>
<td>Not Applicable</td>
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12.1.12. Block Measurement
A. A block is bounded by a public or private streets (not including an alley).
B. Block perimeter is measured along the edge of the property adjoining the public or street, except for the measurement of dead-end streets, which are measured from intersecting centerlines.

C. Street jogs with centerline offsets of less than 125 feet are not allowed.

D. All street intersections must approximate right angles but in no case at less than 70 degrees.

12.1.14. Gated Streets

Gated public streets are not allowed. Gates installed on private streets serving more than one lot must comply with the following:

A. No gate may be installed within the public right-of-way;

B. Plan approval must be obtained from the city prior to installing any gates. Gates must not prohibit public access to any areas dedicated to public use;

C. Each gate must provide for queuing according to Sec. 11.1.6 as well as emergency vehicle access;

D. Gates must be removed if private streets are to become public; and

E. Gates may be denied by the city based on traffic conditions and overall community-wide connectivity needs.

12.1.15. Lots

A. Lot Frontage

Every lot must abut or have adequate legal access to a public or private street, or a courtyard specifically for a cottage court building type (see Art. 8.4).

B. Lot Dimensions

Lots that are occupied or are intended to be occupied must conform with the lot size, lot width and lot depth requirements provided under Chapters 3 through 7.
12.1.16. Subdivision Access

A. General

1. When land is subdivided, parcels must be arranged and designed so as to allow for the opening of future streets and must provide access to those areas not presently served by streets.

2. No subdivision may be designed to completely eliminate street access to adjoining parcels of land without current street access.

3. All subdivisions must provide at least one entrance/exit to a public or private street.

4. The subdivision must provide all necessary easements for ingress and egress for police, fire, emergency vehicles and all operating utilities.

B. Stub Streets

1. Stub Required
   a. Where a subdivision adjoins unsubdivided land, stub streets within the new subdivision must be installed to meet the block standards of Sec. 12.1.11.
   b. The stub street right-of-way, pavement and curbing must extend to the boundary of the abutting property to the point where the connection to the anticipated street is expected.
   c. Where a stub street is provided, a barricade using a design approved by the city must be constructed at the end of the stub street, pending the extension of the street into abutting property. A sign noting the future street extension must be posted.

2. Connecting to an Existing Stub Street
   If a stub street exists on an abutting property, the street system of any new subdivision must connect to the stub street to form a through street.

3. Exception
   The Planning & Zoning Administrator may eliminate the requirement for a stub street or require pedestrian only access when:
   a. Steep slopes in excess of 25%, waterways, preexisting development, conservation areas, open space or easements would make the provision of a stub street infeasible; or
   b. An industrial use is located adjacent to a proposed residential subdivision.

12.1.17. Dead End Streets

A. Dead-end streets over 150 feet in length shall have an approved fire department apparatus turn around in conformance with the International Fire Code and meet any other applicable adopted standards of the Teton County Fire Protection District. The maximum length is measured along the centerline of the street from the center of the intersection to the center of the turnaround.

12.1.18. Alternative Streets

The following alternatives may be approved at the time of subdivision approval.

1. Eyebrow
   An eyebrow is a rounded expansion of a street beyond the normal curb line. An eyebrow must have a landscaped island.
2. Loop Lane

A loop lane is a two-way street, no portion of which may be more than 250 feet in length. The interior landscaped area must have an average width of at least 75 feet.

A. The applicant must provide for perpetual maintenance of the landscaped area in the Eyebrow, or Loop Lane through a property owners association.
Art. 12.2. New Streets

12.2.1. Intent

A. The intent of this Article is to provide a palette of street types and design elements that reflect the character of different areas within the city.

B. The regulations herein provide adequate accommodations for vehicles, cyclists and pedestrians.

C. The city supports the use of context sensitive design solutions and complete streets and will review projects on a case-by-case basis for conformance with these concepts.

D. The street cross-sections in the Public Works Standards and Technical Specifications referred to in this Article provide a guide to balancing the needs of all modes of travel. Modifications to these cross-sections may be made by the city.

E. The appropriate street cross-section will be selected by the city based on both engineering and land use factors, including anticipated vehicle volumes.

12.2.2. Applicability

A. When constructing a public or private street or reconstructing an existing street, sidewalks, bike lanes, drainage and street trees must be installed and constructed in accordance with this Article.

B. The standards for the construction of drainage improvements, sidewalks, bike facilities and streets must be in accordance with the most current Public Works Standards and Technical Specifications Manual adopted by the city.

C. Existing streets may continue serving existing development in their current configuration; however, they must not be extended or substantially rebuilt except in conformance with this Article.

D. Development applications must dedicate sufficient right-of-way to the city for streets, drainage and sidewalks. Street right-of-way widths are specified in Public Works Standards and Technical Specifications Manual.

E. The city may require turn lanes and additional right-of-way beyond that shown in the applicable street typical cross-section to accommodate these lanes.

F. All streets and alleys must be dedicated for public use, except as provided in Sec. 12.2.4. Private Streets.

12.2.3. Street Tree Planting

A. Unless otherwise noted below, all trees planted in accordance with this Article must be shade trees.

B. Where overhead utilities exist, one understory tree planted every 20 feet on center, on average, must be substituted for each required shade tree.

C. All required street trees must meet the design, installation and maintenance requirements of Sec. 11.2.6.

12.2.4. Private Streets

A. Private streets are allowed at the sole discretion of the City Council and only for dead end roads or roads internal to a multi-family or commercial development. No Arterial or Collector road may be private.

B. Private streets must be constructed to all other applicable street standards, including paving.

C. The area designated for a private street must be platted as a separate parcel, clearly labeled as a private street. The Owner’s Dedication on the plat shall state that the street is privately owned and will be privately maintained by the property owner’s association.

D. Private streets must have adequate and unencumbered 10-foot wide snow storage easement on both sides of the street, or an accessible dedicated snow storage easement representing not
less than twenty-five (25%) of the improved area of the private street.

E. All private streets must be treated as public street rights-of-way for purposes of determining required development and dimensional standards.

### 12.2.5. Street Names

A. New streets must be named so as to provide continuity of name with existing streets and to prevent conflict with identical or similar names in other parts of Teton County.

B. Streets lying on approximately the same line must have the same name unless the intervening space between the separate parts is greater than 1,000 feet.

C. Street names, whether public or private, must be approved by Teton County.

D. Street name signs and traffic control signs must be erected by the Developer in accordance with city Standard Specifications, and said street names and traffic control signs will be thereafter maintained by the city.

### 12.2.6. Streetlights

Streetlights must be installed in accordance with the city's adopted standards and specifications.

### 12.2.7. Sidewalks and Pathways

A. Sidewalks, as required in all street improvements, must be constructed in accordance with the most recent edition of the Public Works Technical Standards and Specifications Manual. The developer must install all non-vehicular pathways in accordance with city standards in all areas where said pathways are depicted upon the city's adopted pathways plan and to make any essential connections, as determined by the Planning and Zoning Commission, to schools, playgrounds, shopping centers, transportation and other community facilities.

B. Alternative Sidewalk and Pathway design: The developer may, at their option, propose alternatives to either the standard sidewalk configuration or the planned non-vehicular pathway required as part of this Title. The Council must ensure that said alternative configuration must not reduce the level of service or convenience to either residents of the development or the public at large.

### 12.2.8. Alleys

A. All alleys must be dedicated to the public.

B. Dead-end alleys are not allowed.

### 12.2.9. Street Types and Right of Way Widths

Proposed new or extended streets must meet the requirements of the street types and right of way widths as specified in the Public Works Technical Standards and Specifications Manual, except as modified by the city consistent with the intent above.
12.3.1. Applicability
This Article applies to all development as set forth in Chapter 14 of this Title.

12.3.2. Connection to City Water and Sewer Systems Required
All developments within the city must be connected to city water and sewer systems in accordance with City Code Title 7, Chapter 3, and the most current adopted edition of the Driggs Public Works Standards and Technical Specifications.

12.3.3. Storm Water Disposal
The developer must provide for the movement and disposal of stormwater within the development in conformance with the most current adopted edition of the Driggs Public Works Standards and Technical Specifications, and must incorporate applicable best management practices from Idaho DEQ’s published recommendations.

12.3.4. Electric and Telecommunications
A. From the point that electric and telecommunications utilities enter the development and within the development, all new utilities installed to serve the development must be placed underground.

B. Ground-mounted transformers must not be located in the public right of way.

C. The Developer must construct each and every individual service and all necessary trunk lines, and/or conduits for electricity, telephone, and cable television to the property line.

12.3.5. Fire Protection
A. The location and specifications of fire hydrants must be in accordance with the International Fire Code as adopted by the Teton County Fire Protection District and the Driggs Public Works Standards and Technical Specifications.

B. The Teton County Fire Marshal and Driggs Public Works Director have the authority to impose additional requirements of the developer as necessary to ensure adequate fire protection.
12.4.1. Applicability
For new subdivisions that would result in 10 or more dwelling units, without regard to the number of phases within the subdivision, the Developer must mitigate a development’s impact on the city park system by setting aside or acquiring land within, adjacent to, or in the general vicinity of the subdivision for park space.

12.4.2. Mitigation Acreage
A. Parks must be set aside in accordance with the following formula:

B. \[ P = X \times 0.028 \] where “P” is the parks contribution in acres and “X” is the number of dwelling units, including condominium units and backyard cottages, contained within the plat. Where multi-family lots are being platted with no fixed number of units, “x” is the maximum number of residential units possible within the subdivision based on current zoning regulations. And 0.028 is a minimum standard ratio of one acre of park per one hundred residents, assuming a household average of 2.8 persons (2010 Census data for Driggs).

12.4.3. Required Improvements
Improvements for parks are based on size and are considered either a Mini Park (between one-quarter acre and one acre), or a Neighborhood Park (between one and ten acres).

A. Mini Park: Minimum improvements: finished grading and ground cover, trees and shrubs, picnic table, trash container(s), park bench(es), or pathway. All parks must provide an average of 15 trees per acre, of which at least 15% must be of 4” caliper or greater. A maximum of 20% of any single tree species may be used.

B. Neighborhood Park: Minimum improvements: finished grading and ground cover, large grassy areas, trees and shrubs, trash container(s), park bench(es) and at least one of the following features per acre of park: play structure, hard surface court (tennis or basketball), athletic field, picnic pavilion. All parks 2 acres or larger in size must provide restroom facilities adequate for the number of projected users. All parks must provide an average of 15 trees per acre, of which at least 15% must be of 4” caliper or greater. A maximum of 20% of any single tree species may be used.

12.4.4. Required Standards
Land proposed to be dedicated for recreation purposes must meet identified needs and standards contained within the adopted Recreation Master Plan. All parks must meet the following criteria for location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

A. Must provide safe and convenient access, including ADA standards.

B. May not be gated so as to restrict access.

C. May not be configured in such a manner that will create a perception of intruding on private space.

D. Must be configured in size, shape, topography and improvements to be functional for the intended users.

E. May not create undue negative impact on adjacent properties, and must be buffered from conflicting land uses.

F. May not create undue demands on city services.

G. Must require low maintenance, or provide for maintenance or a maintenance endowment.

H. May not conflict with the use or planned use of parks recreation facilities.

I. Must be connected in a useful manner to other recreation opportunities. Preserved green space within proposed developments must be designed to be contiguous and interconnecting with adjacent green space (both existing and potential future space).
12.4.5. Dedication and Maintenance

A park may be privately owned and maintained by a property owners association or, if it is two (2) acres or more in area, deeded to and maintained by the city, subject to compliance with other provisions of this Article. Any privately owned and maintained park or recreation space must meet the following standards:

A. Land area may not be occupied by non-recreational buildings and must be available for the use of all the residents or employees of the proposed subdivision.

B. The use of the private green space must be restricted for park, playground, trail, green space or recreational purposes by recorded covenants which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the City Council.

C. The proposed private green space must be reasonably adaptable for use for such purposes, taking into consideration such factors as size, shape, topography, geology, access and location of the private green space land.

D. The facilities proposed for such purposes are in accordance with the provisions of the recreational element of the Comprehensive Plan.

E. The private ownership and maintenance of the green space must be adequately provided for by written agreement.

F. Public and private green space for park or recreation purposes must be complementary to one another, and the use of private facilities should not be exclusive to the homeowners, residents, and employees of the development only.

12.4.6. In-Lieu Contributions

After receiving a recommendation by the Planning and Zoning Commission, the City Council may at their discretion approve and accept voluntary cash contributions in-lieu of park land dedication/park improvements, which contributions must be segregated by the city and not used for any other purpose other than the acquisition of park land and/or park improvements. The fee structure for cash contributions for acquisition of park land is based upon the appraised value of the required land area at the time of the application. The appraisal must be submitted by a mutually agreed upon appraiser and paid for by the applicant. The fee structure for park improvements, including all costs of acquisition, construction and all related costs, is based upon the estimated costs of an approved improvement provided by a qualified contractor or vendor.