

**BOARD OF COUNTY COMMISSIONERS  
MARCH 26, 2019  
PLANNING CASE #PLN18-124 : DRAFT AMENDMENTS TO  
CHAPTER 5, ROAD & BRIDGE STANDARDS OF THE SUMMIT COUNTY LAND USE AND  
DEVELOPMENT CODE  
PUBLIC HEARING**

**PROJECT INFORMATION:**

Project/Request: Staff is proposing to revise Chapter 5, Road & Bridge Standards of the Summit County Land Use and Development Code to update standards and existing practices that are out-of-date, and to correct grammatical errors and terminology. The majority of the proposed changes to Chapter 5 are intended to:

- Update and directly reference standards;
- Correct grammatical errors, inconsistencies, redundancies and syntactical errors, and;
- Incorporate existing practices into the language of the Code where it was previously missing or unclear.

**ISSUES:**

None

**COUNTYWIDE PLANNING COMMISSION RECOMMENDATION:**

At their March 4, 2019, meeting, the Countywide Planning Commission unanimously recommended that the Board of County Commissioners approve the proposed amendments with the following minor changes, which have been made by staff:

- Minor formatting and grammatical changes to Sections 5007.02 5008, 5405, 5408.
- Clarify the use of “and/or” in Section 5405 (A). Staff removed the use “or” in this instance to make plain how and when the engineering department will announce upcoming road and recpath closures.

**RESOLUTION STATUS**

Draft Resolution Attached

**STAFF RECOMMENDATION:**

Approval with 3 Findings with 0 Conditions

**ATTACHMENTS:**

- A Draft Chapter 5, Road & Bridge Standards
- B DRAFT Resolution



PLANNING DEPARTMENT

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**STAFF REPORT**

**TO:** Summit County Board of County Commissioners  
**FROM:** Dan Osborn, Senior Planner  
**FOR:** Meeting of March 26, 2019  
**SUBJECT:** Planning Case #18-124: Draft Code Amendments to Chapter 5, Road & Bridge Standards of the Summit County Land Use and Development Code.  
**APPLICANT:** Summit County Government, Road & Bridge Department

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**PURPOSE :**

The Summit County Engineering Department is proposing to revise Chapter 5, Road & Bridge Standards, of the Summit County Land Use and Development Code to update standards and existing practices that are out-of-date, and to correct grammatical errors and terminology.

The majority of the proposed changes to Chapter 5 are intended to:

- Update and directly reference standards;
- Correct grammatical errors, inconsistencies, redundancies and syntactical errors, and to;
- Incorporate existing practices into the language of the Code where it was previously missing or unclear.

**BACKGROUND :**

The Summit County Engineering Department is proposing to revise Chapter 5: Road & Bridge Standards of the Summit County Land Use and Development Code (Code). This is the first revision to Chapter 5 of the Code since 2013, and as such it represents a thorough review and update to the standards contained therein. Periodic review and revision of the Road & Bridge standards is necessary to incorporate evolving best practices into the Code language, and correct inconsistencies and grammatical errors. In addition, common design standards and construction specifications which are not regulatory or necessary for safety are proposed to be removed from the Code. Rather than specify these in the Code, appropriate federal and state design standards and construction specifications are referenced directly in order to prevent the need to update the Code to address the continually evolving industry standards.

The most substantive part of the revision is that many specific standards, which were inserted previously as excerpts from other standards, have been removed from the Code, and those standards have been directly referenced instead. Other revisions are strictly grammatical or formatting in nature. There are specific revisions to the standards as well as changes that have been desired by the Road & Bridge Department, Open Space & Trails Department, the Engineering Department, or by Management.

The specific changes discussed below are more substantive, specific or of a limited nature, and changes not discussed will fall into the majority category noted above.

**COUNTYWIDE PLANNING COMMISSION RECOMMENDATION:**

At their March 4, 2019, meeting, the Countywide Planning Commission unanimously recommended that the Board of County Commissioners approve the proposed amendments with the following minor changes, which have been made by staff:

- Minor formatting and grammatical changes to Sections 5007.02 5008, 5405, 5408.
- Clarify the use of “and/or” in Section 5405 (A). Staff removed the use “or” in this instance to make plain how and when the engineering department will announce upcoming road and recpath closures.

**ANALYSIS:**

(A redlined copy of the proposed Code is attached. For clarity, items discussed in this analysis have their corresponding page number noted in parentheses below)

§5103.03.A.2- Minimum grade of roads increased from ½% to 1% to allow for improved drainage conditions. The maximum allowable road grade has been increased from 6% to 8% with an allowance up to 9% with a stricter standard. All design shall be consistent with AASHTO standards. (pg. 15)

§5103.03.B.2- Clarification of required road widths. (pg. 16)

§5103.03.D.3- Minimum height for elliptical culverts under roadways increased from 12 inches to 15 inches. (pg. 18)

§5106.03.A- Modified language to directly reference the latest edition of A Policy on Geometric Design of Highways and Streets published by American Association of State Highway and Transportation Officials in regard to required dimensions of a site distance triangle at intersections. (pg. 21)

§5107.03.E- Reduced maximum allowable grade for shared driveways from 10% to 8%. Other grade standards remain the same. This is to provide safer conflict points within shared driveways. (pg. 24)

§5107.03G.2- The County requires that the paved portion of driveways that connect to unpaved roads not extend into the public right-of-way. This policy is not clear in the current Code standards. Added Code requirement that paved surfaces for driveways not extend into the public right-of-way in areas where the road is not paved. (pg. 24)

This has been a policy of the Road & Bridge Department for many years, implemented to protect gravel roads from damage due to runoff and prevent damage to equipment or driveways during gravel road maintenance practices.

§5107.05 This is a new section to allow private access within a single lot above and beyond minimum driveway requirements.

§5109.B.5.e- Remove specific values for subgrade materials to be used in design of pavement for recpaths. Added requirement that pavements used for recpath construction be designed by a professional engineer licensed in the state of Colorado. (pg. 27)

§5203.05.G- Added material specification for flow-fill per CDOT's Standard Specifications for Road & Bridge Construction. (pg. 32)

§5203.06 A.2- Added requirement that coupling bands for culverts be installed in accordance with the manufacturer's recommendations. (pg. 32)

§5203.09- Removed specifications for Hot Mix Asphalt (HMA), and instead reference the latest editions of CDOT's and AASHTO's design guides. Also clarified that HMA can mean any bituminous paving product, e.g. Warm Mix Asphalt, so that other development in technology or industry may be allowed. (pg. 34)

§5401- The current Code requires that right-of-way permits shall be obtained for any work that requires disturbance of County rights-of-way. This requirement has required developers of subdivisions that have already obtained approval for construction of improvements through a grading permit to obtain additional and redundant permits when the plat is recorded. As the County standards are enforced through the grading permit in these cases, additional regulation through the right-of-way process is not necessary.

Modified language of the Code to require a right-of-way permit for any work that requires disturbance of County rights-of-way, "except that a right-of-way permit shall not be required for road and primary utility construction when a grading permit is issued for such work." (pg. 40)

§5403.01- Removed the requirement to provide evidence of a valid contractor's license to obtain a right-of-way permit. Changed requirement of the amount of required insurance coverage from a dollar amount to what is required by the state statute. (pg.41)

§5403.02.A- Changed requirement for right-of-way permit applications to be submitted, from 3 calendar days to 3 business days, and 5 calendar days to 5 business days, prior to the commencement of work for minor and major installations, respectively. Added language to allow for the issuance of right-of-way permits during the winter moratorium for staging and access in the right-of-way. (pg. 41)

§5405- Added that local media sources are required to be notified prior to planned road or recpath closures. (pg. 42)

§5407.04- Added language to allow for boring or potholing in the road surface with the approval of the Road & Bridge Director. Added language to allow for the Road & Bridge Director to require that existing defects in the areas directly adjacent to pavement cuts in the road surface be corrected to allow for the new pavement being installed to cleanly connect to the existing pavement surface. (pg. 43)

## TABLES & FIGURES

### FIGURE 5-5 Typical Section of Recreational Pathway

Updated to provide additional details for the design and construction of recpaths, at the request of the Open Space & Trails Department.

The tables no longer referenced because of a deletion in the Code text are removed. Figures that have been copied from hand-drawn details are updated for easier modification, distribution and reference. The tables and figures that remain are re-numbered and re-referenced in the text of the Code. The following tables and figures have been removed:

TABLE 5-7 Gradation for Gravel Roads

TABLE 5-8 Gradations for Base Course Material

TABLE 5-9 Minimum Discharge and Delivery Temperatures

TABLE 5-10 Minimum Air and Surface Temperatures

FIGURE 5-7 Sight Distance Triangle

FIGURE 5-9 Acceptable Culvert Installations

FIGURE 5-11 Typical Drainage Pan Detail

FIGURE 5-12 Indemnification Agreement

The following figure has been added to provide additional details for the design and construction of driveways:

FIGURE 5-7 Typical Driveway Connection (pg. 74)

### **CRITERIA FOR DECISION :**

Section 1454 of the Code states that in order to approve an amendment to the Code, the BOCC shall make the following findings:

- A. The proposed revision meets the purpose and intent of this Code.
- B. The proposed revision gives consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plan.
- C. The proposed revision is consistent with any applicable State Statutes.

### **Consistency with the Purpose and Intent of the Code**

As stated in Section 1100, the purpose of the Code is to protect, promote, and enhance the public health and safety; to provide for planned and orderly development in Summit County in a manner consistent with constitutional rights of property owners; and to balance the needs of a changing population with legitimate environmental concerns. The purpose and intent section of the Development Code outlines a number of specific objectives, which are being met by this proposal including:

- Relate proposals for the development and use of land to the goals, policies and provisions in the Summit County Countywide Comprehensive Plan and in basin or subbasin plans, and to use these plans as guidelines and standards in evaluating development proposals.
- Provide a comprehensive regulatory system for the development and use of land in Summit County.
- Establish uniform application procedures and development standards to promote the equitable handling of all development applications.
- Coordinate the development of land with the County's and other agencies' ability to provide essential services
- Encourage the economic health of Summit County.
- Preserve and enhance Summit County's unique mountain character and protect its natural environment.

The proposed amendments are specifically intended to provide an efficient comprehensive regulatory system for development in Summit County by incorporating evolving best practices and correcting inconsistencies and grammatical errors in the current code. In addition, specifications and/or bits of information that are not regulatory or necessary for safe development in Summit County have been removed. Engineering staff proposes that appropriate federal and state design standards as well as construction specifications be referenced directly instead to alleviate the need for ongoing code updates to address ever evolving industry standards.

### **Consideration of the Goals and Policies of the Applicable Master Plans**

The proposed Development Code amendments give consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and the applicable basin and sub-basin master plans because, without limitation, the proposed amendments will ensure modern code language and best practices for efficient development within Summit County.

Relevant master plan goals include 1) protection and enhancement of environmental resources through up-to-date best practices, 2) provide an adaptive, resilient, and stable economic environment for Summit County residents and business, and 3) enhance infrastructure within the County.

### **Consistency with Applicable State Statutes**

Pursuant to the County land use statutes at C.R.S. 30-28-101 et seq. and the Local Government Land Use Control Enabling Act at C.R.S. 29-20-101 et seq., the County has broad authority to regulate the use of land and to protect areas of historical importance. All of the proposed amendments are in conformance with applicable State Statutes.

### **STAFF RECOMMENDATION :**

Staff recommends that the BOCC approve the proposed amendments to Chapter 5 of the Summit County Land Use and Development Code with the following findings:

#### Findings:

1. The proposed revisions meet the purpose and intent of the Summit County Land Use and Development Code, which is to protect, promote and enhance the public health and safety; to provide for planned and orderly development in Summit County in a manner consistent with constitutional rights of property owners; and to balance the needs of a changing population with legitimate environmental concerns. The purpose and intent section of the Development Code outlines a number of objectives, which are met by this Code Amendment including:
  - i. Provide a comprehensive regulatory system for the development and use of land in Summit County
  - ii. Encourage the economic health of Summit County.
  - iii. Preserve and enhance Summit County's unique mountain character and protect its natural environment.
2. The proposed revision gives consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and any applicable basin and subbasin master plan because, without limitation, the proposed amendments will ensure modern code language and best practices for efficient development in Summit in the context of fulfilling relevant master plan goals related to 1) protection and enhancement of environmental resources through the use of up-to-date best practices, 2) providing an adaptive, resilient, and stable economic environment for Summit County residents and businesses, and 3) enhancing infrastructure within the County.

3. Pursuant to the County land use statutes at C.R.S. 30-28-101 et seq. and the Local Government Land Use Control Enabling Act at C.R.S. 29-20-101 et seq., the County has broad authority to regulate the use of land and to protect areas of historical importance. All of the proposed amendments are in conformance with applicable State Statutes.

**ATTACHMENTS:**

- A Draft Chapter 5, Road & Bridge Standards
- B DRAFT Resolution