

## APPLICATION FOR DRIVEWAY PERMIT



PUBLIC WORKS - ENGINEERING DEPARTMENT  
 1365 S. Camino del Rio  
 Durango, CO 81303  
 970-382-6363

[engineering@co.laplata.co.us](mailto:engineering@co.laplata.co.us)

Upon completion of driveway, call for final  
 inspection 970-382-6378

PARCEL NUMBER

**MARK DRIVEWAY FOR INSPECTION. Call 970-382-6378 once marked.**

Applicant/Agent Name, Mailing Address

Telephone &amp; Email

In signing below and accepting this Driveway Permit, the undersigned (or representative of - attach form) Permittee, verifies that he/she had read and understands the foregoing provisions; that he/she has the authority to sign for and bind Permittee to all conditions set forth herein. The Permittee further verifies, by virtue of signature, that the appropriate specifications and standards, driveway checklist and special conditions has been received.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor Name, Mailing Address

Telephone &amp; Email:

Type of Road:  
 (Circle or Check)

Subdivision

County\*

State Highway

Other

\*Work within the County Road ROW requires a \$5000 License & Permit Bond and a License Agreement for Construction of a Driveway.

\*Bond on  
 file

Y

N

Address of Driveway assigned by County GIS: \_\_\_\_\_

Is there a gate code? List it here please: \_\_\_\_\_

**IMPORTANT!!! PLEASE READ THOROUGHLY!**

A site plan is required with this application. Show the layout and length of drive. A simple line for the driveway, and a shape for the dwelling is what we need. Show turnouts and turnarounds when applicable. Show radii when applicable and also location of structures/dwellings.

**MARK YOUR DRIVEWAY ACCESS** or make an appointment with inspector. Flagging should be at road, dwelling location and along drive if needed.

Permit must be available on site during construction. Once driveway is complete, schedule a **FINAL INSPECTION** by calling 970-382-6378.

Your driveway is not considered **COMPLETE** until a **FINAL INSPECTION** has been completed.

The issuance of a Certificate of Occupancy (CO) from the building department will be delayed if a driveway has not been final inspected.

Legal access documentation (easement agreement/plat) is required if driveway access crosses other parcels/property or is not accessed directly off a public road.

Driveway Permit granted and approved for construction: Date \_\_\_\_\_

Granted and Approved By: \_\_\_\_\_ Title: \_\_\_\_\_

## NOTES:

## FIRE DISTRICT CONTACTS

|   |   |  |   |
|---|---|--|---|
| Durango Fire:<br>970-382-6023<br>karola.hanks@durangofire.org | Upper Pine River:<br>970-884-9508<br>firemarshal@upperpinefpd.org | Los Pinos Fire:<br>970-563-9501<br>begger@lospinosfire.com | Ft. Lewis Mesa:<br>970-588-3400<br>office@flmfire.org |
|---|---|--|---|

**FINAL INSPECTION - Call Mike at 970-382-6378**

Permit Completed and Approved Date: \_\_\_\_\_

Authorized Signature for County: \_\_\_\_\_

**DO NOT WRITE BELOW - FOR OFFICE USE ONLY**

Permit Fee: \$100

Pymt. Info Sent on:

Pymt. Received on:

License Agreement

Y

N

Permit #:

AP #:

This permit valid for one year from date of issue.

Date of Issue

**UPON COMPLETION OF PROJECT, CALL FOR FINAL INSPECTION 970-382-6378**



1365 S. Camino del Rio  
Durango, CO 81303  
970-382-6363

## **“DRIVEWAY STANDARDS”**

Resolution 2014-40

### **EXHIBIT A**

*The following definition shall replace the definition of “driveway” in Section 62:*

*Driveway* means a roadway, from the intersection with the adjacent public or private road, Measured from the shoulder or surface edge to the furthest dwelling unit or accessory structure that provides access to a maximum of two (2) lots or three (3) dwelling units with twenty-four (24) or less ADT.

*The following section shall replace the current version of Section 74-97:*

#### **La Plata County Code Sec. 74-97. Driveways.**

- (a) *Purpose.* The intent of this section is to provide safe ingress and egress for driveways and adequate access for emergency responders to protect the health, safety and welfare of the community, while recognizing the need for flexibility in driveway development.
- (b) *Permits for new development; exceptions.*
  - (1) A driveway permit that complies with this section shall be obtained from the department of public works prior to issuance of the following:
    - a. A final building permit or certificate of occupancy for a new dwelling unit; and
    - b. An Administrative, Class I or Class II permit that serves twenty-four (24) or less ADT.
  - (2) A driveway permit is not required for and all standards in this section shall not apply to the following:
    - a. Development of additional dwelling units that are subject to administrative review pursuant to section 82-37(b);

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- b. Redevelopment or reconstruction of an existing dwelling unit. For the purpose of this section, a manufactured home shall be considered a dwelling unit;
- c. Development of a dwelling unit that was issued a valid building permit prior to April 1, 2015;
- d. Development of a primary dwelling unit on a parcel that duly obtained a driveway permit from the County and constructed such driveway prior to April 1, 2015; and
- e. Development of a dwelling unit that utilizes a driveway that is less than 125 feet in length and intersects with a private road or public non-County road.

(3) Reserved.

(4) A driveway or access that intersects with a County road and serves a vacant lot or an agricultural use shall be exempt from the requirements of this section but shall be required to obtain a permit prior to commencing work within the right-of-way.

(5) Development of a primary dwelling unit on a parcel that intersects with County Road 124 at a point north of where the County's winter maintenance terminates shall not be required to obtain a driveway permit; however, such driveway shall be required to obtain a permit prior to commencing work within the right-of-way.

(c) *General standards.* Driveways shall meet the following requirements:

(1) Surface width. For horizontal tangent (straight) sections of driveway, the surface width shall be twelve (12) feet, with two (2) foot clear zones on each side that are free from unmovable obstructions. For curved sections with a centerline radius of 150 feet or less, the surface width shall be sixteen (16) feet with two (2) foot clear zones that are free from unmovable obstructions with appropriate tapering from tangent sections. Curved sections that are less than 100 feet in length, as measured along the centerline, and that do not exceed a 90 degree change in direction, shall be permitted to maintain a surface width of twelve (12) feet.

(2) Surface. To ensure that a driveway can support a 60,000lb vehicle, the driveway surface, including turnouts and turnarounds, shall be constructed of a minimum 4" Class 6 (3/4" minus) aggregate surface placed on a compacted subgrade material, from the intersection of the roadway to the primary structure(s). The subgrade shall be scarified and compacted to a minimum depth of 12 inches below finished grade and shall be free of roots, sod, weeds, wood, construction debris, ice, snow, or other frozen materials, and deleterious matter. The clear zones are not required to meet a surfacing requirement, but shall not exceed a four (4) foot horizontal to one (1) foot vertical grade. The surfacing requirements are minimum standards and an applicant may choose to exceed these standards.

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- (3) Cut and fill slopes. Cut slopes shall not be greater (steeper) than one (1) foot horizontal to one (1) foot vertical and four (4) feet high. Fill slopes shall not be greater (steeper) than two (2) feet horizontal to one (1) foot vertical and four (4) feet high. A slope that exceeds the minimum cut or fill requirements of this paragraph shall either be certified as stable in its current finished state by a Colorado-licensed engineer or shall be designed by a Colorado-licensed engineer.
- (4) Maximum grade. The maximum grade shall not exceed twelve (12) percent for horizontal tangent (straight) sections. For curved sections with a centerline radius of 150 feet or less, the grade shall not exceed ten (10) percent. Curved sections that are less than 100 feet in length, as measured along the centerline, and that do not exceed a 90 degree change in direction, shall be permitted to maintain a maximum grade of twelve (12) percent.
- (5) Overhead clearance. The minimum overhead clearance shall be thirteen (13) feet, six (6) inches for the width of the entire surface and clear zone. All overhead impediments, including but not limited to wires, trees, and gates, shall remain clear from the intersection of the access road to the termination of the driveway.
- (6) Access to legal property. A driveway shall provide access to a lot that was legally created and has obtained all required land use permits under subpart B.
- (7) Legal access. Evidence of legal access across adjoining properties shall be provided through an express grant or a written description of the prescriptive use.
- (8) Interior curves. Minimum thirty (30) foot radius inside curves shall be provided.
- (9) Turnarounds. Driveways that are longer than 400 feet shall provide a turnaround within 150 feet of the nearest point of the primary dwelling unit. The turnaround shall be designed and constructed to allow a thirty-five (35) foot long emergency vehicle to turn around. Where topography or the length of the driveway influences the location of the turnaround, the public works director is encouraged to contact the applicable fire district for comment on the proposed location. After receipt of comment from the applicable fire district, the public works director may waive or reduce the requirement for a turnaround.
- (10) Turnouts. Driveways that are longer than 800 feet shall provide a turnout every 400 feet as measured from the access road. Turnouts shall meet the surface requirements of this section, shall be sixty (60) feet in length and shall provide twenty (20) feet in surface width with reasonable tapering and two (2) foot clear zones on each side. Driveways that are 1000 feet or less in length and allow an unobstructed line of sight from the adjacent road to the structure shall not be required to construct turnouts. Where topography or the length of the driveway influences the location(s) of the turnout, the public works director is encouraged to contact the applicable fire district for comment on the proposed location(s). After receipt of comment from the applicable fire district, the public works director may reduce the number of required turnouts or vary the locations of the turnouts.

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- (11) Drainage. Driveway design and construction shall not adversely affect the drainage on a roadway or any adjacent properties.
- (12) Flood hazard areas. Driveways within flood areas shall comply with the requirements in chapter 78 of subpart b.
- (13) Bridges. Driveways that utilize bridges shall comply with the standards for low ADT roads as identified in section 74-92 of subpart b and the flood hazard area requirements as identified in chapter 78 of subpart b.
- (14) Costs. The cost of all driveway construction, reconstruction and maintenance, including any portion in a public or private right-of-way, including but not limited to culvert design, installation, and replacement, shall be the responsibility of the property owner, unless provided otherwise in a separate written agreement.
- (15) Intersection of a driveway and roadway.
  - a. Driveways that intersect with a county road shall slope away from the shoulder of the road surface at a minimum grade of at least two (2) percent for the first ten (10) feet. All other driveways shall not exceed five (5) percent for the first fifteen (15) feet from the intersection with the shoulder of the road.
  - b. The axis of the driveway at the intersection with the roadway shall be no less than a sixty (60) degree angle to the centerline.
  - c. The intersection of the driveway and the roadway shall be at least fifty (50) feet from the intersection of any roadways. The public works director may allow a driveway within fifty (50) feet of an intersection if the driveway is located on a local or low ADT road and there is a determination that the location would not adversely impact the safety of the traveling public.
  - d. The public works director shall determine if a culvert is required at the intersection of a driveway and a county road. If a culvert is required, the minimum culvert size shall be fifteen (15) inches along a County road and twelve (12) inches along all other roads and the minimum culvert cover shall be eight (8) inches. Culverts along County roads shall be constructed of metal or concrete and shall maintain a slope consistent with the roadside drainage. The public works director may require that a larger culvert and culvert cover is required based on the location of the proposed driveway.

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- e. Sight distance along a county or state access road at the intersection of the driveway shall meet the Colorado State Highway Access Code minimum standards. Sight distance along all other roads at the intersection of the driveway shall provide adequate sight distance in both directions along the roadway in order to maneuver safely and without interfering with roadway traffic. The public works director may require a Colorado-licensed engineer to certify that there is adequate sight distance in both directions along the roadway.
  - f. House addressing signs shall be visible from the intersection of the roadway and driveway. Such signs shall be made of a non-combustible and reflective material that contrasts in color with the background. Numbers shall be a minimum of four (4) inches high and shall have a minimum stroke width of .5 inches.
  - g. A maximum of one driveway shall be permitted for a lot with less than 100 feet of frontage. The public works director may allow for more than one driveway for lot with 100 or more feet of frontage after making a determination that an additional driveway does not adversely impact the safety of the traveling public.
- (d) *Process.* An application for a driveway permit shall be obtained from the public works department or building department. After review of the design of the driveway and determination of compliance with the provisions of this section, the public works director shall issue a conditional approval of a driveway permit. A conditional approval shall be valid for one (1) year from the date of approval. Upon completion of construction of the driveway, the property owner shall contact the public works department for a final inspection. The public works director shall issue a final approval of a driveway permit if the inspection demonstrates that the driveway construction complies with the provisions of this section. A final building permit or certificate of occupancy (CO) may be issued prior to final approval of a driveway permit if the public works director determines that seasonal conditions prevent the immediate surfacing or completion of the driveway; in such case, a final approval shall be obtained when the seasonal conditions would allow the surfacing to be completed, which shall not be more than six (6) months after issuance of the final building permit or CO.
- (e) *Waivers.*
- (1) *Process.* An applicant may submit a written request for a waiver of any general standard in this section to the public works director. The applicant shall provide to the director a postage-paid, addressed envelope and form the seeks comment from the applicable fire district on the waiver request. In addition, the applicant is encouraged to meet with the applicable fire district to discuss the waiver request. The applicable fire district shall be the fire district that provides emergency response to the property served by the proposed driveway. The fire district shall have ten (10) working days from the date of receipt of the comment request to provide the director with comments. Comments received from the fire district shall be placed in the file. The director may grant a waiver from the application of the general standard no earlier than twenty-one (21) days after submittal of the request to the applicable fire district. The applicable fire district shall be treated as a commenting agency and the director shall consider any and all timely comments

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submitted prior to issuing a final decision. Any waiver granted by public work will be provided in writing and notice shall be provided to the applicable fire protection district.

- (2) Mitigating factors to consider. If the public works director receives comment from the fire district that granting the waiver request would present health, safety, and welfare concerns, the director may consider, but is not limited to, the following factors when determining whether to grant the waiver request.
  - a. Plans for and implementation of substantial defensible space measures, as identified in the State of Colorado Forest Service, Creating Wildfire-Defensible Zones Guide;
  - b. Provision of adequate on-site water supply capable of supplying fire flow for fire protection, as set forth in Chapter 34 of the La Plata County Code;
  - c. Design and construction of internal automatic fire sprinkler systems designed and installed in compliance with Chapter 34 of the La Plata County Code for all properties served;
  - d. Paving of the driveway; and
  - e. Use of a substantial amount of fire-resistant building construction types and designs recognized for fire adapted communities for all properties served.
- (3) Criteria for director determination. The public works director may grant a request for a waiver if he or she determines that the following elements have been satisfied:
  - a. Topography challenges or other site-specific constraints make it extremely difficult to comply with the standards; and
  - b. The granting of a waiver will not be detrimental to the health, safety, and welfare of the public, including the occupants of the residential structure(s) served by the driveway.
- (4) Limitation of extent of waiver and conditions. The public works director may limit the extent of the waiver to the degree necessary to comply with subparagraph (2). In addition, the director may condition the waiver on the implementation of measures that mitigate health, safety, and welfare concerns. The director's final determination shall be in writing and a copy shall be provided to the applicable fire district.

## **RESOLUTION NO. 2014-40**

### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO AMENDING DRIVEWAY DEVELOPMENT REGULATIONS IN THE LA PLATA COUNTY LAND USE CODE**

**WHEREAS**, pursuant to the Colorado Planning Code, C.R.S. § 30-28-101, *et seq.*, the Board of County Commissioners of La Plata County, Colorado (the “Board”) is empowered to plan and provide for the physical development of the unincorporated territory of La Plata County (the “County”);

**WHEREAS**, the Local Government Land Use Control Enabling Act, C.R.S. § 29-20-101, *et. seq.*, empowers the Board to plan for and regulate the use of land within the unincorporated territory of the County, including but not limited to: regulating the use of land on the basis of the impact thereof on the community or surrounding areas; regulating the location of activities and developments which may result in significant changes in population density; providing for phased development of services and facilities; and otherwise planning for and regulating use of land so as to provide for the planned and orderly use of land;

**WHEREAS**, Colorado counties possess those powers enumerated by the Colorado Constitution and Colorado Revised Statutes and such further incidental implied powers as are reasonably necessary to carry out the express powers;

**WHEREAS**, the Colorado Planning Code and Local Government Land Use Control Enabling Act constitute a broad delegation of authority to the County generally encompassing the subject of land use;

**WHEREAS**, pursuant to these authorities, the Board adopted land use regulations and subdivision regulations set forth in Subpart B of the La Plata County Code (the “Code”);

**WHEREAS**, the Planning Commission for the County held a duly noticed public hearing November 20, 2014, and after receiving competent evidence at the hearing, made a recommendation to the Board to approve Project No. 2014-0275;

**WHEREAS**, the Board held a duly noticed public hearing on December 9, 2014 and heard testimony and received competent evidence that Sections 66-1 and 74-97 of the Code should be amended, as set forth in the attached Exhibit A, to address new driveway development; and

**WHEREAS**, the Board received competent evidence that it would be in the best interest of the general health, safety and welfare of La Plata County citizens to amend Sections 66-1 and 74-97 of the Code, as set forth in the attached Exhibit A, to address new driveway development.



**NOW THEREFORE, BASED UPON THE EVIDENCE AND TESTIMONY PRESENTED AT THE PUBLIC HEARINGS, BE IT RESOLVED BY THE LA PLATA COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:**

1. The La Plata County Code shall be and is hereby amended to revise the La Plata County Land Use Code regulations for new driveway development in the unincorporated portions of La Plata County, as set forth in the attached Exhibit A.
2. The revised driveway regulations, as identified in the attached Exhibit A, shall become effective and applied to all new driveway development applications beginning on April 1, 2015.

**DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO, this 9<sup>TH</sup> day of December, 2014,**

ATTEST



*Joanne P. Quail*  
Clerk to the Board

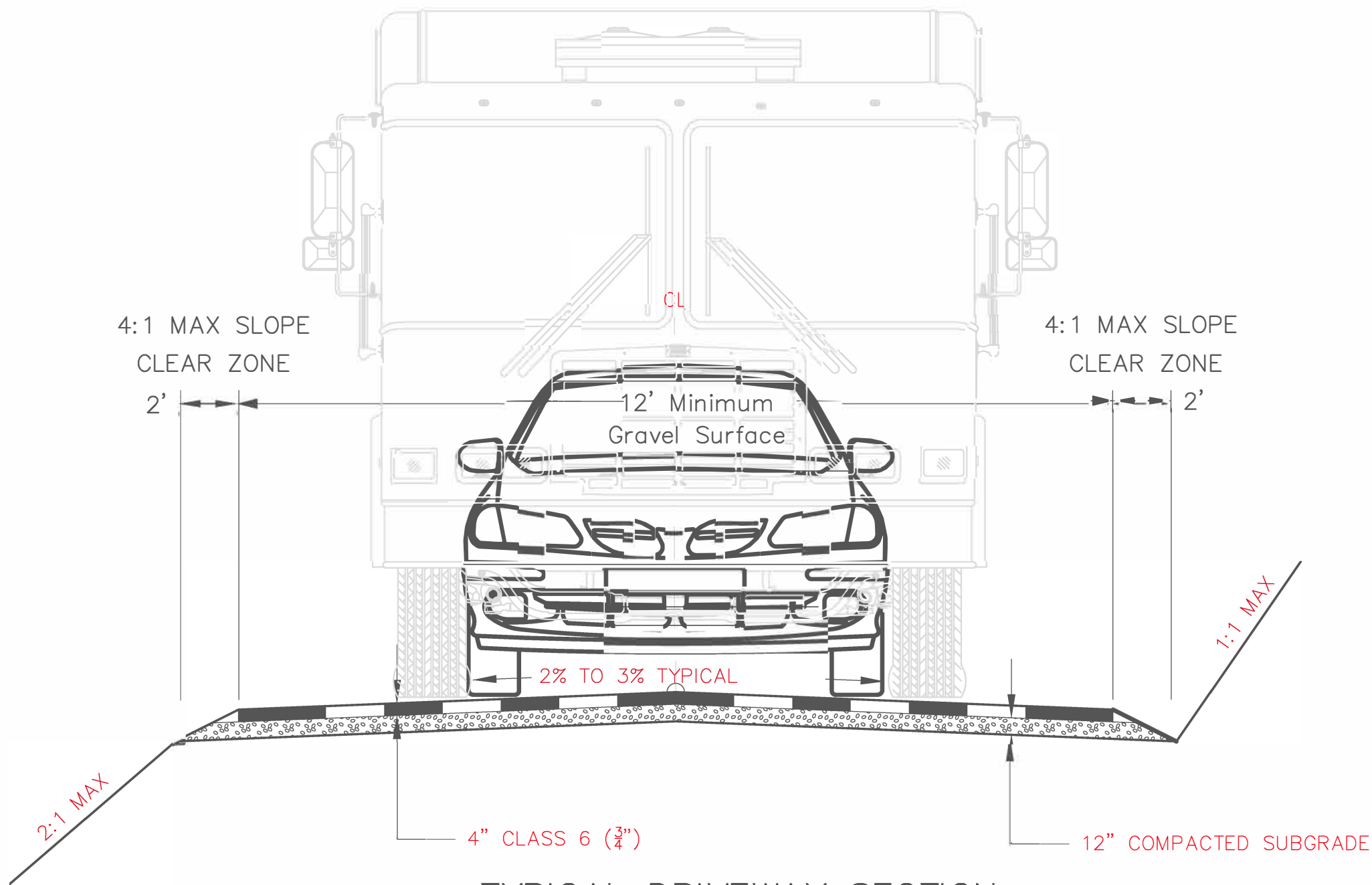
BOARD OF COUNTY COMMISSIONERS OF  
LA PLATA COUNTY, COLORADO

*Julie Westendorff*  
Julie Westendorff, Chair

*Gwen Lachelt*  
Gwen Lachelt, Vice-Chair

*Robert A. Lieb, Jr.*  
Robert A. Lieb, Jr., Commissioner

Note: Driveway may have a center crown as shown or a uniform cross slope.  
Recommended minimum cross slope is 2% to 3% for adequate drainage.

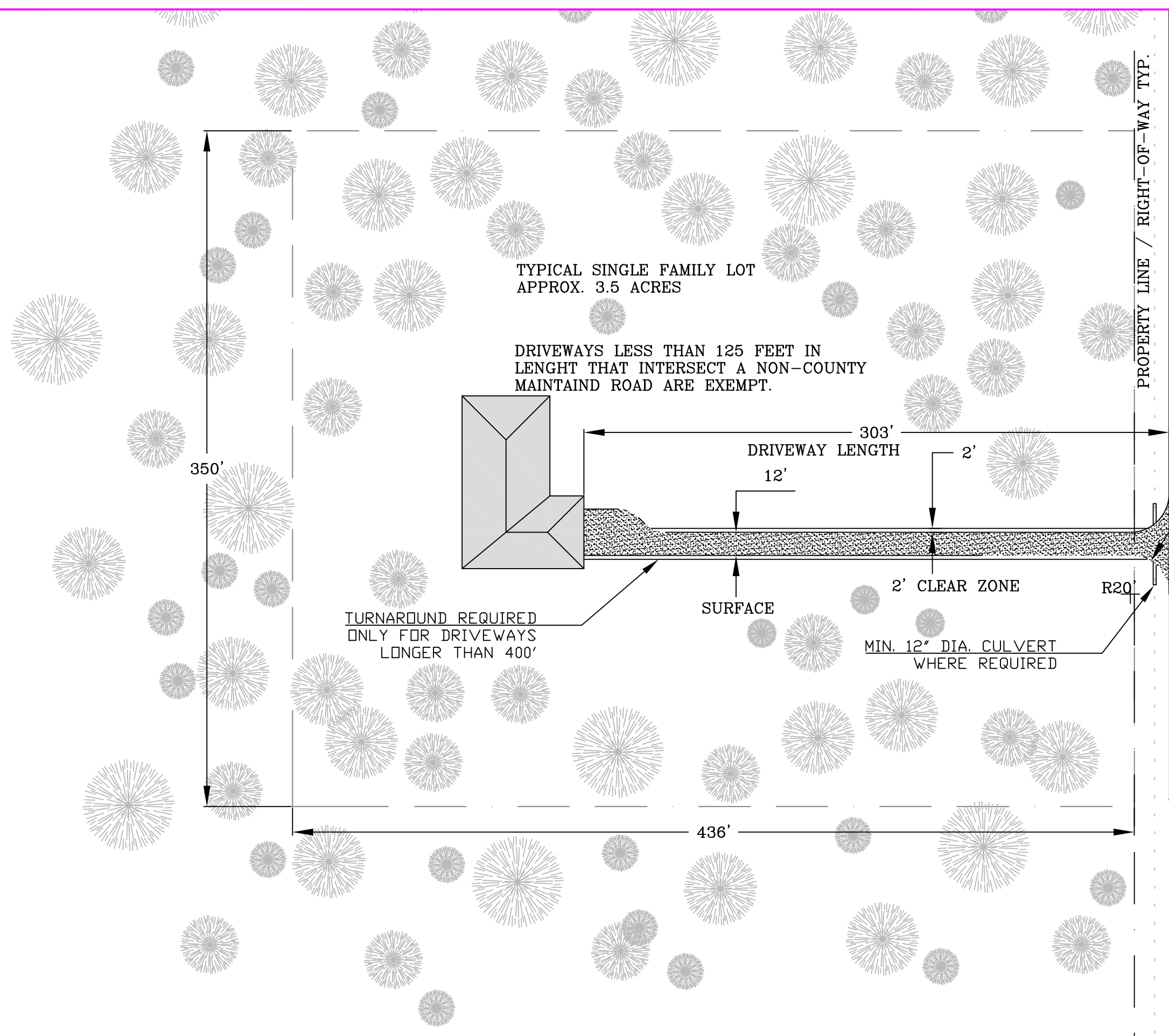


TYPICAL DRIVEWAY SECTION

Note: Cut slopes steeper than 1 foot horizontal to 1 foot vertical and higher than 4 feet shall be stabilized unless certified as stable by a licensed engineer. Fill slopes steeper than 2 feet horizontal to 1 foot vertical and 4 feet high shall be stabilized unless certified as stable by a licensed engineer. Stabilized slopes shall be designed by a licensed engineer.

**LA PLATA COUNTY**  
**ENGINEERING DIVISION**

|           |             |                                    |
|-----------|-------------|------------------------------------|
| SCALE:    | NTS         | <b>TYPICAL</b><br>Driveway Section |
| DATE:     | Nov 26 2014 |                                    |
| DRAWN BY: | JAD         |                                    |
| CHECKED:  | JAD         |                                    |
| FILE NO.  | N/A         |                                    |



PROPERTY LINE / RIGHT-OF-WAY TYP.

COUNTY, PUBLIC, OR PRIVATE ROAD

NOTES:

- 1) TURNOUTS REQUIRED EVERY 400' FOR DRIVEWAYS LONGER THAN 800'.
- 2) TURNAROUND REQUIRED WITHIN 150' FROM STRUCTURE FOR DRIVEWAYS LONGER THAN 400'.
- 3) MINIMUM OVERHEAD CLEARANCE 13'-6".
- 4) MAXIMUM GRADE 12%, TANGENTS, MAXIMUM GRADE 10% CURVES.
- 5) DRIVEWAY MAY SERVE UP TO 2 LOTS, 3 DWELLING UNITS, OR MAXIMUM 24 ADT.
- 6) 16' WIDTH REQUIRED FOR CURVED ALIGNMENTS WITH A CENTERLINE RADIUS OF 150' OR LESS.
- 7) MINIMUM 30' INSIDE DRIVEWAY RADIUS.
- 8) MINIMUM 4" OF CLASS 6 (3/4" MINUS) GRAVEL DRIVEWAY SURFACE.
- 9) HOUSE ADDRESSING VISIBLE FROM ROADWAY.
- 10) CLEAR ZONES ARE NOT REQUIRED TO HAVE GRAVEL SURFACE, HOWEVER MAXIMUM CROSS SLOPE SHALL NOT EXCEED 4' HORIZONTAL TO 1' VERTICAL.
- 11) SIGHT DISTANCE AT INTERSECTION WITH ADJACENT ROAD SHALL MEET CDOT ACCESS CODE REQUIREMENTS, MINIMUM 350' FOR 35 MPH SPEED LIMIT.

TURNAROUND REQUIRED ONLY FOR DRIVEWAYS LONGER THAN 400'

DRIVEWAY LENGTH 303'

12'

2'

2' CLEAR ZONE

R20'

SURFACE

MIN. 12" DIA. CULVERT WHERE REQUIRED

436'

350'

TYPICAL SINGLE FAMILY LOT APPROX. 3.5 ACRES

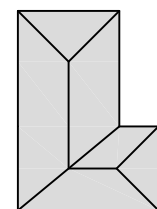
DRIVEWAYS LESS THAN 125 FEET IN LENGTH THAT INTERSECT A NON-COUNTY MAINTAINED ROAD ARE EXEMPT.

LA PLATA COUNTY

ENGINEERING DIVISION

|                        |   |
|------------------------|---|
| SCALE: NTS             | Single Family<br>Driveway Example 1<br>Small Parcel |
| DATE: 11-06-14         |   |
| DRAWN BY: JAD          |   |
| CHECKED: JAD           |   |
| FILE NO. Driveway Ex 1 |   |





DRIVEWAY LENGTH 1,190'

R30'

12'

TURNAROUND ONLY REQUIRED FOR DRIVEWAYS LONGER THAN 400'. LOCATED WITHIN 150' FROM HOUSE.

R175'

R175'

12'

SURFACE

2'  
CLEAR ZONE

R30'  
MINIMUM INSIDE RADIUS

R140'  
CENTERLINE RADIUS

MIN. 12" DIA. CULVERT  
WHERE REQUIRED

16' DRIVEWAY SURFACE REQUIRED WHERE  
CENTERLINE RADIUS IS 150' OR LESS.

EXAMPLE OF A DRIVEWAY FOR A  
LARGE SINGLE FAMILY LOT

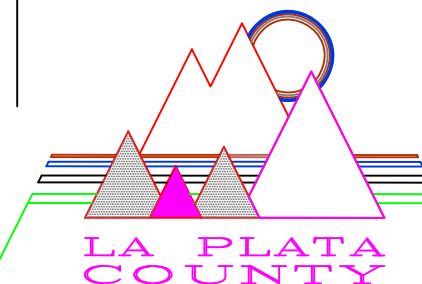
TURNOUT REQUIRED EVERY 400' FOR  
DRIVEWAYS LONGER THAN 800'.

NOTE: DRIVEWAYS 1,000 FEET OR LESS WITH AN UNOBSTRUCTED LINE OF SIGHT FROM THE ADJACENT ROAD TO THE STRUCTURE SHALL NOT BE REQUIRED TO CONSTRUCT TURNOUTS.

PROPERTY LINE / RIGHT-OF-WAY TYP.

COUNTY, PUBLIC, OR PRIVATE ROAD

- NOTES:
- 1) TURNOUTS REQUIRED EVERY 400' FOR DRIVEWAYS LONGER THAN 800'.
  - 2) TURNAROUND REQUIRED WITHIN 150' FROM STRUCTURE FOR DRIVEWAYS LONGER THAN 400'.
  - 3) MINIMUM OVERHEAD CLEARANCE 13'-6".
  - 4) MAXIMUM AVERAGE GRADE 10%, ABSOLUTE MAXIMUM GRADE 12%.
  - 5) DRIVEWAY MAY SERVE UP TO 2 LOTS, 3 DWELLING UNITS, OR MAXIMUM 24 ADT.
  - 6) 16' WIDTH REQUIRED FOR CURVED ALIGNMENTS WITH A CENTERLINE RADIUS OF 150' OR LESS.
  - 7) MINIMUM 30' INSIDE DRIVEWAY RADIUS.
  - 8) MINIMUM 4" OF CLASS 6 (3/4" MINUS) GRAVEL DRIVEWAY SURFACE.
  - 9) HOUSE ADDRESSING VISIBLE FROM ROADWAY.
  - 10) CLEAR ZONES ARE NOT REQUIRED TO HAVE GRAVEL SURFACE, MAXIMUM CROSS SLOPE SHALL NOT EXCEED 4' HORIZONTAL TO 1' VERTICAL.



ENGINEERING DIVISION

SCALE: NTS  
DATE: 11-06-04  
DRAWN BY: JAD  
CHECKED: JAD  
FILE NO. Driveway Ex 2

Single Family  
Driveway Example 2  
Large Parcel

## **RESOLUTION NO. 1991-6**

### **RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY AMENDING AND REVISING THE REGULATIONS FOR THE ACCOMODATION OF MAILBOXES AND NEWSPAPER DELIVERY BOXES ON LA PLATA COUNTY ROAD RIGHTS OF WAY, AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 1989-38.**

**WHEREAS**, the Board of County Commissioners has previously adopted, pursuant to Resolution No. 1985-99, a Public Improvement Construction Manual to regulate public and private activities within County Road Rights of Way, which regulations remain in full force and effect; and

**WHEREAS**, the Board of County Commissioners, pursuant to its statutory authority to regulate private activities within County Road Rights of Way, adopted a "Regulation for the Accommodation of Mailboxes and Newspaper Delivery Boxes on County Road Rights of Way" which was added to the Public Improvement Construction Manual, by and through Resolution No. 1989-38.

**WHEREAS**, it is the intent of the Board of County Commissioners, by the adoption of this Resolution, to amend the "Regulation for the Accommodation of Mailboxes and Newspaper Delivery Boxes on County Road Rights of Way", to provide that installation in accord with the Regulation shall not constitute the acceptance of liability for damaged mailboxes and newspaper delivery boxes.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO, AS FOLLOWS:**

1. Pursuant to the County's statutory authority to regulate the activities within County Road Rights of Way, the "Regulation for the Accommodation of Mailboxes and Newspaper Delivery Boxes on County Road Rights of Way" as adopted by Resolution No. 1989-38 and made a part of the La Plata County Public Improvement Inspection Manual which was previously adopted by Resolution No. 1985-99, is hereby revised and amended as set forth in the attached and incorporated Exhibit A entitled "Revised Regulation for the Accommodation of Mailboxes and Newspaper Delivery Boxes on County Road Rights of Way". The Revised Regulations, as set forth in Exhibit A, are hereby adopted and made a part of the La Plata County Public Improvement Inspection Manual as previously adopted by Resolution No. 1985-99. The Revised Regulation, as set forth in Exhibit A, shall supersede the Regulation adopted pursuant to Resolution No. 1989-38.
2. Except as specifically set forth in paragraph 1 hereof, Resolutions No. 1895-99 and 1989-38 shall remain in full force and effect.

3. The amendment and revision to the Regulation consists of the addition of a new paragraph entitled "Nonliability of County for Damages," as set forth in Exhibit A.
4. The provisions of the Resolution shall become effective on the first day of March, 1991.

DONE AND ADOPTED IN DURANGO, this 5th day of February, 1991.



*[Signature]*  
Deputy Clerk to the Board

BOARD OF COUNTY COMMISSIONERS  
LA PLATA COUNTY, COLORADO

*[Signature]*  
PAUL BROWN - CHAIRMAN

*[Signature]*  
DORIS A. BRENNAN  
VICE-CHAIRWOMAN

*[Signature]*  
FRED W. KLATT, III  
COMMISSIONER

Distribution: 2-6-91 *28*  
U. S. Post Office - *by Central*  
Minutes of Board  
County Attorney-2  
Road & Bridge Dept.  
County Engineer  
Central Files  
Spindle

KKG/skd

## **EXHIBIT A**

### **REGULATION FOR THE ACCOMMODATION OF MAILBOXES AND NEWSPAPER DELIVERY BOXES ON COUNTY ROAD RIGHTS OF WAY**

No mailbox or newspaper delivery box (hereinafter referred to as mailbox) will be allowed to exist on the County rights-of-way if it interferes with the safety of the traveling public or function, maintenance, or operation of the highway system. A mailbox installation that does not conform to the provisions of this regulation is an authorized encroachment under State Code §43-5-30 C.R.S. as amended.

The location and construction of mailboxes shall conform to the rules and regulations of the U.S. Postal Service as well as to standards established by County standards for the location and construction of mailboxes are available from:

La Plata County Road & Bridge Department

1365 S. Camino del Rio

Durango, CO 81303

A mailbox installation that conforms to the following criteria will be considered acceptable unless in the judgment of the county Engineer, the installation interferes with the safety of the traveling public or the function, maintenance, or operation of the highway system.

#### **LOCATION:**

No mailbox will be permitted where access is obtained from the lanes of a freeway or where access is otherwise prohibited by law or regulation.

Mailboxes shall be located on the right-hand side of the roadway in the direction of the deliver route except on one-way streets where they may be placed on the left-hand side. The bottom of the box shall be set at a minimum of 48 inches above the drivable surface. The roadside face of the box shall be offset from the edge of the traveled way a minimum distance of the greater of the following: 8 feet (where no paved shoulder exists), the width of the all-weather shoulder present plus 5 to 12 inches, or the width of an all-weather turnout specified by the County plus 5 to 12 inches. On roads where an 8 foot clearance cannot practical be obtained, the cantilever pipe support standard shall be used to obtain maximum clearance.

Exceptions to the lateral placement criteria above will exist on residential streets and certain designated rural roads where the County deems it in the public interest to permit lesser clearances or to require greater clearances. On curbed streets, the roadside face of the mailbox shall be set back from

the face of curb a distance between 6 and 12 inches. On residential streets without curbs or all-weather shoulders and that carry low-traffic volumes operating at low speeds, the roadside face of a mailbox shall be off set between 5 and 12 inches behind the edge of the drivable surface.

Where a mailbox is located at a driveway entrance, it shall be placed on the far side of the driveway in the direction of the delivery route.

Where a mailbox is located at an intersecting road, it shall be located a minimum of 100 feet beyond the center of the intersecting road in the direction of the delivery route. This distance shall be increased to 200 feet when the average daily traffic on the intersecting road exceeds 400 vehicles per day.

#### **STRUCTURE:**

Mailboxes shall be of light sheet metal or plastic construction conforming to the requirements of the U.S. Postal Service. Newspaper delivery boxes shall be of light sheet metal or plastic construction of minimum dimensions suitable for holding a newspaper.

No more than two mailboxes may be mounted on a support structure unless the support structure and mailbox arrangement have been shown to be safe by crash testing. Lightweight newspaper boxes shall be mounted at the same elevations as the mailbox.

Mailbox supports shall not be set in concrete unless the support design has been shown to be safe by crash tests when so installed. For cantilever pipe construction, a concrete base shall be as shown in the accompanying detail.

A single 4-inch x 4-inch or 4 1/2-inch diameter wooden post or a metal post with a strength no greater than a 2-inch diameter standard strength steel pipe and embedded no more than 24 inches into the ground will be acceptable as a mailbox support. A metal post shall not be fitted with an anchor plate, but it may have an anti-twist device that extends no more than 10 inches below the ground surface.

The post-to-box attachment details should be of sufficient strength to prevent the box from separating from the post top if the installation is struck by a vehicle.

The minimum spacing between the centers of support posts shall be three-fourths the height of the posts above the ground line.

Mailbox support designs not described in this regulation will be acceptable if approved by the County Engineer.

#### **SHOULDER AND PARKING AREA CONSTRUCTION:**

It will be the responsibility of the postal patron to inform the County of any new or existing mailbox installation where shoulder construction is inadequate to permit all-weather vehicular access to the mailbox. Shoulder construction shall be done at the patron's expense according to County Standards.



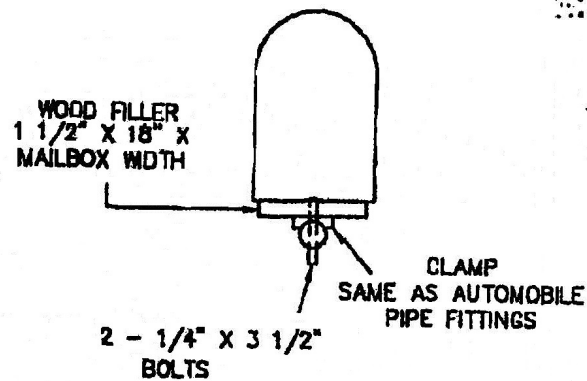
**REMOVAL OF NONCONFORMING OR UNSAFE MAILBOXES:**

Any mailbox that is found to violate the intent of this regulation shall be removed by the postal patron upon notification by the County. At the discretion of the County, based on an assessment of hazard to the public, the patron will be granted no less than 24 hours nor more than 30 days to remove an unacceptable mailbox. If the mailbox owner has failed to re-erect the subject mailbox according to the regulation standards within 30 days of written notice, the owner, not the County, shall be responsible for any and all damage or repairs to the non-complying mailbox.

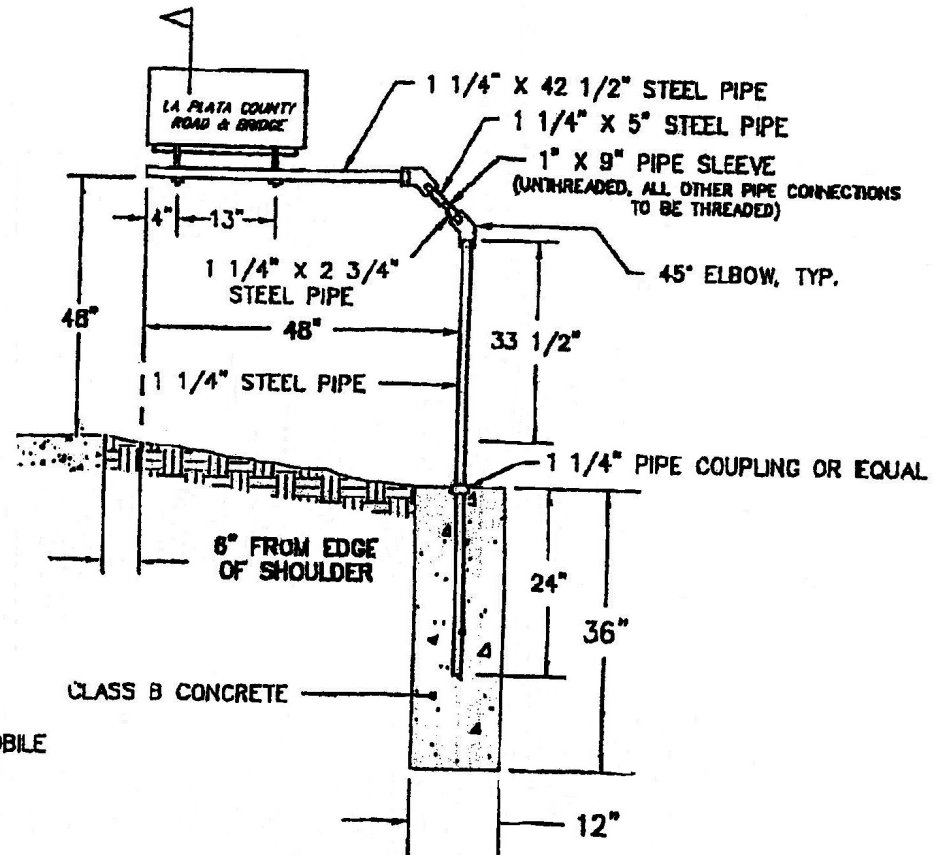
**NONLIABILITY OF COUNTY FOR DAMAGES:**

The provisions of this regulation shall be construed to be the minimum requirements necessary for the protection of the traveling public in the interest of the public health, safety and welfare. Compliance with the requirements of this Regulation shall not be construed to be an express or implied warranty or guarantee of any kind that the mailbox or newspaper delivery box installed shall remain free of damage or destruction. The County assumes no duty to the owner of the mailbox or newspaper delivery box by promulgation and enforcement of this Regulation. The County expressly disclaims any and all liability for damage to mailboxes or newspaper delivery boxes installed pursuant to this Regulation. Installation pursuant to this Regulation shall be deemed to be installed pursuant to a limited and conditional license. One of the terms of the license shall be that the owner assumes the risk of damage or destruction to personal property installed in County Road Rights of Way, and shall hold County harmless therefor.

NOTE:  
OTHER MATERIALS MAY BE  
SUBSTITUTED FOR STEEL PIPE.  
DIMENSIONS FROM AND ABOVE  
THE ROADWAY/SHOULDER SHALL  
BE MAINTAINED.

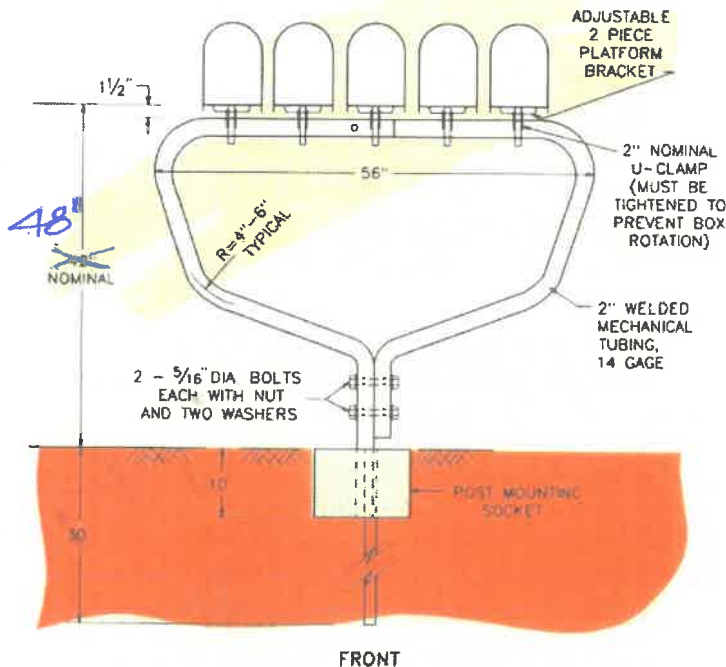


FRONT



SIDE

# CANTILEVER MAILBOX SUPPORT



# Do you own a Roadside Hazard ?

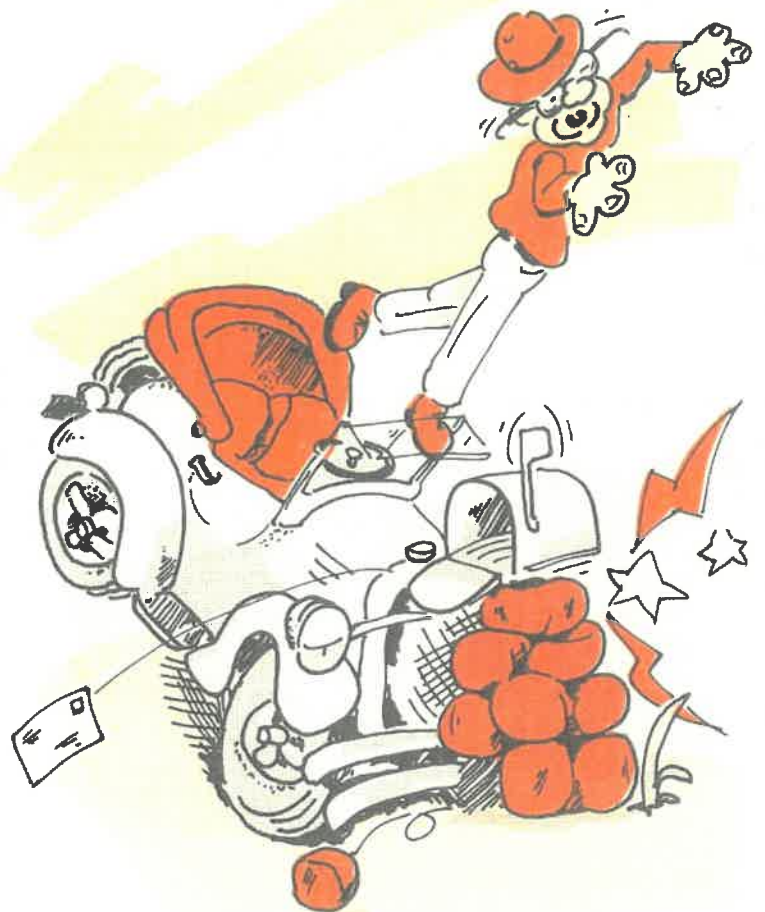
## MULTIPLE MAILBOX SUPPORT

Cantilever and multiple mailbox supports eliminate the chance of "spearing" an occupant of a motor vehicle.

There are in excess of 30 Million mailboxes in the United States. As many as 100 fatalities a year occur as a result of vehicles colliding with these mailboxes. The potential for disabling injury and the resulting civil action is reduced when mailboxes are installed using approved methods and materials that are designed with highway safety in mind. Remember, the mailbox owner may be held liable in case of collision.

- Do you want to be responsible for serious injury to others?
- Do you want to be involved in a lengthy liability suit?

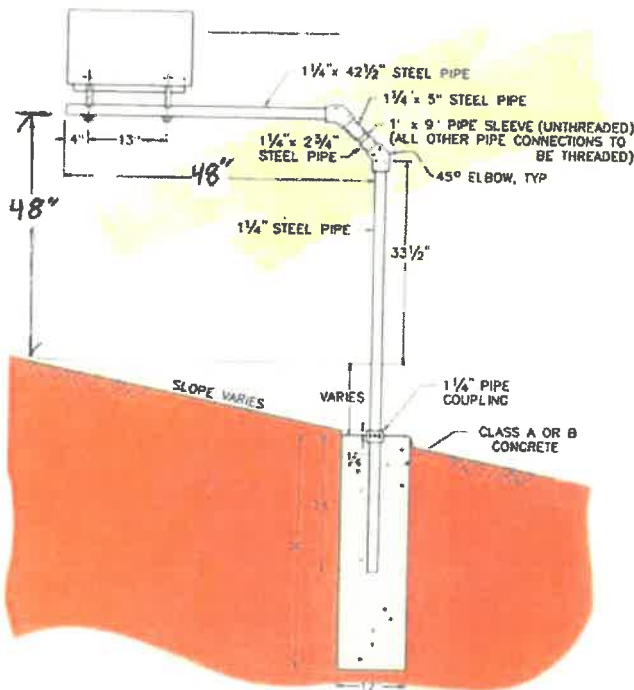
If you maintain a dangerous mailbox support adjacent to a public city street or county road, the Colorado Department of Highways encourages you to contact us for more detailed information on approved mailbox installations including supports, boxes, and mountings.



Anything along side a street or highway that is a possible source of damage or injury if struck by an errant vehicle is considered a roadside hazard. Since nearly 50% of Colorado's fatal traffic accidents involve vehicles that run off the road, mailboxes designed to be aesthetically pleasing may be a "hazard" waiting to be struck.

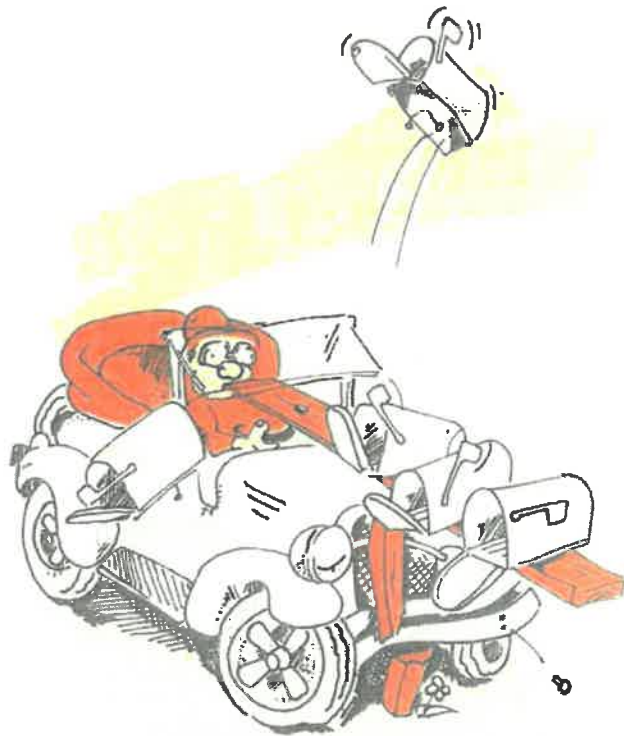
The design of a mailbox and its support have a direct correlation to the damage/injury severity caused by vehicle impact. Massive mailbox supports such as rock columns, plow blades, railroad ties are potentially hazardous to the motorist. Mailbox designs that are shown in this pamphlet are approved by Postal authorities and the Department of Highways and are not considered to be a hazard.

## Can you afford a Lawsuit ?



### CANTILEVER MAILBOX SUPPORT

Supports that bend are desirable although 4" x 4" wood post may be used. Boxes should be properly attached so as not to become "missiles" if impacted.



**Sec. 74-92. Bridges and drainage structures; general requirements.**

(a) Minimum bridge width and load capacity shall be designed and constructed as shown in the following table:

| Type                        | Clear Surface Width (feet) | Minimum Load Capacity (lbs) |
|-----------------------------|----------------------------|-----------------------------|
| Arterial                    | 32                         | AASHTO HL-93                |
| Collector                   | 30                         | AASHTO HL-93                |
| Major Local                 | 26                         | AASHTO HL-93                |
| Minor Local                 | 24                         | AASHTO HL-93                |
| Low ADT roads and driveways | 16                         | 70,000 pounds*              |

\*Bridge design standards for low ADT roads and driveways are intended for structures serving six (6) lots or less and a maximum of 48 ADT during the estimated life of the structure. The minimum load capacity (working or live load) shall be 70,000 lbs to accommodate emergency response vehicles. The professional engineer in responsible charge of design shall ensure the bridge will safely accommodate the ultimate load anticipated during the life of the structure. HL-93 design shall be in accordance with AASHTO LRFD Bridge Design Specification, 7<sup>th</sup> Edition.

- (1) An application for a driveway permit that includes a bridge shall submit plans certified by a professional engineer.
- (2) Subdivision plans that includes a bridge shall submit plans certified by a professional engineer.
- (3) For structures located in a regulatory flood plain or floodway contact La Plata County Flood Plain Administrator for hydrology or hydraulic design requirements. All other bridge structures shall be designed to convey a 25-year flood event.
- (4) Any bridge not designed for the AASHTO HL-93 load capacity, the load capacity shall be posted at both entrances to the bridge and shall be based on a certification letter from the structural engineer.
- (5) Large Culverts: Culverts over forty-eight inches (48") in diameter or equivalent of shall be designed by a professional engineer to convey a 25-year flood event or designated irrigation flow.
- (6) Bridge structures and large culverts crossing irrigation canals shall also be approved by the local irrigation company.
- (7) Bridge and drainage structures required to be designed by a professional engineer shall be inspected as necessary during construction by the engineer of record or his designee so the engineer can provide a letter upon completion certifying the structure was completed in substantial compliance with the approved plans and specification.

(b) Waivers.

(1) For driveway bridges, an applicant may submit a written request for a waiver from the minimum width or load capacity standards to the county engineer or designee. Upon receipt of a request for a waiver, the county engineer or designee shall provide a copy of the request to the applicable fire district and seek comment from the district. The applicable fire district shall be the fire district that provides emergency response to the property or properties served by the proposed bridge. The county engineer or designee may grant a waiver from the application of the minimum width or load standards no earlier than fourteen (14) days after submittal of the request to the applicable fire district. The director may not approve a surface width of less than 12 feet with 2 feet of clearance on each side.

(2) The county engineer or designee may grant a request for a waiver if he or she determines that the following elements have been satisfied:

a. Topography challenges or other site-specific constraints prevent compliance with the standards;

b. Adequate fire mitigation measures exist that reduce the necessity to meet the specific requirement. Fire mitigation measures may include one or a combination of the following:

- i. Plans for and implementation of substantial defensible space measures, as identified in the State of Colorado Forest Service, Creating Wildfire-Defensible Zones Guide;
- ii. Provision of adequate on-site water supply capable of supplying fire flow for fire protection, as set forth in Chapter 34 of the La Plata County Code;
- iii. Design and construction of internal automatic fire sprinkler systems designed and installed in compliance with Chapter 34 of the La Plata County Code for all properties served;
- iv. Use of a substantial amount of fire-resistant building construction materials for all properties served; and

c. The granting of a waiver will not be detrimental to the health, safety, and welfare of the public.

(3) The county engineer or designee may limit the extent of a waiver to the degree necessary to comply with subsection (b) (2) of this section. The county engineer or designee's final determination shall be in writing and a copy shall be provided to the applicable fire district.

(c) Vehicular bridges shall be constructed according to Colorado Department of Highway Standard Specifications for Road and Bridge Specifications.

(e) Bridgerails, pedestrian walkways, and railings shall be as warranted.

- **Sec. 74-92. - Bridges; general requirements.**

- (a) Bridges shall be designed to meet the requirements of AASHTO Standard Specifications for Highway Bridges. Load design requirements shall comply with HS-20-44.
- (b) Vehicular bridges shall be constructed according to Colorado Department of Highway Standard Specifications for Road and Bridge Specifications.
- (c) Clear deck width must accommodate the full width of the traveled lanes and shoulders of approach roads.
- (d) Pedestrian walkways and railings shall be as warranted.
- (e) A flared approach guardrail shall be similar to that as shown on Colorado Division of Highways Standard M-606.

(LPLUS, § 4.6)