CHAPTER 4: INFRASTRUCTURE 4
Section 4.1 DEFINITION AND PURPOSE 4
A. Purposes 4
Section 4.2 GENERAL PROVISIONS 4
A. Applicability 4
B. Infrastructure Is Available 6
C. Infrastructure Is Adequate 6
1. Infrastructure Providers Concur 7
a. Well and/or Septic 7
2. Standards Are Met 7
Section 4.3 FIRE PROTECTION 8
A. Submittal Requirements 8
B. Standards 9
Section 4.4 PUBLIC PARKS 10
A. Submittal Requirements 10
1. Existing Public Parks Information 11
2. Proposed Method of Fulfilling Public Park Requirements 11
a. Subdivision Sketch Plan 11
b. Subdivision Preliminary Plan 11
c. Minor Infill Subdivision 11
B. Standards 11
1. Public Park Land Calculations 11
2. Public Park Land Alternatives 12
3. Design Standards 12
C. When Due 13
Section 4.5 ROADS 14
A. Submittal Requirements 14
1. General 14
a. New Roads 14
b. Traffic Study 14
c. Maintenance Provisions 16
d. Alleys 16
2. Specific Subdivision and/or PUD Submittal Requirements 16
a. Sketch Plan 16
b. Preliminary Plan 17
c. Subdivision Final Plat 18
d. Minor Infill Subdivision 18
B. **Road Names** 18
D. Standards 21
1. Roadway Design and Construction Standards 21
2. Capacity 21
3. Evidence of Maintenance 21
4. Road Names 21
5. Roads On Federally Administered Land 21

E. Roads - Reservation of Land 21
Section 4.6 SCHOOLS 22
A. Submittal Requirements 22
1. Estimated Student Generation 22
2. Proposed Method of Meeting School Land Dedication Requirements 22
a. Subdivision Sketch Plan 22
b. Subdivision Preliminary Plan 22
c. Minor Infill Subdivision 22
B. Standards 23
2. Prior Dedications 23
3. School Land Alternatives 23
C. When Due 24
Section 4.7 SHERIFF AND EMERGENCY SERVICES 24
A. Submittal Requirements 24
B. Standards 25
Section 4.8 SANITARY SEWAGE DISPOSAL 25
A. Submittal Requirements 25
1. General 25
2. PUD and Subdivision-Specific Requirements 25
3. Existing ISDS Affected 27
B. General Standards 27
1. Central Sanitary Sewer System Accessible 27
2. Central Sanitary Sewer System Planned 27
3. Central Sanitary Sewer Not Accessible 28
C. Standards for New Central Sanitary Sewer System 28
1. Treatment Facilities 28
2. Collection Sewers 28
3. Conformance With Standards of Nearest District 28
4. Location and Easements 28
5. Administration 29
6. Filing of System Plan 29
D. Standards For Individual Sewage Disposal Systems (ISDS) 29
1. Adequate Test Results 29
2. Project Design 29
Section 4.9 WATER SUPPLY 29
A. Submittal Requirements 30
1. General 30
a. Water Resources Report 30
b. Calculation of Adequacy of Supply 31
2. Specific PUD and/or Subdivision Requirements 31
a. Sketch Plan 31
b. Preliminary Plan 32
c. Subdivision Final Plat 32
d. Minor Infill Subdivision 33

3. Existing Well Affected 33
B. Standards 33
1. Subdivision 33
a. Central Water Supply Accessible 33
b. Central Water Supply Not Accessible 33
c. Construction and Administration of Facilities 34
d. Administration 35
e. Filing of Plan 35
f. Fire Flows 35
2. Non-Subdivision 35
Section 4.10 OTHER UTILITY AND SERVICE PROVIDERS 35
A. Submittal Requirements 35
B. Standards 35
Section 4.11 MODIFICATION OF INFRASTRUCTURE STANDARDS 36
A. Procedure 36
1. Applications Concurrent 36
2. Actions by Decision-Making Bodies 37
B. Standards 38
1. Performance Equivalent. 38
2. No Greater Environmental Impacts 38
3. Equal Level of Public Health and Safety 39
4. Equally Durable 39
Section 4.12 IMPACT FEES 39
Section Reserved 39

CHAPTER 4: INFRASTRUCTURE

Section 4.1

Section 4.1
DEFINITION AND PURPOSE

The term "infrastructure" means the local and regional fire protection, public park, school, Sheriff, road, wastewater, water, and other public or private utility installations, as well as other public or private facilities and services, if any, necessary for the proposed use of a site. The term "infrastructure," as used in these Regulations, includes not only the provision of services, but the equipment, and capital improvements necessary to provide them, as, by way of example only, the fire trucks, firefighting equipment, and fire station.

A. **Purposes**. The infrastructure requirements of these Regulations have the following purposes:

1. Ensure that the infrastructure needed to support new development meets or exceeds the standards established by these Regulations by meeting the existing and foreseeable needs for public services within the proposed development site and its area;

2. Promote efficient and economic use of public and/or private infrastructure resources by ensuring that the infrastructure needed to support new development is available concurrent with the impacts of such development and that new development does not create an increase in demand for public and/or private infrastructure services beyond the capacity of the development and neighboring or other public and/or private entities to provide such services;

3. Establish uniform procedures and requirements for the review of development permit applications;

4. Facilitate implementation of the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s); and

5. Ensure that all applicable legal standards and criteria are properly incorporated in these procedures and requirements.

Section 4.2

Section 4.2
GENERAL PROVISIONS

A. **Applicability**. Except as exempted below and unless otherwise provided in these Regulations, no development permit application shall be approved unless and until the County has determined that adequate infrastructure is or will be available to and for the proposed development. *[Am BOCC 08-27-09(34)]*

Section 4.2.A.1

1. Exemptions.

a. **Buildings.** Building Permit applications for single-family or duplex residential construction, agricultural outbuildings, and residential accessory structures are exempt from the requirements of *Chapter 4: Infrastructure*. [*am.* BOCC 08-27-09(34)]

b. **Uses.** Subject to the particular zone district specifications and requirements, all Permitted Uses, Administrative Review Uses, Conditional Uses, and Special Uses are exempt from road infrastructure adequacy requirements if the contemplated use is not projected to generate over 99 average vehicle trips per day on any given day based on the most recent edition of Trip Generation: An ITE Informational Report by the Institute of Transportation Engineers, and not expected to involve vehicles over 26,000 GVWR, nor equipment and/or machinery weighing over 26,000 pounds, in the operation of or in conjunction with the use (excluding heating fuel deliveries, trash pickup and delivery of materials and equipment related to construction, installation, or site work for the use). [*AM* BOCC 08-27-09(34)]

c. **Site Plan Reviews.** Minor and/or Major Building Site Plan Reviews are exempt from road infrastructure adequacy requirements if the contemplated use of the building is not projected to generate over 99 average vehicle trips per day on any given day based on the most recent edition of Trip Generation: An ITE Informational Report by the Institute of Transportation Engineers, and not expected to involve vehicles over 26,000 GVWR, nor equipment and/or machinery weighing over 26,000 pounds, in the operation of or in conjunction with the building (excluding heating fuel deliveries, trash pickup and delivery of materials and equipment related to construction, installation, or site work for the building). *[AM BOCC 08-27-09(34)]*

Section 4.2.A.1.d

d. **Subdivisions.** Special Exemption Plats, Amended Final Plats, Technical Corrections Plats, and Interior Lot Line Vacations are exempt from the requirements of *Chapter 4: Infrastructure*. Minor Infill Subdivisions are exempt from road infrastructure adequacy requirements if the contemplated subdivision is not projected to generate over 99 average vehicle trips per day on any given day based on the most recent edition of Trip Generation: An ITE Informational Report by the Institute of Transportation Engineers, and not expected to involve vehicles over 26,000 GVWR, nor equipment and/or machinery weighing over 26,000 pounds, in the operation of or in conjunction with the

subdivision (excluding heating fuel deliveries, trash pickup and delivery of materials and equipment related to construction, installation, or site work for the subdivision). *[AM BOCC 08-27-09(34)]*

B. **Infrastructure Is Available**. Infrastructure shall be deemed to be available if one or more of the following exists:

1. The infrastructure is in place or will be in place when approval of the development permit application is granted; **or**

2. Provision of infrastructure is proposed to be provided by the applicant or others as part of, or is a condition of approval of, the development permit application and provided for through a collateralized Improvements Agreement, Subdivision Improvements Agreement, or other Agreement or contract pursuant to *Section 3.5.A* and/or *Section 3.5.B* of these Regulations recorded at or before approval of the development permit application; **or**

3. The infrastructure is under construction and will be available at the time that the impacts of the proposed development will occur; **or**

4. Road and/or non-road infrastructure or facilities are planned, and jurisdiction capital improvements necessary to serve the proposed development are scheduled to be completed in a timely manner; **or**

5. A proposed development is located where improvements to the roads or intersections needed to serve the development are included in the current year Annual Road Maintenance and Improvement Plan, and planned for construction by the County within two years. The following must also be found to exist:

    a. The Annual Road Maintenance and Improvement Plan contains a financially feasible funding system based on currently available revenue sources which are adequate to fund the roads required to serve the existing and the proposed development;

    b. The applicable provisions of the Annual Road Maintenance and Improvement Plan show (a) the estimated date of the commencement of construction of the necessary road(s) and its/their estimated date of completion; and

    c. There is sufficient data to ensure that the proposed development does not cause a reduction in any affected Level of Service (LOS) below that which presently exists or is required.

Section 4.2.C

C. **Infrastructure Is Adequate**. Infrastructure is deemed to be adequate if,

at the time of the development permit application, written evidence is provided fulfilling the requirements of either *Section 4.2.C.1* or *Section 4.2.C.2* below:

1. **Infrastructure Providers Concur**. All infrastructure providers pursuant to *Chapter 4 Infrastructure* serving or proposed to serve the site have submitted a Letter of Agreement to provide service as appropriate, stating (1) that current capacity is, or will be at the time the impacts of the proposed development will occur, sufficient to accommodate the proposed development, and (2) that there is presently, or will be at the time the impacts of the proposed development will occur, existing or adequately capitalized and planned infrastructure adequate to serve the area as well as the proposed development.

    a. **Well and/or Septic**. Where water and/or sanitary sewer are to be provided by existing well and/or septic, sufficient technical documentation prepared by, or reviewed and approved by, qualified professionals has been submitted to demonstrate that this existing well and/or septic infrastructure has current size and capacity to accommodate the proposed development.

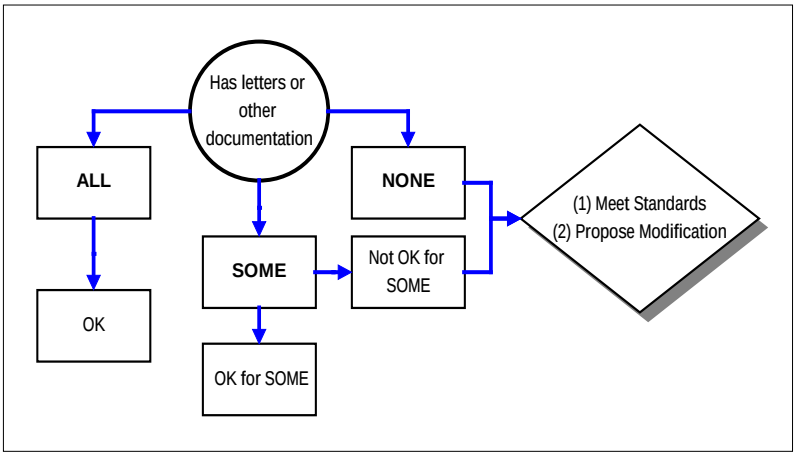

Figure 4.1 Infrastructure Providers Concur

Section 4.2.C.2

2. **Standards Are Met**. The individual infrastructure standards of these Regulations for *Section 4.3 Fire Protection, Section 4.4 Public Parks, Section 4.5 Roads, Section 4.6 Schools, Section 4.7 Sheriff and Emergency Services, Section 4.8 Sanitary Sewage Disposal, Section 4.9 Water Supply,* and *Section 4.10 Other Utility and Service Providers*, as appropriate, are met.

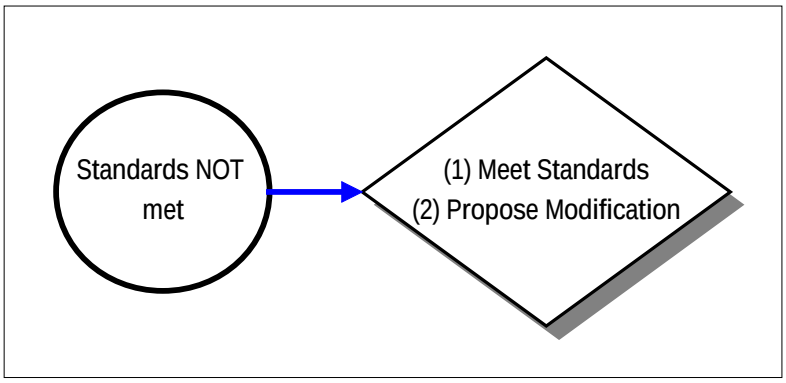

Figure 4.2 When Standards Are Not Met

Section 4.3

Section 4.3
FIRE PROTECTION

A. **Submittal Requirements**. When the Standards for approval of a development permit application require that Fire Protection infrastructure be available and adequate to serve the development and Applicant cannot otherwise show that this is now true, the following information shall be provided with the development permit application.

1. The name of the Fire Protection District that will provide service to the proposed development.

2. A description of the fire protection facilities that will provide service to the proposed development.

3. The name and location of the closest fire station to the proposed development, the farthest point and the closest point from the proposed development to the closest fire station, and the response time from fire station to the closest and farthest point of the proposed development. In the event any proposed subdivision lies outside a five-mile radius from the nearest fire station, Applicant shall provide such mitigation as is required by the Fire Protection District having jurisdiction, or in instances where the proposed subdivision lies outside of any District boundaries, by the Teller County Fire Marshall or his or her designated representative.

4. Fire flow available at the site of the proposed development, in gallons per minute (gpm) and residual pressure in pounds per square inch (psi). Documentation shall be prepared by a Registered Professional Engineer licensed in the State of Colorado qualified to practice in this area of engineering, and show that a proposed new or existing water system meets the requirements of the Teller County Fire Code or other such fire code as may be properly adopted by the Fire Protection District in which the development is located. This documentation shall include fire flow and residual pressure.

Section 4.3.A.5

5. The total water supply available for fire flow and other

development at maximum daily usage.

6. Water main sizes for the proposed development and the layout of the mains.

7. Fire hydrant spacing and valve layout.

8. Evidence that the site is not within a *Section 6.5 Wildfire Hazard Area*. If the site of the development permit application is within a *Section 6.5 Wildfire Hazard Area*, then the Applicant shall fulfill the submittal requirements of *Section 6.5.*

9. Such other information as may be required by the Fire Protection District having jurisdiction, or in instances where the proposed development lies outside of any District boundaries, by the Teller County Fire Marshall or his or her designated representative.

B. **Standards**. Unless, pursuant to *Section 6.5.C.1.f* of these Regulations, an alternative mitigation measure has been recommended by a professional forester and approved by the local Fire Protection District, or in instances where the proposed development lies outside of any District boundaries by the Teller County Fire Marshall or his or her designated representative, a legal, adequate, and dependable water supply and delivery system within the development sufficient for fighting all types of fires shall be provided. Such supply and system shall be of the type and installation specified and approved by the Fire Protection District having jurisdiction, or in instances where the proposed development lies outside of any District boundaries, by the Teller County Fire Marshall or his or her designated representative. The water supply and delivery system shall have the following further requirements:

1. Development with a central water system provides water flow and hydrants that comply with the requirements of the Teller County Fire Code and its appropriate Appendix, or such other fire code as may be properly adopted by the Fire Protection District in which the development is located.

2. Development with individual wells complies with the requirements of the National Fire Protection Association standards for suburban and rural fire fighting water supplies (*cf.* NFPA 1231, AStandard on Water Supplies for Suburban and Rural Fire Fighting,@ 1993).

3. Sprinkler installation and testing complies with the requirements of the Teller County Building Code as applicable, and the Teller County Fire Code and its appropriate Appendix, or such other fire code as may be properly adopted by the Fire Protection District in which the development is located.

4. For subdivisions beyond a five-mile radius of the nearest fire

Section 4.3.B.4

station, such mitigation as is required by the Fire Protection District having jurisdiction, or in instances where the proposed subdivision lies outside of any District boundaries, by the Teller County Fire Marshall or his or her designated representative is provided.

5. Fire flows and residual pressures comply with the requirements of the Teller County Fire Code, or with the requirements of such other such fire code as may be properly adopted by the Fire Protection District in which the development is located. Any new central water supply system design, or any extension of an existing central water supply system, shows that the system is capable of meeting the applicable fire code fire flow standards for the entire development. Each final plat in a phased project must be accompanied by a fire flow analysis showing that any extension of an existing water system will not diminish the water system=s ability to meet the fire flow and residual pressure requirements of the Teller County Fire Code or the properly adopted Fire Code of the Fire District within which the site is located, whichever is more restrictive. (See also *Section 4.9 Water Supply*.)

6. Where a Fire Protection District, or in instances where the proposed development lies outside of any District boundaries, the Teller County Fire Marshall or his or her designated representative, has designated an area as Wildland, Wildland/Urban Interface, or Wildland/Urban Intermix, or the area is within an officially mapped Wildfire Hazard Prone Area, all provisions of *Section 6.5 Wildfire Hazard Prone Areas*, of these Regulations are applied and have been met.

Section 4.4

Section 4.4
PUBLIC PARKS

Applicants for development of a new residential subdivision, or resubdivision of an existing subdivision, are required to provide adequate public park land, private park land, or a combination of both (CRS ' 30-28-133(4)(a) *et seq*.). Links provided within the specifically identified trail system of the Teller County Parks, Trails and Open Space Master Plan will be considered as Public Park land.

Where Open Space is a requirement of development it may also be used wholly or in part to fulfill the Public Park Infrastructure requirement of these Regulations upon review and recommendation by the Teller County Parks Advisory Board. In making its recommendation, the Parks Advisory Board shall consider accessibility, visibility, and potential benefit for Public Park use. Land serving such dual purpose shall not exceed the following ratio: four acres of required open space shall be equal to one acre of Public Park land. (See also *Section 5.6 Open Space*.)

Section 4.4.A

A. <u>Submittal Requirements</u>

1. **Existing Public Parks Information**. Applicant shall submit full and complete information on those neighborhood or community parks and park trail service areas in the area within which the proposed residential development lies. Such information includes access, distance from the proposed development, size, equipment and/or facilities provided, if any, primary and secondary uses, and numerical population base served.

2. **Proposed Method of Fulfilling Public Park Requirements**

   a. **Subdivision Sketch Plan**. Applicant shall submit a written narrative describing in detail how Public Park requirements of these Regulations are to be met. The narrative is to include: (1) a general description of the proposed park site, its size, location, access, and land features; (2) its intended primary and secondary uses; (3) any equipment and facilities to be provided by Applicant; and (4) the proposed means of park maintenance. Applicant should further consider (5) the numerical population base to be served. When other than single-family residential lot development is proposed, an estimate of occupancy per dwelling unit type should be provided. As appropriate, Applicant may submit a proposal for any proposed cash-in-lieu fee.

   b. **Subdivision Preliminary Plan**. Applicant shall submit full and complete information on the method by which the Public Parks infrastructure requirements and Standards of these Regulations are met, including a written and pictorial analysis clearly indicating how the proposed park meets or exceeds the Park Design Standards (*Section 4.4.B.3*) of these Regulations. As appropriate, Applicant shall supply all information necessary for the Board of County Commissioners to evaluate the adequacy of any fee-in-lieu proposal, including submittal of an estimate of fair market value prepared by a qualified professional.

   c. **Minor Infill Subdivision**. Applicant shall fulfill all requirements of both *Section 4.4.A.2.a.* and *Section 4.4.A.2.b* above.

B. Standards

Section 4.4.B.1

1. **Public Park Land Calculations**. For the purposes of these Regulations, adequate Public Park land is established at 10 acres per 1,000 persons, as set forth in the *Teller County Parks, Trails and Open Space Master Plan* and according to standards adopted by the National Recreation and Parks Association. For the purpose of determining the amount of Public Park land required, the U.S.

decennial census figure for average household size times the number of dwelling units proposed, shall be used.

2. **Public Park Land Alternatives**. At the discretion of the Board of County Commissioners, an amount of land, and/or Public Park improvements, and/or fees-in-lieu of required land may fulfill the Public Park Land requirements of these Regulations.

a. **Fees-in-Lieu of Land Dedication**. When an entire Public Park site is not reasonably necessary to serve the proposed subdivision and its future residents, the Board of County Commissioners, after receipt of recommendations from Teller County Parks Advisory Board and other affected entities, may require, in lieu of such conveyance of land, the payment in cash by the sub divider of an amount not to exceed the full fair market value of the acreage required for Public Park dedication. Determination of fair market value shall be based on the fair market value of the entire property after completion of the platting process. Such determination shall be made at Applicant=s expense by a qualified appraisal professional acceptable to the Board of County Commissioners; shall be submitted with the first application for Final Plat; and is subject to review and recommendation by the Teller County Parks Advisory Board and review and acceptance by the Board of County Commissioners. Alternatively, the fair market value of the land may be determined by mutual agreement between the Board and the Applicant.

b. **Combined Land and Fees-in-Lieu**. The Board of County Commissioners may consider accepting, after receipt of recommendation of the Teller County Parks Advisory Board and other affected entities, a combination of land dedication and cash-in-lieu not to exceed the fair market value of the land.

3. **Design Standards**. Any Public Park to be provided pursuant to these Regulations must meet the following Park Design Standards:

a. Meets or exceeds the needs and requirements of the *Teller County Parks, Trails and Open Space Master Plan*.

b. Has access from a dedicated County road.

c. Is a contiguous piece of property, unless the subdivision is large enough to accommodate the type of park facilities needed for the area.

Section 4.4.B.3.d

d. Is placed in such a manner to assist in enhancing the

environment and in preserving community integrity in the most practical, attractive, manner possible.

e. Does not contain areas that would be hazardous to the public safety and welfare of the park user.

f. Allows for the ease of maintenance by the County or property owner's association, as the case may be.

g. Does not have slopes of 10% or greater over 20% of the area, unless a special use is recommended by the Parks Advisory Board that requires some degree of slope.

h. Has acceptable size, shape, topography, geology, presence and condition of ground cover and timber, condition of soil, drainage, location, access and availability of water to lands proposed.

i. Protects natural and historic features, scenic vistas, watersheds, timber and/or wildlife.

C. **When Due**. Unless otherwise agreed between Applicant and the Board of County Commissioners in a recorded Development Agreement, conveyance of all land and/or payment of all fees-in-lieu are required prior to, or at the time of and in conjunction with, the recording of the first final plat for the subdivision in the public records of Teller County.

1. **Conveyance of Land**. Any conveyance of land to Teller County shall be by such deed of conveyance or other means required by the Teller County Attorney. Title shall be free and clear of all liens and encumbrances, including real property taxes prorated at the time of conveyance. Applicant shall provide at Applicant=s expense, at the time of conveyance, a commitment to Teller County for title insurance certified to date, and, if the land to be conveyed is not otherwise platted, an ALTA survey of the site, and shall cause delivery of the Title Policy. Unless waived in writing by the Applicant, any subsequent sale of said land shall be subject to Applicant=s right-of-first-refusal, if any, pursuant to CRS ' 30-28-133.(4)(a)(II). At the discretion of the Board of County Commissioners, Public Park land may be conveyed in the most appropriate manner to a homeowners' organization for development and maintenance.

2. **Fees-in-lieu**. Fees-in-lieu, and any other monies, shall be held by the Board of County Commissioners solely for the purposes of reasonably necessary Public Park site acquisition, capital outlay for Public Parks or Public Park development purposes.

Section 4.5

Section 4.5 ROADS

[AM BOCC RESOLUTION 11.08.18(38)]

All Applicants for new development or changes to existing development shall provide with the development permit application sufficient information about the proposed development in order that its potential impact on the existing road infrastructure may be assessed. *[AM BOCC 08-27-09(34)]*

A. Submittal Requirements

1. General

a. **New Roads**. When new roads or accesses are proposed, the manner in which they will conform to requirements of these Regulations and the Teller County Roadway Design and Construction Standards shall be described.

b. **Traffic Study** If the proposed site development would increase the number of trips generated by more than 99 average vehicle trips per day on any given day based on the most recent edition of Trip Generation: An ITE Informational Report by the Institute of Transportation Engineers, Applicant shall submit a traffic study prepared by a Registered Professional Engineer licensed in the State of Colorado qualified to practice in this area of engineering, and in accordance with the guidelines set forth in the Teller County Roadway Design and Construction Standards. The traffic study shall also include a calculation of road capacity and Level of Service (LOS). *(AM BOCC 08-27-09(34)]*

(1) **Road Capacity Standards**. Road capacity is defined as the number of vehicles that can be accommodated by a given roadway during a specified time period under prevailing roadway, traffic, and control conditions at the adopted LOS, independent of other road design and construction considerations. The proposed development cannot cause a decline in the adopted LOS for roads within the traffic impact area. The adopted LOS is that defined in the Teller County Roadway Design and Construction Standards. (See also *Chapter 12 Definitions*: Level of Service.)

(a) **Existing Roadway Adequacy**. Existing roadways in unincorporated Teller County dedicated to public use that do not meet the requirements of Chapter 6, Part 2 of the Teller County Roadway Design and Construction Standards are considered to be inadequate.

Section 4.5.A.1.b(1)(b)

(b) **Current Capacity Not Exceeded**. If the current capacity of the existing roadway network within the traffic impact area (including all links and intersections), considering all current uses, committed development, and the proposed development, meets or exceeds the adopted LOS and meets or exceeds the minimum design standards of Chapter 6, Part 2 of the Teller County Roadway Design and Construction Standards, adequate road capacity to accommodate the trips projected to be generated by the proposed development is deemed to exist.

(c) **Projected Capacity Not Exceeded**. If the current capacity of the existing roadway network within the traffic impact area (including all links and intersections), considering all current uses, committed development, and the proposed development, and further considering solely those capital improvements under construction or scheduled and funded for construction within the next two years, meets or exceeds the adopted LOS and meets or exceeds the minimum design standards of Chapter 6, Part 2 of the Teller County Roadway Design and Construction Standards, adequate road capacity to accommodate the trips projected to be generated by the proposed development is deemed to exist.

(**2**) **Traffic Study for Phased Development**. When a traffic study for a phased development, prepared in accordance with the Teller County Roadway Design and Construction Standards and based on full build-out of the proposed development, has been submitted in connection with the initial development permit application, provided circumstances in forming the traffic study have not substantially changed, it is not ordinarily necessary for Applicant to submit separate traffic studies for each Final Plat or phase. However, a new traffic study, in whole or in part, may be required when, in the discretion of the Planning Director, one or more of the following may have occurred: (1) substantial growth in Teller County population or traffic volumes that may not have been considered in the original study; (2) specific new development that may not have been considered in the original study; (3) substantial changes are proposed within the development; (4) other special circumstances impacting the existing roadway network within the

Section 4.5.A.1.c

traffic impact area.

c. **Maintenance Provisions**. Applicant shall describe in writing how roads are to be maintained pursuant to the requirements of these Regulations and the Teller County Roadway Design and Construction Standards. Roads shall be maintained in serviceable condition by the Applicant until a separate and specific Resolution accepting the roads for maintenance has been adopted by the Board of County Commissioners and recorded in the office of the County Clerk and Recorder, or until permanent provisions for private road maintenance are likewise recorded. For the purposes of these Regulations, Aserviceable condition@ means an all-weather road surface usable for accessibility by emergency vehicles at all times.

d. **Alleys**. Alleys a minimum of 20 feet wide shall be provided in commercial and industrial districts except where other definite and assured provisions are made for service access(s). Dead-end alleys are prohibited.

2. **Specific Subdivision and/or PUD Submittal Requirements**. Sketch and Preliminary Plan and Final Plat for Subdivision, PUD Sketch and Preliminary Plan, and Minor Infill Subdivision submittals are each subject to separate review by the Teller County Engineer. (See also *Chapter 9 Subdivision* of these Regulations)

a. **Sketch Plan**. Applicants for Subdivision and/or PUD Sketch Plan shall provide with the development permit application:

(1) **Roads**

(a) A letter or written statement from the Teller County Transportation Director or the Teller County Engineer stating that the supporting road network for the proposed development is adequate in accordance with the Teller County Roadway Design and Construction Standards; **or**

(b) Existing roadway plans and profile for the supporting road network, prepared, signed, and sealed by a Registered Professional Engineer licensed in the State of Colorado. The Applicant or preparing Engineer must also submit a letter stating the adequacy of this road network as defined by the Teller County Roadway Design and Construction Standards.

Section 4.5.A.2.a(1)(c)

(c) If the existing supporting road network is determined **inadequate** in its current condition, then Applicant shall also provide a written statement or narrative describing (1) any roadway improvements proposed to be made in order to bring the supporting road network to adequacy, and (2) with what financial assurances such improvements are proposed to be constructed.

(d) Proposed method of road maintenance.

(2) **Traffic**. A written statement or narrative addressing the proposed land use for the development, the potential increase in vehicle trips per day (based on actual trips and percent increase over existing traffic), and the need, or lack of need, for a Traffic Study.

b. **Preliminary Plan**. Applicants for Subdivision and/or PUD Preliminary Plan shall provide with the development permit application:

(1) **Road Plan and Profile**. Road plan and profile prepared in accordance with the Teller County Roadway Design and Construction Standards. Plan and profile sheets shall be at a horizontal scale of 1" = 50' and vertical scale of 1" = 5'. These plans shall show and include:

(a) Dimensioned existing and proposed property lines, right-of-way lines and all easements, whether crossing or parallel to roads and driveway accesses.

(b) Intersections with all existing roads (centerline elevations only).

(c) Existing and proposed curb and gutter, sidewalks and trails.

(d) Pedestrian circulation plan for trails and sidewalks, if any, within the subdivision and/or PUD, and for connection to adjoining and/or adjacent systems. Trails standards are identified in the Teller County Roadway Design and Construction Standards and as interpreted by the Teller County Division of Parks.

Section 4.5.A.2.b(1)(f)

(e) All utility improvements within or crossing the roadway.

(f) Areas of high water table, unsuitable soils or other geological hazards.

(g) Typical cross-section(s) including roadway width, driving surface and proposed pavement structure, shoulder, curb and gutter, sidewalks, trails, ditches, clear zone, cut and fill slopes to point of intersection with existing ground and right-of-way lines.

(h) Limits of grading for roadway.

(i) All drainage, retaining, and bridge structures to be constructed as part of the roadway.

(j) All roadway names and designations, labeled.

(2) **Traffic Study**. As required, a Traffic Study prepared in accordance with *Section 4.5.A.1.b Traffic Study*. Roadway Capacity shall be determined in conjunction with the Traffic Study.

c. **Subdivision Final Plat**. See *Section 9.7.E.1.d Engineering Drawings*.

d. **Minor Infill Subdivision**. Applicant shall fulfill all Sketch Plan, Preliminary Plan, and Final Plat requirements.

Section 4.5.B Road Names

B. Road Names

[AM BoCC Resolution 11.08.18(38)]

Whenever new roads names are proposed, a list of the proposed names shall be provided with the initial development permit application, or, in the case of road name change requests, at the time the request is made. The request shall be submitted by the property owner(s) to the Teller County Planning Department. Using the following criteria, established by the El Paso - Teller County Enhanced 911 Authority Board (E-911), will process new road name approval by E-911 and the Board of County Commissioners:

1. Except for continuation of an existing named street or road, names are unique and do not duplicate, either phonetically or alphabetically, any other existing street or road name anywhere in Teller County. Street names that closely approximate the spelling of, or phonetically sound similar to, another street or road will not be approved.

2. Teller County will not process requests for road names or property

addresses without proof of legal access, to include access from an entity other than Teller County (BLM, USFS, CDOT or private easement). Requests will only be accepted from the property owner. Pursuant to Section 13.1 Access Requirements and Criteria for Roadway Design and Construction Standards, if an access permit is required from an entity other than Teller County, the Applicant shall submit a copy of the approved access permit/document with the request for a Teller County driveway/access permit.

Section 4.5.B.3

3. All street or road names have standard English spellings, and do not contain any punctuation or special characters. Street or road names that are correctly spelled but difficult to pronounce may not be approved. At the discretion of the E-911 data base coordinator, overly used common names may be rejected.

4. Directional names are **not** used as part of a street or road name (by way of example **only**: "Eastpoint Drive," "South Road").

5. Street or road names are limited to a maximum of 14 letters, not including the street or road name designation.

6. One-word or two-word street or road names will be considered.

7. Any street or road which is a continuation or logical extension of an existing dedicated, platted, or deeded street or road has the same name.

8. Street or road name designations:

    a. "Boulevard" or "Parkway" are reserved for streets or roads designated by Teller County as major thoroughfares which have or are planned to have a median divider of sufficient size to allow for landscaping.

    b. "Avenue" or "Road" are reserved for streets or roads of substantial continuity such as major or minor Teller County arterials.

    c. "Street" or "Drive" are reserved for streets or roads of less continuity, such as collectors. The use of "Drive" denotes a curvilinear street or road.

    d. "Court," "Place," "Circle," "Way," "Terrace," "Lane," "Loop," "Trail," or "Path" are reserved for minor streets or roads that have no continuity. "Court" and "Place" denote permanently dead-end streets or roads not longer than 660 feet in length that terminate in a cul-de-sac. "Way" denotes a curvilinear street. Use of "Trail" or "Path" is discouraged

since they denote something other than a street or road.

e. "Grove," "Heights," "Point," or "View" are reserved for private streets, roads, or rights-of-way.

C. <u>Scenic and Wildlife Viewing Roadways</u>

[AM BoCC Resolution 11.08.18(38)]

The following roads are, for the purposes of these Regulations, designated as **Scenic Roadways**:

1. All of US Highway 24 in the unincorporated area of the County.
2. All of State Highway 67 in the unincorporated area of the County.
3. All of Teller County Road 61, also known as the Four-Mile Road.
4. All of Teller County Road 81, also known as the Lazy S Road.

Section 4.5.C.5

5. All of Teller County Road 46, also known as Blue Mountain Road.
6. All of Teller County Road 111, also known as the Slater Creek Road.
7. All of Teller County Road 112, also known as Guffey Road.
8. All of Teller County Road 8, also known as the Gold Camp Road.
9. All of Teller County Road 11, also known as High Park Road
10. All of Teller County Road 86, also known as Phantom Canyon Rd.
11. All of Teller County Road 88, also known as Shelf Road.
12. All of Teller County Road 1

The following roads are, for the purposes of these Regulations, designated as **Wildlife Viewing Roadways**:

13. All of Teller County Road 1.
14. All of Teller County Road 421, also known as Upper Twin Rock Road.
15. All of Teller County Road 42, also known as Lower Twin Rock Road.
15. All of Teller County Road 51, also known as Cedar Mountain Road.

Development along State of Colorado or Federally designated scenic roadways may be conditioned by the policies contained in special local, State, or Federal master plans or other documents. Applicant is advised to consult with the Teller County Department of Transportation and Teller County Parks Division, and review such master plans and documents, if any, prior to submitting a development permit application to Teller County. Any proposed non-residential development along a scenic roadway or wildlife viewing roadway shall have a landscape plan submitted along with the required site plan pursuant to Chapter 7, Table 7-1 and Chapter 5, sections5.3 External Effects, 5.4 Landscaping, and should include consideration for the use of screening, natural materials, vegetation, and colors for scenic roadways and wildlife viewing roadways. The Building Department shall approve and issue the sign permit.

D. Standards

1. **Roadway Design and Construction Standards**. All proposed and affected roads meet the road design and construction requirements and standards as set forth in the Teller County Roadway Design and Construction Standards, and any applicable special provision regarding roadway design and construction of these Regulations.
2. **Capacity**. No existing or proposed roadway use exceeds or causes another roadway use to exceed road design capacity or adopted LOS.

Section 4.5.D.3

3. **Evidence of Maintenance**. Where roads are not to be maintained by Teller County, a proper and enforceable road maintenance plan exists.
4. **Road Names**. New road names are approved by the El Paso - Teller County Enhanced 911Authority Board.
5. **Roads On Federally Administered Land**. Pursuant to CRS §29-20-104(1)(d), Teller County has the authority to regulate the establishment of roads on public lands administered by the Federal government. This authority includes the authority to prohibit, set conditions for, or require a permit for the establishment of any road authorized under the general right-of-way granted to the public by 43 U.S.C. 932 (R.S. 2477), but does not include authority to prohibit, set conditions for, or require a permit for the establishment of any road authorized for mining claim purposes by 30 U.S.C. 21 *et seq*. or under any specific permit or lease granted by the Federal government Minimum standards for any road on Federally administered land under the authority of Teller County are those of the Teller County Roadway Design and Construction Standards.

E. Roads - Reservation of Land. The Board of County Commissioners is empowered, upon adoption of a major plan of the territory within its subdivision jurisdiction or any major section or district thereof, to make,

or cause to be made, surveys for the exact location of the lines of a road in any portion of such territory and to make a plat of the area or district thus surveyed, showing the land which it recommends to be reserved for future acquisition for public roads.

Section 4.6

Section 4.6
SCHOOLS

Applicants for development of a new residential subdivision, or resubdivision of an existing subdivision, are required to allocate and convey sites for schools (ASchool Land Dedication@) when such sites are reasonably necessary to serve the proposed subdivision and its future residents (CRS ' 30-28-133(4)(a) *et seq*.).

A. <u>Submittal Requirements</u>

1. <u>Estimated Student Generation</u>. All Applicants for residential subdivision shall, at initial development permit application, submit a table of estimated number of elementary, junior high, and high school students to be generated by the proposed development **or** evidence of prior satisfaction of all school land dedication requirements for any new dwelling unit proposed.

Section 4.6.A.2

2. <u>Proposed Method of Meeting School Land Dedication Requirements</u>

a. <u>Subdivision Sketch Plan</u>. A written narrative describing in detail how School Land Dedication requirements of these Regulations are to be met. The narrative is to include: (1) a general description of the proposed school site, its size, location, access, and land features; (2) its intended primary and secondary uses; and (3) any equipment and facilities to be provided by Applicant. Applicant should further consider (4) the numerical population base to be served. As appropriate, Applicant may submit a proposal for any proposed cash-in-lieu fee.

b. <u>Subdivision Preliminary Plan</u>. Applicant shall submit full and complete information on the method by which the School Land Dedication requirements and Standards of these Regulations are met. As appropriate, Applicant shall supply all information necessary for the Board of County Commissioners to evaluate the adequacy of any fee-in-lieu proposal, including submittal of an estimate of fair market value prepared by a qualified professional.

c. <u>Minor Infill Subdivision</u>. Applicant shall fulfill all requirements of both *Section 4.6.A.2.a.* and *Section 4.6.A.2.b* above.

B. **Standards**. The land shall be usable by the respective School District for school facility construction purposes, and shall be held by the County for the School District until required by the District. In the event that the School District determines subsequent to dedication of that site that it is not reasonably necessary, the Board of County Commissioners may, at the request of the School District, sell the land.

1. **Land Dedication Calculations**. The following calculations should be used:

Table 4-1 Land Dedication Calculations	
Minimum Land Dedication	
Single-Family Dwelling Unit	943 square feet per unit
Multi-Family Dwelling Unit	233 square feet per unit
Mobile Home Park	470 square feet per space
Minimum Land Per School	
Elementary School	10 acres
Junior High School	25 acres
Senior High School	40 acres

Section 4.6.B.2

2. **Prior Dedications**. Except as new dwelling units are created, school land dedication requirements shall apply only once to the same land area.

3. **School Land Alternatives**. At the discretion of the Board of County Commissioners, an amount of land, and/or fees-in-lieu of required land may fulfill the School Land Dedication requirements of these Regulations.

a. **Fees-in-Lieu of Land Dedication**. When an entire school site is not reasonably necessary to serve the proposed subdivision and its future residents, the Board of County Commissioners, after receipt of recommendations from the School District and other affected entities, may require, in lieu of such conveyance of land, the payment in cash by the sub divider of an amount not to exceed the full fair market value of the acreage required for school land dedication. Determination of fair market value shall be based on the fair market value of the entire property after completion of the platting process. Such determination shall be made at Applicant's expense by a qualified appraisal professional acceptable to the Board of County Commissioners; shall be submitted with the first application for Final Plat; and is subject to review and recommendation of the School District and review and acceptance by the Board of County

Commissioners. Alternatively, the fair market value of the land may be determined by mutual agreement between the Board and the Applicant.

b. **Combined Land and Fees-in-Lieu**. The Board of County Commissioners may consider accepting, after receipt of recommendations of the School District and other affected entities, a combination of land dedication and fee-in-lieu not to exceed the fair market value of the land.

C. **When Due**. Unless otherwise agreed between Applicant and the Board of County Commissioners in a recorded Development Agreement, conveyance of all land and/or payment of all fees-in-lieu are required prior to, or at the time of and in conjunction with, the recording of the first final plat for the subdivision in the public records of Teller County.

Section 4.6.C.1

1. **Conveyance of Land**. Any conveyance of land to Teller County shall be by such deed of conveyance or other means required by the Teller County Attorney. Title shall be free and clear of all liens and encumbrances, including real property taxes prorated at the time of conveyance. Applicant shall provide at Applicant=s expense, at the time of conveyance, a commitment to Teller County for title insurance certified to date, and, if the land to be conveyed is not otherwise platted, an ALTA (American Land Title Association) survey of the site, and shall cause delivery of the Title Policy. Unless waived in writing by the Applicant, any subsequent sale of said land shall be subject to Applicant=s right-of-first-refusal, if any, pursuant to CRS §30-28-133.(4)(a)(II).

2. **Fees-in-lieu**. Fees-in-lieu, and any other monies, shall be held by the Board of County Commissioners, subject to the periodic release provisions of CRS §30-28-133(4.3), solely for the purposes of reasonably necessary school site acquisition, capital outlay, or growth-related planning functions for educational purposes unless, pursuant to CRS §30-28-133(4)(a)(II), by approval of the Board, it is paid directly to a school district.

Section 4.7

Section 4.7
SHERIFF AND EMERGENCY SERVICES

A. **Submittal Requirements**. When the Standards for approval of a development permit application require that Sheriff and Emergency Services infrastructure be available and adequate to serve the development and Applicant cannot now otherwise show that this is true, the following information, at a minimum, shall be provided with the development permit application: Sufficient information in order that the Teller County Sheriff and Emergency Services providers may assess the impacts of the proposed development on the service capacity of the

Department or provider. Such information should include: a site plan pursuant to the appropriate provisions of *Chapter 7 Site Plan and Site Plan Review*; the proposed real estate target market; proposed security systems, if any; proposed number of on-site employees, if any; and proposed hours of operation as appropriate.

B. **Standards**. The proposed development does not hamper, limit, impair or otherwise diminish the ability of the Teller County Sheriff=s Department, or any Emergency Services provider, to provide adequate protection of life and property to the proposed use, and all residents of Teller County.

Section 4.8

Section 4.8
SANITARY SEWAGE DISPOSAL

When the Standards for approval of a development permit application require that Sanitary Sewage Disposal infrastructure be available and adequate to serve the development and Applicant cannot now otherwise show that this is true, the following information, at a minimum, shall be provided with the development permit application:

Section 4.8.A

A. **Submittal Requirements**

1. **General**. Applicant shall provide all information necessary to satisfy the appropriate standards of *Sections 4.8.B* **and** *C* **and/or** *D* as appropriate.

2. **PUD and Subdivision-Specific Requirements**. PUD and Subdivision Sketch and Preliminary Plans, Subdivision Final Plat, and Minor Infill Subdivisions submittals are each subject to separate review by the Teller County Engineer. See also *Chapter 9 Subdivision* and *Chapter 10 Planned Unit Development (PUD)* of these Regulations.

a. **Sketch Plan**. Applicants for PUD and/or Subdivision Sketch Plan shall provide with the development permit application, a written narrative describing in detail the proposed method of providing adequate sanitary sewage disposal, including a description and conceptual drawings of any proposed new public or private central system. If Individual Sanitary Sewage Disposal Systems (ISDS) are proposed, the following shall be provided:

(1) **Engineer's Letter**. A letter or report prepared by a Registered Professional Engineer licensed in the State of Colorado stating that the proposed PUD and/or

subdivision has soils sufficient to support ISDS systems throughout those areas proposed for development. The letter shall describe each soils type, and highlight any that pose potential concerns for the installation of ISDS systems.

b. **Preliminary Plan**. Applicants for PUD and/or Subdivision Preliminary Plan shall provide with the development permit application the design of any public or private central sanitary sewage disposal system at an engineering level sufficiently detailed to fully represent the mechanics of how the system will operate, and showing both layout plan and profile. If ISDS systems are proposed, the following shall apply:

(1) **ISDS Testing Required**. Prior to submittal of the Preliminary Plan application, Applicant shall submit a plan for the testing of percolation rates throughout the proposed subdivision to the Teller County Environmental Health Department for review and comment. The plan shall, at a minimum, propose to:

Section 4.8.A.2.b(1)(a)

(a) Use a Registered Professional Engineer licensed in the State of Colorado to perform all tests according to the requirements of the Teller County Sewage Disposal Regulations, or as may otherwise be established by the Teller County Environmental Health Department.

(b) Test those soils identified in the Registered Professional Engineer's letter submitted at Sketch Plan, including any identified as posing potential concerns for the installation of ISDS systems.

(c) Distribute the tests evenly across all lands proposed for development, both horizontally (by cardinal point) and vertically (by elevation). To the extent the development sites physical conditions allow, testing of lots shall not be conducted on adjoining and/or adjacent lots, excepting those separated by streets or roads.

(d) Be conducted outside all general setback requirements as identified in the Teller County Sewage Disposal Regulations.

(e) Perform the following number of tests:

NUMBER OF LOTS PROPOSED	NUMBER OF TESTS REQUIRED
0 to 10 lots	50% of the lots but no less than one
11 to 30 lots	30% of the lots
31 to 60 lots	20% of the lots
More than 61 lots	10% of the lots

(2) **Test Results**. Results of the percolation tests shall be submitted with the Preliminary Plan application.

c. **Final Plat**. Applicants for Subdivision Final Plat shall provide with the development permit application, the design of any public or private central system at an engineering level sufficiently detailed to permit accurate cost estimates, and showing both layout plan and profile.

d. **Minor Infill Subdivision**. Applicant shall fulfill all Sketch Plan, Preliminary Plan, and Final Plat requirements.

3. **Existing ISDS Affected**. When a proposed new use may affect an existing ISDS system by creating a new demand on it, Applicant shall provide with the development permit application a letter from the Teller County Environmental Health Department stating either (1) that the new use will not affect the existing system; or (2) that specified improvements to the system are required.

Section 4.8.B

B. **General Standards**. No new lots shall be platted and no development shall be permitted unless an adequate and reliable method of sanitary sewage disposal, approved by Teller County, is available.

1. **Central Sanitary Sewer System Accessible**. Where a public or private central sanitary sewer system is located within 1,000 feet of the proposed development and said system is currently adequate and willing to provide service, Applicant shall connect to such sanitary sewer system and provide adequate connection lines and appurtenances to make the sewer facilities available at the property line of each lot of the development.

2. **Central Sanitary Sewer System Planned**. When a central sanitary sewer is not within 1,000 feet of the proposed development but when plans for the installation of public or private central sanitary sewers within such proximity have been prepared and construction is planned to commence within 12 months from the date of the approval of the proposed development, Applicant shall install sewers in conformity with such plans. Notwithstanding the above 1,000 feet maximum, when a development is located within a proposed service area, as designated on the Regional Sewer Plan or other municipal or Teller County Plan, provisions shall be made for connection to the central sewer system. It will not be mandatory to connect to the system

until domestic lines are scheduled to be installed.

3. **Central Sanitary Sewer Not Accessible**. When a public or private central sanitary sewer is not located within 1,000 feet of the proposed development, or is not within an area planned for public sanitary sewer, or when a central system is located within 1,000 feet of the proposed development but said system is either not currently adequate or Applicant=s request for extension of services has been denied in writing by the system provider, Applicant for subdivision shall either install public or private central sewage disposal facilities or, when lots are of adequate size, require that all lot owners install ISDS that meet the requirements of the Teller County Sewage Disposal Regulations. When the proposed development is not a subdivision, Applicant shall provide evidence from the Teller County Environmental Health Department that the septic system is appropriately sized for the proposed use.

C. **Standards for New Central Sanitary Sewer System**. When a public or private central sanitary sewer system is to be constructed, the design and construction of the system shall comply with the regulations of the Colorado Department of Public Health and Environment, and the Teller County Sewage Disposal Regulations, and be reviewed and subject to the approval of each authority and by the Board of Teller County Commissioners through its authorized representative.

Section 4.8.C.1

1. **Treatment Facilities**. Sewage treatment facilities of an approved design are to be constructed to adequately treat all collected sewage. All proposed sewer plants make provisions for the handling and disposal of sewage sludge in accordance with the requirements of the Colorado Department of Public Health and Environment.

2. **Collection Sewers**. Collection sewers are designed and provided to service each lot.

3. **Conformance With Standards of Nearest District**. The system conforms to the standards and specifications of the nearest district that supplies sewage treatment facilities, in the event future connection can be made.

4. **Location and Easements**. Unless otherwise controlled by the standards and specifications of the nearest district:

a. **Location**. Sanitary sewer lines are located in accordance with the Teller County Roadway Design and Construction Standards, with sanitary sewer and storm sewer facilities separated by a minimum of 10 feet horizontally from water mains.

b. **Easements**. Sanitary sewer lines not constructed within rights-of-way are located within a minimum 10-foot utility easement. When other utilities are present or contemplated within the same easement, the minimum easement width is wide enough to keep all clearances from other utility lines and also allow for access by construction and maintenance equipment. For multiple utilities in the same easement, a 30-foot easement width is recommended.

5. **Administration**. If a public or private central sewer system is to be installed, an organization approved by the Colorado Department of Public Health and Environment has been set up to administer operation of the system.

6. **Filing of System Plan**. If a public or private central sewer system is to be installed, a plan of said system, drawn on Mylar or other stable material, at a legible scale, in ink, has been submitted for filing with the County Clerk and Recorder. An electronic version of said system in a format compatible with the Teller County Graphic Information System shall, as available, also be filed with the Teller County Planning Department.

D. Standards For Individual Sewage Disposal Systems (ISDS)

Section 4.8.D.1

1. **Adequate Test Results**. Results of Preliminary Plan percolation tests indicate that the site conditions of the area or areas proposed for development are adequate to permit the installation of the proposed type of ISDS system or systems, and that installation of said system or systems will not generate offsite impacts to groundwater in the area.

2. **Project Design**. Each lot in the development is designed so that an ISDS may be constructed on it that complies with the requirements of the Teller County Environmental Health Department, the Colorado Department of Public Health and Environment as necessary, and the Teller County Sewage Disposal Regulations. An acceptable primary and alternate location for ISDS systems outside all setbacks established by these Regulations and the Teller County Sewage Disposal Regulations can be identified for each lot.

Section 4.9

Section 4.9
WATER SUPPLY

When the Standards for approval of a development permit application require that Water Supply infrastructure be available and adequate to serve the development and Applicant cannot now otherwise show that this is true, the following information, at a minimum, shall be provided with the development permit application:

A. Submittal Requirements

1. General. Applicant shall provide all information necessary to satisfy the appropriate Standards of *Section 4.9.B Standards* of these Regulations. For a new subdivision on land having varying geology or soils and/or containing five or more lots or water taps, or for any other type of proposed development, the information shall be comprehensive, and apply to all lots, parcels, or tracts of land on which the proposed development is to occur. A Water Resources Report is required when any new public or private central water supply system is proposed, or a new use is proposed for an existing central system or well.

a. Water Resources Report. A Water Resources Report is a technical document demonstrating that a legal water supply sufficient in terms of quality, quantity, and dependability will be available to serve the type of development proposed. Unless otherwise modified at the discretion of the Planning Director, a Water Resources Report shall include the following information as appropriate for the type of water supply and development proposed:

Section 4.9.A.1.a(1)

(1) A water demand analysis prepared by Registered Professional Engineer licensed in the State of Colorado and qualified to practice in this area of engineering that includes demand/consumptive use calculations (in acre-feet) by month for average and dry years for each type of development proposed.

(2) Documentation of legal ownership, right of acquisition, or use of existing or any proposed new water rights, including copies of all Water Court decrees and applications.

(3) Evidence as necessary that existing water rights, or rights proposed for acquisition, may be amended or fully and satisfactorily augmented to serve the new uses proposed. Where augmentation is proposed, a written description of the proposed augmentation plan, including diversion sources, depletion calculations by month, and return flows and locations, shall be included.

(4) Copies of all water tests performed, including testing for potability.

(5) Where a public or private central water system is proposed, the availability and adequacy of the water sources and associated rights shall be delineated and certified by a Registered Professional Engineer licensed in the State of Colorado and qualified to

practice in this area of engineering, and/or an equally qualified Colorado attorney specializing in water and water rights.

(6) In addition to any other information that may be required by the State of Colorado, Division of Water Resources, if the proposed development is to be served by individual domestic wells, then an analysis of the cumulative effect of all wells on senior vested water rights, prepared by a Registered Professional Engineer licensed in the State of Colorado and qualified to practice in this area of engineering, shall be provided. The analysis shall also include confirmation of the adequacy of the proposed supply, and a statement of the expected aquifer depths.

(7) Documentation, prepared by a Registered Professional Engineer licensed in the State of Colorado and qualified to practice in this area of engineering, that a proposed new or existing public or private central water system meets the requirements of the Teller County Fire Code, or with the requirements of such other such fire code as may be properly adopted by the Fire Protection District in which the development is located, including fire flow and pressure.

Section 4.9.A.1.b

b. **Calculation of Adequacy of Supply**. The adequacy of the water supply for any proposed new or expanded public or private central water system, or any new or existing well shall be calculated based on the total development planned (at build-out if subdivision is proposed), using standard engineering practices, based on per capita water usage derived from peak demand, storage and fire protection requirements.

2. **Specific PUD and/or Subdivision Requirements**. Sketch and Preliminary Plan and Final Plat for Subdivision, PUD Sketch and Preliminary Plan, and Minor Infill Subdivision submittals are each subject to separate review by the Teller County Engineer. (See also *Chapter 9 Subdivision* and *Chapter 10 Planned Unit Development (PUD)* of these Regulations).

a. **Sketch Plan**. Applicants for Subdivision and/or PUD Sketch Plan shall provide with the development permit application, a written narrative describing in detail the proposed method of providing a legal water supply sufficient in quantity, quality, and dependability, including a description and conceptual drawings of any proposed new public or private central system.

(1) **Existing Water Provider**. If an existing public or private central water system, or other water provider licensed or otherwise approved by the State of Colorado, is proposed to be used, evidence shall be submitted that it can and will reliably supply water to the proposed development without diminution of existing service, including fire flows. Such evidence shall include the following as appropriate to the proposed provider: (1) a statement of the number of taps required to serve all existing improved and unimproved lots and the number available for new development; (2) the amount of water available for use within the proposed development; (3) the feasibility of extending service to that area, including a statement of the capacity and condition of existing facilities, and (4) a letter of commitment to serve the proposed development.

b. **Preliminary Plan**. When a new or expanded public or private central water system is proposed, Applicants for Subdivision and/or PUD Preliminary Plan shall provide with the development permit application the design of any such system at an engineering level sufficiently detailed to fully represent the mechanics of how the system will operate, and showing both layout plan and profile. For all Preliminary Plan submittals, the following applies:

Section 4.9.A.2.b(1)

(1) **Water Resources Report**. Applicant shall submit a Water Resources Report pursuant to *Section 4.9.A.1.a*.

(2) **Analysis of Water Samples**. Representative samples of the water source shall be analyzed by a reputable laboratory licensed in the State of Colorado and Certified by the Federal Environmental Protection Agency to determine conformance with Colorado Community Drinking Water Standards, and the results submitted with the development permit application. Where individual wells are proposed, water sample analyses derived from one or more test wells shall be submitted.

(3) **Existing Water Provider**. For proposed rural well subdivisions where evidence of an adequate and reliable water supply may not exist for each individual lot, Applicant shall provide a copy of an executed contract, agreement, or other binding document with an existing public or private water provider licensed or otherwise approved by the State of Colorado guaranteeing provision of reliable service.

c. **Subdivision Final Plat**. Applicants for Subdivision Final

Plat shall provide with the development permit application the design of any public or private central water system at an engineering level sufficiently detailed to permit accurate cost estimates, and showing both layout plan and profile.

d. **Minor Infill Subdivision**. Applicant shall fulfill all Sketch Plan, Preliminary Plan, and Final Plat requirements.

3. **Existing Well Affected**. When a proposed new use may affect an existing well by creating new demand on it, Applicant shall provide with the development permit application evidence either that the appropriate well permit has been or will be issued by the State of Colorado, Division of Water Resources, or that a water augmentation plan has been approved by the District Water Court.

B. **Standards**

1. **Subdivision**. A legal water supply, sufficient in quantity, quality, and dependability is available to all platted lots. Construction of a public or private central water system may be phased upon approval of a phasing plan by the Board of County Commissioners.

Section 4.9.B.1.a

a. **Central Water Supply Accessible**. When an approved public or private central water supply is located within 1,000 feet of the proposed development and said system is currently adequate and willing to extend service, the Applicant will connect to such system and install water lines and appurtenances to make the water supply available at the property line of each lot within the development.

b. **Central Water Supply Not Accessible**. When an approved public or private central water supply is not within 1,000 feet of the proposed development or within an area planned for public water, or when a public or private central system is located within 1,000 feet of the proposed development but said system is either not currently adequate or Applicant=s request for extension of services has been denied in writing by the system provider, the Applicant will, at the discretion of the Board of County Commissioners, either:

(1) **Install Central Water System**. Install a public or private central water supply system and water lines to each lot from wells or other approved sources that complies with the standards of the Colorado Department of Public Health and Environment and receives the approval of the State Engineer; **or**

(2) **Submit Evidence of Adequate Supply**. Submit evidence satisfactory to the State Engineer that a legal and adequate water supply will be available to each lot

in the proposed development, and that the water quality complies with the standards of the Colorado Department of Public Health and Environment. The water supply may be from individual wells using groundwater, provided the lots are of adequate size for lots not served by both central water and central sewer as specified in *Chapter 2 Zoning* of these Regulations, and provided the other standards specified herein are met.

c. Construction and Administration of Facilities

(1) Conformance With Standards of Nearest District. Any public or private central water supply system in the proposed development conforms to the standards and specifications of the nearest district that supplies water in the event future connection can be made.

(2) Location and Easements. Unless otherwise controlled by the standards and specifications of the nearest district:

(a) General. All new and replacement public or private central water supply systems are designed and located to minimize or eliminate infiltration of flood waters into the system.

Section 4.9.B.1.c.(2)(b)

(b) Location: Water Mains. Water mains are separated by a minimum of 10 feet horizontally from sanitary sewer and storm sewer facilities, and located in accordance with the Teller County Roadway Design and Construction Standards.

(c) Location: Fire Hydrants. Fire hydrants are located in accordance with the Teller County Roadway Design and Construction Standards.

(d) Easements. Water mains not constructed within rights-of-way are in a minimum 10-foot utility easement. When other utilities are present or contemplated within the same easement as the water main, the minimum easement width is wide enough to keep all clearances from other utility lines and also allow for access by construction and maintenance equipment. For multiple utilities in the same easement, a minimum 30-foot easement width is recommended.

d. **Administration**. Where a public or private central water system is to be installed, an organization exists to administer the operation of this system. Administration may be by an incorporated town, water district or other entity approved by Teller County.

e. **Filing of Plan**. If a public or private central water system is to be installed, a plan of said system, drawn on Mylar or other stable material, at a legible scale, in ink, has been submitted for filing with the County Clerk and Recorder. An electronic version of said system in a format compatible with the Teller County Graphic Information System, as available, has been filed with the Teller County Planning Department.

f. **Fire Flows**. Fire flows and residual pressures comply with the requirements of the Teller County Fire Code or the properly adopted Fire Code of the Fire District within which the site is located, whichever is more restrictive. Any new public or private central water supply system design, or any extension of an existing central water supply system, shows that the system is capable of meeting the applicable fire flow standards for the entire development.

Section 4.9.B.1.f.(1)

(1) **Final Plat - Phased Project**. The final plat is accompanied by a fire flow analysis showing that any extension of an existing public or private central water system will not diminish the water system's ability to meet the fire flow and residual pressure requirements of the Teller County Fire Code or the properly adopted Fire Code of the Fire District within which the site is located. (See *Section 4.3 Fire Protection.)*

2. **Non-Subdivision**. Evidence of the proper legal water source for the proposed development exists.

Section 4.10

Section 4.10
OTHER UTILITY AND SERVICE PROVIDERS

A. **Submittal Requirements**. At the time of initial development permit application, Applicant shall demonstrate that the provisions of *Section 4.2.B Infrastructure Is Available* and *Section 4.2.C Infrastructure Is Adequate* as they relate to all other utility and service providers necessary to serve the proposed use are fulfilled. Other utility and service providers include private or public electric power companies and private or public gas companies.

B. **Standards**

1. **Available and Adequate**. All other utility and service providers

necessary to serve the proposed use are or will be available and adequate as defined in these Regulations.

2. **Proper Easements**. Easements of sufficient width for the horizontal and vertical separation, installation, and maintenance of all utilities necessary to serve the proposed use, including water and sanitary sewer utilities, exist or will exist at the time of installation. In the case of electrical power easements, the minimum width for residential lots shall be 15-feet on road frontages and subdivision boundaries, and 7.5 feet on both sides of interior lot lines, including sides and rear.

Section 4.11

Section 4.11
MODIFICATION OF INFRASTRUCTURE STANDARDS

The individual infrastructure standards of *Section 4.3 Fire Protection, Section 4.4 Public Parks, Section 4.5 Roads, Section 4.6 Schools, Section 4.7 Sheriff and Emergency Services, Section 4.8 Sanitary Sewage Disposal, Section 4.9 Water Supply, Section 4.10 Other Utility and Service Providers* and the Teller County Roadway Design and Construction Standards provide for a certain level of performance, however, they are not inflexible. If an alternate design, installation, procedure, or material can be shown to meet the Standards of *Section 4.11.B Standards*, said alternative, as a Modification of Infrastructure Standards, may be recommended by the County Engineer or appropriate infrastructure review agency to the Board of County Commissioners for approval. The Board of County Commissioners has the sole authority to approve, approve with conditions, or disapprove a Modification of Infrastructure Standards as they are found in *Chapter 4*, or the Teller County Roadway Design and Construction Standards.

Section 4.11.A

A. Procedure

1. **Applications Concurrent**. Application for a Modification of Infrastructure Standards of *Chapter 4* or the Teller County Roadway Design and Construction Standards shall be submitted together with the first development permit application to which it relates.

   a. **Contents**. A Modification of Infrastructure Standards request shall clearly state the specific regulatory section or sections, by number, for which the modification is sought, and shall provide all necessary documentation to establish that the Standards of *Section 4.11.B Standards* are met.

   b. **Staff Review of Application**. The submission of an application for approval of a Modification of Infrastructure Standards, determination of its sufficiency, and Staff review of it shall comply with the procedures established in *Section 3.4 Common Procedure for Review of Applications*.

   c. **Concurrent Consideration**. The request for a Modification of Infrastructure Standards shall be considered together with

the development permit application to which it relates.

2. Actions by Decision-Making Bodies

a. Planning Director is the Decision-Making Body. When the Planning Director is the decision-making body for a development permit application accompanied by a related application for modification of Infrastructure Standards, the Planning Director may:

(1) Approve the development permit application conditioned on and subject to approval of the application for modification by the Board of County Commissioners.

(2) Approve the development permit application with recommendation to the Board of County Commissioners that the application for modification be disapproved. Should the Board of County Commissioners fail to approve the modification, the development permit application shall stand approved without the Modification of Infrastructure Standards. Should the Board of County Commissioners approve the modification, the development permit application shall stand approved with the Modification of Infrastructure Standards.

(3) Disapprove the development permit application, in which case the application for Modification of Standards shall also be disapproved.

Section 4.11.A.2.a(4)

(4) Appeal of the Planning Director's decision is to the Board of Adjustment.

b. Planning Commission is the Decision-Making Body. When the Planning Commission is the decision-making body for a development permit application accompanied by a related application for Modification of Infrastructure Standards, the Planning Commission may:

(1) Approve the development permit application conditioned on and subject to approval of the application for modification by the Board of County Commissioners.

(2) Approve the development permit application with recommendation to the Board of County Commissioners that the application for modification be disapproved. Should the Board of County Commissioners fail to approve the modification, the development permit application shall stand approved without the Modification of Infrastructure Standards. Should the Board of County Commissioners approve

the modification the development permit application shall stand approved with the Modification of Infrastructure Standards.

(3) Disapprove the development permit application, in which case the application for Modification of Infrastructure Standards shall also be disapproved.

(4) Appeal of the Planning Commission's decision is to the Board of Adjustment.

c. **Planning Commission is the Recommending Body**. When the Planning Commission makes recommendation to the Board of County Commissioners on both a development permit application and related application for Modification of Infrastructure Standards, the Board of County Commissioners must first determine the Modification of Infrastructure Standards application. In determining whether to approve, approve with conditions, or disapprove such application, the Board may impose such conditions as are necessary to ensure compliance with the terms of these Regulations, and the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).

(1) Appeal of the Board of County Commissioners' decision is to District Court.

Section 4.11.A.2.d

d. **Board of County Commissioners Acts Alone**. When the Board of County Commissioners acts on both a development permit application and related application for Modification of Infrastructure Standards without recommendation from the Planning Commission, the Board must first determine the Modification of Infrastructure Standards application. In determining whether to approve, approve with conditions, or disapprove such application, the Board may impose such conditions as are necessary to ensure compliance with the terms of these Regulations, and the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).

(1) Appeal of the Board of County Commissioner's decision is to District Court.

B. **Standards**

1. **Performance Equivalent.** Performance is equal to or better than that established by this *Chapter 4 Infrastructure* or the Teller County Roadway Design and Construction Standards.

2. **No Greater Environmental Impacts.** Environmental impacts are no greater than if the standards of this *Chapter 4* or the Teller

County Roadway Design and Construction Standards had been followed.

3. **Equal Level of Public Health and Safety**. The alternative provides for an equivalent level of public health and safety.

4. **Equally Durable**. The alternative will be equally durable so that normally anticipated user and maintenance costs in current dollars will not be increased.

Section 4.12

Section 4.12
IMPACT FEES

- *Section Reserved*