

CHAPTER 10 – ACCESS REQUIREMENTS AND CRITERIA

10.1 INTRODUCTION

10.1.1 Authority

Pursuant to Section 43-2-147(1) of the Colorado Revised Statutes, Local governments are authorized to regulate vehicular access to and from any public highway under their respective jurisdiction from or to property adjoining a public highway.

10.1.2 Purpose

1. It is the purpose of this chapter to provide the procedures and standards necessary to protect the public health, safety and welfare, to maintain smooth traffic flow, to maintain highway right of way drainage, and to protect the functional level of the public County roads while meeting state, regional, local and private transportation needs and interests.
2. This policy recognizes that Larimer County must execute these prescribed duties within an environment where population growth will undoubtedly increase traffic volumes and operational pressure on the general transportation system, be it rural or urban. This policy establishes access criteria for each functional level of roads that exist in Larimer County.
3. Property owners have a right of reasonable access to the general street system. It is recognized that an access management system can influence decisions concerning the use of property. An effective access management system must recognize and consider its impacts on public and private land use decisions with meeting the intent and purpose of this chapter.

10.1.3 Implementation

1. After the effective date of these standards, including this chapter on access requirements, no person shall construct any access providing direct movement to or from any Larimer County maintained road from or to property adjoining the road without an access permit (for existing lots) or a Development Construction Permit (for new developments) issued by the Engineer.
2. Access permits shall be issued only in compliance with the policy. In no event shall an access be allowed or permitted if it is detrimental to the public health, welfare, and safety.
3. Police, fire, ambulance, and other emergency stations shall have a right to direct access to County roads if no other acceptable access is available. Direct access from a subdivision to the County road shall be permitted only if the proposed access meets the intent and requirements of this policy.
4. This chapter applies to all areas in unincorporated Larimer County except for those areas within established Growth Management Areas (GMA) or areas that have adopted Access Policies or Access Control Management Plans.

10.2 ADMINISTRATION

10.2.1 New Developments

10.2.1.1 Land Division

- a. Accesses proposed in conjunction with a new development proposal will be required to meet the access requirements found in this chapter.
- b. For new developments, access will be approved or denied during the development review process. Receipt of a Development Construction Permit by the applicant will constitute approval of the new access and a separate access permit will not be required.

10.2.1.2 Site Plan

- a. Any new or existing access that is part of a Site Plan review will be subject to the requirements found in this chapter. An existing access will be viewed as a new proposed access if, in the opinion of the Engineer, the proposed land use will significantly change the use of the access from its prior use. The Engineer may also require that an existing access be moved, altered, or eliminated during the Site Plan review process if, in the opinion of the Engineer, the existing Access poses a threat to the general public's health, safety, or welfare.
- b. All accesses tied to a proposed land use that is required to go through Larimer County's Site Plan Review process will be approved or denied during the development review process. Approval of the site plan will constitute approval of the access as shown on the approved plans. A separate access permit is not required.
- c. In no instance will the County deny access to a previously approved lot. However, during the Site Plan review process, the County may require that accesses be shared with adjacent lots or that accesses be located so that future development or redevelopment can share the access. The County may also require that improvements be made to the existing accesses to make them safer. This may include, but not be limited to, installing physical barriers such as medians to restrict turning movements or additional signing and striping.

10.2.1.3 Interim Access

A proposed development can be denied access for the sole reason that the parcel for which it is sought cannot physically accommodate the access spacing requirements of this chapter. In such an event, the Engineer will work with the applicant to try and find a way to allow an interim access. An interim access shall expire when suitable access becomes available. An interim access permit may be granted based upon the following:

- a. There is a plan, or the County is fairly certain that a future project, private or public, will occur that will allow the interim access to be eliminated and a new permanent access constructed.
- b. The interim access meets minimum County traffic safety and operational requirements, including sight distance.

- c. Alternate access would result in an additional trip length in excess of one-half mile (2640 feet) out of direction.
- d. The property owner/developer signs an agreement to participate in the formation of an Improvement District or similar financing mechanism that would provide a more favorable access in the future.
- e. The property owner/developer records an agreement to participate financially in any future project that would consolidate access points.
- f. The property owner/developer records an agreement to abandon use of the interim access and construct a new access when an adequate alternative access becomes available.

10.2.2 Existing Lots

Section 10.5 of this chapter describes the requirements for applying and being granted an access permit to an existing lot that is not required to go through a formal County review process.

10.2.3 Appeal Process

If the applicant objects to the denial of a permit application by the Engineer or objects to any of the terms or conditions of a permit placed there by the Engineer, the applicant has the right to appeal the decision per the Variance and Appeals process described in Chapter 1.

10.2.4 Illegal Access

For an illegal access, the property owner shall be sent written notice of any illegal access location or use. The Owner shall be given thirty (30) days' notification of pending actions, after which the County may install barriers across or remove any access not conforming to the policy.

Any access, driveway, or curb-cut being constructed within Public Right-of-way of a mainline County Road or a subdivision road with conditions placed on it that permits be acquired, without an access permit issued by Larimer County shall be required to stop work immediately and apply for an Access Permit. If the permit is approved work may continue subject to the conditions of the permit. If the permit is denied, any work that has been completed must be removed and the road and drainage facilities returned to a condition acceptable to the Engineer.

10.2.5 Maintenance

Maintenance of the access and its associated drainage improvements within County R.O.W. shall be the responsibility of the adjacent property owner.

The permittee, their heirs, successors-in-interest, and assigns, or the property services by the access shall be responsible the removal or clearance of snow or ice upon the access even though deposited on the access in the course of County Road snow removal.

10.2.6 Change in Use of Access

If the use of an existing access to County right-of-way changes, or there is a change in the use of the property, a new access permit may be required. Change in access or

property use may include, but is not limited to, change in the amount or type of traffic, structural modifications, remodeling, change in type of business, expansion in existing business, change in zoning, change in property division creating new parcels, etc.

10.2.7 Non-Use of Access

If a parcel of land with direct access has been in a state of non-use for more than four years, recommencement of access use shall be considered a change in use. If the use of the access exceeds the design limitations of the access or is non-conforming with the present code, a new permit may be required.

10.3 ACCESS CONTROL STANDARDS

When a property or development has access options off of multiple roads, the access shall be taken from the road with the lower functional classification.

10.3.1 Freeways and State Highways

The Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA) rules and regulations shall apply to all new freeway and interstate accesses. Larimer County takes no jurisdictional authority over access onto a freeway or interstate. Larimer County reserves the right to deny any proposed access location.

Access to State Highways is governed by the Colorado Department of Transportation State Highway Access Code and controlled by the State of Colorado. Larimer County takes no jurisdictional authority over access onto a State Highway. Larimer County reserves the right to deny any proposed access location.

10.3.2 Arterials

Access standards onto arterial roadways are shown in Table 10-1.

An Access Permit or Development Construction Permit must be obtained from the County for any access or intersection constructed onto an arterial.

An access or new intersection onto an arterial is not permitted unless:

1. An access/intersection to a lower classified road is not feasible; and
2. It meets the spacing requirements stated in Table 10-1 and does not interfere with the location, planning, and operation of the general street system and access to nearby properties.

No more than one access shall be allowed to an individual or to contiguous parcels under the same ownership unless it can be shown that:

1. Additional access meets spacing requirements in Table 10-1, would not be detrimental to the safety and operation of the road, and is necessary for the safety and efficient use of the property, OR
2. Allowing only one access would be in conflict with local safety regulations and the additional access would not be detrimental to public health, safety and welfare.

10.3.2.1 Spacing and Signalization Criteria

In general terms, full movement access or intersections to arterials shall be limited to one-quarter mile intervals, plus or minus approximately 100 feet.

To provide flexibility for both existing and future conditions, an approved engineering analysis of signal progression may be required to properly locate any proposed access or intersection that may require signalization. The specifics of this analysis are detailed in the "Guidelines for Traffic Impact Studies" in Appendix F.

10.3.3 Major and Minor Collectors

Access standards to collectors shall be governed by Table 10-1.

An Access Permit or Development Construction Permit must be obtained from the County for any access or intersection constructed onto a collector.

An access or new intersection onto a collector is not permitted unless:

1. An access or intersection to a lower classified road is not feasible; and
2. It meets the spacing requirements in Table 10-1.

No more than one access shall be allowed to an individual or to contiguous parcels under the same ownership unless it can be shown that:

1. Additional access would not be detrimental to the safety and operation of the road, and are necessary for the safety and efficient use of the property, OR
2. Allowing only one access would be in conflict with local safety regulations and the additional access would not be detrimental to public health, safety and welfare.

10.3.4 Local Streets

Access standards to local streets shall be governed by Table 10-1.

An access permit or Development Construction Permit may be required. Contact the Larimer County Engineering Department for additional information.

Shared access easements can be used for a maximum of 2 parcels and shall be a minimum of 40 feet wide, contain a minimum 20 foot wide roadway, 4 inch thick aggregate base course surface, and the parcels need to have frontage to public ROW.

**Table 10-1
 Access Spacing Criteria**

Access Element	Arterial	Major Collector	Minor Collector	Local Road
Minimum Distance between Intersections Signalized	2640 ft	NA	NA	NA
Unsignalized	1320 ft	1320 ft	660 ft	330 ft
Minimum Distance between Low Volume Accesses	660 ft	660 ft	330 ft	150 ft
Minimum Distance between Low Volume Access & Intersection	660 ft	660 ft	330 ft	150 ft
Minimum Distance between Driveways	660 ft	330 ft	100 ft	30 ft
Minimum Distance between Low Volume Access & Driveway	660 ft	330 ft	100 ft	30 ft
Minimum corner clearance between Driveways & Intersections	660 ft	175 ft	100 ft	80 ft

Notes:

1. Distances are measured as separation between the centerlines.
2. If a property can meet multiple spacings, the County may require the larger spacing be used.
3. Low Volume Access is defined as access with daily traffic volumes between 21 and 99 vehicles. Low volume accesses may be restricted (now or in the future) to right-in, right-out movement only.
4. Driveway is defined as 20 trips per day or less.

10.4 ACCESS DESIGN STANDARDS AND SPECIFICATIONS

10.4.1 Basic Criteria

1. To the greatest extent possible all openings for accesses or intersections shall be located at the point of optimum sight distance along the street. The profile of an approach and the grading of the adjacent area shall be such that when a vehicle is located outside the traveled portion of the street the driver can see a sufficient distance in both directions so as to enable the vehicle to enter the street without creating a hazardous traffic situation.
2. The opening width should be adequate to properly handle the anticipated traffic volume and character of traffic, as well as being within the limits specified for the type of property development. The controls established for access shall apply to existing streets as well as new streets that may be developed in the future.
3. Any adjustments which must be made to utility poles, street light standards, fire hydrants, catch basins or intakes, traffic signs and signals, or other public improvements or installations which are necessary as the result of the access shall be accomplished without any cost to Larimer County.
4. Access design shall provide for the safe movement of all existing and potential highway right-of-way users, including, but no limited to, pedestrians, bicyclists, and those with disabilities. Side walks and/or bike lanes may be required where appropriate and included in the access permit.
5. Accesses that are to serve as an entrance only or as an exit only, shall be appropriately signed at the expense of the property owner. The property owner will be required to provide some means of ensuring that the motorists will use the access either as an entrance only or an exit only, but not both.

10.4.2 Number of Accesses

1. The number of access to a parcel is based on adjacent road classification. See Section 10.3.

10.4.3 Minimum Spacing Between Accesses

The minimum spacing between access openings shall be as shown in Table 10-1. This spacing will apply to the distance between accesses serving adjoining properties. This does not apply to private residential driveways on local subdivision roads.

10.4.4 Joint Entrances

Whenever possible and feasible, joint entrances will be provided to serve two adjacent properties. Joint entrances are to be centered on the common property line.

10.4.5 Entrance Angle

In general, the entrance angle for all approaches shall be as near 90° to the centerline of the street as possible. The minimum angle which will be permitted is 90° plus or minus 10 degrees.

10.4.6 Access Approaches

Access approaches shall not be approved for parking or loading areas that require backing maneuvers within County right-of-way. All off-street parking areas must include on-site maneuvering areas and aisles to permit user vehicles to enter and exit the site in forward drive without hesitation.

10.4.7 Width of Access

The total width of opening for properties based upon land use is shown below.

Access width for any rural type access without curbs shall be measured without radii or flares. Access with a street style curb return entrance and driveways with curb cuts, shall be measured behind the flared section.

Single Family Residential:	16 - 24 ft of width
Multi-Family Residential:	20 - 36 ft of width
Commercial/Industrial:	24 - 36 ft of width

When an access intended to become a public roadway intersects another road, the design criteria of Chapter 4 these standards shall be used to select an appropriate access width.

10.4.8 Access Radii

1. Minimum radii for an access shall be 20 feet with the exception of single family residential accesses off of a local subdivision road.
2. When the access is intended for commercial or industrial use, the access radii shall accommodate turning movement of anticipated vehicle types. A maximum of 50 feet for radii shall be used.

10.4.9 Access Surfacing

1. The access shall be surfaced upon completion of the earthwork construction and prior to being used. A delay in placement of hot bituminous pavement due to seasonal restrictions may be allowed provided adequate gravel surfacing is substituted.
2. Asphalt surfacing of the access shall be required when the highway is paved (a minimum 3.5" thick asphalt pavement over 6" thick Class 5 or 6 aggregate base material).
 - a. Single-family residential accesses shall be paved 4 feet from the edge of the pavement or to the edge of the shoulder of the County Road, whichever is greater.
 - b. Multi-family, Commercial and Industrial accesses shall be paved from the edge of the pavement to the right-of-way line.
3. Surfacing material shall be specified according to these standards.
4. Gravel will be permitted for individual residential access or field entrances adjacent to County Roads with gravel surfacing. The gravel surface will include minimum of six inches (6") of compacted Class 5 or 6 aggregate base course or equivalent material from the R.O.W. line to the edge of the traveled roadway.
5. Accesses to oil and gas wells shall meet all criteria required by special review and/or other local and state requirements.

10.4.10 Edge Clearance

Edge clearance is the distance measured along edge of pavement from the nearest edge of the access opening to a point where the property line extended intersects the edge of pavement.

1. **Residential:** 0 feet (preferably not to exceed the property line extended)
2. **Commercial and Service Stations:** 25 ft minimum

NOTE: Joint access with adjoining property is encouraged. Joint access shall be the only justification for reducing the minimum edge clearance dimension.

10.4.11 Corner Clearance

It is important to locate driveways away from major intersections. This constraint is as much for the ability to enter and leave the property as for the benefit of intersection safety and operations. Exiting a driveway during peak-hour conditions at traffic signals is difficult where the queue of standing or slow-moving vehicles never allows a sufficient gap for entry from the driveway. Corner clearances are specified in Table 10-1.

10.4.12 Sight Distance

Sight distance for curb openings to private property adjacent to mainline County Roads shall consist of a sight triangle conforming to the requirements of Chapter 4 of these Roadway Standards.

10.4.13 Speed Lane Changes

Speed change lanes, also called auxiliary lanes, are useful in maintaining the safety, traffic flow and operation of the highway and access.

1. **General Criteria.** The speed change lanes shall be constructed according to the following criteria:
 - a. When required by special review or subdivision approval.
 - b. When change in access use will create high volumes of traffic and/or geometric safety problems exist.
2. **Design Standards**
 - a. Shall be those required by special review or for subdivision approval.
 - b. As dictated by the current Colorado Department of Transportation State Highway Access Code. More details are provided in Chapter 4 of these standards

10.4.14 Access Profile and Slopes

For accesses off of Arterial or Collector County Roads, access profiles shall not exceed the intersection grade criteria listed in Section 4.9 in Chapter 4.

For accesses off of local roads, the access profile shall not to exceed the criteria listed in Section G.7.2.

Fill slopes and cut slopes shall be constructed to the slope of the existing County Road near the access. It is desirable that all side slopes have a slope no steeper than 3:1.

10.4.15 Drainage

Drainage associated with accesses shall be in accordance with Chapters 4, 6, and Drawing 11 in Appendix C of these standards, as well the current Larimer County Stormwater Design Standards.

All culverts, shall have flared end sections, and shall be located at the established ditch flowline. A sketch plan of the installation must be submitted with the access permit application.

10.4.16 Gated Accesses

An access that has a gate across it shall be designed so that the longest vehicle (including trailers) using the access can completely clear the traveled way when the gate is closed.

10.5 ACCESS PERMIT PROCESS FOR EXISTING LOTS

10.5.1 Obtaining A Permit

1. Persons wishing to apply for direct access to a county road should contact the Larimer County Engineering Department. The Engineer may require any of the following items, when relevant to the evaluation of an access:
 - a. County Road and driveway plan and profile including existing accesses located within a certain distance of the proposed access
 - b. Complete drainage plan of the site showing impact to the County Road right-of-way
 - c. Map and letters detailing utility locations before and after development in and along the County Road

- d. A subdivision zoning or development plan
 - e. Property map indicating other access and abutting public roads and streets, and
 - f. Proposed access design
2. Permits must have all these items on them in order to process the permit:
 - a. Contractor – name, address, phone number, cell phone number
 - b. Applicant – name, address, phone number, cell phone number
 - c. Location of Access
 - d. Building permit number
 - e. Township, Section and Range
 - f. Plat of the Property
 - g. Insurance
 3. Upon receiving the request for access, the Engineer shall use this policy for evaluation of the request. The Engineer shall work cooperatively with the applicant and attempt to resolve all difficulties prior to taking final action on the request. The Engineer shall act upon the request within 5 days by transmittal of a completed permit or of a denied request.
 4. There will be at least three inspections of the access:
 - a. Prior to the issuance of the permit, location, sight distance, drainage requirements, and surfacing requirements will be inspected
 - b. After access installation, culvert, road base, asphalt apron, radii, and slope will be inspected
 - c. Prior to the CO on the building permit, culvert and access damage, address numbers, gate, and asphalt will be inspected.
 5. If the Engineer approves the request, a permit shall be prepared and transmitted to the applicant for signature. After receiving a signed permit and any required fee payment, the Engineer shall mark the permit paid, sign the permit and return a copy to the applicant. If the applicant does not agree to all the terms and conditions of the permit, the permit shall be deemed denied.
 6. If the Engineer is going to deny an access permit, the Engineer shall discuss the reasons for the denial with the applicant and attempt to resolve the reasons for the denial. Where the access design standards are not entirely applicable, the Engineer shall consider site specific and local conditions. Any appeal by the applicant because of denial of an access permit shall be according to the variance process described in Chapter 1.

10.5.2 Construction of the Access

1. The permit shall be deemed expired and null and void if the construction of the access has not commenced before the expiration of any time limits noted on the permit. When the permittee is unable to begin construction within the authorized

time limits of the permit, they may request an extension from the Engineer. Any requests for an extension must be submitted to the Engineer, in writing, before the permit expires.

2. The expected dates of construction and use of the access shall be included on the request for an access. The permittee shall notify the Engineer at least 48 hours prior to any construction in county road right-of-way. The access shall be completed in an expeditious and safe manner and shall be finished within the time limits established on the permit.
3. The Engineer may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met.
4. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee.
5. It is the responsibility of the permittee to complete the construction of the access according to the terms and conditions of the permit. The Engineer may order a halt to any unauthorized construction or use.
6. Any permit issued shall pertain only to excavating and constructing within the County Right-of-Way and is in no way a permit to enter any private property adjacent to such Right-of-Way or easement or to alter or disturb any facilities or installations existing within the Right-of-Way and which may have been installed and are owned by others.
7. The permittee shall not disturb any surface monuments, benchmarks, survey markers, or points found on the line of work. Any points disturbed will be replaced at the permittee's expense.
8. Adequate construction signing, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways, prepared by the U.S. Department of Transportation, Federal Highway Administration, is required at all times during access construction. This may include, but is not limited to, the use of signs, flashers, barricades, and flaggers. This is also required by section 42-04-501, C.R.S. 1984 as amended. The County and its duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.
9. The hours of work on or immediately adjacent to the County road may be restricted due to peak hour traffic demands and other pertinent roadway operating restrictions.
10. A copy of the permit shall be available for review at the construction site. If necessary, minor changes and additions may be ordered by the Engineer to meet unanticipated site conditions.

10.5.3 Use of the Access

1. Where, in the course of construction by Larimer County it is necessary to reconstruct, relocate, or bring into conformance with this policy an existing access, the County shall initiate the appropriate procedures and agreements.
2. It is the responsibility of the property owner to ensure that the use of the access to the property is not in violation of the policy, permit terms and conditions. The terms and conditions of the permit are binding upon all assigns, successors-in-interest and heirs.

3. When there are changes in property use which result in changes in the type of access operation and the access is no longer in conformance with the policy, the reconstruction, relocation, and conformance of the access to this policy may be required.
4. If a parcel of land with direct access has been in a state of non-use for more than four years, re-commencement of access use shall be considered a change in use. If the use of access exceeds the design limitations of the access or does not comply with the present code, a new approval may be required through the development plan review process, access management plan, or the County's permit process.

10.5.4 Permit Fees

The Larimer County Board of Commissioners shall establish and collect a reasonable schedule of fees for access permits issued pursuant to this chapter. Current fee schedules can be obtained from the Larimer County Engineering Department.