

**EXHIBIT A**  
**DRIVEWAY ACCESS REQUIREMENTS**  
**FREMONT COUNTY, COLORADO**

**A. PURPOSE**

The driveway access permit is required to ensure adequate drainage facilities along County rights-of-way and to ensure location and construction of driveways in accordance with acceptable safety standards.

**B. GENERAL INFORMATION**

1. A driveway access approach is that portion of the County right-of-way between the traveled roadway edge and the property line, which is designed and used for the interchange of traffic between the roadway and the abutting property.
2. Fremont County is not responsible for the construction or maintenance of the driveway and culvert.
3. The property owner shall assume responsibility for the removal or clearance of snow, ice or sleet upon any portion of the driveway access.
4. All costs incurred in installation and maintenance of the culvert including 10 feet of ditch on both ends and any other required drainage facilities will be at the expense of the owner or applicant.
5. Any damaged culverts will be required to be replaced or repaired in accordance with the requirements of the County Inspector. If owner does not replace or repair any damaged culvert within a time frame specified by the County Inspector, the County may restrict access to the property and/or commence violation procedures.
6. The County may restrict the use of any driveway access, and may commence violation procedures if a driveway access permit is not obtained prior to the use of the driveway access.

**C. PERMIT REQUIRED**

A driveway access permit is required if access is taken from any County maintained or unmaintained right-of-way.

**D. PERMIT APPLICATION PROCEDURE**

1. A driveway access permit is required in conjunction with the issuance of a building permit. County Inspector approval of the location and required improvements must be obtained prior to issuance of the building permit. Upon application, the applicant will schedule a time to meet the County Inspector at the proposed access site to determine an acceptable location for the driveway access and what improvements are required. The meeting with the County Inspector will be scheduled no later than within two (2) working days after contact by applicant. Upon determination of an acceptable location and the required improvements, the County Inspector will notify the Building Department.
2. Upon application for a driveway access permit that is not in conjunction with the issuance of a building permit, the applicant will schedule a time to meet with the County Inspector on the proposed access site, to determine an acceptable location for the driveway access and required improvements. The meeting will be scheduled no later than two (2) working days after contact by applicant.

## E. EXCEPTIONS

A driveway access culvert is not required where curb and gutter exist, however, a driveway access permit will be required if the curb and gutter is to be altered.

## F. EXPIRATION

All driveway access permit applications shall expire one (1) year after issuance. Upon expiration, a new permit will be required if final approval has not been granted by the County Inspector.

## G. DESIGN CRITERIA

1. All entrances and exits shall be located and constructed so as to provide adequate sight distance in both directions along the County right-of-way. The distance shall allow a vehicle to enter safely onto the County right-of-way without interfering with traffic.

- Recommended sight distances:
- 30 M.P.H. - 200 feet minimum
- 40 M.P.H. - 275 feet minimum
- 50 M.P.H. - 350 feet minimum
- 55 M.P.H. - 450 feet minimum

2. The driveway access shall be located or constructed to avoid interference with the proper location or functioning of any traffic regulation device.

3. Only one driveway access shall be allowed on any parcel with less than one-hundred (100) feet in County road frontage. The County Inspector may allow additional entrances or exits for a parcel of property having a frontage in excess of one-hundred (100) feet if the applicant can provide evidence of its necessity.

4. All driveway accesses shall be constructed to avoid interference with the drainage system of the street or roadway. The property owner(s) will be required to provide, at his/her expense, any drainage structure(s) at the entrance and/or exit to the property, as required by the County Inspector.

5. The driveway entrance and exit shall intersect the County right-of-way perpendicular thereto, or as near to perpendicular as conditions will allow. No driveway entrance or exit shall intersect at less than forty-five (45) degrees.

6. The driveway shall not be located closer than one-hundred (100) feet to the intersection of any County right-of-way with another roadway.

7. The construction of the driveway(s) shall meet the following minimum requirements:

a. A twelve (12") inch diameter culvert, unless a larger diameter is required by the County Inspector, to accommodate the historical drainage flow. The County may require the applicant to provide a drainage study to determine the diameter of the culvert. The drainage study shall comply with the current requirements of the Fremont County Subdivision Regulations.

b. The cover over the culvert shall be a minimum of one-half (1/2) the diameter of the culvert, unless waived by the County Inspector.

c. The minimum length of the culvert shall be twenty-four (24') feet. For commercial, industrial or multiple uses, the minimum length of the culvert shall be thirty (30') feet.

d. The driveway shall not allow drainage onto the County right-of-way.

e. The County Inspector may require additional inlet and outlet treatment, such as drop inlets, downspouts, energy dissipaters, flared ends, headwalls, rip-rap, paving and beveled ends in order to insure that the culvert is properly protected, erosion is retarded, and the protrusion of the culvert is not a hazard to vehicles.

f. The County Inspector may require that the culverts be protected from debris by addition of deflectors, racks, cribs, raisers, basins, spillways, or other controls as necessary for proper operation.

g. Culverts shall be set on a grade which will allow for proper drainage. Culverts shall be made of corrugated metal or a material of equivalent strength and construction. County Inspector approval of the type of culvert is required prior to installation.

#### H. INSTALLATION

The installation of the culvert and any other improvements may commence any time after a permit has been issued by the County Inspector; however, at no time shall the driveway be used as an access prior to final acceptance by the County Inspector.

#### I. INSPECTIONS

1. A minimum twenty-four (24) hour notice is required prior to the final inspection.
2. Inspection will not be scheduled for Saturdays, Sundays, or holidays.
3. Upon final approval of the installation and construction, the County Inspector will provide the applicant or owner and Building Department with a copy of the final acceptance.
4. Any additional inspections will result in an additional fee, which is to be set by the Board of County Commissioners in a resolution approved by the Board.

#### J. FEES

The fees for Driveway Access Permits shall be fixed and determined from time to time by Resolution of the Board of County Commissioners. A copy of the fee schedule shall be available at the Department of Planning and Zoning, the Building Department or at the Fremont County Road and Bridge Office.

#### K. EFFECTIVE DATE

These regulations shall become effective upon approval by the Board of Commissioners.

RESOLUTION NO. 18, SERIES OF 2009

A RESOLUTION ADOPTING FREMONT COUNTY  
DRIVEWAY ACCESS REGULATIONS

WHEREAS, on September 23, 1997, the Board of County Commissioners for Fremont County adopted the "Fremont County Driveway Access Regulations" in Resolution No. 40, Series of 1997; and

WHEREAS, the Board of County Commissioners for Fremont County has been presented with newly proposed Driveway Access Regulations set forth in Exhibit A attached hereto; and

WHEREAS, the Board of County Commissioners for Fremont County has conducted a public hearing on the proposed Driveway Access Regulations on March 24, 2009, after having given due notice in advance thereof by publication.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Fremont County that the Driveway Access Regulations as set forth in Exhibit A, attached hereto, are hereby adopted, effective upon approval of this Resolution, and enforceable throughout all unincorporated areas of the County of Fremont, State of Colorado; and

BE IT FURTHER RESOLVED, that Resolution No. 40, Series of 1997 is hereby repealed in its entirety.

Commissioner LASHA moved the adoption of the foregoing Resolution with a second by Commissioner NORDEN.

Commissioner Stiehl	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Commissioner Lasha	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Commissioner Norden	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: 3-24-09

ATTEST:

Chairman

Clerk