

DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of **Section 2.3.3.F.3: Broken Back Curves** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

A deviation from the minimum tangent length between broken back curves (200') is requested. An excerpt of the standard is provided below:

3. **Broken Back Curves.** Two curves in the same direction (broken back curves) shall be separated by a tangent with a length of at least two times the minimum length shown in Table 2-10. For local roadways, a minimum tangent of 200 feet shall be used to separate all broken back curves.

State the reason for the requested deviation:

The deviation is being requested in order to create a more efficient development in terms of land devoted to transportation facilities and to maximize land for single family and open space land uses on an irregularly shaped infill development parcel.

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

The proposed transportation facility layout includes the following deviation(s) from standard ECM Standards pertaining to an urban local roadway cross section. Requesting;

- 101' minimum tangent whereas typical standard is 200' minimum tangent length between broken back curves.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

Justification for the requested deviations include:

- More efficient use of land for infill development
- Facilitate a single-family lot configuration that efficiently responds to utility, vehicle and pedestrian transportation, and drainage demands
- To minimize vehicle dominance of the street realm and streetscape in order to promote pedestrian dominance and orientation with the site plan design and development phase

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **not based exclusively on financial considerations**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **all of the following criteria**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The improvements and proposed cross section will achieve a comparable level of performance as the standard cross section with respect to the following:

- Traffic volume capacity
- Utility placement
- Stormwater conveyance
- Pedestrian access and circulation
- Fire district has reviewed and approved the access and circulation based on their criteria.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or roadway operations. The Black Forest Fire Rescue Protection District has reviewed and approved the access and circulation provided on the preliminary plan based on their criteria and do not object to the configurations and improvements as shown on the preliminary plan. The Traffic Study is in support of the current layout.

The deviation will not adversely affect maintenance and its associated cost.

Deviation will not affect maintenance and its associated cost. Access will be maintained by El Paso County since the roadway is located within Right Of Way.

The deviation will not adversely affect aesthetic appearance.

Deviation will not affect aesthetic appearance of the impacted roadway section.

The deviation meets the design intent and purpose of the ECM standards.

The deviation meets the intent by providing a street cross section and other design features that are consistent with the anticipated function and traffic volumes as described in the TIS.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

The requested deviation meets control measure requirements of Part I.E.3 and Part I.E.4 of the MS4 Permit.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from **Chapter 2, and Appendix F, SD 4-4** of the ECM is hereby granted based on the justification provided.

Γ

∩

L

J

Denied by the ECM Administrator

This request has been determined not to have met criteria for approval. A deviation from **Chapter 2, and Appendix F, SD 4-4** of the ECM is hereby denied.

Γ

∩

L

J

ECM ADMINISTRATOR COMMENTS/CONDITIONS:

1.1. PURPOSE

The purpose of this resource is to provide a form for documenting the findings and decision by the ECM Administrator concerning a deviation request. The form is used to document the review and decision concerning a requested deviation. The request and decision concerning each deviation from a specific section of the ECM shall be recorded on a separate form.

1.2. BACKGROUND

A deviation is a critical aspect of the review process and needs to be documented to ensure that the deviations granted are applied to a specific development application in conformance with the criteria for approval and that the action is documented as such requests can point to potential needed revisions to the ECM.

1.3. APPLICABLE STATUTES AND REGULATIONS

Section 5.8 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause unnecessary hardship or unsafe design because of topographical or other conditions particular to the site, and that a departure may be made without destroying the intent of such provision.

1.4. APPLICABILITY

All provisions of the ECM are subject to deviation by the ECM Administrator provided that one of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

1.5. TECHNICAL GUIDANCE

The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

1.6. LIMITS OF APPROVAL

Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

1.7. REVIEW FEES

A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.