

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

A deviation from the standards of or in Section 2.2.5 (B)(1) of the Engineering Criteria Manual (ECM) is requested.

ECM section should be 2.4 Roadway Access Design

Identify the specific ECM standard which a deviation is requested:

Spacing. Spacing of roads accessing a principal arterial or rural minor arterial that will result in a full movement intersection shall be planned at one-half mile (one-quarter mile for rural minor arterials). Should the one-half mile spacing not be "viable or practical" for providing access to the adjacent land, a deviation may be considered and approved by the ECM Administrator. If a deviation is granted, only one additional full movement intersection will be permitted by the ECM Administrator. The Applicant shall have the burden of proof that no other "viable or practical" access is available. A deviation request should be supported by a traffic study or memorandum that provides information to assist the ECM Administrator in determining the proposed deviation minimizes negative safety and other operational impacts. If the development is at the intersection of two major corridors, the full movement access should be located on the lower functional classification roadway. The intersection shall only be approved if the intersection and roadway are shown to operate safely and efficiently with buildout design hour/peak hour projected traffic volumes. The intersection must also show a public benefit. An arterial progression through bandwidth percentage of 35 percent or greater must be achieved or the inclusion of a signal at the access must not degrade the existing signal progression. The intersection must not create any queuing or blocking of lane entries or access points. The intersection must be in a location such that any necessary turn, acceleration and deceleration lanes can be accommodated to maintain safe operations and capacity. The analysis should consider all potential future additional requirements for left turn or other exclusive phasing at a signal for which the need is created by traffic generated by land uses on both sides of the roadway.

State the reason for the requested deviation:

To permit a right-in/right-out access from Fontaine Boulevard into the Lorson Ranch Commercial parcel.

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

The proposed alternative to the ECM standard is requested because of a desire by the owner/ developer to provide a more direct access point into the Lorson Ranch Commercial parcel and reduce the amount of commercial traffic using Carriage Meadows Drive (collector).

and secondary

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:

The deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in/right-out access point is half-way (approximately 520' feet) between the intersections of Marksheffel Road and Carriage Meadows Drive. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard.

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 deviation will achieve the intended result with a comparable or superior design and quality of improvement. The deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in/right-out access point is half-way (approximately 520' feet) between the intersections of Marksheffel Road and Carriage Meadows Drive. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard.

Include statement that this will not impair the auxiliary lane design onto Carriage Meadow Drive

The derivation of the 520' spacing is understood based on the existing distance between Marksheffel and Carriage Meadows. However, there is no discussion of the necessary sight distance for the proposed access per ECM Table 2-35.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. The deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in/right-out access point is half-way (approximately 520' feet) between the intersections of Marksheffel Road and Carriage Meadows Drive. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard.

Include statement that the turn lane for Carriage Meadows Drive will function appropriately and will not create any safety issues per the TIS provided.

The deviation will result in an additional pedestrian crossing along the south side of Fontaine Boulevard when compared to existing conditions. Provide a statement that appropriate pedestrian safety (including adequate sight distance) is being accommodated.

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

The deviation will not adversely affect maintenance and its associated cost as the right-in/right-out access will only add a small amount of additional pavement within the R.O.W.

The deviation will not adversely affect aesthetic appearance.

The requested deviation will not adversely affect aesthetic appearance. The right-in/right-out access from Fontaine Boulevard will be negligible in appearance and only add a small amount of additional pavement within the R.O.W.

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

The deviation will meet the design intent and purpose of the ECM as the additional right-in/right-out access provides adequate intersection sight distance clearance of approximately 520'.

Include statement that it will also not create any sight distance issues for the Carriage Meadow Intersection.

The derivation of the 520' spacing is understood based on the existing distance between Marksheffel and Carriage Meadows. However, there is no discussion of the necessary sight distance for the proposed access per ECM Table 2-35.

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.

Water quality requirements will be met regardless of the right-in/right-out access.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section _____ of the ECM is hereby granted based on the justification provided.

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Denied by the ECM Administrator

This request has been determined not to have met criteria for approval. A deviation from Section _____ of the ECM is hereby denied.

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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.