

EL PASO COUNTY ROAD PAVING POLICY

GOAL

To provide and maintain a safe, efficient, cost-effective public road transportation system for motor vehicles, and also to be responsive to non-motorized transportation needs of the citizens served by the El Paso County Department of Transportation.

PURPOSE

The purpose of this road surfacing policy is to provide citizens, elected officials, planners, developers and the El Paso County Department of Transportation with information and direction for the surfacing of roads within El Paso County. Past experience has indicated that conversion of gravel roads to paved or chip-sealed surfacing can be a highly controversial issue for residents living on or near such roads.

The County owns and maintains county roads. Because roads are important to the character of neighborhoods, and are used by other public right-of-way users in addition to motor vehicles, a County Road Surfacing Policy shall integrate these considerations into a decision to convert gravel roads to paved or chip-sealed roads.

The elements of a policy to address road surfacing of new subdivision roads, or to convert gravel roads to paved or chip and seal roads include:

- a. public support
- b. provision of clear criteria for selecting surfacing for existing and new subdivision roads
- c. provision for proper public notice of roads considered each year for paving or chip-seal
- d. provision of a clear process for public input, comment, and conflict resolution.

Factors to consider in road conversion decisions include:

1. Regulations
2. Guidance from Small Area Plans
3. Desires of affected residents and neighborhoods
4. Cost of construction and maintenance

CONSIDERATIONS FOR ROAD SURFACING

Regulations:

State Regulations:

Colorado Air Quality Control Commission Regulation No. 1, Emission Control Regulations For Particulates, Smokes and Sulfur Oxides for The State of Colorado states the following:

“Any owner or operator responsible for construction or maintenance of any (existing or new) unpaved roadway which has vehicle traffic exceeding 200 vehicles per day in an attainment area... (averaged over any consecutive 3-day period) from which fugitive particulate emissions will be emitted shall be required to use all available practical methods which are technologically feasible and economically reasonable in order to minimize emissions resulting from the use of such roadway in accordance with the requirements of Section IIID of this regulation.”

All of El Paso County is currently an attainment area. Fugitive dust control can be by application of water, calcium chloride, magnesium chloride, other trade-marked dust palliatives, or hard surfacing.

El Paso County Regulations:

Land Development Code Chapter V – Section 49.2 Performance Standards, Sub-section G.2. Noise and Air Pollution:

“No subdivision should be approved that is not in compliance with state, federal, and local air quality regulations.”

Subdivision Criteria Manual (June 29, 1981): Section C1.04 Pavement Requirements

“A new highway or street in the urbanizing area, as established by the urban Planning Area Boundary, will require asphaltic concrete pavement to such thickness as will be determined per Section H of this Manual. All Streets and/or highways projected at platting to generate a future ADT of 200 or more, per Section C1.03, shall require asphaltic pavement as determined per Section H of this Manual. Streets classified as rural minor residential or rural hillside can use gravel surfacing. Any highway that is curbed will require asphaltic concrete pavement.”

Guidance from Small Area Plans:

Small Area Plans throughout the County address transportation issues. These plans include goals, policies and proposed actions on a local level. Guidance from these plans should be applied to the selection process for road surface conversion.

The El Paso County Policy Plan recognizes the precedence of Small Area Plans for issues of local interest versus the precedence of County Policy Plans for issues of regional interest.

Desires of Affected Residents and Neighborhoods:

Lifestyle patterns of residents, and their opinions, shall be considered in selecting roads for surface conversion.

Area land uses, which affect multiple use of roadways, shall be considered in selecting roads for surface conversion. Needs of urban areas differ from rural or rural residential areas.

Cost of Construction and Maintenance:

Cost considerations include construction or conversion costs, and maintenance cost. Maintenance costs involve frequency of maintenance, cost of materials and efficiency of equipment use.

Maintenance costs can be long or short-term. Maintenance cost can also vary by geographic area within the county because of road use levels and difficulty of snow removal.

Maintenance costs occur whether a road is gravel, chip-seal or paved. Gravel roads need regular grading maintenance and occasional resurfacing. Regular maintenance includes the removal of washboarding and rutting, reshaping for cross-slope, pulling gravel back onto the road from the shoulder, and roadside ditch shaping to promote good drainage. Hard surface roads also require periodic resurfacing as well as regular maintenance including pothole repair, striping, and shoulder repair.

Cost and efficiency considerations do not suggest that every road in the county should be paved, but rather that gravel and paved roads be clustered for efficient equipment use. Areas containing mostly rural residential gravel roads are frequently accessed by paved roads of major and minor arterial status. The mere fact of their intersecting should not influence conversion decisions or devalue the efficiency of gravel road clusters.

ROAD SURFACING REGULATION

El Paso County should amend the Subdivision Criteria Manual by adding provisions based on this Road Surfacing Policy including:

1. State and federal air quality regulations must be followed.
2. Existing graveled roads with 200 or more ADT, shall be treated to minimize emissions or may be selected for conversion to chip-sealed or paved.
3. New highways, roads, and streets shall be paved under the following criteria:
 - a. If they are within the Metropolitan Planning Area (figure 1) and the roadway is offset in the public right-of-way to accommodate a continuous multi- purpose, non-motorized trail (figure 2).
 - b. If they are in the balance of the County and they connect to an existing roadway that is paved at the time of final approval of the subdivision map; or they connect to a roadway internal to the subdivision that is required to be paved according to Section C1.04 of the Subdivision Criteria Manual, and in both cases the roadway is offset in the public right-of way to accommodate a continuous multi-purpose, non-motorized trail.
4. Existing graveled roads, especially those in rural residential areas, should be evaluated by the following criteria for surface conversion:

- a. Traffic count
Traffic count should be taken within a 6 month period prior to consideration for resurfacing. There should be a notation as to the number of existing residences and businesses on the road as well as current construction sites. (Construction traffic may artificially inflate a traffic count.) ADT must exceed 200 for a road to be considered for surface conversion.
 - b. Character of roads within a one mile radius
To minimize maintenance cost, groups of gravel roads and/or paved roads should be retained in defined areas. Spot conversion which increases the mix of gravel and paved roads should be discouraged.
 - c. Surrounding area land uses.
Rural residential land use areas, where residents are likely to use roads for more purposes than vehicular transportation, should receive special consideration before gravel roads are converted to hard surface.
5. If an existing gravel road meets criteria for paving:
- a. Fences impinging on the public right-of-way must be moved to insure they are on the property line, and not onto the public right-of-way (this expense is the landowners).
 - b. In rural residential areas, or along roads which are targeted for regional trails, the public right-of-way will also be used to provide space to accommodate a continuous multi-purpose non-motorized trail.

ROAD SELECTION PROCESS

1. The El Paso County Department of Transportation shall prepare a Three Year Road Surface Conversion List containing a list of roads proposed for chip-sealing or paving using the criteria set forth in this road surfacing policy. The list of proposed roads shall be publicized on the El Paso County web site, by press releases to all county daily and weekly newspapers, by notification of all residents on the affected road by survey postcards and by posting at major intersections of all targeted roads at least 30 days prior to consideration of the list by the Highway Advisory Commission at a regularly scheduled meeting, and 3 months prior to BOCC action.
2. Posters will be the same size, but a different color, from zone change and subdivision request posters used by County Planning. In large, bold letters the poster shall say "Notice of Road Surfacing", followed by information about the upcoming Highway Advisory Commission meeting and other necessary information.
3. At a regularly scheduled Highway Advisory Commission meeting the Highway Advisory Commission will give more weighted consideration to comments by residents who live on the road proposed for paving, and less weighted to those

who use the road but do not live on it (see #1 above). Note: If 25% or more of the written comments on the survey postcards are negative then refer to the "Conflict Resolution Procedure".

4. If County-financed surface conversion requires a financial obligation on the part of a subdivision in order to accommodate access to existing utilities, then comments from all homeowners in the subdivision shall be considered equally whether or not they live on the road proposed for surface conversion.
5. After the public meeting referenced in #3 above, the Department of Transportation and the Highway Advisory Commission shall prepare an amended list of roads proposed for paving, identifying funded and unfunded roads for a given fiscal year.
6. The Highway Advisory Commission shall present to the BOCC this amended list which shall also be publicized on the County's web site, through press releases to all daily and weekly newspapers in the County, a mailing to residents along roads targeted for surface conversion, and by posting at the major intersections of each targeted road at least one month prior to the regularly scheduled BOCC meeting at which the Three Year Road Surface Conversion List will be considered.
7. Direction given by Small Area Plans regarding the character of roads, integration of roads with other community needs, and the desires of resident landowners shall be given appropriate consideration by the Board of County Commissioners when the final list is decided.
8. Once approved by the BOCC, the list shall guide the Department of Transportation and provide authorization for conversion of gravel surfaced roads to chip-seal or asphalt. Each year after the Three Year Road Surface Conversion List has been approved the Department shall post each area scheduled for conversion in the construction season.
9. For roads on the Three Year Road Surface Conversion List, but not funded in a given fiscal year, residents may voluntarily request paving and pay material costs as outlined in the "Resident Participation Program." Roads accepted for surface conversion according to the Resident Participation Plan must have 100% support from the landowners in residence on the road.

PROCEDURE FOR CONFLICT RESOLUTION

If 25% or more of the written comments regarding surface conversion of a gravel road are negative (after the procedures for public notification and input specified in #1 of the Road Selection Process above for roads proposed for the Three Year List, or funded for a given year) the following Conflict Resolution Procedure shall be followed.

1. The Department of Transportation, District Commissioner, and a member of the Highway Advisory Commission shall hold a public informational meeting, publicized in all area media and posted for 30 days at major intersections of the road proposed for surface conversion, for conflict resolution.

2. If affected residents are still not satisfied with the proposed conversion they shall present a written appeal to the Highway Advisory Commission. The Highway Advisory Commission shall make a written recommendation to the BOCC regarding the residents' appeal.
3. The Highway Advisory Commission will present the BOCC with an amended list of roads for surface conversion. This list will identify the roads on the original list, those that were deleted, and those that remain as an unresolved conflict.
4. The BOCC shall give major consideration to the opinion of two-thirds or more of the resident landowners on the affected road.

RESIDENT PARTICIPATION PROGRAM

PURPOSE

The Resident Participation Program is intended to provide an opportunity for residents living on gravel roads to work cooperatively with the Department of Transportation to convert their gravel roads to chip-seal or paved roads. This program is effective in situations where the road carries a low volume of traffic (less than 200 Average Daily Trips), where it is unlikely that the County would initiate any kind of paving, where an individual or individuals will organize their neighbors, and where a neighborhood is unified in their desire to chip-seal their gravel road. The DOT will not accept funds from Homeowner Associations.

PROCEDURE

1. A resident inquires about getting their gravel road paved and supplies DOT with supporting signatures from 100% of the residents on the road in question.
2. The Department of Transportation will respond to the residents with the following in writing:
 - a. Indicate whether or not the road in question is on the Department of Transportation's Three Year Road Surface Conversion List, and if not, the likelihood of it being placed on the list in future years.
 - b. Evaluate the percentage of lots built-out in order to delay projects where construction traffic would destroy the chip-seal or pavement.
3. During the first quarter of each calendar year, DOT will obtain bids and award contracts for oil and chips used in the chip-seal process and for cost-in-place for asphalt used in the paving process. The road in question will be measured and a precise cost estimate will be prepared.
4. DOT will mail a copy of the cost estimate, and a contract with specific instructions and a required date for return of the agreement and payment for the work.

5. The residents will jointly determine the method of sharing the costs, sign the contract, and return it DOT with full payment. The DOT will not accept payment from any Homeowners Association.
6. DOT shall post intersections in the vicinity of the road proposed for conversion a minimum of 30 days prior to the Road Improvement Agreement being scheduled for consideration by the BOCC.
7. If the road in question is approved by the BOCC with public input then the DOT will perform the work during the construction season.
8. If the road in question is disapproved by the BOCC then the DOT will refund all moneys paid by the residents.