

STREETS

Chapter 155

STREETS AND PUBLIC WAYS

§ 155-1. Scope.

Article I

§ 155-2. Purpose.

§ 155-3. Definitions.

§ 155-4. Design Standards.

§ 155-5. Construction Standards.

§ 155-6. Submission of Additional Design and Construction Requirements. Parking Lot Standards Dimension Table.

§ 155-7. (Reserved)

§ 155-8. (Reserved)

§ 155-9. (Reserved)

§ 155-10. (Reserved)

Article II

§155-11. Purpose.

§155-12. Exemption.

§155-13. Definitions.

§155-14. Review and Approval of Design and Construction Required; Requirements Related to Conduits

§155-15. Fees.

§155-16. Relocation of Facilities.

§155-17. Compliance with Other Regulations.

§155-18. Franchises.

§155-19. Penalties and Enforcement.

[HISTORY: Adopted by the Board of Trustees (now Mayor and Town Council) of the Town of Frisco 02-16-82 as Section 1 of Ord. 82-03. Renamed and Article designations added 07-16-96, Ord. 96-12. Amendments noted where applicable.]

GENERAL REFERENCES

Excavations - See Ch. 87.

Subdivision of land - See Ch. 157.

Zoning - See Ch. 180.

§ 155-1. Scope. [Amended 07-16-96, Ord. 96-12]

The scope of this chapter shall include all streets and other public ways within the incorporated limits of the Town of Frisco, Colorado.

STREETS

ARTICLE I

§ 155-2. Purpose.

The purpose of this article is to set out in orderly fashion the design, layout and construction requirements of the town for all streets and other public thoroughfares within the incorporated limits of the Town.

§ 155-3. Definitions. [Amended 05-02-89, Ord. 89-16; 02-04-92, Ord. 92-02; 07-16-96, Ord. 96-12; 05-10-11, Ord. 11-02]

As used in this Article, the following terms shall have the meanings indicated:

ALLEY - A minor public thoroughfare upon which the rear of building lots generally abut, used for service purposes and not intended for general travel.

ARTERIALS - This class of road is designed for the movement of through traffic and heavy local traffic. Arterials interconnect the principal traffic generators. Besides through traffic, arterials accommodate trips through different areas of town. Traffic volumes are generally high and access may be restricted. Average vehicles per day normally reach ten thousand (10,000) or more. In some instances, parking is not allowed on arterials, such as state highways. In Frisco, Highway 9, Dam Road and Main Street serve as arterials.

CENTERLINE - The true centerline of a street which has been dedicated to its required width according to the Master Street Plan. Where all the required width of a public right-of way exists in an offset or angular manner, the Town Manager shall determine the alignment of the "centerline."

COLLECTOR STREETS - Thoroughfares which carry traffic from local streets to major streets and principal generators within the community, such as neighborhood shopping centers, schools and recreation areas.

FREEWAY - This class of road is designed for the uninhibited movement of vehicles. Access is restricted to on- and off-ramps and no direct access to private roads is allowed. Generally multilane with a center median, parking is prohibited. Traffic volumes are high with normal daily vehicle trips above twenty thousand (20,000). In Frisco, 1-70 serves as the only freeway.

LOCAL COMMERCIAL STREETS - Thoroughfares which provide for access to abutting commercial properties.

LOCAL RESIDENTIAL STREETS - Thoroughfares which provide primarily for access to abutting residential properties.

PRIMARY COUNTY ROADS or MAJOR HIGHWAYS - Existing or proposed streets or highways within the present or future limits of the Town of Frisco designed and located

STREETS

as arterial streets to carry a large volume of fast-moving traffic which connects Frisco with other areas of traffic. Such streets may or may not be designated as "interstate," "state" or "county highways," and all uses shall be through streets.

PUBLIC RIGHT-OF-WAY - All streets, roadways, sidewalks, alleys and all other areas reserved for present or future use by the public as a matter of right for the purpose of vehicular or pedestrian travel, utility installation and for snow storage by the Town of Frisco.

STREET - A way for vehicular traffic, including the more specific terms "alley," "highway," "parkway," "through-way road," "avenue," "boulevard," "lane," "place" and "road."

TOWN MANAGER – The Town Manager of the Town of Frisco, or his or her authorized representative.

§ 155-4. Design Standards.

Street designs shall conform to the Town of Frisco's street design criteria.¹

§ 155-5. Construction Standards.

Street construction shall conform to the Town of Frisco's street construction specifications.²

§ 155-6. Submission of Additional Design and Construction Requirements. [Amended 05-02-89, Ord. 89-16; 05-10-11, Ord. 11-02]

The Town Manager may from time to time submit further and more detailed design and construction requirements and criteria, which requirements may be approved by the Town Council prior to their enforcement. Such criteria and requirements shall be made available at the Public Works Office during regular business hours.

§ 155-7. (Reserved)

§ 155-8. (Reserved)

§ 155-9. (Reserved)

§ 155-10. (Reserved)

¹Editor's Note: The street design criteria and street construction specifications were approved and adopted by the Board of Trustees of the Town of Frisco 2-16-1982 as Res. No. 82-5.

²Editor's Note: The street design criteria and street construction specifications were approved and adopted by the Board of Trustees of the Town of Frisco 2-16-1982 as Res. No. 82-5.

STREETS

Parking Lot Standards Dimension Table [Added 02-04-92, Ord. 92-02]

Dimensions when parking at any of these angles shall be as follows:

	45 Degrees	50 Degrees	55 Degrees	60 Degrees	90 Degrees
Offset A	18'	15'8"	13'4"	11'	1'6"
Car space B	12'	11'4"	10'8"	10'	9'
Stall depth C	16'	16'8"	17'4"	18'	18'6"
Stall depth D	18'	18'4"	18'8"	19'	19'
Overhang E	2'	2'1"	2'2"	2'3"	2'9"
Driveway F	13'	14'6"	16'	17'6"	26'
Turnaround G	7'	16'	15'	14'	14'

Snow storage 100 square foot for every 350 square feet of paving

Parking aisles: as shown in diagram:

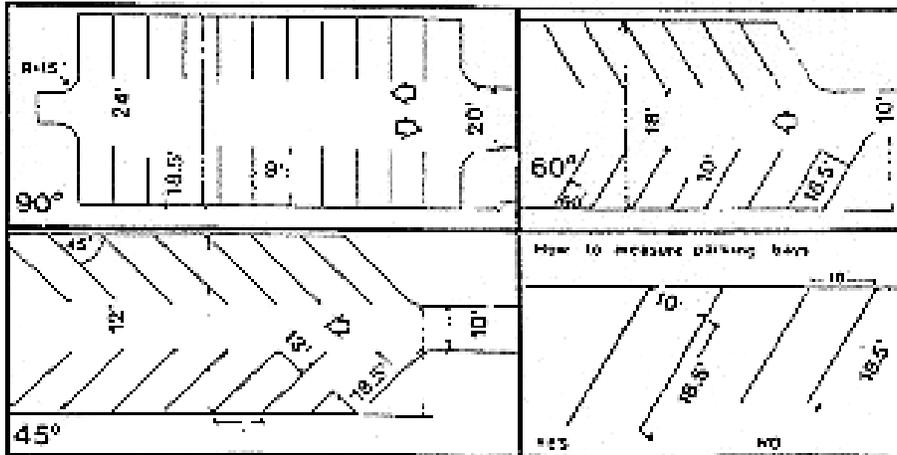


Figure 4

ARTICLE II UTILITY INSTALLATIONS [Added 07-16-96, Ord. 96-12]

§155-11. Purpose. [Amended 02-25-20, Ord. 20-02]

The purpose of this article is to provide a means for the Town to grant consent to the use of its public ways for the installation of utilities and other improvements along, through, in, upon, under or over the public ways within the incorporated limits of the

STREETS

Town, and to allow the Town to provide for communications conduits in connection with the installation and maintenance of utilities in public ways by third parties, and to require the installation of communications conduits in connection with the paving of new or existing public ways.

§ 155-12. Exemption. [Amended 02-25-20, Ord. 20-02]

Except as otherwise expressly set forth in this article, utility installations by the Town of Frisco and the Frisco Sanitation District shall be exempt from the provisions of this article.

§ 155-13. Definitions. [Amended 05-10-11, Ord. 11-02; 02-25-20, Ord. 20-02]

As used in this Article, the following terms shall have the meanings indicated:

CONDUIT means a single enclosed raceway, pipe or canal for cables, fiber optics or other wires.

COUNCIL or TOWN COUNCIL means the Town Council of the Town of Frisco, Colorado.

DIRECT COST means all necessary and usual costs associated with the placement of conduits as determined and approved by the Town Manager.

PERSON means any individual, firm, company, corporation, district, private or governmental entity of any kind, whether or not a public utility.

PUBLIC WAY means any street, roadway, way, place, alley, sidewalk, pathway, bridge, viaduct, easement, park, square, plaza, and any Town owned right-of-way or other public property owned or controlled by the Town and dedicated to public use or reserved for future use by the public, within the Town of Frisco, in which utility installations may be made or that may be paved for vehicular travel.

TOWN MANAGER means the Town Manager of the Town of Frisco, or his or her authorized representative.

UTILITY INSTALLATION or UTILITY means any and all facilities, including without limitation, plants, works, systems, lines, equipment, pipes, wires, antennas, satellite or other dishes, transmitters or receptors, mains, and meters, belonging to any person, other than the Town of Frisco, which are used or designed to provide telephone, telegraph, telecommunications, electric, gas, cable television, water, sewer, or any other similar service to any person, whether or not considered a "public utility" as that term may be defined by Colorado statute, and which are located or proposed to be located in any public way within the Town of Frisco. Notwithstanding the foregoing,

STREETS

"utility installation" or "utility" shall not include any utility service line connected to a transmitter or main, and designed to serve an individual structure.

§ 155-14. Review and Approval of Design and Construction Required; Requirements Related to Conduits. [Amended 05-10-11, Ord. 11-02; 02-25-20, Ord. 20-02]

- A. Unless otherwise provided by franchise agreement or contract with the Town, no person shall locate, relocate or replace any utility installation in any public way, until three (3) copies of the plans and specifications for such installations have been submitted to and approved by the Town. Such plans and specifications, prepared and signed by an engineer registered in the State of Colorado, shall disclose the nature, extent, location, depth or height, and materials to be used for the proposed utility installation within the public way, shall indicate the timing and duration of the planned construction activity, and shall contain such additional information as the Town Manager may reasonably require. The Town Manager may, in the exercise of his discretion, waive the requirement that the plans be signed by a registered engineer, where the proposed utility installation is simple in nature and does not require engineering design.
- B. All utility installations in public ways shall be designed so as not to interfere with the Town's water mains, street or path improvements and paving, drainage structures, or other municipal or utility uses within the public way, or to the extent such interference is unavoidable, the plans and specifications submitted shall include provisions for minimizing such interference and for restoring any disturbance to public or private property caused by the installation, at the expense of the person proposing the installation.
- C. The Town Manager may require that proposed utility installations be coordinated with Town street improvement programs or other public improvements or utility installations planned by the Town or other persons providing utility service within the Town. The Town Manager may require that conduit be installed in the same or an adjacent location that the permittee proposes for excavation and, if so required, the permittee shall coordinate with the Town and facilitate the installation of the Town's conduit. The direct cost of installing the Town's conduit will be paid by the Town. No permittee shall be required to serve as a financial pass-through from the Town to a contractor installing the Town's conduit.
- D. The intent of this subsection is to provide for the construction of infrastructure sufficient to allow broadband communications entities desiring to deploy facilities in the future to do so by pulling the same through the conduit and appurtenances installed pursuant to this subsection and without excavating within the public ways. This subsection is not intended to require owners of broadband facilities or other conduit to install additional ducts or conduit in existing public ways; rather, it is intended to require those constructing public

STREETS

streets, including the Town and developers, to provide and install such conduit and appurtenances as may be necessary to accommodate future broadband needs within the public ways without further excavation.

1. Whenever any new public street is constructed, whether by the Town as a public works project or by a developer or other private party in conjunction with development, the following shall be required:
 - a. For all new collector streets or major arterial streets, as defined in the Town's Minimum Street Design and Access Criteria, as amended, a minimum of two 4" conduits shall be installed by and at the sole cost of the party constructing the street; provided however that at the discretion of the Town Manager, the number and size of the conduit and spacing of pull boxes may be modified to address the reasonably known plans and/or demand for broadband capacity in these locations. If determined that additional conduits are required, the Town shall determine and pay the direct costs resulting from such additional conduits.
 - b. For all other new streets, a minimum of two 2" conduits shall be installed by and at the sole cost of the party constructing the street; provided however that at the discretion of the Town Manager, the number and size of the conduit and spacing of pull boxes may be modified to address the reasonably known plans and/or demand for broadband capacity in these locations. If determined that additional conduits are required, the Town shall determine and pay the direct costs resulting from such additional conduits.
 - c. In addition to installing conduit, the party constructing the street will be required to install such vaults and other appurtenances as may be necessary to accommodate installation and connection of broadband facilities within the conduit.
 - d. All construction and installation shall be accomplished according to construction standards adopted by the Town. The construction standards shall be adopted with due consideration given to existing and anticipated technologies and consistent with industry standards.
 - e. All facilities installed by developers or other private parties pursuant to this section shall be conveyed and dedicated to the Town with the dedication and conveyance of the public street and/or way.

The Town reserves the right to charge reasonable fees for the use of conduit installed pursuant to this subsection, to the extent consistent with and as limited by federal and state laws.

STREETS

- E. The Town Manager shall review said plans and specifications for compliance with the requirements of this article and any other applicable regulations or requirements of the Town. The Town Manager may approve the plans as submitted, approve the plans with modifications, or deny the plans for any utility installation if such installation does not comply with such requirements or where necessary to protect the public health, safety or welfare of the citizens of the Town. In approving any plans for a utility installation, the Town Manager may impose any reasonable conditions to ensure that the utility installation complies with the applicable requirements of the Town or where necessary to protect the public health, safety or welfare of the citizens of the Town. The Town Manager shall provide written notice of the approval, conditional approval or denial of any proposed utility installation, to the person seeking such approval.
- F. Any person aggrieved by the decision of an authorized representative of the Town Manager may appeal the same to the Town Manager, by filing such an appeal, in writing, with the Town Manager or such authorized representative not later than ten (10) calendar days from the date of the decision. The Town Manager may reverse or affirm, wholly or partly, or may modify or condition the authorized representative's decision, after consideration of the requirements of this article and all other applicable regulations and requirements of the Town.
- G. All utility installations shall be underground, unless specifically exempted by the Town Council, which shall grant such exemption only in cases of extraordinary or exceptional physical conditions making the placement of such utility installations underground economically infeasible.
- H. All utility installations in public ways shall conform to the approved plans and specifications therefor and any conditions imposed by the Town. Upon completion of construction, the person installing such utility shall provide to the Town three (3) copies of as built plans, showing final location and construction details. Any material changes to the approved plans and specifications, as determined by the Town Manager, may be made only after obtaining the Town's approval in the manner provided in this article.

§ 155-15. Fees. [Amended 05-10-11, Ord. 11-02; 02-25-20, Ord. 20-02]

- A. Application fees. All applications for review of proposed utility installations pursuant to this article shall be accompanied by payment of an application fee payable to the Town, which fee is intended to help defray the expense of the Town in administering the provisions of this article. The Town Manager shall from time to time determine the cost of performing the administrative services required by this article and, on the basis of such historic costs and estimations, shall promulgate a schedule of fees for the performance of administrative services. Any schedule of fees promulgated by the Town Manager shall be effective immediately upon filing with the Town Clerk and shall be available for

STREETS

public inspection in the office of the Town Clerk and the office of the Town Manager.

- B. Other fees. Any person seeking to place a utility installation in a public way shall be required to pay to the Town certain Town costs associated with said utility installation, including without limitation, legal and engineering fees for review and consultation incurred by the Town. The procedure for payment of such fees shall be the same as that provided in § 180-31, subparagraph D4, of the Code.
- C. Occupation fees. Unless otherwise preempted by state or federal law, the Town Council is hereby authorized to provide, by resolution, for the levy of a fee for the occupation by utility installations of the public ways, provided that any such occupation fee be uniformly applied to all utility installations occupying the public ways, and provided that said occupation fee be reasonably related either to the cost to the Town of such occupation, or to the value of such occupation.

§ 155-16. Relocation of Facilities. [Amended 05-10-11, Ord. 11-02]

- A. When required by the Town Manager due to the construction, installation, relocation, repair or improvement of streets, pedestrian or bicycle paths or ways, street lighting, drainage structures, water mains, or other utilities or public improvements, or for other reasons of public health, safety or welfare, the owner of a utility installation in any public way shall, at such owner's expense, protect, support, temporarily disconnect, or relocate within or outside such public way the said owner's utility installation or portions thereof as directed by the Town. Such required action shall be taken promptly upon notification from the Town Manager and shall be completed within a reasonable time, as determined by the Town Manager.
- B. Any person aggrieved by the decision of an authorized representative of the Town Manager may appeal the same to the Town Manager, by filing such an appeal, in writing, with the Town Manager or such authorized representative not later than ten (10) calendar days from the date of the decision. The Town Manager may reverse or affirm, wholly or partly, or may modify or condition the authorized representative's decision, after consideration of the requirements of this article and all other applicable regulations and requirements of the Town.

§ 155-17. Compliance with Other Regulations.

The provisions of this article are in addition to and do not replace any and all other requirements applicable to utility installations within the Town of Frisco, as defined in state statutes and the ordinances and regulations of the Town. Any person making a utility installation shall comply with all such applicable requirements, including without limitation the requirements and procedures relating to excavation permits for excavations in public ways.

STREETS

§ 155-18. Franchises.

Nothing contained in this article shall be construed as the grant of a franchise to any person or as exempting or excusing any person from the requirement of obtaining a franchise. The Town Council hereby declares that the use or occupation of any public way within the Town of Frisco is a matter of local concern. Except as otherwise preempted by state law, no person shall construct, maintain or operate any street railway, electric light plant or system, gas works, gas plant or system, geothermal system, solar system, telegraph, telephone or telecommunications system, cable television system, or other public utility system within the Town without having first obtained the grant of a franchise by the Town in the manner provided by law.

§ 155-19. Penalties and Enforcement.

- A. Any person found in violation of the provisions hereof shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article I, § 1-14 of this Code. Each day that such violation continues shall constitute a separate offense.
- B. In the event of any violation or threatened violation of this article, the Town Council may, in addition to other remedies provided by law, institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate or remove such violation or threatened violation.