

CHAPTER 1.0 GENERAL PROVISIONS

1.1 Introduction

These Stormwater Design Standards (Standards) have been developed by the Larimer County Engineering Department and adopted by resolution by the Larimer County Board of County Commissioners.

1.2 Purpose

The purpose of these Standards is to establish minimum storm drainage criteria for the public safety, health, comfort, convenience, welfare and economic well-being of residents and owners of property within the County. These Standards present policies and minimum technical criteria for the planning, analysis, design and maintenance of storm drainage systems in the County. Any policies or technical criteria that are not specifically addressed in these Standards shall follow those of the most recent version of the Mile High Flood District's Urban Storm Drainage Criteria Manual (MHFD Manual), which is incorporated in these Standards by reference.

1.3 Jurisdiction

These Standards shall apply in all lands within unincorporated Larimer County including, but not limited to, to the following:

- All storm drainage systems and facilities within Larimer County rights-of-way, drainage easements (public and private) or other public-use easements.
- All privately-owned and maintained storm drainage systems and facilities.
- All new development, minor expansion, change of use, or major redevelopment, as defined in the Larimer County Land Use Code.
- The administration of drainage, floodplain and water quality provisions of the Larimer County Land Use Code and all other ordinances and regulations that require a review of drainage conditions on any property within the County.

1.4 Administration

The County Engineer is responsible for administration and enforcement of these Standards, including review of all drainage studies, plans and specifications for drainage improvements; interpretation and enforcement of the provisions of these Standards; and application of sound engineering judgement in implementing the requirements found in these Standards.

1.5 Review and Approval

The County will review all submittals for general conformance with these Standards. However, an approval by the County does not relieve the owner, engineer, or designer from responsibility

for ensuring that the calculations, plans, specifications, construction and record drawings are in compliance with these Standards, as stated in the certification of the owner's engineer.

The County may also refer submittals to other local, state or federal agencies that have an interest or responsibility for drainage and/or water quality issues.

1.6 Interpretation

The County Engineer will interpret and apply the provisions of these Standards using the following governing statements:

- These Standards provide the minimum requirements to protect the public health, safety, comfort, convenience, prosperity, and welfare of the residents of Larimer County, protect property, and minimize adverse impacts to the environment.
- Whenever a provision of these Standards and any other provisions of the Larimer County Land Use Code, law, ordinance, resolution, rule or regulation of any kind, contains any requirement(s) covering any of the same subject matter, the requirements that are more restrictive or impose higher standards will govern.
- These Standards do not abrogate or annul any easements, permits, drainage reports or construction drawings accepted by the County prior to the effective date of these Standards.
- The County Engineer has final authority to resolve any conflicting interpretations of these Standards.

1.7 Variances

Variances from the provisions of these Standards are strongly discouraged but will be considered on a case-by-case basis. A formal variance request must be submitted to the County Engineer with the following information, at a minimum, included:

- Identify the specific standard (name, number, and/or applicable language) that the variance request pertains to.
- Description and discussion of the conditions and constraints that justify the variance request.
- Description, discussion, and analysis of the proposed alternative(s).
- The Variance Request Application Fee (if applicable) must be paid.
- All variance request submittals must be signed and stamped by a professional engineer licensed in Colorado.

The County Engineer may approve a variance request if the applicant can clearly and reasonably demonstrate the following:

- The applicant has established that the standard(s) cannot be achieved due to circumstances outside of their control.

- The variance will address a unique condition that is unusual for a project of similar type, extent, magnitude or location.
- The variance represents the least deviation from the standard that will provide relief and still meet the intent of the standard.
- The variance does not increase costs of public storm drainage facilities or other public facilities, including capital costs, maintenance costs, and lifecycle costs.
- The variance does not cause undue negative impact to public safety, health, welfare and environment.

The County Engineer will notify the applicant in writing of approval or denial of the variance request.

1.8 Amendments to the Standards

These Standards may be amended over time to address new regulations, updated data and information, and overall lessons learned from the past. Such amendments shall include, by reference, updates to the MHFD Manual. Minor amendments may only require approval of the County Engineer, while all major amendments will require approval of the Board of County Commissioners. Minor amendments are those that do not substantially change a policy or technical criteria such as changes to submittal requirements, clarifications, guidance and grammar.