

Chapter 1. General Provisions

1.0 Introduction

These criteria and design standards together with all future amendments shall be known as the Douglas County Storm Drainage Design and Technical Criteria (hereafter called the “*Criteria*”). All drainage reports and plans, drainage system analyses, and drainage system designs, submitted as a requirement of the Douglas County Zoning or Subdivision Resolutions (hereafter called *Regulations*), shall comply with these *Criteria*.

1.1 Enactment Authority

The *Regulations* have been adopted pursuant to the statutory authority conferred within: Article 28 of Title 30 (County Planning); Article 2 of Title 43 (State, County, and City Highway Systems); Article 67 of Title 24 (Planned Unit Development Act); Article 20 of Title 29 (Land Use Control and Conservation); and other applicable sections of Colorado Revised Statutes, as amended.

1.2 Jurisdiction

These *Criteria* shall apply to all land within the unincorporated area of Douglas County, including any public lands. These *Criteria* shall apply to all storm drainage systems and facilities constructed in or on County Rights-of-Way, easements dedicated for drainage across public or private property, easements for public use, and to all privately owned and maintained stormwater conveyance, detention, retention, or water quality facilities.

1.3 Purpose

Presented in these *Criteria* are the policies and minimum technical criteria for the planning, analysis and design of storm drainage systems within the boundaries of unincorporated Douglas County. All subdivisions, resubdivisions, planned unit development, or any other proposed construction submitted for acceptance under the provisions of the *Regulations* shall include adequate and appropriate storm drainage system planning, analysis, and design. Such planning, analysis, and design shall conform with or exceed the criteria set forth herein. Storm drainage system planning, analysis, and design that require policies and technical criteria not specifically addressed in these *Criteria* shall follow the provisions of the Urban Drainage and Flood Control District’s (UDFCD) Urban Storm Drainage Criteria Manual, Volumes 1, 2, and 3, as amended (UDFCD Manual), which is incorporated in these *Criteria* by reference.

1.4 Amendments and Revisions

The policies and criteria may be amended as new technology is developed or if experience gained in the use of these *Criteria* indicates a need for revision. All technical criteria and policy changes must be recommended by the Public Works Engineering Director. Minor revisions will require the approval of the Public Works Engineering Director. All major revisions will require adoption, by resolution, of the Board of County Commissioners following a public hearing thereon. The Public Works Engineering

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Director shall monitor the performance and effectiveness of these *Criteria* and will recommend amendments and revisions as needed.

**TABLE 1-1
EXAMPLES OF MINOR AND MAJOR REVISIONS**

MINOR	MAJOR
Grammar	Policy changes
Submittal Requirements	Technical Criteria Changes
Clarifications	Major Construction Detail Revisions
Construction Detail Revisions for clarification, minor modification	

1.5 Enforcement Responsibility

The Public Works Engineering Director shall review all drainage reports and plans, drainage system analyses, and drainage system designs, submitted as a requirement of the *Regulations*, for compliance with these *Criteria*. The *Regulations* are enforced by the Douglas County Director of Community Development or authorized representative.

1.6 Review and Acceptance

- 1.6.1** The County shall review all drainage submittals for general compliance with these *Criteria*. An acceptance by the County does not relieve the owner, engineer, or designer from the responsibility of ensuring that the design, calculations, plans, specifications, construction, and record drawings are in compliance with these *Criteria* as stated in the owner's and engineer's certifications.
- 1.6.2** The County shall refer reports and construction plans required by these *Criteria* to the UDFCD if they are within the UDFCD boundaries. Where major drainageway improvements, outfalls to major drainageways, regional detention or water quality facilities, or floodplain modifications are proposed, UDFCD approval will be required for the design and construction of the improvements. Facilities constructed without meeting the maintenance eligibility requirements of the UDFCD will not be eligible for UDFCD maintenance assistance.
- 1.6.3** Submittals that impact FEMA designated floodplains will be required to be submitted to FEMA for review in accordance with the provisions of Chapter 5.
- 1.6.4** The County may, but is not required to, refer submittals to other agencies that have an interest or responsibility for drainage and/or water quality issues. Other review agencies may include water and sanitation districts that have accepted stormwater drainage responsibilities through intergovernmental agreements, State agencies responsible for floodplain and water quality, water rights and other stormwater related issues, the Cherry Creek Basin Water Quality Authority, or any relevant jurisdictions.

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1.7 Interpretation

In the interpretation and application of the provisions of these *Criteria* by the Public Works Engineering Director, the following shall govern:

- 1.7.1 In the interpretation and application of these *Criteria*, the provisions shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity, and welfare of the residents of the County. These *Criteria* shall therefore be regarded as remedial and shall be liberally construed to further its underlying purposes.
- 1.7.2 Whenever a provision of these *Criteria* and any other provision of the *Regulations* or any provision in any 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 shall govern.
- 1.7.3 These *Criteria* shall not abrogate or annul any easements, permits, drainage reports or construction drawings, recorded, issued, or accepted by the County prior to the effective date of these *Criteria*.

1.8 Relationship to Other Standards

These *Criteria* are written to be consistent with the *UDFCD Manual*. If special districts impose more stringent criteria, this difference is not considered a conflict. If the State or Federal government imposes stricter criteria, standards, or requirements, these may be incorporated into the County's requirements after due process and public hearing(s), if needed, to modify the County's *Regulations* and these *Criteria*.

1.9 Variances from these Criteria

Variances from the provisions of these *Criteria* will be considered on a case-by-case basis. Formal requests for variances from the standards, policies or submittal requirements of these *Criteria* shall be submitted with appropriate documentation and justification to the Public Works Engineering Director, through the development review engineer assigned to the project. The variance request and supporting documentation will be reviewed by the Public Works Engineering Director and a final decision will be made by the Public Works Engineering Director and a formal written response to the variance request will be provided to the requestor.

- 1.9.1 Variance requests must be submitted in writing to the Public Works Engineering Director and must, at a minimum, contain the following information:
 - Criteria from which the applicant seeks a variance.
 - Justification for not complying with the criteria.
 - Alternate criteria or standard that is proposed to comply with the intent of the criteria.
 - Supporting documentation, including necessary calculations, etc.

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- The variance request must be signed and stamped by a Professional Engineer licensed in the state of Colorado.