

# Town of Telluride, Colorado Construction Mitigation Plan Manual



**Effective**

**September 30, 2008**

***Revised June 2015***

*(Section Revised 4.2 Noise and new Section 4.4 Cranes 6/15)*

***Revised August 2, 2022***

*(New Sections 1.3 Notice and Section 4.3 Holidays with resulting renumbering;  
Sections Revised 5.1 Parking Management Form and Attachment A; and New  
Attachment B)*

## 1. GENERAL

### 1.1. PURPOSE

The purpose of the Town of Telluride Construction Mitigation Plan Manual (“Manual”) is to ensure that the adverse affects of certain types of construction on surrounding properties and the town as a whole are mitigated.

### 1.2. APPLICABILITY

This manual shall govern the construction and development of all public and private projects in the Town of Telluride which disturb 500 square feet of property or greater or require demolition, improvement, or renovation (interior and/or exterior) of 400 square feet or greater within any twelve-month period.

### 1.3 NOTICE

At the time of building permit issuance for any new construction or additions that disturb 500 square feet or greater, notice of construction activity shall include posting of a sign on the site that includes the information shown in Attachment B. A sign with dimensions of 24 inches (24”) by 36 inches (36”) shall be prominently displayed on the site and readable from the public road. If the parcel is located on an alley, a second sign shall also be posted and readable from the alley. Signs shall be in place while the project building permit is active.

### 1.4 DEFINITIONS AND TERMS

*Best Management Practices (BMP’s)* shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce noise, air, and water pollution. BMP’s also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.

*Construction Impact(s)* shall include excessive noise, excessive dust, any windblown trash, and excessive fugitive dirt, mud, aggregate, or concrete from clean out.

*Construction Management Plan or Plan* shall mean a Construction Management Plan is a combination of diagrams, documents, drawings, and specifications that clearly define the steps that will be taken to

demonstrate how the impacts to the community will be minimized, managed or mitigated.

*Construction Mitigation Officer* shall mean an employee of the Town of Telluride who is charged is to ensure that the requirements of the Telluride Municipal Code (“Municipal Code”) or Land Use Code are followed, including but not limited to the Construction Mitigation Plan requirements as established under Chapter 15, Article 11 of the Municipal Code.

*Disturbance Area* shall mean a portion of land where topsoil or native soils have been removed for purposes of construction (development).

*Drainage plan* shall mean a plan contained within the Construction Mitigation Plan that identifies, addresses and mitigates on-site and off-site impacts, changes and modification to historic drainage and seepage patterns caused by the project or any construction activity, including staging activity.

*Final Stabilization* shall mean that uniform vegetative cover has been established with a density of at least 70 percent of pre-disturbed levels.

*Homeowner-Builder Construction Project* shall mean a construction project that is being conducted solely by the property owner who lives on the same property on which the construction is occurring, with the homeowner-builder completing a vast majority of the required work rather than by hired subcontractors or contractors.

*Off-site staging area* shall mean any staging area not on the same lot, parcel or property as the project.

*Staging area* shall mean any area from which a project is staged or from which a project is partially staged and shall include on-site staging areas and off-site staging areas.

*Tree Dripline and Protection Zone* shall be defined as the longest branch of the tree as a radius from the center of the tree and make a circle. The circle is then defined as the dripline and thus is the tree protection zone.

*Trash or construction debris* shall mean any and all trash, refuse, junk, solid waste, recyclable materials, construction materials not used in the project, or other debris, which is produced during the construction of the project, including preparation for construction and cleanup after completion of construction.

*Wetlands* shall be as defined by the Telluride Land Use Code

## 1.5 VARIANCES

The Building Official, in consultation with the Planning and Public Works departments, may permit variances from these regulations provided the construction project will implement other best management practices that will minimize, manage or mitigate construction impacts at the same level as those set forth herein. An applicant seeking a variance shall submit a variance request concurrent with the submission of the required Plan and associated documents. Such application will include a narrative that explains how the alternative best management practice will minimize, manage or mitigate construction impacts at the same level or better than the required practices set forth herein.

#### 1.6 CONSTRUCTION MITIGATION PLAN REVIEW PROCESS

The Plan shall be submitted to the Building Department and referred by the Building Official to the Planning Department and Public Works Department. The applicant shall revise the plan to address specific Town of Telluride concerns and approval of the Plan shall be completed prior to issuance of a building permit, or prior to commencement of construction or development, as applicable.

### 2. PROJECT CONSTRUCTION MITIGATION PLAN

#### 2.1. SITE PLAN

The applicant shall submit a site plan for the project site and any off-site construction staging areas that clearly illustrate the following: fencing, dumpster(s), portable toilet(s), construction trailer(s), materials storage (laydown), concrete washout, and recycling container. This site plan shall also illustrate other required construction management or mitigation measures as provided for in this Manual. Such site plan(s) shall be drawn to scale.

#### 2.2. DISTURBANCE AREA

Soil disturbance shall be kept to a minimum. Construction staging and phasing shall occur, where applicable, to minimize soil disturbance time.

#### 2.3. DESCRIPTION

The Plan shall include an overview of the construction project including background information, proposed development type (i.e., residential, commercial, ... ) and general information.

### 3. PROJECT DOCUMENTATION

#### 3.1. PERMITS

The contractor shall maintain all applicable local, state and federal licenses and permits that apply to the construction project.

### 3.2. PROJECT CONTACTS

The Plan (on File at the Town of Telluride Building Department) shall have a contact list which includes the owner and the general contractor and the appointed overall site supervisor, along with the associated phone numbers. The “overall site supervisor” should be available whenever work is taking place at the site or the site should be provided with appropriate signage indicating how to contact the “overall site supervisor” via phone.

## 4. PROJECT IMPLEMENTATION

### 4.1. DATES OF CONSTRUCTION

Any work being performed within Telluride rights-of-way shall be completed in accordance with the Town of Telluride Right of Way permit requirements on dates listed on said permits.

### 4.2. CONSTRUCTION NOISE AND HOURS OF CONSTRUCTION

All construction or development shall comply with the noise requirements of Section 7-2-20 of the Municipal Code, a copy of which is attached hereto as Exhibit A. A general summary of those hours are listed here.

*Section 7-2-20. “Noise” (b)*  
Contractor Construction Hours  
(see code Sections for private homeowner exceptions)

\*Regular Construction *Section 7-2-20 (b) (8)*  
Mon – Fri 7:00 am - 6:00 pm  
Sat & Sun 9:00 am - 6:00 pm

\*Heavy Equipment & Chainsaws *Sections (b) (9), (11)*  
( examples: crane, front-end loader, backhoe, trackhoe, dump truck , excavator or other heavy equipment)

Mon – Fri 8:00 am - 6:00 pm  
Sat 9:00 am - 6:00 pm  
Sunday Prohibited

\*Loud Equipment or Tools *Section 7-2-20 (b) (10)*  
( examples: pile drivers, compacter, ram sets, compressors, nail guns, power saws, pneumatic tools, jack hammer, palm nailer, etc)

Mon – Fri 9:00 am - 6:00 pm  
Sat 10:00 am - 6:00 pm  
Sunday Prohibited

#### 4.3 HOLIDAYS

For purposes of this Section only, “holiday” shall mean Martin Luther King, Jr. Eve, Valentine’s Day, Presidents’ Day Eve, St. Patrick’s Day, Cinco de Mayo, Memorial Day Eve, Juneteenth, Independence Day, Labor Day Eve, Halloween, Día de los Muertos, Veterans Day Eve, Thanksgiving, and New Year’s Eve.

#### 4.4 ADJOINING PROPERTIES

No person shall excavate in close proximity to a property line so as to endanger any adjacent public street, sidewalk, and alley, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations. Where soil nailing or other structural support are proposed onto an adjoining property as a means of structural support, a legal agreement with the affected property owner that allows for the proposed soil nailing or other structural support shall be provided to the Town for review and approval prior to commencement of such proposed activity.

#### 4.5 CRANES.

The CMP will include information regarding duration and use of a crane. Transportation of a crane into and out of a site must be discussed with the town especially should transportation occur over existing town bridges so that load and capacity can be identified and mitigated if problematic. Cranes are typically discouraged; however, the town understands there could be site constraints or construction timelines that warrant use. The property owner must indemnify and add as additional insured adjoining properties should the crane boom swing over adjacent properties. Recommended insurance limits \$1,000,000 single and \$2,000,000 aggregate. The town also needs demonstration of agreement between property owners when a crane is in use and a crane boom swings over adjacent properties. Safety and proper use of a crane must be adhered to in all instances, especially during extreme weather events such as high winds.

#### 4.6 PROJECT FENCING

All construction areas shall have a non-removable construction fence or other approved device securely placed around the areas to be protected. The fence shall be six feet (6') in height and constructed out of chain-link with mesh windscreens (visual barriers) or a fencing plan presented to and approved by the Building Official. Decorative construction fence

("wood boarding") may be allowed at the discretion of the Building Official.

#### 4.7 NATURAL ENVIRONMENT

All tree, wetland and natural resource protection measures shall be identified in the Plan and in place prior to commencement of any construction or demolition activities. Refer to Section 9-12-180 of the Municipal Code, "Cutting, Removal and Relocation of Trees" for tree protection and removal requirements and process. Please refer to the Wetland Regulations of the Land Use Code contained in Article 3, Division 8. Other natural resource protection measures are provided for in the Land Use Code.

All trees to be saved as shown on the Town-approved plans shall be protected by a minimum four foot high, Town-approved fence placed at the tree dripline. All construction, utility, and staging for the project shall remain outside of this fenced drip line. Tree protection fencing shall be maintained in working condition throughout project construction until final landscaping. The Plan required site plan shall show the exact tree protection fence location, fence height and staking.

### **5. PARKING MANAGEMENT, EMERGENCY ACCESS AND STAGING AREAS**

#### 5.1. PARKING MANAGEMENT FORM

A parking plan must be submitted as part of the CMP (Plan) with proposed locations for parking of construction vehicles. The Building Department may issue temporary parking passes for projects that are subject to a Construction Mitigation Plan as per Section 1.2 in accordance with Town-adopted parking policies. These temporary parking passes are limited to six for a three-month period, at \$50 for the first pass, \$100 for the second pass and \$150 for each additional pass. Each pass must be associated with a duly issued and current Town Business License and are renewable as long as the project Building Permit is active. The Parking Pass is not effective outside the hours of construction as per Section 4.2. Additionally, construction parking pursuant to a parking plan shall not be designated on right-of-way determined to be unsuitable because of insufficient road surface width or capacity; or where additional construction parking would adversely impact the neighborhood due to previously approved parking plans in the vicinity. Parking passes shall be approved on a case-by-case basis only after the parking plan has been reviewed and approved by the Building and Planning Department.

## 5.2. EMERGENCY VEHICLE ACCESS

The contractor shall maintain continuous emergency vehicle access, on and around site, including but not limited to police, fire, and ambulance services. This emergency access includes projects adjacent to roads and alleys.

## 5.3. STAGING AREAS

The Plan shall specify construction staging area locations. The Town of Telluride Building Official and Public Works Director can request information and limit project staging locations, number of trucks per (soil hauling and materials transport) day, trucking routes, and duration of operations depending on project location and site surroundings. Right-of-Way encroachments for construction staging may be permitted by the Town as a last resort in all cases. In the case where a ROW encroachment is requested, a permit must be obtained from the Public Works Department no less than 3 working days before the obstruction is anticipated.

## 5.4. CONSTRUCTION TRAILER, MATERIALS STORAGE, AND WASTE MANAGEMENT

- 5.4.1. As specified in Section 2.1, construction trailer, job materials storage, portable restrooms, waste management and recycling container locations shall be clearly designated on the project site plan and may with the stage of the project. Loose job material storage is not allowed in under any circumstances.
- 5.4.2. Job trailers, waste management containers (all must be tarped), and portable restrooms and other similar construction facilities shall be located on private property to the extent practical, and not within a Town right-of-way. Right-of-Way encroachments may be permitted by the Town as a last resort in all cases. In the case where a ROW encroachment is requested, a permit must be obtained from the Public Works Department no less than 3 working days before the obstruction is anticipated. Per municipal code, any dumpster or other trash receptacle that is used for food refuse must be constructed in such a manner as to render it bear proof. There shall be a Town of Telluride authorized bear proof container on site at all times. All containers shall be adequately covered (tarp) at all times until transferred to the landfill. The Telluride Municipal Code states it shall be unlawful to permit accumulated debris, litter, or trash on any construction site to blow or scatter onto adjoining properties per Municipal Code, Article 10, "Construction Mitigation Plan", Section 15-10-10.

## **6. TRAFFIC CONTROL**

### **6.1. HAUL ROUTES**

The Town of Telluride may designate specific project haul roads that a project must use to transport materials. The project must follow the designated routes. Project haul routes shall be oriented to minimize traffic congestion, minimize road damage and maximize pedestrian safety.

### **6.2. TRAFFIC CONTROL FOR DELIVERIES AND OTHER CONSTRUCTION ACTIVITY**

Traffic control required for deliveries or other construction activities in a right-of-way must be fully coordinated with the Public Works Department. Roads will not be closed under any circumstances, unless granted permission from the Public Works Department.

### **6.3. VEHICLE IDLING**

Prolonged idling of motor vehicles associated with construction activity or delivery shall be in accordance with Section 10-08-20 of the Municipal Code. Per this section of the Municipal Code, vehicles are not allowed to idle for more than three minutes for starting a cold engine in winter, and idling longer than 30 seconds is considered prolonged and unreasonable unless a motor is necessary for a function for which the vehicle is designed (other than transport), such as mixing cement, grading, excavating, craning, pneumatics, etc. The general contractor must include an idling policy in the Plan that meets the Town's idling requirements contained in Section 10-08-20 of the Municipal Code.

### **6.4. TOWN SPEED LIMITS**

All motor vehicles services a project are required to follow the Town's 15 mile per hour speed limit. The general contractor must include a driving policy in the Plan that references the Town's speed limit requirements ...

### **6.5. TRAFFIC CONTROL PLAN**

A Traffic Control Plan ("TCP") may be required as part of the Construction Management Plan if necessary; to be determined by Public Works Department.

## **7. PEDESTRIAN PROTECTION**

The Plan shall comply with pedestrian safety per the MUTCD (Manual of Uniform Traffic Control for Streets and Highways) Chapter 6D, the Americans with Disability Act and IBC Chapter 33. Public sidewalks, walkways, and trails must remain open to pedestrians or an alternative pedestrian travel way must be approved.

## **8. SEDIMENT AND EROSION CONTROL**

### **8.1. REQUIREMENTS**

8.1.1. For sites that are one **(1) acre or larger**, a Storm Water Pollution Prevention Plan ("SWPPP") shall be completed along with the Plan. The SWPPP shall be designed in accordance with the Colorado Department of Public Health and Environment Water Quality Control Division General Permit Part IB. The main objective of the SWPPP shall be to identify Best Management Practices that will minimize erosion and sediment transport. In addition to the Colorado Discharge Service Permit (the program) requirements, the following requirements shall apply:

- 8.1.1.1. Stock piles must be protected with erosion control devices.
- 8.1.1.2. Mud tracking ramps (rock construction entrances or an equivalent) are required and implemented per the most current version of the Colorado Department of Transportation M&S construction standards. If there is no space on the site for a ramp, daily street sweeping procedures shall be implemented.
- 8.1.1.3. Town inlets, gutters, swales and ditches shall be protected with erosion control devices and such projection maintained for the duration of the project.
- 8.1.1.4. A description of procedures used to protect and maintain in good and effective operating condition the erosion/sediment control measures until final stabilization is required.

## **9. FUGITIVE DUST CONTROL**

A construction shall use best management practices to minimize dust emissions from a site to the extent practicable. Dust generated from all sites shall be minimized by the use of appropriate best management practices, such as but not limited to covering soil stockpile areas, watering down soil storage areas or disturbed areas, or completely sealing off a building

undergoing interior or exterior demolition that raises dust. All concrete or stone/masonry cutting shall use water to eliminate dust.

#### **10. NOISE SUPPRESSION**

All construction equipment shall be adequately muffled and maintained to minimize project noise. The installation of noise barriers is the minimum technique to suppress noise, especially when jack hammering of concrete occurs.

#### **11. AGREEMENT REQUIRED**

The general contractor or person responsible for the construction or development activity shall sign an agreement with the Town that documents the key requirements of the Plan, this Manual or the Municipal Code. The form and content of such agreement shall be provided by the Town to the applicant for its signature, and such signature shall be obtained only after all conditions and requirements have been read, and prior to the commencement of any construction activity.

#### **12. ENFORCEMENT AND PENALTIES**

Enforcement of the requirements of this Manual shall be conducted by the Planning and Building Department, Public Works Department and the Town Marshall. A violation of any of the provisions of the Manual shall constitute a misdemeanor, punishable upon conviction by penalty as set forth in Paragraph 1-4-10(a)(1) of the Telluride Municipal Code for each separate offense. A separate offense shall be deemed committed on each day or portion thereof that the violation of any of the provisions of the Manual occurs or continues unabated after the time limit set for abatement of the violation.

Attachment A  
Building Permit # \_\_\_\_\_

## Agreement

Contact Info: please print

General Contractor and/or  
Overall Site Supervisor: \_\_\_\_\_  
Company: \_\_\_\_\_  
Property Owner: \_\_\_\_\_  
Property Address: \_\_\_\_\_  
Business Phone # \_\_\_\_\_  
Cell phone# \_\_\_\_\_

I attest that I have read and agree to comply as required with all the provisions of the Construction Mitigation Plan Manual and understand that a Construction Mitigation Plan along with any variance request must be submitted to the Building Department and approved by the Planning and Public Works Departments prior to the issuance of a building permit:

X  
\_\_\_\_\_  
Signature Date

# ACTIVE CONSTRUCTION

BUILDING PERMIT NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PROJECT: **Type of Construction** ( \_\_\_\_\_ sq.ft.)

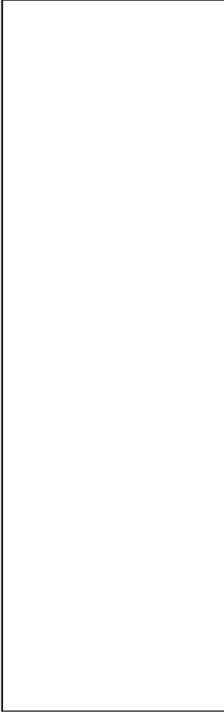
OWNER: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

CONTACT: \_\_\_\_\_, Superintendent 970-728-xxxx

EMERGENCY CONTACT: \_\_\_\_\_ 970-728-xxxx

WEBSITE CONTACT: URL or email address



\_\_\_\_\_ Elevation – New Construction

**\* PARKING, ACCESS, AND STAGING PLANS:**  
Proposed Location of Vehicle Parking  
Proposed Staging Area Locations  
Proposed Location of Construction Trailers

\*as required by Construction Mitigation Plan Manual Effective Sept. 30, 2008, Revised June 2015, and August 2, 2022



## HOURS OF CONSTRUCTION

**\*Regular Construction:**

Mon – Fri 7:00 am - 6:00 pm  
Sat & Sun 9:00 am - 6:00 pm

**\*Heavy Equipment & Chainsaws:**

Mon – Fri 8:00 am - 6:00 pm  
Sat 9:00 am - 6:00 pm  
Sunday Prohibited

**\*Loud Equipment or Tools:**

Mon – Fri 9:00 am - 6:00 pm  
Sat 10:00 am - 6:00 pm  
Sunday Prohibited

\*Section 7-2-20 Noise - Town of Telluride Municipal Code (not including any exceptions)