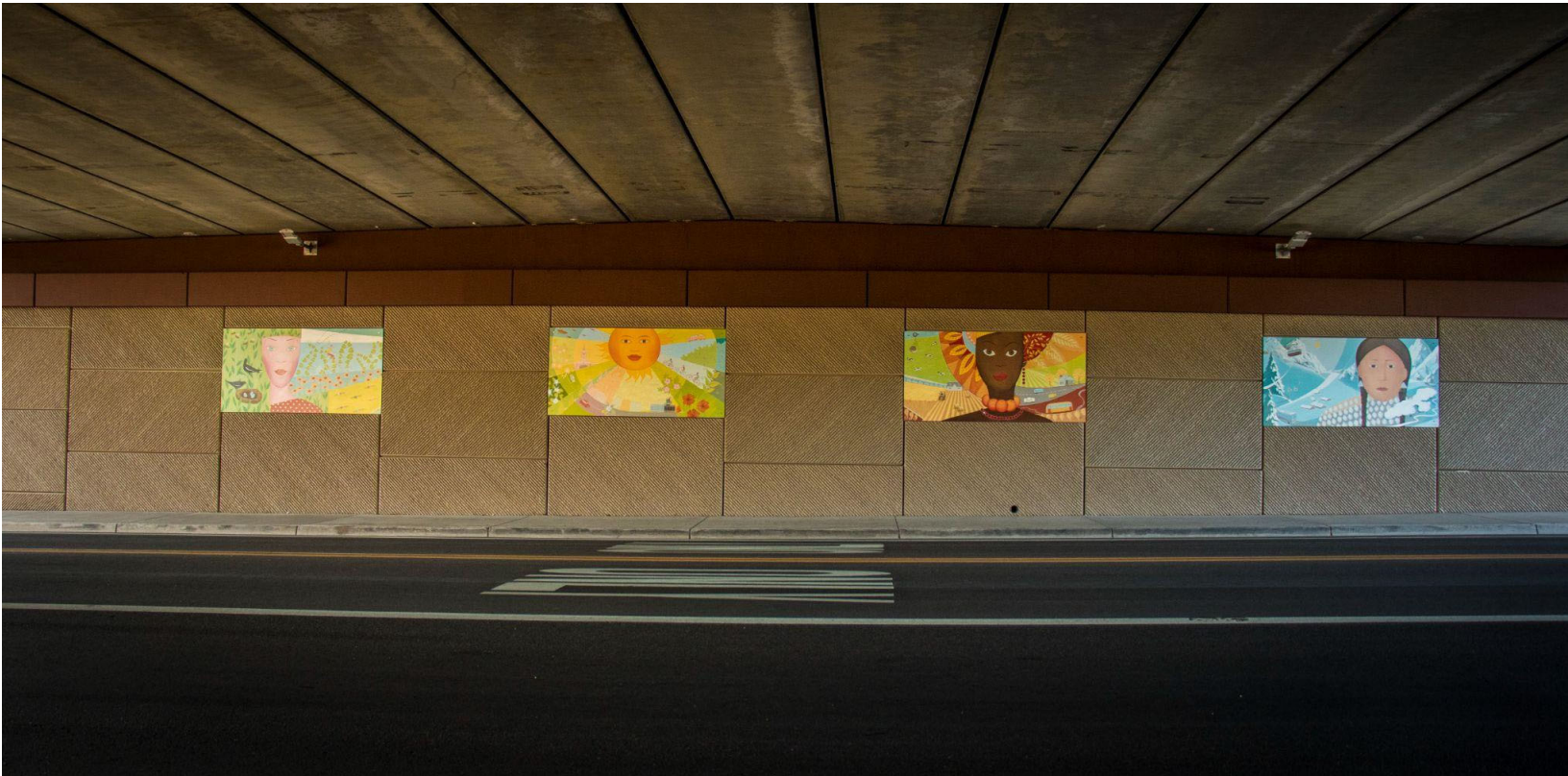




**COLORADO**  
Department of Transportation

# COLORADO DEPARTMENT OF TRANSPORTATION



## **Guidelines for Integrating Artwork Into the Colorado Department of Transportation (CDOT) Facilities**

2024 Edition

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## ACRONYMS

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<b>AADT</b>	Annual Average Daily Traffic
<b>AASHTO</b>	American Association of State Highway Transportation Officials
<b>ADA</b>	Americans with Disabilities Act
<b>CDOT</b>	Colorado Department of Transportation
<b>FHWA</b>	Federal Highway Association
<b>IGA</b>	Intergovernmental agreements
<b>MPH</b>	Miles per hour
<b>MUTCD</b>	Manual on Uniform Traffic Control Devices
<b>PE</b>	Professional Engineer
<b>ROW</b>	Right of Way
<b>RTE</b>	Region Traffic Engineer

## DEFINITIONS

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<b>AADT</b>	The annual average two-way daily traffic volume. It represents the total traffic on a section for the year, divided by 365. It includes both weekday and weekend traffic volumes.
<b>Clear Zone</b>	An unobstructed, traversable roadside area that allows a driver to stop safely or regain control of a vehicle that has left the roadway.
<b>Gore</b>	The area located between the main roadway and the ramp just beyond where the ramp branches from the main roadway.
<b>High Speed</b>	A facility with a posted speed greater than 45 mph
<b>High Volume</b>	A facility classified as a F-W (Interstate System, Freeway Facilities), E-X (Expressway, Major Bypass), R-A (Regional Highway), NR-A (Non-Rural Principal Highway), F-R (Frontage Road) per the Access Category Classifications in the latest version of the <i>State of Colorado State Highway Access Code</i> . <sup>1</sup>
<b>Low Speed</b>	A facility with a posted speed of 45 mph or less.
<b>Low Volume</b>	A facility classified as a R-B (Rural Highway) per the Access Category Classifications in the latest version of the <i>State of Colorado State Highway Access Code</i> .

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<sup>1</sup>The facility classification may be found on CDOT's Online Transportation Information System website (<https://dtdapps.coloradodot.info/otis/HighwayData>).

## **PURPOSE**

Art and artistic design can help create useful and visually appealing urban spaces. Art has the ability to enrich Colorado's residents and visitors' quality of life, provide a sense of place, and add interest and vitality to the landscape. This guidance document covers integration of artistic treatments, artwork placed along highways or other structures, and freestanding artwork within CDOT'S Right of Way (ROW)<sup>2</sup>. This guidance emphasizes the importance of designs sensitive to nearby communities, the surrounding environment, and the safety of the traveling public. This document sets the minimum standards for CDOT's Region Traffic Engineers (RTE) to approve of and permit the installation of public artwork such that a safe and pleasing experience is maintained along highways for all users and neighboring communities.

## **APPLICATION PROCESS**

This document covers a wide variety of diverse art forms and art features, including but not limited to monuments, recognizable and abstract forms, graphic designs, sculptures, murals, and related architectural treatments, added to, or incorporated within highway ROW and on structures to enhance the public space. The design of all artwork must be coordinated with the aesthetic design of the highway system and all its parts. Primarily, the artwork must have no impact on the function of the highway and the safety of the public. This includes respecting the roadway circumstances, which includes but is not limited to, the clear zone, traffic control devices, vehicle, pedestrian and bicyclist safety, transportation facility users including ADA compliance and environment affected by the artwork.

Prior to submitting an application, the artwork must be sponsored by a local agency, vetted through a public process, and the application shall be accompanied by a resolution from the agency's governing body. The local agency should make all efforts to actively seek opportunities to collaborate with artists from diverse backgrounds, cultures, and perspectives. The resolution should state the agency's governing body request for the artwork within CDOT's ROW. The applicant shall submit a Special Use Permits Application (<https://www.codot.gov/business/permits/utilitiesspecialuse>) for incorporating artwork into transportation facilities to the appropriate CDOT Region Permit Manager. The application should contain the following:

1. Name and contact information of the artwork sponsor, designer(s), and structural engineer. Include information about individuals responsible for the tasks that must be undertaken to achieve the project's goals.
2. Scaled preliminary drawings, models, and presentation materials of the proposed artwork sufficient to communicate the design intent. The detailed plan set will include the following at minimum:
  - a. Scaled preliminary drawings of the proposed art installation. Include detailed plans and sections, including sketches, photographs, and additional narrative and attachments as needed.
  - b. Proposed location(s) showing the existing topography, highway name, cross streets, mile marker, latitude and longitude, and the dimensions and offsets to the ROW, edge of pavement, centerline, provided clear zone and the suggested clear zone per chapter 3 of the latest edition of AASHTO's *Roadside Design Guide*. Locations near sidewalks or bike paths must also include dimensions of the sidewalk or bike path and the horizontal and vertical clearance of artwork to the edge of sidewalk or bike path to ensure ADA compliance is met.
  - c. The proposed artwork's proximity to transportation facilities (roadway, bridge, rail, trail, etc.).
  - d. Proposed lighting and identification of source of electrical power, if applicable.
  - e. Known existing and proposed utilities in ROW and proximity to proposed artwork.
  - f. Known and proposed easements.
  - g. Proposed materials.
  - h. Temporary Traffic Control Plans for installation. This should include Americans with Disabilities Act (ADA) compliant pedestrian traffic control.

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<sup>2</sup> A map showing CDOT ROW boundaries may be found at <https://dtdapps.coloradodot.info/MapView/>.



- i. Engineering calculations, including plan and details, should be signed, and stamped by a licensed Professional Engineer (PE) if the proposal includes freestanding art, new structures, foundations, or superficial modifications of existing CDOT structures.
3. A written description of the project requirements. Include the key components of project, such as:
  - a. The importance of the proposed artwork to the highway and/or community.
  - b. Description of the artwork.
  - c. Artist statement that includes the artistic vision and approach.
  - d. Where the artwork will be installed.
  - e. The integration of the artwork into the roadway and other highway elements.
  - f. Stages of design.
  - g. Existing and proposed facilities.
  - h. Target date for completion and all schedule requirements or constraints to meet target.
  - i. Budget estimate and sources of funding. Budget estimates should include cost of design, installation, maintenance, restoration, and removal for its projected lifespan.
  - j. Codes, regulations and required design reviews.
  - k. For corridors that have a Design Guidelines or Aesthetic Treatment Plan document in place. Please include a copy of the document and a statement that the artwork meets the guidelines.
  - l. Maintenance requirements and responsibilities. A maintenance plan that includes the following at a minimum:
    - i. The estimated life span of the artwork.
    - ii. Quality of paints, finishes, coatings, and other materials.
    - iii. A narrative identifying that the artwork will not be allowed to deteriorate, become visually unsightly or lose its essential artistic element and that it will be removed by the applicant if not properly maintained or if it has reached the end of its lifespan. The Region Traffic Engineer can make the determination on whether the art has deteriorated and should be removed.
    - iv. The artwork inspection schedules along with details on how the applicant will conduct repairs and restoration activities including graffiti removal.
    - v. Provisions for inspection of free-standing structures by qualified engineers at least every two years to assess the artwork for structural soundness and stability. This should include the tracking mechanism that will be used to ensure inspections are conducted.
    - vi. Necessary traffic control measures (if applicable) for regular maintenance activities.
    - vii. Details regarding necessary snow removal measures for accessing the art and the responsible party for these duties.
    - viii. Description and design of appurtenances such as lighting as well as how and who will maintain. This shall include who will own, pay for, and maintain any utilities serving the art installation.

Applications will be submitted to the Region Permit Manager for initial review and comment. The Permit Manager may convene a design evaluation team to assist in their evaluation. This team will consist of the RTE, the CDOT Traffic Specifications & Standards Engineer, the CDOT Outdoor Advertising Manager and representatives from the CDOT Bridge Design & Management Branch, the CDOT Maintenance and Operations Branch, Property Management, and others, as needed. The Scenic Byway Manager should be included in the design evaluation team for artwork located on a Colorado Scenic and Historic Byway (<https://www.codot.gov/travel/colorado-byways>).

The RTE will have final approval authority to permit the artwork or art-related features within CDOT ROW. The Special Use Permit will contain provisions for State of Colorado and CDOT indemnification, including from the latest version of the Visual Artists Rights Act, and Certificates of Insurance for the artwork.

## SAFETY REQUIREMENTS

CDOT will use engineering judgment to determine whether the proposed artwork could be a safety hazard and/or distraction to transportation facility users. Artwork can be considered a safety hazard by reducing drivers' visibility, creating glare, having distracting elements, or being placed in the clear zone. Artwork should be placed outside of the clear zone or properly shielded with the proper guardrail and end sections.

Locations which invite or cause viewers to stop their vehicle to observe, photograph or stop and access the artwork on foot will not be approved unless a sidewalk is provided, and the applicant has proven and documented through an engineering study that the art is not a safety hazard for those accessing the site.

Public access is prohibited on high volume and high-speed facilities. The CDOT RTE may prohibit public access based on engineering judgement. If a public access to the artwork is allowed on a low volume and low speed facility, site access must meet the ADA requirements.

## DESIGN REQUIREMENTS

All artwork should meet the following requirements:

1. Artwork must be located completely within the CDOT ROW. All construction and maintenance activities will be completed without access or egress from the traveled way on any Colorado state highway section where the posted speed is greater than 45 miles per hour, unless otherwise approved by the RTE. Artwork that would require access or egress from the interstate mainline section for construction or maintenance activities will not be approved.
2. Artwork will not be attached to bridge structures but will be harmoniously integrated with the architectural design of these structures. In general, artwork which meets the aesthetic requirements of the highway, or its components as specified in the respective corridor's Design Guidelines or Aesthetic Treatment Plan document may be approved. If specific guidance does not exist, Context Sensitive Solution as defined by FHWA may be used ([https://www.fhwa.dot.gov/planning/css/what\\_is\\_css/](https://www.fhwa.dot.gov/planning/css/what_is_css/)). Artwork which detracts from the visual quality or functionality of any highway feature will not be approved.
3. The local agency should make all efforts to ensure the following is met:
  - a. Artwork is thoughtfully integrated into the surrounding environment, considering unique characteristics, culture of the site and celebrates the diverse cultures and history of where it is located.
  - b. Artists and administrators should collaborate with surrounding cities and regions to ensure that artworks harmonize with the existing landscape, architecture, and community context through site visits, research, and community engagement.
  - c. The artwork's appearance and visual relationships with the surrounding environment should be considered. The Artwork which conflicts with local values or is determined to not be in the public interest will not be approved.
  - d. Artwork should exhibit lasting qualities that are not subject to change within a short period of time.
  - e. Artwork must resist deterioration from environmental factors and allow for its preservation and care over time.
  - f. The local agency should do due diligence and follow up with local organizations and agencies to determine if other designations, criteria, or guidelines exist for the area, such as, historic districts, creative districts, designated Scenic Byways, etc.
4. As part of the application packet requirements listed above, the applicant must demonstrate that the proposed artwork will not compromise motorist safety, road and roadside functions or highway design standards. No public artwork features will be located within the clear zone for the design speed. In addition, the proposed artwork location must conform to the ADA design criteria, if applicable, for access.
5. The proposed artwork must:
  - a. Be appropriate to its proposed setting and be in proper scale with its surroundings.
  - b. Be either a freestanding structure or integrated with an engineered transportation feature.

- c. Located where maintenance can be safely performed and does not interfere with maintenance access.
  - d. Materials that are approved by CDOT and are durable for the projected lifespan and are vandal resistant.
  - e. Fully funded for its project lifespan, including the design, installation, maintenance, restoration, and removal
6. The proposed artwork will not:
- a. Become a public nuisance.
  - b. Exceed 24 feet in height.
  - c. Diminish the effectiveness of a sidewalk.
    - i. Any sidewalk overhead obstructions must have a minimum 10 ft vertical clearance and must not impinge on or restrict the adjacent walkway.
  - d. Distract or confuse facility users.
    - i. Use or simulate colors or a combination of colors reserved for official traffic control devices as described in section 1A.13 of the Manual on Uniform Traffic Control Devices. (<https://mutcd.fhwa.dot.gov/>)
    - ii. Imitate, obscure, or interfere with traffic control devices.
    - iii. Simulate movement or include moving elements.
    - iv. Flashing disks that simulate lighting.
    - v. Include reflective or glaring surface finishes.
    - vi. Include illumination (e.g., blinking, or intermittent lights) that impairs the vision of or distracts facility users. Other lighting may be permitted.
  - e. Expose observers to undue risk.
  - f. Be located on the gore or median areas of a limited access highway.
  - g. Be located so as to constitute an obstruction to navigation, restrict sight distances or visual site triangles.
  - h. Display symbols or icons such as flags, logos, or commercial symbols deemed by CDOT as advertising or sponsorship (<https://www.codot.gov/programs/signs/assets/outdoor-advertising-manual>).
  - i. Display religious or anti-religious symbols, icons, or references.
  - j. Display political symbols or messaging. Only political boundary and identification signs that meet CDOT's latest version of Guide Signing Policies and Procedures shall be allowed (<https://www.codot.gov/safety/traffic-safety/assets/documents/colorado-guide-signing-policies-and-procedures-2021>).
  - k. Include water features.
    - l. Be placed on trees, rocks, or other natural features.
  - m. Adversely impact existing structures, drainage patterns, stormwater runoff quality, landscaping, or natural vegetation.
  - n. Involve painting of or on load-carrying, stress-bearing structural members. Paint used on structures should not fill or obscure cracks.
  - o. Hinder inspection of bridges, retaining walls, and other structures.
  - p. Include physical, structural modification of existing concrete or other surfaces.
  - q. Be placed in a way to hinder routine maintenance on existing 3rd party utility infrastructure installed inside the CDOT ROW.
  - r. Be spanning all or part of the highway or sidewalk.
7. Artwork that requires electricity will be evaluated for approval on a case-by-case basis by the RTE.
8. Non-traffic-related signs that may be permitted along highways, include Municipal Entrance Identification Signs within the ROW, Community Identification Signs off the ROW and Community Recognition Signs. Such signs will be reviewed by the appropriate RTE for conformance with the applicable rules.
9. Artwork must have technical plans signed and stamped by a licensed professional engineer registered in the State of Colorado demonstrating structural stability and the ability to withstand the necessary wind loads in accordance with the most current AASHTO design standards. Artwork should also be designed using long lasting materials and construction techniques which require minimal care and resist vandalism.



10. Artwork placed on highway structures (excluding bridges) will not be detrimental to the longevity of the structure. Neither will it unduly inhibit maintenance of the structure by restricting access to inspect, paint or perform other maintenance operations. Artwork placed on highway structures must have technical plans signed and stamped by a licensed professional engineer registered in the State of Colorado to assure the integrity of the structure is not compromised by the addition of the artwork.
11. Aesthetic treatments in crosswalks must meet FHWA's Interpretation Letter 3(09)-24(1) - Application of Colored Pavement ([https://mutcd.fhwa.dot.gov/resources/interpretations/3\\_09\\_24.htm](https://mutcd.fhwa.dot.gov/resources/interpretations/3_09_24.htm)).

## **CONSTRUCTION REQUIREMENTS**

Artwork must be constructed in accordance with a project work plan and developed as part of the process of negotiating intergovernmental agreements (IGA). Installation must comply with all Special Use Permit requirements, approved shop drawings and the latest edition of the CDOT's "Standard Specifications for Road and Bridge Construction." (<https://www.codot.gov/business/designsupport/cdot-construction-specifications>)

Construction will not begin until a Special Use Permit is fully executed by the Region. Projects within the interstate ROW will require FHWA approval. The Permit will not be issued until the sponsor's local agency ordinance or resolution, Special Use Permit, Certificates of Insurance, IGA, complete plans and specifications (including Traffic Control Plan) and other documentation required by RTE have been provided.

## **MAINTENANCE/INSPECTION REQUIREMENTS**

The maintenance of the artwork is the responsibility of the Permittee throughout its lifecycle and must be placed in a location where the art may be easily and properly maintained. If additional sidewalk is required to access the artwork it will be the responsibility of the Permittee to maintain. In addition, its placement must allow for safe access for CDOT maintenance personnel and equipment to easily and properly maintain the transportation infrastructure, adjacent landscaping and any other maintenance activities required within the right of way. At no time should any maintenance activity interfere with traffic movements along the highway and construction activities.

In the case of artwork on transportation infrastructure, painting or other enhancements will not impair the structural integrity nor impede CDOT's ability to inspect and repair a structure. All paints, finishes, coatings, and other enhancements must be approved by RTE prior to their use. Artwork that requires its own structural support and the failure of the structural supports could cross the travel way should be assigned a structure number and be inspected every two years by the permittee. The permittee will submit the report to the Region Permit Manager.

Artwork damaged by vehicular collisions, vandalism, acts of nature or necessitated by maintenance operations or construction projects will be required to be repaired or removed by the artwork Permittee within 30 days of written notice. If the artwork permittee is unable to meet the 30 days written notice a work plan must be submitted to CDOT acknowledging CDOT's concerns and justifying the delay in repairing or removing. Damaged artwork that creates a safety issue must be repaired or removed by the artwork permittee as soon as possible. If the artwork is not repaired or removed as required, the artwork will be removed by CDOT or its agents without commitment for restoration or replacement. The artwork permittee will be responsible for all costs associated with the removal of the artwork and all facilities accessing the art. All graffiti will be removed by the artwork permittee within two business days of written notice from the RTE at no cost to CDOT. If the permittee is unable to remove graffiti within two business days, the sponsor must submit a work plan to the RTE for review acknowledging the notice and timeline of graffiti removal. The permittee must submit photo confirmation to the RTE once graffiti has been removed.

## **MODIFICATION AND/OR REMOVAL**

CDOT, in its sole discretion, reserves the right to remove artwork at the cost of the permittee from CDOT right of way for any reason, including but not limited to safety concerns, failure of applicant to maintain the artwork properly, deterioration of the artwork or surrounding area, or future CDOT construction or maintenance activities.

CDOT reserves the right to alter infrastructure, landscape, and other transportation elements near and adjacent to the artwork when required for the maintenance and operation of the transportation facility.

Prior to rebuilding or relocating any sidewalk to access the artwork the permittee shall coordinate with the RTE to determine if it should be removed or kept.

## **APPROVED PROJECTS**

The artwork sponsor will have sole responsibility for all of the costs involved with the design, installation, maintenance, and removal of approved artwork projects. When proposals are linked to aesthetic requirements of the highway by enhancing aesthetic or architectural design themes, the cost of the artwork and/or artistic treatments may be eligible for CDOT participation. Local Agency projects will need to follow all CDOT and FHWA requirements for these types of projects.





## APPENDIX A: ARTWORK EXAMPLES

### SCULPTURE AT US 340 ROUNDABOUT



## SCULPTURE AT I-70 & HORIZON DRIVE INTERCHANGE





**MURAL AT I-25 AND COLORADO AVE UNDERPASS**



**MURAL AT US 6 AND FEDERAL BOULEVARD**

