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## REFERRAL OF APPLICATIONS

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### 1.1. PURPOSE

The purpose of this procedure is to provide the basic structure for determining which referral agencies (internal to the County and external) should receive a copy of an application and have the opportunity to provide comments for consideration in the application review process.

### 1.2. DESCRIPTION

Application referrals may be conducted in association with a Type B Application and are typically conducted with Type C and D Applications. The referrals are performed in order to meet statutory requirements, to ensure that all affected agencies are provided with an opportunity to review proposed projects and activities within their jurisdiction that could impact them or their ability to provide services, to determine compliance of the proposed application, project, or activity with all applicable rules and regulations, and to utilize the technical skills of those agencies most appropriately versed in reviewing certain components of the proposed project or activity for conformance with applicable laws and regulations.

The agencies who receive a referral depend on the specific nature, extent, intensity and impact of the application.

### 1.3. PROCESS

#### 1.3.1. Determining Review Agencies

The assigned PCD Planner, in consultation with the assigned PCD Engineer and any other applicable MDT member, is responsible for deciding which referral agencies should obtain a copy of the application submittals and which supporting documents within the application submittals are necessary for their review. The Submittal Matrix provided by the PCD Planner identifies the review agencies that are scheduled to receive a referral from the County on an individual application-by-application basis.

The following provides general guidance with respect to when an agency (internal to the County or external) should be provided with the opportunity to review and provide comment concerning an application. Generally, the assigned PCD Planner should tend err on the side of providing more agencies the opportunity to review and comment on the application. The assigned PCD Planner may also need to identify other agencies not specifically identified below that should be provided an opportunity to provide technical input concerning an application. In addition, there may also be other agencies or entities that should be provided a courtesy referral based upon department policy or direction.

#### **(A) Planning and Community Development Multi-Disciplinary Team (MDT)**

##### **(1) PCD Planner**

The PCD Planner manages the overall processing and review of the application and maintains the official project file which includes all application materials. The PCD Planner primarily reviews the application for compliance with the LDC, but may also be part of the review team responsible for determining compliance with other applicable rules, ordinances, and laws.

**(2) PCD Engineer**

The PCD Engineer primarily reviews the traffic and drainage related aspects of the application for compliance with the LDC, ECM, and/or DCM, as applicable. The PCD Engineer shall be provided with a copy of any development application where the application requires review for compliance with those regulations.

**(B) Pikes Peak Regional Building Department**

The Pikes Peak Regional Building Department (RBD) shall be provided with a copy of any application that requires confirmation of building permit issuance or building code compliance, or where the application involves the assignment of addresses, or if the property that is the subject of the application is located within or affects floodplain areas.

**(C) El Paso County Attorney's Office**

The County Attorney's Office shall be provided with a copy of any application that creates a legal question, relates to a code enforcement action which has been authorized for legal action, relates to a special district service plan, applications for Areas and Activities of State Interest, or involves review of water supply for conformance with state law or the water supply standards of the LDC. The County Attorney's Office also reviews and may provide comments on Subdivision Improvement Agreements, Development Agreements, Road Impact Fee applicability, and any other related legal document or issue(s).

**(D) EPC Public Health**

EPC Public Health shall be provided with a copy of any application that triggers the need for air quality permits or review, water quality permits or review, drinking water quality analysis, wastewater treatment analysis, solid waste treatment or disposal, or where the application requires a determination of compliance with the Health Code.

**(E) El Paso County Sheriff's Office**

The Sheriff's Office shall be provided with a copy of any application for a rezoning or subdivision, or which affects public safety or the provision of necessary services or facilities.

**(F) Emergency 911**

Emergency 911 shall be provided with a copy of any application where the application may result in the need to establish or modify street names.

**(G) El Paso County Parks Division (including Park Advisory Board)**

The County Parks Division shall be provided with a copy of any application that is adjacent to or affects County parks, open space or trails or if the application results in the dedication of land for parks or the payment of fees in lieu of land dedication pursuant to the LDC.

**(H) El Paso County Environmental Services Division**

The County Environmental Services Division shall be provided with a copy of any application that results in a dedication or conveyance of property to El Paso County, is located within a forested area, is located in an area identified as potentially containing noxious weeds, would result in any impacts to endangered or threatened species, or where compliance with local, state, or federal environmental standards should be evaluated.

**(I) Electrical Service Providers**

The electric provider, which varies from area to area within the County, shall be provided with a copy of any application where the application is a subdivision and a commitment letter has been provided, or if the application results in the need to provide electric facilities or easements, or if the application could affect electric facilities or easements.

**(J) Gas Providers (If applicable)**

The gas provider, which varies from area to area within the County, shall be provided with a copy of any application where the application is a subdivision and a commitment letter has been provided, or if the application results in the need to provide gas facilities or easements, or if the application could affect gas facilities or easements.

**(K) Fire Districts**

The Fire District or Fire department shall be provided with a copy of any application where the application is a subdivision and a commitment letter has been provided, or it is a rezoning to a higher density, or is an application that proposes construction within the boundaries of a fire district.

**(L) School Districts**

The school district shall be provided with a copy of any application where the application is located adjacent to or includes a school property or results in the dedication of land for school needs or the payment of fees in lieu of land dedication pursuant to the LDC.

**(M) Special Districts**

Applicable special districts shall be provided with a copy of any application where the application is a subdivision, where traffic impact fees are collected by the district, or where a commitment letter (water and/or sewer) has been provided, or where an application results in the need to provide facilities or easements which will be utilized by the district or which affects facilities, easements, or maintenance responsibilities of a special district.

**(N) Ground Water Management Districts**

The ground water management district(s) shall be provided with a copy of any application where the application is a subdivision application, or exemption, or generates questions regarding ground water usage.

**(O) Counties and Municipalities (if within two miles)**

Counties located within two (2) miles of the property that is the subject of the application shall be provided with a copy of the application where the application is subdivision of land and the traffic from the proposed development could have an impact on roadways located within the other County. Municipalities located within two miles of the property that is the subject of the application shall be provided with a copy of the application where the application is subdivision of land, or would have an impact on municipal operations or facilities, or which applies to land which is included in an annexation plan for the municipality.

**(P) Colorado Parks and Wildlife (CPW)**

CPW shall be provided with a copy of any application where significant wildlife habitat or wetlands are present on the property or where state listed species may be present.

**(Q) Colorado Geologic Survey (CGS)**

CGS shall be provided with a copy of any application where a soils and geology report has been submitted and the application is a subdivision (sketch plan, preliminary plan, minor subdivision, vacation and replat, etc.) or is an application for a Certificate of Designation for a solid waste disposal site and facility.

**(R) Natural Resources Conservation Services (NRCS)**

NRCS shall be provided with a copy of any application where the application is a subdivision (sketch plan, preliminary plan, minor subdivision, vacation and replat, etc.), is an application for a Certificate of Designation for a solid waste disposal site and facility, or would have an impact on agricultural operations.

**(S) Colorado State Forest Service (CSFS)**

CSFS shall be provided with a copy of any application where the application is a subdivision of land located in a forested area.

**(T) Colorado State Water Engineer**

The Office of the Colorado State Water Engineer shall be provided with a copy of any application for a subdivision application, subdivision exemption, or generates questions regarding the legal ability to utilize the proposed water supply for the intended use.

**(U) United States Army Corps of Engineers (ACOE)**

The United States ACOE shall be provided with a copy of any application where wetlands are identified on the property or where development pursuant to the application may affect wetlands.

**(V) El Paso County Stormwater Division**

The El Paso County Stormwater Division primarily reviews the stormwater and drainage related aspects of the application for compliance with the ECM, and/or DCM, as applicable pertaining to compliance with the County's MS4 permit. The El Paso County Stormwater Division shall be provided with a copy of any

development application where the application requires review for compliance with those regulations.

**(W) City of Colorado Springs Airport**

The City of Colorado Springs Airport shall be provided with a copy of any application for a subdivision application, subdivision exemption, map amendment (rezone), or new development within the CAD-O designated area.

**(X) Colorado Department of Transportation**

The Colorado Department of Transportation (CDOT) shall be provided with a copy of any application for new development which either proposes access, or has access, from a roadway which is owned or maintained by CDOT or for new development which may result in a significant increase of traffic on a CDOT roadway.

**(Y) Other Referral Agencies**

All other referral agencies are determined at the Early Assistance meeting or based upon the technical merits and review of the application.

**1.3.2. Review of Preliminary Plans and Final Plats**

At a minimum, all preliminary plans and final plats, including minor subdivisions, where a preliminary plan has been waived or where preliminary plan and final plat applications have been submitted concurrently, shall be referred to the following agencies as required by law (C.R.S. § 30-28-136(1)):

- To school districts whose boundaries fall within any portion of the proposed subdivision;
- To counties and municipalities within two (2) miles of any portion of the proposed subdivision;
- To utility, local improvement and service districts or ditch companies whose boundaries fall within any portion of the proposed subdivision;
- To Colorado State Forest Service, if applicable;
- To the local conservation district board, if applicable,
- To county health department where any onsite wastewater disposal is proposed or a finding of water quality is being requested;
- To the State Engineer, if applicable; and
- To the Colorado Geologic Survey, if applicable.

All agencies are requested to review the materials and provide comments within 21 days after receiving the EDARP referral, as required by statute (C.R.S. § 30-28-136(2)).

**1.3.3. Transmittal to Referral Agencies**

All materials shall be transmitted to the review agencies (internal to the County and external) via EDARP upon submittal, unless an alternative process is approved by the PCD Director. It is important to note that not all referral agencies receive all of the supporting reports and documentation, but instead receive those that pertain to their respective disciplines. A customized submittal matrix shall be prepared for all Type C

and Type D Development Applications where an Early Assistance Meeting is held or upon request by the applicant.

**1.3.4. Receipt of Review Agency Comments**

Comments provided by referral agencies via EDARP. EDARP will maintain a record of any review comments from the PCD Planner, other MDT members, and all responding referral agencies. The comments are transmitted to the applicant via EDARP. The applicant is responsible for responding to all comments that warrant a detailed response or revisions to the application and/or the documents supporting the application.

**1.4. REFERENCE**

**1.4.1. Applicable Statues and Regulations**

C.R.S. § 30-2-103; 30-28-136(1); and 30-28-136(2)

LDC: Sections 2.1.2 and 2.2.4