
STEP-BY-STEP REVIEW PROCESS

1.1 PROCESS**1.3.1. Step 1 Early Assistance Meeting**

The initial step of the application review process can vary depending on the application type. For Type A and B Applications, an Early Assistance meeting is typically not required and the review process should begin at the point of intake by the PCD front counter or EDARP, as appropriate. For Type C Applications, an Early Assistance meeting may be applied for by the applicant if desired or it may be required at the discretion of the PCD Director. An early assistance meeting is required for all Type D Application. The following outlines the early assistance meeting requirements on an application-type-by-application-type basis as well as the purpose and procedures for the Early Assistance meeting:

(A) Early Assistance Meeting (Not Required)

An Early Assistance meeting is not required for Type A and B applications.

(B) Early Assistance Meeting (When Optional or Required by Director)

An applicant may choose to request an Early Assistance meeting for Type C applications. The PCD Director, at his or her discretion, may require an early assistance meeting for a Type C Application if the application is of a nature that additional information and discussion with PCD staff should occur and be memorialized prior to formal submittal of the Type C application. The applicant is responsible for ensuring that the Early Assistance meeting application meets the criteria for acceptance and approval by the PCD Planning Review Manager or his or her designee.

(C) Early Assistance Meeting (When Required)

To initiate the Early Assistance meeting process, the applicant files an Early Assistance application via EDARP. The application is reviewed for completeness and acceptability by the PCD Planning Review Manager or his or her designee and is either approved for processing or rejected and returned to the applicant for revisions and resubmittal. Once approved for acceptance by the PCD Planning Review Manager, the application is assigned to a PCD Planner for management and scheduling.

(D) Purpose of Early Assistance Meeting

The Early Assistance meeting is an opportunity for the applicant to discuss their proposed development action with the assigned PCD staff, which typically includes, at a minimum, a PCD Planner and PCD Engineer. Proper assistance and analysis provided during the Early Assistance meeting can help ensure that the applicant has complete and accurate information regarding the requirements and challenges of a specific development proposal on the specific piece of property and it can help foster build relationships between all of the parties involved. The meeting should serve to improve the applicant's knowledge and understanding of requirements/conditions to be met for a successful application. In addition to increasing the applicant's knowledge of the application submittal and review process, the meeting should also result in the applicant having a full understanding of the general project timeline as well as an understanding of how to prioritize actions that will need to be taken in order

to help streamline the process. An increased understanding of the process as well as improved communication and application planning often help shorten the application submittal and review process.

(E) Early Assistance Meeting Procedures

When the early assistance meeting application is formally submitted via EDARP, the application is reviewed by the PCD Planning Review Manager, or his or her designee, and is either accepted or rejected with requests for revisions. Once the application is accepted, a PCD Planner is assigned by the PCD Planning Review Manager. The PCD Planner then forwards to the application to the PCD Engineering Review Manager for assignment of a PCD Engineer. Once a PCD Engineer is assigned, the PCD Planner coordinates with the applicant, PCD Engineer, and any other applicable MDT participant(s) to schedule the Early Assistance meeting. At the meeting, the PCD Planner addresses the submittal requirements to help ensure that adequate information is available to address the criteria for approval for the project type. Prior to, or following the meeting the PCD Planner creates the project-specific submittal matrix via EDARP, which identifies the submittal requirements as well as the agencies that will receive a referral of the application and the specific documents supporting the application. The submittal matrix is created via EDARP and provided to the applicant electronically through emailed notice. The submittal matrix becomes the basis for the future formal application submittal and PCD acceptance.

1.3.2. Step 2 Neighborhood Meeting (Optional)

Depending on the nature of the application, the applicant may wish to hold a neighborhood meeting in accordance with the Early Neighborhood Involvement procedure or to personally discuss the proposed development application with neighbors and/or neighborhood organizations. The Neighborhood Meetings typically occur between the date of the Early Assistance Meeting and the date of formal application submittal; however, in some instances the applicant may determine that it is more appropriate to hold these meetings after the formal application submittal has occurred. Rarely are Neighborhood Meetings held prior to the Early Assistance Meeting and, as such, the applicant is generally discouraged from holding such meetings prior to the Early Assistance meeting with the assigned PCD staff.

1.3.3. Step 3 Application Submittal

(A) Type A Development Application Submittal

A complete Type A Application along with the required supporting materials is submitted to Building Department and then a request for review is forwarded onto PCD. PCD staff creates a project via EDARP with the data provided by the Building Department, to include the property information and uploading the application documents into EDARP. Additional materials should be provided by the applicant as determined necessary to respond to the regulatory requirements for receiving approval of the application or permit.

(B) Type B Application Submittal

A complete Type B Application along with the required supporting materials is submitted to the PCD via EDARP. The materials submitted shall include all items as required in EDARP, and/or as otherwise identified by the PCD staff. Additional materials should be provided by the applicant as determined necessary to respond to the regulatory requirements for receiving approval of the application or permit.

(C) Type C Application Submittal

A complete Type C Application along with the required supporting materials is submitted by the applicant to the PCD via EDARP. The materials submitted shall include all documents as listed on the project-specific submittal matrix provide by the PCD Planner via EDARP. The applicant may be required to provide additional materials, if such materials are determined to be necessary to respond the criteria for approval of the proposed application.

(D) Type D Application Submittal

A complete Type D Application along with the required supporting materials is submitted by the applicant to the PCD via EDARP. The materials submitted shall include copies of all documents as listed on the project-specific submittal matrix provide by the PCD Planner via EDARP. The applicant may be required to provide additional materials, if such materials are determined to be necessary to respond the criteria for approval of the proposed application.

1.3.4. Step 4 Determination of Completeness**(A) Determination of Completeness (Mailed Notice Not Required)**

The PCD triage personnel makes a determination of completeness (initial correctness review) based on the submittal matrix. EDARP will automatically reject attempts at submission where an item has not been uploaded for all requested application items. If the submission is not complete, the application and supporting materials are rejected after triage along with a description of the discrepancy. Once the submission is determined to be complete following review by the PCD triage personnel, the applicant is notified of such triage completion and shall then pay the associated application fee via EDARP. Once the applicant pays the application fee, the submittal is accepted, a PCD Planner is assigned to the project, and an electronic referral is sent to each of the applicable referral agencies.

(B) Determination of Completeness (Prior Mailed Notice Required)

Prior to formal submittal of an application to the PCD, the applicant is responsible for researching abutting and affected property owners in accordance with public notice-mailed (Adjacent Property Owner Notification), and preparing and mailing a courtesy notice concerning the application to each abutting and affected property owner in accordance with public notice-early notice (Mailed) procedure. The PCD triage personnel makes a determination of completeness (initial correctness review) based on the submittal matrix. EDARP will automatically reject attempts at submission where an item has not been uploaded for all requested application items. If the submission is not complete, the application and supporting materials are rejected after triage along with a description of the discrepancy. Once the submission is determined to be complete following review by the PCD triage personnel, the applicant is notified of such triage completion and shall then pay the associated application fee via EDARP. Once the applicant pays the application fee, the submittal is accepted, a PCD Planner is assigned to the project, and an electronic referral is sent to each of the applicable referral agencies.

1.3.5. Step 5 Resubmission of Development Application**(A) Resubmission of Type A Development Application (if required)**

A complete Type A Application along with the required supporting materials is resubmitted to PCD by the applicant via the Building Department. The PCD staff makes a determination of completeness (initial correctness review). If the application is still not complete, the request to authorize the building permit is denied with a request to provide the additional required materials not previously provided and Step 5 is repeated. If it is determined to be complete following review by the PCD staff, the project is closed and approved in EDARP, the building permit is authorized, and the applicant is notified and shall then pay the associated application fee via the Building Department.

(B) Resubmission of Type B Development Application (if required)

A complete Type B Application, along with the required supporting materials is resubmitted to PCD by the applicant via EDARP. The PCD intake staff makes a determination of completeness (initial correctness review). If the application is still not complete, the application and supporting materials are returned to the applicant via EDARP along with a request to provide the additional required materials not previously provided or correct the errors and Step 5 is repeated. If the submission is determined to be complete following review by the PCD triage personnel, the PCD Planner reviews the application and provides an approval. Following approval, the applicant is notified of such and shall then pay the associated application fee via EDARP.

(C) Resubmission of Type C Development Application (if required)

A complete Type C Application along with the required supporting materials is resubmitted to PCD by the applicant via EDARP. The PCD Planning Manager makes a determination of completeness (initial correctness review). If the application is still not complete, the application and supporting materials are returned to the applicant via EDARP along with a request to provide the additional required materials not previously provided or make the necessary corrections and Step 5 is repeated. If the submission is determined to be complete following review by the PCD Planning Manager, the applicant is notified of such triage completion and shall then pay the associated application fee via EDARP. Once the applicant pays the application fee, the submittal is accepted, a PCD Planner is assigned to the project, and an electronic referral is sent to each of the applicable referral agencies and Step 6 is initiated.

(D) Resubmission of Type D Development Application (if required)

A complete Type D Application along with the required supporting materials is resubmitted to PCD by the applicant via EDARP. The PCD Planning Manager makes a determination of completeness (initial correctness review). If the application is still not complete, the application and supporting materials are returned to the applicant via EDARP along with a request to provide the additional required materials not previously provided or make the necessary corrections and Step 5 is repeated. If the submission is determined to be complete following review by the PCD Planning Manager, the applicant is notified of such triage completion and shall then pay the associated application fee via EDARP. Once the applicant pays the application fee, the submittal is accepted, a PCD Planner is assigned to the project, and an electronic referral is sent to each of the applicable referral agencies and Step 6 is initiated.

1.3.6. Step 6 Application Referral

(A) Completeness Review and Internal Referral by PCD Intake Staff

An initial completeness review is conducted by the PCD Planning Manager. The PCD Planning Manager may refer the application to the assigned PCD Planning and/or PCD Engineering staff for additional completeness review as necessary prior to creating the formal file.

(B) Referral of Electronic Applications via EDARP By Triage Personnel

The PCD Planning Manager conducts the initial review of electronic submittals and assigns the submittal (project) to a PCD Planner. The assigned planner reviews the list of referral agencies and matrix prior to sending a request for referral to the appropriate referral agencies via electronic transmission by EDARP for review to determine conformance with all applicable codes, rules, regulations, and ordinances. A notice of the referral is sent by email via EDARP to the referral agencies listed on the submittal matrix created in EDARP after the Early Assistance Meeting.

Additional referral agencies may be necessary based on the nature of the request. The list of referral agencies may be expanded as necessary to support the review of the application.

The review timeline and due date for comments for each application and, in some instances, for each referral agency shall be determined on a case-by-case basis.

Timelines for reviews shall be adjusted based upon the complexity of the proposed project, PCD staffing, and PCD Planning and Engineering staff workloads.

1.3.7. Step 7 Transmission of Comments and Request to Applicant

The review comments are received and accepted by the PCD Planner. The review comments are transmitted to the applicant for response along with a resubmittal matrix identifying all required documents to be revised and resubmitted as part of a complete resubmittal package. The applicant may request a comment review meeting pursuant to the Comment Review Meeting section of this Procedures Manual to discuss the review comments. If a Comment Review Meeting is requested, the PCD Planner schedules a meeting with appropriate internal and/or external referral agency representatives. If all required materials, as determined by the resubmittal matrix, have been resubmitted and, after re-review by the assigned PCD Planner or the PCD Planner and Engineer and/or any appropriate referral agencies, the PCD Director shall determine whether all outstanding comments have been appropriately addressed. If the determination is that all comments have been appropriately addressed, then Step 9 is initiated. Otherwise, Step 8 is initiated.

1.3.8. Step 8 Applicant Provides Response and Resubmittal – Re-Review Occurs

The applicant submits any required revisions to the application and supporting documents pursuant to the resubmittal matrix via EDARP. The applicant may choose to provide a comment response letter, or in some instances, the PCD Director may require that a comment response letter be provided. The PCD Planner, PCD Engineer, and/or all appropriate referral agencies are provided with an additional time frame to review the applicant's revised supporting documents and determine whether the resubmittal has addressed all of the outstanding issues. The PCD Planner shall establish the re-review timeline and due date for comments for each resubmittal on a case-by-case basis. Timelines for re-reviews shall be adjusted based upon the complexity of the proposed project, PCD staffing, and PCD Planning and Engineering staff workloads. If the applicant's response and resubmittal are deemed, by the PCD Director after consultation with the PCD Planner and Engineer or other appropriate

County staff (e.g., the County Engineer), to have adequately resolved the outstanding issues, then Step 9 is initiated. Otherwise, if the PCD Director determines that significant outstanding issues remain unresolved, then Steps 7 and 8 are repeated.

1.3.9. Step 9A Final Action on Type A and B and Some Type C Applications

Once all issues have been resolved to the satisfaction of the PCD Planner or intake staff, as applicable, all Type A and B and some Type C Applications may be approved and any associated permits may be issued, excluding any required construction permits. A pre-construction meeting may be required prior to issuance of a construction permit in association with a Type A or B Application and some Type C Applications.

1.3.10. Step 9B Hearing Scheduled – Some Type C and All Type D Applications

All Type D and some Type C Development Applications require review and final action to be taken by one or more of the following public hearing bodies.

(A) Planning Commission

The PCD Planner, serving as the project manager, schedules the required public hearing before the Planning Commission in accordance with the hearing procedures (Planning Commission Hearing).

(B) Board of County Commissioners

The PCD Planner schedules the required public hearings before the Board of County Commissioners in accordance with the hearing procedures (Board of County Commissioners Hearing).

(C) Board of Adjustment

The PCD Planner schedules the required public hearing before the Board of Adjustment in accordance with the hearing procedures (Board of Adjustment Hearing).

1.3.11. Step 10 Notice of Hearing

(A) Notice of Hearing (Only Mailing and Posting Notice Required)

The PCD Planner coordinates with the PCD Administrative Services staff to prepare a notice of the public hearing in accordance with the public notice procedures. Notices are mailed to adjacent property owners by the PCD in accordance with the public notice-mailed procedures. A sign is prepared and posted by the PCD pursuant to the requirements of public notice-posted procedures.

(B) Notice of Hearing (Mailing, Posting, and Publication Required)

The PCD Planner coordinates with the PCD Administrative Services staff to prepare a notice of the public hearing in accordance with the public notice procedures. Notices are mailed to adjacent property owners by the PCD Planner in accordance with public notice-mailed and C.R.S. §24-67-104(1)(e), which requires written notice of the public hearing shall be delivered or mailed, first-class postage prepaid, at least 15 days prior to the public hearing to adjoining landowners. Notice is sent to the newspapers of record in accordance with the public notice-published procedures by the PCD for certain applications types in accordance with C.R.S. §30-28-116. A sign is prepared and posted by the PCD pursuant to the requirements of public notice-posted procedures.

(C) Notice of Hearing (Concerning Vacations of Rights-of-Way)

The PCD Planner coordinates with the County Attorney’s Office staff to provide written notice of the date, time, and place of the hearing to the applicant, appropriate County departments and internal and external referral agencies, all abutting property owners to any rights-of-way proposed to be vacated, any property owners taking access from any right-of-way proposed to be vacated, to all beneficiaries of any easement or right-of-way to be vacated, and any other person or entity expressing an interest in the vacation, no later than 10 days prior to the hearing in accordance with the public notice procedures. While, by policy, notice is to be sent to the adjacent property owners at least 14 days in advance of the hearing, in the case of a right-of-way vacation only 10 days is legally required and shall constitute legally sufficient notice. However, every attempt shall be made to conform to the 14 day notice policy.

(D) Notice of Hearing (Concerning Appeals)

In accordance with the public notice procedures, the PCD Planner coordinates with the PCD Administrative Services staff to research adjacent property owners in accordance with the public notice-mailed (Adjacent Property Owner Notification) procedures and prepares and mails notice to adjacent property owners. Written notice of the date, time, and place of the hearing is also provided to the appellant, appropriate County departments and internal and external referral agencies, and any other person or entity expressing an interest in the appeal.

1.3.12. Step 11 Staff Report

(A) Preparation

The PCD Planner creates the staff report template for the proposed application and works collaboratively with the PCD Engineer to complete the written technical analysis within the body of the report including any recommended conditions of approval. The analysis is meant to provide the hearing bodies with a technical evaluation of the consistency of the application with the applicable regulations governing the respective application type.

(B) Report Review and Approval

Following preparation of the staff report by the PCD Planner and PCD Engineer, the staff report is routed to the appropriate PCD review managers (e.g., Planning Review Manager, Engineering Review Manager, etc.) for review and comment and to the PCD Executive Director for finalization and approval.

(C) Report Provided to the Applicant and Incorporated into Hearing Materials

Once the staff report has been reviewed and approved, the PCD Planner provides a copy of the report to the applicant and coordinates with the PCD Administrative Services staff to incorporate it into the commission and/or board hearing materials. The staff report is also made available for review by the public.

1.3.13. Step 12 Hearing Held

(A) Planning Commission

The hearing before the Planning Commission is held. The hearing is held in accordance with Planning Commission bylaws, policies, and procedures and is not specifically governed by this Procedures Manual.

(B) Board of County Commissioners

The hearing before the Board of County Commissioners is held. The hearing is held in accordance with Board of County Commissioners bylaws, policies, and procedures and is not specifically governed by this Procedures Manual.

(C) Board of Adjustment

The hearing before the Board of Adjustment is held. The hearing is held in accordance with Board of Adjustment bylaws, policies, and procedures and is not specifically governed by this Procedures Manual.

1.3.14. Step 13 Decision Concerning Development Applications

(A) Type A and B Applications - PCD Intake Staff Decision

PCD intake staff, which may include, but is not necessarily limited to, a PCD Administrative Technician, Planner, Inspector, or Engineer, approves or denies the application and documents a decision including any reasons for denial.

(B) Some Type C Applications - PCD Director Decision

The PCD Director, or his or her designee, approves or denies the application with or without conditions and documents the decision including any reasons for denial.

(C) Some Type C and Some Type D Applications - Planning Commission Action

The Planning Commission acts by resolution to make a recommendation on the application of either approval, with or without conditions, or denial. Following action by the Planning Commission, the PCD Planner initiates Steps 9B through 12 to schedule the item for review and final action by the Board of County Commissioners, unless the Planning Commission is the designated final decision maker on the respective application type (e.g., Approval of Location Applications). In such cases, the Planning Commission acts by resolution to make a final decision on the application of either approval, with or without conditions, or denial.

(D) Some Type C and Some Type D Applications - Board of County Commissioners Action

The Board of County Commissioners acts by resolution to make a final decision on the application of either approval, with or without conditions, or denial. The decision, including any reasons for the decision, is documented in the record of the hearing.

(E) Some Type D Applications – Board of Adjustment

The Board of Adjustment acts by resolution to make a final decision on all dimensional variance (Type D) applications of either approval, with or without conditions, or denial. The decision, including any reasons for the decision, is documented in the record of the hearing.

1.3.15. Step 14 Post-Decision/Permit Issuance Procedures

(A) All Type A and B and Some Type C Applications - Decision Provided by PCD Intake Staff

A copy of the decision is provided to the applicant by the PCD intake staff, which may include a PCD Inspector.

(B) Some Type C and All Type D Applications - Decision Provided by PCD Planner

The PCD Planner coordinates with the PCD Administrative Services staff to provide a copy of the decision to the applicant.

(C) New Application Filed if Denied

If an application is denied, the applicant may initiate Step 1 to begin the process of making a new application. Note that some applications, if denied, may not be resubmitted as a new application unless the new application is in compliance with various restrictions regarding submittal of a similar application within a set period of time following the prior denial.

(D) Appeal of Decisions

Any person aggrieved by the decision of any board or County representative having final decision authority may appeal the decision to the appropriate appellate body pursuant to the LDC and as governed by this Procedure Manual. If such body is the Board of County Commissioners or the Board of Adjustment, then the applicant requesting a hearing via an appeal application shall initiate Step 1.

1.3.16. Step 14 Development Permit Closeout

The procedures for closing out a development application shall be governed by the respective Procedures Manual sections for each of the various development applications.