
SUBMISSION AND ACCEPTANCE OF APPLICATION (INTAKE)

1.1. PURPOSE

The purpose of this procedure is to establish the basic framework and requirements for submission and acceptance (intake) of applications. It is at the application intake level that the PCD ensures a quality formal application submittal and, as such, is able to provide the reviewing parties with concise, complete, and technically competent materials for review of various projects. A determination of a final, complete application is not made at the time of submission and acceptance (intake), but rather shall be made prior to scheduling applications for hearing that require review and recommendation or final action by the Planning Commission and/or review and final action by the Board of County Commissioners or, in the event that a public hearing(s) is not required, prior to final action by the PCD Director pursuant to the administrative authorities granted to the Director within the El Paso County Land Development Code (LDC).

1.2. DESCRIPTION

The acceptance of complete documents is important for efficient processing of projects and other development activities. All submissions are to be completed electronically using EDARP. The initial completeness review of the project is done by the Planning Review Manager, or assigned designee, functioning as the triage personnel, to determine that all application materials necessary to process the development application have been provided by the applicant. EDARP will automatically reject an attempt at submission if the applicant has failed to upload one item for each of the required application submission items. Documents are reviewed for completeness, and documentation about the site, customer, infrastructure, land use, and other requirements are addressed.

It is important to distinguish the quantitative completeness review and intake from technical qualitative review of the application review. Staff conducting the quantitative completeness review and intake is tasked with assessing the plans and associated documents against the previously prepared matrices, checklists, or procedures. The intake process is also tasked with creating the formal PCD file for processing the application, assessing and collecting the associated application fees, and coordinating with the PCD Planning Division and PCD Engineering Division supervisors to assign the technical review staff members. Typically, the PCD Planner and other review staff, which may include a PCD Engineer, are assigned to the anticipated application prior to conducting the Early Assistance meeting, if such meeting was required or requested. Unless there is a staffing issue, the PCD staff members assigned to the Early Assistance Meeting application will also typically serve as the application reviewers, which helps ensure technical continuity throughout the course of the application review process. If an Early Assistance Meeting was not required or requested, the PCD Planning Division and PCD Engineering Division supervisors shall assign the technical review staff members upon submittal of the formal application.

After the actual physical intake of the application is completed and the PCD file is created, the formal qualitative technical review of the application follows, including distribution to and review by any identified referral agencies.

1.3. GENERAL SUBMITTAL LIST

The submittals are those identified in the procedure governing the specific application type and any project specific matrix or checklist developed as part of the Early Assistance process.

1.4. PROCESS

1.4.1. Initial Application Submittal or Resubmittal

(A) Step 1 Applicant Makes Submittal

The application submittal and acceptance process (intake) is initiated by the applicant. In most cases, the applicant may make a formal application submittal without an appointment for all project types via EDARP, unless an alternative form for submittal is otherwise authorized by PCD. Formal digital application submittals for triage and acceptance of all application types may be made via EDARP at the applicant's discretion following receipt of notice that the project specific matrix has been finalized.

(B) Step 2 Determination of Type of Application and Checklist

The PCD Planner or intake staff, as appropriate, determines the type of application(s) being submitted and identifies the appropriate governing procedures, forms, and associated matrices and checklists. If the application was previously denied at the time of EDARP triage, then the triage personnel, as appropriate, reviews the re-submitted formal application anew to ensure full compliance with the associated submittal requirements.

Type A and B Development Applications

If the proposed application is a Type A or B Application, then the PCD intake staff member, or in some instances the PCD Planner, shall utilize the provisions of this Procedures Manual to determine the appropriate application type and project type and utilizes the governing procedures, forms, and checklists or matrices to evaluate the proposed application for compliance prior to acceptance.

Type C and D Development Applications

If the application involves a Type C or D Development Application, then the applicant uploads all of the submittal requirements to EDARP in compliance with the project-specific submittal matrix, submits the submission items electronically, and the triage personnel evaluates the submittal for full compliance with the application requirements. The Submittal Matrix is provided to the applicant via EDARP prior to submittal. If the application is a Type D Application and the Early Assistance Meeting has expired, the application is returned to the applicant along with instructions on how to submit a request for a Early Assistance Meeting online. EDARP will not allow for the submittal of applications without a Submittal Matrix being created by the assigned PCD Planner and sent to the applicant, which should help ensure that applications requiring an Early Assistance Meeting are not submitted via EDARP unless such Early Assistance Meeting has occurred. In any event, the applicant is informed that an Early Assistance Meeting is required and is requested to complete the Early Assistance Meeting Application and to participate in the associated Early Assistance meeting.

For a Type C Application not requiring an Early Assistance Meeting, and the applicant has coordinated a customized Submittal Matrix with the PCD Planner, then the triage personnel shall review the application for conformance with the governing matrix, form(s), and procedure(s) and shall determine if the submittal meets the quantitative requirements for making a formal application.

A customized submittal matrix prepared for a previously denied application is considered invalid for the purposes of filing a new application unless expressly approved for use in association with the new development application by the assigned PCD Planner.

(C) Step 3 Completeness Review (Review Against Checklist, Matrix, and/or Procedure)

Following the application being submitted digitally via EDARP, the triage personnel performs a quantitative review of the submittal materials to determine if the materials included each item identified in the customized Submittal Matrix. In addition, the triage personnel, as appropriate, performs a cursory review of each submittal item to help ensure that all required forms appear to have been completed in their entirety and that each item appears to represent a complete document. If the triage personnel have a question as to the completeness of a submittal, then they may ask for technical assistance from an associated reviewer, including a PCD Planner or PCD Engineer, where an item may appear to be incomplete or otherwise insufficient.

(D) Step 4 Determination of Completeness and Issuance of Receipt

Once the triage personnel via EDARP determines that all required items have been provided, the PCD intake staff member or EDARP system shall calculate the required application fees and surcharges and notify the applicant of such fees to be paid. The PCD intake staff member, or EDARP, as appropriate, then creates the official project file and assigns the next available PCD file number for each application. Once all the required application fees have been paid, the application is accepted and a receipt is issued to the applicant or the applicant's representative, as appropriate.

If the triage personnel via EDARP determines that the development application is incomplete, the triage personnel notifies the applicant of the deficiencies and documents the deficiencies in writing and returns a list of deficiencies to the applicant. Any attempt to make a resubmittal subsequent to denial by the triage personnel of the most recent submittal attempt shall be processed for acceptance by reinitiating the submittal and review procedures of this section.

(E) Step 5 File Creation and Assignment to PCD Planner or Processing

Following acceptance of the application, including the associated supporting documents, by the PCD Planner or triage personnel, a new PCD file is created and data about the specific request is entered automatically via EDARP.

In the case of a Type C or D Application, a PCD Planner is assigned, if one has not been previously assigned by the PCD Planning Division Manager, and the official file is transferred to the PCD Planner to initiate review of the application. The PCD intake staff member shall serve as the assigned PCD Planner for the purposes of reviewing Type A or B Development Applications, unless a PCD Planner is assigned to such Type A or B Application by the PCD Planning Division Manager at his or her discretion.

1.4.2. Resubmittal of Previously Denied Application

Where a development application or permit has been denied, a new development application or permit, as applicable, which does not provide evidence showing a substantial change in the physical conditions or circumstances (hereafter "substantial change") from the prior application or

permit, as determined by the PCD Director, cannot be accepted and processed for at least one (1) year from the date of denial. Applications for proposals that do show a substantial change from the previously denied applications or permits shall be processed, including payment and receipt of applicable application fees, as a new development application. Such applications shall provide evidence of the substantial change and indicate that the proposed project or activity is in conformance with the applicable provisions of County rules, regulations, codes, standards, and ordinances or state or federal law that resulted in the denial of the previous development permit.

When the acceptance process involves resubmittal of an application following a previously denied development application or permit, additional acceptance review by reviewers or technical staff may be required in order to determine whether the new development application or permit and associated proposed project or activity appears to resolve the issues that resulted in denial of the previous development application or permit or that such application or permit includes evidence of a substantial change from the previously denied application or permit, as determined by the PCD Director. As such, the development application is conditionally accepted until a review can be performed that determines that the new application or permit has resolved the issues that lead to the previous denial or that the proposal includes evidence of a substantial change from the denied application or permit. The assigned PCD Planner may refer the application or permit to the appropriate internal review staff or external agencies to ask for confirmation that the issues that resulted in the previous denial have been remedied by the new application or permit or that such new application or permit includes evidence of a substantial change from the denied application or permit, as determined by the PCD Director. Upon receipt of a determination of acceptability by the PCD Director in coordination with the internal review staff and/or external agencies, the assigned PCD Planner shall notify the applicant as to whether or not the new application or permit will be formally accepted for review and processing. If the new application or permit is accepted, then Step 4 above shall be initiated. If the new application or permit is not accepted, the reasons for non-acceptance shall be documented in writing and provided to the applicant or the applicant's representative, as applicable.

1.4.3. Submittal of Additional Information

Any additional materials submitted in support of an application are to be uploaded to EDARP by the applicant after consultation with the PCD Planner to determine how the additional items are to be logged into EDARP.

1.5. FORM OF ACTION

The issuance of a receipt for application fees and surcharges or receipt for additional information shall constitute formal acceptance of the development application or additional submittal materials and shall initiate the development review process.

For resubmitted development applications, a conditional acceptance shall not be considered a final action until the formal application is distributed to the review agencies.

1.6. REFERENCE

1.6.1. Applicable Statues and Regulations

LDC Section: 2.1.2