



THE CITY OF ASPEN

Phased Building Permits Policy

Introduction

The City of Aspen allows a Phased Building Permit option for projects meeting certain eligibility criteria. The purpose of a Phased Building Permit is to allow initial work to start on projects that are complex and long-term in nature, while the final details of certain building features are finalized.

Definition of a Phased Building Permit

A Phased Building Permit is a subcategory of the standard General Building Permit. It provides for phased approval for specific sets of work tasks to begin prior to the time that all building details are finalized.

The three phases of work allowed under a Phased Building Permit are:

1. Site Preparation and Infrastructure
2. Building Footer, Foundation, and Framing
3. Complete Scope of Work

This policy does not permit phased submission. A Phased Building Permit still requires complete submission of all required documents and information at initial permit application submission. These documents should be completed as fully and accurately as possible to avoid application processing delays.

Phased Building Permit applications will not receive preferential review status. Reviews by all agencies for plan compliance will be completed normally. When feasible, resubmissions will receive priority placement in the plans review work queue. This may enable projects underway to continue without interruption.

Advantages of a Phased Building Permit

Depending on the contractor's project approach and compliance with City codes and requirements, a Phased Building Permit may allow work on the early stages of a project to begin sooner than would normally be expected under the standard Building Permit process.

Eligibility for a Phased Building Permit

The City of Aspen, at its sole discretion, may consider a request for, and accept or reject, a Phased Building Permit application. If an application for a Phased Building Permit is accepted, the applicant can expect the following:

1. To be required to complete the *Phased Building Permit Addendum* to the standard General Building Permit Application form.
2. To receive phased approval for specific, well-defined stages of work, which may allow for an expedited start of a project while the details of a building are finalized.
3. To have the same completeness and compliance requirements as for a General Building Permit Application.
4. To have the same requirements for any and all sub permits and additional permits associated with the project.
5. To assume any and all additional risks associated with taking a phased approach to the work.

To be eligible for a Phased Building Permit, the project MUST meet one or more of the following criteria:

1. The project involves one or more non-residential structures with 15,000 or more total square feet of building area.
2. The project involves multi-family residential structure(s) with 4 or more dwelling units.
3. The project valuation exceeds \$25 million.

Additional projects within the Commercial Core, based on complexity, may be eligible for phased permitting at the discretion of the Community Development Director. Single-family or duplex homes are not eligible for Phased Building Permits. In addition, projects using contractors that have projects with pending compliance or enforcement matters will not be eligible for phasing.

If a project is ineligible for a Phased Building Permit or if the City determines it is not in the best interest of the City to agree to a Phased Building Permit, the applicant's request may be denied.

Additional Fees for Phased Permits

All of the normal fees for General Building Permit Applications will be charged for Phased Building Permit Applications. In addition, supplementary fees will be charged to these projects due to the additional handling needed to process and administer the review of such applications. Table 1 summarizes timing of fees due and the additional marginal fees associated with Phased Building Permit Applications.

Table 1: Payment Due Dates for Fees for Phased Building Permit Applications

Fees Due at Application Submittal	Fees Due at Issuance of Phase 1: Site Preparation, Infrastructure	Fees Due at Issuance of Phase 2: Footer, Foundation, Framing	Fees Due at Issuance of Phase 3: Complete Scope of Work
<ul style="list-style-type: none"> • Energy Code • Plan Check • Zoning - 50% • Construction Mitigation Fee - 50% • Engineering Permit Review Fee • Parks Review Fee • Utilities Review Fee 	<ul style="list-style-type: none"> • Performance guarantees, bonds, sureties, escrows • Building Permit Phasing Fee (addl. 35%) • Zoning Phasing Fee (addl. 10%) • Const. Mit. Phasing Fee (addl. 10%) • Engineering Phasing Fee (addl. 10%) • Parks Phasing Fee (addl. 10%) • Utilities Phasing Fee (addl. 10%) 	<ul style="list-style-type: none"> • Road Impact Fee • Eng Fee In Lieu • Zoning - 50% • ALL Impact Fees • Affordable Housing Mitigation (unless built on-site) 	<ul style="list-style-type: none"> • Building Permit Fee • City Use Tax Deposit • County Use Tax Deposit • GIS • Construction Mitigation Fee - 50% • REMP Fee • REMP Cash In Lieu Fee • Sanitation District Fee • Landscape Escrow • Water Tap Fees

Required Pre-submittal Meeting

Phased building permits require a joint pre-submittal meeting with the Building, Engineering, Utilities, Parks, and Zoning departments. The City’s Permit Coordinator shall schedule and facilitate the meeting. In addition to the application plans review staff, the City’s project planner shall attend the pre-submittal meeting. The Fire District and Sanitation District review staff will also be invited to the meeting. Additional reviewers, such as Environmental Health and Parking, may also be necessary at the pre-submittal meeting, depending on the nature of the project.

The permit applicant (or the applicant’s designee), the primary contractor, and the design professional in charge of the project must attend the pre-submittal meeting. Subcontractors involved with each phase may attend at the applicant’s discretion.

The purpose of the pre-submittal meeting is to allow applicants and staff the opportunity to discuss and clearly understand the proposed project scope, work phases, and project timeline. In addition, it is intended to help applicants understand the phasing process and requirements.

Prior to the pre-submittal meeting, the applicant must have completed the General Building Permit Application Form and the Phased Building Permit Addendum with a project schedule. At the time the meeting is scheduled, this information must be submitted to the Permit Coordinator. Applicants should allow up to 2 weeks between the time a pre-submittal meeting is requested and when it can be held.

Applicants can expect the following from the City during the pre-submittal meeting:

- Answers to questions regarding code and phasing requirements
- Descriptions of limits that would be placed on each proposed phase
- Permit application and fee information
- Procedures for review and approval of all applications, including procedures to approve plan revisions
- Descriptions of any necessary modifications to the preliminary plans
- Likely sub-permit and additional permit needs
- Overall project scheduling
- Any changes to submission requirements based on projects with significant scope or extensive phase 1 scheduling demands

Description of Allowable Phases

Only the phases listed below are allowed as part of a Phased Building Permit. Should a contractor elect to use a Phased Building Permit, the work will be completed as part of a single Permit, but the work to be completed will be authorized separately for each phase. The work to be completed under each phase must be specific and closed in scope. Approval of one phase does not guarantee approval of subsequent phases. Issuance may be done on a per-building basis.

Phase # 1 – Site Preparation and Infrastructure Work

Work Permitted: Establishing perimeter fencing & security, access points, staging areas, temporary power, temporary contractor offices and facilities; Installing drainage BMPs, silt fencing, vehicle and equipment wash areas; demolition of existing structures, portions thereof, or exploratory demolition; tree removal; site grubbing, mass site grading; excavation, soil stabilization, geothermal wells, installation of stormwater sub-surface infrastructure; Utility main lines (off-site work permitted separately) and utility service lines. Approval for work that must receive separate permits or sub permits (such as ROW permits) must be obtained separately.

Submission Requirements: All information identified in the pre-submittal meeting must be provided at application submission. This includes all information normally associated with submission of a general Building Permit Application and all associated subpermits, unless otherwise identified during the pre-submittal meeting.

Issuance Requirements: The following must take place before an applicant can receive issuance approval for Phase #1 tasks:

1. All review agencies must have completed their first round of review and transmitted the comments and requested corrections to the applicant (through the Permit Coordinator) regarding all work proposed to be completed during Phases 1 and 2.

2. The City shall have received the applicant's resubmission of all required documents and information in a manner considered by the Permit Coordinator to be complete and responsive to the first round of comments and requested corrections.
3. The City Engineer shall have reviewed and approved all civil drawings of the building permit set.
4. A Construction Mitigation Plan (CMP) must be reviewed and approved by the City Engineer.
5. All applicable utility providers shall have reviewed and approved the utilities plans including main lines, service lines, transformers, and tap connections.
6. All remaining review agencies must agree that there are no substantial issues outstanding that must be resolved prior to issuance of the Phase 1 work approval.

Phase #2 – Building footer, foundation, structural frame, final site grading

Work Permitted: Construction of the building footer, foundation, structural frame, exterior materials, backfill, installation of stormwater surface infrastructure, fine grading, landscaping, curb, gutter, and pedestrian infrastructure. This includes all work to accomplish final site grading and building heights. This does not include work that must receive approvals via separate permits or sub permits (such as mechanical, electrical, and plumbing sub permits). Approval of the latter must be obtained separately.

Submission Requirements: Updates to all information relevant to the Phase 2 and Phase 3 approvals.

Issuance Requirements: The following must take place before an applicant can receive issuance approval for Phase #2 tasks:

1. All review agencies must have completed their second round of review and transmitted the comments and requested corrections to the applicant (through the Permit Coordinator) regarding all work proposed to be completed during Phases 2 and 3.
2. The City shall have received the applicant's resubmission of all required documents and information in a manner considered by the Permit Coordinator to be complete and responsive to the second round of comments and requested corrections.
3. All review agencies, other than the City of Aspen Building Department, shall have completed their review and approved the permit for unconditional issuance. Additional resubmissions may be necessary.
4. The Building department must agree that there are no substantial issues outstanding that must be resolved prior to issuance of the Phase 2 work approval.

Phase #3 – Complete Scope of Work

Work Permitted: All work to complete project, with the exception of work that must receive approvals via separate permits or sub permits (such as mechanical, electrical, and plumbing sub permits). Approval of the latter must be obtained separately.

Submission Requirements: All final updates to the project for Phase 3.

Issuance Requirements: The following must take place before an applicant can receive issuance approval for Phase #3 tasks:

1. The City shall have received the applicant's resubmission of all required documents and information in a manner considered by the Permit Coordinator to be complete and responsive to all remaining of comments and requested corrections.
2. All review agencies shall have completed their review and approved the permit for unconditional issuance. Additional resubmissions may be necessary.

APPENDIX A: Phased Building Permit Addendum

Permit Number: (office use only)	Planned Phase Start Date	Proposed Scope of Work (Describe the work proposed to be completed for each phase. Drawings and documentation submitted for phased permits must also clearly differentiate the work proposed to be completed for each phase)
Phase 1		
Phase 2		
Phase 3		

Acknowledgment:

I (contractor of record - print name) _____ understand that a Phased Building Permit (PBP) is only available in certain situations and that if my project does not qualify, I will not receive a PBP.

- ✓ I acknowledge that obtaining a PBP incurs additional project risks above and beyond those normally associated with a Building Permit.
- ✓ I acknowledge that I am solely responsible for scheduling and sequencing of work under each phase of the project.
- ✓ I understand that I am proceeding at my own risk, without assurance that a permit or certificate of occupancy for the building(s) will be granted until all applicable requirements of codes, laws and regulations are met.
- ✓ I agree not to proceed beyond the work scope approved by the City for each phase.
- ✓ I agree to assume any and all liability associated with the possibility of denials or delays associated with a Phased Building Permit.
- ✓ I will advise my client of this policy and the added risks.

Signature of Contractor of Record

Date