



EL PASO COUNTY

Department of Planning
& Community Development

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

Date: May 15, 2025
To: Staff and Applicants
From: Justin Kilgore, Planning Manager
Re: Legacy/Expired Projects and "Reconsideration"

This memo is intended to clarify the submittal timeline for Legacy Projects and Expired submittals reviewed by the Planning and Community Development Department.

The Planning and Community Development Department review system "EDARP" closes projects out automatically when they have been created but the project is not set "Active" after six months (This requires an accepted initial submittal and payment). Older projects that have been paid but have had no activity will be closed out automatically after a year. There have been a few instances where "Legacy Projects," projects that have been in review for two years or more, have been awaiting a resubmittal of review documents. A question has arisen on these older projects that have a code change in between submittals; what is the policy on applicable code?

- Moving forward, if the project has been set up and sent out for initial submittal but no submittal has been accepted within 6 months of the new code adoption, the new code will then apply. This is a 6-month grace period under the code the project was originally set up under.
- A project that has been set up, submitted, paid for, and reviewed, and has not had an accepted resubmittal within 12 months since a code revision will also be required to meet the new code standards. A project that has been in consistent review for any amount of time will continue under the code that it was submitted under so long as submittals are less than 12 months apart and an applicable revision has not occurred. A project will be considered automatically expired should a lapse in activity of 12 months or more occur. In these instances, a new project will be required to be initiated, paid for, and reviewed as a new project subject to current codes and regulations.

Please note that the former policy of “Reconsideration” of projects will no longer be heard before the Board of County Commissioners; it is within the scope of the duties of the PCD Director to grant an extension to a project that is expired under and subject to the approved condition or notation.

- Projects older than seven (7) years are not eligible for “Reconsideration.”
- Only one (1) “Reconsideration” may be approved per project.

*Projects such as CDR’s (Construction Drawings) may also require updated engineering documentation subject to Engineering Criteria Manual (ECM) updates and will not be subject to the policy above.