

# City of Brighton

	<b>Policy</b>	Affordable Housing Development Expedited Review Process
	<b>Department &amp; Division</b>	Community Development
	<b>Effective Date</b>	December 15, 2025
	<b>Revision Dates</b>	
	<b>Review Date</b>	
	<b>Project Manager</b>	Affordable Housing Coordinator

## Purpose

Pursuant to Colorado Proposition 123 requirements, the City of Brighton has adopted this Affordable Housing Development Expedited Review Process to shorten the development review processes for affordable housing developments and to remain eligible for grant funds supporting affordable housing initiatives while upholding City of Brighton development standards.

## Policy

### Qualifications

#### Affordable Units

Developments in which at least 50% of the units are restricted by an affordability mechanism to 80% AMI or less for rental units or 100% AMI or less for owner-occupied units shall qualify for expedited review. Since the review processes eligible for expedited review will likely occur prior to an affordability mechanism being put into place, upon requesting an expedited review, the applicant shall be required to reaffirm its commitment to building the affordable units.

#### Application Types

The following application types are eligible for expedited review:

- Administrative Applications
  - Administrative Plat
  - Site Improvement Permit
  - Site Plan (including that for a Planned Development)
  - Civil Construction Plan Review (Not an application type, though eligible for expedited review)
  - Residential Design Standards Review
  - Erosion Sediment Control Permit
  - Development Permit
  - Building Permit
- Non-Administrative Applications
  - Conditional Use Permit
  - Variance

The following application types are not eligible for expedited review:

- Annexation
- Zoning Map Amendment
- Planned Development (except individual segments of the PD process listed in Administrative Applications above)
- Major Subdivision
- Final Plat
- Appeal

Accessory use applications will be eligible when the improvement's function is integral to providing affordable housing and the application type is eligible. For example, a building permit for an ADU with an affordability mechanism placed on it is eligible.

### **Requirements**

An applicant wishing to submit an application into an expedited review process must include a written request with the Pre-Application Conference (PAC) application. The request must include a signed Letter of Intent that outlines the affordable housing project, including the number of units, AMI restriction, proposed affordability mechanism, and a project schedule. Applicants not submitting a request for an expedited review process shall be considered as opting out of the expedited review process.

A PAC is required for all applicants wishing to enter an expedited review process. Following the PAC, the applicant may submit an application for the review/permit. The application must be complete or will not be accepted.

### **Review Process**

#### *Administrative Review*

The expedited review process for administrative applications is 90 calendar days or less from determination of a complete application submittal, as determined by city staff (aka Determination of Sufficiency), to a decision. The City will make a good-faith effort to conduct reviews within three weeks. Depending on the application type, review time may be longer than three weeks. The City may use 30-day extensions with just cause at any time during the review process by taking the following steps:

Step 1: The City notifies the applicant in writing of the intent to extend the review process.

Step 2: The applicant is encouraged to acknowledge the extension within five business days, otherwise the extension period commences on the fifth day following notice.

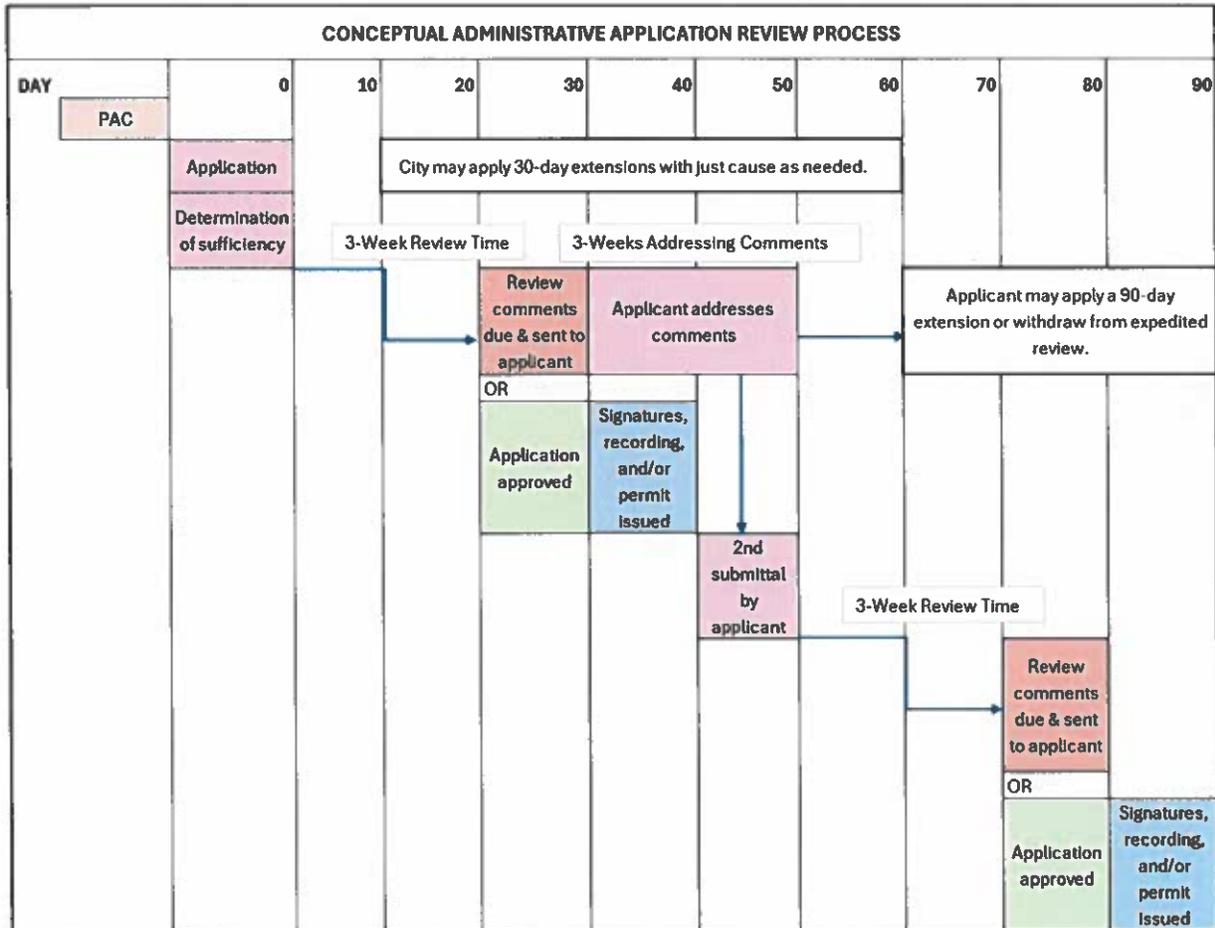
Step 3: The extension is implemented and includes 30 full calendar days plus the time from notice to acknowledgement.

The expedited process includes two review periods and one resubmittal. The applicant should make a resubmittal, if one is required, within three weeks of receiving comments. The applicant may use one, and only one, 90-day extension in which to address review comments from an agency external to the City with whom the applicant is communicating directly. Applicant may withdraw from the expedited process while electing to proceed with the

application. An extension or election of withdrawal shall be made by written notification to the City.

Upon no response by the applicant to review comments or other City requests within three weeks, a notice will be provided to the applicant recommending the use of the 90-day extension or the withdrawal from the expedited process.

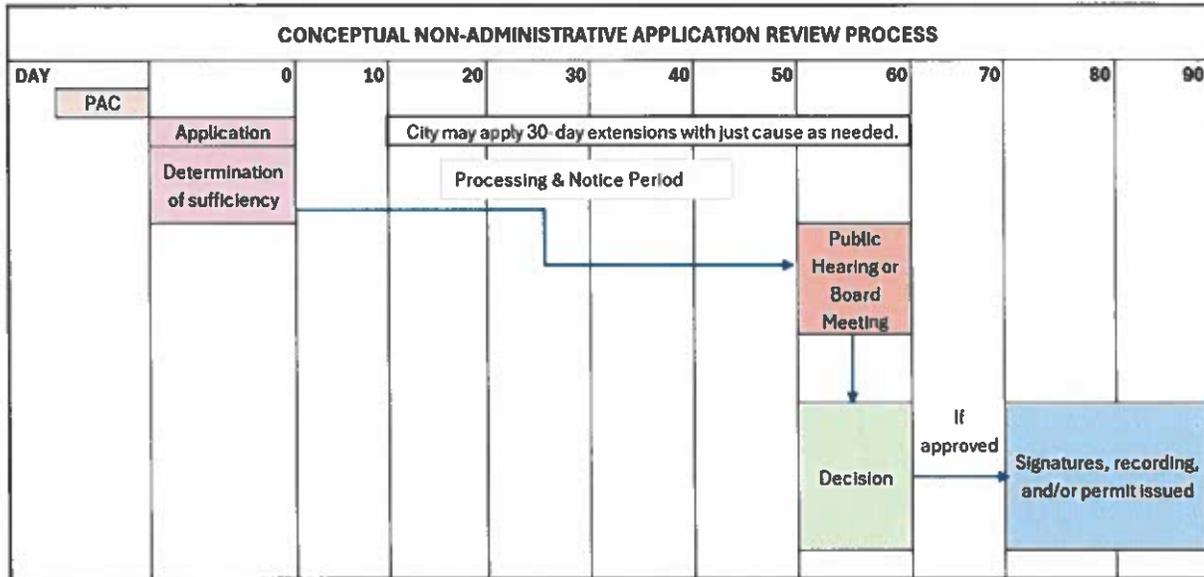
Should an application not be approved after a second review, it is unlikely that the application will be approved within 90 days, and the applicant may elect to withdraw from the expedited process in writing to the City.



**Non-Administrative Review**

The processes for conditional use permits and variances are 90 calendar days or less from Determination of Sufficiency to decision and shall be conducted as outlined in the *City of Brighton Land Use & Development Code (LUDC)*. Non-administrative reviews involve either the Planning Commission or Board of Adjustment, whose schedules are not controlled by City staff, and delays may result. The City may use 30-day extensions with just cause at any time during the application process. See *Administrative Review* for details on City 30-day extensions.

The applicant may withdraw from the expedited process while electing to proceed with the application. Election of withdrawal shall be made by written notification to the City.



**General Policy**

Requirements and processing of all applications shall be according to the LUDC. The imposition and administration of fees remain unchanged by the expedited process, including the number of reviews included in the fee amount and entitled to the applicant. Examples of just cause for City-initiated extensions include, but are not limited to, delays by external reviewers, city hall closures, public notice requirements, approving body hearing schedules, and staffing shortages beyond management's control.

Should an application be denied, the applicant may make another application according to LUDC regulations, in which case a new expedited review period would begin if requested by the applicant.

**Policy Applies To**

The Community Development Department and all applicable Development Review Committee members.

**Definitions**

Affordability Mechanism	A deed restriction, land use restriction agreement, covenant running with the land, or other regulatory agreement that restricts the rental rate or sales price of a property to a certain income level.
AMI	Area Median Income; the 100% income amount shown on the current Colorado Housing and Finance Authority Income Limit

	and Maximum Rent Table, as may be amended from time to time, for Adams County for the applicable size household.
<b>Roles &amp; Responsibilities</b>	
Applicant	Submit required documents and pay fees per each application as outlined in this policy and the LUDC. Respond to comments within the time designated in this policy.
Community Development Director or Designee	Coordinate and communicate the time constraints to those involved in the review process, monitor the review process, and document process events and extensions.
Development Review Committee	Conduct reviews with a sense of urgency within the time constraints given by the Community Development Director or designee.
<b>Attachments &amp; Referenced Forms</b>	
None	

**This Policy supersedes all previous correspondence on this subject.**

**Department:**

Community Development

**Approved by:**



12/3/2025

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Director of Community Development      Date

**Approved by:**

DocuSigned by:  
Michael Martinez

12/4/2025

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

**Approved as to Form:**

DocuSigned by:  
Alicia Calderon

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