

**CITY & COUNTY OF DENVER
COMMUNITY PLANNING & DEVELOPMENT
BUILDING PERMIT POLICY**

Subject: DEFERRED SUBMITTAL & PHASED CONSTRUCTION PERMITS

Approved: Eric Browning, P.E., Building Official

Drafted by: Renn

Number: ADMIN 133.4 & 135

Effective Date: February 22, 2023

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This policy is intended to clarify the intent of the Denver Building Code (DBC) Administrative Sections 133.4 and 135, which allow for deferred submittals and issuance of phased permits for some buildings and structures, when approved by the Building Official.

PART I: Deferred submittals are permitted in accordance with 2022 DBC ADMIN Section 133.4.

133.4 Deferred Submittals. *Deferred submittals are defined as those portions of the design which are not submitted at the time of initial permit application, and which are to be submitted to the Agency within a specified period. Deferral of any submittal items shall have approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the Agency. The design professional in responsible charge shall review the deferred submittal documents and forward them to the Agency with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. Deferred submittal items shall not be installed until their design and submittal documents have been approved, and relevant permits issued by the Agency.*

Deferred submittals typically include but are not exclusively limited to precast concrete elements, wood and light gauge metal trusses, shop fabricated stairs, access control hardware, etc.

Option 1: Include 'deferred submittal' with original submittal documents, at the time of first submittal.

This option is not an actual deferred submittal and is typically not feasible without construction schedule delays since the deferred submittal drawings are created/completed after the engineer of record (EOR) drawings are completed. The deferred submittal item(s) would be included with the building's construction permit.

Option 2: Include deferred submittal with original submittal documents, at the time of the first re-submittal.

This option may be feasible for some projects given turnaround times on the first submittal review. This could even be a partial deferred submittal that allows more time until the full deferred submittal design is complete (with remainder submitted as an actual deferred submittal). For example, in precast concrete construction, there is often an embed submittal that completed early in the shop drawing process that would be ideal for this option. Precast, or a portion of the precast, would be included with the building's construction permit.

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Option 3: Submit deferred submittal or multiple deferred submittals any time after the first re-submittal.

If deferred submittals are submitted without enough lead time to allow for city review and permit, there is a potential for construction delays (or erection will start prior to city approval, which jeopardizes the contractor's license). To alleviate these potential delays, multiple deferred submittals are allowed for larger projects so early work can be permitted to avoid delays. If the deferred submittal shop drawings are submitted to the Engineer of Record in phases, this would match the typical workflow of the construction and design teams. Separate permits would be issued for each of these deferred submittals.

PART II: Phased Construction Permits

Owners and developers that choose to submit project applications as phased construction permit submittals are subject to the following plan review submittal criteria.

When a project is separated for the purposes of plan review and permitting into two or more phases (i.e., foundation / superstructure; or structural only / core and shell completion; or foundation / superstructure / core and shell completion) - exclusive of shoring, deferred submittals, tenant finishes, and site work - the submittal of the second phase shall not precede the first resubmittal of the first phase.

This submittal methodology allows the design teams the opportunity to address all related comments in the second submittal phase that were identified in the first submittal phase, prior to submitting the second phase. This will provide a higher degree of efficiency in plans review, response, and permitting and ultimately save time and cost for the developer or owner.

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