

Subdivision

Facts to Know



RELATED FACTS TO KNOW:

Adams County Recording Requirements, Annexation, Common Wall Subdivision, Development Plan (PUD Development Permit), Fees, Helpful Contact Information, Lot Line Adjustment, Neighborhood Meeting, Park and School Fees, PUD (Planned Unit Development), Pre-Application Meeting, Right-of-Way Vacation, Severed Mineral Rights, Sketch Plat, and Zone Change.

INTRODUCTION:

A subdivision (sometimes called a plat) is the process by which property is divided or consolidated in order to legally create lots, tracts, or parcels.

GENERAL TIMEFRAME:

- In order to maximize the efficient processing of an application, **it is in the applicant's best interest to ensure that a complete and thorough application has been submitted** and that any subsequent submittals adequately address comments that were provided.
- A Final Plat will be reviewed concurrently with any other development review application(s) that is required.
- No building permit may be submitted for review until all development review applications have been approved.
- The length of time to process a subdivision can vary depending on the complexity of the request, the size of the subdivision, whether or not the subdivision is part of other requests, or if there are unique circumstances. However, subdivisions can generally be processed in the following timeframes:
 - ➔ Administrative Plats: 2 to 3 months
 - ➔ Public Hearing Plats: 4 to 6 months
 - ➔ Large-scale PUD Plats may take much longer due to the complexity of the project.
 - ➔ Staff determines if an application will be approved administratively or by public hearing.

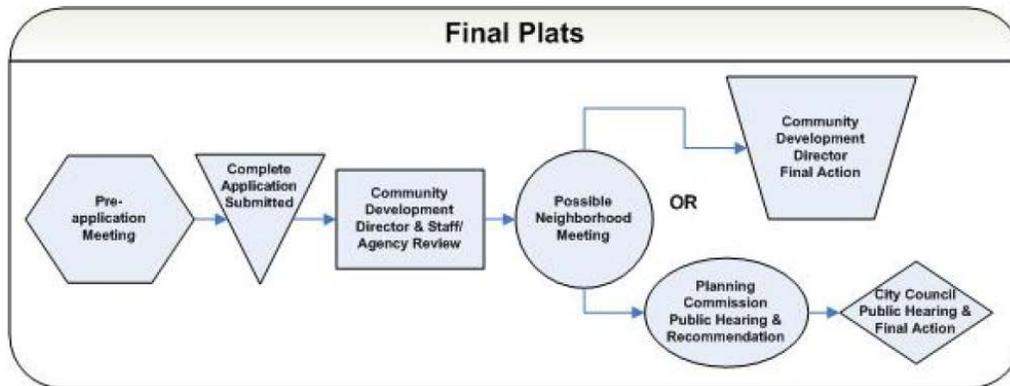
GENERAL NOTES:

- Prior to submitting a Final Plat for review, a Pre-Application meeting with staff should be scheduled to discuss the application and any additional requirements.
- Occasionally, the city may require a neighborhood meeting when it appears an application may have impacts to the surrounding area.
- The city is authorized to impose on a subdivision approval any condition(s) that are necessary in order to carry out the general purpose and intent of the Land Development Code (LDC) or Comprehensive Plan.

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- The city may revoke any approved subdivision, if the applicant for such subdivision fails to comply with any of the conditions that were imposed by the city in conjunction with the approval.
- If the approved subdivision is not executed by the applicant (signed and notarized Mylars delivered to the city with the necessary fees) within 60 days of the date of approval, the plat shall be null and void and automatically lapse.
- An approval shall authorize only the development described in the approved application.

FINAL PLAT REVIEW FLOWCHART:



REVIEW PROCESS:

- A request for a subdivision usually is initiated by the property owner or a qualified representative through the Pre-Application process.
- The applicant hires (or has hired prior to the Pre-Application meeting) a licensed land surveyor or engineer to prepare a subdivision according to state and local requirements.
- A complete application is submitted for city review.
 - ➔ At the time of submittal, staff will determine if the application is complete (incomplete applications will not be accepted and will be returned without review).
 - ➔ The city will refer the application for review and comment to various departments within the city and outside organizations.
 - ➔ After a review period of approximately three weeks, the case will be discussed at the internal Development Review Team (DRT) meeting. After the DRT meeting, the applicant will receive a comment letter that identifies necessary revisions or questions that need to be answered.
 - ➔ The applicant will address these comments and resubmit to the city for an additional review cycle of approximately two weeks. This process will continue until all comments are resolved (which may involve multiple review cycles), and the application is ready for the administrative approval process or public hearing.

- ❑ Once an administrative application is ready for the approval process, City Council is notified, the property is posted, postcards are sent to nearby property owners, and a notice is placed in the newspaper. If no written objection is received within seven days, the plat is approved and the applicant may provide their signed and notarized Mylars to the city for recording.
- ❑ Once a public hearing application is ready for the approval process, the property is posted, postcards are sent to nearby property owners, and a notice is placed in the newspaper to announce that the application will be heard by the Planning Commission (held on the first Tuesday of every month at 6 p.m. at the Civic Center). The Planning Commission will make a recommendation to City Council for approval, approval with conditions, or denial of the request. City Council then will hear the application the following month (generally on the first Monday of the month at 6:30 p.m. at the Civic Center).

FINAL PLAT APPROVAL CRITERIA:

1. The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;
2. The subdivision is consistent with and implements the intent of the specific zoning districts in which it is located;
3. There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;
4. The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;
5. The subdivision complies with applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible;
6. The subdivision:
 - a. Will not result in substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program, or ordinance adopted by the city; or
 - b. Any adverse effect has been or will be mitigated to the maximum extent feasible;
7. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;
8. A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and
9. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

SUBMITTAL REQUIREMENTS:

- One copy of the development review application and the non-refundable review fee.
- One copy of the general warranty deed, with a complete legal description, for the subject property.
- Fifteen folded paper copies (18" x 24") of the proposed plat. Please refer to Roadway Naming and Addressing Standards for the city's street name and addressing standards, which is available on the city's website.
- Fifteen folded paper copies of the current site plan for the affected lot(s).
- If required, 15 folded paper copies of a development plan and all other required documents.
- Two copies of the previously negotiated Public Improvement Agreement. (If not negotiated prior to the initial submittal this will be provided to the applicant at the time of the 1st comment letter. This document is negotiated through the Public Works Department).
- One paper copy of the oversized plans on 11" x 17" paper.
- One electronic copy of all documents in .pdf format on a CD-ROM or thumb drive.
- One original bound paper copy of a preliminary soils report that is signed and sealed by the Engineer of Record.
- City Council, Planning Commission, or staff may require additional information or technical studies such as drainage studies, construction plans, address plats, development agreements, or traffic studies.

The subsequent sheets contain the review checklist and a subdivision template that staff will use to review all submitted final plat.

SUBDIVISION (PLAT) CHECKLIST					
EACH SHEET SHALL INCORPORATE THE FOLLOWING:					
No.	Item	Yes	No	Comment(s)	(P/E)
1	18" x 24" sheet with ½" border on the top, bottom and right with a 2" border on the left.	<input type="checkbox"/>	<input type="checkbox"/>		P
2	The precise name of the subdivision, township, section, range, city, county, state, and sheet number.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
3	A suitable scale (written and graphic).	<input type="checkbox"/>	<input type="checkbox"/>		P/E
4	A north arrow.	<input type="checkbox"/>	<input type="checkbox"/>		P
SHEET #1:					
No.	Item	Yes	No	Comment(s)	(P/E)
5	A vicinity map with a scale of at least 1" equals 1,000' with all roadways identified.	<input type="checkbox"/>	<input type="checkbox"/>		P
6	The total land area in square feet and acres.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
7	<p>A dedication to be worded as follows:</p> <p>LEGAL DESCRIPTION AND DEDICATION:</p> <p>Know all men by these presents that _____ being the (owner, mortgagee, lien holder) of that part of the (described quarter-section, section, township, range, city, county, state), being more particularly described as follows; to wit; Beginning at (complete legal description); containing (to the nearest one-hundredth) acres more or less; have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this plat under the name and style of (name of subdivision) and do hereby grant to the City of Commerce City, County of Adams, State of Colorado, for the use of the public, the streets and other public ways and lands hereon shown, for public utility, cable TV, and detention pond areas, floodway and floodplain limits, drainage and other public purposes as determined by Commerce City.</p> <p>Executed this ____ day of _____. AD 20__</p> <p>_____ Owner(s) Signature and Printed Name</p> <p>_____ Mortgage or Lien Holder(s) Signature(s) and Printed Name(s)</p>	<input type="checkbox"/>	<input type="checkbox"/>	*If there is no dedication to the city, only the legal description is required.	P/E

SUBDIVISION (PLAT) CHECKLIST					
SHEET #1 (continued):					
No.	Item	Yes	No	Comment(s)	(P/E)
8	<p>The signature on the dedication shall be notarized and worded as follows:</p> <p>State of _____ County of _____ ss City of _____</p> <p>The forgoing dedication was acknowledged before me this _____ day of _____, AD 20____ by (Seal).</p> <p>My commission expires: _____</p> <p>Notary Public: _____</p>	<input type="checkbox"/>	<input type="checkbox"/>		P
9	<p>The following language should be included in the notes if there is a detention/retention pond:</p> <p>A. The storm water detention area shown hereon shall be constructed and maintained by the owner and the subsequent owners, heirs, successors and assigns. In the event that said construction and maintenance is not performed by said owner, the City of Commerce City shall have the right to enter such area and perform the necessary work, the cost of which, said owner, heirs, successors, and assigns agrees to pay upon billing.</p> <p>B. No building or structure will be constructed in the detention area and no changes or alterations affecting the hydraulic characteristics of the detention area will be made without the approval of the City.</p>	<input type="checkbox"/>	<input type="checkbox"/>		E

SUBDIVISION (PLAT) CHECKLIST					
SHEET #1 (continued):					
No.	Item	Yes	No	Comment(s)	(P/E)
13	Certificate of the Clerk and Recorder shall be worded as follows: ADAMS COUNTY CLERK AND RECORDER'S CERTIFICATE: This plat was filed for record in the office of Adams County Clerk and Recorder, in the state of Colorado, at ___:___M on the _____ day of _____, AD 20_____ _____ County Clerk and Recorder By: _____ Deputy	<input type="checkbox"/>	<input type="checkbox"/>		P/E
14	In the lower right hand corner of the cover sheet, the following shall appear: Reception No. _____	<input type="checkbox"/>	<input type="checkbox"/>		P
15	The following language shall appear on all subdivisions: NOTICE IS HEREBY GIVEN: A. Any construction across an existing subdivision lot line is in violation of the subdivision regulation of the City, except as herein authorized. B. Any division of an existing lot, or conveyance of part of an existing subdivision lot, is in violation of this article unless (1) approved by the City of Commerce City; or (2) is excepted from the definition of "subdivision" as provided by the subdivision regulations.	<input type="checkbox"/>	<input type="checkbox"/>		P
16	If the subdivision plat application is submitted as part of a PUD Permit or divides land previously approved with a PUD designation, the following language shall appear on the subdivision: This subdivision is part of the (PUD name), PUD # (from Adams County) or Reception # (from Adams County).”	<input type="checkbox"/>	<input type="checkbox"/>		

SUBDIVISION (PLAT) CHECKLIST					
SHEET(S) #2:					
No.	Item	Yes	No	Comment(s)	(P/E)
1	All lots and blocks numbered in connecting order.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
2	All dimensions necessary to establish boundaries in the field.	<input type="checkbox"/>	<input type="checkbox"/>		E
3	Location and width dimensions of all recorded and apparent easements and rights-of-ways.	<input type="checkbox"/>	<input type="checkbox"/>		E
4	The names of abutting subdivisions or "unplatted" noted.	<input type="checkbox"/>	<input type="checkbox"/>		E
5	All public areas identified.	<input type="checkbox"/>	<input type="checkbox"/>		E
6	All boundary, lot and easement lines shall have lengths to 100 th of a foot. Surveyor to provide error of closure check (within 1:20,000)	<input type="checkbox"/>	<input type="checkbox"/>		E
7	Right-of-way dedication, utility, transportation and drainage easements shown as required.	<input type="checkbox"/>	<input type="checkbox"/>		E
8	All section, range, and township lines which are within plat boundary or border the property within 100' are shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
9	All curve data shown in chart form on the face of the plat.	<input type="checkbox"/>	<input type="checkbox"/>		E
10	Radii, internal angles, points of curvature and lengths of all arcs shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
11	Ingress/egress drive locations shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
12	Storm water detention area with volume stated and drainage easements shown.	<input type="checkbox"/>	<input type="checkbox"/>		E
13	Proof of legal nonconforming parcels.	<input type="checkbox"/>	<input type="checkbox"/>		P
14	The plat is consistent with the deed.	<input type="checkbox"/>	<input type="checkbox"/>		E
15	The floodplain information is verified.	<input type="checkbox"/>	<input type="checkbox"/>		P/E
16	Basis of bearings statement and labeled line on plat. State the basis of bearing and label on the drawing. Bearings shall be based on Commerce City Control Diagram or Colorado State Plane Central Zone.	<input type="checkbox"/>	<input type="checkbox"/>		E
17	Benchmark: Location of the subdivision as part of some larger subdivision or tract of land, and by reference to permanent survey monuments with a tie to a section or quarter section corner. Description of all monuments both found and set.	<input type="checkbox"/>	<input type="checkbox"/>		E

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For large, mixed-use or residential subdivisions, the following chart(s) must appear on the first page:

Technical Data:

LAND USE	NUMBER OF LOTS/PARCELS	ACRES	PERCENT OF THE PROJECT (ACRES)
Land Use – (Residential, Commercial, Industrial)			
Public Open Space/Floodplain			
Right-of-Way			
HOA owned & maintained open space			
Gross Acres:			

Tract Use Summary Table:

TRACT	USE	OWNER	MAINTAINED BY	AREA (ACRES)	AREA (SQ. FT.)
A					
B					
C					
Etc.					

Owner/Maintained by legend:

CCC = City of Commerce City

HOA = Home Owners Association

POA = Property Owners' Association

Owner = Property Owner