

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: 4 to 6 months
 - ➔ Public Hearing Plats: 8 to 12 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.

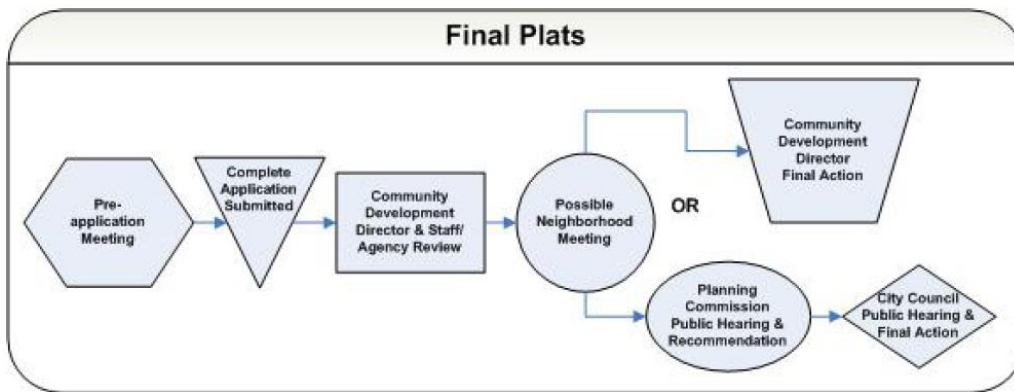
GENERAL NOTES:

- 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.
- A sketch plat is required before a final plat submittal for subdivisions with great than 20 lots

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- 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.
- 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 6 weeks (8 for residential projects), 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 5 weeks (7 weeks for residential projects). 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 3rd Monday of the month at 6:30 p.m. at the Civic Center).

FNAL 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:

Please note that incomplete submittals will not be accepted for review. Any inaccurate or incomplete information provided by the applicant may cause the application to be returned to the applicant and/or delay review cycles which may impact the case completion time frame. Please visit [c3gov.com/etrakit](https://www.c3gov.com/etrakit) for complete information for submitting for this application type. The following items will need to be included in your submittal package.

- Property Owner Authorization.
- General warranty deed, with a complete legal description, for the subject property.
- 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.
- Current site plan for the affected lot(s).
- Traffic Study conducted within the last two years or conformance letter to a city approved traffic study
- Drainage report or drainage conformance letter
- Completed Checklist Binder from <https://www.c3gov.com/doing-business/developing-in-commerce-city/civil-plan-approval-grading-permits>
- If required, development plan and all other required documents.
- 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).
- Electronic copy of a preliminary soils report that is signed and sealed by the Engineer of Record (if required)
- 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.

Case # _____

Applicant Name: _____

Property Owner Name: _____

Approximate Location of Property: _____

SUBDIVISION (PLAT) CHECKLIST

EACH SHEET SHALL INCORPORATE THE FOLLOWING:

No.	Item	Yes	No	Comment(s)	(P/E)
1	18" x 24" sheet with 1/2" border on the top, bottom and right with a 2" border on the left.				P
2	The precise name of the subdivision, township, section, range, city, county, state, and sheet number.				P/E
3	A suitable scale (written and graphic).				P/E
4	A north arrow.				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.				P
6	The total land area in square feet and acres.				P/E
7	<p><u>A dedication to be worded as follows:</u> 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 and square feet, 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 dedicate to the City of Commerce City, State of Colorado, [tracts x, y, z] and public rights of way in fee simple, and warrants title to the same, for the perpetual use of the public, the streets and other public ways as shown on this plat and hereby dedicates such easements to the City of Commerce City [tracts a,b,c], as are created hereby, and depicted, shown, or referenced by note hereon and warrants title to the same.</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>			<p>*If there is no dedication to the city, only the legal description is required.</p>	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>				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>				E
10	<p>The first sheet is formatted in accordance with the City's specifications (into three columns, v-map in the middle, etc.) is shown on Exhibit A.</p>				P

SUBDIVISION (PLAT) CHECKLIST					
SHEET #1 (continued):					
No.	Item	Yes	No	Comment(s)	(P/E)
10	<p>Land surveyor's certificate shall be worded as follows:</p> <p>Surveyor's Certificate:</p> <p>I, _____ a registered land surveyor, registered in the State of Colorado do hereby certify that there are no roads, pipelines, irrigation ditches, or other easements in evidence or known by me to exist on or across the herein before described property except as shown on this plat. I further certify that I have performed the survey shown hereon, or such survey was prepared under my direct responsibility and supervision, that this plat accurately represents said survey, and that all monuments exist as shown herein.</p> <p>_____ Signature and Printed Name</p> <p>LS No. _____ (seal and date) _____</p> <p>Address _____</p>				P/E
11	<p>Administratively approved subdivision signatures to be worded as follows:</p> <p>CITY STAFF CERTIFICATE:</p> <p>Approved by the City Engineer of the City of Commerce City this _____ day of _____, AD 20____</p> <p>_____ City Engineer</p> <p>Approved by the Director, Department of Community Development of the City of Commerce City this _____ day of _____, AD 20____</p> <p>_____ Director Department of Community Development</p>			*For administratively approved subdivisions	P
12	<p>Public hearing approved subdivision signatures to be worded as follows:</p> <p>CITY COUNCIL CERTIFICATE:</p> <p>Approval by City of Commerce City, City Council this _____ day of _____, AD 20____</p> <p>Attest: _____ City Clerk Mayor</p>				P

SUBDIVISION (PLAT) CHECKLIST					
SHEET #1 (continued):					
No.	Item	Yes	No	Comment(s)	(P/E)
13	<p>The following language shall appear on all subdivisions:</p> <p>NOTICE IS HEREBY GIVEN:</p> <p>A. Any construction across an existing subdivision lot line is in violation of the subdivision regulation of the City, except as herein authorized.</p> <p>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.</p> <p>C. This Plat does not establish water availability for the subject Property. Water and wastewater service is provided by the South Adams County Water and Sanitation District. Investigation of the current water availability for the Property and acquisition of any additional water required for development of the Property shall be the sole responsibility of the developer, its successors and assigns. Development approvals will not be granted without proof of water availability.</p>				P
14	<p>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:</p> <p>This subdivision is part of the (PUD name), PUD # (from Adams County) or Reception # (from Adams County)."</p>				

SUBDIVISION (PLAT) CHECKLIST

SHEET(S) #2:

No.	Item	Yes	No	Comment(s)	(P/E)
1	All lots and blocks numbered in connecting order.				P/E
2	All dimensions necessary to establish boundaries in the field.				E
3	Location and width dimensions of all recorded and apparent easements and rights-of-ways.				E
4	The names of abutting subdivisions or "unplatted" noted.				E
5	All public areas identified.				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)				E
7	Right-of-way dedication, utility, transportation and drainage easements shown as required.				E
8	All section, range, and township lines which are within plat boundary or border the property within 100' are shown.				E
9	All curve data shown in chart form on the face of the plat.				E
10	Radii, internal angles, points of curvature and lengths of all arcs shown.				E
11	Ingress/egress drive locations shown.				E
12	Storm water detention area with volume stated and drainage easements shown.				E
13	Proof of legal nonconforming parcels.				P
14	The plat is consistent with the deed.				E
15	The floodplain information is verified.				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.				E
17	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.				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	Area (S.F. +/-)	Area (AC. +/-)	Use (Defined)	Owner*	Maintained By*
A					
B					
C, etc.					
Total Tracts:					
Total ROW Area:					
Total Lot Area:					
TOTAL PROJECT AREA:					

Total Number of Lots:	
Total Number of Tracts::	

Total Number of Lots:	
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*Legend for "Owner/Maintained By" columns:
 CCC = City of Commerce City
 HOA = Home Owners Association
 POA = Property Owners' Association
 Owner = Property Owner

SUBDIVISION NAME

SECTION, TOWNSHIP, RANGE, CITY OF COMMERCE CITY,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET ____ OF ____

Legal Description & Dedication:

(If there is no dedication to the city, only the legal description is required).

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:

Beginning at (complete legal description); containing (the nearest one-hundredth) acres more or less; have be 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, and the easements as shown, for public utility, cable TV and detention pond areas, floodway and floodplain limits, drainage and other public purposes as determined by the City of Commerce City.

Ownership and Title Certification:

I, _____ a duly authorized officer of _____ hereby certify that the parties executing this plat as owners of the above described property are the owners thereof in fee simple; and further, that all public right-of-way, easements or improvements, if any, that are dedicated by this plat are fee and clear of all liens and encumbrances, except those shown on this plat.

Authorized signature and printed name Date

Lien Holder(s) (when applicable):

The undersigned, being the holder of a deed of trust encumbering the property described in the plat of _____ joins in and consents to the filing hereof.

State of Colorado By: _____
County of Adams Authorized signature and printed name

Notary Seal:

The foregoing dedication was acknowledged before me this ____ day of _____, A.D. 20____.

State of: _____

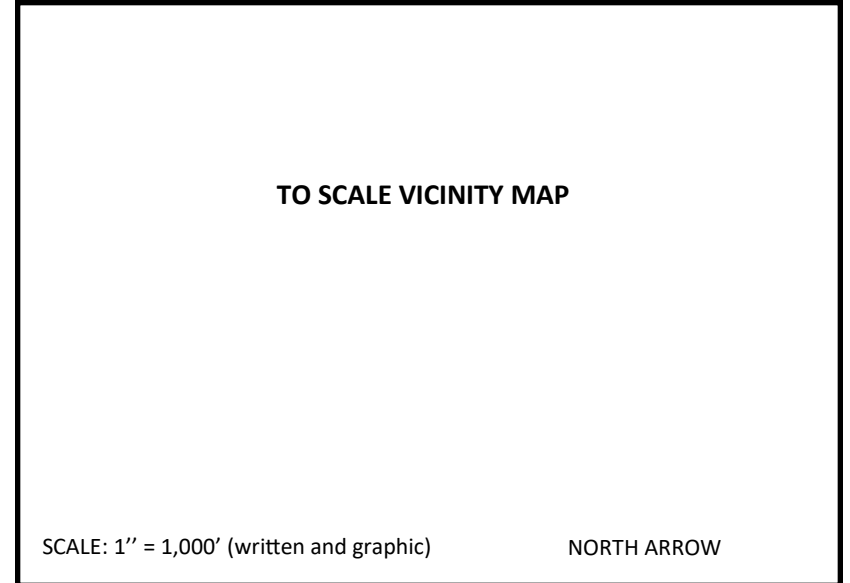
County of: _____

City of: _____

My Commission expires: _____

Notary Public: _____

NOTARY SEAL



Notice is Hereby Given:

- 1. Any construction across an existing subdivision lot line is in violation of the subdivision regulation of the City, except as herein authorized.
- 2. Any division of an existing lot, conveyance of a 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.
- 3. According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

Additional Notes (from the review checklist):

- Item #9 for sheet #1
- Item #16 for sheet #1

Tables (when applicable):

- Technical Data for PUDs
- Tract Use Summary for PUDs

Surveyor's Certificate:

I, _____, a registered land surveyor, registered in the State of Colorado do hereby certify that there are no roads, pipelines, irrigation ditches, or other easements in evidence or known by me to exist on or across the herein before described property except as shown on this plat. I further certify that I have performed the survey shown hereon, or such survey was prepared under my direct responsibility and supervision, that this plat accurately represents said survey, and that all monuments exist as shown herein.

Signature and printed name

LS No. _____ seal and date:

Address: _____
SS

City Staff Certificate (when applicable):

Approved by the City Engineer of the City of Commerce City this _____ day of _____, A.D. 20____.

City Engineer

Approved by the Director of Community Development of the City of Commerce City this _____ day of _____, A.D. 20____.

Director, Community Development

City Council Certificate (when applicable):

Approved by the City Council of the City of Commerce City this _____ day of _____, A.D. 20____.

Attest: _____
City Clerk Mayor

SAMPLE
TEMPLATE

2 inch border

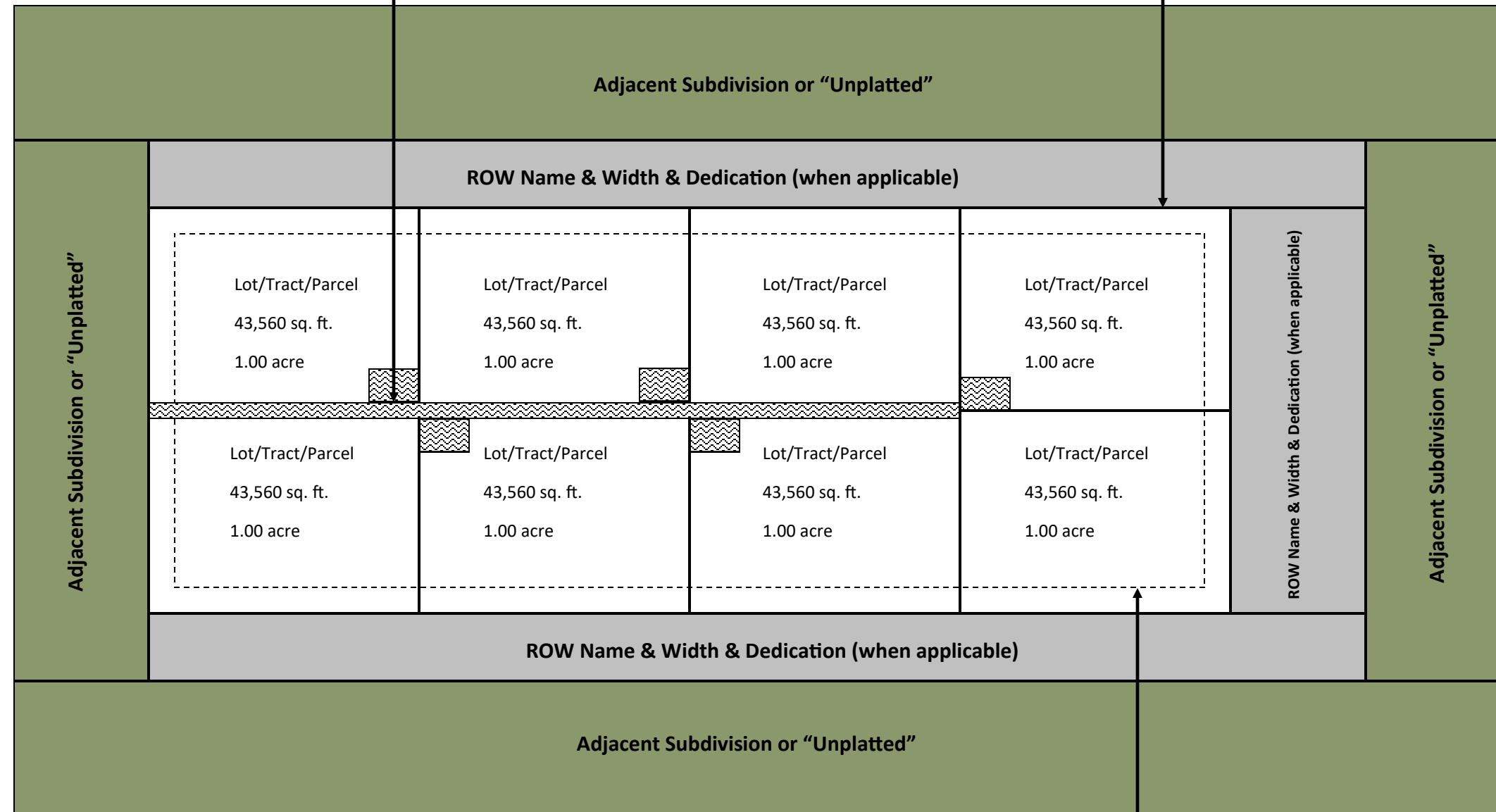
SUBDIVISION NAME

SECTION, TOWNSHIP, RANGE, CITY OF COMMERCE CITY,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET ____ OF ____

Storm water detention/retention area(s) with
volume stated and drainage easements shown.

All boundary, lot, and easement lines shall have
lengths to the 100th of a foot. Surveyor to provide
error of closure check (within 1:20,000).



All dimensions neces-
sary to establish
boundaries in the
field.

**SAMPLE
TEMPLATE**

2 inch border

1/2 inch border

Basis of Bearings:

State the basis of bearings and label on the drawing. Bearings shall be based on Commerce City Control Diagram or Colorado State Plane Central Zone. Contact Commerce City Engineering Division for more information (303.289.8150).

Benchmark:

Location of the subdivision as part of some larger subdivision or tract of land, and be reference to permanent survey monu-
ments with a tie to a description of all monuments both found and set.

Right-of-Way dedication, utility, transportation and
drainage easements shown and dimensioned as
required.

SCALE: 1" = 2,000' (written and graphic)

NORTH ARROW