

MINOR SUBDIVISION - SECTION ONE

GENERAL INFORMATION

How to Use this Attachment

Section One of this attachment contains general information about the review type, and the process used to review your application. Keep this section as a reference while your application proceeds through review.

Section Two contains material that **you are required to fill out, detach, and submit with your application.** The Application Submittal Requirements checklist describes the minimum information to include in your application. Your application will not be accepted for review unless all the information is present.

Use the information in this attachment to prepare your application. The information in this, and related, attachments **identifies the criteria that will be used to evaluate your application.** Your application should **focus on demonstrating how your proposal complies with all the criteria.** Effective use of this attachment will help you avoid costly revisions to your application later.

Minor Subdivision Summary

A Minor Subdivision is a division of land that is already served by city services, **will not require the extension of streets or public improvements, and will not create more than one lot. It is limited in use to property with residential zoning.** Land uses allowed in other zoning districts may require drainage infrastructure improvements, and so are not eligible to use the Minor Subdivision process.

A Minor Subdivision involves a Preliminary and Final Plat, just like a standard subdivision process. It differs from a standard subdivision due to the limitations above, because the Preliminary and Final Plats must be processed simultaneously, and because no subdivision agreement is involved. In other respects, Minor Subdivision is reviewed according to the same process, and with the same requirements, applicable to the standard Preliminary and Final Plat processes.

A property is **not eligible for Minor Subdivision if any of the following apply:**

- 1) Requires any variations to Section 9-12-12, "Standards for Lots and Public Improvements", B.R.C. 1981;
- 2) Requires the dedication of public right-of-way for new streets or alleys;
- 3) Requires the extension of public improvement such as a street, alley, water main, or sewer main;
- 4) Is located on lands containing slopes of fifteen percent or greater; or
- 5) Is located in a non-residential zoning district.

For a Minor Subdivision to be approved **the following standards must be met:**

- 1) The land is in a residential zoning district described in Subsection 9-6-1, B.R.C. 1981;
- 2) The division of land will create no more than one additional lot;
- 3) The division of land will not require the extension of any public improvements, including, without limitation, the extension of roads or utilities to serve the property;

- 4) If the minor subdivision is a replat of a previously approved subdivision, the document shall be named with the same name as that of the original subdivision and shall indicate thereon that it is a replat of the original subdivision. Newly adjusted or created lots shall be designated to adequately indicate that original lot lines have been adjusted with a similar lot name; and
- 5) The lots and existing structures will comply with the lot standards of Section 9-12-12 "Standards for Lots and Public Improvements", B.R.C. 1981, and the solar access requirements of Section 9-9-17, "Solar Access", B.R.C. 1981.

The Minor Subdivision application is reviewed by the city through the Development Review Committee (see attached Land Use Review/Technical Document Review Summary). If deficiencies are found, the applicant can submit up to two sets of revisions to correct the preliminary and final plat. When both are found to conform to all requirements, the subdivider must submit a signed mylar original of the final plat drawings. When that has been done, the city will issue a notice of decision ("disposition").

The notice of the decision is forwarded to the Planning Board. This initiates a 14 day "call-up" period. During this time, any Planning Board member, or any member of the public aggrieved by the decision, can request a public hearing on the final plat. If called up, the Planning Board will conduct a public hearing within 30 days prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, and render a final decision. After the call-up period has expired and approval is final, the city will record the final plat and subdivision agreement as the official record of the minor subdivision.

LAND USE REVIEW AND TECHNICAL DOCUMENT REVIEW PROCESS SUMMARY

The Planning Department coordinates discretionary reviews through a Land Use Review process. The various review types are listed on the Land Use Review Application Form and include annexation, site review, use review and preliminary plat for subdivision. The Land Use Review process is summarized here.

Pre-Application

If you are considering filing a development review application, a pre-application review may be beneficial. An interdepartmental city staff team is available to answer questions about applicable regulations, application requirements, and how they may affect a project on a particular site. Many pre-application questions can be answered without need for a meeting. Occasionally, staff will determine that a meeting will be the most effective approach. Pre-application review is usually optional. Exceptions are the Off-site Affordable Housing Location Review, when land is proposed for Inclusionary Housing, and certain Housing Funding requests; however, there are certain types of projects and reviews for which city staff recommends a pre-application review. Refer to the "Pre-application Review" brochure for details.

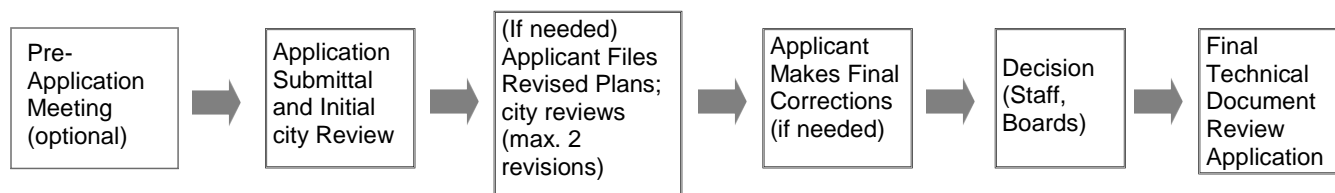
Application

Land Use Review (LUR) applications for new projects are accepted in the Planning and Development Services Center, Monday, Wednesday, Thursday and Friday from 8:00 a.m. to 4:00 p.m. and Tuesday from 10:00 a.m. to 4:00 p.m. Applications are processed and routed for staff's review on the Monday of the next review track. A calendar of submittal dates for review tracks can be found on the city's website at: <https://bouldercolorado.gov/plan-develop>.

Review Schedule

Each application is assigned a three-week review "track" based on availability of staff resources to conduct the review. The track assigned determines the review schedule the project will follow and help applicants gauge the time needed to complete the review process. A generalized diagram of the land use review process appears below. Once a review track has been assigned, the city commits to this time schedule, assuming the applicant meets the required deadlines. Some projects may be placed on a later track based on the applicant's response time, the number of revisions, and staff, Planning Board or City Council work volume.

Basic Steps in the Land Use Review (LUR) Process



Reviewers

The land use review process includes review by the Development Review Committee (DRC), which is made up of representatives from city departments and other referral agencies. Each representative provides review and comment about how the application complies with code and policy requirements within their area of responsibility. When the interests of individual departments diverge, developing consensus is the responsibility of the Policy Resolution Group (PRG), made up of supervisors of Planning and Development Services and the City Attorney's Office.

Initial Review and Review of Revised Plans

Public notice, by mail and posting a sign on the property, occurs during the initial review. The applicant is responsible for posting of a sign that is issued by the Planning and Development Services Center.

During a project's initial review, a summary of the city's findings, a list of requirements and informational comments are identified and given to the applicant in the form of Development Review Results and Comments.

Projects are reviewed for conformance with development standards and requirements and some are evaluated against qualitative design criteria. City comments and/or a decision are issued approximately three weeks after the start of the assigned review track.

Issuance of the Development Review Results and Comments concludes the services covered by the initial application fee. Any additional time spent by staff after this point is subject to hourly billing or by revision fees where applicable.

The case manager is available to meet with the applicant to review and discuss the city comments. After considering the issues identified in the initial review, the applicant is given the opportunity to propose revisions. Revisions must be submitted, or a written request for continuance received within 60 days from the date of city comments; otherwise, staff will either take action on the latest plans on file or the application is voided. Revised applications are evaluated by DRC staff members and review of revision comments are issued by the case manager within 15 working days after the start of the assigned review track. Up to two revisions may be filed for each project.

Decisions/Call-ups/Appeals

Depending on the potential impact, Boulder's land use regulations assign approval authority to either city staff, Planning Board, or both Planning Board and City Council. After the completion of staff review, the Planning Department either issues a staff decision or refers the project to the Planning Board or City Council. For site review, use review and subdivision (at final plat review), a "Notice of Disposition" is issued. This is a one- or two-page document stating the decision and listing any conditions of approval. These decisions are final after a 14-day "call-up" period. Staff-level decisions may be called up by the Planning Board for a final decision or appealed to the Planning Board by the applicant or any interested person. Planning Board decisions are also issued as dispositions and are final after a 30-day call-up period. Board decisions may be called up for review by City Council with a majority vote of City Council in favor of the call-up. Decisions by Planning Board and City Council are made following public hearings at regularly scheduled meetings.

Several types of Land Use Review applications do not have dispositions issued and follow a slightly different review process at the time of the project decision. For example, out-of-city utility permits are approved by city staff and subject to a call-up by the City Council. Annexations follow a state law approval process, including a recommendation by the Planning Board and approval of an ordinance at two readings by City Council. For additional information on the steps towards a final decision for a particular application type, please refer to the application attachment for the review type or contact the Planning and Development Services Center.

Technical Document Review and Permit Review

The conditions of approval for most Land Use Review applications will generally require several documents to be prepared, filed and recorded depending on the review type. These may include final plans (architecture, site, landscape), a subdivision final plat and agreement, a development agreement, engineering plans, and dedications of easements or rights-of-way.

For city review and approval of these technical and final documents, *the applicant files a Technical Document Review application*. The Technical Document Review process (TEC DOC) is similar to Land Use Review (same application deadlines, but no hearings are involved).

After the required technical documents have been approved, the applicant may file a building permit application for any new construction. Information on building permits is available in the Planning and Development Services Center (303- 441-1880). The applicant may also need to obtain other permits to complete the project, including growth management allocations and floodplain development permits.

Expiration of Approval

For site and use reviews, the applicant must begin and substantially complete an approved project within three years from the date of final approval (or as modified by a specific development schedule). If a project is not completed within three years, or according to the project's approved development schedule, the approval expires. If the project is not completed within this time frame, the applicant may request administrative extension of the development approval. Up to two six- month extensions can be granted by staff. After that, extensions can only be granted by the Planning Board, after a public hearing, and upon a showing by the applicant that reasonable diligence has been exercised to complete the project.

MINOR SUBDIVISION - SECTION TWO

APPLICATION SUBMITTAL CHECKLISTS AND FORMS

Submit with your application.

Section Two contains:

- Minor Subdivision Application Requirements checklist.
- Project Fact Sheet
- Sign Posting Requirements Acknowledgement form

All of these documents must be filled out completely and submitted with your application, in the quantities specified on the Land Use Review application form and on the Minor Subdivision Application Requirements checklist.

MINOR SUBDIVISION APPLICATION REQUIREMENTS AND CHECKLIST

An application for Minor Subdivision must meet the basic requirements listed in the city's land use regulations (found in Sections 9-12-5 B.R.C. 1981). These requirements are detailed below and are listed on the Land Use Review Application Form. **An application fee, as specified on the application form, is also required.** In addition, an applicant may submit any additional materials which may be appropriate to the review.

All required materials must be included in order for an application to be accepted by the Planning and Development Services Center. Incomplete applications will not be accepted and will be returned to the applicant.

All application materials must be submitted in 15 collated packets, with one complete packet marked "Original." Each packet must contain one of each required plan, statement, etc. Every packet must include a cover sheet that clearly indicates the contents of the packet. Where fewer than 15 copies of an item are required, the cover sheet should clearly indicate the packets that contain those items.

Complete the checklist below, marking those items as they are included in your application submittal, and sign it at the end. The checklist is intended to assist the applicant in collecting all of the required materials and to assist the Planning and Development Services Center in determining that all of the application requirements are met.

Minor Subdivision Application Requirements

- 1. A complete **Land Use Review Application Form**, including signatures by or the written consent of the owners of all property to be included in the development.
- 2. A completed **Sign Posting Requirements Acknowledgement** form, signed by the applicant.
- 3. Three (3) copies of an **improvement survey** or improvement location certificate by a registered surveyor, of the subject property.
- 4. One (1) copy of a **legal description** of the subject property, printed clearly on an 8 ½" x 11" sheet.
- 5. Fifteen (15) copies of a **vicinity map** (8 ½" x 11") indicating the site and names of adjacent streets. If the site is less than one acre, the map must be drawn at a minimum of 1":200'.
- 6. Fifteen (15) copies of a **written statement** which describes the proposal.
- 7. Fifteen (15) prints (18"x24" or 24"x36") folded to 9"x12", of a **utility connection plan**.
- 8. Fifteen (15) prints of a **preliminary plat** (18"x24" or 24"x36") folded to 9"x12", prepared at a standard engineering scale of no less than 1":100', and at a scale sufficient to clearly show the details of the drawing; including, without limitation:
 - The proposed name of the subdivision.
 - The location and boundaries of the subdivision, names of all abutting subdivisions with lines indicating abutting lots, or if the abutting land is unplatted, a notation to that effect, and names of all abutting streets.
 - Existing and proposed contours at two-foot intervals if the slope is less than 10 percent and five feet where the slope is greater than 10 percent.
 - The date of preparation, scale and north sign (designated at true north).

- [] A vicinity map showing at least three blocks on all sides of the proposed subdivision, which may be of a different scale than the plat.
- [] The location of structures and trees of five-inch caliper or more on the property and approximate location of structures off the property within 10 feet of the property line.
- [] The name, address and telephone number of the licensed surveyor, licensed engineer or designer of the plat.
- [] The total acreage contained within the proposed subdivision in square feet and acres.
- [] The location and dimensions of all existing public improvements, easements, drainage areas, irrigation ditches and laterals and other significant features within or adjacent to the proposed subdivision.
- [] The location and dimensions of all proposed public improvements, public easements, lot lines, parks and other areas to be reserved or dedicated for public use, a dedication thereof to the public use, and identification of areas reserved for future public acquisition.
- [] Zoning on and adjacent to the proposed subdivision.
- [] A designation of areas subject to the 100-year flood and the estimated flow rate used in determining that designation, and base flood elevation data and the source used in determining that elevation.
- [] The number of lots and each lot size, in square feet and acres.
- [] Proposed uses of each lot.
- [] Proposed ownership and use of outlots.
- [] The location and size of existing utilities within or adjacent to the proposed including without limitation, water, sewer, storm sewers and drainage facilities, fire hydrants within three hundred fifty feet of the property, electricity, and gas, which shall be placed on separate engineering drawings.
- [] 9. One (1) copy of a **solar analysis for any existing buildings** per Section 9-9-17 "Solar Access." Please refer to "Solar Access" brochure available from the planning department for specific requirements.
- [] 10. Fifteen (15) copies of a completed **Land Use Review Project Fact Sheet** (attached).
- [] 11. Two (2) copies of a **current title insurance commitment** or attorney memorandum, based on an abstract of title.
- [] 12. One (1) copy of the **notification sent to each Mineral Estate Owner** per Section 9-12-7(c) of the Land Use Regulations, or written certification that the applicant performed a Mineral Estate search and found no owners.

- [] 13. Five (5) **prints* of a final plat** (24"x36", folded to 9"x12") incorporating the following:
 - [] A map of the plat drawn at a scale of no less than one inch equals one hundred feet (and a scale sufficient to be clearly legible; maps of two or more sheets shall be referenced to an index placed on the first sheet.
 - [] The title under which the subdivision is to be recorded.
 - [] Accurate dimensions for all lines, angles, and curves used to describe boundaries, public improvements, easements, areas to be reserved for public use, and other important features. All curves shall be circular arcs and shall be defined by the radius, central angle tangent, arc and cord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field that must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved.
 - [] The names of all abutting subdivisions, or if the abutting land is unplatted, a notation to that effect.
 - [] An identification system for all lots and blocks and names of streets.
 - [] An identification of the public improvements, easements, parks, and other public facilities shown on the plat, a dedication thereof to the public use and areas reserved for future public acquisition.
 - [] The total acreage and surveyed description of the area.
 - [] The number of lots and size of each lot in square feet.
 - [] Proposed ownership and use of outlots.
 - [] A notation and delineation of areas subject to the one-hundred year flood, the estimated flow rate used in determining that designation, the effective date thereof, and a statement that such designation is subject to change.
 - [] A description of all monuments, both found and set, that mark the boundaries of the property and a description of all control monuments used in conducting the survey.
 - [] A statement by the land surveyor that the surveyor performed the survey in accordance with state law.
 - [] A statement by the land surveyor explaining how bearings, if used, were determined.
 - [] The signature and seal of the Colorado registered land surveyor.
 - [] Certification for approval by the following:
 - A. The Director of Planning
 - B. Director of Public Works for Utilities.
 - C. Director of Parks and Recreation, if park land is dedicated on the plat.
 - D. Director of Open Space and Mountain Parks, if open space land is dedicated on the plat.
 - E. Qwest Communications.
 - F. Xcel Energy.
 - [] Signature blocks for all owners of an interest in the property.
 - [] A signature block for city manager's signature.

- [] 14. One (1) copy of a **computer check** to assure that the exterior lines of the subdivision of the final plat close. In the absence of such verification, the city shall obtain such computer check, and the subdivider shall pay the fee therefore prescribed by Section 4-20-43(a), B.R.C., 1981 before recording the plat.
- [] 15. Any other information that the applicant wishes to submit.

*** Note: At the time your Final Plat is ready to be approved, you will be required to submit an ink-on-mylar reproducible original of the Final Plat, suitable for signature and recordation.**

(signature of person who filled out checklist)

(print name)

PROJECT FACT SHEET

For Land Use Review Applications

Accurate and complete information about a project is integral to a timely and thorough city review. **Please type or print complete answers to the items listed under the boxes that relate to your project.** While some of this information may be included on the project site plans or discussed in the written statement, please also enter it here. If you choose to recreate this document, please only include the items that relate to your project. An electronic version of this document is available on the Web at www.boulderplandevlop.net

ALL PROJECTS

Key Information

Subject property address/location: _____

Owner name and address: _____

Legal Description (or attach): _____

Age of existing structures: _____

Size of site in square feet and acres. Gross: _____
Net (after public dedications): _____

Current Zoning Designation: _____

For rezoning and annexation applications,
Proposed Zoning Designation: _____

Boulder Valley Comprehensive
Plan Land Use Designation: _____

Previous Approvals (specify
project name, review type): _____

Solar Access Area Designation (circle one): Area I Area II Area III

Does the project include the demolition of any structures? Yes No
If yes, what year was the structure built? _____

Please list any requested variations to the land use regulations (specific variance information is requested later in the project fact sheet):

Is the proposed development meeting the inclusionary housing requirement for another development (sending site)?
Yes No

If yes, what is the address of the sending site? _____

**SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM**

Required for Certain Land Use Review, Administrative Review, Technical Document Review,
and Board of Zoning Adjustment Applications

**CITY CODE REQUIREMENTS FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS
(SECTION 9-4-3, "PUBLIC NOTICE REQUIREMENTS", B.R.C. 1981):**

- (1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:
 - (A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.
 - (B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.
 - (C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.
 - (D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.
 - (E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.
- (2) Posted notice of the property shall be a minimum of 10 days from receipt of application and prior to final action or any hearing.

I, _____, am filing a Land Use Review, Administrative Review, BOZA,
(PRINT NAME OF APPLICANT OR CONTACT PERSON)
or Technical Document Review application [on behalf of] _____
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)
for the property located at _____. I have read
(PRINT PROPERTY ADDRESS OR LOCATION)
the city's sign posting requirements above and acknowledge and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3, B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

SIGNATURE

DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.