



Minor Subdivision

Attachment to Land Use Review Application

How to Use this Attachment

[Process Information](#) 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 the review process.

[Application Requirements and Checklist](#) contains material that you are required to fill out and submit with your application. The Application Submittal Requirements Checklist describes the minimum information to be included 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 identify 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 can help you avoid costly revisions to your application later.

[Plat Routing Procedure](#) provides information regarding routing the minor subdivision for signatures once it has been approved by staff.

[Examples](#) provides sample final plat signature blocks and an example of a final plat.

Process Information

MINOR SUBDIVISION

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. The requirements for a Minor Subdivision are set forth in [Boulder Revised Code, 1981 \(B.R.C.\) Section 9-12-5](#). A Minor Subdivision 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 the city manager may waive the requirement for a subdivision agreement if there are no public improvements associated with the subdivision. 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:

- Requires any variations to [B.R.C. Section 9-12-12](#), “Standards for Lots and Public Improvements”
- Requires the dedication of public or private access easements or public right-of-way for new streets, alleys or shared access drives;

- Requires the extension of public improvement such as a street, alley, water main, or sewer main or requires any engineering plans, including but not limited to drainage reports for any public or private improvement;
- Is located on lands containing slopes of fifteen percent or greater;
- Requires the removal of an existing principal building; or
- Is located in a non-residential zoning district.

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

- The land is in a residential zoning district described in [B.R.C. Section 9-6-1](#);
- The division of land will create no more than one additional lot;
- 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;
- 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
- The lots and existing structures will comply with the lot standards of [B.R.C. Section 9-12-12](#) "Standards for Lots and Public Improvements", and the solar access requirements of [B.R.C. Section 9-9-17](#), "Solar Access".

The Minor Subdivision application is reviewed by the city through the Development Review Committee (see attached [Land Use Review/Technical Document Review](#) sections below). If deficiencies are found, the applicant can submit revisions to correct the preliminary and final plat. When both are found to conform to all requirements, the subdivider must submit a signed final plat in electronic format saved as a PDF and, if applicable, a signed subdivision agreement. When that has been done, the city will issue a notice of decision ("disposition").

The notice of the disposition is forwarded to the Planning Board. The staff decision on the plat 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 as prescribed by [B.R.C. Chapter 1-3](#), "Quasi-Judicial Hearings", and render a final decision. After the call-up period has expired and approval is final or after Planning Board approval, the city manager will sign the city manager certification and the city will record the final plat and subdivision agreement as the official record of the minor subdivision.

LAND USE REVIEW

Planning & Development Services coordinates development 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, form-based code review, and preliminary plat for subdivision. The Land Use Review process is summarized below.

► 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. In most cases, pre-application review is

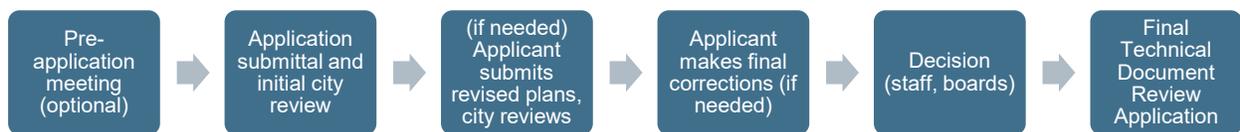
optional; however, there are certain types of projects and reviews for which city staff recommends a pre-application review. A pre-application review and meeting are required before an application for a form-based code review is filed. Please refer to the [Pre-Application Review](#) handout for more information.

► APPLICATION

Application forms are due by 10 a.m. on the business day prior to the application deadline to be considered for review on the next available track. Remaining application materials and fees are due by 10 a.m. on the application deadline. Track calendars are available on the [Development Review and Plan Case Applications webpage](#), refer to the LUR Calendar for this application type. Please review the [Development Review Application Guide](#) for instructions on how to submit.

► REVIEW SCHEDULE

Each application is assigned to a "track" based on availability of staff resources to conduct the review. The track assigned determines the land use review schedule which the project will follow and helps 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 appropriate deadlines. In addition, the schedule may be accelerated or a project 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.



► 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 comments 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 Planning and Development Services leadership 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 Planning and Development Services.

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 three weeks after the start of the assigned review track.

► DECISIONS/CALL-UPS/APEALS

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, Planning & Development Services either issues a staff decision or refers the project to the Planning Board or City Council. For site review, use review, form-based code 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 and City Council decisions are also issued as Dispositions.

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 after 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 in the [Applications and Forms Database](#) or contact Planning and Development Services.

► EXPIRATION OF APPROVAL FOR SITE, USE, AND FORM-BASED CODE APPROVALS

For site, use, and form-based code reviews, the applicant must sign a development agreement and file a final approved plan (containing the disposition of the approval) within 90 days. If this is not complied with the approval expires. In some cases, a waiver of this expiration timeline can be requested.

The applicant must also begin and substantially complete the 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.

TECHNICAL DOCUMENT

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).

PERMIT REVIEW

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 on the [Building Permits and Inspections webpage](#). The applicant may also need to obtain other permits or approvals to complete the project, including growth management allocations and floodplain development permits.

Application Requirements and Checklist

This section includes the following documents, to be filled out completely and submitted with your application, as specified on the [Land Use Review application form](#) and on the Minor Subdivision Application Requirements checklist.

- Minor Subdivision Application Requirements Checklist
- [Sign Posting Requirements Acknowledgement Form](#)
- [Land Use Review Project Fact Sheet](#)

MINOR SUBDIVISION APPLICATION REQUIREMENTS

An application for Minor Subdivision must meet the basic requirements listed in the city's land use regulations found in [B.R.C. Section 9-12-5](#). 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.

All required materials must be included in order for an application to be accepted by Planning and Development Services staff. Incomplete applications will not be accepted and will be returned to the applicant. A site review or form-based code application, under B.R.C. Sections [9-2-14](#) or [9-2-16](#), respectively, may also be used as a preliminary plat if it meets both the requirements of this section and those of B.R.C. Sections [9-2-14](#) or [9-2-16](#), as applicable.

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

Application form(s), required application materials and fees are due by 10 a.m. on the application deadline. Please review the [Development Review Application Guide](#) for instructions on how to submit.

MINOR SUBDIVISION CHECKLIST

- 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.
- A completed [Sign Posting Acknowledgment form](#).
- An improvement survey or improvement location certificate by a registered surveyor, of the subject property. Refer to the [Survey Information Handout](#) for requirements.
- The legal description of the subject property. (Note: the legal description must also be included on the preliminary plan drawing – see preliminary plat requirements below)
- A vicinity map indicating the site and names of adjacent streets. If the site is less than one acre, the map must be drawn at a minimum scale of 1":200'. (Note: a separate vicinity map must also be included on the preliminary plat drawing – see required preliminary plat details below.)
- A written statement which describes the proposal.
- A utility plan or utility connection plan.
- A preliminary plat drawn to a scale of no less than one-inch equals one hundred feet, and of a scale sufficient to be clearly legible, including streets and lots adjacent to the subdivision, and 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 ten percent and five feet where the slope is greater than ten percent;
 - The date of preparation, scale, and north sign (designated as 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 six-inch caliper or more on the property and approximate location of structures off the property within ten feet of the proposed plat boundary;
 - 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 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 one-hundred-year floodplain 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 subdivision 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.
- A shadow analysis for any existing buildings that is drawn in compliance with [B.R.C. Section 9-9-17](#), "Solar Access." Please refer to the [Solar Access Guide](#) for specific requirements.
 - A completed [Land Use Review Project Fact Sheet](#).
 - A current title insurance commitment or attorney memorandum. An attorney memorandum has to be based on an abstract of title.
 - Copy of the notification sent to each Mineral Estate Owner per [B.R.C. 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.
 - A final plat incorporating the following (see example at the end of this document):
 - A map of the plat saved as a PDF document using no less than 300 dots per inch (dpi), a font of no less than ten point type, a file size no greater than 100 MB, a drawing size of no more than twenty-four inches by thirty-six inches, legible and scalable (to a standard

- architectural or engineering scale) with a graphic scale bar on each page, and sufficient blank space for recording labels on each sheet;
- A vicinity map on the title sheet showing at least three blocks on all sides of the proposed subdivision, which may be of a different scale than the plat;
 - The title under which the subdivision is to be recorded. 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;
 - 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 chord 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 floodplain, 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;
 - A delineation of the extent of the one-hundred-year floodplain, the base flood elevation, the source of such delineation and elevation and a statement that they are subject to change;
 - The square footage of each lot;
 - Certification for approval by the following:
 - The Director of Planning,
 - Director of Public Works for Utilities,
 - Director of Parks and Recreation, if park land is dedicated on the plat, and
 - Director of Open Space and Mountain Parks, if open space land is dedicated on the plat;

- Signature blocks for all owners and lenders with an interest in the properties involved (see sample signature blocks below), including, but not limited to, the lenders identified in a current title commitment;
- A signature block for city manager's signature (see sample signature blocks below);
- A Clerk and Recorder's Certificate (see sample signature blocks below);
- A computer check to ensure that the exterior lines of the subdivision of the final plat close.
- The preliminary plat fee, as stated on the [Land Use Review Application Form](#).
- Any other information that the applicant wishes to submit.

*Note: Following approval of a preliminary plat, the applicant files a Technical Document Review Application for a Final Plat - Subdivision in order to complete the subdivision if the final plat hasn't been filed concurrently with the preliminary plat. Please refer to the [Technical Document Review Application Form](#) and [Final Plat for Subdivision Attachment](#) for final plat application requirements.

(signature of person who filled out checklist)

(print name)

Plat Routing Procedure

Once the Applicant provides both preliminary and final plats, final engineering plans, financial guarantees, and other required documents which meet all the City's legal requirements, the City staff will approve the plats in EnerGov and provide the applicant with a subdivision agreement (if one is required).

1. The Applicant will perform the following:
 - a) FINAL PLAT: Print a paper copy of the Final Plat, then follow these steps:
 - i. The owner must sign the Final Plat in front of a notary (or the notarization can be done remotely if all the requirements of §§ 24-201-501-24-21-540, C.R.S. are adhered to).
 - ii. If applicable, an authorized representative of the lender must sign the Lender's Consent and Subordination in front of a notary (or the notarization can be done remotely if all the requirements of §§ 24-201-501-24-21-540, C.R.S. are adhered to).
 - iii. Scan the paper copy of the Final Plat which has been properly signed by the owner and lender (if applicable) as described above, then provide it electronically in Adobe format to City staff.
 - b) SUBDIVISION AGREEMENT (if required): Print a paper copy of the Subdivision Agreement, then follow these steps:
 - i. The owner must sign the Subdivision Agreement in front of a notary (or the notarization can be done remotely if all the requirements of §§ 24-201-501 -- 24-21-540, C.R.S. are adhered to).
 - ii. Scan the paper copy of the Subdivision Agreement which has been properly signed by the owner, then provide it electronically in Adobe format to City staff.
 - c) OTHER REQUIRED DOCUMENTS: Provide the Preliminary Plat, Final Engineering Plans, Financial Guarantee, and any other required documents, including a title commitment current within 30 days, to City staff electronically in Adobe format (if not already provided).
2. The City will perform the following:
 - a) The Subdivision Agreement is signed electronically by the City.
 - b) The Approval lines on the Final Plat are signed electronically by the Planning Director and the Director of Public Works and Utilities.
 - c) A Planning Department Notice of Disposition with the date of the City staff's approval is signed by the Planning Director. The disposition is sent with the call-up memo to Planning Board within seven days of issuing the disposition. If it is not called-up by the Planning Board during the 14-day appeal period, then the final plat approval is final.
 - d) If it is called up by Planning Board, then the final plat will be considered at a hearing before the Planning Board. If it is approved by the Planning Board, then the final plat approval is final. Then, staff prepares a Planning Board Notice of Disposition for the Secretary of the Planning Board (Planning Director) to sign electronically.
 - e) Once the final plat approval is final, then the City Manager's Certificate on the Final Plat is signed electronically by the City Manager and City Clerk.
 - f) The Final Plat and Subdivision Agreement are recorded electronically using Simplifile. Per 9-12-10(f), B.R.C. 1981, the plat shall be recorded within one week after the city manager signs the City Manager certificate.
 - g) A plat expires if not recorded within 24 months after the date it was submitted, unless the city manager extends the final plat approval for not more than 12 months. This date has been interpreted to refer to the date that the plat signed by the Applicant was provided to City staff.

MINOR SUBDIVISION EXAMPLE

