



MINOR LAND DIVISION

COMMUNITY DEVELOPMENT | PLANNING

This procedure shall be required for the following land divisions:

1. Division of existing legal uses that have separate utilities; however, the minor land division procedure may not be used to divide accessory uses from principal uses or create an opportunity for additional principal uses;
2. Division of an existing legal use from the remaining vacant property with the condition that development of the vacant property must be approved through the land division process that would have been utilized prior to the approval of the MLD;
3. Division of quarter sections into four parcels of equal size where the original quarter section contains fewer than 140 acres; and
4. Divisions of the land for public utilities, open space, schools, or other public uses that require county review of potential impacts through the Location & Extent review or Special Review process

Process Overview:

1. Pre-application Meeting

2. Electronic Application Submittal:

Please email all submittal materials to planningCIRT@co.larimer.co.us in individual PDF format. Following your complete submittal, CIRT will contact you for application fee payment options. See page 4 for application submittal requirements.

3. Staff and Referral Agency Review:

Once your case is assigned to a planner, they will review it and send it out for referral agency comments. There is a minimum 60-day referral period for Minor Land Divisions.

4. Scheduling and Noticing of Public Hearing

5. Review and Decision:

Once all comments have been received and adequately addressed, a decision will be made at a Board of County Commissioner Land Use Hearing.

Community Development Mission:

We provide quality service to our customers and the community - residents and visitors of Larimer County. Using public and private partnerships we protect health, safety and welfare, enhance quality of life, maintain property values, find creative development solutions, and plan for the future.

Contact Information:

- | | |
|--|--|
| • Assessors Office - 970.498.7050 | • Engineering Dept. - eng-devrev@larimer.org |
| • Building Division - 970.498.7660 | • Flood - eng-floodplain@larimer.org |
| • Clerk and Recorder - 970.498.7860 | • Health Dept. (Septic) - 970.498.6775 |
| • Division of Water Resources (Wells) - 970.352.8712 | • On Call Planner - planning@larimer.org |



THINGS TO CONSIDER

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Customer Responsibilities:

The submittal requirements listed in this packet are intended to collect all of the information required for Larimer County staff and review agencies to fully evaluate the proposal. Additional information may be requested from the applicant during the review process if necessary to address specific issues that arise. For certain application types, a resubmittal fee may apply. In the event you are unfamiliar with any submittal requirements and need assistance, please seek the help of a third party consultant.

Please Note:

All surrounding property owners within a minimum of 500 feet of the property boundary lines will be notified of this request. Once submitted to the County, all application materials become a matter of public record.

Water Verification:

It is the applicant's responsibility to verify an adequate water source is available. If water is to be obtained from a public water supply, contact the appropriate water district. A cistern is not an adequate water source. Refer to the Land Use Code for specific requirements to this proposal.

Sanitary Sewer or Septic Verification:

It is the applicant's responsibility to verify an adequate sewage disposal is available. If an on-lot septic system is to be used, contact the Larimer County Department of Health and Environment. If a public sewage system is to be used, contact the appropriate sanitation district. Refer to the Land Use Code for specific requirements to this proposal.

Floodplain:

If the property is within or partially within a FEMA and/or locally designated floodplain, additional standards and restrictions may apply. Contact the floodplain administrator for more information.

O&E Expiration:

An Ownership and Encumbrance Report (O&E) is valid for six months.

Land Use Code:

Please view the Land Use Code here: <https://www.larimer.org/planning/regulations>

Expiration of Pre-Application Meeting Packet:

Pre-applications expire six months from the date of the meeting. If you have not submitted an application within six months of the pre-application meeting, check with the planner to see if a new meeting will be required. This is only applicable for project types that require pre-application meetings.

Mineral Interest Notification:

Only applicable to Rezoning, Zoning, Special Review, Minor Land Division, Preliminary Plat, Administrative Subdivision Thirty (30) days prior to the Board of County Commissioner hearing, notification must be provided to Mineral Interest Owners and Lessees as required by State Statute 24-65.5 notifying them of the proposed development. Furthermore, a signed certification must be received by the Larimer County Planning Department prior to the hearing that such notification was provided (see attached notification form). Failure to receive this certification will result in the hearing being rescheduled to a later date.

Pre-Submittal Meeting:

Depending on the complexity of the case and the application type, a pre-submittal meeting may be required prior to submitting an application. Submitting an application without a presubmittal meeting may result in substantial delays in application processing or application rejection. Application types that may require a pre-submittal meeting are: Special Review, 1041, L&E, Rezoning, Variance, Site Plan Review, Preliminary Plat, Final Plat

Use Specific Standards:

In addition to review criteria, refer to the Land Use Code for use-specific standards applicable to the proposed use. Use specific standards may be found in Article 3.0 or Article 13 for the Estes Valley.

Building Permits:

Building permits will NOT be accepted on the property while the application is pending.



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Hearings:

Hearings are held with the Board of County Commissioners on the first and fourth Monday's of each month. These hearings are held in the Commissioner's Hearing Room, beginning at 3:00 p.m. Notification of the hearing date will be mailed to all parties listed on the application form. Note: All proceedings are recorded.

Conditions of Approval:

The Board of County Commissioners may impose conditions on a Minor Land Division that are necessary to accomplish the purpose and intent of the Land Use Code and Master Plan and to prevent or minimize adverse impacts on health, safety and welfare of property owners and area residents.

Lien Holder Signature:

If there is a lien on the property(s), please be aware that the lien holder will be required to sign the final plat before it can be recorded. Please check with the mortgage company to determine if they approve of the proposed amended plat, and who at the company will be responsible for signing the plat.

Property Taxes:

Prior to recording the final plat, all prior year property taxes must be paid. Pursuant to state law, no subdivision plat can be recorded until proof has been provided that all current and prior year taxes have been paid.



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SUBMITTAL REQUIREMENTS

Please submit each item as a separate PDF to planningCIRT@co.larimer.co.us.

All PDFs should be named as listed below and attached to the same email.

Item	Description	Required
1.	Application Form – https://www.larimer.gov/sites/default/files/land_use_application_form.pdf	YES
2.	Application Fee - current fee at time of submission	
3.	Additional Fees - fire district, appeal, etc.	
4.	Project Description – detailed description of the proposed project, include review criteria from Article 6.5.10.D. of the Land Use Code. Please see following pages for Project Description requirements	YES
5.	Minor Land Division Plat – See following pages for Plat requirements	YES
6.	Closure Data – plat boundary data (perimeter bearings, distances, closure and acreage information)	YES
7.	Monuments – please see page 7 for requirements	YES
8.	Evidence of Access - provide evidence of perpetual, conveyable access to each lot (if lots do not have existing access on a public right-of-way).	
9.	Evidence of Eligibility – For parcels greater than 35 acres: One copy of deeds or other legal documents that created the subject parcels and evidence that no parcel less than 35 acres remains or resulted from the creation. For parcels less than 35 acres: One copy of deeds or other legal documents which clearly demonstrate that the subject parcels are the parcels that existed on May 5, 1972, or evidence that the subject parcels were previously approved by Larimer County.	YES
10.	Ownership and Encumbrance* - contact a Title Company for this information.	YES
11.	Consent of Lienholder Form** - https://www.larimer.gov/sites/default/files/lienholder_consent_form.pdf	IF APPLICABLE
12.	Submittal Checklist - one copy of this page	YES

Please Note:

*Ownership and Encumbrance: A report that identifies the last recorded owner, legal description and recorded deeds of trust or mortgages of a particular real property address available from public records. Contact a title company. Cannot be deeds or title research.

**Prior to submitting an application, please reach out to any applicable lienholders and complete the Consent of Lienholder form.

FINAL SUBMITTAL REQUIREMENTS:

1. **Final Plat** - mylar copy (24" x 36") with all owners/leinholders signatures. Must have original signatures. See following pages for approval statement requirements if applicable. Mylar must be recorded by Planning staff.
2. **Recording Fees** - Please make checks out to the Larimer County Clerk & Recorder. (Staff will determine the fee amount at final submittal).



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PROJECT DESCRIPTION REQUIREMENTS

The project description should be a brief written narrative explaining your request for the minor land division. Please be sure to address/acknowledge the review criteria below from article 6.5.8.D.2 of the Land Use Code and include a detailed description of the type, size, and location of any existing structures on all lots. **PLEASE INCLUDE WHO YOUR WATER AND SEWER PROVIDERS ARE IN THE PROJECT DESCRIPTION.**

In reviewing a proposed plat modification, the County Commissioners shall consider the general approval criteria in §6.3.8.D, General Review Criteria and the following:

- a. The property is not part of an approved or recorded subdivision plat;*
- b. The property is not part of an exemption or minor residential development approved under the previous subdivision resolution or a minor land division;*
- c. The newly created parcels will meet the minimum lot size required by the applicable zoning district;*
- d. The newly created parcels meet minimum access standards required by the County Engineer or the Colorado Department of Transportation as applicable; and*
- e. Approval of the minor land division will not result in impacts greater than those of existing uses. However, impacts from increased traffic to a public use may be offset by the public benefit derived from such use.*

LAND SURVEY REQUIREMENTS

1. The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the property is bounded by an irregular shore line or body of water, the bearings and distances of a closing meander traverse shall be given and notation made that the plat includes all land to the water's edge or otherwise. All blocks and all lots within each block shall be numbered consecutively and shown on the plat. (See following pages for information on naming standards.) On curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:

- a) Radius of curve.
- b) Central angle.
- c) Arc length.
- d) Chord length and bearing.
- e) Notation of non-tangent curves with radial bearings shown to all points of non-tangency

2. Excepted parcels shall be marked "not included in this subdivision" and the boundary completely indicated by bearings and distances. All streets, walkways and alleys shall be designated as such and streets shall be named. Bearings and dimensions shall be given. All easements shall be designated as to type and adequate bearings and dimensions shall be shown to develop their position in the field. All dimensions of irregularly shaped lots shall be indicated on each lot.

Bearings and lengths shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines. Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced on one plat, provided that all owners join in the dedication and acknowledgment.

Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to seconds of arc.



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SUBDIVISION PLAT SURVEY REVIEW

The Survey Section of the Larimer County Engineering Department provides a public service of reviewing all final subdivision plat submittals. This service provides a level of assurance to the public that the platting conforms with the minimum requirements of Colorado State Law and Larimer County regulations pertaining to land surveying.

The plat from a land survey perspective is a professional land surveyor's report of how the property is configured, divided, the location of easements and rights of way and what survey monumentation exists in the field at the time of recordation. This review process is a cooperative effort between the county and the land surveyor to provide the best possible product for the public and owners of the platted property.

The review process includes:

- A cursory review of the boundary and division lines, easements and rights of ways for survey data to comply with the "Larimer County Land Use Code" and sufficiency for their field development. This review does not involve a detailed check for the accuracy of all mathematical or geometric data. The professional land surveyor who prepared the plat is responsible for this aspect.
- A comparison of the property description against the survey data provided around the perimeter of the platted lands.
- A detailed review for compliance with all applicable Colorado State Laws and County Regulations pertaining to land surveying and platting. Plats are reviewed on an individual basis and the review comments are tailored for each specific submittal.

The following links will provide the basic survey guidelines for final plat review.

AES board rules:

<https://dpo.colorado.gov/AES/Laws>

CRS (See Title 12 Article 120 Part 3 and Title 38):

<https://leg.colorado.gov/agencies/office-legislative-legal-services/colorado-revised-statutes>

Note: A Boundary Line Adjustment plat does not fall under the Colorado Statutory requirements for a platted subdivision, but does fall under the Colorado Statutory requirements for a Land Survey



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PLAT REQUIREMENTS

Project Name and File Number	Example: Smith Minor Land Division File #23- LAND0000 Note: The name cannot be a duplicate and cannot be changed during the course of the project.
North Arrow & Scale	
Site Data	<ul style="list-style-type: none"> Boundaries of the total area with dimensions Section-Township-Range Zoning Lots proposed and resulting acreages (must be labeled as 'lots' not 'parcels' or 'tracts') Water supply/ sewage disposal
Existing Location of: (if applicable)	<ul style="list-style-type: none"> Utilities (gas, electric, water, sewer, well and/or septic system, etc.) Buildings / Structures (i.e. retaining walls, drainage structures, etc.) Roads Easements Natural or manmade features Hazard Areas - such as floodways and/or floodplains, slopes greater than 20%, geologic and wildfire hazards Adjacent development – (ie: subdivisions, exemptions, MRDs, metes and bounds property)
Engineering Items	<ul style="list-style-type: none"> Access (existing, proposed, and emergency) Current and proposed width, name, type, and location of adjacent rights-of-way and easements Proposed easement(s) or right-of-way(s) to be vacated Proposed road right-of-way dedications- See Article 5.3.1. Proposed right-of-way must meet currently adopted roadway classifications
Other	<ul style="list-style-type: none"> Legal Description – typed in paragraph form and indicated along the site boundaries, including perimeter ties and monuments. Vicinity Map – scale of 1'=600', 1,200' or 2,000' showing and labeling the perimeter of the property & significant features within one (1) mile. Naming of Lots Naming of Streets

MONUMENT REQUIREMENTS

For subdivision or resubdivision, in regards to the survey, compliance with all the rules and regulations as set forth in Articles 51 & 53, Title 38, Colorado Revised Statutes, 1973 shall be required. The monumentation required shall be completed before final plat approval is given. In addition, the following shall be required:

1. A copy of each monument record the surveyor has filed with the State Board of Registration for Professional Land Surveyors, or if the surveyor has used an existing monument record, and the description of the monument and it's accessories substantially matches that of the one indicated on the plat, a copythereof is acceptable.
2. Any plat to be filed shall reference at least two (2) public land survey monuments in the section in which it is located.
3. All final plats shall be reviewed by the Larimer County Public Works Department for compliance with the survey requirements of Larimer County and of state law pertaining to platting and monumentation.



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NAMING OF LOTS

Outlots: All parcels that are to be used only for drainage easements, rights of way or other uses that do not need any buildings must be labeled “Outlot” followed by consecutive letter designations beginning with “A”.

Residual Lots: All parcels in Conservation Developments and Rural Land Plans that are considered to be Residual Land must be labeled “Residual Lot” followed by consecutive letter designations beginning with “A”. Residual lots must be further identified by one of the following applicable designations that must be placed in parentheses after the residual lot label:

1. Buildable/Residence(s) for those residual lots that may be occupied by a single family dwelling;
2. Buildable/Support Buildings Only for those residual lots that may be occupied by buildings that are accessory to the use of the residual lot; or
3. Non-Buildable for those residual lots that are not intended to be occupied by any buildings.

Common Area Lots: All parcels in Subdivisions, Conservation Developments, Rural Land Plans, Planned Land Divisions and Minor Land Divisions that are common open space for the development must be labeled “Common Area Lot” followed by a letter designation beginning with “A”. Common Area Lots must be further identified by one of the following applicable designations that must be placed in parentheses after the common area lot label:

1. Buildable/Support Buildings Only for those common area lots that may be occupied by buildings or structures that are intended for use by the lot owners in the development; or
2. Non-Buildable for those common area lots that are not intended to be occupied by any buildings or structures.

Residential, Commercial, Industrial or Multi-Family Lots: All parcels in Subdivisions, Conservation Developments, Planned Land Divisions and Minor Land Divisions that are for residential, commercial, industrial or multi-family purposes must be labeled “Lot” followed by a number designation beginning with 1. Lots labeled as “Tracts” or “Parcels” will not be accepted.

For naming of streets, please visit www.larimer.org/addressing



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FINAL PLAT APPROVAL STATEMENTS

The final plat shall contain the following statements:

1. CERTIFICATION OF OWNERSHIP AND DEDICATION:

Know all men by these presents that _____, being the owner(s) of that part of the (described quarter- section, section, township, range), Larimer County, Colorado, being more particularly described as follows, to wit: Beginning at (complete legal description); containing (to nearest one-hundredth) acres more or less; have by these presents caused the same to be surveyed and subdivided into lots (and blocks as appropriate) to be known as the plat of (Land Division name), and do hereby dedicate and convey to and for public use forever hereafter the streets as are laid out and designated on this plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat, witness our hands and seals this _____ day of _____, 20__.

Owner(s)

The signature(s) shall be notarized as follows:

State of)

) SS

County of)

The foregoing dedication was acknowledged before me this _____ day of _____, 20__ by

SEAL

Notary Public

My commission expires

NOTES:

- (A) Where a mortgage or lienholder are involved, the dedication and signature block must be modified accordingly.
- (B) Where private streets are allowed, the dedication must be modified accordingly.

2. SURVEYOR'S CERTIFICATE:

I, (surveyor's name), a duly licensed land surveyor in the State of Colorado, do hereby certify that this plat of (Minor Land Division name) truly and correctly represents the results of a survey made by me or under my direct supervision.

Surveyor / Seal

3. APPROVAL OF SURVEY PLAT

This plat has been reviewed and is hereby approved as to form as complying with all current survey requirements of Larimer County and of State law pertaining to platting and monumentation. This approval constitutes neither a warranty by Larimer County concerning such compliance, nor a release or indemnity of the subdivider and his surveyor concerning any noncompliance of this plat with current survey requirements.

Date: _____

_____, Colorado P.L.S. No. _____ (Signature)

_____, Larimer County Engineering Department (Printed Name)



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4. LARIMER COUNTY HEALTH AUTHORITY APPROVAL:

By the Larimer County Health Authority this _____ day of _____, 20____.

All construction on this subdivision, or any lot therein, including the development of domestic water, and the provision of sewage treatment, shall be done in a manner which will meet all of the requirements of the Colorado Department of Health, and the Larimer County Public Health Department, and the officers authorized to enforce such requirements.

Larimer County Health Authority

5. BOARD OF COUNTY COMMISSIONERS APPROVAL:

Approved by the Larimer County Board of County Commissioners this _____ day of _____, 20____. All dedications are hereby accepted on behalf of the public. This approval does not constitute acceptance of responsibility by the County for construction, repair, or maintenance of any streets, highways, alleys, bridges, rights-of-way or other improvements designated on this plat.

Chairman ATTEST

Clerk of the Board